

*(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**

**May 6, 2019  
7:00 p.m.**

Mayor Pro Tem Colton Miller called the West Branch City Council meeting to order at 7:03 p.m. Mayor Pro Tem Miller 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, Jordan Ellyson, Jodee Stoolman, Nick Goodweiler and Brian Pierce were present. Miller welcomed the audience and the following City staff: City Administrator Redmond Jones, Deputy Clerk Leslie Brick, City Attorney Kevin Olson, City Engineer Dave Schechinger, Chief Mike Horihan, Public Works Director Matt Goodale, Park & Recreation Director Melissa Russell, Library Director Nick Shimmin and Finance Officer Gordon Edgar.

### **GUEST SPEAKER AND PRESENTATIONS**

Chief Horihan said that with Officer Murdock attending the police academy for the next several weeks, it was determined that hiring another part-time officer was needed. Horihan introduced Zack Rundlett and stated that Rundlett is a certified police officer in good standing with the Iowa Law Enforcement Academy. Rundlett currently works as a part-time officer for West Liberty as well. Horihan recommended that Rundlett be sworn in as a police officer. Mayor Pro Tem Miller swore in Zack Rundlett as a part-time police officer for the City of West Branch.

### **PUBLIC COMMENT**

Jerry Sexton, owner of Cedar's Edge Golf Course requested permission to burn trees and a brush pile from trees taken down at the golf course for his new housing development. Sexton said he would wait until conditions were suitable and notify Cedar County and the West Branch Fire Department prior to the burn. The City Council approved Sexton's request.

Carolyn Anderson, West Branch Community Development Group shared information of a Smithsonian exhibit touring Iowa in 2020-2021. Anderson said that it is a six week exhibit and she would be making an application to bring the exhibit to West Branch. Anderson said the cost of the exhibit is approximately \$2000 and could potentially bring a lot of visitors to West Branch if chosen. Anderson also stated that the benches in the downtown area and on Main Street would be replaced in June.

Jim Tvedte, 6 Greenview raised a concern over the Service Line Warranty Program the City endorsed in 2015. Tvedte said he has heard of recent complaints. He further stated that he had contacted Lynch's Plumbing and was told that the company would not certify them as a repair contractor for services. City Administrator Jones acknowledged that in recent weeks, the City had been notified of issues with the service. Jones said that staff has reached out to Service Line Warranty for answers.

Mary McGee, resident, requested that signage be posted at the Enlow parking lot on West Main Street as public parking to help alleviate parking concerns for downtown residents and businesses.

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

Motion to approve minutes for City Council meeting April 15, 2019.

Motion to approve a liquor license renewal for Cedar's Edge Golf Course.

Resolution 1803 – Approving a contract with Midwest Inflatables in the amount of \$11,250 for Hoover Hometown Days 2019.

Motion to approve the claims report.

April Claims and March Revenue

EXPENDITURES

5/6/2019

ALLIANT ENERGY  
AMY S BOELK

SERVICE-CUBBY PARK  
ZUMBA INSTRUCTION

6.91  
300.00

BROWNELLS INC	SUPPLIES	72.81
CAJ ENTERPRISES INC	ROADSTONE & SAND	430.12
CROELL, INC.	SAND	163.80
CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	23.20
D&R PEST CONTROL	PEST CONTROL	70.00
FEHR GRAHAM	308 CONSTRUCTION SERVICE	285.00
HAWKINS INC	CHEMICALS	767.45
HD SUPPLY CONST AND INDUSTRY	TOOLS	640.93
HOLLYWOOD GRAPHICS	SUPPLIES	465.00
IOWA LAW ENFORCEMENT ACADEMY	CONSULTING	150.00
IOWA ONE CALL	LOCATION SERVICE	59.40
JOHN DEERE FINANCIAL	SUPPLIES	365.75
JOHNSON COUNTY AUDITOR	CONTRIBUTION-LCWMA	500.00
KNOCHE, REBECCA	VIDIOPHGRAPHY SERVICES	150.00
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,275.28
LINDER TIRE SERVICE INC	SERVICE CALL	389.04
LYNCH'S EXCAVATING INC	SUPPLIES	75.00
LYNCH'S PLUMBING INC	SERVICE	222.50
MATT PARROTT/STOREY KENWORTHY	RECEIPT BOOKS	377.50
MENARDS	RECREATION ACTIVITY SUPPLIES	917.91
MERCY IOWA CITY PHYSICIAN	DRUG TESTS	80.00
MERIDITH COLEMAN	BUILDING INCENTIVE PAYMENT	223.50
METROPOLITAN COMPOUNDS INC	STREET REPAIR	1,198.00
MUNICIPAL SUPPLY INC	WATER METERS	2,867.68
ORIENTAL TRADING CO. INC	ORIENTAL TRADING CO. INC.	415.53
PLAY IT AGAIN SPORTS	SUPPLIES	890.89
PLUNKETT'S PEST CONTROL INC	PEST CONTROL-CITY OFFICE	95.18
PORT 'O' JONNY INC.	SERVICE-WAPSI PARK	180.00
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	759.00
QUILL CORP	OFFICE SUPPLIES	27.38
SHIELD TECHNOLOGY CORPORATION	SOFTWARE DOWN PAYMENT	1,644.50
UNIFORM DEN INC.	UNIFORMS	484.94
UPS	SEWER-SHIPPING	22.82
VEENSTRA & KIMM INC	I-80 WIDENING COORDINATION	817.00
VEENSTRA & KIMM INC	318 COLLEGE ST & 2ND ST IMPROVEMENTS	6,381.08
VEENSTRA & KIMM INC	WW TREATMENT PLANT FACILITY STUDY	1,904.28
VEENSTRA & KIMM INC	310 COLLEGE ST BRIDGE BID & CONST ENG	17,377.78
VEENSTRA & KIMM INC	N DOWNEY & NORTHSIDE DR SIDEWALK & H2O MAIN	1,042.40
VERIZON WIRELESS	VERIZON WIRELESS	825.72
WEST BRANCH FAMILY PRACTICE	EMPLOYMENT PHYSICAL	124.00
TOTAL		45,069.28
PAYROLL	4/19/2019	54,251.83
PAYROLL	5/3/2019	43,298.62
PAID BETWEEN MEETINGS		
CJ COOPER & ASSOCIATES	DRUG TESTING	144.80
CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	54.12
EMERGENCY MEDICAL PRODUCTSS INC	MEDICAL SUPPLIES	117.40
FELD FIRE EQUIPMENT CO INC	REPAIR PARTS	412.00
FRONTLINE PLUS FIRE & RESCUES INC	SIREN REPAIR & MAINTENANCE	500.00
JOHNSON COUNTY AMBULANCE SERVICE	MEDICAL SUPPLIES	85.12
MOORE'S WELDING INC	EQUIPMENT REPAIR	3,153.11
DEWEYS JACK & JILL	SUPPLIES	42.63
IOWA PRISON INDUSTRIES	TRAINING UNIFORM	225.00
MEDIACOM	CABLE SERVICE	41.90
ISOLDA PAGE	TRAVEL EXPENSE	266.57
PITNEY BOWES PURCHASE POWER	POSTAGE	500.00
QUALITY ENGRAVED SIGNS	OFFICE SUPPLIES	20.00
US BANK CORPORTE CARD	TRAVEL EXPENSE, SUPPLIES	1,852.72
US BANK EQUIPMENT LEASE	COPIER LEASE	106.25
WEX BANK	VEHICLE FUEL	1,003.52
WORLD POINT ECC INC	CPR TRAINING SUPPLIES	3,029.04
UPS	SHIPPING	22.82
ROSTER'S ULTIMATE RACING	DEPOSIT	400.00
MACHINE SHED	MEALS	675.00
TOTAL		12,652.00

GRAND TOTAL EXPENDITURES

155,271.73

FUND TOTALS

001 GENERAL FUND	59,892.54
022 CIVIC CENTER	90.88
031 LIBRARY	10,970.54
110 ROAD USE TAX	10,034.97
112 TRUST AND AGENCY	17,551.84
308 PARK IMP - PEDERSEN VALLEY	285.00
310 COLLEGE STREET BRIDGE	17,377.78
318 COLLEGE ST & 2ND ST IMPROVEMNTS	6,381.08
600 WATER FUND	17,006.46
610 SEWER FUND	15,180.64
740 STORM WATER UTILITY	500.00
GRAND TOTAL	155,271.73

REVENUE-FISCAL YEAR 2019

FUND	MARCH
001 GENERAL FUND	206,118.99
022 CIVIC CENTER	2,781.92
031 LIBRARY	5,657.98
036 TORT LIABILITY	7,530.98
110 ROAD USE TAX	20,449.42
112 TRUST & AGENCY	47,191.83
119 EMERGENCY TAX FUND	5,940.08
121 LOCAL OPTION SALES TAX	16,222.58
125 TIF	18,371.30
226 DEBT SERVICE	46,418.70
500 CEMETERY PERPETUAL FUND	566.92
501 KROUTH PRINCIPAL FUND	369.46
502 KROUTH INTEREST FUND	85.62
600 WATER FUND	43,462.57
610 SEWER FUND	34,073.55
740 STORM WATER UTILITY	4,894.03
TOTAL	460,135.93

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

**PUBLIC HEARING / NON-CONSENT AGENDA**

Resolution 1799 – Approving Change Order #8 for \$7,586.67 for the Lift Rental Expense Related to Work Stoppage, Additional Installation Labor, and Material Transportation related to the Pavilion Panels. /Move to action.

Cody Buelt, Fehr Graham stated that Point Builders, the general contractor in charge of the concession stand at Cubby Park was unable to attend this evenings meeting due to an emergency. The Council discussed Change Order #8 provided by Needham Excavating with the breakdown but questioned the extensive labor charges for the services provided to correct the panel issue. The Council wanted a further explanation of the charges but with the contractor absent, decided to postpone this item until the contractor was available to attend a meeting to explain the charges in detail.

Motion by Goodweiler, second by Pierce to **postpone** Resolution 1799. AYES: Stoolman, Goodweiler, Pierce, Miller, Ellyson. NAYS: None. Motion carried.

Discussion - Bike Helmet Program (Implementation Plan)

Horihan started by thanking the Hoover Elementary 4<sup>th</sup> grade class for the suggestion of bike helmet ordinance. Horihan said that although an ordinance for this idea would be hard to enforce, the idea to promote and educate bicycle safety was important. West Branch Police Department and Main Street Sweets have partnered to offer kids under the age of fourteen observed wearing helmets when riding bikes or scooters with a coupon for a free ice cream cone. Horihan said the program has been implemented and coupons have been handed out and runs from April 1<sup>st</sup> to November 1<sup>st</sup>. Horihan said a bike rodeo was also considered but is on hold for the time being as it will take time to coordinate. He thanked Steven Grace and Main Street Sweets for their partnership. Grace said he was happy to help and give back to the community.

#### Discussion - Wapsinonoc Creek widening preliminary cost estimate

Jones reported that preliminary engineers cost estimates had been received for the potential project in the amount of \$435,000. City Engineer Schechinger explained the proposed project that would impact the area just northeast of the shelter at Beranek Park and move south easterly on adjacent property owners and would include removing a railroad berm, removal of an old bridge, removing and replacing topsoil and planting deep root native grasses. Jones said that bond proceeds from Cubby Park qualify and could be used toward this project since the creek runs through Beranek Park. He also said the storm water fund had approximately \$126,000 available for this type of project. Edgar said that \$250,000 is estimated to be left over from the Cubby Park project due to value engineering. Jones reminded the Council of other uses for the same money that will be needed to operate Cubby Park and provided quotes. Miller asked what the impact of the project would have on downtown, specifically the fire station. Schechinger said the models predicted about a six inch decrease. City Attorney Olson said that property owners would need to be contacted regarding the project in order for it to happen and said he would work with Schechinger on that to see if the project was viable.

#### Discussion - Beranek Park parking lot improvements

Jones said this item was at the request of Mayor Laughlin (who was absent). Jones explained that the parking lot is in very poor condition and could pose a safety risk to park visitors. Goodale said the project would consist of new curbs and seal coat surface. The project will provide additional parking spaces, sidewalks and handicap accessibility. He estimated the project to cost approximately \$7500 if done in-house by the Public Works staff. Goodale said the project could start in mid-late August and take approximately two weeks to complete.

#### Discussion - Grant permission to allow dirt transfer from Loethen Ridge to Cedar's Edge – Jerry Sexton proposal.

Sexton described his plan to have dirt moved from the new Loethen Ridge housing development to the Cedar's Edge Golf course via direct access on the un-developed property owned by KLM Investments. Sexton is requests to access the golf course from between 5 Greenview and 40 Greenview, then north. Sexton stated that Loethen Ridge needs to get rid of approximately 3500 truckloads of dirt and Cedar's Edge needs about 2000 loads. Sexton said this route will have less of an impact on city streets and disruption to neighbors. Goodale commented that this shortcut was more desirable then going west to Cedar-Johnson then north to the golf course as it would add extra wear and tear on the seal coat road. Goodale estimated the cost to repair any damages to Greenview Drive (for this traveled portion) to be approximately five thousand dollars versus twenty thousand dollars for Cedar-Johnson repairs. The council discussed and agreed to Sexton's proposal on the following conditions, that Sexton and/or Loethen Ridge Estates developer pay for the cost of the street repairs, that Sexton send notices to all residents of Greenview subdivision of the trucking plan, including hours of trucking and days for completion and that signage be posted in advance to warn residents of the truck traffic. A few Greenview residents were in attendance and were agreeable with the conditions. The Council directed the City Attorney to draft an agreement stating the listed conditions.

#### Resolution 1804 – Approving \$4,425 of contracts related to the Hoover Stage rental and the Eastern Iowa Brass Band performance prior and during the fireworks display. /Move to action.

This item was postponed from a prior meeting by request of the Council. Jones reported that he had been in contact with the Herbert Hoover Foundation to seek partial funding for the Hoover stage and the band that plays music for the fireworks. Jones said the Foundation declined to fund this portion of the event due to the timing of the request and that they did not have any input on the activity. Stoolman felt that \$4500 was too much for this activity and expressed her concerns with what the entire event cost the City each year which includes many hours of staff time and that some city projects suffer because of it. Ellyson suggested that next year's fireworks and Hoover stage be relocated.

Motion by Goodweiler, second by Ellyson to approve Resolution 1804. AYES: Goodweiler, Ellyson, Miller, Pierce. NAYS: Stoolman. Motion carried.

#### Resolution 1805 – Adopting a disaster/event purchasing policy. / Move to action.

Jones explained that this policy comes from Cedar County Emergency Management Executive Director Tim Mallott. Jones said the purpose of the policy is to provide Cedar County EMA with a list of jurisdictional executives with financial authority for requesting resources in the event of an emergency or disaster.

Motion by Pierce, second by Goodweiler to approve Resolution 1805. AYES: Pierce, Goodweiler, Stoolman, Miller, Ellyson. NAYS: None. Motion carried.

Motion to Set a Date for a Public Hearing: for the proposal to vacate certain alleys located in West Branch.  
/Move to action.

Olson explained that the City had received requests for vacating certain alleys in West Branch. The first request is to correct a previous alley vacation (Ord. 631), the others are for alleys that are no longer used as such. Motion by Stoolman, second by Goodweiler to set a date for a public hearing. AYES: Stoolman, Goodweiler, Ellyson, Miller, Pierce. NAYS: None. Motion carried.

Resolution 1806 – Approving Partial Pay Estimate # 9 in the amount of \$326,477.82 to Needham Excavating Inc. for the Cubby Park Improvement Project. / Move to action.

Cody Buelt, Fehr Graham said the original partial pay estimate submitted for \$326,477.82 has been revised due to a recent inspection of the concession stand in that several items still need to be addressed. Buelt said that Point Builders is in charge of overseeing the project with work being completed by sub-contractors. Martin Gardner inspected the concession stand on May 1<sup>st</sup> and found several items that were either incomplete or needed extra attention. Buelt stated that due to the recent inspection, the Partial Pay Estimate was reduced to \$293,821.57 and noted as 86.92 percent complete. The Council expressed their continued dissatisfaction with the project and the lack of oversight from the contractors. Buelt stated that Point Builders thought the work could be complete in two weeks.

Motion by Stoolman, second by Goodweiler to amend Resolution 1806 to the reduced amount. AYES: Stoolman, Goodweiler, Ellyson, Miller, Pierce. NAYS: None. Motion carried.

Motion by Ellyson, second by Goodweiler to approve the amended Resolution 1806 as revised to \$293,821.57. AYES: Ellyson, Goodweiler, Miller, Stoolman, Pierce. NAYS: None. Motion carried.

Resolution 1807 – Approving Change Order #2 in the amount of \$10,335.40 for the College Street Bridge Project. /Move to action.

Schechinger explained that existing sanitary sewer lines in the project area were shallower than expected which resulted in the change order. This issue was uncovered while the new storm sewers were being installed. New sewer lines are required to eliminate conflict between the new and old storm sewer lines. Soil for backfilling is also not suitable and will need to be replaced.

Motion by Goodweiler, second by Stoolman to approve Resolution 1807. AYES: Goodweiler, Stoolman, Pierce, Miller, Ellyson. NAYS: None. Motion carried.

Resolution 1808 – Authorizing the transfer of funds. /Move to action.

Motion by Ellyson, second by Pierce to approve Resolution 1808. AYES: Ellyson, Pierce, Goodweiler, Miller, Stoolman. NAYS: None. Motion carried.

Resolution 1809 – Consenting to assignment of Trustee Agent Agreements; Escrow Agent Agreements; and/or Paying Agent and Registrar and Transfer Agent Agreements. /Move to action.

Edgar stated that the City's bond holding company was purchased by UMB Bank in March and that the City must consent to this change via resolution.

Motion by Pierce, second by Ellyson to approve Resolution 1809. AYES: Pierce, Ellyson, Miller, Stoolman, Goodweiler. NAYS: None. Motion carried.

### **CITY ADMINISTRATOR REPORT**

Jones stated the Baldrige waste water pilot project is fully operational. More updates will be provided as they become available.

### **CITY ATTORNEY REPORT**

No report.

### **STAFF REPORTS**

Sgt. Hanna attended an emergency EMA meeting this evening and gave a brief recap of the meeting regarding the switch from analog to digital.

Horihan said he received a request this week from a resident requesting that Bickford Drive be changed to a one way street to accommodate a couple graduation parties later this month. Horihan thought the safest way would be to allow parking on both sides of the street for the day. The Chief was inclined to say no, but asked for the Council's input. The Council agreed with Horihan's suggestion to allow parking on both sides of the street. Horihan said he would work with Goodale on covering signs for the day.

**COMMENTS FROM MAYOR AND COUNCIL MEMBER**

Goodweiler said he had received an email from an eighth grade class regarding the possibility of a community garden. Parks & Rec Director Russell said she and Library Director Shimmin has been discussing the same and said she would reach to the school.

**ADJOURNMENT**

Motion to adjourn by Ellyson, second by Pierce. Motion carried on a voice vote. City Council meeting adjourned at 9:18 p.m.

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Colton Miller, Mayor

ATTEST: \_\_\_\_\_  
Leslie Brick, Deputy City Clerk