

(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 7, 2011
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/Clerk Matt Muckler, Deputy City Clerk Dawn Brandt, Library Director Nick Shimmin, Police Chief David Bloem, Park & Rec. Director Melissa Russell, Fire Chief Administrator Dick Stoolman, and Fire Chief Kevin Stoolman.

Council members: Mark Worrell, David Johnson, Dan O'Neil and Jim Oaks. Absent: Robert Sexton

APPROVE AGENDA/CONSENT AGENDA

a) Approve minutes from the January 18, 2011 City Council Public Hearing, Work Session and Council Meeting.

b) Approve transfer of \$1,670.00 from Enlow Building Fund CD to Library-General Fund.

Motion by Johnson and second by O'Neil. Roll call vote – Ayes: Johnson, O'Neil, Worrell, Oaks. Absent: Sexton. Motion carried.

COMMUNICATIONS/OPEN FORUM

PUBLIC, DEPARTMENT HEADS, COMMISSIONS, CITY ADMINISTRATOR AND CITY COUNCIL

Approve Resolution 927, appointing Kevin D. Olson as West Branch City Attorney and setting the compensation for the city attorney position at \$15,000 annually./Move to action.

Johnson asked about what the extraordinary litigation would consist of that would not be included in the compensation. Kevin responded that this would be for a long lawsuit and that his charges would be \$100 to \$125 per hour.

Motion by Johnson, second by Oaks to appoint Kevin D. Olson as West Branch City Attorney and setting the compensation for the city attorney position at \$15,000 annually. Roll call vote – AYES: Johnson, Oaks, Worrell, O'Neil. Absent: Sexton. Motion carried.

Approve Resolution 925, Salute to Hospitalized Veterans Day Proclamation./Move to action.

Motion by Johnson, second by O'Neil to approve Resolution 925, Salute to Hospitalized Veterans Day Proclamation. Roll call vote – AYES: Johnson, O'Neil, Oaks, Worrell. Absent: Sexton. Motion carried.

Approve Resolution 926, amending the City of West Branch, Iowa Employee Handbook./Move to action.

City Administrator Matt Muckler discussed that this change would approve the conversion of pay periods from semi-monthly to bi-weekly. It also changes vacation, holiday and sick leave pay from days to hours. Police had requested the change to a bi-weekly pay period in the past, the change will make payroll much easier.

Johnson asked if the Police would have time to take off their extra vacation hours. Muckler said that there were only 2 employees who have accumulated vacation above the 240 hours. Matt would like employees to take their vacation time and not get burnt out. Oaks said that he would like employees to use their earned vacation or be paid for it but not lose it.

Motion by Johnson, second by O'Neil to table Resolution 926 until the next meeting. Roll call vote – AYES: Johnson, O'Neil, Oaks, Worrell. Absent: Sexton.

Second reading of Ordinance 673 amending Chapter 30 "POLICE DEPARTMENT" by adding the following section, Section 30.11: 30.11 RESIDENCY REQUIREMENT: All full-time peace officers, including the Police

Chief, shall become residents of the City of West Branch, and continued residency in the City is a requirement for continued employment with the City/Move to action.

Police Chief Bloem said that he is opposed to this change and that he feels all employees should be treated the same.

Motion by O'Neil, second by Oaks to approve second reading of Ordinance 673. Roll call vote – AYES: O'Neil, Oaks, Worrell. NAYS: Johnson. Absent: Sexton. Motion carried.

First reading of Ordinance 674 re-zoning the south eighty-nine feet of Lots 72 and 73 and the west eight feet of the vacated alley adjacent to the south eighty-nine feet of Lot 72 in Block 8, West Branch, Cedar County, from R-2 to B-2./Move to action.

Motion by Oaks, second by O'Neil to approve first reading of Ordinance 674. Roll call vote – AYES: Oaks, O'Neil, Worrell, Johnson. Absent: Sexton. Motion carried.

Approve revenues and expenditures for all funds in the FY 2011-12 Annual Budget./Move to action.

Muckler gave an overview on the budget and stated that the Council needed to cut \$8,433 in expenditures to bring general fund expenditures in line with general fund revenues. The Council discussed where to cut the \$8433 and decided to cut \$3,000 from street lights due to savings from replacing bulbs with more efficient ones, \$4,183 from Roads and Streets and move half to water and half to sewer to pay for truck, and cut \$1,250 from Main Street dues. Motion by O'Neil, second by Worrell to approve the above cuts in expenditures to balance with revenue. AYES: O'Neil, Worrell, Oaks. NAYS: Johnson. Absent: Sexton. Motion carried.

Johnson stated he verified that the funding the City receives from Townships for Fire protection is part of the general fund. It is not earmarked for one specific department. The revenue is general funding and becomes part of the City's general fund money.

Motion by O'Neil, second by Oaks to approve revenues and expenditures for all funds in the FY 2011-12 Annual Budget. Roll Call vote – AYES: O'Neil, Oaks, Worrell. NAYS: Johnson. Absent: Sexton. Motion carried.

Discussion of gas and electric franchise agreements.

Johnson discussed that the gas franchise agreement expires in October 2011. He would like Matt to look into other options for gas service. Matt and City Attorney Kevin will check with the utilities board to see what is possible.

Discussion of request for proposal for plans for a community center.

Russell said that with the closing of Cookson she would like to go forward to develop plans for a recreation center. This would include a walking track, 2 gyms, fitness area, meeting room, locker rooms and office. Muckler stated that this would be a basic set of drawings to get started with the recreation center and allow Melissa to explore grant proposals. O'Neil said to look at a steel building as an option. Johnson said to come back with other possible locations and plans for a usable building for the community. O'Neil agreed with Johnson.

Approve Class C Liquor License with Living Quarters, Outdoor Service and Sundays Sales Permits for Fox Run Golf & Country Club.

Muckler said that a request for a liquor license was received and that the owner's water bill is past due. Several phone attempts to reach the owner have not been returned. Attorney Olson stated that one consideration in the granting of liquor licenses that the Council may consider according to the administrative code is the financial standing of the applicant. Current license expires February 7, 2011. Oaks said that he does not want to make this more of a hardship by denying the liquor license. Johnson stated that council should let the license expire and have the owner come to the next meeting to explain.

Motion by Johnson, second by O'Neil to table this item until the next meeting. Roll call vote – AYES: Johnson, O'Neil, Oaks. Absent: Sexton, Worrell. Motion carried.

MAYOR DON KESSLER

Appointments/Reappointments

a) West Branch Park and Recreation Commission – Becky Hosier

Motion by O’Neil, second by Johnson to approve appointment of Beck Hosier. Roll call vote – AYES: O’Neil, Johnson, Oaks. Absent: Sexton and Worrell. Motion carried.

REPORTS

City Administrator Matt Muckler – Discussion of Council Liaisons for Boards and Commissions.

ADJOURNMENT

Meeting adjourned by Mayor Kessler. City Council meeting adjourned at 9:06 p.m.

Don Kessler, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk