



PUBLIC NOTICE AND AGENDA OF THE WEST BRANCH CITY COUNCIL MEETING SCHEDULED TO CONVENE AT 7:00 P.M. MONDAY, JULY 23, 2018 IN THE CITY COUNCIL CHAMBERS, 110 NORTH POPLAR STREET, WEST BRANCH, IOWA

Mayor	Roger Laughlin	mayor@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	Jodee Stoolman	j.stoolmanwbcc@yahoo.com
Council Member	Nick Goodweiler	nickgoodweilerwbcc@gmail.com
City Administrator	Redmond Jones II	rionesii@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

1. Introduction to Marty Jimmerson, New Superintendent (Short Q&A)

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

"Turning Vision Into Reality is our Business"

1. **Motion to Approve** Meeting Minutes for City Council Meeting July 9, 2018.
2. **Motion to Approve** Street Closures for the 2018 Hoover's Hometown Days Celebration.
3. **Motion to Approve** Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales privileges for Mexico Lindo, Inc., DBA: Mexico Lindo Grill and Cantina; Located, 315 E. Main Street – Pending Dram
4. **Motion to Approve** "The Down Under" – Outdoor Service Permit for August 3-5th, 2018.
5. **Motion to Approve** the Claims Report.

G. Public Hearing / Non-Consent Agenda

1. **Third Reading of New Ordinance 755:** Planned Unit Development
2. **Second Reading, Ordinance 756** Amending Chapter 92 – Water Rates Code of Ordinances (sec. 92.05 entitled: "Service Discontinued").
3. **Second Reading, Ordinance 757** Amending Chapter 70 – Traffic Code Enforcement Procedures (section 70.30 entitled: "Parking Violations: Alternate").
4. **Second Reading, Ordinance 758** Amending Chapter 80 – Abandoned Vehicles (sec. 80.06 entitled: "Fees for Impoundment")
5. **Second Reading, Ordinance 759** Amending Chapter 122 – Peddlers, Solicitors and Transient Merchants. *(recommend tabling for one cycle)*
6. **Resolution 1728** – Approving an Agreement with Veenstra & Kimm Inc. for Engineering Services to prepare a Wastewater Treatment Facility Plan.
7. **Resolution 1729** – Approving Change Order #4 for \$10,000 -\$40,000 (based on the option chosen) for Additional Waterway Grading and Clearing & Grubbing for the Cubby Park Improvements Project.
8. **Discussion Item:** Discussion regarding a Staff Plan to Maintain City Owned Alleys.
9. **Discussion Item:** The West Branch Meadows Subdivision is beginning their planning process for phase 4 of their development. It is requiring decisions regarding aging sewer infrastructure.
10. **Discussion Item:** 28E Agreement with West Branch School for a radar Speed Sign.

H. Reports

1. City Administrator's Report
2. City Attorney Report
3. Other Staff Hearsays

I. Comments from Mayor and Council Members

J. Adjournment

"Turning Vision Into Reality is our Business"

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

West Branch, Iowa
Council Chambers

City Council Meeting

July 9, 2018
7:00 p.m.

Mayor 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: Council members: Colton Miller, Jodee Stoolman, Jordan Ellyson, Brian Pierce and Nick Goodweiler were present. Laughlin welcomed the audience and the following City staff: City Administrator Redmond Jones, Deputy City Clerk Leslie Brick, Finance Officer Gordon Edgar, Park & Recreation Director Melissa Russell, Public Works Director Matt Goodale, Library Director Nick Shimmin and Police Chief Mike Horihan.

GUEST SPEAKER, PRESENTATIONS, AND PROCLAMATIONS

City Camera Project

Chief Horihan said the West Branch Police Department received a grant from the Cedar County Foundation in the amount of \$1500.00 that was put toward the purchase of the camera project which totaled \$3000.00. Horihan said three cameras have been installed along Main Street: one at Town Hall facing south and two at the gazebo at the corner of Main and Downey Streets one facing east and the facing west. Horihan further stated that at this time, only he and IT Director will monitor the cameras and that camera were put in place to protect the residents. Jones mentioned that a local television station had inquired about access to the camera for weather updates.

PUBLIC COMMENT

Jim Glasson, 303 N. Downey Street addressed the City Council regarding FY19 budgetary concerns. Glasson said he felt the City was intending to over utilize TIF for various projects discussed at the June 25, 2018 City Council meeting. Glasson said he had requested a copy of the current year budget and noted that the top three areas for expenditures were: public safety, culture and recreation and public works. He further commented that he understood that the city’s infrastructure is aging, especially on the east side of town and asked the Council what their priorities are.

Kathleen Darling, 303 N. Downey Street addressed the City Council regarding the installation of Smart Meters by Alliant Energy. Darling said she had done some research on the meters and felt that there could be serious health threats from the use of the meters. She requested the Council to get more information from Alliant Energy and to allow residents to choose for themselves on having them installed at their homes.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION

Motion to Approve Meeting Minutes for City Council Meeting June 25, 2018.

Motion to Approve the Brick Arch Winery – Outdoor Service Permit for Hoover Hometown Days August 4th, 2018.

Motion to Approve Claims Report.

EXPENDITURES	7/9/2018	
ALLIANT ENERGY	LIGHTS-219 E GREEN	12.30
BRICK, LESLIE	MILEAGE	108.08
EAST CENT INTERGOVT ASN.	DUES 7-1-18 TO 12-31-18	766.26
HAWKINS INC	CHEMICALS-AZONE	817.85
ICMA	ICMA DUES 7-1-18 TO 6-30-19	720.00
IOWA ASSN. MUN. UTILITIES	SAFETY TRAINING	563.75
IOWA CITY/COUNTY MANAGEMEN	MEMBERSHIP DUES	120.00
IOWA DEPARTMENT OF NATURAL	ANNUAL WATER SUPPLY FEE	266.69
IOWA LEAGUE OF CITIES	MEMBERSHIP DUES	1,491.00
JOHNSON COUNTY EMERGENCY M	FY-2019 HAZ MAT TEAM 28E AGREM	47.50

LIBRARICA LLC	SOFTWARE SERVICE RENEWAL	313.35
LINN COUNTY R.E.C.	LIGHTS & SIREN @ GREENVIEW	155.30
OLSON, KEVIN D	LEGAL SERVICES	1,500.00
PORT 'O' JONNY INC.	SERVICE -WAPSI PARK	180.00
TYLER TECHNOLOGIES	SOFTWARE SUBSCRIPTION FEE	8,378.00
UPS	SEWER-SHIPPIING	43.82
US BANK EQUIPMENT FINANCE	LIBRARY COPIER LEASE	59.00
WEST BRANCH TIMES	ADVERTISING, LEGAL PUB	388.85
WINDSTAR LINES INC	BUS CHARTER - CAMP	1,290.00
TOTAL		17,221.75

PAYROLL 6/29/2018 42,214.13

PAID BETWEEN MEETINGS

ALEXIS FIRE EQUIPMENT COMPANY	MAINTENANCE SERVICE	12,105.00
MIDWEST WIRELESS LLC	CAMERAS	3,067.50
MENARDS	MAINTENANCE SUPPLIES	20.95
MUNICIPAL PIPE TOOL CO. LLC	SEWER MAINTENANCE & INSPECTION	5,550.20
OASIS ELECTRIC LLC	SERVICE CLL	70.00
AMAZON	BOOKS, PROGRAM SUPPLIES	924.30
BAKER & TAYLOR	BOOKS, PROGRAM SUPPLIES	155.25
BEAVER HEATING & AIR CONDITIONING	SERVICE CALL	117.00
CY'S TREE REMOVAL	TREE REMOVAL & STUMP GRINDING	11,580.00
FELD FIRE EQUIPMENT CO. INC.	EQUIPMENT	1,807.00
GALAXY CLEANING SERVICES	CLEANING SERVICE	1278.66
HARRY'S CUSTOM TROPHIES	MEDALS	352.00
JULIA HIME	VIDEOGRAPHY SERVICES	50.00
KIRKWOOD COMMUNITY COLLEGE	CPR TRAINING	238.00
KNOCHE, REBECCA	VIDEOGRAPHY SERVICES	150.00
KOCH BROTHERS	COPIER MAINTENANCE	427.64
LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	1,277.19
OFFICE OF AUDITOR OF STATE	AUDIT SERVICES	12,935.52
OVERDRIVE INC	BOOKS	134.98
PACHECO, HUGO VINICIO HERNANDEZ	REPLACE KITCHEN FLOOR	2,710.00
PLAY IT AGAIN SPORTS	SUPPLIES	33.27
PLUNKETT'S PEST CONTROL	PEST CONTROL	95.18
PSC DISTRIBUTION	SUPPLIES	190.04
QUILL	SUPPLIES	183.34
SHRED-IT USA	DOCUMENT DESTRUCTION	45.00
SUPPLYWORKS	MAINTENANCE SUPPLIES	47.67
VEENSTRA & KIMM	WW TREATMENT FAC-PRELIM EVALUATION	1,480.50
WEST BRANCH FAMILY PRACTICE	DRUG TESTING	40.00
BENDERA, GEORGE & ALINE	UTILITY REFUND	28.21
KILBURG, JUSTINE	UTILITY REFUND	61.79
BLANK PARK ZOO	LIBRARY -SUMMER PROGRAM	157.24
HAWKEYE PHOTO BOOTHS	HHTD AMUSEMENT	450.00
IMWCA	WORKMEN'S COMPENSATION	4,725.00
IOWA COMMUNITIES ASSURANCE POOL	PROPERTY & LIABILITY INSURANCE	43,374.73
TOTAL		105,863.16

GRAND TOTAL EXPENDITURES 165,299.04

FUND TOTALS

001 GENERAL FUND	65,048.16
022 TOWN HALL	3,171.33
031 LIBRARY	7,442.46
036 TORT LIABILITY	35,570.31
110 ROAD USE TAX	14,232.51
112 TRUST AND AGENCY	4,570.76
600 WATER FUND	15,274.75
610 SEWER FUND	19,988.76
GRAND TOTAL	165,299.04

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

PUBLIC HEARING / NON-CONSENT AGENDA

Third Reading, Ordinance 752 Amending Chapter 76 (sec. 76.02, 76.10, 76.11, and 76.14) the Current Bicycle Regulations to Include the Operation of Skate Boards. /Move to action.

Horihan said the ordinance change was not to outlaw skateboards but to improve public safety. Horihan said the manner in which a skateboard is operated makes it too dangerous for nighttime riding. He further stated that skateboards could not be compared to bicycles as skateboards do not have brakes. Stoolman suggested that a skateboard park might help address the issue.

**ORDINANCE 752
ORDINANCE AMENDING BICYCLE REGULATIONS.**

WHEREAS, the City of West Branch, Iowa has jurisdiction to establish Bicycle Regulations within the corporate limits of the City of West Branch; and

WHEREAS, Bicycle Regulations shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein; and

WHEREAS, the intent of this amendment is not change the regulations regarding bicycling rather it is to include regulations related to the various forms of Skateboarding.

WHEREAS, the City Council has heretofore deemed it necessary and desirable to pass legislation regulating the bicycle and skateboard within the City.

NOW, THEREFORE, BE IT ORDAINED, that:

1. Amendment. Section 76.02, 76.10, 76.11, and 76.14 of the Code of Ordinances is hereby amending section seventy (70) with the following:

76.02 TRAFFIC CODE APPLIES. Every person riding a bicycle or using a skateboard or in-line skates upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the traffic code of the City applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application. Whenever such person dismounts or stops from a bicycle or using the skateboard or in-line skates, the person shall be subject to all regulations applicable to pedestrians. Skateboards and in-line skates shall not be allowed on city Streets, 20 minutes before dusk till 30 minutes after dawn.
(Code of Iowa, Sec. 321.234)

76.10 TOWING. It is unlawful for any person riding a bicycle, skateboard or in-line skates to be towed or to tow any other vehicle upon the streets of the City.

76.11 IMPROPER RIDING. No person shall ride a bicycle, skateboard or inline skates in an irregular or reckless manner such as zigzagging, stunting, speeding or otherwise so as to disregard the safety of the operator or others.

76.14 SPECIAL PENALTY. Any person violating the provisions of this chapter may, in lieu of the scheduled fine for bicyclists, skateboarders, or in-line skates or standard penalty provided for violations of the Code of Ordinances, allow the person’s bicycle to be impounded by the City for not less than five (5) days for the first offense, ten (10) days for a second offense and thirty (30) days for a third offense.

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

3. Adjudication. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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

First reading: May 21, 2018
Second reading: June 4, 2018
Third Reading: June 25, 2018 (tabled)
Third Reading: July 9, 2018

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, Deputy City Clerk

Motion by Goodweiler, second by Pierce to approve third reading of Ordinance 752. AYES: Goodweiler, Pierce, Miller, Ellyson. NAYS: Stoolman. Motion carried.

Second Reading, Ordinance 755, Amending Chapter 165 - Planned Unit Development. /Move to action.

Motion by Stoolman, second by Goodweiler to approve second reading of Ordinance 755. AYES: Stoolman, Goodweiler, Miller, Ellyson, Pierce. NAYS: None. Motion carried.

First Reading, Ordinance 756 Amending Chapter 92 – Water Rates Code of Ordinances (sec. 92.05 entitled: “Service Discontinued”). / Move to action.

Motion by Ellyson, second by Goodweiler to approve first reading of Ordinance 756. AYES: Ellyson, Goodweiler, Pierce, Stoolman, Miller. NAYS: None. Motion carried.

First Reading, Ordinance 757 Amending Chapter 70 – Traffic Code Enforcement Procedures (section 70.30 entitled: “Parking Violations: Alternate”). / Move to action.

Motion by Goodweiler, second by Stoolman to approve first reading of Ordinance 757. AYES: Goodweiler, Stoolman, Ellyson, Miller, Pierce. NAYS: None. Motion carried.

First Reading, Ordinance 758 Amending Chapter 80 – Abandoned Vehicles (sec. 80.06 entitled: “Fees for Impoundment”). / Move to action.

Motion by Miller, second by Stoolman to approve first reading of Ordinance 758. AYES: Miller, Stoolman, Pierce, Goodweiler, Ellyson. NAYS: None. Motion carried.

First Reading, Ordinance 759 Amending Chapter 122 – Peddlers, Solicitors and Transient Merchants. / Move to action.

The Council reviewed the current peddler fees compared to other cities and determined that the City’s fees were sufficient. They questioned the current process and liked the idea of a waiting period be imposed before the issuance of permits and also obtain vehicle information from the permittee. Council directed staff to provide some options for identifying peddlers for resident safety and security.

Motion by Stoolman, second by Pierce to approve first reading of Ordinance 759. AYES: Stoolman, Pierce, Goodweiler, Miller, Ellyson. NAYS: None. Motion carried.

Resolution 1726 – Adopting various administrative service fees and adding them to the West Branch Schedule of Fees. / Move to action.

Motion by Ellyson, second by Pierce to approve Resolution 1726. AYES: Ellyson, Pierce, Miller, Stoolman, Goodweiler. NAYS: None. Motion carried.

Motion to authorize the City Administrator to finalize an easement access and fence request agreement with Care Initiatives (aka Crestview)./ Move to action.

Jones said he met with Crestview representatives and had come to an agreement to install a 275 foot commercial grade chain link fence at the rear of their property to provide additional safety for their residents. Jones said hedges would also be planted on the park side of the fence to provide additional screening. The Council was alarmed by the price of the fence and directed Jones to obtain additional quotes and have it be a separate project to be completed after the electrical work was complete.

Motion by Miller, second by Pierce. AYES: Miller, Pierce, Stoolman, Ellyson, Goodweiler. NAYS: None. Motion carried.

Motion to approve a request for an easement on College Street Bridge Project. / Move to action.

Schechinger explained the request from the Fobian’s for an easement exchange to allow them to access to park semi-trucks along the west side of the Hoover Nature Trail north of College Street.

Laughlin said they are local farmers and the City should support them. The Council was agreeable to granting the easement but said they would pay for the gravel parking area.

Motion by Miller, second by Stoolman. AYES: Miller, Stoolman, Pierce, Ellyson, Goodweiler.
NAYS: None. Motion carried.

Motion to submit the amended West Branch Urban Renewal Plan to the Planning and Zoning Commission. / Move to action.

Jones presented the amended urban renewal plan and noted that the areas highlighted in green would be added to the existing urban renewal plan. Laughlin requested that The Meadows Part 4 be included in its entirety to encompass the aging sewer line that runs through the property.

Motion by Miller, second by Stoolman. AYES: Miller, Stoolman, Ellyson, Goodweiler, Pierce.
NAYS: None. Motion carried.

Resolution 1727 – Approving partial pay estimate #3 in the amount of \$247,973.87 to Needham Excavating Inc. for the Cubby Park Improvement Project./ Move to action.

Cody Buelt, Fehr-Graham provided a progress update on the project. Buelt noted that the concession stand footings have been poured and the floor and walls would be done within the next week. He also said the trail around the pond is being worked on as well as final grading for the ballfields is near completion. Motion by Goodweiler, second by Pierce to approve Resolution 1727. AYES: Goodweiler, Pierce, Stoolman, Miller, Ellyson. NAYS: None. Motion carried.

Discussion - Consideration regarding additional waterway grading, clearing and grubbing for the Cubby Park Improvements Project.

Jones reported that estimates were received on the additional creek clean-up requested by the Council at the last meeting. Two areas were addressed with one estimate being \$10,000 and the other \$30,000. Jones also confirmed that DNR approval would not be needed. The Council discussed and decided to hold off until the project was near completion and to see if there was still money left over from the contingency.

Discussion- Discussion on delay of turf seeding and grow-in plan for the Cubby Park Improvements Project.

Buelt advised the Council that water was still seeping from the hillside. He said the field tile has helped but is still not enough. Buelt said additional drainage tile will be needed, but Buelt could not confirm if that would resolve the issue. This matter along with other weather related issues will delay the seeding schedule. He further stated that the seeding company said that a fall seeding is actually more successful and set a new date of August 15th for the work to commence. The Council discussed the drainage issue in length and disagreed would should be responsible (the City or contractor) for paying to correct this issue since the last fix was not successful.

CITY ADMINISTRATOR REPORT

Jones reported that a recent inspection of the College Street Bridge requires immediate attention to fill a gap in the approach. Jones said Public Works will make the repair this week. Jones also said that the City had received the DNR construction permit to proceed with the project. He also provided updates on other various activities including; the French-Renneker reimbursement check had been received, the Hoover's Hometown Days fireworks permit had been submitted, and the memorandum of understanding with Cedar's Edge and Little Lights had been delivered but that signatures had not yet been received.

CITY ATTORNEY REPORT

No report.

STAFF REPORTS

Public Works reported that several trees in town have been affected by Asian beetles including some of the new trees planted on West Orange Street. Goodale said the beetles will not kill the trees so he was not concerned. He also said a couple of the trees died and will be replaced.

Park & Recreation reported that day camp programs are in progress and attendance is good.

COMMENTS FROM MAYOR AND COUNCIL MEMBER

No Comments.

ADJOURNMENT

Motion to adjourn by Goodweiler, second by Pierce. Motion carried on a voice vote. City Council meeting adjourned at 9:35 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Motion to Approve Street Closures for the 2018 Hoover’s Hometown Days Celebration.
CITY GOAL:	Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
PREPARED BY:	Library/IT Director, Nick Shimmin
DATE:	July 18, 2018

BACKGROUND:

The following items are suggested for the 2018 Hoover’s Hometown Days celebration. There is only one change from prior years which is to move the road closure on Main St. on Saturday from Poplar to Oliphant St. (listed 3rd in the below list). This is primarily for the lack of an exit once entered, the stage extending significantly into the Main/Poplar intersection, and to provide space for Main St. Stage acts to be able to set up without being in traffic. However, traffic exiting from Wetherell will still need to be able to travel through that area.

- 2nd Street from Main Street to the Water Street Parking Lot from 5:00 p.m. on Friday August 4, 2017 to 1:00 a.m. on Sunday August 6, 2017.
- Main Street from Parkside Drive to 2nd Street from 12:00 a.m. on Saturday August 5, 2017 to 12:00 a.m. on Sunday August 6, 2017.
- Main Street from Parkside Drive to Oliphant Street, S. Downey from Wetherell to Main Street, and Wetherell from S. Poplar Street to S. Downey Street from 5:00 a.m. to 6:00 p.m. on Saturday August 5, 2017.
- N. Downey Street from Main Street to Green Street from 2:30 a.m. on Saturday August 5, 2017 to 6:00 p.m. on Saturday August 5, 2017.
- W Orange St. from N Oliphant St. to Ridge View Dr. on Saturday, August 5th from 8:15 a.m. to 10:15 a.m.
- Pedersen St. from W Orange St. to Hilltop Dr. on Saturday, August 5th from 8:15 a.m. to 10:15 a.m.

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

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Motion to Approve Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales privileges for Mexico Lindo, Inc., DBA: Mexico Lindo Grill and Cantina; Located, 315 E. Main Street – Pending Dram.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Gordon Edgar, Deputy City Clerk
DATE:	July 11, 2018

BACKGROUND:

Approve Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales privileges for Mexico Lindo, Inc., DBA: Mexico Lindo Grill and Cantina.

Renewal effective 8/5/2018 to 8/4/2019.

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

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 9, 2018
AGENDA ITEM:	Motion to Approve “The Down Under” – Outdoor Service Permit for August 3-5 th , 2018.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Gordon Edgar, Deputy City Clerk
DATE:	July 11, 2018

BACKGROUND:

Approve Class C Liquor License (LC) (Commercial) with Outdoor Service for The Down Under for Hoover’s Hometown Days 2018:

Friday, August 3, 2018, 3 p.m. to 11:00 p.m.

Saturday, August 4, 2018, 11:00 a.m. to 11:00 p.m.

Sunday, August 5, 2018, 12:00 p.m. to 8:00 p.m.

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

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Motion to Approve the Claims Report
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Gordon Edgar, Finance Director
DATE:	July 18, 2018

BACKGROUND:

These are routine expenditures that include such items as payroll, budget expenditures, and other financial items that relate to council approved items and/or other day to day operational disclosures.

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

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EXPENDITURES

7/23/2018

ALLIANT ENERGY	UTILITY SERVICE	8,705.94
ALPHA GRAPHICS	HHTD POSTERS	80.38
BAKER & TAYLOR INC.	BOOKS	1,173.76
BARRON MOTOR SUPPLY	MAINTENANCE SUPPLIES	292.13
BUSINESS RADIO SALES	RADIO REPAIRS	69.90
CEDAR COUNTY AUDITOR	DISASTER SERVICES ASSESSMENT	8,351.25
CEDAR COUNTY AUDITOR	SOLID WASTE ASSESSMENT	14,331.78
CEDAR COUNTY RECORDER	RECORDING FEES	68.00
CEDAR RAPIDS PHOTO COPY INC	COPIER MAINTENANCE	83.36
CENTURION/VERSANT	SOFTWARE LICENSE RENEWAL	88.00
CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	39.15
DEMCO	SUPPLIES	108.16
DEWEYS JACK & JILL	MAINTENANCE & PROGRAM SUPPLIES	81.34
EASTERN IOWA BRASS BAND	HHTD - ENTERTAINMENT BAL DUE	2,000.00
F&B COMMUNICATIONS INC	F&B COMMUNICATIONS INC	46.31
FEHR GRAHAM	308 - CONST SERVICE	7,890.75
GRIMM, DAVID E	HHTD - PONY RIDES	1,200.00
HOTSY CLEANING SYSTEMS	SUPPLIES	614.86
IMWCA	WORK COMP INSTALLMENT	2,024.00
IOWA ONE CALL	LOCATION SERVICE	62.10
JASON WELLS	HHTD - DJ SERVICES	400.00
JEREMY M BOEKELMAN	HHTD-INFLATBLES ENTERTAINMENT	11,250.00
JOHNSON COUNTY REFUSE INC.	RECYCLING JUNE 2018	3,914.00
LAHR, CHARLES J	HHTD - ENTERTAINMENT	600.00
MACH 3 ENTERPRISES	HHTD ENTERTAINMENT	500.00
MEDIACOM	CABLE SERVICE	40.90
MIDLAND GIS SOLUTIONS, LLC	GPS DATA COLLECTION-WATER	10,487.00
MISCELLANEOUS VENDOR	R ROOD:TEMP EASEMENT	960.00
MUNICIPAL SUPPLY INC.	SUPPLIES	690.00
NEEDHAM EXCAVATING, INC.	308 PV PARK CONST	247,973.87
NICHOLAS HIPPERT	HHTD ENTERTAINMENT	200.00
OVERDRIVE INC	FY19 BRIDGES CONTENT FEE	541.86
PITNEY BOWES PURCHASE POWER	PITNEY BOWES PURCHASE POWER	500.00
PLUNKETT'S PEST CONTROL INC	PEST CONTROL	95.18
PYRAMID SERVICES INC.	MAINTENANCE SUPPLIES	225.43
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	889.00
QUILL CORP	BATTERY	107.69
RIVER PRODUCTS COMPANY INC	ROADSTONE	426.11
ROSTER'S ULTIMATE RACING	HHTD ENTERTAINMENT- BAL DUE	600.00
STATE HYGIENIC LAB	LAB ANALYSIS	52.00
STATE LIBRARY OF IOWA	FY19 BRIDGES E-BOOK PLAT FEES	60.00
STRATEGIC TRAINING INITIATIVE	HHTD ENTERTAINMENT BAL DUE	262.50
TRANS-IOWA EQUIPMENT INC	REPAIR PARTS	1,320.26
UNITED LABORATORIES	CHEMICALS	367.84
UPS	SEWER - SHIPPING	21.82
USA BLUE BOOK	SUPPLIES	165.68
VERIZON WIRELESS	WIRELESS SERVICE	873.16

WALMART COMMUNITY/RFCSELLC	BOOKS, PROGRAM SUPPLIES	224.60
WEST BRANCH REPAIRS	BATTERIES	530.90
WEX BANK	VEHICLE FUEL	1,558.83

TOTAL 333,149.80

PAYROLL 7/13/2018 43,063.83

PAID BETWEEN MEETINGS

ALLIANT ENERGY	WATER TOWER, HHTD, LIONS FIELD UTILITIES	125.48
BP AMOCO	VEHICLE FUEL	690.83
CEDAR COUNTY CLERK OF COURT	COURT COSTS	127.50
HD CLINE COMPANY	CUB CADET LAWN MOWERS	20,400.00
IOWA CITY PRESS-CITIZEN	SUBSCRIPTION	219.02
IOWA DEPT OF NATURAL RESOURCES	COLLEGE STREET BRIDGE DPDES PERMIT	175.00
LENOCH AND CILEK	SUPPLIES	143.94
ROSTER'S ULTIMATE RACING	DEPOSIT ON HHTD ENTERTAINMENT	200.00
UPS	SHIPPING	10.91

TOTAL 22,092.68

GRAND TOTAL EXPENDITURES 398,306.31

FUND TOTALS

001 GENERAL FUND	86,481.99
022 CIVIC CENTER	467.28
031 LIBRARY	8,175.59
036 TORT LIABILITY	1,920.41
110 ROAD USE TAX	5,631.75
112 TRUST AND AGENCY	4,654.03
308 PARK IMP - PEDERSEN VALLEY	255,864.62
310 COLLEGE STREET BRIDGE	1,135.00
600 WATER FUND	22,455.07
610 SEWER FUND	11,520.57
GRAND TOTAL	398,306.31

REVENUE-FISCAL YEAR 2018		
FUND	MAY	JUNE
001 GENERAL FUND	182,646.57	76,082.58
022 CIVIC CENTER	329.03	75.33
031 LIBRARY	1,774.31	512.11
036 TORT LIABILITY	1,247.47	445.27
110 ROAD USE TAX	27,902.21	22,692.34
112 TRUST & AGENCY	4,744.69	1,693.54
119 EMERGENCY TAX FUND	705.10	251.73
121 LOCAL OPTION SALES TAX	17,420.68	17,420.68
125 TIF	10,370.70	964.96
160 REVOLVING LOAN FUND	2,251.90	1,726.90
226 DEBT SERVICE	480,339.34	1,702.34
308 PARK IMP - PEDERSEN VALLEY		25,000.00
500 CEMETERY PERPETUAL FUND	156.36	394.88
501 KROUTH PRINCIPAL FUND		210.85
502 KROUTH INTEREST FUND	0.18	43.31
600 WATER FUND	43,924.51	47,354.63
603 WATER SINKING FUND	4,761.25	5,335.36
610 SEWER FUND	32,013.62	36,777.57
740 STORM WATER UTILITY	4,585.45	4,598.39
TOTAL	815,173.37	243,282.77

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT		
POLICE OPERATION	GENERAL FUND	CEDAR COUNTY AUDITOR	DISASTER SERVICES ASSESME	4,175.63		
		BUSINESS RADIO SALES	RADIO REPAIRS	69.90		
		WEST BRANCH REPAIRS	VEHICLE MAINTENANCE	51.05		
		VERIZON WIRELESS	WIRELESS SERVICE	313.80		
		WEX BANK	VEHICLE FUEL	835.59		
		ALLIANT ENERGY	SERVICES	168.24		
			TOTAL:	5,614.21		
FIRE OPERATION	GENERAL FUND	CEDAR COUNTY AUDITOR	DISASTER SERVICES ASSESME	4,175.62		
		WEST BRANCH REPAIRS	BATTERIES	479.85		
		VERIZON WIRELESS	WIRELESS SERVICE	40.00		
		ALLIANT ENERGY	SERVICES	504.73		
		CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	39.15		
			TOTAL:	5,239.35		
STREET LIGHTING	GENERAL FUND	ALLIANT ENERGY	SERVICES	2,110.31		
			SERVICES	90.36		
			TOTAL:	2,200.67		
PARK & RECREATION	GENERAL FUND	DEWEYS JACK & JILL	MAINTENANCE & PROGRAM SUPP	36.60		
		VERIZON WIRELESS	MAINTENANCE & PROGRAM SUPP	26.07		
		ALLIANT ENERGY	WIRELESS SERVICE	36.75		
			SERVICES	37.45		
			TOTAL:	136.87		
CEMETERY	GENERAL FUND	PYRAMID SERVICES INC.	MAINTENANCE SUPPLIES	225.43		
		WEX BANK	VEHICLE FUEL	296.84		
			TOTAL:	522.27		
COMS & CULTURAL DEVEL	GENERAL FUND	EASTERN IOWA BRASS BAND	HHTD - ENTERTAINMENT BAL D	2,000.00		
		JEREMY M BOEKELMAN	HHTD-INFLATABLES ENTERTAINM	11,250.00		
		GRIMM, DAVID E	HHTD - PONY RIDES	1,200.00		
		MACH 3 ENTERPRISES	HHTD ENTERTAINMENT	500.00		
		STRATEGIC TRAINING INITIATIVES LLC	HHTD ENTERTAINMENT BAL DUE	262.50		
		JASON WELLS	HHTD - DJ SERVICES	400.00		
		ROSTER'S ULTIMATE RACING	HHTD ENTERTAINMENT- BAL DU	600.00		
		LAHR, CHARLES J	HHTD - ENTERTAINMENT	600.00		
		ALPHA GRAPHICS	HHTD POSTERS	80.38		
		NICHOLAS HIPPERT	HHTD ENTERTAINMENT	200.00		
			TOTAL:	17,092.88		
		CLERK & TREASURER	GENERAL FUND	F&B COMMUNICATIONS INC	F&B COMMUNICATIONS INC	313.09-
				QUILL CORP	F&B COMMUNICATIONS INC	359.40
					BATTERY	128.79-
	BATTERY			128.79		
	PEST CONTROL			47.59		
		PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE	166.00		
		ALLIANT ENERGY	SERVICES	191.57		
			TOTAL:	451.47		
LEGAL SERVICES	GENERAL FUND	CEDAR COUNTY RECORDER	RECORDING FEES	66.00		
			TOTAL:	66.00		
SOLID WASTE	GENERAL FUND	CEDAR COUNTY AUDITOR	SOLID WASTE ASSESSMENT	14,331.78		
		JOHNSON COUNTY REFUSE INC.	RECYCLING JUNE 2018	3,914.00		
			TOTAL:	18,245.78		

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
LOCAL CABLE ACCESS	GENERAL FUND	ALLIANT ENERGY MEDIACOM	SERVICES CABLE SERVICE	100.00 40.90 140.90
TOWN HALL	CIVIC CENTER	PLONKETT'S PEST CONTROL INC ALLIANT ENERGY	PEST CONTROL SERVICES	47.59 419.69 467.28
LIBRARY	LIBRARY	DEWEYS JACK & JILL OVERDRIVE INC WALMART COMMUNITY/RFCSLLC	MAINTENANCE & PROGRAM SUPP FY19 BRIDGES CONTENT FEE WALMART COMMUNITY/RFCSLLC WALMART COMMUNITY/RFCSLLC WALMART COMMUNITY/RFCSLLC COPIER MAINTENANCE FY19 BRIDGES E-BOOK SUB FE DEMCO SOFTWARE LICENSER RENEWAL SUPPLIES SUPPLIES BOOKS BOOKS BOOKS BOOKS BOOKS BOOKS SERVICES	17.62 541.86 92.58 37.26 94.76 83.36 60.00 108.16 86.00 63.32 44.37 116.99 201.34 548.85 128.34 193.28 15.04 641.76 3,046.81
POLICE OPERATIONS	TORT LIABILITY	ALLIANT ENERGY	TOTAL:	531.47
FIRE OPERATION	TORT LIABILITY	IMWCA	WORK COMP - POLICE	531.47
BUILDING INSPECTIONS	TORT LIABILITY	IMWCA	TOTAL:	699.34
ROADS & STREETS	TORT LIABILITY	IMWCA	WORK COMP - FIRE	699.34
LIBRARY	TORT LIABILITY	IMWCA	TOTAL:	12.43
PARK & RECREATION	TORT LIABILITY	IMWCA	WORK COMP - SEWER	12.43
CEMETERY	TORT LIABILITY	IMWCA	TOTAL:	402.27
CLERK & TREASURER	TORT LIABILITY	IMWCA	WORK COMP - STREETS	402.27
ROADS & STREETS	ROAD USE TAX	RIVER PRODUCTS COMPANY INC VERIZON WIRELESS MEX BANK ALLIANT ENERGY	ROADSTONE WIRELESS SERVICE VEHICLE FUEL SERVICES	20.57 20.57 166.16 166.16 35.46 35.46 52.71 52.71 426.11 160.87 140.71 32.58

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
INVALID DEPARTMENT	PARK IMP - PEDERSE FEHR GRAHAM	BARRON MOTOR SUPPLY HOTSY CLEANING SYSTEMS TRANS-IOWA EQUIPMENT INC	MAINTENANCE SUPPLIES SUPPLIES REPAIR PARTS TOTAL:	146.07 614.86 1,320.26 2,841.46
INVALID DEPARTMENT	PARK IMP - PEDERSE FEHR GRAHAM	NEEDHAM EXCAVATING, INC.	308 - CONST SERVICE 308 - CONST SERVICE 308 PV PARK CONST TOTAL:	7,468.00 422.75 247,973.87 255,864.62
INVALID DEPARTMENT	COLLEGE STREET BRI MISCELLANEOUS V R ROOD	DOREEN CONNER G SPIELBAUER C J CARNEY	R ROOD:TEMP EASEMENT DOREEN CONNER:TEMP EASEMEN G SPIELBAUER:TEMP EASEMENT C J CARNEY:TEMP EASEMENT TOTAL:	250.00 110.00 100.00 500.00 960.00
WATER OPERATING	WATER FUND	DEWEYS JACK & JILL IOWA ONE CALL MUNICIPAL SUPPLY INC. STATE HYGIENIC LAB IMWCA VERIZON WIRELESS WEX BANK PITNEY BOWES PURCHASE POWER ALLIANT ENERGY MIDLAND GIS SOLUTIONS, LLC. USA BLUE BOOK	MAINTENANCE & PROGRAM SUPP LOCATION SERVICE SUPPLIES LAB ANALYSIS WORK COMP - WATER WIRELESS SERVICE VEHICLE FUEL REPLENISH POSTAGE SERVICES GPS DATA COLLECTION-WATER SUPPLIES TOTAL:	1.05 31.05 690.00 52.00 84.95 160.87 140.71 167.00 2,439.97 10,487.00 165.68 14,420.28
SEWER OPERATING	SEWER FUND	IOWA ONE CALL UPS QC ANALYTICAL SERVICES LLC IMWCA VERIZON WIRELESS WEX BANK PITNEY BOWES PURCHASE POWER ALLIANT ENERGY BARRON MOTOR SUPPLY UNITED LABORATORIES	LOCATION SERVICE SEWER - SHIPPING LAB ANALYSIS WORK COMP - SEWER WIRELESS SERVICE VEHICLE FUEL REPLENISH POSTAGE SERVICES MAINTENANCE SUPPLIES CHEMICALS TOTAL:	31.05 21.82 889.00 18.64 160.87 144.98 167.00 1,969.28 146.06 367.84 3,916.54

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
===== FUND TOTALS =====				
	001	GENERAL FUND		49,712.40
	022	CIVIC CENTER		467.28
	031	LIBRARY		3,046.81
	036	TORT LIABILITY		1,920.41
	110	ROAD USE TAX		2,841.46
	308	PARK IMP - PEDERSEN VALLE		255,864.62
	310	COLLEGE STREET BRIDGE		960.00
	600	WATER FUND		14,420.28
	610	SEWER FUND		3,916.54
GRAND TOTAL:				333,149.80



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Third Reading of Ordinance 755, Amending Chapter 165 with new section 165.50; entitled: “Planned Unit Development”
CITY GOAL:	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
PREPARED BY:	Roger Laughlin, Mayor
DATE:	July 20, 2018

BACKGROUND:

The origins of PUDs in American communities can be traced to British movements during the 1950s. The developments in Britain's new communities dealt with the locations of industrial elements and how they were publicly dictated before building ever began in order to uphold an economic base.

PUD as a regulatory process is a means of land regulation which promotes large scale, unified land development by means of mid-range, realistic programs in chase of physically curable, social and economic deficiencies in land and cityscapes. Where appropriate, this development control promotes:

- A mixture of both land uses and dwelling types with at least one of the land uses being regional in nature
- The clustering of residential land uses providing public and common open space
- Increased administrative discretion to a local professional planning staff while setting aside present land use regulations and rigid plat approval processes
- The enhancement of the bargaining process between the developer and government municipalities which in turn strengthens the municipality's site plan review and control over development for potentially increased profits due to land efficiency, multiple land uses, and increased residential densities.

Frequently, PUDs take on a variety of forms ranging from small clusters of houses combined with open spaces to new and developing towns with thousands of residents and various land uses. However, the definition of a PUD does not take into consideration these types of developments unless they fit into a category of size ranging from 100 to 200 acres (40 to 81 ha). In a PUD the property owner owns the land the dwelling sits on

STAFF RECOMMENDATION:	Approve Third and Final Reading – Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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PUD Description

A planned unit development (hereinafter “PUD”) is an exception to the requirement of Chapter 414.2 of the Code of Iowa for general uniformity of regulations within a zoning district. Municipal planning authorities have recognized that traditional zoning ordinance regulations which dictate specific uses, building lines and minimum-area requirements can be relaxed and made more flexible under appropriate circumstances.¹

PUD regulations typically merge zoning and subdivision controls, allowing developers to plan and develop a large area as a single entity, with the design flexibility to mix land uses, housing types and densities.² This allows flexible zoning regulations for projects that are beneficial to a community and that support and further the goals of West Branch’s Comprehensive Plan. The PUD directly supports the comprehensive plan goal to “encourage redevelopment opportunities to revitalize unused property”³ as well as supports additional goals in several areas, including economic development, housing, transportation, and environmental stewardship.

Purpose

The purpose of a PUD is to allow innovative, creative, and flexible development that is sensitive to economic, environmental, and cultural considerations in partnership with public values as outlined in the comprehensive plan. The PUD district is intended to maximize benefits from the use of open spaces, maximize aesthetics, encourage certain design standards for buildings, and permit mixed uses and diversity of regulations without endangering the health, safety, welfare and land value of surrounding properties.⁴ Approval of a PUD results in a change in zoning district with specific requirements and standards that are unique to the PUD.⁵

The PUD is a negotiated private/public contract for land development, rather than a development following a set of minimum requirements.⁶ The PUD is a binding development plan created under a permit review process and has the following additional purposes:

1. Permit greater flexibility and consequently more creative and imaginative design for the development of residential and business uses than is generally possible under conventional zoning regulations, including alteration of bulk and scale requirements that may be included in the underlying zoning district;⁷
2. Promote more economical and efficient use of the land while providing a variety of housing choices, a higher level of city attractiveness and quality, and preservation or implementation of scenic open space;⁸
3. Promote infill development within established neighborhoods, and promote a higher density housing pattern that supports smaller-scale neighborhood retail and service uses that work to encourage non-vehicular trips;⁹
4. Promote the development of housing and mixed housing/commercial developments that generally emulate a traditional village setting that blends Main Street and residential zones in the City, and/or provide a truly unique development style that is not otherwise commonly available through other development entitlements;¹⁰
5. Provide incentive for cluster development to increase open space, avoid development within environmentally sensitive areas, and encourage remediation of brownfield sites;¹¹

¹ (Nervig 2014)

² (American Planning Association 2006)

³ (City of West Branch IA 2013, 78)

⁴ (Perry IA Code of Ordinances May, 2006)

⁵ (Blaine WA Municipal Code 2018)

⁶ (Burlington IA City Code 2018)

⁷ (Blaine WA Municipal Code 2018)

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

6. Increase the public benefit to the community and provide benefits to the developer that cannot be achieved through the standard subdivision or site development process;¹²
7. Correlate comprehensively the provisions of this title and all applicable plans; encourage developments which will provide a desirable, attractive, and stable environment in harmony with that of the surrounding area;¹³
8. Implement goals identified within the comprehensive plan, especially goals relating to transportation, housing, commercial, land use/zoning, and public facilities. While not exhaustive, the following list provides examples:
 - a. Support the Public Infrastructure goal to adopt the Complete Streets Policy by increasing walkability and pedestrian-friendly transport;¹⁴
 - b. Support the vision of the Complete Streets policy¹⁵ to “provide safe and comfortable routes for walking, bicycling, and, in the future when practicable, public transportation”;¹⁶
 - c. Support the Housing goals to: provide a variety of housing types and costs as well as encourage a range of affordable, accessible, decent, safe and sanitary rental housing options;¹⁷ promote preservation, rehabilitation, and investment in the city housing stock and neighborhoods to improve housing opportunities;¹⁸ and, address affordable housing needs by increasing aging-in-place ownership, rental options and inclusionary zoning;¹⁹
 - d. Support the Economic Development goal to reuse, revitalize, and redevelop underutilized commercial properties;²⁰ improve the local shopping atmosphere;²¹ retain and expand existing local businesses;²² and, increase number of entrepreneurial firms;²³
 - e. Support the Administrative goal to provide opportunities for recreation activities, connect to the Hoover Nature Trail and synchronize with the Community Trails Plan;²⁴
 - f. Support the Smart Planning principles in the “Iowa Smart Planning Act” to: incorporate clean, renewable and efficient principals into design standards; facilitate the redevelopment and/or reuse of established town centers and revitalize existing sites; and, promote developments, buildings and infrastructure that utilize green design and construction practices.²⁵

Of emphasis, the PUD should be developed in support of the 2013 Comprehensive Plan Land Use and Zoning Goal, as identified in Chapter 2 “Vision Statement, Goals and Objectives”:²⁶

1. Encourage redevelopment opportunities to revitalize unused property.
 - a. Encourage redevelopment or adaptive reuse of vacant or underutilized buildings and sites;
 - b. Promote infill development;
 - c. Promote affordable commercial space for small start-up, new or growing businesses;
 - d. Encourage reinvestment in our existing neighborhoods (i.e., smart growth);
 - e. Consider incentives for smart growth.

This PUD provides the Planning and Zoning Commission (hereinafter the “Commission”) with the flexibility to address mixed uses for buildings, vary building setbacks between uses, support pedestrian and bicycle safety, ensure environmental protection and complete brownfield remediation within a limited amount of space.

The Site

It is recommended West Branch initiate a proactive zoning strategy to promote investment in the

¹² Ibid.

¹³ (West Linn OR Municipal Code 2018)

¹⁴ (City of West Branch IA 2013, 10)

¹⁵ (City of West Branch IA 2013, 10)

¹⁶ (City of West Branch IA Pending 2018, 5)

¹⁷ (City of West Branch IA 2013, 72)

¹⁸ (City of West Branch IA 2013, 8)

¹⁹ (City of West Branch IA January 2018, 4)

²⁰ (City of West Branch IA Pending, 2)

²¹ Ibid.

²² (City of West Branch IA 2013, 6)

²³ Op. Cit., p. 7

²⁴ Op. Cit., p. 11

²⁵ Op. Cit., p. 13, 14

²⁶ (City of West Branch IA 2013)

redevelopment and/or adaptive use of the former Croell Redi-Mix site at 325 E. Green St. It is recommended that the Croell site be established as a PUD district.

The nearly four-acre site is near the heart of downtown West Branch. It has access to E. Main Street, E. Green St. and E. College St., as well as the Hoover Nature Trail. To the north of the parcel is additional commercial property, on the north east is residential, on the very southeast corner are three small commercial buildings, directly to the south is commercial, on the southwest corner are three commercial buildings, and to the west/northwest sits a 1.6-acre city park across the creek. The proposed PUD site is highlighted in red in both Image 1 and Image 2 below.

Image 1



The proposed PUD site is outlined in red.

Source: Cedar County Assessor, www.cedarcounty.org, Accessed Nov., 2017

Image 2



The proposed PUD site is outlined in red.

Source: Cedar County Assessor, www.cedarcounty.org, Accessed Nov., 2017

Image 3 below is the zoning map for the proposed PUD site and surrounding properties.



The proposed PUD site is zoned I-2 - Industrial.
 Adjacent zoning is P-1 (Public Use), B-2 (Business), CB-2 (Central Business),
 R-1 (Single Family Residential), and R-3 (Multiple Family Residential).
 Source: City of West Branch, http://westbranchiowa.org/sites/default/files/Zoning_3-13-14_3.pdf

Table 1 below summarizes the four parcels which combine to form the Croell Redi Mix site.

Table 1

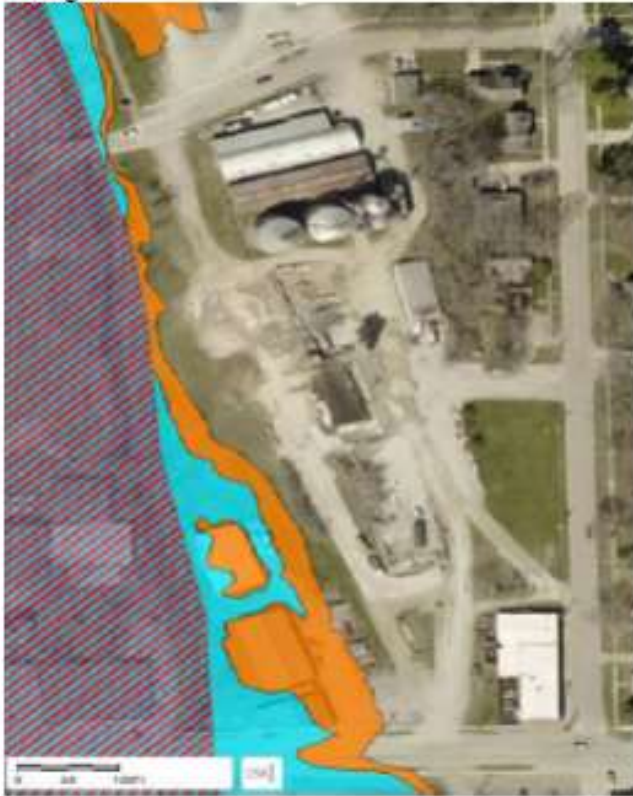
Parcel Number	Deed Holder	Class	Acres
0500-13-05-356-003-0	CROELL REDI MIX INC	Commercial	0.29
0500-13-05-361-001-0	CROELL REDI MIX INC	Commercial	0.082
0500-13-05-361-002-0	CROELL REDI MIX INC	Commercial	0.115
0500-13-05-361-007-0	CROELL REDI MIX INC	Commercial	3.45
		Total Acres	3.937

This space intentionally left blank.

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The west side of the proposed PUD site abuts a small creek. Image 4 below is the flood plain map.

Image 4



Orange (Zone X) is 0.2% Annual Chance of Flood Hazard
(500-year floodplain)

Blue and Striped (Zone AE) is 1% Annual Chance of Flood Hazard
(100-year floodplain)

Source: Cedar County Assessor, www.cedarcountytv.org
Accessed Nov., 2017

Applicability

What follows adopts best practices for PUDs and draws from PUDs employed by communities that are comparable with West Branch.

A PUD application may be submitted for the Creoll Redi-Mix site at 325 E. Green St. and adjacent parcels as presently zoned. Future implementation of the PUD is to be on a case-by-case basis as submitted to the Commission.

Permissible initiators of a PUD are:

1. The owner of all the property involved, if under one ownership;²⁷ or
2. All owners having title to the property in the area proposed for the PUD project.²⁸

The proposed project incorporates a mix of land uses coexisting within the same development to accommodate demands of the population in type, design, and layout uncharacteristic of traditional or existing land use practices in the community.²⁹

Ownership

All property to be included within a PUD shall be under unified ownership or control or be subject to such legal restrictions or covenants as may be necessary to ensure compliance with the approved PUD development plan and final site and building plan.³⁰

Compliance

No building or other permit shall be issued for any work on property included within a proposed or approved PUD prior to City Council approval, nor shall any work occur unless such work is in

²⁷ (Blaine WA Municipal Code 2018)

²⁸ Ibid.

²⁹ (Victoria MN Municipal Code 2018)

³⁰ Ibid.

compliance with the proposed or approved PUD.³¹

Termination of PUD

If no substantial development has taken place in an approved PUD in one year following approval of the PUD, the city shall have the right to terminate the agreement. The City Council may grant an extension of one year to the applicant if deemed appropriate. No development may be granted more than one extension unless voted by super majority of the City Council.³²

Permitted Uses

Permitted uses include housing (single family, duplex, multi-family, attached, renter and owner-occupied), commercial, and mixed use. Uses not permitted include agriculture and industrial.

The site is expected to provide neighborhood commercial, retail, and/or residential uses to serve the needs of the City of West Branch.

1. Professional and semi-professional office buildings³³:
 - a. Abstracting or title business
 - b. Accountants, actuaries, auditors and bookkeeping
 - c. Advertising office (no sign shops)
 - d. Adjusters (insurance)
 - e. Aerial survey and photography
 - f. Appraisers and auctioneers (no auction sale of any type on site)
 - g. Architects, civil engineers, landscape architects and planners
 - h. Attorneys
 - i. Banks and financial institutions
 - j. Business or financial analysts and counselors
 - k. Building contractors, office only (no shops or equipment and material storage)
 - l. Counseling, child guidance and family service
 - m. City, County, State or Federal Government office use only (no shops or equipment and material storage)
 - n. Drafting and printing services
 - o. Engineers
 - p. Professional insurance
 - q. Manufacturer's agents
 - r. Market research, marketing agencies
 - s. Model agencies or schools
 - t. Mortgage brokers
 - u. Public libraries
 - v. Real estate sales and management (office only)
 - w. Stock broker exchanges, investment services or brokers
 - x. Tax consultants
 - y. Similar or general office users
2. Medical doctors and medical practitioners, optometrists, chiropractors and medical services offices, clinics or group medical centers, including dental clinics, but not including animal clinics.³⁴
3. Neighborhood retail commercial and service establishments:³⁵
 - a. Apparel (specialty) shops
 - b. Bakeries (retail), including baking for sale on premises only
 - c. Beauty shops and barber shops
 - d. Bicycle repair, rentals, sales
 - e. Book stores and stationery stores
 - f. Breweries and brewpubs
 - g. Camera and photographic supply
 - h. Candy, nut, and confectionery stores
 - i. Coffee shops
 - j. Convenience store, provided there is no vehicle washing or repair on site
 - k. Drug stores
 - l. Dry cleaning establishment using nonflammable solvents
 - m. Florists, including potted plants
 - n. Gift, party supply and souvenir shops
 - o. Grocery and specialty food
 - p. Hobby and game shops
 - q. Home accessories, such as small appliances, cookware, and glassware
 - r. Home video equipment and movie rentals
 - s. Jewelry stores
 - t. Liquor stores

³¹ Ibid.

³² (Victoria MN Municipal Code 2018)

³³ (Cumming IA City Code 2016)

³⁴ Ibid.

³⁵ Ibid.

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- u. Optical goods and medical supplies
 - v. Restaurants and cafes, provided there is no drive-through/drive-in facility
 - w. Sewing, needlework, linen and piece goods stores
 - x. Shoe repair and tailor shops, including clothing alteration/repair
4. Day care center, day nursery or nursery school, licensed in the State of Iowa, provided there is established and well-maintained a completely fenced play lot of no fewer than one thousand (1,000) square feet in area for the first twenty (20) or fewer children under care, with twenty-five (25) square feet added to such play lot area for each additional designated child capacity of the principal building, or as required by State law.³⁶
 5. Any use which is found by the Commission to be similar to one of the above named uses and determined to conform to the intent of this parcel.³⁷

Development Standards

Development standards shall be in accordance with city standards as identified in Chapter 170 "Subdivision Regulations" in the City code. As the western edge of the parcel is within the floodplain it is expected the developer will consult Chapter 160 "Flood Plain Regulations" in the City code. The PUD provides opportunities to expand upon these regulations to better meet aforementioned comprehensive planning objectives. Two desirable development outcomes follow.

1. The use of bio-swales, landscaping and shrubs should be implemented to maximize storm-water management efficiency.
 - a. In accordance with the Complete Streets Policy, the City encourages street trees, landscapes, and planting strips, including native plants where possible, in order to buffer traffic noise and protect and shade pedestrians and bicyclists. Trees planted on public property shall adhere to the list of permitted trees in City Code Chapter 150 "Trees".
 - b. The development should contribute to the City's long-term goal to reduce surface water runoff by reducing the amount of impervious surfaces on the streets, as explained in the Complete Streets Policy.
 - c. Development is preferred that includes native landscaping, storm water swales, trees, green roofs and rain gardens as they help clean the air, store water, and reduce energy costs by cooling buildings in the summer. Designing with nature will directly improve water quality, reduce stresses on the storm water management system and contribute to cleaner air in the region.³⁸
 - d. Support of nature-friendly infrastructure, such as green infrastructure, enhances natural areas and helps minimize risks from flooding. Preserving and enhancing city habitat corridors allows for safe and healthy places for resident and migratory wildlife to move throughout or stay within the city.³⁹
2. The implementation of LEED energy efficiency standards for all buildings is encouraged.

Building Design Regulations and Development Standards

The PUD design is expected to be suitably in accord with neighboring districts.

1. *Maximum Height Restrictions*: No principal building shall exceed thirty-five (55) feet in height and no accessory structure shall exceed fifteen (35) feet in height.
2. *Adjacent Buildings in the Same Complex*. If a building is planned to be attached or closely located to adjacent buildings in the same complex, the side or sides which are to be attached or closely located to the adjacent building shall be permitted to have a zero (0) side yard setback if construction complies with building and fire codes.⁴⁰
3. *Facade*. Buildings facing public streets must have entrance doors facing the public street.

³⁶ (Cumming IA City Code 2016)

³⁷ *Ibid.*

³⁸ (City of Portland OR 2035 2016)

³⁹ *Ibid.*

⁴⁰ (Cumming IA City Code 2016)

4. *Lighting and Landscaping.* A landscape and lighting plan, identifying the type, size, spacing, and maintenance schedule for all landscaping and lighting elements proposed within the required buffer areas, open space areas, and other common areas, shall be developed where applicable.⁴¹ Lighting shall be provided to illuminate any off-street parking of more than two parking spaces or loading area and shall be so arranged as to divert the light away from adjoining residential uses or premises, and away from the traveled roadway of public streets. Lighting illumination shall not exceed one (1) foot-candle at the property line. Low pressure sodium lighting fixtures shall be prohibited.⁴² All outdoor lighting should be in accordance with the dark skies objective to limit light pollution as outlined in Chapter 10 “Environmental Stewardship” of the comprehensive plan (currently under revision).
5. *Architectural Standards.* As the gateway and the major transportation corridor carrying traffic through West Branch, land development fronting Main Street will have an impact on the community’s image. Any building on the south side of the PUD shall be designed and constructed with architecture, use of materials and exterior colors acceptable to the City and compatible with the residential uses within the neighborhood.⁴³
6. *Signs.* Sign requirements shall follow provisions of the adopted sign ordinance for the most closely related zoning district.⁴⁴
7. *Compatibility.* The design of the PUD shall achieve compatibility with surrounding land uses, both existing and proposed, and shall minimize the potential adverse impacts of the PUD on surrounding land uses.⁴⁵
8. *Construction Phasing.* If development of the PUD is to be completed in phases, each phase of construction shall address criteria as outlined in the PUD ordinance and as determined by the City Council.⁴⁶
9. *Infrastructure.* Unique qualities of each PUD require that specifications and standards for streets, utilities, public facilities and subdivisions may be subject to modification from the city ordinances ordinarily governing them. The City Council may approve streets, utilities, public facilities and land subdivisions which are not in compliance with usual specifications or ordinance requirements if it is found that strict adherence to the usual standards or requirements are not required to meet the intent of this section.⁴⁷

Off-Street Parking Area Landscaping, Screening and Open Space Requirements

It is desired that all parking areas be aesthetically improved to reduce obtrusive characteristics which are inherent to their use. Therefore:

1. Wherever practical, all new parking areas shall be screened from public street view by incorporating natural landscape and topography with the introduction of permanent earth berms of adequate height, and additional landscape plantings to accomplish this desire.⁴⁸
2. All parking areas shall include landscape areas and islands within the boundaries of the paved parking area equal to not less than ten percent (10%) of the total paved area. Landscaped islands within the parking area shall have ground cover of grass (i.e. sod), shrubs, or other acceptable plant life, with a preference for native species.⁴⁹
3. No parking space shall be greater than seventy-five (75) feet from a landscaped open space.⁵⁰
4. Parking spaces shall be separated from any adjoining roadway by a landscaped island or elevated separation (i.e. sidewalk) of a minimum of nine (9) feet in width, except the roadway

⁴¹ (Blaine WA Municipal Code 2018)

⁴² (Cumming IA City Code 2016)

⁴³ Ibid.

⁴⁴ (Victoria MN Municipal Code 2018)

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ (Cumming IA City Code 2016)

⁴⁹ Ibid.

⁵⁰ Ibid.

or parking bay aisle providing direct access to the parking space.⁵¹

Landscape, Buffer and Open Space

This site shall be developed at a minimum in accordance with City Code Chapter 173 “Site Plan Requirements” Section 06 “Open Space, Landscaping, Parking and Architectural Requirements”.

The use of physical barriers or buffers is considered a necessary requirement to allow for the transition from one land use to another contrasting land use in recognition of neighbor’s rights, to lessen the impact of the transition of conflicting land uses and to protect the value of buildings and property.

1. The developer may be required to install a buffer along the north boundary of the parcel.
2. The trees described within shall be maintained for 20 years once the finished parcel is recorded by the Cedar County Recorder Office. Any tree or shrub planted as part of the landscape buffer that may die or is diseased shall be replaced by the property owner.⁵²
3. It is encouraged to exceed the minimum quantity expectations of trees and shrubs in City Code Chapter 173.06, and to place emphasis on species which are native to the region.
4. Storm water retention is encouraged to allow the flow of water to percolate back into the soil and water table instead of draining through septic systems to wastewater treatment plant.
5. The proposal shall preserve the existing amenities of the site to the greatest extent possible by relating the type and design of the development to the topography, landscape features, and natural amenities existing on the site and in the vicinity.⁵³
6. A site plan which amplifies the natural creek feature within the development is encouraged.

Street Design Standards

All streets to be constructed within the interior of a PUD site or existing streets fronting on a PUD site shall be improved in accordance with city standards as identified in Chapter 170 “Subdivision Regulations” Section 15 “General Requirements” in the City Code. In some instances, streets within a PUD may be private, provided that the applicant demonstrates the following:⁵⁴

1. Minimum safety standards for emergency vehicle access are provided within the PUD.⁵⁵
2. Adequate travel-way width for the anticipated levels of traffic, including appropriate provisions for off-street and on-street parking, backing, vehicle stacking, pedestrian movements, bicycle movements, and truck turning movements are provided.⁵⁶
3. Street layout within the PUD is consistent with the surrounding street system and shall not preclude remote parcels of property from gaining access to the city street system.⁵⁷
4. Approval of a private street would not negatively impact the traffic circulation in the surrounding neighborhood or area.⁵⁸
5. Through streets extending across the PUD site are not identified in the comprehensive plan.⁵⁹
6. The applicant demonstrates the ability to maintain a private street system within the PUD.⁶⁰
7. The final plat documents shall reference any restrictive covenants regarding private streets and shall include an acknowledgment statement indicating city policy to refuse consideration of private streets for dedication unless and until said private streets are improved to meet then current minimum city standards.⁶¹

⁵¹ Ibid.

⁵² (Cumming IA City Code 2016)

⁵³ (West Linn OR Municipal Code 2018)

⁵⁴ (Blaine WA Municipal Code 2018)

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Ibid.

Public Services Availability

The PUD shall promote an efficient and effective use of streets, utilities, and public facilities to support high-quality development at reduced cost.⁶² The adoption of “green” infrastructure should be utilized to meet the community values explained in Chapter 8 “Public Infrastructure and Utilities” of the comprehensive plan.⁶³

1. PUD approvals shall not be granted unless such facilities as water lines, sewer lines and streets exist or are immediately planned in sufficient quantity to service the proposed new development.⁶⁴
2. PUD projects shall be located with respect to arterials and collector streets or other transportation facilities so as to provide direct access without creating substantial traffic along local access streets in residential neighborhoods outside the PUD.⁶⁵
3. PUD projects shall be so located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utility systems and installations that neither extension nor enlargement of such systems resulting in higher net public cost or earlier incursion of public cost will be required. Such PUD projects shall be so located with respect to schools, parks, playgrounds and other public facilities and services as to have access in the same degree as would development in a form generally permitted in the area; provided, that a PUD may be approved if, alternatively:⁶⁶
 - a. The developers will provide private utilities, facilities or services approved by the public agencies which would normally provide such utilities, facilities or services as substituting on an equivalent basis, and assure their satisfactory continuing operation and maintenance permanently or until equivalent public utilities, facilities or services are available⁶⁷; or
 - b. The developers will make provision, acceptable to the City, for offsetting any added net public cost or early commitment of public funds necessitated by such development;⁶⁸ and
 - c. The city is able to make such determinations through experts acceptable to it and at the cost of the developers, considering the difference in anticipated public installation, operation and maintenance costs, and the difference in anticipated public revenue.⁶⁹

Criteria for Approval

The City may approve a PUD application only if it finds the following requirements have been met:

1. *Design.* The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable zoning district and subdivision regulations, and solely on this basis modifications to the use and design standards established by such regulations are warranted.⁷⁰
2. *Meets Requirements.* The PUD meets the requirements for a PUD set forth in this chapter.⁷¹
3. *Consistent with Comprehensive Plan.* The PUD is consistent with the objectives of the City comprehensive plan as viewed in light of any changed conditions since its adoption.⁷²
4. *Public Welfare.* The PUD will not be detrimental to the public health, safety, morals, or general welfare.⁷³
5. *Compatible with Environs.* Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, substantially impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding

⁶² (Victoria MN Municipal Code 2018)

⁶³ (City of West Branch IA 2013)

⁶⁴ (Blaine WA Municipal Code 2018)

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

⁷² *Ibid.*

⁷³ *Ibid.*

- property.⁷⁴
6. *Natural Features.* The design of the PUD is as consistent as practical with the preservation of natural features of the site such as stands of mature trees, steep slopes, natural drainage ways, wetlands, or other areas of sensitive or valuable environmental character.⁷⁵
 7. *Circulation.* Streets, sidewalks, pedestrian ways, bicycle paths, off-street parking, and off-street loading as appropriate to the planned land uses are provided. They are adequate in location, size, capacity, and design to ensure safe and efficient circulation of pedestrians, automobiles, trucks, bicycles, fire trucks, garbage trucks, and snow plows as appropriate without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD, or unduly interfering with the safety or capacity of adjacent streets.⁷⁶
 8. *Open Space and Landscaping.* The quality and quantity of public and common open spaces and landscaping provided are consistent with the higher standards of design and amenity required of a PUD. The size, shape, and location of a substantial portion of total public and common open space provided in residential areas render it usable for recreation purposes.⁷⁷
 - a. Open space between all buildings is adequate to allow for light and air, for access by fire-fighting equipment, and for privacy where walls have windows, terraces, or adjacent patios. Open space along the perimeter of the development is sufficient to protect existing and permitted uses of adjacent property from adverse effects from the development.⁷⁸
 9. *Covenants.* Where individual parcels or condominiums are to be later sold, adequate provision has been made in the form of deed restrictions, homeowners or condominium associations and bylaws or covenants, conditions, and restrictions all in a form approved by the City, for the preservation and maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas, and other common elements not to be dedicated to the City or another public body, including such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan. Such a provision must be binding on all future ownership.⁷⁹
 10. *Public Services.* The land uses, intensities, and phasing of the PUD are consistent with the anticipated ability of the city, the school districts, and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools, and other public facilities and services without placing undue burdens on existing residents and businesses.⁸⁰
 11. *Phasing.* Each development phase of the PUD shall, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. The provision and improvement of public or common area improvements, open spaces, and amenities, or the provision of financial sureties guaranteeing their improvement, is phased generally proportionate to the phasing of the number of dwelling units or amount of non-residential floor area.⁸¹

Procedure

The procedure to develop a PUD will generally adhere to City Code Chapter 170 “Subdivision Regulations” and Chapter 173 “Site Plan Requirements”.

Chapter 170 Section 21 “Large Scale Development” allows for the regulations to be modified by the

⁷⁴ Ibid.
⁷⁵ (Blaine WA Municipal Code 2018)
⁷⁶ Ibid.
⁷⁷ Ibid.

⁷⁸ Ibid.
⁷⁹ Ibid.
⁸⁰ Ibid.
⁸¹ Ibid.

City Council per judgment of the Commission using the following process:⁸²

1. Step one: Pre-application meeting.
 - a. Meet with City staff to review contemplated project in relation to community development objectives, the comprehensive plan, and this zoning ordinance. The pre-application meeting will determine requirements of the applicant. Comments received at the pre-application meeting shall not be binding;⁸³
 - b. The purpose of the meeting is to provide early and informal notification to the public, to generate discussion, and make the proponent aware of community concerns relative to the proposed project;
 - c. City staff, the public, and the applicant should discuss creative approaches to address challenging site constraints or potential mitigations;⁸⁴
 - d. Revision of the proposal based on input from the community conference is solely at the discretion of the applicant.⁸⁵
2. Step two: Conceptual development (sketch plat) plan development for public review during a community conference. The developer is to erect a sign on the property identifying the proposed name of the development, identify the developer, and the public conference date(s) and time(s). Said sign shall be placed on the site at least ten days prior to a public meeting.⁸⁶ [Note: there is currently nothing in West Branch City Code Chapter 165 or 170 that details required signs for such purposes].
 - a. *Purpose.* The community conference is an informal public meeting hosted by the applicant. The purpose of the meeting is to provide early and informal notification to the public, to generate discussion, and make the proponent aware of community concerns relative to the proposed project. It is intended to provide a means by which the applicant, staff, and the public are able to work together in a productive and creative manner. However, options and issues raised may not be all-inclusive and no decisions or guarantees on the project design or outcome are made. Revision of the proposal based on input from the community conference is solely at the discretion of the applicant.⁸⁷
 - b. *Expectations.* The applicant can expect the following results from the community conference:⁸⁸
 - i. The more information an applicant can provide for a community conference, the more complete the feedback and input will be for the proposal;⁸⁹
 - ii. Any information or opinions expressed shall not be binding on the final decision or constitute approval or denial of the proposed project;⁹⁰
 - iii. Any inconsistencies with the comprehensive plan, this code and other applicable policies and regulations can be discussed;⁹¹
 - iv. City staff, the public, and the applicant should discuss creative approaches to address challenging site constraints or potential mitigations;⁹²
 - v. Recommended revisions or modifications to the proposal will be discussed;⁹³ and
 - vi. The public will be invited to speak to issues related to the proposal, but their input shall not be considered public testimony in regard to the application when and if submitted.⁹⁴
3. Step three: A master plan, together with a preliminary plat, plus a report of the community conference, is presented to the Commission for public hearing. The master plan is to be a site plan application, and shall include the following for consideration by City staff, the Commission, and the City Council:
 - a. Submittal of application, signed by the owner of the property with review fees as determined by the fee schedule;⁹⁵

⁸² (City of West Branch IA May, 2015)

⁸³ (Victoria MN Municipal Code 2018)

⁸⁴ (Blaine WA Municipal Code 2018)

⁸⁵ Ibid.

⁸⁶ (Victoria MN Municipal Code 2018)

⁸⁷ (Blaine WA Municipal Code 2018)

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Ibid.

⁹⁵ (Victoria MN Municipal Code 2018)

- b. Submit full preliminary plat plan as described in City Code Chapter 170 Section 05 “Requirements of a Preliminary Plat”;
 - c. Submit full final plat plan as described in City Code Chapter 170 Section 11 “Requirements of the Final Plat”;
 - d. Incorporates additional detail as necessary to clearly convey the intent of the developer and the approval of the city. This includes the conditions of project approval and the contents of the covenants, conditions, and restrictions in a manner that the master plan becomes the guiding document for development of the overall site, individual phases, building sites and structures, and public and private open space;⁹⁶
 - e. Such submittal shall occur within 180 calendar days of the issuance of the final decision. A single 90-day extension may be granted by the planning commission upon written request of the applicant. No development, except clearing and grading, shall be authorized in the PUD until the master plan is approved by the planning commission;⁹⁷
 - a. Shall include a conceptual streetscape plan, a preliminary landscape plan, a preliminary open space amenity, and trail plan;
 - b. Conceptual architectural renderings demonstrating the style of all residential and non-residential uses, with thorough detail for multiple-family residential, mixed-use and commercial structures.
 - f. Unless otherwise specified within this ordinance, the regulations and standards of the City’s Zoning Ordinance, Subdivision Regulations, Building Codes and other applicable City, State and Federal regulations shall apply to any development within the PUD.
4. Step four: A final plat plan is submitted to the Commission, which holds a public meeting on the final plat and makes its recommendation to the City Council.
- a. The proposal shall preserve the existing amenities of the site to the greatest extent possible by relating the type and design of the development to the topography, landscape features, and natural amenities existing on the site and in the vicinity;⁹⁸
 - b. *Development Agreement.* The city may require the owner and developer of a proposed PUD to execute a development agreement which may include, but not be limited to, all requirements of the final PUD development plan as a condition to approval of a final PUD. The development agreement should include information regarding a potential homeowner’s association and outline the HOA maintenance plan as well as development amenities such as landscaping, lighting, and signage;⁹⁹
 - c. *Letter of Credit.* The development agreement may require the developers to provide an irrevocable letter of credit in favor of the city, performance guarantee or cash escrow. The letter of credit shall be provided by a financial institution licensed in the state and acceptable to the city. The city may require that certain provisions and conditions of the development agreement be stated in the letter of credit. The letter of credit shall be in the amount sufficient to ensure the provision or development of improvement called for by the development agreement.¹⁰⁰
5. Step five: The City Council holds a hearing on the final plat and determines its approval, denial or modification.
- a. Following a PUD approval by the City Council, the applicant shall make any required revisions and submit the revised PUD site plan and revised preliminary plat or other land division tool to the city for staff review, approval, and stamping.¹⁰¹

⁹⁶ (Blaine WA Municipal Code 2018)

⁹⁷ *Ibid.*

⁹⁸ (West Linn OR Municipal Code 2018)

⁹⁹ (Victoria MN Municipal Code 2018)

¹⁰⁰ (Victoria MN Municipal Code 2018)

¹⁰¹ (Blaine WA Municipal Code 2018)

- b. Following a PUD approval by the City Council, the applicant shall prepare a final PUD master plan for review and approval by the Commission.¹⁰²

Modifications and Amendments

An approved PUD site plan may be modified or amended upon written request of the property owner(s).¹⁰³

1. Modifications are minor changes to an approved PUD, subject to approval or denial as an administrative decision by the Commission, which do not:¹⁰⁴
 - a. Change the residential density more than five percent by increasing or decreasing the number of units in a PUD;¹⁰⁵
 - b. Change the mix of uses, or significantly alter the arrangement of buildings, or increase or decrease the commercial floor area by more than 10 percent;¹⁰⁶
 - c. Significantly alter the amount or arrangement of open space or recreational amenities, or the treatment of environmentally sensitive areas that may exist on the site;¹⁰⁷
 - d. Significantly alter the approved architectural concept of the PUD master plan or site plan;¹⁰⁸
 - e. Significantly alter the basic layout of the approved project infrastructure;¹⁰⁹
 - f. Require revision to the approved PUD master plan as determined by Commission.¹¹⁰
2. Amendments are major changes to an approved PUD that do not qualify as modifications.¹¹¹
3. No amendment or modification may be considered that is more than a ten percent (10%) increase in density or change of uses on the property without a public hearing as required of a rezoning procedure.¹¹²
4. Proposed PUD amendments shall be processed in the same manner as a PUD application, including noticed community conference and public hearing, Commission review and recommendation, and review and decision by the City Council.¹¹³
5. Amendments to PUDs shall be required when 10 percent or more of the housing type changes (e.g., from single-family units to multi-family units) from the tentatively approved PUD plan, or when there is more than a 10 percent change in the number of units, or when the layout of streets and lots significantly changes.¹¹⁴

¹⁰² Ibid.

¹⁰³ (Blaine WA Municipal Code 2018)

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² (Cumming IA City Code 2016)

¹¹³ (Blaine WA Municipal Code 2018)

¹¹⁴ (West Linn OR Municipal Code 2018)

ORDINANCE 755
AN ORDINANCE AMENDING CHAPTER 165 OF THE CODE OF
ORDINANCES REGARDING THE CREATION AND INCORPORATION OF
PLANNED UNIT DEVELOPMENT DISTRICTS AND SITE PLANS.

WHEREAS, the Planning and Zoning Commission drafted a proposed Planned Unit Development Ordinance for adoption by the City Council; and

WHEREAS, the West Branch Planning and Zoning Commission has recommended the City Council approve said Planned Unit Development ordinance; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

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

Section 1. Amendment. Chapter 165 of the Code of Ordinances of the City of West Branch is hereby amended to incorporate a section entitled “Planned Unit Developments” into Chapter 165 of the Code of Ordinances, which reads as shown on Exhibit “A” attached hereto.

Section 2. This ordinance shall be in full force and effect from and after its publication as by law provided.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this ____ day of _____, 2018.

Read First Time:
Read Second Time:
Read Third Time:

Roger Laughlin, Mayor

ATTEST: _____
Redmond Jones II, City Administrator/Clerk

EXHIBIT “A”

PLANNED UNIT DEVELOPMENTS.

Section 1. PURPOSE.

The purpose of a Planned Unit Development is to allow innovative, creative and flexible development that is sensitive to economic, cultural and environmental considerations. The Planned Unit Development is intended to maximize benefits from the use of open spaces, maximize aesthetics, encourage building design standards that exceed normal standards and are compatible with surrounding properties and implement the goals of the City’s Comprehensive Plan.

The Planned Unit Development the City Council with the flexibility to vary the traditional zoning district classifications with mixed types of uses, the ability to vary setbacks and bulk regulations, support pedestrian and bicycle safety and encourage environmental protection. The Planned Unit Development is intended to promote development which will surpass the quality of development resulting from the strict application of the regulations of conventional zoning districts. However, the Planned Unit Development shall not be used to circumvent traditional zoning regulations.

Section 2. LOCATION CRITERIA. The Planned Unit Development Districts are generally intended for use in the following urban contexts:

A. Vacant Land. Areas of substantial open space, where the structure of conventional zoning may artificially limit or constrain good urban design, may restrict the achievement of the City’s development objectives, or may not be appropriate to changes in technology or demand consistent with the best interests of the City.

B. Community Development Areas. Areas of the City which are in need of rehabilitation or redevelopment, including areas which may be deficient in public facilities or services. In these situations, the PUD District may encourage private investment by recognizing the need for flexibility that conventional zoning regulations do not provide.

C. Neighborhood Contexts. Encourage reinvestment in existing neighborhoods.

D. Promotion of infill development and rehabilitation of underutilized sites.

Section 3. PERMITTED LAND USES. The Planned Unit Development Zoning Districts may only include residential, retail or commercial land uses, as listed below:

A. Residential Uses. The Planned Unit Development may contain single-family, duplex/townhouses and/or multi-family structures.

B. Professional and semi-professional office buildings, including, but not limited to:

- a. Abstracting or title business
- b. Accountants, actuaries, auditors and bookkeeping
- c. Advertising office (no sign shops)
- d. Adjusters (insurance)
- e. Aerial survey and photography
- f. Appraisers and auctioneers (no auction sale of any type on site)
- g. Architects, civil engineers, landscape architects and planners
- h. Attorneys

- i. Banks and financial institutions
- j. Business or financial analysts and counselors
- k. Building contractors, office only (no shops or equipment and material storage)
- l. Counseling, child guidance and family service
- m. City, County, State or Federal Government office use only (no shops or equipment and material storage)
- n. material storage)
- o. Drafting and printing services
- p. Engineers, professional
- q. Insurance and bonds
- r. Manufacturer's agents
- s. Market research and marketing agencies
- t. Model agencies or schools
- u. Mortgage brokers
- v. Public libraries
- w. Real estate sales and management (office only)
- x. Stock broker exchanges, investment services or brokers
- y. Tax consultants
- z. Similar or general office users

C. Medical Doctors and medical practitioners, optometrists, chiropractors and medical services offices, clinics or group medical centers, including dental clinics, but not including animal clinics.

D. The following neighborhood retail commercial and service establishments and uses are permitted:

- aa. Apparel (specialty) shops
- bb. Bakeries (retail), including baking for sale on premises only
- cc. Beauty shops and barber shops, but not including schools
- dd. Book stores and stationery stores
- ee. Camera and photographic supply stores, including photo finishing services
- ff. Candy, nut, and confectionery stores
- gg. Coffee shops
- hh. Convenience stores, provided there is no vehicle washing or repair on site
- ii. Drug stores
- jj. Dry cleaning establishment using nonflammable solvents
- kk. Florists, including potted house plants
- ll. Gift, party supply and souvenir shops
- mm. Grocery and specialty food
- nn. Hobby and game shops
- oo. Home accessories, such as small appliances, cookware, and glassware
- pp. Home video equipment and movie rentals
- qq. Jewelry stores
- rr. Liquor stores
- ss. Optical goods and medical supplies
- tt. Restaurants and cafes, provided there is no drive-through or drive-in facility
- uu. Sewing, needlework, linen and piece goods stores
- vv. Shoe repair and tailor shops, including clothing alteration and repair

E. Day care centers, day nursery or nursery school, licensed in the State of Iowa, provided no building, structure, or accessory use for property so used is located less than twenty-five (25) feet from Parcel 3 and 4 or any other lot in an residential zoning district; and provided there is established and well maintained in connection therewith a completely fenced play lot of no fewer than one thousand (1,000) square feet in area for the first twenty (20) or less children under care, with twenty-five (25) square feet added to such play lot area for each additional designated child capacity of the principal building, or as required by State law.

F. Any use which is found by the City to be similar to one of the above named uses and determined to conform to the intent of this parcel.

Section 4. Planned Unit Development District Application.

A. Pre-Application Meeting. Prior to submitting the Pre-Petition Concept Plan, the petitioner shall meet with City staff to outline the general concept of the proposed Planned Unit Development to determine whether the petitioner's plan qualifies for filing as a Planned Unit Development and to discuss issues with the proposed site.

B. Pre-petition Concept Plan. Prior to filing a formal district boundary amendment petition in accordance with the requirements of this Code, the petitioner shall meet with the Zoning Administrator for the purpose of submitting a pre-petition concept plan. This plan shall illustrate the conceptual overall plan for the District and shall include at a minimum the following information:

1. Location, size and legal description of site.
2. Location of existing major site features, including, but not limited to, tree masses, drainageways and wetlands.
3. Location of 100-year and 500-year floodplains on the site, if any.
4. Proposed types and densities of development.
5. General location and types of buildings.

C. Pre-petition Concept Plan Review Criteria. The review of the pre-petition concept plan shall include consideration of the following criteria:

- (1) Land use intensity and density.
- (2) Ability to provide a positive environment for intended uses, including schematic building configurations and arrangements (if available) and general landscaping and site design.
- (3) Use of open space.
- (4) Impact on the surrounding natural and built environment.
- (5) Adequacy of on- and off-site transportation and utility systems to serve the proposed project.
- (6) Consistency with the City's comprehensive plan.
- (7) Architectural quality and compatibility of the proposed project with the scale and appearance of surrounding areas.
- (8) Compatibility with surrounding uses.

D. Following review and approval of the pre-petition concept plan, the petitioner may proceed to file a formal district boundary amendment petition in compliance with the requirements of this Code. All district boundary amendment petitions submitted under

this paragraph shall be approved by ordinance after the public hearing requirements of this Code have been satisfied.

Section 5. PLANNED UNIT DEVELOPMENT SITE PLAN SUBMITTAL. After approval of the Pre-Petition Concept Plan, the petitioner shall submit a Site Plan to the Planning and Zoning Commission for review. The proposed Site Plan shall include, at a minimum, the following information:

1. Existing topography of site at 2-foot intervals;
2. Internal and external transportation systems, including pedestrian and bicycle system;
3. General location, size and location of footprints of proposed buildings;
4. Site master plan, including general envelopes of buildings, parking spaces, open space and other site features;
5. Conceptual landscape and streetscape plans;
6. Building design standards and heights;
7. Location of existing utilities;
8. Proposed site development regulations, including setbacks and building heights;
9. Proposed lighting plan;
10. Property boundaries of the site;
11. Utility plans for all utilities to be installed;
12. Stormwater plans;
13. Phasing of project, if applicable.
14. If applicable, preliminary and final plats.

A. Zoning Administrator Review. The Zoning Administrator shall review and comment on the proposed concept plan and shall provide the petitioner with written comments within thirty (30) days of submission of the proposed concept plan. At the option of the petitioner or the Zoning Administrator, the final concept plan may be submitted to the Planning and Zoning Commission and the Council for review and comment at the earliest practical meeting.

B. Development Agreement. Each Planned Unit Development Site Plan shall also include a Development Agreement establishing the development requirements for the Planned Unit Development. The Development Agreement shall specify the following regulations:

- (1) Location and quantities of various land uses.
- (2) Master site plan for the development.
- (3) Storm water practices;
- (4) Front, side and rear yard setbacks.
- (5) Maximum heights of proposed structures.
- (6) Architectural design standards applicable to the project.
- (7) Other development covenants, easements and restrictions.
- (8) Site improvements that will be constructed following approval of the Planned Unit Development Site Plan. The City Council may require the posting of a letter of credit to ensure the construction of necessary public site improvements.
- (9) Schedule of phasing of project, if applicable.

C. Planned Unit Development Site Plan Submittal. Complete Planned Unit Development Site Plans shall be submitted for review to the Planning and Zoning Commission and the City Council. Both the Commission and the City Council shall review the Planned Unit Development Submittal for the following items:

1. Design of the Project. The Planned Unit Development Site Plan must represent a more creative approach and incorporates a higher standard of integrated design and amenities that could be achieved through the use of conventional zoning and platting requirements.
2. Consistency with Comprehensive Plan. The Planned Unit Development Site Plan is consistent with the development standards and objectives of the City's Comprehensive Plan.
3. Public Services. The land uses, densities and phasing of the Planned Unit Development Site Plan are consistent with the anticipated ability of the city and school district to provide necessary services for the site.
4. Compatibility with surrounding properties. The Planned Unit Development Site Plan will not substantially impair surrounding property values or impede the orderly development of surrounding property.
5. Circulation of vehicular, pedestrian and bicycle systems are appropriate for the planned uses.
6. Provision of appropriate access for emergency personnel and vehicles.
7. The quality and quantity of opens spaces and landscaping is consistent with the higher standard of development of the requirements of the Planned Unit Development.
8. The phasing of the project is appropriate.
9. The architectural design of the buildings is consistent with the higher standards of development in a Planned Unit Development.
10. The preservation of existing natural resources on the site.
11. The storm water management practices for the finished site.

12. The provision of public utilities to the site.

D. A public hearing shall be held by each body in accordance with the requirements of Chapter 165.

E. The Commission and Council may impose reasonable conditions, as deemed necessary to ensure that a Planned Unit Development Site Plan shall be compatible with adjacent land uses, will not overburden public services and facilities and will not be detrimental to public health, safety and welfare.

F. Planning and Zoning Commission Action. The Commission shall act upon each Planned Unit Development Site Plan submittal. The Commission may recommend amendments to the proposed Plan. The recommendation of the Commission shall be transmitted to the Council for final action.

G. Council Action. Approval of a proposed Planned Unit Development Site Plan shall be by resolution of the Council. Said approval shall not occur until after passage by the Council of the Ordinance creating the underlying Planned Unit Development zoning district.

H. Approvals. Upon approval by the Council by resolution, the Planned Unit Development Site Plan, including the Development Agreement, shall be filed with the Clerk. Additionally, the Development Agreement and the Council resolution approving the Planned Unit Development Site Plan shall be placed on record at the Office of the Cedar or Johnson County Recorder, whichever is applicable.

Section 6. AUTHORIZATION TO COMMENCE SITE IMPROVEMENTS. Approval of a Planned Unit Development Site Plan and prior or contemporaneous approval of the underlying Planned Unit Development Zoning District shall authorize the applicant to proceed with site improvements, including but not limited to grading, street construction, sewer construction, utilities, trails, parks and open spaces, sidewalks and other public improvements. As part of the Planned Unit Development Site Plan submittal, the applicant shall state the specific site improvements that the applicant will construct following approval of the PUD-A Site Development Plan. The scope of these improvements shall be incorporated into the Development Agreement.

Section 7. BUILDING PERMITS. Neither the approval of a Planned Unit Development Site Plan nor the approval of the underlying Planned Unit Development Zoning District shall authorize the construction of buildings or the issuance of permits for such construction.

Section 8. CHANGES OR MODIFICATIONS TO SITE PLAN. The Zoning Administrator has discretion to approve amendments to an approved Planned Unit Development Site Plan, provided that:

(1) A written request is filed with the Zoning Administrator, along with information specifying the exact nature of the proposed amendment.

(2) The amendment is consistent with the provisions of this section.

(3) The amendment does not alter the approved site requirements of the Planned Unit Development Site Plan and does not materially alter other aspects of the Plan, which means the following:

a. Change the residential density less than five percent (5%).

- b. Increase the amount of commercial/retail floor space by less than ten percent (10%).
- c. The number of housing units is increased less than ten percent (10%).
- d. Does not significantly alter the open space or other amenities on the approved Site Plan.
- e. Does not significantly alter the approved architectural design standards.

(4) Any amendment not conforming to these provisions shall be considered tantamount to a new application and shall be submitted to the Planning and Zoning Commission and Council according to the procedures for new applications established in this section.



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Second Reading Ordinance 756 , Amending Chapter 92 – Water Rates.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Deputy City Clerk Leslie Brick
DATE:	July 18, 2018

BACKGROUND:

During a review of current fees listed in the West Branch Code of Ordinances, Public Works Director Matt Goodale requested a fee increase for the water service disconnection (Chapter 92.05(4) Service Disconnection. The fee is requested to be increased to cover the cost of staff time and to deter habitual offenders.

STAFF RECOMMENDATION:	Approve 2nd Reading of Ordinance 756
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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ORDINANCE 756

ORDINANCE AMENDING CHAPTER 92 – WATER RATES

CHAPTER 92 WATER RATES CODE OF ORDINANCES, WEST BRANCH, IOWA

92.05 SERVICE DISCONTINUED. Water service to delinquent customers shall be discontinued in accordance with the following: (Code of Iowa, Sec. 384.84)

1. Notice. The billing clerk shall notify each delinquent customer that service will be discontinued if payment of the combined service account, including late payment charges, is not received by the date specified in the notice of delinquency. Such notice shall be sent by ordinary mail and shall inform the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance. 2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord.

3. Hearing. If a hearing is requested by noon of the day preceding the shut off, the City Administrator shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. The customer has the right to appeal the City Administrator's decision to the Council, and if the Council finds that disconnection is justified, then such disconnection shall be made, unless payment has been received.

4. Fees. A fee of twenty dollars (~~\$20.00~~) **fifty dollars (\$50.00)** shall be charged before service is restored to a delinquent customer during working hours and a fee of fifty dollars (~~\$50.00~~) **seventy five dollars (\$75.00)** shall be charged before service is restored during non-working hours. No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	First Reading Ordinance 757 , Amending Chapter 70 – Traffic Code Enforcement Procedures (sec. 70.03 entitled: “Parking Violations: Alternate”).
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Deputy City Clerk Leslie Brick
DATE:	July 18, 2018

BACKGROUND:

During a review of current fees listed in the West Branch Code of Ordinances, Police Chief Mike Horihan requested a fee increase for parking violations (Chapter 70.03 Parking Violations. The change is requested to charge a late fee on parking violations to improve timely collections and to increase the disability parking fee to current state limit of \$200.00.

STAFF RECOMMENDATION:	Approve 2nd Reading of Ordinance 757
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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ORDINANCE 757

ORDINANCE AMENDING CHAPTER 70 – TRAFFIC CODE ENFORCEMENT PROCEDURES

70.03 PARKING VIOLATIONS: ALTERNATE. Admitted violations of parking restrictions imposed by this Code of Ordinances may be charged upon a simple notice of a fine of payable at the office of the City Clerk. The simple notice of a fine shall be in the amount of fifteen dollars (\$15.00) (**\$30 after 10 days**) for all violations except improper use of a persons with disabilities parking. The simple notice of a fine for improper use of a persons with disabilities parking permit is ~~one~~ **two** hundred dollars (~~\$100.00~~) (**\$200.00**). Failure to pay the simple notice of a fine shall be grounds for the filing of a complaint in District Court.

(Ord. 607 – Mar. 06 Supp.) (Code of Iowa, Sec. 321.236 [1a] & 321L.4[2])



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Second Reading Ordinance 758 , Amending Chapter 80 – Abandoned Vehicles.
CITY GOAL:	Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
PREPARED BY:	Leslie Brick, Deputy City Clerk
DATE:	July 18, 2018

BACKGROUND:

During a review of current fees listed in the West Branch Code of Ordinances, Police Chief Mike Horihan requested a fee increase for impounding vehicles (Chapter 80.06 - Fees for Impoundment). The change is requested to increase storage fees from \$3.00 per day to \$35.00 per day.

STAFF RECOMMENDATION: Approve Second Reading – Move to Action
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REVIEWED BY CITY ADMINISTRATOR:
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COUNCIL ACTION:

MOTION BY:

SECOND BY:

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ORDINANCE 758

ORDINANCE AMENDING CHAPTER 80 – ABANDONED VEHICLES

80.06 FEES FOR IMPOUNDMENT. The owner, lienholder or claimant shall pay ~~three-~~ **thirty five** dollars ~~(\$3.00)~~ **(\$35.00)** if claimed within five (5) days of impounding, plus one dollar (\$1.00) for each additional day within the reclaiming period plus towing charges if stored by the City, or towing and storage fees, if stored in a public garage, whereupon said vehicle shall be released. The amount of towing charges, and the rate of storage charges by privately owned garages, shall be established by such facility.

(Code of Iowa, Sec. 321.89[3a])



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Second Reading, Ordinance 759 Amending Chapter 122 – Peddlers, Solicitors and Transient Merchants.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Deputy City Clerk Leslie Brick
DATE:	July 18, 2018

BACKGROUND:

During a review of current fees listed in the West Branch Code of Ordinances, Chapter 122 - Peddlers, Solicitors and Transient Merchants (Chapter 122.05 – License Fees), Council requested staff to research fees that surrounding cities charge for permits. The information for 4 surrounding cities is attached for Council review and direction.

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

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ORDINANCE 759

**ORDINANCE AMENDING CHAPTER 122 – PEDDLERS, SOLICITORS AND
TRANSIENT MERCHANTS**

122.05 LICENSE FEES. The following license fees shall be paid to the Clerk prior to the issuance of any license.

- 1. For one day..... \$ 10.00
- 2. For one week..... \$ 25.00
- 3. For up to six (6) months..... \$ 100.00
- 4. For one year or major part thereof \$ 175.00

City #1 – Tiffin, IA

- 1. For one day..... \$ 30.00
- 2. For one week..... \$ 50.00
- 3. For up to six (6) months..... \$ 100.00
- 4. For one year or major part thereof \$ 250.00

City #2 – Center Point, IA

- 1. For one day..... \$ 10.00
- 2. For one week..... \$ 25.00
- 3. For up to six (6) months..... \$ 50.00
- 4. For one year or major part thereof \$ 150.00

City #3 – North Liberty, IA

- Application Fee \$10 (non-refundable)
- For Solicitors - \$20 per year
- For Peddlers & Transient Merchants
- 1. For one day..... \$10.00
- 2. For one week..... \$ 15.00
- 3. For up to six (6) months..... \$ 40.00
- 4. For one year or major part thereof \$ 75.00

City #4 – Walcott, IA

- 1. Good for one day only..... \$ 5 (48 hour waiting period)



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Resolution 1728 – Approving an Agreement with Veenstra & Kimm Inc. for Engineering Service to Prepare a Wastewater Treatment Facility Plan.
CITY GOAL:	Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
PREPARED BY:	Dave Schechinger, Veenstra & Kimm, Inc.
DATE:	July 18, 2018

BACKGROUND:

The City received a new NPDES permit for the wastewater treatment facility that includes a compliance schedule to update the facility to meet more stringent effluent limits. The City is required to prepare and submit a facility plan to IDNR by December 1, 2018. Veenstra & Kimm, Inc. has met with the City Administrator and Public Works staff to discuss preliminary details of improvements that may be required in order to meet the new limits. An engineering services agreement has been prepared for Council consideration to engage Veenstra & Kimm, Inc. to prepare the required wastewater treatment facility plan.

The plan is anticipated to cost \$30,000 we budgeted \$18,881 we will have to address the short-fall of \$11,119 with a budget amendment (from the sewer fund) later in the fiscal year.

Note: You may recall we were excluded from taxing for planning sanitary sewer disposal from what the State entitled "Planning Sanitary Disposal" in our "16-142 budget form". After asking for certification the State constitutes "Sanitary Disposal" as MSW Disposal or even more specifically referenced as Landfill projects. As a result we lost approximately \$8,000 for planning sanitary sewer disposal but we were able to pick up additional town hall facility funds which will help fund with the police evidence space within town hall.

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

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**AGREEMENT FOR PROFESSIONAL SERVICES
WASTEWATER TREATMENT FACILITY PLAN
WEST BRANCH, IOWA**

THIS AGREEMENT, made and entered into this _____ day of _____, 2018, by and between the **CITY OF WEST BRANCH, IOWA**, a municipal corporation organized and existing pursuant to the laws of the State of Iowa, hereinafter referred to as the **City**, or **Owner**, and **VEENSTRA & KIMM, INC.**, a corporation organized and existing under the laws of the State of Iowa, hereinafter referred to as the **Engineers**,

WITNESSETH; THAT WHEREAS, the City of West Branch currently operates an aerated lagoon wastewater treatment facility, and

WHEREAS, the Iowa Department of Natural Resources is requiring more restrictive effluent requirements for the wastewater treatment facility, and

WHEREAS, the City anticipates the need to upgrade or replace its wastewater treatment facility to meet the required effluent limitations included in the discharge permit issued by the Iowa Department of Natural Resources, and

WHEREAS, the City desires to retain the Engineers to complete a facility plan study of the wastewater treatment facility to evaluate alternatives to meet required effluent limitations, and to set forth a recommendation and schedule for improvements to the wastewater treatment facility to meet effluent limits and to provide capacity for the long term growth of the City of West Branch, with said study being referred to as **Wastewater Treatment Facility Plan**, or **Project**.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto the City retains the Engineers to undertake the Project subject to the following term and conditions to wit:

1. **SCOPE OF SERVICES.** The scope of services for the Wastewater Treatment Facility Plan shall include, but not necessarily be limited to, the following:
 - a. Review of the performance of the wastewater treatment facility for the past 5 years.
 - b. Review of the flows to the wastewater treatment facility for a period of at least 5 years.
 - c. Identify the effluent requirements necessary to meet effluent permit limitations.
 - d. Review of the physical capabilities of the wastewater treatment facility to provide reliable and on-going wastewater treatment and to meet current and anticipated effluent requirements.

- e. Project future loadings to the wastewater treatment facility to accommodate the current and future growth of the City of West Branch. Include an estimated value to represent West Branch Mobile Home Village flows and loadings in analysis.
 - f. Identify alternatives to meet the effluent limitations and capacity requirements of the City. The alternatives will include upgrading of the existing wastewater treatment facility and replacement of the wastewater treatment facility. The alternatives will include strategies for addressing wet weather flow, including flow equalization.
 - g. For each of the identified alternatives, evaluate its technical capability to meet the permit limitations. For each alternative, develop a projected capital and operating cost.
 - h. Develop a comparative matrix to allow for evaluation of each of the alternatives on technical, financial, and other parameters.
 - i. In consultation with the City, select a recommended alternative for wastewater treatment.
 - j. Develop a detailed cost estimate for the recommended improvements.
 - k. Develop a preliminary time line for implementation of recommended improvements.
 - l. Prepare a draft facility plan setting forth the results of the evaluation and recommendation. The draft facility plan will follow the guidelines of the Iowa Department of Natural Resources for facility plan preparation.
 - m. Review the draft facility plan with representatives of the City.
 - n. Prepare Antidegradation Analysis report following the guidelines of the Iowa Department of Natural Resources.
 - o. Incorporate appropriate modifications in the draft facility plan.
 - p. Prepare and present the final facility plan report.
 - q. Submit the final facility plan report and Antidegradation Analysis report to the Iowa Department of Natural Resources.
2. **REPORT DOCUMENTS.** The results of the study will be compiled and set forth in a written report presented to the City as outlined in **1. SCOPE OF SERVICES.** Three (3) copies of the draft report and ten (10) copies of the final report will be provided.

3. **RESPONSIBILITY OF THE CITY.** It is understood and agreed the City will provide assistance to the Engineers including making available relevant information on the wastewater treatment facility.
4. **SERVICES NOT INCLUDED.** Services under this Agreement shall not include the preparation of any working drawings or contract documents, preparation of plans and specifications or taking of bids for any project recommended as part of this Agreement.

Work under this Agreement shall not include services for obtaining environmental clearances including archeological surveys. It is understood the Iowa Department of Natural Resources will be responsible for obtaining the necessary clearances.

Work under this Agreement shall not include services related to soil borings and geotechnical investigations involving a determination of subsurface conditions.

Work under this Agreement shall not include any services associated with litigation or claims resolution resulting from the final adoption of the report by the City. Any additional services as a result of litigation or claims resolution shall be considered Extra Work.

Work under this Agreement shall not include a rate study and the impact on sewer rates.

Work under this Agreement shall not include assistance with design, data collection or regulatory approvals of pilot studies required for new technology approval by Iowa Department of Natural Resources. Any additional services as a result of pilot studies shall be considered Extra Work.

Detailed analysis to quantify flows and loadings from West Branch Mobile Home Village are not included in the study. A separate facility plan will be required to apply for CDBG funding for the connection and configuration of the West Branch Mobile Home Village treatment facility.

5. **EXTRA WORK.** The fees under this Agreement shall cover the services outlined in this Agreement for the project. If the City requires additional services of the Engineers in connection with the Project or changes, or modifications in the Project, the Engineers shall receive additional compensation for such services. Such additional compensation shall be on the basis of a compensation mutually agreed to by the City and the Engineers and set forth in a written amendment to this Agreement.
6. **ASSIGNMENT.** This Agreement and each and every portion thereof shall be binding upon the successors and heirs of the parties hereto.

7. **TERMINATION.** Should the City abandon the Project before the Engineers have completed their work, the Engineers shall be paid proportionally for the work and services performed until the date of termination.
8. **COMPENSATION.** The fee for services set forth in this Agreement for the study and analysis, and preparation of the Wastewater Treatment Facility Study shall be on an hourly basis at the standard hourly rates for personnel of the Engineers actually engaged in performance of the services. The City shall pay the following lump sum amounts as listed below. The fee for services under this Agreement shall be billed and payable monthly during the course of the rendering of the services.

Wastewater Facility Study	\$	27,500
Antidegradation Analysis	\$	2,500

9. **TIME OF COMPLETION.** NPDES Permit Compliance Schedule requires facility plan to be submitted by December 1, 2018. Preparation and presentation of the draft facility plan is anticipated by December 1, 2018. Time of completion is influenced by Iowa Department of Natural Resources review and response time.
10. **INDEMNIFICATION.** The Engineers shall and hereby agree to hold and save the City harmless from any and all claims, settlements and judgments, to include all reasonable investigative fees, attorneys' fees, suit and court costs for personnel injury, property damage and/or death arising out of the Engineers' or any of its agents', servants' and employees' errors, omissions or negligent acts for services under this Agreement, and for all injury and/or death to any and all of the Engineers personnel, agents, servants and employees occurring under the Worker's Compensation Act of the State of Iowa.
11. **INSURANCE.** The Engineers shall furnish the Owner with certificates of insurance by insurance companies licensed to do business in the State of Iowa, upon which the Owner is endorsed as an additional named insured, in the following limits. It must be clearly disclosed on the face of the certificates that the coverage is on an occurrence basis.

General Liability*	\$1,000,000/2,000,000
Automobile Liability	\$1,000,000
Excess Liability (Umbrella)*	\$8,000,000/8,000,000
Workers' Compensation, Statutory Benefits Coverage B	\$1,000,000
Professional Liability**, ***	\$2,000,000/2,000,000

*Occurrence/Aggregate

**The Owner is not to be named as an additional insured

***Claims made basis

The undersigned do hereby covenant and state that this Agreement is executed in duplicate as though each were an original and there are no oral agreements that have not been reduced to writing in this instrument.

It is further covenanted and stated that there are no other considerations or monies contingent upon or resulting from the execution of this Agreement, nor have any of the above been implied by or for any party to this Agreement.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names on the date first written above.

CITY OF WEST BRANCH, IOWA

ATTEST:

By _____
Mayor

By _____
City Clerk

VEENSTRA & KIMM, INC.

ATTEST:

By _____

By _____

RESOLUTION 1728

A RESOLUTION APPROVING AN AGREEMENT WITH VEENSTRA & KIMM INC. FOR ENGINEERING SERVICE TO PREPARE A WASTEWATER TREATMENT FACILITY PLAN

WHEREAS, the City received a new National Pollutant Discharge Elimination System (NPDES) permit for the wastewater treatment facility that includes a compliance schedule to update the facility to meet more stringent effluent limits; and

WHEREAS, The City is required to prepare and submit a facility plan to IDNR by December 1, 2018; and

WHEREAS, Veenstra & Kimm, Inc. has met with the City Administrator and Public Works staff to discuss preliminary details of improvements that may be required in order to meet the new limits; and

WHEREAS, An engineering services agreement has been prepared for Council consideration to engage Veenstra & Kimm, Inc. to prepare the required wastewater treatment facility plan; and

WHEREAS, Council has determined that the \$30,000 of fees for the Wastewater Facility Study and Antidegradation Analysis included in the engineering services agreement are appropriate and are reasonably related to the purpose for which such fees are charged.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch that the Engineering Service Agreement not to exceed the amount of \$30,000 to Veenstra & Kimm, Inc. of Coralville, IA is approved.

Passed and approved this 23rd day of July, 2018.

Roger Laughlin, Mayor

Attest:

Redmond Jones II, City Administrator/Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Resolution 1729 – Approving Change Order #4 for \$10,000 - \$40,000 (based on the option chosen) for Additional Waterway Grading and Clearing & Grubbing for the Cubby Park Improvements Project.
CITY GOAL:	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
PREPARED BY:	Nate Kass, Fehr Graham
DATE:	July 18, 2018

BACKGROUND:

We have been asked to provide a cost estimate for the clearing & grubbing of the scrub brush along the easterly bank of the waterway near the pond at Cubby Park, as well as a cost estimate to grade the banks similar to the west side (back yards of the residents along Gilbert Dr) or Lions Field. Due to the pipeline, wetlands, and the pond outlet as constructed, there is limited area that can be graded economically. There is approximately 160 feet between the pond outlet and the pipeline that can feasibly be graded which has a few larger, desirable trees that would be removed (estimated cost of tree removal, grading, and seeding: \$10,000). There is approximately 250 feet of waterway (200 feet straight line) north of the pond outlet that can feasibly be graded that has several larger, desirable trees that would be removed (estimated cost \$30,000). The cost for each does not include any detailed engineering design. We suggest having city staff mark the trees to be removed and simply direct the contractor to complete the grading to the feasible slope within the constraints. If detailed design is required, we can provide a fee estimate upon request.

Note that no wetlands were identified in these specific areas and the grading will be above the normal water line, so a US Army Corps of Engineers Nationwide permit is not required. Because no fill material will be placed in the flood plain, no additional permitting is required by the Iowa DNR Floodplain Section. It is recommended that the floodplain development permit issued by the city be amended to include this work if it is authorized.

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

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OPTION A

CHANGE ORDER

No.: 4

Date of Issuance: July 20, 2018 Effective Date: July 24, 2018
Owner: City of West Branch, Iowa
Contractor: Needham Excavating, Inc.
Contract: Joseph D. Needham, President
Project: Cubby Park Improvements
Owners Contract No.: N/A Engineer's Project No.: 16-072
Engineer: Fehr Graham - Nathan P. Kass, PE, PLS

You are directed to make the following changes in the Contract Documents:

Description:

Additional grading of the east stream bank between the pond outlet and the gas pipeline to flatten the slope to a similar condition as the west bank, including removing trees and brush, to allow for routine mowing. Additional seeding and erosion control measures will also be required to facilitate this work. Existing contract bid item prices shall be used for payment when applicable, with total work not to exceed \$10,000.00.

Reason for Change Order:

Per council request.

Attachments: (List documents supporting change):

See attached exhibit.

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No.: 4

Date of Issuance: July 20, 2018 Effective Date: July 24, 2018

Owner: City of West Branch, Iowa

Contractor: Needham Excavating, Inc.

Contract: Joseph D. Needham, President

Project: Cubby Park Improvements

Owners Contract No.: N/A Engineer's Project No.: 16-072

Engineer: Fehr Graham - Nathan P. Kass, PE, PLS

You are directed to make the following changes in the Contract Documents:

Description:

Additional grading of the east stream bank. Beginning at the pond outlet and continuing approximately 250 feet north of the pond outlet to flatten the slope to a similar condition as the west bank, including removing trees and brush, to allow for routine mowing. Additional seeding and erosion control measures will also be required to facilitate this work. Existing contract bid item prices shall be used for payment when applicable, with total work not to exceed \$40,000.

Reason for Change Order:

Per council request.

Attachments: (List documents supporting change):

See attached exhibit.

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CHANGE IN CONTRACT PRICE:

Original Contract Price

\$ 2,945,427.39

Previous Change Orders No.

1 To No. 3

\$ 96,435.55 Decrease

Contract Price prior to this Change Order

\$ 2,848,991.84

Net Increase (Decrease) of this Change Order

\$ 40,000.00 (not to exceed) Increase

Contract Price with all approved Change Orders

\$ 2,888,991.84

CHANGE IN CONTRACT TIMES:

Original Contract Times

By November 2, 2018 days or dates

Net change from previous Change Orders

0 days

Contract Time prior to this Change Order

11/2/2018 days

Net Increase (Decrease) of this Change Order

14 days or date

Contract Time with all approved Change Orders

11/16/2018 days or date

RECOMMENDED: Fehr Graham

APPROVED: City of West Branch

ACCEPTED: Needham Excavating, Inc.

Nathan P. Kass, PE, PLS
ENGINEER

Roger Laughlin, Mayor
OWNER

Joseph D. Needham, President
CONTRACTOR

By: _____

(Signature)

Date

By: _____

(Signature)

Date

By: _____

(Signature)

Date

END SECTION.

MEMORANDUM

Date: July 23, 2018
To: Mayor and City Council
From: Redmond Jones II, City Administrator
RE: Cubby Park Contingency Budget



Per City Council direction at the July 9th City Council Meeting, I met with Fehr Graham to analyze our current contingency budget, and to ascertain its ability to absorb an additional waterway clearing project. Based on information gathered by Fehr Graham, if the 10% contingency is based on the original estimate and the value engineering is removed only from Needham's bid,

Total estimate with option A: \$2,831,118.55

10% contingency: \$283,111.85

Needham bid: \$2,945,427.39

Value engineering: \$126,207.85 (amount to be set aside until the end of project)

Change orders and overages: \$49,526.38

Needham bid – value engineering = \$2,819,219.54

Total estimate – (Needham bid – value engineering) = \$11,899.01 (this amount is then credited to the contingency)

Total contingency = \$295,010.86

Remaining contingency = total contingency – change orders and overages = \$233,585.47

Or, **17.5% used**

Currently the project is 32% complete with only 17.5% contingency used. Based on this analysis staff recommends either change order can be afforded.

Change Order #4 (Option A) - 160 feet between the pond outlet and the pipeline that can feasibly be graded which has a few larger, desirable trees that would be removed - estimated cost of tree removal, grading, and seeding: \$10,000 (**contingency used would be 21% after change order**).

Change Order #4 (Option A+) - There is approximately 250 feet of waterway (200 feet straight line) north of the pond outlet that can feasibly be graded that has several larger, desirable trees that would be removed - estimated cost \$30,000 (**contingency used would be 31.6% after change order**).

RESOLUTION 1729

**A RESOLUTION APPROVING CHANGE ORDER #4 FOR \$10,000 - \$40,000
(BASED ON THE OPTION CHOSEN) FOR ADDITIONAL WATERWAY
GRADING AND CLEARING & GRUBBING FOR THE CUBBY PARK
IMPROVEMENTS PROJECT.**

WHEREAS, Needham Excavating, Inc. of Walcott, Iowa was awarded the construction contract for Cubby Park Improvements for West Branch, Iowa (the "Project") by the West Branch City Council through the passage of Resolution 1680 on January 16, 2018 in the amount of \$2,945,427.39; and

WHEREAS, the West Branch City Council subsequently approved Change Order No. 1 on May 7, 2018 to reflect a Value Engineering decrease in the project scope for a price in the amount of \$126,000; and

WHEREAS, the West Branch City Council subsequently approved Change Order No. 2 on May 7, 2018 to reflect a decrease in the project price in the amount of \$20,100; and

WHEREAS, Change Order Number Three, Revised has been reviewed and recommended by the contracted Engineering firm of Fehr Graham in the amount of \$9,672.30; and

WHEREAS, it is now necessary for the City Council to approve said change order.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the City Council approves a change order with Needham Excavating, Inc. for the Cubby Park Improvements project for West Branch, IA in an amount not to exceed \$9,672.30

Passed and approved this 23rd day of July, 2018.

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator / City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: July 23, 2018

AGENDA ITEM:	Discussion Item: Discussion regarding a Staff Plan / Proposal to Maintain City Owned Alleys.
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CITY GOAL:	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
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PREPARED BY:	Matt Goodale, Public Works Director
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DATE:	July 17, 2018
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BACKGROUND:

During heavy rain fall events the gravel alleys owned by the City wash out into the street. This has become a hazardous situation repeatedly with gravel piled up on major streets during and after rain fall events. The Public Works Department has advocated for possible improvements to City owned alleys for several years. However, this budget item for several years has been removed for the interest of other larger projects. Since, Capital Improvements has slowed, it maybe an opportunity to address outstanding small projects. Staff would like to propose taking an Ally project a year until we can address every public alley in the city. I would like council authorization to pursue gathering multiple quotes for asphalt overlays on the alley is feasible at this time. If approved the approach would be to budget for the expenditure yearly until the six alleys are completed.

STAFF RECOMMENDATION: Seek City Council Direction
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REVIEWED BY CITY ADMINISTRATOR:
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COUNCIL ACTION:

MOTION BY:

SECOND BY:

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Discussion Item: The West Branch Meadows Subdivision is beginning their planning process for phase 4 of their development. It is requiring decisions regarding aging sewer infrastructure.
CITY GOAL:	Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
PREPARED BY:	Redmond Jones, City Administrator
DATE:	July 18, 2018

BACKGROUND:

The sewer main formerly known as the Stuelke Line located in the present day KLM Investment property known as The Meadows is a topic of concern as it relates to its age, design, and current day capacity. It is clear it is not a modern standards and could not handle the demand of 48 new homes. It is also clear there are system failures based on the amount of Inflow and Infiltration (I&I) levels found in our waste water treatment. This places unwanted demands our treatment process and capacity.

The City Administrator would like direction regarding the merits of pursuing development agreement talk involving the use of TIF as a funding tool to replace this aging infrastructure. A potential Public Private Partnership agreement could allow developer to construct a new line earlier at lower prices with the understanding to receiving a TIF payment(s) over several years.

Per City Council’s last direction on this matter, as a preliminary step for development agreement negotiations cost estimates were to be gathered and presented to the city. It is anticipated that a presentation will be given by the developers.

STAFF RECOMMENDATION:	Seek City Council Direction
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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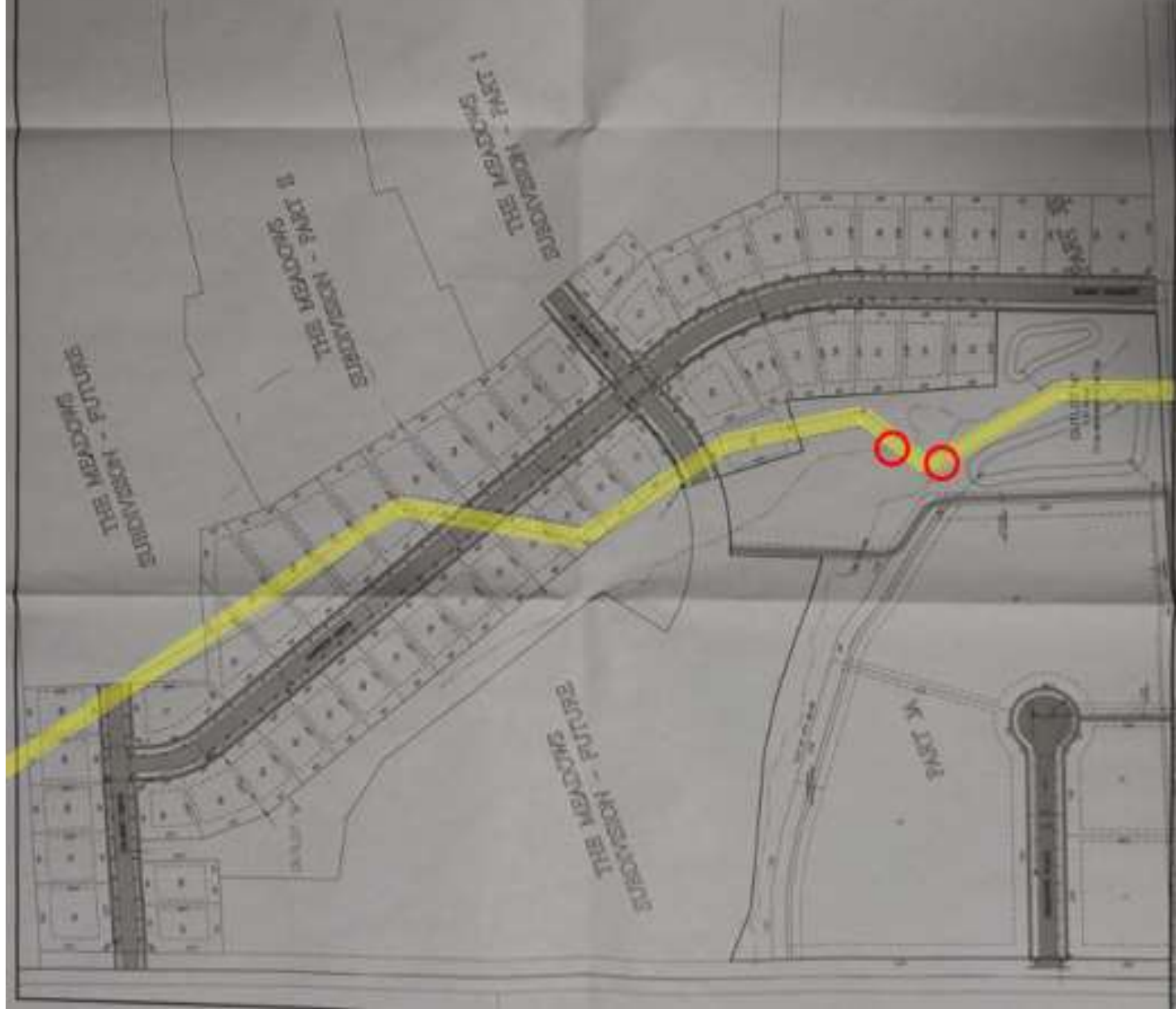
SITE CONCEPT
THE MEADOWS
 SUBDIVISION - PHASE 4
 WEST BRANCH, CEDAR COUNTY, IOWA

1.0' = 100'	1.0" = 100'
2.0' = 200'	2.0" = 200'
3.0' = 300'	3.0" = 300'
4.0' = 400'	4.0" = 400'
5.0' = 500'	5.0" = 500'
6.0' = 600'	6.0" = 600'
7.0' = 700'	7.0" = 700'
8.0' = 800'	8.0" = 800'
9.0' = 900'	9.0" = 900'
10.0' = 1000'	10.0" = 1000'

PROPOSED



Notes: 1. The ditch and drainage system shall be constructed in accordance with the IAWQ, 1970, Standards for Ditch and Drainage Construction.



THE MEADOWS
 SUBDIVISION - PART 1

THE MEADOWS
 SUBDIVISION - PART 2

THE MEADOWS
 SUBDIVISION - PART 3

THE MEADOWS
 SUBDIVISION - PART 4

PART 4

OUTLET



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	July 23, 2018
AGENDA ITEM:	Discussion Item: 28E Agreement with West Branch School for a radar Speed Sign.
CITY GOAL:	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
PREPARED BY:	Mike Horihan, Chief of Police
DATE:	July 18, 2018

BACKGROUND:



Good Afternoon Redmond,

I wanted to send you an email to let you know of the West Branch CSD school board approval to jointly purchase a speed sign to be put up by the high school.

The agreement entails the following:

- Help the city pay for the sign by providing 50% of the funds for the purchase.
- The sign that was approved by the school board came from the bid from Flight Light for \$3,124.
- The city would install the sign and maintain it.
- The district would pay 50% of any repairs to the sign as needed.

A 28E agreement will be signed by both the school and city in the near future, but the school is okay with purchasing the sign now in order to have it in place by the beginning of the school year.

Please let me know if you have any questions, or if any other items need to be discussed prior to purchase and the development of a 28E agreement. Thank you.

STAFF RECOMMENDATION:	Seek City Council Direction
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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MEMORANDUM

Date: July 23, 2018

To: Mayor and City Council

From: Redmond Jones II, City Administrator

A handwritten signature in black ink, appearing to read "Redmond Jones II".

RE: 28E Agreement with West Branch School for a radar Speed Sign.

Staff recommends moving forward with the conceptual agreement with the West Branch School District with regard of setting up Speed Radar Sign near the Cedar / Johnson County boundary (in the vicinity of the West Branch High School). We would like to task the City Attorney with drafting a 28E agreement which would mirror the basic tenants as described in Superintendent Jimmerson's e-mail.

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