



PUBLIC NOTICE AND AGENDA OF THE WEST BRANCH CITY COUNCIL MEETING SCHEDULED TO CONVENE AT 5:30 P.M. MONDAY, NOVEMBER 20, 2017 IN THE CITY COUNCIL CHAMBERS, 110 NORTH POPLAR STREET, WEST BRANCH, IOWA

Mayor	Roger Laughlin	mayer@westbranchiowa.org
Mayor Pro Tem	Colton Miller	mcolton@rocketmail.com
Council Member	Jordan Ellyson	Jordanellyson@gmail.com
Council Member	Brian Pierce	brianapierce@outlook.com
Council Member	Mary Beth Stevenson	mbstevenson115@gmail.com
Council Member	Tim Shields	timshieldswbcc@yahoo.com
City Administrator	Redmond Jones II	rjonesii@westbranchiowa.org
City Attorney	Kevin Olson	kevinolsonlaw@gmail.com
Deputy City Clerk	Gordon Edgar	gordon@westbranchiowa.org

Please note: *Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.*

AGENDA

A. Call to Order

B. Opening Ceremonies

1. Pledge of Allegiance
2. Welcome

C. Roll Call

D. Guest Speaker, Presentations and Proclamations

E. Public Comment

Anyone wishing to address the City Council may come forward when invited; please state your name and address for the record. Public comments are typically limited to three minutes, and written comments may be submitted to the Deputy City Clerk. Special instructions for public comments will be provided at the meeting if a public hearing or quasi-judicial matter is scheduled on the agenda.

F. Approve Agenda / Consent Agenda / Move to Action

Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Council member, staff member or member of the Public wishes to discuss any item on the Consent Agenda, they can request the item be removed from the Consent Agenda for discussion. The remaining items on the Consent Agenda will be voted on with one motion being made for all items on the Consent Agenda. Then then item will be removed from the Consent Agenda, and will be separately considered and voted on.

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1. Motion to Approve Meeting Minutes for Special City Council Meeting October 27, 2017; City Council Meeting November 6, 2017; and City Council Work Session – Goal Setting Meeting.
2. Motion to Approve - The use of “Document Destruction & Recycling Services” for the Destruction of Records as required in the “Record Retention Manual for Iowa Cities”.
3. Resolution 1662 – Adopting Goals and Objectives for the City of West Branch, Iowa for 2018-2019.
4. Motion to Approve the Renewal of Liquor License for “Down Under”, located at 102 W. Main Street.
5. Motion to Approve the North First Street Improvements – Change Order No. 3 (a credit of \$852.68)
6. Motion to Approve the North First Street Improvements – Pay Estimate No. 2.
7. Motion to Approve the North First Street Improvements – Certificate of Completion
8. Resolution 1663 – Authorizing and Approving a Loan Agreement, Providing for the Issuance of \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017 and Providing for the Levy of Taxes to Pay the Same.
9. Resolution 1664 – Authorizing internal advance to the Tax Increment Financing Fund.
10. Resolution 1665 – Considering the Issue of Whether Casey’s Marketing Company Should be Rebated the Incremental Tax Revenues Pursuant to the Development Agreement.
11. Resolution 1666 – Approving the Submission of the City of West Branch FY 2017 Annual Urban Renewal Report.
12. Resolution 1667 – Obligating Funds From the Urban Renewal Tax Revenue Fund for the Payment of Tax Increment Financed Obligations in Fiscal Year 2019
13. Approve Claims Report.

G. Public Hearing / Non-Consent Agenda

1. Ordinance 747 – (Second Reading) Amending Chapter 165, entitled “Zoning Regulations”.
2. Ordinance 748 – (First Reading) Amending the Animal Protection and Control (chapter 55) of the City of West Branch to Allow the Keeping of Urban Chickens.

H. Reports

1. City Administrator’s Report
2. City Attorney Report
3. Other Staff Reports

I. Comments from Mayor and Council Members

J. Adjournment

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(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

Special City Council Meeting

October 27, 2017
12:15 p.m.

Mayor Roger Laughlin called the Special West Branch City Council meeting to order at 12:15 p.m. Roll call: Mayor Laughlin was present. Council members: Colton Miller was present in Council Chambers. Tim Shields, Mary Beth Stevenson, and Jordan Ellyson participated by telephone. Brian Pierce was absent. Laughlin welcomed the following City staff: City Administrator Redmond Jones, Deputy City Clerk Gordon Edgar, and Library Director Nick Shimmin.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

Motion by Miller, second by Stevenson to approve agenda/consent agenda items. AYES: Miller, Stevenson, Ellyson, Shields. NAYS: None. Motion carried.

PUBLIC HEARING/NON-CONSENT AGENDA

Resolution 1655, authorizing the use of a preliminary official statement for the sale of bonds /Move to action.

Larry Burger of Speer Financial explained that a Preliminary Official Statement is a disclosure document required when city bonds are issued.

Motion by Stevenson, second by Ellyson to approve Resolution 1655. AYES: Stevenson, Ellyson, Shields. NAYS: Miller. Motion carried.

ADJOURNMENT

Motion to adjourn Special meeting by Shields, second by Miller. Motion carried on a voice vote. City Council meeting adjourned at 12:25 p.m.

Roger Laughlin, Mayor

ATTEST:

Gordon R. Edgar, Deputy City Clerk

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**West Branch, Iowa
Council Chambers**

City Council Meeting

**November 6, 2017
7:00 p.m.**

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

PUBLIC HEARING.

Proposed amendments to sections 165.11(2), 165.27(3), 165.28(3), 165.29(3), and 165.35(2) - Chapter 165, Zoning Regulations Ordinance 747.

Laughlin opened the public hearing at 7:01 p.m. Laughlin explained the proposed changes adding language for zero lot lines that currently do not exist in the Code as well as changing rear yard requirements for the CB-1 district. Laughlin stated that this language was proposed by Terry Goerd, Zoning Administrator and was supported and approved by the Planning & Zoning Commission. There were no public comments.

GUEST SPEAKER, PRESENTATIONS, AND PROCLAMATIONS.

None.

PUBLIC COMMENT.

None.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

Approval of City Council Meeting Minutes for Work Session and regular meeting on October 16, 2017.

Resolution 1660 – Approving the FY16/17 Annual Finance Report

Resolution 1658 – Allowing colony muskrat trapping along the Wapsi Creek by approved trappers during state regulated trapping season.

Motion approving Main Street Water Main Improvements Pay Estimate No. 2

Motion approving consultant contract with Julia Hime for services of filming board and commission meetings.

Approve Claims.

EXPENDITURES	11/6/2017	
AMAZON	BOOKS & SUPPLIES	291.85
BAKER & TAYLOR INC.	BOOKS	1,027.87
BARNHART'S CUSTOM SERVICES	STUMP REMOVAL & EXAVATION	6,812.50
CEDAR COUNTY ENGINEER	MAINTENANCE SUPPLIES	741.72
CEDAR RAPIDS PHOTO COPY IN	COPIER MAINTENANCE	129.99
CHIEF SUPPLY CORPORATION	SUPPLIES	62.55
CJ COOPER & ASSOCIATES	DRUG TEST	35.00
CROELL, INC.	FLOWABLE MORTAR	433.50
CULLIGAN WATER TECHNOLOGIE	WATER SOFTENER SERVICE	35.20
DAN'S OVERHEAD DOORS & MORE	REPAIR SERVICE	465.29
EDGAR, GORDON	MILEAGE/PARKING	19.84
FEHR GRAHAM	308 PV PARK IMP - DESIGN	3,292.00
HARNEY INDUSTRIES INC	INSTALL CONCRETE @ K & G	2,100.00
HAWKINS INC	CHEMICALS	817.85
HD CLINE COMPANY	EQUIPMENT REPAIR	243.51
HENSON, MICHAEL & BETH	SEWER REFUND	1,025.17
HILL, SHERRY	VIDEO TAPING SERVICES	150.00
HOLLYWOOD GRAPHICS	T SHIRTS	391.60
INTERSTATE POWER SYSTEMS I	REPLACED BLOCK HEATER	670.18

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IOWA ONE	CALL UTILITY LOCATION SERVICE	59.40
JESSICA SCHAFER	TRAVEL EXPENSE	12.00
L. L. PELLING CO. INC	L. L. PELLING CO. INC	4,742.25
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,309.92
LYNCH'S EXCAVATING INC	ROADSTONE-SHOP	261.97
MISCELLANEOUS VENDOR FRANK HEATH:	BOOK	27.00
MOORE'S WELDING INC	SUPPLIES	78.22
OLSON, KEVIN D	LEGAL SERVICES-NOVEMBER 2017	1,500.00
ORIENTAL TRADING CO. INC.	PROGRAM SUPPLIES	203.07
PORT 'O' JONNY INC.	SERVICE-WAPSI PARK	87.00
QUALITY ENGRAVED SIGNS	SUPPLIES	65.50
QUILL CORP OFFICE	SUPPLIES	39.01
SENSUS USA SOFTWARE	SUPPORT	1,949.94
SHIMMIN, NICK	PROGRAM SUPPLIES	61.00
ST. PAUL STAMP WORKS INC.	ANIMAL TAGS	167.18
STRATEGIC TRAINING INITIAT	HHTD-BALLOON ENTERTAINER	262.50
SUMMIT COMPANIES	FIRE EXTINGUISHER TRAINING	300.00
SUPPLYWORKS	BATHROOM SUPPLIES	299.78
TRANS-IOWA EQUIPMENT INC	REPAIR PARTS	88.75
UPS	SEWER-SHIPPING	21.03
USA BLUE BOOK	SUPPLIES	31.59
VEENSTRA & KIMM INC.	314 N FIRST ST IMP	600.00
VEENSTRA & KIMM INC.	316 SAN SEWER REHAB I & I PH	2 94.42
VEENSTRA & KIMM INC.	316 SAN SEWER REHAB I & I PH 2 RESIDENT REVIEW	71.00
VEENSTRA & KIMM INC.	310 COL ST BRIDGE FINAL DESIGN	4,643.00
VEENSTRA & KIMM INC.	P & Z - MEADOWS PT 2 RES REVIEW	2,290.74
VEENSTRA & KIMM INC.	315 MAIN ST SEWER WATER MAIN	6,195.00
VEENSTRA & KIMM INC.	LOT SITE PLAN REVIEW	747.00
VEENSTRA & KIMM INC.	310 COL ST BRIDGE ROW ACQUISITION	3,592.60
VEENSTRA & KIMM INC.	318 COL ST & 2ND ST IMPROVEMENTS	4,666.00
VERIZON WIRELESS	VERIZON WIRELESS	813.90
WATER SOLUTIONS UNLIMITED	PHOSPHATE	2,515.00
WEST BRANCH COMMUNITY SCHOOL	BUSING-SWIMMING, FIELD TRIPS	2,874.47
TOTAL		59,415.86
PAID BETWEEN MEETINGS		
BWC EXCAVATING LC	315 MAIN ST WATER MAIN IMPROVEMENTS	40,323.44
RIVER PRODUCTS COMPANY	DEPOSIT WETLANDS CREDIT	2,600.00
UPS	SEWER-SHIPPING	21.46
BP AMOCO	VEHICLE FUEL	358.96
EMERGENCY SERVICES MARKETING	ANNUAL FEE	735.00
GALAXY CLEANING SERVICES	OFFICE CLEANING	1,185.18
MIKE HORIHAN	UNIFORM REPAIR	10.95
OLSON, KEVIN D	LEGAL SERVICES	1,500.00
PORT 'O' JONNY INC	HHTD SERVICE	868.00
US BANK CORPORATE CARD	TRAVEL, TRAINING & SUPPLIES	2,290.59
BROWN'S WEST BRANCH	VEHICLE MAINTENANCE	106.86
DEWEY'S JACK & JILL	MAINTENANCE SUPPLIES	5.79
DODGE ST TIRE & AUTO	SNOW TIRES	544.48
HD CLINE	REPAIRS PARTS	71.34
JEREMY LYNN LLC	INSTALLATION SALT SHED	2,430.00
METROPOLITAN COMPOUNDS INC	CHEMICALS	1,020.70
QC ANALYTICAL SERVICES	LAB ANALYSIS	840.00
TRUGREEN PROCESSING CENTER	LAWN SERVICE LIONS FIELD	376.00
WALMART COMMUNITY/RFCSELLC	DVDS, PROGRAM SUPPLIES	216.50
WEST BRANCH REPAIRS	VEHICLE REPAIR	348.53
FRONTLINE PLUS FIRE & RESCUE INC	SIREN REPAIR	7,984.91
IMWCA	WORK COMP AUDIT ADJUSTMENT	983.00
MEDIACOM	CABLE SERVICE	40.90
PSC DISTRIBUTION	SUPPLIES	275.74
RIVER PRODUCTS COMPANY	WETLANDS CREDIT -BALANCE DUE	23,400.00
UPS	SEWER-SHIPPING	21.03
TOTAL		88,559.36
PAYROLL 10/20/2017		53,710.64

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PAYROLL 10/20/2017-SICK TIME PAYOUT		974.74
PAYROLL 11/03/2017		42,051.92
GRAND TOTAL EXPENDITURES		244,712.52
FUND TOTALS		
001 GENERAL FUND	66,188.56	
022 CIVIC CENTER	505.34	
031 LIBRARY	13,582.09	
036 TORT LIABILITY	5,989.00	
110 ROAD USE TAX	19,907.52	
112 TRUST AND AGENCY	16,646.11	
308 PARK IMP - PEDERSEN VALLEY	29,292.00	
310 COLLEGE STREET BRIDGE	8,235.60	
314 N FIRST ST IMPROVEMENTS	600.00	
315 MAIN ST WATER MAIN IMPROVEMENTS	46,518.44	
316 I & I LINE/GROUT PH 2	165.42	
318 COLLEGE ST & 2ND ST IMPROVEMENTS	4,666.00	
600 WATER FUND	13,715.20	
610 SEWER FUND	18,701.24	
GRAND TOTAL	244,712.52	

Motion by Miller, second by Shields to approve agenda/consent agenda items. AYES: Miller, Shields, Pierce, Stevenson, Ellyson. NAYS: None. Motion carried.

PUBLIC HEARING/NON-CONSENT AGENDA

Resolution 1654 – Establishing the licensing fees for the registration of dogs and cats within the City of West Branch. /Move to action.

Laughlin noted that this fee increase only affects non-neutered and non-spayed animals. The fee is increasing from \$10 to \$20.

Motion by Stevenson, second by Miller to approve Resolution 1654. AYES: Stevenson, Miller, Ellyson, Pierce, Shields. NAYS: None. Motion carried.

Resolution 1656 - Accepting public improvements constructed in The Meadows Part 2. /Move to action.

Olson reported that the developer was finishing up a few items on the engineers checklist and recommended the council approve this resolution. This will allow the developer to sell lots while the items are completed.

Motion by Stevenson, second by Miller to approve Resolution 1656. AYES: Stevenson, Miller, Ellyson, Shields, Pierce. NAYS: None. Motion carried.

Ordinance 747 – (First Reading) Amending Chapter 165, entitled Zoning Regulations. /Move to action.

Motion by Miller, second by Pierce to approve first reading of Ordinance 747. AYES: Miller, Pierce, Stevenson, Shields, Ellyson. NAYS: None. Motion carried.

Resolution 1657 – Consider whether Acciona Windpower North America LLC should be rebated a portion of TIF revenues. /Move to action.

Motion by Miller, second by Ellyson to approve Resolution 1657. AYES: Miller, Ellyson, Stevenson, Pierce, Shields. NAYS: None. Motion carried.

Resolution 1661 – Approving a bond purchase agreement for the sale of bonds. /Move to action. Maggie Burger of Speer Financial laid out the terms of the bond purchase agreement and said she was pleased with the low interest rate.

Motion by Stevenson, second by Ellyson to approve the bond purchase agreement. AYES: Stevenson, Ellyson, Pierce, Shields. NAYS: Miller. Motion carried.

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Motion to appoint a representative to the Lower Cedar Watershed Management Authority. /Move to action. Laughlin suggested Stevenson to represent West Branch to the authority and volunteered himself to be an alternate representative.

Motion by Shields, second by Ellyson. AYES: Shields, Ellyson, Miller, Stevenson, Pierce. NAYS: None. Motion carried.

Resolution 1659 – Authorizing the purchase of a Pierce Velocity Rescue Pumper Fire Apparatus. / Move to action. Chief Stoolman said they had only received one proposal for the new apparatus. Reliant Fire Apparatus’ proposal included four prices ranging from \$648,560 to \$675,533. Stoolman said the fire department currently has \$467,000 in their set aside account toward the purchase. Jones confirmed that he and Finance Officer Edgar reviewed the contract and suggested that the City loan the fire department the balance from the general fund and the fire department pay back the general fund within twelve months. Stoolman also noted that the city of Lisbon is interested in purchasing their current truck for \$165,000.

Motion by Miller, second by Shields to approve Resolution 1659. AYES: Miller, Shields, Ellyson, Stevenson, Pierce. NAYS: None. Motion carried.

Motion to approve Sanitary Sewer Rehabilitation – Phase 2 Certificate of Completion. /Move to action. Motion by Miller, second by Stevenson. AYES: Miller, Stevenson, Pierce, Shields, Ellyson. NAYS: None. Motion carried.

CITY STAFF REPORTS

Jones gave an update on the past week’s activities and shared some topics covered in a recent ICMA conference he attended. Jones said he would be sharing that information in the coming weeks.

Shimmin asked the Council to notify him of any issues they may be having with their tablets. He said that he would look into the issues and determine if they could be fixed or would need replaced.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Laughlin said he is continuing to work with Russell on developing a trails plan for West Branch. Ellyson reminded everyone to vote in the Mayor/City Council election to be held on Tuesday at Town Hall.

ADJOURNMENT

Motion to adjourn regular meeting by Shields, second by Miller. Motion carried on a voice vote. City Council meeting adjourned at 7:35 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk

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**West Branch, Iowa
Council Chambers**

**City Council
Work Session – Goal Setting**

**November 6, 2017
7:30 p.m.**

Mayor Roger Laughlin called the West Branch City Council work session to order at 7:40 p.m. Roll call: Mayor Laughlin was present. Council members: Colton Miller, Tim Shields, Mary Beth Stevenson, Jordan Ellyson and Brian Pierce were present. Laughlin welcomed the audience and the following City staff: City Administrator Redmond Jones, Deputy City Clerk Leslie Brick, Finance Officer Gordon Edgar, Library Director Nick Shimmin, Fire Chief Kevin Stoolman, Park & Recreation Director Melissa Russell and Police Chief Mike Horihan.

GOAL SETTING:

Jones laid out the ground rules for the goal setting session and described his approach to effectively identify past and present goals and set a priority to each in order to achieve them. Jones identified service priorities, vision and teamwork needed to achieve these goals.

Jones reviewed past goals and objectives set by the current council for FY16/17 and highlighted many items that have been completed during the past fiscal year. What remained are the goals and objectives Jones asked the Council to prioritize. After the Council reviewed and rated the remaining items, the following top five goals were identified (number of votes in parenthesis) ; Develop / Build Fund Balance Reserve Policy (13), Down Stream Flood Mitigation (13), Cubby Park (12), West Branch Village Trail Project (12) and Trails (11).

Jones will provide a complete list of other goals and objectives that were rated at the next council meeting.

ADJOURNMENT

Motion by Shields, second by Miller to adjourn work session. Motion carried on a voice vote. City Council work session adjourned at 8:52 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Motion to approve the use of “Document Destruction & Recycling Services” for the Destruction of Records as required in the Record Retention Manual for Iowa Cities.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Leslie Brick, Deputy City Clerk
DATE:	November 14, 2017

BACKGROUND:

Approve destruction of records with Document Destruction & Recycling Services listed on the Administration Records Destruction Forms per the Record Retention Manual for Iowa Cities.

STAFF RECOMMENDATION:	Approval of this Motion – Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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**City of West Branch
RECORDS DESTRUCTION FORM**

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CAUTION: A state record may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period. The record must be retained until completion of the action and the resolution of all issues that arise from it, or until the expiration of the retention period, whichever is later. Any record subject to federal audit must be retained until the expiration of the audit period or the period specified in the City of West Branch Records Retention manual, whichever is later.

Departmental Destruction		<input checked="" type="checkbox"/> I certify that these OFFICIAL RECORD COPIES are past the retention period specified by the Records Retention Schedule and that all audit and administrative requirements have been satisfied. <input checked="" type="checkbox"/> I certify that no HOLD has been placed on these OFFICIAL RECORDS due to any litigation, claim, negotiation, audit, or open records requests and all administrative requirements have been satisfied.
Date of Records Destruction:		
Department Name: Administration		
Destruction Method:		
Shredding _____ Discard _____ Outside Vendor <u> x </u>		
Destruction Witness: Deputy City Clerk Leslie Brick		

Description of Records The contents of each box should be listed separately	Inclusive Dates	Retention Period	Record Type
Utility Billing records	Nov. 2011 to Nov. 2012	5 years	Administrative
Receipt books	May 2011 – Sept 2012	5 years	Administrative

INSTRUCTIONS FOR FILLING OUT THE RECORDS DESTRUCTION FORM

1. Fill in the department name and date.
2. Locate a description of your records in the Records Retention Schedule and record.
3. Enter the description of the records in the "Description of Records" column.
4. Fill in the "Inclusive Dates" of the records. Please include month and year.
5. Fill in the "Retention Period" listed for the records in the Records Retention Schedule.
6. Fill in the "Record Type" of the records (for example, P= Paper, E=Electronic, etc.).
7. The completed *original* Records Destruction form must be maintained as a permanent record at the City Office.

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Resolution 1662 – Adopting Goals and Objectives for the City of West Branch, Iowa for 2018-2019.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Redmond Jones II, City Administrator
DATE:	November 15, 2017

BACKGROUND:

The City Council recently undergone a goal setting exercise in which the following goals were accepted:

1. **Promote Quality of life including public safety, Community Pride Events, Strong Citizen Involvement, Park and Recreation, opportunities and investment.**
2. **Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.**
3. **Develop inviting high profile visual impact project’s including gateways establishing destination, branding and other that reflect sound use of tax dollars.**
4. **Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.**

The City Administrator took the City Council through a process of identifying service priorities and discussing concepts of visioning and teamwork. The City Council prioritized the following objectives, tasks and activities:

TOP

- Develop / Build Fund Balance Reserve Policy (13)
- Downstream Flood Mitigation (13)
- Cubby Park (12)
- West Branch Village Trail Project (12)
- Trails (11)

HIGH

- College Street Bridge Project (9)
- Police Department Evidence Facility (8)
- Nuisance Abatement Program (7)

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- Splash Pad (7)
- Downtown East Redevelopment Project (7 weak)
- West Branch Village Water & Sewage System (6)

MODERATE

- Christmas Past (4 strong)
- Town hall Remodel (4)
- Greenview Connection (4)
- CDG Festivals (Spring, Summer, Fall) (4 weak)
- Joint School Board / City Council Work Session (3)
- Park and City Camera Project (2)
- Update City Council Tablets and repurpose the old tablets for other city uses. (2)
- Orange Street 4th / 5th (2)
- Bethany Parking Lot Sweeping Agreement (1)
- Cable Access Microphone Upgrades (1)

ON THE HORIZON

- I 80 Widening Project
- Meadows Subdivision Phase III
- Beranek Parking Lot (improvements / shelter refurbishments)
- Facebook Page

Items that are consider to be “On the Horizon” (items that made the list, but received no votes) are not a part of resolution 1662. However, if during the fiscal year 2018-2019, unforeseen funding is made available or in situations that an item receives overwhelming public support, an item can be reconsidered or reprioritized.

STAFF RECOMMENDATION: Approve the Resolution – Move to Action
REVIEWED BY CITY ADMINISTRATOR:
COUNCIL ACTION:
MOTION BY:
SECOND BY:

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RESOLUTION 1662

A RESOLUTION ADOPTING GOALS AND OBJECTIVES FOR THE CITY OF WEST BRANCH, IOWA FOR 2018-2019

WHEREAS, on November 6, 2017; the governing body of the City of West Branch, Iowa went through a process of identifying the service priorities for the coming fiscal year 2018-2019; and

WHEREAS, the governing body discussed concepts of: Required Services, Core Business Choice, Quality of Life Services, Community “Add On”, Organization Foundation, Visioning and Teamwork; and

WHEREAS, the establishment of Goals and Objectives by the governing body was accomplished, and promotes a general direction for staff; and

WHEREAS, this direction promotes the overall efficiency and effectiveness of city services, and will facilitate the coming budget discussions and City Council Work Sessions.

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

Section 1. That the foregoing recitals are incorporated in and made a part of this resolution by reference; and

Section 2. That the Goals and Objectives of the City of West Branch for 2018-2019 are hereby declared to be and prioritized as follows:

- 1. Promote Quality of life including Public Safety, Community Pride Events, Strong Citizen Involvement, Park and Recreation, opportunities and investment.**
 - Cubby Park (12 votes – Top Priority)
 - West Branch Village Trail Project (12 votes – Top Priority)
 - Splash Pad (7 votes – High Priority)
 - Christmas Past (4 votes – Moderate Priority)
 - CDG Festivals (Spring, Summer, Fall) (4 votes – Moderate Priority)
 - Park and City Camera Project (2 votes – Moderate / Low Priority)
 - Bethany Parking Lot Sweeping Agreement (1 vote – Low Priority)

- 2. Develop, Maintain and Rebuild Safe, Clean, Diverse, Healthy, Neighborhoods, including Partnering with the School District.**
 - Downstream Flood Mitigation (13 votes – Top Priority)
 - College Street Bridge Project (9 votes – High Priority)
 - Police Department Evidence Facility (8 votes – High Priority)
 - Nuisance Abatement Program (7 votes – High Priority)
 - West Branch Village Water & Sewage System (6 votes – High Priority)

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- Joint School Board / City Council Work Session (3 votes – Moderate Priority)
- Orange Street 4th / 5th (2 votes – Moderate / Low Priority)

3. Develop inviting high profile visual impact project's including gateways establishing destination, branding and other that reflect sound use of tax dollars.

- Trails (11 votes – Top Priority)
- Downtown East Redevelopment Project (7 votes – High Priority)
- Town hall Remodel (4 votes – Moderate Priority)
- Greenview Connection (4 votes – Moderate Priority)

4. Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.

- Develop / Build Fund Balance Reserve Policy (13 votes – Top Priority)
- Update City Council Tablets and Repurpose the Old Tablets for Other City Uses. (2 Votes – Moderate / Low Priority)
- Cable Access Microphone Upgrades (1 vote – Low Priority)

Passed and approved this 20th day of November, 2017.

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator/Clerk

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Motion to Approve the Liquor License for “Down Under”, located at 102 W. Main Street.
CITY GOAL:	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
PREPARED BY:	Leslie Brick, Deputy City Clerk
DATE:	November 3, 2017

BACKGROUND:

Approve Class C Liquor License (LC) (Commercial) with Brew Pub and Sunday Sales privileges for the Down Under, located at 102 W. Main Street.

STAFF RECOMMENDATION:	Seek Council Approval – Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Motion to Approve the North First Street Improvements – Change Order No.3 (a credit of \$853.68)
CITY GOAL:	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
PREPARED BY:	Veenstra & Kimm, City Engineers
DATE:	November 15, 2017

BACKGROUND:

1. Delete bid item # 2.11: Light pole located near west corner of Main Street and North First Street was relocated during the Sidewalk Phase 3 project.
2. Add Oasis Electrical: Electrical wires for the Jack & Jill business sign were embedded into the parking lot PCC pavement. When pavement was removed the wires were severed and needed to be reconnected below pavement elevation.
3. Delete 4” Subdrain: Previously, subdrain did not exist along the east edge of North First Street from Main Street to intake at midblock. The plans called for 4” to be installed to drain storm water from the road only. Due to field locating of multiple roof drains from city building draining into the soil under the existing road, the size of the planned subdrain was increased to properly hand the storm water added by these roof drains.
4. Add 6” Subdrain: Refer to previous mentioned comments.
5. Delete 8” Water Main Gate Valves: City maps along with city personnel indicated that the existing water main under Main Street was 8” in size. When contractor removed pavement and located water main, the main was found to be over sized 6” ductile iron water main. As a result the 8” valves per plan were replaced with the proper 6” needed to maintain the current size of the water main.
6. Add 6” Water Main Gate Valves: Refer to previous mentioned comments.
7. Blind Storm Pipe Connection: Existing storm intake located on the northwest corner of Green Street and North First Street crossed the intersection and connected into

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an existing storm pipe that was planned to be removed and replaced. The intake pipe in question was thought to outlet into the ditch located on the north side of Green Street. As a result of the storm pipe crossing the intersection, it had to be connected to the manhole had to be modified to accommodate the connection of 12” storm pipe, along with 10LF of 12” pipe to complete the connection.

8. Reinforced fiber box: The Liberty Communications fiber box located midblock of North First Street was a one piece concrete structure. Once existing pavement was removed the box top was exposed and it was identified that the box would extend 4” inches vertically into the proposed pavement. It was decided to pave the area around the fiber vault separately from the main line pavement in an engineered box out. The existing casting of the vault was installed to accommodate the box out pavement thickness. Due to the reduced thickness of the pavement and the heavy truck traffic number 4 bars were installed in the box out at a spacing of 12 inches on center.
9. Unsuitable Material and Class a Road Stone: Additional area of 19.22 SY was identified to be unsuitable when completing Change Order No. 2. Team Service, field inspector and contractor identified the area in the east lane of North First Street in front of Liberty Communications building.

STAFF RECOMMENDATION: Seek Approval from the City Council on this topic
REVIEWED BY CITY ADMINISTRATOR:
COUNCIL ACTION:
MOTION BY:
SECOND BY:

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VEENSTRA & KIMM, INC.

860 22nd Avenue, Suite 4 • Coralville, Iowa 52241-1565
319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

November 14, 2017

CHANGE ORDER NO. 3

NORTH FIRST STREET IMPROVEMENTS
WEST BRANCH, IOWA

Change Order No. 3 is for the following modifications to the project:

1. Delete Bid Item 2.11	1 Ea @ 5,170/Ea	\$ (5,170.00)
2. Add Oasis Electrical	1 Ea @ \$2,000/Ea	\$ 1,840.00
3. Delete 4" Tile Subdrain	200 LF @ \$11.65/LF	\$ (2,330.00)
4. Add 6" Tile Subdrain	200 LF @ \$13/Ea.	\$ 2,600.00
5. Delete 8" Water Main Gate Valves	2 Ea. @ \$2,000/Ea.	\$ (4,000.00)
6. Add 6" Water Main Gate Valves	2 Ea. @ \$1,700/Ea.	\$ 3,400.00
7. Additional labor, equipment, and materials for blind storm pipe connection, at intersection of Green Street.		\$ 890.47
8. Additional labor, equipment, and materials for reinforced box out around existing fiber box.		\$ 1,572.00
9. Additional labor, equipment, and materials:		
a. To core out 19.22 SY unsuitable materials and replace with Class A Roadstone.	6.28 tons @ \$38.07/ton	\$ 239.13
b. To place geogrid	19.22 SY @ \$5.50/SY	\$ 105.72

Total: \$ (852.68)

V & K Job No. 368216

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Change Order No. 3
November 14, 2017
Page 2

Change Order No. 3 decreases the contract amount by \$ 852.68.

EASTERN IOWA EXCAVATING LLC

By _____

Title _____

Date _____

CITY OF WEST BRANCH, IOWA

By _____

Title _____

Date _____

VEENSTRA & KIMM, INC.

By  _____

Title Project Engineer

Date 11/14/17

ATTEST:

By _____

Title _____

Date _____

V & K Job No. 368216

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 6, 2017
AGENDA ITEM:	Motion to Approve the North First Street Improvements – Pay Estimate No. 2.
CITY GOAL:	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
PREPARED BY:	Veenstra & Kimm, Inc.
DATE:	November 15, 2017

BACKGROUND:

Reviewed Construction to date and issue payment for work completed on this project. This project has previously been approved and budgeted by the City Council.

STAFF RECOMMENDATION:	Approve the Motion / Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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VEENSTRA & KIMM, INC.

860 22nd Avenue, Suite 4 • Corvallis, Iowa 52241-1565
319-466-1000 • 319-466-1000(FAX) • 888-241-8001(WATS)

November 14, 2017

PAY ESTIMATE NO. 2
NORTH FIRST STREET IMPROVEMENTS
WEST BRANCH, IOWA

Eastern Iowa Excavating & Concrete
121 Nixon Street SE; P.O. Box 189
Casade, IA 52033

Contract Amount \$314,151.40
Contract Date March 6, 2017
Pay Period Sept. 16, 2017 - Nov 1, 2017

BID ITEMS

	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Completed	Value Completed
2.1	Mobilization	LS	XXXXX	XXXXX	\$ 19,800.00	100%	\$ 19,800.00
2.2	Traffic Control	LS	XXXXX	XXXXX	\$ 4,500.00	100%	\$ 4,500.00
2.3	Construction Survey	LS	XXXXX	XXXXX	\$ 5,900.00	100%	\$ 5,900.00
2.4	Rmvl of Paved Driveway	SY	194	\$ 11.50	\$ 2,231.00	194	\$ 2,231.00
2.5	Rmvl & Replace Brick Driveway	SY	58	\$ 48.20	\$ 2,795.60	28	\$ 1,349.60
2.6	Rmvl of Sidewalk	SY	414	\$ 6.00	\$ 2,484.00	414	\$ 2,484.00
2.7	Rmvl of Pav't	SY	2,076	\$ 4.85	\$ 10,068.60	2,076	\$ 10,068.60
2.8	Rmvl of Intake + Utility Access	Ea.	3	\$ 700.00	\$ 2,100.00	2	\$ 1,400.00
2.9	Intake Adjustment, Minor	Ea.	2	\$ 850.00	\$ 1,700.00	2	\$ 1,700.00
2.10	Rmv Storm SWR Pipe LE 36"	LF	40	\$ 14.75	\$ 590.00	40	\$ 590.00
2.11	Rmv + Reinstall Light Pole + Luminaire	LS	XXXXX	XXXXX	\$ 5,170.00	100%	\$ 5,170.00
2.12	Rmv + Reinstall Sign	Ea.	1	\$ 190.00	\$ 190.00	1	\$ 190.00
2.13	Std/S-F PCC Pav't, CL C CL 3, 7"	SY	1,582	\$ 37.75	\$ 59,720.50	1818.6	\$ 68,652.15
2.14	Std/S-F PCC Pav't, M-Mix, 7"	SY	464	\$ 52.00	\$ 24,128.00	190.04	\$ 9,882.08
2.15	Modified Subbase	CY	346	\$ 77.00	\$ 26,642.00	537	\$ 41,349.00
2.16	Surf, Driveway, CL A CR Stone	Ton	140	\$ 21.00	\$ 2,940.00	62.9	\$ 1,321.74
2.17	Driveway, PCC, 6"	SY	14	\$ 79.00	\$ 1,106.00	16.4	\$ 1,295.60
2.18	Driveway, PCC, 8"	SY	367	\$ 46.80	\$ 17,175.60	354.3	\$ 16,581.24
2.19	Sidewalk, PCC, 4"	SY	163	\$ 34.00	\$ 5,542.00	164.2	\$ 5,582.80
2.20	Sidewalk, PCC, 6"	SY	238	\$ 37.50	\$ 8,925.00	244.6	\$ 9,172.50
2.21	Detectable Warning - Curb Ramp	SF	84	\$ 28.65	\$ 2,406.60	80	\$ 2,292.00
2.22	Manhole, Storm SWR, SW-401, 48"	Ea.	1	\$ 2,700.00	\$ 2,700.00	1	\$ 2,700.00
2.23	Intake, SW-501	Ea.	2	\$ 2,850.00	\$ 5,700.00	2	\$ 5,700.00
2.24	Storm SWR G-Main, Trench, RCP 18"	LF	59	\$ 54.25	\$ 3,200.75	56	\$ 3,038.00
2.25	Subdrain, Tile, 4"	LF	545	\$ 11.65	\$ 6,349.25	400	\$ 4,660.00
2.26	Subdrain Outlet, RF-19E	Ea.	5	\$ 225.00	\$ 1,125.00	4	\$ 900.00
2.27	12" Nyloplast Catch Basin	Ea.	1	\$ 1,265.00	\$ 1,265.00	1	\$ 1,265.00
2.28	Connect To Existing Storm	Ea.	2	\$ 650.00	\$ 1,300.00	2	\$ 1,300.00
2.29	San Swr G-Main, Trench, PVC, 10"	LF	18	\$ 420.00	\$ 7,560.00	24	\$ 10,080.00
2.30	Water Main, Trenched, DIP, 8"	LF	390	\$ 81.85	\$ 31,921.50	390	\$ 31,921.50
2.31	Service Connection w/ Curb Stop	Ea.	4	\$ 1,700.00	\$ 6,800.00	4	\$ 6,800.00
2.32	Gate Valve 12"	Ea.	1	\$ 3,165.00	\$ 3,165.00	1	\$ 3,165.00
2.33	Gate Valve 8"	Ea.	4	\$ 2,000.00	\$ 8,000.00	4	\$ 8,000.00
2.34	Fire Hydrant Assembly, WM-201	Ea.	2	\$ 5,825.00	\$ 11,650.00	2	\$ 11,650.00
2.35	Manhole, San SWR, SW-301, 48"	Ea.	1	\$ 4,100.00	\$ 4,100.00	1	\$ 4,100.00
2.36	CIPP Line Sanitary Sewer 10"	LF	400	\$ 33.00	\$ 13,200.00	400	\$ 13,200.00
					Contract Price:	\$ 314,151.40	\$ 319,991.81

VK Job No. 368216

1 of 2

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Motion to Approve the North First Street Improvements – Certificate of Completion.
CITY GOAL:	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
PREPARED BY:	Veenstra & Kimm, Inc.
DATE:	November 15, 2017

BACKGROUND:

The project has been reviewed by both the City Engineers and City Staff. Acceptance of the North First Street work completed by Eastern Iowa Excavating & Concrete LLC is in substantial accordance with the plans and specifications.

STAFF RECOMMENDATION:	Accept Animal Control Recommendation
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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CERTIFICATE OF COMPLETION

NORTH FIRST STREET IMPROVEMENTS WEST BRANCH, IOWA

October 27, 2017

We hereby certify that we have made an on-site review of the completed construction of the North First Street Improvements under the Contract as performed by Eastern Iowa Excavating & Concrete LLC of Casade, Iowa.

As Engineers for the project it is our opinion that the work performed is in substantial accordance with the plans and specifications, and that the final amount of the contract is Three Hundred Forty-Five Thousand Sixty-Five and 45/100 Dollars (\$345,065.45).

VEENSTRA & KIMM, INC.

Accepted: **CITY OF WEST BRANCH**

By  _____

By _____

Title Project Engineer

Title Mayor

Date November 14, 2017

Date _____

Job No. 368216

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Resolution 1663 – Authorizing and Approving a Loan Agreement, Providing for the Issuance of \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017 and Providing for the Levy of Taxes to Pay the Same.
CITY GOAL:	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
PREPARED BY:	Kevin Olson, City Attorney
DATE:	November 15, 2017

BACKGROUND:

The citizens of West Branch approved park improvement plans and the use of General Obligation Bonds to finance those improvements. The City Council as November 6, 2017 approved a Bond Purchase Agreement for the Sale of Bonds. The Bonds will be paid back by a split of Local Option Sales Tax and Tax Increment Financing revenues. Part of the proceeds of the bond will be used to complete the planned park improvements. Also included in this bond issue are CIP projects approved by Council that have been completed or are under construction now. These CIP projects are expected to be paid back by debt service levy as previously planned. And the final part of this bond issue is for the College Street Bridge and Extension project, which is also Council approved and expected to be paid back with debt service levy. The Council also awarded the bonds to Bankers’ Bank in Madison, WI at the negotiated interest rate on November 6, 2017. The resolution and documents attached to this item are necessary for the Bond Sale Closing.

The follow items are attached with this item:

- a) Minutes to Provide for the Issuance of Bonds (form)
- b) Resolution 1663 authorizing and approving a Loan Agreement, providing for the issuance of \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017 and providing for the levy of taxes to pay the same.
- c) Attestation Certificates (for Cedar and Johnson Counties)
- d) County Filing Certificate (Cedar)
- e) County Filing Certificate (Johnson)
- f) Cover Letter to the City
- g) Paying Agent and Registrar and Transfer Agent Agreement
- h) Loan Agreement (between City of West Branch and Banker’s Bank)
- i) Continuing Disclosure Certificate

STAFF RECOMMENDATION:	Approve Resolution / Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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MINUTES TO PROVIDE FOR THE
ISSUANCE OF BONDS

439235-12

West Branch, Iowa

November 20, 2017

The City Council of the City of West Branch, Iowa, met on November 20, 2017, at
_____ o'clock ____m., at the _____, West Branch, Iowa.

The meeting was called to order by the Mayor, and the roll was called showing the
following Council Members present and absent:

Present: _____

Absent: _____.

After due consideration and discussion, Council Member _____
introduced the following resolution and moved its adoption, seconded by Council Member
_____. The Mayor put the question upon the adoption of said
resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

••••

At the conclusion of the meeting, and upon motion and vote, the City Council
adjourned.

Roger Laughlin, Mayor

Attest:

Redmond Jones II, City Administrator/Clerk

RESOLUTION 1663

Resolution authorizing and approving a Loan Agreement, providing for the issuance of \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017 and providing for the levy of taxes to pay the same

WHEREAS, the City of West Branch (the “City”), in Cedar and Johnson Counties, State of Iowa, pursuant to the provisions of Section 384.24A of the Code of Iowa, heretofore proposed to enter into a loan agreement (the “2017 Projects Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$1,600,000 for the purpose of paying the costs, to that extent, of (i) constructing bridge improvements; (ii) constructing street, sanitary sewer system, and water system improvements (together, the “2017 Projects”); and (iii) refunding the General Obligation Judgment Settlement Note, dated March 7, 2017, and pursuant to law and duly published notice has held a public hearing on such proposal on June 26, 2017; and

WHEREAS, the City has decided not to proceed with the refunding of the General Obligation Judgment Settlement Note, but the City retains the right to pursue the refunding at a later time; and

WHEREAS, pursuant to the provisions of Section 384.24A of the Code of Iowa, the City also heretofore proposed to enter into a loan agreement (the “Park Project Loan Agreement”) and to borrow money thereunder in an amount not exceeding \$4,000,000 to provide funds to pay the cost, to that extent, of undertaking the West Branch Park Improvements Project, including ball diamonds; volleyball courts; lighting improvements; playground equipment; concessions, restroom and shelter facilities; recreation trails; landscaping; parking lots; and the installation of related public infrastructure improvements, and pursuant to law and duly published notice, has held a successful election on said proposal on November 3, 2015; and

WHEREAS, pursuant to law and the successful election on the Park Project Loan Agreement, the City used a portion of its borrowing authority thereunder to enter into an initial loan agreement (the “Initial Park Project Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$500,000 to pay the cost, to that extent, of funding the initial costs of the West Branch Park Improvement Project; and

WHEREAS, the City now intends to exercise a portion of its remaining authority with respect to the Park Project Loan Agreement to enter into another loan agreement (the “Park Project Loan Agreement #2) in an amount not to exceed \$3,000,000 to pay the cost, to the extent of funding the costs of the West Branch Park Improvements Project (the West Branch Park Improvement Project together with the 2017 Projects are hereinafter referred to as the “Projects”); and

WHEREAS, pursuant to Section 384.28 of the Code of Iowa, the City Council has combined the 2017 Projects Loan Agreement and the Park Project Loan Agreement #2, into a single loan agreement (the “Loan Agreement”);

WHEREAS, a Preliminary Official Statement (the “P.O.S.”) has been prepared to facilitate the sale of General Obligation Corporate Purpose Bonds, Series 2017 (the “Bonds”) to be issued in evidence of the obligation of the City under the Loan Agreement, and the City Council has made provision for the approval of the P.O.S. and has authorized its use by Speer Financial, Inc. (the “Financial Advisor”), as municipal financial advisor to the City, and Bankers’ Bank, Milwaukee, Wisconsin (the “Underwriter”) as the underwriter of the issuance of the Bonds; and

WHEREAS, a certain Bond Purchase Agreement has been prepared to set forth the terms of the Bonds and the understanding between the City and the Underwriter with respect to the purchase thereof, and the City Council has approved the Bond Purchase Agreement and has made provision for its execution and delivery; and

WHEREAS, it is now necessary to make final provision for the approval of the Loan Agreement and to authorize the issuance of the Bonds;

NOW, THEREFORE, Be It Resolved by the City Council of the City of West Branch, Iowa, as follows:

Section 1. The City shall enter into the Loan Agreement with the Underwriter in substantially the form as has been placed on file with the City Council, providing for a loan to the City in the principal amount of \$4,200,000, for the purpose or purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 2. The Bonds, in the aggregate principal amount of \$4,200,000, are hereby authorized to be issued in evidence of the City’s obligations under the Loan Agreement. The Bonds shall be dated December 5, 2017, shall be issued in the denomination of \$5,000 each or any integral multiple thereof and shall mature on June 1 in each of the years, in the respective principal amounts, and bear interest at the respective rates as follows:

<u>Date</u>	<u>Principal</u>	<u>Interest</u> <u>Rate</u>	<u>Date</u>	<u>Principal</u>	<u>Interest</u> <u>Rate</u>
2018	\$160,000	2.00%	2026	\$220,000	2.75%
2019	\$340,000	2.00%	2027	\$225,000	3.00%
2020	\$340,000	2.00%	2028	\$235,000	3.00%
2021	\$350,000	2.00%	2029	\$240,000	3.10%
2022	\$365,000	2.00%	2030	\$175,000	3.25%
2023	\$375,000	2.00%	2031	\$180,000	3.40%
2024	\$400,000	2.50%	2032	\$190,000	3.50%
2025	\$405,000	2.50%			

Section 3. Bankers Trust Company, Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Registrar” or the “Paying Agent.” The City shall enter into an agreement (the “Registrar/Paying Agent Agreement”) with the Registrar, in substantially the form as has been placed on file with the City Council; the Mayor and City Clerk are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the City; and the Registrar/Paying Agent Agreement is hereby approved.

The City reserves the right to optionally prepay part or all of the Bonds maturing on June 1 in each of the years 2026 to 2032, inclusive, prior to and in any order of maturity on June 1, 2025, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing June 1, 2018. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile

signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 4. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York (“DTC”). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the “Participants”). In the event that DTC determines not to continue to act as securities depository for the Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant’s interest in the Bonds, which will be confirmed in accordance with DTC’s standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City

to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term “Beneficial Owner” shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 5. The Bonds shall be in substantially the following form:

(Form of Bond)

**UNITED STATES OF AMERICA
STATE OF IOWA
CEDAR AND JOHNSON COUNTIES
CITY OF WEST BRANCH**

GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2017

No. _____ \$ _____

RATE	MATURITY DATE	BOND DATE	CUSIP
_____%	June 1, 20____	December 5, 2017	951556 _____

The City of West Branch (the "City"), in Cedar and Johnson Counties, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, New York

or registered assigns, the principal sum of

THOUSAND
DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of Bankers Trust Company, Des Moines, Iowa (hereinafter referred to as the "Registrar" or the "Paying Agent"), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing June 1, 2018, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Corporate Purpose Bonds, Series 2017 (the "Bonds") issued by the City to evidence its obligation under a certain loan agreement, dated as of December 5, 2017 (the "Loan Agreement"), entered into by the City for the purposes of paying the cost, to that extent, of (i) constructing bridge improvements; (ii) constructing street, sanitary sewer system, and water system improvements; and (iii)

funding the costs of the West Branch Park Improvements Project, including ball diamonds; volleyball courts; lighting improvements; playground equipment; concessions, restroom and shelter facilities; recreation trails; landscaping; parking lots; and the installation of related public infrastructure improvements.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 384 of the Code of Iowa, 2017, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council, adopted on November 20, 2017, authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds (the “Resolution”), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The City reserves the right to optionally prepay part or all of the Bonds maturing on June 1 in each of the years 2026 to 2032, inclusive, prior to and in any order of maturity on June 1, 2025, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 6. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible, and thereupon they shall be delivered to the Registrar for registration, authentication and delivery to or on behalf of the Underwriter, upon receipt of the loan proceeds (\$4,276,126.65), including, original issue premium (the "Loan Proceeds"), and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

A portion of the Loan Proceeds (\$33,600) shall be retained by the Underwriter as the underwriter's discount.

A portion of the Loan Proceeds (\$4,210,826.65), received from the sale of the Bonds shall be deposited in a dedicated fund (the "Project Fund"), which is hereby created, to be used for the payment of costs of the Projects and to the extent that any such proceeds (the "Project Proceeds") remain after the full payment of the costs of the Projects, such Project Proceeds, shall be transferred to the Debt Service Fund for the payment of interest on the Bonds.

The remainder of the Loan Proceeds (\$31,700) (the "Cost of Issuance Proceeds"), received from the sale of the Bonds shall be deposited in the Project Fund, and shall be used for the payment of costs of issuance of the Bonds, and to the extent that Cost of Issuance Proceeds remain after the full payment of the costs of issuance of the Bonds, such Cost of Issuance Proceeds shall be transferred to the Debt Service Fund for the payment of interest on the Bonds.

The City shall keep a detailed and segregated accounting of the expenditure of, and investment earnings on, the Loan Proceeds to ensure compliance with the requirements of the Internal Revenue Code, as hereinafter defined.

Section 7. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City in each of the years while the Bonds are outstanding, the following direct annual tax:

For collection in the fiscal year beginning July 1, 2018, sufficient to produce the net annual sum of \$441,273;

For collection in the fiscal year beginning July 1, 2019, sufficient to produce the net annual sum of \$434,473;

For collection in the fiscal year beginning July 1, 2020, sufficient to produce the net annual sum of \$437,673;

For collection in the fiscal year beginning July 1, 2021, sufficient to produce the net annual sum of \$445,673;

For collection in the fiscal year beginning July 1, 2022, sufficient to produce the net annual sum of \$448,373;

For collection in the fiscal year beginning July 1, 2023, sufficient to produce the net annual sum of \$465,873;

For collection in the fiscal year beginning July 1, 2024, sufficient to produce the net annual sum of \$460,873;

For collection in the fiscal year beginning July 1, 2025, sufficient to produce the net annual sum of \$265,748;

For collection in the fiscal year beginning July 1, 2026, sufficient to produce the net annual sum of \$264,698;

For collection in the fiscal year beginning July 1, 2027, sufficient to produce the net annual sum of \$267,948;

For collection in the fiscal year beginning July 1, 2028, sufficient to produce the net annual sum of \$265,898;

For collection in the fiscal year beginning July 1, 2029, sufficient to produce the net annual sum of \$193,458;

For collection in the fiscal year beginning July 1, 2030, sufficient to produce the net annual sum of \$192,770; and

For collection in the fiscal year beginning July 1, 2031, sufficient to produce the net annual sum of \$196,650.

Section 8. A certified copy of this resolution shall be filed with the County Auditors of Cedar County and Johnson County, and said County Auditors are hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the City as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any funds of the City which may lawfully be applied for such purpose, including incremental property tax revenues, may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 7 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for such purpose, and evidenced in the City's budget. The City has declared and approved the Projects as an urban renewal projects to be undertaken in the West Branch Urban Renewal Area. The City reserves the right to use incremental property tax revenues derived from the West Branch Urban Renewal Area for the payment of principal of and interest on the Bonds.

Section 9. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 10. It is the intention of the City that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The City hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 11. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for the bonds, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the bondholders to provide certain disclosure information to prescribed information repositories on a continuing basis or unless and to the extent the offering is exempt from the requirements of the Rule.

On the date of issuance and delivery of the Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City

are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 12. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 13. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved November 20, 2017.

Roger Laughlin, Mayor

Attest:

Redmond Jones II, City
Administrator / Clerk

ATTESTATION CERTIFICATE:

STATE OF IOWA
COUNTIES OF CEDAR AND JOHNSON SS:
CITY OF WEST BRANCH

I, the undersigned, City Clerk of the City of West Branch, do hereby certify that as such City Clerk I have in my possession or have access to the complete corporate records of the City and of its City Council and officers and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of all the corporate records in relation to the adoption of a resolution authorizing a certain Loan Agreement and providing for the issuance of \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017 evidencing the City's obligation under the Loan Agreement and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time with respect thereto.

I further certify that no appeal has been taken to the District Court from the decision of the City Council to enter into the Loan Agreement, to issue the Bonds or to levy taxes to pay the principal of and interest on the Bonds.

WITNESS MY HAND this _____ day of _____ 2017.

Redmond Jones II City Administrator/Clerk

COUNTY FILING CERTIFICATE:

STATE OF IOWA

SS:

CEDAR COUNTY

I, the undersigned, County Auditor of Cedar County, in the State of Iowa, do hereby certify that on the _____ day of _____, 2017, the City Clerk of the City of West Branch filed in my office a certified copy of a resolution of such City shown to have been adopted by the City Council and approved by the Mayor thereof on November 20, 2017, entitled: "Resolution authorizing and approving a Loan Agreement, providing for the issuance of \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017 and providing for the levy of taxes to pay the same," and that I have duly placed a copy of the resolution on file in my records.

I further certify that the taxes provided for in that resolution will in due time, manner and season be entered on the State and County tax lists of this County for collection in the fiscal year beginning July 1, 2018, and subsequent years as provided in the resolution.

WITNESS MY HAND this _____ day of _____, 2017.

County Auditor

COUNTY FILING CERTIFICATE:

STATE OF IOWA

SS:

JOHNSON COUNTY

I, the undersigned, County Auditor of Johnson County, in the State of Iowa, do hereby certify that on the _____ day of _____, 2017, the City Clerk of the City of West Branch filed in my office a certified copy of a resolution of such City shown to have been adopted by the City Council and approved by the Mayor thereof on November 20, 2017, entitled: "Resolution authorizing and approving a Loan Agreement, providing for the issuance of \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017 and providing for the levy of taxes to pay the same," and that I have duly placed a copy of the resolution on file in my records.

I further certify that the taxes provided for in that resolution will in due time, manner and season be entered on the State and County tax lists of this County for collection in the fiscal year beginning July 1, 2018, and subsequent years as provided in the resolution.

WITNESS MY HAND this _____ day of _____, 2017.

County Auditor



November 15, 2017

Via Email

Gordon Edgar
City Finance Director/City Hall
West Branch, Iowa

Re: \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017
Our File No. 439235-12

Dear Gordon:

We have prepared and attach the necessary proceedings to be used at the November 20th City Council meeting to enable the City Council to adopt the resolution (the "Resolution") approving the Loan Agreement and authorizing the issuance of the General Obligation Corporate Purpose Bonds, Series 2017.

The proceedings attached include the following items:

1. Minutes of the meeting covering the adoption of the Resolution. The actual Resolution follows the minutes. The form of Bond, Authentication Certificate and Assignment set out in the Resolution should not be completed or executed.
2. Attestation Certificate attesting to the validity of the transcript.
3. County Filing Certificates. A certified copy of the Resolution must be filed with the Cedar County and Johnson County Auditors, and we have prepared a form of certificates to be signed by the County Auditors relating to the filing of a certified copy of the Resolutions in the County Auditors' offices. Please make extra copies of for this purpose.

As provided in the Resolution, beginning in the 2018-2019 fiscal year, the County Auditor will have a mandatory duty to make a levy of taxes to pay principal of and interest on the Bonds unless the City's budget each year affirmatively shows that the tax should not be levied because other funds will be applied to the payment of the Bonds for that budget year. To the extent the City determines that property tax levies will be needed for payment in any year, the tax levy amounts needed must be certified for that year in the City's budget as part of the Debt Service Fund, and the funds derived from sources other than taxes must be shown on the appropriate budget document.

As these proceedings are completed, please return one fully executed copy to our office.

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Also attached is a Loan Agreement for execution by you and the Mayor. Please print three copies of the Loan Agreement for execution. After they have been signed please return all of these copies to us so that we can have them signed on behalf of Northland Securities, Inc., after which we will furnish you with a signed original.

Additionally, we are attaching a Registrar and Paying Agent Agreement for you and the Mayor to sign. Please print three copies for execution, after which all three executed copies should be returned to us so that we may forward them to Bankers Trust for signature. We will provide you with a fully executed copy of the Agreement at the time of closing.

Finally, we are attaching a Continuing Disclosure Certificate for you and the Mayor to sign. Please print two copies of the Certificate for execution, after which one executed copy should be returned to us, and one retained for the City's records.

If you have any questions, please contact Rebecca Donaldson or me.

Best regards,

John P. Danos

Attachments

cc: Maggie Burger
Leslie Brick
Diana VanVleet
Sam Devine
Redmond Jones

**PAYING AGENT AND
REGISTRAR AND TRANSFER AGENT AGREEMENT**

This Agreement is entered into as of the date hereof between **BANKERS TRUST COMPANY**, Des Moines, Iowa (the "Agent") and the **CITY OF WEST BRANCH, IOWA** (the "Issuer").

1. **Definition of Terms**—The terms "item," "receipt," "transfer," "turnaround," "process," "business day," and other terms used throughout this Agreement shall be deemed to have the meanings provided in the regulations promulgated pursuant to the Securities Exchange Act of 1934 and the Code of Iowa as amended and in effect from time to time.

2. **Issuance Resolution Incorporated By Reference**—The Agent agrees to act on behalf of the Issuer pursuant to the terms of this Agreement and pursuant to the Issuer's resolution (the "Resolution") authorizing and providing for the issuance of \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017, dated December 5, 2017 (the "Bonds"). The Resolution and the terms thereof are hereby incorporated by reference and the provisions of this Agreement are to be construed to be consistent with the Resolution. In the event of inconsistent language between the Resolution and this Agreement, the terms of the Resolution shall prevail.

3. **Registrar Function**—The Agent shall maintain records of the identity of the owners of the Bonds in order to carry out its function as Registrar and upon request of the Issuer shall from time to time deliver to the Issuer records, documents and other writings made or accumulated in the performance of its duties as Registrar. In such capacity the Agent is authorized at any time upon the surrender for cancellation of the Bonds to register new Bonds for the principal amount of Bonds so cancelled and to redeliver such new Bonds.

4. **Transfer Agent Function/Charges**—The Agent is hereby directed to record and authenticate Bonds signed by or bearing the facsimile signatures of the officers of the Issuer authorized to sign Bonds in such names and in such amounts as the Issuer may direct.

The Agent shall make transfers from time to time upon the records of the Issuer of any outstanding Bonds and of Bonds issued in exchange therefor signed by the officers of the Issuer upon surrender thereof for transfer properly endorsed and upon reasonable assurance that such endorsements are genuine and effective in accordance with Section 554.8401, Code of Iowa. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

The Issuer and the Agent may also require payment by the person requesting an exchange or transfer of the Bonds of a service charge and a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in relation thereto, except in the case of the issuance of a Bond for the unredeemed portion of a Bond surrendered for redemption.

Upon request for cancellation of such Bonds the Agent shall record and authenticate new Bonds duly signed and deliver such Bonds to or upon the order of the person entitled thereto.

5. **Paying Agent Function**—The Agent is hereby authorized and shall make payments of principal and interest to the registered owners of the Bonds as follows:

(a) If payment is by check, at least three business days prior to each payment date and if payment is by wire transfer, at least one business day prior to each payment date, the Issuer will deposit with the Agent in such amount as is required to make such payment.

(b) On each payment date the Agent will pay the interest and principal due prior to the maturity date without surrender of the Bond. For final payment of principal and interest, the Agent, upon presentation and surrender of the matured or called Bond, will pay principal and interest to each registered owner of the Bonds as of the record date by mailing a check or wiring funds to each such owner. In any case where the date of maturity of interest on or principal of the Bond or the date fixed for redemption of any Bond shall be a Saturday or Sunday or a legal holiday or a day on which banking institutions are authorized by law to close, then payment of interest or principal may be made on the succeeding business day with the same force and effect as if made on the date of maturity or the day fixed for redemption. Provided, however, that payment of principal shall be made not later than the second business day after receipt of the matured Bond.

(c) When the Agent shall receive notice from the Issuer of its option to redeem Bonds prior to maturity, the Agent shall select the Bonds to be redeemed and give notice of the redemption thereof, all in accordance with the terms of the Bonds and the Resolution.

6. **Form of Records**—The records of the Agent shall be in such form as to be in compliance with standards issued from time to time by the Municipal Securities Rule Making Board of the United States and any other securities industries standard and the requirements of the Internal Revenue Code of 1986 and Chapter 76 of the Code of Iowa.

7. **Confidentiality of Records**—The Agent's records in connection with the Bonds shall remain confidential records entitled to protection and confidentiality pursuant to Section 22.7, Code of Iowa. The Agent agrees that its use of the records will be limited to the purposes of this Agreement and that the Agent will make no private use or permit any private access thereto.

8. **Reliance Upon Certain Certifications and Representations**—The Agent may rely conclusively and act, without further investigation, upon any list, instruction, certification, authorization, certificate, or other instrument or paper suitably guaranteed and believed by it in good faith and due diligence in performing its functions to be genuine and to have been signed, countersigned, or executed by a duly authorized person or persons or upon the instruction of any authorized officer of the Issuer or upon the advice of the Issuer's counsel; and may register any Bond or may refuse to register any such Bond if in good faith the Agent deems such refusal necessary in order to avoid any liability on the part of either the Issuer or the Agent, and the Issuer agrees to indemnify and hold harmless the Agent from and against any and all losses, costs, claims, and liability for so relying or acting or refusing to act.

9. **Rules and Regulations Governing Registration**—The Agent shall comply at all times with such rules, regulations and requirements as may govern the registration, transfer and payment of registered Bond including without limitation Chapter 76 and Sections 554.8101 et seq., Code of Iowa, and standards issued from time to time by the Municipal Securities Rule Making Board of the United States and any other securities industries standard and the requirements of the Internal Revenue Code of 1986.

10. **Signature of Officers**—In case any of the officers of the Issuer whose manual or facsimile signature appears on any Bond or other record delivered to the Agent shall cease to be such officer prior to the registration, processing, or transfer thereof, the Agent may nevertheless process such documents as though the person signing the same or whose facsimile signature appears thereon had not ceased to be such officer unless written instruction of the Issuer to the contrary is received.

11. **Record Date**—For purposes of determining the registered owners of the Bonds the record date shall be deemed to be the fifteenth day of the month preceding the date on which payment of principal, premium, if any, or interest is payable to the registered owners of the Bonds (“Payment Date”) whether such payment is due to optional redemption, operation of a sinking fund, or for any other reason.

12. **Three Days Turnaround**—The Agent agrees that it will turnaround within three business days of receipt all items received in proper form for transfer, process or other action pursuant to the terms of this Agreement.

13. **Destruction of Cancelled Bonds**—The Agent will promptly cancel and destroy all Bonds which have been spoiled, surrendered to it for transfer, or with respect to which principal, premium, if any, and interest owing on such Bonds has been paid, and will provide the Issuer with a Certificate of Destruction certifying as to the destruction of such cancelled Bonds.

14. **Payment of Unclaimed Amounts**—In the event any payment check representing payment of interest or principal on the Bonds is returned to the Agent or is not presented for payment or if any Bond is not presented for payment of principal or premium at the maturity or redemption date, if funds sufficient to pay such interest or principal shall have been made available to the Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or principal payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on its part under the Resolution or on, or with respect to, such interest or principal. The Agent’s obligation to hold such funds shall continue until the expiration of the escheat period in accordance with applicable laws, at which time the Agent shall surrender any remaining funds so held in accordance with the applicable escheat laws.

15. **No Obligation to Invest**—The Agent will have no obligation to invest any funds in its possession.

16. **Compensation of the Agent**—The Issuer will pay the Agent reasonable compensation for its services based upon the schedule of fees attached or such other schedule of fees as may be agreed upon from time to time between the Agent and the Issuer. The Agent's compensation may include the amount of any attorney fees incurred by it under Section 17 hereof.

17. **Bond Counsel**—When the Agent deems it necessary or reasonable it may apply to Bond Counsel for the Issuer or such other law firm or attorney approved by the Issuer for instructions or advice.

18. **Termination of Agreement**—This Agreement may be terminated by either party by giving the other party at least 90 days advance written notice. At termination of the Agreement, the Agent shall deliver to the Issuer any and all records, documents or other writings made or accumulated in the performance of its duties under this Agreement and shall refund the unearned balance, if any, of fees paid in advance by the Issuer.

19. **Examination of Records**—The Issuer or its duly authorized agents may examine all records relating to the Bonds at the principal office of the Agent at reasonable times as agreed upon with the Agent and such records shall be subject to audit from time to time at the request of the Issuer or the Agent. The Agent, on request, will furnish the Issuer with a list of the names, addresses, and other information concerning the owners of the Bonds or any of them.

20. **Filing of Form 1099-INT**. To the extent it is determined by the Agent or Bond Counsel for the Issuer that reports are required to be filed, the Agent agrees to comply with the provisions of the Internal Revenue Code with respect to the filing with the Internal Revenue Service and furnishing to recipients of interest on the Bonds copies of Form 1099-INT, or its substitute, annually.

21. **Obligations, Rights and Privileges of the Agent**—The Agent shall have, with regard to the particular functions it performs, the same obligation to the owner or owners of the Bonds and shall have the same rights and privileges the Issuer has in regard to those functions.

Dated as of December 5, 2017.

CITY OF WEST BRANCH, IOWA

By _____
Mayor

Attest:

City Clerk

BANKERS TRUST COMPANY
AGENT

By _____
Trust Officer



PAYING AGENT, BOND REGISTRAR AND TRANSFER AGENT FEE SCHEDULE

ADMINISTRATION FEE

- Book Entry Bonds \$250 initial/\$500 annual
- Registered/Private Placement Bonds \$500 initial/\$1,000 annual

*Initial Fees paid at Closing

*Annual Fees paid at Interest/Principal Dates

ADDITIONAL SERVICES

- Dissemination Agent \$1,000 annual
- Placement of CDs or Sinking Funds \$500 per set up/outside BTC
- Optional or Partial Redemption \$300
- Mandatory Redemption \$100
- Early Termination/Full Call \$500
- Tax credit bond filing \$500 annual
- Disbursement Agent \$5,000 initial/\$3,000 annual
- Disbursement Agent wires/check \$10 per wire or check
- Paying Costs of Issuance \$500 one-time fee

CHANGES IN FEE SCHEDULE

Bankers Trust reserves the right to renegotiate this fee schedule.

Reasonable charges will be made for additional services or reports not contemplated at the time of execution of the Agreement or not covered specifically elsewhere in this schedule. Extraordinary out-of-pocket expenses will be charged at cost. However, this does not include ordinary out-of-pocket expenses such as normal postage and supplies, which are included in the annual fees quoted above.

Effective September 1, 2015

LOAN AGREEMENT

This Loan Agreement is entered into as of December 5, 2017 by and between the City of West Branch, Iowa (the "City"), and Bankers' Bank, Madison, Wisconsin (the "Purchaser"). The parties agree as follows:

1. The Purchaser shall loan to the City the sum of \$4,200,000 and the City's obligation to repay hereunder shall be evidenced by the issuance of General Obligation Corporate Purpose Bonds, Series 2017 in the aggregate principal amount of \$4,200,000 (the "Bonds").

2. The City has adopted a resolution on November 20, 2017 (the "Resolution") authorizing and approving this Loan Agreement and providing for the issuance of the Bonds and the levy of taxes to pay the principal of and interest on the Bonds for the purpose or purposes set forth in the Resolution. The Resolution is incorporated herein by reference, and the parties agree to abide by the terms and provisions of the Resolution. In and by the Resolution, provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on the Bonds as the same will respectively become due.

3. The Bonds, in substantially the form set forth in the Resolution, shall be executed and delivered to or on behalf of the Purchaser to evidence the City's obligation to repay the amounts payable hereunder. The Bonds shall be dated December 5, 2017, shall be in denominations of \$5,000 or integral multiples thereof, shall bear interest, shall be payable as to principal on the dates and in the amounts, shall be subject to prepayment prior to maturity and shall contain such other terms and provisions as provided in the Bonds and the Resolution.

4. This Loan Agreement is executed pursuant to the provisions of Section 384.24A of the Code of Iowa and shall be read and construed as conforming to all provisions and requirements of the statute.

IN WITNESS WHEREOF, we have hereunto affixed our signatures all as of the date first above written.

CITY OF WEST BRANCH IOWA

By _____
Mayor

Attest:

City Clerk

BANKERS' BANK
Madison, Wisconsin

By _____
(Signature)

(Print Name and Title)

CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by the City of West Branch, Iowa (the “Issuer”), in connection with the issuance of \$4,200,000 General Obligation Corporate Purpose Bonds, Series 2017 (the “Bonds”), dated December 5, 2017. The Bonds are being issued pursuant to a resolution of the Issuer approved on November 20, 2017 (the “Resolution”). The Issuer covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Holders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriters in complying with S.E.C. Rule 15c2-12.

Section 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“Annual Report” shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

“Beneficial Owner” shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

“Dissemination Agent” shall mean the Dissemination Agent, if any, designated in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation.

“EMMA” shall mean the MSRB’s Electronic Municipal Market Access system available at <http://emma.msrb.org>.

“Holders” shall mean the registered holders of the Bonds, as recorded in the registration books of the Registrar.

“Listed Events” shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

“Municipal Securities Rulemaking Board” or “MSRB” shall mean the Municipal Securities Rulemaking Board, 1300 I Street NW, Suite 1000, Washington, DC 20005.

“Participating Underwriter” shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“Rule” shall mean Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“State” shall mean the State of Iowa.

Section 3. Provision of Annual Reports.

(a) To the extent such information is customarily prepared by the Issuer and is made publicly available, not later than June 30 (the “Submission Deadline”) of each year following the end of the of the 2016-2017 fiscal year, the Issuer shall, or shall cause the Dissemination Agent (if any) to, file on EMMA an electronic copy of its Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate in a format and accompanied by such identifying information as prescribed by the MSRB. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report and later than the Submission Deadline if they are not available by that date. If the Issuer’s fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(c), and the Submission Deadline beginning with the subsequent fiscal year will become one year following the end of the changed fiscal year.

(b) If the Issuer has designated a Dissemination Agent, then not later than fifteen (15) business days prior to the Submission Deadline, the Issuer shall provide the Annual Report to the Dissemination Agent.

(c) If the Issuer is unable to provide an Annual Report by the Submission Deadline, in a timely manner thereafter, the Issuer shall, or shall cause the Dissemination Agent (if any) to, file a notice on EMMA stating that there has been a failure to provide an Annual Report on or before the Submission Deadline.

Section 4. Content of Annual Reports. The Issuer’s Annual Report shall contain or include by reference the following:

(a) **The Audited Financial Statements** of the Issuer for the prior fiscal year, prepared in accordance with generally accepted accounting principles promulgated by the Financial Accounting Standards Board as modified in accordance with the governmental accounting standards promulgated by the Governmental Accounting Standards Board or as otherwise provided under State law, as in effect from time to time, or, if and to the extent such audited financial statements have not been prepared in accordance with generally accepted accounting principles, noting the discrepancies therefrom and the effect thereof. If the Issuer’s audited financial statements are not available by the Submission Deadline, the Annual Report shall contain unaudited financial information (which may include any annual filing information required by State law) accompanied by

a notice that the audited financial statements are not yet available, and the audited financial statements shall be filed on EMMA when they become available.

(b) other financial information and operating data regarding the Issuer of the type presented in the final official statement distributed in connection with the primary offering of the Bonds; provided, however, other than information included in its audited financial statements, the Issuer does not customarily prepare or make publicly available, most of the information in the final official statement, and accordingly **no financial information or operating data** (other than that normally included in the audited financial statements) will be provided by the Issuer in the Annual Report.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Issuer or related public entities, which are available on EMMA or are filed with the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available on EMMA. The Issuer shall clearly identify each such other document so included by reference.

Section 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the Issuer shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds:

- (1) Principal and interest payment delinquencies.
- (2) Non-payment related defaults, if material.
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties.
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties.
- (5) Substitution of credit or liquidity providers, or their failure to perform.
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security.
- (7) Modifications to rights of security holders, if material.
- (8) Bond calls, if material, and tender offers.
- (9) Defeasances.
- (10) Release, substitution, or sale of property securing repayment of the securities, if material.
- (11) Rating changes.
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated

person.

Note to paragraph (12): For the purposes of the event identified in subparagraph (12), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material.

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

(b) If a Listed Event described in Section 5(a) paragraph (2), (7), (8) (but only with respect to bond calls under (8)), (10), (13) or (14) has occurred and the Issuer has determined that such Listed Event is material under applicable federal securities laws, the Issuer shall, in a timely manner but not later than ten business days after the occurrence of such Listed Event, promptly file, or cause to be filed, a notice of such occurrence on EMMA, with such notice in a format and accompanied by such identifying information as prescribed by the MSRB.

(c) If a Listed Event described in Section 5(a) paragraph (1), (3), (4), (5), (6), (8) (but only with respect to tender offers under (8)), (9), (11) or (12) above has occurred the Issuer shall, in a timely manner but not later than ten business days after the occurrence of such Listed Event, promptly file, or cause to be filed, a notice of such occurrence on EMMA, with such notice in a format and accompanied by such identifying information as prescribed by the MSRB. Notwithstanding the foregoing, notice of Listed Events described in Section 5(a) paragraphs (8) and (9) need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to Holders of affected Bonds pursuant to the Resolution.

Section 6. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds or upon the Issuer's receipt of an opinion of nationally recognized bond counsel to the effect that, because of legislative action or final judicial action or administrative actions or proceedings, the failure of the Issuer to comply with the terms hereof will not cause

Participating Underwriters to be in violation of the Rule or other applicable requirements of the Securities Exchange Act of 1934, as amended.

Section 7. Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or Annual Report prepared by the Issuer pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be Speer Financial, Inc.

Section 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) (i) the amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted; (ii) the undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and (iii) the amendment or waiver either (1) is approved by a majority of the Holders or (2) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Holders or Beneficial Owners; or

(b) the amendment or waiver is necessary to comply with modifications to or interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the Issuer shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing audited financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(c), and (ii) the Annual Report for the year in which the change is made will present a comparison or other discussion in narrative form (and also, if feasible, in quantitative form) describing or illustrating the material differences between the audited financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in

addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Section 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate, any Holder or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. Direct, indirect, consequential and punitive damages shall not be recoverable by any person for any default hereunder and are hereby waived to the extent permitted by law. A default under this Disclosure Certificate shall not be deemed an event of default under the Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

Section 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent, if any, shall have only such duties as are specifically set forth in this Disclosure Certificate, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the Issuer under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

Section 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Participating Underwriters and Holders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated: December 5, 2017

CITY OF WEST BRANCH, IOWA

By _____
Mayor

Attest:

By _____
City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Resolution 1664 – Authorizing an Internal Advance to the Tax Increment Financing Fund.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Gordon Edger, Financial Officer
DATE:	November 15, 2017

BACKGROUND:

The City has and will incur administrative and legal costs in the estimated amount of \$39,081 (the “Administrative Costs”), in conjunction with the planning, authorizing and carrying out Urban Renewal projects.

It is directed that an amount not to exceed Thirty Nine Thousand Eighty One Dollars (\$39,081) be advanced from the General Fund (the “Advance”) in order to fund the Administrative Costs. The Advance shall be repaid to the General Fund without interest, out of incremental property tax revenues received with respect to the Urban Renewal Area.

STAFF RECOMMENDATION:	Approve Resolution / Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

"Turning Vision Into Reality is our Business"

RESOLUTION 1664

RESOLUTION AUTHORIZING INTERNAL ADVANCE TO THE TAX INCREMENT FINANCING FUND.

WHEREAS, the City of the City of West Branch, Iowa (the "City"), has established the West Branch Urban Renewal Area (the "Urban Renewal Area") and has created the West Branch Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and

WHEREAS, the City will undertake urban renewal projects in the Urban Renewal Area and the City has and will incur administrative and legal costs in the estimated amount of \$39,081 (the "Administrative Costs"), in conjunction with the planning, authorizing and carrying out of such projects; and

WHEREAS, in order to cover the Administrative Costs and to make such costs eligible to be recouped from incremental property tax revenues, it is necessary to facilitate an internal advance of funds.

NOW, THEREFORE, IT IS RESOLVED the City Council of the City of West Branch, Cedar County, Iowa, as follows:

Section 1. It is directed that an amount not to exceed Thirty Nine Thousand Eighty One Dollars (\$39,081) be advanced from the General Fund (the "Advance") in order to fund the Administrative Costs. The Advance shall be repaid to the General Fund without interest, out of incremental property tax revenues received with respect to the Urban Renewal Area.

It is intended that the Advance shall be repaid in one (1) annual installment, on or before July 1, 2018, provided, however, that repayment of the Advance is subject to the determination of future City Councils, that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Advance, and the City Council reserves the right to appropriate funds to the repayment of the Advance, or to withhold such appropriation, at its discretion.

Section 2. A copy of this Resolution shall be filed in the offices of the County Auditor of Cedar County, Iowa to evidence the Advance. Pursuant to Section 403.19 of the Code of Iowa, the City Clerk is hereby directed to certify the amount of the advance.

Section 3. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

Passed and approved this 20th day of November, 2017.

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator/Clerk

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Resolution 1665 – Considering the Issue of Whether Casey’s Marketing Company Should be Rebated the Incremental Tax Revenues Pursuant to the Development Agreement.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Gordon Edger, Financial Officer
DATE:	November 15, 2017

BACKGROUND:

Resolution accepting terms of a City Council Approved Development Agreement.

STAFF RECOMMENDATION:	Approve Resolution / Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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RESOLUTION 1665

RESOLUTION CONSIDERING THE ISSUE OF WHETHER CASEY'S MARKETING COMPANY SHOULD BE REBATED THE INCREMENTAL TAX REVENUES PURSUANT TO DEVELOPMENT AGREEMENT.

WHEREAS, the City and Casey's Marketing Company entered into a Development Agreement that was recorded in Book 1271 at page 12, Records of the Cedar County Recorder's Office (the "Agreement"); and

WHEREAS, the Agreement contemplates performance of certain actions that may or must be performed by the parties to the Agreement; and

WHEREAS, pursuant to the Agreement, as long as Casey's operated a convenience store at its current location, the City Council would decide whether to appropriate the incremental tax revenues for the property back to Casey's Marketing Company; and

WHEREAS, each of the possible rebate payments contemplated "shall be subject to annual appropriation of the City Council;" and

WHEREAS, "[p]rior to December 1st of each year during the term" of the Agreement "the City Council shall consider the issue of obligating for appropriation to the funding of the payments due in the following fiscal year, an amount of tax increment revenues to be collected in the following fiscal year;" and

WHEREAS, the City Council is preparing to submit its annual certification "under Iowa Code section 403.19 to the Cedar County Auditor . . . the amount of taxes to be paid over the City and the amount," if any, "obligated for appropriation for rebate to Casey's Marketing Company."

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Iowa that the Council has considered the issue of whether Casey's Marketing Company should be rebated 100% of tax increment revenues collected from the property and concluded that the contemplated certification and appropriation process should include the rebate of 100% of the incremental tax revenues collected on the Property back to Casey's Marketing Company, the first payment being December 1, 2018.

Passed and approved this 20th day of November, 2017.

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator/Clerk

"Turning Vision Into Reality is our Business"



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Resolution 1666 – Approving the Submission of the City of West Branch FY 2017 Annual Urban Renewal Report
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Gordon Edger, Financial Officer
DATE:	November 15, 2017

BACKGROUND:

The City of West Branch previously designated certain portions of the City as an Urban Renewal Area, pursuant to Chapter 403, Code of Iowa. As a result, the State of Iowa now requires that each city which has adopted an Urban Renewal Area prepare an Annual Urban Renewal Report and submit the report to the Iowa Department of Management.

In order to be in compliance, city staff have prepared this document and resolution. (Please see attached resolution and Annual Urban Renewal Report.)

STAFF RECOMMENDATION:	Approve Resolution / Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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RESOLUTION 1666

RESOLUTION APPROVING THE SUBMISSION OF THE CITY OF WEST BRANCH FY 2017 ANNUAL URBAN RENEWAL REPORT

WHEREAS, the State of Iowa now requires that each city which has adopted an Urban Renewal Area prepare an Annual Urban Renewal Report (the "Report") and submit the report to the Iowa Department of Management; and

WHEREAS, the FY 2016-2017 Annual Urban Renewal Report is now due; and

WHEREAS, prior to submitting the Report state law requires the City Council to approve the Report and its submission to the Iowa Department of Management,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of West Branch, Cedar County, Iowa, that the fiscal year 2016-2017 Annual Urban Renewal Report be approved and forwarded to the Iowa Department of Management.

Passed and approved this 20th day of November, 2017.

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator/Clerk

"Turning Vision Into Reality is our Business"

Annual Urban Renewal Report, Fiscal Year 2016 - 2017

Levy Authority Summary

Local Government Name: WEST BRANCH
 Local Government Number: 16G142

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
WEST BRANCH URBAN RENEWAL	16006	6

TIF Debt Outstanding: 265,909

TIF Sp. Rev. Fund Cash Balance as of 07-01-2016:	72,411	0	Amount of 07-01-2016 Cash Balance Restricted for LMI
---	---------------	----------	---

TIF Revenue:	152,449
TIF Sp. Revenue Fund Interest:	1,398
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
Total Revenue:	153,847

Rebate Expenditures:	0
Non-Rebate Expenditures:	172,433
Returned to County Treasurer:	0
Total Expenditures:	172,433

TIF Sp. Rev. Fund Cash Balance as of 06-30-2017:	53,825	0	Amount of 06-30-2017 Cash Balance Restricted for LMI
---	---------------	----------	---

**Year-End Outstanding TIF
 Obligations, Net of TIF Special
 Revenue Fund Balance: 39,651**

♣ Annual Urban Renewal Report, Fiscal Year 2016 - 2017

Urban Renewal Area Data Collection

Local Government Name: WEST BRANCH (16G142)
 Urban Renewal Area: WEST BRANCH URBAN RENEWAL
 UR Area Number: 16006

UR Area Creation Date: 11/1989

The City Council of West Branch, Iowa believes that the designation of an area of the City as an economic development/urban renewal area will enhance its attractiveness as a potential site for new and expanding businesses.

UR Area Purpose:

Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
SPRINGDALE TWP/WEST BRANCH SCH/W BR (ORIG 1988)UR TIF INCREM	16093	16094	0
WEST BRANCH CITY AG/WEST BRANCH SCH/W BR (ORIG 1988) UR TIF INCREM	16103	16104	0
WEST BRANCH CITY AG/WEST BRANCH SCH/W BR (AMEND 1993) UR TIF INCREM	16105	16106	0
WEST BRANCH CITY/WEST BRANCH SCH/W BR (ORIG 1988) UR TIF INCREM	16107	16108	5,124,839
WEST BRANCH CITY/WEST BRANCH SCH/W BR (AMEND 1993) UR TIF INCREM	16109	16110	0
WEST BRANCH CITY/WEST BRANCH SCH/W BR UR TIF INCREM	16147	16148	0

Urban Renewal Area Value by Class - 1/1/2015 for FY 2017

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	231,440	12,751,670	49,757,464	13,790,900	0	-9,260	77,993,074	0	77,993,074
Taxable	106,709	7,093,227	44,781,718	12,411,810	0	-9,260	65,652,821	0	65,652,821
Homestead Credits									47

TIF Sp. Rev. Fund Cash Balance as of 07-01-2016:

72,411

0

Amount of 07-01-2016 Cash Balance Restricted for LMI

TIF Revenue: 152,449
 TIF Sp. Revenue Fund Interest: 1,398
 Property Tax Replacement Claims: 0
 Asset Sales & Loan Repayments: 0
Total Revenue: 153,847

Rebate Expenditures: 0
 Non-Rebate Expenditures: 172,433
 Returned to County Treasurer: 0
Total Expenditures: 172,433

TIF Sp. Rev. Fund Cash Balance as of 06-30-2017:

53,825

0

Amount of 06-30-2017 Cash Balance Restricted for LMI

Projects For WEST BRANCH URBAN RENEWAL

Water Tower #2

Description: Water System Improvements
 Classification: Roads, Bridges & Utilities
 Physically Complete: Yes
 Payments Complete: No

Casey's Marketing Co

Description: TIF Rebate Agreement
 Classification: Commercial - retail
 Physically Complete: Yes
 Payments Complete: No

Parkside Drive

Description: Road Improvements
 Classification: Roads, Bridges & Utilities
 Physically Complete: Yes
 Payments Complete: Yes

Acciona

Description: Legal Fees and Administrative Costs
 Classification: Administrative expenses
 Physically Complete: No
 Payments Complete: No

Downtown East Redevelopment Project

Description: Downtown Redevelopment Project
 Classification: Mixed use property (ie: a significant portion is residential and significant portion is commercial)
 Physically Complete: No
 Payments Complete: No

Cubby Park Improvement

Description: Park Improvement Project
 Classification: Recreational facilities (lake development, parks, ball fields, trails)
 Physically Complete: No
 Payments Complete: No

Debts/Obligations For WEST BRANCH URBAN RENEWAL

Water Tower #2

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	265,909
Interest:	0
Total:	265,909
Annual Appropriation?:	No
Date Incurred:	06/02/2005
FY of Last Payment:	2023

Casey's Marketing Co

Debt/Obligation Type:	Rebates
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	Yes
Date Incurred:	05/18/2015
FY of Last Payment:	2027

Parkside Drive

Debt/Obligation Type:	Internal Loans
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	No
Date Incurred:	05/04/2014
FY of Last Payment:	2017

Acciona- Judgement Settlement

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	No
Date Incurred:	05/04/2014
FY of Last Payment:	2023

Downtown Reinvestment 2016B

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	No
Date Incurred:	06/27/2016
FY of Last Payment:	2026

Park Improvement 2016A

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	No
Date Incurred:	06/27/2016
FY of Last Payment:	2028

Non-Rebates For WEST BRANCH URBAN RENEWAL

TIF Expenditure Amount:	37,387
Tied To Debt:	Water Tower #2
Tied To Project:	Water Tower #2
TIF Expenditure Amount:	0
Tied To Debt:	Parkside Drive
Tied To Project:	Parkside Drive
TIF Expenditure Amount:	131,292
Tied To Debt:	Acciona- Judgement Settlement
Tied To Project:	Acciona
TIF Expenditure Amount:	3,754
Tied To Debt:	Acciona- Judgement Settlement
Tied To Project:	Acciona

Jobs For WEST BRANCH URBAN RENEWAL

Project:	Water Tower #2
Company Name:	Acciona Windpower North America LLC
Date Agreement Began:	07/02/2007
Date Agreement Ends:	06/30/2017
Number of Jobs Created or Retained:	110
Total Annual Wages of Required Jobs:	3,333,616
Total Estimated Private Capital Investment:	11,000,000
Total Estimated Cost of Public Infrastructure:	0

Annual Urban Renewal Report, Fiscal Year 2016 - 2017

Abatement Percentages: P&G Phase 1, FY12-45%, FY13-30%, FY14-15%; P&G Phase 2, FY13-95%, FY14-85%, FY15-75%, FY16-65%, FY17-55%, FY18-45%, FY19-35%, FY20-25%; P&G Phase 3, FY12-95%, FY13-85%, FY14-75%, FY15-65%, FY16-55%, FY17-45%, FY18-35%, FY19-25%;

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Sum of Private Investment Made Within This Urban Renewal Area
during FY 2017

Annual Urban Renewal Report, Fiscal Year 2016 - 2017

TIF Taxing District Data Collection

Local Government Name:	WEST BRANCH (16G142)		
Urban Renewal Area:	WEST BRANCH URBAN RENEWAL (16006)		
TIF Taxing District Name:	SPRINGDALE TWP/WEST BRANCH SCH/W BR (ORIG 1988)UR TIF INCREM		
TIF Taxing District Inc. Number:	16094		
TIF Taxing District Base Year:	1988		UR Designation
FY TIF Revenue First Received:	1997	Slum	No
Subject to a Statutory end date?	No	Blighted	No
		Economic Development	12/1989

TIF Taxing District Value by Class - 1/1/2015 for FY 2017

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	131,520	0	1,693,780	213,310	0	0	2,038,610	0	2,038,610
Taxable	60,639	0	1,524,402	191,979	0	0	1,777,020	0	1,777,020
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2017	566,189	1,472,421	0	1,472,421	33,228

FY 2017 TIF Revenue Received: 0

TIF Taxing District Data Collection

Local Government Name:	WEST BRANCH (16G142)		
Urban Renewal Area:	WEST BRANCH URBAN RENEWAL (16006)		
TIF Taxing District Name:	WEST BRANCH CITY AG/WEST BRANCH SCH/W BR (ORIG 1988) UR TIF INCREM		
TIF Taxing District Inc. Number:	16104		
TIF Taxing District Base Year:	1988		UR Designation
FY TIF Revenue First Received:	1997	Slum	No
Subject to a Statutory end date?	No	Blighted	No
		Economic Development	12/1989

TIF Taxing District Value by Class - 1/1/2015 for FY 2017

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	99,920	0	0	0	0	0	99,920	0	99,920
Taxable	46,070	0	0	0	0	0	46,070	0	46,070
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2017	96,406	3,514	0	3,514	76

FY 2017 TIF Revenue Received: 0

♣ Annual Urban Renewal Report, Fiscal Year 2016 - 2017

TIF Taxing District Data Collection

Local Government Name:	WEST BRANCH (16G142)		
Urban Renewal Area:	WEST BRANCH URBAN RENEWAL (16006)		
TIF Taxing District Name:	WEST BRANCH CITY AG/WEST BRANCH SCH/W BR (AMEND 1993) UR TIF INCREM		
TIF Taxing District Inc. Number:	16106		
TIF Taxing District Base Year:	1993	Slum	UR Designation No
FY TIF Revenue First Received:	1997	Blighted	No
Subject to a Statutory end date?	No	Economic Development	08/1994

TIF Taxing District Value by Class - 1/1/2015 for FY 2017

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2017	9,215	0	0	0	0

FY 2017 TIF Revenue Received: 0

TIF Taxing District Data Collection

Local Government Name:	WEST BRANCH (16G142)		
Urban Renewal Area:	WEST BRANCH URBAN RENEWAL (16006)		
TIF Taxing District Name:	WEST BRANCH CITY/WEST BRANCH SCH/W BR (ORIG 1988) UR TIF INCREM		
TIF Taxing District Inc. Number:	16108		
TIF Taxing District Base Year:	1988	Slum	UR Designation No
FY TIF Revenue First Received:	1997	Blighted	No
Subject to a Statutory end date?	No	Economic Development	12/1989

TIF Taxing District Value by Class - 1/1/2015 for FY 2017

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	8,802,490	4,288,830	0	0	13,091,320	0	13,091,320
Taxable	0	0	7,922,241	3,859,947	0	0	11,782,188	0	11,782,188
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2017	2,423,638	10,667,682	5,124,839	5,542,843	164,883

FY 2017 TIF Revenue Received: 152,449

TIF Taxing District Data Collection

Local Government Name:	WEST BRANCH (16G142)		
Urban Renewal Area:	WEST BRANCH URBAN RENEWAL (16006)		
TIF Taxing District Name:	WEST BRANCH CITY/WEST BRANCH SCH/W BR (AMEND 1993) UR TIF INCREM		
TIF Taxing District Inc. Number:	16110		
TIF Taxing District Base Year:	1993	Slum	UR Designation No
FY TIF Revenue First Received:	1997	Blighted	No
Subject to a Statutory end date?	No	Economic Development	08/1994

TIF Taxing District Value by Class - 1/1/2015 for FY 2017

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	12,751,670	1,065,370	1,238,760	0	-9,260	16,517,400	0	16,517,400
Taxable	0	7,093,227	958,833	1,114,884	0	-9,260	10,426,301	0	10,426,301
Homestead Credits									47

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2017	2,761,105	10,426,301	0	10,426,301	310,151

FY 2017 TIF Revenue Received: 0

TIF Taxing District Data Collection

Local Government Name:	WEST BRANCH (16G142)		
Urban Renewal Area:	WEST BRANCH URBAN RENEWAL (16006)		
TIF Taxing District Name:	WEST BRANCH CITY/WEST BRANCH SCH/W BR UR TIF INCREM		
TIF Taxing District Inc. Number:	16148		
TIF Taxing District Base Year:	2001		UR Designation
FY TIF Revenue First Received:	2002	Slum	No
Subject to a Statutory end date?	Yes	Blighted	No
Fiscal year this TIF Taxing District statutorily ends:	2022	Economic Development	11/2002

TIF Taxing District Value by Class - 1/1/2015 for FY 2017

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	38,195,824	8,050,000	0	0	46,245,824	0	46,245,824
Taxable	0	0	34,376,242	7,245,000	0	0	41,621,242	0	41,621,242
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2017	43,410	41,621,242	0	41,621,242	1,238,107

FY 2017 TIF Revenue Received: 0



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Resolution 1667 – A Resolution Obligating Funds from the Urban Renewal Tax Revenue Fund for the Payment of Tax Increment Financed Obligations in Fiscal Year 2019
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Gordon Edger, Financial Officer
DATE:	November 15, 2017

BACKGROUND:

The City of West Branch, Iowa has adopted an Urban Renewal Plan that created a tax increment district as authorized and provided by Chapter 403, State Code of Iowa; this document allows the City to advanced monies that will or has been incurred indebtedness as it relates to City's Urban Renewal Plan. These and other costs which this Council finds qualified for payment from the special fund authorized by Section 403.19(3) of the State Code of Iowa as summarized on the attached resolution and schedule.

STAFF RECOMMENDATION:	Approve Resolution / Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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RESOLUTION 1667

A RESOLUTION OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR THE PAYMENT OF TAX INCREMENT FINANCED OBLIGATIONS IN FISCAL YEAR 2019

WHEREAS; the City of West Branch, Iowa has hereto adopted an Urban Renewal Plan and established pursuant thereto a tax increment district all as authorized and provided by Chapter 403, State Code of Iowa; and

WHEREAS; the City has advanced monies, incurred indebtedness and other costs which this Council finds qualified for payment from the special fund authorized by Section 403.19(3) of the State Code of Iowa as summarized on the attached schedule; and

WHEREAS; the City has scheduled payments in the amount of \$413,243 which shall become due in the fiscal year beginning July 1, 2018 with respect to costs associated with the Water Tower #2 Project, the Downtown East Redevelopment Project, Park Improvements-Pedersen Valley, Casey's General Store Rebate Agreement, 2017 GO Corporate Purpose Bond, and Acciona Legal Fees and Administrative Costs; and

WHEREAS; it is now necessary for the City Council to obligate for appropriation to the Annual Payment, funds anticipated to be received in the Urban Renewal Tax Revenue Fund in the fiscal year beginning July 1, 2018;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF WEST BRANCH, IOWA, that:

Section 1. The City Council obligates \$413,243 for appropriation from the Urban Renewal Tax Fund to the Annual Payment in the fiscal year beginning July 1, 2018.

Section 2. The City Clerk is hereby directed to certify a portion of the amount obligated for appropriation in Section 1 above (\$375,856), on the City's December 1, 2017 certification of debt payable, as a balance of funds are currently available in the City's TIF Debt Service Fund that will allow the City to pay for the balance of \$37,387. The City Clerk is hereby directed to reflect the total amount of \$413,243 in the City's budget for the next succeeding fiscal year.

PASSED, ADOPTED AND APPROVED this 20th day of November, 2017.

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator/Clerk

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November 20, 2017

Below is a summary of costs the City of West Branch, Iowa, is asking to be reimbursed through the Tax Increment Finance areas for the City of West Branch:

Acciona Legal Fees and Administrative Costs	\$39,081.00
Casey's General Store Rebate Agreement	\$27,000.00
Community State Bank Loan – Judgement Settlement	\$131,176.00
2017 GO Corp Purpose Bond	\$151,000.00
2016B Tax Urban Renewal Bond (City certified ahead For FY 2019 payment last year)	.00
2016A GO TIF Portion (Pedersen Valley Park)	\$26,999.00
2013 GO Corp Purpose & Revenue Bond (Water Tower)	<u>\$37,987.00</u>
Total:	\$413,243.00

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: November 6, 2017

AGENDA ITEM:	Approve Claims / Payroll / Items paid between meetings
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Gordon R. Edgar, Finance Officer
DATE:	October 29, 2017

BACKGROUND:

These are routine expenditure that include such items as payroll, budget expenditures, and other financial items that are related to council approved day to day operational tasks.

STAFF RECOMMENDATION: Approve claims/Move to Action
--

REVIEWED BY CITY ADMINISTRATOR:
COUNCIL ACTION:
MOTION BY:
SECOND BY:

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EXPENDITURES

11/20/2017

ALLIANT ENERGY	WATERTOWER	7,858.34
AMAZON	BOOKS, OFFICE SUPPLIES	509.85
BARRON MOTOR SUPPLY	MAINTENANCE SUPPLIES	922.84
BLUETARP FINANCIAL INC	SUPPLIES	99.99
BP AMOCO	VEHICLE FUEL	301.13
BRET F STOUT	STREET REPAIRS	10,755.00
BUSINESS RADIO SALES	SUPPLIES	349.95
CEDAR COUNTY PUBLIC HEALTH	FLU SHOTS	60.00
CEDAR COUNTY RECORDER	RECORDING FEES	102.00
CHIEF SUPPLY CORPORATION	SHOES	55.21
DEWEYS JACK & JILL	SUPPLIES	46.55
DODGE STREET TIRE & AUTO I	TIRES 13 FORD EXPLORER	658.20
FELD FIRE EQUIPMENT CO. IN	SUPPLIES	71.00
FUTURE LINE TRUCK EQUIPMEN	EQUIPMENT REPAIR	1,136.80
GALAXY CLEANING SERVICES	GALAXY CLEANING SERVICES	1,278.10
GIERKE-ROBINSON COMPANY IN	SUPPLIES	577.24
HAWKINS INC	CHEMICALS	387.50
HOTSY CLEANING SYSTEMS	REPAIR PARTS	70.00
ICAD GROUP	ANNUAL MEETING	45.00
IMWCA	IMWCA	5,143.00
IOWA ONE CALL	UTILITY LOCATION SERVICE	92.70
JOHNSON COUNTY REFUSE INC.	RECYCLING OCT 2017	3,819.00
LENOCH & CILEK	SUPPLIES	7.96
LINN COUNTY R.E.C.	SIREN @ GREENVIEW	137.30
LYNCH'S EXCAVATING INC	REPAIR WATER GAZEBO	6,192.79
MENARDS	SUPPLIES	39.60
OASIS ELECTRIC LLC	GENERATOR RENTAL & SUPPLIES	1,945.16
PITNEY BOWES PURCHASE POWE	PITNEY BOWES PURCHASE POWER	1,003.50
PLUNKETT'S PEST CONTROL IN	PEST CONTROL CITY OFFICE	95.18
PORT 'O' JONNY INC.	SERVICE-CEMETERY	87.00
PRINTING HOUSE	ANIMAL LIC RENEWAL POSTCARDS	145.00
QUALITY ENGRAVED SIGNS	OFFICE SUPPLIES	22.46
QUILL CORP	MAINTENANCE SUPPLIES	137.04
REPUBLIC SERVICES	DOCUMENT DESTRUCTION	50.95
RIVER PRODUCTS COMPANY INC	ROADSTONE	271.58
RUSSELL, MELISSA	DAY CAMP-WILSON'S ORCHARD	70.00
STATE HYGIENIC LAB	LAB ANALYSIS	130.00
TOYNES IA. FIRE TRK.SERV	VEHICLE MAINTENANCE	1,774.78
TRUGREEN PROCESSING CENTER	LAWN SERVICE LIONS FIELD	149.00
URBAN AND REGIONAL PLANNIN	URBAN PLANNING INTERNSHIP	5,000.00
WALMART COMMUNITY/RFCSLC	BOOKS, DVDS, PROGRAM SUPPLIES	471.07
WEST BRANCH FAMILY PRACTIC	COLLECTION FEE- DRUG TEST	40.00
WEST BRANCH FIREFIGHTERS	FIRE PREVENTION MATERIALS	671.63
WEST BRANCH REPAIRS	SUPPLIES	1,359.11
WEST BRANCH TIMES	LEGAL NOTICES-ADVERTISI	754.61
WEX BANK	WEX BANK	1,376.84
TOTAL		56,271.96

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PAID BETWEEN MEETINGS

BRANDI WEBSTER	REFUND	66.45
CEDAR COUNTY COOP	FUEL - PUBLIC WORKS	577.50
US BANK EQUIPMENT FINANCE	COPIER LEASE	59.00
CEDAR COUNTY COOP	FUEL - PUBLIC WORKS & FIRE DEPT	1,865.69
COSTCO WHOLESALE	PROGRAM SUPPLIES	330.10
US BANK EQUIPMENT FINANCE	COPIER LEASE	241.80
PIERCE MANUFACTURING	FIRE TRUCK DEPOSIT	400,020.00

TOTAL 403,160.54

PAYROLL 11/17/2017 53,604.57

TOTAL EXPENDITURES 513,037.07

FUND TOTALS

001 GENERAL FUND	443,103.89
022 CIVIC CENTER	722.98
031 LIBRARY	8,219.60
036 TORT LIABILITY	16,818.47
110 ROAD USE TAX	8,625.05
600 WATER FUND	16,856.40
610 SEWER FUND	18,690.68

GRAND TOTAL 513,037.07

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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
POLICE OPERATION	GENERAL FUND	CHIEF SUPPLY CORPORATION	SHOES	55.21
		WEX BANK	VEHICLE FUEL	844.99
		ALLIANT ENERGY	SERVICES	189.52
		GALAXY CLEANING SERVICES	JANITOR SERVICE	125.40
		DODGE STREET TIRE & AUTO INC	TIRES 13 FORD EXPLORER	658.20
			TOTAL:	1,873.32
FIRE OPERATION	GENERAL FUND	WEST BRANCH FIREFIGHTERS	FIRE PREVENTION MATERIALS	671.63
		BUSINESS RADIO SALES	SUPPLIES	349.95
		TOYNES IA. FIRE TRK.SERV	VEHICLE MAINTENANCE	45.41
		OASIS ELECTRIC LLC	VEHICLE REPAIR	1,729.37
		BP AMOCO	REPAIR SERVICES	188.16
		WEST BRANCH REPAIRS	REPAIR SERVICES	985.00
		QUILL CORP	VEHICLE FUEL	62.33
		FELD FIRE EQUIPMENT CO. INC	SUPPLIES	116.37
		CEDAR COUNTY PUBLIC HEALTH	OFFICE SUPPLIES	59.99
		ALLIANT ENERGY	MAINTENANCE SUPPLIES	71.00
		BARRON MOTOR SUPPLY	FLU SHOTS	60.00
			SERVICES	568.57
			MAINTENANCE SUPPLIES	8.28
			TOTAL:	4,916.06
ANIMAL CONTROL	GENERAL FUND	PRINTING HOUSE	ANIMAL LIC RENEWAL POSTCAR	145.00
			TOTAL:	145.00
STREET LIGHTING	GENERAL FUND	LINN COUNTY R.E.C.	SIREN & GREENVIEW	137.30
		ALLIANT ENERGY	SERVICES	2,113.80
			SERVICES	207.96
			TOTAL:	2,459.06
PARK & RECREATION	GENERAL FUND	DEWEYS JACK & JILL	SUPPLIES	9.07
		RUSSELL, MELISSA	DAY CAMP-WILSON'S ORCHARD	70.00
		TRUGREEN PROCESSING CENTER	LAWN SERVICE LIONS FIELD	149.00
		ALLIANT ENERGY	LIGHTS-LIONS FIELD	30.53
			LIGHTS-219 E GREEN	12.07
			SERVICES	44.97
			TOTAL:	315.64
CEMETERY	GENERAL FUND	BP AMOCO	VEHICLE FUEL	79.35
		PORT 'O' JONNY INC.	SERVICE-CEMETERY	87.00
		WEX BANK	VEHICLE FUEL	295.67
			TOTAL:	462.02
COMM & CULTURAL DEVEL	GENERAL FUND	WEST BRANCH TIMES	LEGAL NOTICES-ADVERTISING	75.00
		OASIS ELECTRIC LLC	GENERATOR RENTAL & SUPPLIE	678.06
		ALLIANT ENERGY	HHTD UTILITIES	20.16
			TOTAL:	773.22
ECONOMIC DEVELOPMENT	GENERAL FUND	WEST BRANCH TIMES	LEGAL NOTICES-ADVERTISING	150.00
		URBAN AND REGIONAL PLANNING	URBAN PLANNING INTERNSHIP	5,000.00
			TOTAL:	5,150.00
CLERK & TREASURER	GENERAL FUND	ICAD GROUP	ANNUAL MEETING	45.00
		REPUBLIC SERVICES	DOCUMENT DESTRUCTION	50.95
		QUILL CORP	MAINTENANCE SUPPLIES	5.99
			OFFICE SUPPLIES	71.06

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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		PLUNKETT'S PEST CONTROL INC	PEST CONTROL CITY OFFICE	47.59
		QUALITY ENGRAVED SIGNS	OFFICE SUPPLIES	22.46
		PITNEY BOWES PURCHASE POWER	REFLENISH POSTAGE	166.67
		ALLIANT ENERGY	SERVICES	186.39
		GALAXY CLEANING SERVICES	JANITOR SERVICE	239.40
		WEST BRANCH FAMILY PRACTICE	COLLECTION FEE- DRUG TEST	40.00
			TOTAL:	875.51
LEGAL SERVICES	GENERAL FUND	WEST BRANCH TIMES	LEGAL NOTICES-ADVERTISING	469.61
		CEDAR COUNTY RECORDER	RECORDING FEES	102.00
			TOTAL:	571.61
SOLID WASTE	GENERAL FUND	JOHNSON COUNTY REFUSE INC.	RECYCLING OCT 2017	3,819.00
			TOTAL:	3,819.00
LOCAL CABLE ACCESS	GENERAL FUND	WEST BRANCH TIMES	LEGAL NOTICES-ADVERTISING	60.00
		ALLIANT ENERGY	SERVICES	100.00
			TOTAL:	160.00
TOWN HALL	CIVIC CENTER	PLUNKETT'S PEST CONTROL INC	PEST CONTROL TOWN HALL	47.59
		ALLIANT ENERGY	SERVICES	304.89
		GALAXY CLEANING SERVICES	JANITOR SERVICE	370.50
			TOTAL:	722.98
LIBRARY	LIBRARY	DEWEYS JACK & JILL	SUPPLIES	10.25
		WALMART COMMUNITY/RFC5LLC	BOOKS, DVDS, PROGRAM SUPPL	91.52
			BOOKS, DVDS, PROGRAM SUPPL	214.34
			BOOKS, DVDS, PROGRAM SUPPL	165.21
			REFLENISH POSTAGE	503.50
			SERVICES	618.25
			JANITOR SERVICE	542.80
			BOOKS, OFFICE SUPPLIES	325.92
			BOOKS, OFFICE SUPPLIES	32.53
			BOOKS, OFFICE SUPPLIES	151.40
			TOTAL:	2,655.72
POLICE OPERATIONS	TORT LIABILITY	IMWCA	WORK COMP - POLICE	1,381.31
			TOTAL:	1,381.31
FIRE OPERATION	TORT LIABILITY	IMWCA	WORK COMP - FIRE	1,844.85
			TOTAL:	1,844.85
ROADS & STREETS	TORT LIABILITY	IMWCA	WORK COMP - STREETS	590.28
			TOTAL:	590.28
LIBRARY	TORT LIABILITY	IMWCA	WORK COMP - LIBRARY	12.96
			TOTAL:	12.96
PARK & RECREATION	TORT LIABILITY	IMWCA	WORK COMP - PARK & REC	381.38
			TOTAL:	381.38
CEMETERY	TORT LIABILITY	IMWCA	WORK COMP - CEMETERY	369.16
			TOTAL:	369.16
CLERK & TREASURER	TORT LIABILITY	IMWCA	WORK COMP - ADMIN	171.08
			TOTAL:	171.08

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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT		
ROADS & STREETS	ROAD USE TAX	RIVER PRODUCTS COMPANY INC	ROADSTONE	271.58		
		BP AMOCO	VEHICLE FUEL	53.15		
		WEST BRANCH REPAIRS	OSH KOSH REPAIR	1,242.74		
		MENARDS	SUPPLIES	39.60		
		WEX BANK	VEHICLE FUEL	77.94		
		FUTURE LINE TRUCK EQUIPMENT	EQUIPMENT REPAIR	193.20		
			EQUIPMENT REPAIR	943.60		
		ALLIANT ENERGY	SERVICES	57.64		
		BARRON MOTOR SUPPLY	MAINTENANCE SUPPLIES	914.56		
		HOTSY CLEANING SYSTEMS	REPAIR PARTS	70.00		
		GIERKE-ROBINSON COMPANY INC	SUPPLIES	577.24		
			TOTAL:	4,441.25		
		WATER OPERATING	WATER FUND	DEWEYS JACK & JILL	SUPPLIES	27.23
				IOWA ONE CALL	UTILITY LOCATION SERVICE	46.35
				LENCH & CILEK	SUPPLIES	7.96
				LYNCH'S EXCAVATING INC	REPAIR WATER GAZEBO	5,153.63
					WATER LINE HOOVER PARK	1,039.16
STATE HYGIENIC LAB	LAB ANALYSIS			130.00		
BP AMOCO	VEHICLE FUEL			53.15		
HAWKINS INC	CHEMICALS			387.50		
IMWCA	WORK COMP - WATER			319.35		
WEX BANK	VEHICLE FUEL			77.94		
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE			166.67		
ALLIANT ENERGY	WATERTOWER			82.80		
	SERVICES			2,359.79		
	TOTAL:			9,851.53		
SEWER OPERATING	SEWER FUND			IOWA ONE CALL	UTILITY LOCATION SERVICE	46.35
				ORASIS ELECTRIC LLC	REPAIR SERVICES	93.94
				BP AMOCO	VEHICLE FUEL	53.15
		BLUETARP FINANCIAL INC	SUPPLIES	99.99		
		IMWCA	WORK COMP - SEWER	72.63		
		WEX BANK	VEHICLE FUEL	80.30		
		PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE	166.66		
		ALLIANT ENERGY	SERVICES	961.00		
		BRET F STOUT	STREET REPAIRS	10,755.00		
			TOTAL:	12,329.02		

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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
===== FUND TOTALS =====				
	001	GENERAL FUND		21,520.44
	022	CIVIC CENTER		722.98
	031	LIBRARY		2,655.72
	036	TORT LIABILITY		4,751.02
	110	ROAD USE TAX		4,441.25
	600	WATER FUND		9,851.53
	610	SEWER FUND		12,329.02
----- GRAND TOTAL: -----				56,271.96

TOTAL PAGES: 4

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Ordinance 747 – (Second Reading) Amending Chapter 165, entitled “Zoning Regulations”.
CITY GOAL:	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
PREPARED BY:	Leslie Brick, Deputy City Clerk
DATE:	October 30, 2017

BACKGROUND:

There were three issues that have come to the attention of the City with it recent development demands. The following

- Water line (update code to reflect zero lot line structures)
- Front Yard Setback Requirements (25feet) allow for existing non-conforming structure (older neighborhoods)
- Address Downtown (non-conforming) issues

Planning & Zoning Commission approved and recommends adding the proposed language in Ordinance 747 to Chapter 165.11(2), 165.27(3), 165.28(3), 165.29(3), and 165.35(2). Amending the chapter to include requirements for zero lot line dwellings and amending rear yard requirements in the Central Business District (CB-1).

STAFF RECOMMENDATION:	Provide Feedback / Approve Second Reading
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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ORDINANCE 747

AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF WEST BRANCH.

WHEREAS, the Planning and Zoning Commission of the City of West Branch, Iowa, has heretofore recommended it necessary to make certain amendments to the City's Zoning Code; and

WHEREAS, a public hearing on said zoning revisions has now been held as required by law.

NOW, THEREFORE, BE IT ORDAINED:

1. Amendment. Section 165.11(2) of the Code of Ordinances is hereby amended to add subsection (E) which reads as follows:

"E. In all residential districts there shall be a minimum front yard required for that particular zoning district in this Chapter; provided, however, that where lots compromising thirty (30) percent or more of the frontage within two hundred (200) feet of either side lot line are developed with buildings at a greater or lesser setback than stated in said particular zoning district, the front yard requirement for an undeveloped lot shall be the average of these building setbacks. In computing the average setback, buildings located on reverse corner lots or entirely on the rear half of lots shall not be counted. However, in no case shall the required front yard setback exceed fifty (50) feet.

2. Amendment. Section 165.27(3)(A) is hereby amended by adding the following sentence to the end of said section:

"Zero-lot lines shall have a lot area of three thousand eight hundred and fifty (3850) square feet per dwelling unit. Zero-lot line dwellings shall have a building line frontage of thirty-five (35) feet.

3. Amendment. Section 165.27(3)(C) is hereby amended by adding the following sentence to the end of said section:

"Zero-lot line dwellings shall have two side yard setbacks, one which is zero (0) feet and the other shall be a minimum of eight (8) feet."

4. Amendment. Section 165.28(3)(A) is hereby amended by adding subparagraph (3) which reads as follows:

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“Zero-lot line dwellings shall have a frontage of not less than thirty-five (35) feet and a lot area of four thousand two hundred (4200) square feet.”

5. Amendment. Sections 165.29(3)(B) is hereby amended by adding the following sentence at the end of said section:

“Zero-lot line dwellings shall have a lot area of four thousand two hundred (4200) square feet with a minimum width at the established building line of thirty-five (35) feet.”

6. Amendment. Section 165.29(3)(G) is hereby amended by adding the following sentence to the end of said section:

“Zero-lot line dwellings shall have two side yard setbacks, one which is zero (0) feet and the other shall be a minimum of eight (8) feet.”

7. Amendment. Section 165.35(2)(C) is hereby amended by deleting it in its entirety and replacing it with the following:

“C. Rear Yard. No rear yard shall be required in the Central Business CB-1 District. When abutting a residential district, a twenty (20) rear yard is required.”

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

8. 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.

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

First reading: November 6, 2017
Second reading: November 20, 2017
Third Reading: December 4, 2017

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator/Clerk

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	November 20, 2017
AGENDA ITEM:	Ordinance 748 – (First Reading) Amending the Animal Protection and Control (chapter 55) of the City of West Branch to Allow the Keeping of Urban Chickens.
CITY GOAL:	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
PREPARED BY:	Kevin Olson, City Attorney
DATE:	November 15, 2017

BACKGROUND:

This is an item that arrived to the agenda from a grass root beginning. What started a year ago as a 4th grade class project; is now proposed to the City Council for a policy direction. Presented to the City Council approximately a year ago, the policy advocates were directed to work with the Animal Control Commission to develop a policy which then would be presented to the City Council.

STAFF RECOMMENDATION:	Feedback / Seek Direction for Second Reading
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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ORDINANCE 748

AMENDING THE ANIMAL PROTECTION AND CONTROL (CHAPTER 55) OF THE CITY OF WEST BRANCH TO ALLOW THE KEEPING OF URBAN CHICKENS.

WHEREAS, the Animal Control Commission of the City of West Branch, Iowa, has heretofore recommended it necessary to make certain amendments to the City Code of allow chickens within the corporate limits of the City of West Branch; and

WHEREAS, said Commission has recommended approval of the following ordinance.

NOW, THEREFORE, BE IT ORDAINED:

1. **Amendment.** Section 55.09 of the Code of Ordinances is hereby amended to add the following phrase at the end of said section, except as allowed under Section 55.09A.
2. **Amendment.** The Code of Ordinances is hereby amended to add Section 55.09A, which reads as follows:

***“55.09A. URBAN CHICKENS.** The keeping of domestic chickens shall be permitted in an R-1 Single Family District or an R-2 Two Family District, so long as said Urban Chickens are kept in strict compliance with this Section 55.09A.*

1. *Permit Required. No person shall raise, harbor or keep chickens within the City without a valid permit in accordance with this section.*
2. *Application for Permit. In order to obtain a permit, the applicant shall complete the following:*
 - a. *Submit an application form to the City;*
 - b. *Pay all permit fees as set by Resolution of the City Council.*
 - c. *Submit proof of completion by the applicant of an approved class that discussed raising chickens in an urban setting.*
 - d. *The applicant shall provide proof to the City that the applicant has submitted an application for the raising of Urban Chickens to all adjacent landowners and occupants.*
 - e. *Submit a sketch drawing to the City showing the location and placement of the chicken coops, fowl house and/or pens, and provide the City with a narrative description of how the applicant will comply with the rules and regulations of this Section.*
 - f. *List the number of chickens that are proposed to be kept on the premises.*

3. *Review and Issuance of Permit.* After receipt of the completed permit application and the passage of thirty (30) days following the notification to the adjacent property owners described in subparagraph (2)(d) above, the City shall review the application, and if the City determines that the application is complete and complies with the rule of this Section, shall issue the Permit. No chickens shall be brought to the premises until such time as the City has reviewed the premises to ensure compliance with subparagraph (2)(e) above. The permit is hereby revoked once a permittee no longer resides at the permitted residence.

4. *Issuance of Bands.* The City shall issue each permitted chicken a band that the permittee shall attach to each chicken's leg to ensure compliance with this Section.

5. *Right of Entry.* By issuing the permit, the applicant expressly agrees that a representative of the City may enter upon the premises to inspect the premises and investigate any complaints against the applicant.

6. *Validity of Permit.* Any permit issued under this Section shall be valid through December 31st of the year the permit is issued. Prior to the end of each calendar year, the applicant shall submit an application for renewal of its permit for another calendar year.

7. *Denial or Revocation of Permit/Appeal.* The City may, upon written notice to the applicant or permittee, deny the application for a permit or revoke an already issued permit. Said denial or revocation shall be made in writing and specify the grounds for denial or revocation. The applicant or permittee can appeal the denial or revocation of a permit to the Animal Control Commission by filing notice of appeal with the City Clerk within five (5) days from the date of denial or revocation. Upon hearing the appeal, the decision of the Animal Control Commission shall be final. Any further appeal must be taken to the Iowa District Court.

8. *Effect of Revocation.* The permittee shall remove all chickens and equipment associated with raising the chickens from the premises within ten (10) days after the permit has been revoked. An appeal as outlined in paragraph (6) stays the revocation until a final decision has been made. A person who has their permit revoked may not apply for another permit for at least one year from the date of revocation of the permit.

9. *Minimum rules and regulations.* No person shall be permitted to keep, harbor or raise Urban Chickens unless the following minimum rules and regulations are met.

a. *No person shall keep, harbor or raise more than five chickens on any contiguous parcels of land.*

- b. *No roosters are permitted under this Section.*
- c. *All chickens must be kept within an enclosed or fenced area at all times.*
- d. *Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.*
- e. *The coop, fowl house or the fenced pen area shall comply with the following guidelines:*
 - (i) *Shall be located in a rear yard of the premises;*
 - (ii) *Shall be of a design to be reasonably expected to prevent entry by dogs, cats or other animals;*
 - (iii) *Except for the fenced pen area, shall be totally enclosed;*
 - (iv) *Shall be located at least twelve (12) feet from any property line;*
 - (v) *Shall not exceed eight (8) feet in height;*
 - (vi) *The materials used to construct the coop or fowl house shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles and any windows/openings are constructed using the same materials;*
 - (vii) *Fencing materials must meet the requirements of the Zoning Code;*
 - (viii) *The coop, fowl house or the fenced pen area shall contain at least four (4) square feet of area for each chicken, but not contain more than twelve (12) square feet of area for each chicken.*
 - (ix) *All coops, fowl houses or the fenced pen areas shall be kept in a clean, dry, odor-free, and sanitary condition at all times. All droppings shall either be used as fertilizer or placed in a fly-proof container for proper disposal.*
- f. *All chicken feed shall be stored in rodent-proof containers.*

10. *Violation shall be deemed a nuisance. Any person who keeps, harbors or raises chickens within the City who is doing so in strict compliance with this Section shall be deemed keeping a nuisance on the premises. This section is not intended to limit the City's remedies under this Section to a nuisance, but the City may take any and all lawful actions to enforce the terms of this Section.*

11. *No Liability. The City shall not be liable for injury or death to any chickens caused by dogs, cats or other animals, domestic or wild, whether such animals are licensed by the City or not. In addition, for purposes of this chapter, the death of any chicken located in the City shall not, by itself, be sufficient grounds to determine that said animal is vicious.*

12. *Disposal. All feces and any dead chickens shall be disposed by the permittee in accordance with applicable law.*

13. *Prohibited Acts. It shall be unlawful for any person to commit the following acts within the City:*

- a. *Keep, harbor or raise chickens in in violation of this Section;*
- b. *Keep or harbor chickens inside any dwelling unit.*
- c. *Slaughter chickens; or*
- d. *Keep, harbor or raise chickens on a vacant or uninhabited tract of land.”*

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

15. 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.

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

First reading: November 20, 2017
Second reading: December 4, 2017
Third Reading: December 18, 2017

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator/Clerk