



**PUBLIC NOTICE AND AGENDA OF THE WEST BRANCH CITY COUNCIL MEETING SCHEDULED TO CONVENE AT 7:00 P.M. TUESDAY, SEPTEMBER 4, 2018 IN THE CITY COUNCIL CHAMBERS, 110 NORTH POPLAR STREET, WEST BRANCH, IOWA.**

<b>Mayor</b>	<b>Roger Laughlin</b>	<a href="mailto:mayor@westbranchiowa.org">mayor@westbranchiowa.org</a>
<b>Mayor Pro Tem</b>	<b>Colton Miller</b>	<a href="mailto:mcolton@rocketmail.com">mcolton@rocketmail.com</a>
<b>Council Member</b>	<b>Jordan Ellyson</b>	<a href="mailto:Jordanellyson@gmail.com">Jordanellyson@gmail.com</a>
<b>Council Member</b>	<b>Brian Pierce</b>	<a href="mailto:brianapierce@outlook.com">brianapierce@outlook.com</a>
<b>Council Member</b>	<b>Jodee Stoolman</b>	<a href="mailto:j.stoolmanwbcc@yahoo.com">j.stoolmanwbcc@yahoo.com</a>
<b>Council Member</b>	<b>Nick Goodweiler</b>	<a href="mailto:nickgoodweilerwbcc@gmail.com">nickgoodweilerwbcc@gmail.com</a>
<b>City Administrator</b>	<b>Redmond Jones II</b>	<a href="mailto:rionesii@westbranchiowa.org">rionesii@westbranchiowa.org</a>
<b>City Attorney</b>	<b>Kevin Olson</b>	<a href="mailto:kevinolsonlaw@gmail.com">kevinolsonlaw@gmail.com</a>
<b>Deputy City Clerk</b>	<b>Leslie Brick</b>	<a href="mailto:leslie@westbranchiowa.org">leslie@westbranchiowa.org</a>

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

**AGENDA**

**A. Call to Order**

**B. Opening Ceremonies**

1. Pledge of Allegiance
2. Welcome

**C. Roll Call**

**D. Guest Speaker, Presentations and Proclamations**

**E. Public Comment**

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

**F. Approve Agenda / Consent Agenda / Move to Action**

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

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1. **Motion to Approve** Meeting Minutes for City Council Meeting August 20, 2018.
2. **Motion to Approve** the Implementation of the newly developed “Block Party Permit Application”.
3. **Motion to Approve** Special Event Permit Application for the Fall Festival (Kevin Roger – Main Street West Branch requesting).
4. **Motion to Approve** the Claims Report.

#### **G. Public Hearing / Non-Consent Agenda**

1. **First Reading, Ordinance 759** – Amending Chapter 122 – Peddlers, Solicitors and Transient Merchants.
2. **Discussion Item:** Comp Time Policy for the Exempt Employees.
3. **Discussion Item:** Consider Design and Location Selection of an Electric Car Recharge Station.
4. **Discussion Item:** Consider obtaining the road way as a “Public Road” into Beranek Park.
5. **Discussion Item:** Consider Authorizing the Use of Facebook for an Additional City Information Site and Link to the City Web Site.
6. **Discussion Item:** “Down Under” Water in Basement Situation.
7. **Resolution 1734** – A Resolution Approving Partial Pay Estimate Number 5 in the Amount of \$189,204.44 to Needham Excavating INC. for the Cubby Park Improvements Project.
8. **Resolution 1735** – In Support of Cedar County Great Places Designation and Proceeding with the Iowa Department of Cultural Affairs, FY 2019 Grant Places Grant Application for the Cedar County – Pride or Place and People Project.
9. **Resolution 1736** – Approving Funds to Exceed \$310,000 to be used only if a Cultural Affairs, FY 2019 Grant Places Matching Grant is obtained for the Park and Mural projects.
10. **Discussion Item:** A Review of a Draft Development Agreement regarding the “Stuelke Line” Sewer Project and the proposed construction of 57-lot residential subdivision; involving KLM Investments.
11. **Motion to Approve** Directing the City Administrator to Move Forward without Crestview Easement for Electrical Service for Cubby Park.

#### **H. Reports**

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

#### **I. Comments from Mayor and Council Members**

#### **J. Adjournment**

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*(The following is a synopsis of the minutes of the West Branch City Council meeting. A video recording is available for inspection on the City of West Branch Website at [www.westbranchiowa.org/government/council-videos](http://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

August 20, 2018  
7:00 p.m.

Mayor Roger Laughlin called the West Branch City Council meeting to order at 7:00 p.m. Mayor Laughlin then invited the Council, Staff and members of the audience to stand and led the group in the Pledge of Allegiance. Roll call: 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

There were no guest speakers for this meeting.

#### PUBLIC COMMENT

Planning & Zoning Chairperson, John Fuller advised the Council that the Planning & Zoning Commission had completed revisions to another chapter of the Comprehensive Plan and said a copy would be forwarded to them for their review and comments. Fuller also mentioned that Cedar County had completed their Comprehensive Plan and it is being sent on to the Board of Supervisor for approval. Fuller also said he would be available for any questions on The Meadows Preliminary Plat approval this evening.

#### APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION

Motion to Approve Meeting Minutes for City Council Meeting August 6, 2018.

Motion to Approve Street Closure for an Annual Neighborhood Block Party on the 200 block of North 5<sup>th</sup> Street (Merle Eggert requesting).

Motion to Approve the Claims Report.

#### August Claims Paid and July Revenue Totals

EXPENDITURES	8/20/2018	
ALLIANT ENERGY	WATER TOWER	9,910.64
BAKER & TAYLOR INC.	BOOKS	276.01
BARRON MOTOR SUPPLY	SUPPLIES	69.60
BP AMOCO	BP AMOCO	892.02
BROWN'S WEST BRANCH	VEHICLE MAINTENANCE	54.36
CEDAR COUNTY RECORDER	RECORDING FEES	28.00
CHIEF SUPPLY CORPORATION	UNIFORMS	27.99
CJ COOPER & ASSOCIATES	DRUG TESTING	127.30
CONLEY & JENNA NASH	BLDG INCENTIVE REIMBURSEMENT	1,014.88
CORALVILLE PARK & RECREATI	STAGE RENTAL & REMOVAL	925.00
DEWEYS JACK & JILL	SUPPLIES	63.90
EAST CENT INTERGOVT ASN.	GRANT WRITING SERVICE	40.50
FEHR GRAHAM	308 CONS SERVICE	6,767.75
FELD FIRE EQUIPMENT CO. IN	EQUIPMENT REPAIRS	600.00
GATEWAY HOTEL & CONFERENCE	LODGING	389.76
HD CLINE COMPANY	REPAIR PARTS	77.58
HDS WHITE CAP CONSTRUCTION	SAFETY SUPPLIES	357.09
HEIMAN FIRE EQUIPMENT	EQUIPMENT	8,575.00
HOTSY CLEANING SYSTEMS	SUPPLIES	500.00
IMWCA	IMWCA	2,024.00
JAB INK GRAFIX & DESIGNS	UNIFORMS	38.50
LINN COUNTY R.E.C.	SIREN @ GREENVIEW	155.30
MARK E ADAMS	BLDG INCENTIVE REIMBURSEMENT	619.14
NEEDHAM EXCAVATING, INC.	308 PV PARK CONST	221,684.85
PARKSIDE SERVICE	VEHICLE MAINTENANCE	1,196.00
PITNEY BOWES PURCHASE POWE	POSTAGE	1,003.50
PYRAMID SERVICES INC.	REPAIR PARTS	410.78
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	651.00

QUAD CITY SAFETY INC	OXYGEN EQUIPMENT	379.00
QUILL CORP	SUPPLIES	47.19
STATE HYGIENIC LAB	LAB ANALYSIS	151.00
US BANK CORPORATE CARD	EQUIP, CAMP ACTIVITIES, SUPPLI	6,049.11
US BANK EQUIPMENT FINANCE	LIBRARY COPIER LEASE	106.25
USA BLUE BOOK	SUPPLIES	722.97
WALMART COMMUNITY/RFC5LLC	SUPPLIES	226.28
WEST BRANCH REPAIRS	EQUIPMENT REPAIR	390.00
WEST BRANCH TIMES	LEGAL PUB & ADVERTISING	1,665.94
WESTRUM LEAK DETECTION INC	LEAK DETECTION SURVEY	1,200.00
WEX BANK	WEX BANK	1,572.33
TOTAL		270,990.52

PAYROLL 8/10/2018 45,144.91

PAID BETWEEN MEETINGS

BARNHART'S CUSTOM SERVICES LLC	HHTD GENERATOR FUEL	174.00
BIG TEN RENTALS	HHTD TENT & CHAIRS	1,219.35
CEDAR VALLEY COOPERATIVE	VEHICLE FUEL	2,062.93
CROELL, INC	GARAGE ENTRANCE REPLACEMENT	206.88
DIAMOND VOGEL PAINTS	STREET PAINT	20.00
REDMOND JONES II	REGISTRATION & MILEAGE	344.07
PORT 'O' JONNY INC	HHTD SERVICE	784.00
RUSSELL, MELISSA	DAY CAMP ACTIVITIES	110.19
US BANK EQUIPMENT FINANCE	LIBRARY COPIER LEASE	59.00
YOTTY'S, INC	HHTD GOLF CARTS	1,000.00
HOLIDAY INN DES MOINES AIRPORT	LODGING	201.60
TOTAL		6,162.02

GRAND TOTAL EXPENDITURES 322,317.45

FUND TOTALS

001 GENERAL FUND	53,668.23
022 CIVIC CENTER	679.99
031 LIBRARY	7,706.33
036 TORT LIABILITY	1,920.41
110 ROAD USE TAX	5,562.48
112 TRUST AND AGENCY	4,907.57
308 PARK IMP - PEDERSEN VALLEY	228,452.60
310 COLLEGE STREET BRIDGE	28.00
600 WATER FUND	10,684.83
610 SEWER FUND	8,687.01

GRAND TOTAL 322,317.45

JULY REVENUE - FISCAL YEAR 2019

FUND

001 GENERAL FUND	24,909.95
022 CIVIC CENTER	165.44
031 LIBRARY	5,096.66
036 TORT LIABILITY	131.63
110 ROAD USE TAX	22,155.95
112 TRUST & AGENCY	500.72
119 EMERGENCY TAX FUND	74.42
121 LOCAL OPTION SALES TAX	17,420.68
125 TIF	1,249.30
160 REVOLVING LOAN FUND	2,270.00
226 DEBT SERVICE	503.28
301 REAP GRANT PROJECT	17,000.00
308 PARK IMP - PEDERSEN VALLEY	5,000.00
313 MAIN ST SIDEWALK-PHASE 4	3,961.74
500 CEMETERY PERPETUAL FUND	300.48
502 KROUTH INTEREST FUND	0.18
600 WATER FUND	47,257.62
610 SEWER FUND	35,407.92
740 STORM WATER UTILITY	4,568.67
TOTAL	187,974.64

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

## **PUBLIC HEARING / NON-CONSENT AGENDA**

### Resolution 1731 – Setting a date for consultation and a Public Hearing on the Amended and Restated West Branch Urban Renewal Plan./ Move to action.

Olson explained that this a routine procedure for amending the Urban Renewal Plan. The consultation date with the other taxing entities has been set for August 31, 2018 and the City Council will hold the public hearing at their regularly scheduled City Council meeting on Monday, September 17, 2018.

Motion by Goodweiler, second by Ellyson to approve Resolution 1731. AYES: Goodweiler, Ellyson, Pierce, Stoolman, Miller. NAYS: None. Motion carried.

### Resolution 1733 – Approve Cedar’s Edge Club House and Event Center Site Plan. /Move to action.

Brian Boelk, Axiom Consultants, LLC (on behalf of Jerry Sexton and Erin Morrison-Vincent who was absent from the meeting), presented Cedar’s Edge Golf Course Clubhouse and Event Center Site Plan that was approved by the Planning & Zoning Commission on July 24, 2018. Boelk reviewed the site plan which includes a new clubhouse/event center, paved parking, private & city street access from Cedar-Johnson Road, modifications to three holes and greens and a new storm water retention basin (relocated). Boelk explained that the residential lots shown on the site plan was a future phase of the project.

Miller asked questions related to the relocation of the access to the property and raised the question of who would be responsible for the street maintenance or improvements. Laughlin said the City would maintain the current surface with no immediate plans for improvements. Boelk confirmed that during the construction on the new clubhouse/event center, the current road would be used and the new access would be constructed later in the project which is approximately five hundred feet north of the existing roadway. The Council discussed other items listed on the site plan regarding the housing, but determined that could be discussed at a later time.

Motion by Pierce, second by Goodweiler to approve Resolution 1733. AYES: Pierce, Goodweiler, Stoolman, Miller, Ellyson. NAYS: None. Motion carried.

### Resolution 1732 – Approving the preliminary plat The Meadows Subdivision, Part 4 on the west side of West Branch. /Move to action.

Brian Boelk, Axiom Consultants LLC, presented The Meadows, Part 4 preliminary plat which consists of 57 residential lots with a mix of R-1 (single family) and R-2 (two family). Boelk identified the existing sewer line that will need to be replaced as part of the project due to its condition and infiltration issues. He continued identifying other items such as a connection to Cedar-Johnson Road (via Gilbert Drive extension) to provide access from Bickford and Greenview developments should the City reconstruct Cedar-Johnson Road in the future. Boelk said Outlot B would be dedicated to the City upon completion of a graded trail as agreed upon to fulfill the park space requirement in the subdivision rules. In addition, Boelk identified where street lighting, mid-block crossing and location of mailbox clusters would be located. Boelk also said a connection to Greenview was discussed but removed from the preliminary plat after discussions with Planning & Zoning and it was determined that it was not needed between lots thirty six (36) and thirty seven (37). A connection to Greenview is however anticipated further east on Gilbert. Boelk said he has initiated the rezoning process with the deputy clerk for the R-2 lots. Eric Gould, Veenstra & Kimm spoke on behalf of Dave Schechinger, City Engineer that his remaining comments on the preliminary plat were in regard to storage calculations on Outlot A & B and prior discussions on a pedestrian crossing on Main Street that would connect to the high school and Dawson Drive. The council discussed this topic and determined that the City would need to be revisited, but didn’t feel it should stall this project.

Motion by Goodweiler, second by Miller to approve Resolution 1732. AYES: Goodweiler, Miller, Ellyson, Stoolman, Pierce. NAYS: None. Motion carried.

Discussion Item: Comp Time Policy for the Exempt Employees

Jones presented a draft comp time policy which included policy samples from a few other Iowa cities. Jones explained that as part of the FY19 budget process, department directors that were previously hourly, were moved to a salaried/exempt form of pay. Directors were given a pay increase for the change in status effective July 1, 2018. Jones said the city's current employee handbook lacked a policy to compensate exempt employees for working occasional excess hours and felt that a policy should be adopted to create fairness of the extra hours worked in the form of time-off or the option of a payout. The council had mixed feeling on providing an additional benefit to the salary/exempt employees since they were compensated monetarily with the recent salary increase. Several of the members mentioned that they were salary in the full-time positions and that most did not receive comp time, but managed their time accordingly to offset the extra hours. Jones responded that after directors were given the draft policy for review, they did prefer a flex-time policy (use it or lose it). But Jones said the employee handbook lacked that as well. The council requested Jones to provide other options for their review.

**CITY ADMINISTRATOR REPORT**

Jones reported on the activities of the waste water task force and said several options have been explored including, Land Application, Eco Park, Wetland Mitigation Center, Algae Treatment and Reuse. Jones said Veenstra & Kimm is working on the waste water treatment plan.

**CITY ATTORNEY REPORT**

Olson reported that legal descriptions have been sent to Cedar County for the Croell Redi Mix relocation project and the county is requiring that a survey be done on the property. Olson also reminded the Council that he would be going to court next week regarding a nuisance property in West Branch.

**STAFF REPORTS**

No reports were provided.

**COMMENTS FROM MAYOR AND COUNCIL MEMBER**

Laughlin reported that there will be a Cedar County Great Places meeting in Tipton on August 21<sup>st</sup> in which Park & Rec Director Melissa Russell will attend. Cedar County has been named a Great Place which allows grant funds available for certain projects.

Pierce requested an update on Cubby Park.

**ADJOURNMENT**

Motion to adjourn by Miller, second by Goodweiler. Motion carried on a voice vote. City Council meeting adjourned at 9:01 p.m.

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Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, Deputy City Clerk



**REQUEST FOR COUNCIL CONSIDERATION**

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Motion to Approve</b> the Implementation of the newly developed “Block Party Permit Application.
<b>CITY GOAL:</b>	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
<b>PREPARED BY:</b>	Leslie Brick, Deputy City Clerk
<b>DATE:</b>	August 30, 2018

**BACKGROUND:**

There has been several recent Block Party type events. City Council was under the impression that the City held / used an Application form, which we did not. In order to streamline our “Block Party Permit” process an Application was developed. This application and process is similar to our “Special Event Permit” process.

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

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**BLOCK PARTY PERMIT APPLICATION**

A block party is defined as an event open to a specific/defined neighborhood or area; where no admission fee is charged for attendance; where alcoholic beverages are not sold or where no entrance fee or admission is charged for service of alcoholic beverages; where a street closure, if necessary, shall not exceed six (6) hours; where the use of portable restroom facilities is not necessary.

Any and all requests for temporary street closings require approval by the West Branch City Council.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Street(s) requested to be temporarily closed for block party, including termination points:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(example: Main Street between 1<sup>st</sup> Avenue and 3<sup>rd</sup> Avenue)

Date(s) Requested for Block Party

Alternate Date(s) Requested

\_\_\_\_\_

\_\_\_\_\_

Start Time of Block Party

End Time of Block Party

\_\_\_\_\_

\_\_\_\_\_

Will there be outdoor, live or amplified music? Y/N

If "yes", please be aware of noise provisions in West Branch Code of Ordinances, Chapter 40.03(2).

Have all neighbors within the enclosed area and/or impacted area been notified of the temporary street closure for the event? Y/N

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**City Barricade Requirements**

A \$50 refundable deposit is required for the use of barricades. All block parties within the City of West Branch are required to use barricades provided by the City of West Branch. The West Branch Public Works Department will deliver barricades on the weekday prior to the block party at the address provided. Please return the barricades to the same address to be picked up the first work day following the block party. The barricade deposit shall be refunded at the sole discretion of the City of West Branch. Submit a check for \$50, made payable to the City of West Branch and mail it to: City of West Branch, PO Box 218, West Branch, IA 52358 or drop it off at the City Office at 110 N. Poplar Street, West Branch, IA.

**I Agree:**

I have been advised of the requirements for a Block Party Permit and agree to meet all requirements established by the City of West Branch. Furthermore, I understand that if all requirements are not met, the Block Party Permit can be cancelled by the City of West Branch at any time, including at the start of or during the event. In the event that an organization is the applicant, I hereby certify, that I have the legal authority to represent the applicant and/or the participants, and that I have read the above requirements, understand the provisions, and freely and voluntarily sign it. I further understand that the City Council of the City of West Branch had the authority to grant or deny for this event.

I further voluntarily assume all risk of loss, damage, or injury that may be sustained by me or my guests while participating in, traveling from, or observing any of the events that are part of the block party, and I hereby release the City of West Branch and all its offices, elected officials, employees, and other agents from any and all liability associated with the block party.

All picnic tables, inflatables, etc. must be placed on ONE side of the street within the approved temporary street closing area in the event that emergency vehicle access is needed.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

For Office Use Only:	
Date Application Received:	_____
City Council Meeting Date:	_____
City Council Action:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Date Applicant Notified:	_____
Barricade Fee \$50.00 (refundable) Paid:	_____      Date Refunded: _____

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**REQUEST FOR COUNCIL CONSIDERATION**

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Motion to Approve</b> a Special Event Permit Application for the “Fall Festival” (Kevin Rogers – Main Street West Branch requesting).
<b>CITY GOAL:</b>	Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
<b>PREPARED BY:</b>	Leslie Brick, Deputy City Clerk
<b>DATE:</b>	August 30, 2018

**BACKGROUND:**

A fun-filled weekend celebrating the fall season. Pumpkin decorating, kids crafts, hay rack rides, a chili cook off, a good old fashioned bonfire Friday night, an Art Mart, and historic tours Saturday, are only a part of this family-friendly weekend.

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

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**Special Event Permit Application**

Event Title/Name: Fall Festival

Event Organization: West Branch CDG Phone: 319.643.7100

Organization Address: 111 E. Main Tax ID #: 1160007326

City: West Branch State: IA Zip Code: 52358

Event Website: mainstreetwestbranch.org/Events Event Email: mainstreetwestbranch@gmail.com

Event Coordinator Name and Title: Kevin Rogers

Event Coordinator Email: mainstreetwestbranch@gmail.com

Event Coordinator Cell Number: 319.3298186

Event Coordinator Address: 111 East M.

City: West Branch State: IA Zip Code: 52358

Description of Event: Family-Fun event celebrating the Fall Season. Chili Cook-Off, Scarecrow decorating contest, Pumpkin Decorating and kids crafts, and hay rack rides, and shopping galore (10 A.M. to 4:30 P.M.) Local beverage establishments are participating (5 P.M. to 12 A.M.) by booking their own bands.

Requested Location(s) -All city facilities will also need to be reserved using the Facility Request Form. If there is a request to shut down a street, a traffic control plan including detour route drawing needs to be submitted.  
**All Family Events (A.M. early P.M.) will be centrally located in Heritage Square.**

Event set up will begin: <small>(date, day of the week and time)</small>	Event will begin: <small>(date, day of the week, and time)</small>	Event will end: <small>(date, day of the week, and time)</small>	Removal and clean-up will be completed: <small>(date, day of the week, and time)</small>
8 A.M.	10 A.M.	5 P.M.	7 P.M.

Maximum Number of Participants: 300 Maximum Number of Vehicles: 100-150

Will there be an admission fee? \_\_\_\_\_ What is the admission fee? \$0

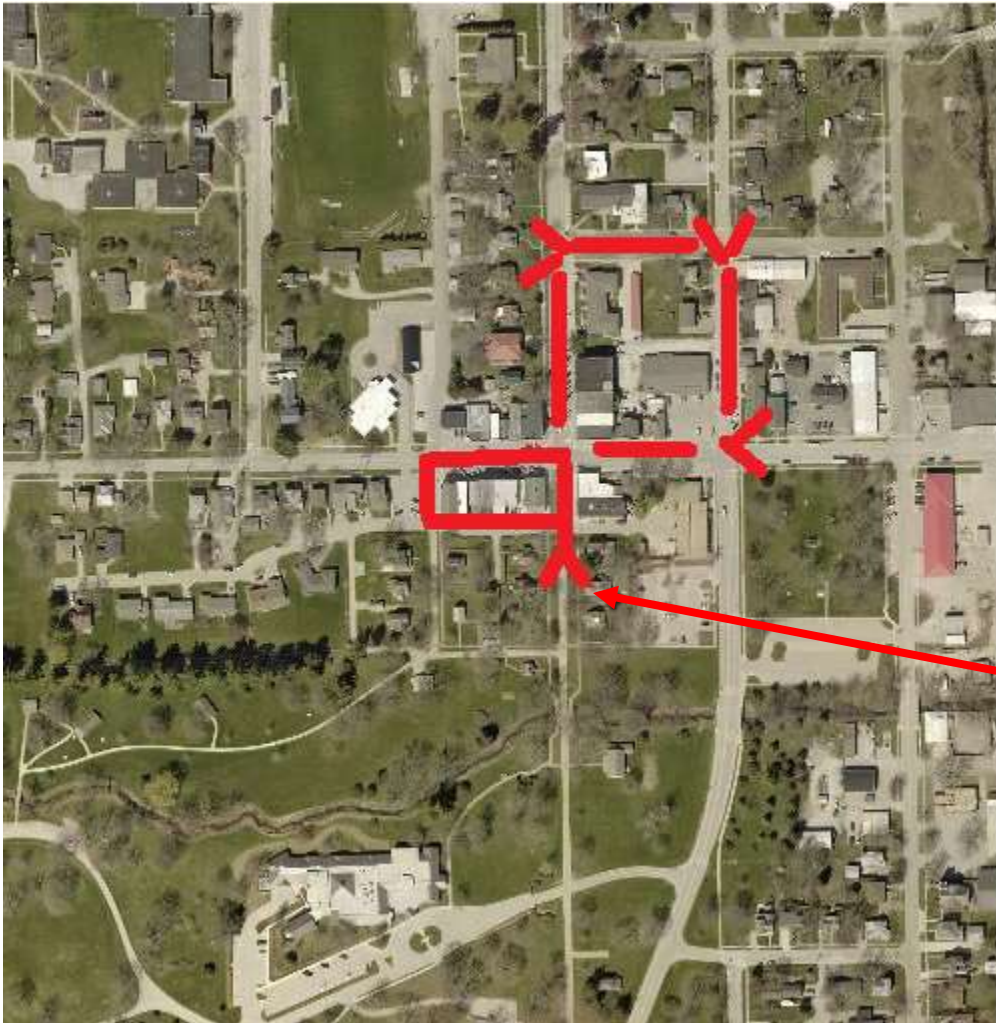
Will food be sold? Yes Organizers are responsible for making sure vendors have secured the appropriate permits.

Will alcohol be permitted or sold? No Organizers are responsible for insuring all permits have been obtained and all laws and regulations are followed.

Has all approval from non-city agencies (such as NPS, Johnson County, Cedar County, WBCSD) been granted? \_\_\_\_\_  
 Please list other agencies involved. --

Traffic Control Plan (please attach diagram): No plan to alter general traffic flow for this event.

— POPULAR  
— DISCREET



— WEST MAIN

**START / END  
HERITAGE  
SQUARE**



Public Notification Plan: NA

Amplified Sound/Noise Plan: Will be using a small microphone and amplifier system for general and occasional announcements.

Site Plan/Race Course Map (please attach diagram): (Tractor route attached)

Security Plan: At this time it is believed that security is not needed for this event.

Restoration Plan: --

Trash Management Plan: CDG will provide trash containers for the event. Trash will be disposed on in local merchants trash contains. City trash containers likely be used as well.

Restroom Plan: Local merchants will provide restroom facilities.

Signs/Banner Plan: Minimal if any

Insurance policy: (Application submitted.

Signature:  Date: 8-10-18

**\*\*\*\*By signing this form, you are agreeing that you have read the attached guidelines and agree with each as stated.**

**Return completed form to: West Branch City Office, PO Box 218 or 110 N. Poplar St., West Branch, IA 52358.**

**Please contact Parks and Recreation Director Melissa Russell with any questions 319-930-0393 or [melissa@westbranchiowa.org](mailto:melissa@westbranchiowa.org).**

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## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Motion to Approve</b> the Claims Report
<b>CITY GOAL:</b>	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
<b>PREPARED BY:</b>	Gordon Edgar, Finance Director
<b>DATE:</b>	August 31, 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.

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

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**EXPENDITURES**

9/4/2018

BRET F STOUT	STREET PATCH & PARKING PATCH	7,774.00
CENTRAL IOWA DISTRIBUTING	JANITORIAL SUPPLIES	358.75
CHIEF SUPPLY CORPORATION	TOOLS	52.00
CITY OF NORTH LIBERTY	DAY CAMP ACTIVITY-SWIMMING	126.00
ECONO SIGNS LLC	SIGNS	1,102.02
EMERGENCY MEDICAL PRODUCT	MEDICAL SUPPLIES	180.84
HAWKINS INC	HAWKINS INC	508.30
INTERSTATE POWER SYSTEMS INC	GENERATOR MAINTENANCE	563.48
IOWA DEPARTMENT OF PUBLIC SAFETY	WARRANTS & ARTICLES SYSTEM	1,200.00
IOWA ONE CALL	LOCATION SERVICE	90.90
JOHN DEERE FINANCIAL	UNIFORMS, SUPPLIES	397.03
JOHNSON COUNTY REFUSE INC.	RECYCLING JULY 2018	4,496.25
KLUESNER CONSTRUCTION INC	STREET REPAIR	11,440.64
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,278.74
LYNCH'S EXCAVATING INC	REPAIR STORM SEWER-ELEMENTARY	1,965.80
MEDIACOM	MEDIACOM	40.90
MENARDS	TOOLS, BUILDING SUPPLIES	108.73
MISCELLANEOUS VENDOR	B WORRELL:TEMP EASEMENT	830.00
MUNICIPAL SUPPLY INC.	WATER METERS & ACCESSORIES	4,519.28
OASIS ELECTRIC LLC	HHTD EQUIP RENTAL& ELEC REPAIR	809.74
PATRICK HYDE	BUILDING INCENTIVE REIMBURSEME	516.02
PLUNKETT'S PEST CONTROL INC	PEST CONTROL	95.18
QUILL CORP	OFFICE SUPPLIES	162.88
THE IOWA CHILDREN'S MUSEUM	CAMP ACTIVITY	128.00
UNITED STATES GEOLOGICAL SURVEY	STREAMGAGING SURVEY 2017	13,740.00
VEENSTRA & KIMM INC.	ZONING MAP UPDATES	3,034.74
VEENSTRA & KIMM INC.	GOLF COURSE DEVELOPMENT REVIEW	172.00
VEENSTRA & KIMM INC.	COLLEGE ST BRIDGE FINAL DESIGN	928.60
VEENSTRA & KIMM INC.	MEADOWS PART 3 CONCEPT REVIEW	1,204.00
VEENSTRA & KIMM INC.	LOT SITE PLAN REVIEW	516.00
WATER SOLUTIONS UNLIMITED	PHOSPATE	2,515.00
WEST BRANCH TIMES	ADVERTISING	150.00

<b>TOTAL</b>		<b>61,005.82</b>
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**PAYROLL**

8/24/2018

56,029.98

**PAID BETWEEN MEETINGS**

JULIA HIME	VIDEOGRAPHY SERVICES	100.00
REBECCA KNOCHE	VIDEOGRAPHY SERVICES	150.00
VERIZON WIRELESS	WIRELESS SERVICE	873.16

<b>TOTAL</b>		<b>1,123.16</b>
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**GRAND TOTAL EXPENDITURES**

118,158.96

<b>FUND TOTALS</b>	
001 GENERAL FUND	35,616.01
022 CIVIC CENTER	90.77
031 LIBRARY	5,253.88
110 ROAD USE TAX	15,788.31
112 TRUST AND AGENCY	13,643.61
310 COLLEGE STREET BRIDGE	1,758.60
600 WATER FUND	15,963.61
610 SEWER FUND	7,154.37
740 STORM WATER UTILITY	22,889.80
<b>GRAND TOTAL</b>	<b>118,158.96</b>



DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
POLICE OPERATION	GENERAL FUND	CHIEF SUPPLY CORPORATION	TOOLS	52.00
		QUILL CORP	OFFICE SUPPLIES	29.99
		LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	254.09
		IOWA DEPARTMENT OF PUBLIC SAFETY	WARRANTS & ARTICLES SYSTEM	1,200.00
			TOTAL:	1,536.08
FIRE OPERATION	GENERAL FUND	LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	100.46
		EMERGENCY MEDICAL PRODUCTS INC.	MEDICAL SUPPLIES	180.84
			TOTAL:	281.30
PARK & RECREATION	GENERAL FUND	LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	152.86
		CITY OF NORTH LIBERTY	DAY CAMP ACTIVITY-SWIMMING	126.00
		THE IOWA CHILDREN'S MUSEUM	CAMP ACTIVITY	128.00
			TOTAL:	406.86
COMM & CULTURAL DEVEL	GENERAL FUND	OASIS ELECTRIC LLC	HFTD EQUIP RENTAL& ELEC RE	809.74
			TOTAL:	809.74
ECONOMIC DEVELOPMENT	GENERAL FUND	WEST BRANCH TIMES	ADVERTISING	150.00
		PATRICK HYDR	BUILDING INCENTIVE REIMBUR	516.02
			TOTAL:	666.02
CLERK & TREASURER	GENERAL FUND	QUILL CORP	OFFICE SUPPLIES	132.89
		PLUNKETT'S PEST CONTROL INC	PEST CONTROL	47.59
		LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	323.57
			TOTAL:	504.05
SOLID WASTE	GENERAL FUND	JOHNSON COUNTY REFUSE INC.	RECYCLING JULY 2018	3,871.25
			GARBAGE STICKERS	625.00
			TOTAL:	4,496.25
LOCAL CABLE ACCESS	GENERAL FUND	LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	64.95
		MEDIACOM	MEDIACOM	40.90
			TOTAL:	105.85
COMMISSION	GENERAL FUND	VEENSTRA & KIMM INC.	ZONING MAP UPDATES	3,034.74
			P & Z - GOLF COURSE DEV RE	172.00
			P&Z -MEADOWS PT3 CONCEPT R	1,204.00
			P & Z - LOT SITE PLAN REVI	516.00
			TOTAL:	4,926.74
TOWN HALL	CIVIC CENTER	PLUNKETT'S PEST CONTROL INC	PEST CONTROL	47.59
		LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	43.18
			TOTAL:	90.77
LIBRARY	LIBRARY	LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	186.17
			TOTAL:	186.17
ROADS & STREETS	ROAD USE TAX	MENARDS	TOOLS, BUILDING SUPPLIES	108.73
		CENTRAL IOWA DISTRIBUTING INC.	JANITORIAL SUPPLIES	388.75
		JOHN DEERE FINANCIAL	UNIFORMS, SUPPLIES	239.06
		LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	51.15
		BRET F STOUT	STREET PATCH & PARKING PAT	590.00
		KJUESNER CONSTRUCTION INC	STREET REPAIR	11,440.64
			TOTAL:	12,788.33

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
INVALID DEPARTMENT	COLLEGE STREET BRI VEENSTRA & KIMM INC.		310-COL ST BRIDGE FINAL DE	928.60
	MISCHELLANECUS V B WORRELL		B WORRELL;TEMP EASEMENT	500.00
	S DRILLA		C & B BARRETT;TEMP EASEMEN	00
	C & B BARRETT		C & B BARRETT;TEMP EASEMEN	00
			TOTAL:	60
WATER OPERATING	WATER FUND	IOWA ONE CALL	LOCATION SERVICE	45
		MUNICIPAL SUPPLY INC.	WATER METERS & ACCESSORIES	82
			WATER METERS	46
		HAWKINS INC	HAWKINS INC	30
		WATER SOLUTIONS UNLIMITED INC.	PHOSPATE	00
		JOHN DEERE FINANCIAL	UNIFORMS, SUPPLIES	97
		LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	15
		SCONO SIGNS LLC	SIGNS	02
			TOTAL:	17
SEWER OPERATING	SEWER FUND	IOWA ONE CALL	LOCATION SERVICE	45
		LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	16
		INTERSTATE POWER SYSTEMS INC	GENERATOR MAINTENANCE	48
			TOTAL:	09
STORM WATER UTILITY	STORM WATER UTILITY	LYNCH'S EXCAVATING INC	REPAIR STORM SEWER-ELEMENT	80
		UNITED STATES GEOLOGICAL SURVE	UNITED STATES GEOLOGICAL S	00
		BRET F STOUT	STREET PATCH & PARKING PAT	00
			TOTAL:	80

FUND TOTALS	AMOUNT
001 GENERAL FUND	13
022 CIVIC CENTER	
031 LIBRARY	
110 ROAD USE TAX	12
310 COLLEGE STREET BRIDGE	1
600 WATER FUND	6
610 SEWER FUND	
740 STORM WATER UTILITY	22
GRAND TOTAL:	61



**REQUEST FOR COUNCIL CONSIDERATION**

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>First Reading, Ordinance 759</b> – Amending Chapter 122 – Peddlers, Solicitors and Transient Merchants.
<b>CITY GOAL:</b>	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
<b>PREPARED BY:</b>	Leslie Brick, Deputy City Clerk
<b>DATE:</b>	August 30, 2018

**BACKGROUND:**

Deputy Clerk Brick has compared our current process for evaluating and issuing peddler permit applications to 3 other surrounding cities. During this review, other cities were noted that their practices were more thorough than our current process.

Items listed in **RED (see attached)** represents new information to collect before issuing permits to individuals that are not familiar to the City. By collecting additional information from the applicant will increase public safety.

By the addition of the recommended changes, no changes to the ordinance will be needed.

<b>STAFF RECOMMENDATION:</b>	Approve the First Reading – Move to Action
<b>REVIEWED BY CITY ADMINISTRATOR:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

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## Permit Application

Permit I am applying for:

**Peddler**

Carrying goods for immediate sale from house to house or upon the public street

**Solicitor**

Sale of goods for future delivery or solicitation of contributions from house to house or upon public street

**Transient\*\* Merchant**

Temporary merchandising or conducting business out of a vehicle parked within the City limits

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### Applicant Information: (please print)

Full Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Current Address: \_\_\_\_\_

Permanent Address: \_\_\_\_\_

### **Vehicle Information:**

Make \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_ Color \_\_\_\_\_

License Plate # \_\_\_\_\_ State \_\_\_\_\_

Have you had a municipal license in the City of West Branch before?  Yes  No

Have you been convicted of or plead guilty to any felony, misdemeanor, or other crime?  Yes  No

If yes, list the date(s) and nature of the charge(s): \_\_\_\_\_

Do you have any such charges pending now?  Yes  No If yes, give full details \_\_\_\_\_

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As part of the application, each applicant shall provide an Iowa criminal history which shall be dated within one year of the application and shall be provided at the sole expense of the applicant. Criminal histories from other states may also be required. See page 2.

\*\*Transient Merchants must supply a copy of the bond filed with the Iowa Secretary of State before a permit will be issued.

Please complete all of the above information prior to signing the application. Incomplete or unsigned applications will be denied.

**Business Information:**

If the employer is a corporation, the state of its incorporation whether it is authorized to do business in Iowa, and evidence that the corporation has designated a resident agent in the City upon whom legal service may be made aware and who will be responsible for the acts of its employees in the City must be submitted with the application.

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Supervisor Name: \_\_\_\_\_ Email: \_\_\_\_\_

Business Phone: \_\_\_\_\_

Nature of business: \_\_\_\_\_

Products or Services to be sold: \_\_\_\_\_

Last three (3) cities and dates in which applicant engaged in similar activity:

1. City \_\_\_\_\_ Date(s) \_\_\_\_\_ Permit Issued Y / N

2. City \_\_\_\_\_ Date(s) \_\_\_\_\_ Permit Issued Y / N

3. City \_\_\_\_\_ Date(s) \_\_\_\_\_ Permit Issued Y / N

**Additional requirements:**

1. If a new applicant resided outside of Iowa anytime during the five years before applying, the person must also obtain, at his or her own expense, a copy of his or her current criminal history and a certified copy of his or her driving record from each state of residence during the prior five years.
2. Each applicant must provide a list of all convictions and guilty pleas for criminal offenses, other than traffic offenses, during the ten years immediately preceding the date of the application.

Please note: the process to obtain one or more of the above reports may take between two and six weeks.

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I, the undersigned applicant, hereby swear that I will comply with all local, state, and federal laws when conducting the business enterprise described herein and that all information contained in this application is true. I am aware that statements given on this application are subject to investigation and verification. I understand that a permit shall be denied if the information provided on this application proves to be a misrepresentation of the facts. I further release the City of West Branch, Iowa, its official, agents or employees from any liability or damages which result from verifying the accuracy and reliability of the information contained on this application.

Signature of Applicant: \_\_\_\_\_ Date \_\_\_\_\_

For Office Use Only

Permit Application Attachment Checklist

- |   |   |
|---|---|
| <input type="checkbox"/> Completed and signed application                 | <input type="checkbox"/> Application fee (non-refundable) \$10.00 |
| <input type="checkbox"/> Copy of driver's license or ID                   | Permit Fee  |
| <input type="checkbox"/> Criminal history report(s)                       | <input type="checkbox"/> 1 day \$10                               |
| <input type="checkbox"/> Certified copy of driving record(s), if required | <input type="checkbox"/> 1 week \$25                              |
| <input type="checkbox"/> Evidence of bond (for transient merchants only)  | <input type="checkbox"/> 6 months \$ 100                          |
|   | <input type="checkbox"/> 1 year or major part thereof \$175       |

For Clerk's Use Only

Result of investigation: \_\_\_\_\_

Permit was  denied  issued on \_\_\_\_\_ and expires \_\_\_\_\_

Permit was  unpaid  paid on \_\_\_\_\_ by cash  check # \_\_\_\_\_  credit card

Permit fee refunded upon license denial by  cash  check # \_\_\_\_\_

Signature of City Clerk \_\_\_\_\_ Date \_\_\_\_\_

## CHAPTER 122

# PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS

122.01 Purpose	122.10 Time Restriction
122.02 Definitions	122.11 Revocation of License
122.03 License Required	122.12 Notice
122.04 Application for License	122.13 Hearing
122.05 License Fees	122.14 Record and Determination
122.06 Bond Required	122.15 Appeal
122.07 License Issued	122.16 Effect of Revocation
122.08 Display of License	122.17 License Exemptions
122.09 License Not Transferable	122.18 Charitable and Nonprofit Organizations

**122.01 PURPOSE.** The purpose of this chapter is to protect residents of the City against fraud, unfair competition and intrusion into the privacy of their homes by licensing and regulating peddlers, solicitors and transient merchants.

**122.02 DEFINITIONS.** For use in this chapter the following terms are defined:

1. "Peddler" means any person carrying goods or merchandise who sells or offers for sale for immediate delivery such goods or merchandise from house to house or upon the public street.
2. "Solicitor" means any person who solicits or attempts to solicit from house to house or upon the public street any contribution or donation or any order for goods, services, subscriptions or merchandise to be delivered at a future date.
3. "Transient merchant" means any person who engages in a temporary or itinerant merchandising business and in the course of such business hires, leases or occupies any building or structure whatsoever, or who operates out of a vehicle which is parked anywhere within the City limits. Temporary association with a local merchant, dealer, trader or auctioneer, or conduct of such transient business in connection with, as a part of, or in the name of any local merchant, dealer, trader or auctioneer does not exempt any person from being considered a transient merchant.

**122.03 LICENSE REQUIRED.** Any person engaging in peddling, soliciting or in the business of a transient merchant in the City without first obtaining a license as herein provided is in violation of this chapter.

**122.04 APPLICATION FOR LICENSE.** An application in writing shall be filed with the Clerk for a license under this chapter. Such application shall set forth the applicant's name, permanent and local address and business address if any. The application shall also set forth the applicant's employer, if any, and the employer's address, the nature of the applicant's business, the last three places of such business and the length of time sought to be covered by the license.

**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~~ \$ 25.00
- 2. For one week..... ~~\$ 25.00~~ \$ 50.00
- 3. For up to six (6) months..... \$ 100.00
- 4. For one year or major part thereof..... \$ 175.00

**122.06 BOND REQUIRED.** Before a license under this chapter is issued to a transient merchant, an applicant shall provide to the Clerk evidence that the applicant has filed a bond with the Secretary of State in accordance with Chapter 9C of the Code of Iowa.

**122.07 LICENSE ISSUED.** If the Clerk finds the application is completed in conformance with the requirements of this chapter, the facts stated therein are found to be correct and the license fee paid, a license shall be issued immediately.

**122.08 DISPLAY OF LICENSE.** Each solicitor or peddler shall keep such license in possession at all times while doing business in the City and shall, upon the request of prospective customers, exhibit the license as evidence of compliance with all requirements of this chapter. Each transient merchant shall display publicly such merchant's license in the merchant's place of business.

**122.09 LICENSE NOT TRANSFERABLE.** Licenses issued under the provisions of this chapter are not transferable in any situation and are to be applicable only to the person filing the application.

**122.10 TIME RESTRICTION.** All peddler's and solicitor's licenses shall provide that said licenses are in force and effect only between the hours of eight o'clock (8:00) a.m. and six o'clock (6:00) p.m.



1. **Fraudulent Statements.** The licensee has made fraudulent statements in the application for the license or in the conduct of the business.
2. **Violation of Law.** The licensee has violated this chapter or has otherwise conducted the business in an unlawful manner.
3. **Endangered Public Welfare, Health or Safety.** The licensee has conducted the business in such manner as to endanger the public welfare, safety, order or morals.

**122.12 NOTICE.** The Clerk shall send a notice to the licensee at the licensee's local address, not less than ten (10) days before the date set for a hearing on the possible revocation of a license. Such notice shall contain particulars of the complaints against the licensee, the ordinance provisions or State statutes allegedly violated, and the date, time and place for hearing on the matter.

**122.13 HEARING.** The Clerk shall conduct a hearing at which both the licensee and any complainants shall be present to determine the truth of the facts alleged in the complaint and notice. Should the licensee, or authorized representative, fail to appear without good cause, the Clerk may proceed to a determination of the complaint.

**122.14 RECORD AND DETERMINATION.** The Clerk shall make and record findings of fact and conclusions of law, and shall revoke a license only when upon review of the entire record the Clerk finds clear and convincing evidence of substantial violation of this chapter or State law.

**122.15 APPEAL.** If the Clerk revokes or refuses to issue a license, the Clerk shall make a part of the record the reasons therefor. The licensee, or the applicant, shall have a right to a hearing before the Council at its next regular meeting. The Council may reverse, modify or affirm the decision of the Clerk by a majority vote of the Council members present and the Clerk shall carry out the decision of the Council.

**122.16 EFFECT OF REVOCATION.** Revocation of any license shall bar the licensee from being eligible for any license under this chapter for a period of one year from the date of the revocation.

**122.17 LICENSE EXEMPTIONS.** The following are excluded from the application of this chapter.

1. **Newspapers.** Persons delivering, collecting for or selling subscriptions to newspapers.

2. Club Members. Members of local civic and service clubs, Boy Scout, Girl Scout, 4-H Clubs, Future Farmers of America and similar organizations.
3. Local Residents and Farmers. Local residents and farmers who offer for sale their own products.
4. Students. Students representing the local School Districts conducting projects sponsored by organizations recognized by the school.
5. Route Sales. Route delivery persons who only incidentally solicit additional business or make special sales.
6. Resale or Institutional Use. Persons customarily calling on businesses or institutions for the purposes of selling products for resale or institutional use.

**122.18 CHARITABLE AND NONPROFIT ORGANIZATIONS.**

Authorized representatives of charitable or nonprofit organizations operating under the provisions of Chapter 504A of the Code of Iowa desiring to solicit money or to distribute literature are exempt from the operation of Sections 122.04 and 122.05. All such organizations are required to submit in writing to the Clerk the name and purpose of the cause for which such activities are sought, names and addresses of the officers and directors of the organization, the period during which such activities are to be carried on, and whether any commissions, fees or wages are to be charged by the solicitor and the amount thereof. If the Clerk finds that the organization is a bona fide charity or nonprofit organization the Clerk shall issue, free of charge, a license containing the above information to the applicant. In the event the Clerk denies the exemption, the authorized representatives of the organization may appeal the decision to the Council, as provided in Section 122.15 of this chapter.



## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Discussion Item:</b> A Compensatory Time (Comp Time) Policy for Exempt Employees (Employees not eligible for overtime).
<b>CITY GOAL:</b>	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
<b>PREPARED BY:</b>	Redmond Jones II, City Administrator
<b>DATE:</b>	August 30, 2018

### BACKGROUND:

This item is related to the budgetary decision to address soring over-time budget(s) of our department directors. City Council approved moving the city's department directors away from an hourly pay system (non-exempt), to a salaried pay system (exempt).

Moving department directors into an exempt system created situations where directors could find themselves engaged with into extra ordinary operation needs and demand for their time, but have no additional benefit of time or pay. Changing from overtime hourly wages to non-overtime salary could create burdens for directors who provide direct services and administrative direction. For this reason, I am proposing a comp time policy that allows for flexing time within a pay-period only. Unless granted comp time which will not have a payout and must be used within the current fiscal year.

<b>STAFF RECOMMENDATION:</b>	Seek Direction
<b>REVIEWED BY CITY ADMINISTRATOR:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

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## **Proposed West Branch Policy**

### **COMP TIME**

*The City of West Branch has an established overtime policy for Non-Exempt Employees (overtime-eligible employees). The Compensatory time (Comp Time) policy is only eligible for Exempt Employees (non-overtime eligible employees).*

Exempt employees are expected to work whatever hours are necessary in order to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations, and for reasons of public accountability, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means that they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of the work performed. Additionally, exempt employees receive their full weekly salary for any week in which any work is performed. Exempt employees must be considered to be a director or in some form of management. Exempt employees are allowed to flex their hours during a pay period, but will not be able to flex hours that would be used in future pay periods. Flex hours do not roll over. Instead the only hours that would be allowed to be earned and used from different pay periods are hours that are “Comp hours” that are banked. In order to gain banked Comp hours they must be requested and approved by the City Administrator.

Comp time will be granted for extra ordinary, or unforeseen operational demands that occur for reasons outside of the director’s control. Examples of such events could be, but are not limited to: Covering Duties for Unforeseen Employee Departures, Major Workload Increases for Reasons Unforeseen, Major Weather Events or Emergency Management Crisis, and/or Other High Profile Event that require an absorbent amount of hours to respond to.

Comp time can be banked but cannot exceed 80 hours annually. Banked hours are encouraged to be used in times of slowdowns in business operations. Banked Comp time hours cannot be rolled from one fiscal year to the next. If they are not used, they will be lost / forfeited. These hours will have no cash value.

Adopted: \_\_\_\_\_, 2018



## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Discussion Item:</b> Consideration to Design and Locate Downtown West Branch of an Electric Car Recharge Station.
<b>CITY GOAL:</b>	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
<b>PREPARED BY:</b>	Roger Laughlin, Mayor
<b>DATE:</b>	August 30, 2018

**BACKGROUND:**

In 2017 over 2 million Electric Vehicles (EVs) were driving worldwide. By 2020 over 103 new EV models will be available on the market from all of the major car producers - Nissan, Renault, BMW, Mercedes, Volkswagen, Peugeot, Skoda - and more. Prices continue to drop while range increases. Bloomberg New Energy Finance predicts that before 2040 sales of EVs will overtake those of combustion engine vehicles.

West Branch is designated as a Smart Cities: Smart cities are places where objects and infrastructure are networked and able to communicate with each other, thus increasing the ability to monitor, control, and connect them. EVs have onboard GPS, software, and batteries that can easily network with other devices, creating many more opportunities for cities to become smarter and use these advantages to create economic development opportunities within the community.

### VOLKSWAGEN'S CONTRIBUTION TO IOWA

As required in the first partial settlement, Volkswagen must pay a total of \$2.9 billion into an Environmental Mitigation Trust (Trust) to fund defined eligible mitigation actions that will reduce nitrogen oxides emissions. Each beneficiary will receive an allocation based on the number of registered subject vehicles within its boundaries. Iowa’s allocation from this settlement totals \$20,179,540.80. The second partial settlement requires Volkswagen to contribute an additional \$225 million to the Trust. The State of Iowa’s portion of this contribution is \$1,022,196.90, which brings Iowa’s total Trust allocation to \$21,201,737.70

This could provide opportunities to pursue grants that would allow us to continue to be on the cutting edge of smart communities.

<b>STAFF RECOMMENDATION:</b>	Seek Direction
<b>REVIEWED BY CITY ADMINISTRATOR:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

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**REQUEST FOR COUNCIL CONSIDERATION**

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Discussion Item:</b> Consider obtaining the road way as a “Public Road” into Beranek Park.
<b>CITY GOAL:</b>	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
<b>PREPARED BY:</b>	Roger Laughlin, Mayor
<b>DATE:</b>	August 30, 2018

**BACKGROUND:**

This has been a long standing issue. There has been attempts in the past, but it remains that Beranek has worst access than any other park in the city. With no sidewalks and road ways that are severely detreated it is becoming hazardous to some just to walking to the park.

<b>STAFF RECOMMENDATION:</b>	Seek Direction
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<b>REVIEWED BY CITY ADMINISTRATOR:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

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## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Discussion Item:</b> Consider Authorizing the Use of Facebook as an Additional City Information Site and Link to the City Web Site.
<b>CITY GOAL:</b>	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
<b>PREPARED BY:</b>	Leslie Brick, Deputy City Clerk
<b>DATE:</b>	August 30, 2018

### BACKGROUND:

As per request of City Council, staff has developed a City Facebook page to push information to our residents. Attached is a list of topics that can be posted and others if the Council desires. Posts that require the visitor to obtain additional information on a particular subject, will them to our website (via a quick link). Our website hosts forms, in-depth information on particular subjects as well as other important information. The Facebook page is not intended to replace the website, just direct more visitors.

The Administrator of this page will be myself and any other staff the Council directs. The intent is to have (at least) weekly posts to keep residents informed of City activities.

A message will be added to the October water bill to advertise our new page in hopes of getting the message out there.

<b>STAFF RECOMMENDATION:</b>	Seek Direction
<b>REVIEWED BY CITY ADMINISTRATOR:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

*"Turning Vision Into Reality is our Business"*

## Appearance (Look & Feel)

The image shows the Facebook page editor interface for the City of West Branch Government. At the top, navigation tabs include Page, Notifications, Insights, Publishing Tools, Ad Tools, Settings, and Help. The main header features the City of West Branch logo and a large aerial photograph of the city. Below the header, there are buttons for Like, Follow, Share, and a blue button to Add a Button. A prominent blue banner reads "Help people take action on this Page." The left sidebar contains navigation options: Home, Posts, Videos, and a Promote button. The central content area displays a "Automatically Respond to New Messages" section with a text box and a blue button. Below this is a "Create Post" section with options for Photo Album and Live Video, and a text input field for writing a post. The bottom section shows a "Posts" area with a preview of a post from the City of West Branch Government. The right sidebar includes language options (English, Spanish, Portuguese, French, German) and links for Privacy, Terms, Advertising, Ad Choices, Cookies, and More.

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City of West Branch Facebook suggested posts:

City business

- Rate changes
- New / changes to ordinances
- Job postings
- Office closures (holidays)
- Council & commission meeting reminders
- Board & Commission vacancies
- City project updates
- City Events (clean-up days, HHTD, Christmas Past, Music on the Village Green, trick-or-treating dates/times, etc)
- Ordinance reminders (snow removal, grass maintenance, recreational burning, etc.)

General Information

- Trash pick –up changes
- Business recognitions
- Lost & Found
- Voting reminders
- Golf cart reminders
- Lost pets
- Holiday greetings
- Historical notes or photos of West Branch

Public Works activities

- Leaf collection
- Yard waste collection
- Grass clipping reminders
- Road closures / detours / road work
- Line painting
- Snow emergencies
- Water main breaks / boil order notices
- Street sweeping
- Annual water quality reports
- Christmas tree pick-up

Public Safety announcements

- Peddler permits issued
- Detours that affect Main St (interstate closed)

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## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Discussion Item:</b> Down Under has Complaint of water in their establishment which they believe is due to past city improvements.
<b>CITY GOAL:</b>	Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
<b>PREPARED BY:</b>	Roger Laughlin, Mayor
<b>DATE:</b>	August 30, 2018

### **BACKGROUND:**

As per a request of Mike Jones this item is to explore the bases of his complaint that water is entering his place of business due to nearby city sidewalk improvements.

<b>STAFF RECOMMENDATION:</b>	Seek Direction
<b>REVIEWED BY CITY ADMINISTRATOR:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

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**REQUEST FOR COUNCIL CONSIDERATION**

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Resolution 1734</b> – A Resolution Approving Partial Pay Estimate Number 5 in the Amount of \$189,204.44 to Needham Excavating INC. for the Cubby Park Improvements Project.
<b>CITY GOAL:</b>	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
<b>PREPARED BY:</b>	Nate Kass, Fehr Graham
<b>DATE:</b>	August 30, 2018

**BACKGROUND:**

This is the fifth pay estimate for work at Cubby Park completed by Needham Excavating

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

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PARTIAL PAY ESTIMATE NUMBER FIVE  
CUBBY PARK IMPROVEMENTS, WEST BRANCH, IOWA  
PROJECT NUMBER 16-072

Name of Contractor: Needham Excavating, Inc. 17470 70th Ave Walcott, IA 52773		Name of Owner: City of West Branch 110 North Poplar St. / PO Box 52358-0218 West Branch, IA							
Date of Completion:		Amount of Contract:		Dates of Estimate:					
Item	Code	Description	Quantity	Unit	Unit Price	This Period Quantity	This Period Amount	Total To Date Quantity	Total To Date Amount
		BID ITEMS							
1	1070-206-A-3	TRAFFIC CONTROL	1	LS	\$ 2,800.00		\$ -	1	\$ 2,800.00
2	2010-108-C-0	CLEARING AND GRUBBING	1	LS	\$ 3,560.00		\$ -	1	\$ 3,560.00
3	2010-108-D-1	TOPSOIL, ON-SITE	15985	CY	\$ 5.75		\$ -	15985	\$ 91,913.75
4	2010-108-E-0	EXCAVATION, CLASS 10	36540	CY	\$ 3.95		\$ -	36540	\$ 144,333.00
5	2010-108-E-0	EXCAVATION, CLASS 13	2191	CY	\$ 6.10		\$ -	2191	\$ 13,365.10
6	2010-108-I-0	SUBBASE, MODIFIED (IADOT GRADATION NO. 14)	3903	TON	\$ 23.40		\$ -	1880	\$ 43,992.00
7	2010-108-I-1	SUBBASE, MACADAM (IADOT GRADATION NO. 13)	203	TON	\$ 23.80		\$ -	504.6	\$ 12,009.48
8	2010-108-O-0	SUBBASE, WASHED SAND, 4" THICK, UNDER SURFACE AGGREGATE	1295	TON	\$ 26.70		\$ -		\$ -
9	2010-108-P-0	INFIELD/WARNING TRACK SKIN SURFACE, RED BALL DIAMOND AGGREGATE, 5" THICK	1590	TON	\$ 79.70		\$ -	78	\$ 6,216.60
10	2010-108-Q-0	BATTING CAGE SURFACE, FINE LIMESTONE (IADOT GRADATION NO. 8)	40	TON	\$ 16.50		\$ -	98	\$ 1,617.00
11	4010-108-A-1	SANITARY SEWER GRAVITY MAIN, TRENCHED, SDR 26 PVC, 8"	649	LF	\$ 34.10		\$ -	667	\$ 22,744.70
12	4010-108-E-0	SANITARY SEWER SERVICE STUB, PVC SDR 23.5, 4"	1	EA	\$ 1,000.00		\$ -	1	\$ 1,000.00
13	4020-108-A-1	STORM SEWER, TRENCHED, RCP, 15"	42	LF	\$ 73.90		\$ -	42	\$ 3,103.80
14	4020-108-A-1	STORM SEWER, TRENCHED, RCP, 18"	693	LF	\$ 54.85		\$ -	765	\$ 41,960.25
15	4020-108-A-1	STORM SEWER, TRENCHED, RCP, 24"	56	LF	\$ 94.95		\$ -	56	\$ 5,317.20
16	4020-108-A-1	STORM SEWER, TRENCHED, RCP, 36"	180	LF	\$ 109.75		\$ -	180	\$ 19,755.00
17	4020-108-A-1	STORM SEWER, TRENCHED, HOPE DUAL WALL, 6"	36	LF	\$ 17.45		\$ -	36	\$ 628.20
18	4020-108-A-1	STORM SEWER, TRENCHED, HOPE DUAL WALL, 12"	26	LF	\$ 31.50		\$ -	26	\$ 819.00
19	4020-108-A-1	STORM SEWER, TRENCHED, HOPE DUAL WALL, 15"	156	LF	\$ 40.60		\$ -	156	\$ 6,333.60
20	4020-108-A-1	STORM SEWER, TRENCHED, HOPE DUAL WALL, 18"	844	LF	\$ 44.90		\$ -	844	\$ 37,895.60
21	4020-108-C-0	REMOVAL OF STORM SEWER, 18" RCP	5	LF	\$ 25.00		\$ -	5	\$ 125.00
22	4030-108-B-0	PIPE APRON, RCP, 12"	2	EA	\$ 1,383.50		\$ -	2	\$ 2,767.00

Item	Code	Description	Quantity	Unit	Unit Price	This Period		Total To Date	
						Quantity	Amount	Quantity	Amount
23	4030-108-B-0	PIPE APRON, RCP, 18"	3	EA	\$ 1,560.00		\$ -	3	\$ 4,680.00
24	4030-108-B-1	PIPE APRON, RCP, 36"	1	EA	\$ 2,320.00		\$ -	1	\$ 2,320.00
25	4030-108-D-0	PIPE APRON GUARD, 36"	1	EA	\$ 1,765.00		\$ -	1	\$ 1,765.00
26	4040-108-A-0	SUBDRAIN, HDPE, 2" DIA. PERF.	5248	LF	\$ 5.00		\$ -	5248	\$ 26,240.00
27	4040-108-A-0	SUBDRAIN, HDPE, 4" DIA. PERF.	198	LF	\$ 12.00		\$ -	198	\$ 2,376.00
28	4040-108-A-0	SUBDRAIN, HDPE DUAL WALL, NON PERF, 4" DIA	25	LF	\$ 12.00		\$ -	25	\$ 300.00
29	4040-108-A-1	SUBDRAIN, HDPE DUAL WALL, NON PERF, 6" DIA	1310	LF	\$ 15.10	89	\$ 1,343.90	1310	\$ 19,781.00
30	4040-108-A-0	SUBDRAIN, HDPE DUAL WALL, 6"	530	LF	\$ 16.80		\$ -	530	\$ 8,904.00
31	4040-108-C-0	SUBDRAIN CLEANOUT, TYPE A-1, 6"	3	EA	\$ 600.00		\$ -	3	\$ 1,800.00
32	5010-108-A-1	WATER MAIN, TRENCHED, DR18 PVC, 6"	756	LF	\$ 28.00		\$ -	756	\$ 21,168.00
33	5010-108-A-1	WATER MAIN, TRENCHED, CLASS 52 DIP, 6", WITH NITRILE GASKETS	80	LF	\$ 60.25		\$ -	80	\$ 4,820.00
34	5010-108-A-1	WATER MAIN, TRENCHED, DR21 PVC, 3"	104	LF	\$ 40.00		\$ -	104	\$ 4,160.00
35	5010-108-C-2	FITTING, MJ DIP	427	LB	\$ 29.10		\$ -	587	\$ 17,081.70
36	5010-108-F-0	CONNECTION TO EXISTING WATER MAIN	1	EA	\$ 710.00		\$ -	1	\$ 710.00
37	5010-108-G-0	IRRIGATION DELIVERY SYSTEM FOR 3 FIELDS	1	LS	\$ 7,500.00	1	\$ 7,500.00	1	\$ 7,500.00
38	5010-108-H-0	IRRIGATION SYSTEM - SOFTBALL FIELD	1	LS	\$ 10,500.00		\$ -	1	\$ 10,500.00
39	5010-108-H-0	IRRIGATION SYSTEM - LITTLE LEAGUE FIELD 1	1	LS	\$ 8,500.00		\$ -	1	\$ 8,500.00
40	5010-108-H-0	IRRIGATION SYSTEM - LITTLE LEAGUE FIELD 2	1	LS	\$ 8,500.00		\$ -	1	\$ 8,500.00
41	5020-108-A-0	VALVE, GATE, 3"	1	EA	\$ 1,010.00		\$ -	1	\$ 1,010.00
42	5020-108-A-0	VALVE, GATE, 6"	4	EA	\$ 1,372.50		\$ -	3	\$ 4,117.50
43	5020-108-C-0	FIRE HYDRANT ASSEMBLY	3	EA	\$ 4,895.00		\$ -	3	\$ 14,685.00
44	6010-108-A-0	MANHOLE TYPE SW-301, 48"	37.58	VF	\$ 593.00		\$ -	37.58	\$ 22,284.94
45	6010-108-A-0	MANHOLE TYPE SW-401, 48"	13.29	VF	\$ 519.25		\$ -	13.29	\$ 6,900.83
46	6010-108-A-0	MANHOLE TYPE SW-402, 48"x48"	12.92	VF	\$ 608.00		\$ -	12.92	\$ 7,855.36
47	6010-108-B-0	INTAKE TYPE SW-501	1	EA	\$ 3,595.00		\$ -	1	\$ 3,595.00
48	6010-108-B-0	INTAKE TYPE SW-507	4	EA	\$ 4,597.50		\$ -	4	\$ 18,390.00
49	6010-108-B-0	INTAKE TYPE SW-508	2	EA	\$ 6,955.00		\$ -	2	\$ 13,910.00
50	6010-108-B-0	INTAKE TYPE SW-509	1	EA	\$ 5,455.00		\$ -	1	\$ 5,455.00
51	6010-108-B-0	INTAKE TYPE NYLOPLAST, 24" W/ H-20 STANDARD GRATE	10	EA	\$ 2,220.00		\$ -	10	\$ 22,200.00
52	6010-108-H-0	REMOVE INTAKE	1	EA	\$ 510.00		\$ -	1	\$ 510.00
53	7010-108-A-0	PAVEMENT, PCC, 6"	5771	5Y	\$ 33.55		\$ -		\$ -
54	7010-108-A-0	PAVEMENT, PCC, 6" THICK, REINFORCED	210	5Y	\$ 67.15		\$ -		\$ -
55	7010-108-A-0	PAVEMENT, PCC, 8" REINFORCED	193	5Y	\$ 61.55		\$ -		\$ -
56	7010-108-F-0	BEAM CURB, PCC	393	LF	\$ 22.35		\$ -		\$ -
57	7010-108-I-0	PCC PAVEMENT SAMPLES AND TESTING	1	LS	\$ 2,240.00		\$ -		\$ -
58	7030-108-C-1	SHARED USE PATH, PCC, 6" THICK	4337	5Y	\$ 33.55		\$ -		\$ -
59	7030-108-C-2	SHARED USE PATH, PCC, 8" THICK (NOMINAL) REINFORCED	14	5Y	\$ 90.55		\$ -		\$ -
60	7030-108-E-0	SIDEWALK, PCC, 4" THICK	885	5Y	\$ 44.75		\$ -		\$ -
61	7030-108-G-0	DETECTABLE WARNING	104	5F	\$ 44.75		\$ -		\$ -
62	7080-108-B-0	ENGINEERING FABRIC (PLAYGROUND)	600	5Y	\$ 1.30		\$ -		\$ -
63	8020-108-C-0	PAINTED PAVEMENT MARKINGS, DURABLE	1	LS	\$ 1,680.00		\$ -		\$ -

Item	Code	Description	Quantity	Unit	Unit Price	This Period		Total To Date	
						Quantity	Amount	Quantity	Amount
64	8020-108-G-0	PAINTED SYMBOLS AND LEGENDS	6	EA	\$ 184.50		\$ -		\$ -
65	8030-108-A-0	SIGN, INSTALL, HANDICAP	5	EA	\$ 125.00		\$ -		\$ -
66	8030-108-A-0	SIGN, INSTALL, HANDICAP W/ VAN	1	EA	\$ 135.00		\$ -		\$ -
67	9010-108-A-0	SEEDING, FERTILIZING, AND MULCHING, TYPE 4	12.75	AC	\$ 1,808.00		\$ -		\$ -
68	9010-108-A-1	CONVENTIONAL SEEDING AND FERTILIZING, TYPE 1 PERMANENT LAWN	4.57	AC	\$ 2,884.70		\$ -		\$ -
69	9010-108-A-1	CONVENTIONAL SEEDING AND FERTILIZING, TYPE 1 BALLFIELD LAWN SEEDING	2.37	AC	\$ 3,070.75	1.21	\$ 3,715.61	1.21	\$ 3,715.61
70	9010-108-A-1	CONVENTIONAL SEEDING AND FERTILIZING, NO MOW FESCUE	0.96	AC	\$ 3,080.00		\$ -		\$ -
71	9010-108-A-1	CONVENTIONAL SEEDING AND FERTILIZING, SHORT GRASS PRAIRIE	2.05	AC	\$3,594.00		\$ -	0.4	\$ 1,437.60
72	9010-108-A-1	CONVENTIONAL SEEDING AND FERTILIZING, FLOOD PLAIN	0.47	AC	\$3,570.00		\$ -	0.42	\$ 1,499.40
73	9010-108-B-0	HYDRAULIC MULCHING	10.42	AC	\$1,127.50	1.21	\$ 1,364.28	1.21	\$ 1,364.28
74	9010-108-D-0	WATERING	25,000	TGAL	\$0.20		\$ -		\$ -
75	9010-108-F-0	SPORTSFIELD SOIL PREPARATION	1	LS	\$ 13,500.00	0.5	\$ 6,750.00	1	\$ 13,500.00
76	9010-108-G-0	SPORTSFIELD GROW IN PLAN	1	LS	\$6,500.00		\$ -		\$ -
77	9030-108-B-0	PLANTS, TREE, AUTUM BLAZE FREEMAN MAPLE - 3" CAL.	9	EA	\$670.35		\$ -		\$ -
78	9030-108-B-0	PLANTS, TREE, EUROPEAN BLACK ALDER - 6' HT.	5	EA	\$468.75		\$ -		\$ -
79	9030-108-B-0	PLANTS, TREE, ARMSTRONG COLUMNAR MAPLE - 3" CAL.	3	EA	\$563.75		\$ -		\$ -
80	9030-108-B-0	PLANTS, TREE, RIVER BIRCH - 10' HT.	10	EA	\$317.80		\$ -		\$ -
81	9030-108-B-0	PLANTS, TREE, WASHINGTON HAWTHORN - 6' HT.	8	EA	\$340.15		\$ -		\$ -
82	9030-108-B-0	PLANTS, TREE, DAWYCK PURPLE BEECH - 3" CAL.	1	EA	\$720.65		\$ -		\$ -
83	9030-108-B-0	PLANTS, TREE, MAIDENHAIR TREE - 3" CAL.	5	EA	\$687.00		\$ -		\$ -
84	9030-108-B-0	PLANTS, TREE, SKYLINE HONEYLOCUST - 3" CAL.	9	EA	\$608.75		\$ -		\$ -
85	9030-108-B-0	PLANTS, TREE, NORWAY SPRUCE - 6' HT.	4	EA	\$396.25		\$ -		\$ -
86	9030-108-B-0	PLANTS, TREE, LONDON PLANETREE - 3" CAL.	1	EA	\$565.00		\$ -		\$ -
87	9030-108-B-0	PLANTS, TREE, BLACK HILLS SPRUCE - 8' HT.	16	EA	\$541.60		\$ -		\$ -
88	9030-108-B-0	PLANTS, TREE, COLORADO BLUE SPRUCE - 8' HT.	1	EA	\$558.35		\$ -		\$ -
89	9030-108-B-0	PLANTS, TREE, WHITE PINE - 7' HT.	5	EA	\$413.00		\$ -		\$ -
90	9030-108-B-0	PLANTS, TREE, WHITE OAK - 3" CAL.	11	EA	\$651.35		\$ -		\$ -
91	9030-108-B-0	PLANTS, TREE, BUR OAK - 3" CAL.	12	EA	\$649.00		\$ -		\$ -
92	9030-108-B-0	PLANTS, TREE, ACCOLADE ELM - 3" CAL.	3	EA	\$584.00		\$ -		\$ -
93	9030-108-B-0	PLANTS, TREE, BLACK HAW VIBURNUM - 4' HT.	8	EA	\$122.00		\$ -		\$ -

Item	Code	Description	Quantity	Unit	Unit Price	This Period		Total To Date	
						Quantity	Amount	Quantity	Amount
94	9030-108-B-0	PLANTS, SHRUB, HAPPY RETURNS DAYLILY - 1 GAL.	75	EA	\$19.60		\$ -		\$ -
95	9030-108-B-0	PLANTS, SHRUB, GRO-LOW FRAGRANT SUMAC - 18" HT.	14	EA	\$68.35		\$ -		\$ -
96	9030-108-B-0	PLANTS, SHRUB, NEON FLASH SPIREA - 18" HT.	78	EA	\$66.00		\$ -		\$ -
97	9030-108-B-0	PLANTS, SHRUB, MISSION STRAIN ARBORVITAE, 5' HT.	48	EA	\$236.10		\$ -		\$ -
98	9030-108-B-0	PLANTS, SHRUB, ARROWWOOD VIBURNUM - 36" HT.	31	EA	\$95.10		\$ -		\$ -
99	9030-108-F-0	LIVE FASCINE	200	LF	\$64.90		\$ -		\$ -
100	9040-108-A-2	SWPPP, MANAGEMENT	1	LS	\$2,950.00	0.1	\$ 295.00	0.6	\$ 1,770.00
101	9040-108-E-0	TEMPORARY RECPT,TYPE 2	11,100	5Y	\$1.45	2165	\$ 3,139.25	7637	\$ 11,073.65
102	9040-108-F-1	WATTLES, 9", INSTALLATION, MAINTENANCE	6,300	LF	\$1.68		\$ -	1252	\$ 2,103.36
103	9040-108-F-2	WATTLES, REMOVAL	6,300	LF	\$0.17		\$ -		\$ -
104	9040-108-J-0	RIP RAP, EROSION STONE W/FABRIC	150	TON	\$28.90		\$ -	144.23	\$ 4,168.25
105	9040-108-N-1	SILT FENCE OR SILT FENCE DITCH CHECK, INSTALLATION	4,250	LF	\$1.35		\$ -	2528	\$ 3,412.80
106	9040-108-N-2	SILT FENCE OR SILT FENCE DITCH CHECK, REMOVAL OF SEDIMENT	1,500	LF	\$0.65		\$ -		\$ -
107	9040-108-N-3	SILT FENCE OR SILT FENCE DITCH CHECK, REMOVAL OF DEVICE	4,250	LF	\$0.34		\$ -	170	\$ 57.80
108	9040-108-O-2	STABILIZED CONSTRUCTION ENTRANCE	200	TON	\$26.85		\$ -	28.47	\$ 764.42
109	9040-108-P-1	DUST CONTROL, WATER	24,000	5Y	\$0.04		\$ -		\$ -
110	9040-108-T-1	INLET PROTECTION DEVICE, SURFACE APPLIED, INSTALLATION AND MAINTENANCE	18	EA	\$78.25		\$ -	18	\$ 1,408.50
111	9040-108-T-2	INLET PROTECTION DEVICE, REMOVAL	18	EA	\$28.00		\$ -		\$ -
112	9060-108-H-0	FENCING CAP, OUTFIELD FENCE	1,226	LF	\$3.15		\$ -		\$ -
113	9080-108-A-0	CONCRETE STEPS	40	5F	\$53.00		\$ -		\$ -
114	9080-108-B-0	HANDRAIL, ALUMINUM	10	LF	\$150.00		\$ -		\$ -
115	9090-108-A-0	SPORTSFIELD EQUIPMENT - SOFTBALL FIELD	1	LS	\$1,950.00		\$ -		\$ -
116	9090-108-A-0	SPORTSFIELD EQUIPMENT - LITTLE LEAGUE FIELD	1	LS	\$1,950.00		\$ -		\$ -
117	9090-108-A-0	SPORTSFIELD EQUIPMENT - LITTLE LEAGUE FIELD	1	LS	\$1,950.00		\$ -		\$ -
118	9090-108-B-0	ELECTRONIC SCOREBOARDS	3	EA	\$ 10,135.00		\$ -		\$ -
119	9090-108-C-0	BATTING CAGE EQUIPMENT	1	LS	\$11,190.00	1	\$ 11,190.00	1	\$ 11,190.00
120	9090-108-D-0	BLEACHERS, ALUMINUM, 15' LONG, 4 ROWS	9	EA	\$2,135.00		\$ -		\$ -
121	9090-108-E-0	PICKLEBALL COURT SURFACING	1	LS	\$11,350.00		\$ -		\$ -
122	9090-108-F-0	PICKLEBALL COURT SURFACING	1	LS	\$4,280.00		\$ -		\$ -
123	9090-108-G-0	PLAYGROUND EQUIPMENT	1	LS	\$ 98,235.00		\$ -	0.693	\$ 68,076.86
124	9090-108-H-0	SAFETY SURFACING - 12" DEPTH	157	CY	\$47.00		\$ -		\$ -
125	9090-108-I-0	BIKE RACKS	1	LS	\$2,740.00		\$ -		\$ -
126	9090-108-J-0	PARK BENCHES	6	EA	\$1,277.50		\$ -		\$ -
127	9090-108-K-0	TRASH RECEPTACLES	9	EA	\$1,400.00		\$ -		\$ -
128	9090-108-L-0	FLAG POLE - 30' HT. WITH INTEGRAL LIGHT	1	EA	\$5,900.00		\$ -		\$ -
129	9090-108-L-0	FLAG POLE - 25' HT.	2	EA	\$5,895.00		\$ -		\$ -

Item	Code	Description	Quantity	Unit	Unit Price	This Period		Total To Date	
						Quantity	Amount	Quantity	Amount
130	9090-108-M-0	LANDSCAPE BOULDERS - STONE STEPS AND OUTCROPPING	24	TON	\$689.30		\$ -		\$ -
131	9090-108-M-0	LANDSCAPE BOULDERS - SEAT STONES	18	TON	\$470.35		\$ -		\$ -
132	9090-108-M-0	LANDSCAPE BOULDERS - PLAYGROUND STEPPER BOULDERS	22	TON	\$336.20		\$ -		\$ -
133	9100-108-A-0	ELECTRICAL SYSTEM	1	LS	\$149,942.65	0.5	\$ 74,971.33	0.665	\$ 99,711.86
134	9110-108-A-0	PAVILION BUILDING AND APPURTENANCES	1	LS	\$312,500.00	0.17	\$ 53,125.00	0.5	\$ 156,250.00
135	11,010-108-A	CONSTRUCTION SURVEY	1	LS	\$ 20,600.00		\$ -	0.25	\$ 5,150.00
136	11,020-108-A	MOBILIZATION	1	LS	\$ 118,685.00		\$ -	1	\$ 118,685.00
137	11,050-108-A-0	CONCRETE WASHOUT	1	LS	\$ 5,765.00		\$ -	0.5	\$ 2,882.50
		FENCING A BID ITEMS							
FA1	9060-108-A-0	CHAIN LINK FENCE, ALUMINIZED, 6' TALL (06A)	984	LF	\$ 15.35	26	\$ 399.10	984	\$ 15,104.40
FA2	9060-108-A-0	CHAIN LINK FENCE, ALUMINIZED, 6' TALL (06B)	1126	LF	\$ 17.90		\$ -	1127	\$ 20,173.30
FA3	9060-108-A-0	CHAIN LINK FENCE, ALUMINIZED, 10' TALL (10A)	402	LF	\$ 29.20		\$ -	198	\$ 5,781.60
FA4	9060-108-A-0	CHAIN LINK FENCE, ALUMINIZED, 20' TALL (20A)	180	LF	\$ 107.40		\$ -	180	\$ 19,332.00
FA5	9060-108-B-0	GATES, CHAIN LINK, ALUMINIZED, 4' WIDE	7	EA	\$ 447.50	6	\$ 2,685.00	6	\$ 2,685.00
FA6	9060-108-B-0	GATES, CHAIN LINK, ALUMINIZED, 6' TALL, DOUBLE 6" (12' WIDE)	3	EA	\$ 750.00	3	\$ 2,250.00	3	\$ 2,250.00
		FIELD LIGHTING A BID ITEMS							
LA1	9100-108-B-0	FIELD LIGHTING, HID CONTROL SYSTEM AND DISTRIBUTION FOR 3	1	LS	\$50,355.00		\$ -		\$ -
LA2	9100-108-C-0	FIELD LIGHTING POLES & LUMINAIRES, HID, SOFTBALL FIELD	1	LS	\$134,277.00		\$ -		\$ -
LA3	9100-108-C-0	FIELD LIGHTING, HID - LITTLE LEAGUE FIELD 1	1	LS	\$95,113.00		\$ -		\$ -
LA4	9100-108-C-0	FIELD LIGHTING, HID - LITTLE LEAGUE FIELD 2	1	LS	\$89,518.00		\$ -		\$ -
		DUGOUT A BID ITEMS							
DA1	9090-108-N-0	DUGOUT, LUMBER FRAMED, 10' DEEP x 32' WIDE	6	EA	\$7,193.50		\$ -		\$ -
DA2	9090-108-O-0	TWO TIER DUGOUT BENCH, LUMBER, 24' LONG	6	EA	\$560.00		\$ -		\$ -
A01		4" HDPE PERFORATED DRAIN TILE	1340	LF	\$15.00		\$ -	1500	\$ 22,500.00
A02		IRRIGATION SYSTEM BOOSTER PUMP	1	LS	\$3,512.30	1	\$ 3,512.30	1	\$ 3,512.30
A03	4020-108-A-1	STORM SEWER, TRENCHED, RCP, 12"	88	LF	\$70.00		\$ -	88	\$ 6,160.00
A04		CREEK RESTORATION	40,000	LS	\$1.00	26921.81	\$ 26,921.81	26921.81	\$ 26,921.81
		TOTAL BASE BID					\$ 199,162.58		\$ 1,366,917.91



PARTIAL PAY ESTIMATE NUMBER FIVE  
 CUBBY PARK IMPROVEMENTS, WEST BRANCH, IOWA  
 PROJECT NUMBER 16-072

This Period	Retainer 5.00%		Total to Date
\$ 199,162.58	Amount Earned	\$	1,366,917.91
\$ 9,958.14	Amount Retained	\$	68,345.90
XXXXXXXXXXXXXXXXXXXXXX	Previous Payments	\$	1,109,367.57
\$ 189,204.44	Amount Due	\$	189,204.44

Estimated Percent of Job Completed 47.31%

Is Contractor's Construction Progress on Schedule? No - weather has hindered expected progress

Submitted By:  
  
 \_\_\_\_\_  
 Needham Excavating, Inc.

Approved By:  
  
 \_\_\_\_\_  
 City of West Branch, Iowa

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Joseph D. Needham, President

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Gordon R. Edgar, Finance Officer / Deputy City Clerk

Recommended By:  
  
 \_\_\_\_\_  
 Fehr Graham

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Redmond Jones II, City Administrator

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Nathan P. Kass, PE, PLS

**RESOLUTION 1734**

**A RESOLUTION APPROVING PARTIAL PAY ESTIMATE NUMBER 5 IN THE AMOUNT OF \$189,204.44 TO NEEDHAM EXCAVATING INC. 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**, Needham Excavating has declared that said project has started and work has been rendered in accordance with drawings and specifications on the Project, based on observations West Branch project managers and the project managers of Fehr Graham who are contracted with the City of West Branch to oversee the construction process.

**WHEREAS**, the City Council of West Branch, approved Partial Pay Estimate Number One (1) in the amount of \$276,843.04 to Needham Excavating Inc. of Walcott, IA is approved on May 7<sup>th</sup>; and

**WHEREAS**, the City Council of West Branch also approved the Pay Estimate Number Two (2) in the amount of \$362,865.81 and at which time the project was approximately 24% complete.

**WHEREAS**, the City Council of West Branch also approved the Pay Estimate Number Three (3) in the amount of \$247,973.87 and the project is now approximately 32.80% complete.

**WHEREAS**, the City Council of West Branch also approved the Pay Estimate Number Four (4) in the amount of \$221,684.85 and the project is now approximately 40.42% complete.

**WHEREAS**, it is now necessary to for the City Council to accept and approve the Pay Estimate Number Five (5) in the amount of \$189,204.44 and the project is now approximately 47.31% complete.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of West Branch, that Partial Pay Estimate Number Four in the amount of \$189,204.44 to Needham Excavating Inc. of Walcott, IA is approved.

**Passed and approved this 4<sup>th</sup> day of September, 2018.**

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Roger Laughlin, Mayor

ATTEST:

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Redmond Jones II, City Administrator / City Clerk



**REQUEST FOR COUNCIL CONSIDERATION**

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Resolution 1735</b> – In Support of Cedar County Great Places Designation and Proceeding with the Iowa Department of Cultural Affairs, FY 2019 Great Places Grant Application for the Cedar County – Pride of Place and People Project.
<b>CITY GOAL:</b>	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
<b>PREPARED BY:</b>	Melissa Russell, Parks and Recreation Director
<b>DATE:</b>	August 31, 2018

**BACKGROUND:**

CCEDCO and ECIA have been instrumental in Cedar County receiving the Great Places Designation. Great Places Designation allows additional funding for both the Mural Project and additional Park projects, such as a splash pad at Cubby Park.

To move forward with the grant application of \$400,000 for “Cedar County -Pride of Place and People” project, the partnership needs to be expanded to a full collaborative effort with the Cedar County communities. The grant application for the “Cedar County-Pride of Place and People” is due in November 2018.

CCEDCO is asking for City commitment to via Resolution a five-year commitment to support the Designation and the grant application, the fee for the grant writing service, CCEDCO’s administration of the Designation, CCEDCO membership, the grant application requesting up to \$400,000 for the “Cedar County – Pride of Place and People” project, which will go towards mural and park projects. CCEDCO is also asking for the City to pass a Resolution for the required cash match for the mural project and the park projects.

The following items prepared by CCEDCO and ECIA are included in the packet:

- Great Places Grant Budget – outlining the preliminary projects and cost estimates
- City Resolution to Proceed – for councils to pass regarding general support of moving forward with Great Places and the grant writing payment
- City Resolution for Match – for councils to pass regarding the required cash match.
- Letter of Intent – outlining the project.
- Supporting the Resolution
- Great Places Mural Examples

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

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## **BACKGROUND**

The success of the Great Places Designation and the opportunity to receive grant funds began in partnership with CCEDCO and ECIA over a year and a half ago. It is a result of a long-term investment in Cedar County by both organizations of significant time, money and resources.

What started as a general discussion between these two organization regarding the challenges Cedar County was facing quickly moved into a plan of action. After countless meetings, this partnership reached out to the Cedar County Board of Supervisors and the University of Iowa Sustainable Communities to create a county-wide vision plan for the future of Cedar County. With public input and involvement, the vision plan provides a roadmap for future community development, cultural development and economic development across Cedar County.

The Vision Plan formed the foundation of a successful Great Places Designation application, in which CCEDCO and ECIA lead those efforts, in writing content, working with communities in gathering attachment information like support letters and pictures, working with the Great Places program officer, and submitting the application. The Vision Plan, along with input from the steering committee, defined the project scope outlined in the Letter of Intent (LOI). After LOI submission, our project “Cedar County - Pride of Place and People”, was quickly invited to make full application. This project offers the Cedar County community through public art and enhanced parks, additional assets providing a sense of pride and cohesiveness and aligns with the goals of the Great Places Program and Vision Plan objectives. The Cedar County Development Foundation, the non-profit 501c3 through CCEDCO, was the legal applicant.

## **DISCUSSION**

The Great Places success up to this point has been the effort driven by CCEDCO and ECIA. For the next step of successful Great Places grant award, the partnership needs to be expanded to illustrate a full collaborative effort with the Cedar County communities. It now requires both local community effort and commitment that shows county-wide solidarity. Both ECIA and CCEDCO have committed time and resources in getting Cedar County designated as an Iowa Great Place and will continue to be committed in helping lay the groundwork in making the community more attractive in creating economic development. We are asking the communities to be formally committed too. There needs to be local level support; the public has spoken and the time is now to implement the Vision Plan.

## **RECOMMENDATION/ACTION STEP**

To date, CCEDCO and ECIA has unilaterally invested over \$15,000 in hours, resources and personal to get us to this point at no cost to our communities. This work has included assisting with vision plan development, coordinating/attending meetings, writing the successful désignation application, writing the LOI, and grant application groundwork. To be successful with our grant application, it is important to show the State the commitment to the five-year Great Places Designation and the 2018 grant application extends to all benefiting partners. This in large part is why we respectfully request your community, as detailed in the attached resolution, to support the Designation and the grant application, the fee for the grant writing service, CCEDCO’s administration of the Designation, CCEDCO membership, the grant application requesting up to \$400,000 for the Cedar County – Pride of Place and People project, which will go towards mural and park projects.

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# Great Places Pre-Application Summary

## 1. Project 1 Integration

*Describe how the vertical infrastructure project for which Great Places funding is sought directly relates to the community vision plan that informed your designation as a Great Place. (3,000 characters)*

“What do you love about your community?” In 2017, University of Iowa - Iowa Initiative for Sustainable Communities students, Cedar County, East Central Intergovernmental Association, and Cedar County Economic Development Commission, set out to answer that question. Community engagement collected input from new and longtime residents, families, retirees, etc., about Cedar County’s future in group settings, one-on-one interviews, online surveys, and general public input, and created a roadmap to transform Cedar County’s future. “*Cedar County: Envisioning a New Horizon*” highlights existing great places in the county, and maps out goals, objectives, and implementation strategies.

Now, the people of this great community want to begin implementing their vision, through a project that showcases cultural heritage and community identity, enhancing physical sense of place through Cedar County - Pride of Place and People. The project directly supports the vision plan: Goal 1 – Increase entertainment opportunities through art and cultural programs in the county, and Goal 2 – Enhance recreation and outdoor amenities to increase quality of life outcomes. Creating hometown murals offers all of the communities’ visual expression of their values and identity. Developing our hometown parks keeps these ideas alive, as central gathering spots for special events and recreation, creating a sense of community. The project is an example of working in tandem with the overall intent of community betterment.

During the visioning process, many communities identified outdoor murals as an opportunity in their towns, site potential for community murals, and additional mural opportunities for communities who already have this popular art concept. In addition, all communities expressed their appreciation for Cedar County’s natural features and want to see more recreation opportunities in the county, specifically, increasing parks, recreation, and open space opportunities. All of the communities in Cedar County have parks for general recreation purposes and more importantly, for community events that celebrate their heritage (farmer’s markets, festivals, family reunions) and future (family recreation, planned enhancements). City parks are central to these small towns and celebrating them and sustaining them is critical.

Pride of Place and People will connect communities by providing each of them the opportunity to design an iconic realistic image in a “Vintage Postcard” style

that gives representation to the city's identity, culture and future, while unifying their relationships. The murals provide a visual manifestation and the parks provide the literal manifestation. The murals reflect the activities and interaction that takes place in the parks. This project offers the community of Cedar County through public art and enhanced parks, additional assets providing a sense of pride and cohesiveness.

## **2. Project 1 Timeline**

*Identify the anticipated start and end date of the major project activities. (3,000 characters)*

In the "Cedar County: Envisioning a New Horizon" vision plan, the steering committee estimated a timeframe of 1-2 years to develop and implement a mural program and 3-4 years to implement park improvements.

The Cedar County Great Places Steering Committee believes it is important to augment this proposal with integral components outside of the grant scope to complete the vision. The first, is to again partner with the University of Iowa through a fellowship program where the U of I would provide instruction and theory for UI students, and they would work through a community-based process resulting in the completion of the murals. Possible timeline would be a one-week seminar/workshop that would take place during the UI winter break or spring break. During the week, students would learn from a variety of experts and instructors and begin work on the community project (public engagement process, early designs, etc.). The murals would be installed during the summer of 2019.

Another component is to develop and adopt mural guidelines for the communities to utilize that will serve the municipalities for this grant cycle and well into the future.

The final element the Committee realizes is important in bringing the project to life is project promotion, with a website, brochures, social media, etc. A capstone to the project would be an oral and/or visual history archive where Cedar County youth interview others of the community to tell their stories of community identity as it relates to the murals and the parks; history of the town and hopes for the future. Future app development for the murals and parks has also been discussed.

The tentative timeline looks like this for Cedar County - Pride of Place and People:

- January/February, 2019, develop and adopt mural guidelines
- January/February, 2019, develop painting schedule

- January/February, 2019, secure bids for park enhancements
- Winter Break or Spring Break, 2019, one-week seminar/workshop/begin work on community project
- March/April, 2019, develop promotional plan
- June/July/August, 2019, murals installed

A more concrete project timeline will be included in the full application.

### **3. Project 1 Budget Summary**

*Briefly summarize the project budget using the most accurate estimate currently available, including:*

- *Total anticipated project cost including the grant request, cash match needed and additional project expenses*
- *Eligible vertical infrastructure expenses for which you are seeking grant funding*
- *Eligible cash match expenses and the sources of the cash match*
- *Additional project expenses for each project will be required of applicants invited to submit an application (3,000 characters)*

The total project cost for Cedar County - Pride of Place and People is roughly \$626,060, which includes vertical infrastructure costs, along with developing mural guidelines, the week-long seminar/workshop, and project promotion. Total eligible vertical infrastructure cost is \$609,060. Cash match for vertical infrastructure costs equals \$304,530. The Cedar County Great Places Steering Committee is requesting \$304,530. Cash match for these vertical infrastructure costs is anticipated from the individual communities and other sources.

The Cedar County communities plan to pursue the following vertical infrastructure components for the project: mural installation, new playground equipment, park lighting, pergola, playground sand replacement, pavilions, rubberized play equipment flooring, benches, canopies, walkways, splash pads, ball field construction, and pickleball court.

A finalized budget will be included in the full application.

#### **4. Total Anticipated Grant Request for Project 1**

\$304,530.

#### **5. Total Secured Cash Match to Date for Project 1**

\$304,530.



## RESOLUTION 1735

### **IN SUPPORT OF THE CEDAR COUNTY GREAT PLACES DESIGNATION AND PROCEEDING WITH THE IOWA DEPARTMENT OF CULTURAL AFFAIRS, FY 2019 GREAT PLACES GRANT APPLICATION FOR THE CEDAR COUNTY - PRIDE OF PLACE AND PEOPLE PROJECT**

**WHEREAS**, Cedar County, with the help of Cedar County Economic Development Commission (CCEDCO), East Central Intergovernmental Association (ECIA), the University of Iowa, and other partners, received Iowa Great Places Designation from the Iowa Department of Cultural Affairs; and

**WHEREAS**, the Iowa Great Places Program provides for the opportunity for funding of supported vertical infrastructure projects and project endorsement from other agencies to designated communities; and

**WHEREAS**, the ECIA and CCEDCO submitted a Letter of Intent (LOI) on behalf of Cedar County to the Iowa Great Places Grant Program and Cedar County Development Foundation was invited to submit a full grant application for Cedar County due November 1, 2018; and

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

Section 1. That the City of West Branch, Iowa supports the Cedar County five-year Great Places Designation and participating in the Great Places 2018 grant application.

Section 2. That the City of West Branch, Iowa supports CCEDCO in the oversight, facilitation, and grant administration of the Cedar County Great Places Designation.

Section 3. That the City of West Branch, Iowa supports CCEDCO and ECIA preparing and submitting the 2018 Cedar County Great Places – Pride of Place and People grant application through a contract between ECIA and CCEDCO through current CCEDCO member dues and nonmember cities reimbursing CCEDCO at the rate of \$417 for grant writing fees.

Section 4. That the City of West Branch, Iowa supports CCEDCO in managing the grant, as the legal applicant through the Cedar County Development Foundation, and recognizing CCEDCO's leadership in managing the Great Places designation and grant, the City of West Branch, Iowa will pay its annual dues and remain a member of CCEDCO for the 2020 fiscal year.

Section 5. That the City of West Branch, Iowa supports the Cedar County Great Places grant application requesting up to \$400,000 for the Cedar County – Pride of Place and People project, which will go towards mural and park projects.

**Passed, approved, and adopted this 4th day of September, 2018**

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Roger Laughlin, Mayor

ATTEST:

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Redmond Jones II, City Administrator / City Clerk



**REQUEST FOR COUNCIL CONSIDERATION**

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Resolution 1736</b> – Approving Funds that do not Exceed \$310,000 to be used as matching funds should a Cultural Affairs FY19 Great Places Matching Grant is obtained for the Park and Mural projects.
<b>CITY GOAL:</b>	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
<b>PREPARED BY:</b>	Redmond Jones II, City Administrator
<b>DATE:</b>	August 31, 2018

**BACKGROUND:**

The Great Place Grant potential is an opportunity to leverage fund that we are already planning to spend on Cubby Park. With the combination of cubby park expenses that haven't been completed by July 1<sup>st</sup> of 2019, the \$126,207 of Value Engineering Set aside, and remaining contingency budget (currently at \$233,585), we should have enough fund to match a successful grant application.

We would also have the right to return portions or all of the grant should our priorities change. Not only would a successful grant fund a (recirculating water) splash pad it would also be able to fund many of the items removed from the project during the value engineering process (including paved over-flow parking).

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

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**RESOLUTION 1736**

**APPROVING FUNDS NOT TO EXCEED \$310,000 TO BE USED AS MATCHING FUNDS SHOULD A CULTURAL AFFAIRS FY19 GREAT PLACES MATCHING GRANT BE OBTAINED FOR THE PARK AND MURAL PROJECTS.**

**WHEREAS**, the Iowa Great Places Program provides for the opportunity for funding of supported vertical infrastructure projects and project endorsement from other agencies to designated communities; and

**WHEREAS**, the ECIA and CCEDCO submitted a Letter of Intent (LOI) on behalf of Cedar County to the Iowa Great Places Grant Program and Cedar County Development Foundation was invited to submit a full grant application for the Cedar County Great Places – Pride of Place and People project for park improvements and murals due November 1, 2018; and

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

Section 1. That the City of West Branch, Iowa supports the Cedar County Great Places grant application requesting \$310,000 for the Cedar County – Pride of Place and People project, which will go towards mural and park projects.

Section 2. That the City of West Branch, Iowa intends to provide cash match in the amount of \$310,000 (must equal the request amount in Section 1) to go toward their portion of the Cedar County – Pride of Place and People project, if awarded an Iowa Great Places grant in FY 2019.

Passed, approved, and adopted this 4<sup>th</sup> day of September, 2018

\_\_\_\_\_  
Roger Laughlin, Mayor

ATTEST:

\_\_\_\_\_  
Redmond Jones II, City Administrator / City Clerk



## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Discussion Item:</b> A Review of a Draft Development Agreement regarding the “Stuelke Line” Sewer Project and the proposed construction of 57-lot residential subdivision; involving KLM Investments.
<b>CITY GOAL:</b>	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
<b>PREPARED BY:</b>	Redmond Jones II, City Administrator
<b>DATE:</b>	August 31, 2018

### BACKGROUND:

The Stuelke Line located in the present day KLM Investment property known as The Meadows. Is in need of replacement; however, with the city current debt capacity and with sewer enterprise funds being prepared for major investments in wastewater processing. The City would not likely be in the position to replace the Stuelke line for at least the next seven years (if not longer).

This would certainly slow development in town. Since our sewer capacity on this line would not withstand the additional demands placed on it by the proposed new housing. Incentivized by keeping development steady and growing; the City supports the concept of partnering with KLM to abandon and replace the sewer line. This will also afford the city savings based on the anticipated cost for future construction as compared today construction cost. Industry Standards forecast construction cost rising anywhere from 4% - 7% a year. A \$400,000 project to day could cost \$512,000 – \$596,000 in seven year.

Although, City Attorney Kevin Olson will not be attending our September 4<sup>th</sup> City Council Meeting he would like the City Council to review the number in the draft and provide direction as what should be reflected in a final version intended to be presented at the September 17<sup>th</sup> meeting.

<b>STAFF RECOMMENDATION:</b>	Seek Direction
<b>REVIEWED BY CITY ADMINISTRATOR:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

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## **DEVELOPMENT AGREEMENT**

This Agreement is entered into by and between the City of West Branch, Iowa (the “City”), 110 Poplar Street, West Branch, Iowa 52358 and KLM Investments, Inc. (the “Development”).

**WHEREAS**, the City has established the West Branch Urban Renewal Area (the “Urban Renewal Area”); and

**WHEREAS**, the Developer proposes to construct a 57-lot residential subdivision, which will include both one and two-family residences (the “Project”); and

**WHEREAS**, the Project will be constructed on Lots 1 through 57, The Meadows Subdivision, Part Four, West Branch, Iowa, (the “Development Property”); and

**WHEREAS**, the Developer has entered into a Subdivider’s Agreement with the City outlining the public improvements necessary to complete the Project, and

**WHEREAS**, the Developer has requested tax increment financing assistance in the form of an economic development grant consisting of tax rebates to assist in the construction of the Project at a faster pace than was the planned phasing of the Project; and

**WHEREAS**, Chapters 15A and 403 of the Code of Iowa authorize cities to provide grants, loans, guarantees, tax incentives and other financial assistance to or for the benefit of private persons;

**NOW THEREFORE**, the parties hereto agree as follows:

A. Company’s Covenants.

1. The Developer will submit a final plat for The Meadows Subdivision, Part Four for approval by the City Council.
2. The Developer shall within one year of the approval of the final plat, construct all of the improvements as outlined in the Subdivider’s Agreement.
3. The Developer, its assigns and successors, shall pay all property taxes when due.

B. City’s Obligations

1. The City shall amend the West Branch Urban Renewal Plan in strict compliance with Chapter 403 of the Code of Iowa to add the Project so that it is eligible for \$395,000 worth of tax increment financing rebate payments to the Developer.

2. The City shall adopt such ordinances pursuant to Chapter 403 of the Code of Iowa to collect incremental tax revenues for Lots 1 through 57, The Meadows Subdivision, Part Four, Coralville, Iowa and keep such ordinances in place throughout the terms of this Agreement.

2. Upon submitting the required documentation as outlined in Section (A) above to show compliance with this Agreement, the City shall make annual incremental tax payments to the Developer which shall be 75% of the total incremental tax revenues received by the City from Lots 1 through 57, The Meadows Subdivision, Part Four (the "Payments"). Said Payments shall continue until such time the total aggregate Payments equal \$395,000 or December 31, 2035, whichever occurs sooner. In the event that the Developer has not received the \$395,000 by December 31, 2035, the Developer expressly agrees that it will have no further claim against the City for any shortfall of Payments.

3. The Payment shall not constitute general obligations of the City but shall be made solely and only from incremental property taxes received by the City from the Cedar County Treasurer which are attributable to the Property and is subject to annual appropriation of the City Council on or before December 1<sup>st</sup> of each year this Agreement is in effect.

C. Administrative Provisions.

1. This Agreement may not be amended or assigned by either party without the express permission of the other party. However, the City hereby gives its permission that the Developer's rights to receive the economic development tax increment payments hereunder may be assigned by the Developer to a private lender, as security, without further action on the part of the City.

2. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

3. This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

4. Notices. All notices given pursuant to this Agreement shall be in writing and shall be given by United States registered or certified mail, with return receipt requested, or by a national overnight next day business courier service (such as Federal Express), postage or delivery charges prepaid, addressed to the parties at the addresses set forth below:

If to City, to:

City of West Branch, Iowa  
110 N. Poplar Street  
West Branch, Iowa 52358

ATTN: City Administrator

If to Developer, to:

KLM Investments, Inc.  
c/o 25 Eastview Place NE  
Iowa City, Iowa 52240

The addresses to which notice are to be given may be changed at any time by any part upon written notice to the other party. All notices given pursuant to this Agreement shall be deemed given upon receipt. For purposes of this Agreement, the term "receipt" shall mean the earlier of any of the following: (i) the date of delivery of the notice or other document to the address specified above as shown on the return receipt, (ii) the date of actual receipt of the notice or other document by the party to whom it was sent, or (iii) in the case of refusal to accept delivery or inability to deliver the notice or other document, the earlier of (a) the date of the attempted delivery or refusal to accept delivery, (b) the date of the postmark on the return receipt, or (c) the date of receipt of notice of refusal or notice of non-delivery by the sending party.

The City and the Developer have caused this Agreement to be signed, and the City's seal to be affixed, in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

CITY OF WEST BRANCH, IOWA

By: \_\_\_\_\_  
Roger Laughlin  
Mayor

Attest:

\_\_\_\_\_  
Redmond Jones II  
City Administrator / City Clerk

KLM Investments, Inc.

By: \_\_\_\_\_

\_\_\_\_\_  
Print name and title





## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	September 4, 2018
<b>AGENDA ITEM:</b>	<b>Motion to Approve</b> Directing the City Administrator to Move Forward without Crestview Easement for Electrical Service for Cubby Park.
<b>CITY GOAL:</b>	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
<b>PREPARED BY:</b>	Redmond Jones II, City Administrator
<b>DATE:</b>	August 31, 2018

### BACKGROUND:

**This item will get pulled (Tabled Indefinitely) should the agreement get signed Tuesday before the City Council Meeting.** For all intents and purposes the agreement has been agreed to via phone conversations and e-mail; however, the principle(s) are not signing the agreement. The delays are costing the project and could even cause a change order or affect the contingency budget for the cost of running generators for irrigation to protect the seeding of baseball fields. Fehr Graham also indicates that there are other aspects to the project that also could be held up, if these delays continue. Aliant Energy believes it will take three weeks once the agreement is signed before they can get started. Therefore every day that goes by is costing the project money. With this mind this agenda item will ask the City Council to give the City Administrator the authority to give the Aliant Energy the approval to move forward with the plan to connect Cubby Park without the easement despite an anticipated \$10,000-\$15,000 increase in project cost. Since the next opportunity to see this item should in not get resolved would be September 17<sup>th</sup>, it would be important to authorize the City Administrator to either resolve outstanding issues with Crestview or Move forward before another 2 weeks expire which could cost the project even more that the current change order.

Attached is an e-mail tree which would seemly appear to indicate we are in agreement, but we have been given excuses over the past 3 weeks on reasons of vacation(s), a changes on size and type of fencing, and just plan inaction.

<b>STAFF RECOMMENDATION:</b>	Seek Direction
<b>REVIEWED BY CITY ADMINISTRATOR:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

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*Gordon has been waiting on Dave Dixon with their corporate office to sign the agreement for over a week. Since making a phone call directly to Dave 27<sup>th</sup> of August. The following week of my last e-mail. It was expressed how urgent a response was needed.*



FYI – see below

Redmond Jones II  
City Administrator  
City of West Branch  
110 N. Poplar St., P.O. Box 218  
West Branch, Iowa 52358

(319) 643-5888 x 15  
(319) 643-2305 fax

**From:** Cheryl J Mercer (Crestview) [<mailto:cmercerc@CareInitiatives.org>]  
**Sent:** Thursday, August 23, 2018 5:34 PM  
**To:** Redmond Jones <[rjonesii@westbranchiowa.org](mailto:rjonesii@westbranchiowa.org)>  
**Subject:** RE: FW: fence

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That sounds fine. Thanks. I will let you know as soon as I hear something from Dave regarding the agreement.

**Cheryl Mercer | Administrator**

**Crestview Specialty Care | 451 West Orange Street, West Branch, Iowa 52358**

D: (319) 643-2551 | C: (319) 359-0108 | F: (319) 643-2139

[cmercerc@careinitiatives.org](mailto:cmercerc@careinitiatives.org)

careinitiatives.org



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**From:** Redmond Jones [<mailto:rjonesii@westbranchiowa.org>]  
**Sent:** Thursday, August 23, 2018 5:32 PM  
**To:** Cheryl J Mercer (Crestview)  
**Subject:** RE: FW: fence



Yes, we can work with you if you are wanting to have the fence installed sooner, but my thought was to do it at the time of the shrubs / landscaping will be installed. This would be done before the park is open. If you have different thoughts... please let me know.

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(319) 643-2305 fax

**From:** Cheryl J Mercer (Crestview) [<mailto:cmercerc@CareInitiatives.org>]  
**Sent:** Thursday, August 23, 2018 11:06 AM  
**To:** Redmond Jones <[rjonesii@westbranchiowa.org](mailto:rjonesii@westbranchiowa.org)>  
**Subject:** RE: FW: fence

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This says that the fence will be constructed prior to acceptance by the council.. Does that mean "before people start using the space"? Dave is reviewing the agreement with our real estate attorneys and will get back to me. Thanks

**Cheryl Mercer | Administrator**  
**Crestview Specialty Care | 451 West Orange Street, West Branch, Iowa 52358**  
D: (319) 643-2551 | C: (319) 359-0108 | F: (319) 643-2139  
[cmercerc@careinitiatives.org](mailto:cmercerc@careinitiatives.org)  
careinitiatives.org



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**From:** Redmond Jones [<mailto:rjonesii@westbranchiowa.org>]  
**Sent:** Tuesday, August 21, 2018 5:32 PM  
**To:** Cheryl J Mercer (Crestview)  
**Cc:** 'Kevin D. Olson'; 'Matt Goodale'; [melissa@westbranchiowa.org](mailto:melissa@westbranchiowa.org)  
**Subject:** FW: FW: fence



Cheryl,

Please see the agreement that has been changed to reflect the recent revisions.

Redmond Jones II  
City Administrator  
City of West Branch  
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West Branch, Iowa 52358

(319) 643-5888 x 13  
(319) 643-2305 fax

**From:** Kevin D. Olson [<mailto:kevinolsonlaw@gmail.com>]  
**Sent:** Tuesday, August 21, 2018 3:59 PM  
**To:** Redmond Jones <[rjonesii@westbranchiowa.org](mailto:rjonesii@westbranchiowa.org)>  
**Subject:** Re: FW: fence

Here is the revised agreement with the height change and I inserted language for the direction.

On Tue, Aug 21, 2018 at 3:57 PM Redmond Jones <[rjonesii@westbranchiowa.org](mailto:rjonesii@westbranchiowa.org)> wrote:

Kevin

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Please see below

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West Branch, Iowa 52358

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(319) 643-2305 fax

**From:** Redmond Jones [mailto:[rjonesii@westbranchiowa.org](mailto:rjonesii@westbranchiowa.org)]  
**Sent:** Tuesday, August 21, 2018 3:54 PM  
**To:** 'Cheryl J Mercer (Crestview)' <[cmercerc@CareInitiatives.org](mailto:cmercerc@CareInitiatives.org)>; 'melissa@westbranchiowa.org' <[melissa@westbranchiowa.org](mailto:melissa@westbranchiowa.org)>; 'mattg@westbranchiowa.org' <[mattg@westbranchiowa.org](mailto:mattg@westbranchiowa.org)>; 'laughlin@lcom.net' <[laughlin@lcom.net](mailto:laughlin@lcom.net)>  
**Cc:** 'Dave Dixon' <[ddixon@CareInitiatives.org](mailto:ddixon@CareInitiatives.org)>  
**Subject:** RE: fence

Cheryl,

That is great, I will have the City Attorney make the changes right away. Is this a decision /paperwork that can now be signed as soon as the connections, or will there be a need for another Care Initiatives Board Meeting? Time is of the essence as other aspects of the park could be affected. Please let me know.

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(319) 643-2305 fax

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**From:** Cheryl J Mercer (Crestview) [<mailto:cmercerc@CareInitiatives.org>]  
**Sent:** Monday, August 20, 2018 4:29 PM  
**To:** Redmond Jones <[rjonesii@westbranchiowa.org](mailto:rjonesii@westbranchiowa.org)>; [melissa@westbranchiowa.org](mailto:melissa@westbranchiowa.org);  
[mattg@westbranchiowa.org](mailto:mattg@westbranchiowa.org); [laughlin@lcom.net](mailto:laughlin@lcom.net)  
**Cc:** Dave Dixon <[ddixon@CareInitiatives.org](mailto:ddixon@CareInitiatives.org)>  
**Subject:** re: fence

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All - I would like to convey changes being requested after discussion Dave at our corporate office. We would like the AGREEMENT to be changed to indicate installation of a five foot high, green chain link fence that runs from the street (Scott Drive) to the hill located northeast of the garage behind our building. We would like to agree in advance of the placement of this fence on the border of our property if we will be maintaining it. We would like the fence to be up by the end of the first phase of the project. The agreement and utility easement have been forwarded to our legal counsel for review of any additional concerns.

Cheryl

**Cheryl Mercer | Administrator**

**Crestview Specialty Care | 451 West Orange Street, West Branch, Iowa 52358**

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