

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 17, 2015
7:00 p.m.**

Mayor Pro Tem Colton Miller called the West Branch City Council meeting to order at 7:03 p.m. Mayor Pro Tem Colton Miller then asked the Council, staff and members of the audience to stand and led the group in the Pledge of Allegiance.

Roll call: Mayor Pro Tem Colton Miller was present. Council members: Jordan Ellyson, Mary Beth Stevenson and Tim Shields were present. Absent: Brian Pierce.

Miller welcomed the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, Police Chief Mike Horihan, Police Officer Alex Koch, Parks & Recreation Director Melissa Russell and Zoning Administrator Paul Stagg.

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.

Date 8-17-15

City of West Branch
Claims Report

Aero Rental	GF- Park & Rec	219.00
Alliant Energy	GF/Water	143.17
Amazon	Library	328.15
Barnhart's Custom Services	Cultural – HHTD expenses	162.62
Bean & Bean	GF- Cemetery	1,100.00
Biblionix	Library	1,915.60
Blue Cross Blue Shield	Insurance	1,158.74
Calhoun Burns & Assoc.	Roads & Streets – Bridge Inspection	400.00
Capital One Commercial	GF	108.48
Cedar County Auditor	GF	7,794.50
Cedar Rapids Photo Copy Inc.	Library	110.04
Costco Wholesale	GF/Library – supplies	108.48
Croell Redi-Mix	Stormwater	172.00
Culligan Water Technologies	Fire	69.40
Cy's Tree Service	Roads & Streets - Tree trimming	27,495.00
Diamond Vogel Paints	Road & Streets – street paint	1,790.36
EFTPS	Payroll expenses	8,133.47
Eginton, Margaret	Water refund	75.42
F&B Communications, Inc.	GF- admin	29.95
Financial Adjustment Bureau	Library – collections	17.07
Friis, Jim	Water refund	56.92
Gateway Hotel & Conference	Training	678.72
General Pest Control	Library	70.00
HBK Engineering	Stormwater/Park & Rec	13,741.25
IHeart Media	Cultural – HHTD Advertising	3,723.70
IMWCA	GF- workers comp	4,666.00
IACMA	GF-Membership Dues	120.00

IDNR	Water – testing	210.00
Iowa Library Services	Library	141.10
IPERS	Payroll expenses	4,985.36
John Deere Financial	Sewer – Theisen’s shoes	143.97
JECC	GF- PD/Fire	47.50
Johnson County Refuse	Recycling	3709.75
Journeyed Com	Library	245.00
Kevin D. Olson	GF – legal services	1500.00
L.L. Pelling Company, Inc.	Streets – Supplies	361.76
Liberty Communications	GF/Water/Sewer/RUT	1189.30
Lowe’s Business Account	GF – cemetery	474.05
Lynch’s Excavating	Stormwater	85.00
M&M Golf Cars LLC	Cultural - HHTD	180.00
Mary Denmead	GF-Park & Rec	60.00
Metropolitan Compounds	Sewer- ground sterilant	566.43
Midwest Wireless LLC	Library – CCTV System	2552.44
Municipal Supply, Inc.	Road & Streets – supplies	602.80
Oasis Electric LLC	Cultural – HHTD	2,203.97
Overdrive, Inc.	Library	373.78
Payroll Expense	Payroll expenses	20,596.64
Plunkett’s Pest Control, Inc.	GF/Town Hall - Pest control	95.18
Port ‘O’ Jonny	Cultural – HHTD	856.00
Quad City Safety, Inc.	GF	333.34
Quill Corporation	GF- Admin – Supplies	448.67
Republic Services of Iowa	GF- Admin	43.00
Russell, Melissa	GF – summer camp	237.74
S&S Worldwide, Inc.	GF/Park & Rec – art supplies	478.22
Shanelle M. Peden	Cable	300.00
Shimmin, Nick	Library - supplies	562.49
Simplex Grinnell	GF	888.73
The Library Store, Inc.	Library	99.28
Treat America	GF-PD- travel expenses	62.65
Treasurer State of Iowa	Payroll expenses	1,426.00
United States Treasury	Payroll expenses	1195.52
U of Iowa: State Hygienic Lab	Water testing	275.00
UPS	Sewer	93.43
US Bank Equipment Finance	GF	129.80
Veenstra & Kimm, Inc.	Water/Streets – consulting services	5,223.98
Verizon Wireless	GF/Water/Sewer/RUT- phone service	774.64
Walmart Community/GEMB	Library – supplies	257.09
Water Solutions Unlimited, Inc.	Water – supplies	2,576.06
West Branch Firefighters	Cultural – HHTD	60.00
Zephyr Copies & Design	Cultural – HHTD	955.50
	Grand Total	131,989.21

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.

Shields asked about the street closure for the street dance. Muckler explained that the event was being sponsored by the Brick Arch Winery and explained the closure area. Ilene Lande, owner of the Brick Arch Winery stated that Millstream Brewery would be making a special beer for the event and the Dogs on Skis

would be the entertainment for the evening. Shields asked about the liquor license and Lande responded that the process was underway to have that special license approved.

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

COMMUNICATIONS/OPEN FORUM

None.

PUBLIC HEARING/NON-CONSENT AGENDA

Mayor Pro Tem Colton Miller – Oath of Office, Mayor Roger Laughlin

Mayor Pro Tem Colton Miller administered the Oath of Office to Mayor Roger Laughlin. Mayor Laughlin then took over as presiding officer of the Council Meeting.

Mayor Roger Laughlin - Appointments/Reappointments/Move to action.

i. Colton Miller – Mayor Pro Tem

Motion by Shields, second by Ellyson to appoint Colton Miller as Mayor Pro Tem. AYES: Shields, Ellyson, Stevenson. Miller abstained. Motion carried.

Nuisance hearing for Robert W. Lucassen for 207 E. Green Street.

Lisa Pierce and Robert Lucassen of 15850 Downing Road in Waverly, Illinois 62692, appeared before the Council. Mr. Robert Lucassen is the owner of 207 E. Green Street in West Branch. Ms. Pierce stated that she is the daughter of Robert Lucassen and that they do not own two vehicles that were abandoned on Mr. Lucassen's property at 207 E. Green Street. City Attorney Olson informed the Council that Iowa law states that the real estate property owner is liable for junk that exists on their property. Olson also stated that the City had previously filed a municipal infraction against Mr. Thomas Pagels for having the same two junk vehicles located on his property next door at 203 E. Green Street. Olson stated that Mr. Michael Lucassen had appeared in court on behalf of Mr. Pagels when the City filed that municipal infraction, but that the magistrate found in favor of the City of West Branch on that matter. Mr. Michael Lucassen also appeared before the City Council months before, stating that he did not own 207 E. Green Street, but assured the Council that the vehicles would be removed from 207 E. Green Street. Shields requested that a plan be provided to the City on how they would remove the junk vehicles from the property.

Motion by Shields, second by Ellyson to declare the junk vehicles at 207 E. Green Street a nuisance, to require that a plan be provided to the City on how the junk vehicles would be removed no later than Friday August 21st at 5:00 p.m., to require the removal of the vehicles from the property by September 16, 2105, and to direct the city attorney to file a municipal infraction against the property owner in the case that the vehicles were not removed within thirty days. AYES: Shields, Ellyson, Miller, Stevenson. Motion carried.

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.

Mayor Laughlin recognized Zoning Administrator Paul Stagg, who gave the Council a briefing on the proposed changes to the ordinance. Stagg explained in detail the changes that would be made in fence requirements on corner lots. Ellyson thanked Stagg for all of his work on this project. Laughlin closed the public hearing.

First Reading of Ordinance 734, amending Chapter 165 "Zoning Regulations."/Move to action.

Motion by Ellyson, second by Stevenson to approve the First Reading of Ordinance 734. AYES: Ellyson, Stevenson, Shields, Miller. Motion carried.

Resolution 1378, approving the fiscal year 2014-2015 street finance report./Move to action.

Muckler stated that the Street Finance Report is an accounting of Road Use Tax Funds to the Iowa Department of Transportation. The City's total expenditures of Road Use Tax Funds for fiscal year 2015 was \$244,769 and the Road Use Tax Fund balance remaining as of the end of fiscal year 2015 was 105,232.

Motion by Ellyson, second by Stevenson to approve Resolution 1378. AYES: Ellyson, Stevenson, Miller, Shields. Motion carried.

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.

Motion by Stevenson, second by Shields to approve Resolution 1381. AYES: Stevenson, Shields, Miller, Ellyson. Motion carried.

CITY STAFF REPORTS

Police Chief Mike Horihan – Letter to Council on College Street Bridge Load Limit

Horihan stated that based on advice from the Public Works Department, the City Engineer and Iowa Bridge & Culvert, he was setting a ten-ton load limit on the College Street Bridge. Olson explained that the Code provides this authority to the Police Chief.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Hoover's Hometown Days Celebration

Shields stated that Hoover's Hometown Days was a great success. Ellyson agreed and stated that the fireworks show was impressive. Laughlin felt that closing Main Street was a good idea and should continue in the future. Stevenson stated that the inflatable rides for kids were well attended.

Mayor Roger Laughlin

Laughlin stated that one of his goals as Mayor included making downtown West Branch more vibrant. He stated that he would like to form a cabinet of community members to provide advice to him on various matters.

EXECUTIVE SESSION

Motion by Shields at 7:38 p.m. 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, second by Ellyson. AYES: Shields, Ellyson, Stevenson, Miller. NAYS: None. Motion carried.

Motion by Shields to adjourn from the closed session at 8:03 p.m. and second by Ellyson. AYES: Shields, Ellyson, Stevenson, Miller. NAYS: None. Motion carried.

ADJOURNMENT

Motion to adjourn meeting by Shields, second by Ellyson. AYES: Shields, Ellyson, Miller, Stevenson. Motion carried. City Council meeting adjourned at 8:04 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk