

*(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**

**February 22, 2022  
7:00 p.m.**

Mayor Roger Laughlin called the West Branch City Council regular meeting to order at 7:00 p.m. Roll call: Council members present: Colton Miller, Jerry Sexton, Jodee Stoolman, Tom Dean and Nick Goodweiler. City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Parks & Recreation Director Melissa Russell and Fire Chief Kevin Stoolman. City Staff attending via Zoom: Public Works Director Matt Goodale, Chief John Hanna, Library Director Nick Shimmin and City Engineer Dave Schechinger

**APPROVE THE AGENDA**

Motion by Miller, second by Goodweiler to approve the Agenda. Motion carried on a voice vote.

**APPROVE CONSENT AGENDA**

Approve Minutes from the February 7, 2022 City Council regular meeting.  
Approve a Class C Liquor license renewal for Eldr LLC (Little Lights)  
Approve Claims for February 22nd

EXPENDITURES	2/22/2022	
AMAZON	VARIOUS ITEMS - LIBRARY	518.36
AMAZON.COM.CA.,INC	SUPPLIES	26.73
BAKER & TAYLOR INC.	BOOKS	453.08
BANKERS ADVERTISING COMPANY	NAME BADGES	53.28
BIG COUNTRY SEEDS INC	ICE MELT BAGS	852.60
CAPITAL ONE	LIBRARY WALMART CHARGES	274.40
CARRIE A HOURIGAN	CLEANING SERVICES - LIBRARY	322.00
CEDAR COUNTY RECORDER	RECORDING FEES	42.00
D&R PEST CONTROL	PEST CONTROL - LIBRARY	70.00
DONAHUES CARPET & UPHOLSTERY	CARPET CLEANING - LIBRARY	551.08
ELECTRIC PUMP INC	TRASH BASKET REPAIR	1,293.00
HI-LINE INC	SHOP SUPPLIES	26.38
IOWA ASSN. MUN. UTILITIES	2022-23 WATER MEMBER DUES	800.00
IOWA DNR	EXAM FEE	60.00
IOWA PARK AND RECREATION ASSOC	CONFERENCE FEE	255.00
KANOPI	ON DEMAND VIDEO SERVICE	54.00
KLINKKAMMER, MICHAEL & ANGIE	BLDG INCENTIVE PAYMENT	724.97
LYNCH'S EXCAVATING INC	WATER MAIN REPAIR PARKSIDE	2,932.75
MUNICIPAL SUPPLY INC	WATER METERS & SUPPLIES	22,306.50
NAT RECREATION AND PARKS ASSOC	NRPA MEMBERSHIP FEE	175.00
OASIS ELECTRIC LLC	POWER DOORS SERVICE	300.00
OVERDRIVE INC	DIGITAL AND AUDIO BOOKS	739.46
PARKSIDE SERVICE	SKIDLOADER TIRES	1,444.00
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE - CITY	500.00
PREMIER PARTS TIPTON	SHOP SUPPLIES/MAINT MTRLS	119.85
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	804.75
QUILL CORP	SUPPLIES - LIBRARY	69.42
STATE HYGIENIC LAB	LAB ANALYSIS	40.50
SUMMERS' ENTERPRISE INC	I80 WATER MAIN RELOCATION	9,488.20
US BANK CORPORATE CARD	CREDIT CARD PURCHASES	2,986.65
USA BLUE BOOK	PAINT	144.26
TOTAL		48,428.22
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	2/18/2022	59,873.92
PAID BETWEEN MEETINGS		
ALLIANT ENERGY	ALLIANT ENERGY	11,670.99
AT&T MOBILITY	WIRELESS SERVICE	344.16
CEDAR COUNTY COOP	FUEL - FIRE DEPT	659.68
CEDAR COUNTY FIREFIGHTERS ASSOC	2022 MEMBER DUES	15.00

CULLIGAN WATER TECH	WATER SOFTNER SERVICE	25.20
ECKERMAN, RAMONA	BLDG INCENTIVE PAYMENT	1,000.00
HEIMAN FIRE EQUIPMENT	LEATHER BOOTS	314.00
JOHN DEERE FINANCIAL	SUPPLIES	131.08
JOHNSON COUNTY MUTUAL AID ASSOC	2022 JCMMA DUES	77.00
LINN COUNTY REC	STREET LIGHTS	207.80
QUILL CORP	OFFICE SUPPLIES	52.14
TRUCK COUNTRY	FIRE TRUCK SERVICE	204.65
VERIZON WIRELESS	VERIZON WIRELESS	392.52
WEST BRANCH REPAIRS	EXHAURST REPAIR - FIRE DEPT	28.70
WEX BANK	VEHICLE FUEL	1,234.78
GLOBAL PAYMENTS	JANUARY CREDIT CARD FEES	783.92
VARIOUS VENDORS	UTILTY REFUNDS	65.38
WAGWORKS	EMPLOYEE FLEX PLAN	10.00
TOTAL		17,217.00
GRAND TOTAL EXPENDITURES		125,519.14
FUND TOTALS		
001 GENERAL FUND	32,623.51	
022 TOWN HALL	925.16	
031 LIBRARY	10,309.50	
110 ROAD USE TAX	10,247.35	
112 TRUST AND AGENCY	15,533.59	
323 I-80 WEST, WATER MAIN RELOC	9,488.20	
600 WATER FUND	36,991.32	
610 SEWER FUND	9,390.51	
950 BC/BS FLEXIBLE BENEFIT	10.00	
GRAND FUND TOTAL	125,519.14	

Brick stated for the record that the liquor license for Eldr LLC should be a Class C liquor license, not a Class E. Stoolman asked if more detail could be provided on credit card purchases.

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

### **PRESENTATIONS / COMMUNICATIONS / OPEN FORUM**

Eagle Scout Project – Jeremy Budreau, West Branch Boy Scout Troop 156, presented his ideas to the Council for his Eagle Scout Project. Budreau would like to build and install bag boards at Wapsi Creek Park and two horse shoe pits at Beranek Park. Parks & Recreation Director Melissa Russell confirmed that Budreau had reached out to her last year and they had been working together to come up with a suitable project that would enhance the parks. Russell also said that Budreau presented his ideas to the Parks & Recreation Commission and they had no objections to the project. When asked how the project would be paid for, Budreau said he raised approximately \$3000 from businesses, family and from various fund raisers. Miller questioned the safety of horse shoes and pondered if the area should be fenced to prevent injuries. Russell, Budreau and Public Works together to find appropriate areas for each activity. Russell added that with any park amenity, signage is posted regarding liability of the city. Dean thanked Budreau for his hard work on the project and the other Council members supported the project as well.

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

Third Reading Ordinance 790 – Amending Title “Traffic and Vehicles” Chapter 65 “Stop or Yield Required”. / Move to action.

#### **ORDINANCE 790**

#### **AN ORDINANCE AMENDING TITLE "TRAFFIC AND VEHICLES" CHAPTER 65 "STOP OR YIELD REQUIRED".**

**WHEREAS**, the West Branch City Council finds it in the best interest of the residents of West Branch to have yield signs installed on Cookson Drive at its intersection with South First Street, on Greenview Court at its intersection with Greenview Drive, on Greenview Drive southern loop westbound lane at its intersection with Greenview Drive, on Greenview Circle at its intersection with Greenview Drive and the southbound portion of the traffic circle on Greenview Circle at its intersection with Greenview Drive in order to provide for the safety of the West Branch Community.

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

**Section 1: Amendment.** The Code of Ordinances is hereby amended by the City Council of West Branch, Iowa by adding the following new subsections to Title, "TRAFFIC AND VEHICLES", Chapter 65, "STOP OR YIELD REQUIRED", Section 65.03, YIELD REQUIRED.

*(Insert after current subsection)*

Cookson Drive at its intersection with South First Street.

*(Insert after current subsection)*

Greenview Court at its intersection with Greenview Drive.

*(Insert after current subsection)*

On the westbound lane of the southern portion of Greenview Drive at its intersection with Greenview Drive.

*(Insert after current subsection)*

Greenview Circle at its intersection with Greenview Drive.

*(Insert after current subsection)*

Greenview Circle southbound portion of the traffic circle at its intersection with Greenview Drive.

Renumber all remaining subsections after these changes.

**Section 2. Conflicts.** All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

**Section 3. Adjudication.** 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 the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**Section 4. Effective Date.** This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

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**Passed and approved this 22nd day of February, 2022**

First Reading: January 18, 2022  
Second Reading: February 7, 2022  
Third Reading: February 22, 2022

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Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, City Clerk

No Comments.

Motion by Sexton, second by Goodweiler to approve third reading of Ordinance 790. AYES: Sexton, Goodweiler, Stoolman, Dean, Miller. NAYS: None. Motion carried.

**Second Reading Ordinance 791 – Rezoning an approximate 7.92-acre parcel from R-1 Residential District to R-2 Residential District. / Move to action.**

Chris Kofoed, co-owner of The Meadows Development Inc. informed the Council that he spoke with the realtor for the potential buyer of the lots that the Council had requested that the zero-lots dwellings look different in color and style to add variety. Kofoed said the builder had no problem with alternating units to provide a more cohesive look.

Motion by Dean, second by Miller to approve second reading of Ordinance 791. AYES: Dean, Miller, Stoolman, Sexton, Goodweiler. NAYS: None. Motion carried.

**Public Hearing – Proposed Property Maximum Tax Levy for FY2023**

Laughlin opened the public hearing at 7:12 p.m. There were no public comments. Laughlin closed the public hearing at 7:13 p.m.

**Resolution 2022-13 – Approving the Maximum Property Tax Levy for Fiscal Year 2023. / Move to action.**

Kofoed clarified for the Council and public the purpose of the maximum property tax levy is to create transparency with nonvoter approved tax levies and non-debt levies. It is also intended to require the city to hold two public hearings one explaining, the new property levy dollars asked and why, and the budget which incorporates all property tax levies, fees, and other funding sources.

The property tax levy is the total number of property dollars. It is estimated at roughly \$1.7 million dollars which is a 5.4% increase from last year. It does not mean taxes are going up by 5% since the levy includes new properties and increased assessed values. The total tax rate, which includes all levied taxes is roughly increasing at no more than 2%. Due to growth, the property levy can fluctuate greatly, Marion is 7%, Tipton 7%, Solon is at 9%, and Iowa City was 0%, but it does not mean the city is raising or lowering the tax rate.

The purpose for the 5.4% levy ask is to increase the town hall’s revenue from \$10,000 to \$20,000 so that it may break even or produce a small number of savings for future renovations. In the budget work sessions, council expressed interest in Town Hall to at least break even. One unexpected item that hit the levy dollar ask hard was our general liability insurance. ICAP has seen significant increases in the past year, in which staff tried to project last fiscal year, but it was not enough.

The property tax rate, which includes debt and voter approved levies, is projected to increase roughly \$.25/1000 which is roughly a \$12 increase for most homes in West Branch. Since staff is still new we are still getting feedback from our colleagues but there is a possibility the exact levy rate could not increase more than the \$2-\$5 range as discussed in the second budget work session.

Motion by Dean, second by Sexton to approve Resolution 2022-13. AYES: Dean, Sexton, Miller, Goodweiler, Stoolman. NAYS: None. Motion carried.

Resolution 2022-14 – Approving Pay Estimate 2 (final) for the I-80 Water Main Relocation, West Branch, Iowa Project. / Move to action.

Motion by Miller, second by Goodweiler to approve Resolution 2022-14. AYES: Miller, Goodweiler, Dean, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 2022-15 – Approving a Professional Services Agreement with Impact 7G to prepare and submit an application for funding in the amount of \$500,000 to the Iowa Finance Authority. / Move to action.

Kofoed introduced this item to the Council at the February 7<sup>th</sup> meeting and the Council agreed it worth moving forward with.

Motion by Miller, second by Goodweiler to approve Resolution 2022-15. AYES: Miller, Goodweiler, Stoolman, Sexton, Dean. NAYS: None. Motion carried.

Resolution 2022-16 – Approving an amendment to the certain purchase agreement with Duston Anderson. / Move to action.

Kofoed explained that Anderson requested (as the seller) to use the real property as part of a tax-free exchange pursuant to Section 1031 of the Internal Revenue Code. The Council had no objections to the request to amend the purchase agreement.

Motion by Miller, second by Goodweiler to approve Resolution 2022-16. AYES: Miller, Goodweiler, Dean, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 2022-17 – Approving various contracts for Hoover’s Hometown Days 2022 in the amount of \$2843.29. / Move to action.

No comments.

Motion by Miller, second by Goodweiler to approve Resolution 2022-17. AYES: Miller, Goodweiler, Sexton, Stoolman, Dean. NAYS: None. Motion carried.

Discussion – West Branch Dog Park and Animal Classifications

Kofoed said he was informed of a 2021 issue with an animal classification where the owners appealed the Police Chief’s decision. The matter went to the Animal Control Appeal Board where the classification was upheld, but the question of banning the dog from the West Branch Dog Park was discussed. The Board decided that the dog in question would be allowed to visit the dog park with no restrictions. The current dog park rules state that “vicious, dangerous or aggressive” dogs are not allowed in the dog park, which in conflict with the Level 3 Classification this dog was given. Kofoed asked for direction from the Council on if the matter should be revisited or let go. The Council agreed that the Board should have the authority to make final decisions regarding such appeals and that is where it should end. Kofoed said Chief Hanna is researching what authority the Animal Control Appeal Board should have and if the city code needs to be amended.

Discussion – Fire Department internal loan proposal

Fire Chief Stoolman approached the council with his proposal to purchase a Pierce Velocity PUC Tanker truck on July 1<sup>st</sup>. Stoolman said the fire department will have saved \$635,000 in their set aside account by July 1<sup>st</sup>, but short of the \$846,000 needed for the purchase. Stoolman anticipates getting \$75,000 from the sale of the current truck which will be sold when the new truck arrives in 2024 and proposed the city ‘loan’ the fire department the difference. Stoolman also was advised earlier this week that the price is going up another 7% on May 1<sup>st</sup>, so he is under the gun to make something happen to try to save the fire department money. Kofoed said he did some checking with the city’s bond attorney and that the city could ‘borrow’ for it, or as an

alternative to bonding, do an internal loan. Kofoed said there is money in the Hotel/ Motel and LOST funds that could be borrowed against, but since they were voter approved taxes, that Council would need to make that decision. The mayor said he was 'hesitant' on using those funds, but was assured those funds would be repaid by July 1, 2024. The Council discussed and decided it was best to move forward with the purchase on May 1<sup>st</sup> to avoid additional price increases and use money form LOST and Hotel/ Motel to fund the difference. Kofoed the internal loan will not affect the cities debt capacity and asked if the Council wanted to charge the fire department interest on the internal loan. The council unanimously said 'no' to charging interest.

#### **CITY ADMINISTRATOR REPORT**

Kofoed reported that salary surveys had been sent out last week to several peer cities and that seven had returned responses to date. Kofoed said he would be compiling the results in the next couple of weeks and share the information with staff and council. Kofoed said that he also has scheduled two Planning & Zoning meetings for March due to an uptick in new development in West Branch. He also mentioned that the Hoover's Hometown Days committee discussed the wrist band idea at their last meeting and will have a recommendation for council at the March 7<sup>th</sup> meeting. He also said that he signed up West Branch to participate in the Cedar County Home Base program as an employer, but said he had no additional information to report at this time.

#### **CITY ATTORNEY REPORT**

Absent.

#### **CITY ENGINEER REPORT**

Schechinger said he is still waiting on the review of the 28E Agreement for round-a-bout project and the final price estimates are around \$700,000. He said he is also waiting on a second appraisal for the Wapsi Creek widening project which is required for eminent domain. He also reported that earlier in the day, there was a pre-bid meeting for the waste water treatment facility project and site walk-through. Schechinger said there were 'quite a few' interested contractors for the project.

#### **STAFF REPORTS**

No reports.

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

Dean asked why the City was not invited to a recent meeting of ICAD (Iowa City Area Development) of which the city is a member. Both Laughlin and Miller said they receive emails from the group, but may have missed the invitation. Dean questioned why be a member and what does ICAD do for the city. Miller reminded Dean that ICAD helped bring Proctor & Gamble and US AutoForce to West Branch. Kofoed said that as he gets more comfortable in his role, he will reach out to ICAD and re-develop city relationships.

#### **ADJOURNMENT**

Motion to adjourn the regular meeting by Miller, second by Goodweiler. Motion carried on a voice vote. City Council meeting adjourned at 8:19 p.m.

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Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, City Clerk