

(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/. The minutes are not approved until the next regularly scheduled City Council meeting.)

**West Branch, Iowa
Council Chambers**

**City Council
Regular Meeting**

**April 20, 2020
7:00 p.m.**

An Electronic Meeting (pursuant to Iowa Code Section 21.8) of the City Council of the City of West Branch, Cedar County, IA was held on Monday, April 20, 2020 at 7:00 p.m. because a meeting in person was impossible or impractical due to concerns for the health and safety of Council Members, Staff and the Public presented by COVID-19.

Until further notice, all of our Council Meetings will be held electronically only. Persons may still attend, observe and participate in the meeting at the Council Chambers, City Office, 110 N. Poplar St, West Branch, Iowa. Social distancing practices shall be observed for any persons attending the meeting in person at City Hall.

Mayor Roger Laughlin called the West Branch City Council meeting to order at 7:01 p.m.

Roll call (via Zoom platform): Council members: Colton Miller, Jodee Stoolman, Nick Goodweiler, Jerry Sexton and Tom Dean were present. City Staff: Deputy Clerk Leslie Brick, City Attorney Kevin Olson, City Engineer Dave Schechinger, Library/IT Director Nick Shimmin, Parks & Recreation Director Melissa Russell, Public Works Director Matt Goodale and Police Chief Mike Horihan.

Laughlin welcomed the (in-person) audience and the following City staff: City Administrator Redmond Jones and Finance Officer Gordon Edgar.

PRESENTATIONS

Public Works Director Matt Goodale provided an update on creek clean-up efforts performed by his staff along the Wapsinoc Creek along Wapsi Park. Goodale said that crews cleaned up approximately fifteen hundred feet of over brush, volunteer trees and debris. Goodale said additional clean up would be continued as time permits throughout the spring and into early summer.

PUBLIC COMMENT - NONE

CONSENT AGENDA

Motion to approve minutes for City Council Meeting April 6, 2020.

Motion to approve Pay Estimate # 10 in the amount of \$4,866.49 for the College Street Bridge Replacement Project.

Motion to approve the Claims Report.

April Claims and March Revenue

EXPENITURES	4/20/2020	
ALLIANT ENERGY	ALLIANT ENERGY	11,266.47
AMAZON	BOOKS, SUPPLES	493.90
BAKER & TAYLOR INC.	BOOKS	289.64
BANKERS ADVERTISING COMPANY	OFFICE SUPPLIES	112.45
BARRON MOTOR SUPPLY	FUEL	117.00
BOCWAY INVESTMENTS LLC	BUILDING INCENTIVE PAYMENT	908.77
BOOKLIST	SUBSCRIPTION	169.50
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	252.30
BRICK, LESLIE	MILEAGE	17.13
CEDAR COUNTY COOPERATIVE	EQUIPMENT	1,451.32
CEDAR COUNTY RECORDER	RECORDER FEE	14.00
CITY TRACTOR CO	SUPPLIES	79.60
DECKER SPORTING GOODS INC	EQUIPMENT	3,583.30
FELD FIRE EQUIPMENT CO. INC	VEHICLE REPAIR	134.00
GALLS, LLC	SUPPLIES	264.59
HI-LINE ELECTRIC COMPANY INC	EQUIPMENT-CUBBY PARK	561.62
HORIHAN, MIKE	SUPPLIES	19.88
IOWA DEPARTMENT OF NATURAL RESOURCES	EXAM FEES	90.00
JOHNSON COUNTY AMBULANCE SERVICE	MEDICAL SUPPLIES	88.00
JOHNSON COUNTY REFUSE INC.	RECYCLING MARCH 2020	4,004.25

KANOPY	SUBSCRIPTION	20.00
KNOCHE, REBECCA	PROGRAM SUPPLIES	15.00
LINN COUNTY R.E.C.	STREET LIGHTS	192.60
MENARDS	MAINTENANCE SUPPLIES	35.88
MERIDITH COLEMAN	BUILDING INCENTIVE PAYMENT	910.14
MISCELLANEOUS VENDOR	COLLABORATIVE SUMMER LIB PROG:	313.25
MOORE'S WELDING INC	SUPPLIES	77.60
MUNICIPAL SUPPLY INC.	SUPPLIES	5,621.95
OASIS ELECTRIC LLC	LED LIGHTS	8,730.25
ORIENTAL TRADING CO. INC.	EASTER TREATS	619.18
OVERDRIVE INC	EBOOKS. AUDIOBOOKS	1,057.28
PATRICK HYDE	BUILDING INCENTIVE PAYMENT	1,115.44
PYRAMID SERVICES INC.	SUPPLIES	1,074.38
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	759.00
QUILL CORP	OFFICE EQUIPMENT	367.44
RACOM CORPORATION	RADIO REPAIR	195.00
RIVER PRODUCTS COMPANY INC	ROCK	1,314.31
SPAHN & ROSE LUMBER CO.	TRASH ENCLOSURE CUBBY PARK	28.13
STATE HYGIENIC LAB	LAB ANALYSIS	26.00
STATE INDUSTRIAL PRODUCTS	CHEMICALS	191.77
STRYKER SALES CORPORATION	MEDICAL SUPPLIES	282.08
TAYLOR CONSTRUCTION INC	COLL ST BRIDGE & RELATED WORK	18,703.02
THE HOME DEPOT PRO	SUPPLIES	203.52
THOMAS MARK & JEANETTE	BUILDING INCENTIVE PAYMENT	293.97
TIPTON AMBULANCE SERVICE	MEDICAL SUPPLIES	150.00
TIPTON CONSERVATIVE	SUBSCRIPTION	40.00
USA BLUE BOOK	SUPPLIES	471.97
VEENSTRA & KIMM INC.	P & Z LOT SITE PLAN REVIEW	9,505.55
WALMART COMMUNITY/RFCSLLC	VIDEOS, PROGRAM SUPPLIES	163.45
WATER SOLUTIONS UNLIMITED	CHEMICALS	2,515.00
WEST BRANCH ANIMAL CLINIC	TRAP/NEUTER CATS, ANIMAL CARE	201.00
WEST BRANCH REPAIRS	VEHICLE REPAIR	572.61
WEST BRANCH TIMES	LEGAL PUBLICATIONS & HELP WANT	254.75
WEX BANK	VEHICLE FUEL	1,274.35
TOTAL		81,213.59
PAYROLL	4/17/2020	54,966.35
PAID BETWEEN MEETINGS		
MISCELLANEOUS VENDORS	SOCCER REFUNDS	1,125.00
TOTAL		1,125.00
GRAND TOTAL EXPENDITURES		137,304.94

FUND TOTALS		
001 GENERAL FUND		49,102.16
022 CIVIC CENTER		606.27
031 LIBRARY		8,958.55
110 ROAD USE TAX		7,601.91
112 TRUST AND AGENCY		11,548.02
308 PARK IMP - PEDERSEN VALLEY		4,954.84
310 COLLEGE STREET BRIDGE		1,988.80
318 COLLEGE ST & 2ND ST IMPROVEMENTS		16,714.22
319 UTILITY RELOCATION & I-80 WIDENING		1,740.00
323 I-80 WEST, WATER MAIN RELOCATION		5,707.05
600 WATER FUND		18,484.92
610 SEWER FUND		9,722.20
740 STORM WATER UTILITY		176.00
GRAND TOTAL		137,304.94

REVENUE-FISCAL YEAR 2020
FUND MARCH

001 GENERAL FUND	171,969.79
022 CIVIC CENTER	2,579.16
031 LIBRARY	288.92
036 TORT LIABILITY	5,865.19
110 ROAD USE TAX	11,770.25
112 TRUST & AGENCY	33,451.61
119 EMERGENCY TAX FUND	4,708.75
121 LOCAL OPTION SALES TAX	15,823.18
125 TIF	58,536.95
226 DEBT SERVICE	43,385.84
500 CEMETERY PERPETUAL FUND	587.15
501 KROUTH PRINCIPAL FUND	229.21
502 KROUTH INTEREST FUND	61.40
600 WATER FUND	47,150.63
610 SEWER FUND	47,038.59
740 STORM WATER UTILITY	5,087.88
TOTAL	448,534.50

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

PUBLIC HEARING / NON-CONSENT AGENDA

Third Reading of Ordinance 775 Adding Chapter 78 of the Code of Ordinances of the City of West Branch, Iowa; Entitled, "Golf Carts". / Move to action.

ORDINANCE 775

ORDINANCE 775 ESTABLISHING A NEW CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA; ENTITLED "GOLF CARTS".

WHEREAS, the City Council has recommended establishing a City of West Branch Policy for reasons of safety and well-being of the citizens; and **WHEREAS**, the operations of a Golf Cart by under aged children could endanger the safety of persons driving, bicycling or walking on the roads or the safety of motorists, cyclists, pedestrians, or other children passengers on the Golf Cart; and **WHEREAS**, this is a practice as well as other risky or prohibited behaviors that involve the golf cart operations are addressed within this ordinance; and

NOW, THEREFORE, BE IT ORDAINED:

1. Establishing. Chapter 78 of the Code of Ordinances of the City of West Branch, Iowa, is hereby developed 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: March 16, 2020
Second reading: April 6, 2020
Third Reading: April 20, 2020

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator/Clerk

Laughlin asked if the Council would consider providing a (golf cart) sticker if the resident provided proof of insurance to the City Office. The sticker would then be placed on the cart as proof of insurance. The Council said the new process was not to over burden city staff with extra responsibilities and that insurance would only be requested for carts driving on city streets. The Mayor agreed but wanted to bring up the idea from a resident. The Council approved the final reading with no additional changes.

Motion by Dean, second by Goodweiler to approve the 3rd reading of Ordinance 775. AYES: Dean, Goodweiler, Stoolman, Miller, Sexton. NAYS: None. Motion carried.

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

Motion by Dean, second by Miller to approve the 2nd reading of Ordinance 774. AYES: Dean, Miller, Sexton, Goodweiler, Stoolman. NAYS: None. Motion carried.

Resolution 1890 – Amending Resolutions 1880 and 1724 An Agreement with Barnhart’s Custom Service LLC for Site Preparation to Include Additional Invoicing Not To Exceed \$54,000.00 For Related Services. / Move to action.

Jones explained that Barnhart will be billing the City for crushing and recycling of the rock from the site and the cost is expected to be between forty and fifty thousand dollars, noting that Barnhart was only able to provide an estimate as he had not yet been billed by Bushman’s. This agreement also allows Barnhart to purchase the rock at \$3.75 per ton. The sale of the crushed rock will help offset the cost of the recycling services. Jones said in addition to the sale of the rock, the City is expecting grant funds for up to twenty five thousand dollars.

Motion by Sexton, second by Miller to approve Resolution 1890. AYES: Sexton, Miller, Dean Stoolman, Goodweiler. NAYS: None. Motion carried.

Resolution 1888 – Establishing a New Capital Fund To Pay For Expenses Related to the I-80 Widening Project. / Move to action.

Motion by Miller, second by Goodweiler to approve Resolution 1888. AYES: Miller, Goodweiler, Stoolman, Sexton, Dean. NAYS: None. Motion carried.

Discussion: Consider discontinuing our “2019-2020 Goal Setting Exercise” Identified the “High” Priority Goal to Install Asphalt Shoulder on West Main Street (Due to the School District Construction Plans).

Goodale explained that asphaltting the shoulders on West Main Street was a Council goal due to erosion issues in the past. Goodale said that with the school districts recent site plan for building improvements and required turn lanes, asphaltting the shoulders doesn’t make sense if they would need to be removed as part of the schools project. The Council agreed the proposal to remove the item from the goal list since the project was not budgeted for FY21.

Resolution 1891 – Approving the Site Plan for Cedar Edge, 3 Ember Lane, West Branch, Iowa. / Move to action.

Laughlin stated that Planning & Zoning approved the site plan on April 14th with no comments and pledged his support for Council approval. Miller asked if rezoning was required since a business would now be in an Agriculture zone. Attorney Olson said the business would be taxed commercial so rezoning was not an issue.

Motion by Dean, second by Goodweiler to approve Resolution 1891. AYES: Dean, Goodweiler, Miller, Stoolman. Abstain: Sexton. NAYS: None. Motion carried.

Resolution 1893 – Approving that certain Easement Agreement with the Fobian Brothers in connection with the College Street Bridge Project. / Move to action.

Schechinger explained the agreement was requested as part of the DOT’s (Department of Transportation) audit to correct a drainage issue that came up during the project which allowed water to enter the grain bins on the Fobian’s property. As part of the project, the City installed storm sewer improvements to ensure that water would not enter the grain bins, and in exchange the Fobian Brothers granted an easement to the City for those improvements and that easement coming at no cost to the City. The easement can also be vacated by the City should the Fobian Brothers decide to redevelop the site or the grain bins are destroyed as the bins are a non-conforming use. Schechinger said this easement satisfies the request by the DOT to allow us to close out the project.

Motion by Miller, second by Dean to approve Resolution 1893. AYES: Miller, Dean, Stoolman, Goodweiler, Sexton. NAYS: None. Motion carried.

Resolution 1892 – Approving Parkside Hills Preliminary Plat (with conditions. / Move to action.

Laughlin said the Planning & Zoning Commission approved the preliminary plat at a special meeting on April 14th and was satisfied with the changes the developer made based on feedback from staff and the commission at an earlier meeting. Laughlin also noted that IDOT requested a traffic study and that a left turn lane on Parkside Drive will be required in the future (at full build-out), but said the City would not stand in the way for the project to start. Attorney Olson said the turn lane would be addressed in the Subdivider’s Development Agreement along with other items such as responsibility for the out lots and private drives. Olson also noted that the lots where commercial business and

multi-residential housing would be constructed, site plan requirements would need to be met. Miller asked if the park space requirement was met for the subdivision and Jones replied that P&Z discussed that issue as well but determined that the close proximity of the Herbert Hoover National Park and Beranek Park fulfilled that requirement and that no additional park space would be required. Chad Kuene confirmed that the out lots where the basins would be constructed would be the responsibility of a homeowners association and not the City.

Motion by Sexton, second by Miller to approve Resolution 1892. AYES: Sexton, Miller, Goodweiler, Dean, Stoolman. NAYS: None. Motion carried.

CITY ADMINISTRATOR REPORT

Jones reported the Baldrige project had some disappointing results from the winter months. He said the ‘bugs’ did not perform as well as hoped in the cold water and that alternative ideas are being looked into. Jones also reported that two local businesses were recipients of a Small Business Relief Grant. Mexico Lindo received twenty-five thousand dollars and The Down Under received ten thousand dollars. Jones asked the Council for direction to resume city services and call worker’s back to work full-time, specifically Public Works who had been taking two week furloughs during the month of April. Edgar added that federal guidelines stated that employers were only obligated to provide up to eighty hours of paid leave and that if employees chose not to return to work, they would be required to use paid time off accruals or file for unemployment. The Council felt if Public Works could work independently for most tasks, staffing should return to normal. Goodale said he didn’t have issue with employees returning to work and would continue with social distancing efforts.

CITY ATTORNEY REPORT

No report.

STAFF REPORTS

Brick reported that the majority of the trash / recycling letters had been mailed to residents on April 17th and the website was set up and ready to record residents choice of carts. She also mentioned that Johnson County Refuse allows residents to change cart size one time during the first sixty days after the start of the program and that the first pick-up is scheduled for July 3rd. Brick said she had received an inquiry from a resident and local business owner on whether or not opting out was a choice if their business had a dumpster. The Council discussed and said they would consider the request if the business owner could provide proof of a solid waste contract for the dumpster but wanted to explore the request further at the next meeting.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Sexton asked if nuisance letters had been sent out to the identified property owners and said he noticed that one property had been improved. Jones said that letters were mailed in early March and said abatement letters would be going out soon for the next step in the process. Jones said that Code Enforcement vehicle magnets had been ordered and will be placed on city vehicles doing the property inspections. Jones said weekly inspections would be performed by either himself or the police department. Sexton also asked about the field conditions at Cubby Park. Russell said she had the fields checked last week by a turf specialist and was told that cutting them this week will help them green up quickly. Dean asked if an agreement had been drawn up for providing the fire chief health insurance. Edgar said a resolution had been drafted but needed further review by staff.

ADJOURNMENT

Motion to adjourn the meeting by Miller, second by Stoolman. Motion carried on a voice vote. City Council meeting adjourned at 8:43 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk