

(The following is a synopsis of the minutes of the West Branch City Council meeting. A video recording is available for inspection on the City of West Branch Website at www.westbranchiowa.org/government/council-videos. The minutes are not approved until the next regularly scheduled City Council meeting.)

**West Branch, Iowa
Council Chambers**

City Council Meeting

**March 20, 2017
7:00 p.m.**

Mayor Roger Laughlin called the West Branch City Council meeting to order at 7:00 p.m. Mayor Laughlin then invited the Council, Staff and members of the audience to stand and led the group in the Pledge of Allegiance. Roll call: Mayor Roger Laughlin was present. Council members: Colton Miller, Mary Beth Stevenson, Tim Shields, Jordan Ellyson and Brian Pierce were present. Laughlin welcomed the audience and the following City staff: City Administrator Matt Muckler, Deputy City Clerk Gordon Edgar, Library Director Nick Shimmin, Public Works Director Matt Goodale and Park & Recreation Director Melissa Russell.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

Approve minutes from the March 6, 2017 City Council Meeting.

Approve claims.

Motion by Ellyson, second by Miller to approve agenda/consent agenda items a and b. AYES: Ellyson, Miller, Stevenson, Pierce, and Shields. Motion carried.

EXPENDITURES		3/20/2017	
ACTION SEWER & SEPTIC SERV	SERVICE CALL	345.00	
AMAZON	BOOKS AND SUPPLIES	353.83	
BAKER & TAYLOR INC.	BOOKS	602.95	
BARRON MOTOR SUPPLY	REPAIR/MAINTENANCE SUPPLIES	264.15	
BP AMOCO	VEHICLE FUEL	111.71	
CEDAR COUNTY COOPERATIVE	FUEL	1,598.39	
CEDAR COUNTY RECORDER	LEGAL RECORDINGS	98.00	
CJ COOPER & ASSOCIATES	PRE EMPLOYMENT TEST	35.00	
COPYWORKS	COPYWORKS	244.00	
DEWEYS JACK & JILL	EASTER EGG HUNT SUPPLIES	35.06	
EASTERN IOWA COMMUNITY COL	CLASS FEES	100.00	
FARMERS SUPPLY SALES INC	MAINTENANCE SUPPLIES	129.67	
FRED'S FEED & SUPPLY LLC	SUPPLIES	12.99	
GALAXY CLEANING SERVICES	GALAXY CLEANING SERVICES	1,278.32	
HARRY'S CUSTOM TROPHIES LT	EMPLOYEE SERVICE AWARDS	119.18	
HAWKINS INC	CHEMICALS	1,144.75	
IAWEA	IAWEA WORKSHOP REGISTRATION	75.00	
IOWA MUNICIPAL FINANCE OFF	SPRING CONFERENCE	125.00	
IOWA ONE CALL	LOCATION SERVICE	32.40	
IOWA PARK AND RECREATION A	MEMBERSHIP DUES	155.00	
IOWA STATE UNIVERSITY, TRE	CERTIFICATION FEE	50.00	
JOHNSON COUNTY REFUSE INC.	RECYCLING FEB, 2017	3,743.00	
KINGDOM GRAPHICS LLC	SAFETY SHIRTS	230.00	
KIRKWOOD COMM. COLLEGE	EMR TUITION	7,870.50	
L. L. PELLING CO. INC	ROAD REPAIR	435.24	
LACKENDER FABRICATIONS INC	SKIDLOADER ROOT GRAPPLE	1,713.00	
LINN COUNTY R.E.C.	SIREN @ GREENVIEW	138.00	
MECHANICSVILLE PUBLIC LIBR	SUBSCRIPTION	10.00	
MID-STATES ORGANIZED CRIME	MEMBERSHIP DUES	75.00	
MIDWEST FRAME & AXLE	VEHICLE REPAIR	243.95	
NATIONAL RECREATION AND PA	NRPA MEMBERSHIP	165.00	
OLSON, KEVIN D	LEGAL SERVICE	1,500.00	
OVERDRIVE INC	EBOOKS	164.98	
PITNEY BOWES GLOBAL FINANC	LIBRARY POSTAGE METER RENTAL	120.00	
PITNEY BOWES PURCHASE POWE	PITNEY BOWES PURCHASE POWER	500.00	
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	584.00	
QUILL CORP	OFFICE SUPPLIES	315.58	
STATE HYGIENIC LAB	LAB ANALYSIS	25.00	
STOOLMAN, JODEE	MILEAGE	155.30	
TOYNES IA. FIRE TRK.SERV	REPAIR PARTS	225.87	
US BANK CORPORATE CARD	TRAINING & EQUIP REPAIR	149.16	
WALMART COMMUNITY/RFCSLC	DVDS AND SUPPLIES	284.58	
WEST BRANCH COMMUNITY SCHO	HS TRACK RENTAL	100.00	
WEST BRANCH REPAIRS	VEHICLE REPAIR	42.15	
WEST BRANCH TIMES	LEGAL NOTICES & ADVERTISING	1,045.83	

TOTAL		26,746.54
PAID BETWEEN MEETINGS		
ALLIANT ENERGY	UTILITIES	9,931.95
BRICK, LESLIE	TRAVEL & SUPPLIES	27.59
COSTCO WHOLESALE	MISCELLANEOUS SUPPLIES	416.73
EDGAR, GORDON	MILEAGE	57.41
HILL, SHERRY	VIDEO RECORDING SERVICE	200.00
IOWA SECTION AWWA	WATER DISTRIBUTION TRAINING	140.00
UPS	SEWER-SHIPPIING	41.72
US BANK EQUIPMENT FINANCE	LIBRARY-COPIER LEASE	300.80
WEX BANK	VEHICLE FUEL	915.62
TOTAL		12,031.82
PAYROLL 3-10-17		38,645.67
GRAND TOTAL EXPENDITURES		77,424.03
FUND TOTALS		
001 GENERAL FUND	41,178.62	
022 CIVIC CENTER	1228.66	
031 LIBRARY	7,703.82	
110 ROAD USE TAX	6,240.83	
112 TRUST AND AGENCY	4,187.97	
600 WATER FUND	9,773.29	
610 SEWER FUND	7,110.84	
GRAND TOTAL	77,424.03	

COMMUNICATIONS/OPEN FORUM

Tara Andresen, who will be purchasing property at 106 Scott Drive, requested permission to construct a fence on city property or would like to purchase the city property for the purpose of constructing a fence. The city response was that the fence should be constructed on her property.

Gordon Edgar, Deputy City Clerk, reported he will change the city Health Insurance plan year to end on January 31 in order to obtain new health insurance rates for the budget each year. He will also change the plan year for the Flexible Benefits program to avoid any problems for employees in complying with IRS rules unless he hears objections from the Council Members regarding this action.

Matt Muckler, City Administrator, presented a list of projects to the Council Members that are in various stages of progress. He highlighted the projects that may need council action and also listed the contact name for each project.

PUBLIC HEARING/NON-CONSENT AGENDA

Mayor Roger Laughlin – Recognition of Nick Shimmin – Ten Years of Service

Mayor Laughlin presented Library Director/IT Director with an award for ten years of service to the City and thanked him for ten years of “really good service”.

Third Reading of Ordinance 745, establishing a Historic Preservation Commission for the City of West Branch, Iowa; providing for the recognition and promotion of historic sites and defining powers and duties of the Commission./Move to action.

Motion by Ellyson, second by Stevenson to approve second reading of Ordinance 745. AYES: Ellyson, Stevenson, Miller, Pierce, and Shields. Motion carried.

ORDINANCE 745

AN ORDINANCE ESTABLISHING A HISTORIC PRESERVATION COMMISSION FOR THE CITY OF WEST BRANCH, IOWA; PROVIDING FOR THE RECOGNITION AND PROMOTION OF HISTORIC SITES AND DEFINING POWERS AND DUTIES OF THE COMMISSION.

BE IT ORDAINED BY THE CITY COUNCIL OF WEST BRANCH, IOWA:

Section 1: Purpose and Intent

The purpose of this ordinance is to:

- a. Promote the educational, cultural, economic and general welfare of the public through the recognition, enhancement, and perpetuation of sites and districts of historical and cultural significance;
- b. Safeguard the City's historic, aesthetic, and cultural heritage by preserving sites and districts of historic and cultural significance;
- c. Stabilize and improve property values;
- d. Foster pride in the legacy of beauty and achievements of the past;
- e. Protect and enhance the City's attractions to tourists and visitors and the support and stimulus to business thereby provided;
- f. Strengthen the economy of the City;
- g. Promote the use of sites and districts of historic and cultural significance as places for the education, pleasure, and welfare of the people of the City.

Section 2: Definitions

- a. Commission. The West Branch Historic Preservation Commission, as established by this ordinance.
- b. Historic District. An area which contains a significant portion of sites including archaeological sites, buildings, structures, objects and/or other improvements which, considered as a whole, possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and
 1. embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; or
 2. is associated with events that have made significant contributions to the broad patterns of our local, state or national history; or
 3. possesses a coherent and distinctive visual character or integrity based upon similarity of scale, design, color, setting, workmanship, materials, or combinations thereof, which is deemed to add significantly to the value and attractiveness of properties within such area.
 4. is associated with the lives of persons significant in our past; or
 5. has yielded, or may be likely to yield, information important in prehistory or history.
- c. Historic Landmark. A site including archaeological sites, object, structure or building which,
 1. is associated with events that have made a significant contribution to the broad patterns of our history; or
 2. is associated with the lives of persons significant in our past; or
 3. embodies the distinctive characteristics of a type, period, or method of construction, or that represents a work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; or
 4. has yielded, or may be likely to yield, information important in prehistory or history.

Section 3: West Branch Historic Preservation Commission

- a. The Commission shall initially consist of five members who shall be residents of the City.
- b. Members of the Commission shall be appointed by the Mayor with the advice and consent of the City Council. Members shall demonstrate a positive interest in historic preservation, possessing interest or expertise in architecture, architectural history, historic preservation, city planning, building rehabilitation, conservation in general or real estate.
- c. The original appointment of the members of the Commission shall be, three for two years, and two for three years, from January 1 following the year of such appointment or until their successor is appointed to serve for the term of three years.
- d. Vacancies occurring in the Commission, other than expiration of term of office, shall be only for the unexpired portion of the term of the member replaced.
- e. Members may serve for more than one term and each member shall serve until the appointment of a successor.
- f. Vacancies shall be filled by the City according to the original selection as aforesaid.
- g. Members shall serve without compensation.
- h. A simple majority of the commission shall constitute a quorum for the transaction of business.
- i. The Commission shall elect a Chairman who shall preside over all Commission meetings and elect a Secretary who shall be responsible for maintaining written records of the commission's proceedings.
- j. The Commission shall meet at least three (3) times a year.
- k. Because the West Branch Historic Preservation Commission has a strong interest in liaison with organizations that have a special affinity with local history, the Commission may recommend to the Mayor and Council that up to three (3) Ex. Officio (non-voting) honorary members be appointed to the Commission by the Mayor with the advice and consent of the City Council. These Ex. Officio (non-voting) honorary members may be representatives of the Herbert Hoover National Historic Site, the Herbert Hoover Presidential Library-Museum and the Hoover Presidential Foundation.

Section 4: Powers of the Commission

- a. The Commission may conduct studies for the identification and designation of historic districts and landmarks meeting the definitions established by this ordinance. The commission may proceed at its own initiative or upon a petition from any person, group, or association. The Commission shall maintain records of all studies and inventories for public use.
- b. The Commission may make a recommendation to the State Historic Preservation Office for the listing of a historic district or landmark in the National Register of Historic Places and may conduct a public hearing thereon.
- c. The Commission may investigate and recommend to the City Council the adoption of ordinances designating historic landmarks and historic districts if they qualify as defined herein; and
- d. Provide information for the purpose of historic preservation to the governing body.
- e. Promote and conduct an educational and interpretive program on historic properties within its jurisdiction.
- f. Other Powers. In addition to those duties and powers specified above, the Commission may, with City Council approval:
 1. Accept unconditional gifts and donations of real and personal property, including money, for the purpose of historic preservation.
 2. Acquire by purchase, bequest, or donation, fee and lesser interests in historic properties, including properties adjacent to or associated with historic properties.
 3. Preserve, restore, maintain and operate historic properties, under the ownership or control of the Commission.
 4. Lease, sell, and otherwise transfer or dispose of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property.
 5. Contract, with the approval of the governing body, with the state or the federal government or other organizations.
 6. Cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation.

Section 5: Signs

It is unlawful for a person to install, alter or repair any signs within the Preservation or Historic District (see attached map) without first obtaining a permit. All signs shall conform with the "Standards for Signage Design and Display" (attached as Appendix pages 22-26) and with the design principles contained within the Preservation Brief: The Preservation of Historic Signs by Michael J. Auer (attached). The city administrator shall be responsible for ensuring that sign applications (form attached as Appendix page 29) are reviewed and processed in a timely manner

according to the above-mentioned standards and principles. All signs that were installed or displayed as of September 9, 1991 are allowed to remain. All signs installed or displayed after that date must comply with this chapter.

Section 6: Severability

Should any section or provision of this ordinance be decided by a court of this state to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 7: Amendatory Provisions

The City may amend this ordinance to meet any unforeseen circumstances which may affect the duties and responsibilities of the Commission.

Section 8: Effective Date

This ordinance shall take effect immediately upon passage and publication as required by law.

Passed and approved this 6th day of March, 2017.

First Reading: February 21, 2017

Second Reading: March 6, 2017

Third Reading: March 20, 2017

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

Resolution 1579, approving a variance for street width in the Meadows Subdivision, Part 3./Move to action.

Motion by Pierce, second by Shields. Shields stated that he had requested Public Works Director Goodale to measure some of the streets. Goodale reported that most streets were 29 to 31 feet wide with Main Street at 34. City Engineer Schechinger reported that long wide streets tend to encourage speeding and that some cities are trying to reduce impervious surface, by reducing street width, to decrease storm water runoff. Brad Larson of KLM asked the Council to approve the variance. AYES: Pierce, Shields, Stevenson. NAYS: Miller, Ellyson,. Motion failed because it was the second vote on a motion that failed last month and needed four votes to pass.

Resolution 1580, approving a sub-divider's agreement for the Meadows Subdivision, Parts Three A and Three B./Move to action.

Kevin Olson, city attorney, said he had not split the agreement yet, but if the developer wants approval of 3A, which includes the outlot, that could be done now. Brian Boelk, representing the developer requested the Council address only Part 3A at this time and table Part 3B.

Motion by Stevenson, second by Shields to approve Resolution 1580, Part Three A. AYES: Stevenson, Shields, Ellyson, Pierce. NAYS: Miller. Motion carried.

Resolution 1581, approving the Meadows Subdivision, Part 3A Preliminary Plat/Move to action.

Motion by Shields, second by Pierce to approve Resolution 1581. AYES: Shields, Pierce, Stevenson, Ellyson, NAYS: Miller. Motion carried.

Resolution 1588, approving an amendment to subscription agreement with Tyler Technologies in the amount of \$16,756.00./Move to action

Motion by Pierce, second by Stevenson to approve Resolution 1588. AYES: Pierce, Stevenson, Miller, Ellyson, Shields. Motion carried.

Resolution 1589, forgiving certain sanitary sewer charges/Move to action

Motion by Ellyson, second by Pierce to approve Resolution 1589. AYES: Ellyson, Pierce, Stevenson, Miller, Shields. Motion carried.

Resolution 1590, approving a contract with the FunkDaddies for the 2017 Hoover's Hometown Days Celebration in the amount of \$1,000.00./Move to action.

Motion by Stevenson, second by Shields to approve Resolution 1590. AYES: Stevenson, Shields, Pierce, Miller, Ellyson. Motion carried.

Resolution 1591, approving three agreements for the 2017 Music on the Green Concert Series in the amount of \$859.00./Move to action

Motion by Stevenson, second by Ellyson to approve Resolution 1591. AYES: Stevenson, Ellyson, Miller, Pierce, Shields. Motion carried.

CITY STAFF REPORTS

There were no comments from the city staff.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Mayor Laughlin thanked departing City Administrator Matt Muckler for his service to the city and presented him with a framed Post-it note, signed by City staff and elected officials. Administrator Muckler said it has been a great pleasure to work for the Mayor, Council and residents of West Branch. All of the Council members thanked Matt for his service.

ADJOURNMENT

Motion to adjourn regular meeting by Shields, second by Ellyson. Motion carried on a voice vote. City Council meeting adjourned at 7:59 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Gordon R. Edgar, Deputy City Clerk