

*(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**

**June 7, 2021  
7:00 p.m.**

*Until further notice, all of our Council Meetings will be held in person and electronically via Zoom. 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 7:00 p.m. Roll call: Council members: Colton Miller, Jodee Stoolman, Tom Dean, Jerry Sexton and Nick Goodweiler were present. City Staff present: City Administrator Redmond Jones II (arrived at 7:05), Deputy Clerk Leslie Brick, Finance Officer Gordon Edgar, Library/IT Director Nick Shimmin and City Attorney Kevin Olson. City Staff attending via Zoom: Park & Recreation Director Melissa Russell, Public Works Director Matt Goodale, Police Chief John Hanna and City Engineer Dave Schechinger.

### **GUEST SPEAKER PRESENTATIONS**

Former Public Works employee, Ben Litscher addressed the Council with concerns over a lack of city mowing prior to the Memorial Day holiday. Litscher said he worked for the City from 2014 to 2020 as a part-time employee and was let go last fall. Litscher admitted that his dismissal was on him, but felt that he did a good job and took pride in his work during his time with the City. Litscher then requested the Council to consider a monetary severance for his departure stating that since he didn't work for the City for seven years, he was not vested in IPERS. (Note: IPERS coverage is mandatory for permanent part-time employees, however to be eligible to receive benefits, you must work for an IPERS covered employer for seven years.)

### **PUBLIC COMMENT - NONE**

### **CONSENT AGENDA**

Motion to approve minutes for City Council Meeting May 17, 2021.

Motion to approve minutes for Closed Session Meeting May 20, 2021.

Motion to approve Class C Beer, Class B Native Wine and Sunday Sales privileges for Parkside Petroleum – 401 Parkside Drive.

Motion to approve Class E Liquor (LE), Class B Wine, Class C Beer, and Sunday Sales privileges for Kum & Go #254 – 620 S. Downey Street.

Motion to approve Cigarette Permit Renewals for FY 2021-2022.

Motion to approve Payment of Nuisance Abatement Invoices for 332 N. Downey and 203 Green Street.

Motion to approve the Claims Report.

### **EXPENDITURES**

6/7/2021

ALL AMERICAN CONCRETE INC	STREET REPAIR	8,174.25
AMAZON.COM.CA. INC.	KEYPAD ENTRY SYSTEME	94.42
AT & T MOBILITY	WIRELESS SERVICE	344.80
BOWERS CUSTOM SERVICES LLC	COLD PATCH	120.00
BROWN'S WEST BRANCH	VEHICLE REPAIR	1,211.77
CEDAR COUNTY TRANSFER STATION	TRASH DISPOSAL	30.00
CROELL, INC.	CUBBY PARK - CAP IMPROVEMENT	11,750.00
CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	52.15
HAWKINS INC	CHEMICALS	650.60
HEMMEN CRAIG OR JEAN	BUILDING INCENTIVE PAYMENT	915.16
HI-LINE ELECTRIC COMPANY INC	HARDWARE SUPPLIES	220.20
IOWA DEPARTMENT OF NATURAL	OPERATOR CERTIFICATE RENEWAL	240.00
IOWA LAW ENFORCEMENT ACADEMY	TRAINING	50.00
IOWA ONE CALL	UNDERGROUND LOCATION SERVICE	59.40
JOHN DEERE FINANCIAL	SUPPLIES & EQUIPMENT	850.22
JOHNSON COUNTY REFUSE INC.	RECYCLING & TRASH - MAY 2021	17,001.25
LENOCH & CILEK	SUPPLIES	7.96

LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	1,528.80
LINN COUNTY R.E.C.	STREET LIGHTS	213.10
LOGAN CONTRACTOR'S SUPPLY	CUBBY PARK - CAP IMPROVEMENT	85.76
LORENZ, NANCY R ZMEK OR J	BUILDING INCENTIVE PAYMENT	1,739.85
LYNCH'S EXCAVATING INC	LOCATE CURB STOPS	780.00
LYNCH'S PLUMBING INC	REPAIR WATER LEAK - CEMETERY	1,393.90
MANATT'S INC	PREMIX - STREET REPAIR	591.10
MENARDS	SUPPLIES	442.55
MERCY IOWA CITY PHYSICIAN	PHYSICAL - VERLO	162.00
MILLER TRUCKING & EXCAVATING	STORM SEWER-REPAIR AT NAT PARK	2,670.40
MOORE'S WELDING INC	FORK EXTENSIONS	150.00
OFFICE OF AUDITOR OF STATE	AUDIT SERVICE	18,611.00
OLSON, KEVIN D	LEGAL SERVICES - JUNE 2021	1,500.00
PLAY IT AGAIN SPORTS	SUPPLIES	1,723.43
PLUNKETT'S PEST CONTROL IN	PEST CONTROL-POLICES/FIRE STAT	170.18
PORT 'O' JONNY INC.	SERVICE - CEMETERY	311.00
PROTECT YOUTH SPORTS	EMPLOYEE BACKGROUND SEARCH	36.00
QUILL CORP	OFFICE SUPPLIES	39.88
RIVER PRODUCTS COMPANY INC	CUBBY PARK - CAP IMPROVEMENTS	740.82
SCHIMBERG CO	MANHOLE - FRAME & GRATE	597.84
SHIELD TECHNOLOGY CORPORATION	SOFTWARE MAINTENANCE & SUPPORT	2,245.50
STATE HYGIENIC LAB	LAB ANALYSIS	47.00
STATE INDUSTRIAL PRODUCTS	CHEMICALS	244.00
THE HOME DEPOT PRO	SUPPLIES	177.78
TUTTLE, PETER	REPAIR ICE MACHINE	204.75
VEENSTRA & KIMM INC.	LOT SITE PLAN REVIEW	181.00
VEENSTRA & KIMM INC.	COLLEGE ST WATER MAIN BETWEEN 4TH & 5TH	1,425.04
VEENSTRA & KIMM INC.	CHANNEL WIDENING FLOOD IMPROVEMENTS	911.00
VEENSTRA & KIMM INC.	LOETHEN RIDGE CONSTRUCTION REVIEW	236.42
VEENSTRA & KIMM INC.	GREENVIEW EXTENSION - PRELIMINARY DESIGN	2,674.08
VEENSTRA & KIMM INC.	WATER TREATMENT FACILITY IMPROVMENTS 2021	17,490.00
VEENSTRA & KIMM INC.	SPONSORED PROJECT APPLICATION	3,102.80
VERIZON WIRELESS	WIRELESS SERVICE	372.17
WEST BRANCH COMMUNITY DEVE	WEST BRANCH COMMUNITY DEVELOPM	1,500.00
TOTAL		106,071.33
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	6/7/2021	58,867.63
PAID BETWEEN MEETINGS		
EAGLE ENGRAVING INC.	UNIFORM ACCESSORIES	121.95
HOFFMAN, MEGAN	CLEANING SERVICES	954.00
HOTSY CLEANING SYSTEMS	EQUIPMENT REPAIR	397.84
SHIMMIN, NICK	HARWARE	10.36
CEDAR COUNTY COOP	FUEL	1,254.10
HI-LINE ELECTRIC COMPANY INC	SUPPLIES	196.13
JOHNSON COUNTY REFUSE INC	RECYCLING & TRASH PICKUP	15,802.50
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE METER	500.00
US BANK CORPORATE CARD	SOFTWARE, CONCESSION MDSE, SUPPLIES	3,122.33
VARIOUS VENDORS	RECREATION & VENDOR REFUNDS	270.00
MEDIACOM	CABLE SERVICE	41.90
ROB COPELANC	ESCROW REFUND	2,500.00
US BANK EQUIPMENT FINANCE	COPIER LEASE	106.25
UMB BANK N.A...	INTEREST & PRINCIPAL	819,585.00
CEDAR COUNTY COOP	FUEL	651.84
CEDAR COUNTY TREASURER	LIEN PAYMENT	622.86
GREEN STATE CREDIT UNION	PURCHASE OF CD	8,486.14
TOTAL		854,623.20
GRAND TOTAL EXPENDITURES		1,019,562.16
FUND TOTALS		
001 GENERAL FUND	95,364.97	
022 CIVIC CENTER	680.91	
031 LIBRARY	7,265.27	
110 ROAD USE TAX	17,437.07	
112 TRUST AND AGENCY	12,625.36	
226 GO DEBT SERVICE	819,585.00	
308 PARK IMP - PEDERSEN VALLEY	12,576.58	
321 WIDENING WAPSI CREEK @ BERANEK PARK	911.00	

324 WW TREATMT FAC IMPROVEMENT 2021	17,490.00
327 SPONS WATER QUALITY IMP 2021	3,102.80
501 KROUTH PRINCIPAL FUND	4,436.82
502 KROUTH INTEREST FUND	4,049.32
600 WATER FUND	13,333.61
610 SEWER FUND	8,033.05
740 STORM WATER UTILITY	2,670.40
 GRAND TOTAL	 1,019,562.16

Laughlin said he would specifically like to discuss item #6 (Payment of a nuisance abatement invoice for 332 N. Downey St. and 203 E. Green St. to Swift & Swift LLC) on the Consent Agenda. Laughlin said the City had received a bill from Swift & Swift LLC for nuisance mowing services for the two properties and said the original charges were higher than expected showing 48 hours of labor to mow the two properties and directed City Administrator Jones to discuss the invoice with the contractor before payment would be made. A revised bill was received reducing the number of hours to 37.5 and Laughlin felt it was still too high for the amount of property that was mowed. Miller said \$1200.00 was a lot to charge a resident for less than a quarter acre lot with a house on it (referring to 332 N. Downey St.) Stoolman said last summer she personally mowed the resident's yard and it took her approximately 1 hour but said the grass was shorter and she did not need to sweep the yard. Sexton, who owns the golf course and is familiar with how long mowing would take on a property this size, also felt that 37.5 hours was 'excessive'. Miller asked why the grass was mowed on a Sunday and questioned if that added to the cost. Andray Swift responded that he was contacted by City Administrator Jones on May 20, 2021 that an emergency abatement was needed and was to abate the issue within 72 hours. Swift responded to the questions regarding the number of hours charged and said the property required additional cuts due to the length of the grass upon arrival (approximately 20 inches tall), and that it had been raining for several days, including the afternoon when he and his crew mowed the property. Sexton asked how many workers were used to mow the two properties. Swift responded that on Sunday he had three employees deployed and the other days (Monday, Tuesday and Wednesday) he had two employees. Swift defended this invoice and said it was reflective of the work provided. Finance Officer Edgar also added that when city staff had mowed the property in the past, it was several hundred dollars less and included civil penalties. The Council agreed this item should be voted on separately.

**Motion by Miller to strike Consent Agenda item #6 and vote separately on the item, second by Goodweiler approve agenda/consent agenda #1-5 and #7. AYES: Miller, Goodweiler, Stoolman, Dean, Sexton. NAYS: None. Motion carried.**

Motion by Dean to discuss and take action on item #6, second by Goodweiler. Based on previous comments, the Council concluded that the work was done but did not agree to the number of hours the City was billed for the work and then decided to take a vote.

**Motion by Dean, second by Goodweiler to approve Consent Agenda item #6. AYES: Goodweiler, Stoolman, Sexton. NAYS: Dean, Miller. Motion carried.**

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

Second Reading of Ordinance 781 – Amending Chapter 165; Entitled, “Zoning Regulations” to add section 51 “Annexed Territory”. / Motion to approve.

Brick stated that per the request of the City Council at their May 17<sup>th</sup> meeting, the Planning & Zoning Commission reviewed the proposed Ordinance at their May 25<sup>th</sup> meeting and had no objections to the language.

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

Resolution 2008 – Approving a 2% Cost of Living Adjustment and Setting Salaries for Appointed Officials and Employees of the City of West Branch, Iowa for FY 2021-2022. / Move to action.

**Motion by Miller, second by Goodweiler to approve Resolution 2008. AYES: Miller, Goodweiler, Sexton, Dean, Stoolman. NAYS: None. Motion carried.**

Resolution 2009 – Approving adding J&D Lawn Care, Rocha Lawn Care, and Casper Lawn Care, and Renewing Swift and Swift as the List of Contractors to be deployed for Nuisance Abatement Services as Deemed Appropriate. / Move to action.

Miller motioned to strike Swift & Swift LLC from all future services for the City of West Branch. Jones reminded the Council that the City uses Swift & Swift for nuisance clean-up services as well. Miller firmly stated “we will find someone else”. Laughlin asked Jones if the three other mowing contractors had been contacted. Jones confirmed that they have been and all verbally agreed to the \$29 dollar an hour fee. Miller added that going forward, when requesting nuisance services, that a quote be requested from the contractor before services are rendered so that the City is not put into another situation (like Content agenda item #6).

**Motion by Miller, second by Stoolman to approve an amended Resolution 2009 to strike Swift & Swift LLC and approve J&D Lawn Care, Rocha Lawn Care and Casper Lawn Care for Nuisance Abatement Services going forward. AYES: Miller, Sexton, Dean, Goodweiler, Stoolman. NAYS: None. Motion carried.**

Resolution 2010 – Approving Contracts totaling \$10,155.39 for the Hoover Hometown Days Event. / Move to action.

Miller asked if the committee was fund raising for this year’s event. Laughlin said that approximately 50 letters were mailed to local businesses. Brick added that donations were coming in sooner than expected and that she had received a commitment from Nordex USA to be the events title sponsor with a donation of \$5000.00. Sexton asked how many more contracts were expected and approximately how much is being spent on this year’s event. Russell responded that all the big ticket items have been accounted for at this time a rough estimate was around \$20,000, plus fireworks (\$25,000).

**Motion by Dean, second by Sexton to approve Resolution 2010. AYES: Dean, Sexton, Stoolman, Goodweiler, Miller. NAYS: None. Motion carried.**

Resolution 2011 – Approving a Partial Alley Closure (the south end of the alley access on Main St. between 4<sup>th</sup> and 5<sup>th</sup>). /Move to action.

Stoolman stated that she was responsible for the agenda item and voiced her concern on safety of the slope and continued gravel washing down and on to Main St. but said she was willing to listen to the resident’s thoughts on the subject. Miller added that he had driven down the alley and was not comfortable doing it again. He said he didn’t think the grade met current city code. Deb & Paul Michalski, 116 N. 5<sup>th</sup> St. stated that although they don’t use the alley often, many service contractors they’ve hired do and without any known issues. Hillary Maurer, 127 N. 4<sup>th</sup> St. said that many of the residents and their guests use both entrances of the alley and did not want the alley closed. Maurer asked what the city planned on doing with the closed portion of the alley. Laughlin said it was initially determined that dirt would be added and then seeded to provide grass (which the City would mow). Maurer voiced her opinion that by doing that would not alleviate the city of less work because now they would have to mow instead of scooping gravel. Instead Maurer suggested that the city find a way to prevent the gravel from washing down the alley. It was determined that an agreement could not be made at this time and Laughlin asked Jones to set up a neighborhood meeting with the affected residents and to include Public Works Director Goodale to participate and see if alternatives could be agreed upon.

**Motion by Goodweiler, second by Stoolman to table Resolution 2011. AYES: Goodweiler, Stoolman, Dean, Miller. NAYS: None. Absent: Sexton. Motion carried.**

Resolution 2012 – Hiring Heidi Van Auken as the Finance Officer/Treasurer for the City of West Branch, Iowa, and Setting the Salary for the Position for Fiscal Year 2021-2022. / Move to action.

Ms. Van Auken introduced herself to the Council and gave a brief overview of her work experience and education. The interview team consisted of Laughlin, Miller and Brick. Out of five interviews and several applicant submissions for the position, Van Auken was the committee’s top choice.

**Motion by Miller, second by Goodweiler to approve Resolution 2012. AYES: Miller, Goodweiler, Sexton, Stoolman, Dean. NAYS: None. Motion carried.**

Resolution 2013 – Approving Liability Insurance Proposal with ICAP. / Move to action.

Motion by Goodweiler, second by Miller to approve Resolution 2013. AYES: Goodweiler, Miller, Dean, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 2014 – Approving the Worker’s Compensation proposal with IMWCA. / Move to action.  
**Motion by Goodweiler, second by Miller to approve Resolution 2014. AYES: Goodweiler, Miller, Sexton Stoolman, Dean. NAYS: None. Motion carried.**

Discussion: Participation in the Hometown Pride Program (ECIA Proposal).

Jones said ECIA is launching a new campaign “Hometown Pride – Keep Iowa Beautiful” which would provide participating communities with a coach on a variety of Hometown Pride activities. The program would consist of developing a steering committee to implement the program, assistance with developing community goals, empowering local citizens to become engaged in community projects, developing and maintaining relationships with local, state and regional economic development partners, and establish training education sessions for community leaders, city council members and volunteers on topics to further affect Hometown Pride activities. Jones said the cost for the first year is \$500.00 and subsequent years (2-5) would be \$1000. Miller suggested that the annual fees could be paid with Hotel/ Motel tax. The Council directed Jones to invite a member of ECIA to come to a council meeting and afford the Council to ask questions regarding the program before approving participation.

Discussion: Considering Aspects and/or Programs Desired in the West Branch Housing Trust Fund.

Jones asked for Council directions on what programs the Council would like to use from The Meadows Part 4 TIF proceeds for the low to moderate income (LMI) requirements and provided some sample projects. Miller liked the idea of having a revolving loan program to help residents to help with housing rehabilitation that they cannot afford to do on their own, such as replacing windows, siding, roof repairs, etc. The Council agreed that more discussion should take place and to get something planned.

Discussion: Regarding the Remaining Public Improvements Related the Cedar’s Edge Sub-division.

Sexton presented two proposals for the Council to consider and discuss. Sexton’s first proposal would be to dedicate a certain part of Serenity Circle to the city that has been determined is part of his property. Or ask the City to help with the cost to complete the street from the cul-de-sac to the intersection of Cedar-Johnson Road. Sexton explained that the remaining required improvements to this particular section of street would be difficult to complete until Cedar-Johnson Road is reconstructed. Sexton proposes to give the city the western 140’ feet (approximately) of Serenity Circle, and complete a paved section that ties in Serenity Circle to the existing chip & seal section of the former Greenview Drive. Miller said he would support the Sexton’s first proposal and make the final improvements when Cedar-Johnson Road is improved. The other members of the council did not disagree. This item will come back at a later date for a final determination and vote.

Discussion: Consider Alternative Site(s) for Fireworks during Hoover Hometown Days Event.

Laughlin said the requirements for shooting off fireworks on government property (specifically National Park property) is getting more difficult each year and this year additional requirements are needing to be met and there is quite possibly a chance the City and fireworks vendor cannot meet the required deadlines to get the permit approved. The end result is to move the location of the fireworks and viewing area. Laughlin said the he and a few staff members met with owner Tim Zurmuehlen, J& M Fireworks owner and determined that an area in the northwest part of the cemetery (which is grass only), would be an ideal location to shoot. Cubby Park would provide ample viewing for spectators and would also be the new location of the Hoover Stage where the Brass Band plays music to the fireworks. Details are still being worked out, but Laughlin said the planning committee needs to be able to move forward with final plans. The Council briefly discussed their concerns about debris clean-up and surrounding properties, but ultimately decided that the location was satisfactory.

**CITY ADMINISTRATOR REPORT**

Jones said he had received the final facility plan for the waste water treatment facility and would be placing it on the city’s website. He said Schechinger is recommending moving forward with Terracon for the geotechnical engineering services (\$7,900) and that a separate contract would be forth coming. Jones asked if

the Council wanted the City to participate in the Home Base Iowa program, developed by Cedar County which offers incentives to employers and cities to give incentives to veterans to live and work in West Branch. The Council requested Jones to bring back a resolution for consideration and plan specifics.

**CITY ATTORNEY REPORT - No report**

**STAFF REPORTS**

Goodale reported that Lynch's Excavating will be starting water and sewer main improvements on E. College (between N. 4<sup>th</sup> St and N. 5<sup>th</sup> St.) next week. The work will result in a road closure at the intersection of E. College and N. 4<sup>th</sup> Streets for a few days. A detour will be established. Lynch's will then move to Greenview Drive to work on the water main. Goodale stated that Public Works completed a paved parking space and zero entry for the Food Panty late last week and that his staff will start preparing the former Casey's site for new sidewalks and grass in the coming weeks.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Sexton asked if signs were added to Cedar-Johnson Road at the corner of Greenview/Serenity and Bickford Drives. Hanna responded that he had notified Public Works to order the signs and that they should be posted soon. Sexton reminded that the road has increased traffic and wants a high priority placed on the matter.

Goodweiler asked is the bike helmet program was in place. Hanna responded that tickets for free ice cream cones had been started and will continue.

**ADJOURNMENT**

Motion to adjourn the regular meeting by Miller, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 9:10 p.m.

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Roger Laughlin, Mayor

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