

*(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**

**May 2, 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, Nick Goodweiler and Tom Dean. City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Public Works Director Matt Goodale, Library Director Nick Shimmin and City Attorney Kevin Olson. City Staff attending via Zoom: Finance Officer Heidi Van Auken, and Chief John Hanna.

**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 April 18, 2022 City Council meeting.

Approve a Class E Liquor license, Class B Native Wine, Class C Beer and Sunday sales privileges for BPG LLC, dba Jack & Jill, West Branch.

Approve Trenton Schutte as a Fire Cadet with the West Branch Fire Volunteer Department.

Claims for 5/2/2022

Monthly Financial Report (March 2022)

EXPENDITURES	5/2/2022	
ACTION SEWER & SEPTIC SERVICE	LIFT STATION CLEANING	1,302.75
AMAZON.COM	EASTER EGG HUNT SUPPLIES	43.98
BAKER & TAYLOR INC.	BOOKS	604.63
BARNHART'S CUSTOM SERVICES	HOLES FOR CEMETERY SHED	250.00
BOWERS CUSTOM SERVICES	DUMP TRUCK HAULING	855.00
BRICK, LESLIE	MILEAGE REIMBURSEMENT	173.16
CASEYS GENERAL STORES	CASEYS TIF REBATE #6	17,852.00
CEDAR COUNTY ENGINEER	ROAD ROCK	350.56
CROELL, INC.	CEMETERY SHED FOOTINGS	307.40
FINANCIAL ADJUSTMENT BUREAU	FINANCIAL ADJUSTMENT BUREAU	15.98
HEIDI VAN AUKEN	BUSINESS MEALS IMFOA	27.86
HOLLYWOOD GRAPHICS	BANNER-FIRE HYDRANT FLUSH	57.50
IOWA ASSN. MUN. UTILITIES	SAFETY TRAINING Q1	806.86
JAYME CILEK	CLEANING SERVICES	202.50
JETCO ELECTRIC INC.	WATER TOWER COMM REPAIR	1,827.45
JOHANNS, DEREK OR SARAH	BLDG INCENTIVE PAYMENT	929.03
KELLY TREE FARM LLC	TREES FOR HILLTOP & PEDERSEN	8,145.00
KOCH OFFICE GROUP	COPIER MAINTENANCE	188.60
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,547.79
LRS HOLDINGS, LLC	CUBBY PARK PORTABLE SERVICE	465.00
MEDIACOM	CABLE SERVICE	41.90
METROPOLITAN COMPOUNDS	ADHESIVE FOR POTHOLE PATCHES	697.42
MUNICIPAL SUPPLY INC.	WATER METERS	3,888.00
PARKSIDE SERVICE	SKIDLOAD TIRE REPAIR	37.00
PLAY IT AGAIN SPORTS	FIELD BASES AT 70 FT	224.81
PLUNKETT'S PEST CONTROL	PEST CONTROL - CITY OFFICE	98.98
QC ANALYTICAL SERVICES	LAB ANALYSIS	1,153.75
QUILL CORP	SUPPLIES	94.66
RATHJE CONSTRUCTION	BRUSHPILE GRIND FOR WWTP EXPANSION	5,295.00
SHIMMIN, NICK	HOOVERS MOVERS MEDALS	75.78
SOLUTIONS MANAGEMENT GROUP	OFFICE SUPPLIES	238.38
STATE INDUSTRIAL PRODUCTS	CHEMICALS	236.00
TIPTON CONSERVATIVE	ONE YR SUBSCRIPTION - LIBRARY	40.00
VEENSTRA & KIMM INC.	VARIOUS PROJECTS	32,546.00
WB COMMUNITY DEVELOPMENT	FY22 CDG DUES	10,000.00
WEST BRANCH COMM SCHOOLS	TRACK MEET RENTAL	275.00
ZOBEAN INC	BEANSTACK PLUS SUBSCRIPTION	895.00
TOTAL		91,790.73

PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS 4/29/2022 44,408.77

PAID BETWEEN MEETINGS

MATT PARROTT	LASER UTILITY CHECKS	620.00
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE - CITY OFFICE	1,005.00
VERIZON WIRELESS	VERIZON WIRELESS	392.43
ALLIANT ENERGY	ALLIANT ENERGY	10,503.04
BOUND TREE MEDICAL	CYLINDER, REGULATOR	57.58
CULLIGAN WATER	WATER SOFTNER SERVICE	25.20
DINGES PARTNERS GROUP	APPARATUS PUMP SERVICE, PARTS	1,547.45
HEIMAN FIRE EQUIP	UNIFORMS, EQUIPMENT	1,076.55
KIRKWOOD COMM COLLEGE	TRAINING -FIRE DEPT	7.00
LRS HOLDINGS	TRASH & RECYCLING MARCH 2022	16,561.50
TIPTON ELECTRIC MOTORS	PRESSURE WASHER PARTS	116.44
WEST BRANCH REPAIRS	SERVICE - FIRE DEPT	958.12
UNUM LIFE INSURANCE COMPANY	LIFE INSURANCE	661.66
WELLMARK	HEALTH INSURANCE	18,968.70
WAGeworks	EMPLOYEE FLEX PLAN	158.42

TOTAL 52,659.09

GRAND TOTAL EXPENDITURES 188,858.59

FUND TOTALS

001 GENERAL FUND	61,007.00
022 CIVIC CENTER	755.99
031 LIBRARY	8,444.20
110 ROAD USE TAX	23,202.45
112 TRUST AND AGENCY	17,711.75
125 T I F	17,852.00
324 WW TREATMT FACILITY	31,430.00
600 WATER FUND	17,676.83
610 SEWER FUND	10,619.95
950 BC/BS FLEXIBLE BENEFIT	158.42
GRAND FUND TOTAL	188,858.59

REVENUE-FISCAL YEAR 2022

FUND MARCH

001 GENERAL FUND	90,608.67
022 CIVIC CENTER	769.42
031 LIBRARY	1,471.71
036 TORT LIABILITY	1,630.63
110 ROAD USE TAX	15,742.50
112 TRUST & AGENCY	10,609.15
119 EMERGENCY TAX FUND	1,464.45
121 LOCAL OPTION SALES TAX	41,821.46
125 TIF	7,340.91
226 DEBT SERVICE	11,129.02
300 CAPITAL IMPROVEMENT RESERVE	2,156.21
323 I-80 WEST WATER MAIN RELOCATE	217,783.03
324-WW TREATMENT FACILITY IMPROVEMENT	367,290.00
500 CEMETERY PERPETUAL FUND	347.91
501 KROUTH PRINCIPAL FUND	42.31
502 KROUTH INTEREST FUND	18.89
600 WATER FUND	44,999.96
610 SEWER FUND	65,558.73
740 STORM WATER UTILITY	5,580.75
TOTAL	886,365.71

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**

### **Third Reading Ordinance 792 – Amending Chapter 165 of the Code of Ordinances of the City of West Branch regarding Signs in the HCI Zoning District. / Move to action**

#### ORDINANCE NO. 792

AN ORDINANCE AMENDING CHAPTER 165 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH REGARDING SIGNS IN THE HCI ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission has recommended changes to the zoning code as outlined below.

NOW, THEREFORE, BE IT ORDAINED:

1. Amendment. Section 165.42 of the Code of Ordinances is hereby amended by adding a new Subsection 5, renumbering the current Subsection 5 to Subsection 6 and adding a new Subsection 7, which reads as follows:

“5. Permitted Signs, HCI District.

- a. Fascia Signs: Fascia signs shall have a maximum square footage of 15% of the sign wall area. It shall not extend above the roof surface.
- b. Monument Signs: Monument signs are required to be set back a minimum of 5’ from the property line. Sign shall not exceed 6’ on height. The maximum sign size shall be two square feet for each linear foot of lot frontage not to exceed 200sf or 100sf per sign face.
- c. Freestanding Signs: Freestanding signs shall be set back from the property line a minimum of 5’. Signs shall not be lower than 10’ above grade and shall not exceed 65’ above grade. The maximum size of a freestanding sign is two square feet per linear foot of lot frontage. Freestanding signs shall be designed by a licensed professional and plans shall be stamped.
- d. Billboards Signs: Billboard and poster panels with a maximum sign area of four hundred (400) square feet, are allowed provided the location of their sites and the limitation of the time of their use, and all other terms and conditions thereof are first approved by the Council.
- e. Canopy signs: Canopy signs shall not have a maximum height or area.
- f. Awning Signs: Awning signs shall have a maximum height of the top of the first story and shall not be limited in size.
- g. Window Signs: Window signs shall have a maximum square footage of 25% of the window glazing area.
- h. All signs permitted in a Residential District.
- i. Illumination: Illuminated signs in HCI Zones can be illuminated internally or externally. If illuminated externally it must be downcast lighting. Illumination shall not exceed a maximum of 1-foot candle measured at the property line. Illumination shall be non-flashing and shall not contain a rotating, oscillating, revolving beam or beacon of light.
- j. Location: At street intersections, freestanding and monument signs shall not be located within a triangle area composed of its sides thirty feet (30) in length and measured along the curb lines from the point of intersection of the above referenced lines.

7. Prohibited Signs in all Zoning Districts.

- a. Animated signs, excluding barber pole signs that do not exceed three feet in height and nine inches in diameter and excluding time and temperature signs and excluding changeable message signs.
- b. Hazardous signs
- c. Obsolete signs
- d. Portable signs, including signs on wheels
- e. Roof signs, unless complying with the City Building Code
- f. Search lights
- g. Spinners or other similar devices
- h. Swinging lights
- i. Signs not anchored for wind load except real estate or like signs.”

2. Amendment. The Code of Ordinances is hereby amended by renumbering the current sub section.

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

4. 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.

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

First reading: April 4, 2022

Second reading: April 18, 2022

Third Reading: May 2, 2022

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Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, City Clerk

Motion by Miller, second by Dean to approve the third reading of Ordinance 792. AYES: Miller, Dean, Goodweiler, Stoolman, Sexton. NAYS: None. Motion carried.

Public Hearing – On the proposed Amendment #5 to the Amended and Restated West Branch Urban Renewal Plan.

Laughlin opened the public hearing at 7:04 p.m. There were no public comments. Laughlin closed the public hearing at 7:05 p.m.

Resolution 2022-38 – Approving and adopting Amendment #5 to the Amended and Restated Urban Renewal Plan for the West Branch Urban Renewal Area. / Move to action.

Amendment number five (5) adds four (4) additional projects to the urban renewal plan including; tax increment financing rebates to Advantage Development, owner of Parkside Hills Subdivision and Advantage Rentals, owner of Parkside Petroleum, property north of East Main Street, between North 1<sup>st</sup> and 4<sup>th</sup> St, designated as slum & blight condition and a parcel on either side of Wapsi Creek as it meanders through the corporate limits of West Branch.

Motion by Sexton, second by Goodweiler to approve Resolution 2022-38. AYES: Sexton, Goodweiler, Stoolman, Dean, Miller. NAYS: None. Motion carried.

Resolution 2022-39- Approving the Final Plat for Parkside Hills – Second Addition, West Branch, Iowa. / Move to action.

Chad Kuene, owner of Parkside Hills reminded the Council that this parcel, known as Lot 14 is being divided into two commercial lots so that the lots can be sold separately. Kuene will be submitting a site plan soon for lot 1 for commercial space. The Council had no questions.

Motion by Miller, second by Dean to approve Resolution 2022-39. AYES: Miller, Dean, Goodweiler, Sexton, Stoolman. NAYS: None. Motion carried.

Resolution 2022-40 - Approving a Developer’s Agreement with Advantage Development Inc. including Tax Increment Rebate Payments. /Move to action.

This agreement is for commercial development on lots 10, 13 and 14. Lots 13 and 14 shall receive a 70% tax rebate for a period of ten years and lot 10 shall receive 70% tax rebate up to a maximum of \$400,000 (due to unexpected land purchase for stormwater drainage). The Council had no additional comments or questions.

Motion by Dean, second by Miller to approve Resolution 2022-40. AYES: Dean, Miller, Sexton, Goodweiler, Stoolman. NAYS: None. Motion carried.

Resolution 2022-46 – Approving a Developer’s Agreement with Advantage Rentals, LLC, including Tax Increment Rebate Payments. / Move to action.

This agreement is for the improvements the owner is making to the property during its remodel of the gas station. The agreement provides for 70% tax rebate for ten years on the value of the new assessment of the property. The Council had no additional comments of questions.

Motion by Dean, second by Miller to approve Resolution 2022-46. AYES: Dean, Miller, Stoolman, Sexton, Goodweiler. NAYS: None. Motion carried.

Resolution 2022-41 – Approving the Site Plan for Croell Redi Mix Temporary Concrete Plant. / Move to action.

The proposed site plan from Croell Redi Mix, located at the corner of Baker Avenue and Fawcett Drive is for two upcoming projects the company has been awarded. These projects require the need for a temporary concrete plant to handle the volume of work anticipated. The plant is expected to be in operation for the summer of 2022 and 2023. Laughlin said his only concern was dust control and sweeping of the street when needed. A representative from Croell responded that a broom would be on site to keep Fawcett Drive clear. Goodweiler suggested that area businesses be notified of the temporary plant but Kofoed said he didn’t feel it was necessary unless a nuisance is created. The Council had no other questions or comments.

Motion by Miller, second by Sexton to approve Resolution 2022-41. AYES: Miller, Sexton, Stoolman, Dean, Goodweiler. NAYS: None. Motion carried.

Resolution 2022-42 – Approving a Water Tower maintenance and inspection agreement with Maguire Iron. /Move to action.

Melinda Kurtz of Suez (who presented a quote to the Council in January), requested that the Council table this item based on her submission of new proposal information. Kurtz asked that the Council re-evaluate the

information submitted before awarding the contract. Kofoed acknowledged that he received new information a few hours before the meeting. Kofoed said the two quotes were ‘comparable’ and that Maguire Iron was the least expensive option and that other information obtained when comparing the two quotes was not a deciding factor. Kurtz objected that her quote included a ‘mixer’ (used for preventing ice to form) for the south water tower as requested and that Maguire’s quote did not include pricing for that. Kurtz said she would remove it if the mixer was not a requirement. The Council discussed Kurtz’ request and decided to table the item pending further review by staff and await and their recommendation for awarding the contract to either party.

Motion by Goodweiler, second by Sexton to table Resolution 2022-42. AYES: Goodweiler, Sexton, Stoolman, Dean. NAYS: Miller. Motion carried, item tabled.

Resolution 2022-43 - Approving various contracts for Hoover’s Hometown Days 2022 in the amount of \$2,375.00. / Move to action.

Motion by Miller, second by Goodweiler to approve Resolution 2022-43. AYES: Miller, Goodweiler, Dean, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 2022-44 – Authorizing the transfer of funds. / Move to action.

Van Auken explained that the transfers are all budgeted expenses to pay dept service payments and a transfer to the library for their FY22 budget.

Motion by Miller, second by Sexton to approve Resolution 2022-44. AYES: Miller, Sexton, Stoolman, Goodweiler, Dean. NAYS: None. Motion carried.

Resolution 2022-45 – Setting a date for a Public Hearing on Amending the current Budget for the Fiscal Year ending June 30, 2022. / Move to action.

A public hearing is set for Monday, May 16<sup>th</sup> at 7:00 p.m. During the public hearing, the Council will listen to all public comments regarding the proposed amendment.

Motion by Miller, second by Sexton to approve Resolution 2022-45. AYES: Miller, Sexton, Dean, Goodweiler, Stoolman. NAYS: None. Motion carried.

Discussion – The Meadow’s Part 5 Preliminary Plat and Subdivider’s Agreement

Chris Kofoed, co-owner of The Meadow’s Development Inc. described the preliminary plat as having 23 residential lots zoned R-2. Kofoed stated that although Planning & Zoning approved the plat at their April 26<sup>th</sup> meeting, several items still need addressed by the developer and their engineer. Kofoed said items still needed are a street grade variance for Prairie View Drive, stormwater calculations for the detention basin, and what was needed for stormwater easements for the city. Kofoed asked the Council for direction on the existing stormwater easement on the south end of the property on whether a 10’ or 20’ easement would be required or the city would want a bioswale installed instead. After discussion on the stormwater easement, the council agreed that a 10’ easement on the rear lots was sufficient and that a bioswale would not be needed as it adds extra maintenance costs and time to city staff. Kofoed added that a detention basin would be added along the east edge of the property and asked the Council if they had any ideas for it (wet or dry). No decision was made. Kofoed noted a couple of other items raised regarding the street width and said it was determined that 29’ was okay and a transition to the 31’ street would begin at Loethen Ridge. He added that the cluster mailbox would be located on Outlot A and that a curb cut would be installed so that residents could pull off the street to access their mailbox. City Administrator Kofoed advised the Council that going forward, staff will direct all future developers to adhere to the city’s timelines for submitting all required information before requesting approval from the Planning & Zoning Commission and added that this item will not be moved forward to City Council until all outstanding items have been addressed.

Discussion – West Branch Public Library stairs

Library Director Nick Shimmin addressed the Council with a proposal from the Library Board that the City pay fifty percent of the repair costs for the upper stairs at the West Branch Library. Shimmin said he received two quotes for the project with very different costs. Shimmin said he is not very knowledgeable with what kind of repair is needed so he asked Public Works Director Goodale for his assistance. Goodale said the main difference in the quotes was that one quote included full footings, and the other did not. Shimmin discussed the Library Boards proposal with City Administrator Kofoed and funding options available. The Council discussed the two proposals and questioned if full footings are necessary (based on their working knowledge).

After much discussion, the Council recommended that the lower price quote be accepted with the Library using their money market account (currently valued at \$8512.00) and the City picking up the balance (approximately \$600.00) difference.

**CITY ADMINISTRATOR REPORT**

Kofoed said the salary survey committee will meet for the final time this week and a proposal for Council will be ready on the May 16<sup>th</sup> meeting. Kofoed said employee evaluations will be conducted in May so that FY23 salaries can be presented and approved by Council in June.

**CITY ATTORNEY REPORT** - No report.

**CITY ENGINEER REPORT** – Absent.

**STAFF REPORTS** - No reports.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Dean said he had received some complaints about the new homes being built on Cedar-Johnson Rd south of Prairie View Drive. Dean said that the hill just before those properties creates a safety concern. Staff replied that they had raised the same concerns and held up the building permits while a solution was worked out with the builder. Staff stated that the builder agreed to install turn-arounds on the properties so that the resident would not have to back on to Cedar-Johnson Road. The developer also offered to have a hidden driveway sign purchased and placed along Cedar-Johnson Rd to alert drivers. Kofoed said this was something that should have been discussed during the platting of the subdivision and suggested that going forward, staff and the city engineer should more closely watch for these types of safety concerns during the platting process.

Miller asked what was needed for the industrial property on N. 4<sup>th</sup> Street to allow selling of vehicles. Olson said the city could provide a letter for the individual. He also questioned the timeline on the Wapsi Creek widening project. Stoolman raised concerns with West Branch Ford offloading multiple semi's during the day which is causing traffic tie-ups and asked Kofoed to contact them regarding the issue. Stoolman also questioned why the city had to pay for track rental and wanted more information.

**ADJOURNMENT**

Motion to adjourn by Dean, second by Miller. Motion carried on a voice vote. City Council meeting adjourned at 8:34 p.m.

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Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, City Clerk