

# *City of West Branch*

~ A Heritage for Success ~

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110 N. Poplar St. • P.O. Box 218 • West Branch, Iowa 52358  
Ph. 319-643-5888 • Fax 319-643-2305 • www.westbranchiowa.org • wbcity@lcom.net

## **CITY COUNCIL MEETING AGENDA** **Monday, April 1, 2013 • 7:00 p.m.** **City Council Chambers, 110 North Poplar Street** *Action may be taken on any agenda item.*

1. Call to order
2. Roll call
3. Welcome
4. Approve Agenda/Consent Agenda/Move to action
  - a. Approve minutes from the March 18, 2013 City Council Meeting.
  - b. Approve claims.
5. Communications/Open Forum
6. Public Hearing/Non-Consent Agenda
  - a. Approve Class C Liquor License with Living Quarters, Outdoor Service and Sundays Sales Permits for Fox Run Golf & Country Club.
  - b. Public Hearing on proposal to vacate and dispose of an interest in real property, said real property being generally described as that 60 feet of a 16-foot alley located between lots 65 & 66 and lot 42 in block 7 in Cameron (Original Town) A.K.A. West Branch, in West Branch, Cedar County, Iowa located generally near Main Street and South 5<sup>th</sup> Street.
  - c. First Reading of Ordinance 708, vacating that certain 60-foot portion on an alley located between lots 65 & 66 and lot 42 in block 7 in Cameron (Original Town) also known as West Branch, West Branch, Iowa./Move to action.
  - d. Public Hearing on the matter of a re-zoning of the south 0.05 acres of Auditor's Parcel "H," located within a portion of Block 22 – Oliphants Division, located in a portion of the SW 1/4, SW 1/4 of Section 5 Township 79 North, Range 4 West, of the 5th P.M. City of West Branch, from CB-2 (Commercial Business) to B-2 (Business).
  - e. First Reading of Ordinance 709, re-zoning an approximate 0.05 acre parcel of real property located north of East Main Street from CB-2 Central Business District to B-2 Business District./Move to action.
  - f. Resolution 1091, approving the appointment of Dick Stoolman to fill the unexpired term of Councilmember Mark Worrell./Move to action.

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**Mayor:** Mark Worrell • **Council Members:** Jordan M. Ellyson, Colton Miller, Jim Oaks, Dan O'Neil  
**City Administrator/Clerk:** Matt Muckler • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin  
**Parks & Rec Director:** Melissa Russell • **Police Chief:** Mike Horihan • **Public Works Director:** Matt Goodale

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**CITY COUNCIL MEETING AGENDA**  
**Monday, April 1, 2013 • 7:00 p.m. (continued)**  
**City Council Chambers, 110 North Poplar Street**  
*Action may be taken on any agenda item.*

- g. Public Hearing on Comprehensive Plan Update.
- h. Resolution 1093, adopting the Comprehensive Plan Update./Move to action.
- i. Resolution 1094, approving Lot #3 Pedersen Valley, Part One Site Plan./Move to action.
- j. Resolution 1095, approving Proposed Segmental Retaining Wall, Hilltop Condo, 118 Hilltop Drive Site Plan./Move to action.
- k. Resolution 1096, authorizing a variance to conduct an open burning per Chapter 105.05 of the Code of Ordinances of the City of West Branch, Iowa./Move to action.
- l. Resolution 1097, setting the public hearing and bid date for the 280<sup>th</sup> Street and North Downey Street Resurfacing Projects./Move to action.
- m. Mayor Mark Worrell - Appointments/Reappointments/Move to action.
  - i. Jim Oaks – Mayor Pro Tem
  - ii. Ashley Olson - Animal Control Commission, December 31, 2015.
  - iii. Dr. Alan Beyer, DVM – Animal Control Commission, December 31, 2015.
- 7. City Staff Reports
  - a. City Administrator Matt Muckler – Discussion of proposed Resolution 1087, approving a policy for the disposition of unpaid utility billing final balances.
  - b. City Administrator Matt Muckler – Discussion of City Finance Webpage
  - c. Park & Recreation Director Melissa Russell – Earth Day Planting Event
  - d. Park & Recreation Director Melissa Russell – Wapsi Creek Park Sign
- 8. Comments from Mayor and Council Members
- 9. Adjournment

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**Mayor:** Mark Worrell • **Council Members:** Jordan M. Ellyson, Colton Miller, Jim Oaks, Dan O'Neil  
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*(The following is a synopsis of the minutes of the West Branch City Council meeting. The full text of the minutes is available for inspection at the City Clerk's office. The minutes are not approved until the next regularly scheduled City Council meeting.)*

**West Branch, Iowa  
Council Chambers**

**City Council Meeting**

**March 18, 2013  
6:30 p.m.**

Mayor Pro Tem Jim Oaks opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Attorney Kevin Olson, Administrative Assistant Jennifer Harden, Public Works Director Matt Goodale, Police Chief Mike Horihan and Fire Chief Administrator Dick Stoolman.

Council members: Mark Worrell, Jordan Ellyson, Colton Miller, Dan O'Neil and Mayor Pro Tem Jim Oaks.

**APPROVE AGENDA/CONSENT AGENDA**

a. Approve minutes from the March 4, 2013 City Council Meeting.

b. Approve claims.

Motion by O'Neil to approve the agenda and second by Worrell. AYES: O'Neil, Worrell, Ellyson, Miller, Oaks.  
Motion carried.

Date 3-18-13	City of West Branch	
	Claims Register Report	
Agvantage FS Inc	Streets - LP Gas	633.14
Air Cooled Engine Service	Streets - Parts	7.97
Alliant Energy	Various Depts - Utilities	8,133.74
Altorfer Inc	Streets - Skid Steer Loader	36,788.00
Amazon	Library - Supplies	470.65
Baker & Taylor Inc.	Library - Books	938.97
Bankers Trust Company	Sewer - Go Corp Ref Fee	250.00
Barron Motor Supply	Police/Water/Sewer - Supplies	95.76
BDC-Building Inspection	Admin - Building Inspections	174.30
Blue Cross Blue Shield	Insurance	10,123.36
Bp Amoco	Fire/Police/Streets - Fuel	1,953.94
Brandt, Dawn	Admin - Reimb For Mileage	28.48
Brownells Inc	Police - Handgun Simulator	38.36
Cedar County Recorder	Legal - Recording Fee	17.00
Cedar Rapids Photo Copy	Library - Service	88.99
Community State Bank	Fire Dept Expansion Loan Pmt	8,364.57
Creative Software Services	Police - Computer Consulting	127.50
Culligan Water	Fire - Water Cond Rental	32.95
Dan's Overhead Doors	Fire - Service	454.00
Detroit Industrial Tool	Fire - Blade	247.55
Deweys Jack & Jill	Library/Streets/Fire - Supplies	919.30
Ebsco Industries, Inc	Library - Subscriptions	884.55
Econo Signs LLC	Streets - Signs	492.12
EFTPS	Federal Withholdings	10,123.06
Galls	Police - Jacket	249.99
Hawkins Water Treatment	Water - Azone 15	1,443.50
Hy-Vee	Park & Rec - Rec Supplies	22.76
Iowa Assn. Mun. Util.	Water - Eiasso & Mem Dues	1,059.88
Iowa City Press-Citizen	Library - Subscription	16.00
Iowa Dept Of Natural Resources	Water - Oper Cert & Permit Fee	120.00
Iowa Department Of Revenue	Payroll Expense	705.50
Iowa Law Enforcement Academy	Police - Training School Alex	5,385.00
Iowa Network Services Inc	Admin - Website Hosting	26.99
Iowa One Call	Water/Sewer - Service	58.50
Iowa State University Ext.	Admin-Planning & Zoning Trng	225.00
Iowa State University, Treasurer	Fire - Training Reg Fee	90.00
IPERS	IPERS	9,418.45
Joey Dean Wenndt	Fire - March Fire Training	150.00
Johnson County Refuse Inc.	Recycling - February	3,643.25
Kevin D Olson	Legal Services For March	1,500.00
Lackender Inc	Streets-Equip For Skid Loader	9,700.00
Lease Consultants Corp	Library - Copier Lease	59.00
Liberty Communications	Various Dept - Phone Service	1,046.67
Linn County R.E.C.	Streets - Utilities	102.00
Lynch's Excavating Inc	Water- Water Main Repairs	9,051.35
Lynch's Plumbing Inc	Streets - Supplies	9.50
Mediacom	Admin - Service	40.90

Menards	Streets - Tools & Supplies	738.09
Midwest Frame & Axle	Streets - Supplies	200.54
Midwest Janitorial Service	Lib/Admin/TH/Police -Cleaning	637.00
Ode Design	Library - Supplies	38.00
Office Depot Credit Plan	Admin – Office Supplies	112.92
Payroll Expense	Payroll - March 1 And 15, 2013	46,742.41
Pitney Bowes	Admin/Water/Sewer - Postage	500.00
Plumbers Supply Co.	Water – Supplies & Parts	102.03
QC Analytical Services	Sewer - Testing January	2,178.00
Quality Engraved Signs	Admin - Notary Stamp	18.84
Quill Corp	Library/Police/Admin - Supplies	180.88
Russell, Melissa	Park & Rec - Reimb For Computer Battery	64.99
S & G Materials	Streets – Sand	631.15
Sadler Power Train	Streets – Service	447.98
Schimberg Co	Water – Supplies	356.00
Shanelle M Peden	Cable – Videotaping	75.00
Shimmin, Nick	Library – Reimbursement	60.00
Sprint	Police – Service	179.97
State Hygienic Lab	Water – Testing	244.00
The Library Store Inc	Library - DVD Binders	181.69
The Sherwin-Williams Co.	Water – Paint & Supplies	265.76
Treasurer State Of Iowa	Iowa Sales Tax Pmt February	2,177.44
Treasurer State Of Iowa	State Withholding Tax	1,793.00
Uniform Den Inc.	Police – Badges	511.43
UPS	Sewer – Shipping	122.20
US Cellular	Various Depts - Phone Service	553.00
USA Blue Book	Water/Sewer – Supplies	402.83
Veenstra & Kimm Inc.	Eng For Various Projects	6,169.83
Walmart	Library – Supplies	286.19
Water Solutions Unlimited	Water - Blended Phosphate	1,540.00
Wellmark BC/BS	Flex Payment	1,026.66
West Branch Animal Clinic	Animal Control - Stray Cats	205.00
West Branch Repairs	Fire – Service	140.00
West Branch Times	Legal/Library – Publications	533.00
Wex Bank	Police – Fuel	65.63
White Cap Construction	Streets/Water – Supplies	33.77
	Grand Total	195,027.73
Fund totals		
001 General Fund		58,839.07
022 Civic Center		904.32
031 Library		12,792.71
110 Road Use Tax		52,326.18
112 Trust And Agency		13,354.79
226 Go Debt Service		8,364.57
600 Water Fund		28,644.35
610 Sewer Fund		19,801.74
Grand Total		195,027.73

## COMMUNICATIONS/OPEN FORUM

### **PUBLIC, DEPARTMENT HEADS, COMMISSIONS, CITY ADMINISTRATOR AND CITY COUNCIL**

#### Resolution 1088, recognizing the important contributions to the City of West Branch by the volunteers of AmeriCorps and Hope House./Move to action.

Worrell presented a Certificate of Appreciation on behalf of the City of West Branch to AmeriCorps site supervisor Mike Quinlan, recognizing the organization’s dedication and community service to the City.

Motion by O’Neil to approve Resolution 1088, second by Worrell. AYES: O’Neil, Worrell, Ellyson, Miller, Oaks. Motion carried.

#### Third reading of Ordinance 706 amending Chapter 92 “WATER RATES”./Move to action.

Oaks expressed concern about consumption over 250,000 gallons. Miller explained the rate for users with consumption over 250,000 gallons will stay the same, but they will still pay the increase on the first 250,000 gallons. Oaks main concern is when consumption is beyond 250,000 gallons that the water being sold at the lesser rate is being sold at a cost where money is not lost.

Motion by Miller to approve third reading of Ordinance 706, second by Ellyson. AYES: O’Neil, Worrell. NAYS: Oaks. Abstain with Conflict: Ellyson, Miller. Motion carried.

ORDINANCE NO. 706

AN ORDINANCE AMENDING TITLE CHAPTER 92 "WATER RATES"

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 92 "WATER RATES" of the Code of West Branch, Iowa is hereby amended by deleting Section 92.02 in its entirety and inserting in lieu thereof:

**92.02 RATES FOR SERVICE. Water service shall be furnished at the rate of:**

\$4.59 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective June 20, 2006.

\$5.23 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2012.

All consumption over 250,000 gallons per meter per month stays at this rate.

\$5.87 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2013.

\$6.51 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2014.

\$7.15 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2015.

\$7.79 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2016.

2. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.
3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
4. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 18th day of March, 2013.

First Reading: February 19, 2013

Second Reading: March 4, 2013

Third Reading: March 18, 2013

\_\_\_\_\_  
Jim Oaks, Mayor Pro Tem

Attest:

\_\_\_\_\_  
Dawn Brandt, Deputy City Clerk

Resolution 1089, approving the appointment of Councilmember Mark Worrell to Fill the Unexpired Term of Mayor Don Kessler./Move to action.

Motion by Oaks to approve Resolution 1089, second by Miller. AYES: Oaks, Miller, Ellyson, O'Neil. Abstain with Conflict: Worrell. Motion carried.

Resolution 1090, approving a five year sewer maintenance contract with Municipal Pipe Tool Company, LLC in a minimum amount of \$3,000 per year./Move to action.

Motion by Worrell to approve Resolution 1090, second by O'Neil. AYES: Worrell, O'Neil, Ellyson, Miller, Oaks. Motion carried.

**CITY STAFF REPORTS**

Public Works Director Matt Goodale – Monday, March 25, 2013 Zoning Board of Adjustment Meeting and Tuesday, March 26, 2013 Planning and Zoning Commission Meeting

Goodale made Council aware that a Zoning Board of Adjustment Meeting will be held on Monday, March 25, 2013 at 6:30 p.m. and a Planning and Zoning Commission Meeting will be held on Tuesday, March 26, 2013 at 6:30 p.m.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

O'Neil stated he will resign from Council on April 1, 2013. He is moving to Solon.

**ADJOURNMENT**

Motion to adjourn meeting by Worrell, second by O'Neil. City Council meeting adjourned at 7:10 p.m.

\_\_\_\_\_  
Jim Oaks, Mayor Pro Tem

ATTEST: \_\_\_\_\_  
Jennifer Harden, Administrative Assistant

DATE 4-1-13

CITY OF WEST BRANCH  
CLAIMS REGISTER REPORT

<u>VENDOR NAME</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>FUND</u>	<u>DEPARTMENT</u>	<u>AMOUNT</u>
ECS INC	03/25/2013	CABLE-SHIPPIING FOR EQUIP.	GENERAL FUND	LOCAL CABLE ACCESS	40.50
EFTPS	03/25/2013	FEDERAL WITHHOLDINGS	GENERAL FUND	NON-DEPARTMENTAL	1,174.88
	03/25/2013	SOCIAL SECURITY WITHHOLDI	GENERAL FUND	NON-DEPARTMENTAL	838.41
	03/25/2013	MEDICARE WITHHOLDINGS	GENERAL FUND	NON-DEPARTMENTAL	196.09
	03/25/2013	FEDERAL WITHHOLDINGS	LIBRARY	NON-DEPARTMENTAL	253.04
	03/25/2013	SOCIAL SECURITY WITHHOLDI	LIBRARY	NON-DEPARTMENTAL	215.64
	03/25/2013	MEDICARE WITHHOLDINGS	LIBRARY	NON-DEPARTMENTAL	50.43
	03/25/2013	SOCIAL SECURITY WITHHOLDI	ROAD USE TAX	NON-DEPARTMENTAL	1.33
	03/25/2013	MEDICARE WITHHOLDINGS	ROAD USE TAX	NON-DEPARTMENTAL	0.31
	03/25/2013	SOCIAL SECURITY WITHHOLDI	TRUST AND AGENCY	POLICE OPERATIONS	352.61
	03/25/2013	MEDICARE WITHHOLDINGS	TRUST AND AGENCY	POLICE OPERATIONS	82.47
	03/25/2013	SOCIAL SECURITY WITHHOLDI	TRUST AND AGENCY	ROADS & STREETS	122.31
	03/25/2013	MEDICARE WITHHOLDINGS	TRUST AND AGENCY	ROADS & STREETS	28.61
	03/25/2013	SOCIAL SECURITY WITHHOLDI	TRUST AND AGENCY	LIBRARY	215.64
	03/25/2013	MEDICARE WITHHOLDINGS	TRUST AND AGENCY	LIBRARY	50.43
	03/25/2013	SOCIAL SECURITY WITHHOLDI	TRUST AND AGENCY	PARK & RECREATION	83.28
	03/25/2013	MEDICARE WITHHOLDINGS	TRUST AND AGENCY	PARK & RECREATION	19.48
	03/25/2013	SOCIAL SECURITY WITHHOLDI	TRUST AND AGENCY	CEMETERY	101.03
	03/25/2013	MEDICARE WITHHOLDINGS	TRUST AND AGENCY	CEMETERY	23.63
	03/25/2013	SOCIAL SECURITY WITHHOLDI	TRUST AND AGENCY	CLERK & TREASURER	161.90
	03/25/2013	MEDICARE WITHHOLDINGS	TRUST AND AGENCY	CLERK & TREASURER	37.86
	03/25/2013	SOCIAL SECURITY WITHHOLDI	TRUST AND AGENCY	LOCAL CABLE ACCESS	18.60
	03/25/2013	MEDICARE WITHHOLDINGS	TRUST AND AGENCY	LOCAL CABLE ACCESS	4.35
	03/25/2013	FEDERAL WITHHOLDINGS	WATER FUND	NON-DEPARTMENTAL	276.34
	03/25/2013	SOCIAL SECURITY WITHHOLDI	WATER FUND	NON-DEPARTMENTAL	166.60
	03/25/2013	MEDICARE WITHHOLDINGS	WATER FUND	NON-DEPARTMENTAL	38.96
	03/25/2013	SOCIAL SECURITY WITHHOLDI	WATER FUND	WATER OPERATING	166.61
	03/25/2013	MEDICARE WITHHOLDINGS	WATER FUND	WATER OPERATING	38.98
	03/25/2013	FEDERAL WITHHOLDINGS	SEWER FUND	NON-DEPARTMENTAL	276.33

	03/25/2013	SOCIAL SECURITY WITHHOLDI	SEWER FUND	NON-DEPARTMENTAL	166.61
	03/25/2013	MEDICARE WITHHOLDINGS	SEWER FUND	NON-DEPARTMENTAL	38.98
	03/25/2013	SOCIAL SECURITY WITHHOLDI	SEWER FUND	SEWER OPERATING	166.61
	03/25/2013	MEDICARE WITHHOLDINGS	SEWER FUND	SEWER OPERATING	38.96
				TOTAL:	5,407.31
GOODALE, MATTHEW	03/25/2013	REIMB FOR MILEAGE	SEWER FUND	SEWER OPERATING	108.58
IOWA DEPT OF REVENUE	03/25/2013	PAYROLL EXPENSE	GENERAL FUND	NON-DEPARTMENTAL	210.00
	03/25/2013	PAYROLL EXPENSE	WATER FUND	NON-DEPARTMENTAL	70.00
	03/25/2013	PAYROLL EXPENSE	SEWER FUND	NON-DEPARTMENTAL	70.00
				TOTAL:	350.00
IOWA FINANCE AUTHORITY	03/15/2013	SRF GO LOAN PAYOFF	DEBT SERVICE	DEBT SERVICE	1,304,206.00
IPERS	03/25/2013	IPERS	GENERAL FUND	NON-DEPARTMENTAL	489.11
	03/25/2013	IPERS	GENERAL FUND	NON-DEPARTMENTAL	469.55
	03/25/2013	IPERS	GENERAL FUND	NON-DEPARTMENTAL	465.03
	03/25/2013	PROT IPERS	GENERAL FUND	NON-DEPARTMENTAL	397.65
	03/25/2013	PROT IPERS	GENERAL FUND	NON-DEPARTMENTAL	406.05
	03/25/2013	PROT IPERS	GENERAL FUND	NON-DEPARTMENTAL	389.01
	03/25/2013	IPERS	LIBRARY	NON-DEPARTMENTAL	198.94
	03/25/2013	IPERS	LIBRARY	NON-DEPARTMENTAL	197.06
	03/25/2013	IPERS	LIBRARY	NON-DEPARTMENTAL	201.02
	03/25/2013	IPERS	ROAD USE TAX	NON-DEPARTMENTAL	2.07
	03/25/2013	IPERS	ROAD USE TAX	NON-DEPARTMENTAL	2.48
	03/25/2013	IPERS	ROAD USE TAX	NON-DEPARTMENTAL	1.24
	03/25/2013	PROT IPERS	TRUST AND AGENCY	POLICE OPERATIONS	597.05
	03/25/2013	PROT IPERS	TRUST AND AGENCY	POLICE OPERATIONS	609.65
	03/25/2013	PROT IPERS	TRUST AND AGENCY	POLICE OPERATIONS	584.07
	03/25/2013	IPERS	TRUST AND AGENCY	ROADS & STREETS	199.46
	03/25/2013	IPERS	TRUST AND AGENCY	ROADS & STREETS	183.82
	03/25/2013	IPERS	TRUST AND AGENCY	ROADS & STREETS	180.14
	03/25/2013	IPERS	TRUST AND AGENCY	LIBRARY	298.42

03/25/2013	IPERS	TRUST AND AGENCY	LIBRARY	295.60	
03/25/2013	IPERS	TRUST AND AGENCY	LIBRARY	301.54	
03/25/2013	IPERS	TRUST AND AGENCY	PARK & RECREATION	116.46	
03/25/2013	IPERS	TRUST AND AGENCY	PARK & RECREATION	116.46	
03/25/2013	IPERS	TRUST AND AGENCY	PARK & RECREATION	116.46	
03/25/2013	IPERS	TRUST AND AGENCY	CEMETERY	168.46	
03/25/2013	IPERS	TRUST AND AGENCY	CEMETERY	151.17	
03/25/2013	IPERS	TRUST AND AGENCY	CEMETERY	150.38	
03/25/2013	IPERS	TRUST AND AGENCY	CLERK & TREASURER	226.38	
03/25/2013	IPERS	TRUST AND AGENCY	CLERK & TREASURER	230.56	
03/25/2013	IPERS	TRUST AND AGENCY	CLERK & TREASURER	226.38	
03/25/2013	IPERS	TRUST AND AGENCY	LOCAL CABLE ACCESS	26.01	
03/25/2013	IPERS	TRUST AND AGENCY	LOCAL CABLE ACCESS	26.01	
03/25/2013	IPERS	TRUST AND AGENCY	LOCAL CABLE ACCESS	26.01	
03/25/2013	IPERS	WATER FUND	NON-DEPARTMENTAL	170.69	
03/25/2013	IPERS	WATER FUND	NON-DEPARTMENTAL	160.98	
03/25/2013	IPERS	WATER FUND	NON-DEPARTMENTAL	159.36	
03/25/2013	IPERS	WATER FUND	WATER OPERATING	256.04	
03/25/2013	IPERS	WATER FUND	WATER OPERATING	241.47	
03/25/2013	IPERS	WATER FUND	WATER OPERATING	239.06	
03/25/2013	IPERS	SEWER FUND	NON-DEPARTMENTAL	170.69	
03/25/2013	IPERS	SEWER FUND	NON-DEPARTMENTAL	160.99	
03/25/2013	IPERS	SEWER FUND	NON-DEPARTMENTAL	159.36	
03/25/2013	IPERS	SEWER FUND	SEWER OPERATING	256.04	
03/25/2013	IPERS	SEWER FUND	SEWER OPERATING	241.49	
03/25/2013	IPERS	SEWER FUND	SEWER OPERATING	239.05	
			TOTAL:	10,504.92	
MEDIACOM	03/25/2013	ADMIN - SERVICE	GENERAL FUND	CLERK & TREASURER	40.90
MAESTRO, JASON	03/25/2013	UTILITY REFUND	WATER FUND	WATER OPERATING	35.96
PARKSIDE SERVICE	03/25/2013	STREETS - TIRES LOADER	ROAD USE TAX	ROADS & STREETS	524.90

PITNEY BOWES	03/25/2013	ADMIN - METER LEASE	GENERAL FUND	CLERK & TREASURER	444.03
SPEER FINANCIAL INC	03/26/2013	SRVS WITH ISSUANCE OF BOND	SEWER FUND	SEWER OPERATING	6,625.10
	03/26/2013	SRVS WITH ISSUANCE OF BOND	WASTEWATER LIFT ST	WASTEWATER LIFT ST	6,625.10
				TOTAL:	13,250.20
TREASURER STATE OF IOWA	03/25/2013	STATE WITHHOLDING TAX	GENERAL FUND	NON-DEPARTMENTAL	587.90
	03/25/2013	STATE WITHHOLDING TAX	GENERAL FUND	NON-DEPARTMENTAL	565.40
	03/25/2013	STATE WITHHOLDING TAX	GENERAL FUND	NON-DEPARTMENTAL	613.10
	03/25/2013	STATE WITHHOLDING TAX	LIBRARY	NON-DEPARTMENTAL	93.00
	03/25/2013	STATE WITHHOLDING TAX	LIBRARY	NON-DEPARTMENTAL	91.00
	03/25/2013	STATE WITHHOLDING TAX	LIBRARY	NON-DEPARTMENTAL	105.00
	03/25/2013	STATE WITHHOLDING TAX	WATER FUND	NON-DEPARTMENTAL	119.05
	03/25/2013	STATE WITHHOLDING TAX	WATER FUND	NON-DEPARTMENTAL	108.80
	03/25/2013	STATE WITHHOLDING TAX	WATER FUND	NON-DEPARTMENTAL	122.45
	03/25/2013	STATE WITHHOLDING TAX	SEWER FUND	NON-DEPARTMENTAL	119.05
	03/25/2013	STATE WITHHOLDING TAX	SEWER FUND	NON-DEPARTMENTAL	108.80
	03/25/2013	STATE WITHHOLDING TAX	SEWER FUND	NON-DEPARTMENTAL	122.45
				TOTAL:	2,756.00
PAYROLL EXPENSES	03/29/2013	PAYROLL EXPENSES	GENERAL FUND	POLICE OPERATION	5,417.16
			GENERAL FUND	ROADS AND STREETS	1,636.32
			GENERAL FUND	PARK & RECREATION	1,343.21
			GENERAL FUND	CEMETERY	1,314.72
			GENERAL FUND	CLERK & TREASURER	2,611.12
			GENERAL FUND	LOCAL CABLE ACCESS	300.00
			LIBRARY	LIBRARY	3,477.98
			ROAD USE TAX	ROADS & STREETS	21.42
			WATER FUND	WATER OPERATING	2,477.17
			SEWER FUND	SEWER OPERATING	2,477.18
				TOTAL:	21,076.28
				<b>GRAND TOTAL</b>	<b>1,358,745.58</b>

FUND TOTALS	
1 GENERAL	19950.14
31 LIBRARY	4883.11
110 ROAD USE TAX	553.75
112 TRUST AGENCY	6132.69
226 DEBT SERVICE	1,304,206.00
600 WATER FUND	4848.52
610 SEWER FUND	11546.27
614 WASTEWATER LIFT	6625.1
GRAND TOTALS	1358745.58

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSAL TO VACATE AND DISPOSE OF AN INTEREST IN REAL PROPERTY, SAID REAL PROPERTY BEING GENERALLY DESCRIBED AS THAT 60 FEET OF A 16-FOOT ALLEY LOCATED BETWEEN LOTS 65 & 66 AND LOT 42 IN BLOCK 7 IN CAMERON (ORIGINAL TOWN) A.K.A. WEST BRANCH, IN WEST BRANCH, CEDAR COUNTY, IOWA LOCATED GENERALLY NEAR MAIN STREET AND SOUTH 5<sup>TH</sup> STREET.

YOU ARE HEREBY NOTIFIED that a public hearing will be held by the City Council of the City of West Branch in the Council Chambers, at the City Hall at 110 Poplar Street, at 7:00 o'clock P.M., on Monday, April 1<sup>st</sup>, 2013. Said public hearing shall be to consider the intent and proposal of vacating and disposing of the City's interest in the 60 feet of that 16-foot alley located to the north of Lots 65 & 66 and to the south of Lot 42 in Block 7 in Cameron (Original Town) a.k.a. West Branch, in West Branch, Cedar County, Iowa.

/s/ Matt Muckler, City Administrator/Clerk,

Prepared by Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241  
Return to: West Branch City Clerk, 110 Poplar Street, West Branch, Iowa 52358

**Ordinance No. 708**

AN ORDINANCE VACATING THAT CERTAIN 60-FOOT PORTION ON AN ALLEY LOCATED BETWEEN LOTS 65& 66 AND LOT 42 IN BLOCK 7 IN CAMERON (ORIGINAL TOWN) ALSO KNOWN AS WEST BRANCH, WEST BRANCH, IOWA.

WHEREAS, pursuant to Section 354.23 of the Code of Iowa, the City has held a public hearing on the proposed vacation of a 60-foot portion of the alley located between Lots 65 & 66 and Lot 42, Block 7 in Cameron (Original Town) A.K.A. West Branch, Cedar County, Iowa; and

WHEREAS, it is now necessary to pass an ordinance vacating said section of alley and directing the County Auditor to use this ordinance as the conveyance document for said alley without further documentation.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA, AS FOLLOWS:

Section 1. Vacation of Alley.

The 60-feet of that certain 16-foot wide alley located to the north of Lots 65 & 66 and to the south of Lot 42 in Block 7 in Cameron (Original Town) A.K.A. West Branch, Cedar County, Iowa, be and the same is hereby vacated.

Section 2. Conveyance.

Pursuant to Section 354.23 of the Code of Iowa, the alley shall be conveyed as follows:

- a. The northern 8-feet of said 60-foot alley shall be conveyed to Thomas Cannon (Parcel #0500-13-08-127-003-0)
- b. The southern 8-feet of said 60-foot alley shall be conveyed to James and Lois Oaks (Parcel #0500-13-08-127-013-0)

The County Auditor is directed to show said conveyance on its books without further documentation.

Section 3. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Adjudication. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

\* \* \* \* \*

Passed and approved this 1st day of April, 2013.

First Reading: April 1, 2013

Second Reading:

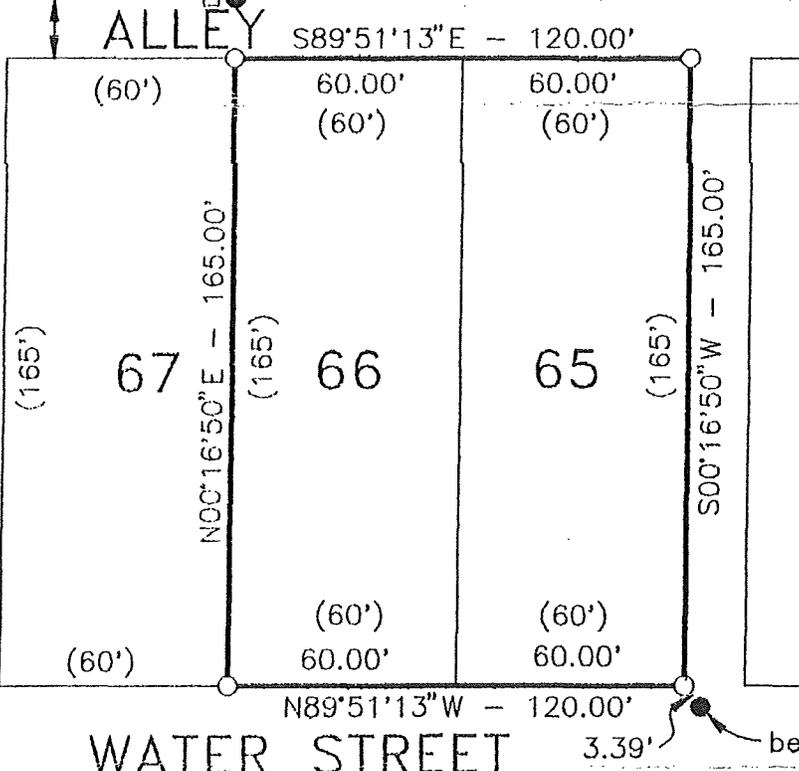
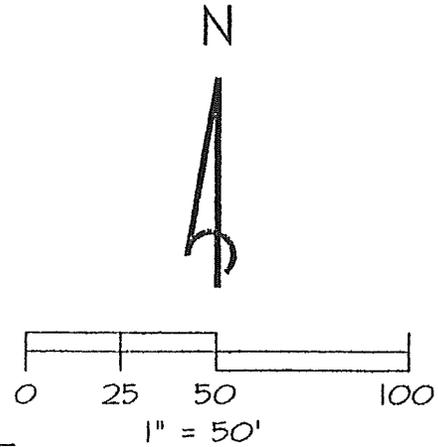
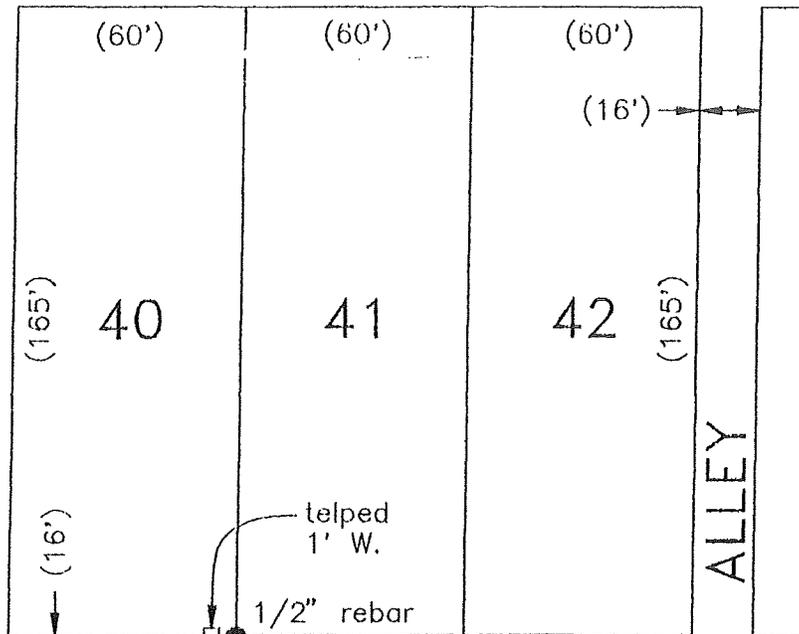
Third Reading:

\_\_\_\_\_  
Mark Worrell, Mayor

ATTEST:

\_\_\_\_\_  
Matt Muckler, City Administrator/Clerk

5th STREET



**LEGEND:**

- 5/8" rebar found unless noted
- Set 1/2" CapRod #8295
- ( ) Recorded dimension or Bk - Pg

Error of closure less than 1:5000.

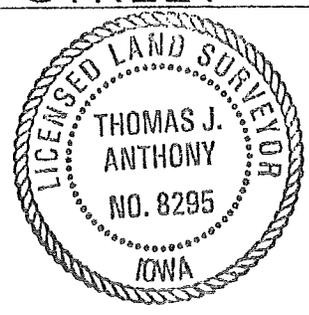
(60')

WATER STREET

3.39' bent in creek

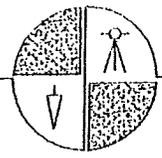
Parcel is located in Springdale Twp.

Proprietor requesting survey: James E. Oaks



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

*Thomas J. Anthony* Sept 24, 2009 date  
 Thomas J. Anthony License number 8295  
 My license renewal date is December 31, 2010.  
 Pages or sheets covered by this seal: 1 of 1



**LANDMARK**  
 SURVEYING AND ENGINEERING  
 535 SOUTHGATE AVENUE  
 IOWA CITY, IOWA 52240  
 PHONE (319) 354-1984

TITLE	FLD BK	SCALE
PLAT OF SURVEY - RETRACEMENT	62/68	1" = 50'
PROJECT	DATE	REV
LOTS 65 & 66 BLOCK 7 WEST BRANCH IOWA	9.15.09	
	DRN BY	APRV BY
	cls	TA
	JOB NO.	SHEET
	6:09047	1 of 1

## NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE WEST BRANCH ZONING CODE.

YOU ARE HEREBY NOTIFIED that a public hearing will be held by the West Branch City Council in the Council Chambers at City Hall at 110 N. Poplar Street, at 7:00 o'clock P.M. on Monday, April 1<sup>st</sup>, 2013. The public hearing will discuss the proposed rezoning of the following described parcel from CB-2 Commercial Business District to B-2 Business District:

That certain property located in the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 5, Township 79 North, Range 4 West of the 5<sup>th</sup> P.M., and legally described as the south 0.5 acres of Auditor's Parcel H, in Block 22 of Oliphant's Division.

All interested persons are invited to attend either or both meetings and be heard on the aforementioned proposed adoption of the amendment. Further information regarding same may be obtained by contacting the West Branch City Clerk.

/s/   
Matt Muckler, City Administrator/Clerk

Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319)351-2277  
Return to: Dawn Brandt, Deputy City Clerk, P.O. Box 218, West Branch, Iowa 52358 (319)643-5888

**ORDINANCE NO. 709**

**AN ORDINANCE RE-ZONING AN APPROXIMATE 0.05 ACRE PARCEL OF REAL PROPERTY LOCATED NORTH OF EAST MAIN STREET FROM CB-2 CENTRAL BUSINESS DISTRICT TO B-2 BUSINESS DISTRICT.**

WHEREAS, Terry Suchomel has petitioned the City of West Branch for a zoning district amendment for an approximate 0.05-acre parcel located north of East Main Street, said parcel being legally described as the south .05 acres of Auditor's Parcel "H", located within a portion of Block 22 – Oliphants Division, located in a portion of the SW 1/4, SW 1/4 of Section 5, Township 79 North, Range 4 West, of the 5<sup>th</sup> P.M. City of West Branch; and

WHEREAS, Suchomel has requested that the Parcel be rezoned to be located in an B-2 Business District, in place of a CB-2 Central Business District; and

WHEREAS, the West Branch Planning and Zoning Commission has recommended the City Council approve said rezoning request; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of West Branch, Iowa :

Section 1. That the zoning map for the City of West Branch is hereby amended to show the Parcel being located in a B-2 Business District in place of an CB-2 Central Business District.

Section 2. This ordinance shall be in full force and effect from and after its publication as by law provided.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2013.

Read First Time: April 1, 2013  
Read Second Time:  
Read Third Time:

\_\_\_\_\_  
Mark Worrell, Mayor

ATTEST: \_\_\_\_\_  
Matt Muckler, City Administrator/Clerk

# CITY OF WEST BRANCH, IOWA

## PETITION FOR REZONING

To: Mayor, City Council, Planning & Zoning Commission, City Clerk of West Branch, Iowa, 52358

16 copies to be submitted to the City Clerk: 1 – Zoning Administrator; 7 – P&Z Commission; 6 – City Council; 1 – City Clerk; 1 – City Attorney

Filing Fee: \$150

I/We, the undersigned, owner(s) of the property described in paragraph one (1) below, do hereby petition to amend the present Zoning Ordinance as hereinafter designated, and in support thereof, the following facts are presented:

1. That the area to be rezoned is contained in the following legal description:

The south .05 acres of Auditor's Parcel "H", located within a portion of  
Block 22 - Oliphants Division. Located in a portion of the SW 1/4, SW 1/4  
of Section 5, Township 79 North, Range 4 West, of the 5th P.M. City of West Branch.  
see zoning exhibit attached

2. General location or street address of property (Attach a map showing the area):

325 E Main Street

3. That it is requested and desired that the foregoing property be rezoned from the CB-2 Zoning District to the B-2 Zoning District.

4. That the reasons for requesting the change are as follows:

The lot lines are being cleaned up with a Plat of Survey to reflect the existing buildings.

This has consequentially caused a newly formed parcel to have two zonings on it. We are  
requesting this rezoning in an effort to have a uniform zoning on the entire parcel.

5. Pursuant to Section 165.23(4), attached hereto is a site plan showing existing and proposed structures, uses, open spaces, facilities for parking and loading and arrangements for pedestrian and vehicular circulation of the area proposed for amendment, as well as the use and zoning classification of abutting properties.
6. The proposed time schedule for the beginning and the completion of the development is as follows:
7. That the undersigned own(s) property within the area which is requested to be rezoned. (Note: If the property is being purchased on contract both sellers and buyers must sign.)
8. That the undersigned have been fully apprised and acquainted with the uses to which the area to be rezoned may be put if the rezoning takes place.

9. That the names and the addresses of owners of property located within two hundred feet (200') of the exterior boundaries of the property for which the change is proposed are:

Name	Address
Robert D Herring	516 185th Street, Mechanicsville, IA 52306
City of West Branch	110 N Poplar St. West Branch IA 52358
Hawkeye Land Co	500 Stickle Dr. NE Cedar Rapids, IA 52358
Roy A Lewis	111 E Lemon St. West Branch, IA 52358
Jeanne Renee Lewis	113 N 2nd St. West Branch, IA 52358
Casey's Marketing Company	311 E Main St. West Branch, IA 52358
Dalton Gang Co	315 E Main St. West Branch, IA 52358
T A Suchomel LLC	22 Greenview Circle West Branch, IA 52358
Jeanette & Mark Thomas	564 Oliphant St. West Branch, IA 52358
Croell Redi-Mix Inc	3310 S Riverside Dr. Iowa City, IA 52246

10. That I/We understand that it is my/our duty to send, at my/our own cost, notice by regular mail of the date, time and place of the public hearings before the Planning & Zoning Commission and the City Council to the owners of the property specified above, and to file with the City Clerk proof of the mailing of such notice before the public hearings.

Dated this 20 day of February, 2013.

Terry Suchomel

Signature



22 Greenview Circle, West Branch, IA 52358

Address

319-330-8886

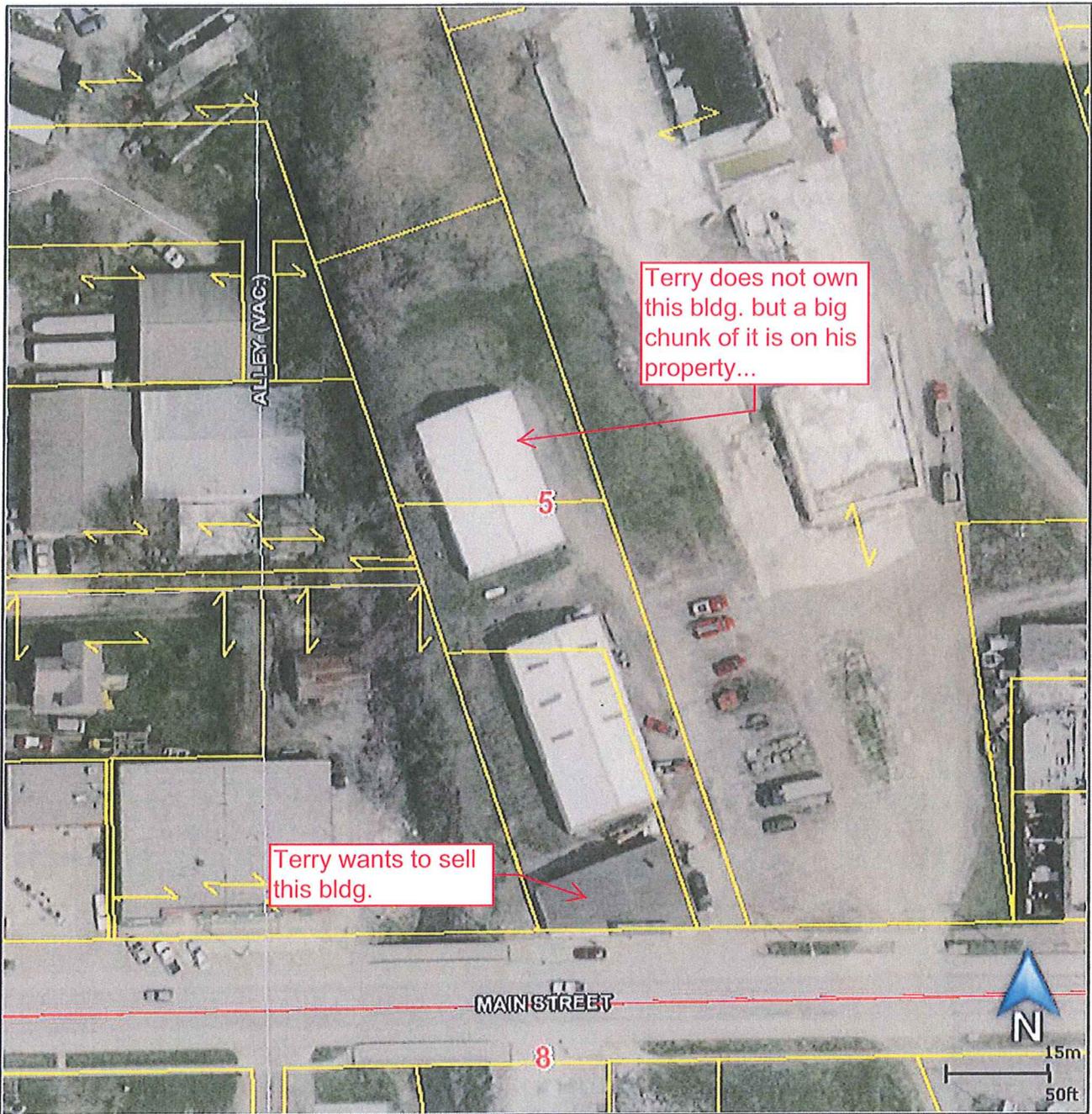
Phone



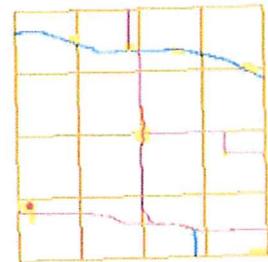


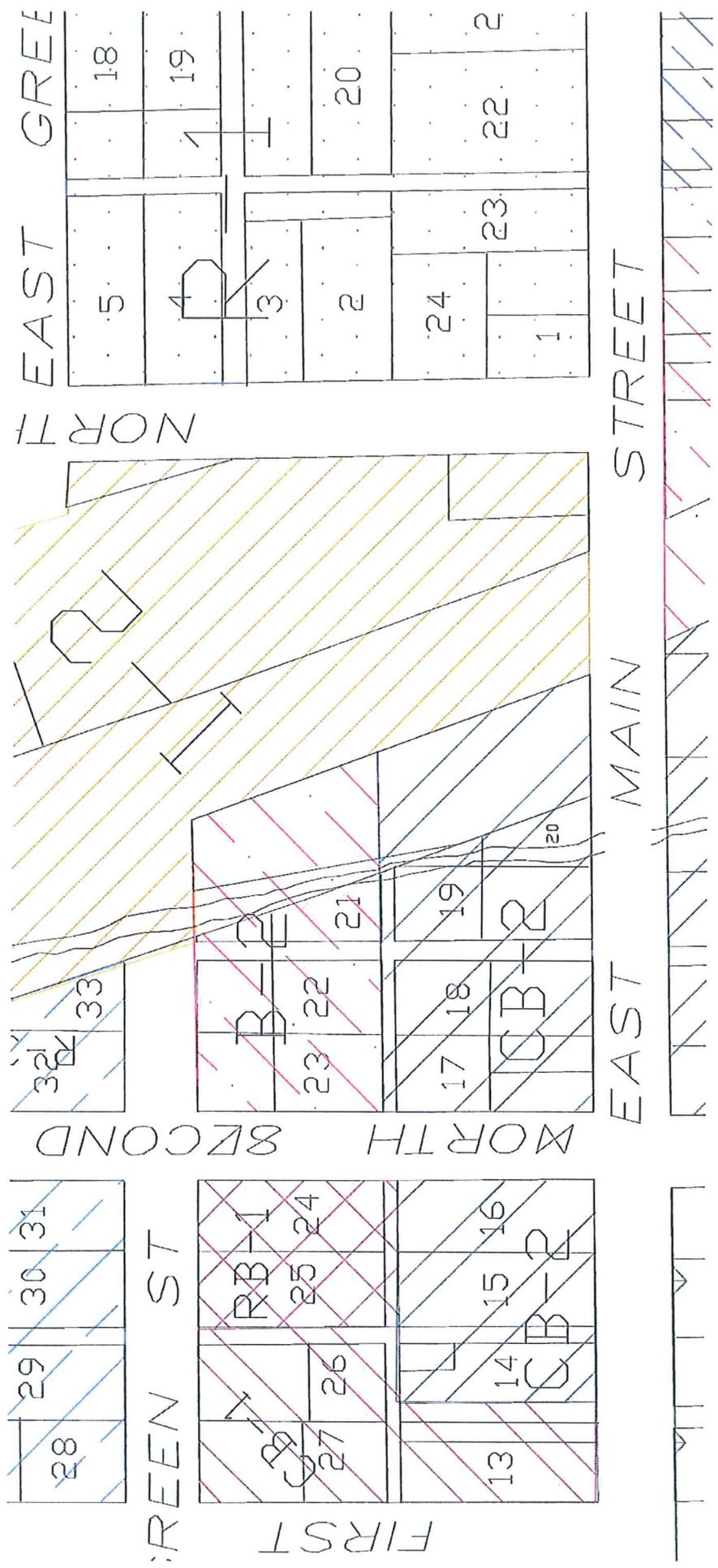


# Cedar County, IA



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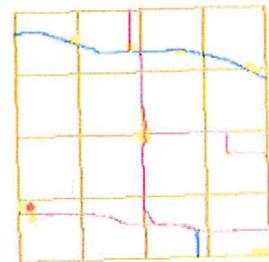




# Cedar County, IA



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# MMS CONSULTANTS, INC.

IOWA CITY IOWA  
OFFICE: 319-351-8282

*Your Vision + Our Innovation = Inspired Results*

CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS  
LANDSCAPE ARCHITECTS  
ENVIRONMENTAL SPECIALISTS

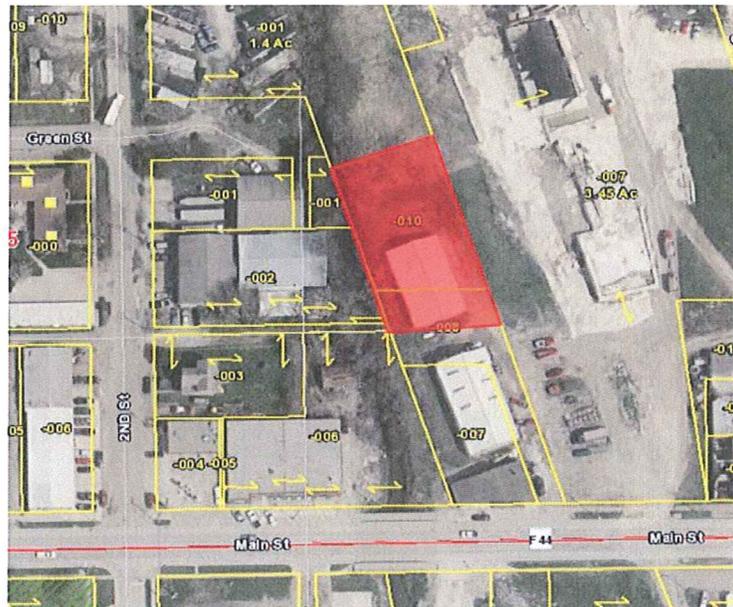
March 5, 2013

Project# 5275-004

Re: 325 E Main Street, West Branch

Dear Resident:

MMS Consultants Inc., on behalf of Terry Suchomel, would like to inform you of a recent rezoning application submitted to the City of West Branch for the property located at 325 E Main Street in West Branch. A majority of the parcel is currently zoned Central Business District CB-2, we are requesting that the entire parcel be zoned to Business District B-2. You are being notified of this application because you have property within 200 feet of this area.



A public Planning and Zoning meeting will be held on Tuesday, March 26, 2013. If the Planning and Zoning Commission recommends approval, the rezoning will move forward to the City Council meeting on Monday April 1<sup>st</sup>, at 7 p.m. If you would like to attend either of these meetings you are welcome to. The meetings will be held in the Council Chambers at City Hall, 110 N Poplar Street. If you cannot attend, you can contact me or Matt Muckler with the City of West Branch, (319) 643-5888, with any questions or concerns you may have.

Sincerely,

Sandra Steil  
MMS Consultants Inc.  
[s.steil@mmsconsultants.net](mailto:s.steil@mmsconsultants.net)

# *City of West Branch*

~ A Heritage for Success ~

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110 N. Poplar St. • P.O. Box 218 • West Branch, Iowa 52358  
Ph. 319-643-5888 • Fax 319-643-2305 • www.westbranchiowa.org • wbcity@lcom.net

## **PLANNING AND ZONING COMMISSION MEETING**

**Tuesday, March 26, 2013 • 6:30 p.m.**

**West Branch City Council Chambers, 110 N. Poplar St.**

*Council Quorum May Be Present*

1. Call to Order
2. Roll Call
3. Approve minutes from the February 26, 2013 Planning & Zoning Commission Meeting./Move to action.
4. Public Hearing on the Comprehensive Plan Update.
5. Approve a recommendation to the City Council to adopt the Comprehensive Plan Update./Move to action.
6. Public Hearing on the matter of a re-zoning of the south 0.5 acres of Auditor's Parcel "H," located within a portion of Block 22 – Oliphants Division, located in a portion of the SW 1/4, SW 1/4 of Section 5 Township 79 North, Range 4 West, of the 5th P.M. City of West Branch, from CB-2 (Commercial Business) to B-2 (Business).
7. Approve a recommendation to the City Council for the rezoning of the south 0.5 acres of Auditor's Parcel "H," located within a portion of Block 22 – Oliphants Division, located in a portion of the SW 1/4, SW 1/4 of Section 5 Township 79 North, Range 4 West, of the 5th P.M. City of West Branch, from CB-2 to B-2. /Move to action.
8. Approve Site Plan for Lot #3 Pedersen Valley, Part One./Move to action.
9. Approve Site Plan for Proposed Segmental Retaining Wall, Hilltop Condo, 118 Hilltop Drive./Move to action.
10. Old Business
11. New Business
12. Adjourn

---

**Planning & Zoning Commission Members:** Roger Laughlin, Chair, John Fuller,

Trent Hansen, Lauren O'Neil, Al Rozinek, Gary Slach, Mary Beth Stevenson

**Mayor:** vacant • **Council Members:** Jordan M. Ellyson, Colton Miller, Jim Oaks, Dan O'Neil, Mark Worrell

**City Administrator/Clerk:** Matt Muckler • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin

**Parks & Rec Director:** Melissa Russell • **Police Chief:** Mike Horihan • **Public Works Director:** Matt Goodale

# *City of West Branch*

~ A Heritage for Success ~

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110 N. Poplar St. • P.O. Box 218 • West Branch, Iowa 52358  
Ph. 319-643-5888 • Fax 319-643-2305 • [www.westbranchiowa.org](http://www.westbranchiowa.org) • [wbcity@lcom.net](mailto:wbcity@lcom.net)

**ZONING BOARD OF ADJUSTMENT MEETING**  
**Monday, March 25, 2013 • 6:30 p.m.**  
**West Branch City Council Chambers, 110 N. Poplar St.**  
*Council Quorum May Be Present*

1. Call to Order
2. Roll Call
3. Approve minutes from the September 27, 2012 Zoning Board of Adjustment Meeting/Move to action.
4. Public Hearing on Variances on the south 0.5 acres of Auditor's Parcel "H," located within a portion of Block 22 – Oliphants Division, located in a portion of the SW 1/4, SW 1/4 of Section 5 Township 79 North, Range 4 West, of the 5th P.M. City of West Branch.
5. Approve Variances on the south 0.5 acres of Auditor's Parcel "H," located within a portion of Block 22 – Oliphants Division, located in a portion of the SW 1/4, SW 1/4 of Section 5 Township 79 North, Range 4 West, of the 5th P.M. City of West Branch./Move to action.
6. Adjourn

---

**Board of Adjustment Members:** Jim Huber, Chair, Wilburn Bass, Craig Cochran, Wayne Frauenholtz and Craig Walker  
**Mayor:** vacant • **Council Members:** Jordan M. Ellyson, Colton Miller, Jim Oaks, Dan O'Neil, Mark Worrell  
**City Administrator/Clerk:** Matt Muckler • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin  
**Parks & Rec Director:** Melissa Russell • **Police Chief:** Mike Horihan • **Public Works Director:** Matt Goodale



# MMS CONSULTANTS, INC.

IOWA CITY IOWA  
OFFICE: 319-351-8282

*Your Vision + Our Innovation = Inspired Results*

CIVIL ENGINEERS

LAND SURVEYORS

LAND PLANNERS

LANDSCAPE ARCHITECTS

ENVIRONMENTAL SPECIALISTS

February 12, 2013 (revised 03-08-13)  
# 5275-004

Project

City of West Branch  
Matt Muckler  
PO Box 218 110 N Poplar St.  
West Branch, IA 52358

Re: Variance Request - 325 & 323 E Main Street, West Branch

Dear Matt:

MMS Consultants, on behalf of Terry Suchomel, would like to request a series of variances on the sites located at 325 & 323 E Main. We are in the process of cleaning up the lot lines for these properties – Parcel numbers 05001305360007, 008 and 010. Right now, several of the lot lines are cutting through various buildings. However, the three existing buildings have been there for some time, in some cases 30 years or more, much longer than the zoning ordinance has been in place. The buildings were not constructed with any thought of future lot line setbacks and constraints. It would be cost prohibitive to tear down or move the buildings. We have attempted to position the lot lines the best we could with the constraints we are faced with. We are requesting the following variances in regards to the building setbacks.

	<u>Required</u>	<u>Requesting</u>
<u>Auditor's Parcel "J" -</u>	Front Yard – 25'	14.33'
<u>Auditor's Parcel "H" -</u>	Front Yard – 25'	5.5'
<u>Auditor's Parcel "K"-</u>	Front Yard – 25'	25'
Auditor's Parcel "K"-	Rear Yard – 20'	9.3'
Auditor's Parcel "K"-	Side Yard – 8'	East Side 4.7' West Side 0.7'

If you have any questions or concerns, please feel free to contact me.

Respectfully submitted,

Sandra Steil  
MMS Consultants Inc.

**NOTICE OF THE WEST BRANCH CITY COUNCIL'S INTENTION TO APPOINT A REPLACEMENT FOR THE VACATED COUNCIL POSITION.**

YOU ARE HEREBY NOTIFIED that, pursuant to Section 372.13 of the Code of Iowa, that it is the intention of the City Council of the City of West Branch, Iowa, to appoint a replacement for the remaining term of the Council position that was vacated by the resignation of the duly elected Councilperson Mark Worrell.

YOU ARE HEREBY FURTHER NOTIFIED that if within 14 days of the date of this notice, or the date of the appointment of the replacement Council Position by the City Council, whichever is later, that the eligible electors of the City of West Branch can file a petition with the West Branch City Clerk to replace the vacated Council seat by special election. If a duly approved petition pursuant to Section 372.13 of the Code of Iowa is filed, the appointment made by the City Council shall be temporary until such special election can be held in accordance with State law.

/s/   
Matt Muckler, City Administrator/Clerk

RESOLUTION NO. 1091

RESOLUTION APPROVING THE APPOINTMENT OF DICK STOOLMAN TO  
FILL THE UNEXPIRED TERM OF COUNCILMEMBER MARK WORRELL.

WHEREAS, the passing of the duly elected Mayor Don Kessler created an  
opening in the Mayor's position; and

WHEREAS, Councilmember Mark Worrell was appointed to Mayor's  
position; and

WHEREAS, the City has published notice of its intent to appoint a  
replacement to assume the position of Council member as required by law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City  
of West Branch, Iowa, that Dick Stoolman is hereby appointed to fill the unexpired  
term of Mark Worrell as Council Member of the City of West Branch.

Passed and approved this 1st day of April, 2013.

---

Mark Worrell, Mayor

ATTEST:

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Matt Muckler, City Administrator/Clerk

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the West Branch City Council will hold a public hearing at 7:00 PM on Monday, April 1, 2013 at the West Branch City Hall, 110 North Poplar Street, West Branch, IA for the purpose of soliciting written and oral comments on the West Branch Comprehensive Plan.

Interested persons should attend or respond in writing to: City of West Branch, Attn: Matt Muckler, City Administrator, 110 North Poplar Street, West Branch, IA 52358.

RESOLUTION NO. 1093

RESOLUTION APPROVING THE WEST BRANCH COMPREHENSIVE PLAN UPDATE.

WHEREAS, West Branch residents and community members have provided detailed feedback on matters related to the health and prosperity of the West Branch Community through a community input survey; and

WHEREAS, the Planning and Zoning Commission and City Council have met jointly to discuss the comprehensive plan; and

WHEREAS, the Planning and Zoning Commission has determined that the Plan meets the goals of providing a legal basis for land use regulation by analyzing existing conditions and developing growth goals and presenting a unified and compelling vision for the community which includes specific actions necessary to fulfill that vision; and

WHEREAS, the Planning and Zoning Commission has recommended the approval of the West Branch Comprehensive Plan by the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Iowa, that the West Branch Comprehensive Plan Update is hereby adopted.

Passed and approved this 1st day of April, 2013.

---

Mark Worrell, Mayor

ATTEST:

---

Matt Muckler, City Administrator/Clerk

RESOLUTION NO. 1094

RESOLUTION APPROVING LOT #3 PEDERSEN VALLEY, PART ONE SITE PLAN  
LOCATED NEAR MAIN STREET AND PEDERSEN STREET IN WEST BRANCH, IOWA.

WHEREAS, Michael Furman has heretofore submitted a proposed Site Plan to construct multi-family housing located near Main Street and Pedersen Street (the "Project"); and

WHEREAS, said Site Plan has heretofore been reviewed by City Staff, including the City Engineer; and

WHEREAS, the Site Plan has been found to conform to West Branch Code of Ordinances; and

WHEREAS, the City of West Branch Planning and Zoning Commission has reviewed the Site Plan and recommended its approval to the West Branch City Council; and

WHEREAS, it is now necessary for the City Council to approve said Site Plan.

NOW, THEREFORE, be it resolved by the City Council of the City of West Branch, Cedar County, Iowa, that the aforementioned Site Plan for the Project be and the same are hereby accepted and approved.

\* \* \* \* \*

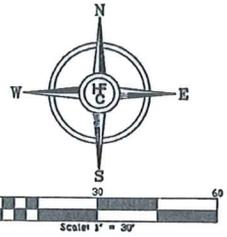
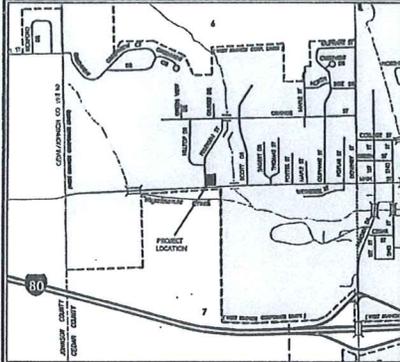
Passed and approved this 1st day of April, 2013.

\_\_\_\_\_  
Mark Worrell, Mayor

ATTEST:

\_\_\_\_\_  
Matt Muckler, City Administrator/Clerk





**LEGEND**

- △ GOVERNMENT CORNER
- ⊙ SET S&P IRON FLOOD WARD CAP # 15548
- ⊙ FOUND IRON FLOOD (AS NOTED)
- ⊙ CUT 1/2" IN CONCRETE
- SET P&M
- ⊙ RECORDED DIMENSIONS
- ⊙ MEASURED DIMENSIONS
- PROPERTY/BOUNDARY LINES
- CENTER LINES
- RIGHT-OF-WAY LINES
- SECTION LINES
- EASEMENT LINES
- LOT LINES PLATTED OR BY DEED

- Legend:**
- 728.44 Proposed elevations
  - ⊙ Proposed trees
  - ⊙ Proposed shrubs

**Setbacks:**  
 Accessory Building: 5' Rear  
 Front: 25'  
 Side: 8'

**Parking:**  
 2 2-Car Garages

**Existing Zoning:**  
 RB-1 Residence Business District

**Adjacent Zoning:**

To the East: RB-1 Residence Business District District

To the West: RB-1 Residence Business District District

To the North: RB-1 Residence Business District District

**Floor Area for Building:**  
 1st floor plan shows adding two units to existing building, 2242 additional square feet

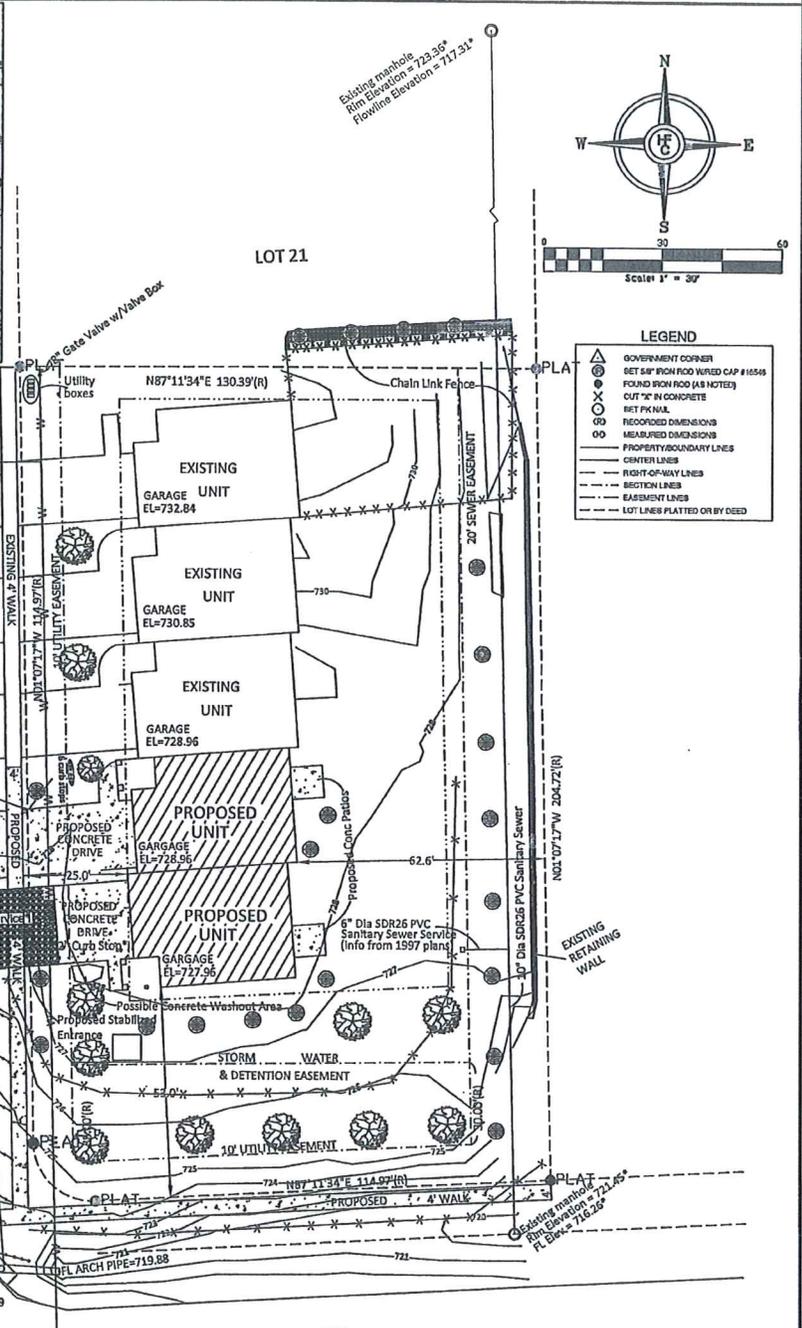
**Open Space Requirement:**  
 25% open space is required. (6768.85 SF)  
 64.8% open space is shown (17538 SF).

**Tree Requirement:**  
 1 tree per 1500 SF open space is required.  
 12 trees are required.  
 40% trees 1.5" to 2" Calliper Dia req'd. (S)  
 Remainder trees 1.0" to 1.5" Calliper Dia req'd.

**Shrub Requirement:**  
 1 shrub per 1000 SF open space is required.  
 18 shrubs are required.

**Legal Description:**  
 Lot #3 of Pedersen Valley, Part One to the City of West Branch, Iowa

- ⊙ Proposed Stabilized Entrance
- Proposed Erosion Control (wattles)
- ⊙ Proposed Silt Fence
- Portable Restroom facility



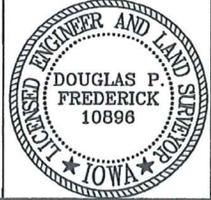
**Note:**  
 Currently all stormwater from this lot drains Southerly toward Herbert Hoover Highway to the existing road ditch. As can be seen by the flowline elevation of the arch pipe draining the storm sewer along Pedersen Street, and the current contours of the road ditch that the ditch has obviously silted in and should be cleaned to allow drainage to the east.

\* Denotes Information taken from Construction Plans

Owner: Michael Furman, PO Box 1606, Iowa City, Iowa 52244

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Douglas P. Frederick, P.L.S.  
 Iowa License Number: 10896  
 My license renewal date is December 31, 2013.  
 Pages covered by this seal: THIS SHEET ONLY



**SWPPP Plan**  
**Lot #3 PEDERSEN VALLEY, PART ONE**  
**City of West Branch, Iowa**

DATE: 2/13	DRN: ADF	APP: DPF
FLD BK: ROBOT	PROJ. NO: 13265.12	



3/18/2013

Mr. Dave Schechinger, PE  
West Branch City Engineer  
Veenstra and Kimm

Re: Lot #3 Pedersen Valley, Part One: Building Site Plan (12) copies  
: SWPPP drawing (12) Copies  
: SWPPP Plan (2 copies)

Dear Dave

Attached please find the above mentioned items for Michael Furman and his proposed building site plan for the remainder of said Lot #3.

It is my understanding that Mr. Furman would like to begin construction as soon as possible, obviously dependent on the weather conditions. If you need any additional information at this time please let me know.

Respectfully Submitted,



Douglas P. Frederick, PE, PLS  
Hart-Frederick Consultants PC

C: Michael Furman  
File



3/20/2013

Mr. David Schechinger, PE  
West Branch City Engineer  
Veenstra and Kimm

Re: Lot #3 Pedersen Valley, Part One: Correct Building Site Plan (12 copies)

Dave – I realized a little while ago that the initial Building site plan had been attached to the first submittal. This one has the correct number of trees shown which is the same as is shown on the SWPPP plan drawing. I apologize for the error.

Respectfully Submitted,

Douglas P. Frederick, PE, PLS  
Hart-Frederick Consultants PC

RESOLUTION NO. 1095

RESOLUTION APPROVING PROPOSED SEGMENTAL RETAINING WALL, HILLTOP CONDO, 118 HILLTOP DRIVE SITE PLAN IN WEST BRANCH, IOWA.

WHEREAS, Hilltop Homeowners Association has heretofore submitted a proposed Site Plan to construct a segmented retaining wall located near Hilltop Drive and Pedersen Street (the "Project"); and

WHEREAS, said Site Plan has heretofore been reviewed by City Staff, including the City Engineer; and

WHEREAS, the Site Plan has been found to conform to West Branch Code of Ordinances; and

WHEREAS, the City of West Branch Planning and Zoning Commission has reviewed the Site Plan and recommended its approval to the West Branch City Council; and

WHEREAS, it is now necessary for the City Council to approve said Site Plan.

NOW, THEREFORE, be it resolved by the City Council of the City of West Branch, Cedar County, Iowa, that the aforementioned Site Plan for the Project be and the same are hereby accepted and approved.

\* \* \* \* \*

Passed and approved this 1st day of April, 2013.

\_\_\_\_\_  
Mark Worrell, Mayor

ATTEST:

\_\_\_\_\_  
Matt Muckler, City Administrator/Clerk



RESOLUTION NO. 1096

RESOLUTION AUTHORIZING A VARIANCE TO CONDUCT AN OPEN BURNING PER CHAPTER 105.05 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA.

WHEREAS, Chapter 105.05 of the City Code provides for a variance process for persons wishing to conduct an open burning not otherwise permitted under this section; and

WHEREAS, KLM Investments, LLC has provided a written request to obtain a variance to burn a brush pile located in the new Meadows Subdivision; and

WHEREAS, approval of the variance for a burn permit requires the approval of the Fire Chief and the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Iowa, that the variance request by KLM Investments, LLC is hereby approved.

Passed and approved this 1st day of April, 2013.

---

Mark Worrell, Mayor

ATTEST:

---

Matt Muckler, City Administrator/Clerk

## **Matt Muckler**

---

**From:** Chris Kofoed [ckofoedcpa@lcom.net]  
**Sent:** Tuesday, March 26, 2013 4:25 PM  
**To:** Matt Muckler  
**Subject:** Brush pile

Matt:

We would like to apply for a burn permit to burn the brush pile on the land owned by KLM Investments LC., on the west edge of town.

Thanks

Chris

Chris J. Kofoed, CPA  
[ckofoedcpa@lcom.net](mailto:ckofoedcpa@lcom.net)  
124 W. Main Street  
P.O. Box 698  
West Branch, IA 52358  
319-936-2052  
319-643-5116 (fax)

This notice is required by IRS Circular 230, which regulates written communication about federal tax matters between tax advisors and their clients. To the extent the preceding correspondence and/or any attachment is a written tax advice communication, it is not a full "covered opinion". Accordingly, this advice is not intended and cannot be used for the purpose of avoiding penalties that may be imposed by the IRS.

**City of West Branch  
Advisory Board/Commission  
Application Form**

Individuals serving on boards or commissions play an important role in advising the City Council on matters of interest to our community and its future. For the most part, Board and Commission members must be residents of West Branch.

When a vacancy occurs an announcement of that vacancy will be posted. No sooner than two weeks later the Mayor and City Council will review all applications. The appointment will be made at a formal City Council meeting. Appointees serve as unpaid volunteers.

**This application is a public document and as such it or the information it contains may be reproduced and distributed. This application will remain active for two years and you will automatically be considered for any vacancy occurring during that time.**

Name of Board or Commission: West Branch Animal Control Date: 3/11/13

Your Name: Ashley Olson Street Address: 110 W Downey St West Branch IA 52358  
(day) 39 643 5099 work

Do you live within the corporate limits of West Branch?  Yes  No

How long have you been a resident of West Branch? Whole life

Occupation: Animal groomer Employer: Amy Lynch

**Optional Questions (use back of application if necessary)**

What experience and/or skills do you have that might especially qualify you to serve on this board or commission?

I have 8 year's of handling Animals, & people skill's are good And I Am involved in The community.

What particular contributions do you feel you can make to this board or commission?

Time to work with The people on The Commission to get Thing's Done That are Importain to The community.

RESOLUTION NO. 1087

A RESOLUTION APPROVING A POLICY FOR THE DISPOSITION OF  
UNPAID UTILITY BILLING FINAL BALANCES

WHEREAS, despite efforts of administrative staff, there are from time to time unpaid utility billing final balances; and

WHEREAS, the City Council of West Branch seeks to institute a policy encouraging the collection of such accounts; and

WHEREAS, some accounts are unable to be recovered and need to be removed from the City's utility billing records.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Branch, Iowa:

SECTION 1. The City Council directs staff to commence collection efforts on unpaid utility billing final balances within thirty days.

SECTION 2. The City Council directs staff to utilize the State Income Offset Program for collection of unpaid utility billing final balances.

SECTION 3. The City Council authorizes the city administrator at his or her discretion to write off unpaid utility billing final balances up to \$250.

SECTION 4. The City Council directs staff to obtain Council approval prior to writing off unpaid utility billing final balances in excess of \$250.

Passed and approved this 15th day of April, 2013.

\_\_\_\_\_  
Mark Worrell, Mayor

ATTEST:

\_\_\_\_\_  
Matt Muckler, City Administrator/Clerk

1. This is your 48" x 36" Venetian Arch; Brown White Brown sign with 12' BN Beveled Posts.
2. Please note sign shown with posts approximately 72" inground.
3. Please note the distance between the ground and bottom of sign is 29".
4. To complete your order, fax the dated and signed proof to 262-787-1802.



By signing this, I verify everything on the above proof is accurate.

Customer Approval: \_\_\_\_\_

Signature

Date

**No Returns on Custom Select Signs**

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