

(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 21, 2014
7:00 p.m.**

Mayor Worrell opened the West Branch City Council meeting at 7:02 p.m. by welcoming the audience and the following City staff: City Administrator Matt Muckler, Deputy City Clerk Dawn Brandt, Sergeant John Hanna, Public Works Director Matt Goodale, Library Director Nick Shimmin, Parks & Recreation Director Melissa Russell, and City Attorney Kevin Olson. Council members: Jordan Ellyson, Colton Miller, Mary Beth Stevenson, Brian Pierce, and Tim Shields.

APPROVE AGENDA/CONSENT AGENDA

- a. Approve minutes from the April 7, 2014 City Council Work Session #1.
- b. Approve minutes from the April 7, 2014 City Council Meeting.
- c. Approve minutes from the April 7, 2014 City Council Work Session #2.
- d. Approve claims.

Motion by Ellyson to approve the agenda/consent agenda, second by Stevenson. AYES: Ellyson, Stevenson, Pierce, Shields, Miller. Motion carried.

4/21/2014

City of West Branch
Claims Register Report

ABC Fire Protection	Various Depts - Service Fire Ext	782.25
Agvantage Fs Inc	Streets - LP Gas	552.00
Air Cooled Engine	Cemetery - Supplies	31.24
Alliant Energy	Various Depts - Utilities	9,594.50
Amazon	Library - Supplies	422.74
AmSan	Lib/Streets/Admin/Th-Supplies	181.29
Anderegg, Thomas	Police – MMPI testing	75.00
At Technology Group	Fire - Service & Software	1,040.00
Baker & Taylor Inc.	Library - Books	861.63
Barron Motor Supply	Water/Police - Supplies	248.96
Bean & Bean	Cemetery - Burials	1,500.00
Big Country Seeds	Streets - Ice Buster	428.75
Boelk, Amy	Park & Rec - Program Refund	35.00
Bound Tree Medical	Fire - Medical Supplies	198.37
BP Amoco	Fire/Sewer/Police - Fuel	1,508.80
Brandt, Dawn	Admin - Reimb Mileage & Meals	76.23
Business Radio Sales	Fire - Service	35.50
Cedar County Cooperative	Fire - Diesel Fuel	1,479.00
Cedar County Recorder	Legal - Recordings	128.00
Cedar Rapids Photo Copy	Library - Service & Supplies	173.03
Community State Bank	Fire Dept Expansion Loan Pmt	8,364.57
Culligan Water	Fire - Water Cond Rental	37.65
Debra Fiderlein	Park & Rec - 2014 Session 2	369.04
Deweys Jack & Jill	P&R/Police/Water - Supplies	104.15
Diamond Vogel Paints	Streets - Traffic Paint	809.00
Document Destruction	Admin - Document Destruction	44.25
Ed.M.Feld Equipment	Fire - Supplies	164.00
EFTPS	Federal Withholdings	5,654.72
ETSCorporation	Water/Sewer - Credit Card Fees	30.37
F&B Communications	Admin - Web Hosting	29.95
Fred's Feed & Supply	Sewer - Supplies	8.75
Greatamerica Leasing	Admin - Copier Lease Agreement	252.06
Hawkins Inc	Water - Azone 15	690.41
HD Cline Company	Cemetery - Lawn Mower	7,900.00
IAWEA	Water/Sewer - Training Conf	360.00
ICAD Group	Econ Dev - FY14 Contribution	2,750.00

Image Trend	Fire - Rescue Bridge Fees	1,050.00
Ion Exchange	Sewer - Grass Mix	582.75
Iowa Assn. Mun. Utilities	Water - Ccr Workshop	120.00
Iowa Law Enf. Academy	Police - Inst Recertification	50.00
Iowa League Of Cities	Admin - Impi Training	1,652.00
Iowa One Call	Water/Sewer - Service	26.10
Iowa State University	Admin - P&Z Workshop Training	635.00
Iowa State University	Fire - Training	850.00
Jodi Yeggy	Park&Rec - 2014 Session 2	369.04
Joey Dean Wenndt	Fire - April Training	150.00
John Deere Financial	Water/Sewer - Supplies	276.16
Johnson County Refuse	Recycling - March 2014	3,709.75
Journeyed Com Inc	Admin - Software	180.90
Keltek Inc	Fire - Service Chevy Truck	3,339.74
Kevin D Olson	Legal Services For April 2014	1,500.00
Kingdom Graphics	Sewer/Water - Safety Shirts	347.50
Knoche, Rebecca	Park & Rec -Reimb For Supplies	31.80
L-Tron Corporation	Police - Microphone Kit	1,017.00
Lasko	Admin - Filters	25.69
Lenoch & Cilek	Water - Caulk	6.49
Liberty Communications	Various Depts - Phone Service	1,068.79
Linn County R.E.C.	Streets - Utilities	120.00
Matt Parrott	Water/Sewer - Supplies	253.11
Mechanicsville Public Lib.	Library-Iclipart Data Base Sub	10.00
Mediacom	Admin - Service	40.90
Menards	Sewer/P&R/St/Water - Supplies	341.85
Midwest Janitorial Service	Lib/Admin/Police/Th - Cleaning	646.56
Municipal Supply	Water - Equipment	3,780.00
Northway Well And Pump	Water - Well#2 Controls	2,315.00
Oasis Electric	Water-Bucket Truck Rental	262.50
Oriental Trading	Park & Rec - Supplies	141.99
Overdrive Inc	Library - Ebooks	69.91
Parkside Tire & Wrecker	Water - Service	32.89
Payroll 4-11-14	Payroll Expense 4-11-14	24,762.20
Pedersen, Mackenzie	Park & Rec - Program Refund	35.00
Pip Printing	Park & Rec - Door Hangers	217.55
Pitney Bowes	Library - Postage Meter Lease	120.00
Pitney Bowes	Admin - Postage Machine Lease	112.29
Pitney Bowes	Lib/Admin/Water/Sewer - Postage	2,000.00
Plato Electric	Fire - Generator Installation	4,340.00
Port 'O' Jonny	Park & Rec - Service	103.00
Pyramid Services	Cemetery - Wheel Kit	49.70
QC Analytical	Sewer - Testing March	584.00
Quill Corp	Various Depts - Supplies	615.07
Racom Corporation	Police - Service	105.25
Russell, Melissa	Park & Rec - Reimb For Supplies	194.58
Shanelle Peden	Admin - Reimb For Mileage/Trng	285.28
Shawn Pierce	Park&Rec - 2014 Session 2	369.04
Sprint	Police - Service	179.97
Stoolman, Jodee	Fire - Reimb For Training	218.60
Swank Motion Pictures	Library - Summer Reading Movie	275.00
Terence Goerdt	Admin - Building Inspections	175.00
Tipton Conservative	Library - Subscription	36.00
Treasurer State Of Iowa	Iowa Sales Tax Pmt April	2,190.00
U Of I: State Hygienic Lab	Water - Testing	48.00
UPS	Sewer - Shipping	100.68
US Bank Equipment Finance	Library - Copier Lease	76.32
US Cellular	Various Depts - Phone Service	558.57
USA Blue Book	Water - Supplies	449.70
Veenstra & Kimm	Various Depts - Engineering	8,166.71
Wageworks	Flex - Hcfsa2013	477.00
Walmart	Library - Supplies	143.16
West Branch Animal Clinic	Animal Control - Supplies	14.99
West Branch Ford	Police - Service '13 Explorer	37.93

West Branch Repairs	Fire/Streets - Service	692.45
West Branch Times	Legal/Cem/P&R - Publications	645.29
Wex Bank	Police - Fuel	592.96
Wiele Chevrolet	Fire - Service	65.26
	Grand Total	120,961.18

Fund Totals		
001 General Fund		71,899.80
022 Civic Center		1,075.87
031 Library		8,138.18
110 Road Use Tax		2,667.46
112 Trust And Agency		1,344.75
226 Go Debt Service		8,364.57
600 Water Fund		17,523.10
610 Sewer Fund		8,470.45
614 Wastewater Lift Station		1,000.00
950 BC/BS Flexible Benefit		477.00
Grand Total		120,961.18

COMMUNICATIONS/OPEN FORUM - NONE

There were no comments during the communications/open forum.

PUBLIC HEARING/NON-CONSENT AGENDA

Mayor Mark Worrell – Recognition of Herb N’ Lou’s.

Mayor Worrell indicated that Herb N’ Lou’s would be recognized at the next Council meeting.

Second Reading of Ordinance 720, amending Chapter 165 “Zoning Regulations.”/Move to action.

Motion by Stevenson, second by Pierce to approve second reading of Ordinance 720. AYES: Stevenson, Pierce Shields, Ellyson, Miller. Motion carried.

First reading of Ordinance 721, amending Title Chapter 165 “Zoning Regulations.”/Move to action.

Motion by Stevenson, second by Shields to approve first reading of Ordinance 721. AYES: Stevenson, Shields, Ellyson, Miller, Pierce. Motion carried.

Third Reading of Ordinance 722, amending Chapter 55 of the Code of Ordinances regarding applicability of rules and regulations for the dog park./Move to action.

Motion by Stevenson, second by Shields to approve third reading of Ordinance 722. AYES: Stevenson, Shields, Ellyson, Miller, Pierce. Motion carried.

ORDINANCE NO. 722

AN ORDINANCE AMENDING CHAPTER 55 OF THE CODE OF ORDINANCES REGARDING APPLICABILITY OF RULES AND REGULATIONS FOR THE DOG PARK.

WHEREAS, the City of West Branch owns a parcel located in unincorporated Cedar County that is operated as a Dog Park; and

WHEREAS, Section 364.4(3) of the Code of Iowa allows the City to extend its ordinances to apply to real property owned by the City outside its corporate boundaries; and

WHEREAS, the City Council and Animal Control Commission desire to have the Chapter 55 of the Code of Ordinances to also apply in the Dog Park.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Amendment. The Code of Ordinances of the City of West Branch is hereby amended by adding subparagraph 4 to Section 55.05 of the Code of Ordinances, which will read as follows:

“4. Applicability to Dog Park. All the rules and regulations of this chapter shall also be applicable to any activity at the City’s Dog Park.”

Section 2 Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Adjudication. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

Passed and approved this 21st day of April, 2014.

First Reading: March 24, 2014

Second Reading: April 7, 2014

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

Public Hearing on the proposal to adopt a storm water utility for the City of West Branch, Iowa.

Mayor Worrell opened the public hearing at 7:05 p.m. Resident Jon English of 212 Wetherell St. was concerned about an option for relief if customers can't make their utility payment being written into the utility policy. Worrell closed the public hearing at 7:06 p.m.

First Reading of Ordinance 718, amending the Code of Ordinances of the City of West Branch by creating and incorporating a storm water utility./Move to action.

Councilperson Mary Beth Stevenson supports the ordinance and said this is a fair way to share in the issues that we are having throughout the city with drainage and flooding. It is the responsibility of the Council to act on behalf of those that need solutions and answers to the problems they are facing. City Administrator Muckler addressed the comment regarding payment relief. The City currently offers a payment agreement option for utility bills. Councilperson Shields would like the City to match a portion of what the public is contributing in future budgets. Councilpersons Pierce and Stevenson agreed. Pierce would like an annual report that reviews the projects planned and completed each year. Resident James Thalken of 503 N 4th St. asked how much the fee is per unit based on the 3,500 square feet. City Administrator Muckler said the single family residential fee is \$2.00 a month per unit for the first year. Motion by Stevenson, second by Shields to approve first reading of Ordinance 718. AYES: Stevenson, Shields, Ellyson, Pierce. NAYS: Miller. Motion carried.

First Reading of Ordinance 723, amending Title "Police, Fire and Emergencies," Chapter 31 "Reserve Police Force."/Move to action.

Sergeant John Hanna noted that this amendment changes the volunteer police reserve from four members to six. Chief Horihan has two good candidates that are interested. Reserves are required to complete the reserve officer program through the State of Iowa. City Administrator Matt Muckler added the City of West Branch has adopted a policy with four different levels in the reserve program. Reserve officers help with traffic control duties, the prescription drug event, and many other special events. Councilpersons Stevenson and Ellyson agreed this is a good program with little cost to the City.

Motion by Pierce, second by Ellyson to approve first reading of Ordinance 723. AYES: Pierce, Ellyson, Miller, Stevenson, Shields. Motion carried.

Resolution 1190, approving the Main Street Iowa Program Agreement./Move to action.

Mayor Worrell thanked Main Street for all they have done for West Branch.

Motion by Ellyson, second by Shields to approve Resolution 1190. AYES: Ellyson, Shields, Miller, Stevenson, Pierce. Motion carried.

Resolution 1192, approving a farm lease with Al Lacina for \$3,450./Move to action.

Motion by Stevenson, second by Miller to approve Resolution 1192. AYES: Stevenson, Miller, Pierce, Shields, Ellyson. Motion carried.

CITY STAFF REPORTS

Park & Recreation Director Melissa Russell – April 24th Park Planning Charrette

Park & Recreation Director Melissa Russell invited everyone to attend the park planning charrette. It will be an open house format Thursday, April 24th from 8:00 a.m. to 8:00 p.m. at the City office. Engineering and architect presentations will be given at noon and 7:00 p.m. Refreshments will be served. Council person Pierce asked that the presentations be videotaped for residents to view later.

Public Works Director Matt Goodale - City-Wide Clean Up, Saturday, May 3rd

Public Works Director Matt Goodale reminded the public that the City-wide clean up will be held at the Water street parking lot from 7:00 to 11:00 a.m. Residents should enter on 2nd street and exit on Parkside Drive. There is a \$10.00 fee for appliances and tires, construction materials, paint and hazardous waste will not be accepted.

Executive Director Mackenzie Krob, Main Street West Branch – Wayfinding Sign Update

Director Krob addressed the Council regarding the committee Wayfinding sign plan and map. The Historic Preservation commission approved the plan with one recommendation to move sign three up in front of Shane Stakers building. The eight signs will cost approximately \$4,000 and will be made by Nesper signs. Public Works employees will be installing them. Administrator Muckler said the cost of the signs will be paid from a \$10,000 signage CD.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Mayor Worrell attended the Park & Recreation Easter egg hunt and said there was a good turnout and thanked Director Russell for a great job.

Mayor Mark Worrell – Review of City Council Goals

Mayor Worrell reviewed the Council goals from 2013 and 2012. He commented with Ellyson agreeing that many of the goals adopted in September of 2013 have been completed. He said this City government is committed to completing the goals that have been set.

Motion to adjourn to closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where the disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation pursuant to Section 21.5(c) of the Code of Iowa.

Motion by Shields to adjourn to closed session at 7:52 p.m. and second by Ellyson. AYES: Shields, Ellyson, Miller, Stevenson, Pierce. Motion carried.

After allowing for a brief break, the Council entered closed session at 7:56 p.m.

Motion by Miller to adjourn from the closed session at 8:08 p.m. and second by Stevenson. AYES: Miller, Stevenson, Pierce, Shields, Ellyson. Motion carried.

ADJOURNMENT

Motion to adjourn meeting by Pierce, second by Miller. AYES: Pierce, Miller, Stevenson, Shields, Ellyson. Motion carried. City Council meeting adjourned at 8:09 p.m.

Mark Worrell, Mayor

ATTEST: _____
Dawn Brandt, Deputy City Clerk