

*(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**

**July 8, 2019  
7:00 p.m.**

Mayor Roger Laughlin called the West Branch City Council meeting to order at 7:03 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, Nick Goodweiler were present. Brian Pierce and Jordan Ellyson was absent. Laughlin welcomed the audience and the following City staff: City Administrator Redmond Jones, City Attorney Kevin Olson, Deputy Clerk Leslie Brick, Sargent John Hanna, Police Chief Mike Horihan, Park & Recreation Director Melissa Russell, Public Works Director Matt Goodale and Finance Officer Gordon Edgar.

### **GUEST SPEAKER AND PRESENTATIONS**

Ali Hval, Artist with the University of Iowa, working in conjunction with Cedar County Economic Development Commission – (CCEDCO)’s Rod Ness on the Cedar County Mural Project. Ness said that although Cedar County did not receive the Great Place Designation earlier this fall which would have partially funded this project, the University of Iowa Arts department has stepped up to help with seeing the project through for the county. Hval presented three design options for West Branch’s mural which Ness said was approved by the property owner of the current Main Street office located at 111 E. Main St. and asked the Council for their feedback and comments. Collectively, one design was the preferred mural that they felt best represented West Branch. Hval said she would make a few adjustments based on the feedback and said she would be able to start by the first week of August. Ness suggested that the project start before Hoover’s Hometown Days and thought it would be a good draw if Hval was set up and painting during the event. The Council agreed with the suggestion and expressed their enthusiasm for the project.

West Branch Police Sgt., John Hanna presented the police department’s new evidence facility located at the Town Hall. Hanna explained that the department was in need of additional evidence and vehicle storage and said that after obtaining quotes for a new building, other options needed to be considered. Staff determined that the garage at Town Hall would meet their immediate needs and would have a much smaller impact on the budget. A storage container was purchased and placed in the garage which will be used for storing evidence and allows for off-duty squad cars to be parked indoors for added security.

### **PUBLIC COMMENT**

No comments.

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

Motion to approve Minutes for City Council Meeting June 24, 2019.

Motion to approve the Claims Report.

### **EXPENDITURES**

7/8/2019

CCEDCO	DUES FY 2019-2020	6,409.00
CEDAR COUNTY AUDITOR	DISASTER SERVICES ASSESSMENT	14,331.78
CEDAR COUNTY AUDITOR	SOLID WASTE ASSESSMENT	8,908.00
CULLIGAN WATER TECHNOLOGIE	WATER SOFTENER SERVICE	63.11
EAST CENT INTERGOVT ASN.	MEMBERSHIP DUES	789.48
HARRY'S CUSTOM TROPHIES LT	MEDALS	320.25
HD CLINE COMPANY	REPAIR PARTS	80.84
ICMA	ICMA DUES 7-1-19 TO 6-30-20	734.40
IMWCA	WORKERS COMPENSATION INSURANCE	4,893.00
IOWA COMMUNITIES ASSURANCE	FY20 LIAB & PROPERTY INSURANCE	38,698.66
IOWA DEPARTMENT OF PUBLIC SAFETY	ONLINE WARRANTS AND ARTICLES SYSTEM	1,200.00
IOWA LEAGUE OF CITIES	MEMBERSHIP DUES	1,535.00
J & M DISPLAYS INC	FIREWORKS	20,000.00
JOHNSON COUNTY REFUSE INC.	GARBAGE STICKERS	600.00
LYNCH'S PLUMBING INC	REPAIR SERVICE	348.50
OLSON, KEVIN D	LEGAL SERVICES-JULY, 2019	1,500.00

PLAY IT AGAIN SPORTS	SUPPLIES	80.97
PORT 'O' JONNY INC.	SERVICE-LITTLE LEAGUE	303.60
PYRAMID SERVICES INC.	REPAIR PARTS	124.93
UNIVERSITY OF IOWA	CAMP	540.00
VICTOR ISAAC PAGE	LIBRARY PROGRAM	125.00
TOTAL		101,586.52
PAYROLL	6/28/2019	57,775.48
PAID BETWEEN MEETINGS		
JULIA HIME	VIDEOGRAPHY SERVICES	50.00
JOHN DEERE FINANCIAL	SUPPLIES	123.40
REBECCA KNOCHE	VIDEOGRAPHY SERVICES	225.00
LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	1,296.02
MEDIACOM	CABLE SERVICE	41.90
PAC-VAN INC	20' EVIDENCE CONTAINER	4,175.00
PLUNKETT'S PEST CONTROL INC	PEST CONTROL	95.18
QUILL CORP	OFFICE SUPPLIES	151.66
STATE INDUSTRIAL PRODUCTS	CHEMICALS	488.00
UPS	SHIPPING	25.88
USA BLUEBOOK	SUPPLIES	147.87
VEENSTRA & KIMM	COLLEGE ST & 2ND ST IMPROVEMENTS	2,415.00
VEENSTRA & KIMM	COLLEGE ST & 2ND ST IMPROVEMENTS	8,316.02
VEENSTRA & KIMM	BRIDGE INSPECTION	1,530.00
VEENSTRA & KIMM	WW TREATMENT FACILITY STUDY	1,400.69
VEENSTRA & KIMM	WWTP FAC - ANTIDegradation ANALYSIS	526.28
VEENSTRA & KIMM	ENGINEERING SERVICES - MEADOWS 3,4 CONS	1,837.74
VEENSTRA & KIMM	COLLEGE STREET BRIDGE BID & CONSTRUCTION	16,890.77
VERIZON WIRELESS	WIRELESS SERVICE	800.27
TAYLOR CONSTRUCTION INC	COLLEGE ST BRIDGE & RELATED WORK	239,306.31
ASHLEE VAN FLEET	UTILITY REFUND	66.45
MIRIAH DURFLINGER-ELAM	UTILITY REFUND	34.65
BRANDON GRABER	UTILITY REFUND	24.77
ANDREA LEWIS	UTILITY REFUND	28.11
JACE & HEATHER HIGHLY	UTILITY REFUND	2,501.09
TOTAL		282,498.06
GRAND TOTAL EXPENDITURES		441,860.06
FUND TOTALS		
001 GENERAL FUND	88,819.32	
022 CIVIC CENTER	91.57	
031 LIBRARY	5,647.12	
036 TORT LIABILITY	32,617.80	
110 ROAD USE TAX	4,613.91	
112 TRUST AND AGENCY	13,111.33	
600 WATER FUND	15,574.34	
610 SEWER FUND	14,456.57	
310 COLLEGE STREET BRIDGE	151,944.94	
318 PARK IMP - PEDERSEN VALLEY	114,983.16	
GRAND TOTAL	441,860.06	

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

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

Third Reading Ordinance 767 – Amending Chapter 50 of the Code of Ordinances: Entitled Nuisance Abatement Procedure. /Move to action.

ORDINANCE NO. 767

AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA.

WHEREAS, the City Administration has recommended updating the City's Nuisance Abatement Procedure; and  
 WHEREAS, the City Administrator has proposed a total revision to the existing Chapter 50 of the Code of Ordinances.  
 NOW, THEREFORE, BE IT ORDAINED:

1. Amendment. Chapter 50 of the Code of Ordinances of the City of West Branch, Iowa, is hereby deleted in its entirety and replaced with the proposed Chapter 50 listed on Exhibit "A" attached hereto and incorporated into this Ordinance by this reference.
2. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.
3. Adjudication. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.
4. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

First reading: June 10, 2019  
Second reading: June 24, 2019  
Third Reading: July 8, 2019

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Roger Laughlin, Mayor

ATTEST:

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Redmond Jones II, City Administrator/Clerk

(Full ordinance – Exhibit A on file at the City Clerk's office)

Motion by Stoolman, second by Goodweiler to approve the third reading of Ordinance 767. AYES: Stoolman, Goodweiler, Miller. NAYS: None. Absent: Pierce & Ellyson. Motion carried.

Resolution 1823 – Establishing a New Nuisance Abatement Hearing Committee. /Move to action.

Jones said the committee will consist of three members, the Mayor, a council member and a resident. Stoolman volunteered to sit on the committee.

Motion by Miller, second by Stoolman to approve the Resolution 1823. AYES: Miller, Stoolman, Goodweiler. NAYS: None. Absent: Pierce & Ellyson. Motion carried.

Resolution 1824 – Adopting the 2019 West Branch Regional Trails Plan. /Move to action.

Laughlin said that if the plan was approved, the City could then submit to various agencies for possible trail development funding.

Motion by Goodweiler, second by Miller to approve the Resolution 1824. AYES: Goodweiler, Miller, Stoolman. NAYS: None. Absent: Pierce & Ellyson. Motion carried.

Discussion: Considering directing the City Administrator to develop policy(s) / protocol(s) for planting trees in city right of way.

Stoolman asked for clarification on the city's policy for planting trees in the right of way and questioned if residents had a choice since they would have the future maintenance of it and gave example of trimming around and raking its leaves. Goodale explained that there currently is not a written policy but there was a process in which he followed that includes notifying the resident of the planting. Goodale said that the trees the City has planted since 2012 (approximately 500) have all come from grants from Trees Forever. He stated that there are several requirements for obtaining the grant which include layout and species that are appropriate for right of way plantings. Goodale said placement also depends on location of buried utilities and storm sewers as to not interfere with those systems. He said there are occasions when a homeowner who lives on a corner lot may receive two trees (one per street), but that is not always the case. Stoolman felt that homeowners should be given the chance to opt out of having a tree in front of their home. Miller stated that over the years he has received more complaints of the City removing trees rather than planting them and suggested that a tree committee be established to address this concern. Laughlin said he was comfortable with the current process and suggested that staff keep doing what they are doing.

Discussion: Considering accepting the Cubby Park Improvement Project before all of the punch list items are complete.

Jones said last week's walk through still had items on the punch list that remained incomplete and questioned if the Council was comfortable accepting the project as substantially complete. He said by accepting the project, it would allow the City to start using the facility for some tentatively planned activities. Olson reminded the Council that state law says they do not have to accept the project until it is ninety-five percent complete and it is currently only at ninety percent. By accepting the project prematurely, would only delay getting the punch list items taken care of if at all. He further stated unless there is a valid reason for accepting the project before the punch list items are done, he recommended that they do not. The council agreed unanimously to hold tight until the project and punch list items were done.

Resolution 1825 – Approving the purchase of a Cub Cadet Pro Z 960 mower in the amount not to exceed \$14,389.

Motion by Goodweiler, second by Miller to approve the Resolution 1825. AYES: Goodweiler, Miller, Stoolman. NAYS: None. Absent: Pierce & Ellyson. Motion carried.

Discussion: Considering placing a public measure on the November ballot to establish a Capital Improvement Reserve Levy (intended to maintain overall tax rate).

Jones explained the purpose of the levy was to build a fund for capital improvement projects and would allow the city greater flexibility for doing smaller projects without having to borrow money for future projects. The additional levy request would go the ballot for the voters to decide. The council discussed and felt that levy would be beneficial and felt if the residents agreed they would vote either for or against it.

Resolution 1826 – Approving Change Order #3 in the amount of \$14,003.42 for the College Street Bridge Project.

Motion by Miller, second by Goodweiler to approve the Resolution 1826. AYES: Miller, Goodweiler, Stoolman. NAYS: None. Absent: Pierce & Ellyson. Motion carried.

Discussion: Determining the City Council’s preferable pay estimate protocol for the College Street Bridge Project.

Jones explained the current process of presenting pay estimates to the council for approval by providing the back-up information from the contractor and in turn staff time to write a resolution for approval. Jones stated that the pay estimates are what was approved in the bid process. He said extra staff time is taken to write a corresponding resolution for each of the pay estimates and asked if the Council felt it was necessary to duplicate the work. Miller said he liked seeing the pay estimates, but was comfortable adding them as a consent item for discussion rather than requiring addition paperwork to approve. Olson confirmed that other cities do it both ways and either way was fine. The Council agreed to have future pay estimates on the consent agenda.

**CITY ADMINISTRATOR REPORT**

Jones reported that he would be accompanying City Engineer Dave Schechinger on site visits to other Iowa cities who use the LEMNA and SAGAR systems. After these visits, the taskforce will have a recommendation for the Council.

**CITY ATTORNEY REPORT**

Olson said he was still working with Brian Shay and Schechinger on the sidewalk agreement for the Northside First Addition housing project.

**STAFF REPORTS**

Horihan reported that the West Branch Police Department now had its own website [www.westbranchpd.org](http://www.westbranchpd.org). Sgt. Hanna developed the site and Horihan said he was pleased with it. Horihan said the site provides information about their services, staff and call logs.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

No comments.

**ADJOURNMENT**

Motion to adjourn by Goodweiler, second by Miller. Motion carried on a voice vote. City Council meeting adjourned at 8:51 p.m.

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Roger Laughlin, Mayor

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