

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, August 17, 2015 • 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 August 3, 2015 City Council Work Session.
 - b. Approve minutes from the August 3, 2015 City Council Meeting.
 - c. Approve claims.
 - d. Approve street closure of S. Poplar Street, from Main Street to Wetherell Street and a portion of the Enlow Parking Lot, from 4:30 p.m. on Saturday September 12, 2015 at 4:30 p.m. until 12:00 a.m. on Sunday September 13, 2015 for a street dance.
6. Communications/Open Forum
7. Public Hearing/Non-Consent Agenda
 - a. Mayor Pro Tem Colton Miller – Oath of Office, Mayor Roger Laughlin
 - b. Mayor Roger Laughlin - Appointments/Reappointments/Move to action.
 - i. Colton Miller – Mayor Pro Tem
 - c. Nuisance hearing for Robert W. Lucassen for 207 E. Green Street.
 - d. Public Hearing on Proposed Amendment to Sections 165.04(44) (47), 165.07(2), 165.12, 165.24, 165.26(1) (3), 165.27(1), 165.28(1), 165.30(1), 165.31(1) (2), 165.32(1) (2), 165.37, 165.44(4) (7) (8), and 165.49 of the West Branch Zoning Ordinance.
 - e. First Reading of Ordinance 734, amending Chapter 165 “Zoning Regulations.”/Move to action.
 - f. Resolution 1378, approving the fiscal year 2014-2015 street finance report./Move to action.
 - g. Resolution 1381, approving consulting services for a complete review of police department policies and procedures and a drug testing policy with Lynch Dallas, P.C. in an amount not to exceed \$5,000./Move to action.
8. City Staff Reports
 - a. Police Chief Mike Horihan – Letter to Council on College Street Bridge Load Limit
9. Comments from Mayor and Council Members
10. Motion to adjourn to closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where the disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation pursuant to Section 21.5(c) of the Code of Iowa.
11. Adjournment

Mayor: Roger Laughlin • **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

(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.)

City Council Work Session

West Branch, Iowa

Heritage Square, Intersection of Main Street and S. Downey St.

August 3, 2015

6:00 p.m.

Mayor Pro Tem Colton Miller called the work session to order at 6:00 p.m. Councilpersons Jordan Ellyson, Brian Pierce and Mary Beth Stevenson were present. Councilperson Tim Shields arrived at 6:03 p.m. Other attendees included West Branch Preservation Commission Members Lou Picek, Alan Bohanan, Peggy Jeffries and John Fuller. Honorary West Branch Preservation Commission Members present included Lynn Smith and Cary Wiesner. Planning & Zoning Commission Chair Roger Laughlin, Herbert Hoover National Historic Site Superintendent Pete Swisher, West Branch Main Street Executive Director Mackenzie Krob, West Branch City Administrator Matt Muckler and West Branch Times Editor Gregory Norfleet also attended.

Peggy Jeffries, West Branch Preservation Commission Member – Heritage Square Design

Jeffries reported that there was extensive discussion by the West Branch Preservation Commission on whether to keep the grass or install permeable pavers in the Heritage Square area. There was some agreement that the portion of the Square near Main Street would be a hard surface. Permeable pavers throughout would ensure a uniform surface and would allow for use of the area for special events. Jeffries discussed the positive aspects of wayfinding signage that will be installed by the National Park Service at the entrance to the Square from the Historic Site and advocated for additional signage. Jeffries felt that the design provided by a professional landscape firm tried to place too many amenities in the small space. When fixtures were selected, Jeffries suggested coordinating with the Herbert Hoover National Historic Site. Permanent swing structures and plantings would have to be limited, but at least a couple of trees would be nice, as the area is a hot spot during the heat of the day.

Lou Picek, West Branch Preservation Commission Chair – Heritage Square Design

Picek spoke in favor of grass. He felt that pavers would make the space even hotter. He didn't feel that drainage was a major issue on the Square. He would rather have grass available for children to play on than pavers. He advocated for the softer look of grass vs. pavers. Picek mentioned that West Branch Public Works Director Matt Goodale asked for no obstructions to be placed on the east side of the Square so that staff would have adequate space to push snow during the winter months. Picek stated that he thought the paver walkway should be removed. He thought that the flagpoles should be replaced and that something should be planted that would bloom all summer long, drawing visitors into Downtown West Branch. He mentioned that all three adjacent business owners favored grass.

Additional discussion took place on the Farmer's Market, the various plans that had been considered by the West Branch Preservation Commission, and plantings that would be a good fit for the Square. Krob recommended that the design should be determined after first determining a vision and the future uses of the Square. Krob mentioned that Main Street Iowa brought in a designer years ago and they had suggested consideration of a low-maintenance paver surface and a pergola to draw visitors into the downtown area. Swisher described the wayfinding signage that will soon be installed. Stevenson stated that she liked the plantings that were removed last year and was sad to see them go. Picek advocated for new trash cans on Main Street.

Laughlin stated that he has observed most visitors utilizing the sidewalks along the buildings and therefore thought the interior paver walkway was unnecessary. Picek mentioned that he had opposed the location of a veterans' memorial in the Square that was proposed years ago. Picek advocated for adding

plantings and trees. Shields shared that he thought the expenses involved with various design options, maintenance and runoff issues pointed towards grass as being superior to pavers. Miller thought that pavers would be better for the Farmer's Market and some other events, but thought that a grass surface served better than pavers as a gateway to the City. Ellyson thought the addition of some picnic benches would be nice and encourage people to use the Square as a picnic area. Pierce asked whether there was a compromise position reached by the Commission. Jeffries reported that a compromise position has been reached at one point by the Commission. Fuller stated that space is limited and that too many amenities would be detrimental. Shields asked to see costs for various options that might be considered and thought that the Council should follow the direction of the Preservation Commission.

Miller asked the West Branch Preservation Members what general design options they preferred. Picek, Bohanan, and Fuller all advocated maintaining grass and removing the paver walkway. Jeffries could live with either grass or pavers and advocated for additional signage in the Square. Council members asked the West Branch Preservation Commission to come up with design options for the Heritage Square area which maintained grass as the primary surface and to present those options to the City Council at a future date. Miller suggested that the Parks & Recreation Department budget would be an appropriate budget to fund improvements in the Square.

Motion to adjourn the City Council Work Session by Pierce, second by Ellyson. Motion carried on a voice vote. City Council Work Session adjourned at 6:50 p.m.

Colton Miller, Mayor Pro Tem

ATTEST: _____
Matt Muckler, City Administrator/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 Meeting

**August 3, 2015
7:00 p.m.**

Mayor Pro Tem Miller opened the West Branch City Council meeting at 7:00 p.m. by welcoming the audience and the following City staff: City Administrator Matt Muckler, Police Chief Mike Horihan, Police Sergeant John Hanna, Park & Recreation Director Melissa Russell and City Attorney Kevin Olson. Council members: Jordan Ellyson, Colton Miller, Brian Pierce, Tim Shields and Mary Beth Stevenson.

Mayor Pro Tem Colton Miller asked the Council, staff and members of the audience to stand and led the group in the Pledge of Allegiance.

APPROVE AGENDA/CONSENT AGENDA

- a. Approve minutes from the July 20, 2015 City Council Joint Work Session with the West Branch Community School District Board of Directors.
- b. Approve minutes from the July 20, 2015 City Council Meeting.
- c. Approve claims.
- d. Resolution 1371, approving a rope demonstration agreement in the amount of \$200.00 for the Hoover's Hometown Days Celebration on August 8, 2015.
- e. Resolution 1372, approving an agreement with Great River Brooms in the amount of \$203.57 for the Hoover's Hometown Days Celebration on August 8, 2015.
- f. Resolution 1373, approving an amended special event lease agreement with M&M Golf Cars, LLC of Bettendorf, IA in the amount of \$627.00 for use during the Hoover's Hometown Days Celebration from August 7-8, 2015.
- g. Resolution 1380, approving the payment for installation of a new banner on Main Street for the 2015 Hoover's Hometown Days Celebration in the amount of \$1,329.89.
- h. Approve amended Class C liquor license for Herb n' Lou's Ltd. DBA: Herb N Lou's to allow outdoor service privilege on August 8, 2015 for Hoover's Hometown Days.
- i. Approve Class C Liquor license with Outdoor Service and Sunday Sales permit for Casa Tequila Foods 3, Inc. DBA Casa Tequila Authentic Mexican Grill.
- j. Approve Class C Liquor License with Outdoor Service and Sunday Sales for Thirsty on 30 Inc. DBA Thirsty on 80.

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

Date 7-20-15	City of West Branch Claims Report	
Baker & Taylor Inc.	Library - Books	1,016.82
Big Ten Rentals	Comm & Cult - HHTD Tent	237.97
Blue Cross Blue Shield	Insurance	11,096.86
Brandt, Dawn	Admin - Reimb for Mileage	145.54
Brick, Leslie	Admin - Reimb For Mileage	203.98
Capital One Commercial	Park & Rec/Library - Supplies	799.09
David E. Grimm	Comm & Cult - HHTD pony rides	1,200.00
Dearborn National Insurance	Life Insurance	60.10
Deluxe Corp.	Admin - bank deposit slips	52.49
EFTPS	Federal Withholdings	7,753.74
Great River Brooms	Comm & Cult - HHTD	205.37
IPERS	IPERS	14,065.18
M. Edward English	Comm & Cult - HHTD Entertainment	700.00
Mediacom	Cable - Service	40.90
Milton Voss	Comm & Cult - HHTD rope maker	200.00
Muckler, Matt	Admin - conf mileage reimb.	62.30

Noah Reimer Prod.	Library – summer program CD’s	72.00
Payroll Expense	Payroll Expense – 7/31/15	30,752.44
Overdrive Inc.	Library – FY16 Bridges ebook fee	443.98
Pitney Bowes	Library – postage	273.53
Treasurer State of Iowa	State Withholding Tax	4,101.00
United States Treasury	Payroll Expense	2,874.98
Wageworks	Flex – HCFA2015 payment	20.00
	Grand Total	76,378.27

Fund Totals		
001 General Fund		33,349.30
031 Library		8,912.08
112 Trust and Agency		14,285.76
600 Water Fund		10,321.96
610 Sewer Fund		9,489.17
950 BC/BS Flexible Benefit		20.00
Grand Total		76,378.27

COMMUNICATIONS/OPEN FORUM

Planning & Zoning Commission Chair Roger Laughlin updated the City Council on the construction of two additional volleyball courts at Beranek Park. Lighting was discussed. Laughlin advocated for the addition of poles to be placed adjacent to the courts to provide lighting. The poles are being donated by Alliant Energy.

PUBLIC HEARING/NON-CONSENT AGENDA

Third Reading of Ordinance 731, amending the Code of Ordinances of the City of West Branch by transferring the responsibilities of the Zoning Board of Adjustment into a New Chapter of Said Code of Ordinances./Move to action.

Motion by Stevenson, second by Pierce to approve Ordinance 731. AYES: Stevenson, Pierce, Ellyson, Shields, Miller. Motion carried.

A summary of Ordinance No. 731 is listed below. The full text of the ordinance is available for review at the West Branch City Office, 110 N. Poplar Street, West Branch, IA 52358 and is also posted on the City Website.

ORDINANCE NO. 731

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH BY TRANSFERRING THE RESPONSIBILITIES OF THE ZONING BOARD OF ADJUSTMENT INTO A NEW CHAPTER OF SAID CODE OF ORDINANCES.

The current West Branch City Code delineates in Chapters 22-28 of the City Code the duties and responsibilities of all West Branch Boards and Commissions with the exception of the Zoning Board of Adjustment. The Zoning Board of Adjustment of the City of West Branch, Iowa, believes that a consistent and uniform City Code is desirable and has made a recommendation to the City Council to adopt a new Chapter 29, which would outline specific duties and responsibilities of the Zoning Board of Adjustment. Chapter 29 includes current language which is already in the West Branch City Code, additional and clarifying text from the Iowa Code, new text that outlines the selection of a chair and a vice-chair for the Board, clarifying language on the powers of the Board, and new text that addresses unintended conflicting issues and omissions.

Passed and approved this 3rd day of August, 2015.

First Reading: June 29, 2015
 Second Reading: July 20, 2015
 Third Reading: August 3, 2015

 Colton Miller, Mayor Pro Tem

Attest:

 Matt Muckler, City Administrator/Clerk

Third Reading of Ordinance 733, adopting the existing City Code of the City of West Branch, Iowa as the Code of Ordinances of the City of West Branch, Iowa, 2015./Move to action.

Motion by Ellyson, second by Stevenson to approve Ordinance 733. AYES: Ellyson, Stevenson, Miller, Shields, Pierce. Motion carried.

ORDINANCE NO. 733

AN ORDINANCE ADOPTING THE EXISTING CITY CODE OF THE CITY OF WEST BRANCH, IOWA, AS THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 2015

BE IT ENACTED by the City Council of the City of West Branch, Iowa, as follows:

SECTION 1. PURPOSE. The purpose of this ordinance is to comply with the provisions of Section 380.8, Code of Iowa, requiring cities to compile a code of ordinances at least once every five years.

SECTION 2. CODE ADOPTED. The CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 1999, as amended by Ordinances No. 506 through 729, both inclusive, being found to be correct and adequate for the City is hereby readopted as the CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 2015, with the following amendments:

- A. TITLE. Section 1.01 is repealed and the following enacted in lieu thereof:
“1.01 TITLE. This Code of Ordinances shall be known and may be cited as the Code of Ordinances of the City of West Branch, Iowa, 2015.”
- B. DEFINITIONS. Section 1.02, subsection 5 is repealed and the following is enacted in lieu thereof:
“5. ‘Code of Ordinances’ means the Code of Ordinances of the City of West Branch, Iowa, 2015.”

SECTION 3. AMENDMENTS. All general ordinances of the City passed hereafter shall be in the form of an addition, amendment or repealer to the CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 2015, and shall include proper references to title, chapter, and section or subsection to maintain the orderly codification of ordinances.

SECTION 4. COPY ON FILE. An official copy of the “CODE ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 2015,” adopted by this ordinance, including a certificate of the City Clerk as to its adoption and the effective date, is on file in the office of the City Clerk and is available for public inspection.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its publication, as required by law.

Passed and approved this 3rd day of August, 2015.

First Reading: June 29, 2015

Second Reading: July 20, 2015

Third Reading: August 3, 2015

Colton Miller, Mayor Pro Tem

Attest:

Matt Muckler, City Administrator/Clerk

Resolution 1334, approving those certain agreements in connection with the Public Improvements for S. Downey Street & Tidewater Drive./Move to action.

Olson stated that these are the easement agreements for the infrastructure projects that will take place in conjunction with the Casey's Project. Muckler stated that the easements are all signed except for the easement at the Kum N Go property, but that it is expected to be received soon. A building permit has already been pulled and construction is expected to commence soon.

Motion by Stevenson, second by Ellyson to approve Resolution 1334. AYES: Stevenson, Ellyson, Pierce, Shields, Miller. Motion carried.

Resolution 1362, approving the intent to appoint Roger Laughlin as Mayor until regular city elections./Move to action.

Olson offered an amendment to have the resolution appoint Laughlin rather than express the Council's intent to do so.

Motion by Ellyson, second by Shields to approve Resolution 1362 with the amendment that clarifies that the Council is appointing Roger Laughlin as Mayor, rather than expressing their intent to do so. AYES: Ellyson, Shields, Stevenson, Pierce, Miller. Motion carried.

Accept the resignation of Roger Laughlin from the West Branch Planning and Zoning Commission./Move to action.

Motion by Pierce, second by Shields to accept the resignation of Roger Laughlin from the Planning and Zoning Commission. AYES: Pierce, Shields, Miller, Ellyson, Stevenson. Motion carried.

Councilperson Mary Beth Stevenson - Appointments/Move to action.

i. Elizabeth Seiberling – Planning & Zoning Commission, Dec. 31, 2018.

Stevenson stated that Seiberling was well qualified for service on the Commission, citing her background in architecture, and recommended her appointment to the Council.

Motion by Pierce, second by Shields to approve the appointment of Elizabeth Seiberling to the Planning & Zoning Commission. AYES: Pierce, Shields, Stevenson, Miller, Ellyson. Motion carried

Resolution 1374, approving an amended 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.

Russell stated that the resolution would extend the terms of the agreement. Shields stated that there would be consolidated ordering for supplies and spoke in favor of the amended agreement. Pierce asked about the maintenance of the batting cages. Russell stated that the City would maintain the batting cages moving forward. Motion by Shields, second by Pierce to approve Resolution 1374. AYES: Shields, Pierce, Ellyson, Stevenson, Miller. Motion carried.

Resolution 1375, setting a nuisance hearing for Robert W. Lucassen for 207 E. Green Street for 7:00 p.m. on August 17, 2015.

Olson stated that Mike Lucassen had already appeared before the Council on this issue. The actual owner of the house is Robert Lucassen and city staff has reissued the nuisance abatement in the name of Robert Lucassen. Robert Lucassen has requested a hearing in front of the Council, which is allowed for in the City Code.

Motion by Shields, second by Pierce to approve Resolution 1375. AYES: Shields, Pierce, Miller, Ellyson, Stevenson. Motion carried.

Resolution 1376, approving the appointment of a selection committee for the consultant selection process for a City Highway Bridge Program Project with the Iowa Department of Transportation./Move to action.

Muckler stated that this is the next step in the process. We now have an active funding agreement and the committee created by this resolution would select the engineering firm that will design the new bridge.

Motion by Ellyson, second by Pierce to approve Resolution 1376. AYES: Ellyson, Pierce, Miller, Stevenson, Shields. Motion carried.

Resolution 1377, providing for the issuance of \$855,000 General Obligation Corporate Purpose Bonds, Series 2015 and providing for the levy of taxes to pay the same./Move to action.

Shields asked about the measure before the Council. Olson stated that this was the actual loan agreement which requires the approval of the Council.

Motion by Stevenson, second by Ellyson to approve Resolution 1377. AYES: Stevenson, Ellyson, Miller, Shields, Pierce. Motion carried.

Resolution 1379, approving partial payment estimate number two (final) in the amount of the retainage (\$10,157.01) to All American Concrete, Inc. of West Liberty, IA and accepting the West Branch, Iowa Main Street Sidewalk – Phase 2 Project as substantially completed./Move to action.

Muckler stated that Public Works Director Matt Goodale and the City Engineer inspected the project and declared that it was completed.

Motion by Ellyson, second by Pierce to approve Resolution 1379. AYES: Ellyson, Pierce, Stevenson, Shields, Miller. Motion carried.

CITY STAFF REPORTS

City Administrator Matt Muckler – FY15 Outstanding Obligations Report

Muckler stated that two debts were retired in FY15: a general obligation loan for public works equipment and the Fire Station Expansion Project loan. Goals for next year include retiring the Fobian Lawsuit Settlement and making advanced payments on the loan for the purchase of the park property in Pederson Valley and one of the SRF water revenue bonds. Muckler stated that the City continues to retire debt ahead of schedule.

Police Chief Mike Horihan – Police Body-Worn Camera Policies

Horihan discussed the need for updated police policies in general and more specifically about the need for policies regarding police body-worn cameras.

Public Works Director Matt Goodale – College Street Bridge Repair Update

Eric Gould with Veenstra & Kimm, Inc. updated the Council on repairs to the College Street Bridge and recommended that the Council consider reducing the load rating on the bridge from fifteen tons to ten tons.

City Administrator Matt Muckler – Advertising for Housing Incentive Program

Muckler informed the Council that the housing incentive committee purchased advertising to promote the City's new housing incentive program and recommended that the City provide additional funding to support this advertising campaign.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Councilmember Tim Shields – Summer League MOU

Shields asked the city administrator to look into signage maintenance provisions. Shields also asked about golf cart schedules for Hoover's Hometown Days. Muckler responded that staff would contact Councilmembers later in the week to ensure that golf carts were available to members for the event.

Mayor Pro Tem Colton Miller – West Branch Village Trail Project

Miller stated that former Mayor Mark Worrell always encouraged families of elected officials to be involved in the Mayor's Parade and other events taking place with the Hoover's Hometown Days Celebration. He encouraged the Council to bring their families and participate in the festivities.

ADJOURNMENT

Motion to adjourn meeting by Ellyson, second by Shields. AYES: Ellyson, Shields, Stevenson, Pierce, Miller. Motion carried. City Council meeting adjourned at 7:49 p.m.

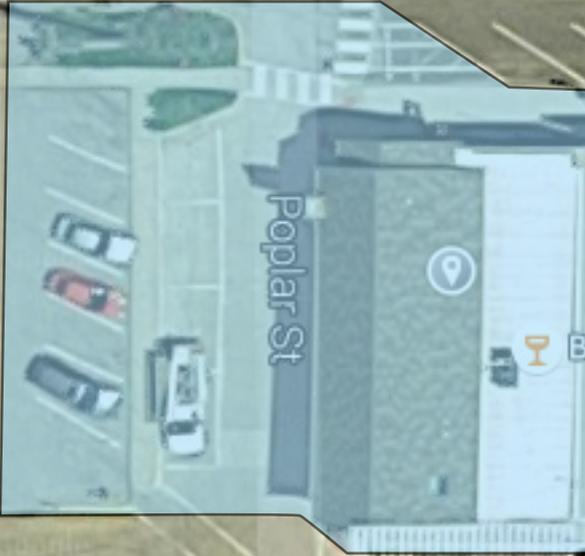
Colton Miller, Mayor Pro Tem

ATTEST: _____
Matt Muckler, City Administrator/Clerk

West Branch

U.S. Bank

F44



Body Image
Fitness For Women

Cotton Creek Mill

Brick Arch Winery

Wetherell St

City of West Branch

Oath of Office

I Roger Laughlin, do solemnly swear that I will support the constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all duties of the office of Mayor in the City of West Branch as now or hereafter required by law.

Roger Laughlin, Mayor

Subscribed and sworn to before me this 17th day of August, 2015.

Colton Miller, Mayor Pro Tem

Robert W. Lucassen
15850 Downing Rd.
Waverly, IL 62692
217-435-3421

July 22, 2015

City of West Branch, Iowa
PO Box 218
West Branch, IA 52358
Attn: Matt Muckler
VIA email Matt@westbranchiowa.org
Via Fax 319-643-2305

Dear Mr. Muckler:

This letter is to serve as a request for hearing. We received a letter dated July 15th on Monday, July 20, 2015. With only a 5 day notice. Therefore we are formally requesting a hearing. Please respond to this above address with more than 20 days prior notice of the date of said hearing. Thank you for your time and attention to this urgent matter.

Respectfully,


Robert W. Lucassen

Sent by Lisa Pierce, daughter of Robert Lucassen
7/22/15

City of West Branch, Iowa

PO Box 218, West Branch, IA 52358 319-643-5888

NOTICE TO ABATE OR REMEDY NUISANCE

Date of Complaint: July 15, 2015

Name and Address of Property Owner:

Robert Lucassen
207 E. Green St
West Branch, Iowa 52358

This is a Notice to Abate the Nuisance that exists at your property. Pursuant to Chapter 50 & 51 of the West Branch City Code of Ordinances, you are being given notice that a nuisance exists at your property.

1. DESCRIPTION OF NUISANCE: junk vehicles on property

2. LOCATION OF NUISANCE: 207 E. Green Street

3. ACTS NECESSARY TO ABATE THE NUISANCE: Mow Remove Junk Remove Vehicles

Other: _____

4. TIME ALLOWED TO ABATE THE NUISANCE: The nuisance will be abated within 5 10 20 days from this notice.

5. ASSESSMENT OF CITY COSTS: If the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the City will abate it and assess the costs against such person. In lieu of abating the nuisance and assessing the cost to a property owner, the City of West Branch may issue a municipal infraction per Chapter 4 of the City Code. Violations carry a penalty up to \$500.00 for the first offense and you will have to appear in court. Subsequent violations carry a penalty up to \$750.00.

6. REQUEST FOR HEARING: Pursuant to City Code Section 50.08 any person ordered to abate a nuisance may have a hearing with the City Council as to whether a nuisance exists. A request for a hearing must be made in writing and delivered to the City Clerk within the time stated in the notice, or it will be conclusively presumed that a nuisance exists and it must be abated as ordered. The hearing will be before the City Council at a time and place fixed by the Council. The findings of the Council shall be conclusive and, if a nuisance is found to exist, it shall be ordered abated within a reasonable time under the circumstances.

Issued by City of West Branch, Iowa by City Administrator Matt Muckler:

Signed: 

Dated: 7/15/15

Nuisances Enumerated

The following nuisances are addressed within the City Code but do not limit the conditions which may be deemed a nuisance in the City:

- Offensive Smells (Chapter 50)
- Filth or Noisome Substance (Chapter 50)
- Impeding Passage of a Navigable River (Chapter 50)
- Water Pollution (Chapter 50)
- Blocking Public and Private Ways (Chapter 50)
- Billboards (Chapter 50)
- Storing of flammable junk (Chapter 50)
- Air Pollution (Chapter 50)
- Weeds, Brush or Grass over 6 inches (Chapter 50)
- Dutch Elm Disease (Chapter 50)
- Airport Air Space (Chapter 50)
- House of Ill Fame (Chapter 50)
- Junk and Junk Vehicles (Chapter 51)
- Drug Paraphernalia (Chapter 52)
- Storage and Disposal of Solid Waste (Chapter 105)
- Snow and Ice Accumulation on Sidewalks (Chapter 136)
- Obstructing Sidewalks (Chapter 136)
- Trees (Chapter 151)

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO SECTIONS 165.04(44) (47), 165.07(2), 165.12, 165.24, 165.26(1) (3), 165.27(1) (3), 165.28(1) (3), 165.30(1), 165.31(1) (2), 165.32(1) (2), 165.37, 165.44(4) (7) (8), and 165.49 OF THE WEST BRANCH ZONING ORDINANCE.

YOU ARE HEREBY NOTIFIED that a public hearing will be held to consider the above referenced matter by the Planning and Zoning Commission of the City of West Branch, Cedar County, in the Council Chambers at the City Hall at 110 N. Poplar Street, at 6:30 o'clock P.M., on Thursday, August 13th, 2015. The proposed amendments will add clarity and consistency to the language in the aforementioned sections of Chapter 165 "Zoning Regulations".

All interested persons are invited to attend the meeting and be heard on the aforementioned proposed amendment to the West Branch Code of Ordinances. Further information on this matter may be obtained by contacting the West Branch City Clerk.

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO SECTIONS 165.04(44) (47), 165.07(2), 165.12, 165.24, 165.26(1) (3), 165.27(1) (3), 165.28(1) (3), 165.30(1), 165.31(1) (2), 165.32(1) (2), 165.37, 165.44(4) (7) (8), and 165.49 OF THE WEST BRANCH ZONING ORDINANCE.

YOU ARE HEREBY NOTIFIED that a public hearing will be held to consider the above referenced matter by the City Council of the City of West Branch, Cedar County, in the Council Chambers at the City Hall at 110 N. Poplar Street, at 7:00 o'clock P.M., on Monday, August 17th, 2015. The proposed amendments will add clarity and consistency to the language in the aforementioned sections of Chapter 165 "Zoning Regulations".

All interested persons are invited to attend the meeting and be heard on the aforementioned proposed amendment to the West Branch Code of Ordinances. Further information on this matter may be obtained by contacting the West Branch City Clerk.

165.07 ACCESSORY BUILDINGS.

1. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

2. An accessory building may not be located nearer to any interior lot line than that permitted for the main building, when any part of the accessory building is on line with the main building, if extended. However, when an accessory building is located in the rear yard, it may then be located **not nearer than** (3) feet of the interior lot line, **and** not nearer than five (5) feet of the rear lot line.

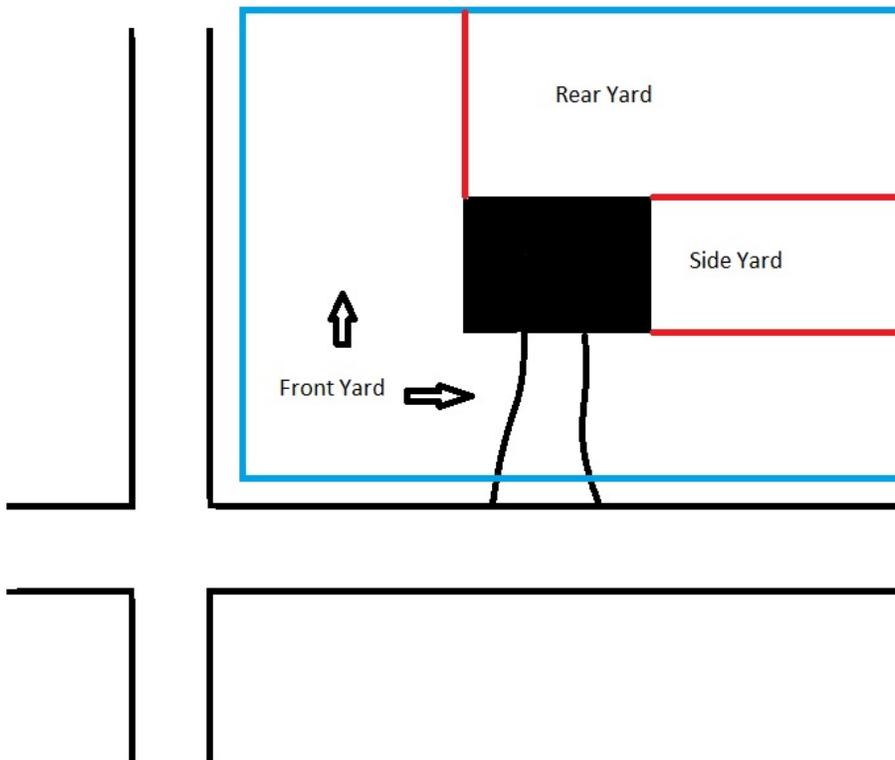
*Language indicated in blue to be removed

*Language indicated in red has been added and/or edited

165.12 CORNER LOTS.

1. Side yard requirements for corner lots shall be the same as the front yard requirements for those lots to the rear of said corner lot abutting on the intersecting street.
2. A lot fronting on two (2) intersecting streets which form an interior angle of one hundred-thirty-five degrees (135°) or less and which lot has a frontage of not less than twenty-five (25) feet on each of such streets.
3. A lot located at the angle in the street where the interior angle formed by the intersection of the street lines is one hundred thirty-five degrees (135°) or less and which lot has a frontage of not less than twenty-five (25) feet on each leg of such angle.

1. The “Front Yard” for a corner lot means the area situated between the lot lines that are nearest to the intersecting streets and their corresponding building lines.
2. The “Rear Yard” for a corner lot means a yard extending from the rear building line to the rear lot line and from the side lot line that is not adjacent to a street to the front yard.
3. The “Side Yard” for a corner lot means a yard situated between the building line and the side lot line that is not adjacent to a street and extending from the front yard to the rear yard.



*Language indicated in blue to be removed

*Language indicated in red has been added and/or edited

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 (Eliminate)
Highway Commercial Industrial HCI District
Central Business CB-1 District
Central Business CB-2 District
Central Industrial CI-2 District (Eliminate)
Park P District (Change to Public Use)

Said districts are bounded and defined as shown on a map entitled "Zoning District Map, West Branch, Iowa," adopted April 1, 1991, which, with all explanatory matter therein, is hereby made a part of this chapter.

165.26 A-1 DISTRICT REQUIREMENTS.

1. Permitted Uses. **In Agricultural A-1 District, the provisions of this section shall apply and the following uses shall be permitted:**

3. Area Regulations. **The following regulations as to the area shall apply to the Agricultural A-1 District.**

A. Lot Area and Width. A lot area of not less than 20,000 square feet per family shall be provided for every building hereafter erected or used in whole or in part as a dwelling. Each lot shall have a building line frontage of not less than one hundred and twenty (120) feet.

B. Front Yard. There shall be a front yard on each street on which a lot abuts, which yard shall be not less than fifty (50) feet in depth.

C. Side Yard. There shall be two (2) side yards on each lot, **except for corner lots which have only one (1) side yard, none** of which shall be less than twenty (20) feet in depth.

D. Rear Yard. There shall be a rear yard on each lot, which yard shall not be less than seventy (70) feet.

*Language indicated in blue to be removed

*Language indicated in red has been added and/or edited

165.27 R-1 DISTRICT REQUIREMENTS.

1. Permitted Uses. **In Residential R-1 District, the provisions of this section shall apply and the following uses permitted:**

3. Area Regulations. **The following regulations as to the area shall apply to the Residence R-1 District.**

A. Lot Area and Width. A lot area of not less than seven thousand, seven hundred (7,700) square feet per family shall be provided for every building hereafter erected or used in whole or in part as a dwelling. Each lot shall have a building line frontage of not less than seventy (70) feet.

B. Front Yard. There shall be a front yard on each street on which a lot abuts, which yard shall be not less than twenty-five (25) feet in depth.

C. Side Yard. There shall be two (2) side yards on each lot, **except for corner lots which have only one (1) side yard, none** of which shall be less than eight (8) feet in depth.

D. Rear Yard. There shall be a rear yard on each lot, which yard shall not be less than twenty-five (25) feet in depth.

*Language indicated in blue to be removed

*Language indicated in red has been added and/or edited

165.28 R-2 DISTRICT REQUIREMENTS.

1. Permitted Uses. **In Residential R-2 District, the provisions of this section shall apply and the following uses permitted:**

3. Area Regulations. **The following regulations as to area shall apply to the Residence R-2 District.**

A. Lot Area and Width.

(1) Single-family Structures. A lot area of not less than 6,000 square feet per family shall be provided for every building hereafter erected or used in whole or in part as a dwelling. Each lot shall have a building line frontage of not less than sixty (60) feet. Any building hereafter so erected shall not be allowed to be converted to a multiple-family dwelling without meeting square footage requirements for multiple-family dwelling in that district.

(2) Two-family Dwellings. Two-family dwellings shall have frontage of not less than seventy (70) feet and lot area not less than eight thousand, four hundred (8,400) square feet.

B. Front Yard. There shall be a front yard on each street on which a lot abuts, which yard shall be no less than twenty-five (25) feet in depth.

C. Side Yard. There shall be two (2) side yards on each lot, **except for corner lots which have only one (1) side yard, none** of which shall be less than eight (8) feet in depth.

D. Rear Yard. There shall be a rear yard on each lot, which yard shall not be less than twenty-five (25) feet in depth.

***Language indicated in blue to be removed**

***Language indicated in red has been added and/or edited**

165.30 RB-1 DISTRICT REQUIREMENTS.

1. Permitted Uses. ~~In Residence-Business RB-1 District, the provisions of this section shall apply and the following uses permitted:~~

~~*Language indicated in blue to be removed~~

~~*Language indicated in red has been added and/or edited~~

165.31 B-1 DISTRICT REQUIREMENTS.

1. Permitted Uses. In the Business B-1 District, the provisions of this section shall apply and the following uses be permitted.

2. Area Regulations. The following regulations as to area shall apply to the Business B-1 District.

*Language indicated in blue to be removed

*Language indicated in red has been added and/or edited

165.32 B-2 DISTRICT REQUIREMENTS.

1. Permitted Uses. In the Business B-2 District, the provisions of this section shall apply and the following uses shall be permitted.

2. Area-Regulations. The following regulations as to area shall apply to the Business B-2 District.

*Language indicated in blue to be removed

*Language indicated in red has been added and/or edited

165.37 CI-2 DISTRICT REQUIREMENTS.

1. Permitted Uses: Any use permitted in Industrial I-1 District.
2. Uses Allowed by Special Exception by the Board of Adjustment: Manufacturing, fabricating and processing, which has not previously been listed provided that the proposed use will not constitute a fire hazard or emit objectionable smoke, noise, vibration, odor or dust.
3. Prohibited Non-industrial Uses. In Industrial Districts, no building may hereafter be used in whole or in part for any of the following purposes.
 - A. Residential uses or any dwelling use including hotels and motels.
 - B. Restaurant, tavern, filling station, theater or other place of commercial recreation or amusement.
 - C. School, church, hospital, sanitarium, correctional institution or other institutional use.
 - D. Cemetery.
4. Prohibited Industrial Uses.
 - A. Acid manufacture, or storage except on limited scale as an accessory to a permitted industry and under conditions specified by the Zoning Board of Adjustment.
 - B. Slaughter house and stock yard.
 - C. Manufacture of fertilizers.
 - D. Garbage, waste materials, offal, dead animal, or refuse incineration or storage.
 - E. Manufacture or storage of gun powder, fireworks or other explosive.

(Move section **165.49 HCI DISTRICT REQUIREMENTS.** And all of its contents to this location)

*Language indicated in blue to be removed

*Language indicated in red has been added and/or edited

165.44 FENCES. Fences and hedges located within a front, side or rear yard or within five (5) feet of a lot line shall be subject to the following location, height, and building permit requirements.

1. Fences, hedges, and walls shall be located so no part thereof is within two (2) feet of any alley, sidewalk, or a street right-of-way line.
2. No portion of a fence, hedge, or wall located in a residential or agriculture district, or adjoining a residential use area shall be erected in excess of six (6) feet on side or rear yards.
3. Maximum heights for fences, hedges, and walls in all other districts not adjoining a residential use area shall not exceed twelve (12) feet.
4. Fences, hedges, and walls shall not exceed four (4) feet in height in any front yards in any zoning district within the City, **except that on corner lots the portion of fence located where the rear yard meets the front yard may be extended into the front yard up to the required front yard setback line but not beyond the front building line of the property to the rear of said corner lot abutting on the intersecting street with the height requirements of the rear yard.**
5. At street intersections, no fence, hedge, or wall more than three (3) feet in height above the street level shall be located within a triangular area composed of two of its sides twenty-five (25) feet in length and measured along the right-of way lines from the point of intersection of the above-referenced lines. No portions of the fence, hedge, or wall located within the designated twenty-five (25) foot triangular area shall be more than ten percent (10%) solid.
6. Fences, hedges, and walls shall be entirely located within the confines of the property.
7. **Front yards shall be determined by where the side yard and front building line meet or intersect.**
8. **On corner lots, the portion of a fence, hedge, or wall that is located in the designated backyard shall not be erected in excess of four (4) feet. No portion of said fence shall be more than ten percent (10%) solid.**

*Language indicated in blue to be removed

*Language indicated in red has been added and/or edited

ORDINANCE NO. 734

AN ORDINANCE AMENDING CHAPTER 165 “ZONING REGULATIONS.”

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that the clarification of certain sections in the Zoning Code will lead to a clearer understanding of the Code’s requirements; and

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that a more uniform and consistent wording in the language contained within certain sections in the Zoning Code will aide in making the Zoning Code more navigable and lead to more consistent interpretation of the requirements; 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 Planning & Zoning Commission.

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 revising the following subsections to Chapter 165:

165.04 DEFINITIONS.

165.04 – Insert the following:

165.04(44) D. For corner lot yard definitions refer to section 165.12

165.04(47) “Corner Lot” means a lot fronting on two (2) intersecting streets or at the angle in the street where the interior angle formed by the intersection of the street lines is one hundred thirty-five degrees (135°) or less and which lot has a frontage of not less than twenty-five (25) feet on each leg of such angle.

165.07 ACCESSORY BUILDINGS.

165.07 – Amend as follows:

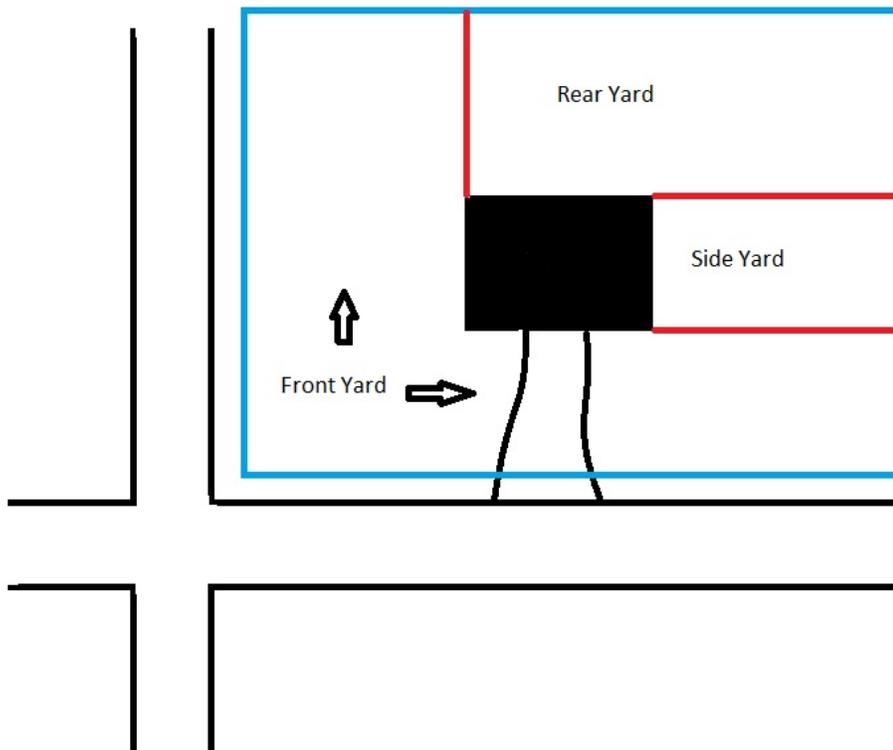
165.07(2) An accessory building may not be located nearer to any interior lot line than that permitted for the main building, if extended. However, when an accessory building is located in the rear yard, it may then be located not nearer

than three (3) feet of the interior lot line, and not nearer than five (5) feet of the rear lot line.

165.12 CORNER LOTS.

165.12 – Amend by deleting the contents of Section 165.12 in its entirety and inserting in lieu thereof:

1. The “Front Yard” for a corner lot means the area situated between the lot lines that are nearest to the intersecting streets and their corresponding building lines.
2. The “Rear Yard” for a corner lot means a yard extending from the rear building line to the rear lot line and from the side lot line that is not adjacent to a street to the front yard.
3. The “Side Yard” for a corner lot means a yard situated between the building line and the side lot line that is not adjacent to a street and extending from the front yard to the rear yard.



165.24 ESTABLISHMENT OF DISTRICTS AND BOUNDARIES.

165.24 – Amend as follows:

Delete Flood Plain, FP District

Delete Central Industrial, CI-2 District

Delete Park, P District and insert Public Use, P District in lieu thereof

165.26 A-1 DISTRICT REQUIREMENTS.

165.26 – Amend as follows:

165.26(1) Permitted Uses.

165.26(3) Area Regulations.

165.26(3) (C) Side Yard. There shall be two (2) side yards on each lot, except for corner lots which have only one (1) side yard, none of which shall be less than twenty (20) feet in depth.

165.27 R-1 DISTRICT REQUIREMENTS.

165.26 – Amend as follows:

165.27(1) Permitted Uses.

165.27(3) Area Regulations.

165.27(3) (C) Side Yard. There shall be two (2) side yards on each lot, except for corner lots which have only one (1) side yard, none of which shall be less than eight (8) feet in depth.

165.28 R-2 DISTRICT REQUIREMENTS

165.28 – Amend as follows:

165.28(1) Permitted Uses.

165.28(3) Area Regulations.

165.28(3) (C) Side Yard. There shall be two (2) side yards on each lot, except for corner lots which have only one (1) side yard, none of which shall be less than eight (8) feet in depth.

165.30 RB-1 DISTRICT REQUIREMENTS.

165.30 – Amend as follows:

165.30(1) Permitted Uses.

165.31 B-1 DISTRICT REQUIREMENTS.

- 165.31 – Amend as follows:
 - 165.31(1) Permitted Uses.
 - 165.31(2) Area Regulations.

165.32 B-2 DISTRICT REQUIREMENTS.

- 165.32 – Amend as follows:
 - 165.32(1) Permitted Uses.
 - 165.32(2) Area Regulations.

165.37 CI-2 DISTRICT REQUIREMENTS.

Delete Section 165.37 in its entirety and insert in lieu thereof 165.49 HCI DISTRICT REQUIREMENTS and all of its contents.

165.44 FENCES.

- 165.44 – Amend as follows:
 - 165.44(4) Fences, hedges, and walls shall not exceed four (4) feet in height in any front yards in any zoning district within the City, except that on corner lots the portion of fence located where the rear yard meets the front yard may be extended into the front yard up to the required front yard setback line but not beyond the front building line of the property to the rear of said corner lot abutting on the intersecting street with the height requirements of the rear yard.

- Delete section 165.44(7) and insert in lieu thereof section 165.44(9)
- Delete section 165.44(8)
- Delete section 165.44(9)

165.49 HCI DISTRICT REQUIREMENTS.

Delete Section 165.49 in its entirety.

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 17th day of August, 2015.

First Reading: August 17, 2015

Second Reading:

Third Reading:

Roger Laughlin, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

RESOLUTION 1378

BE IT RESOLVED by the City Council of the City of West Branch, Iowa, Cedar County, that the Street Finance Report for Fiscal Year 2015, be approved and forwarded to the Iowa Department of Transportation.

* * * * *

Passed and approved this 17th day of August, 2015.

Roger Laughlin, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk

City Street Financial Report

City Name	City Number
WEST BRANCH	8252

Fiscal Year
2015

Welcome Page!

Welcome to the Iowa Department of Transportation, Office of Local Systems, City Street Financial Report (SFR)

Complete the City SFR according to the instructions that are available on the Iowa DOT SFR website located [here](#).

Please direct all questions, comments, and feedback about the City SFR and the on-line process, to: Tammi Bell at tammi.bell@dot.iowa.gov, 515-239-1529.

Thank you for using the City SFR on-line process.

City Street Financial Report

City Name	City Number
WEST BRANCH	8252

Fiscal Year
2015

Cover Sheet

Now therefore let it be resolved that the city council of WEST BRANCH, Iowa
(city name)

on 08/17/2015 did hereby approve and adopt the annual
(month/day/year)

City Street Financial Report from July 1, 2014 to June 30, 2015.
(year)

Contact Information

Name	E-mail Address	Street Address	City	ZIP Code
Matt Muckler	matt@westbranchiowa.org	110 N Poplar Street, PO Box 218	West Branch	52358-0000
Hours	Phone	Extension	Alternate Phone	
8 AM to 4 PM	(319) 643-5888		(319) 530-1320	

Preparer Information

Name	E-mail Address	Phone	Extension
Matt Muckler	matt@westbranchiowa.org	(319) 643-5888	

Mayor Information

Name	E-mail Address	Street Address	City	ZIP Code
Roger Laughlin	laughlin@lcom.net	25 Greenview Circle	West Branch	52358-0000
Phone	Extension			
(319) 330-8942				

Resolution Number 1378

 Roger Laughlin
 Signature Mayor

 Matt Muckler
 Signature City Clerk

City Street Financial Report

City Name	City Number
WEST BRANCH	8252

Fiscal Year
2015

Summary Statement Sheet

Column 1 Column 2 Column 3 Column 4
 Road Use Other Street Street Debt Totals
 Tax Fund Monies

Column 1 Column 2 Column 3 Column 4
 Road Use Other Street Street Debt Totals
 Tax Fund Monies

Round Figures to Nearest Dollar

Round Figures to Nearest Dollar

A. BEGINNING BALANCE				
1. July 1 Balance	108,554	26,895	71,298	206,747
2. Adjustments (Note on Explanation Sheet)			0	0
3. Adjusted Balance	108,554	26,895	71,298	206,747
B. REVENUES				
1. Road Use Tax	241,447			241,447
2. Transfer of Jurisdictions Fund				
3. Property Taxes		202,396		202,396
4. Special Assessments				
5. Miscellaneous		4,690		4,690
6. Proceeds from Bonds, Notes, and Loans				0
7. Interest Earned				
8. Total Revenues (Lines B1 thru B7)	241,447	202,396	4,690	448,533
C. Total Funds Available (Line A3 + Line B8)	350,001	229,291	75,988	655,280

EXPENSES				
D. Maintenance				
1. Roadway Maintenance	135,145	66,492		201,637
2. Snow and Ice Removal	7,934			7,934
E. Construction, Reconstruction and Improvements				
1. Engineering	17,224	11,551		28,775
2. Right of Way Purchased				
3. Street/Bridge Construction	37,566	131,017		168,583
4. Traffic Services				
F. Administration		20,231		20,231
G. Equipment (Purchased or Leased)	46,900			46,900
H. Miscellaneous				
J. Street Debt				
1. Bonds, Notes, and Loans - Principal Paid			74,682	74,682
2. Bonds, Notes and Loans - Interest Paid			1,306	1,306
TOTALS				
K. Total Expenses (Lines D thru J)	244,769	229,291	75,988	550,048
L. Ending Balance (Line C-K)	105,232	0	0	105,232
M. Total Funds Accounted For (K + L = C)	350,001	229,291	75,988	655,280

City Street Financial Report

City Name	City Number
WEST BRANCH	8252

Fiscal Year
2015

Miscellaneous Revenues and Expenses Sheet

Code Number and Itemization of Miscellaneous Revenues (Line B5 on the Summary Statement Sheet) (See Instructions)	Column 2 Other Street Monies	Column 3 Street Debt
190 Other Miscellaneous		4,690
Line B5 Totals		4,690

Code Number and Itemization of Miscellaneous Expenses (Line H on the Summary Statement Sheet) "On street" parking expenses, street maintenance, buildings, insurance, administrative costs for printing, legal fees, bond fees etc. (See instructions)	Column 2 Other Street Monies	Column 3 Street Debt
Line H Totals		

City Street Financial Report

City Name	City Number
WEST BRANCH	8252

Fiscal Year
2015

Bonds, Notes and Loans Sheet

New Bond ?	Debt Type	Debt Purpose	DOT Use Only	Issue Date	Issue Amount	% Related to Street	Year Due	Principal Balance as of 7/1 or after	Total Principal Paid	Total Interest Paid	Principal Roads	Interest Roads	Principal Balance as of 6/30
<input type="checkbox"/>	General Obligation	Equipment	401	02/15/2013	149,364	100%	2015	74,682	74,682	1,306	74,682	1,306	0
	New Bond Totals				0	0	Totals	74,682	74,682	1,306	74,682	1,306	0

City Street Financial Report

City Name	City Number
WEST BRANCH	8252

Fiscal Year
2015

Project Final Costs Sheet

For construction, reconstruction, and improvement projects with costs equal to or greater than 90% of the bid threshold in effect as the beginning of the fiscal year.

Check here if there are no entries for this year

Section A

Line No.	1. Project Number	2. Estimated Cost	3. Project Type	4. Public Letting?	5. Location/Project Description (limits, length, size of structure)
1	1213	75,000	Miscellaneous	Yes	Oliphant Street Sidewalk Improvements - Phase II Project
2	2015.1	43,000	Roadway Construction	No	Green Street Resurfacing Project

Section B

Line No.	1. Project Number	6. Contractor Name	Contract Work		City Labor			13. Total
			7. Contract Price	8. Additions/Deductions	9. Labor	10. Equipment	11. Materials	
1	1213	All American Concrete	98,304	2,750				102,501
2	2015.1	LL Pelling	43,945		2,400	4,639	1,447	50,984

City Street Financial Report

City Name	City Number
WEST BRANCH	8252

Fiscal Year
2015

Road/Street Equipment Inventory Sheet

Check here if there are no reportable equipment

1. Local Class I.D. #	2. Model Year	3. Description	4. Purchase Cost	5. Lease Cost /Unit	6. Rental Cost /Unit	7. Used on Project this FY?	8. Status
Truck	1991	International Series 4900 with plow	10,550			No	No Change
Truck	2002	Ford Ranger	5,200			No	No Change
Pickup #4	2003	Ford Ranger	9,300			No	No Change
Truck	2004	Ford F-350 1 Ton	29,500			No	No Change
Loader	1984	Caterpillar	60,000			No	No Change
Plow Truck	2000	Oshkosh P1823	146,000			No	No Change
Pickup #3	1997	Ford Ranger	24,000			No	No Change
Dump Trk	1997	Ford F70	24,000			No	No Change
Truck	2012	Dodge Ram 1500 ST	20,598			No	No Change
Skid Loader	2012	Cat 262C Skid	36,788			No	No Change
Street Sweeper	2013	Elgin Pelican NP	165,203			No	No Change
Leaf Vac	2014	Tarco Windy Series Leaf Vac with Box	46,900			Yes	New

City Street Financial Report

City Name	City Number
WEST BRANCH	8232

Fiscal Year
2015

Explanation Sheet

Comments

City Street Financial Report

City Name	City Number
WEST BRANCH	8252

Fiscal Year
2015

Monthly Payment Sheet

Month	Road Use Tax Payments	Transfer of Jurisdictions Payments
JULY	\$17,915.07	
AUGUST	\$26,340.54	
SEPTEMBER	\$18,517.44	
OCTOBER	\$25,716.49	
NOVEMBER	\$19,906.60	
DECEMBER	\$17,439.71	
JANUARY	\$20,859.67	
FEBRUARY	\$20,363.35	
MARCH	\$21,159.38	
APRIL	\$16,684.47	
MAY	\$10,491.51	
JUNE	\$26,053.12	
Totals	\$241,447.35	

110-ROAD USE TAX

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE	
<u>ASSETS</u>			
=====			
110-100	CLAIM ON CASH	105,232.43	
110-110	INVESTMENTS	0.00	
110-112	STREETS EQUIPMENT RESERVE	0.00	
			<u>105,232.43</u>
	TOTAL ASSETS		<u>105,232.43</u>
=====			
<u>LIABILITIES</u>			
=====			
110-202	ACCOUNTS PAYABLE	0.00	
110-215	PAYROLL CLEARING ACCOUNT	0.00	
	TOTAL LIABILITIES		<u>0.00</u>
<u>EQUITY</u>			
=====			
110-259	UNRESERVED FUND BALANCE	108,554.93	
110-299	ACCOUNTS PAYABLE (DUE TO POOL)	0.00	
	TOTAL BEGINNING EQUITY	<u>108,554.93</u>	
	TOTAL REVENUE	241,447.35	
	TOTAL EXPENSES	244,769.85	
	TOTAL INCREASE/(DECREASE) IN FUND BAL.	<u>(3,322.50)</u>	
	TOTAL EQUITY & FUND BALANCE		<u>105,232.43</u>
	TOTAL LIABILITIES, EQUITY & FUND BALANCE		<u>105,232.43</u>
=====			

RESOLUTION NO. 1381

RESOLUTION APPROVING CONSULTING SERVICES FOR A COMPLETE REVIEW OF POLICE DEPARTMENT POLICIES AND PROCEDURES AND A DRUG TESTING POLICY WITH LYNCH DALLAS, PC IN AN AMOUNT NOT TO EXCEED \$5,000.

WHEREAS, the City of West Branch desires update their police policies and procedures and adopt a drug testing policy; and

WHEREAS, Lynch Dallas, PC, of Cedar Rapids, IA has provided a proposal for these services; and

WHEREAS, this proposal would include a complete review of the police department's policies and procedures and a drug testing policy for all city employees; and

WHEREAS, it is now necessary to approve said proposal.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Iowa that the aforementioned proposal from Lynch Dallas, PC, of Cedar Rapids, IA is hereby approved.

Passed and approved this 17th day of August, 2015.

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

ALEX J. ANDERSON
CORINNE R. BUTKOWSKI
HOLLY A. CORKERY
EMILY K. ELLINGSON
STEPHEN B. JACKSON, SR.
STEVEN C. LEIDINGER
JON M. McCRIGHT
SCOTT E. McLEOD
MATTHEW J. NAGLE
BRETT S. NITZSCHKE
PATRICK J. O'CONNELL



526 Second Avenue SE www.lynchdallas.com
Cedar Rapids, IA 52401 WRITER'S EMAIL
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CYNTHIA A. M. PARKER
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DAVID L. WENZEL

H. EDWARD BEATTY
1934 – 2014

MAILING ADDRESS:
P.O. Box 2457
Cedar Rapids, IA 52406-2457

July 29, 2015

Matt Muckler, City Administrator
City of West Branch, Iowa
110 North Poplar Street
West Branch, Iowa 52358

Re: West Branch Police Department Policies and Procedures Review

Dear Mr. Muckler:

I am writing in response to your request for Lynch Dallas, P.C. to provide a proposal to perform a complete review of the City of West Branch Police Department's Policies and Procedures. A complete review of the Police Department's Policies and Procedures would include the following services: reviewing all of the Police Department's policies; providing recommendations regarding revisions or additions to the Police Department's policies; consulting with the Police Department and City Administration regarding any recommended changes; and updating the Police Department's policy book with the changes the Police Chief, City Administration, and City Council have approved. This will include providing a copy of the revised Policies and Procedures to the City and Police Department in a password-protected electronic format.

We have conducted an initial review of the information you have provided regarding the Police Department's Policies and Procedures at no cost to the City. As a result of the initial review, we have determined that the overall cost to review and revise the Police Department's Policies and Procedures would be \$4,500.00. Furthermore, the City has expressed interest in developing a drug testing policy for the police department and/or all City employees. If the City were interested in having Lynch Dallas, P.C. draft a drug testing policy for all City employees in addition to the Police Department's Policies and Procedures review, the overall cost would be \$5,000.00.

These quotes are "not to exceed amounts" that will guarantee the charges to review and revise the policy book will not exceed \$4,500.00 or \$5,000.00 if the City also requests that Lynch Dallas P.C. draft a drug testing policy. In addition, an accounting of the time spent working on the review will be provided to the District based upon the hourly rates of \$165.00 per hour for shareholders, \$145.00 per hour for associates, and \$85.00 for legal assistants. If the amount of fees incurred to perform the review is less than the amount quoted, the District will only be billed the amount of fees incurred to complete the review.

LYNCH DALLAS, P.C.

Matt Muckler,
City Administrator

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July 29, 2015

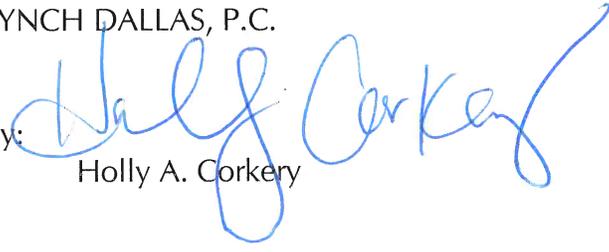
We are very flexible in working with cities in setting up a timeline for review. We can begin work on reviewing and revising the manual upon approval of the quote set out in this letter. If you have any questions regarding the proposed review of the Police Department's Policies and Procedures, please do not hesitate to contact me.

Sincerely,

LYNCH DALLAS, P.C.

By:

Holly A. Corkery



HAC:ram
~~Enclosures~~



WEST BRANCH POLICE DEPARTMENT



105 S. SECOND STREET, P.O. BOX 218
WEST BRANCH, IOWA 52358
ROUTINE PHONE: (319) 643-2222 FAX: (319) 643-2464
"PROTECT, SERVE, VIGILANCE"

August 11, 2015

City of West Branch
Attn: Mayor and City Council
PO Box 218, 110 N. Poplar Street
West Branch, Iowa 52358

RE: College Street Bridge Load Rating

Honorable Mayor and Members of the West Branch City Council:

West Branch City Attorney Kevin Olson has brought the following section of the City Code to my attention:

66.04 LOAD LIMITS ON BRIDGES. Where it has been determined that any City bridge has a capacity less than the maximum permitted on the streets of the City, or on the street serving the bridge, the Police Chief may cause to be posted and maintained signs on said bridge and at suitable distances ahead of the entrances thereof to warn drivers of such maximum load limits, and no person shall drive a vehicle weighing, loaded or unloaded, upon said bridge in excess of such posted limit.

(Code of Iowa, Sec. 321.471)

After consulting with the City Engineer and Public Works Director, I am setting the load limit on the College Street Bridge at 10 tons. Public Works Director Matt Goodale has informed neighboring property owners of this change and will post signage as soon as possible.

Sincerely,

Mike Horihan, Chief of Police

CHAPTER 66

LOAD AND WEIGHT RESTRICTIONS

66.01 Temporary Embargo

66.02 Permits for Excess Size and Weight

66.03 Load Limits Upon Certain Streets

66.04 Load Limits on Bridges

66.01 TEMPORARY EMBARGO. If the Council declares an embargo when it appears by reason of deterioration, rain, snow or other climatic conditions that certain streets will be seriously damaged or destroyed by vehicles weighing in excess of an amount specified by the signs, no such vehicles shall be operated on streets so designated by such signs.

(Code of Iowa, Sec. 321.471 & 472)

66.02 PERMITS FOR EXCESS SIZE AND WEIGHT. The Police Chief may, upon application and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight or load exceeding the maximum specified by State law or City ordinance over those streets named in the permit which are under the jurisdiction of the City and for which the City is responsible for maintenance.

(Code of Iowa, Sec. 321.473 & 321E.1)

66.03 LOAD LIMITS UPON CERTAIN STREETS. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified on such signs at any time upon any of the following streets or parts of streets:

(Code of Iowa, Sec. 321.473 & 475)

1. Five-ton limit on Greenview Drive from Cedar/Johnson County Line Road to Cedar Johnson County Line Road.
2. Five-ton limit on North Fourth Street from north edge of Cargill to County Road.

66.04 LOAD LIMITS ON BRIDGES. Where it has been determined that any City bridge has a capacity less than the maximum permitted on the streets of the City, or on the street serving the bridge, the Police Chief may cause to be posted and maintained signs on said bridge and at suitable distances ahead of

the entrances thereof to warn drivers of such maximum load limits, and no person shall drive a vehicle weighing, loaded or unloaded, upon said bridge in excess of such posted limit.

(Code of Iowa, Sec. 321.471)