

(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**

**June 1, 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, June 1, 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 7:00 p.m. Roll call: Council members: Colton Miller, Jodee Stoolman, Nick Goodweiler and Tom Dean were present. Jerry Sexton arrived at 7:22 p.m. City Staff: City Administrator Redmond Jones II, Deputy City Clerk Leslie Brick and Finance Officer Gordon Edgar were present. Attending via Zoom: City Attorney Kevin Olson, City Engineer Dave Schechinger, Police Chief Mike Horihan, Fire Chief Kevin Stoolman, Public Works Director Matt Goodale, Parks & Recreation Director Melissa Russell and Library/IT Director Nick Shimmin.

GUEST SPEAKER PRESENTATIONS - NONE

PUBLIC COMMENT - NONE

CONSENT AGENDA

Motion to approve minutes for City Council Meeting May 18, 2020.

Motion to approve a liquor license renewal for Kum & Go #254, located at 620 S. Downey St., West Branch

Motion to approve the cigarette permit renewals for FY21.

Motion to approve the claims report.

EXPENDITURES	6/1/2020	
AE OUTDOOR POWER	EQUIPMENT REPAIR	91.01
AERO RENTAL INC	EQUIPMENT RENTAL	687.50
ALTORFER INC	SUPPLIES	24.00
BAKER & TAYLOR INC.	BOOKS	272.54
BARNHART'S CUSTOM SERVICES	CRUSHING CONCRETE	44,820.00
CENTURION TECHNOLOGIES	SOFTWARE SUPPORT	88.00
CROELL, INC.	CONCRETE	171.00
EBSCO INDUSTRIES, INC	SUBSCRIPTIONS	33.00
ECONO SIGNS LLC	SIGNS	512.40
HOTSY CLEANING SYSTEMS	MAINTENANCE SUPPLIES	313.64
IOWA ONE CALL	UTILITY LOCATION SERVICE	61.20
JOHN DEERE FINANCIAL	TOOLS & EQUIPMENT	167.04
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,387.99
LYNCH'S EXCAVATING INC	1ST ST WATER MAIN REPAIR	5,028.90
MENARDS	LANDSCAPE SUPPLIES	195.30
MTI DISTRIBUTING INC	EQUIPMENT	12,244.56
MUNICIPAL SUPPLY INC.	SUPPLIES	460.00
NORTHWAY WELL AND PUMP COMPANY	MOTOR REPLACEMENT	4,926.60
OASIS ELECTRIC LLC	EQUIPMENT MAINTENANCE	125.00
OLSON, KEVIN D	LEGAL SERVICES - JUNE 2020	1,500.00
PLUNKETT'S PEST CONTROL INC	PEST CONTROL CITY OFFICE	95.18
PORT 'O' JONNY INC.	SERVICE-CEMETERY	90.00
QUILL CORP	OFFICE SUPPLIES	90.42
RATHJE CONSTRUCTION CO	TREE GRINDING	8,455.00
SHIELD TECHNOLOGY CORPORATION	SOFTWARE MAINT SUPPORT CONTRAC	2,245.50

STATE INDUSTRIAL PRODUCTS	CHEMICALS	244.00
SWANK MOTION PICTURES INC	SITE LICENSE	104.00
UNIFORM DEN INC.	UNIFORMS	285.77
US BANK CORPORATE CARD	SOFTWARE, EQUIPMENT	785.59
TOTAL		85,505.14
PAYROLL	5/29/2020	46,373.28
PAID BETWEEN MEETINGS		
CEDAR COUNTY COOP	FUEL	567.30
MEDIACOM	CABLE SERVICE	41.90
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE METER	1,005.00
US BANK EQUIPMENT FINANCE	COPIER LEASE	106.25
VERIZON WIRELESS	WIRELESS SERVICE	218.51
TOTAL		1,938.96
GRAND TOTAL EXPENDITURES		133,817.38
FUND TOTALS		
001 GENERAL FUND	29,244.25	
022 CIVIC CENTER	117.20	
031 LIBRARY	6,195.39	
110 ROAD USE TAX	12,677.64	
112 TRUST AND AGENCY	5,208.25	
308 PARK IMP - OEDERESEN VALLEY	12,374.55	
312 DOWNTOWN EAST REDEVELOPMENT	44,820.00	
600 WATER FUND	17,253.72	
610 SEWER FUND	5,926.38	
GRAND TOTAL	133,817.38	

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

PUBLIC HEARING / NON-CONSENT AGENDA

Miller requested that agenda item number 12 and 13 (Public Hearing regarding approving the West Branch Comprehensive Plan and Resolution 1901, Approving the West Branch Comprehensive Plan 2019 Update) be moved to the start of the agenda.

Motion by Miller, second by Dean to make the agenda adjustment. Motion carried on a voice vote.

Public Hearing: Regarding Approving the West Branch Comprehensive Plan 2019 Update.

Laughlin opened the public hearing at 7:06 p.m. Planning & Zoning Commission Chairperson John Fuller, explained the commission began its review in 2017 and with the help of U of IA School of Urban and Regional Planning grad students, the plan update was completed in December 2019. Fuller said the revised plan includes thirteen chapters and was updated with recent economic and demographic information about our community. The plan is designed to be used for future planning methods and concept decisions for West Branch.

Resolution 1901 – Approving the West Branch Comprehensive Plan 2019 Update.

Motion by Goodweiler, second by Stoolman to approve Resolution 1901. AYES: Goodweiler, Stoolman, Dean, Miller. NAYS: None. Absent: Sexton. Motion carried.

Second Reading of Ordinance 776 – Amending Chapters 105 and 106 of the Code of Ordinances of the City of West Branch, Iowa Regarding Solid Waste Control and Rates. / Move to action.

Miller suggested to combine the 2nd and 3rd reading of Ordinance 776. Miller said he felt enough discussions had been held on the subject and was time to move on. The other council members had no objections.

ORDINANCE NO. 776

AN ORDINANCE AMENDING CHAPTERS 105 AND 106 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA REGARDING SOLID WASTE CONTROL AND RATES.

WHEREAS, the City Council previously solicited proposals for the automated collection of solid waste for most residential customers in the City; and

WHEREAS, the City Council did heretofore select the proposal of Johnson County Refuse to be the provider for the city pursuant to a five-year agreement; and

WHEREAS, it is now necessary to make changes to the city ordinance regarding solid waste control and rates to implement the terms of the agreement with Johnson County Refuse.

NOW, THEREFORE, BE IT ORDAINED:

1. Amendment. Section 105.02(10) of the Code of Ordinances is amended by deleting it in its entirety and replacing it as follows:
"10. "Residential Premises" means a single-family dwelling, a two-family dwelling or any other multiple-family dwelling that has direct access off to each individual unit off a public street. For purposes of this definition, stacked residential units and multiple-family residential units with interior access to each unit are not considered "Residential Premises."
2. Amendment. Section 105.10(1)(A) of the Code of Ordinances is hereby amended by deleting it in its entirety and replacing it as follows:
"1. Container specifications. Waste storage containers shall comply with the following specifications and shall be provided by the City or its contracted hauling contractor:
A. Residential. Residential waste containers shall be of not less than 35 gallons or more than 65 gallons in capacity. Recycling containers shall be not less than 65 gallons or more than 95 gallons in capacity. All containers shall be maintained to be leakproof and waterproof by the property owner or tenant. Residents may also set out for pickup single use collection bags affixed with an appropriate tag and placed on the top of the waste container."
3. Amendment. Section 105.10 of the Code of Ordinances is hereby amended to add the following:
"5. Ownership of Containers. The waste and recycling containers shall remain the property of the City's hauling contractor and said waste and recycling containers shall remain at the property and shall not be returned when the owner or tenants at the property change. Failure to leave the waste and/or recycling container or damaging the waste and/or recycling container will result in a charge against the owner and/or tenant in an amount determined by city's contract with its waste hauler."
4. Amendment. Chapter 106 of the Code of Ordinances is hereby amended by adding Section 106.09, which reads as follows:
"5. The City shall collect from every owner and/or tenant of any Residential Premise that have solid waste and recycling available to said Residential Premise, the following fees:
A. Solid Waste Collection Fees:
1. 35-gallon waste container: \$12.75 per month
2. 65-gallon waste container: \$14.75 per month
B. Recycling Collection Fees: \$4.75 per month
6. Billing Procedures.
A. All owners and/or tenants shall pay the Solid Waste Collection Fee and Recycling Collection Fee on a monthly basis.
B. All Solid Waste Collection Fees and Recycling Collection Fees are due and payable under the terms and conditions provided for payment of a combined service account as outlined in Section 92.04 of this Code.
C. The owner of the Residential Premise and/or the tenant occupying the Residential Premise shall be jointly and severally liable for Solid Waste Collection Fees and Recycling Collection Fees. Solid Waste Collection Fees and Recycling Collection Fees shall constitute a lien against the Residential Premise served and shall be certified as delinquent to the County Treasurer for collection as the same manner as property taxes."
5. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.
6. 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.
7. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law on July 1, 2020.

First reading: May 18, 2020

Second reading: June 1, 2020

Third Reading: June 1, 2020

Roger Laughlin, Mayor

ATTEST:

Redmond Jones, City Administrator/Clerk

Motion by Miller, second by Dean to combine the 2nd and 3rd reading of Ordinance 776. AYES: Miller, Dean, Goodweiler, Stoolman. NAYS: None. Absent: Sexton. Motion carried.

Resolution 1905 – Relating to Health and Dental Insurance for Certain Appointed Officials and Part-Time Employees. / Move to action.

Jones said the previous resolution (1896) approving health insurance had been modified to now also offer dental insurance to certain appointed officials and part-time employees.

Motion by Miller, second by Dean to approve Resolution 1905. AYES: Miller, Dean, Stoolman, Goodweiler. NAYS: None. Absent: Sexton. Motion carried.

Resolution 1906 – Amending the City of West Branch Sick Leave Policy. / Move to action.

Jones presented the three options for amending the current sick leave policy that staff had come up with. Each option kept the sick leave cap at five hundred sixty hours, but varied in the payout options and annual accruals. Council person Dean presented a fourth option with similar limits. Some department directors attending the meeting via Zoom felt that the four options were a disadvantage to themselves and their employees and ultimately felt that benefits were being ‘taken away’. As emotions escalated on the subject on what was a fair exchange in limiting sick leave accruals in lieu of adding employer paid short term and long term disability benefits, the council decided to table the subject at this time. The Council, who felt giving the employees the added insurance benefit was something they desired, directed Jones to poll all employees on whether or not they felt the added benefits were of value to them or keeping the status quo with the current sick leave policy.

Motion by Dean, second by Miler to TABLE 1906. AYES: Dean, Miller, Sexton, Stoolman, Goodweiler. NAYS: None. Motion carried.

Resolution 1899 – Approving an insurance proposal from Unum for Group Short Term Disability, Long Term Disability, Group Life and AD&D Insurance. / Move to action.

Motion by Dean, second by Miller to postpone Resolution 1899. AYES: Dean, Miller, Sexton, Stoolman, Goodweiler. NAYS: None. Motion carried.

Discussion: Wapsi Creek Widening Project.

Schechinger explained that conversations with the Gaskill’s were going well but due to COVID-19, had been delayed. He said another meeting had been scheduled for mid-June. Schechinger said flood models had been completed and shared with the Gaskill’s and they are interested the project however are needing reassurance that their billboards will be protected.

Discussion: Hoover Hometown Days, To Cancel or continue Hoover Hometown Days for 2020.

Laughlin said the committee had already cancelled the inflatables, food vendors, stage entertainment, parade and all activities within the National Park. Laughlin said the only remaining event would be fireworks, but Swisher said that issuing a permit was not likely going to happen. The Council felt the expense of the fireworks may not worth the reward this year. Laughlin suggested the committee meet one more time in the next couple of weeks so a decision could be made.

Resolution 1902 – Approving the West Branch High School Softball Parking Lot Site Plan.

Brian Boelk, Axiom Consultants (represented the West Branch School District), explained that the school desires to pave the existing gravel parking lot next to the softball field at the high school. Boelk said the new parking lot would consist of sixty three parking spaces including handicap spaces, additional paving around the concession stand and added lighting. Boelk noted that the future construction project being added to the east side of the school prompted this parking plan as some parking spaces will be lost in the east lot. Sexton asked where storm water would be directed from this project. Boelk explained that storm water would be directed north to the creek where it currently goes and stated that the over-sized detention basin to be enlarged on the east side of the property is meant to handle storm water from this area. Boelk said he had been working closely with City Engineer Schechinger to make sure all storm water requirements are being met. Dean and Miller both expressed concerns about the project and how it might affect the future turn lanes on Main Street at the high school entrance. Boelk said Schechinger had suggested moving the parking lot entrance further south, but due to topographical issues and grading, that was not a desired option. The Council discussed other ideas on how to prevent turning traffic issues but could not come up with a

consensus. Miller and Dean stood firm and requested additional information from the school district on the Main Street turn lane plan before they would consider approval of this site plan.

Motion by Goodweiler, second by Sexton to approve Resolution 1902. AYES: Goodweiler, Sexton. NAYS: Miller, Stoolman, Dean. Motion FAILED.

Resolution 1903 – Approving Liability Insurance Proposal with Iowa Communities Assurance Program (ICAP). / Move to action.

Edgar explained that the City had received a favorable rate proposal for general liability coverage with ICAP and suggested that the proposal be accepted. The Council had no comments.

Motion by Miller, second by Goodweiler to approve Resolution 1903. AYES: Miller, Goodweiler, Dean, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 1904 – Approving the Workers Compensation Proposal with Iowa Municipalities Workers' Compensation Association (IMWCA). / Move to action.

Edgar explained that the City had received a favorable rate proposal for worker's compensation. The Council had no comments.

Motion by Sexton, second by Goodweiler to approve Resolution 1904. AYES: Sexton, Goodweiler, Miller, Stoolman, Dean. NAYS: None. Motion carried.

Resolution 1900 – Setting the Salaries for Appointed Officers and Employees for Fiscal Year Ending in 2021. / Move to action.

Brick said the resolution reflected the 1.6% cost of living (COLA) wage adjustment for each employee that was approved in the FY21 budget. Stoolman asked the Council to consider giving part-time employee Ben Litscher an additional one dollar increase due to his time with the City. The change would bump Litscher's hourly salary to \$15.91. The Council had no objection to the request and voted accordingly.

Motion by Goodweiler, second by Sexton to approve Resolution 1900 with the change for B. Litscher. AYES: Goodweiler, Sexton, Miller, Stoolman, Dean. NAYS: None. Motion carried.

Resolution 1907 – Authorizing the Transfer of Funds. / Move to action.

Motion by Stoolman, second by Goodweiler to approve Resolution 1907. AYES: Stoolman, Goodweiler, Dean, Miller, Sexton. NAYS: None. Motion carried.

CITY ADMINISTRATOR REPORT

Jones reported on the waste water project and the intent of having DNR's approval of the city's facility plan by September 2020.

CITY ATTORNEY REPORT

No report.

STAFF REPORTS

Russell reported that the Park & Rec department has started its summer virtual programs. Information is available on the city website.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Laughlin reminded the council that the City Administrator's annual review was scheduled for Wednesday, June 3rd. Laughlin also mentioned that he noticed several residential lawns in need of mowing and directed Jones to get notices sent out this week.

Stoolman brought up the subject of not putting off Officer Steen's hiring to full-time past July 1 in light of the current events happening. Stoolman said if the city was cancelling Hoover's Hometown Days (which is paid for by the general fund), that there would be money available to hire her on July 1.

ADJOURNMENT

Motion to adjourn the meeting by Dean, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 9:49 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk