

City of West Branch

~A Heritage for Success~

110 N. Poplar Street • PO Box 218 • West Branch, Iowa 52358
(319) 643-5888 • Fax (319) 643-2305 • www.westbranchiowa.org • city@westbranchiowa.org

CITY COUNCIL MEETING AGENDA

Monday, May 19, 2014 • 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 May 5, 2014 City Council Meeting.
 - b. Approve minutes from the May 5, 2014 City Council Work Session.
 - c. Approve claims.
 - d. Approve transfer of \$930.00 from the water fund to water sinking fund for SRF revenue bond loan payment.
6. Communications/Open Forum
7. Public Hearing/Non-Consent Agenda
 - a. Third Reading of Ordinance 718, amending the Code of Ordinances of the City of West Branch by creating and incorporating a storm water utility./Move to action.
 - b. Third reading of Ordinance 721, amending Title Chapter 165 "Zoning Regulations."./Move to action.
 - c. Third Reading of Ordinance 723, amending Title "Police, Fire and Emergencies," Chapter 31 "Reserve Police Force."./Move to action.
 - d. Resolution 1196, setting salaries for appointed officers and employees of the City of West Branch, Iowa for the fiscal year 2014-2015./Move to action.
 - e. Public Hearing on amending the current budget for the fiscal year ending June 30, 2014.
 - f. Resolution 1200, amending the current budget for the fiscal year ending June 30, 2014./Move to action.
 - g. Resolution 1201, approving changes to the existing Linn County Rural Electric Cooperative Street Light System./Move to action.
 - h. Resolution 1202, approving the City of West Branch Mission Statement./Move to action.
 - i. Resolution 1203, approving the placement of Little Free Libraries at Wapsi Creek Park and Beranek Park./Move to action.

Mayor: Mark Worrell • **Council Members:** Jordan Ellyson, Colton Miller, Brian Pierce, Tim Shields, Mary Beth Stevenson
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, May 19, 2014 • 7:00 p.m. (continued)

City Council Chambers, 110 North Poplar Street

Action may be taken on any agenda item.

8. City Staff Reports
 - a. City Attorney Kevin Olson – Urban Renewal Plan Amendment Update
 - b. Park & Rec Director Melissa Russell – Community Center Building Project RFP
 - c. Chief Mike Horihan – Proposed No Parking Ordinance (4-5 Greenview Drive)
 - d. Main Street Executive Director Mackenzie Krob – Hoover's Hometown Days Planning Update
 - e. City Engineer Dave Schechinger – Ohrt Street Stormwater Issues
 - f. City Engineer Dave Schechinger – Pedersen Valley Part IV Stormwater Issues
9. Comments from Mayor and Council Members
10. Adjournment

CITY COUNCIL WORK SESSION

Monday, May 19, 2014

Immediately following regular City Council Meeting

City Council Chambers, 110 North Poplar Street

1. Call to order
2. Roll call
3. Municipal Leadership Academy Part III – Preparing for Development
4. Adjourn

(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

**May 5, 2014
7:00 p.m.**

Mayor Worrell opened the West Branch City Council meeting at 7:02 p.m. by welcoming the audience and the following City staff: City Administrator Matt Muckler, Deputy City Clerk Dawn Brandt, Administrative Assistant Shanelle Peden, Police Chief Mike Horihan, Police Officer Alex Koch, Public Works Director Matt Goodale, Library Director Nick Shimmin, Parks & Recreation Director Melissa Russell, Zoning Administrator Paul Stagg and City Attorney Kevin Olson. Council members: Jordan Ellyson, Colton Miller, Mary Beth Stevenson, Brian Pierce. Absent: Tim Shields.

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the April 21, 2014 City Council Work Session #1.
- b) Approve minutes from the April 21, 2014 City Council Meeting.
- c) Approve minutes from the April 21, 2014 City Council Work Session #2.
- d) Approve claims.

Motion by Ellyson to approve the agenda/consent agenda, second by Stevenson. AYES: Ellyson, Stevenson, Pierce, Miller. Absent: Shields. Motion carried.

Date 5-5-14

City of West Branch
Claims Register Report

Blue Cross Blue Shield	Insurance	11,113.97
Dearborn Insurance	Life Insurance	56.95
EFTPS	Federal Withholdings	6,021.49
Iowa Department Of Revenue	Payroll Expense	867.10
IPERS	IPERS	7,793.72
Payroll Expense	Payroll Expense 3-28-14	26,036.54
Treasurer State Of Iowa	State Withholding Tax	2,136.00
Wageworks	Flex - HCFS2013	14.00
	Grand Total	54,039.77

Fund Totals	
001 General Fund	23,473.31
031 Library	5,161.58
112 Trust And Agency	11,617.71
600 Water Fund	7,417.50
610 Sewer Fund	6,355.67
950 BC/BS Flexible Benefit	14.00
Grand Total	54,039.77

COMMUNICATIONS/OPEN FORUM - NONE

There were no comments during the communications/open forum.

PUBLIC HEARING/NON-CONSENT AGENDA

Mayor Mark Worrell – Recognition of Herb N' Lou's.

Mayor Worrell recognized and thanked Jeanette Thomas of Herb N' Lou's for the twenty six years of being in business in the City of West Branch.

Accept resignation of Kristin Gibbs from the Library Board of Trustees./Move to action.

Motion by Stevenson, second by Ellyson to approve resignation of Kristin Gibbs from Library Board of Trustees. AYES: Stevenson, Ellyson, Miller, Pierce. Absent: Shields. Motion carried.

Accept resignation of Monica Tylee from the Animal Control Commission./Move to action.

Motion by Ellyson, second by Stevenson to approve resignation of Monica Tylee from Animal Control Commission. AYES: Ellyson, Stevenson, Pierce, Miller. Absent: Shields. Motion carried.

Mayor Mark Worrell - Appointments/Reappointments/Move to action.

i. Monica Tylee – Library Board of Trustees, June 30, 2016.

Motion by Ellyson, second by Pierce to approve appointment of Monica Tylee to Library Board of Trustees. AYES: Ellyson, Pierce, Miller, Stevenson. Absent: Shields. Motion carried.

Third Reading of Ordinance 720, amending Chapter 165 “Zoning Regulations.”/Move to action.

Motion by Stevenson, second by Ellyson to approve Ordinance 720. AYES: Stevenson, Ellyson, Miller, Pierce. Absent: Shields. Motion carried.

ORDINANCE NO. 720
AN ORDINANCE AMENDING CHAPTER 165 "ZONING REGULATIONS."

WHEREAS, the Zoning Board of Adjustment of the City of West Branch, Iowa, believes that a procedure for City Council review of variances would be beneficial to the Zoning Code; and

WHEREAS, the Zoning Board of Adjustment of the City of West Branch, Iowa, believes that the clarification of certain terms in the Zoning Code will lead to a clearer understanding of the Code's requirements; and

WHEREAS, the Zoning Board of Adjustment of the City of West Branch, Iowa, believes that retaining walls, that do not cause "safety or access" issues which meet certain limitations, should be allowed in at least a portion of the minimum area required for yards; and

WHEREAS, the Planning & Zoning Commission has reviewed these recommendations and concurs with the Zoning Board of Adjustment; and
WHEREAS, the Planning & Zoning Commission recommends to the City Council of the City of West Branch, adoption of these amendment recommendations in the Zoning Code; and

WHEREAS, the City Council of the City of West Branch, Iowa has reviewed these recommendations and concurs with the Zoning Board of Adjustment and Planning & Zoning Commission.

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

Section 1. Amendment. The Code of Ordinances is hereby amended by the City Council of West Branch, Iowa by incorporating the following language to Title, "ZONING AND SUBDIVISION", Chapter 165, "ZONING REGULATIONS":

a. Section 165.22 - POWERS OF THE BOARD is hereby amended to add paragraph 8, which reads as follows:

"8. The effective date of a variance is thirty days after granted by the Zoning Board of Adjustment. The City Council may remand a decision to grant a variance to the Zoning Board of Adjustment for further study. The effective date of the variance in this case is delayed for thirty days from the date of the remand. "

b. Section 165.04 - DEFINITIONS is hereby amended by deleting subsection 165.04(37) and incorporating the following definitions into said Section 165.04:

"Fence" means — "A self-supporting manmade structure extending above ground designed to define, restrict, or prevent movement across a boundary. "

"Screen" means — "A class of fence intended to provide a visual buffer (e.g., hide utility boxes or trash containers)"

"Hedge" means — "A row of closely planted shrubs or low-growing trees that may serve as a fence."

"Retaining Wall" means - "A wall not laterally supported at the top, that resists lateral soil load and other imposed loads"

c. Section 165.11(1) - PERMITTED OBSTRUCTION IN REQUIRED YARDS - In all yards, is hereby amended by adding paragraphs F. and G., which read:

F. Fences, hedges, and walls (see Section 165.44 for requirements)

G. Retaining walls (see Section 165.44 and requirements specific to Retaining Walls in 165.44 (9))

d. Section 165.11(3) and Section 165.11(4) are hereby amended by deleting references to fences.

e. Section 165.44 FENCES is hereby amended by incorporating the following language into said Section 165.44

"165.44 FENCES / HEDGES / WALLS / RETAINING WALLS

f. Section 165.44(1) is hereby amended and reads:

Fences, hedges, and walls shall be located so no part thereof is within two (2) feet of an alley, sidewalk, or a street right-of-way, except in situations where a retaining wall is necessary for the installation of a required public sidewalk in which case the retaining wall may extend up to the sidewalk edge.

g. Section 165.44 (9) is added and reads as follows:

Retaining Walls - are subject to the following additional requirements:

a. May not extend within 4 feet of the lot line, except in situations where a retaining wall is necessary for the installation of a required public sidewalk in which case the retaining wall may extend up to the sidewalk edge.

b. If they are greater than 48" in height must also include an approved fence clearly marking the top of the wall.

c. Will be subject to engineering review if they exceed 48" in height.

d. Will be subject to engineering review when a Surcharge Load is present.

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.

Passed and approved this 5th day of May, 2014.

First Reading: April 7, 2014

Second Reading: April 21, 2014

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

Second reading of Ordinance 721, amending Title Chapter 165 “Zoning Regulations.”/Move to action.

Motion by Ellyson, second by Stevenson to approve Ordinance 721. AYES: Ellyson, Stevenson, Pierce, Miller. Absent: Shields. Motion carried.

Second Reading of Ordinance 718, amending the Code of Ordinances of the City of West Branch by creating and incorporating a storm water utility./Move to action.

Councilperson Miller stated that Iowa City and Coralville are the only surrounding communities nearby that have a storm water utility. He is concerned that our top five users are paying 32% while the top five in Coralville are contributing 2% to 3%. He concludes that our model is designed for a larger town. Ellyson said Council was provided other community models that were similar in size and they are using the same ERU rate structure. Stevenson agreed with Ellyson and stated that the city is going to match a portion of the utility fees with general funds.

Motion by Pierce, second by Ellyson to approve Ordinance 718. AYES: Pierce, Ellyson, Stevenson. NAYS: Miller. Absent: Shields. Motion carried.

Second Reading of Ordinance 723, amending Title “Police, Fire and Emergencies,” Chapter 31 “Reserve Police Force.”/Move to action. Motion by Ellyson, second by Stevenson to approve Ordinance 723. Ellyson, Stevenson, Pierce, Miller. Absent: Shields. Motion carried.

Resolution 1193, approving a Memorandum of Understanding between the West Branch Community School District and the City of West Branch, Iowa regarding the Summer League Ball Program./Move to action.

City Attorney Kevin Olson said the memorandum outlines the responsibilities of both parties and is for a three year period until July 2016.

Motion by Ellyson, second by Pierce to approve Resolution 1193. AYES: Ellyson, Pierce, Miller, Stevenson. Absent: Shields. Motion carried.

Resolution 1194, setting a date for consultation and a date for a public hearing on the proposed Amended and Restated West Branch Urban Renewal Plan./Move to action.

Olson explained that the TIF law requires the City to amend the urban renewal plan when projects are added. A consultation among the affected taxing entities is scheduled for Wednesday, May 14, 2014 at 5:30 p.m. A public hearing will be held at 7:00 p.m. on Monday, June 2, 2014 prior to adopting the amendment. City Administrator Matt Muckler gave an overview of the areas and projects being added and said that cost estimates are assigned to each project.

Motion by Stevenson, second by Miller to approve Resolution 1194. AYES: Stevenson, Miller, Pierce, Ellyson. Absent: Shields. Motion carried.

Resolution 1195, authorizing Internal Advance to Tax Increment Revenue Fund./Move to action.

Olson said that \$100,000 will be advanced from the General Fund in order to fund the administrative legal fees. The Advance shall be repaid in one installment out of the incremental property tax revenue fund without interest by July 1, 2015. The debt will be certified with the Cedar County Auditor.

Motion by Miller, second by Pierce to approve Resolution 1195. AYES: Miller, Pierce, Ellyson, Stevenson. Absent: Shields. Motion carried.

Resolution 1197, hiring Benjamin Litscher as a Part-Time Public Works Laborer and setting the salary for the FY 2013-2014 fiscal year./Move to action.

Ben Litscher introduced himself to the Council and said that he enjoys working outdoors and appreciates the opportunity for employment.

Motion by Stevenson, second by Ellyson to approve Resolution 1197. AYES: Stevenson, Ellyson, Miller, Pierce. Absent: Shields. Motion carried.

Resolution 1199, to fix a date of meeting for a public hearing in amending the current budget for the fiscal year ending June 30, 2014./Move to action.

Deputy City Clerk Dawn Brandt explained the revenue and expenditures that are being amended.

Motion by Ellyson, second by Pierce to approve Resolution 1199. AYES: Ellyson, Pierce, Miller, Stevenson.

Absent: Shields. Motion carried.

CITY STAFF REPORTS

City Administrator Matt Muckler – City of West Branch Mission Statement

Muckler read the mission statement adopted by a prior Council and asked for feedback or any changes from the Council. Stevenson commented that she would like a reference to sustainability of the community added.

Brian Boelk, HBK Engineering – Report on Park and Library Charrette Open House and Next Steps in Planning Process

Boelk said the charrette open house event was well attended with good public input. FEH and HBK Engineers started with concept drawings using survey results. The public chose two site plans at the noon meeting and the final site plan was presented at the evening meeting.

Zoning Administrator Paul Stagg – May 14, 2014 Planning & Zoning Commission Meeting

Stagg said he was contacted about a consulting home occupation business that did not meet the requirements of the City's current code. An amendment to Chapter 165.26 (2) with an additional section to address this issue will be discussed at the Planning & Zoning Commission meeting.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Mayor Worrell commended all who were involved in the charrette process.

Councilperson Stevenson attended the Kites over Hoover Park Event and commented that it was a very nice event.

ADJOURNMENT

Motion to adjourn meeting by Miller, second by Ellyson. Motion carried on a voice vote. City Council meeting adjourned at 8:00 p.m.

Mark Worrell, Mayor

ATTEST: _____
Dawn Brandt, Deputy City Clerk

(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

May 5, 2014
8:11 p.m.

Mayor Worrell opened the West Branch City Council work session at 8:11 p.m. by welcoming the audience and the following City staff: City Administrator Matt Muckler, Deputy City Clerk Dawn Brandt, Administrative Assistant Shanelle Peden, Public Works Director Matt Goodale, Library Director Nick Shimmin, Parks & Recreation Director Melissa Russell, and City Attorney Kevin Olson. Council members: Jordan Ellyson, Colton Miller, Mary Beth Stevenson, Brian Pierce. Absent: Tim Shields.

Pat Callahan, Capital Improvement Planning Process

Pat Callahan, Municipal Consultant gave the Council an overview of the capital improvements planning (CIP) process. He explained why cities should take the time and effort to prepare a CIP. He provided the Council a top ten list of reasons why a CIP is an important element of the elected official’s decision making process and overall vision for the city. He said most CIP’s are developed for a five-year period. He explained that the Council’s role in the process will be to develop a list of projects, rank those projects, review the draft plan and promote the plan to the public. City Administrator Matt Muckler shared a preliminary project list from the Department Directors. The next meeting is June 2nd with a wrap up of the CIP process in September or October 2014.

ADJOURNMENT

Motion by Stevenson to adjourn the work session, second by Ellyson. Motion carried on a voice vote. City Council work session adjourned at 9:13 p.m.

Mark Worrell, Mayor

ATTEST:

Dawn Brandt, Deputy City Clerk

ORDINANCE NO. 718

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 on July 1, 2014, after its passage, approval and publication as required by law.

First Reading: April 21, 2014
Second Reading: May 5, 2014
Third Reading: May 19, 2014

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

EXHIBIT “A”

STORM WATER UTILITY

SECTION 1. PURPOSE.

1. The purpose of this Article is to establish a policy and procedure for managing and controlling the quantity and quality of stormwater runoff, within the city limits of West Branch, Iowa. The management shall include the establishment of a stormwater utility to provide revenues for whatever aspects of this requirement are deemed appropriate by the City.
2. The city finds, determines and declares that the stormwater drainage system provides benefits and services to all property within the city limits. Such benefits include, but are not limited to: the provision of adequate systems for collection, conveyance, detention, treatment and release of stormwater for quality and quantity management that minimize impacts on receiving waters.
3. In order to manage additions and improvements to the city stormwater systems, the City must have adequate and stable funding for its stormwater management program operating and capital investment needs. 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 utility.

SECTION 2. CREATION OF A STORM WATER UTILITY

1. The function of the Storm Water Utility is to provide for the safe and efficient capture of stormwater runoff, mitigate the damaging effects of stormwater runoff, correction of stormwater problems, to fund activities of stormwater management, and include design, planning, regulations, education, coordination, construction, operations, maintenance, inspection and enforcement activities.
2. There is hereby established a storm water utility within the City of West Branch, Iowa which shall be responsible for creating revenue for stormwater management throughout the City’s corporate limits, and shall provide for the management, protection, control, regulation, use, and enhancement of stormwater systems and facilities. Such utility shall be under the operational direction of the Public Works Director or his/her designee. The corporate limits of the City, as increased from time to time, shall constitute the boundaries of the storm water utility district.

3. The City shall establish a Stormwater Utility Fund in the City budget and accounting system, separate and apart from its General Fund, for the purpose of dedicating and protecting all funding applicable to the purposes and responsibilities of the utility.

SECTION 3. DEFINITIONS.

1. “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 Public Works Director 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 all public streets, alleys and sidewalks maintained by the City of West Branch and all city-owned property. All of Parkside Drive, all of Cedar Street, all of Second Street, and all of Wetherell Street are also exempt.
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 three or more dwelling units to accommodate three or more families or groups of individuals living separately and not sharing the same living space and mobile home parks.

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, 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 and mobile/manufactured homes.
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. “Two-family residential property” means a residential structure with two dwelling units, to accommodate two families or groups of individuals living separately in different dwelling units.
16. “Undeveloped property” means any real property that has no impervious area.

SECTION 4. 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 5. 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 6. ESTABLISHMENT OF THE EQUIVALENT RESIDENTIAL UNIT (“ERU”).

For purposes of this chapter, the ERU shall be the equivalent to 3,500 square feet of impervious area.

SECTION 7. 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 8. ERU RATE.

The ERU rate to be applied to residential and nonresidential properties shall be as follows:

- a. Commencing July 1, 2014, the ERU rate will equal \$2.00
- b. Commencing July 1, 2015, the ERU rate will equal \$2.25
- c. Commencing July 1, 2016, the ERU rate will equal \$2.50
- d. Commencing July 1, 2017, the ERU rate will equal \$2.75.
- e. Commencing July 1, 2018, the ERU rate will equal \$3.00.

SECTION 9. DETERMINATION OF THE STORM WATER UTILITY CHARGE.

1. Single-Family and Two-Family Residential Property.

- a. The storm water utility charge for single-family properties shall be one hundred percent (100%) of the ERU rate per month.
- b. The storm water utility charge for two-family residential properties shall be 2 times the ERU rate per month.
- c. 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 and Nonresidential Property.

- a. The storm water utility charge for multi-family residential properties and nonresidential properties, or a structure containing both multi-family residential and nonresidential uses, shall be calculated as follows:
 - (i) One hundred percent (100%) of the ERU rate per ERU for the first twenty (20) ERUs, plus
 - (ii) \$0.75 per ERU for each ERU after the first twenty ERU's.
- 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.

SECTION 10. POWERS AND DUTIES OF CITY.

The City shall have the following powers, duties, and responsibilities with respect to the stormwater utility:

1. Administer the design, construction, maintenance and operation of the utility system, including capital improvements designated in the comprehensive drainage plan.
2. Acquire, construct, lease, own, operate, maintain, extend, expand, replace, clean, dredge, repair, conduct, manage, and finance such facilities, operations, and activities, as are deemed by the City to be proper and reasonably necessary for a system of storm and surface water management. These facilities may include, but are not limited to, surface and underground drainage facilities, storm sewers, watercourses, ponds, ditches, and such other facilities relating to collection, runoff, treatment and retention as will support a stormwater management system.
3. The City shall separately account for the stormwater utility finances. The stormwater utility shall prepare an annual budget, which is to include all operation and maintenance costs and costs of borrowing. The budget is subject to approval by the City Council. Any excess of revenues over expenditures in a year shall be retained in a segregated fund, which shall be used for stormwater utility expenses in subsequent years. Stormwater utility fees collected shall be deposited in the stormwater utility fund and shall be used for no other purpose.

SECTION 11. RESPONSIBILITY FOR STORM WATER MANAGEMENT AND DRAINAGE SYSTEM.

1. The City stormwater management and drainage system consists of all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage ways, channels, ditches, swales, storm sewers, culverts, inlets, catch basins, pipes, head walls and other structures, natural or man-made, within the political boundaries of the City of West Branch which control and/or convey stormwater through which the City intentionally diverts surface waters from its public streets and properties. The City owns or has legal access for purposes of operation, maintenance and improvements to those segments of this system which
 - (a) are located within public streets, rights-of-way, and easements;
 - (b) are subject to easements of rights-of-entry, rights-of-access, rights-of-use, or other permanent provisions for adequate access for operation, maintenance, and/or improvement of systems and facilities; or
 - (c) are located on public lands to which the City has adequate access for operation, maintenance, and/or improvement of systems and facilities. Operation and maintenance of stormwater systems and facilities which are located on private property or public property not owned by the City of West Branch and for which there has been no public dedication of such systems and

facilities for operation, maintenance, and/or improvement of the systems and facilities shall be and remain the legal responsibility of the property owner.

2. It is the intent of this section to protect the public health, safety and general welfare of all properties and persons in general, but not to create any special duty or relationship with an individual person or to any specified property within or without the boundaries of the City of West Branch. The City of West Branch expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages upon the City, its officers, employees and agents arising out of any alleged failure or breach of duty or relationship as may now exist or hereafter be created.

SECTION 12. REQUIREMENTS FOR ON-SITE STORMWATER SYSTEMS, ENFORCEMENT AND INSPECTIONS.

1. All property owners and developers of developed real property within the City of West Branch shall provide, manage, maintain, and operate on-site stormwater systems sufficient to collect, convey, detain, and discharge stormwater in a safe manner consistent with all City, State, and Federal laws and regulations.
2. Pursuant Iowa Code Section 364.12(3) or successor section of the State Code, any failure to meet this obligation may constitute a nuisance and may be subject to an abatement action filed by the City. In the event a nuisance is found to exist, which the owner fails to properly abate within such reasonable time as allowed by the City, the City may enter upon the property and cause such work as is reasonably necessary to be performed, with the actual cost thereof assessed against the owner in the same manner as a tax levied against the property. The City shall have the right, pursuant to the authority of this section, for its designated officers and employees to enter upon private and public property owned by entities other than the City, upon reasonable notice to the owner thereof, to inspect the property and conduct surveys and engineering tests thereon in order to assure compliance.

SECTION 13. APPEALS.

Any customer who believes the provisions of this chapter have been applied in error may appeal in the following manner:

- A. An appeal must be filed in writing with the City of West Branch City Administrator. In the case of service charge appeals, the appeal shall include information on the total property area, the impervious surface area and any other features or conditions which influence the hydrologic response of the property to rainfall events.
- B. Using the information provided by the appellant, the City Administrator shall conduct a technical review of the conditions on the property and respond to the appeal in writing within thirty (30) days.

- C. In response to an appeal, the City Administrator may adjust the stormwater service charge applicable to a property in conformance with the general purpose and intent of this chapter.
- D. A decision of the City Administrator which is adverse to an appellant may be further appealed to the City Council within thirty (30) days of receipt of notice of the adverse decision. Notice of the appeal shall be served on the City Council by the appellant, stating the grounds for the appeal. The City Council shall schedule a public hearing within thirty (30) days. All decisions of the City Council shall be served on the appellant by registered mail, sent to the billing address of the appellant.
- E. All decisions of the City Council shall be final.

SECTION 14. BILLING PROCEDURES.

- A. All contributors and users shall pay a storm water utility charge monthly as calculated pursuant to Sections 6, 7, 8 and 9 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. 721

AN ORDINANCE AMENDING CHAPTER 165 “ZONING REGULATIONS”

WHEREAS, the City Council of the City of West Branch, Iowa, has heretofore deemed it necessary and desirable to create a public use zoning district; and

WHEREAS, the City Council has updated its zoning map and assigned all public uses with a P-1 zoning designation.

NOW, THEREFORE, BE IT ORDAINED:

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 “ZONING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by deleting Section 165.24 in its entirety and inserting in lieu thereof:

165.24 ESTABLISHMENT OF DISTRICTS AND BOUNDARIES. For the purpose of this chapter, the City is hereby divided into the following districts:

Agricultural	A-1 District
Residence	R-1 Single Family District
Residence	R-2 Two Family District
Residence	R-3 Multiple Family District
Residence/Business	RB-1 District
Business	B-1 District
Business	B-2 District
Industrial	I-1 District
Industrial	I-2 District
Flood Plain	FP District
Highway Commercial Industrial	HCI District
Central Business	CB-1 District
Central Business	CB-2 District
Central Industrial	CI-2 District
Public Use	P-1 District

Said districts are bounded and defined as shown on a map entitled “Zoning District Map, West Branch, Iowa,” adopted May 19, 2014, which, with all explanatory matter therein, is hereby made a part of this chapter.

2. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 “ZONING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by adding the following section to Chapter 165:

165.XX PUBLIC USE DISTRICT.

It is the intent of the Public Use District (P-1) to provide reference on the zoning map to public uses of land. Thus, land owned by the United States Federal Government, the State of Iowa, Johnson or Cedar County, the West Branch Community School District, the City of West Branch or other governmental entities will be designated Public Use.

1. Permitted Principal Uses and Structures.

A. Use of land, buildings, or structures of the aforementioned Federal and State governments or political subdivisions thereof.

B. Agriculture.

2. Permitted Accessory Uses and Structures. Uses subject to the provisions of Section 165.07.

3. Special Exceptions. None.

4. Minimum Lot Areas and Width. None.

5. Minimum Yard Requirements. None.

6. Maximum Height. None.

7. Minimum Off-Street Parking and Loading Spaces. All parking and loading areas shall be constructed and loading facilities shall be provided in the following required amounts:

A. Public community center or library – 10 spaces plus one space for every 200 square feet of floor area in excess of 2,000 square feet.

B. Schools – one space for each classroom or office space plus one space for every ten seats of average seating in the main auditorium, stadium, or place of public assembly.

3. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.

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

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

Passed and approved this 19th day of May, 2014.

First Reading: April 21, 2014

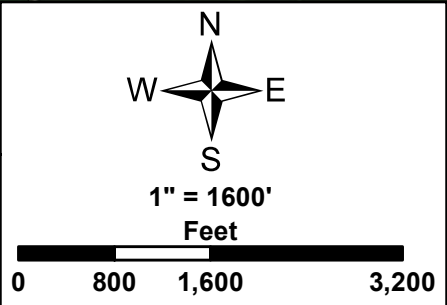
Second Reading: May 5, 2014

Third Reading: May 19, 2014

Mark Worrell, Mayor

Attest:

Matt Muckler, City Administrator/Clerk



LEGEND

ZONING DISTRICTS

A-1	AGRICULTURAL DISTRICT
R-1	SINGLE FAMILY RESIDENCE DISTRICT
R-2	TWO FAMILY RESIDENCE DISTRICT
R-3	MULTIPLE RESIDENCE DISTRICT
RB-1	RESIDENCE/BUSINESS DISTRICT
B-1	BUSINESS DISTRICT
B-2	BUSINESS DISTRICT
CB-1	CENTRAL BUSINESS DISTRICT
CB-2	CENTRAL BUSINESS DISTRICT
HCI	HIGHWAY COMMERCIAL INDUSTRIAL DISTRICT
I-1	INDUSTRIAL DISTRICT
I-2	INDUSTRIAL DISTRICT
CI-2	CENTRAL INDUSTRIAL DISTRICT
P-1	PUBLIC USE DISTRICT



VEENSTRA & KIMM, INC.

PROJECT NO. 368100
MARCH 13, 2014

ZONING MAP
CITY OF WEST BRANCH, IOWA

Source: swisstopo, and the GIS User Community

ORDINANCE NO. 723

AN ORDINANCE AMENDING TITLE “POLICE, FIRE AND EMERGENCIES”,
CHAPTER 31 “RESERVE POLICE FORCE”

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 31 “RESERVE POLICE FORCE” of the Code of West Branch, Iowa is hereby amended by deleting subsection 1 of section 31.01 “POLICE RESERVES CREATED” in its entirety and inserting in lieu thereof:

31.01 POLICE RESERVES CREATED

- 1. Membership: The police reserves shall consist of a volunteer police reserve company composed of no more than six (6) members. Membership in the police reserves shall be determined by standards as provided pursuant to Iowa Code, Sec. 80D.1 et seq. All prospective members of the reserves shall submit to the MMPI psychological test before commencing duties with the City. Members of the police reserves shall be appointed by the Mayor, subject to approval by the Council, and after taking an oath of office.**
2. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.
3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
4. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 19th day of May, 2014.

First Reading:	April 21, 2014
Second Reading:	May 5, 2014
Third Reading:	May 19, 2014

Mark Worrell, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

RESOLUTION 1196

A RESOLUTION SETTING SALARIES FOR APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF WEST BRANCH, IOWA FOR THE FISCAL YEAR 2014-2015.

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

Section 1. The following persons and positions named shall be paid the salaries or hourly wages indicated and the City Clerk is authorized to issue warrants/checks, less legally required or authorized deductions for the amounts set out below, semi-monthly, and make such contributions to IPERS and Social Security or other purposes as required by law or authorization of the Council:

Position	Name	Hourly Wage	Basic Hours
Police Chief	Mike Horihan	\$29.58	40
Public Works Director	Matt Goodale	\$25.96	40
Police Sergeant	John Hanna	\$22.84	40
Deputy City Clerk	Dawn Brandt	\$22.10	40
Water/Wastewater Operator	Paul Stagg	\$20.74	40
Lead Water Operator	Tim Moss	\$20.73	40
Police Officer	Alex Koch	\$20.72	40
Safety/Facilities Coordinator	Paul O'Neil	\$20.19	40
Park & Recreation Director	Melissa Russell	\$18.14	40
Administrative Assistant	Shanelle Peden	\$16.21	40
PT Public Works Employee	Gerry Brick	\$14.00	20
PT Public Works Employee	Benjamin Litscher	\$12.00	20
PT Police Officer	Matt Bowers	\$17.50	As budgeted
PT Police Officer	Greg Hall	\$17.50	As budgeted
PT Police Officer	Bradly Peck	\$17.50	As budgeted
PT Police Officer	Jeremy Stenda	\$17.50	As budgeted

SECTION 2. All the above employees are subject to the City of West Branch Personnel Policies and Procedures applicable to their department.

SECTION 3. This resolution will be effective upon final passage of the City Council.

SECTION 4. The hourly wages and salaries established in this resolution shall be effective July 1, 2014.

Passed and Approved this 19th day of May, 2014.

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

**NOTICE OF PUBLIC HEARING
AMENDMENT OF CURRENT CITY BUDGET**

The City Council of West Branch in CEDAR & JOHNSON County, Iowa

will meet at West Branch City Council Chambers 110 N Poplar Street

at 7:00 pm on May 19, 2014

,for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2014

by changing estimates of revenue and expenditure appropriations in the following functions for the reasons given.
Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

		Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources				
Taxes Levied on Property	1	1,452,149	0	1,452,149
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	1,452,149	0	1,452,149
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	302,527	-265,140	37,387
Other City Taxes	6	151,208	0	151,208
Licenses & Permits	7	50,375	25,000	75,375
Use of Money and Property	8	5,600	0	5,600
Intergovernmental	9	378,285	5,000	383,285
Charges for Services	10	866,181	17,000	883,181
Special Assessments	11	0	0	0
Miscellaneous	12	110,100	53,547	163,647
Other Financing Sources	13	671,097	3,183	674,280
Total Revenues and Other Sources	14	3,987,522	-161,410	3,826,112
Expenditures & Other Financing Uses				
Public Safety	15	594,632	70,234	664,866
Public Works	16	545,525	20,775	566,300
Health and Social Services	17	0	0	0
Culture and Recreation	18	954,991	46,758	1,001,749
Community and Economic Development	19	352,277	-265,140	87,137
General Government	20	195,256	23,500	218,756
Debt Service	21	343,205	0	343,205
Capital Projects	22	0	0	0
Total Government Activities Expenditures	23	2,985,886	-103,873	2,882,013
Business Type / Enterprises	24	1,553,814	24,981	1,578,795
Total Gov Activities & Business Expenditures	25	4,539,700	-78,892	4,460,808
Transfers Out	26	271,097	3,183	274,280
Total Expenditures/Transfers Out	27	4,810,797	-75,709	4,735,088
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year	28	-823,275	-85,701	-908,976
	29			
Beginning Fund Balance July 1	30	2,626,570		2,626,570
Ending Fund Balance June 30	31	1,803,295	-85,701	1,717,594

Explanation of increases or decreases in revenue estimates, appropriations, or available cash:

Additional building permit revenue, Police Department grant, Park & Recreation additional fitness and summer league revenue, insurance reimbursement. Fire Department expenditures of local option sales tax, liability and workers compensation insurance premium, public works salary expense, legal fees and increased training expenses for staff, timing of well #2 reinstall and repair, decrease TIF revenue and expenditure.

There will be no increase in tax levies to be paid in the current fiscal year named above. Any increase in expenditures set out above will be met from the increased non-property tax revenues and cash balances not budgeted or considered in this current budget. This will provide for a balanced budget.

City Clerk/ Finance Officer Name

RESOLUTION NO. 1200

A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR
ENDING JUNE 30, 2014

FY14 Budget Amendment – See State Form

PASSED, APPROVED, AND ADOPTED this 19th day of May, 2014.

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/City Clerk

16-142

CITY BUDGET AMENDMENT AND CERTIFICATION RESOLUTION

To the Auditor of CEDAR & JOHNSON County, Iowa:

The City Council of West Branch in said County/Countries met on May 19, 2014, at the place and hour set in the notice, a copy of which accompanies this certificate and is certified as to publication. Upon taking up the proposed amendment, it was considered and taxpayers were heard for and against the amendment.

The Council, after hearing all taxpayers wishing to be heard and considering the statements made by them, gave final consideration to the proposed amendment(s) to the budget and modifications proposed at the hearing, if any. thereupon, the following resolution was introduced.

RESOLUTION No. 1200

A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE : 2014

(AS AMENDED LAST ON October 21, 2013 .)

Be it Resolved by the Council of the City of West Branch

Section 1. Following notice published May 1, 2014

and the public hearing held, May 19, 2014 the current budget (as previously amended) is amended as set out herein and in the detail by fund type and activity that supports this resolution which was considered at that hearing:

		Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources				
Taxes Levied on Property	1	1,452,149	0	1,452,149
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	1,452,149	0	1,452,149
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	302,527	-265,140	37,387
Other City Taxes	6	151,208	0	151,208
Licenses & Permits	7	50,375	25,000	75,375
Use of Money and Property	8	5,600	0	5,600
Intergovernmental	9	378,285	5,000	383,285
Charges for Services	10	866,181	17,000	883,181
Special Assessments	11	0	0	0
Miscellaneous	12	110,100	53,547	163,647
Other Financing Sources	13	671,097	3,183	674,280
Total Revenues and Other Sources	14	3,987,522	-161,410	3,826,112
Expenditures & Other Financing Uses				
Public Safety	15	594,632	70,234	664,866
Public Works	16	545,525	20,775	566,300
Health and Social Services	17	0	0	0
Culture and Recreation	18	954,991	46,758	1,001,749
Community and Economic Development	19	352,277	-265,140	87,137
General Government	20	195,256	23,500	218,756
Debt Service	21	343,205	0	343,205
Capital Projects	22	0	0	0
Total Government Activities Expenditures	23	2,985,886	-103,873	2,882,013
Business Type / Enterprises	24	1,553,814	24,981	1,578,795
Total Gov Activities & Business Expenditures	25	4,539,700	-78,892	4,460,808
Transfers Out	26	271,097	3,183	274,280
Total Expenditures/Transfers Out	27	4,810,797	-75,709	4,735,088
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year	28	-823,275	-85,701	-908,976
	29			
Beginning Fund Balance July 1	30	2,626,570	0	2,626,570
Ending Fund Balance June 30	31	1,803,295	-85,701	1,717,594

Passed this 19 day of May 2014
(Day) (Month/Year)

Signature
City Clerk/Finance Officer

Signature
Mayor

Transfers	From	To	Amend. Amt.	Inc/Dec	Account Code	Explanation
Transfer in		001-100	3,183.00		001-4-0-950-4-4830	Transfer from LOST rev. to General Fund for Fire Dept. generator additional expenses
Transfer out	121-100		3,183.00		121-5-0-950-9100	
Total Transfers						

Revenue Area	From	To	Amend. Amt.	Inc/Dec	Account Code	Explanation
Taxes Levied on Prop.	1,452,149	1,452,149				
TIF Revenues	302,527	37,387	(265,140.00)	Dec.	125-4-7-710-4-4051	Decrease TIF rebate
Other City taxes	151,208	151,208				
Licenses & Permits	50,375	75,375	25,000.00	Inc.	001-4-0-950-1-4122	Building permit additional revenue
Use of Money & Prop.	5,600	5,600				
Intergovernmental	378,285	383,285	5,000.00	Inc.	001-4-1-110-2-4400	Police Dept. - Cedar County Foundation Grant for radios
Charges for services	866,181	883,181	10,000.00	Inc.	001-4-4-430-1-4555	Park & Rec - Fitness revenue not budgeted
			7,000.00	Inc.	001-4-4-430-1-4558	Park & Rec - Summer League revenue not budgeted
			17,000.00			
Special Assessments	0	0				
Miscellaneous	110,100	163,647	610.00	Inc.	001-4-0-950-4-4799	Dept. of Justice - bulletproof vest Police revenue
			52,937.00	Inc.	001-4-0-950-2-4710	Fire Dept. insurance reimbursement for '12 Suburban
			53,547.00			
Other Fin. Sources	671,097	674,280		Inc.		
Transfer In			3,183.00	Inc.		Transfer from 121 LOST to GF 001 - Fire expenses
Total Revenue	3,987,522	3,826,112	\$ (161,410.00)			

Expenditure Area	From	To	Amend. Amt.	Inc/Dec	Account Code	Explanation
Public Safety	594,632	664,866	610.00	Inc.	001-5-1-110-6529	Dept. of Justice - bulletproof vest (Police)
			5,000.00	Inc.	001-5-1-110-63501	Police Dept. - Cedar County Foundation Grant for radios
			8,504.00	Inc.	001-5-1-110-64081	ICAP Insurance premium
			3,183.00	Inc.	001-5-1-150-6310	Fire Dept. additional generator expenses - use of Local option sales tax revenue
			1,633.00	Inc.	001-5-1-150-6514	Fire Dept. - reimbursement from insurance '12 Suburban
			51,304.00	Inc.	001-5-1-150-6727	Fire Dept. - reimbursement from insurance '12 Suburban
			70,234.00			
Public Works	545,525	566,300	10,809.00	Inc.	036-5-2-210-64081	ICAP Insurance premium
			7,500.00	Inc.	036-5-2-210-6160	IMWCA work comp 3 month premium 4-1/7-1/14
			2,115.00	Inc.	001-5-2-210-6010	Public Works Salary
			162.00	Inc.	112-5-2-210-6110	Public Works FICA/Medicare
			189.00	Inc.	112-5-2-210-6130	Public Works IPERS
			20,775.00			
Culture & Recreation	954,991	1,001,749	21,000.00	Inc.	001-5-4-430-6792	Balance from 2013 GO Park land loan - not amended in October 2013 for expenses
			7,000.00	Inc.	001-5-4-430-6525	Park & Rec expenses for Summer League not budgeted
			10,000.00	Inc.	001-5-4-430-6520	Park & Rec expenses for fitness not budgeted
			4,000.00	Inc.	001-5-4-470-6792	Wayfinding signs
			1,942.00	Inc.	036-5-4-410-64081	ICAP Insurance premium
			1,183.00	Inc.	036-5-4-450-64081	ICAP Insurance premium
			755.00	Inc.	001-5-4-450-6010	Public Works Salary

			58.00	Inc.	112-5-4-450-6110	Public Works FICA/Medicare
			68.00	Inc.	112-5-4-450-6130	Public Works IPERS
			752.00	Inc.	036-5-4-430-64081	ICAP Insurance premium
			46,758.00			
Community Eco. Dev.	352,277	87,137	(265,140.00)	Dec.	125-5-5-710-6855	TIF rebate decrease
General Government	195,256	218,756	3,000.00	Inc.	001-5-6-620-6240	Increased training for employees & elected officials
			5,500.00	Inc.	001-5-6-620-6230	Increased training for employees & elected officials
			15,000.00	Inc.	001-5-6-640-6490	Legal administrative consulting fees - Dorsey
			23,500.00			
Debt Service	343,205	343,205				
Capital Projects	0	0				
Business Type Act.	1,553,814	1,578,795	14,000.00	Inc.	600-5-9-810-6722	Well #2 reinstall and repair - FY13 project, billed in FY14
			8,161.00	Inc.	600-5-9-810-6783	Well #2 reinstall and repair - FY13 project, billed in FY14
			1,209.00	Inc.	600-5-9-810-6010	Public Works Salary
			93.00	Inc.	600-5-9-810-6110	Public Works FICA/Medicare
			108.00	Inc.	600-5-9-810-6130	Public Works IPERS
			1,209.00	Inc.	610-5-9-815-6010	Public Works Salary
			93.00	Inc.	610-5-9-815-6110	Public Works FICA/Medicare
			108.00	Inc.	610-5-9-815-6130	Public Works IPERS

			24,981.00			
Transfers out	271,097	274,280	3,183.00	Inc.		Transfer from 121 LOST to GF 001 - Fire expenses
Total Expenditures	4,810,797	4,735,088	\$ (75,709.00)			

RESOLUTION NO. 1201

TO APPROVE CHANGES TO THE EXISTING LINN COUNTY
RURAL ELECTRIC COOPERATIVE STREET LIGHT SYSTEM.

The following Resolution was adopted by the City Council of the City of West Branch, Iowa, at a regular City Council meeting held on May 19, 2014.

BE IT RESOLVED, by the City Council of the City of West Branch, Iowa, Linn County Rural Electric Cooperative is hereby directed to make the following changes to the existing system at the locations described herein according to the terms expressed in the existing street light contract. One hundred dollars (\$100) will be charged to the City of West Branch for the installation of the pole and two lights. An additional \$6.00 per month will be charged to the City of West Branch for the operation of the street light at 1805 Baker Avenue and an additional \$12.00 per month will be charged to the City of West Branch for the operation of the street light on the northeast corner of the intersection of 280th Street and Baker Avenue.

LOCATION OF NEW INSTALLATION AND CHANGES:

- 1) 1805 Baker Avenue – Will Use Newly Installed Pole
- 2) Northeast Corner of the Intersection of 280th and Baker Avenue – Additional of Light on 12' Arm from Existing Pole

NEW INSTALLATION AND CHANGES IN EXISTING SYSTEM:

Wattage	Type of Pole	Wiring	Location
100W	Wood	Overhead	1805 Baker Avenue
250W	Existing Wood	Overhead	Intersection of 280 th and Baker

Passed, adopted, and approved this 19th day of May 2014.

Mark Worrell, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

RESOLUTION NO. 1202

A RESOLUTION APPROVING THE CITY OF WEST BRANCH MISSION
STATEMENT

WHEREAS, a mission statement sums up an organization's direction and outlines goals for what the City of West Branch hopes to accomplish; and

WHEREAS, it is equally important that the City of West Branch communicates this Mission Statement to the public; and

WHEREAS, the proposed mission statement reflects the core goals of the City Council; and

WHEREAS, it is now necessary for the City Council to approve the mission statement, as amended, which includes sustainability as one of the City's core goals.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the City Council approves the City of West Branch Mission Statement.

Passed and approved this 19th day of May, 2014.

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

City of West Branch

~A Heritage for Success~

110 N. Poplar Street • PO Box 218 • West Branch, Iowa 52358
(319) 643-5888 • Fax (319) 643-2305 • www.westbranchiowa.org • city@westbranchiowa.org

City of West Branch Mission Statement

To maintain and enhance the City of West Branch as a historically-significant community with a safe, small town, family atmosphere, whose financial and physical resources are managed wisely through policies and programs which assure the long term health, sustainability and vitality of the community

Mayor: Mark Worrell • **Council Members:** Jordan Ellyson, Colton Miller, Brian Pierce, Tim Shields, Mary Beth Stevenson
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

RESOLUTION 1203

A RESOLUTION PERMITTING THE ADDITION OF LITTLE FREE LIBRARIES AT WAPSI
CREEK PARK AND BERANEK PARK

WHEREAS, the West Branch City Council believes in improving the literacy of the residents of West Branch; and,

WHEREAS, the West Branch City Council understands that the addition of a “little free library” will not enhance the use of Wapsi Creek Park and Beranek Park.

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

SECTION 1. The installation and operation of a “little free library” shall be permitted on the premises of Wapsi Creek Park at the north end of the park on the south side of the sidewalk.

SECTION 2. The installation and operation of a “little free library” shall be permitted on the premises of Beranek Park in the northwest corner of the park next to the Beranek Park sign.

SECTION 3. The Public Works Director may remove or move each “little free library” or any materials used to provide support for the purposes of building construction, renovation, or improvements to Wapsi Creek Park and Beranek Park or associated grounds.

* * * * *

Passed and approved this 19th day of May, 2014.

Mark Worrell, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

NOTICE OF CONSULTATION AND PUBLIC HEARING
ON THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND
RESTATED WEST BRANCH URBAN RENEWAL PLAN

PLEASE BE ADVISED that the City Council of the City of West Branch has heretofore, by Resolution, set a date for consultation among affected taxing entities and a date for a public hearing on the proposed adoption of the Amendment No. 1 to the Amended and Restated Urban Renewal Plan for the West Branch Urban Renewal Area, enclosed herein.

THE CONSULTATION among taxing entities shall be held at 5:30 p.m., Wednesday, May 14th, 2014, at the Council Chambers, City Hall, 110 N. Poplar Street, West Branch, Iowa. Each affected taxing entity may appoint a representative(s) to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed urban renewal area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each affected taxing entity and the duration of any bond included in the plan.

Following the consultation, the designated representative of the affected taxing entity may make written recommendations for modification to the proposed division of revenue no later than seven (7) days after the consultation.

FURTHER, a public hearing on the proposed adoption of Amendment No. 1 to the Amended and Restated West Branch Urban Renewal Plan for the West Branch Urban Renewal Area is hereby scheduled for 7:00 p.m. on Monday, June 2nd, 2014 at the Council Chambers at City Hall, 110 N. Poplar Street, West Branch, Iowa. At that time, all interested individuals are invited to provide input on the proposed adoption of said Amendment No. 1.

AMENDMENT NO. 1 TO THE AMENDED AND RESTATED
WEST BRANCH URBAN RENEWAL PLAN

WHEREAS, the City Council of the City of West Branch, Iowa, previously, via Resolution No. 1144, approved and adopted the Amended and Restated West Branch Urban Renewal Plan (the “Urban Renewal Plan”); and

WHEREAS, the City desires to amend said Urban Renewal Plan to incorporate additional property into the West Branch Urban Renewal Area (the “Urban Renewal Area”) and identify additional projects to be paid, in whole or in part, by tax increment revenues generated in the Urban Renewal Area; and

WHEREAS, Chapter 403 of the Code of Iowa requires the City to amend its Urban Renewal Plan, conduct a consultation with affected taxing entities and hold a public hearing prior to the adoption of an amendment to the Urban Renewal Plan.

NOW, THEREFORE, the Urban Renewal Plan is hereby amended as follows:

1. The District Boundaries in Section III of the Urban Renewal Plan is hereby amended by adding and incorporating the following properties into the Urban Renewal Plan:

The right of way of West Main Street from the corporate limits easterly to the existing boundary of said Urban Renewal Area;

AND

The right-of-way of Cedar-Johnson Road from its intersection with West Main Street northerly to the corporate limits of the City;

AND

The NW1/4 of the SE 1/4 of Section 6, Township 79 North, Range 4 West of the 5th P.M., West Branch, Cedar County, Iowa, except the following:

1. The east 300.17 feet of the north 1161.51 feet thereof; and
2. That part of Pedersen Valley, Part Two, Addition to West Branch, Cedar County, Iowa, located therein; and
3. That part of Pedersen Valley, Part Four, Addition to West Branch, Cedar County, Iowa, located therein; and
4. Commencing at the NE corner of said Pedersen Valley, Part Four, Addition to

West Branch, Cedar County, Iowa, thence South 88°40'44"W, 166.43 feet along the North line of said Pedersen Valley, Part Four, to the west line of the SE 1/4 of said Section 6, thence North 01° 17'36"W, 313.89 feet, thence N 86°39'40"E, 166.38 feet, thence S 01°19'16"E, 319.75 feet to the point of beginning,

Said parcels now being referred to as the "May 2014 Parcels"; and

2. Section IV of the Urban Renewal Plan is hereby amended to add the terms "Library" and "Community Center" to the Public Purpose Activities.

3. Section V of the Urban Renewal Plan is hereby amended by adding the zoning category of "Public Use"

4. Section VI of the Urban Renewal Plan is hereby amended as follows:

a. Delete Section 5 in its entirety and replace it with the following:

"Building and maintenance of recreational facilities and other public improvements, including, but not limited to, open spaces, park spaces, a community center, library, athletic fields, parking facilities and landscaping."

b. Delete the listed projects in their entirety and replace with the following:

- 1) *Procter & Gamble Hair Care, LLC, Phases 2 and 3 (abatement only)*
- 2) *Water Tower #2 (\$481,373)*
- 3) *Casey's Marketing Company TIF Rebate Agreement (\$425,000)*
- 4) *South Downey Road Improvements Project (\$1,500,000)*
- 5) *Parkside Drive Road Improvements Project (\$200,000)*
- 6) *Tidewater Drive Road Improvements Project (\$200,000)*
- 7) *Pedersen Valley Park and Recreation & Library Complex (\$2,300,000). The City purchased 18.6 acres of land in Pedersen Valley for the purpose of providing community members with a community park, called for in the West Branch Comprehensive Plan, amended April 1, 2013. This project will construct athletic fields, concession stand, restrooms, trails and community center for a total cost of \$7,000,000. The TIF contribution will be capped at \$2,300,000. TIF revenues would only be*

appropriated for the street and utility portions of the project to include water, sewer and stormwater. No TIF funds will be used on any public buildings, ball fields or trails.

The City is proposing to use incremental property tax revenues to pay for approximately 33% of the Project, and proposed to use monies from the Local Option Sales Tax and a Bond Referendum to fund the additional pieces. This project is only feasible if the city uses tax increment revenues to fund a portion of the Project. The LOST will generate \$1,700,000. To fund the rest with GO Bond revenues would raise the City's property taxes by 25.75%, which is not feasible. The TIF revenues are the final piece of funding. If the bond referendum or LOST does not pass through city voters, the TIF funding will still be capped at \$2,300,000, which means the entire project does not get constructed.

- 8) *Fawcett Drive Road Improvements Project (\$1,000,000)*
- 9) *Slach's Commercial Subdivision Project (\$1,000,000)*
- 10) *Tidewater Rebate Agreement (\$100,000)*
- 11) *Acciona legal fees and administrative costs (\$100,000)*
- 12) *Johnson-Cedar Road (\$1,000,000)*

5. Attachment A is hereby amended by removing the multiple maps and replacing it with one map showing the entire Urban Renewal Area.

6. Attachment B is hereby amended by removing the existing zoning map and replacing it with the new zoning map adopted in 2014 by the City.

7. Attachment C is hereby amended by deleting in its entirety and replacing with a new Attachment C.

B. Other than amended by this Amendment No. 1 above, all other terms and provisions of the Urban Renewal Plan remain in full force and effect.

C. If any provision of this Amendment, or the application thereof to any person or circumstance shall be invalid, illegal or unenforceable to any extent, the remainder of the Urban Renewal Plan and this Amendment No. 1 and the application thereof shall not be affected and shall be enforceable to the fullest extent permitted by law.

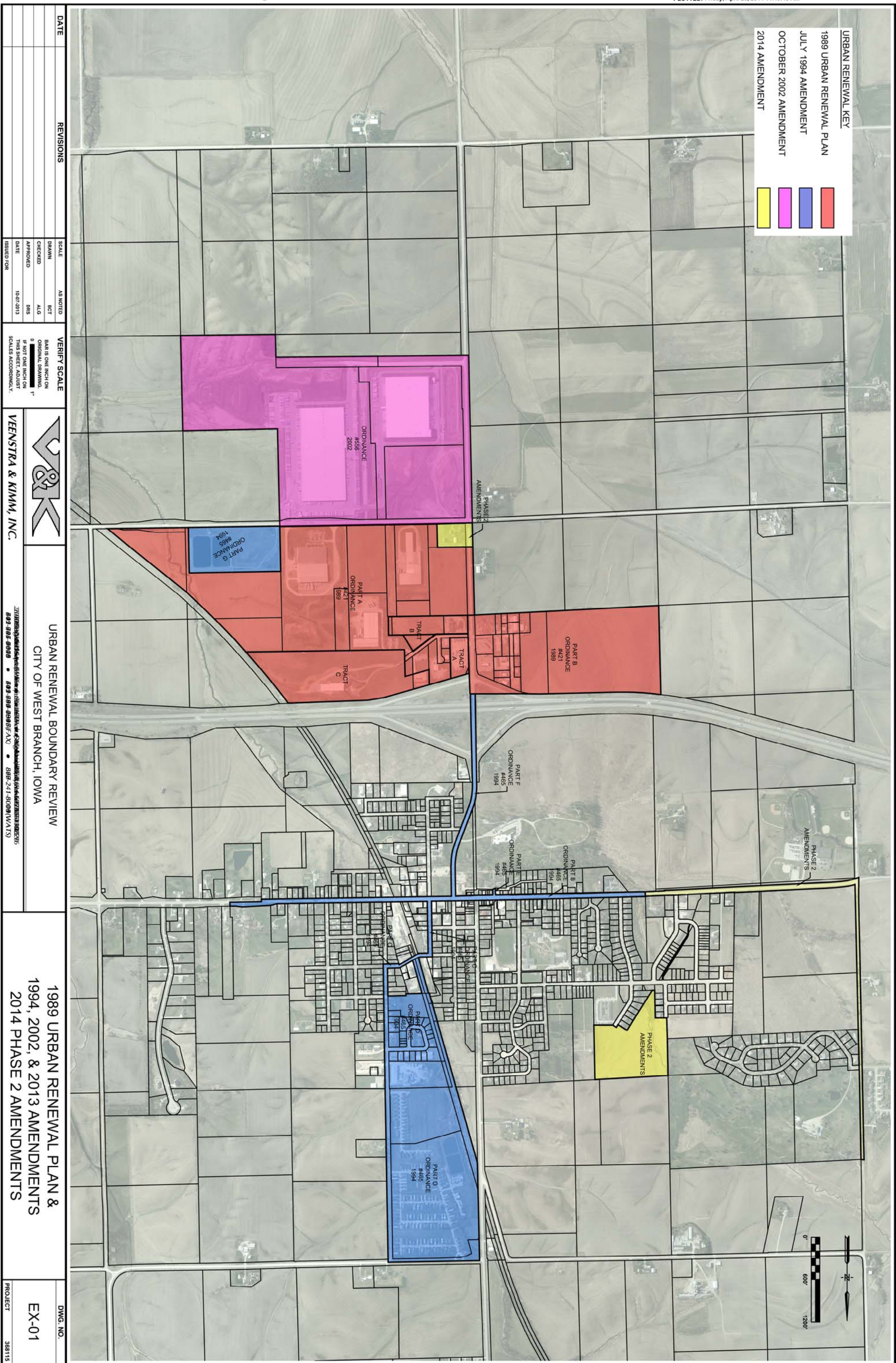
Dated this ____ day of _____, 2014

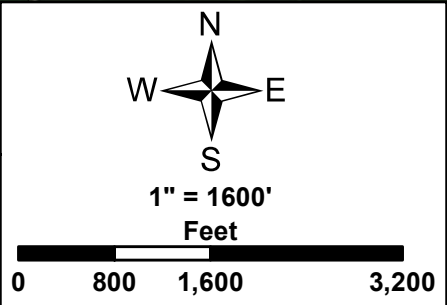
Attachment A

X-REFS: Parcels

FILE PATH: Z:\WEST BRANCH 368115 URBAN RENEWAL BOUNDARY REVIEW\DRAWINGS_DESIGN DRAWINGS\URBAN RENEWAL BOUNDARY

PLOTTED: Friday, April 25, 2014 11:40:48 AM





LEGEND

ZONING DISTRICTS

A-1	AGRICULTURAL DISTRICT
R-1	SINGLE FAMILY RESIDENCE DISTRICT
R-2	TWO FAMILY RESIDENCE DISTRICT
R-3	MULTIPLE RESIDENCE DISTRICT
RB-1	RESIDENCE/BUSINESS DISTRICT
B-1	BUSINESS DISTRICT
B-2	BUSINESS DISTRICT
CB-1	CENTRAL BUSINESS DISTRICT
CB-2	CENTRAL BUSINESS DISTRICT
HCI	HIGHWAY COMMERCIAL INDUSTRIAL DISTRICT
I-1	INDUSTRIAL DISTRICT
I-2	INDUSTRIAL DISTRICT
CI-2	CENTRAL INDUSTRIAL DISTRICT
P-1	PUBLIC USE DISTRICT

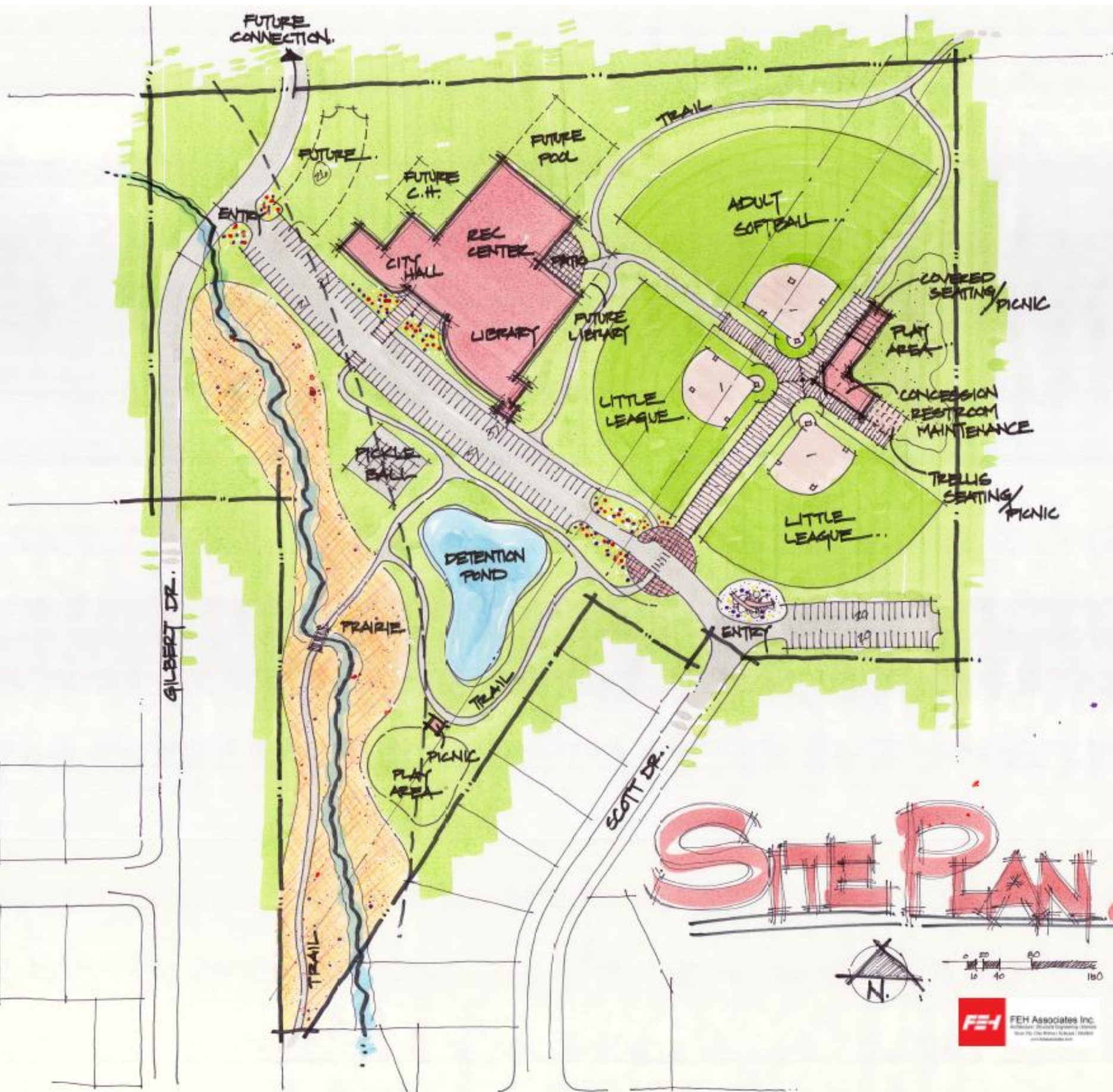


VEENSTRA & KIMM, INC.

PROJECT NO. 368100
MARCH 13, 2014

ZONING MAP
CITY OF WEST BRANCH, IOWA

Source: Swisstopo, and the GIS User Community



City of West Branch

~A Heritage for Success~

110 N. Poplar Street • PO Box 218 • West Branch, Iowa 52358
(319) 643-5888 • Fax (319) 643-2305 • www.westbranchiowa.org • matt@westbranchiowa.org

West Branch Community Center Building Plan Project

May 7, 2014

The City of West Branch, Iowa is requesting proposals to prepare a plan for a Community Center on an 18-acre site in Pedersen Valley. On July 18, 2011, Shive-Hattery Architecture and Engineering presented the *City of West Branch Community Center Site Study* to the West Branch City Council. At that time, the City was still considering three sites for a community recreational complex. Since that time, the City has purchased land in Pedersen Valley and completed a preliminary site plan. That preliminary site plan is currently being considered by the Park & Recreation Commission and the City Council.

The scope of the Community Center Building Plan Project is the following:

- 1) Review of existing documentation to include July 18, 2011 Shive-Hattery *City of West Branch Community Center Site Study*, preliminary Pedersen Valley Park site plan drawn by FEH Associates Inc., and *City of West Branch Parks and Rec Public Input Survey* completed by HBK Engineering, LLC.
- 2) Four meetings (approximately eight total hours):
 - i. initial meeting with Park & Recreation Commission and Steering Committee (approximately two hours in June) to determine programming needs,
 - ii. meeting with city staff to review initial meeting with Park & Rec Commission and Steering Committee (approximately one hour in July),
 - iii. open house charrette (approximately four hours in July) to render preliminary drawings and receive public input, and
 - iv. presentation of completed project to City Council at the regular City Council Meeting on September 15, 2014 (approximately one hour).

Mayor: Mark Worrell • **Council Members:** Jordan Ellyson, Colton Miller, Brian Pierce, Tim Shields, Mary Beth Stevenson
City Administrator/Clerk: Matt Muckler • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin
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City of West Branch

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3) Pre-funding schematic design planning for the community center would include the following deliverables:

- Rendered Site Plan
- Rendered Floor Plan of each level
- Rendered Elevations of each side
- Rendered perspective
- Cost Opinion of probable total project costs

4) Proposals should include the following:

- Cover letter
- Project approach
- Anticipated project schedule
- Information including: names, titles, roles, and expertise of firm members assigned to project
- A list of three (3) relevant projects
- Total fees including reimbursables

The City of West Branch is seeking proposals to provide the above-mentioned items by May 23, 2014 via e-mail to matt@westbranchiowa.org. Proposals will be reviewed based on the above-mentioned scope of services and price by the City Administrator and Park & Recreation Director. A recommendation from the City Administrator will be made to the City Council at their June 2, 2014 City Council Meeting.

Please direct any questions concerning this proposal to City Administrator Matt Muckler or Park and Rec Director Melissa Russell:

Matt Muckler, City Administrator
110 N. Poplar Street, PO Box 218
West Branch, Iowa 52358
matt@westbranchiowa.org
Office: (319) 643-5888
Cell: (319) 530-1320

Melissa Russell, Park & Rec Director
201 E. Main Street, PO Box 218
West Branch, Iowa 52358
recdirector@westbranchiowa.org
Office: (319) 643-4212
Cell: (319) 930-0393

ORDINANCE NO. 724

AN ORDINANCE AMENDING TITLE CHAPTER 69 “PARKING REGULATONS”

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 69 “PARKING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by adding the following subsection, Section 69.08.66:

69.08 - NO PARKING ZONES

66. Both sides of Greenview Drive from its intersection with Greenview Court extending west 640 feet.
2. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.
3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
4. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 2nd day of June, 2014.

First Reading: June 2, 2014

Second Reading:

Third Reading:

Mark Worrell, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

ORDINANCE NO. 724

AN ORDINANCE AMENDING TITLE CHAPTER 69 “PARKING REGULATONS”

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 69 “PARKING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by adding the following subsection, Section 69.08.66:

69.08 - NO PARKING ZONES

66. The north side of Greenview Drive beginning at the east property line of 5 Greenview Drive and extending west 320 feet.

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

Passed and approved this 2nd day of June, 2014.

First Reading: June 2, 2014

Second Reading:

Third Reading:

Mark Worrell, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

Cedar County, IA



1: 784

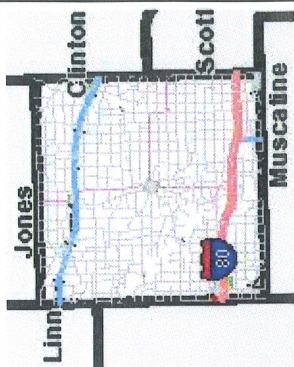
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Road
 - County Roads / City Streets
 - INTERSTATE
 - STATE HIGHWAY
 - U.S. HIGHWAY
- Railroad
- Parcel
- Parcel Number/Acres
- Leased Land
- Corporate Limit Line
- Land Hook
- Subdivision
- Park
- Section
- County Boundary

Notes





This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

0.2 Miles

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0.2

Notes

1: 6,270

47