

*(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 20, 2019  
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 and Nick Goodweiler were present. Jordan Ellyson and Brian Pierce were absent. Laughlin 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, Park & Recreation Director Melissa Russell, Library Director Nick Shimmin and Finance Officer Gordon Edgar.

### **GUEST SPEAKER AND PRESENTATIONS**

None.

### **PUBLIC COMMENT**

Pete Swisher, National Park Superintendent shared information for an upcoming event later this summer. The event will be held August 21-25 and will celebrate the park's 103<sup>rd</sup> year. Swisher said the event will include a blow up 360 degree theatre featuring the Red Tails and veterans are invited to attend. In addition, BF Burt will perform on the Village Green, visitors can attend a prairie walk and the NPS will host a picnic in the park. Information is available at the visitor center.

Library Director Shimmin presented new tablets to the Council to replace the aging ones currently in use and encouraged the Council to use them and direct all questions to him. Shimmin then presented the first city newsletter which was created in a joint effort by the library and park & recreation staff. The newsletter is available on the city website, city office and will be distributed around town. Shimmin said the newsletter is intended to provide information to residents on upcoming events in West Branch.

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

Motion to Approve Meeting Minutes for City Council Meeting May 6, 2019.

Motion to Approve a Liquor License for BP Amoco dba Parkside Petroleum LLC., located at 401 Parkside Drive.

Motion to Approve a Special Event Permit Application for Summer Festival (Event Coordinator Mike Jones).

Motion to Approve the Claims Report.

May Claims and April Revenue

EXPENDITURES	5/20/2019	
ALLIANT ENERGY	UTILITIES-CUBBY PARK	11,574.74
ALPHA GRAPHICS	SUPPLIES	72.08
AMAZON	BOOKS, OFFICE SUPPLIES	623.90
BAKER & TAYLOR INC.	BOOKS	617.37
BARRON MOTOR SUPPLY	SUPPLIES	117.77
BP AMOCO	VEHICLE FUEL	753.80
CEDAR COUNTY RECORDER	RECORDING FEES	53.00
CJ COOPER & ASSOCIATES	DRUG TESTING	134.80
CROELL, INC.	GRAVEL	414.48
DEMCO	SUPPLIES	818.22
DEWEYS JACK & JILL	SUPPLIES	41.82
EASTERN IOWA BRASS BAND	DEPOSIT	1,500.00
EBSCO INDUSTRIES, INC	SUBSCRIPTIONS	665.90
ECONO SIGNS LLC	SIGNS	3,001.86
ELDON C STUTSMAN INC	SUPPLIES	109.20
ELITE HOLDING COMPANY	SAFETY CLOTHING	542.94
FELD FIRE EQUIPMENT CO. INC	UNIFORMS/SUPPLIES	432.00
HARRY'S CUSTOM TROPHIES LTD	SOCCER MEDALS	150.00

JOHNSON CONTROLS	REPAIR SERVICE	2,122.80
JOHNSON COUNTY REFUSE INC	RECYCLING APRIL 2019	3,956.75
JOURNEYED COM INC	SOFTWARE LICENSE	139.96
KIESLER POLICE SUPPLY, INC	SUPPLIES	122.00
KIRKWOOD COMM. COLLEGE	TRAINING	475.00
L. L. PELLING CO. INC	SUPPLIES	1,829.65
LENOCH & CILEK	SUPPLIES	145.90
LINN COUNTY R.E.C.	STREET LIGHTS	152.65
MENARDS	SUPPLIES	661.64
MISCELLANEOUS VENDOR	BRIAN DRISCOLL:REFUND	45.00
NAEMT	TRAINING	160.00
NEEDHAM EXCAVATING, INC	308 PV PARK CONST	293,821.57
OASIS ELECTRIC LLC	ELECTRICAL SERVICE-EQUIPMENT	5,400.57
OFFICE OF AUDITOR OF STATE	AUDIT SERVICES	13,579.28
OVERDRIVE INC	AUDIO BOOKS	778.91
PITNEY BOWES PURCHASE POWER	LIB REPLENISH POSTAGE METER	1,003.50

PLAY IT AGAIN SPORTS	SUPPLIES	907.80
PUTNAM MUSEUM & IMAX THEATRE	LIBRARY PASSES	50.00
QUALITY ENGRAVED SIGNS	NAME PLATE	20.00
QUILL CORP	OFFICE SUPPLIES	370.47
RIVER PRODUCTS COMPANY INC	ROCK	963.49
STATE HYGIENIC LAB	LAB ANALYSIS	328.50
STATE INDUSTRIAL PRODUCTS	CHEMICALS	244.00
STEVEN M BERRY	BUILDING INCENTIVE PAYMENT	289.57
TAYLOR CONSTRUCTION INC	COLL ST BRIDGE & RELATED WORK	361,163.95
UNIFORM DEN INC.	UNIFORMS	280.90
UPS	SHIPPING	34.23
US BANK CORPORATE CARD	SUPPLIES, EQUIPMENT	4,056.58
USA BLUE BOOK	SUPPLIES	403.03
WALMART COMMUNITY/RFCSELLC	SUPPLIES	313.69
WEST BRANCH FORD	VEHICLE REPAIR	633.08
WEST BRANCH TIMES	SUBSCRIPTION	775.41
WEX BANK	VEHICLE FUEL	1,255.22
ZACK MURDOCK	MEALS	150.18

TOTAL 718,259.16

PAYROLL 5/17/2019 55,749.83

PAID BETWEEN MEETINGS

CROY, DAKOTA	UTILITY REFUND	78.78
HILL, SHERRY	UTILITY REFUND	66.45

TOTAL 145.23

GRAND TOTAL EXPENDITURES 774,154.22

FUND TOTALS		
001 GENERAL FUND	53,107.03	
022 CIVIC CENTER	417.20	
031 LIBRARY	12,753.75	
110 ROAD USE TAX	10,866.45	
112 TRUST AND AGENCY	12,998.14	
308 PARK IMP - PEDERSEN VALLEY	295,850.73	
310 COLLEGE STREET BRIDGE	203,051.04	
318 COLLEGE ST & 2ND ST IMP PROJECT	158,112.91	
600 WATER FUND	11,537.23	
610 SEWER FUND	15,459.74	
GRAND TOTAL	774,154.22	

REVENUE-FISCAL YEAR 2019  
FUND APRIL

001 GENERAL FUND	360,553.17
022 CIVIC CENTER	4,708.93
031 LIBRARY	10,766.34
036 TORT LIABILITY	12,646.50
110 ROAD USE TAX	12,637.34
112 TRUST & AGENCY	79,248.38

119 EMERGENCY TAX FUND	9,975.10
121 LOCAL OPTION SALES TAX	16,222.62
125 TIF	174,118.56
226 DEBT SERVICE	88,824.77
500 CEMETERY PERPETUAL FUND	300.48
502 KROUTH INTEREST FUND	0.17
600 WATER FUND	41,981.05
610 SEWER FUND	36,990.72
740 STORM WATER UTILITY	4,957.89
TOTAL	853,932.02

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

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

Resolution 1799 – Approving Change Order #8 for \$5,485.75 for the Lift Rental Expense Related to Work Stoppage, Additional Installation Labor, and Material Transportation related to the Pavilion Panels. /Move to action.

Point Builders, Gabe Kenicker was present. Jones said the contractor, Point Builders had prepared a revised change order for the work to remove and apply a film to the panels for the concession stand. The original change order submitted has been reduced by more than two thousand dollars. Stoolman stated that the labor charges were outrageous at ninety dollars an hour and felt the number of hours charged to transfer the panels from Cubby park to the public works shop were excessive. Stoolman said she would be voting “No” until the labor costs were reduced further.

Motion by Goodweiler, second by Miller to approve Resolution 1799. AYES: Goodweiler, Miller. NAYS: Stoolman. Absent: Ellyson, Pierce. Motion failed.

Public Hearing: Regarding the Proposal to Vacate Certain Alleys Located in the City of West Branch.

Laughlin opened the public hearing at 7:24 p.m. Jose Carrillo, 320 N. 4<sup>th</sup> St. West Branch, was present and asked for clarification on which alley was being vacated with the proposed ordinance. Olson explained that several alleys were vacated in 2007 but not all of them were recorded with Cedar County. Olson went on to explain that the alley to the south of his property was being officially vacated at this time. Carrillo said there was also an alley at the rear of his property that the County didn’t have recorded as vacated as well. Olson said he would look into that at a later time. Dave Peden, 35 Greenview asked if vacated alleys had utilities located. Carrillo said he was not aware of any utilities in this area as there have been no indication in the forty seven years that he’s lived at his property. Bonnie Willoughby, 630 E. Main St. said she is wanting to build a garage in the rear of her property and requested the alley at the rear of her property. Willoughby said the alley in its current condition is not accessible and dead ends at the east of her property. There were no other comments. Laughlin closed the public hearing at 7:35 p.m.

First Reading Ordinance 776 – An Ordinance Vacating Alleys Located in the City of West Branch. /Move to action.

Motion by Goodweiler, second by Stoolman to approve the first reading of Ordinance 776. AYES: Goodweiler, Stoolman, Miller. NAYS: None. Absent: Ellyson, Pierce. Motion carried.

Discussion: Evaluating / Prioritizing Wapsinonic Creek widening preliminary cost and other park related improvements.

Jones recapped the information on the quote for the creek widening and stated that the storm water utility fund has approximately one hundred thousand dollars available toward the project. Other funds could be made available from the value engineering from Cubby Park. The council reviewed the information provided and determined that items needed for Cubby Park take priority. Laughlin said once Cubby Park has what it needs, then at that time they can determine what funds are available for the creek project.

Discussion: Garbage collection contract and potential switch to automated waste can service.

Jones explained that the city’s current vendor, Johnson County Refuse is moving towards a fully automated trash collection service. The vendor has provided the city with quotes for two different can sizes based on residential needs. Jones reminded that the quotes provided, include the mandatory recycling charge of \$4.75. Jones went

on to explain the potential increase in fees for some residents and listed pros and cons with the change. Jones stated the current contract expires June 30, 2020 so decisions will need to be made so as to not have a disruption in service. Jones suggested doing an RPF process to gain other service options. Council members Miller and Goodweiler were in support of the change, Stoolman expressed her concern with additional fees to residents. City Attorney Olson noted that the city code may also need to be updated with any change and that he would work with Jones when moving forward.

Discussion: New and revamped proposed Nuisance Abatement Ordinance and process.

Jones provided a draft ordinance to the Council for the city's nuisance abatement process. Jones said that recently Clinton Iowa rewrote their nuisance code and have been very successful with overcoming their nuisance property problems. Jones said he and staff had recently attended a nuisance conference and much information and insight was gained. Jones asked the Council to review the current and draft ordinance and provide any feedback. Laughlin also mentioned that a committee should be established for handling the nuisance process which would include himself and one or two council members along with staff.

Resolution 1810 – Approving Change Order #1 in the amount of \$2,822.50 in project savings for the College Street Bridge Project./ Move to action.

Schechinger explained that the change order for this portion of the project came in under budget. Manholes were planned to be replaced but were found in good condition and therefore did not need full replacement.

Motion by Stoolman, second by Goodweiler to approve Resolution 1810. AYES: Stoolman, Goodweiler, Miller. NAYS: None. Absent: Ellyson, Pierce. Motion carried.

Resolution 1811 – Approving Partial Pay Estimate # 1 in the amount of \$361,163.95 to Taylor Construction Inc. for the College Street Bridge Project. /Move to action.

Schechinger gave an update on the projects progress and said that things were going better than expected. Schechinger recommended approval for the partial pay estimate.

Motion by Goodweiler, second by Stoolman to approve Resolution 1811. AYES: Goodweiler, Stoolman, Miller. NAYS: None. Absent: Ellyson, Pierce. Motion carried.

Resolution 1812 – Approving an agreement allowing the use of right-of-way for hauling. /Move to action.

By Council direction from the last council meeting, Olson drafted an agreement between the developer and the City for Sexton to repair any damage to Greenview Drive from the truck hauling traffic. Dave and Kathy Peden, 35 Greenview Drive, expressed concerns over dust being generated from the hauling of dirt and requested that Sexton maintain a semi-dustless surface during the process. Peden stated that there was a city ordinance for dust and that it should be enforced. Olson was not aware of the dust ordinance Peden was referencing but said he would look into it. Sexton said he would try to limit the dust created.

Motion by Goodweiler, second by Stoolman to approve Resolution 1812. AYES: Goodweiler, Stoolman, Miller. NAYS: None. Absent: Ellyson, Pierce. Motion carried.

Resolution 1813 – Approving quotes in the amount of \$62,531.50 from L.L. Pelling Company, Inc. for city road and trail improvements for city parks and Hoover Nature Trails. /Move to action.

Jones reminded the Council that the information provided were quotes for chip & seal prices for 2019. No projects were scheduled at this time and that the quotes just guarantee the price.

Motion by Goodweiler, second by Miller to approve Resolution 1813. AYES: Goodweiler, Miller, Stoolman. NAYS: None. Absent: Ellyson, Pierce. Motion carried.

## **CITY ADMINISTRATOR REPORT**

Jones invited the Council to a public meeting on the I-80 widening project presented by the Iowa DOT on June 5<sup>th</sup> at the Town Hall. Jones also reported that he has been in contact with the Service Line Warranty program personnel and that they committed to try getting local contractors certified to perform warranty work. Laughlin said he reached out to the City of West Liberty who also uses this program and they have had no issues.

## **CITY ATTORNEY REPORT**

No report.

## **STAFF REPORTS**

No report.

**COMMENTS FROM MAYOR AND COUNCIL MEMBER**

Goodweiler asked if staff had reached out the 8<sup>th</sup> grade students regarding the community garden project. Russell replied that she had and was awaiting a return response.

Laughlin said the city should be hearing soon regarding the derelict grant. He also suggested that he and staff members get together and create a punch list for Cubby Park and the remaining outstanding items. The final completion date is Friday, May 24<sup>th</sup>. Russell said she didn't believe the items would be complete by that time. Laughlin also said that radio communication with the County is an ongoing issue.

**ADJOURNMENT**

Motion to adjourn by Stoolman, second by Goodweiler. Motion carried on a voice vote. City Council meeting adjourned at 8:53 p.m.

---

Roger Laughlin, Mayor

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