

(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**

**October 19, 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, October 19, 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. 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: Council members: Colton Miller, Jodee Stoolman, Nick Goodweiler, Jerry Sexton and Tom Dean were present. City Staff: City Administrator Redmond Jones II, Deputy City Clerk Leslie Brick, Finance Officer Gordon Edgar, Police Chief Mike Horihan and City Attorney Kevin Olson were present. Attending via Zoom: City Engineer Dave Schechinger, Library/IT Director Nick Shimmin and Matt Goodale.

GUEST SPEAKER PRESENTATIONS

None.

PUBLIC COMMENT

None.

CONSENT AGENDA

Motion to Approve Meeting Minutes for City Council Meeting October 5, 2020.

Motion to Approve Meeting Minutes for City Council Special Meeting October 13, 2020.

Motion to Approve an Extension to this year's Football Season to Include a Special Event Permit to Close Oliphant Street for Two (2) Additional games of Varsity Football.

First Reading of Ordinance 781 – Amending Title “Traffic and Vehicles” Chapter 65 “Stop or Yield Required”.

Resolution 1946 – Approving the Submission of the City of West Branch Fiscal Year 2020 Annual Finance Report to the State Auditor's Office.

Motion to Approve the Claims Report.

October Claims and September Revenues

EXPENDITURES	10/19/2020	
ALLIANT ENERGY	ALLIANT ENERGY	11,279.00
AMAZON	BOOKS, SUPPLIES	971.88
ARSL	DUES JESSICA SCHAFER	49.00
AT & T MOBILITY	WIRELESS SERVICE	389.03
BAKER & TAYLOR INC.	BOOKS	161.52
BARNES & NOBLE BOOKSELLERS	SPHERE RINGS	39.92
BARRON MOTOR SUPPLY	VEHICLE REPAIR PARTS	139.80
BES WATER SOLUTIONS	SEWAGE LAGOON ENZYMES	5,000.00
CDW GOVERNMENT INC.	OFFICE SUPPLIES	673.93
CEDAR COUNTY RECORDER	RECORDING FEES	40.00
D&R PEST CONTROL	PEST CONTROL SERVICE	70.00
DAN'S OVERHEAD DOORS & MORE	BUILDING REPAIR	489.00
DIAMOND VOGEL PAINTS	STREET PAINT	1,783.85
ELITE HOLDING COMPANY	SAFETY CLOTHING	1,792.24
GIERKE-ROBINSON COMPANY INC	SUPPLIES	622.81

IMWCA	IMWCA	2,345.00
IOWA DEPARTMENT OF NATURAL	2021 ANNUAL WATER USE FEE	95.00
IOWA PARK AND RECREATION ASSOCIATION	TRAINING	30.00
JOHNSON COUNTY REFUSE INC.	RECYCLING & TRASH - SEP 2020	15,436.00
KANOPI	VIDEO RENTAL	11.00
MCELFRRSH, SARA	MCELFRRSH, SARA	1,111.22
MENARDS	SUPPLIES	127.33
MERCY IOWA CITY PHYSICIAN	PHYSICAL - KOBER	137.00
NELSON, CATHERINE OR WATERS, CHRISTY	BUILDING INCENTIVE PAYMENT	1,068.55
OVERDRIVE INC	EBOOKS, AUDIOBOOKS	372.83
PETERSON, ADAM D OR LINDSEY	BUILDING INCENTIVE PAYMENT	900.46
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE METER	500.00
PORT 'O' JONNY INC.	SERVICE-WAPSI PARK	103.00
QUILL CORP	OFFICE SUPPLIES	329.76
RACOM CORPORATION	RADIO IMPROVEMENTS	543.62
REDMOND JONES II	BUILDING INCENTIVE PAYMENT	2,208.26
ROCK VALLEY PHYSICAL THERAPY	DRUG TEST	43.00
RUSSELL, MELISSA	OFFICE SUPPLIES, RECREATION SUPPLIES	299.88
SCHIMBERG CO	SUPPLIES	1,127.15
STATE HYGIENIC LAB	LAB ANALYSIS	326.00
STATE LIBRARY OF IOWA	PACKAGE SUBSCRIPTION FEE	164.32
SURVEYING AND MAPPING LLC	GIS WEBSITE HOSTING	3,600.00
THOMAS MARK & JEANETTE	BUILDING INCENTIVE PAYMENT	888.68
UNUM LIFE INSURANCE COMPANY	LIFE INSURANCE	721.88
WELLMARK	HEALTH INSURANCE	14,804.33
WEST BRANCH COMMUNITY SCHOOL	GYM RENTAL	495.00
WEX BANK	WEX BANK	968.91
TOTAL		72,260.16

PAYROLL 10/16/2020 60,639.73

PAID BETWEEN MEETINGS

VERIZON	WIRELESS SERVICE	672.36
VARIOUS	UTILITY REFUNDS	108.17
BRICK, LESLIE	MILEAGE	16.59
HOFFMAN, MEGAN	CLEANING SERVICES	297.00
TOTAL		1,094.12

FUND TOTALS		
001 GENERAL FUND		30,785.25
022 CIVIC CENTER		1,035.85
031 LIBRARY		3,133.84
036 TORT LIABILITY		2,164.30
110 ROAD USE TAX		3,480.18
112 TRUST AND AGENCY		10,179.20
600 WATER FUND		9,794.68
610 SEWER FUND		11,686.86
GRAND TOTAL		133,994.01

REVENUE-FISCAL YEAR 2021
FUND SEP

001 GENERAL FUND	92,262.29
022 CIVIC CENTER	962.46
031 LIBRARY	2,295.77
036 TORT LIABILITY	2,147.75
110 ROAD USE TAX	32,976.35
112 TRUST & AGENCY	13,615.40
119 EMERGENCY TAX FUND	1,875.82
121 LOCAL OPTION SALES TAX	20,282.25
125 TIF	7,648.33
226 DEBT SERVICE	16,339.74
500 CEMETERY PERPETUAL FUND	600.11
501 KROUTH PRINCIPAL FUND	233.81
502 KROUTH INTEREST FUND	62.63

600 WATER FUND	54,109.14
610 SEWER FUND	52,607.98
740 STORM WATER UTILITY	5,330.56
TOTAL	303,350.39

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

PUBLIC HEARING / NON-CONSENT AGENDA

Second Reading of Ordinance 777 – An Ordinance Providing that General Property Taxes Levied and Collected Each Year on Lot 26, Cedar Edge Addition, West Branch Iowa, be Paid to a Special Fund for Payment Agreed in Connection with the West Branch Urban Renewal Area. / Move to action.

No discussion.

Motion by Sexton, second by Goodweiler to approve the second reading of Ordinance 777. AYES: Sexton, Goodweiler, Miller, Stoolman, Dean. NAYS: None. Motion carried.

Public Hearing: On the Proposed Amendment to Section 165.12 of the West Branch Zoning Ordinance.

Laughlin opened the public hearing at 7:04 p.m. Brick explained the amendment would add clarification on how to determine rear yards for corner lots that is currently lacking in the code. Brick added that a public hearing was held at the September 22nd Planning & Zoning Commission and that there were no public comments on the matter. There were no public comments at this meeting. Laughlin closed the public hearing at 7:06 p.m.

First Reading of Ordinance 778 – Amending Chapter 165; Entitled, “Zoning Regulations”. / Move to action.

No discussion.

Motion by Miller, second by Goodweiler to approve the first reading of Ordinance 778. AYES: Miller, Goodweiler, Sexton, Dean, Stoolman. NAYS: None. Motion carried.

Public Hearing: On the intent to Construct the “Wapsi Creek Widening at Beranek Park” Project and Approve the Acquisition of Property via Eminent Domain.

Laughlin opened the public hearing at 7:07 p.m. There were no public comments on the matter. Laughlin closed the public hearing at 7:08 p.m.

Resolution 1944 – Authorizing the intent for Acquisition of Property Interests for the Wapsi Creek Widening at Beranek Park Project. / Move to action.

City Attorney Kevin Olson explained that the public hearing and adoption of this resolution is a step in the process to continue negotiations with said property owners and/or utilize eminent domain if needed. Olson added that eminent domain is not the intent as he hopes the City can work together with the property owners and come to an agreement.

Motion by Goodweiler, second by Sexton to approve Resolution 1944. AYES: Goodweiler, Sexton, Miller Stoolman, Dean. NAYS: None. Motion carried.

Motion to Approve Setting the Date of November 16th for a Public Hearing: Regarding the Request for Proposals to Dispose of and Develop Property. / Move to action.

Olson explained that a public hearing is required to dispose of property purchased in a TIF district and requires a thirty day notice. After the public hearing is held, the City can move forward with a purchase agreement with the proposed buyers. Olson clarified that the property in question is a portion of the former Rummells Farm on Fawcett Drive south of the Croell Redi Mix plant that the City purchased in 2016.

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

Motion to Approve Setting the Date of November 2nd for a Public Hearing: Regarding Vacating a Storm Sewer Easement Related to Loethen Ridge Estates Subdivision. / Move to action.

Olson explained that there is an old sanitary sewer line that is no longer in use by the City that has an access easement. The easement is located in Lot 14 in the new subdivision and needs to be vacated so the lot can be a buildable lot. The Council had no objections to vacating the line.

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

Resolution 1942 – Approving the Final Plat of Loethen Ridge Estates. / Move to action.

Laughlin introduced the resolution and noted that this would approve the final plat and Subdivider's agreement. Olson explained that per Chapter 170.19, the Council can approve the final plat without all of the public improvements completed contingent upon the developer provide a letter of credit for the remaining improvements. Olson confirmed that a letter of credit had been received in the amount of \$344,089. This amount was agreed upon by the City Engineer and the developer's engineer. Mike Welch, Axiom Consultants, on behalf of the developer confirmed that he met with Schechinger and reviewed a punch list of remaining infrastructure items. Welch provided a timeline for completion of public improvements which are intended to be complete by the end of November. Laughlin pointed out that the detention basin (Outlot A) will be maintained by the developer and/or homeowners association, which includes installing sidewalks, maintenance and snow removal.

Motion by Goodweiler, second by Sexton to approve Resolution 1942. AYES: Goodweiler, Sexton, Stoolman, Dean, Miller. NAYS: None. Motion carried.

Resolution 1943 – Approving the Amount Not-to-Exceed \$100,000 to be Contributed to the West Branch School District Over the Next Five Years for the Construction of a Turn Lane, Crosswalk, and Related Sidewalks, Required for the High School Expansion Project. / Move to action.

Laughlin stated that Council has been discussing this topic for the past several months and now it is time for the City to make a decision on whether or not they will support the school with financial assistance. At last meeting, Jones presented a five year payment plan which would contribute \$100,000 to the school for the turn lane project. Jones said that based on comments from some of the Council, the requirement that the school use its contingency money first (before asking the City for help), was removed from the resolution language. Instead, Jones added that a 28E Agreement would be drawn up to outline the agreement by both parties. Jones said he would like to see that the school commit to adding pedestrian safety measures along with the turn lanes such as pedestrian signals or a stop light or signage. Stoolman stated that she had discussions with some residents who feel that the school is 'double-dipping' from the taxpayers. Laughlin said his feeling is that the residents are getting an improved street and that all residents will benefit from it. Sexton said he still wasn't completely convinced that the school was causing the increased traffic and that development on the west side of town was the creating the need.

Motion by Dean, second by Sexton to approve Resolution 1943. AYES: Dean, Sexton, Goodweiler. NAYS: Miller, Stoolman. Motion carried.

Resolution 1945 – Engineering Service Agreement (Waste Water)

Miller expressed his concern over past City projects that did not go well when a project manager was not assigned to oversee them. He stated this is most likely the largest (and most expensive) project the City will undertake and felt the Council should consider hiring a project manager for it. Laughlin stated that V&K's Schechinger has always performed at top level and had no concerns with the letting him take the lead for the City. Laughlin encouraged the Council to thoroughly read the agreement and understand what is in the contract. Schechinger added that the agreement hires his company to design and oversee the construction project and provided a timeline that starts with a bid letting next year with a project completion in 2022. Schechinger said they were a little behind schedule due to the pilot program the City is participating in with Baldrige Environmental. Schechinger advised the Council that the project, estimated at \$7.1 million includes the design work and construction costs. He added that the City would borrow from the State Revolving Fund (SRF) and explained the twenty year loan at a low interest rate set by the state. Jones stated he wanted to set (Council's) expectations and reminded them that the SRF would determine the user rate required to re-pay the loan and added that the implementation of the three year sewer rate increase that

started in February of 2020 is expected to generate approximately \$720,000 of revenue toward the project over the three year period. Sexton asked if there were any grants available to help offset the costs and Jones replied that he has been looking for any financial opportunities and would continue to do so.

Motion by Miller, second by Sexton to approve Resolution 1945. AYES: Miller, Sexton, Stoolman, Dean, Goodweiler. NAYS: None. Motion carried.

Discussion: Capital Improvement Plan

Jones presented a list of City projects for the Council to consider to be the start of a new Capital Improvements Plan and asked them to come up with some of their own that they would want to see. Jones said this was a first step in identifying needs and wants of the City and the ability to prioritize the projects and determine funding sources. Jones asked the Council to provide some ideas to him prior to the goal setting process.

CITY ADMINISTRATOR REPORT

No report.

CITY ATTORNEY REPORT

No report.

STAFF REPORTS

Goodale reported that he put a bid in for a dump truck from the City of Manchester and that the bid had been accepted. Goodale said the truck is a 2009, single axle with 19,000 miles and is very good shape. He said they would be picking up the truck next week.

Goodale said Paul O'Neil would be retiring in January, but using vacation starting in mid-December. He said he would like to fill O'Neil's position as soon as possible from the pool of candidates from recent interviews.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Goodweiler asked for an update on the old Casey's site. Olson responded that he had talked with their attorney last week, but didn't offer any details of the conversation.

Laughlin said discussions had been occurring on getting the Greenview connection completed yet this fall, but that there was still work that needed to be done by the City which includes adding to an existing storm sewer and moving of other utilities. Laughlin said he didn't think the connection would happen as soon as hoped and said next spring was more likely. Dean reiterated that the project needs to keep moving forward and not stall. Schechinger added that contacts have been made with the utility companies to have the utilities moved but that a timeline had not been given. Laughlin said that plans to move forward with replacing Horihan were taking place. He noted that Christmas Past planning is on-going and that this year's event would be spread over four days; Thursday, Friday, Saturday and Sunday.

ADJOURNMENT

Motion to adjourn the regular meeting by Miller, second by Goodweiler. Motion carried on a voice vote. City Council meeting adjourned at 8:26 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk