

(The following is a synopsis of the minutes of the West Branch City Council meeting. A video recording is available for inspection on the City of West Branch Website at www.westbranchiowa.org/government/council-videos. The minutes are not approved until the next regularly scheduled City Council meeting.)

**West Branch, Iowa
Council Chambers**

City Council Meeting

**June 5, 2017
7:00 p.m.**

Mayor Roger Laughlin called the West Branch City Council meeting to order at 7:00 p.m. Mayor Laughlin then invited the Council, Staff and members of the audience to stand and led the group in the Pledge of Allegiance. Roll call: Mayor Roger Laughlin was present. Council members: Colton Miller, Mary Beth Stevenson, Tim Shields, Brian Pierce and Jordan Ellyson were present. Laughlin welcomed the audience and the following City staff: Interim City Administrator Nick Shimmin, Deputy City Clerk Leslie Brick, Public Works Director Matt Goodale, Police Chief Mike Horihan, Fire Chief Kevin Stoolman and Park & Recreation Director Melissa Russell.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

Approve minutes from the May 4, 2017 City Council Work Session

Approve minutes from the May 15, 2017 City Council Meeting.

Approve minutes from the May 20, 2017 City Council Work Session

Approve minutes from the May 24, 2017 City Council Work Session

Approve street closures for the 2017 Hoovers Hometown Days Celebration.

2nd Street from Main Street to the Water Street Parking Lot from 5:00 p.m. on Friday August 4, 2017 to 1:00 a.m. on Sunday August 6, 2017.

Main Street from Parkside Drive to 2nd Street from 12:00 a.m. on Saturday August 5, 2017 to 12:00 a.m. on Sunday August 6, 2017.

Main Street from Parkside Drive to Poplar Street, S. Downey from Wetherell to Main Street, and Wetherell from S. Poplar Street to S. Downey Street from 5:00 a.m. to 6:00 p.m. on Saturday August 5, 2017.

N. Downey Street from Main Street to Green Street from 2:30 a.m. on Saturday August 5, 2017 to 6:00 p.m. on Saturday August 5, 2017.

W Orange St. from N Oliphant St. to Ridge View Dr. on Saturday, August 5th from 8:15 a.m. to 10:15 a.m.

Pedersen St. from W Orange St. to Hilltop Dr. on Saturday, August 5th from 8:15 a.m. to 10:15 a.m.

Approve FY17 Cigarette Permit renewals for: Kum & Go LC dba Kum & Go #254, Fisher's Market Nauvoo IL Inc. dba Dewey's Jack & Jill, Casey's Marketing Company, dba Casey's General Store #3463, and Shivji LLC, dba BP Amoco.

Approve Class E Liquor license with privileges: Class B Carryout Wine permit, Class C Carryout Beer permit, and Sunday Sales permit for Kum & Go, LC, dba Kum & Go #254.

Approve claims.

EXPENDITURES	6/5/2017	
AWFUL PURDIES	AWFUL PURDIES-SUMMER CONCERT	675.00
BAKER & TAYLOR INC.	BOOKS	451.19
BEST BUY BUSINESS ADVANTAG	OFFICE SUPPLIES	359.98
CEDAR COUNTY COOPERATIVE	FIRE TRUCK FUEL	501.15
CEDAR COUNTY RECORDER	RECORDING FEES	125.00
CEDAR RAPIDS PHOTO COPY IN	COPIER MAINTENANCE	36.93
CEDAR VALLEY OUTFITTERS	AMMUNITION	456.00
CJ COOPER & ASSOCIATES	PREEMPLOYMENT TEST	35.00
CROELL, INC.	FILL SAND	63.84
CULLIGAN WATER TECHNOLOGIE	WATER SOFTENER SERVICE	35.20
D&R PEST CONTROL	PEST CONTROL	70.00
DAVID SOLIZ	SOUL STORM-SUMMER CONCERT	600.00
DEMCO	SUPPLIES	43.50
DIAMOND VOGEL PAINTS	STREET PAINT	1,068.05
F&B COMMUNICATIONS INC	WEB HOSTING	29.95
FEHR GRAHAM	308 PV PARK IMP DESIGN	18,277.78

FREEMAN LOCKSMITHING, LLC	KEYS	56.25
HAWKINS INC	CHEMICALS	848.05
IOWA CITY PUBLIC LIBRARY	BOOK	22.00
IOWA DEPARTMENT OF NATURAL	OPERATOR CERT RENEWALS	480.00
JOHN DEERE FINANCIAL	MAINTENANCE SUPPLIES	282.01
JOHNSON COUNTY REFUSE INC.	LANDFILL-SPRING CLEANUP	610.80
LACKENDER FABRICATIONS INC	POLY/STEEL BROOM	450.00
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,364.09
LYNCH'S EXCAVATING INC	WATER MAIN-SALT SHED	7,785.00
LYNCH'S PLUMBING INC	SUPPLIES	86.00
MATT PARROTT/STOREY KENWOR	LASER CHECKS	318.28
MENARDS	SHOWER CURTAINS	112.12
MISCELLANEOUS VENDOR	LINDA MCCANN:BOOK	207.75
MUNICIPAL SUPPLY INC.	EQUIPMENT	900.00
OASIS ELECTRIC LLC	DISCONNECT-CONNECT ST LIGHTS	2,346.63
OLSON, KEVIN D	LEGAL SERVICES	1,500.00
OVERDRIVE INC	AUDIO BOOKS, EBOOKS	442.89
PLUNKETT'S PEST CONTROL IN	PEST CONTROL-TOWN HALL	95.18
PORT 'O' JONNY INC.	CEMETERY-SERVICE	210.49
QUILL CORP	OFFICE SUPPLIES	258.57
RACOM CORPORATION	RADIO	6,733.41
RICHARD WAGOR	BERNEMANN BROS.-SUMMER CONCERT	650.00
Rathje Construction Co.	TREE GRINDING	8,050.00
STEVE SPRAGUE	LIBERTY BAND-SUMMER CONCERT	500.00
TRUGREEN PROCESSING CENTER	LAWN SERVICE LIONS FIELD	376.00
UNIFORM DEN INC.	PROTECTIVE VESTS	816.06
USA BLUE BOOK	SUPPLIES	226.02
VEENSTRA & KIMM INC.	ADMIN USGS FLOOD STUDY	30,610.96
WRIGHT-WAY TRAILERS, INC.	TRAILER	2,035.00
TOTAL		91,202.13
PAID BETWEEN MEETINGS		
IOWA LEAGUE OF CITIES	TRAINING & EDUCATION	750.00
MEDIACOM	TELEPHONE/OPERATIONS	40.90
PARKSIDE SERVICE	REPAIR/MAINTENANCE-VEHICLES	2,194.74
UPS	SEWER-SHIPPIING	20.86
HILL, SHERRY	VIDEOTAPING SERVICES	150.00
SHIMMIN, NICK	EXPENSE REIMBURSEMENT	131.88
US BANK CORPORATE CARD	TRAINING & EDUCATION, TRAVEL	1,729.13
TROPICAL STEEL	SUMMER CONCERT	2,000.00
VERIZON WIRELESS	WIRELESS SERVICE	838.36
TOTAL		7,855.87
PAYROLL 5-19-17	46,428.34	
PAYROLL 6-02-17	37,417.24	
GRAND TOTAL EXPENDITURES	182,903.58	
FUND TOTALS		
001 GENERAL FUND	60,222.90	
022 CIVIC CENTER	90.71	
031 LIBRARY	11,824.19	
110 ROAD USE TAX	16,856.89	
112 TRUST AND AGENCY	15,171.36	
308 PARK IMP - PEDERSEN VALLEY	21,077.78	
309 PHASE I PARK IMPROVEMENTS	463.00	
310 COLLEGE STREET BRIDGE	23,215.00	
313 MAIN ST SIDEWALK-PHASE 4	5,912.59	
600 WATER FUND	19,211.77	
610 SEWER FUND	8,857.39	
GRAND TOTAL	182,903.58	

Motion by Pierce, second by Shields to approve agenda/consent agenda items A through E with a minor change to the cigarette permit renewals with the year change to FY18. AYES: Pierce, Shields, Stevenson, Miller, Ellyson. Motion carried.

COMMUNICATIONS/OPEN FORUM

No Comments.

PUBLIC HEARING/NON-CONSENT AGENDA

Appointments/Reappointments./Move to action.

Kristin Nalan - Library Board of Trustees, June 30, 2018

Motion by Stevenson, second by Shields to approve appointments/reappointments. AYES: Stevenson, Shields, Ellyson, Miller, Pierce. Motion carried.

Kevin Rogers - West Branch Community Development Group Update.

Rogers provided an update on recent events ongoing within the organization.

Resolution 1619, amending the City of West Branch Police Department Policies and Procedure Manual./Move to action

Horihan noted a few changes upon further review by the West Branch Police Department and specifically mentioned that the DCI has requested a local policy which provides regulations regarding fingerprinting juveniles. The policy has been updated accordingly.

Motion by Ellyson, second by Miller to approve Resolution 1619. AYES: Ellyson, Miller, Stevenson, Pierce, Shields. Motion carried.

Resolution 1620, approving the articles of agreement creating the Lower Cedar Watershed Management Authority./ Move to action.

Stevenson introduced the resolution for the 28E agreement and stated that both Cedar and Muscatine counties have signed on. Stevenson also noted that there were no fees associated with the agreement.

Motion by Stevenson, second by Shields to approve Resolution 1620. AYES: Stevenson, Shields, Pierce, Ellyson, Miller. Motion carried.

Resolution 1622, approving Pedersen Valley Part Three - Phase One, Lot 21 Site Plan./Move to action.

Schechinger said that he had been working with the contractor on the site plan which did pass with the Planning & Zoning Commission previously and that all items and concerns have been addressed.

Motion by Miller, second by Stevenson to approve Resolution 1622. AYES: Miller, Stevenson, Pierce, Shields, Ellyson. Motion carried.

Public Hearing to dispose of an interest in real property to Barnhart Properties and Peter Tuttle.

Public Hearing opened at 7:24 p.m. No public comments. Public Hearing closed at 7:24 p.m.

Resolution 1623, directing the Mayor and Deputy City Clerk to execute a quit claim deed of a 0.07 acre tract to Barnhart Properties LLC and Peter Tuttle./Move to action

City Attorney Kevin Olson said the property was of no use to the City and can be returned to the tax rolls.

Motion by Miller, second by Shields to approve Resolution 1623. AYES: Miller, Shields, Ellyson, Stevenson, Pierce. Motion carried.

Resolution 1624, approving a Social Media Policy./Move to action

Shimmin described the policy to protect the City with regard to social media posts or content on the city's social media sites. The policy will also be added to the employee handbook and all employees will be expected to follow the policy when using City or personal social media sites.

Motion by Shields, second by Pierce to approve Resolution 1624. AYES: Shields, Pierce, Ellyson, Miller, Stevenson. Motion carried.

Resolution 1625, setting salaries for appointed officers and employees for the fiscal year 2017-2018./Move to action.

Motion by Miller, second by Stevenson to approve Resolution 1625. AYES: Miller, Stevenson, Pierce, Shields, Ellyson. Motion carried.

Resolution 1627, approving the employment agreement for the City Administrator/City Clerk of the City of West Branch, Iowa./Move to action.

Olson stated that Mr. Jones and the City reached an agreement to the terms of his employment. Mayor Laughlin and the Council welcomed Mr. Jones to the City and said they were happy to have him. Ellyson abstained from voting due to being absent from the interview process.

Motion by Stevenson, second by Pierce to approve Resolution 1627. AYES: Stevenson, Pierce, Miller, Shields. Abstain: Ellyson. Motion carried.

Resolution 1628, amending Resolution 1602./Move to action

Shimmin noted that this resolution was to correct a prior resolution that indicated incorrect names of employees who were hired last year.

Motion by Shields, second by Pierce to approve Resolution 1628. AYES: Shields, Pierce, Stevenson, Miller, Ellyson. Motion carried.

Resolution 1629, setting the date for a public hearing on proposal to enter into a General Obligation Corporate Purpose Loan Agreement and to borrow money thereunder./Move to action.

Finance Officer Edgar stated the purpose of this loan was for funding the College Street bridge replacement, North First Street Improvements project and refunding the General Obligation Judgement Settlement Note.

Motion by Stevenson, second by Miller to approve Resolution 1629. AYES: Stevenson, Miller, Pierce, Ellyson, Shields. Motion carried.

Resolution 1630, approving an Escrow Agreement with Croell, Inc./Move to action

Olson explained that the City would sign the warranty deed for the land exchange agreement but hold it until Croell finished relocating to their new site and meet other conditions per the land exchange agreement. Olson said the deed would then be sent to the County Recorder and delivered to Croell upon completion of the project.

Motion by Ellyson, second by Miller to approve Resolution 1630. AYES: Ellyson, Miller, Stevenson, Pierce, Shields. Motion carried.

Resolution 1631, establishing new funds./Move to action.

Edgar said funds would be created for two capital projects.

Motion by Ellyson, second by Miller to approve Resolution 1631. AYES: Ellyson, Miller, Shields, Pierce, Stevenson. Motion carried.

Resolution 1632, approving an engagement letter from Dorsey & Whitney./Move to action.

Shimmin explained that this engagement letter would be for services rendered by Dorsey & Whitney for Resolution 1629.

Motion by Pierce, second by Ellyson to approve Resolution 1632. AYES: Pierce, Ellyson, Miller, Stevenson, Shields. Motion carried.

CITY STAFF REPORTS

Olson stated that the Iowa Senate recently passed file 489 which allows the sale of fireworks in Iowa and suggested the Council review the City's ordinance on the use of fireworks. Council asked for feedback from the Police Chief and Fire Chief on the subject. Horihan suggested that he and Chief Stoolman meet to discuss and report back to Council at the next regular meeting.

Edgar informed the Council that a billing issue was recently uncovered for a resident who has resided in West Branch for several years but was not getting a utility bill (water/sewer/stormwater/recycling). Edgar asked for permission to back charge the resident for a portion of the usage. After several minutes of discussion, the Council agreed that the resident should be billed for a portion of the water used and given an opportunity to be on a payment plan.

Edgar advised the Council that the outdoor emergency siren was not working properly out at Greenview and that repairs would cost approximately \$3500.00. The council asked Edgar to obtain a quote for a new siren.

Future City Administrator Redmond Jones introduced his wife and two children via Skype to the Council and staff and thanked the Council for the opportunity to join the City.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Shields asked if staff would consider offering alternate hours for the brush pile to be open on weekends to allow residents to access it as needed without obtaining a key. Shields thanked Library Director/Interim City Administrator Nick Shimmin for filling in during the City Administrator search and suggested awarding Shimmin some sort of compensation. Pierce thanked the office staff and suggested awarding compensation to them as well for taking on additional responsibilities during the transition.

Miller briefly explained background information on an ongoing incident with Dave’s Welding who had a water valve malfunction in February 2016 which resulted in an elevated utility bill. On May 23, 2017 Peden sent a bill in the amount of \$375.00 to the City for the repair of his water valve. Deputy City Clerk Brick shared photos of the valve that Peden brought to the city office on April 11, 2017. Public Works Director Goodale stated that property owners are responsible for their service lines and valves from their property to the main which includes the valve. After consideration of the information, the Council directed staff to not pay the bill from Peden.

ADJOURNMENT

Motion to adjourn regular meeting by Shields, second by Pierce. Motion carried on a voice vote. City Council meeting adjourned at 8:44 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk