

*(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**

**August 20, 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, Deputy City Clerk Dawn Brandt, Public Works Director Matt Goodale, Fire Chief Kevin Stoolman, Fire Chief Administrator Dick Stoolman, Park & Rec Director Melissa Russell, and Library Director Nick Shimmin. Council members: Mark Worrell, Jordan Ellyson, Colton Miller, Dan O'Neil and Jim Oaks.

**APPROVE AGENDA/CONSENT AGENDA**

- a) Approve minutes from the August 6, 2012 City Council Meeting.
- b) Approve claims.
- c) Approve the postponement of the Monday September 3, 2012 Council Meeting until Tuesday September 4, 2012 due to the Labor Day Holiday.

Motion by O'Neil, second by Worrell to amend agenda and postpone discussion indefinitely on agenda item e. AYES: O'Neil, Worrell, Ellyson, Miller, Oaks. Motion carried.

Motion by Worrell, to approve the agenda, second by O'Neill. AYES: Worrell, O'Neil, Ellyson, Miller, Oaks. Motion carried.

Date 8/20/12	City Of West Branch	
	Claims Register Report	
Aero Rental Inc	Sewer - Generator Rental	243.00
Air Cooled Engine Service	Cemetery - Service	258.29
Alliant Energy	Various Depts - Utilities	8,041.18
Amazon	Library - Supplies	136.50
Baker & Taylor Inc.	Library - Books	1,040.14
Barron Motor Supply	Fire/Streets/Sewer - Supplies	451.51
BDC Building Inspection	Admin - July Inspections	367.50
Bean & Bean	Cemetery - Grave Openings	3,500.00
Bibliionix	Library - Ann Apollo Subscription	1,942.10
Big Timber Excavating	Streets - MS Road Imp Project	9,876.68
Blue Cross Blue Shield	Insurance	9,013.32
Bound Tree Medical LLC	Fire - Return Of Supplies	241.60
BP Amoco	Police/Fire/Water - Fuel	1,078.68
Bryant, Jim	Water Refund	59.47
Burkholder, Chantry	Water Refund	35.51
Business Radio Sales	Fire - Service	135.00
Cedar County Auditor	Solid Waste - FY13 Assessment	9,554.52
Cedar County Cooperative	Fire/Streets - Cont Fuel Tanks	2,764.00
Cedar County Recorder	Legal - Recording Fees	12.00
Cedar Rapids Photo Copy	Library - Service	47.05
Community State Bank	Fire Dept Expansion Loan Pmt	8,364.57
Creative Software Services	Admin - Computer Service	139.62
Croell Redi-Mix Inc	Sewer - Concrete Main St	113.00
Culligan Water	Fire - Conditioner Rental	32.95
Demco	Library - CD Albums	237.31
Deweys Jack & Jill	Adm/Lib/Sew/P&R - Supplies	78.44
Diamond Vogel Paints	Cemetery - Supplies	620.61
East Cent Intergovt Asn.	Legal- Comp Plan June 2012 Exp	2,518.50
Econo Signs LLC	Streets - Barricade Sheeting	377.56
Edwards, Keith	Water Refund	15.02

Edwards, Mackenzie	Reimbursement For HHTD Supplies	146.18
EFTPS	Federal Withholdings	8,922.40
Fareway Stores	P&R - Lunch Bunch Supplies	50.27
Funny Face Designs By Lori	Comm & Cult/P&R - Face Ptg	975.00
General Pest Control	Library - Service	70.00
Gierke-Robinson Company	Streets - Blade	307.58
Greatamerica Leasing Corp	Admin - Copier Lease	252.06
Hanna, John	Police - Reimbursement	10.00
Harry's Custom Trophies	Park & Rec - Medals	90.00
Hawkins Water Treatment	Water - Azone 15	1,463.82
Herb N Lou's	Park & Rec - Gift Cert.	50.00
Highsmith	Library - Supplies	28.25
Hoover Library Association	Comm & Cult Dev-Hhtd Golf Cart	335.00
Horihan, Mike	Comm & Cult-Reimb For Hht Supp	17.60
Hy-Vee Accounts Receivable	Park & Rec - Lunch Bunch	75.97
Iowa City Press-Citizen	Streets/Police - Ads	788.00
Iowa City/County Management	Admin - Fy13 Membership	120.00
Iowa DNR	Sewer - Npdes Permit	210.00
Iowa Law Enforcement	Police - Mmpi-2 Stenda	180.00
Iowa Military Veterans Band	Comm & Cult Dev - Hhtd Band	500.00
Iowa Network Services Inc	Admin - Website Hosting	26.99
Iowa One Call	Water/Sewer - Service	72.00
Iowa Paper	Sewer - Supplies	57.12
Iowa Prison Industries	Streets - Street Signs	547.80
IPERS	Ipers	6,308.52
Johnson County Refuse Inc.	Recycling - July	3,579.94
Kid Again Inflatable Fun	Comm & Cult- Hhtd Inflatables	4,450.00
Kingdom Graphics LLC	Park & Rec - Run Grp Tshirts	557.88
Kirkwood Comm. College	Water/Sewer - Training Classes	1,295.00
Lease Consultants Corp	Library - Copier Contract	59.00
Liberty Communications	Various Depts - Phone Service	1,124.08
Linn County R.E.C.	Streets - Utilities	102.00
Lovig, Charles & Josephine	Sidewalk Agreement Payment	2,508.00
Lynch's Plumbing Inc	Sewer - Supplies	235.45
Matt Parrott	Water/Sewer - Utility Bills	480.60
Mediacom	Cable - Relocation Of Inet	1,576.05
Medtronic Emergency Response	Fire - Supplies	1,960.00
Menards	Streets - Supplies	377.79
Midwest Janitorial Service	Lib/Admin/Th/Police-Cleaning	637.00
Moore's Welding Inc	Fire - Service	314.61
Municipal Supply Inc.	Water - Wire & Touchpads	445.00
Olson, Kevin D.	Legal Services For Aug 2012	1,500.00
Oriental Trading Co. Inc.	Park & Rec - Supplies	375.84
Overdrive Inc	Library - Ebook	49.98
Parkside Service	Fire - Battery	114.45
Payroll Expense	Payroll 8-3 & 8-17-12	43,993.68
Peden, Shanelle M.	Cable - Videotaping	50.00
Pedersen, Molly	Park & Rec - Daycamp Refund	160.00
Pitney Bowes	Library - Postage	1,000.00
Plastic Recycling Of Iowa	Park & Rec - Supplies For Park	2,818.00
Plato Electric Llc	Sewer - Service	220.00
Plunkett's Pest Control	Admin - Service	45.76
Port 'O' Jonny Inc.	Park & Rec - Service	886.00
Pyramid Services Inc.	Cemetery - Supplies	102.78
Qc Analytical Services Llc	Sewer - Testing	474.00
Quality Engraved Signs	Fire - Supplies	37.50
Quill Corp	Fire/Admin - Office Supplies	216.60
Russell, Melissa	P&R-Reimb Lunch Bunch Supplies	1,439.19
Sangelli, Amber	Water Refund	1.56
Schimberg Co	Streets - Supplies For Ms Proj	6,013.78
Simplexgrinnell	Library - Supplies	1,058.50
Sprint	Police - Service	179.97

Stanard & Associates Inc	Police - Emp Tests	136.50
State Hygienic Lab	Water - Testing	40.00
State Library Of Iowa	Library - Fy13 Ebsco Sub Fees	141.10
The Iowa Children's Museum	Park & Rec - Programming	224.96
Tipton Electric Motors	Fire - Service Pressure Washer	195.15
Treasurer State Of Iowa	Sales Tax Pmt - July	3,977.59
Tyler Technologies	Adm/Wat/Sew-Software Sub Fees	7,588.00
Ups	Sewer/Police - Shipping	60.27
Us Cellular	Fire - Phone Service	529.00
Veenstra & Kimm Inc.	Eng Svcs For Lift Station Ease	5,006.64
Walmart	Library - Supplies	472.85
Wellmark Bc/Bs	Dependant Care Flex	1,026.66
Wenndt, Joe	Fire - August Fire Training	150.00
West Branch Family Practice	Fire - Physical Austin	75.00
West Branch Ford	Sewer - Part For 02 Ranger	26,594.60
West Branch Repairs	Fire - Service	290.28
West Branch Times	Water/Police/Legal	1,155.02
Wright Express	Police - Fuel	274.82
	Grand Total	211,278.62
Fund Totals		
001 General Fund		97,981.29
022 Civic Center		484.11
031 Library		15,476.33
110 Road Use Tax		22,040.75
111 Police Recovery Act Grant		20,865.08
112 Trust And Agency		10,888.66
226 Go Debt Service		8,364.57
600 Water Fund		18,674.24
610 Sewer Fund		16,503.59
Grand Total		211,278.62

**The Clerk reported the following receipts for the month of July 2012:**

Water, Sewer, Recycling	\$	66,479.44	Cedar Co. Property Tax	\$	6,212.82
Water Utility Deposits & Hookups	\$	500.00	Johnson Co. Prop. Tax	\$	-
Town Hall Rent	\$	-	Road Use Tax	\$	16,244.47
Misc.	\$	7,011.67	Fines	\$	197.26
Library	\$	50,385.75	Twp. Fire Contract	\$	-
Donations	\$	5,600.00	Building Permits	\$	2,958.25
Interest	\$	111.50	Fire Station Loan Proceeds	\$	-
Investments Interest	\$	72.33	Krouth Fund Interest	\$	0.03
Cable fees	\$	6,745.42	M. Gray Savings Interest	\$	-
Transfers In	\$	13,864.57	Cemetery Perp. Care Int.	\$	0.05
Cat & Dog Registrations	\$	30.00	MV Refund	\$	-
Beer & Liquor Lic. Fees	\$	720.00	NPS Plowing Contract	\$	-
Park & Rec. Activities	\$	1,040.00	Grave Openings	\$	1,200.00
Police Recovery Act Grant	\$	-	Cemetery Lots	\$	-
Local Option Tax	\$	13,689.08	Reimbursements	\$	-
SUBTOTAL	\$	166,249.76	SUBTOTAL	\$	26,812.88
			<b>TOTAL</b>	<b>\$</b>	<b>193,062.64</b>

**The Clerk reported the following balances for the month of July 2012:**

**(Balances = Balance sheet claim on cash balance + Investments- Outstanding checks)**

Funds	Bank Balance	Investments	Total
001 General Fund	\$ 453,978.37	\$ 29,507.53	\$ 483,485.90
022 Civic Center	\$ 9,004.47	\$ -	\$ 9,004.47

031 Library Operating	\$	50,166.41	\$	25,317.26	\$	75,483.67
036 Tort Liability	\$	(32,224.62)	\$	-	\$	(32,224.62)
110 Road Use Tax	\$	55,695.38	\$	-	\$	55,695.38
111 Police Recovery Act Grant	\$	20,865.08	\$	-	\$	20,865.08
112 Trust & Agency	\$	11,339.35	\$	-	\$	11,339.35
119 Emergency Tax Fund	\$	139.19	\$	-	\$	139.19
121 Local Option Tax	\$	17,631.14	\$	-	\$	17,631.14
125 TIF	\$	148,087.30	\$	-	\$	148,087.30
226 GO Debt Service	\$	77,429.09	\$	-	\$	77,429.09
304 Wastewater Lift Station	\$	-	\$	-	\$	-
500 Cemetery Perpetual Fund	\$	12,016.34	\$	88,000.00	\$	100,016.34
501 Krouth Fund Principal Fund	\$	-	\$	102,241.24	\$	102,241.24
502 Krouth Enlow Int. Fund	\$	8,502.52	\$	7,779.88	\$	16,282.40
600 Water Operating Fund	\$	196,047.68	\$	-	\$	196,047.68
603 Water Sinking Fund	\$	7,784.14	\$	-	\$	7,784.14
610 Sewer Operating	\$	231,698.44	\$	-	\$	231,698.44

<b>TOTAL</b>	<b>\$</b>	<b>1,268,160.28</b>	<b>\$</b>	<b>252,845.91</b>	<b>\$</b>	<b>1,521,006.19</b>
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**COMMUNICATIONS/OPEN FORUM**

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

Approve unpaid leave of absence for Administrative Assistant Ashley Borland-Kaalberg./Move to action.

The following unpaid leave of absence was requested: “Per the unpaid leave of absence section in the Employee Handbook, I am requesting the additional three months allotted for the unpaid leave of absence. During this time, I would be available to assist in a part time manner if needed.” As this request for an additional three-month unpaid leave of absence is incompatible with the city’s operational needs and scheduling requirements and because the request does not cite public service leave, extenuating medical circumstances or unpaid bereavement leave as a reason for the request, Muckler recommended that the unpaid leave of absence request be denied.

Motion by O’Neil, second by Worrell to approve unpaid leave of absence. NAYS: O’Neil, Worrell, Ellyson, Miller, Oaks. Motion failed

Third reading of Ordinance 698, amending the length, width and depth sidewalk standards in title “Streets and Sidewalks.” Chapter 136 “Sidewalk Regulations.”/Move to action.

Motion by Worrell, second by O’Neil to approve Third reading of Ordinance 698. AYES: Worrell, O’Neil, Ellyson, Miller, Oaks. Motion carried

ORDINANCE NO. 698

AN ORDINANCE AMENDING THE LENGTH, WIDTH AND DEPTH SIDEWALK STANDARDS IN TITLE, “STREETS AND SIDEWALKS,” CHAPTER 136 “SIDEWALK REGULATIONS.”

WHEREAS, the West Branch City Council would like to update length, width and depth sidewalk standards in the Sidewalk Regulations Chapter of the West Branch Code of Ordinances; and

WHEREAS, the West Branch City Council has constructed all recent sidewalk projects in conformance with these new guidelines; and

WHEREAS, the West Branch City Council would like to provide developers and homebuilders with clear expectations of sidewalk requirements for new residential development in the City of West Branch.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of West Branch, Cedar County, Iowa:

Section 1. Amendment. The Code of Ordinances is hereby amended by deleting Section 136.07.5.A in its entirety and replaced with the following:

136.07.5.A. Newly constructed residential sidewalks shall be at least five (5) feet wide and four (4) inches thick, and each section shall be no more than four (4) feet in length. Repair and replacement of sidewalks will follow the standards herein, except for width requirements specified in the City of West Branch, Iowa Sidewalk Inspection and Repair Policy.

Section 2. Amendment. The Code of Ordinances is hereby amended by deleting Section 136.07.5.C in its entirety and replaced with the following:

136.07.5.C. Driveway areas in residential zoning districts shall not be less than six (6) inches in thickness, or equivalent strength per SUDAS standards.

Section 3. Amendment. The Code of Ordinances is hereby amended by adding the following Section 136.07.5.D:

136.07.5.D. Driveway areas and sidewalks adjacent to driveway areas in non-residential zoning districts shall not be less than eight (8) inches in thickness, or equivalent strength per SUDAS standards.

Section 4. Amendment. The Code of Ordinances is hereby amended by adding the following definition to Section 136.02:

“Driveway” means the area between the street and property line.

Section 5. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 6. 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 7. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

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Passed and approved this 20th day of August, 2012.

First Reading: July 16, 2012

Second Reading: August 6, 2012

Third Reading: August 20, 2012

\_\_\_\_\_  
Don Kessler, Mayor

ATTEST:

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Matt Muckler, City Administrator/Clerk

Third reading of Ordinance 699, placing a stop sign on Oliphant street at the intersection of Orange Street for northbound traffic./Move to action.

Motion by Worrell, second by O’Neil to approve Third reading of Ordinance 699. AYES: Worrell, O’Neil, Ellyson, Miller, Oaks. Motion carried

ORDINANCE NO. 699

AN ORDINANCE AMENDING TITLE "TRAFFIC AND VEHICLES" CHAPTER 65 "STOP OR YIELD REQUIRED".

WHEREAS, the West Branch City Council finds it in the best interest of the residents of the West Branch to have a stop sign installed in the northbound lane of Oliphant Street at its intersection with Orange Street to provide for the safety of the West Branch Community.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of West Branch, Cedar County, Iowa:

Section 1. Amendment. The Code of Ordinances is hereby amended by the City Council of West Branch, Iowa by adding the following language to Title, "TRAFFIC AND VEHICLES", Chapter 65, "STOP OR YIELD REQUIRED", Section 65.02, STOP REQUIRED.

55. The northbound lane of Oliphant Street at its intersection with Orange Street.

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.

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Passed and approved this 20th day of August, 2012.

First Reading: July 16, 2012

Second Reading: August 6, 2012

Third Reading: August 20, 2012

\_\_\_\_\_  
Don Kessler, Mayor

ATTEST:

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Matt Muckler, City Administrator/Clerk

First reading of Ordinance 700, amending Chapter 68 “One-Way Traffic” by adding two one-way streets to section 68.01./Move to action.

Motion by O’Neil, second by Worrell to approve First reading of Ordinance 700. AYES: O’Neil, Worrell, Ellyson, Miller, Oaks. Motion carried

Resolution 1029, proclaiming September as Home Energy Audit Month in West Branch./Move to action.

WBHS senior Sarah Fischer gave a presentation on home energy audits. Fisher is working with Alliant Energy to provide free home energy audits to West Branch community members. In addition to conserving energy, Fisher discussed the considerable savings that some residents have reported as a result of the home energy audit process.

Motion by O’Neil, second by Worrell to approve Resolution 1029. AYES: O’Neil, Worrell, Ellyson, Miller, Oaks. Motion carried

Resolution 1030, naming the new city park “Wapsi Creek Park.”/Move to action.

Motion by Miller, second by O’Neil to approve Resolution 1030. AYES: Miller, O’Neil, Worrell, Ellyson, Oaks. Motion carried

Resolution 1031, approving the purchase of a 2013 Polaris Ranger 800 6x6 Vehicle for the West Branch Fire Department with Donation Funds./Move to action.

Fire Chief Stoolman said that the Carol Secrest family had provided a generous donation to the West Branch Fire Department in her memory. This donation will be used to purchase the vehicle.

Motion by O’Neil, second by Worrell to approve Resolution 1031. AYES: O’Neil, Worrell, Ellyson, Miller, Oaks. Motion carried

Councilperson Jordan Ellyson - Appointments/Reappointments/Move to action.

- i. Trent Hansen – Planning and Zoning Commission, December 31, 2015
- ii. John Fuller – Planning and Zoning Commission, December 31, 2015

Motion by Ellyson, second by Miller to approve reappointments. AYES: Ellyson, Miller, Worrell, O’Neil, Oaks. Motion carried

Mayor Don Kessler - Appointments/Reappointments/Move to action.

- iii. Cary Weisner – Library Board of Trustees, June 30, 2015
- iv. Amanda Rushton – Library Board of Trustees, June 30, 2015
- v. Kandi Baylor – West Branch Animal Control Commission, December 31, 2014

Motion by O’Neil, second by Miller to approve the appointments/reappointments. AYES: O’Neil, Miller, Worrell, Ellyson, Oaks. Motion carried

## **CITY STAFF REPORTS**

Deputy City Clerk Dawn Brandt – FY12 Debt Report

Brandt gave a report on the City’s debt obligation, the balance is \$2,545,883 as of June 30, 2012. The City paid off the Public Works Maintenance building loan in FY12 and is continuing to decrease their debt.

Deputy City Clerk Dawn Brandt – FY12 Annual Audit

Brandt said that the audit will be conducted by the State Auditor’s Office and has been tentatively scheduled for October.

City Administrator Matt Muckler – Council Annual Goal Setting – September 4, 2012 Council Work Session at 6:30 p.m.

City Administrator Matt Muckler – Stormwater Management Training

There is a meeting scheduled for September 18, 2012 in Hiawatha. Anyone that is interested in attending was asked to contact the City Office.

City Administrator Matt Muckler – Administrative Assistant Recruitment

Muckler has put together a job description, summary and recruitment schedule for the position. Muckler said that the part-time temporary administrative assistant's last day will be August 31, 2012. Council requested that an additional contact be made to see if the current administrative assistant would be returning on September 4, 2012 in a full-time capacity before moving forward with the recruitment.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS – NONE.**

**ADJOURNMENT**

Motion to adjourn meeting by Worrell, second by O'Neil. City Council meeting adjourned at 7:39 p.m.

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Don Kessler, Mayor

ATTEST: \_\_\_\_\_  
Dawn Brandt, Deputy City Clerk