

City of West Branch

~ A Heritage for Success ~

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, August 19, 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. Pledge of Allegiance
3. Roll call
4. Welcome
5. Approve Agenda/Consent Agenda/Move to action
 - a. Approve minutes from the July 31, 2013 City Council Work Session.
 - b. Approve minutes from the August 5, 2013 City Council Meeting.
 - c. Approve claims.
 - d. Approve transfer of \$88,600.00 from Local Option Sales Tax Fund to General Fund.
 - e. Approve moving the Monday September 2, 2013 City Council Meeting to Tuesday, September 3, 2012, due to the Labor Day Holiday.
 - f. Approve Class C Liquor License with Outdoor Service and Sunday Sales, pending dram insurance for Thirsty on 30 Inc. DBA Thirsty on 30.
6. Communications/Open Forum
7. Public Hearing/Non-Consent Agenda
 - a. Mayor Mark Worrell – Recognition of Tidewater Direct
 - b. Shelise Parsley, Executive Director of Cedar County Economic Development Corporation (CCEDCO) - CCEDCO Update.
 - c. Robyn Hunter – Plans for Memorial Garden at West Branch Municipal Cemetery
 - d. Second Reading of Ordinance 712, amending Title Chapter 160 Flood Plain Regulations./Move to action.
 - e. Second Reading of Ordinance 714, amending Chapter 24 “Park and Recreation Commission.”/Move to action.
 - f. First Reading of Ordinance 715, amending the Code of Ordinances of the City of West Branch by Creating and Incorporating a Storm Water Utility./Move to action.
 - g. First Reading of Ordinance 716, adopting Storm Water Regulations for the City of West Branch, Iowa./Move to action.

Mayor: Mark Worrell • **Council Members:** Jordan Ellyson, Colton Miller, Jim Oaks, Mary Beth Stevenson, Dick Stoolman
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, August 19, 2013 • 7:00 p.m. (continued)
City Council Chambers, 110 North Poplar Street
Action may be taken on any agenda item.

- h. Resolution 1122, approving the installation of two street lights on Pedersen Street in the amount of \$5,571.17 and the monthly tariff cost of \$12.02 with Alliant Energy./Move to action.
 - i. Resolution 1123, approving Subdivider's Agreement on Cookson Subdivision between the City of West Branch, IA and Lynch's Excavating./Move to action.
 - j. Resolution 1137, approving the Cookson Subdivision Preliminary Plat./Move to Action.
 - k. Resolution 1138, approving the purchase of and installation of heating, ventilation and air conditioning equipment from Thomas Heating & Air for the West Branch Fire Department in the amount of \$4,910.00./Move to action.
 - l. Resolution 1139, approving the installation of a generator for the West Branch Fire Department in the amount of \$7,340.00./Move to action.
 - m. Mayor Mark Worrell - Appointments/Reappointments/Move to action.
 - i. Kristin Gibbs – Library Board of Trustees, June 30, 2015
 - n. Councilperson Jordan Ellyson – Appointments/Reappointments/Move to action.
 - i. Benjamin Barrett – West Branch Fire Department Volunteer
8. City Staff Reports
- a. City Engineer Dave Schechinger – Main Street Sidewalk Project
 - b. City Administrator Matt Muckler – Annual Council Goal Setting Session
 - c. City Administrator Matt Muckler – REAP Grant Update
 - d. City Administrator Matt Muckler – Discussion of draft Resolution 1136, adopting a disaster recovery plan for the City of West Branch, IA.
 - e. Park & Rec Director Melissa Russell – Recommendations from the Park & Rec Commission on the RFQ process for the Strategic Plan for Park & Rec Capital Improvements.
9. Comments from Mayor and Council Members
10. Adjournment

(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
Work Session**

**July 31, 2013
7:00 p.m.**

Mayor Worrell opened the West Branch City Council Work Session at 7:00 p.m. by welcoming the audience and the following City staff: City Administrator Matt Muckler, City Engineer Dave Schechinger, Deputy City Clerk Dawn Brandt, Police Chief Mike Horihan, and Public Works Director Matt Goodale. Council members: Jordan Ellyson, Colton Miller, Jim Oaks, Mary Beth Stevenson, and Dick Stoolman.

City Engineer Dave Schechinger presented several options for a traffic control plan for Main and Oliphant Street. Council had discussion on how to ensure safety at the intersection of Main and Oliphant Street for children walking to school. Ellyson, Miller and Stevenson spoke in favor of installing a permanent stop sign in the area and creating a school zone. Stevenson said that if the school district felt that crossing guards at the intersection would be needed in the future, it would be the school districts responsibility.

Motion by Miller to adjourn the work session, second by Ellyson. Motion passed on a voice vote. Work session adjourned at 8:12 p.m.

(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

**August 5, 2013
7:02 p.m.**

Mayor Worrell opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, City Administrative Assistant Shanelle Peden, Fire Chief Kevin Stoolman, Library Director Nick Shimmin, Police Chief Mike Horihan, Parks & Recreation Director Melissa Russell, and Public Works Director Matt Goodale. Council members: Jordan Ellyson, Colton Miller, Jim Oaks, Mary Beth Stevenson, and Dick Stoolman.

APPROVE AGENDA/CONSENT AGENDA

- a. Approve minutes from the July 19, 2013 City Council Work Session.
- b. Approve minutes from the July 22, 2013 City Council Meeting.
- c. Approve claims.
- d. Approve Class C Liquor License with Outdoor Service and Sunday Sales for Casa Tequila Foods 3, Inc. DBA Casa Tequila Authentic Mexican Grill.

Motion by Stoolman to approve the agenda and consent agenda items a-c, second by Ellyson. AYES: Stoolman, Ellyson, Miller, Oaks, Stevenson. Motion by Miller to approve consent item d, removing with Outdoor Service and contingent upon approval from the State of Iowa, second by Stevenson. AYES: Miller, Stevenson, Ellyson, Oaks, Stoolman. Motion carried.

COMMUNICATIONS/OPEN FORUM

Mayor Mark Worrell remarked that this past weekend's Hoover's Hometown Days was one of the best in his recollection and thanked everyone involved for making this a successful event for the community.

PUBLIC HEARING-NON-CONSENT AGENDA

Mayor Mark Worrell-Recognition of Tidewater Direct

Mayor Mark Worrell indicated that representatives from Tidewater were unavailable to attend and that he would contact them for recognition at a future Council meeting.

First Reading of Ordinance 712, amending Title Chapter 160 Flood Plain Regulations.

Motion by Miller to approve First reading of Ordinance 712, second by Stevenson. AYES: Miller, Stevenson, Ellyson, Oaks, Stoolman. NAYS: None. Motion carried.

Third Reading of Ordinance 713, amending Chapter 65 "Stop or Yield Required."

Motion by Ellyson to approve Third reading of Ordinance 713, second by Miller. AYES: Ellyson, Miller, Stevenson. NAYS: Oaks, Stoolman. Motion carried.

Resolution 1135, approving the purchase of Carmanah 20 Watt Solar Flashing Beacons from Brown Traffic Products, Inc. in the amount of \$8,725.00.

Miller expressed that the West Branch School District should bear the cost of a crossing guard if it desires to place one at the intersection. Ellyson concurred with Miller on the crossing guard. Motion by Ellyson to approved Resolution 1135, second by Stevenson. AYES: Ellyson, Stevenson, Miller, Oaks, Stoolman. NAYS: None. Motion carried.

First Reading of Ordinance 714, amending Chapter 24 “Park and Recreation Commission.”

Oaks posed the question of what the need was for two additional members to the Parks & Recreation Commission. Mayor Worrell responded that this change would allow for a larger pool of volunteers to help contribute to future growth.

Motion by Ellyson to approve First Reading of Ordinance 714, second by Miller. AYES: Ellyson, Miller, Oaks, Stevenson, Stoolman. NAYS: None. Motion carried.

Resolution 1131, approving the Bethany Lutheran Church Site Plan.

John Black spoke on behalf of Bethany Lutheran Church. Veenstra & Kimm Engineer Dave Schechinger recommended that the site drainage remain the same, as it is located in the 100-year flood plain and drains east towards Beranek Park.

Motion by Stoolman to approve Resolution 1131, second by Ellyson. AYES: Stoolman, Ellyson, Miller, Oaks, Stevenson. NAYS: None. Motion carried.

Resolution 1132, approving a 28E Agreement for Shared Use of Wireless Emergency Notification System with Cedar County.

Muckler indicated that the WENS system replaces the CodeRED system and would cost \$1,000.00 annually.

Motion by Stoolman to approve Resolution 1132, second by Miller. AYES: Stoolman, Miller, Ellyson, Oak, Stevenson. NAYS: None. Motion carried.

Resolution 1133, assigning videographer duties to Rebecca Knoche and setting the salary for FY 2013-2014.

Motion by Ellyson to approve Resolution 1133, second by Miller. AYES: Ellyson, Miller, Oaks, Stevenson, Stoolman. NAYS: None. Motion carried.

Resolution 1134, approving the purchase of a Caterpillar Natural Gas Engine Generator from Altorfer Inc. in the amount of \$32,160.00.

Oaks posed the question of what powered the current generator. Councilperson Dick Stoolman responded that it is powered with natural gas. Chief Kevin Stoolman indicated that the City received a discount on this purchase through membership in the National Joint Powers Alliance.

Motion by Stoolman to approve Resolution 1134, second by Miller. AYES: Stoolman, Miller, Ellyson, Oaks, Stevenson.

Discussion of Request for Qualifications for Comprehensive Park Plan.

Muckler stated that the City’s Comprehensive Plan is a document that captures the long term vision of community members for the city’s future in all areas, whereas this Strategic Plan is specific to Parks & Recreation future development. Muckler also stated that input from citizens was essential to this process and that the Park & Rec Commission would be tasked with facilitating the process. The Request

for Qualifications will go out to a compiled vendor list later this week and seek responses by September 9th.

CITY STAFF REPORTS

City Engineer Dave Schechinger, P.E.-Life Station Update

Schechinger indicated that the ground has settled and the control building will be coming in soon. The estimated completion time for this project is two months.

City Engineer Dave Schechinger, P.E.-Cookson Subdivision Update

Schechinger asked if the Council was interested in connecting Cookson Drive to Cookson Street. Worrell expressed concern about having only one entrance to Cookson Street. Oaks, Stoolman and Goodale stated that it would not be a priority to have this street connection completed. Schechinger also noted that a fair amount of grading would need to be completed in this subdivision and would necessitate cooperation from an adjacent property owner to the north.

City Engineer Dave Schechinger, P.E.-S. Downey & Tidewater Street Improvements

Schechinger commented that Casey's would like to mirror their access to their site with the current Kum & Go location across the road. He also noted that the City would bear partial costs reconstructing the north half of Tidewater Drive and the west side of S. Downey. Funding for this project could be generated through assessment or tax increment. Stevenson asked if a stoplight would be placed at the on and off ramps of I-80 to help facilitate traffic. Schechinger reported that current traffic counts would not justify a stoplight but that IDOT could be contacted in the future as traffic counts increase.

City Engineer Dave Schechinger, P.E.-Building Site Stormwater Management

Schechinger indicated that runoff from new home construction may contribute to future problems with storm water management. He also noted that the developer and builder have joint responsibility when the property is transferred. Schechinger reported that no guidelines are currently in the Code to hold either party responsible for stormwater management.

Public Works Director Matt Goodale-2013 Seal Coat Work

Goodale updated the Council on areas that he feels need sealcoat and stated the work would be completed while it was still warm enough to seal properly.

Public Works Director Matt Goodale-Sidewalk Inspections Phases I & II

Goodale indicated that the first round of sidewalk repairs are either in progress or have been completed and have a deadline of September 3rd. The next section of residents will be receiving letters shortly with one year to complete the repairs.

ADJOURNMENT

Motion by Oaks to adjourn the meeting, second by Stoolman. Motion carried on a voice vote. City Council meeting was adjourned at 9:12 p.m.



Council Report (Abbreviated version)

Business Meetings:

Vander Heiden Hauling, Inc. - 2224 Highway 130- Bennett

- Opened in 2004, relocated from Wheatland to Bennett April 2012 to have their shop and office under the same roof
- Mainly hauls grain and at times fertilizer
- 20 full time employees- 15 drivers, three mechanics and two office workers
- Marketing: an established business with established customers

Also met with Jeremy Rogers of Cedar Poly, Deb Simon (Office Admin of Bennett Grain and Trucking, Bennett Farm Equipment, Mary Rickson of Butch's Pub, Mel's Pit Stop who is working on putting their business on Google places

Lisa Miller- Victory Lane Bar and Grill- 528 Lombard Street- Clarence

- Provided Lisa information on pricing menu items for Victory Lanes
- Provided the information on programs at IEDA that are geared toward assisting women in business

Heath Robinson- www.vaway.com- 601 Lombard Street- Clarence

- New business start-up and future call center
- Business is based on the website Kayak (gathers information from travel sites such as Orbitz, Expedia, HotTix... and rolls search results for flights into one site) but will focus on hostels, hotels, short term and long term accommodations, and rooms in people's homes
- Marketing is based on word of mouth and guerilla marketing tactics
- Also provided Heath with a contact of a business that could design a logo and print ads for C4 (Clarence Car Care Center)

Marcia Syring- Mill Creek Café- 517 Lombard Street- Clarence

- Opened in February of 2010 and serves homemade unique dining creations
- Three full time employees, two are the owners of the business
- They do a large amount of catering (prom, businesses, wedding receptions, graduations, etc.)
- Marketing: blog, Facebook, and word of mouth
- Needs: financing to purchase their building

Also met with Steve Sparbel of Onion Grove, Brad Norton and Robert Niermeyer, Kathy Robinson, and Curt Eldred

Rhonda Kuehl- Sunshine Antiques & Uniques- 900 5th Street- Durant

- Opened November 2012 and sells antiques and highlights the family landscape business

- She wants to take the large slab next to her building and create an additional showroom space
- We worked on putting her business on Google places and I will follow up with her in a couple of weeks
- She has also purchased 508 7th Ave and will be creating Sunshine Bed and Breakfast & Tea Room and a wine courtyard

Jay Brammeier- Chiropractic- between the Idle Lanes at 207 5th St and Heinsite- 109 5th St Durant

- Moving his business from Wilton
- Does not expect to impact the other two chiropractic businesses in Durant
- Aiming to open Mid- September

Stopped by Idle Hour Lanes Inc. and Heinsite, 360 Spa and Images in Ink

Two Friends Gift & Flower Shop- 309 Washington Avenue- Lowden

- Is closing

Joe and Janice Wenndt- J & J Grocery - 510 Main St- Lowden

- The hours are Monday- Saturday 7 AM to 8 PM and Sunday 7 AM to Noon. The owners are the only employees
- They are installing a scanner system that reads bar codes

Donald and Donna Meier- Kemmann Chevrolet- 409 Main Street- Lowden

- They were established 1875 and the fourth oldest family owned Chevrolet
- Don is not ready to retire though at this time does not have a new business owner to take over

Tom Hall- Hall Wood Working- Hall Fine Woodworking- 121 E. First- Mechanicsville

- Assisted Tom with website layout and design and new markets to explore
- Gave Thom two more web development companies and told him Melon's Primitive Patch and Antiques uses one of the suggested companies
- He is now working with a studio in Mineral Point, WI

Dan Kurth- Dan's Tires & More Tire Center- 114 E First Street- Mechanicsville

- Dan is looking for a new location which is located away from Main Street, would like more open space
- Dan looked into purchasing the old Casey's building and the lot which is for sale in McVile, the asking price too high
- He wants to buy an acre and build his own building

Cole and Toby Billick- Bulk Food Store- 612 Front Street- Stanwood

- They have purchased a building and renovated the inside with shelving, cash wraps and purchased grocery carts
- Shared information on business plans, marketing, financial assistance, etc.
- Ed Andrews (STEDCO) and I met with Toby and gave her the information gathered and contact information of two businesses in the area that sold bulk food items and would be willing to mentor the business

Rodney Laucamp- Harvey Pump Service- 707 7th Street, Tipton

- Office hours are 7 AM to 4 PM, there are 2 employees (office and a tech)
- He has a person to take over his mechanical waste train business although he does not have a new business owner of the pump portion of his business

David Brown- JAB Ink Grafix & Designs- 106 E. 5th St. - Tipton

- TEDCO has approved them for the USDA revolving loan

Met with CDS Global, Cummins, Xerxes, Community Bank and A Place to Land

Brenda Welsch- Pink Pony- 104 ½ West Main- West Branch

- Opened June 2011 and is an ice cream parlor, sandwich shop and gift store
- The owner works all of the hours excluding Monday
- Marketing: word of mouth, Facebook, promotions
- In the Winter she counts on her regulars to pay expenses
- Needs: Assistance in marketing to customers on I-80 East- IDOT charges \$400 a piece per year for signs on the interstate and an additional \$65 for the directional signs at the exits. After brainstorming, we came up with a unique marketing idea for the Pink Pony and Brenda is going to work on.

Ilene Lande- Brick Arch Winery- 116 Main Street, West Branch

- Open for 2 years, relocated from the country, the majority of the wine is produced 7 miles away
- They have two full time employees (includes the owner) and 10 part-time employees
- Marketing: Website, Facebook, word of mouth, promotional pieces at I-80 rest stops
 - Their market is Quad Cities, Iowa City, Cedar Rapids and local
- Peak season is wedding season
- Needs: They are working on their menu and implementing marketing suggestions given by a Media class from University of Iowa Business School. They also are working on promoting their conference room

Flash Food Update (Businesses)

Spent June 27th gathering economic information for EMS to assist with the presidential disaster declaration for the flash floods on June 24th with Union Pacific, FS, CCS, P&K Midwest (Lowden), Land O' Lakes, WinField, River Valley Coop, Clarence Telephone, and Gade Motor (Clarence)

August 1, the Presidential Disaster Declaration for Cedar County, for business impacted by June severe weather, was approved.

The declaration provides long-term federal recovery programs, some of which are matched by state programs, and designed to help public entities and select non-profits. I disrupted a flyer about the programs to the affected businesses.

Higher Level Business Retention & Expansion Visit – Interstate Companies, the information is used by the IEDA (Synchronist- Business Retention Survey Evaluation)

- West Branch is still being scheduled with ICAD for Schenker Logistics, Plastic Products, INC., and Acciona

Requests for Information (RIF) from IEDA

- Responded to three RIFs since February for the industrial parks in the County

CCEDCO

- New logo has been created and website (www.growcedar.com) is and running
- We are working on the searchable database for businesses
- Is currently a 28E (commission), and is exploring creating a 501 c- 3 and 501 c-6 (not for profit) arm

General Information:

Clerks' Lunch

- June, the lunch was well attended by the clerks of McVille, Stanwood, Lowden, Clarence, Durant, West Branch along with ECIA
- Each Clerk updated the group on happenings in their community and learned different approaches to similar challenges
- On Thursday August 29th at 12:30 p.m. at the Brick Arch Winery in West Branch will be the next meeting

Cedar County

- The unemployment rate was 4.1% in April 2013
- Percentage of Cedar County Workers by the County in Which They Work
 - Cedar- 27%, Johnson- 24%, and Linn- 14%
- Percentage of Cedar County Workers by the City in Which They Work
 - Tipton- 11%, West Branch- 4%
- Unemployed - Those Willing to Enter/Re-enter Employment
 - An estimated 824 people are willing to accept employment
 - Average age is 51 years old- 61.5% are female; 38.5% are male
 - Education level is:
 - 61.5% have an education on beyond high school, 7.7% have an associate degree, 23.1% have an undergraduate degree
 - Wage range to attract the upper 66-75% qualified hourly wage applicants is \$10.52 to \$12.75/hr. with a median of the lowest wage of \$9.88
- Key Retail Indicators for Cedar County between 2011 and 2012 retail sales increased 4.1%

Clarence

- Onion Grove Bar and Grill building is orange and approved for outdoor events
- Clarence Telephone has revamped their lobby and it is very impressive.

Durant

- The mayor was invited to the next Mayor's meeting
- Durant Development Economic Corp provided demographic information (workforce, age, education) for the updated Industrial Park

McVille

- 106 East 1st Street (barbershop) property sold to a family member who will live in the top story and use the bottom for storage while they build a house

Tipton

- Provided the mayor with information on the Well rehab and invited her to the Mayor's meeting. She will invite the Mayor pro-tem in her place

West Branch

- The main entrance into West Branch is owned by the National Park Service and advertisement signage is not allowed
- The Main Street is a Historical District and there is restrictions on signage
- The gas station which has been up for sale for years has been sold
- The Hoover House has rented the apartments above the restaurant but does not have a tenant
- Casey's will be completed within 69 days of the approval of IDOT's endorsement of the changes of the interchange which needs major work to be efficient for truck usage
- A liquid natural gas station with above tanks will be installed at no cost to the City

Spotlight Business of the Month

- The article about Ditto's ran in the Tipton News and Sun News
- North Cedar Recycling and Cedar Poly LLC have the signs out and the article has been submitted

EITA (Eastern Iowa Tourism Association)

- Parsley is the representative of Cedar County Tourism
- Attended Eastern Iowa Tourism's Annual meeting in Fairfield, Iowa on Wednesday, June 26th
- The legislature funded IEDA with \$185,000 for tourism grants this year, which increased \$125,000 from last year. In the past, these funds have been equally distributed and administered by each of IEDA's three tourism regional organizations (Western, Central, and Eastern Iowa Tourism Regions).
- General Membership meeting – Wednesday, September 4 – Hopkinton
- Annual Iowa Tourism Conference - October 16-18 - Waterloo

ECIA

- Parsley was appointed to the Executive Committee as the Cedar County representative on ECIA. The Executive Committee meets in person in Dubuque 12 times a year and will give Cedar County a better understanding of monies spend with their COG
- They are looking into additional flood relief for businesses, condemned building assistance and assistance for women owned businesses

News

ISU: Federal sequester impacts Iowa State's external funding in fiscal year 2013

Total federal funding at Iowa State is down a little more than 17 percent over last year's total, ending at \$172.7 million. University leaders say a portion of federal funding was simply delayed by the sequester, particularly funding from Agriculture, and they expect to see more transfers by the end of the federal fiscal year ending September 30. The external funding supports student financial aid, research, education, and extension programs. This has not influenced CCEDCO, but because of the relationship, it is important to know.

Work Force Development

The state of Iowa is laying off staffers at the Iowa Workforce Development agency will lay off 30 staffers, cuts led to a \$7 million budget shortfall and that even after finding efficiencies; the layoffs were necessary which will limit aid for unemployed state residents seeking jobs.

There are still 15 federally required, regional unemployment offices in Iowa and four state-sponsored satellite offices in Iowa City, Webster City, Fort Madison, and Decorah.

Iowa Legislator 2013 Post-Session Report

IEDA Funding

IEDA will receive \$15.5M for operations. This is \$500K less than the \$16 million they requested, but is \$2.8 million more than the House originally passed. The IEDA's incentive fund was moved into a special allocation in the Education budget (called the Skilled Workforce and Job Creation Fund). They will receive \$16.9 million for this purpose, which is \$1.1 million short of the IEDA's \$18 million request. Economic development funding for the Regents was also moved into this new Skilled Workforce fund.

Tax Increment Financing

Two TIF bills introduced in the 11th hour of session were left for dead for the year. The issues being discussed would have made three main changes to the TIF law in Iowa: The ban on the use of TIF on any public building that does not generate tax revenue, a TIF debt limitation based on population and greatly reducing the usefulness of TIF by pulling all school levies out of the TIF increment.

Tax Credit Cap Increase

Legislation (HF 620) to increase the aggregate cap on tax credits used for economic development from \$120 million/year to \$185 million/year was finally acted upon by the Iowa Senate and was passed in the late hours of the session with a new cap of \$170 million/year.

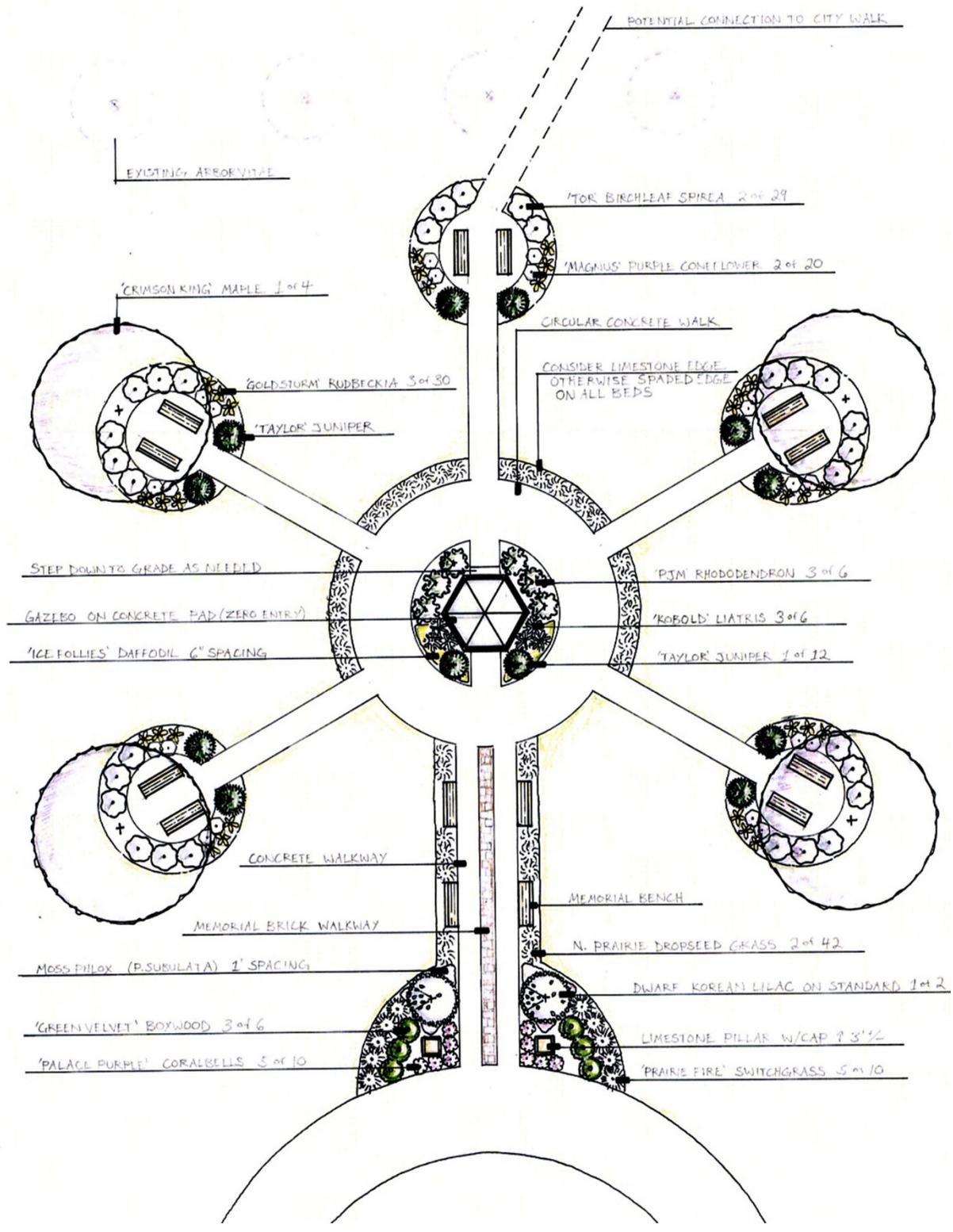
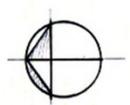
Historic Preservation Tax Credits

Senate File 436 (SF 436), legislation to increase the historic preservation & cultural entertainment tax credit program and make program changes was altered to remove the cap increase and then passed by both chambers. The amended bill would retain the changes that users of the program have been requesting. In a twist, however, the Legislature decided they DID wish to raise the overall historic tax credit cap, and they inserted into the Standings Bill a provision to raise the \$45 Million Historic Tax Credit cap to \$55 Million for three years before letting it fall back down to \$50 Million.

Iowa Reinvestment Act

Legislation (HF 641) to enable cities to establish Iowa Reinvestment districts (up to 50 acres in size), apply to the IEDA for approval of the proposed new projects, and be rebated a portion of the state sales taxes and state hotel excise tax, if applicable was passed by both chambers and has been signed into law.

 <p>IOWA CITY Landscaping & Garden Center The Nature of Excellence</p>	LANDSCAPE PLAN		<small>GARDEN CENTER 720 Highway 1 West Iowa City, IA 52242 ph: (319) 337-4951 fax: (319) 337-4374 www.iowacitylandscaping.com INSTALLATION & DESIGN 4660 Harbort Horner Hwy. Iowa City, IA 52248 ph: (319) 466-3623 fax: (319) 466-3623</small>
	MEMORIAL GARDEN		
	WEST BRANCH CEMETERY		
	DATE: 7/9/2013	SCALE: 1" = 8'	
DRAWN BY: JOSHUA GUSTAFSON			<small>This drawing is the property of Iowa City Landscaping. Any use or duplication of this drawing without our written consent is prohibited.</small>



ORDINANCE NO. 712

AN ORDINANCE AMENDING CHAPTER 160 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH REGARDING FLOOD PLAIN REGULATIONS.

WHEREAS, an expanded definition of “development” would provide clarity on activities not considered development in the City’s flood plain regulations; and

WHEREAS, the definitions of “minor projects” and “routine maintenance of existing buildings and facilities” would provide further explanation of the types of projects and maintenance activities that can be exempted from a floodplain permit.

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

1. Amendment. Chapter 160 of the Code of Ordinances, Flood Plain Regulations, is hereby amended as follows:
 - a. Section 160.02 is hereby amended by deleting subsection 160.02(3) in its entirety and replacing it with the following:

“Development” means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. “Development” does not include “minor projects” or “routine maintenance of existing buildings and facilities” as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling, grading.”
 - b. Section 160.02 is hereby amended by incorporating the following definition into said Section 160.02:

ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES –

Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- i. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
- ii. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
- iii. Basement sealing;
- iv. Repairing or replacing damaged or broken window panes;

- v. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

- c. Conflicts. All ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.

- d. 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 this ordinance as a whole or any part, section or provision thereof not adjudged invalid or unconstitutional.

- e. Effective Date. This ordinance shall be in full force in effect upon passage of this ordinance and publication as required by law.

First Reading: August 5, 2013
Second Reading: August 19, 2013
Third Reading:

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

ORDINANCE NO. 714

AN ORDINANCE AMENDING CHAPTER 24 “PARK AND RECREATION COMMISSION”

WHEREAS, the City Council believes that an expanded Park & Recreation Commission could better plan for future capital improvements for the City of West Branch Parks and Trails.

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

1. Amendment. Chapter 24 of the Code of Ordinances, Park and Recreation Commission, is hereby amended as follows:

a. Section 24.02 is hereby amended by deleting its entirety and replacing it with the following:

MEMBERS APPOINTED. The Parks and Recreation Commission shall consist of seven (7) members with at least five members being residents of the City of West Branch. Other members may reside in the West Branch Community School District. All members shall be appointed by the Mayor with Council approval, who shall be the duly appointed members of the Commission. In addition, the Park & Recreation Director shall serve as an ex officio member of the Commission in order to better coordinate the recreational activities of the City. The Mayor shall, for good cause shown, appoint such other ex officio members as the Mayor, Council and the Commission feel would be beneficial to the parks and recreation program of the City.

b. Section 24.03 is hereby amended by deleting its entirety and replacing it with the following:

TERMS OF MEMBERS. The seven members shall be appointed for staggered terms with no more than three members having their appointment end in a single year, and all appointments shall be for three years. In the event of the death or resignation of any member, a successor shall be appointed to fill the unexpired term for which such member was originally appointed.

b. Conflicts. All ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.

c. 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 this ordinance as a whole or any part, section or provision thereof not adjudged invalid or unconstitutional.

d. Effective Date. This ordinance shall be in full force in effect upon passage of this ordinance and publication as required by law.

First Reading: August 5, 2013
Second Reading: August 19, 2013
Third Reading:

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

ORDINANCE NO. 715

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH BY CREATING AND INCORPORATING A STORM WATER UTILITY.

WHEREAS, the City Council of the City of West Branch, Iowa, has heretofore deemed it necessary and desirable to create a storm water utility for the construction, repair and maintenance of the storm water management system within the City; and

WHEREAS, in order to fund a storm water program, the City Council has heretofore deemed it necessary for the collection of fees from contributors and users of the storm water management system within the City.

NOW, THEREFORE, BE IT ORDAINED:

1, Amendment. The Code of Ordinances of the City of West Branch is hereby amended by incorporating the chapter entitled “Storm Water Utility”, which reads as attached on Exhibit “A” attached hereto.

Section 2 Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 3. 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 4. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

First Reading: August 19, 2013
Second Reading:
Third Reading:

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

EXHIBIT “A”

STORM WATER UTILITY

Section 1. **Purpose.** It is determined and declared to be necessary and conducive to the public health, welfare, safety and convenience of the City and its residents that charges be levied and collected from the owners or occupants of all lots, parcels of real estate, and buildings that discharge storm water or surface or subsurface waters, directly or indirectly, to the City storm water drainage system, and that the proceeds of such charges so derived be used for the purposes of operation, maintenance, repair and replacement, including the payment of debt service, for construction and repair of the storm water drainage system and flood protection improvements comprising the storm water management utility.

Section 2. **Definitions.**

1. “Contributor” or “User” means any person or entity owning, operating or otherwise responsible for property within the City, which directly or indirectly discharges storm water or subsurface waters to any portion of the storm water management system, including direct or indirectly protected by the City’s flood protection system or storm water drainage system. The term “Contributor” or “User” means any person or entity responsible for the direct or indirect discharge of storm water or surface or subsurface waters to the City’s storm water drainage system.
2. “Developed Property” means real property upon which a structure or impervious surface has been placed or constructed, thus increasing the amount of rainwater or surface water runoff.
3. “Director” means the City Administrator or his/her designee.
4. “Dwelling Unit” means a singular unit, apartment, condominium, mobile home or manufactured home which provides independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking or sanitation.
5. “Equivalent Residential Unit” (“ERU”) means the average impervious area of a residentially developed property per dwelling unit located within the City, as periodically determined and established as provided in this Chapter.
6. “ERU Rate” means the dollar value periodically determined and assigned to each ERU as a charge for storm water management services, and expressed as \$x.xx per ERU.

7. “Exempt Property” means public streets, alleys and sidewalks, cemeteries and public parks, including publicly owned property used for recreation.
8. “Impervious Area” means the number of square feet of hard-surfaced areas which prevent or retard infiltration of water back into the soil, as it would enter under natural conditions as undeveloped property, and/or cause water to run off the surface in greater quantities or at an increased rate of flow from that which was present under natural conditions as undeveloped property, including, but not limited to roofs, roof extensions, patios, porches, driveways, pavement, gravel/rock based parking areas and athletic courts.
9. “Multi-family residential property” means a residential structure designed with two or more dwelling units to accommodate two or more families or groups of individuals living separately and not sharing the same living space.
10. “Non residential property” means any property developed for commercial, industrial, governmental or institutional use, including churches, hospitals, parking lots, nursing homes and multi-use facilities incorporating residential uses.
11. “Single-family residential property” means a detached residential structure, including a mobile/manufactured home, designed as a single dwelling unit to accommodate one family or a group of individuals living together and sharing the same living space, but excluding multi-use properties which include single-family residential uses.
12. “Storm water drainage system” means the system of publicly or privately operated rivers, creeks, ditches, drainage channels, pipes, basins, street gutters, and lakes within the City through which or into which storm water runoff, surface water or subsurface water is conveyed or deposited.
13. “Storm water management utility” means the enterprise fund utility created by this chapter to operate, maintain and improve the system and for such other purposes as stated in this chapter.
14. “Storm water management utility system” means the existing storm water management facilities, storm water drainage system, and flood protection system of the City and all improvements thereto which by this division are constituted as the property and management of the utility, to be operated as an enterprise fund to, among other things, conserve water, control discharges and flows necessitated by rainfall events; and incorporate methods to collect, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, over-drainage, environmental degradation and water pollution or otherwise affect the quality or quantity of discharge from such system.
15. “Undeveloped property” means any real property that has no impervious area.

SECTION 3. POWERS OF THE UTILITY.

The storm water management utility shall have the following powers, duties and responsibilities:

1. Prepare ordinances as needed to implement this division and place them for consideration and adoption by the City Council, and adopt such regulations and procedures as are required to implement this chapter and carry out its duties and responsibilities.
2. Administer the design, construction, maintenance and operation of the utility system, including capital improvements designated in the comprehensive drainage plan.
3. Administer and enforce this chapter and all ordinances, regulations and procedures related to design, construction, maintenance, operation and alteration of the utility system, including, but not limited to the quantity, quality and/or velocity of the storm water conveyed hereby.
4. Inspect private systems as necessary to determine the compliance of such systems with this chapter and any ordinances or regulations adopted by this chapter.
5. Prepare and revise a comprehensive drainage and flood protection plan for periodic review and adoption by the City Council.
6. Review plans, approve or deny, inspect and accept extensions to the storm water drainage system.
7. Annually analyze the cost of services and benefits provided, and the system and structure of fees, charges, fines, and other revenues of the utility, and to make recommendations regarding adjustment to such fees, charges, fines and other revenues.
8. Prepare and file an annual operating budget for the utility and make recommendations regarding the financing of the cost of extending and replacing portions of the system.

SECTION 4. ORGANIZATION

The City Council shall be the governing body of the storm water management utility. The storm water management utility shall be under the direction, management and control of the Public Works Director, who shall function as its director. In that capacity, the director shall supervise the day-to-day operation of the storm water management utility, shall enforce this chapter and the provisions of all ordinances and regulations adopted by the City Council and shall carry out the policy directives of the City Council acting in its role as governing body of the storm water management utility.

SECTION 5. ESTABLISHMENT OF THE EQUIVALENT RESIDENTIAL UNIT (“ERU”).

For purposes of this chapter, the ERU shall be the equivalent to 4,000 square feet of impervious area.

SECTION 6. STORM WATER UTILITY CHARGE.

Every user owning or occupying property that is not exempt property in the City of West Branch shall pay to the City a storm water utility charge as determined in this chapter. In the event that the owner and occupant of the particular property are not the same, the liability for payment of the storm water utility charge attributable to the property shall be joint and several as to the owner and the occupant.

SECTION 7. ERU RATE.

The ERU rate to be applied to residential and nonresidential properties shall be \$2.00.

SECTION 8. DETERMINATION OF THE STORM WATER UTILITY CHARGE.

1. Single-Family Residential Property.
 - a. The storm water utility charge for single-family residential property shall be one hundred percent (100%) of the ERU rate per month.
 - b. The storm water utility charge shall commence upon the earlier of the following:
 - (i) The issuance of a certificate of occupancy.
 - (ii) Ninety (90) days after construction is halted, provided construction is at least 50% complete in the judgment of the director.
 - (iii) Ninety (90) days after construction is completed, even if no certificate of occupancy has been issued.
2. Multi-Family Residential Property.
 - a. The storm water utility charge for multi-family residential properties shall be one hundred percent (100%) of the ERU rate multiplied by the number of dwelling units existing on the property.
 - b. The storm water utility charge shall commence upon the earlier of the following:
 - (iv) The issuance of a certificate of occupancy.
 - (v) Ninety (90) days after construction is halted, provided construction is at least 50% complete in the judgment of the director.
 - (vi) Ninety (90) days after construction is completed, even if no certificate of occupancy has been issued.

3. Nonresidential Property.

- a. The storm water utility charge for nonresidential properties shall be a base rate of one ERU rate plus (\$0.75) multiplied by the numerical factor obtained by dividing the total impervious area of the particular property by the number of square feet in one ERU.
- b. The storm water utility charge shall commence upon the earlier of the following:
 - (vii) The issuance of a certificate of occupancy.
 - (viii) Ninety (90) days after construction is halted, provided construction is at least 50% complete in the judgment of the director.
 - (ix) Ninety (90) days after construction is completed, even if no certificate of occupancy has been issued.

SECTION 9. APPEALS.

- A. An owner or occupant of a multi-family residential property aggrieved by the initial or subsequent calculation of the number of dwelling units upon or in such property, calculation of the storm water utility charge, or allocation of such charge amount the occupants, may appeal such calculations and allocation to the City Administrator. Upon such appeal, the storm water utility charge for such property may be recalculated utilizing information supplied by the appealing owner or occupant, provided such information provided is correct by the City Administrator.
- B. An owner or occupant of a nonresidential property aggrieved by the initial or subsequent calculation of the amount of impervious area upon or in such property, calculation of the storm water utility charge, may appeal such calculations and allocation to the City Administrator. Upon such appeal, the storm water utility charge for such property may be recalculated utilizing information supplied by the appealing owner or occupant, provided such information provided is correct by the City Administrator.
- C. Any adjustment of the storm water utility charge resulting from such appeal shall be retroactive to the date the appeal was filed.
- D. Appeals by owners or occupants of property subject to the storm water utility charges shall be filed with the City Clerk on forms provided by the City. The City Administrator shall file a final calculation of the storm water utility charge within thirty (30) days of the appeal being filed. If still aggrieved, the party may request a City Council review of the City Administrator's decision. Any person still aggrieved by the determination of the City Council may appeal to the county district court by action filed within thirty (30) days of the City Council's decision. The filing of an appeal shall not excuse the payment of the storm water utility charge when due. However, the City shall refund any portion of the fee deemed excessive, with interest, as provided by law.

SECTION 10. BILLING PROCEDURES.

- A. All contributors and users shall pay a storm water utility charge monthly as calculated pursuant to Section 6 of this Ordinance.
- B. All storm water utility charges are due and payable under the same terms and conditions provided for payment of a combined service account as outlined in Section 92.04 of this Code.
- C. The owner of the premises served and the tenant thereof shall be jointly and severally liable for storm water utility charges for the premises. Storm water utility charges remaining unpaid and delinquent shall constitute a lien against the premises served and shall be certified as delinquent to the County Treasurer for collection in the same manner as property taxes.

ORDINANCE NO. 716

AN ORDINANCE ADOPTING STORM WATER REGULATIONS FOR THE CITY OF WEST BRANCH, IOWA.

WHEREAS, the City Council of the City of West Branch has heretofore deemed it necessary and desirable to promulgate regulations pertaining to storm water to protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDANED:

Section 1. Amendment. The Code of Ordinances of the City of West Branch, Cedar County, Iowa, is hereby amended by incorporating a chapter entitled “Storm Water Regulations”, which reads as shown on the attached Exhibit “A.”

Section 2. Conflicts. All ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.

Section 3. 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 this ordinance as a whole or any part, section or provision thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall be in full force in effect upon passage of this ordinance and publication as required by law.

First Reading: August 19, 2013

Second Reading:

Third Reading:

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

EXHIBIT “A”

STORM WATER REGULATIONS

SECTION 1. SHORT TITLE.

This title of this chapter shall “Storm Water Regulations.”

SECTION 2. PURPOSE.

It is the purpose of this chapter to:

1. Protect, maintain and enhance the environment of the City and the public health, safety and welfare of the public by controlling discharges of pollutants into the City’s storm water system.
2. To establish legal authority to carry out inspections, surveillance and monitoring procedures necessary to ensure compliance with this chapter.

SECTION 3. DEFINITIONS.

1. “Best Management Practices” (BMPs) mean physical, structural and/or management practices that, when used singly or in combination, control activities including, but not limited to site run-off, spillage and leaks and waste disposal from entering the storm water system. BMPs may include a schedule of activities, prohibitions and practices, and design standards.
2. “City” means the City of West Branch, Iowa.
3. “City Administrator” means the City Administrator of the City or his/her designee.
4. “Common plan of development” means a parcel, less than an acre in size, which is platted as part of a larger parcel for development.”
5. “Facility” means premises on which industrial, commercial and/or land disturbing activity is occurring.
6. “Hazardous Materials” means any material, including any substance, waste or combination thereof, which because of its quantity, concentration or physical, chemical or infectious characteristics may cause or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
7. “Illicit Discharge” means any direct or indirect non-storm water discharge to the storm drain system, except as exempted in this chapter.

8. "Illicit connections." An illicit connection is defined as either of the following:
 - a. Any drain or conveyance , whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system, including, but not limited to any conveyances which allow non-storm water discharge, including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm water drainage system.
 - b. Any drain or conveyance connected from a commercial or residential land use to the storm drain system which has not be documented on plans or equivalent records and approved by the City Engineer.
9. "Land Disturbing Activity" means any activity that results in the movement of earth or a change in the existing soil cover (both vegetative and non-vegetative) or the existing topography. Land disturbing activity includes, but is not limited to, clearing grading, filling, excavation, or addition or replacement of impervious surface.
10. "Non-Storm Water Discharge" means any discharge to the storm drain system that is not entirely composed entirely of storm water.
11. "Person" means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.
12. "Pollutant" means anything which causes or contributes to pollution. Pollutants may include , but are not limited to: paints, varnishes and solvents, oils and other automotive fluids, non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter or other discarded or abandoned objects, ordinances and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal cloriform and pathogens, dissolved or particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (specifically including concrete residue); and noxious or offensive matter of any kind.
13. "Site" means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips where land disturbing activity occurs.
14. "Storm drain system: means publicly-owned facilities by which storm water is collected and/or conveyed, including, but not limited to any roads with drainage systems, municipal streets, gutters, discharges, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and man-made or altered drainage channels, reservoirs or other drainage structures.
15. "Storm water" means any surface, flow, runoff and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

16. "Wastewater" means any water or other liquid, other than uncontaminated storm water, discharged from a facility.

SECTION 3. ADMINISTRATION.

The City Administrator shall administer, implement and enforce the provisions of this chapter. Any powers granted to or imposed upon the City Administrator may be delegated to other persons or entities acting in the beneficial interest or in the employ of the City.

SECTION 4. ULTIMATE RESPONSIBILITY.

The standards set forth herein and promulgated to this chapter are minimum standards; therefore, this chapter does not intend that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

SECTION 5. DISCHARGE PROHIBITIONS.

No person shall discharge or cause to be discharged into the storm drain system or watercourses any materials, including, but not limited to pollutants or waters containing any pollutants or waters containing pollutants other than storm water.

The following discharges are exempt from the discharge prohibitions: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped water, foundation or footing drains, crawl space pumps, fire hydrant flushing, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat, wetland flows, firefighting activities, and any other water source not containing pollution.

SECTION 6. ILLICIT CONNECTIONS.

It shall be unlawful for any person to cause the construction, use or continued existence of an illicit connection to the storm drain system. This prohibition expressly includes, without limitation, connections made in the past, regardless of whether the connection was permissible under law or prevailing practices at the time of the connection.

SECTION 7. CONDITION PRECEDENT TO A BUILDING PERMIT; STOP WORK ORDER.

As a condition precedent to the obtaining of a building permit pursuant to Chapter ___ of this Code of Ordinances, any person performing any land disturbing activity of more than one acre, or as part of a common plan of development, shall include in its application for said permit a plan to keep sediment and other materials from leaving the Site on which the land disturbing activity shall occur. The City Administrator is not permitted to issue a building permit until such Site has been inspected to ensure compliance with the person's plan to keep sediment and other materials on the Site.

In addition, during the construction process, the City may periodically, upon showing proper credentials, inspect the Site to ensure that the BMP's outlined in the person's building permit application are still in place and are functioning property. The City Administrator may issue a Stop Work Order to the person in the event that the person does not correct any deficiencies within three (3) days of written notice by the City Administrator.

SECTION 8. RIGHT OF ENTRY.

The City Administrator or other duly authorized employees or contractors of the City, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation and monitoring the property in accordance with the provisions of this chapter.

SECTION 9. NOTICE OF VIOLATION; PENALTIES.

1. The City Administrator is hereby authorized to issue a Notice of Violation upon any person who violates a provision of this chapter.
2. If the person to whom the Notice of Violation is sent fails to correct the violation within a reasonable time as determined by the City Administrator, the City Administrator shall proceed with subparagraph 3 below.
3. Any person who fails to perform an act required by this chapter or who commits an act which is prohibited by this chapter or who resists the enforcement of this chapter shall be guilty of a simple misdemeanor punishable by a fine or imprisonment as provided for in this Code of Ordinances.
4. Any person who fails to perform an act required by this chapter or who commits an act prohibited by this chapter or who resists enforcement of any section of this chapter shall be deemed to have committed a municipal infraction in accordance with Chapter 4 of this Code of Ordinances.

SECTION 10. NUISANCE.

Any violation of this chapter shall be deemed to be a public nuisance injurious to the public health, safety and welfare. The City Attorney, in addition to the penalties outlined in Section 9 above, may correct said violations as a nuisance pursuant to Chapter 50 of this Code of Ordinances.

SECTION 11. PENALTIES NOT EXCLUSIVE.

The remedies provided in this chapter and otherwise in this Code of Ordinances are not exclusive, or in lieu of the rights and remedies the City may have at law or in equity.

SECTION 12. APPEALS.

Any person receiving a Notice of Violation may appeal the determination of the City Administrator to the City Council. The notice of appeal must be filed within five (5) days from the date of the Notice of Violation with the City Clerk. The hearing on the appeal will take place at the next regularly scheduled City Council meeting where proper notice can be made in accordance with applicable law. If the person who received the Notice of Violation does not agree with the City Council's ruling in appeal, the person may appeal to a court of competent jurisdiction.

SECTION 13. ENFORCEMENT AFTER APPEAL.

If the violation has not been corrected as set forth in the Notice of Violation, or, in the event of an appeal, within three (3) days after the decision of the City Council upholding the decision of the City Administrator, then representatives of the City may enter upon the subject property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the City or designated contractor, bearing proper credentials or identification, to enter upon the premises for the purposes set forth above.

SECTION 14. COST OF ABATEMENT OF THE VIOLATION.

Within ten (10) days after abatement of the violation, the owner will be notified of the cost of abatement, including administrative costs. If the amount due is not paid in a timely manner as determined by the decision of the City Administrator or after the expiration of the time of appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

CITY OF WEST BRANCH
COUNCIL ACTION REPORT

MEETING DATE: August 19, 2013 AGENDA ITEMS: 7h

DATE PREPARED: August 7, 2013

STAFF LIAISON: Matt Muckler, City Administrator

ACTION TITLE:
Resolution 1122, approving the installation of two street lights on Pedersen Street in the amount of \$5,571.17 and the monthly tariff cost of \$12.02 with Alliant Energy./Move to action.

WORKSHOP SPECIAL CONSENT NON-CONSENT PUBLIC HEARING

RECOMMENDATIONS:
Approve Resolution 1122.

PROJECT DESCRIPTION:
With limited lighting on the recently completed parking near Lions Field and near the shelter located to the north of Lions Field, additional lighting would enhance the safety of pedestrians and drivers in this area.

ATTACHMENTS:
Resolution 1122
Alliant Energy Letter Dated May 6, 2013 (Received August 5, 2013)
Alliant Energy Planning Map
Interstate Power & Light Company Estimate
Cedar County GIS Screen Capture

CURRENT FISCAL YEAR TOTAL COST: \$5,571.17 for installation of two street lights, plus \$12.02 monthly tariff.

BUDGETED UNBUDGETED (check one) FISCAL YEAR BUDGET 2013-2014

\$5,571.17 001-5-2-230-6371 Street Lighting, Utility Services/Gas, Electric

\$32,000 was budgeted for Fiscal Year 2013-2014. Street lighting costs for July 2013 was \$2,427.82, which would be \$29,133.84 for the fiscal year. That would leave approximately \$2,866.16 in the budget for the purchase of street lights. (Note: Prices do not vary much from month-to-month. December 2012 was \$2,575.07, higher than all other months reviewed, probably due to Christmas lights.)

With the purchase, the expenses for fiscal year 2013-2014 would be projected to exceed the street lighting budget by \$2,705.01. The Council could make the purchase and include the cost of these street lights in an upcoming budget amendment, or decide not to amend the budget as it is likely that expenditures in the program area would be within budget. In Fiscal Year 2012-2013, the street lighting budget was \$32,000. Only \$28,977.52 in expenditures took place last year, leaving a budget balance of \$3,022.48.

RESOLUTION NO. 1122

A RESOLUTION APPROVING THE INSTALLATION OF TWO STREET LIGHTS ON PEDERSEN STREET IN THE AMOUNT OF \$5,571.17 AND THE MONTHLY TARIFF COST OF \$12.02 WITH ALLIANT ENERGY.

WHEREAS, a request has been made for additional lighting on Pedersen Street and the two locations that would provide the most benefit would be on the north and south ends of Pedersen Street on the east side of the street; and

WHEREAS, Alliant Energy has provided a proposal for a decorative street light consisting of two 100-Watt HPS Colonial street light luminaries with underground wiring in the amount of \$5,571.17 to the City of West Branch.

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

SECTION 1. The City Council approves the purchase of two decorative street lights from Alliant Energy in the amount of \$5,571.17.

SECTION 2. The City Council hereby directs Alliant Energy to make the following changes to the existing system at the north and south end on the east side of Pedersen Street according to the terms expressed in the existing street light contract:

NEW INSTALLATION OR CHANGES IN EXISTING SYSTEM:

<u>Number</u>	<u>Wattage</u>	<u>Style of Luminaire</u>	<u>Type and Height of Pole</u>	<u>Wiring</u>
Two	100W	Colonial	24' Black Fiberglass	Underground

SECTION 3. The City Council approves the monthly tariff cost without energy charge and taxes from Alliant Energy of \$12.02.

Passed and approved this 19th day of August, 2013.

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk



May 6, 2013

CITY OF WEST BRANCH
PO BOX 218
WEST BRANCH, IA 52358

RE: Pedersen Street

Dear City of West Branch:

I am recommending 2 decorative street lights for your development referenced above.

The street lighting will consist of 100 Watt HPS Colonial street light luminaries with underground wiring.

The total charge for this project is \$5,571.17. This is a one-time charge and is not refundable.

Construction will be scheduled after you return to me a signed copy of this letter along with your check and a completed Street Light Resolution. The other copy of this letter is for you records.

The illumination will provide a safe & secure feeling to the residents and an aesthetically suitable atmosphere for the area.

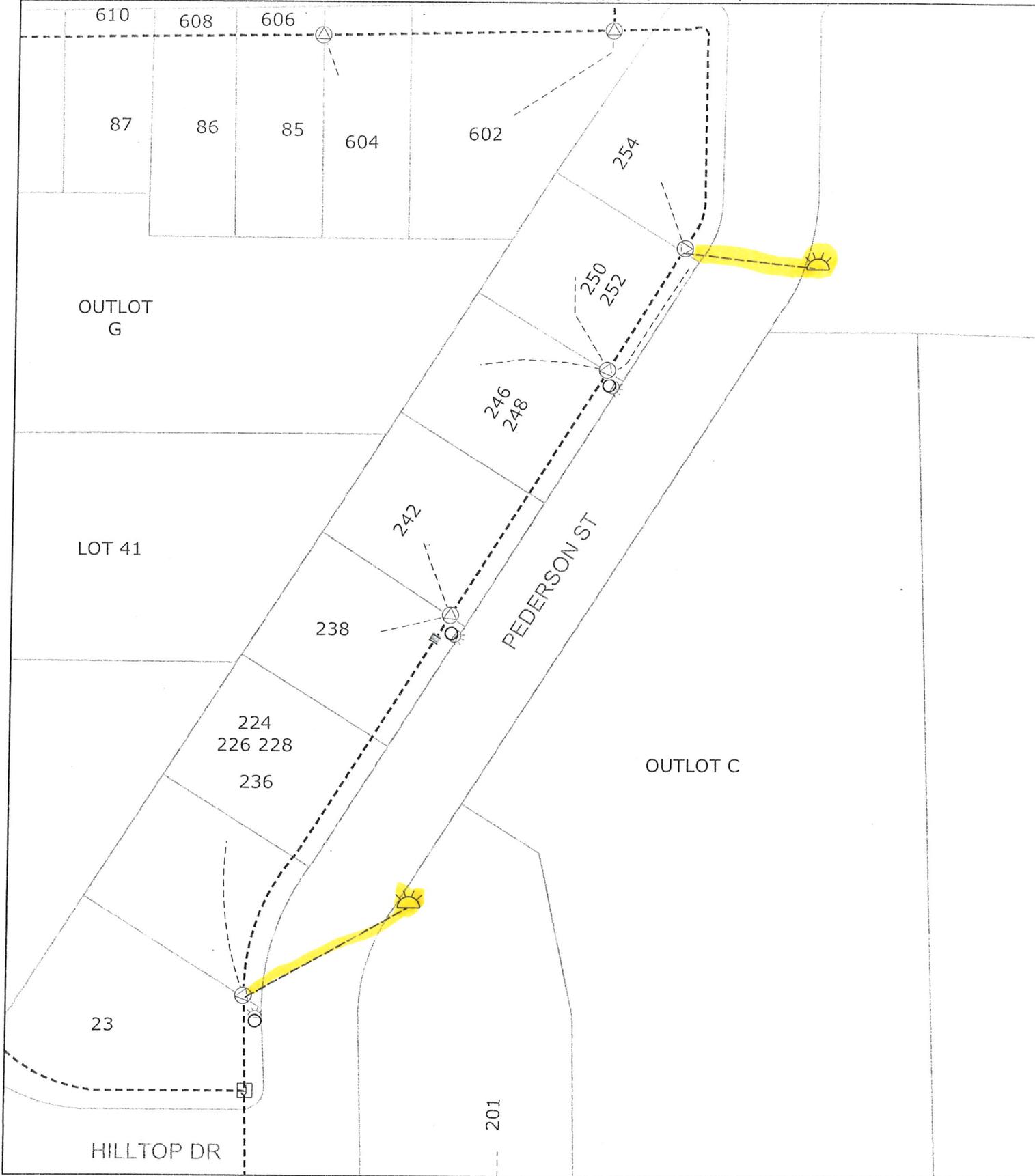
Sincerely,

Pat DeVore
Construction Associate

(Customer Signature)

(Date)

Representation hereof as to the accuracy or completeness of the information contained on this map. Any data provided is for general information only and any use of this data is at your own risk. Any attempt to excavate requires compliance with state law including contacting the appropriate one call notification center. Prior to excavation, the actual physical location of buried facilities must be determined pursuant to requirements of applicable law. This map constitutes limited protected nonpublic data that is confidential and proprietary to the Utilities. By one of the Utilities issuing you a copy of this map, You are deemed to have agreed to treat this information as confidential and to use and disclose it only for the specific project identified in your request for the map and as further restricted below. (If you disagree, please destroy this map and inform the Alliant Energy representative that sent it to You that You cannot comply, that your copy has been removed from all storage mechanisms, and that You will not further use this map.) This map may only be copied or reproduced for internal use by the Utilities or copied, reproduced, or disclosed by You subject to the terms of a nondisclosure or confidentiality agreement between your organization and those to whom you intend to disclose such information for a specific project, whereby the potential recipients agree to use this map only for the specific project identified in the request for the map and to treat this map as the Utilities' confidential and proprietary information restricted from further use, copying or disclosure indefinitely. Any other use, copying or reproduction is strictly forbidden.



Classification: Confidential CEII
Alliant Energy Confidential

PLANNING MAP

Scale: 1:1,099



**Interstate Power & Light Company (Applicable to the Iowa Service Area)
ESTIMATE**

Customer Name: City of West Branch

Date:

Mailing Address: PO BOX 218
West Branch, IA 52358

Phone #

Project Address: Pedersen St
West Branch

Account #

WR #

Contract # _____

The lighting contemplated herein is based upon the Company's Standard Charges for installation of new facilities.

Standard Charge Description	Billing Code	QTY	Installed Cost
24' BLACK OR GREY FIBERGLASS LIGHTING POLE	S-06	2 each	\$1,590.00
LIGHTING UNDERGROUND CABLE	S-30	0 feet	\$0.00
DIRECTIONAL BORING - 2"	I-10	235 feet	\$3,149.00

Iowa Total Free Conductor Footage = 0 feet
 Iowa Total Free Cable Footage = 235 feet
 Iowa Free Trenching Footage = 0 feet

Street Lighting Facilities Installed Standard Charge = \$4,739.00

Iowa Contribution Tax Adder = 17.56%

Tax Amount = \$832.17

Non-Refundable Contribution In Aid of Construction Required = \$5,571.17

Reimbursable Charge Description	Billing Code	Amount

Non-Refundable Reimbursement Required = \$0.00

Tariff Item Description	Rate Code	QTY	Total Charge
80 WATTS LED or 100 WATTS HPS (DECORATIVE)	640	2 each	\$12.02

monthly Tariff cost without energy charge and taxes = \$12.02

Total Non-Refundable Project Contribution = \$5,571.17

COMMENTS:

CITY OF WEST BRANCH
COUNCIL ACTION REPORT

MEETING DATE: August 19, 2013 AGENDA ITEMS: 7I & 7J

DATE PREPARED: August 12, 2013

STAFF LIAISON: Matt Muckler, City Administrator

ACTION TITLES:

Resolution 1123, approving Subdivider's Agreement on Cookson Subdivision between the City of West Branch, IA and Lynch's Excavating./Move to action.

Resolution 1137, approving the Cookson Subdivision Preliminary Plat./Move to Action.

WORKSHOP SPECIAL CONSENT NON-CONSENT PUBLIC HEARING

RECOMMENDATIONS:

Approve Resolutions 1123 and 1137.

PROJECT DESCRIPTION:

Lynch's Excavating, Inc. is seeking Council approval of a preliminary plat on the Cookson Subdivision. Subdivider's agreement and preliminary plat resolutions are attached, as well as historical documents on this project and engineering review letters on the current preliminary plat.

ATTACHMENTS:

Resolution 1123
Quit Claim Deed to Lynch's Excavating, Inc.
Resolutions, Development Agreement, and Proof of Publication
City of West Branch, Iowa Subdivider's Agreement – Cookson Subdivision
Resolution 1137
Cookson Subdivision Preliminary Plat
Cookson Subdivision Grading Plan
Cookson Subdivision Legal Description
July 26, 2013 V&K Letter
August 8, 2013 MMS Consultants, Inc. Letter

CURRENT FISCAL YEAR TOTAL COST:

BUDGETED UNBUDGETED (check one) FISCAL YEAR BUDGET 2013-2014

unknown 001-5-5-856-6446 Commission Planning and Zoning

\$25,000 was budgeted

RESOLUTION NO. 1123

RESOLUTION APPROVING A SUBDIVIDER’S AGREEMENT WITH LYNCH EXCAVATING, INC., IN CONNECTION WITH COOKSON SUBDIVISION, WEST BRANCH, IOWA.

WHEREAS, Lynch Excavating, Inc. (“Lynch”), is the owner of that certain parcel of real estate purchased from the City of West Branch and generally referred to as the Cookson property; and

WHEREAS, Lynch has submitted a preliminary plat for Cookson Subdivision, West Branch, Iowa; and

WHEREAS, in accordance with the City’s subdivision regulations, Lynch, as part of plat approval, will need to construct certain municipal improvements, namely streets, sidewalks, storm sewer, water and sanitary sewer improvements; and

WHEREAS, the City Attorney has drafted a Subdivider’s Agreement which outlines the responsibilities of Lynch with respect to said Cookson Subdivision; and

WHEREAS, it is now necessary for the City Council to formally approve said Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the aforementioned Subdivider’s Agreement be and the same is hereby approved. Further, the Mayor and City Clerk are authorized to execute said Subdivider’s Agreement on behalf of the City. Further, the City Clerk shall record said Subdivider’s Agreement, along with the required documents outlined in Chapter 354 of the Code of Iowa when the final plat of Cookson Subdivision has been formally approved.

Passed and approved this 19th day of August, 2013.

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk



Book 1147 Page 272-274

Document 2012 5118 Pages 3
Date 12/20/2012 Time 11:48:31AM
Rec Amt \$17.00 Aud Amt \$5.00

\$22,000 pd

MELISSA HELMOLD, RECORDER
CEDAR COUNTY IOWA

©THE IOWA STATE BAR ASSOCIATION Official Form No. 106 - May 2006	Kevin D. Olson	FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER
Return To: <u>City of West Branch, 110 N. Poplar, West Branch, Iowa 52358</u>		
Preparer: <u>Kevin D. Olson, 1400 5th Street, Coralville, IA 52241, (319) 351-2277</u>		
Taxpayer: <u>Lynch's Excavating, Inc., 1967 Baker Avenue, West Branch, Iowa 52358</u>		



QUIT CLAIM DEED

For the consideration of One Dollar(s) and other valuable consideration,
City of West Branch, Iowa, a municipal corporation

do hereby

Quit Claim to Lynch's Excavating, Inc., an Iowa corporation all

our right, title, interest, estate, claim and demand in the following real estate in CEDAR
County, Iowa:

See Exhibit "A" attached hereto. Exemption 428A.2(6)

Grantor is political subdivision of State of Iowa and is exempt from filing declaration of value or groundwater hazard.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate. Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

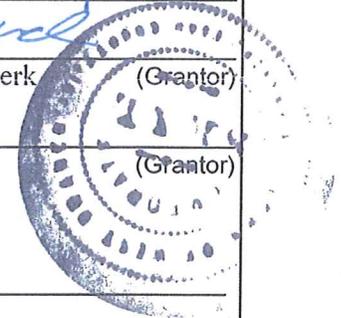
Dated: December 17, 2012

Don Kessler
Don Kessler, Mayor (Grantor)

Matt Muckler
Matt Muckler, City Clerk (Grantor)

(Grantor)

(Grantor)



STATE OF _____, COUNTY OF _____

This instrument was acknowledged before me on _____, by _____

_____, Notary Public

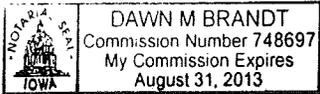
(This form of acknowledgment for individual grantor(s) only)

BOOK 1147 PAGE 272

STATE OF IOWA)
) ss
COUNTY OF CEDAR)

On this 17 day of December, 2012, before me a Notary Public in and for said County, personally appeared Don Kessler and Matt Muckler, to me personally known, who being duly sworn that they are the Mayor and City Clerk, respectively of the City of West Branch, Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

Dawn M. Brandt
Notary Public



BOOK 1147 PAGE 273

Exhibit "A"

Commencing at a point 74 feet South of the Southwest corner of Block 31, West Branch, Cedar County, Iowa; thence South 148 feet and 5 inches; thence East 913 feet and 6 inches; thence north 238 feet and 5 inches; thence west 649 feet and six inches; thence south 90 feet; thence west 264 feet to the place of beginning, except the following:

1. Land deeded to the State of Iowa in Book 85, Page 262.
2. Cookson Drive as dedicated in Book 22, Pages 349-350.
3. Land deeded to the United States of America, in Book 90, Page 52 and page 67.
4. Lot 1 of Lot C and Parcel H located in the Southwest Quarter of the Northwest Quarter of Section 8, Township 79 North, Range 4, West of the 5th Principal Meridian, West Branch, Cedar County, Iowa, as shown in Plat Book H on page 186.
5. Parcel H located in the Southwest Quarter of the Northwest Quarter of said Section 8, as shown in Plat Book H on page 185.

BOOK 1147 PAGE 274



Book 1147 Page 275-284

Document 2012 5119 Pages 10
Date 12/20/2012 Time 11:49:42AM
Rec Amt \$52.00

MELISSA HELMOLD, RECORDER
CEDAR COUNTY IOWA

**RESOLUTIONS, DEVELOPMENT AGREEMENT, AND PROOF OF PUBLICATION
Recorder's Cover Sheet**

Preparer Information:

Melvin O. Shaw, 845 Quarry Road, Suite 130, Coralville, IA 52241-2212, Phone: (319) 337-7429

Taxpayer Information:

Lynch's Excavating, Inc., 1967 Baker Avenue, West Branch, Iowa 52358

Return Address

City of West Branch, Iowa, Attn: Matt Muckler, 110 N. Poplar Street, West Branch, Iowa 52358

Grantors:

City of West Branch, Iowa, 110 N. Poplar Street, West Branch, Iowa 52358

Grantees:

Lynch's Excavating, Inc., 1967 Baker Avenue, West Branch, Iowa 52358

Legal Description: Commencing at a point 74 feet South of the Southwest corner of Block 31, West Branch, Cedar County, Iowa; thence South 148 feet and 5 inches; thence East 913 feet and 6 inches; thence north 238 feet and 5 inches; thence west 649 feet and six inches; thence south 90 feet; thence west 264 feet to the place of beginning, except the following:

1. Land deeded to the State of Iowa in Book 85, Page 262.
2. Cookson Drive as dedicated in Book 22, Pages 349-350.
3. Land deeded to the United States of America, in Book 90, Page 52 and page 67.
4. Lot 1 of Lot C and Parcel H located in the Southwest Quarter of the Northwest Quarter of Section 8, Township 79 North, Range 4, West of the 5th Principal Meridian, West Branch, Cedar County, Iowa, as shown in Plat Book H on page 186.
5. Parcel H located in the Southwest Quarter of the Northwest Quarter of said Section 8, as shown in Plat Book H on page 185.

Document or instrument number if applicable:

BOOK 1147 PAGE 275

RESOLUTION NO. 956

RESOLUTION OF INTENT TO DISPOSE OF AN INTEREST IN REAL PROPERTY GENERALLY REFERRED TO AS THE FORMER COOKSON COMMUNITY CENTER.

WHEREAS, the City Council of the City of West Branch, Iowa, has previously determined that the Cookson Community Center should be closed; and

WHEREAS, said building and its associated real property (the "Property") are no longer needed to provide services to its citizens; and

WHEREAS, it would be beneficial to the citizens of West Branch if the property were sold and placed back upon the tax rolls; and

WHEREAS, to that end, the City is desiring to solicit sealed bids for the purchase of the Property; and

WHEREAS, Section 364.7 of the Code of Iowa requires a public hearing be held prior to disposing of an interest in real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that a public hearing on the proposal to dispose of the Property via sealed bid be hereby set for 7:00 p.m. on Monday, October, 17, 2011. Further, the Clerk is directed to publish notice of the same as required by law.

* * * * *

Passed and approved this 3rd day of October, 2011.



Don Kessler, Mayor

ATTEST:



Matt Muckler, City Administrator/Clerk

BOOK 1147 PAGE 276

RESOLUTION NO. 957

RESOLUTION APPROVING OF THE DISPOSAL OF THE FORMER COOKSON COMMUNITY CENTER AND DIRECTING THE ADMINISTRATION TO SOLICIT SEALED BIDS FOR THE PROPERTY.

WHEREAS, the City Council of the City of West Branch, Iowa, has previously determined that the Cookson Community Center should be closed; and

WHEREAS, said building and its associated real property (the "Property") are no longer needed to provide services to its citizens; and

WHEREAS, it would be beneficial to the citizens of West Branch if the property were sold and placed back upon the tax rolls; and

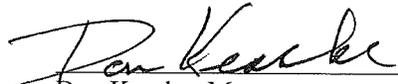
WHEREAS, a public hearing pursuant to Section 364.7 of the Code of Iowa has been held; and

WHEREAS, it is now necessary to approve of the disposal of said property via sealed bid.

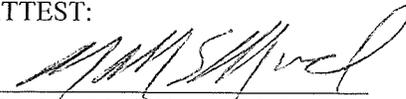
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the proposal to dispose of the City's interest in the former Cookson Community Center via sealed bids is hereby approved. Further, the City Administrator is directed to draft the appropriate bid forms and solicit bids for the sale of said property.

* * * * *

Passed and approved this 17th day of October, 2011.


Don Kessler, Mayor

ATTEST:


Matt Muckler, City Administrator/Clerk

BOOK 1147 PAGE 277

RESOLUTION NO. 1042

RESOLUTION APPROVING A DEVELOPMENT AGREEMENT WITH LYNCH EXCAVATING, INC. ON THE FORMER COOKSON COMMUNITY CENTER PROPERTY.

WHEREAS, the City Council has determined that the former Cookson Community Center Property is not appropriate for the provision of future Park & Recreation services to the citizens of the City of West Branch; and

WHEREAS, the City Council adopted Resolution 956 on October 3, 2011, a resolution of intent to dispose of an interest in real property generally referred to as the former Cookson Community Center; and

WHEREAS, the City Council adopted Resolution 957 on October 17, 2011, a resolution approving the disposal of the former Cookson Community Center and directing the administration to solicit sealed bids for the property; and

WHEREAS, City staff has been actively working with the Iowa Health Care Association, Main Street West Branch and potential investors over the past several months to market the property in anticipation of a sealed bid process; and

WHEREAS, City staff had been approached by Blue Sky Developers who expressed interest in examining the feasibility of a multi-family housing development on the Cookson Community Center property; and

WHEREAS, the multi-family housing development would have included the renovation of the Cookson Center building; and

WHEREAS, Blue Sky Developers requested and were provided an exclusive negotiating period with the City of West Branch on the property, as Blue Sky Developers expended time and funds to examine the feasibility of the development; and

WHEREAS, Blue Sky Developers completed the feasibility of a multi-family housing development which included the renovation of the Cookson Center building and determined that such a project is not feasible; and

WHEREAS, Blue Sky Developers provided a letter to the City of West Branch voluntarily ending this exclusive negotiating period; and

WHEREAS, the West Branch City Council discussed the solicitation of sealed bids for the former Cookson Community Center at the regular Council Meeting held on August 6, 2012; and

BOOK 1147 PAGE 278

WHEREAS, the majority of the West Branch City Council at the August 6, 2012 Council Meeting directed staff to proceed with the sealed bid process to include online advertisements; and

WHEREAS, staff proceeded with the sealed bid process including online advertisements and accepted sealed bids until September 14, 2012; and

WHEREAS, two sealed bids, one from Blue Sky Developers and one from Lynch Excavating, Inc., were received by the deadline; and

WHEREAS, both proposals were distributed to the City Council at the September 17, 2012 Council Meeting and discussed at the October 1, 2012 Council Meeting; and

WHEREAS, Blue Sky Developers withdrew their sealed bid on Tuesday September 18, 2012; and

WHEREAS, the West Branch City Council is interested in moving forward with Lynch Excavating, Inc. with an agreement that would allow Lynch Excavating, Inc. to develop the property as one and two-family dwellings; and

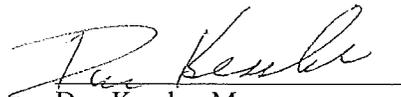
WHEREAS, the West Branch City Attorney has drafted a development agreement with Lynch Excavating, Inc. for the consideration of the West Branch City Council; and

WHEREAS, Lynch Excavating, Inc. has reviewed and is in agreement with the development agreement; and

WHEREAS, it is now necessary to approve said development agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Iowa, that the aforementioned development agreement with Lynch Excavating, Inc. is hereby accepted.

Passed and approved this 5th day of November, 2012.


Don Kessler, Mayor

ATTEST:


Matt Muckler, City Administrator/Clerk

BOOK 1147 PAGE 279

DEVELOPMENT AGREEMENT

THIS AGREEMENT entered into by and between the City of West Branch, Iowa, hereafter to as the "City"; and Lynch Excavating, Inc., hereafter referred to as the "Developer."

WHEREAS, the City is the current owner of that certain property generally referred to as the "Cookson Property", said property being legally described as attached hereto on Exhibit "A" (the "Property"); and

WHEREAS, the City solicited bids for the redevelopment of the Property after public notice and received sealed bids for the Property; and

WHEREAS, the Developer has submitted the bid that has been selected by the City Council for the redevelopment of the Property; and

WHEREAS, it is now necessary to outline the terms of the redevelopment of the Property in this Agreement.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Acquisition of the Property.

1. The Developer has agreed to pay to the City, upon a showing of marketable title to the Developer, and the City has agreed to sell to Developer, the Property for a Purchase Price of Five thousand dollars (\$5,000.00), payable as follows:
 - a. \$1,000 upon execution of the Agreement;
 - b. \$4,000 at the closing;
 - c. Developer shall also pay the City's closing costs, including, but not limited to abstracting and recording fees, up to \$2,500.
2. The closing shall occur no later than December 31, 2012.
3. The City, upon the showing of marketable title and payment by Developer to the City of the Purchase Price of \$5,000, shall convey the Property to the Developer via Quit Claim Deed.
4. The Developer expressly acknowledges that it is taking the Property from the City "AS, IS" and the Developer shall indemnify and hold the City harmless from any condition on the Property, except for any injury, loss or damage, claim or cause of action that has accrued against the City prior to the date of the conveyance of Property to Developer.

BOOK 1147 PAGE 280

Demolition of the Building

1. Within 90 days of the Closing, the Developer shall demolish and haul away the former Cookson Home building on the Property. In the event that weather or other temporary physical conditions prevent Developer from initiating or completing the demolition and hauling, Developer shall not be deemed in violation of this Agreement and shall be granted 90 additional days to complete such work.
2. In conducting its demolition, the Developer is required to strictly comply with all federal, state and local law, regulation or ordinance regarding the demolition of buildings.
3. The Developer shall indemnify and hold the City harmless from any and all claims regarding the Developer's demolition of the former Cookson Home, except for any injury, loss or damage, claim or cause of action that has accrued against the City prior to the date of the conveyance of Property to Developer.

Development of the Property

1. The Developer acknowledges that the Property is currently zoned R-2 and the Developer will not submit application to rezone the Property, other than to an R-1 designation.
2. Within 180 days of the execution of this Agreement, and after the Cookson Home has been demolished, the Developer shall submit a proposed plat to the City for its review in the normal course.
3. In platting the Property, the Developer shall dedicate to the City right-of-way for the extension of Second Street. Said dedication will occur upon approval of the Final Plat and recording of the Plat with the Cedar County Recorder.
4. Once the City Council has approved the Final Plat for the entire Property, the City shall issue and record a Certificate of Completion, in a similar form to Exhibit "B" attached hereto. All costs of recording the Certificate of Completion shall be paid by the Developer.
5. The Developer is responsible for the cost and installation of all public improvements as required by the West Branch Code of Ordinances.
6. The Developer or its assigns and successors, shall obtain a building permit within one year of the execution of the Agreement for the construction of an allowed residential use.

BOOK 1147 PAGE 281

7. Developer shall not transfer the Property, or any part thereof, prior to obtaining a Certificate of Completion unless it becomes legally impossible for Developer to complete the work, or the completion of the development is precluded due to an occurrence that is beyond the control of the Developer.

Dated this 5 day of November, 2012.

DEVELOPER:
Lynch Excavating, Inc.



CITY:
City of West Branch, Iowa


Don Kessler, Mayor

ATTEST:


Matt Muckler, City Adm./Clerk

BOOK 1147 PAGE 282

COOKSON MEMORIAL HOME, INC.

Legal Description

Commencing at a point 74 feet South of the Southwest corner of Block 31, West Branch, Cedar County, Iowa; thence South 148 feet and 5 inches; thence East 913 feet and 6 inches; thence north 238 feet and 5 inches; thence west 649 feet and six inches; thence south 90 feet; thence west 264 feet to the place of beginning, except the following:

1. The W 60' of a parcel of land described as Commencing at a point 74 feet south of the southwest corner of Block 31, Town of West Branch, Cedar County, Iowa; thence south 148 feet and 5 inches; thence east 913 feet and 6 inches; thence north 238 feet and 5 inches; thence west 649 feet and 6 inches; thence south 90 feet; thence west 264 feet to the place of beginning. The intent of this description is to cover all of the above described property lying westerly of a line 60 ft. normally distant easterly from and parallel to the centerline of County Trunk Road "D". Said parcel contains 0.09 acres, more or less, exclusive of the present established road along the west side thereof.

2. A parcel of land uniformly twenty-four (24) feet in width lying adjacent to and southerly of the south line of the sixteen (16) foot alley along the south side of Block Two (2) of the Sub-division of Lot B of the Town of West Branch, Cedar County, Iowa; bounded on the West by the West line of First Street and on the East by the East line of Second Street.

3. Begin Sixteen (16) feet North of the Southwest corner of Block Thirty-one (31) Cook's Division to Cameron, now West Branch, Cedar County, Iowa; thence East One Hundred Thirty-two (132) feet; thence South Two Hundred Thirty-eight (238) feet Five (5) inches; thence West to the tract deeded to the Iowa State Highway Commission by deed recorded in Book 85, page 232, Cedar County Records One Hundred Five (105) feet; thence North along said Iowa State Highway Commission tract One Hundred Forty-eight (148) feet Five (5) inches; thence West to the right of way to Downy Street or its extension, twenty-seven (27) feet; thence North Ninety (90) feet to the point of beginning, all in Section Eight (8) Township Seventy-nine (79) North, Range Four (4) West of the Fifth Principal Meridian.

4. Lot 1 of Lot C located in the Southwest Quarter of the Northwest Quarter of Section 8, Township 79 North, Range 4, West of the 5th Principal Meridian, West Branch, Cedar County, Iowa, as shown in Plat Book H on page 186.

5. Parcel H located in the Southwest Quarter of the Northwest Quarter of said Section 8 Township 79 North Range 4 West of the 5th Principal Meridian, West Branch, Cedar County, Iowa, as shown in Plat Book H on page 185.

BOOK 921 PAGE 259

BOOK 1147 PAGE 283

PROOF OF PUBLICATION

State of Iowa, Cedar County, ss:

I, Gregory Norfleet, Editor of the West Branch Times, a weekly newspaper of general circulation published at West Branch, in said county, and being duly sworn, do declare and say that a Notice, of which one hereto attached is a copy, was published in said West Branch Times respectively:

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING ON PROPOSAL TO DISPOSE OF AN INTEREST IN REAL PROPERTY, SAID REAL PROPERTY BEING GENERALLY REFERRED TO AS THE FORMER COOKSON COMMUNITY CENTER.

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, October 17th, 2011. Said public hearing shall be to consider the intent to dispose of the City's interest in the former Cookson Community Center via sealed bid.

BE FURTHER ADVISED that the City Council did by Resolution on October 3rd, 2011, indicate an intent to dispose of said real property, subject to public hearing on said proposal, in accordance with applicable State law and local Ordinances. All interested persons are invited to attend and be heard on the proposal to dispose of the City's interest in the aforementioned property. Further information on this matter may be obtained by contacting the West Branch City Clerk.

Matt Muckler, City Clerk,
by Direction of the City Council

10-6-11

Gregory Norfleet

Fee: \$ 13.00

Sworn to by said Gregory Norfleet before me and signed by

him in my presence this _____

day of _____, _____

Notary Public

Received of

Dollars

in full on above publication.

BOOK 1147 PAGE 284

CITY OF WEST BRANCH, IOWA/SUBDIVIDER'S AGREEMENT

COOKSON SUBDIVISION

This Agreement is made by and between Lynch's Excavating, Inc., an Iowa corporation, 607 N. 4th Street, West Branch, Iowa 52358, hereinafter referred to as the "Subdivider", and the City of West Branch, Iowa, a municipal corporation, 110 N. Poplar Street, West Branch, Iowa 52358, hereinafter referred to as the "City".

WITNESSETH

SECTION 1. MUNICIPAL IMPROVEMENTS; CONSTRUCTION AND INSTALLATION OF MUNICIPAL IMPROVEMENTS.

In consideration of the city approving the plat and subdivision of real estate known and designated as Cookson Subdivision, West Branch, Iowa, prior to Subdivider's installation and construction of the required municipal improvements, Subdivider shall make escrow provisions as provided herein. Municipal improvements shall include a 29-foot wide PCC extension of 2nd Street, sanitary sewers, water mains, storm sewers, sump-pump line, street lighting, fire hydrants with appropriate STORZ connections as approved by the Fire Chief and a storm water detention facility located on Outlot A. Said municipal improvements shall be constructed and installed in accordance with construction plans and specifications approved by the City Engineer of the City who shall have the right to make or authorize occasional inspections of the work in progress. Said inspections shall not relieve or release the Subdivider from the responsibility to construct the municipal improvements in accordance with the approved plans and specifications.

The Subdivider shall also be responsible for relocating the existing water main to the north 16-feet of Lot 5, and granting the City an appropriate water main easement for the same.

SECTION 2. SIDEWALKS.

The Subdivider agrees that no later than three (3) years from the date of the City's Resolution approving the Final Plat of Cookson Subdivision, West Branch, Iowa, or upon seventy-five percent (75%) of the development of the lots therein, whichever occurs first, to install sidewalks abutting each lot which shall be at least five (5) feet wide and constructed according to the plans and specifications as approved by the City Engineer. The escrow provision need not include the sidewalk installation, however, the same shall remain a lien against each lot until accepted and released by the City.

SECTION 3. ESCROW MONIES

The Subdivider shall deposit with the City Clerk in escrow an amount equal to the estimated cost of constructing the municipal improvements plus 10% thereof as determined by the City Engineer and said deposit shall be referred to as "Municipal Improvements Escrow". The escrow deposit shall be in the form of cash, bank check that will be cashed, bond or irrevocable letter of credit, all as approved by the City Attorney.

SECTION 4. USE OF ESCROW MONIES

If, after one year from the date of the City's resolution approving the preliminary plat of the subdivision, the municipal improvements have not been constructed and installed for the subdivision, then City may use and/or make demand upon the municipal improvements escrow to construct and install said municipal improvements. The City shall release any bond or letter of credit or refund to the Subdivider any portions of or any excess escrow monies not used by the City after construction, installation and acceptance of all of the municipal improvements. Any cash or check held in escrow shall be released as needed for payment of the costs of the improvements.

In addition, the City may make use of any of the proceeds of the security provided by Subdivider in order to enforce the erosion control requirements pursuant to Section 170.15(15) of the West Branch Code of Ordinances.

SECTION 5. WAIVER

In the event the Subdivider shall sell or convey or make application for a building permit on any lot or lots in the subdivision without having first constructed and installed all the municipal improvements for the subdivision, then the City shall have the right to proceed therewith as provided in Section 3 above.

SECTION 6. LIEN

The costs of the construction and installation of the municipal improvements shall be a lien and charged against all lots in said subdivision and need not meet the requirements of notice, benefit or value as provided for by the Code of Iowa for assessing said municipal improvements which may exceed the municipal improvements escrow.

SECTION 7. RELEASE

The City agrees that when all municipal improvements have been constructed and installed for the subdivision, to the satisfaction of the City and upon acceptance by resolution, to furnish the Subdivider a good and sufficient Release for filing in the office of

the County Recorder so that this Agreement will not constitute a cloud upon the title.

SECTION 8. PUBLIC SERVICES.

Subdivider agrees that public services including, street maintenance, snow plowing, water and sanitary sewer service, will not be provided in said subdivision until the municipal improvements have been constructed, installed and accepted by the City.

SECTION 9. STORM WATER MANAGEMENT.

The Subdivider shall be required to install a storm water detention facility on Outlot A of said subdivision. In constructing said storm water detention facility, the Subdivider shall be required to detain the difference in volume of the five year undeveloped storm and the one hundred year developed storm events on the entire approximate 3.4-acre tract owned by Subdivider.

Upon request of the City Engineer, the Subdivider shall provide appropriate data to the City Engineer for review to ensure that the storm water detention facility is capable of providing the design capacity of the facility. The City Engineer, in its sole discretion, may require appropriate measures be performed by the Subdivider if the capacity has been reduced by sand, siltation or any other similar problems. After inspection and approval by the City Engineer, the ownership of Outlot A shall be transferred to the City via Warranty Deed, free from liens or encumbrances.

SECTION 10. ASSIGNS AND SUCCESSORS

This agreement shall be binding upon the parties, their assigns or successors in interest and it is understood that the City, at its option, may contract for the construction and installation of the municipal improvements as provided above.

Dated this ____ day of _____, 2013.

Lynch's Excavating:

City of West Branch:

By: _____
Larry Lynch, President

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

STATE OF IOWA, COUNTY OF CEDAR, ss:

On this ____ day of _____, 2013, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Mark Worrell and Matt Muckler, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of West Branch, Iowa; a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as passed by Resolution of the City Council; and Mark Worrell and Matt Muckler acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

A Notary Public in and for the
State of Iowa

STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on the ____ day of _____, 2013, by _____ as President of Lynch's Excavating, Inc.

Notary Public

RESOLUTION NO. 1137

A RESOLUTION APPROVING THE COOKSON SUBDIVISION PRELIMINARY PLAT

WHEREAS the owner, Lynch's Excavating, has filed with the City Clerk of the City of West Branch, Iowa, a preliminary plat of the following described real estate situated within the corporate limits of the City of West Branch, Cedar County, Iowa, to-wit:

BEGINNING AT THE SOUTHEAST CORNER OF LOT C, WEST 1/2 OF THE NW 1/4 SECTION 8, T79N, R4W, RECORDED IN BOOK 4, AT PAGE 34, CEDAR COUNTY RECORDER'S OFFICE; THENCE N88°41'47"W, ALONG THE SOUTH LINE OF SAID LOT C, 650.25 FEET, TO A POINT ON THE EAST LINE OF LOT 1 OF LOT C, IN ACCORDANCE WITH THE RECORDED PLAT THEREOF; THENCE N01°18'13"E, ALONG SAID EAST LINE, 70.76 FEET; THENCE N37°57'44"E, ALONG SAID EAST LINE, 110.52 FEET; THENCE N00°55'31"E, ALONG SAID EAST LINE, 42.58 FEET, TO A POINT ON THE SOUTH LINE OF COOKSON DRIVE; THENCE S88°41'28"E, ALONG SAID SOUTH LINE, 400.34 FEET, TO A POINT ON THE EAST LINE OF 2ND STREET; THENCE N01°33'46"E, ALONG SAID EAST LINE, 34.00 FEET, TO A POINT ON THE SOUTH LINE OF HAINES ADDITION, IN ACCORANCE WITH THE RECORDED PLAT THEREOF; THENCE S89°22'11"E, ALONG SAID SOUTH LINE, 247.00 FEET, TO A POINT ON THE EAST LINE OF SAID LOT C; THENCE S01°17'41"W, ALONG SAID EAST LINE, 238.87 FEET, TO SAID POINT OF BEGINNING, CONTAINING 3.08 ACRES, AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

WHEREAS, said property is owned by the above-named owner;

WHEREAS, the Plat has been examined by the Planning and Zoning Commission of the City of West Branch, Iowa, which recommended that such plat be accepted and approved;

WHEREAS, the City Council of the City of West Branch, Iowa, finds that said plat complies with the statutes of the State of Iowa and the Ordinances for the City of West Branch, Iowa, relative to plats, additions and subdivisions within the corporate limits of the City of West Branch, Iowa.

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

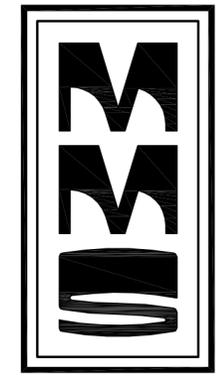
That said preliminary plat and subdivision located on the above-described property be and the same is hereby approved.

Passed, approved and adopted this 19th day of August, 2013.

Mayor Mark Worrell

ATTEST:

City Administrator/Clerk Matt Muckler

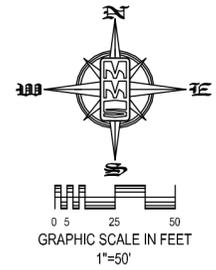


CIVIL ENGINEERS
 LAND PLANNERS
 LAND SURVEYORS
 LANDSCAPE ARCHITECTS
 ENVIRONMENTAL SPECIALISTS
 1917 S. GILBERT ST.
 IOWA CITY, IOWA 52240
 (319) 351-8282
 www.mmsconsultants.net

PRELIMINARY PLAT COOKSON SUBDIVISION WEST BRANCH, IOWA

STANDARD LEGEND AND NOTES

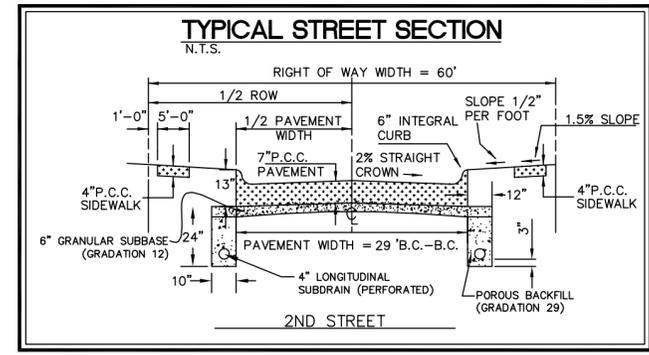
- PROPERTY &/or BOUNDARY LINES
 - CONGRESSIONAL SECTION LINES
 - RIGHT-OF-WAY LINES
 - EXISTING RIGHT-OF-WAY LINES
 - CENTER LINES
 - EXISTING CENTER LINES
 - LOT LINES, INTERNAL
 - LOT LINES, PLATTED OR BY DEED
 - PROPOSED EASEMENT LINES
 - EXISTING EASEMENT LINES
 - BENCHMARK
 - RECORDED DIMENSIONS
 - CURVE SEGMENT NUMBER
 - EXIST - 22-1
 - PROP -
 - POWER POLE
 - POWER POLE W/DROP
 - POWER POLE W/TRANS
 - POWER POLE W/LIGHT
 - GUY POLE
 - LIGHT POLE
 - SANITARY MANHOLE
 - FIRE HYDRANT
 - WATER VALVE
 - DRAINAGE MANHOLE
 - CURB INLET
 - FENCE LINE
 - EXISTING SANITARY SEWER
 - PROPOSED SANITARY SEWER
 - EXISTING STORM SEWER
 - PROPOSED STORM SEWER
 - WATER LINES
 - ELECTRICAL LINES
 - TELEPHONE LINES
 - GAS LINES
 - CONTOUR LINES (1' INTERVAL)
 - PROPOSED GROUND
 - EXISTING GROUND
 - EXISTING TREE LINE
 - EXISTING DECIDUOUS TREE & SHRUB
 - EXISTING EVERGREEN TREES & SHRUBS
- THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.



PLAT PREPARED BY:
 MMS CONSULTANTS INC.
 1917 S. GILBERT STREET
 IOWA CITY, IOWA 52240

OWNER/SUBDIVIDER:
 LYNCH'S EXCAVATING
 607 N 4TH STREET
 WEST BRANCH, IOWA 52358

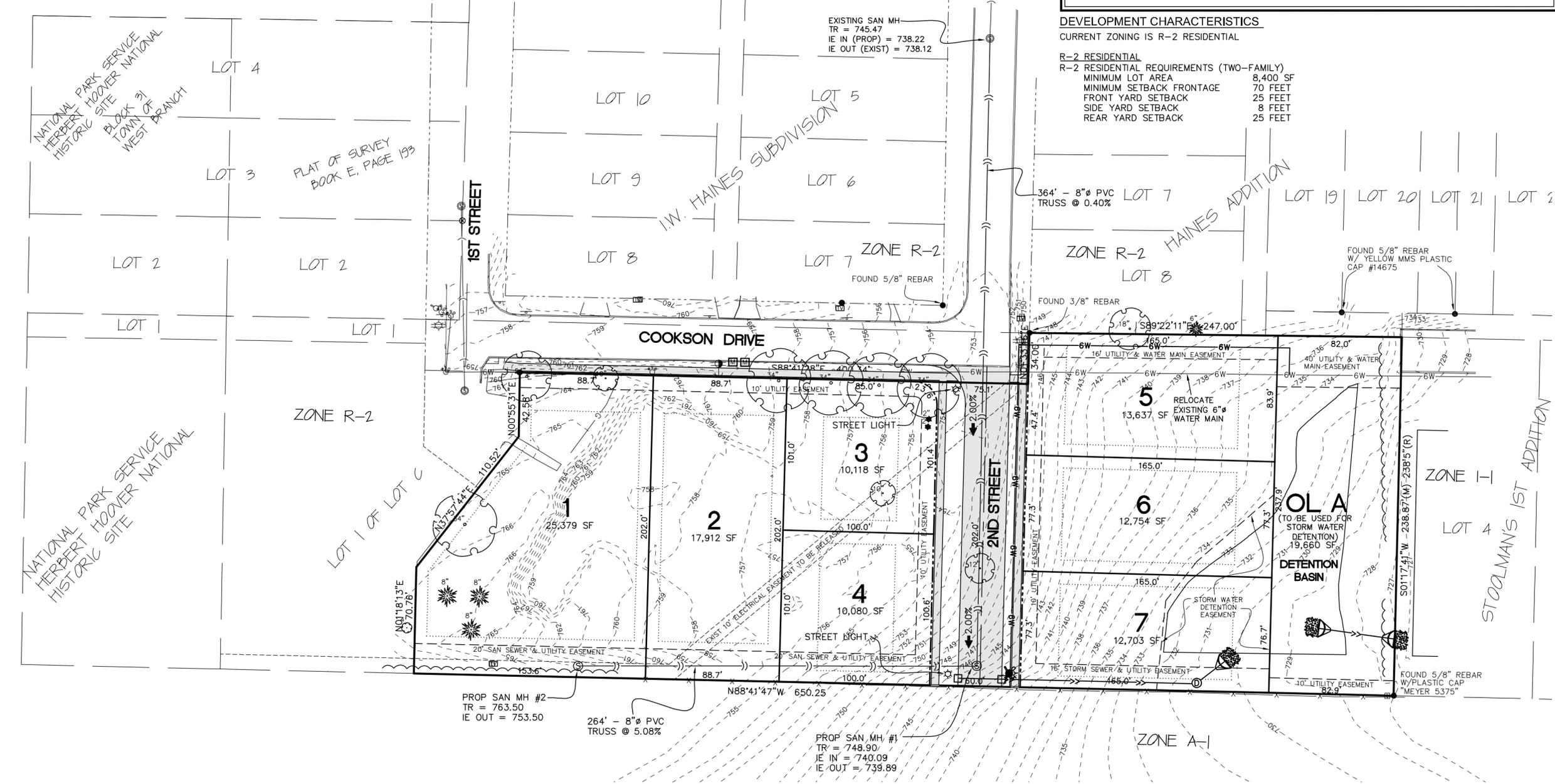
OWNER'S ATTORNEY:
 MELVIN O. SHAW
 845 QUARRY ROAD
 SUITE 130
 CORALVILLE, IOWA 52241



LEGAL DESCRIPTION
 BEGINNING AT THE SOUTHEAST CORNER OF LOT C, WEST 1/2 OF THE NW 1/4 SECTION 8, T79N, R4W, RECORDED IN BOOK 4, AT PAGE 34, CEDAR COUNTY RECORDER'S OFFICE; THENCE N88°41'47"W, ALONG THE SOUTH LINE OF SAID LOT C, 650.25 FEET, TO A POINT ON THE EAST LINE OF LOT 1 OF LOT C, IN ACCORDANCE WITH THE RECORDED PLAT THEREOF; THENCE N01°18'13"E, ALONG SAID EAST LINE, 70.76 FEET; THENCE N37°57'44"E, ALONG SAID EAST LINE, 110.52 FEET; THENCE N00°55'31"E, ALONG SAID EAST LINE, 42.58 FEET, TO A POINT ON THE SOUTH LINE OF COOKSON DRIVE; THENCE S88°41'28"E, ALONG SAID SOUTH LINE, 400.34 FEET, TO A POINT ON THE EAST LINE OF 2ND STREET; THENCE N01°33'48"E, ALONG SAID EAST LINE, 34.00 FEET, TO A POINT ON THE SOUTH LINE OF HAINES ADDITION, IN ACCORDANCE WITH THE RECORDED PLAT THEREOF; THENCE S89°22'11"E, ALONG SAID SOUTH LINE, 247.00 FEET, TO A POINT ON THE EAST LINE OF SAID LOT C; THENCE S01°17'41"W, ALONG SAID EAST LINE, 238.87 FEET, TO SAID POINT OF BEGINNING, CONTAINING 3.08 ACRES, AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



LOCATION MAP
 NOT TO SCALE



DEVELOPMENT CHARACTERISTICS

CURRENT ZONING IS R-2 RESIDENTIAL

R-2 RESIDENTIAL
 R-2 RESIDENTIAL REQUIREMENTS (TWO-FAMILY)
 MINIMUM LOT AREA 8,400 SF
 MINIMUM SETBACK FRONTAGE 70 FEET
 FRONT YARD SETBACK 25 FEET
 SIDE YARD SETBACK 8 FEET
 REAR YARD SETBACK 25 FEET

Date	Revision
08-05-13	PER CITY ENGINEER COMMENTS KJB/KLLS

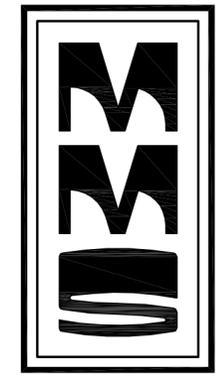
PRELIMINARY PLAT

COOKSON SUBDIVISION

WEST BRANCH
 CEDAR COUNTY
 IOWA

MMS CONSULTANTS, INC.

Date:	07/16/13
Designed by:	DAM
Field Book No.:	845
Drawn by:	JDM
Scale:	1"=50'
Checked by:	DAM
Sheet No.:	1
Project No.:	IOWA CITY 2583027
of:	1



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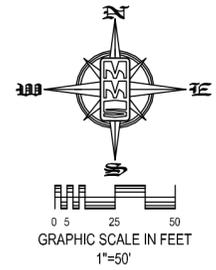
GRADING PLAN

COOKSON SUBDIVISION

WEST BRANCH, IOWA

STANDARD LEGEND AND NOTES

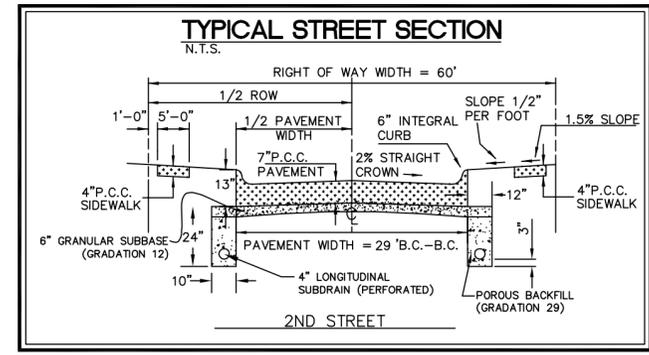
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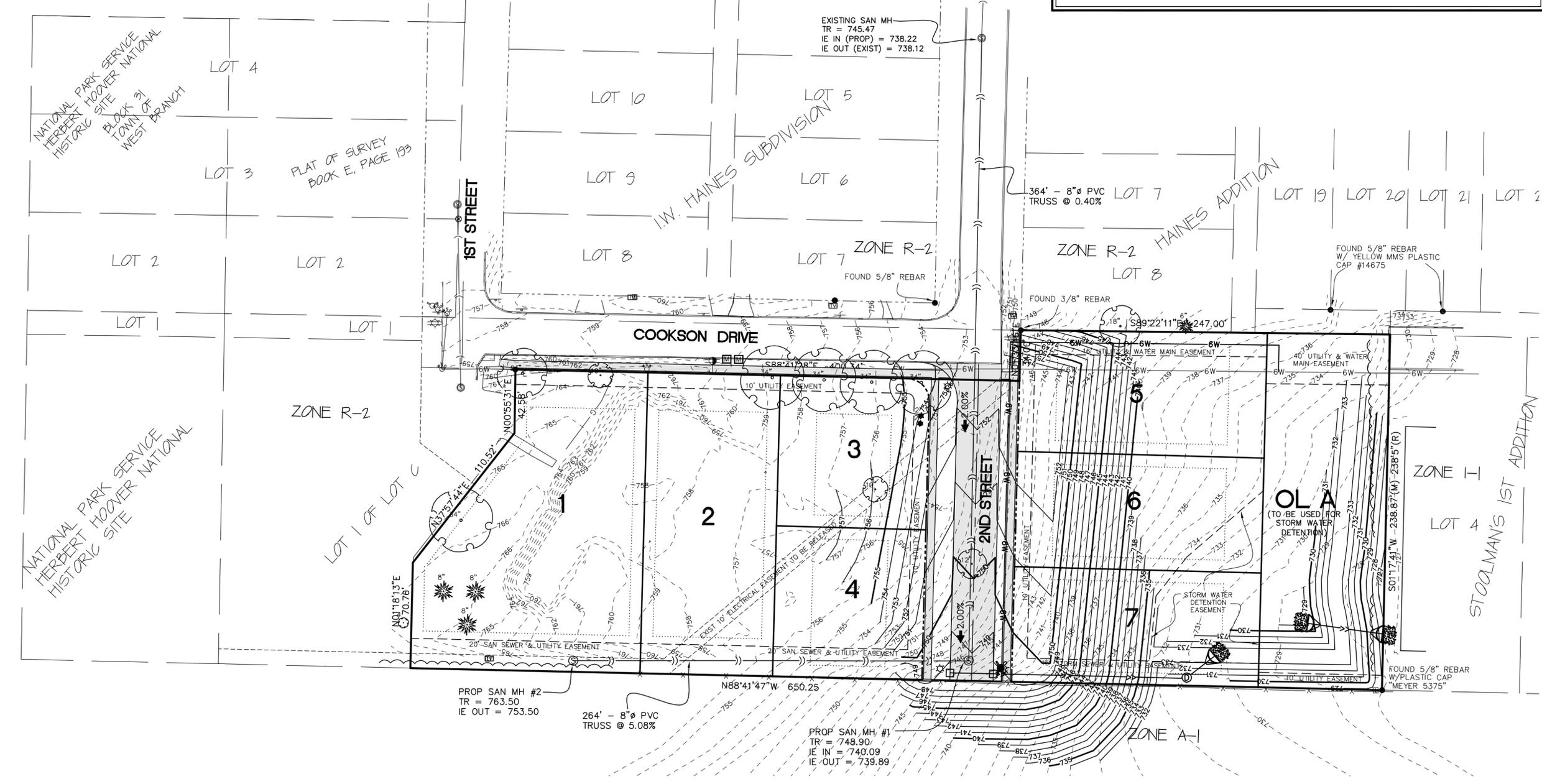
PLAT PREPARED BY:
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OWNER/SUBDIVIDER:
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Date	Revision
08-05-13	PER CITY ENGINEER COMMENTS KJB/LLS

GRADING PLAN

COOKSON SUBDIVISION

WEST BRANCH
 CEDAR COUNTY
 IOWA

MMS CONSULTANTS, INC.

Date:	07/16/13
Designed by:	DAM
Field Book No.:	845
Drawn by:	JDM
Scale:	1"=50'
Checked by:	DAM
Sheet No.:	1
Project No.:	IOWA CITY 2583027
of:	1

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July 26, 2013

Matt Muckler
City Administrator
City of West Branch
110 North Poplar St.
West Branch, IA 52358

WEST BRANCH, IOWA
COOKSON SUBDIVISION
PRELIMINARY PLAT

We have reviewed the preliminary plat for Cookson Subdivision to the City of West Branch for conformance with the City's ordinances and design standards. Based on our review, we offer the following comments:

1. 170.05.3.2 Plat shall contain reference to at least 2 section corners or survey monuments. The legal description references monuments for the surrounding subdivisions, however, there are no monuments shown.
2. 170.05.3.5 Indicate proposed street grades on preliminary plat.
3. 170.05.3.7 Show building setback lines on plat
4. 170.05.3.10 Show location of any proposed street lights on plat.
5. 170.05.3.13 Indicate zoning for adjacent properties
6. 170.05.3.13 A proposed grading plan shall be submitted for review prior to considering the preliminary plat.
7. 170.15.6.C Lot 3 should have a 15' radius on the lot corner.
8. 170.15.13.A Easements shall have a minimum width of 16'. The storm sewer south of lot 7 shows a 10' easement.
9. 170.16.6.D A sump pump drain line is required behind the back of curb. The typical street section should be revised to show a drainable base and drain tiles sized appropriately. The sidewalk should be 5' wide and 1.5% slope.

Matt Muckler
July 26, 2013
Page 2

10. City maps show an existing water line across lot 5. This should be shown on the plat with an easement 16' wide centered on the water main.
11. The bearing for the west lot line of lot 1 does not match the legal description bearing.
12. A stormwater detention easement is shown, however, there is no indication of how the water will be detained or where water will be directed or discharged. Additional details are required.
13. The existing manhole on 2nd Street is approximately 7.5 feet deep. Provide invert elevations and rim elevations for proposed manholes.
14. Discussion is required to determine if there is an interest in extending Cookson Drive to the east across lot 5 to connect to the existing street near the City maintenance facility.

Should you have any questions or comments, please contact us at 319-466-1000.

VEENSTRA & KIMM, INC.


Dave Schechinger

cc: Duane Musser, MMS Consultants



MMS CONSULTANTS, INC.

IOWA CITY IOWA
OFFICE: 319-351-8282

Your Vision + Our Innovation = Inspired Results

August 8, 2013

Matt Muckler
City Administrator
City of West Branch
110 North Poplar St
West Branch, IA 52358

Re: Cookson Subdivision, Preliminary Plat

Dear Mr. Muckler

We are in receipt of your letter dated July 26, 2013. We offer the following in response to city staff comments and concerns.

1. 170.05.3.2 Plat shall contain reference to at least 2 section corners or survey monuments. The legal description references monuments for the surrounding subdivisions, however, there are no monuments shown.
Survey monuments are now shown.
2. 170.05.3.5 Indicate proposed street grades on preliminary plat.
Proposed street grades are now shown.
3. 170.05.3.7 Show building setback lines on plat.
Setback lines are now shown.
4. 170.05.3.10 Show location of any proposed street lights on plat.
Proposed street light locations are now shown.
5. 170.05.3.13 Indicate zoning for adjacent properties.
Existing zoning is now shown.
6. 170.05.3.13 A proposed grading plan shall be submitted for review prior to considering the preliminary plat.
A grading plan has been prepared for staff review.
7. 170.15.6.C Lot 3 should have a 15' radius on the lot corner.
The lot corner now shows the radius.
8. 170.15.13.A Easements shall have a minimum width of 16'. The storm sewer south of lot 7 shows a 10' easement.
The minimum easement width is now 16'.
9. 170.16.6.D A sump pump drain line is required behind the back of curb. The typical street section should be revised to show a drainable base and drain tiles sized appropriately. The sidewalk should be 5' wide and 1.5% slope.
The typical street section is now revised to meet the requirements.

CIVIL ENGINEERS

LAND SURVEYORS

LAND PLANNERS

LANDSCAPE ARCHITECTS

ENVIRONMENTAL SPECIALISTS

10. City maps show an existing water line across lot 5. This should be shown on the plat with an easement 16' wide centered on the water main.
The existing main is now shown. The applicant would like to relocate the main on Lot 5 to increase the buildable area.
11. The bearing for the west lot line of lot 1 does not match the legal description bearing.
The legal has been corrected.
12. A stormwater detention easement is shown, however, there is no indication of how the water will be detained or where water will be directed or discharged. Additional details are required.
Additional information is now shown on plat and grading plan.
13. The existing manhole on 2nd Street is approximately 7.5 feet deep. Provide invert elevations are rim elevations for proposed manholes.
The invert elevations are now shown for the proposed manholes.
14. Discussion is required to determine if there is an interest in extending Cookson Drive to the east across lot 5 to connect to the existing street near the City maintenance facility.
The applicant acknowledges this comment.

We trust that the above information, along with the enclosed copies of the revised plans, is sufficient for forwarding for approval. If you have any questions or require any additional information, please contact us accordingly.

Respectfully submitted,

Duane A. Musser, A.S.L.A
MMS Consultants, Inc

RESOLUTION NO. 1138

A RESOLUTION APPROVING THE PURCHASE AND INSTALLATION OF HEATING, VENTILATION AND AIR CONDITIONING EQUIPMENT FROM THOMAS HEATING & AIR FOR THE WEST BRANCH FIRE DEPARTMENT IN THE AMOUNT OF \$4,910.00

WHEREAS, City staff is recommending the purchase and installation of heating, ventilation and air conditioning equipment from Thomas Heating & Air in order to provide improvements to the West Branch Fire Department HVAC system; and

WHEREAS, local option sales tax revenue approved for the expansion and maintenance of the West Branch Fire Department is available to pay for the entire cost of the equipment and installation.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the City Council approves the purchase and installation of heating, ventilation and air conditioning equipment from Thomas Heating & Air for the West Branch Fire Department in the amount of \$4,910.00 with funding coming from local option sales tax revenue.

Passed and approved this 19th day of August, 2013.

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

Thomas Heating & Air

202 Sand Trap Circle
Tipton, IA 52772

Estimate

Date	Estimate #
7/25/2013	121

Name / Address
City Of West Branch 110 North Poplar Street West Branch, IA 52358

Project

Description	Qty	Rate	Total
Goodman 5 Ton Condenser		2,300.00	2,300.00
Goodman 5 Ton Coil		650.00	650.00
Zone Control Panel	1	450.00	450.00
Zone Dampers	2	200.00	400.00
Return Air Duct- To Police Side		250.00	250.00
Thermostat and Wire- to police side		60.00	60.00
Labor		800.00	800.00
Sales Tax		7.00%	0.00
Thank you for your business-Michael		Total	\$4,910.00

Plato Electric LLC

P.O. Box 572 ~ 1433 Plato Rd ~ West Branch, IA 52358
Phone 643-5546 ~ Fax 643-2171

July 22, 2013

JOB PROPOSAL

Job consists of furnishing and installing a new 100 KW Caterpillar generator. It will provide emergency power to the entire building which is currently occupied by the West Branch Fire and Rescue and the West Branch Police Department.

Generator will be purchased from Altorfer Equipment, Cedar Rapids, IA. Generator will have a two year warranty with technical support from Cedar Rapids, IA.

The size of the generator was determined by Altorfer Power Systems, to handle all existing systems, plus a reserve to handle future equipment needs.

To facilitate the new generator and be able to supply all systems in the building, it will be necessary to install a 600 amp main disconnect in place of the four existing disconnects, the 35 KW generator, currently being used, only supplies power to part of the building.

For security reasons the single 600 amp main will be located inside the building where the four mains are now located. The four mains will now become sub mains and will be located next to the 600 amp ATS that was installed two years ago by Plato Electric LLC.

Panel A will be relocated behind the existing Winco Generator. Panel A will be upgraded to a Square D NQOD panel.

During the installation of the 600 amp main disconnect, main feeders will be increased to accommodate the 600 amp switch. Currently the main is 400 amp.

Plato Electric LLC understands that the Fire Station and Police Department require power 24/7, and will work with department heads to keep any electrical outages to a minimum.

Job proposal requires payment of generator on acceptance of proposal. A payment of \$32,160.00 (plus applicable taxes) will be by West Branch Fire and Rescue to Altorfer Equipment, Cedar Rapids, IA.

Lead Time on the generator is 8 weeks.

A payment of \$3,000.00 to Plato Electric LLC required within 30 days of acceptance of proposal. The remainder of \$4,340.00 due, when job is completed.

**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: LIBRARY BOARD OF TRUSTEES Date: 8/5/13

Your Name: KRISTIN GIBBS Street Address: 120 S. Poplar / PO Box 444, WEST Branch

Phone _____ (day) 319-643-7866

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

How long have you been a resident of West Branch? 22 MONTHS

Occupation: Park Ranger Employer: Herbert Hoover National Historic Site

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 TEN YEARS OF PROFESSIONAL EXPERIENCE WORKING IN PUBLIC SERVICE. THESE EXPERIENCES SUBSEQUENTLY HAVE ALLOWED ME TO HONE AND DEVELOP SKILLS IN ORGANIZATION, COMMUNICATION AND COLLABORATION.

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

I AM ENTHUSIASTIC TO SERVE THE COMMUNITY OF WEST BRANCH. AS A NEWER RESIDENT, I FEEL THAT I WOULD BE ABLE TO CONTRIBUTE BY OFFERING A DIFFERENT PERSPECTIVE ON ISSUES AND OPPORTUNITIES AFFECTING THE LIBRARY AND ITS ABILITY TO MEET THE NEEDS OF THE COMMUNITY.

West Branch Fire and Rescue Department
PO Box 218
205 South 2nd St.
West Branch, IA 52358

Phone Emergency: 911
Business: (319) 643-2110
Fax: (319) 643-3293

Please briefly explain why you would like to be considered for membership to the West Branch Fire and Rescue Department.

I have been active in the fire service for the past 5 years and I still enjoy my service. I feel the volunteer fire service is the best way for someone with my set of skills to serve my community.
Contact person in case of an Emergency _____
Phone Number _____

Second contact _____
Phone Number _____

Upon your signature of this document, you are stating these questions have been answered truthfully, and to the best of your knowledge.

Applicants Signature Ben Barrett

Applicants Spouse _____

1st WBFD Sponsor [Signature]

2nd WBFD Sponsor [Signature]

Department use only:

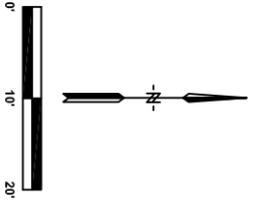
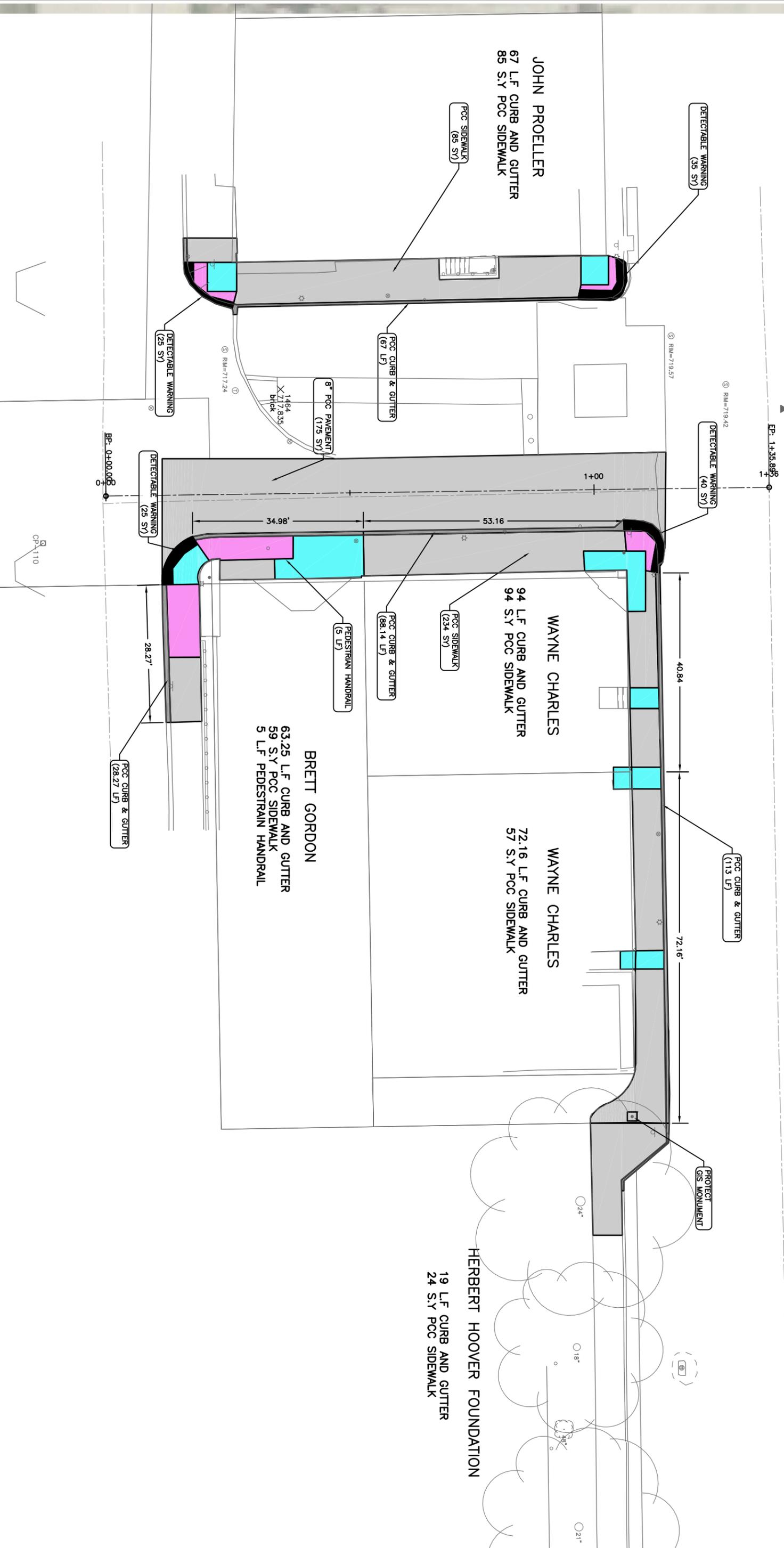
If and when membership of the WBFD have voted to accept this individual as a member of the said department, at a regular meeting of the department, Chief, and Secretary sign below as documentation of that fact.

Chief [Signature] Date: _____

Secretary [Signature] Date: 8-7-13

CP-107

MAIN STREET



DATE	REVISIONS	SCALE	AS NOTED	VERIFY SCALE
		DRAWN	EDG	BAR IS ONE INCH ON ORIGINAL DRAWING
		CHECKED	DRS	IF NOT ONE INCH ON ORIGINAL DRAWING SCALES ACCORDINGLY
		APPROVED	DRS	
		DATE	7-12-13	
		ISSUED FOR	REVIEW/CONST	

VENSTRA & KIMM, INC.

860 22nd Avenue • Suite 4 • Coralville, Iowa 52241-1565
 319-466-1000 • 319-466-1008(FAX) • 888-241-8001(VA15)

<p>MAIN STREET SIDEWALK CITY OF WEST BRANCH</p>	<p>DWG. NO. D.02</p>
<p>PLAN</p>	<p>PROJECT 368107</p>

GOAL SETTING SESSION RESULTS: 2010-2012

The City Council adopted the following set of goals at their October 9, 2012 Goal Setting Session:

1. Make repairs to wastewater infrastructure identified in I & I Study (27)
2. Continue I&I work (21)
3. New lift station (12)
4. Develop comp plan and CIP plan (11)
5. Acquire automated water meter reading equipment (10)
6. Two pedestrian bridges across the Wapsi Creek - WB Village to Hoover Trail and Beranek Park to the proposed dog park (10)
7. Street Upkeep (10)
8. Plan for future community center site acquisition and/or purchase (9)
9. Creek clean up (8)
10. Work with School District to increase safety of children going to and from the elementary/middle school complex (7)
11. Adopt plan for Wapsi Creek Park based on recommendations from the Park & Rec Commission (6)
12. Work with Animal Control Commission and community organizations to construct a dog park (5)
13. Update City's Zoning Map (3)

The City Council adopted the following set of goals at their September 19, 2011 Goal Setting Session:

1. Offer for sale the Cookson Center Property and plan for future community center site acquisition and/or purchase. (10 votes)
2. Parking on Main Street between Parkside Dr and Second Street. (9 votes)
3. Creek clean up. (8 votes)
4. Create stormwater utility. (7 votes)
5. Adopt plan for park space (Wapsi View Trailer Court) based on recommendations from the Park & Rec Commission. (7 votes)
6. Continue I&I work (7 votes)
7. Develop comp plan and CIP plan. (7 votes)
8. Adopt financial and purchasing policies including spending limits and debt limits. (7 votes)
9. Increase funding for Hoover's Hometown Days, including band for fireworks and larger fireworks display. (6 votes)
10. Make repairs to wastewater infrastructure identified in I & I Study. (6 votes)
11. New lift station (6 votes)
12. Provide raises for employees in FY 11 & 12 (6 votes)
13. Update resolution and ordinance books (5 votes)
13. Clear site of Wapsi View Trailer Court and plant grass. (4 votes)

September 19, 2011 Goal Setting Session Results (continued):

14. Continue second year of funding of the three-year plan to bring up salaries at Library. (4 votes)
15. Work with School District to increase safety of children going to and from the elementary/middle school complex. (4 votes)
16. Increase partnership and level of support for West Branch Main Street. (4 votes)

The City Council adopted the following set of goals at their September 1, 2010 Goal Setting Session:

1. Consolidate City offices (19 votes)
2. Provide raises for employees in FY 2011/2012 (17 votes)
3. New lift station (15 votes)
4. Continue I&I work (15 votes)
5. Plan for Park and Rec building – Cookson. (15 votes)
6. Look at consolidating cleaning services (10 votes)
7. Adopt a PTO plan. Comp to be used as time off only (9 votes)
8. Contract with independent financial advisor (7 votes)
9. Have a teen program for summer (7 votes)
10. Library expansion (7 votes)
11. Acciona to build wind turbine to power City buildings. &/or whole town. (7 votes)
12. Make administrative assistant full time position. (6 votes)
13. Develop comp plan and CIP plan (6 votes)
14. Update resolution and ordinance books (6 votes)
15. Sidewalk plan - repair current sidewalks. Build new sidewalks. (4 votes)
16. Growing population. Need more police officers. (4 votes)
17. Repaint water tower (3 votes)
18. Annex the interstate (3 votes)
19. Conduct an annexation study. (1 vote)
20. Increase revenue for the City (1 vote)

RESOLUTION 1136

A RESOLUTION ADOPTING A DISASTER RECOVERY PLAN FOR THE CITY OF WEST BRANCH, IA.

WHEREAS, the West Branch City Council wants to ensure that staff can respond to a disaster or other emergency that affects information systems and minimize the effect on the operation of City business; and

WHEREAS, the disaster recovery plan would minimize interruptions to normal operations and limit the extent of disruption and damage; and

WHEREAS, the disaster recovery plan would minimize the economic impact of the interruption; and

WHEREAS, the disaster recovery plan would establish an alternative means of operation in advance; and

WHEREAS, the disaster recovery plan would train personnel with emergency procedures and provide for a smooth and rapid restoration of service.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of West Branch, Iowa, that the policy entitled “Disaster Recovery Plan for the City of West Branch, IA”, which reads as attached on Exhibit “A” attached hereto is hereby approved.

Passed and approved this 3rd day of September, 2013.

Mark Worrell, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

The objective of the City of West Branch Disaster Recovery Plan is to ensure that staff can respond to a disaster or other emergency that affects information systems and minimize the effect on the operation of City business. A copy of this document will be stored in an accessible location off site.

Section 1. Major goals of a disaster recovery plan

Here are the major goals of a disaster recovery plan.

- To minimize interruptions to the normal operations.
- To limit the extent of disruption and damage.
- To minimize the economic impact of the interruption.
- To establish alternative means of operation in advance.
- To train personnel with emergency procedures.
- To provide for smooth and rapid restoration of service.

Section 2. Personnel

You can use the tables in this topic to record your data processing personnel. You can include a copy of the organization chart with your plan.

Administration personnel			
Name	Position	Address	Telephone
Matt Muckler	City Administrator	110 N Poplar St.	319-643-5888
Melissa Russell	Parks & Recreation Director	205 E Main St.	319-643-4212
Dawn Brandt	Deputy City Clerk	110 N Poplar St.	319-643-5888
Shanelle Peden	Administrative Assistant	110 N Poplar St.	319-643-5888
Public Library personnel			
Name	Position	Address	Telephone
Nick Shimmin	Library Director	300 N Downey St.	319-643-2633
Becky Knoche	Assistant Director/Youth Librarian	300 N Downey St.	319-643-2633

Inventory profile															
Manufacturer	Description	Model	Serial number	Own or leased	Cost										
Personal computers Spare workstations Telephones	General data communication Spare displays Racks														
Miscellaneous inventory															
Description	Quantity	Comments													
Adobe Acrobat Professional XI	2	Installed on Matt and Shanelle's computers. Purchased 5-4-13.													
Printer Paper	12 reams														
DVDs	75														
Utility Bill Forms	1750														
Checking Account Checks	1000														
<p>Note: This list should include the following items:</p> <table border="0"> <tr> <td>Tapes</td> <td>CDs and DVDs</td> </tr> <tr> <td>PC software</td> <td>Emulation packages</td> </tr> <tr> <td>File cabinet contents or documentation</td> <td>Language software (such as COBOL and RPG)</td> </tr> <tr> <td>Tape vault contents</td> <td>Printer supplies (such as paper and forms)</td> </tr> <tr> <td>Optical media</td> <td></td> </tr> </table>						Tapes	CDs and DVDs	PC software	Emulation packages	File cabinet contents or documentation	Language software (such as COBOL and RPG)	Tape vault contents	Printer supplies (such as paper and forms)	Optical media	
Tapes	CDs and DVDs														
PC software	Emulation packages														
File cabinet contents or documentation	Language software (such as COBOL and RPG)														
Tape vault contents	Printer supplies (such as paper and forms)														
Optical media															

Section 4. Information services backup procedures

Use these procedures for information services backup.

- The City of West Branch has daily physical back-ups as well as an online back-up system.
 - All save media is physically backed-up daily and stored off-site at the home of an administrative employee.
 - A virtual back-up system also backs up all save media several times per day.

Section 5. Disaster recovery procedures

For any disaster recovery plan, these three elements should be addressed.

- Emergency response procedures
 - To document the appropriate emergency response to a fire, natural disaster, or any other activity in order to protect lives and limit damage.
- Backup operations procedures
 - To ensure that essential data processing operational tasks can be conducted after the disruption.
- Recovery actions procedures
 - To facilitate the rapid restoration of a data processing system following a disaster.

Disaster action checklist – Attachment #2

This checklist provides possible initial actions that you might take following a disaster.

Recovery startup procedures for use after actual disaster – Attachment #3

Consider these recovery startup procedures for use after actual disaster.

Section 6. Recovery plan for mobile site

This topic provides information about how to plan your recovery task at a mobile site.

1. Notify _____ of the nature of the disaster and the need to select the mobile site plan.
2. Confirm in writing the substance of the telephone notification to _____ within 48 hours of the telephone notification.
3. Confirm all needed backup media are available to load the backup machine.
4. Prepare a purchase order to cover the use of backup equipment.
5. Notify _____ of plans for a trailer and its placement (on _____ side of _____).
6. Depending on communication needs, notify telephone company (_____) of possible emergency line changes.
7. Begin setting up power and communications at _____.
 - a. Power and communications are prearranged to hook into when trailer arrives.
 - b. At the point where telephone lines come into the building (_____), break the current linkage to the administration controllers (_____). These lines are rerouted to lines going to the mobile site. They are linked to modems at the mobile site. The lines currently going from _____ to _____ would then be linked to the mobile unit via modems.
 - c. This can conceivably require _____ to redirect lines at _____ complex to a more secure area in case of disaster.

8. When the trailer arrives, plug into power and do necessary checks.
9. Plug into the communications lines and do necessary checks.
10. Begin loading system from backups.
11. Begin normal operations as soon as possible:
 - a. Daily jobs
 - b. Daily saves
 - c. Weekly saves
12. Plan a schedule to back up the system in order to restore on a home-base computer when a site is available. (Use regular system backup procedures).
13. Secure mobile site and distribute keys as required.
14. Keep a maintenance log on mobile equipment.
 - [Mobile site setup plan](#)
You can attach the mobile site setup plan here.
 - [Communication disaster plan](#)
You can attach the communication disaster plan, including the wiring diagrams here.
 - [Electrical service](#)
You can attach the electrical service diagram here.

Section 7. Recovery plan for hot site

An alternate hot site plan should provide for an alternative (backup) site. The alternate site has a backup system for temporary use while the home site is being reestablished.

1. Notify _____ of the nature of the disaster and of its desire for a hot site.
2. Request air shipment of modems to _____ for communications. (See _____ for communications for the hot site.)
3. Confirm in writing the telephone notification to _____ within 48 hours of the telephone notification.
4. Begin making necessary travel arrangements to the site for the operations team.
5. Confirm that you have enough save media and that it is packed for shipment to restore on the backup system.
6. Prepare a purchase order to cover the use of the backup system.
7. Review the checklist for all necessary materials before departing to the hot site.
8. Make sure that the disaster recovery team at the disaster site has the necessary information to begin restoring the site.
9. Provide for travel expenses (cash advance).
10. After arriving at the hot site, contact home base to establish communications procedures.
11. Review materials brought to the hot site for completeness.
12. Start to load the system from the save media.
13. Begin normal operations as soon as possible:
 - a. Daily jobs
 - b. Daily saves
 - c. Weekly saves

14. Plan the schedule to back up the hot-site system in order to restore on the home-base computer.
 - [Alternate-site system configuration](#)
You can attach the alternate-site system configuration here.

Section 8. Restoring the entire system

You can learn how to restore the entire system.

To get your system back to the way it was before the disaster, use the procedures in [Checklist 20: Recovering your entire system after a complete system loss](#).

Before you begin: Find the following save media, equipment, and information from the on-site tape vault or the offsite storage location:

- If you install from the alternate installation device, you need both your save media and the CD-ROM media containing the Licensed Internal Code.
- All save media from the most recent complete save operation
- The most recent save media from saving security data (SAVSECDTA or SAVSYS)
- The most recent save media from saving your configuration, if necessary
- All save media that contains journals and journal receivers that you saved since the most recent daily save operation
- All save media from the most recent daily save operation
- PTF list (stored with the most recent complete save media, weekly save media, or both)
- Save media list from most recent complete save operation
- Save media list from most recent weekly save operation
- Save media list from daily saves
- History log from the most recent complete save operation
- History log from the most recent weekly save operation
- History log from the daily save operations
- The [Installing, upgrading, or deleting i5/OS and related software PDF](#). You can order a printed version of this PDF (SC41-5120; feature code 8006) with i5/OS software upgrade orders or new hardware orders.
- The [Recovering your system PDF](#). You can order a printed version of this PDF (SC41-5304; feature code 8007) with i5/OS software upgrade orders or new hardware orders.
- Telephone directory
- Modem manual
- Tool kit

Section 9. Rebuilding process

The management team must assess the damage and begin the reconstruction of a new data center.

- If the original site must be restored or replaced, the following questions are some of the factors to consider:
 - What is the projected availability of all needed computer equipment?
 - Will it be more effective and efficient to upgrade the computer systems with newer equipment?
 - What is the estimated time needed for repairs or construction of the data site?
 - Is there an alternative site that more readily can be upgraded for computer purposes?

After the decision to rebuild the data center has been made, go to [Section 11. Disaster site rebuilding](#)

Section 10. Testing the disaster recovery plan

In successful contingency planning, it is important to test and evaluate the plan regularly.

Data processing operations are volatile in nature, resulting in frequent changes to equipment, programs, and documentation. These actions make it critical to consider the plan as a changing document.

[Table 1](#) should be helpful for conducting a recovery test.

Table 1. Checklist for testing the disaster recovery plan					
Item	Yes	No	Applicable	Not applicable	Comments
<i>Conducting a Recovery Test</i>					
1. Select the purpose of the test. What aspects of the plan are being evaluated?					
2. Describe the objectives of the test. How will you measure successful achievement of the objectives?					
3. Meet with management and explain the test and objectives. Gain their agreement and support.					
4. Have management announce the test and the expected completion time.					
5. Collect test results at the end of the test period.					
6. Evaluate results. Was recovery successful? Why or why not?					
7. Determine the implications of the test results. Does successful recovery in a simple case imply successful recovery for all critical jobs in the tolerable outage period?					
8. Make suggestions for changes. Call for responses by a given date.					
9. Notify other areas of results. Include users and auditors.					
10. Change the disaster recovery plan manual as necessary.					

Table 1. Checklist for testing the disaster recovery plan

Item	Yes	No	Applicable	Not applicable	Comments
<i>Areas to be tested</i>					
11. Recovery of individual application systems by using files and documentation stored off-site. 12. Reloading of system save media and performing an initial program load (IPL) by using files and documentation stored off-site. 13. Ability to process on a different computer. 14. Ability of management to determine priority of systems with limited processing. 15. Ability to recover and process successfully without key people. 16. Ability of the plan to clarify areas of responsibility and the chain of command. 17. Effectiveness of security measures and security bypass procedures during the recovery period. 18. Ability to accomplish emergency evacuation and basic first-aid responses. 19. Ability of users of real time systems to cope with a temporary loss of online information. 20. Ability of users to continue day-to-day operations without applications or jobs that are considered noncritical. 21. Ability to contact the key people or their designated alternates quickly. 22. Ability of data entry personnel to provide the input to critical systems by using alternate sites and different input media. 23. Availability of peripheral equipment and processing, such as printers and scanners. 24. Availability of support equipment, such as air conditioners and dehumidifiers. 25. Availability of support: supplies, transportation, communication. 26. Distribution of output produced at the recovery site. 27. Availability of important forms and paper stock. 28. Ability to adapt plan to lesser disasters.					

Section 11. Disaster site rebuilding

Use this information to do disaster site rebuilding.

- Floor plan of data center.
- Determine current hardware needs and possible alternatives.

- Data center square footage, power requirements and security requirements.
 - Square footage _____
 - Power requirements _____
 - Security requirements: locked area, preferably with combination lock on one door.
 - Floor-to-ceiling studding
 - Detectors for high temperature, water, smoke, fire and motion
 - Raised floor
- **Vendors**
You can attach the vendors information here.
- **Floor plan**
You can include a copy of the proposed floor plan here.

Section 12. Record of plan changes

Keep your plan current, and keep records of changes to your configuration, your applications, and your backup schedules and procedures.

- You can get print a list of your current local hardware by typing the following command:

```
DSPLCLHDW OUTPUT(*PRINT)
```

Attachment #1

CITY OF WEST BRANCH
803651

Date	Invoice #	Type	Catalog Item	Description	Quantity	UOM	Unit Price	Total Line Amount	Taxable
6/14/13	363	Sale	686234-S01	HP PROLIANT ML310E GEN8 SERVER TOWER	1	EA - EACH	\$ 675.00	\$ 675.00	N
6/14/13	363	Sale	U6G09E	HP CARE PACK 4-HR 24x7 EXT SVC 5-YRS	1	EA - EACH	\$ 499.99	\$ 499.99	N
6/14/13	363	Sale	885370231489	MS SBS 2011 STANDARD OEM	1	EA - EACH	\$ 1,010.00	\$ 1,010.00	N
6/14/13	363	Sale	886111720576	HP MIDLINE 2TB SATA-600 HARD DRIVE	2	EA - EACH	\$ 549.99	\$ 1,099.98	N
6/14/13	363	Sale	718037783468	WD PASSPORT 2TB EXT HARD DRIVE BLACK	2	EA - EACH	\$ 199.99	\$ 399.98	N
6/14/13	363	Sale	731304291893	APC SMART-UPS C 1500VA LCD 120V	1	EA - EACH	\$ 399.99	\$ 399.99	N
6/14/13	363	Sale	887111646453	HP ELITEBOOK 8570P I7 15.6" NOTEBOOK	3	EA - EACH	\$ 1,425.00	\$ 4,275.00	N
6/14/13	363	Sale	A7E32UT#ABA	HP 2012 90W DOCKING STATION	3	EA - EACH	\$ 149.99	\$ 449.97	N
6/14/13	363	Sale	887758089644	HP ELITEDISPLAY E201 20" LED MONITOR	2	EA - EACH	\$ 179.99	\$ 359.98	N
6/14/13	363	Sale	766907647716	VIEWSONIC VX2703MHOLED 27" LED MONITOR	2	EA - EACH	\$ 319.99	\$ 639.98	N
6/14/13	363	Sale	882224779760	MICROSOFT WIRELESS DESK 3000	3	EA - EACH	\$ 64.99	\$ 194.97	N
6/14/13	363	Sale	885370451207	MICROSOFT OFFICE PRO 2013 1-USR	3	EA - EACH	\$ 399.99	\$ 1,199.97	N
6/14/13	363	Sale	731304256601	APC BACK-UPS ES 750 450-WATT	3	EA - EACH	\$ 109.99	\$ 329.97	N
6/14/13	363	Sale	0E7IOZFO-EI3EA	SYMANTEC ENDPOINT PROTECT 12.1 3-YR	5	EA - EACH	\$ 97.99	\$ 489.95	N
6/28/13	461	Sale	882225000000	MICROSOFT WIN 7 PRO UPGRADE	1	EA - EACH	\$ 199.99	\$ 199.99	N
6/28/13	461	Sale	97855045904	LOGITECH S-220 PC SPKRS W/SUB	1	EA - EACH	\$ 27.99	\$ 27.99	N
7/20/13	649	Sale	885370451122	MICROSOFT OFFICE 2013 H&B PKC	2	EA - EACH	\$ 219.99	\$ 439.98	N
7/20/13	649	Sale	718037783468	WD PASSPORT 2TB EXT HARD DRIVE BLACK	1	EA - EACH	\$ 199.99	\$ 199.99	N
7/20/13	649	Sale	85854222044	CASE LOGIC 16" LAPTOP BACKPACK	1	EA - EACH	\$ 39.99	\$ 39.99	N
7/20/13	649	Sale	N002-005-GY	TRIPP LITE PATCH CBL 5' GRAY	1	EA - EACH	\$ 4.99	\$ 4.99	N
								\$	16,001.66

Attachment #2

Disaster action checklist

This checklist provides possible initial actions that you might take following a disaster.

1. Plan initiation:
 - a. Notify senior management
 - b. Contact and set up disaster recovery team
 - c. Determine degree of disaster
 - d. Implement proper application recovery plan dependent on extent of disaster
 - e. Monitor progress
 - f. Contact backup site and establish schedules
 - g. Contact all other necessary personnel—both user and data processing
 - h. Contact vendors—both hardware and software
 - i. Notify users of the disruption of service
2. Follow-up checklist:
 - a. List teams and tasks of each
 - b. Obtain emergency cash and set up transportation to and from backup site, if necessary
 - c. Set up living quarters, if necessary
 - d. Set up eating establishments, as required
 - e. List all personnel and their telephone numbers
 - f. Establish user participation plan
 - g. Set up the delivery and the receipt of mail
 - h. Establish emergency office supplies
 - i. Rent or purchase equipment, as needed

- j. Determine applications to be run and in what sequence
- k. Identify number of workstations needed
- l. Check out any off-line equipment needs for each application
- m. Check on forms needed for each application
- n. Check all data being taken to backup site before leaving and leave inventory profile at home location
- o. Set up primary vendors for assistance with problems incurred during emergency
- p. Plan for transportation of any additional items needed at backup site
- q. Take directions (map) to backup site
- r. Check for additional magnetic tapes, or optical media if required
- s. Take copies of system and operational documentation and procedural manuals.
- t. Ensure that all personnel involved know their tasks
- u. Notify insurance companies

Attachment #3

Recovery startup procedures for use after actual disaster

Consider these recovery startup procedures for use after actual disaster.

1. Notify _____ Disaster Recovery Services of the need to utilize service and of recovery plan selection.

Note: Guaranteed delivery time countdown begins at the time _____ is notified of recovery plan selection.

- Disaster notification numbers
_____ or _____

These telephone numbers are in service from _____ am until _____ pm Monday through Friday.

2. Disaster notification number

This telephone number is in service for disaster notification after business hours, on weekends, and during holidays. Please use this number only for the notification of the actual disaster.

3. Provide _____ with an equipment delivery site address (when applicable), a contact, and an alternate contact for coordinating service and telephone numbers at which contacts can be reached 24 hours a day.
4. Contact power and telephone service suppliers and schedule any necessary service connections.
5. Notify _____ immediately if any related plans should change.

City of West Branch

~A Heritage for Success~

Request for Qualifications - Strategic Plan for Park & Rec Capital Improvements: West Branch, IA

August 8, 2013

The City of West Branch, Iowa is requesting qualifications from interested architecture and/or engineering firms for the design of a strategic plan for capital improvements in six city parks including: Beranek Park, Wapsi Creek Park, Lions Field, Pedersen Valley Recreation Complex, Meadows Park and the West Branch Dog Park. The selected firm will work with the Park & Recreation Commission and emphasize community input throughout the process. The Strategic Plan will be completed and presented to a joint meeting of the West Branch City Council and the Park and Recreation Commission by May 5, 2014.

The Strategic Plan will be reflective of the City of West Branch Comprehensive Plan, updated April 1, 2013, and shall rely heavily on community input regarding public needs in each of the six parks. The process would kick-off with a Joint Meeting of the Commission and City Council. At least three public input meetings and a community survey would be included in the process. An online citizen input survey would be made available by the consultant. The survey and the public input meetings will be completed by February 3, 2014. The end result of the Strategic Plan shall include detailed site plans for each of the above mentioned parks, specific trail connectivity throughout and to each of the parks, a phased approach to development of capital improvements in each of the parks, a cost estimate for each of the phases, a proposed timeline, and a funding recommendations for each phase.

Several criteria will be used to evaluate qualifications including the firm's past experience with similar projects, the firm's experience with community engagement, the availability and capability of the firm's staff, the ability of the firm to work with various city staff and commission members, the firm's technical and financial resources, the firm's familiarity with the City of West Branch, and the firm's ability to complete the project in a timely manner and within budget.

The City of West Branch is seeking proposals to provide the above-mentioned services by September 9, 2013. Please respond by mail to West Branch City Offices at 110 North Poplar, PO Box 218, West Branch, IA 52358 or via e-mail to matt@westbranchiowa.org. For questions concerning the project, please contact City Administrator Matt Muckler at (319) 643-5888 or via e-mail at matt@westbranchiowa.org.

Strategic Planning for Park Capital Improvement Plan

Position is publicly posted on the website and was sent to the following firms:

Ament Design	Cedar Rapids, IA
BCA	Elgin, IL
Confluence	Iowa City, IA
Daly, Leo A.	Omaha, NE
Delta 3 Engineering, Inc.	Platteville, WI
Enberg Anderson	Madison, WI
FEH	Dubuque, IA
Gardner Architecture	Strawberry Point, IA
Hart-Frederick Consultants P.C.	Tiffin, IA
HBK Engineering	Iowa City, IA
Howard R. Green Company	Cedar Rapids, IA
IIW, P.C.	Davenport, IA
McClure Engineering Company	North Liberty, IA
Morning Star Studio, LLC	Cedar Rapids, IA
MSA Professional Services	Dubuque, IA
Newmann Monson Architects	Iowa City, IA
OPN Architects	Cedar Rapids, IA
RDG Planning & Design	Des Moines, IA
Rohrback Associates P.C.	Iowa City, IA
Shoemaker & Haaland	Coralville, IA
Shive-Hattery Architecture and Engineering	Iowa City, IA
Snyder & Associates	Cedar Rapids, IA
Stuxture Architects	West Des Moines, IA
SVPA Architects	West Des Moines, IA
Veenstra & Kimm	Coralville, IA
VJ Engineering	Coralville, IA