

(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 18, 2011
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/Clerk Matt Muckler, Assistant Library Director Becky Knoche, Library Director Nick Shimmin, Police Chief David Bloem, Crime Data Processor Gina Heick, Park & Rec. Director Melissa Russell, Fire Chief Administrator Dick Stoolman, Fire Chief Kevin Stoolman. Council members: Mark Worrell, David Johnson, Robert Sexton, Dan O'Neil, and Jim Oaks.

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the April 4, 2011 City Council Meeting.
- b) Approve minutes from the April 11, 2011 Council Work Session.
- c) Approve claims.
- d) Approve Change Order #1 in amount of \$1386.00 to Fire Station Expansion Project.

Motion by Sexton, second by Johnson. Roll call vote – Ayes: Sexton, Johnson, Worrell, O'Neil,, Oaks. Motion carried.

City of West Branch Claims - 4/18/11			Hygienic Lab	testing	230.00
ABC Fire Protection	fire ext. service	1187.25	IA Assoc. Municipal Util.	training	30.00
Aero Rental	drywall lift	565.55	Iowa Business Supply	office supplies	137.22
Alliant Energy	utilities	8887.06	Iowa DNR	application fee	20.00
Amazon	supplies	40.09	Iowa Network Services	service contract	26.99
Amsan	supplies	70.02	Iowa One Call	service	19.80
Baker & Taylor Books	books	638.53	Iowa Paper	mats	592.32
Barron Motor Supply	supplies	207.25	Iowa Workforce Dev.	unemployment	21.44
BDC Bldg. Plan Review	bldg. inspections	193.20	Johnson County Refuse	recycling/tags	4798.25
Bloem, David	reimbursement	11.45	Kone Inc.	elevator contract	450.00
Borland-Kaalberg, Ashley	reimbursement	11.10	LL Pelling Co. Inc.	premex	497.25
BP Amoco	fuel	1322.83	Lease Consultants Corp.	service	59.00
Brown Supply Co. Inc	supplies	380.00	Lenoch & Cilek	supplies	25.19
Business Radio Sales	service	150.00	Liberty Communications	utilities	1304.86
Cedar County Recorder	recording fees	48.00	Linn Co. REC	utilities	102.00
Cedar County Solid Waste	debris removal	36.00	Lynch's Plumbing	service	636.00
Cedar Rapids Photo Copy	service	102.41	Mata, Robert	credit refund	60.67
Chris Jones Trucking	trucking	455.07	Medtronic Emergency	supplies	312.15
Creations With a Twist	service contract	112.81	Menards	supplies	636.25
	consulting		Moss, Tim	reimbursement	102.80
Creative Software Service	service	1386.73	Ann Nash	cleaning	240.00
Culligan Water			Newell, Christian	credit refund	74.02
Technology	service	2.95	Niabi Zoo	deposit	25.00
Cy Frommelt	tree removal	355.00	North American Salt Co.	salt	4905.94
Dave's Welding & Repair	service	205.78	Oasis Electric	service	350.00
Deweys Jack & Jill	supplies	26.52	Office Depot	office supplies	81.25
Division of Labor/Elevator	service	125.00	Olson, Atty. Kevin	legal service	1250.00
Ebsco Subscription	subscriptions	929.09	Payroll	4/1/2011	25851.28
Ed M Feld Equipment Co.	uniforms/supplies	5652.05	Payroll	4/15/2011	31206.67
Fleet Services	fuel	265.50	Peden, Shanelle	videotaping	250.00
General Pest Control	service	70.00	Pitney Bowes	postage	550.80
Great America Leasing	copier contract	252.06	Plato Electric	service	5080.00
Hach Company	testing	372.41	Play It Again Sports	soccer supplies	167.87
Heick, Gina	cleaning	40.00	Pyramid Services	supplies	22.57
HSBC Business Solutions	supplies	112.50	QC Analytical Services	testing/training	1292.00
			Quill Corp.	office supplies	84.53
			S & G Materials	sand	671.78

Simkin, Atty. Douglas	legal service	717.50	West Branch Ford	service	278.97
Sirchie Finger Print Lab	supplies	47.59	West Branch Heating	furnace repair	364.60
Spahn & Rose Lumber	dricrete	50.81	West Branch Times	publications	714.64
Sprint	service contract	179.97			
Staples	office supplies	57.53	Total		\$188,008.91
Streicher's Inc.	supplies	210.96			
The Library Store Inc.	supplies	29.20	Fund Totals		
Tipton Conservative	subscription	33.00	General Fund	129640.19	
Treasurer State of Iowa	sales tax	1579.80	Civic Center	2241.90	
United Laboratories	supplies	433.02	Library	9434.85	
UPS	shipping	101.69	Road Use Tax	12493.11	
Upstart	supplies	466.50	Police Recovery Act Grant	2081.22	
US Bank	fire tanker loan	75379.96	Trust & Agency	10290.16	
US Cellular	service	577.28	Water	12249.90	
Vargason, Colleen	supplies	89.00	Sewer	9577.58	
Walmart	supplies	216.78		\$188,008.91	
Wennndt, Joe	training	100.00			

The Clerk reported the following receipts for the month of March 2011:

Water, Sewer, Recycling	\$	50,171.57	Cedar Co. Property Tax	\$	175,344.73
Water Utility Deposits	\$	100.00	Johnson Co. Prop. Tax	\$	1,205.66
Cookson Rent	\$	-	Road Use Tax	\$	21,243.73
Town Hall Rent	\$	270.00	Fines	\$	537.33
Misc.	\$	793.79	Twp. Fire Contract		
Library	\$	3,041.73	Building Permits	\$	9,928.75
Donations	\$	7,500.00	Police Department Grant	\$	(35,333.93)
Interest	\$	339.86	Krouth Fund Interest	\$	0.36
Investments Interest	\$	439.32	M. Gray Savings Interest	\$	2.00
Cable fees	\$	-	Cemetery Perp. Care Int.		
Hometown Days	\$	-	MV Fuel Tax Refund		
Cat & Dog Registrations	\$	120.00	Reimbursement/Refunds		
Beer & Liquor Lic. Fees	\$	617.50	Grave Openings	\$	225.00
Park & Rec. Activities	\$	839.00	Cemetery Lots	\$	-
SUBTOTAL	\$	64,232.77	SUBTOTAL	\$	173,153.63
			TOTAL	\$	237,386.40

**The Clerk reported the following balances on hand for the month of March 2011:
(Balances =Financial Statement Report Bank Balance + Investments)**

Funds	Bank Balance	Investments	Total
001 General	\$ 196,371.88	\$ 228,952.43	\$ 425,324.31
011 Police Donations	\$ 8,851.54	\$ -	\$ 8,851.54
014 Fire Dept. Donations	\$ 60,100.00	\$ -	\$ 60,100.00
018 Park Donations	\$ 5,388.71	\$ -	\$ 5,388.71
022 Civic Center	\$ 32,303.86	\$ -	\$ 32,303.86
031 Library Operating	\$ (20,664.67)	\$ 16,312.85	\$ (4,351.82)
036 Tort Liability	\$ 11,084.15	\$ -	\$ 11,084.15
050 Home Town Days	\$ 11,473.28	\$ -	\$ 11,473.28
110 Road Use Tax	\$ 199,393.40	\$ 29,896.67	\$ 229,290.07
111 Police Recovery Act Grant	\$ (8,324.86)	\$ -	\$ (8,324.86)
112 Trust & Agency	\$ 15,087.97	\$ -	\$ 15,087.97
119 Emergency Tax Fund	\$ 51,835.13	\$ -	\$ 51,835.13
121 Local Option Tax	\$ -	\$ -	\$ -
125 TIF	\$ 698,079.28	\$ -	\$ 698,079.28
160 Economic Develop.	\$ 138,934.85	\$ -	\$ 138,934.85
200 Debt Service	\$ 1,354.33	\$ -	\$ 1,354.33

226 SRF Debt Service	\$	95,716.78	\$	-	\$	95,716.78
300 Capital Improvement	\$	274.23	\$	-	\$	274.23
500 Cemetery Perpetual	\$	9,254.97	\$	88,000.00	\$	97,254.97
501 Krouth Fund Principal	\$	-	\$	101,286.74	\$	101,286.74
502 Krouth Enlow Int. Fund	\$	8,501.75	\$	16,025.96	\$	24,527.71
600 Water Operating	\$	232,324.79	\$	123,900.21	\$	356,225.00
603 Water Sinking Fund	\$	37,966.64	\$	-	\$	37,966.64
610 Sewer Operating	\$	152,353.89	\$	76,587.19	\$	228,941.08
TOTAL	\$	1,937,661.90	\$	680,962.05	\$	2,618,623.95

COMMUNICATIONS/OPEN FORUM

Worrell invited discussion on future construction change orders. Fire Chief Stoolman stated his concern in waiting for a Council meeting to have a change order approved and the possible delay in the project. Discussion was held on potential alternatives. City staff was directed to approve, at their discretion, change orders up to \$5000. Chief Stoolman was directed to discuss future change order requests with City Administrator Matt Muckler.

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

City Attorney Kevin Olson, Conflict of Interest Update

Olson presented information on law behind conflict of interest. He stated that it is the responsibility of each individual Council member to determine if there is a conflict of interest prior to voting on an item.

Approve Subdivider's Agreement on Meadows Subdivision between the City of West Branch, IA and KLM Investment, L.L.C./Move to action.

Olson discussed the subsection, concerning traffic issues and the crossing on Main Street, that was altered since the last Council meeting.

Motion by Worrell, second by Sexton to approve Subdivider's Agreement. Roll call vote – AYES: Worrell, Sexton, Johnson, O'Neil, Oaks. Motion carried.

Approve variance on Meadows Subdivision per 170.22 of the City of West Branch Code of Ordinances./Move to action.

Muckler referenced the grade of Orange Street being similar to the proposed street grade on Dawson Court. Discussion was had on potential problems and solutions with changing the grade.

Motion by Sexton, second by Worrell to approve variance on Meadows Subdivision per 170.22 of the City of West Branch Code of Ordinances. Roll call vote – AYES: Sexton, Worrell, O'Neil. NAYS: Johnson, Oaks. Motion failed.

Approve preliminary plat of Meadows Subdivision, pursuant to the execution of the Subdivider's Agreement between the City of West Branch and KLM Investment, L.L.C./Move to action.

Motion by Sexton, second by Worrell to approve preliminary plat. Roll call vote – AYES: Sexton, Worrell, O'Neil, Johnson, Oaks. Motion carried.

First reading of Ordinance 679 amending Chapter 17 "COUNCIL" of the Code of West Branch, Iowa./Move to action.

Muckler said ordinance 679 would set Council meetings year round at 7:00 PM.

Motion by Johnson, second by Worrell to approve first reading of Ordinance 679. Roll call vote – AYES: Johnson, O'Neil. NAYS: Worrell, Sexton, Oaks. Motion failed.

Bill Schulte, Executive Director, Cedar County Economic Development Commission – Discussion on Future Projects.

Schulte asked Council for their suggestions on what they feel is needed for the small communities from CEDCO. Discussion was had on ideas that CEDCO could pursue to be of more assistance to small communities.

Second reading of Ordinance 675 amending Chapter 90 “WATER SERVICE SYSTEM” by establishing a permit fee per the City of West Branch Schedule of Fees./Move to action.

Motion by Sexton second by Worrell to approve second reading of Ordinance 675. AYES: Sexton, Worrell, O’Neil, Johnson, Oaks. Motion carried.

Second reading of Ordinance 676 amending Chapter 96 “BUILDING SEWERS AND CONNECTIONS” by establishing a permit fee per the City of West Branch Schedule of Fees./Move to action.

Motion by Worrell, second by Sexton to approve second reading of Ordinance 676. AYES: Worrell, Sexton, Johnson, O’Neil, Oaks. Motion carried.

MAYOR DON KESSLER

Appointments/Reappointments

None

REPORTS

Crime Data Processor Gina Heick – West Branch Police Department Monthly Report

Heick added that the Cedar County Sherriff’s Department will hold a prescription drug disposal program for the community to properly dispose of expired and no longer needed drugs from 10:00 a.m-2:00 p.m on Saturday April 30, 2011 at the Cedar County Law Enforcement Center.

ADJOURNMENT

Meeting adjourned by Mayor Kessler. City Council meeting adjourned at 7:56 p.m.

Don Kessler, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk