

*(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**

**September 4, 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 and Police Chief Mike Horihan.

Council members: Mark Worrell, Jordan Ellyson, Colton Miller and Jim Oaks. Absent: Dan O'Neil.

**APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION**

- a) Approve minutes from the August 6, 2012 City Council Meeting.
- b) Approve claims.
- c) Approve street closure of Green Street between Downey Street and First Street on Wednesday September 5, 2012 from 4:00 p.m.-8:00 p.m. for the West Branch United Methodist Church Community Tailgater and Pep Rally.
- d) Approve street closure for the 200 Block of 5<sup>th</sup> Street on Saturday September 8, 2012 from 5:00 p.m.-8:00 p.m. for a block party.

Mayor Kessler noted the street closures for the United Methodist Church tailgate and the block party.

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

Date 9/4/12	City of West Branch Claims Register Report	
Cedar Valley World Travel	P&R – IA Game Bus Trip	1,825.00
John Deere Financial	Sewer - Supplies	106.44
Kromminga Motors Inc.	Fire – 2012 Polaris Ranger 6x6	13,230.00
Mediacom	Admin - Service	40.90
Payroll Expense	Payroll 8-31-12	23,842.70
Russell, Melissa	P&R – Reimb. for daycamp	288.00
UPS	Sewer - Shipping	11.40
Yeggy, Jodi	P&R – Reimb. for run group supplies	22.50
	Grand Total	39,366.94
Fund Totals		
001 General Fund		29,716.88
031 Library		3,530.98
110 Road Use Tax		682.60
600 Water Fund		2,659.31
610 Sewer Fund		2777.17
Grand Total		39,366.94

**COMMUNICATIONS/OPEN FORUM – NONE.**

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

Mayor Don Kessler – Presentation of certificate of appreciation to Acciona Windpower CEO Joe Baker for support of family activities on the Village Green during Hoover's Hometown Days. Mayor Kessler thanked Joe Baker for Acciona's support of the community. Baker announced the production of ten three-megawatt machines that will be produced at the plant in the coming year. This is expected to increase labor hours by three times.

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

First reading of Ordinance 702, amending Chapter 69 “Parking Regulations” by adding a one-way street to section 69.09./Move to action.

Motion by Ellyson, second by Worrell to approve the first reading of Ordinance 702. AYES: Ellyson, Worrell, Miller, Oaks. Absent: O’Neil. Motion carried

First reading of Ordinance 703, amending Chapter 91 “Water Meters.”/Move to action.

Motion by Ellyson, second by Worrell to approve the first reading of Ordinance 703. AYES: Ellyson, Worrell, Oaks, Miller. Absent: O’Neil. Motion carried

Worrell requested that the Ordinance be reworded to clarify that the City is paying for the cost of adding this equipment to existing water customers.

Approve Change Order No. 1 in the amount of \$380.25 for the Main Street Overlay Project./Move to action.

Muckler stated that the contract price is based on the lump sum ad unit prices in the quote. 74 tons of HMA Pavement was estimated. The actual amount was 77.9 tons and the cost difference is \$380.25.

Motion by Miller, second by Worrell to approve Change Order No. 1 in the amount of \$380.25 for the Main Street Overlay Project. AYES: Miller, Worrell, Ellyson, Oaks. Absent: O’Neil. Motion carried

Approve Pay Estimate No. 1 in the amount of \$10,490.25 for the Main Street Overlay Project./Move to action.

Motion by Miller, second by Worrell to approve Pay Estimate No. 1 in the amount of \$10,490.25 for the Main Street Overlay Project. AYES: Miller, Worrell, Oaks, Ellyson. Absent: O’Neil. Motion carried

Resolution 1032, accepting the Main Street Overlay Project as completed./Move to action.

Public Works Director Matt Goodale and City Engineer both reported that the project was completed in a satisfactory manner.

Motion by Miller, second by Worrell to approve Resolution 1032. AYES: Miller, Worrell, Ellyson, Oaks. Absent: O’Neil. Motion carried

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

- i. Lou Picek – Historic Preservation Commission, December 31, 2012
- ii. Lane Shields – Historic Preservation Commission, December 31, 2013
- iii. Alan Bohanan – Historic Preservation Commission, December 31, 2012
- iv. John Fuller – Historic Preservation Commission, December 31, 2012
- v. Shane Staker – Park & Recreation Commission, December 31, 2014

Motion by Ellyson, second by Worrell to approve reappointments as recommended by the Mayor. AYES: Ellyson, Worrell, Oaks, Miller. Absent: O’Neil. Motion carried

Accept the resignation of Ashley Borland-Kaalberg./Move to action.

Motion by Miller, second by Ellyson to accept the resignation of Ashley Borland-Kaalberg. AYES: Ellyson, Miller, Worrell, Oaks. Absent: O’Neil. Motion carried

## **CITY STAFF REPORTS**

### City Administrator Matt Muckler – Administrative Assistant Recruitment

Muckler reported that the recruitment was underway and discussed the advertisement of the position and the recruitment schedule.

### Public Works Director Matt Goodale – Middle School Access Road Improvements Project Update

Goodale reported that the concrete and dirt work is completed. Asphalt work will take place either on September 6<sup>th</sup> or September 10<sup>th</sup>. Replacement of the water tower overflow pipe and sidewalk replacement in this area will be completed by Public Works Staff.

### Police Chief Mike Horihan – Iowa Law Enforcement Academy Sponsorship of Alex Koch

Horihan informed the Council of his intention to sponsor Alex Koch for the Iowa Law Enforcement Academy. Horihan reported that Koch has a two-year degree in criminal justice and performed very well in the recent recruitment for a full-time officer. Koch would pay all of his expenses. Worrell and Ellyson expressed their support. Koch thanked the Council for this opportunity.

## **COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

### Worrell asked about the sealed bid process for the Cookson Property

Muckler reported that advertisements have been placed on the City Website, the West Branch Times Website and Craigslist. Several local contractors and developers have expressed interest. Submittals are not expected to be received until closer to the deadline.

### Ordinance 701, placing two stop signs on Oliphant Street at the intersection of Main Street for westbound and eastbound traffic.

Worrell stated that he was approached about this item and asked that it be discussed at the Council level. Oaks stated that the stop signs are not necessary, as the folding stop signs are functioning fine. Worrell said that he had opposed the stop signs in the past and is uncertain to its necessity at the current time, but would like to have further discussion. Ellyson stated that visibility is limited for drivers traveling eastbound through the intersection and that she was currently undecided. Miller expressed support for the stop signs. Chief Horihan and Superintendent Kevin Hatfield spoke in favor of the stop signs, as permanent signs would provide consistency to drivers and create a safer environment. Hatfield reported that parents have contacted him with concerns about pedestrian safety at this intersection. Horihan asked the Council to specify the time period for the folding stop signs if they choose to continue utilizing the folding stop signs. Sara Meierotto suggested that the signs be made permanent as some drivers in the area may not be familiar with the location of the elementary school. Angie Cochran suggested that the Council consider the use of flashing signs in this area. Worrell asked that staff conduct traffic counts in the intersection. Council members asked Muckler to work with City Engineer Dave Schechinger to bring back various options and preliminary cost estimates to address this issue to include school zone signage, lighted signs, flashing school zone lights, stoplights and a traffic study. Schechinger stated that traffic safety funds and Safe Route to School funding may be available to cover some of these costs. Oaks suggested that the Council might consider a city-wide traffic study.

### Stormwater Management for Pedersen Valley Part Four

Worrell briefed the Council about a recent stormwater meeting held by residents who live south of Sullivan, north of Orange and west of Greenview Drive. Residents Sara Meierotto, Brian Driscoll, Tom Nelson, Kirsten Nelson, Craig Cochran and Angie Cochran spoke to the need for a project to correct the flow of stormwater in their backyards and encouraged the city to consider stormwater management regulations for future development to include stormwater easements, minimum low opening requirements and increased building inspection enforcement. Worrell suggested that owners pay for a project to install a catch basin, an underground stormwater pipe and an overland swale and provide easement to the city to maintain the stormwater easement. Worrell also suggested that the city might consider financing the

project. Cochran suggested that an overland swale might be a more cost-effective solution. Cochran suggested that the homeowners meet together to discuss their next steps and report back to the City Council at a later date.

Repairs to Rip-Rap in Wapsi Creek just south of the Main St. Bridge

Worrell, Oaks, Miller and Goodale met last week to discuss these repairs. The group agreed that fill should be added behind the sheet piling. Tiling should be completed and the east side needs to be cleaned out. Goodale is planning to complete these repairs.

Motion to adjourn to executive session to discuss the purchase of particular real estate only where premature disclosure could be reasonable be expected to increase the price the governmental body would have to pay for that property pursuant to Section 21.5(j) of the Code of Iowa.

Oaks expressed opposition to entering executive session and questioned why this was brought before Council. Muckler reminded Oaks that the current number one goal that Council adopted for staff is to offer for sale the Cookson Property and plan for future community center site acquisition and/or purchase. Muckler stated that property and personnel issues were appropriate items to be discussed in executive session. Worrell stated that property matters should be discussed in executive session. Miller expressed that we owe it to the taxpayers to get the best value for property that is purchased by the city and that we are doing the taxpayers an injustice by not entering executive session on property matters.

Motion by Worrell, second by Ellyson to adjourn to executive session. AYES: Worrell, Ellyson, Miller. NAYS: Oaks. Absent: O'Neil. Motion failed

**ADJOURNMENT**

Motion to adjourn meeting by Worrell, second by Miller. City Council meeting adjourned at 9:40 p.m.

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Don Kessler, Mayor

ATTEST: \_\_\_\_\_  
Matt Muckler, City Clerk