

*(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/](http://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**

**November 2, 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, November 2, 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 7:00 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, and City Attorney Kevin Olson were present. Attending via Zoom: City Engineer Dave Schechinger, Public Works Director Matt Goodale, Park & Recreation Director Melissa Russell, Library/IT Director Nick Shimmin, Police Chief Mike Horihan and Sergeant John Hanna.

#### **GUEST SPEAKER PRESENTATIONS**

Jessi Simon, Community Development Group Executive Director, provided an update on Christmas Past activities scheduled for this year. Simon explained that Christmas Past has been expanded over a four day period beginning Thursday, December 3<sup>rd</sup> through Sunday, December 6<sup>th</sup>. Simon said that this will help disperse crowds and allow for social distancing. New this year (in place of the carriage rides) will be a synthetic ice rink for outdoor skating placed near the fire station. Reservations will be required and the cost is \$10 per family and includes skate rental. After skates are returned, \$10 of Downtown Dollars will be given to encourage shopping local. Simon said many more exciting activities are planned for the event and that more information will be available through their Facebook page. Laughlin pledged City financial support toward the cost of the ice skating rink in an amount not to exceed \$1500.

Maggie Burger, Speer Financial, Inc. presented the City's annual financial update. Burger updated the Council on the City's current outstanding General Obligation Debt and commented that the City has done a great job paying down debt over the past few years. Burger said the current total debt is approximately 7.5 million. Burger reminded the Council that GO Debt can be paid off by several revenue sources. Burger continued with outstanding Revenue Debts (which do not count against the City debt capacity). The revenue debt stands at \$343,000 currently. Burger continued with the City's current Tax Increment Financing (TIF) Obligations with three entities (Casey's, EMV Holding and The Meadows- Part 4), explaining that the City must take action each year to appropriate TIF dollars to those entities. Burger further explained that TIF dollars must have an obligation tied to it in order to request TIF and to choose projects carefully if considering to use TIF.

#### **PUBLIC COMMENT**

None.

#### **CONSENT AGENDA**

Motion to Approve Meeting Minutes for City Council Meeting October 19, 2020.

Motion to Approve a Special Event Permit Application for the Christmas Past event.

Motion to Approve the Claims Report.

EXPENDITURES	11/2/2020	
AMAZON	BOOKS AND SUPPLIES	1,139.29
BAKER & TAYLOR INC.	BOOKS	525.41
BEAVER HEATING AND AIR CON	BEAVER HEATING AND AIR CONDITI	272.00
BRICK, LESLIE	TRAVEL EXPENSES	151.94
CROELL, INC.	STREET IMPROVEMENTS	6,089.38
CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	23.20
D&R PEST CONTROL	D&R PEST CONTROL	70.00
DEMCO	SUPPLIES	303.99
FROST GLORIA J	BUILDING INCENTIVE PAYMENT	933.93
GIERKE-ROBINSON COMPANY IN	SUPPLIES	761.19
HANSEN, TRENT	HARD DRIVES & INSTALLATION	2,828.00
HAWKINS INC	CHEMICALS	900.81
HD SUPPLY CONST AND INDUST	REBAR	151.89
IMWCA	IMWCA	2,345.00
IOWA ONE CALL	UTILITY LOCATION SERVICE	47.70
JOHNSON COUNTY REFUSE INC.	LANDFILL-FALL CLEANUP	330.00
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,594.54
LYNCH'S PLUMBING INC	SUPPLIES	186.30
LYNCH, RYAN OR LINDSEY	BUILDING INCENTIVE PAYMENT	1,813.57
MENARDS	SUPPLIES	44.96
NORLAB INC	SUPPLIES	79.00
OLSON, KEVIN D	LEGAL SERVICES= NOVEMBER, 2020	1,500.00
PLUNKETT'S PEST CONTROL INC	PEST CONTROL CITY OFFICE	95.18
PORT 'O' JONNY INC.	SERVICE-CEMETERY	95.00
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	825.00
QUILL CORP	DISINFECTANT WIPES	248.80
REDMOND JONES II	TRAVEL EXPENSES	150.83
RICKARD SIGN & DESIGN	LABELS	150.00
SAWYER, TIFFANY	BUILDING INCENTIVE PAYMENT	1,175.59
SENSUS USA	SOFTWARE SUPPORT	1,949.94
STATE INDUSTRIAL PRODUCTS	SUPPLIES	333.00
TYLER TECHNOLOGIES	SOFTWARE ANNUAL FEE, SETUP FEE	1,376.00
VEENSTRA & KIMM INC.	MEADOWS 3 & 4 CONST REVIEW	9,254.43
WERLING ABSRACT COMPANY	NEW ABSTRACT LBL4 RUMMELS COMM	900.00
WEST LIBERTY GUN CLUB, INC	MEMBERSHIP	360.00
ZIPPY'S SALT BARN LLC	ROAD SALT	2,665.95
TOTAL		41,671.82
PAYROLL	10/30/2020	48,199.09
PAID BETWEEN MEETINGS		
CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	57.12
EMERGENCY SERVICES MARKETING	SUBSCRIPTION RENEWAL	735.00
JULIA HIME	VIDEOGRAPHY SERVICE	100.00
MEGAN HOFFMAN	CLEANING SERVICE	315.00
JOHN DEERE FINANCIAL	SAFETY EQUIPMENT	624.70
JOHNSON COUNTY AMBULANCE SERVICE	MEDICAL SUPPLIES	614.09
LINN COUNTY REC	STREET LIGHTS	180.10
MEDIACOM	CABLE SERVICE	41.90
MOORE'S WELDING INC	EQUIPMENT REPAIR	45.00
DUSTIN PARI	LIBRARY PROGRAM	250.00
PITNEY BOWES PURCHASE POWER	REPLENISH POSTABE MACHINE	500.00
PYRAMID SERVICES INC	SUPPLIES	252.50
QUAD CITY SAFETY INC	EQUIPMENT REPAIR	207.22
RACOM CORPORATION	PAGERS	2,411.90
SARAH PAULOS	LIBRARY PROGRAM	300.00
US BANK CORPORATE CARD	CONFERENCES, TRAINING, SUPPLIES	1,829.09
US BANK EQUIPMENT FINANCE	COPIER LEASE	106.25
WALMART COMMUNITY/RFCSELLC	SUPPLIES	17.78
WEST BRANCH FIREFIGHTERS FOUNDATION	FIRE PREVENTION SUPPLIES	125.00
WEST BRANCH TIMES	PUBLICATION OF LEGAL NOTICES	404.30
CITY OF MANCHESTER	STERLING DUMP/PLOW TRUCK	35,205.42
TOTAL		44,322.37
GRAND TOTAL EXPENDITURES		134,193.28

FUND TOTALS		
001	GENERAL FUND	54,598.48
022	CIVIC CENTER	163.90
031	LIBRARY	9,458.91
036	TORT LIABILITY	6,434.07
110	ROAD USE TAX	13,639.33
112	TRUST AND AGENCY	5,352.28
308	PARK IMPROVEMENTS - PEDERSEN VALLEY	698.56
312	DOWNTOWN EAST REDEVELOPMENT	900.00
321	WIDENING WAPSI CREEK @ BERANEK PARK	13,029.00
323	I-80 WEST, WATER MAIN RELOCATE	12,044.42
600	WATER FUND	10,195.70
610	SEWER FUND	7,678.63
GRAND TOTAL		134,193.28

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

## **PUBLIC HEARING / NON-CONSENT AGENDA**

### Second Reading of Ordinance 781 – Amending Title “Traffic and Vehicles” Chapter 65 “Stop or Yield Required”. / Move to action.

Stoolman suggested that a third stop sign be added on Prairie View Drive where it intersects with Dawson Drive going west. Stoolman felt there was not adequate site distance at Dawson Drive toward the east. The Council discussed the idea but decided to move forward with the ordinance as written and pursue a third sign later if deemed necessary.

Motion by Miller, second by Goodweiler to approve the second reading of Ordinance 781. AYES: Miller, Goodweiler, Stoolman, Dean, Sexton. NAYS: None. Motion carried.

### Third 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.

#### **ORDINANCE 777**

**AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON LOT 26, CEDARS EDGE ADDITION, WEST BRANCH, IOWA, IN THE CITY OF WEST BRANCH, COUNTY OF CEDAR, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF WEST BRANCH, COUNTY OF CEDAR, WEST BRANCH COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH SAID WEST BRANCH URBAN RENEWAL AREA.**

**WHEREAS**, EMV Holdings, LLC and the City of West Branch entered into that certain development agreement for the construction of a project located on Lot 26, Cedars Edge Addition, West Branch, Iowa (the “Property”); and

**WHEREAS**, the Property is located in the West Branch Urban Renewal Area; and

**WHEREAS**, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the West Branch Urban Renewal Area, and the continuing needs of redevelopment of the Property within the West Branch Urban Renewal Area are such as to require the continued application of the incremental tax resources of the West Branch Urban Renewal Area; and

**WHEREAS**, the following enactment is necessary to accomplish the objectives described in the premises.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST BRANCH, IOWA, THAT:**

**Section 1:** The taxes levied against the Property by and for the benefit of the State of Iowa, City of West Branch, County of Cedar, West Branch Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

**Section 2:** As to the Property, that portion of the taxes which would be produced by the rate at which the tax is levied each year by and for each of the taxing districts taxing the Property in the West Branch Urban Renewal Area upon the total sum of the assessed value of Property, being the first day of the calendar year preceding the effective date of this Ordinance, that date being January 1, 2019, shall be allocated to and when collected be paid into a fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. The taxes so determined may be referred to herein as the “base period taxes.” The assessed value of the Property on said date, being January 1, 2019 is \$170,220.00.

**Section 3:** That portion of the taxes each year in excess of base period taxes for the Property shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of West Branch to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of West Branch, Iowa to finance or refinance, in whole or in part, urban renewal projects undertaken within the West Branch Urban Renewal Area pursuant to the Urban Renewal Plan, as amended.

**Section 4:** At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of West Branch referred to in Section 3 hereof have been paid, or the City has provided for the division of taxes for a total of twenty (20) fiscal years, whichever is sooner, all monies

thereafter received from taxes upon the Property shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

**Section 5:** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the West Branch Urban Renewal Area and the territory contained therein.

**Section 6:** This Ordinance shall be in effect after its final passage, approval and publication as provided by law.  
Passed and approved this 2nd day of November, 2020.

First Reading: October 5, 2020  
Second Reading: October 19, 2020  
Third Reading: November 2, 2020

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Roger Laughlin, Mayor

ATTEST:

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Redmond Jones II, City Administrator/Clerk

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

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

No discussion.

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

Public Hearing: Proposal to Vacate the City’s Interest in a Sanitary Sewer Easement Located in Loethen Ridge Estates, West Branch, Iowa.

Laughlin opened the public hearing at 7:57 p.m. There were no public comments. Laughlin closed the public hearing at 7:58 p.m.

Resolution 1947 – Approving and Accepting the Proposal to Vacate the City’s Interest in a Sanitary Sewer Easement Located in Loethen Ridge Estates, West Branch, Iowa. / Move to action.

Dean asked for confirmation that the sewer line in question was no longer being used. Schechinger confirmed that the sewer line had been removed during excavation of the property and therefore the easement no longer was needed.

Motion by Sexton, second by Goodweiler to approve Resolution 1947. AYES: Sexton, Goodweiler, Miller, Dean, Stoolman. NAYS: None. Motion carried.

Resolution 1948 – Approving the Submission of the City of West Branch FY 2019 – 2020 Annual Urban Renewal Report. / Move to action.

No discussion.

Motion by Miller, second by Sexton to approve Resolution 1948. AYES: Miller, Sexton, Stoolman, Dean, Goodweiler. NAYS: None. Motion carried.

Discussion: Consider the Johnson County Proposal Options to Participate in the Herbert Hoover Hwy and Johnson Cedar Rd Intersection.

Laughlin stated that Johnson County Engineers had provided the City several concepts for connecting Herbert Hoover Highway (HHH) to West Main Street for the Council to consider. Laughlin said that Johnson County plans on completing the restructure of HHH next spring so a decision was needed fairly quick. Laughlin added that this was ‘another project’ that was not on the City’s radar, but said he felt this needed to be done, and done right. Sexton admitted that although he is not a fan of round-a-bouts, Option 4 (exhibit 8) made the most sense. He said that a round-a-bout would slow traffic down from the west and provide a nice entrance for the City. The other members agreed but felt the southern street could be shortened since that is not maintained by the City and suggested that West Main Street could be added to align with the high school turn lane project. Laughlin directed Jones and Schechinger to relay the Council’s verbal decision to Johnson County to keep the project moving along.

Discussion: Consider an Ordinance Change Regarding Swimming Pools.

Brick informed the Council that the Planning & Zoning Commission was working on an ordinance that would regulate swimming pools in West Branch. Brick said the West Branch Code of Ordinance currently had no rules surrounding swimming pools with regard to setbacks or fencing. The draft ordinance was discussed and the council felt that fencing should not be required for any above ground pool regardless of depth. Brick said she would share their comments with the commission.

Discussion: Setting a date and time for a work session regarding developing the priorities for a Capital Improvement Plan.

Laughlin called for a work session to be scheduled as soon as possible for the Council to consider multiple City projects on the horizon and to start a Capital Improvements Plan to determine funding options and prioritization of projects. The council set Monday, November 9, 2020 at 6:00 p.m. to hold the work session.

Resolution 1949 –Requesting Reimbursement from the Iowa COVID-19 Government Relief Fund. / Move to action.

Edgar said the State suggested that a new resolution should be drafted without listing a specific amount so that the State is able to give local governments more relief funding from the Iowa Cares Act. Edgar said the resolution was revised to not state a specific amount.

Motion by Sexton, second by Goodweiler to approve Resolution 1949. AYES: Sexton, Goodweiler, Stoolman, Miller, Dean. NAYS: None. Motion carried.

**CITY ADMINISTRATOR REPORT**

Jones reported that he was preparing the planning & design loan application for the waste water treatment plant to meet the January deadline. Jones provided estimated costs for providing an adequate parking surface on the former Casey’s site. Jones said the mural project is intended to be placed on the north end of the property and used a back drop for the parking lot. Jones said the base and frame to hold the mural would be constructed in-house at a cost of approximately \$4000-\$5000. Jones added that paving the parking lot with concrete (in-house) is estimated at \$20,000 or \$15,000 if chip and seal were used. Goodweiler questioned why the City was re-surfacing the property and said he remembered the agreement with Casey’s was for them to do that. Jones responded that the City Attorney would respond to that question.

**CITY ATTORNEY REPORT**

Olson said he had been in conversations with Casey’s legal team and that per the agreement signed between both parties in August 2019, the final agreement was that Casey’s would “lay gravel and chip & seal level with the slab foundation”. Olson said they did that and will do no more even though the original request was a parking lot. Olson further stated that he directed City staff (Edgar) who had been holding a rebate check from Casey’s until the issue was resolved to send the check to Casey’s immediately.

**STAFF REPORTS**

No reports.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Dean stated that he would like to see the tornado siren (located just north of Loethen Ridge Estates) moved before the spring as part of the Greenview connection project. Dean expressed his concern that siren be operational before the next tornado season. Goodale responded that there were plans to move the siren this fall.

Sexton asked if the City was receiving reimbursement from the State of Iowa for any expenses incurred on the I-80 widening project that has now been pushed off a couple of years. Edgar responded that the City had been reimbursed as expenses have been incurred and that the City has been reimbursed timely.

Laughlin asked Council members to consider volunteering to pass out hot cocoa at the reverse parade during Christmas Past.

**ADJOURNMENT**

Motion to adjourn the regular meeting by Dean, second by Miller. Motion carried on a voice vote. City Council meeting adjourned at 9:12 p.m.

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Roger Laughlin, Mayor

ATTEST: \_\_\_\_\_  
Leslie Brick, Deputy City Clerk