

(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

**October 15, 2012
7:00 p.m.**

Mayor Don Kessler 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, Fire Chief Administrator Dick Stoolman, and City Engineer Dave Schechinger. Council members: Jordan Ellyson, Colton Miller, and Jim Oaks. Absent: Dan O'Neil and Mark Worrell.

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the October 1, 2012 City Council Meeting.
- b) Approve minutes from the October 9, 2012 City Council Work Session.
- c) Approve claims.

Motion by Miller to amend the agenda to move item 6a to follow 6g on the agenda, second by Ellyson. AYES: Miller, Ellyson and Oaks. Absent: O'Neil and Worrell. Motion carried.

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

Date 10-15-12	City Of West Branch	
	Claims Register Report	
Aero Rental Inc	Library - Supplies	41.75
Alert-All Corp	Fire - Supplies	553.00
All American Concrete Inc	Streets - Ms Access Rd Project	18,765.68
Alliant Energy	Various Depts - Utilities	7,812.54
Amazon	Library - Books & Supplies	474.22
Baker & Taylor Inc.	Library - Books	1,210.48
Barron Motor Supply	Streets/Police - Supplies	438.08
BDC Building Inspection	Admin - Bldg Inspections Sept	451.50
Bean & Bean	Cemetery - Grave Openings	2,000.00
Big Country Seeds Inc	Streets -Ms Project Grass Seed	193.00
Big Timber Excavating	Streets-Oliphant Sidewalk Proj	487.23
Bluetarp Financial Inc	Sewer - Hearing Protection	54.90
Blue Cross Blue Shield	Insurance	993.35
BP Amoco	Fire/Police/Water - Fuel	1,590.12
Business Radio Sales	Fire - Service Pagers	260.52
Cedar Co Sheriff's Office	Police - Papers Served	78.27
Cedar County Cooperative	Water - Diesel Fuel	905.00
Cedar County Public Health	Various Depts - Flu Shots	250.00
Cedar County Recorder	Legal- Document Fees	56.00
Cedar Rapids Photo Copy	Library - Service	96.96
Centurion Technologies Inc	Library - Smart Shields	231.00
Communications Engineering	Police - Service Radio	960.00
Community State Bank	Fire Dept Expansion Loan Pmt	8,364.57
Conell, Dalton	P&R - Fball Referee	80.00
Cook, Cole	Park& Rec - Flag Fball Referee	80.00
Croell Redi-Mix Inc	Streets - Gazebo & Ms Project	1,743.75
Culligan Water	Fire - Water Cond Rental	32.95
Cy Frommelt	Streets - Tree Trimming	5,805.00
Dave's Welding & Repair	Streets - Filter	23.71
Demco	Library - Easels	95.16
Deweys Jack & Jill	Library/Sewer - Supplies	21.86

Dusty's Precision Auto	Police - Tires Charger	268.16
East Cent Intergovt Asn.	Comp Plan - August 2012 Exp	75.00
Econo Signs LLC	Streets - Signs	302.18
EFTPS	Federal Withholdings	4,611.01
Financial Adjustment Bureau	Library - Service	2.61
Galls -- An Aramark Co	Police - Equipment For Car	1,045.60
General Pest Control	Library - Service	70.00
Gierke-Robinson Company	Streets/Water/Sewer - Supplies	3,317.56
Goodale, Matthew	Water - Reimb For Supplies	4.52
Gould, Mike	P&R - Fball Referee	40.00
Greatamerica Leasing Corp	Admin - Copier Contract	252.06
Hansen Asphalt	Streets - Paving Ms Project	20,439.25
Harry's Custom Trophies	Park & Rec - Supplies	240.00
Hawkins Water Treatment	Water - Azone 15	1,487.50
Iowa City Press-Citizen	Admin - Admin Asst. Ad	390.23
Iowa DNR	Water-Fy13 Annual Water Fee	66.00
Iowa Insurance Division	Cemetery - Fy12 Annual Report	30.00
Iowa Law Enforcement Academy	Police - Training	280.00
Iowa Network Services Inc	Admin - Website Hosting	26.99
Iowa One Call	Water/Sewer - Service	27.90
IPERS	Ipers	3,412.44
Johnson County Refuse Inc.	Recycling - Sept 2012	3,606.06
Kilpatrick, Judy	Dtn Refund	100.00
Kingdom Graphics LLC	P&R/Comm - T-Shirts & Sign	675.00
Kober, Alice	P&R - Vball Referee	40.00
Kyllingstad, Maria	P&R - Vball Referee	50.00
L. L. Pelling Co. Inc	Streets - Trail Project	16,266.25
Lacina, Cole	P&R - Fball Referee	40.00
Lease Consultants Corp	Library - Copier Lease	59.00
Liberty Communications	Various Depts - Phone Service	1,130.55
Linn County R.E.C.	Streets - Utilities	102.00
Luneckas, Lexi	P&R - Vball Referee	40.00
Luneckas, Trystin	P&R - Vball Referee	40.00
Lynch's Plumbing Inc	Water - Service & Repairs	2,204.60
Main Street West Branch	Econ Dev - Main Street	6,000.00
Mathews, Mari	Utility Refund Dep.	29.06
Mediacom	Admin - Service	40.90
Menards	Streets - Supplies	70.80
Midwest Janitorial Service	Lib/Admin/Th/Police -Cleaning	637.00
Midwest Radar & Equipment	Police - Service	120.00
Muckler, Matt	Admin-Postage For Adm Letters	22.50
Nagle Lumber Company	Streets - Hardboard Siding	175.60
Nauman Sod Farms	Streets - Ms Project Sod	80.00
Olson, Kevin D.	Legal Services For Oct 2012	1,500.00
Parkside Service	Fire/Streets - Service & Supplies	209.15
PDT Services	Fire - Service	126.18
Payroll Expense 10-15-12	Payroll 10-15-12	23,148.27
Peden, Shanelle M.	Cable - Videotaping	100.00
Pitney Bowes	Admin/Water/Sewer - Postage	500.00
Plato Electric LLC	Streets - Service	40.00
Plunkett's Pest Control	Admin - Service	91.52
Port 'O' Jonny Inc.	P&R/Cemetery - Service	291.52
Postmaster	Admin -Postage For Water Bills	301.60
Poula, Heather	P&R - Vball Referee	40.00
Qc Analytical Services LLC	Sewer - Testing	552.00
Quill Corp	Library - Supplies	79.47
RK Dixon	Admin - Blk & Wht Copies	260.93
Schimberg Co	Streets/Water - Supplies	780.00
Silva, Anthony & Teri	Utility Refund Dep.	36.51
Sprint	Police - Service	179.97
State Hygienic Lab	Water - Testing	40.00
Thein Motor Sales	Police - Service 08 Dodge	183.00

Tipton Conservative	Legal - Admin Asst Ad	30.80
Treasurer State Of Iowa	State W/H Tax	922.00
Tumbleweed Press Inc	Library - Subscription	200.00
Uniform Den Inc.	Police - Uniforms	787.85
UPS	Sewer - Shipping	48.90
US Cellular	Various Depts - Phone Service	552.85
US Foods	P&R - Soup For Soup Supper	252.05
Veenstra & Kimm Inc.	Various Eng. For Projects	10,937.27
Walmart	Library - Supplies	224.55
Wellmark BC/BS	Flex	513.33
Wenndt, Joe	Fire - October Fire Training	150.00
West Branch Comm. Schools	Park & Rec - Facility Gym Use	562.50
West Branch Repairs	Police/Fire/Streets - Service	828.75
West Branch Times	Legal - Publications	673.66
White Cap Construction	Water - Supplies	582.64
Wright Express FSC	Police - Fuel	375.72
	Grand Total	168,171.92

Fund Totals		
001 General Fund		74,337.12
022 Civic Center		490.37
031 Library		8,143.14
110 Road Use Tax		49,718.23
112 Trust And Agency		3,163.75
226 Go Debt Service		8,364.57
600 Water Fund		13,589.72
610 Sewer Fund		10,365.02
Grand Total		168,171.92

COMMUNICATIONS/OPEN FORUM

Curtis Fountain, 314 W. Orange Street, complained about the Middle School Project, specifically about an area of grass that he felt was not replanted properly, the placement of the curb cut which allows him access to his yard and that the project was not completed in August. He also claimed that one of his lot pins was disturbed as a result of the project. Muckler explained that City Engineer Dave Schechinger had met with Fountain on his property prior to construction of the project and that Public Works Director Goodale had spent at least eight or nine hours talking to Mr. Fountain about the project during construction. Councilperson Ellyson requested that Fountain submit all of his complaints in writing so that the Council could ensure that these items were properly addressed.

Bob Champagne, 315 East Main, discussed the City's site plan ordinance and Chapter 160 of the City Code and stated that he should not be bound by the site plan ordinance for construction of a roof on his property.

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

Second reading of Ordinance 701, amending Chapter 65 "Stop or Yield Required."/Move to action. Motion by Miller, second by Ellyson to approve Second Reading of Ordinance 701. AYES: Miller and Ellyson. NAYES: Oaks. Absent: O'Neil and Worrell. Motion failed.

Third reading of Ordinance 703, amending Chapter 91 "Water Meters."/Move to action.

Motion by Ellyson, second by Miller to approve Third Reading of Ordinance 703. AYES: Ellyson, Miller and Oaks. Absent: O'Neil and Worrell. Motion carried.

ORDINANCE NO. 703

AN ORDINANCE AMENDING TITLE CHAPTER 91 "WATER METERS."

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 91 "WATER METERS" of the Code of West Branch, Iowa is hereby amended by deleting Section 91.06 in its entirety and inserting in lieu thereof:

91.06 FEE FOR WATER METERS.

The full cost of the meter and automated meter reading equipment that is prescribed by the superintendent will be paid for by all new water customers. The automated meter reading equipment that will be added to existing customers will be paid for by the City. The superintendent will add automated meter reading equipment to existing customers at his or her discretion.

2. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 91 "WATER METERS" of the Code of West Branch, Iowa is hereby amended by inserting the words "**or automated meter reading equipment**" after the word "meter" in the first sentence of Section 91.07.
3. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.
4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
5. 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 this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 15th day of October, 2012.

First Reading: September 17, 2012
 Second Reading: October 1, 2012
 Third Reading: October 15, 2012

 Don Kessler, Mayor

Attest:

 Matt Muckler, City Administrator/Clerk

Third reading of Ordinance 704, amending Chapter 63 "Speed Regulations." / Move to action.

Motion by Ellyson, second by Miller to approve Second Reading of Ordinance 704. AYES: Ellyson, Miller and Oaks. Absent: O'Neil and Worrell. Motion carried.

ORDINANCE NO. 704

AN ORDINANCE AMENDING TITLE CHAPTER 63 "SPEED REGULATIONS."

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 63 "SPEED REGULATIONS" of the Code of West Branch, Iowa is hereby amended by deleting Section 63.04.1.B in its entirety.
2. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 63 "SPEED REGULATIONS" of the Code of West Branch, Iowa is hereby amended by inserting a new subsection to Section 63.04:

Special 15 MPH Speed Zones. A speed in excess of 15 miles per hour is unlawful on any of the following designated streets or parts thereof.

A. Mobile home communities.

3. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.
4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
5. 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 this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 15th day of October, 2012.

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 Don Kessler, Mayor

Attest:

 Matt Muckler, City Administrator/Clerk

Resolution 1037, approving service agreement with Kid Again Inflatable Fun Shows in connection with the 2013 Hoover's Hometown Days Celebration in the amount of \$9,500./Move to action.
Muckler reported that the deposit amount has been reduced from \$4,750 to \$3,200.
Motion by Miller, second by Ellyson to approve Resolution 1037. AYES: Miller, Ellyson and Oaks. Absent: O'Neil and Worrell. Motion carried.

Resolution 1039, approving that certain agreement in connection with the Lift Station and Force Main Improvements 2011 Project./Move to action.
Muckler introduced Katharine Gaskill to the Council and stated that she would be available for any questions.
Motion by Miller, second by Ellyson to approve Resolution 1039. AYES: Miller, Ellyson and Oaks. Absent: O'Neil and Worrell. Motion carried.

Resolution 1041, hiring Jennifer Harden as the Administrative Assistant for the City of West Branch, Iowa and setting the salary for the position for the fiscal year 2012-2013./Move to action.
Muckler introduced Jennifer Harden to the Council. He stated that there were fifty-seven applicants for the position and that Jennifer Harden was his recommendation for the position.
Motion by Ellyson, second by Miller to approve Resolution 1041. AYES: Ellyson, Miller and Oaks. Absent: O'Neil and Worrell. Motion carried.

Main Street West Branch President Becky Frederick and Program Director Mackenzie Krob – Main Street Update. Krob stated that Main Street is focused on several areas, including Appreciation Park, Heritage Square, a new website, new marketing materials, business lunches and planning for The Healthy Lifestyle Festival and Christmas Past Weekend. The mayor thanked Krob for her work as Program Director.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

The Mayor congratulated Jennifer Harden on her appointment.

CITY STAFF REPORTS

Public Works Director Matt Goodale provided project updates on the following projects: 1) Middle School Access Road Improvements, 2) Oliphant Street Sidewalk Project, 3) Hoover Trail Resurfacing, and 4) Heritage Square.

City Administrator Matt Muckler – Green Street/Wapsi Creek Park Plan. Muckler briefed the Council on the drawing produced by Veenstra & Kimm concerning the Wapsi Creek Park parking plan. Roy Lewis stated that he was happy with the plan and that he would work with staff to resolve some minor remaining issues.

ADJOURNMENT

Motion to adjourn meeting by Miller, second by Ellyson. Motion carried on a voice vote. City Council meeting adjourned at 7:40 p.m.

Don Kessler, Mayor

ATTEST: _____
Matt Muckler, City Clerk