

(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

**May 2, 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, Deputy City Clerk Dawn Brandt, Library Director Nick Shimmin, Police Chief David Bloem, Park & Rec. Director Melissa Russell, and Fire Chief Administrator Dick Stoolman.

Council members: Mark Worrell, David Johnson, Robert Sexton and Jim Oaks. Absent: Dan O'Neil

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the April 18, 2011 City Council Meeting.
- b) Approve bridge inspection agreement between the City of West Branch and Calhoun-Burns and Associates, Inc. for a lump sum of \$600 plus additional hourly fees, if necessary, for load rating computations and/or scour evaluations.
- c) Approve five-year Agreement for Maintenance and Repair of Primary Roads in Municipalities between the City of West Branch and the Iowa Department of Transportation.

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

COMMUNICATIONS/OPEN FORUM

Brad Larson, KLM Investors gave an update on the changes recommended by Dave Schechinger. He said that they he will be presenting the changes at the upcoming Planning and Zoning meeting. Larson said that he will bring information back to Council at the next meeting.

City Administrator Matt Muckler informed Council on the budget amendment. The public hearing on the amendment has been set for May 16th.

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

Approve Resolution 935, adopting conservation measures for City of West Branch public buildings and facilities./Move to action.

David Fischer asked Council to pass the resolution to reduce energy consumption in the community.

Motion by Johnson, second by Worrell to approve resolution 935. Roll call vote – AYES: Johnson, Worrell, Sexton, Oaks. Absent: O’Neil. Motion carried.

Accept Shive-Hattery, Inc. proposal for development services for the West Branch Community Center for a lump sum fee of \$9,900./Move to action.

Park and Rec Director Melissa Russell told Council that she received three proposals with fees ranging from \$9,900-\$32,000. Shive-Hattery had the lowest proposal.

Councilman Johnson asked if any sites other than City owned property would be considered for the site. Russell said that other properties would be considered, however none have been identified.

Motion by Sexton, second by Worrell to accept Shive-Hattery, Inc. proposal for development services for the West Branch Community Center for a lump sum fee of \$9,900. Roll call vote – AYES: Sexton, Worrell, Johnson. NAYS: Oaks. Absent: O’Neil. Motion carried.

Third 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 Johnson, second by Worrell to approve third reading of Ordinance 675. Roll call vote – AYES: Johnson, Worrell, Sexton, Oaks. Absent: O’Neil. Motion carried.

ORDINANCE NO. 675

AN ORDINANCE AMENDING TITLE CHAPTER 90 “WATER SERVICE SYSTEM”

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 90 “WATER SERVICE SYSTEM” of the Code of West Branch, Iowa is hereby amended by deleting Section 90.06 in its entirety and inserting in lieu thereof:

90.06 FEE FOR PERMIT.

Before any permit is issued, the person who makes application shall pay a fee for permit per the City of West Branch Schedule of Fees.

2. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.
3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
4. 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 2nd day of May, 2011.

First Reading: April 4, 2011

Second Reading: April 18, 2011
Third Reading: May 2, 2011

Don Kessler, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

Third 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 Johnson, second by Sexton to approve third reading of Ordinance 676. Roll call vote – AYES: Johnson, Sexton, Worrell, Oaks. Absent: O’Neil. Motion carried.

ORDINANCE NO. 676

AN ORDINANCE AMENDING TITLE CHAPTER 96 “BUILDING SEWERS AND CONNECTIONS”

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 96 “BUILDING SEWERS AND CONNECTIONS” of the Code of West Branch, Iowa is hereby amended by deleting Section 96.02 in its entirety and inserting in lieu thereof:

96.02 CONNECTION CHARGE.

Before any permit is issued, the person who makes application shall pay a fee for permit per the City of West Branch Schedule of Fees.

2. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.
3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
4. 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 2nd day of May, 2011.

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Don Kessler, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

Approve Resolution 936, establishing a schedule of fees for the City of West Branch and establishing permit fees for water and sewer connections of \$315 each plus automatic increases of 5% per year for the next five years./Move to action.

Muckler noted that this was option “A” that the Council decided on in a previous meeting.

Councilman Sexton said that he doesn’t agree with the price noting that it is a big jump from the current amount of \$50.00 being charged.

Motion by Johnson, second by Worrell to approve Resolution 936. Roll call vote – AYES: Johnson, Worrell, Oaks. NAYS: Sexton. Absent: O’Neil. Motion carried.

Approve financing agreement for principal amount of \$376,700 for the West Branch Fire Department Expansion Project./Move to action.

Muckler updated the Council with staff’s recommendation of seeking a 4 year agreement on a local draw loan through Community State Bank with a rate of 3.25%. This debt will be paid through local option sales tax revenue starting the end of August.

Motion by Sexton, second by Worrell to approve Resolution 936. Roll call vote – AYES: Sexton, Worrell, Johnson, Oaks. Absent: O’Neil. Motion carried.

Approve Resolution 937, setting a date for a hearing at the City of West Branch Regular Council Meeting scheduled for May 16, 2011, on the issuance of not to exceed \$400,000 General Obligation Local Option Sales Tax Bonds for the purpose of financing the West Branch Fire Department Expansion Project./Move to action.

Discussion was had on the potential requirement of a bond attorney in the financing process.

Motion by Worrell, second by Sexton to approve Resolution 937. Roll call vote – AYES: Worrell, Sexton, Johnson, Oaks. Absent: O’Neil. Motion carried.

Approve engineering services agreement with Veenstra & Kimm, Inc. for Lift Station and Force Main Improvements 2011 in an amount not to exceed \$97,700./Move to action.

Council discussion was had on the approval of the engineering services agreement and concerns from Council and comments from Dave Schechinger, Veenstra and Kimm were heard.

Motion by Sexton, second by Worrell to approve engineering services agreement with Veenstra & Kimm, Inc. for Lift Station and Force Main Improvements 2011 in an amount not to exceed \$97,700. Roll call vote – AYES: Sexton, Worrell, Johnson, Oaks. Absent: O’Neil. Motion carried.

Approve engineering services agreement with Veenstra & Kimm, Inc. and competitive quotation bid process for Water Tower Repair and Coating 2011 in an amount not to exceed \$5,900./Move to action.

Motion by Worrell, second by Sexton to approve engineering services agreement with Veenstra & Kimm, Inc. and competitive quotation bid process for Water Tower Repair and Coating 2011 in an amount not to exceed \$5,900. Roll call vote – AYES: Worrell, Sexton, Johnson, Oaks. Absent: O’Neil. Motion carried.

Set a public hearing per Section 384.38(3a) of the Code of Iowa for the purpose of the creation of a wastewater connection fee district./Move to action.

City Attorney Kevin Olson explained that this connection fee would entail all lots not currently platted and not connected at this time. All property owners affected will be mailed a letter that gives them a 20 day notice. The first reading on the Ordinance is set to be discussed at the first meeting in June.

Motion by Johnson, second by Oaks to set a public hearing for the purpose of the creation of a wastewater connection fee district. Roll call vote – AYES: Johnson, Oaks, Worrell. NAYS: Sexton. Absent: O’Neil. Motion carried.

MAYOR DON KESSLER

Appointments/Reappointments

REPORTS

- a. City Administrator Matt Muckler – City of West Branch Website Update
- b. City Administrator Matt Muckler – U.S. Department of Justice Office of Community Oriented Policing Services COPS Hiring Program Grant Opportunity

Discussion was held on pursuing the DOJ grant for an additional officer. Sexton, Johnson and Worrell agreed to have Matt look into the grant.

- c. Park and Recreation Director Melissa Russell – Update on Cookson Community Center.

Russell gave an update on the closing of the Cookson building. Pest and cleaning services have been discontinued as of the end of April. Sharpless Auctions will be coming to pick up some of the City items for auction. The Food Pantry and Hoover Association are on track to be moved out soon.

ADJOURNMENT

Meeting adjourned by Mayor Kessler. City Council meeting adjourned at 8:04 p.m.

Don Kessler, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk