

*(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 [westbranchiowa.org/city-of-west-branch/mayor-city-council/meetings/](http://westbranchiowa.org/city-of-west-branch/mayor-city-council/meetings/). The minutes are not approved until the next regularly scheduled City Council meeting.)*

**West Branch, Iowa  
Council Chambers**

**City Council  
Regular Meeting**

**March 2, 2020  
7:00 p.m.**

Mayor Roger Laughlin called the West Branch City Council meeting to order at 7:00 p.m. Roll call: Council members: Colton Miller, Jodee Stoolman, Nick Goodweiler, Jerry Sexton and Tom Dean were present. Laughlin welcomed the audience and the following City staff: City Administrator Redmond Jones, Deputy Clerk Leslie Brick, Finance Officer Gordon Edgar, City Attorney Kevin Olson, City Engineer Dave Schechinger, Police Chief Mike Horihan, Public Works Director Matt Goodale and Park & Recreation Director Melissa Russell.

## **PRESENTATIONS**

Pete Swisher, Superintendent Herbert Hoover National Park presented the parks upcoming flood mitigation project. Swisher said the project has been in the works for years and is now (finally) ready to commence. In February, the project was awarded to Miller Trucking & Excavating from Silvis, IL. Swisher reviewed the timeline which starts this month with tree removal along the creek from South 2<sup>nd</sup> Street to the shelter area in the park. Swisher said approximately one hundred trees would be removed by the end of the month. He added that approximately sixty trees would be replaced at the conclusion of the project next year. He further explained construction of the detention basin would begin in the fall of 2020. During the late spring and summer months utilities would be moved all while keeping the park open for visitors and no interruption with Hoover's Hometown Days. Swisher said the project would conclude by June 2021 and additional information on the project could be found at [nps.gov/heho/learn/flood-mitigation-project](http://nps.gov/heho/learn/flood-mitigation-project).

Melissa Russell, Park & Recreation Director presented the recreation schedule for 2020 which includes the annual Easter Egg Hunt happening this year at Cubby Park on Saturday, April 11th. Russell said she has been working on the grand opening for the park and is hoping to have that on April 18<sup>th</sup> with a Pitch, Hit & Run competition. She stated that field requests are coming in for both games and practices and that she is working on scheduling youth tournaments as well. Russell shared some signage designs for Cubby Park for the council to review and consider.

## **PUBLIC COMMENT**

Ben Litscher, part-time Public Works employee shared his feelings with the Council on how employee raises were given. Litscher, who has worked for the City since 2014 said that in recent years the annual increases seemed to be on the decline. Litscher stated that he takes pride in his work and enjoys his job and not looking to leave, but hopes the Council would look toward a merit system. Litscher who lives in Mechanicsville and commutes to West Branch for work was asked to join the West Branch Fire Department a couple of years ago when the department was lacking day time help. Litscher joined willingly as he also serves as a firefighter in Mechanicsville. Dean and Stoolman agreed that employee compensation determination was lacking and that the subject has been discussed several times.

## **CONSENT AGENDA**

Motion to Approve Meeting Minutes for City Council Meeting February 18, 2020.

Motion to Approve a Class E Liquor License, Class B Wine, Class C Beer (carryout), Sunday sales for Casey's General Store #3463, Located at 615 S. Downey Street.

Motion to Approve the Claims Report.

## **EXPENDITURES**

3/2/2020

AERO RENTAL INC	RENTAL-BRUSH CHIPPER	605.00
BAKER & TAYLOR INC.	BOOKS	386.51
F&B COMMUNICATIONS INC	SECURITY EQUIPMENT	1,043.00
HAWKINS INC	CHEMICALS	439.50
HI-LINE ELECTRIC COMPANY INC	SUPPLIES	84.80
HOTSY CLEANING SYSTEMS	SUPPLIES	651.15
INTERSTATE POWER SYSTEMS I	SEMI-ANNUAL INSPECTION	868.50
IOWA ASSN. MUN. UTILITIES	MEMBERSHIP DUES	744.00
JOHN DEERE FINANCIAL	BLDG & GRNDS SUPPLIES	660.45
JOHNSON COUNTY REFUSE INC.	GARBAGE STICKERS	600.00
KNOCHE, REBECCA	PROGRAM SUPPLIES	29.97
OLSON, KEVIN D	LEGAL SERVICES - MARCH, 2020	1,500.00

PAUL O'NEIL	REIMB-CLOTHING ALLOWANCE	111.27
QUILL CORP	SUPPLIES	62.06
RACOM CORPORATION	OFFICE RADIO	6,916.00
RANDY'S CARPETS	BUILDING MAINTENANCE	320.00
STATE INDUSTRIAL PRODUCTS	CHEMICALS	244.00
US BANK CORPORATE CARD	MONITORS, REC & OFFICE SUPPLIE	1,183.33
USA BLUE BOOK	SUPPLIES	1,240.80
VEENSTRA & KIMM INC.	USGS FLOOD STUDY	369.25
VEENSTRA & KIMM INC.	I-80 WIDENING COORDINATION	360.00
VEENSTRA & KIMM INC.	I-80 WIDENING -UTILITY RELOCATION - DESIGN	1,740.00
VEENSTRA & KIMM INC.	CHANNEL WIDENING - FLOOD IMPROVEMENTS	352.00
VERIZON WIRELESS	VERIZON WIRELESS	845.16
WATCH GUARD VIDEO	WATCH GUARD VIDEO	5,417.75
WEST BRANCH FORD	VEHICLE REPAIR	792.09
TOTAL		27,566.59
PAYROLL	2/21/2020	54,680.33
PAID BETWEEN MEETINGS		
JULIA HIME	VIDEOGRAPY SERVICE	100.00
MEDIACOM	CABLE SERVICE	41.90
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE METER	500.00
UPS	SHIPPING	47.59
TOTAL		689.49
GRAND TOTAL EXPENDITURES		82,936.41
FUND TOTALS		
001 GENERAL FUND	36,873.70	
022 CIVIC CENTER	52.44	
031 LIBRARY	7003.15	
110 ROAD USE TAX	7,346.65	
112 TRUST AND AGENCY	11,486.51	
319 RELOCATING WATER & SEWER	1,740.00	
600 WATER FUND	9,438.97	
610 SEWER FUND	8,273.74	
740 STORM WATER UTILITY	721.25	
GRAND TOTAL	82,936.41	

**Motion by Miller, second by Goodweiler approve agenda/consent agenda items. AYES: Miller, Goodweiler, Dean, Stoolman, Sexton. NAYS: None. Motion carried.**

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

Third Reading of Ordinance 772 Approving the Rezoning of a Certain Parcel of Property Located North of Interstate 80 and East of Parkside Drive from B-2 Business District to a PUD – Planned Unit Development District (Parkside BP property). /Move to action.

### **ORDINANCE NO. 772**

**AN ORDINANCE RE-ZONING THAT CERTAIN OF REAL PROPERTY LOCATED NORTH OF AND ADJACENT TO INTERSTATE 80 AND EAST OF PARKSIDE DRIVE FROM B-2 BUSINESS DISTRICT TO PUD – PLANNED UNIT DEVELOPMENT DISTRICT.**

WHEREAS, the Owner of the property described below has petitioned the City of West Branch for a zoning district amendment for property located north of and adjacent to Interstate 80 and east of Parkside Drive, said parcel being legally described as:  
Commencing at a point of reference at the Northwest corner of Section 8, Township 79 North, Range 4 West of the 5th Principal Meridian, West Branch, Cedar County, Iowa, thence South 1,638.0 feet along the West line of the Northwest Quarter of said Section 8 (the West line of the Northwest quarter of said Section 8 is assumed to bear true North and South) to the Southwest corner of Lot A of the Northwest Quarter of said Section 8, according to the plat of survey made for James Cook, said survey being filed in Surveyor's Record 3, Page 265, in the office of the Auditor of Cedar County, Iowa, thence South 89°37' East 60 feet, more or less, along the South line of said Lot A to a point of intersection with the easterly right-of-way line of the public highway and point of beginning of tract herein described; thence continuing South 89°37' East 176.0 feet along the Southerly line of said Lot A to a point; thence South 0°23' West 200.00 feet to a point; thence North 89°37' West 140.84 feet to a point of intersection with the easterly right-of-way line of the public highway; thence North 11°59' West 18.54 feet along the Easterly right-of-way line of said highway to a point; thence North 9°21' West 184.55 feet along the easterly right-of-way line of said public highway (whose right-of-way is described in Iowa State Land Office Correction Patent No. 603, recorded in Volume 5, Page 158, Records of the Iowa Secretary of State, Des Moines, Iowa) to the point of beginning, and except the North 40 feet of tract above described; and subject to a perpetual easement for foot and motor vehicle travel, in common with others, over and across the westerly 30 feet of tract above described.

AND  
Commencing as a point of reference at the Northwest corner of Section 8, Township 79 North, Range 4 West of the 5th Principal Meridian, West Branch, Cedar County, Iowa; thence South 1638.0 feet along the West line of the Northwest Quarter of said Section 8 (the West line of the Northwest Quarter of said Section 8 is assumed to bear true North and South) to the Southwest corner of Lot A of the Northwest Quarter of said Section 8 according to plat of survey made for James Cook, said survey being filed in Surveyor's Record 3, page 265 in the office of the Auditor of Cedar County, Iowa; thence South 89°37' East 60 feet, more or less, along the South line of said Lot A to a point of intersection with the Easterly right-of-way line of the public highway; thence South 9°21' East 184.55 feet along the Easterly right-of-way line of said public highway to a point; thence South 11°59' East 18.54 feet to point of beginning of tract herein described; thence South 89°37' East 140.84 feet to a point; thence South 0°23' West 174.42 feet to a point of intersection with the Northerly right-of-way line of Interstate Highway #80; thence North 68°03' West 120.79 feet along the Northeasterly right-of-way line of said highway to a point; thence North 11°59' West 133.11 feet along the Northeasterly right-of-way line of said highway to the point of beginning. (Right-of-way of the subject highway is described in Iowa State Land Office Correction Patent No. 603, recorded in Volume 5, Page 158, records of the Iowa Secretary of State, Des Moines, Iowa) (The "Parcel"); and

WHEREAS, the Owner has requested that the Parcel be rezoned to be located in a PUD – Planned Unit Development District in place of an B-2 Business District; and

WHEREAS, the West Branch Planning and Zoning Commission has recommended the City Council approve said rezoning request; and

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

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

Section 1. That the zoning map for the City of West Branch is hereby amended to show the Parcel being located in a PUD – Planned Unit Development District in place of B-2 Business District.

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

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

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

Passed and approved this 2nd day of March, 2020.

Read First Time: February 4, 2020  
Read Second Time: February 18, 2020  
Read Third Time: March 2, 2020

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Roger Laughlin, Mayor

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

**Motion by Dean, second by Goodweiler to approve the 3rd reading of Ordinance 772. AYES: Dean, Goodweiler, Stoolman, Sexton, Miller. NAYS: None. Motion carried.**

Resolution 1878 – Approving the Site Plan for Parkside BP, 401 Parkside Drive, West Branch. /Move to action.  
Ron Amelon, MMS Consultants explained the project to include remodeling and expanding the existing gas station to provide additional commercial space. Amelon said the expansion adds approximately five thousand square feet to the building. Amelon said this project is part of the overall redesign of the area in the planned unit development area (to the east) creating a more attractive entrance to the city. Developer Chad Kuene, said they hope to demolish the old car wash in the coming weeks and get started with the construction project. Planning & Zoning had previously reviewed the site plan and unanimously approved the site plan with a contingency for a possible requirement of an engineered retaining wall along the south end of the property. However, the need for a retaining wall would not be able to be determined until final grading was complete. The Council had no objections or additional questions.  
**Motion by Sexton, second by Miller to approve Resolution 1878. AYES: Sexton, Miller, Stoolman, Dean, Goodweiler. NAYS: None. Motion carried.**

Discussion: To consider a draft Golf Cart Ordinance.  
The council discussed the proposed golf cart ordinance presented by resident Bobby Sexton at the February 18<sup>th</sup> City Council meeting and felt that changes were needed. The council was not in favor of inspections or registrations for golf carts but did agree with following the State's ordinance which includes; must be operated by a licensed driver, have proof of insurance, no night time driving (sunrise to sunset), must have a slow moving vehicle sign, a raised bike flag, and cannot travel on certain streets (to be determined). Horihan said he would have his department continue with educating the public and increase enforcement of violators.

First Reading of Ordinance 773 Amending Chapter 92 of the Code of Ordinances of the City of West Branch, Iowa. "Eliminating discounted rates for consumption over 250,000 gallons" per meter per month. / Move to action.  
This item was discussed at the last Council meeting and the Council decided to move forward with eliminating the water discount. The Council asked staff to notify the current high usage customers as a courtesy that the discount was being discontinued. Brick suggested that for billing purposes, the ordinance clarify the effective date of the change. The council directed Brick to make the change effective May 1, 2020 and have the ordinance updated accordingly.

**Motion by Goodweiler, second by Dean to approve the 1st reading of Ordinance 773. AYES: Goodweiler, Dean, Miller, Sexton, Stoolman. NAYS: None. Motion carried.**

Public Hearing: Adopting the City Administrator's recommended budget for fiscal year beginning July 1, 2020 and ending June 30, 2021.

Laughlin opened the public hearing at 8:17 p.m. There were no public comments. Laughlin closed the public hearing at 8:18 p.m.

Resolution 1879 – Adopting the City Administrator's recommended budget for fiscal year beginning July 1, 2020 and ending June 30, 2021. / Move to action.

The council had no further comments on the proposed budget.

**Motion by Miller, second by Sexton to approve Resolution 1879. AYES: Miller, Sexton, Stoolman, Dean, Goodweiler. NAYS: None. Motion carried.**

First Reading of Ordinance 774 Amending Chapters 45 entitled "Alcohol Consumption and Intoxication"; and Chapter 47 entitled "Municipal Park Policies and Regulations". / Move to action.

The mayor and Council remained torn on the issue of allowing alcohol in the city parks. Currently, Beranek Park is the only park in which the City allows consumption of alcohol during park hours. Attorney Olson said Coralville does not allow alcohol in any city park unless a special permit is obtained. Several topics were discussed such as the adult volleyball league which is played at Beranek Park, to the new pickle ball court at Cubby Park where patrons have been observed drinking, to a scenario of someone wanting to have a picnic in one of the parks and have a few beers or a glass (or two) of wine. Stoolman remained adamant on not allowing alcohol at any park where children are playing. The council could not come to a consensus on the ordinance as written and suggested tabling the item for further consideration. Olson said he would prepare some options for the council to consider.

**Motion by Stoolman, second by Goodweiler to TABLE the 1st reading of Ordinance 774. AYES: Stoolman, Goodweiler, Dean, Miller, Sexton. NAYS: None. Motion carried.**

Discussion: Amending the Recreation Facility, Park & Sport Field Use and Fee Policy.

Russell said the Park & Recreation Commission reviewed the fees for the various park shelters and fields and felt that rental fees should be collected for shelter use as there are related expenses for electricity, trash collection and restroom facilities. The commission suggested that scheduling be set in blocks of time, rather than random hourly times to allow for more reservations. Russell said the shelter fee would be \$25 per four hours or \$50 for a day's use. The council was agreeable with the recommendation.

#### **CITY ADMINISTRATOR REPORT**

Jones said four vendors responded to the request for proposal for trash collection services. Jones stated that he would review the submissions and provide a recommendation to the council to approve at the March 16, 2020 City Council meeting.

#### **CITY ATTORNEY REPORT**

None.

#### **STAFF REPORTS**

None.

#### **COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Miller responded to the subject from the part-time employee's concerns on employee compensation and said he felt that this subject should be discussed among the Council members further. Stoolman wished the Lady Bears basketball team luck as they move on to State

**ADJOURNMENT**

Motion to adjourn the regular meeting by Goodweiler, second by Miller. Motion carried on a voice vote. City Council meeting adjourned at 9:13 p.m.

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Roger Laughlin, Mayor

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