

*(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**

**February 21, 2012  
6:30 p.m.**

Mayor Don Kessler opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, Administrative Assistant Ashley Borland-Kaalberg, Park and Rec Director Melissa Russell, Public Works Director Matt Goodale, Library Director Nick Shimmin and Police Chief Mike Horihan.

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

#### **APPROVE AGENDA/CONSENT AGENDA**

- a) Approve minutes from the February 6, 2012 City Council Work Session.
- b) Approve minutes from the February 6, 2012 City Council Meeting.
- c) Approve minutes from the February 13, 2012 City Council Work Session.
- d) Approve claims.
- e) Approve Class C Liquor License with Living Quarters, Outdoor Service and Sundays Sales Permits for Fox Run Golf & Country Club.

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

#### **COMMUNICATIONS/OPEN FORUM**

Frank Frostestad, Crestview Drive resident spoke on the importance of the community providing feedback to their Councilmembers.

#### **PUBLIC, DEPARTMENT HEADS, COMMISSIONS, CITY ADMINISTRATOR AND CITY COUNCIL Third Reading of Ordinance 672 amending Title, "Police, Fire and Emergencies," Chapter 31 "Reserve Police Force."/Move to action.**

Motion by Worrell to approve Third Reading of Ordinance 672 second by Miller. AYES: Worrell, Miller, Ellyson and Oaks. Absent: O'Neil. Motion carried.

#### **Police Chief Mike Horihan – Presentation of Reserve Certification to Todd Thurmann.**

Motion by Ellyson to postpone item 6b to the next Council meeting second by Worrell. AYES: Ellyson, Worrell, Miller, Oaks. Absent: O'Neil. Motion carried.

#### **Second Reading of Ordinance 689, adopting Title, "Zoning and Subdivision," Chapter 173 "Site Plan Requirements."/Move to action.**

Motion by Worrell to approve Second Reading of Ordinance 689, second by Miller. AYES: Worrell, Miller, Ellyson, Oaks. Absent: O'Neil. Motion carried.

#### **Second Reading of Ordinance 690, vacating the northern 75 feet of the 16' alley located to the west of Lot 19 and to the east of Lot 18 in Block 22 in Cameron (Original Town) A.K.A. West Branch, in West Branch, Cedar County, Iowa, generally located near Main Street and North 2<sup>nd</sup> Street./Move to action.**

Motion by Worrell to approve Second Reading of Ordinance 690, second by Miller. Staff was instructed to contact the two adjacent property owners to encourage them to come to an agreement on the provision of a fire exit through the alley in question. Oaks asked for clarification on whether or not a gas main runs through the alley. AYES: Worrell, Miller, Ellyson, Oaks. Absent: O'Neil. Motion carried.

Resolution 970, approving \$66,642.02 to be moved from the Park & Recreation General Fund Reserve line to the General Fund for the purchase of the Wapsi View Trailer Court./Move to action.

Mayor Kessler read a letter from Councilperson O'Neil voicing his opinion on the Park and Rec CD being used toward the project.

Oaks asked where the remainder of the park purchase and project cost would come from. Muckler said that it would come from the general fund.

Motion by Worrell second by Ellyson to approve Resolution 970. AYES: Worrell, Ellyson, Miller, Oaks. Absent: O'Neil. Motion carried.

Discussion of approving the purchase of a new Police Department vehicle.

Mayor Kessler read a letter from absent Councilperson O'Neil speaking in favor of the purchase of a new Police Department vehicle.

Oaks asked Horihan questions concerning the purchase. Worrell said that he would like to see the item placed on the next Council agenda.

Resolution 978, adopting final proposed fiscal year 2012-2013 budget and order notice of hearing for March 5, 2012./Move to action.

Sally Peck resident on Downey Street thanked Worrell and Miller for supporting the Safe Routes to School Grant.

Oaks spoke of his disappointment on the amount of Council input in this year's budget process. Worrell spoke in favor of the budget process. Councilperson's Miller and Ellyson said that they understood the presented information and feel comfortable with the proposed budget.

Motion by Worrell second by Ellyson to approve resolution 978. AYES: Worrell, Ellyson, Miller, Oaks. Absent: O'Neil. Motion carried.

Resolution 979, approving service agreement with Kid Again Inflatable Fun Shows in the amount of \$8,900./Move to action.

Motion by Worrell second by Ellyson to approve resolution 979. AYES: Worrell, Ellyson, Miller, Oaks. Absent: O'Neil. Motion carried.

Discussion of cost estimate for West Branch McDonald's Sidewalk in amount of \$10,300.

Bishop Engineering requested that the City provide McDonald's with an estimate for the sidewalk so that they could consider paying the City in advance. Dave Schechinger provided Council with an estimate of \$10,300. Council asked City Engineer Dave Schechinger questions concerning the project. Worrell raised the question of legal fees in the project process.

Appointment of Logan John Cilek as a member of the West Branch Fire Department./Move to action.

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

Approve Resolution 980, amending the West Branch, IA Employee Handbook to clarify that vacation time does not count as hours worked for overtime purposes./Move to action.

Motion by Worrell second by Ellyson to approve Resolution 980. AYES: Worrell, Ellyson, Miller, Oaks. Absent: O'Neil. Motion carried.

First Reading of Ordinance 691, amending maintenance bond requirements in Title, "Zoning and Subdivision," Chapter 170 "Subdivision Regulations."/Move to action.

Motion by Miller second by Oaks to approve First Reading of Ordinance 691. AYES: Miller, Oaks. NAYS: Worrell, Ellyson. Absent: O'Neil. Motion failed.

**MAYOR DON KESSLER**

Appointments/Reappointments

None

**CITY STAFF REPORTS**

City Administrator Matt Muckler – Gas Franchise Agreement

Muckler spoke on options that Council has in exploring a gas franchise agreement. Worrell said that he does not agree with entering into the 25-year franchise agreement. Council members asked for more information on end of natural franchise agreement options.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Ellyson invited community members to contact her with any concerns that they may have.

Worrell said that he would like to visit the bridge that Cedar County has a possibility for West Branch. He will contact Muckler to set up a time.

Mayor Kessler congratulated the West Branch High School winter sports teams on their great representation of West Branch.

**ADJOURNMENT**

Motion to adjourn meeting by Worrell. City Council meeting adjourned at 8:23 p.m.

---

Don Kessler, Mayor

ATTEST: \_\_\_\_\_  
Ashley Borland-Kaalberg, Administrative Assistant