

*(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**

**March 15, 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, March 15, 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 Pro Tem Colton Miller called the West Branch City Council regular meeting to order at 7:00 p.m. Roll call: Council members: Colton Miller, Jodee Stoolman, Jerry Sexton, Tom Dean and Nick Goodweiler were present. Mayor Laughlin was absent. City Staff present: City Administrator Redmond Jones II, Deputy Clerk Leslie Brick and Finance Officer Gordon Edgar. City Staff attending via Zoom: Police Chief John Hanna, Public Works Director Matt Goodale, Library/IT Director Nick Shimmin, Officer Cathy Steen and City Engineer Dave Schechinger.

### **GUEST SPEAKER PRESENTATIONS**

Mayor Pro Tem read a proclamation signed by Mayor Roger Laughlin proclaiming April 1<sup>st</sup> 2021 Junior Achievement Day in West Branch. Junior Achievement's educational contribution equips our young people to become the next generation of productive employees and self-sufficient citizens to ensure the economic prosperity of West Branch.

Jodi Freet, Cedar County Emergency Management Director informed the Council that the purpose of hazard mitigation is to reduce or eliminate long-term risk to people and property from hazards. Freet said Cedar County and participating jurisdictions developed a multi-jurisdictional plan to reduce future losses to the County and its residents. The plan was prepared according to the requirements of the Disaster Mitigation Act of 2000 and must be updated every five years to remain eligible for Federal Emergency Management Agency (FEMA) grant programs.

### **PUBLIC COMMENT**

Jessi Simon, CDG Executive Director invited the City Council to the Sweets for Success event to be held on Friday, April 16<sup>th</sup> at Little Lights on the Lane. The event includes dinner, wine and dessert as well as the dessert auction which is the CDG's main fundraiser of the year.

### **CONSENT AGENDA**

Motion to Approve Meeting Minutes for City Council Meeting March 1, 2021.

Motion to Approve the Claims Report.

#### **March Claims and February Revenues**

EXPENDITURES	3/15/2021	
ALLIANT ENERGY	ELECTRICITY	10,587.57
AT & T MOBILITY	WIRELESS SERVICE	344.72
AXON ENTERPRISE, INC.	TASER SUPPLIES	596.68
BARRON MOTOR SUPPLY	VEHICLE REPAIR PARTS	4.60
BOWERS CUSTOM SERVICES LLC	SAND HAULING	480.00
CEDAR COUNTY COOPERATIVE	VEHICLE FUEL	606.27
CROELL, INC.	SAND	180.08
CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	23.20
HAWKINS INC	CHEMICALS	937.29
HENNINGSSEN DANIEL	BUILDING INCENTIVE PAYMENT	782.01
HI-LINE ELECTRIC COMPANY INC	HI-LINE ELECTRIC COMPANY INC	457.46
HINKHOUSE GLENN OR PAMELA	BUILDING INCENTIVE PAYMENT	1,186.62
INTERSTATE POWER SYSTEMS INC	SEMI-ANNUAL GEN INSPECTION	868.50
IOWA MUNICIPAL FINANCE OFF	DUES BRICK 21-22	100.00
J & M DISPLAYS INC	FIREWORKS DEPOSIT	5,000.00
JOHNSON COUNTY REFUSE INC.	RECYCLING & TRASH FEB 2021	15,611.50
LINDER TIRE SERVICE INC	SERVICE CALL-TIRE REPAIR	346.50
LINN COUNTY R.E.C.	STREET LIGHTS	185.40
LYNCH'S PLUMBING INC	SUPPLIES	34.80
MENARDS	SUPPLIES	2,593.87
MIDWEST FRAME & AXLE	VEHICLE REPAIR	2,002.46
FRIENDS OF ANIMALS	ANIMAL BOARDING	800.00
MOLLY CASHMAN	RECREATION REFUND-MYA BANE	50.00
ROSLYN FRANK	TOWN HALL REFUND	65.00
PARKSIDE SERVICE	VEHICLE REPAIR	290.30
PATRICK HYDE	BUILDING INCENTIVE PAYMENT	551.17
PLUNKETT'S PEST CONTROL IN	PEST CONTROL-POLICE & FIRE	75.00
PORT 'O' JONNY INC.	SERVICE-WAPASI PARK	228.00
PROTECT YOUTH SPORTS	BACKGROUND CHECKS	72.00
PYRAMID SERVICES INC.	EQUIPMENT REPAIR	396.85

QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	759.00
STATE HYGIENIC LAB	LAB ANALYSIS	27.00
STATE INDUSTRIAL PRODUCTS	CHEMICALS	244.00
THE HOME DEPOT PRO	SUPPLIES	102.55
WATER SOLUTIONS UNLIMITED	CHEMICALS	2,576.06
WEST BRANCH REPAIRS	VEHICLE REPAIR	60.95
WEX BANK	WEX BANK	1,313.37
ZIPPY'S SALT BARN LLC	BULK FIRE BLEND ICE MELT	3,048.84
TOTAL		53,589.62
PAYROLL	3/5/2021	43,092.95
PAID BETWEEN MEETINGS		
MICHAEL HONAKER	UTILITY REFUND	46.71
LAZERSPOT INC	UTILITY REFUND	83.76
MEGAN HOFFMAN	CLEANING SERVICES	414.00
GLOBAL PAYMENTS	CREDIT CARD FEES	339.24
TOTAL		883.71
GRAND TOTAL EXPENDITURES		97,566.28

FUND TOTALS		
001 GENERAL FUND		48,884.85
022 CIVIC CENTER		711.18
031 LIBRARY		6,122.87
110 ROAD USE TAX		13,169.11
112 TRUST AND AGENCY		4,616.39
308 PARK IMP - PEDERSEN VALLEY		1,375.75
600 WATER FUND		12,862.21
610 SEWER FUND		9,823.92
GRAND TOTAL		97,566.28

FEBRUARY REVENUE-FISCAL YEAR 2021  
FUND FEB

001 GENERAL FUND		38,336.39
022 CIVIC CENTER		257.64
031 LIBRARY		165.45
036 TORT LIABILITY		206.28
110 ROAD USE TAX		20,295.05
112 TRUST & AGENCY	1,307.72	
119 EMERGENCY TAX FUND		180.19
121 LOCAL OPTION SALES TAX		752.52
226 DEBT SERVICE		1,548.81
500 CEMETERY PERPETUAL FUND		301.21
600 WATER FUND		39,931.69
610 SEWER FUND		52,678.97
740 STORM WATER UTILITY		4,887.47
TOTAL		160,849.39

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

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

### Resolution 1987 – Adopting the Cedar County Multi-Jurisdictional Local Hazard Mitigation Plan. / Move to action.

The Council had no questions or discussion on the topic.

Motion by Goodweiler, second by Sexton to approve Resolution 1987. AYES: Goodweiler, Sexton, Dean Stoolman, Miller. NAYS: None. Motion carried.

### Public Hearing: To Discuss Consideration of Adopting the City Administrator's Recommended FY 2021-2022 Budget.

Mayor Pro Tem Miller opened the public hearing at 7:09 p.m. There were no public comments. Miller closed the public hearing at 7:10 p.m.

### Resolution 1988 – Adopting the City Administrator's Recommended Budget for Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022./ Move to action.

Miller commented that he felt the budget process went very smooth this year, the other members agreed. There were no other comments.

Motion by Dean, second by Goodweiler to approve Resolution 1988. AYES: Dean, Goodweiler, Miller, Stoolman, Sexton. NAYS: None. Motion carried.

### Public Hearing: Proposal to enter into a Sewer Revenue Loan and Disbursement Agreement and to Borrow Money Thereunder in a Principal Amount Not-to-Exceed \$619,000.

Mayor Pro Tem Miller opened the public hearing at 7:11 p.m. There were no public comments. Miller closed the public hearing at 7:12 p.m.

Resolution 1989 – Taking Additional Action with Respect to a Sewer Revenue Loan and Disbursement Agreement and Authorizing, Approving, and Securing the Payment of a \$619,000 Revenue Loan and Disbursement Agreement Anticipation Project Note (IFA Interim Loan and Disbursement Agreement). / Move to action.

No discussion.

Motion by Goodweiler, second by Sexton to approve Resolution 1989. AYES: Goodweiler, Sexton, Stoolman, Miller, Dean. NAYS: None. Motion carried.

Third Reading of Ordinance 780 – Amending Chapter 165; Entitled, “Zoning Regulations” regarding adding section 50 – Swimming Pools to the West Branch Zoning Ordinance. / Move to action.

ORDINANCE NO. 780  
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.

165.50 – Amend Chapter 165 by adding section 50: SWIMMING POOLS

165.50 SWIMMING POOLS

165.50 – DEFINITIONS:

1. “Permanent” is defined as a pool that is installed or left up year round and winterized for continued use.
2. “Temporary” is defined as a pool that is taken down or dismantled during the winter months. Temporary pools with a depth of twenty four (24) inches or less are exempt from this sub-section.

Swimming pools intended for private use by persons that reside on the property or their guests are permitted, provided the following conditions are met:

1. Setbacks: (for temporary and permanent pools)
  - a. Residential zones
    - i. The use must be set back a minimum of ten (10) feet from any side or rear lot line.
    - ii. The use may not be located in the front yard unless the use is set back at least forty (40) feet from the front property line.
  - b. Non-residential zones
    - i. In non-residential zones, the use must be set back a minimum of ten (10) feet from any side, rear, or front property line, unless the property on which the use is located is directly abutting or across the street from a property zoned residential. In the case of such an adjacency, the use must comply with the setback requirements for residential zones
2. Permit Required
  - a. Permanent (in-ground) pools with a depth of twenty four (24) inches or more, require a permit.
3. Fence Requirement (for permanent pools only). Swimming pools with a depth of twenty four (24) inches or more and the edge of which is less than four (4) feet above grade, must be completely enclosed by a fence according to the following specifications:
  - a. The fence must be at least four (4) feet in height and must be constructed so that a sphere, five (5) inches in diameter, cannot pass through the fence.
  - b. A principal or accessory building may be used as part of the enclosure.
  - c. All gates and doors opening through the enclosure must be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in use, except the door of any building which forms a part of the enclosure need not be so equipped.
  - d. The building official may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute device or structure is not less than the protection afforded by an enclosure built to the specifications of this paragraph.

Passed and approved this 15<sup>th</sup> day of March, 2021.

First Reading: February 16, 2021  
Second Reading: March 1, 2021  
Third Reading: March 15, 2021

\_\_\_\_\_  
Colton Miller, Mayor Pro Tem

Attest:

\_\_\_\_\_  
Leslie Brick, Deputy Clerk

No discussion.

Motion by Dean, second by Stoolman to approve Ordinance 780. AYES: Dean, Stoolman, Goodweiler, Miller, Sexton. NAYS: None. Motion carried.

Motion to Approve the Special Event Permit to Celebrate the Start of the summer with the “Kickoff to Summer” – Ice Rink & Sidewalk Sales on Main Street Event. / Move to action.

Sexton asked if other locations for the ice rink were considered since this is a very busy street in town and also very close to the only entrance to Jack & Jill. He asked if the owner of Jack & Jill was notified and agreed to the proposed location. Simon, CDG Executive Director said she had not contacted the owner yet, but was waiting on City approval first. The Council was concerned that the ice rink location would interfere with deliveries to the grocery store and asked that Simon contact the owner for his approval. The Council discussed alternate locations such as the former Casey’s property (now owned by the City). Simon said other

locations were discussed but Simon said the event planners preferred to keep the rink as close to downtown as possible for the event and were planning on using the Town Hall for skate rentals and restroom facilities. Miller asked if Simon was still planning on City financial support pledged for this event which was previously planned for Christmas Past 2020 which was cancelled due to COVID-19. Simon said she was hopeful that the City would honor their prior commitment. Miller indicated that Council had no objections and would approve the \$1500.00 donation. Jones asked Chief Hanna to provide his comments on the ice rink location as it would block the police department garage. Hanna said he did not have a problem with the location and would find alternate parking during this time. The Council concluded that they were okay with the North 1<sup>st</sup> Street closure for the ice rink if the owner of Jack & Jill agreed as well. Motion by Dean, second by Goodweiler. AYES: Dean, Goodweiler, Stoolman, Sexton. Miller. NAYS: None. Motion carried.

#### **CITY ADMINISTRATOR REPORT**

Jones said that an out of state company from Ohio stopped in the City Office recently and indicated some possible interest in the Downtown East Redevelopment area for residential development. He also stated that Dollar General, who has been actively trying to find land in town has expressed interest in the property. Sexton said he had received some resident concerns over Dollar General locating to that property. Jones said that he had previously expressed to the company (Dollar General) the City's desire is to not have the typical 'brown box' building and said that there are other design options available.

#### **CITY ATTORNEY REPORT**

Absent

#### **STAFF REPORTS**

Goodale reported that there appears to be a water service leak in the 400 block of North Downey Street. Goodale said Lynch's Excavating has been contacted and said that the repair may be a complicated issue and that most likely the street will be closed while repairs are being made and a detour will most likely be established. Goodale also reported that a large tree on North 4<sup>th</sup> Street is scheduled to be taken down which will also require a road closure and detour. Goodale said he is working on contacting businesses near the affected area and scheduling the work. Goodale added that his staff will be starting on the Cubby Park (extended) parking lot next week as weather permits. The new parking lot is 64' x 200' and will add an additional fifty four (54) parking spaces.

#### **COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Miller asked for an update on the repairs to the West Branch Food Pantry that was damaged last summer by a semi-truck. Jones said, Laughlin who was the lowest bidder on the project, was finishing up on another project and would be starting repairs soon. Jones added that a portion of the work will be to add a handicap accessible entry and would be paid for by a grant the City received in 2020. Jones stated that the project would need to be completed before May 1<sup>st</sup> to be eligible for grant reimbursement. Miller said he was hopeful that the repairs would be done before the Kickoff to Summer event with the ice rink's planned location.

#### **ADJOURNMENT**

Motion to adjourn the regular meeting by Goodweiler, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 7:29 p.m.

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Colton Miller, Mayor Pro Tem

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