

(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**

**November 15, 2021
7:00 p.m.**

Mayor Pro Tem Colton Miller called the West Branch City Council regular meeting to order at 7:00 p.m. Roll call: Council members: Jerry Sexton, Jodee Stoolman. Tom Dean and Nick Goodweiler was present. Absent: Mayor Roger Laughlin. City Staff present: City Clerk Leslie Brick, City Attorney Kevin Olson, and Public Works Director Matt Goodale. City Staff attending via Zoom: Finance Officer Heidi Van Auken, Parks & Recreation Director Melissa Russell, Library/IT Director Nick Shimmin, Police Chief John Hanna, and City Engineer Dave Schechinger.

APPROVE THE AGENDA

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

APPROVE CONSENT AGENDA

Minutes from the November 1, 2021 City Council regular meeting.
Approve a Class C Liquor License (renewal) for The Down Under, 102 W. Main St.
Claims

EXPENDITURES	11/15/2021	
AERO RENTAL INC	COLLEGE ST WATER MAIN EQUIP RENTAL	481.75
ALLIANT ENERGY	ALLIANT ENERGY	10,393.27
AMAZON	VARIOUS ITEMS	723.41
AT & T MOBILITY	WIRELESS SERVICE	344.44
BAKER & TAYLOR INC.	BOOKS	758.49
BRICK, LESLIE	MILEAGE REIMB FOR IMFOA CONF	143.38
BROWN'S WEST BRANCH FORD	2004 F350 REPAIR	1,698.44
CASEYS GENERAL STORES, INC	CASEY'S TIF REBATE #5	17,852.00
CEDAR COUNTY COOPERATIVE	FUEL FOR CEM MOWERS	1,607.92
CEDAR COUNTY RECORDER	RECORDING FEES	28.00
CORALVILLE PARK & REC	LARGE STAGE RENTAL FOR HHTD	525.00
CROELL, INC.	PW SHOP PARKING	2,631.50
CY'S TREE SERVICE	TREE REMOVAL	4,000.00
DEMCO	BOOK JACKET COVER	52.89
DODGE STREET TIRE & AUTO	TIRES '17 DODGE CHARGER	584.04
GOODALE, MATTHEW	MILEAGE REIMBURSEMENT	108.07
HI-LINE INC	SHOP SUPPLIES	155.18
HOLIDAY INN DES MOINES	LODGING - VAN AUKEN & BRICK	448.00
IMWCA	IMWCA	2,296.00
IOWA RURAL WATER ASSOC.	DUES 1-1-22 TO 12-31-22	275.00
JOHNSON COUNTY AUDITOR	CONTRIBUTION FOR LCWMA	500.00
JOHNSON COUNTY REFUSE INC.	GARBAGE CONTRACT	16,565.17
KANOPI	DIGITAL VIDEOS	44.00
KILER, KEVIN L OR KAY A	BLDG INCENTIVE PAYMENT	1,321.45
L. L. PELLING CO. INC	COLLEGE ST WATER MAIN	14,777.34
LINN COUNTY R.E.C.	STREET LIGHTS	213.10
LOGAN CONTRACTOR'S SUPPLY	CASEY'S LOT SUPPLIES	203.00
MID-AMERICAN SUPPLY CO	DRUG TESTS	275.27
MIDWEST FRAME & AXLE	SERVICE '16 F350 SD	1,058.13
MUNICIPAL SUPPLY INC.	WATER METERS	181.25
OLSON, KEVIN D	LEGAL SERVICES NOV 2021	1,500.00
PLUNKETT'S PEST CONTROL	PEST CONTROL	98.98
PORT 'O' JONNY INC.	SERVICE-WAPSI PARK	108.00
PREMIER PARTS TIPTON	SUPPLIES	412.37
PROTECT YOUTH SPORTS	CRIM BACKGROUND CHECK	12.00
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	889.00
QUILL CORP	OFFICE SUPPLIES	139.81
RICKERTSEN, LISA	CONSULTING SERVICES	225.00
SENSUS USA	WATER METERS SFTWARE YRLY SUPP	1,949.94
STEVEN M BERRY	BLDG INCENTIVE PAYMENT	1,099.50
UNIFORM DEN INC.	COLLAR INSIGNIA	170.71

WEST BRANCH COMM SCHOOLS	ADVERTISING	75.00
WEST BRANCH TIMES	LEGAL PUBLICATIONS	532.03
WEST LIBERTY GUN CLUB, INC	ANNUAL MEMBERSHIPS	480.00
WEX BANK	VEHICLE FUEL	1,464.83
WHITE CAP L.P.	SAFETY & SHOP SUPPLIES	1,722.19
TOTAL		91,124.85
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	11/12/2021	43,017.69
GRAND TOTAL EXPENDITURES		134,142.54
FUND TOTALS		
001 GENERAL FUND	51,774.34	
022 CIVIC CENTER	305.44	
031 LIBRARY	7,759.30	
036 TORT LIABILITY	2,065.82	
110 ROAD USE TAX	32,288.54	
112 TRUST AND AGENCY	5,272.34	
125 T I F	17,852.00	
600 WATER FUND	11,681.60	
610 SEWER FUND	4,615.65	
740 STORM WATER UTILITY	527.51	
GRAND TOTAL	134,142.54	

Motion by Goodweiler, second by Sexton to approve the Consent Agenda. AYES: Goodweiler, Sexton, Miller, Stoolman, Dean. NAYS: None. Motion carried.

COMMUNICATIONS / OPEN FORUM - NONE

PUBLIC HEARING / NON-CONSENT AGENDA

Third Reading Ordinance 784 – Rezoning certain property generally located north of East Main Street and west of and adjacent to North 4th Street from Industrial District to PUD – Planned Unit Development District. /Move to action.

ORDINANCE NO. 784

AN ORDINANCE RE-ZONING CERTAIN PROPERTY GENERALLY LOCATED NORTH OF EAST MAIN STREET AND WEST OF AND ADJACENT TO 4TH STREET FROM INDUSTRIAL DISTRICT TO PUD – PLANNED UNIT DEVELOPMENT DISTRICT.

WHEREAS, the City initiated a rezoning application of the property described below, said parcel being legally described as:

The real property in the Retracement Plat of Survey filed for record on October 8, 2018

in Book K at Page 110, Records of the Cedar County Recorder; and

Lots 1-5 in Block 3, in West Branch, Iowa and the abandoned railroad right-of-way located west of said Lots 1-5; and

Lots 1 and 2 in Tract 1 located in the abandoned railroad in the SE ¼ of Section 5, Township 79 North, Range 4 West of the 5th P.M., West Branch, Cedar County, Iowa, as shown in Plat Book E on page 117 in the Cedar County Recorder's Office; and

A tract of land in the SW ¼ of Section 5, Township 79 North, Range 4 West in the Town of West Branch, and more particularly described as follows: Beginning at a point on the south line of College Street, said point being 50 feet easterly of as measured radially from the centerline of the Chicago, Rock Island and Pacific Railroad's main track; thence S 14°34'45" East, 2.91 feet; thence southerly 72.62 feet, more or less, along a line curved to the left, parallel with and 50 feet easterly of said centerline; said line having a chord length of 72.62 feet; thence N 74°10'55" East 199.78 feet to a point on the easterly line of said Railroad Company's station grounds; thence northerly along the easterly line of said station grounds 145 feet, more or less, to the centerline of College Street; thence S 62°05'00" West along said centerline 205.64 feet to a line 50 feet easterly of and parallel with the centerline of said Railroad Company's main tract; thence southerly along last said parallel line 20 feet, more or less, to the point of beginning; and

Commencing at an iron pin located on the east right-of-way line of Fourth Street, 33.00 feet north of the centerline of East Main Street; all located in Section 5, Township 79 North, Range 4 West of the 5th P.M. in the City of West Branch, Cedar County, Iowa; thence westerly 58.42 feet along the north right-of-way line of said East Main Street to the point of beginning; thence northerly 64.30 feet along the easterly line of a building fronting on Fourth Street and East Main Street to the SE corner of the partition wall between said building and adjacent building to the north; thence westerly 58.30 feet along the south side of said partition wall to a point 0.70 feet east of the SW corner of said wall; thence southerly 64.35 feet on a line parallel to the westerly wall of said building to an "X" cut in the concrete sidewalk and the north right-of-way line of East Main Street; thence easterly 58.30 feet along said right-of-way line to the point of beginning; and

Beginning at a point 37 feet 1 inch north of and 58 feet 5 inches west of the SE corner of the SW ¼ of Section 5, Township 79 North, Range 4 West of the 5th P.M. in the Town of West Branch, Cedar County, Iowa; thence north 60 feet 1.25 inches; thence west 2 feet 1.75 inches; thence south 60 feet 1.25 inches; thence east 1 foot 7 inches to the place of beginning; and commencing 33 feet north and 60 feet west of the SE corner of Section 5, Township 79 North, Range 4 West of the 5th P.M. in the Town of West Branch, Cedar County, Iowa; thence running north 120 feet along the west side of Fourth Street in said town; thence west 60 feet; thence south 120 feet to the north side of East Main Street; thence east 60 feet to the point of beginning(the "Property"); and

WHEREAS, the City has requested that the Parcel be rezoned to be located in a PUD – Planned Unit Development District in place of an Industrial District; and

WHEREAS, the West Branch Planning and Zoning Commission has recommended the City Council approve said rezoning request; and WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of West Branch, Iowa:

Section 1. That the zoning map for the City of West Branch is hereby amended to show the Parcel being located in a PUD – Planned Unit Development District in place of Industrial District.

Section 2. This ordinance shall be in full force and effect from and after its publication as by law provided.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 15th day of November, 2021.

First Reading: October 18, 2021
Second Reading: November 1, 2021
Third Reading: November 15, 2021

Colton Miller, Mayor Pro Tem

ATTEST: _____
Leslie Brick, City Clerk

Motion by Sexton, second by Goodweiler to approve third reading of Ordinance 784. AYES: Sexton, Goodweiler, Stoolman, Dean, Miller. NAYS: None. Motion carried.

First Reading Ordinance 785 – Providing that General Property Taxes Levied and Collected on Certain Lots in The Meadows, Part 4A in West Branch, Iowa be paid to a Special Fund for Payments on Loans in connection to the West Branch Urban Renewal Area. / Move to action.

Olson explained that this is the first ordinance for the TIF project whereas the base values from the listed lots that had homes constructed on them in 2020 will be used to repay The Meadows Development Inc for the Development Agreement between them and the City (Resolution 1743). Olson said the original base values for the listed lots totaled approximately \$3000, but now have a value of almost \$3 million.

Motion by Sexton, second by Goodweiler to approve first reading of Ordinance 785. AYES: Sexton, Goodweiler, Dean, Miller, Stoolman. NAYS: None. Motion carried.

Resolution 2048 – Approve the Parkside Hills Final Plat. / Move to action.

The Council had a few questions regarding the private streets in the development and who would maintain them as well as adequate access for emergency vehicles. Chad Kuene, owner and developer was present and addressed the Council's questions. Miller and Sexton added that they thought the new subdivision looked really nice but did question if the drainage issue the property previously had has been resolved. Kuene said stormwater is directed to the large basin at the northeast corner of the property and Goodale confirmed that very little run-off was occurring near the city shop and that what Kuene has done has drastically addressed the water issues.

Motion by Goodweiler, second by Dean to approve Resolution 2048. AYES: Goodweiler, Dean, Stoolman, Miller, Sexton. NAYS: None. Motion carried.

Resolution 2049 – Approve the Parkside Hills Subdivider's Agreement. / Move to action.

Olson said the agreement was the city's standard subdivider's agreement and noted no special arrangements other than that the lift station connection fees will be added to the building permits as they are issued.

Motion by Goodweiler, second by Dean to approve Resolution 2049. AYES: Goodweiler, Dean, Sexton, Miller, Stoolman. NAYS: None. Motion carried.

Resolution 2050 – Accepting and approving certain Municipal Public Improvements for Parkside Hills. / Move to action.

Brick noted that a letter of credit has been received for the remaining municipal improvements as approved by City Engineer Dave Schechinger. Kuene, added that several of the items listed were completed last week and the main items such as sidewalks will be completed in the spring.

Motion by Goodweiler, second by Sexton to approve Resolution 2050. AYES: Goodweiler, Sexton, Stoolman, Miller, Dean. NAYS: None. Motion carried.

Resolution 2051 – Approve the Site Plan for Lot 11, Parkside Hills. / Move to action.

Brick said Planning & Zoning approved the site plan at their October 12th meeting. She added that the developer addressed all items required for the site plan approval including adding additional landscaping along the I-80 off ramp. Sexton asked Kuene if there were adequate parking for the two units and Kuene responded that each two-bedroom unit includes a garage and parking in front of the building as well as on-street parking where available.

Motion by Goodweiler, second by Sexton to approve Resolution 2051. AYES: Goodweiler, Sexton, Dean, Miller, Stoolman. NAYS: None. Motion carried.

Resolution 2053 – Approving the FY21 Annual Urban Renewal Report. / Move to action.

Motion by Sexton, second by Goodweiler to approve Resolution 2053. AYES: Sexton, Goodweiler, Miller, Stoolman, Dean. NAYS: None. Motion carried.

Resolution 2054 – Approve certain annual appropriation payments pursuant to various development agreements. / Move to action.

Motion by Goodweiler, second by Sexton to approve Resolution 2054. AYES: Goodweiler, Sexton, Dean, Miller, Stoolman. NAYS: None. Motion carried.

Resolution 2055 – Authorizing an Internal Advance payable from Tax Increment Revenue Fund for Urban Renewal Project Costs. / Move to action.

Olson explained that TIF revenues that were scheduled to ‘fall-off’ be used for other project costs within the Urban Renewal area to help cover expenses for engineering of certain projects that the city is working on.

Motion by Sexton, second by Goodweiler to approve Resolution 2055. AYES: Sexton, Goodweiler, Stoolman, Dean, Miller. NAYS: None. Motion carried.

Resolution 2056 – Directing the Finance Officer to Certify Tax Increment Financing Debt to the Cedar County Auditor. / Move to action.

Olson said the TIF asking will be the same as last year which is noted on the last page of the report and mentioned the \$90,000 internal advance was added.

Motion by Dean, second by Sexton to approve Resolution 2056. AYES: Dean, Sexton, Miller, Stoolman, Goodweiler. NAYS: None. Motion carried.

STAFF REPORTS

Goodale asked the Council to consider a request from a few residents who are interested in forming a tree committee that would give residents bare root trees to plant in their yards. The group also requested up to \$1000 to help pay for the trees from the city’s annual tree budget. Councilperson Sexton was concerned that bare root trees are difficult to grow if not properly maintained and wondered if other larger trees could be considered for the project. He also added that some of the newer subdivisions require homeowners to plant trees on their properties and asked how residents would be selected. Goodale said he would share the Councils’ questions with the group and see if they would consider other alternative ideas.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Miller said that he (and other) members received an email from the State Auditor regarding the city’s annual audit and asked if the email was legit. Brick replied that the email is legit and informed the council the State will perform the city’s FY21 audit, but will no longer be offering the service for FY22. After the next audit, the city will need to seek an accounting firm to perform the service. Miller said that he heard the I-80 widening project is going to need a large amount of dirt for their project and surmised that maybe the city should investigate finding a location in the watershed where dirt could be excavated which would help with flood mitigation and meet the need for the I-80 project. He also suggested that the light at the city’s dog park be left on longer in the winter months to encourage later use similar to the lights being turned on at Cubby Park for walkers. Dean added that he would like to see the city pay for lighting at Appreciation Park as well. He said the lights installed with the original project we paid for by the adjoining property owner, but since has changed hands and the lights are no longer lit. Miller also suggested that the Council consider creating banners to hang on Main Street for local veterans, something he saw in a recent trip to Minnesota.

ADJOURNMENT

Motion to adjourn the regular meeting by Goodweiler, second by Dean. Motion carried on a voice vote. City Council meeting adjourned at 7:46 p.m.

Colton Miller, Mayor Pro Tem

ATTEST: _____
Leslie Brick, City Clerk