

(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

**May 20, 2013
7:00 p.m.**

Mayor Worrell opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, Public Works Director Matt Goodale, Police Chief Mike Horihan, Library Director Nick Shimmin and David Hosier with the West Branch Fire Department. Council members: Jordan Ellyson, Colton Miller, Jim Oaks, Dick Stoolman and Mary Beth Stevenson.

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the May 6, 2013 City Council Meeting.
- b) Approve claims.
- c) Approve moving the Monday June 3 and June 17, 2013 City Council Meetings to Monday June 10 and 24, 2013.
- d) Approve moving the Monday July 1 and July 15, 2013 City Council Meetings to Monday July 8 and 22, 2013.
- e) Approve an agreement with John Grimm for the collection of Iowa Public Employee Retirement System contributions.

Motion by Miller to approve the agenda and consent agenda items a-e, second by Ellyson. AYES: Miller, Ellyson, Oaks, Stoolman, Stevenson. Motion carried.

- f) Approve Six-Month Class B Beer (BB) (Includes wine coolers) License with Living Quarters, and Sunday Sales Permit for Fox Run Golf & Country Club.

Motion by Ellyson to amend consent item f and approve an annual Class C Liquor License with Living Quarters, Outdoor Service and Sundays Sales Permits for Fox Run Golf & Country Club, second by Miller. AYES: Ellyson, Miller, Oaks, Stoolman, Stevenson. Motion carried.

Date 5-20-13	City Of West Branch	
	Claims Register Report	
Action Sewer	Sewer - Service	759.50
Aero Rental Inc	Cemetery/P&R - Supplies	208.40
Agvantage FS Inc	Sewer/Water - LP Gas	419.70
Air Cooled Engine	Sewer - Parts	4.09
Alliant Energy	Various Depts - Utilities	7,868.50
AmSan	Town Hall - Supplies	239.75
Baker & Taylor Inc.	Library - Books	1,420.76
Bankers Trust Company	Debt Serv/TIF - Go Bond Pmt	105,818.46
Barron Motor Supply	Cemetery - Parts	12.95
Big Country Seeds Inc	Water - Supplies	215.00
Blue Book	Police - Law Enfor Directory	25.95
Bound Tree Medical	Fire - Latex Gloves	169.75
Bp Amoco	Fire/Police/Sewer - Fuel	2,072.99
Business Radio Sales	Fire - Pagers	852.00
CDW Government	Police - Computer/Backup	799.86
Cedar County Cooperative	Fire - Diesel Fuel	1,392.00
Cedar County Recorder	Legal - Recording Fees	36.00
Cedar Rapids Photo Copy	Library - Service/Toner	121.34
Community State Bank	City Office Loan Payoff	94,786.01
Creative Software Services	Admin - Computer Consulting	1,051.83
Croell Redi-Mix Inc	Sewer/Water - Concrete	2,030.75
Cruise, Brandon	Sewer - Boat	500.00
Culligan Water	Fire - Water Cond Rental	36.90
Demco	Library - Supplies	279.96
Deweys Jack & Jill	Library/Sewer/P&R - Supplies	64.76
Diamond Vogel Paints	Streets - Traffic Paint	532.60
Digital Ally	Police - Battery Packs	70.00
Dorsey & Whitney Llp	Ls/Sewer- 2013 Go Legal Serv	14,469.74

Ecivis Inc	Police/Admin - Police Grant	7,500.00
ED.M.Feld Equipment	Fire - Boots/Supplies	901.00
EFTPS	Federal Withholdings	5,270.77
George Lawson Consulting	Library - Consulting	2,395.22
Greatamerica Leasing Corp	Admin - Copier Lease	252.06
Havlik, Tanya	Fire - Aemt Practical Exam	205.00
Hawkins Inc	Hawkins Water Treatment	1,268.60
Horihan, Timothy	Police - Reimbursement	75.00
Iowa City Press-Citizen	Library - Subscription	208.02
Iowa Crime Prevention Assoc.	Police - Membership Dues	50.00
Iowa DNR	Water/Sewer - Permit & Oper Fee	120.00
Iowa League Of Cities	Admin - Clerk Handbook	40.00
Iowa Police Chiefs Assoc.	Police - 2013 IPCA Member Dues	75.00
Joey Dean Wenndt	Fire - May Fire Training	150.00
Johnson County EMA	Admin/Water - CodeRed Srvs	1,000.00
Johnson County Refuse Inc.	Recycling - April 2013	3,657.50
Kevin D Olson	Legal Services For May 2013	1,500.00
Kingdom Graphics	Park & Rec - Running Grp	59.00
L. L. Pelling Co. Inc	Streets - Premix	145.95
Lease Consultants Corp	Library - Copier Lease	59.00
Lenoch & Cilek	Park&Rec/Police - Supplies	20.35
Liberty Communications	Various Depts. - Phone Service	986.20
Linn County R.E.C.	Streets - Utilities	120.00
Lynch's Excavating Inc	Sewer/Water - Service Projects	25,784.70
Lynch's Plumbing Inc	Sewer - Service	380.00
Matt Parrott	Water - Business Cards	55.10
Menards	Various Depts. - Supplies	1,035.21
Midwest Janitorial Service	Lib/TH/Police/Admin - Cleaning	637.00
Municipal Supply Inc.	Water - Supplies	4,651.00
National Public Safety	Police - Directory Of Law Enf.	169.00
Oasis Electric	Sewer - Service At Lagoon	70.00
Office Of Auditor Of State	Admin - Fy12 Annual Audit Fee	9,750.00
Overdrive Inc	Library - EBooks/Neibors Sub.	626.81
Payroll Expense	Payroll Expense 5-10-13	24,293.83
Pitney Bowes	Library/Admin - Postage	1,000.00
Plato Electric	Sewer -Service At Lift Station	125.00
Plunkett's Pest Control	Admin/Town Hall - Service	91.52
Port 'O' Jonny Inc.	Park & Rec-Lions Field Service	79.00
Qc Analytical Services	Sewer - Testing	406.00
Quality Engraved Signs	Admin - Commission Nameplates	92.35
Quill Corp	Library/Admin - Supplies	317.43
Russell, Melissa	Park & Rec - Reimb For Supplies	80.31
Shanelle Peden	Cable - Videotaping	225.00
Sprint	Police - Service	179.97
State Hygienic Lab	Water - Testing	310.00
Tac 10 Inc	Police - Annual Software Maint	880.00
Tallgrass Business Resources	Police - Office Desk	1,085.59
The Library Store Inc	Library - DVD Binders	145.08
Treasurer State Of Iowa	Iowa Sales Tax Pmt April	2,158.41
Tyler Technologies	Admin - Signature Update	138.00
Ups	Sewer - Shipping	171.08
Us Cellular	Various Depts - Phone Service	558.02
USA Blue Book	Water - Supplies	3,010.84
Veenstra & Kimm Inc.	Various Engineering Projects	11,993.10
Wageworks	Flex Benefit	416.66
Walmart	Library - Supplies	242.32
Wellmark, Inc.	Admin-Flex Admin & Claims Fee	572.80
West Branch Schools	Park & Rec - Gym Time Soccer	50.00
West Branch Family Practice	Fire - Physicals	286.00
West Branch Ford	Police/Water - Key & Part For F250	113.27
West Branch Repairs	Cemetery - Service Weed Eater	30.00
West Branch Times	Legal - Publications	787.55
WEX Bank	Police - Fuel	156.26

355,472.43

Fund Totals	
001 General Fund	60,252.49
022 Civic Center	1,038.75
031 Library	10,953.81
110 Road Use Tax	1452.68
112 Trust And Agency	1,865.81
125 T I F	37,387.00
226 Go Debt Service	160,120.54
600 Water Fund	29,040.11
610 Sewer Fund	46,569.68
614 Wastewater Lift Station	6,374.90
950 BC/BS Flexible Benefit	416.66
Grand Total	355,472.43

COMMUNICATIONS/OPEN FORUM

Becky Frederick invited all to attend Jazz and a Pop in the Park. The first concert starts at 7:00 pm on Friday, May 24th at the Village Green.

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

Resolution 1114, cancelling the Amended Tax Increment Development Agreement dated January 2, 2008 between the City of West Branch and Acciona Energy North America./Move to action.

Kevin Olson briefed the Council on the letter received from Acciona addressing the breach to the amended tax increment development agreement. Olson stated that there has been a lack of communication from Acciona and that the company confirmed that they did not meet their obligations under the agreement. Under these circumstances, Olson recommended cancellation of the agreement. ICAD representative Mark Nolte stated that he was speaking on behalf of ICAD's role representing both West Branch and Acciona. Nolte stated that he was not aware of the lack of communication from Acciona to the City. Nolte detailed some of the market conditions that have challenged the wind industry and confirmed that Acciona has not met the requirements in the TIF agreement. Nolte stated that he would reach out to Acciona and encourage a representative of the company to contact the City.

Motion by Stoolman to approve Resolution 1114 and second by Miller. AYES: Stoolman, Miller, Ellyson, Oaks, Stevenson. Motion carried.

Ms. Sarah Billeter - Grain Bin Rescue Equipment and Safety Training Proposal

Sarah has applied for a grant to provide grain bin rescue equipment and a safety training program for the West Branch and Tipton Firefighters and the agricultural community in Cedar County.

Resolution 1115, supporting application for the Washington County Riverboat Foundation Grant for Grain Bin Rescue Equipment and Safety Training./Move to action.

Motion by Stoolman to approve Resolution 1115 and second by Ellyson. AYES: Stoolman, Ellyson, Oaks, Stevenson, and Miller. Motion carried.

Third Reading of Ordinance 710, vacating the northern 70 feet of a 16-foot alley located between lots 21 & 22 in block 22 in Cameron (Original Town) A.K.A. West Branch, in West Branch, Cedar County, Iowa./Move to action.

Ordinance 710 is an ordinance vacating the northern 70 feet of a 16-foot alley located between lots 21 & 22 in block 22 in Cameron (Original Town) A.K.A. West Branch, in West Branch, Cedar County, Iowa. The alley is generally located near the intersection of East Green Street and North Second Street and is conveyed to Roy A. Lewis. This description is a summary of the ordinance which will become effective on June 6, 2013. The entire ordinance is available for inspection at the West Branch City Office located at 110 North Poplar Street in West Branch, IA between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday.

Motion by Ellyson to approve Ordinance 710 and second by Miller. AYES: Ellyson, Miller, Stevenson, Stoolman, Oaks. Motion carried.

Third Reading of Ordinance 711, amending Title Chapter 160 Flood Plain Regulations./Move to action.

Ordinance 711 is an ordinance amending Chapter 160 of the Code of Ordinances of the City of West Branch regarding flood plain regulations. The ordinance adopts the new Flood Insurance Rate Map which will be effective on August 19, 2013, adopts a definition of "minor projects," deletes special shallow flooding areas standards, confirms that watercourse alterations or relocations must be approved by the Iowa Department of Natural Resources and replaces all references to

“National Geodetic Vertical Datum” with “North American Vertical Datum.” North American Vertical Datum is a set of data used by surveyors to determine the elevation of a property. This description is a summary of the ordinance which will become effective on June 6, 2013. The entire ordinance is available for inspection at the West Branch City Office located at 110 North Poplar Street in West Branch, IA between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday. Motion by Stoolman to approve Ordinance 711 and second by Ellyson. AYES: Stoolman, Ellyson, Oaks, Miller, Stevenson. Motion carried.

Public hearing on amending the current budget for the fiscal year ending June 30, 2013.

Mayor Worrell opened the public hearing at 7:18 p.m. with no discussion. Worrell closed the public hearing at 7:19 p.m.

Resolution 1112, approving Budget Amendment./Move to action.

Motion by Ellyson to approve Resolution 1112 and second by Miller. AYES: Ellyson, Miller, Stevenson, Stoolman, Oaks. Motion carried.

Resolution 1113, approving an agreement with the Iowa Department of Transportation for use of local agency roads as detours./Move to action.

Motion by Miller to approve Resolution 1113 and second by Stevenson. AYES: Miller, Stevenson, Stoolman, Oaks, Ellyson. Motion carried.

Resolution 1116, providing notice to the Johnson County E911 Board of the City’s intent to cancel the Agreement Between Johnson County E911 Board and the City of West Branch, Iowa For the Provision of Code Red Services./Move to action.

Muckler said that the Johnson County E911 Board is switching from the Code Red notification system to WENS. The notification system can be used to notify the public of natural disasters, boil orders, or other information.

Motion by Stoolman to approve Resolution 1116 and second by Ellyson. AYES: Stoolman, Ellyson, Miller, Oaks, Stevenson. Motion carried.

Councilperson Jordan Ellyson – Appointments/Reappointments/Move to action.

Phil Brezina – West Branch Fire Department Volunteer

Motion by Miller to approve appointment and second by Ellyson. AYES: Miller, Ellyson, Oaks, Stevenson. Stoolman abstained. Motion carried.

CITY STAFF REPORTS - None.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS - Mayor Worrell would like to nominate Dick Stoolman to the Cedar County E911 Service Board and the Cedar County Emergency Management Commission.

Motion to adjourn to executive session to evaluate the professional competency of an individual whose performance is being considered as part of an annual review process and that individual requests a closed session pursuant to Section 21.5(i) of the Code of Iowa.

Motion by Ellyson to adjourn to executive session at 7:27 p.m. and second by Miller. AYES: Ellyson, Miller, Stevenson, Stoolman, Oaks. Motion carried.

Motion by Miller to adjourn from the executive session at 8:04 p.m. and second by Ellyson. Motion carried on a voice vote.

ADJOURNMENT

Motion to adjourn meeting by Miller, second by Ellyson. Motion carried on a voice vote. City Council meeting adjourned at 8:05 p.m.

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk