

(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**

**May 4, 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, May 4, 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 7:02 p.m.

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

Laughlin welcomed the (in-person) audience and the following City staff: Deputy City Clerk Leslie Brick and Finance Officer Gordon Edgar.

GUEST SPEAKER PRESENTATIONS

West Branch Community Development Group Board Member Nicki Brick introduced new Executive Director, Jessi Simon. Simon who will fill the position has more than ten years of experience in public relations, marketing, non-profit leadership, financial planning and fundraising and event planning. Simon, formerly of West Liberty now resides in West Branch, said she is anxious to meet business owners and community partners. Carolyn Anderson, former Executive Director will move to the CDG Board of Directors.

PUBLIC COMMENT - NONE

CONSENT AGENDA

Motion to approve minutes for City Council meeting April 20, 2020.

Motion to approve a special event permit for the West Branch Community School District for the purpose of holding a high school graduation ceremony.

Motion to approve a renewal Class C Liquor License, with Outdoor Service and Sunday Sales for Cedar's Edge Golf Course.

Motion to approve appointment of James Hoffman to the Planning and Zoning Commission.

Motion to approve a Mayoral appointment of Lynn Fox to the Nuisance Hearing Committee.

Motion to approve the Claims Report.

EXPENDITURES	5/4/2020	
ACTION SEWER & SEPTIC SERVICE	SEWER REPAIR	566.25
AERO RENTAL INC	EQUIPMENT RENTAL	220.00
ALLIANT ENERGY	ELECTRICAL SERVICE INSTALLATION	915.09
BEAN & BEAN	GRAVE OPENINGS	2,200.00
CASEYS GENERAL STORE	CASEY'S TIF REBATE #4	16,535.12
CONLEY & JENNA NASH	BUILDING INCENTIVE PAYMENT	838.69
CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	39.65
EARL MAY NURSERY & GARDEN	SUPPLIES	81.87
ELDON C STUTSMAN INC	CUBBY PARK GRASS SEED	1,350.00
HAWKINS INC	AZONE	311.50

HEATHER HIGHLY	BUILDING INCENTIVE PAYMENT	2,502.09
HOLMES, DEREK	SUPPLIES	19.88
HOSPERS & BROTHER PRINTERS	OFFICE SUPPLIES	124.23
IOWA ONE CALL	UTILITY LOCATION SERVICE	81.90
JOHN DEERE FINANCIAL	SUPPLIES	119.83
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,368.17
LOWES BUSINESS ACCT/GEGRB	BLDG MAINT SUPPLIES	21.48
LYNCH'S EXCAVATING INC	REPAIR HYDRANT-ORANGE ST	1,622.44
MACQUEEN EQUIPMENT	VEHICLE REPAIR	781.20
MEDIACOM	CABLE SERVICE	41.90
MUNICIPAL SUPPLY INC.	SUPPLIES	625.00
OLSON, KEVIN D	LEGAL SERVICES	1,500.00
PARKSIDE SERVICE	VEHICLE REPAIR	179.22
PLAY IT AGAIN SPORTS	SUPPLIES	117.80
PORT 'O' JONNY INC.	SERVICE - CEMETERY	139.00
QUILL CORP	SUPPLIES	10.58
RELIANT FIRE APPARATUS, INC.	VEHICLE REPAIR	496.21
STATE INDUSTRIAL PRODUCTS	STATE INDUSTRIAL PRODUCTS	244.00
STRYKER SALES CORPORATION	MEDICAL SUPPLIES	90.36
TM VENTURES	EQUIPMENT REPAIR	95.00
USA BLUE BOOK	SUPPLIES	561.34
VEENSTRA & KIMM INC.	GOLF COURSE DEVELOPMENT REVIEW	22,659.50
WELLMARK, INC.	ADMIN - FLEX CLAIMS	118.80
TOTAL		56,578.10
PAYROLL	5/1/2020	45,664.99
PAID BETWEEN MEETINGS		
JULIA HIME	VIDEOGRAPHY SERVICE	50.00
PITNEY BOWES	REPLENISH POSTAGE METER	500.00
STATE INDUSTRIAL PRODUCTS	CHEMICALS	191.77
TAYLOR CONSTRUCTION	COLLEGE ST BRIDGE & RELATED WORK	4,866.49
US BANK CORPORATE CARD	SUPPLIES AND SUNDRY EXPENSES	2,425.40
VERIZON WIRELESS	WIRELESS SERVICE	402.75
TOTAL		8,436.41
GRAND TOTAL EXPENDITURES		110,679.50
FUND TOTALS		
001 GENERAL FUND	35,428.90	
022 CIVIC CENTER	69.61	
031 LIBRARY	5,655.85	
110 ROAD USE TAX	5,307.28	
112 TRUST AND AGENCY	5,156.67	
125 T I F	16,535.12	
308 PARK IMP - PEDERSEN VALLEY	3,554.82	
310 COLLEGE STREET BRIDGE	915.09	
318 COLLEGE ST & 2ND ST IMPROVEMENTS	2,881.67	
319 RELOCATING WATER & SEWER	1,740.00	
321 WIDENING WAPSI CREEK @ BERANEK PARK	15,253.05	
323 I-80 WEST, WATER MAIN RELOCATE	1,480.60	
600 WATER FUND	10,078.12	
610 SEWER FUND	6,622.72	
GRAND TOTAL	110,679.50	

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

PUBLIC HEARING / NON-CONSENT AGENDA

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

ORDINANCE NO. 774

AN ORDINANCE AMENDING CHAPTERS 45 AND 47 OF THE CODE OF ORDINANCES REGARDING ALCOHOL IN PUBLIC PARKS.

WHEREAS, the City Council has heretofore deemed it necessary and desirable to revise the ordinance regarding alcohol in public parks with the opening of Cubby Park; and

WHEREAS, the City Administration has drafted proposed amendments that are recommended for approval by the Parks and Recreation Director and Police Chief.

NOW, THEREFORE, BE IT ORDAINED:

1. Amendment. Section 45.02(2) of the Code of Ordinances is amended by deleting the phrase “(2) on the ground of Beranek Park as set forth in Council Resolution”, along with appropriate renumbering of Section 45.02(2).
2. Amendment. Section 47.07 is hereby amended by deleting it in its entirety and replacing it with the following:
“The consumption of beer or wine in a city park is allowed under the following conditions:
 - a. Prior to the proposed consumption of beer or wine, the person intending to consume beer or wine at a city park shall apply for a permit from the Parks and Recreation Director on a form supplied by the City.
 - b. The Parks and Recreation Director shall review the application for consumption of beer or wine and shall approve said permit application if the following conditions are not present:
 - i. The beer or wine cannot be consumed in glass containers.
 - ii. The wine or beer will not be consumed on a date where there are scheduled activities of the school district or scheduled activities involving participants under the age of 18 years old. However, the prohibition against having persons under the age of 18 years old at a scheduled activity shall not apply should the applicant rent a shelter from the City.
 - iii. The applicant has not been previously cited for violation of this Section 47.07.
 - iv. That no person under the age of twenty-one (21) years old may rent a shelter where alcohol will be served.
 - v. The application is filed more than (10) days before the date of the requested permit.
 - c. The consumption of alcoholic liquor is prohibited in all city parks.
 - d. Any violation of this Section 47.07 can be filed as a simple misdemeanor or a municipal infraction citation.
 - e. Any person aggrieved by the denial of a permit application may file written notice of appeal with the City Clerk within ten (10) days of the denial of the permit. Failure to file an appeal makes the decision final.”
3. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.
4. 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.
5. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

First reading: April 6, 2020
Second reading: April 20, 2020
Third Reading: May 4, 2020

ATTEST:

Redmond Jones, City Administrator/Clerk

Roger Laughlin, Mayor

Olson explained that an additional change was needed to the ordinance to add ‘must be 21 to rent Beranek Park shelter if alcohol is served’. Olson said that he would also re-write the ordinance in correct ordinance form for publishing purposes. Otherwise he said it was fine to have the third and final reading.

Motion by Sexton, second by Miller to approve the 3rd reading of Ordinance 774. AYES: Sexton, Miller, Stoolman, Dean, Goodweiler. NAYS: None. Motion carried.

Resolution 1894 – Authorizing the Transfer of Funds. / Move to action.

Edgar explained the various transfers and the reasons for each. Stoolman questioned the transfer for the College Street Bridge and asked Edgar for a final total on the 2nd Street portion of the project and what the final outstanding balance is. Laughlin agreed that a summary of the total project expense (participating and

non-participating), grant funds, and outstanding balance would better help the council understand potential funding options for any remaining debt for the project.

Motion by Goodweiler, second by Sexton to approve resolution 1894. AYES: Goodweiler, Sexton, Miller, Stoolman, Dean. NAYS: None. Motion carried.

Resolution 1895 – Establishing “Go Fund Me” as one of Multiple Methods of Fundraising for the Splash Pad. / Move to action.

Laughlin stated that City Administrator Jones set up a Go Fund Me account for soliciting donations for a community splash pad but said that it was reported by residents that the account was not able to accept donations. Edgar said he recently learned that the account was set up as a regular account instead of a charity account which may be part of the issue. Laughlin said that he suggested that a community group of volunteers help steer the project and be in charge of fundraising, but said that in light of COVID-19, a volunteer group had not yet been assembled. Miller said that he would be voting no and explained that there has been no planning, no designs, and no cost projections for the project. Dean expressed his concern why staff was fund raising for a project not yet approved by the council. Sexton added that he was not comfortable moving forward without cost projections and future maintenance costs. Stoolman added that this is good idea, but more information and planning was needed.

Motion by Goodweiler, second by Sexton. AYES: None: NAYS: Goodweiler, Sexton, Stoolman, Miller, Dean. Motion FAILED.

Discussion: Relaxing previous closure orders and other COVID-19 protocols.

Miller and Stoolman deferred to Council person Dean who is a medical professional and has first-hand experience with the virus to provide his comments. Dean said he is watching the daily number of cases and doesn't feel that re-opening now is recommended. The council agreed that city buildings should remain closed to the public until June 1st and the situation would be re-evaluated at that time. The Council directed city staff to continue to report to work as usual and maintain social distancing practices.

Discussion: Solid waste collection regarding issues of exemptions and an every other week collection option.

Laughlin said that Jones (who was absent this evening) asked for this topic to be discussed based on some resident complaints on the new cart system. Laughlin deferred to Steve Smith, Johnson County Refuse who attended via Zoom for his thoughts on the subject of the every other week pick-up option. Smith said his company originally offered the option with other cities, but the offering has proven to be challenging and confusing for residents. Smith said residents are known to put trash out on the wrong week which only adds to their frustration to the change and added that they have noticed that more trash is appearing in the recycling carts causing contamination. Smith said the cost difference is only two dollars less per month and stated he choose not quote this option based on current issues. The Council was satisfied with Smith's response. Laughlin introduced the second topic regarding resident exemptions from trash collection services. In prior meeting, the Council discussed that if a resident owned a business in West Branch and had a dumpster, that the resident/business owner could 'opt-out' of the service since most business owner's use their dumpsters for their residential trash. Brick said she has received requests for waivers and they were not all from local business owners who met the discussed criteria. Brick said trying to track who had a dumpster, owned a business, or lease a property where a dumpster was provided, etc. would be a challenging task. Smith interjected and added that of all his other accounts this issue has not been raised and that all residents participated in the city trash collection. Stoolman added that the Council just ended a water discount for businesses and asked why they would consider giving them a break on trash collection services. While the Council wasn't able to come to a consensus, Olson said he would update the revised ordinance with an option to 'opt-out' or 'mandatory' and the Council could vote accordingly.

Discussion: Consideration of changing, postponing, or cancelling Hoover's Hometown Days.

Laughlin said event planning began in January but due to COVID-19, the committee recently met to discuss the possibility of scaling back or cancelling the event due to social distancing and current restrictions on gathering size. Laughlin said the committee is discussed keeping the fireworks if the National Park Service (NPS) is able to issue the fireworks permit and if not, alternate locations may be considered. All entertainment that requires a contract is cancelled, (inflatables, music, food vendors, etc.). Decisions

regarding the parade, Hoover Ball and the prairie run will be decided by July 1st. Dean said based on the number of positive cases in Iowa and the surrounding communities, he doesn't see it happening. The other Council members agreed that a final decision should be an "all or nothing" decision. The Council requested to bring this item back for discussion on June 1st.

Resolution 1896 – Approving health insurance for certain appointed officials and part-time employees. / Move to action.

The Council had no additional discussion on this topic as this was a budget discussion item that was approved with the FY21 budget.

Motion by Dean, second by Miller to approve Resolution 1896. AYES: Dean, Miller, Stoolman, Goodweiler, Sexton. NAYS: None. Motion carried.

Resolution 1897 – Setting a date for a public hearing on amending the current budget for the fiscal year ending June 30, 2020. / Move to action.

Edgar explained that the streets department was going to be slightly over budget and other departments "were close" and was the reason for the budget amendment. Council asked for the reason why the street budget was exceeded. Goodale reported that it was due to the change in salt contract mid-year which included increased costs and sealcoat projects. Goodale explained that these items are generally budgeted a year in advance and with them being weather dependent, it is not always easy to accurately gauge the amount of product needed from year to year.

Motion by Goodweiler, second by Dean to approve Resolution 1897. AYES: Goodweiler, Dean, Sexton, Miller, Stoolman. NAYS: None. Motion carried.

CITY ADMINISTRATOR REPORT

Jones was absent.

CITY ATTORNEY REPORT

No report.

STAFF REPORTS

Finance Officer Edgar asked the Council to consider a hiring freeze for the budgeted FY21 new hires (Public Works and Police). Edgar said he was concerned that the COVID-19 pandemic indicates lower projected revenues from Road Use Tax and General Funds. He said those funds pay salaries and help fund projects which may also need to be delayed. Edgar said that staff had discussed holding off the hiring process until the fall when staff members got closer to retirement. The council agreed that a freeze should be considered and asked Edgar to provide some past years Road Use Tax dollars for comparison purposes and other possible revenue shortfalls.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Goodweiler suggested that in the event that Hoover's Hometown Days is cancelled this year, that a small portion of the dollars set aside for the event be put toward a community project of some sort. Goodweiler suggested a park shelter or additional park equipment as ideas.

ADJOURNMENT

Motion to adjourn the meeting by Miller, second by Stoolman. Motion carried on a voice vote. City Council meeting adjourned at 8:54 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk