

(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**

**January 4, 2021
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, January 4, 2021 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 regular meeting to order at 7:01 p.m. Roll call: Council members: Colton Miller, Jodee Stoolman, Jerry Sexton, Tom Dean and Nick Goodweiler were present. City Staff present: City Administrator, Deputy Clerk Leslie Brick, Finance Officer Gordon Edgar, Sergeant John Hanna and City Attorney Kevin Olson. City Staff attending via Zoom: City Engineer Dave Schechinger, Public Works Director Matt Goodale, Park & Recreation Director Melissa Russell and Library/IT Director Nick Shimmin.

GUEST SPEAKER PRESENTATIONS

Melissa Russell – Department Budget Presentation for Parks and Recreation.

Russell presented her FY22 budget and said that not much would change from FY21. Russell said she had increased the salary budget for her department to account for salaries for mowing the parks. She said most other activities were decreased due in part to COVID-19 and the unknown of how that will affect participation. Russell reported that since the opening of Cubby Park last summer, the park was used by residents in a variety of ways despite the on-going pandemic.

Nick Shimmin – Department Budget Presentation for the Library and Information Technology.

Shimmin presented his FY22 budget and said much of his remained unchanged as well with the exception of employee salaries which is still to be determined with ongoing discussions of moving to a merit pay system. Shimmin said he was requesting a slight increase for building maintenance, but decreasing janitorial services and employee travel expenses for FY22. Shimmin added that library programs in 2020 were shifted to online which increased participation and attendance. He said other outdoor activities were also popular and hoped to continue to offer them in the future.

Chief John Hanna – Department Budget Presentation for the Police

Hanna presented his FY22 budget and noted just a couple of changes to membership fees to reflect actual costs and said that \$12,500 was being requested for his equipment set aside fund, down from \$20,000 last fiscal year. Hanna said he would be working on a paid on-call time for his officers which was listed as a goal of the City Council for FY22. Hanna gave a presentation on the body worn cameras in use by all officers which was goal of FY21.

PUBLIC COMMENT

Resident, Robert Van Ginkle, 120 N. Downey Street addressed the Council on the condition of Cookson and S. 4th Street. Van Ginkle said that both streets are in need of attention due to constant water run-off from an adjacent property. He stated that this has been an on-going issue for several years and that the water causes ice flows all winter along both streets making it unsafe for vehicles and pedestrians and added that the water issue has also caused both streets to crack and break up in numerous areas. Van Ginkle said the water flows between the city shop and Dave Peden's property and is a constant flow at all times of the year. He said the water has been tested for chlorine by Public Works and has been told it is not city water. Van Ginkle said he

is considering renting or purchasing the property from Peden but wants to know what the city is going to do to correct the problems. He also asked for a timeline on when the City would be removing the contaminated soil from Peden's property from the salt shed run-off. (This was an issue brought to the City's attention in 2016.) Laughlin said the City has until FY22 to remove the contaminated soil and it was on their radar. Laughlin stated that the city is aware of the water problem as well but believes that the Parkside Hills subdivision will rectify the problem. Laughlin said they will just need to take a 'wait and see' attitude at this time. Since the water is not coming from City property, the City has no responsibility in fixing the problem. Laughlin said the City will continue to monitor the situation and said that Public Works would try to keep a better handle on the ice flows this winter.

CONSENT AGENDA

- Motion to Approve Minutes for City Council Meeting December 21, 2020.
- Motion to Approve the Annual Mayoral Appointments. These Appointments are Mayor Pro Tem-Colton Miller; Official Newspaper – West Branch Times; Animal Control Facility – West Branch Clinic; City Engineer – Dave Schechinger of Veenstra & Kimm, Inc.; Public Health Officer Dr. Thomas Novak.
- Motion to Approve the Claims Report.

EXPENDITURES	1/4/2021	
AMAZON.COM.CA., INC.	SUPPLIES	33.78
APPARATUS TESTING SERVICE	EQUIPMENT TESTING	602.50
BOCWAY INVESTMENTS LLC	BUILDING INCENTIVE PAYMENT	952.69
BROWN'S WEST BRANCH	VEHICLE REPAIR	577.65
CEDAR COUNTY COOPERATIVE	FUEL - VEHICLES	1,084.84
EARL MAY NURSERY & GARDEN	CHRISTMAS TREES	125.00
EAST CENT INTERGOVT ASSOCIATION	DUES 1-1-21 TO 6-30-21	812.70
ELECTRICAL ENGINEERING & E	MAINTENANCE SUPPLIES	1,678.46
IOWA LIBRARY ASSOCIATION	KNOCHE & SCHAFER - DUES 2021	185.00
IOWA RURAL WATER ASSOC.	DUES 1-1-21 TO 12-31-21	275.00
JOHN DEERE FINANCIAL	SUPPLIES	542.21
KIESLER POLICE SUPPLY, INC	AMMUNITION	328.00
KOCH OFFICE GROUP	COPIER MAINTENANCE	284.81
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,570.29
MACQUEEN EQUIPMENT	EQUIPMENT REPAIR	677.90
MEDIACOM	CABLE SERVICE	41.90
MID-STATES ORGANIZED CRIME	ANNUAL MEMBERSHIP FEES	100.00
OLSON, KEVIN D	LEGAL SERVICES - JANUARY, 2021	1,500.00
OMNISITE	WIRELESS SERVICE - LIFT STATIONS	360.00
PITNEY BOWES INC	POSTAGE METER RENTAL	180.00
PORT 'O' JONNY INC.	SERVICE - CEMETERY	101.00
QUILL CORP	OFFICE SUPPLIES	650.00
RUMMELLS FARMS INC.	EASEMENT AGREEMENTS - RESOLUTION 1966	11,071.73
SHRED-IT USA	DOCUMENT DESTRUCTION	55.38
STATE INDUSTRIAL PRODUCTS	CHEMICALS	244.00
THE HOME DEPOT PRO	HAND SANITIZER GEL	29.82
VEENSTRA & KIMM INC.	COLLEGE STREET WATER MAIN 4TH TO 5TH	396.10
VEENSTRA & KIMM INC.	CHANNEL WIDENING - FLOOD IMPROVEMENT	2,624.25
VEENSTRA & KIMM INC.	I-80 WATER MAIN RELOCATION	1,311.00
VEENSTRA & KIMM INC.	LOETHEN RIDGE CONSTRUCTION REVIEW	1,852.75
VEENSTRA & KIMM INC.	WW TREATMENT FACILITY IMPROVEMENT - 2021	8,745.00
VERIZON WIRELESS	WIRELESS SERVICE	420.43
WATCH GUARD VIDEO	BODY CAMERA	1,140.00
WEST BRANCH CDG	FINANCIAL SUPPORT WBCDG	10,000.00
WEST LIBERTY GUN CLUB, INC	MEMBERSHIP 2021 - STEEN	120.00
TOTAL		50,674.19
PAYROLL	12/24/2020	54,063.64
PAID BETWEEN MEETINGS		
GRIEBAHN INDUSTRIESINC	NAME PLATE	24.00
KELLY TREE FARM LLC	TREES	6,420.00
WALMART	BUILDING MAINTENANCE SUPPLIES	17.96
WEST BRANCH FORD	MAINTENANCE SUPPLIES	188.64

US POSTAL SERVICE	POST OFFICE BOX RENT	84.00
MEGAN HOFFMAN	CLEANING SERVICE	261.00
TOTAL		6,995.60
GRAND TOTAL EXPENDITURES	111,733.43	
FUND TOTALS		
001 GENERAL FUND	39,159.63	
022 CIVIC CENTER	116.88	
031 LIBRARY	6541.84	
110 ROAD USE TAX	14,799.72	
112 TRUST AND AGENCY	10,981.41	
321 WIDENING WAPSI CREEK @ BERANEK PARK	2,624.25	
323 I-80 WEST, WATER MAIN RELOCATION	12,382.73	
324 WW TREATMENT FACILITY IMPROVEMENT 2021	8,745.00	
600 WATER FUND	8330.39	
610 SEWER FUND	8051.58	
GRAND TOTAL	111,733.43	

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

PUBLIC HEARING / NON-CONSENT AGENDA

Third Reading of Ordinance 779 – Amending Chapter 165; entitled Zoning Regulations. /Move to action.

There was no discussion.

Motion by Miller, second by Goodweiler to approve the third reading of Ordinance 779. AYES: Miller, Goodweiler, Dean, Sexton, Stoolman. NAYS: None. Motion carried.

ORDINANCE NO. 779

AN ORDINANCE AMENDING CHAPTER 165 “ZONING REGULATIONS.”

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that the clarification of certain sections in the Zoning Code will lead to a clearer understanding of the Code’s requirements; and

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that a more uniform and consistent wording in the language contained within certain sections in the Zoning Code will aide in making the Zoning Code more navigable and lead to more consistent interpretation of the requirements; and

WHEREAS, the Planning & Zoning Commission recommends to the City Council of the City of West Branch, adoption of these amendment recommendations in the Zoning code; and

WHEREAS, the City Council of the City of West Branch, Iowa has reviewed these recommendations and concurs with the Planning & Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED:

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 “ZONING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by revising the following subsections to Chapter 165.

165.34 I-2 DISTRICT REQUIREMENTS - Amend by adding number 5:

5. Area Regulations.

A. Lot Requirements: None.

B. Yard Requirements:

(1) Front Yard. No Building shall be constructed within forty (40) feet of the front lot line.

(2) Side Yards. On lots adjacent to a residential district, all buildings and incidental areas shall be located so as to provide a minimum side yard of twenty (20) feet on the side adjacent to the residential district. All other side yards shall be a minimum of eight (8) feet.

(3) Rear Yards. No building shall be constructed within twenty (20) feet of the rear lot line.

Passed and approved this 4th day of January, 2021.

First Reading: December 7, 2020
 Second Reading: December 21, 2020
 Third Reading: January 4, 2021

 Roger Laughlin, Mayor

Attest: _____
 Leslie Brick, Deputy Clerk

Public Hearing: Regarding the Adoption of the Amendment Number 3 to the Amended and Restated Urban Renewal Plan for the West Branch Urban Renewal Area.

Laughlin opened the public hearing at 7:42. There were no public comments. Laughlin closed the public hearing at 7:43.

Resolution 1969 – Approving and Adopting Amendment No. 3 to the Amended and Restated Urban Renewal Plan for the West Branch Urban Renewal Area. / Move to action.

City Attorney Olson explained that the West Branch School District's turn-lane project must be added to the amended Urban Renewal Plan in order to use TIF dollars to help fund the project.

Motion by Goodweiler, second by Sexton to approve Resolution 1969. AYES: Goodweiler, Sexton, Miller, Stoolman, Dean. NAYS: None. Motion carried.

Resolution 1970 – Approving a 28E Agreement with the West Branch Community School District Regarding the Sharing of Cost on Improvements on W. Main Street. /Move to action.

City Attorney Olson explained that the agreement had been reviewed by both parties and the final agreement commits the City to reimbursing the West Branch School District \$100,000 toward the turn-lane project on West Main Street in between the entrance of the middle and high school. Olson explained that the City will pay the district \$50,000 in October 2021 and \$12,500 each year for four years fulfilling their commitment.

Motion by Dean, second by Sexton to approve Resolution 1970. AYES: Dean, Sexton, Stoolman, Goodweiler, Miller. NAYS: None. Motion carried.

Resolution 1971 – Adding the Old Casey's Parking Lot to the Goal Setting List of Projects Considered for Funding in the FY 2021- 2022 City Administrator's Recommended Budget. / Move to action.

Jones explained that the City now officially owns the former Casey's site and prior discussions by the Council was to turn the site into a parking lot. Jones said the north end the property was also determined to be the best placement of the city mural which has been completed by artist Allie Hval. Council member Dean ask why the city needs another parking lot downtown and suggested that grass might be better than a hard surface. Miller said the site needs something done with it, but didn't feel it should be listed as a Council 'goal'. Stoolman agreed with Dean and felt that a parking lot at this time was unnecessary. Jones said the property's sidewalks were in disrepair and at minimum should be reconstructed which could be done in-house. The council discussed the condition of adjacent sidewalks and said they should be addressed as well. Motion by Sexton, second by Miller to approve Resolution 1971. AYES: Sexton. NAYS: Dean, Goodweiler, Stoolman, Miller. Motion FAILED.

Resolution 1972 – Approving a “Not to Exceed” \$20,000 Proposal for a Potential \$700,000 Forgivable Loan Application to be used for Water Quality and Storm Water Projects in Connection with City Parks. / Move to action.

Laughlin introduced the resolution and reminded the Council that this item was discussed at the last meeting. Laughlin said the forgivable loan, if approved, would provide the City added ability to complete other storm water projects within the City. City Engineer Schechinger said that Veenstra & Kimm would lead the loan application process and ensure that all requirements were met.

Motion by Miller, second by Dean to approve Resolution 1972. AYES: Miller, Dean, Sexton, Stoolman, Goodweiler. NAYS: None. Motion carried.

Discussion: Initial General Fund Revenue Estimates.

Jones said that valuations were received from both Cedar and Johnson counties and that the city should see an approximate \$93,000 in general fund revenues. Jones said with minor budget changes from the various departments this year, the FY22 budget would be pretty much status quo. The council had no comments.

Discussion: Merit Pay Proposal.

Jones said he had reviewed Dean's merit pay proposal and asked for further guidance from the Council on the subject. Dean said his proposal would provide staff a guide to help measure employee performance and appropriate pay increases. Other council members said they had experience with individual goal setting with their managers at their annual reviews. This allows the manager to set goals for the employees, the employee to also set goals for themselves and with monitoring of the goals throughout the year, would give the

manager something to measure their performance. The Council requested that a new process for employee increases (based on performance) be determined and put into place for the FY22 budget. Jones said he would do some additional research and bring back a proposal soon.

Discussion: – Consider Amending the Recreation Facility, Park & Sport Field Use and Fee Policy.

Russell explained changes proposed by the Park & Recreation Commission on field use fees for non-residents. Russell said the Commission has proposed raising non- resident fees to \$150.00 while keeping the resident fees the same at this time. The Council asked if a park staff member would be present for all tournaments and if those fees were reflective of covering the staff salary. Russell stated that a staff member would be present working the concession stand and said she felt that the fee would cover the cost while adding revenue sales from the concession stand. The Council agreed the fees were appropriate and fair. There was no further discussion on the subject.

CITY ADMINISTRATOR REPORT

Jones reported on the status of the food pantry building repairs. Jones said the city had received one bid so far and would be collecting them until Friday. Jones said quotes have been solicited to repair the building that was struck in August by a semi-truck trying to turn around on North First Street and also improvements to making the food pantry ADA accessible. Jones also reminded the Council of the upcoming budget schedule and said that this year without a lot of changes or requests from city departments, it should be fairly straight forward. Jones said the Gaskill project is still moving slowly forward and that additional information on the project had been requested by the Gaskill's.

CITY ATTORNEY REPORT

No report.

STAFF REPORTS

No reports.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Laughlin reported that he had received revised cost estimates for the Herbert Hoover round-a-bout project from Johnson County Engineers. Laughlin said revisions were made to the design to shorten some of the proposed road to the south of Cedar-Johnson and remove the curb and gutter portions and go with a rural approach since that area currently is not urbanized. These changes brought the City's share back down to approximately \$332,000.

Sexton said he received several positive comments from residents regarding the recent snow storm and how well Public Works did on clearing the streets so quickly. Sexton thanked Public Works for the good job.

ADJOURNMENT

Motion to adjourn the regular meeting by Miller, second by Goodweiler. Motion carried on a voice vote. City Council meeting adjourned at 9:13 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk