

To: City Council

From: Matt Muckler, City Administrator

Date: November 8, 2013

Weekly Council Update

- **Poplar Street Resurfacing Project:** LL Pelling completed the asphalt resurfacing of N. Poplar Street today and the road was reopened to traffic. Public Works staff will continue next week to work on landscaping around the City Office and near the intersection of Main Street and N. Poplar. Staff will also be painting lines for parking spaces.

- **Board of Adjustment Update:** The Zoning Board of Adjustment met on Thursday November 7th to elect a new chair and secretary and hear a variance request to allow for a retaining wall to be located in the sideyard at 200 Ridge View Drive. Craig Walker was elected Chair and Shanelle Peden was elected Secretary. The newest member of the Zoning Board of Adjustment, Jennie Embree, brought the definition of a “screen” to the Board’s attention. The definition for screen is found in Section 165.04.37 of the City Code: “Screen” or “fence” means a manmade enclosure or barrier regardless of material, extending above ground level including walls, earthen berms or free standing objects.

By applying this definition of screen or fence to Section 165.11.4.C (obstructions permitted the sideyard), the Zoning Board of Adjustment concluded that a variance was not required as technically a retaining wall, per this definition, is a fence and therefore allowed. Screens are mentioned in subsequent portions of Chapter 165 of the Code as a method to providing visual buffers and it appears this definition was written to address those uses. The Zoning Board of Adjustment had discussion and plans to provide the Planning & Zoning Commission with proposed changes to the Code to provide more clarity on this issue. Craig Cochran resigned from the Board. His resignation will appear on the November 18th Council Agenda.

Staff is also working on proposed changes for the Planning & Zoning Commission and ultimately the City Council to consider. An initial thought from staff is that the P&Z Commission and Council might consider the deletion of the current definition of screen, as it is problematic when applied to the section on permitted obstructions in sideyards. It is problematic as it would allow for any manmade material to be stacked along a property line and called a “fence.” Technically, this could include anything, for example, junk cars piled along a property line and called a fence. The definition of screen, by including earthen berms, would also be problematic because one could argue that it allows grading one’s yard in manner which dumps water on a neighbor’s property and calling it a fence. (That would obviously be against the law.) Initial suggestions from staff may also include replacing the old definition of screen with new definitions of fence, screen, and retaining wall. This might clarify the difference between fences, screens intended to provide visual buffers, and retaining walls. It might also be helpful to further clarify the engineering review requirements for retaining walls.

- **Veteran's Day Holiday:** City Offices will be closed on Monday November 11th in observance of Veteran's Day. West Branch American Legion Post 514 will host a Veteran's Day ceremony at Appreciation Park at 7:30 a.m. on Monday morning and a potluck supper from 5:00-8:00 p.m. at the West Branch United Methodist Church.

- **New Health Insurance Fees:** Beginning Jan. 1, 2014, Wellmark will begin collecting a Transitional Reinsurance Fee and an Annual Health Insurer Fee from the City on our monthly health insurance group billing statement. The total combined amount for these fees are estimated at 4 percent of the premium. Fees will be charged monthly for each insured employee. The Transitional Reinsurance Fee will be collected for three years and used to help stabilize premiums for the Affordable Care Act (ACA) compliant policies sold in the Individual market. The Annual Health Insurer fee will be an ongoing fee that helps to fund health care reforms under the ACA. The City will see these new fees reflected beginning with the January 2014 group billing statement.

The City has an April 2014 renewal date, our monthly group billing statement will show the fees as a line item from January through March. After the renewal in April, the monthly group billing statement will have the fees incorporated in the premium and not displayed as a line item any longer. This change allows employer groups the ability to pass the cost of the fees to their members and budget appropriately for the cost of their premiums. Including the fee as a percent of premium keeps rates consistent through the plan year, preventing mid-year premium changes, as these fees will fluctuate on a calendar basis.

- **Upcoming Events (through November 21st):**

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| ▪ Saturday November 9 th , 9:00 a.m. | PreK-2 nd Grade Basketball |
| ▪ Monday November 11 th | Veteran's Day – City Holiday |
| ▪ Monday November 11 th at 5:45 p.m. | Tough Mother Fitness Class |
| ▪ Tuesday November 12 th at 2:00 p.m. | San. Sewer Rehab. Bid Opening |
| ▪ Tuesday November 12 th at 6:00 p.m. | Zumba |
| ▪ Tuesday November 12 th at 6:30 p.m. | Animal Control Commission Mtg. |
| ▪ Tuesday November 12 th at 7:00 p.m. | Pajama Storytime at WBPL |
| ▪ Wednesday November 13 th at 5:45 p.m. | Tough Mother Fitness Class |
| ▪ Thursday November 14 th – all day | League of Cities Budget Workshop |
| ▪ Thursday November 14 th at 5:30 p.m. | Zumba |
| ▪ Thursday November 14 th at 6:30 p.m. | Library Board of Trustees Meeting |
| ▪ Friday November 15 th , 10:00 a.m. | Preschool Story Time at WBPL |
| ▪ Saturday November 16 th , 9:00 a.m. | PreK-2 nd Grade Basketball |
| ▪ Monday November 18 th – all day | Stormwater Conference in Marion |
| ▪ Monday November 18 th at 5:45 p.m. | Tough Mother Fitness Class |
| ▪ Monday November 18 th at 6:30 p.m. | City Council Meeting |
| ▪ Tuesday November 19 th at 6:00 p.m. | Zumba |
| ▪ Tuesday November 19 th at 7:00 p.m. | Pajama Storytime at WBPL |
| ▪ Wednesday November 20 th at 5:45 p.m. | Tough Mother Fitness Class |
| ▪ Thursday November 21 st at 5:30 p.m. | Zumba |
| ▪ Thursday November 21 st at 6:30 p.m. | Park & Rec Commission Meeting |

The information provided is one-way communication and should not be discussed among you as this would be a violation of the open meeting law.