

(The following is a synopsis of the minutes of the West Branch City Council meeting. A video recording is available for inspection at westbranchiowa.org. The minutes are not approved until the next regularly scheduled City Council meeting.)

**West Branch, Iowa
Council Chambers**

**City Council
Regular Meeting**

**March 7, 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, City Attorney Kevin Olson and City Engineer Dave Schechinger. City Staff attending via Zoom: Finance Officer Heidi Van Auken, Public Works Director Matt Goodale, Chief John Hanna, Fire Chief Kevin Stoolman and Library Director Nick Shimmin.

APPROVE THE AGENDA

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

APPROVE CONSENT AGENDA

Approve Minutes from the February 22, 2022 City Council regular meeting.

Approve a Class E Liquor License renewal for Casey's General Store #3463, 615 S. Downey St., West Branch, Iowa

Approve Claims

EXPENDITURES	3/7/2022	
AMAZON.COM.CA,INC.	DOG LEASH	10.61
BAKER & TAYLOR INC.	BOOKS	703.31
ECONO SIGNS LLC	GREENVIEW SIGNS	629.02
EMV HOLDINGS LLC	EMV HOLDINGS TIF REBATE #1	9,136.94
FUTURE LINE TRUCK EQUIP	TRUCK REPAIR	452.24
GREAT AMERICAN BUSINESS	PET WASTE BAGS	804.99
HAWKINS INC	CHEMICALS	2,391.85
HOLLYWOOD GRAPHICS	BASKETBALL JERSEYS FOR REC	2,649.00
JAYME CILEK	CLEANING SERVICES	225.00
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,559.98
LYNCH'S EXCAVATING INC	SAND AND HAUL	4,303.00
MENARDS	SHOP SUPPLIES	287.86
MUNICIPAL SUPPLY INC.	WATER METERS & RADIO READ EQUI	3,888.00
NORTH LIBERTY LIBRARY	SPARK JOY PROGRAM FEE	87.50
OLSON, KEVIN D	LEGAL SERVICES MARCH 2022	1,500.00
PIP PRINTING	BUSINESS CARDS	154.02
PREMIER PARTS TIPTON	SUPPLIES	130.62
PROTECT YOUTH SPORTS	BACKGROUND CHECK	40.50
SPS WORKS	ANIMAL TAGS	120.93
STATE INDUSTRIAL PRODUCTS	CHEMICALS	236.00
THE HOME DEPOT PRO	BLDG SUPPLIES	9.42
TYLER TECHNOLOGIES	GL TRAINING	450.00
USA BLUE BOOK	NUMBER TAGS FOR CURB STOPS	95.66
WATCH GUARD VIDEO	WATCH GUARD VIDEO	39.50
ZIPPY'S SALT BARN LLC	FIRE BLEND SALT	4,079.48
TOTAL		33,985.43
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	3/4/2022	44,339.67
PAID BETWEEN MEETINGS		
IOWA DNR	OPERATOR CERTIFICATE FEE	60.00
LEAF CAPITAL	COPIER LEASE - LIBRARY	223.50
MEDIACOM	CABLE SERVICE	41.90
NASRO	NASRO MEMBERSHIP -STEEN	40.00
PLUNKETT'S PEST CONTROL	PEST CONTROL SERVICE-POLICE	35.00
VERIZON WIRELESS	VERIZON WIRELESS	392.52
HAWKEYE EXCHANGE LLC	WW TRMNT LAND PURCHASE	200,000.00

CEDAR COUNTY RECORDER	RECORD DEED FEE FOR LAND	17.00
WAGEWORKS	EMPLOYEE FLEX PLAN	694.98
TOTAL		201,504.90
GRAND TOTAL EXPENDITURES		279,830.00
FUND TOTALS		
001 GENERAL FUND	25,864.35	
022 CIVIC CENTER	161.07	
031 LIBRARY	6,714.68	
110 ROAD USE TAX	13,074.05	
112 TRUST AND AGENCY	5,133.38	
125 T I F	9,136.94	
324 WASTEWATER TRMNT FAC	200,017.00	
600 WATER FUND	14,637.36	
610 SEWER FUND	4396.19	

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM - NONE

PUBLIC HEARING / NON-CONSENT AGENDA

Discussion – Hoover’s Hometown Days

Based on current and upcoming budget constraints, the Council asked the Hoover’s Hometown Days committee to consider how to implement a more cost-effective event. Committee members, Becky Knoche (West Branch Library), Jessi Simon, (CDG Executive Director) and Tiffany Frederick (Academic Programs Manager and Event Coordinator, Hoover Foundation) presented their recommendations to the Council based on input from current committee, city staff, and other event partners of the annual event. The committee recommended keeping the event ‘free’ this year and but try to get a more accurate count on visitors using certain activities such as the inflatables which is the second biggest expense for the event. The committee said they would also go through a strategic planning exercise to clarify the mission, vision and goal for the annual event since there are three entities involved in the planning of the event each year. Miller said he would like to see a better tracking system for event attendance and where people are spending their time and money to see if the event should change with the times. He also added that as a Council, they should give direction to the committee and then let them plan the event without constantly questioning their decisions throughout year. There were no other Council comments.

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

ORDINANCE 791

AN ORDINANCE RE-ZONING AN APPROXIMATE 7.92-ACRE PARCEL FROM R-1 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT.

WHEREAS, the Developer has petitioned the City of West Branch for a zoning district amendment for properties located in the Meadows Subdivisions, said parcel being legally described as:

THE MEADOWS SUBDIVISION PART 5 BEING PART OF AUDITOR'S PARCEL G, AS RECORDED IN PLAT BOOK I, PAGE 103 OF THE CEDAR COUNTY RECORDER'S OFFICE, IN THE NORTHWEST FRACTIONAL QUARTER (NW ¼) OF THE SOUTHWEST FRACTIONAL QUARTER (SW ¼) AND THE NORTHEAST FRACTIONAL QUARTER (NE ¼) OF THE SOUTHWEST FRACTIONAL QUARTER (SW ¼) OF SECTION 6, TOWNSHIP 79 NORTH, RANGE 4 WEST, IN THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF LOT 8 OF THE MEADOWS SUBDIVISION PART 4B AS RECORDED IN BOOK 1554 PAGE 326 OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE ALONG THE NORTH LINE OF SAID PARCEL G N86°46'49"E, 1017.99 FEET TO THE NORTHWEST CORNER OF LOT 25 OF LOETHEN RIDGE ESTATES AS RECORDED IN BOOK 1553, PAGE 129 OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE ALONG THE EAST LINE OF SAID LOETHEN RIDGE ESTATES S00°54'09"W, 331.54 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF SAID LOETHEN RIDGE ESTATES; THENCE N86°03'04"W, 75.92 FEET ALONG THE NORTH LINE OF THE MEADOWS SUBDIVISION PART 2 AS RECORDED IN BOOK 1387, PAGE 78 OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE ALONG SAID NORTH LINE S86°46'30"W, 234.26 FEET; THENCE ALONG SAID NORTH LINE S77°42'45"W, 246.67 FEET; THENCE ALONG SAID NORTH LINE N15°39'23"W, 32.45 FEET; THENCE ALONG SAID NORTH LINE N88°48'26"W, 80.24 FEET; THENCE ALONG SAID NORTH LINE S61°03'30"W, 68.43 FEET; THENCE ALONG SAID NORTH LINE N28°56'30"W, 23.66 FEET; THENCE ALONG SAID NORTH LINE S61°03'30"W, 271.17 FEET TO THE EAST LINE OF SAID MEADOWS SUBDIVISION PART 4B; THENCE ALONG SAID EAST LINE N18°57'41"W, 118.97 FEET; THENCE ALONG SAID EAST LINE N86°46'30"E, 13.79 FEET; THENCE ALONG SAID EAST LINE N03°13'30"W, 198.71 FEET; THENCE ALONG SAID EAST LINE S86°46'30"W, 19.26 FEET; THENCE ALONG SAID EAST LINE N03°13'30"W, 135.10 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 7.92 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

WHEREAS, the Developer has requested that the Parcel be rezoned to be located in an R-2 Residential District, in place of an R-1 Residential 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 R-2 Residential District in place of R-1 Residential 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 7th day of March, 2022.

Read First Time: February 7, 2022

Read Second Time: February 22, 2022

Read Third Time: March 7, 2022

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, City Clerk

A member from the audience asked the reasoning for the rezoning. Staff explained that this particular parcel is surrounded by R-2 zoning and the change from R-1 to R-2 would make the area along Prairie View Drive consistent with the other properties. There were no other comments.

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

Resolution 2022-18 – Adopting the final proposed Fiscal Year 2023 Annual Budget and Ordering a Notice of Hearing for March 21, 2022. / Move to action.

Kofoed highlighted a couple of the FY23 budget changes which would equate to approximately \$12.00 more per year on a property valued at \$200,000.00. The property tax increase affects the following levies; Civic Center Levy would be increased to help the Town Hall break even with current operational expenses. Capital Reserve Levy would increase to pay off a 2013 debt.

Motion by Sexton, second by Goodweiler to approve Resolution 2022-18. AYES: Sexton, Goodweiler, Stoolman, Dean, Miller. NAYS: None. Motion carried.

Public Hearing – On plans and specifications, proposed form of contract and estimate of costs for constructions of the Waste Water Treatment Facility Improvements for the City of West Branch.

Mayor Laughlin opened the public hearing at 7:28 p.m. Audience member McKenna Richardson asked questions on the type of contract and other related questions to the SRF loan requirements. City Engineer Dave Schechinger clarified how the state funds are to be spent and other goals of the SRF program. There were no other comments. Laughlin closed the hearing at 7:40 p.m.

Resolution 2022-19 – Accepting bids and awarding the construction contract for the West Branch Wastewater Treatment Facility Project. /Move to action.

Schechinger said the city received bids for the project until 2:00 p.m. on March 3, 2022. A total of six bids were received, the lowest at \$8,837,000.00. and the highest at \$11,387,500.00. He said Boomerang Corp. was the apparent low bid for the project, and stating the Engineers estimate of the cost of the project was \$7,900,000.00, a 12% increase above the original estimate. Schechinger said he believes Boomerang Corp. has sufficient experience and resources to complete the project and recommended accepting the bid and awarding the contract to Boomerang Corp. Upon clarification, Schechinger said the contract would be subject to concurrence of the Department of Natural Resources (DNR). Councilperson Dean asked how many residents the new facility will support. Schechinger said the new facility is expected to handle 5500-6000 people, more than double the current population. The Council had no further questions.

Motion by Dean, second by Miller to approve Resolution 2022-19 subject to concurrence of the DNR. AYES: Dean, Miller, Stoolman, Goodweiler, Sexton. NAYS: None. Motion carried.

Public Hearing – On the proposed Amendment #4 to the Amended and Restated West Branch Urban Renewal Plan. / Move to action.

Laughlin opened the public hearing at 7:42 p.m. City Attorney Kevin Olson explained that this amendment is for the Dawson Plaza Project which rebates the developer up to ten percent of annual TIF revenues to a maximum of \$200,000.00, plus an additional \$180,000.00 of rebates for the construction of off-site

improvements, up to \$35,000.00 annually. There were no public comments. Laughlin closed the public hearing at 7:43 p.m.

Resolution 2022-20– Approving and adopting an Amendment #4 to the Amended and Restated Urban Renewal Plan for the West Branch Urban Renewal Area. /Move to action.

Kofoed said that no one from the school or county attended the consultation February 23, 2022 at City Hall. There were no other comments.

Motion by Dean, second by Goodweiler to approve Resolution 2022-20. AYES: Dean, Goodweiler, Stoolman, Miller, Sexton. NAYS: None. Motion carried.

Resolution 2022-21 – Approving an entertainment contract for Hoover’s Hometown Days 2022 in the amount of \$2,000.00. / Move to action.

Motion by Dean, second by Goodweiler to approve Resolution 2022-21. AYES: Dean, Goodweiler, Sexton, Miller, Stoolman. NAYS: None. Motion carried.

Resolution 2022-22 – Approving a three-year service contract with Interstate Power Systems for annual service on the City’s emergency generator. / Move to action.

Goodale said Interstate Power Systems has been the city’s servicing vendor since the generator was installed and said he was happy with their service.

Motion by Sexton, second by Miller to approve Resolution 2022-22. AYES: Sexton, Miller, Stoolman, Dean, Goodweiler. NAYS: None. Motion carried.

Resolution 2022-23 – Approving a final plat (with conditions) for the Sara Park Subdivision. / Move to action.

Based on comments from the City Engineer with the possibility of the city growing north and extending North 4th Street in the future and discussions with staff, a restrictive covenant was requested by the City Attorney for the farmstead split. The property owners and their engineers are agreeable with the request.

Motion by Dean, second by Sexton to approve Resolution 2022-23. AYES: Dean, Sexton, Miller, Stoolman, Goodweiler. NAYS: None. Motion carried.

Discussion – Solid Wasted Tipping Fees, direction to move forward or hold off for FY23

Staff is requested direction on if the Council will be moving forward with billing residents for the tipping fee charged from the County each year and if so, this will require the monthly utility bill to move from the postcard format to a full sheet of paper due to spacing limitations on the postcard. The Council debated if charging residents the tipping fee along with the current inflation and impending additional sewer rate increase was appropriate. Miller said he felt better making small increases over time to plan for inflation rather than making large increases that residents feel immediately. He added that several Council’s ago, it was decided that enterprise activities (water, sewer, trash, etc.) “should pay for itself”, and that will cause rates to increase and there really is no way around it. After further discussion, the Council staff to move forward with the billing format change to prepare for any future changes in the billing process.

Discussion – Hotel Feasibility Study

Laughlin said that he and Kofoed met with a potential hotel chain representative that is looking at a site in the Parkside Hills development along I-80. Kofoed said that in order for the hotel to move forward with financing, a hotel feasibility study needed done, which is a requirement and regulated by the Federal Trade Commission. Kofoed said the cost of the study is around \$7,000 to \$10,000 and suggested that the city pay for the study which would then belong to us in case a different hotel option came up. Kofoed said there are funds from the Hotel/Motel Tax that would pay for it. The Council agreed with Kofoed and directed him to move forward.

Discussion – Nuisance properties and setting other priorities for the City Administrator

Kofoed asked Council for direction on pursuing nuisance properties this spring. He said he had received a few phone calls about particular properties and asked the Council to email their list of properties that Kofoed should focus on. Kofoed said he would like to get letters out in early April to allow residents to clean up their properties and take advantage of the city-wide clean day in early May.

CITY ADMINISTRATOR REPORT

Kofoed reminded the Council that Councilperson Dean will be absent for the March 21st meeting when the FY23 Budget will be adopted and asked that they all be present for voting requirements. Kofoed advised the council on a couple of projects he is working on: trying to get the Traveler's Rest property on the Historic Registry to preserve the building and reviewing and updating the Park & Recreation master plan.

CITY ATTORNEY REPORT

No Report.

CITY ENGINEER REPORT

Schechinger reported on the status of the following projects. I-80 Water Main Relocation (East) – waiting on the gas company for their relocation plan. Wapsi Creek Widening – spoke with adjacent property owners west of S. 2nd Street and all have agreed to let the city work on their properties. Parkside Hills – a preliminary plat has been submitted for one of the original lots and is going through P&Z. West Branch Village Expansion – moving along. Round-about – Johnson County still reviewing 28E Agreement and provided updated construction cost to be in the \$700,000.00 range.

STAFF REPORTS

No reports.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Laughlin said he has scheduled a Stream Team meeting for March 23rd in the Council Chambers. Laughlin said the group hasn't met in a couple of years so he thought it was time to bring the group back together and provide an update on stormwater projects. He also informed the Council that he would be attending a Community Visioning meeting later in the week and that a focus group meeting is scheduled for March 26th and that interested parties must register for the event in order to participate. Goodweiler asked if the city's mural was still planned on being erected at the former Casey's site. Kofoed responded that Public Works had this as a high priority project for the spring.

ADJOURNMENT

Motion to adjourn the regular meeting by Goodweiler, second by Miller. Motion carried on a voice vote. City Council meeting adjourned at 8:55 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk