

## RESOLUTION 1932

### A RESOLUTION OF INTENT TO CONSTRUCT THE “WAPSI CREEK WIDENING AT BERANEK PARK” PROJECT AND APPROVE THE ACQUISITION OF PROPERTY VIA EMINENT DOMAIN.

**WHEREAS**, the City Council of the City of West Branch has heretofore deemed it necessary and desirable to construct the “Wapsi Creek Widening at Beranek Park” Project (the “Project”); and

**WHEREAS**, the nature of the Project is hereby summarized as follows:

The creek which will be referred to as Wapsi Creek for the purposes of the project runs through Beranek Park. For the purposes of protecting facilities at the part and as a result protecting other structures in Downtown West Branch including but not limited to the Police and Fire Stations (The First Responder Command Post during events of Crisis Management / Emergency); the project area would need from the Gaskill property owner an easement to grade their parcel to improve drainage in the vicinity of the old railroad bridge. The project would also include the area for the drainage ditch south of the public works garage that would discharge to the creek after crossing the Gaskill property near the lift station. “The project” would also need to remove the old truss bridge and need to provide alternate access to the old Waste Water Treatment Processing site. By the time we factor in all these items, “the project” will likely need easement or acquire most of the area in yellow.



The City of West Branch anticipates finalizing the acquisition area over the next few months and securing easements and right-of-way by March 1, 2021. The project is scheduled

to bid in April, 2021 and all work is anticipated to be completed by October, 2021; and

**WHEREAS**, in order to construct Project, the City will need to acquire various property rights from private property owners, including the possibility of acquiring such property rights via eminent domain; and

**WHEREAS**, the City Engineer will design the Project and lay out a proposed route of the Project as it crosses into each private property owner's individual property and the City Engineer and City Administration will meet with each property owner to discuss the alignment as it affects each individual property owner; and

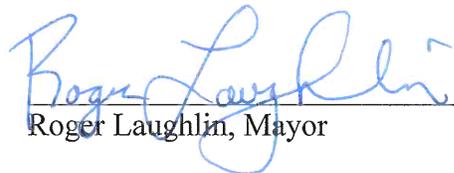
**WHEREAS**, the contact person for the Project for the City of West Branch will be City Administrator Redmond Jones II, whose address is 110 N. Poplar Street, West Branch, Iowa 52358. His telephone number is 319-643-5888.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of West Branch, Iowa, that pursuant to Section 6B.2A of the Code of Iowa (2019), that a public hearing on the proposed Project and the decision to fund site-specific design for the Project, to make a final decision on the route of the Project and the right to acquire property rights via the use of eminent domain, if necessary, is hereby set for Monday, October 19, 2020, at 7:00 p.m. in the Council Chambers at City Hall, 110 N. Poplar Street, West Branch, Iowa 52338. At this public hearing, the public is hereby invited to make comments on the Project and voice support or objections to the same.

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby directed to publish notice of this Public Hearing in the West Branch Times not less than four days nor more than twenty days prior to the date of said Public Hearing.

**BE IT FURTHER RESOLVED**, that the City Administrator is hereby directed to mail this Resolution, along with a Statement of Property Rights, to each individual property owner affected by this Project via U.S. Mail not less than thirty days prior to the Public Hearing.

**Passed and approved this 8<sup>th</sup> day of September, 2020.**

  
\_\_\_\_\_  
Roger Laughlin, Mayor

ATTEST:

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