

*(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**

**April 1, 2013  
7:00 p.m.**

Mayor Mark Worrell 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, City Attorney Kevin Olson, Administrative Assistant Jennifer Harden, Public Works Director Matt Goodale, Parks & Recreation Director Melissa Russell, Police Chief Mike Horihan and Fire Chief Kevin Stoolman.

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

**APPROVE AGENDA/CONSENT AGENDA**

a. Approve minutes from the March 18, 2013 City Council Meeting.

b. Approve claims.

Motion by Ellyson to amend the agenda and move 6f before 6a, second by Miller. AYES: Ellyson, Miller, O'Neil, Oaks. Motion carried.

Motion by Miller to approve the agenda as amended, second by O'Neil. AYES: Miller, O'Neil, Ellyson, Oaks. Motion carried.

Date 4-1-13	City Of West Branch	
	Claims Register Report	
ECS Inc	Cable-Shipping for equip.	40.50
EFTPS	Federal Withholdings	5,407.31
Goodale, Matthew	Reimb. for mileage	108.58
Iowa Dept Of Revenue	Payroll Expense	350.00
Iowa Finance Authority	SRF GO Loan Payoff	1,304,206.00
IPERS	IPERS	10,504.92
Mediacom	Admin - Service	40.90
Maestro, Jason	Utility refund	35.96
Parkside Service	Streets - Tires Loader	524.90
Payroll Expenses	Payroll Expenses 3-29-13	21,076.28
Pitney Bowes	Admin - Postage meter lease	444.03
Speer Financial Inc	Srvs with issuance of bond	13,250.20
Treasurer State Of Iowa	State Withholding Tax	2,756.00
	Grand Total	1,358,745.58

Fund Totals	
1 General	19950.14
31 Library	4883.11
110 Road Use Tax	553.75
112 Trust Agency	6132.69
226 Debt Service	1304206
600 Water Fund	4848.52
610 Sewer Fund	11546.27
614 Wastewater Lift	6625.1
Grand Total	1,358,745.58

**COMMUNICATIONS/OPEN FORUM**

**PUBLIC, DEPARTMENT HEADS, COMMISSIONS, CITY ADMINISTRATOR AND CITY COUNCIL**  
Resolution 1091, approving the appointment of Dick Stoolman to fill the unexpired term of Councilmember Mark Worrell./Move to action.

Motion by Miller to approve Resolution 1091, second by O'Neil. AYES: Miller, O'Neil, Ellyson, Oaks.

Motion carried.

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

Muckler stated the applicant contacted the City office and made a request for Council to consider a 14-day Class B beer permit. The applicant is currently in the process of obtaining a food service permit, and a food service permit is necessary to obtain a Class C liquor license.

Motion by O'Neil to approve a 14-day Class B beer permit, second by Ellyson. AYES: O'Neil, Ellyson, Miller, Oaks, Stoolman. Motion carried.

Public Hearing on proposal to vacate and dispose of an interest in real estate property, said real property being generally described as that 60 feet of a 16-foot alley located between lot 65 & 66 and lot 42 in block 7 in Cameron (Original Town) A.K.A. West Branch, in West Branch, Cedar County, Iowa located generally near Main Street and South 5<sup>th</sup> Street.

Mayor Worrell opened the public hearing at 7:06 p.m. Muckler stated this was a request from surrounding homeowners. Two homeowners would like to vacation the portion of the alley adjacent to their property. Mayor Worrell closed the public hearing at 7:08 p.m.

First Reading of Ordinance 708, vacating that certain 60-foot portion on an alley located between lots 65 & 66 and lot 42 in block 7 in Cameron (Original Town) also known as West Branch, West Branch, Iowa./Move to action.

Councilperson Miller suggested the City obtain a utility easement.

Motion by Miller to approve first reading of Ordinance 708, second by O'Neil. AYES: Miller, O'Neil, Ellyson, Oaks, Stoolman. Motion carried.

Public Hearing on the matter of a re-zoning of the south 0.05 acres of Auditor's Parcel "H," located within a portion of Block 22 – Oliphants Division, located in a portion of the SW 1/4, SW 1/4 of Section 5 Township 79 North, Range 4 West, of the 5<sup>th</sup> P.M. City of West Branch, from CB-2 (Commercial Business) to B-2 (Business).

Mayor Worrell opened the public hearing at 7:10 p.m. Worrell stated that the owner contracted with MMS Consulting to correct property lines so that they no longer crossed through buildings. This left one parcel with two zoning designations. This rezoning would correct that situation. Mayor Worrell closed the public hearing at 7:11 p.m.

First Reading of Ordinance 709, re-zoning an approximate 0.05 acre parcel of real property located north of East Main Street from CB-2 Central Business District to B-2 Business District./Move to action.

Motion by Stoolman to approve first reading of Ordinance 709, second by O'Neil. AYES: Stoolman, O'Neil, Ellyson, Miller, Oaks. Motion carried.

Public Hearing on Comprehensive Plan Update.

Mayor Worrell opened the public hearing at 7:11 p.m. The Planning and Zoning Committee has recommended the Comprehensive Plan Update for Council approval. Three appendices were added to the plan: trails plan, streets report and survey results. O'Neil extended his thanks to the Planning and Zoning Committee and City Administrator Matt Muckler for their hard work on the plan. Mayor Worrell closed the public hearing at 7:13 p.m.

Resolution 1093, adopting the Comprehensive Plan update./Move to action.

Motion by O'Neil to approve Resolution 1093, second by Ellyson. AYES: O'Neil, Ellyson, Miller, Oaks, Stoolman. Motion carried.

Resolution 1094, approving Lot #3 Pedersen Valley, Part One Site Plan./Move to action.

The Planning and Zoning Committee recommended its approval of the site plan with four conditions: 1) A 5' sidewalk be installed on the west side of the property from the southernmost driveway down to Main Street, 2) a 6' sidewalk be installed on the Main Street side, 3) a permanent stormwater solution along Main Street and, based on Council solution to stormwater, 4) placement of trees and sidewalks.

Motion by Miller to approve Resolution 1094, second by O'Neil. AYES: Miller, O'Neil, Ellyson, Oaks, Stoolman. Motion carried.

Resolution 1095, approving Proposed Segmental Retaining Wall, Hilltop Condo, 118 Hilltop Drive Site Plan./Move to action.

Muckler stated the site plan has been reviewed by the Planning and Zoning Committee and City Engineer Dave Schechinger. Schechinger explained the current wall does not have the correct geo-grid tiebacks and will be replaced with the correct geo-grid with a fence on top. Muckler stated that the next step in the process would be for the applicant to obtain a building permit.

Motion by O'Neil to approve Resolution 1095, second by Ellyson. AYES: O'Neil, Ellyson, Miller, Oaks, Stoolman. Motion carried.

Resolution 1096, authorizing a variance to conduct an open burning per Chapter 105.05 of the Code of Ordinances of the City of West Branch, Iowa./Move to action.

Council discussed certain conditions that would need to be met in order to issue the permit. These conditions included: 1) Signed Release from KLM Investments, Inc., 2) Burn shall last no more than 48 hours. 3) KLM Investments, Inc. will ensure that the fire is watched the entire time that it is burning. 4) KLM Investments, Inc. will provide written notice to all surrounding neighbors who might be affected urging them to close their windows during the burn and providing a phone number which neighbors can call to report any problems. 5) The hole in which the brush is burned will not be located where a street or basement is planned in any future phase of the development. 6) The remainder of the brush pile not burned will be removed from the site in a prompt manner after the burn has been completed.

Motion by Oaks to approve Resolution 1096, second by Miller. AYES: Oaks, Miller, Ellyson, Stoolman. NAYES: O'Neil. Motion carried.

Resolution 1097, setting the public hearing and bid date for the 280<sup>th</sup> Street and North Downey Street Resurfacing Projects./Move to action.

City Engineer Dave Schechinger explained to Council there are two areas scheduled to be resurfaced: 1) N. Downey, south of Orange Street by approximately 200 feet, to north of Northside drive and 2) 280<sup>th</sup> Street from Downey to the West Branch Village Entrance. Muckler informed Council that the project does not include replacement of the asphalt curb and gutter. Schechinger stated that the plan included adjustment of some intakes that were currently too low. Schechinger's recommendation is to save the traveled surface of the road while we still can and the City could come back and replace curb and gutter at a later date. The project would mill out three inches of pavement so this project will not make the situation any worse.

Motion by O'Neil to approve Resolution 1097, second by Stoolman. AYES: O'Neil, Stoolman, Ellyson, Miller, Oaks. Motion carried.

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

- i. Jim Oaks – Mayor Pro Tem
- ii. Ashley Olson – Animal Control Commission, December 31, 2015
- iii. Dr. Alan Beyer, DVM – Animal Control Commission, December 31, 2015

Motion by O'Neil, second by Miller. AYES: O'Neil, Miller, Ellyson, Oaks, Stoolman. Motion carried.

**CITY STAFF REPORTS**

City Administrator Matt Muckler – Discussion of proposed Resolution 1087, approving a policy for the disposition of unpaid utility billing final balances. Despite efforts of administrative staff, there are from time to time unpaid utility billing final balances. This resolution would allow the City Council to institute a policy requiring the timely collection of such accounts. Some accounts are unable to be recovered and need to be removed from the City's utility billing records. The resolution would also institute a protocol for removing those balances from City records.

City Administrator Matt Muckler – Discussion of City Finance Webpage.

Muckler wanted to make the public aware that the City is putting all financial information on their website. Residents can review reports such as budgets, AFR's, street finance reports, annual audits, TIF certifications and agreements. Councilperson Oaks expressed interest in making cemetery records available online.

Park & Recreation Director Melissa Russell – Earth Day Planting Event

Russell made Council aware of the planting day that will take place on Monday, April 22<sup>nd</sup>. Public Works has ordered 83 trees, to be planted in the cemetery, through the Trees Forever Grant. A tree planting demonstration will be given to students during the day, and at 5:30 to community members. Most of the planting will take place in the new section of the cemetery and will serve as a windbreak.

Park & Recreation Director Melissa Russell – Wapsi Creek Park Sign Russell presented two sign designs for Council feedback for the new sign at Wapsi Creek Park. Council member complimented the appearance of both signs.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Councilperson O’Neil stated tonight was his final meeting. O’Neil said he looks forward to watching the City grow.

**ADJOURNMENT**

Motion to adjourn meeting by O’Neil, second by Ellyson. City Council meeting adjourned at 8:20 p.m.

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Mark Worrell, Mayor

ATTEST: \_\_\_\_\_  
Jennifer Harden, Administrative Assistant