



**CITY COUNCIL MEETING  
MONDAY, JULY 18, 2022  
CITY COUNCIL CHAMBERS  
110 N. POPLAR STREET, WEST BRANCH, IOWA**

<https://zoom.us/j/5322527574>

*or dial in phone number 1-312-626-6799 with Meeting ID 532 252 7574.*

**WORK SESSION – 5:45 P.M.**

1. Call to order
2. Roll Call
3. Capital Improvements Planning
4. Adjourn.

**REGULAR MEETING – 7:00 P.M.**

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Welcome
5. Approve Agenda. /Move to action.
6. Approve Consent Agenda/Move to action.
  - a. Approve minutes from the July 5, 2022 City Council meeting.
  - b. Approve a Class C Liquor license with Sunday sales for Mexico Lindo Inc., dba Mexico Lindo Grill & Cantina effective August 5, 2022.
  - c. Accept the resignation from Tom Burger from the Parks & Recreation Commission.
  - d. Claims for 7/18/2022
7. Presentations/Communications/Open Forum
8. Public Hearing/Non-Consent Agenda
  - a. **Second Reading Ordinance 796** – Amending Chapter 55 – Animal Protection and Control. / Move to action.
  - b. **Resolution 2022-72** – Authorizing the transfer of funds. / Move to action.
9. City Administrator Report
  - a. Hoover’s Hometown Days fundraising update
10. City Attorney Report
11. City Engineer Report
12. City Staff Reports
13. Comments from Mayor and Council Members
14. Motion to adjourn.

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**Mayor:** Roger Laughlin • **Council Members:** Colton Miller, Nick Goodweiler, Jodee Stoolman, Tom Dean, Jerry Sexton  
**City Administrator** Adam Kofoed • **City Clerk** Leslie Brick • **Fire Chief** Kevin Stoolman • **Library Director** Nick Shimmin  
**Parks & Rec Director** Melissa Russell • **Police Chief** John Hanna • **Public Works Director** Matt Goodale

*(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**

**July 5, 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, Parks & Recreation Director Melissa Russell and Police Chief John Hanna. City Staff attending via Zoom: Finance Officer Heidi Van Auken, Library Director Nick Shimmin, City Engineer Dave Schechinger, Officer Cathy Steen.

**APPROVE THE AGENDA**

Motion by Miller, second by Dean to approve the agenda. Motion carried on a voice vote.

**APPROVE CONSENT AGENDA**

- Approve minutes from the June 20, 2022 City Council meeting.
- Approve the Special Event Permit for the 2022 Hoover’s Hometown Days Celebration.
- Approve street closures for Hoover’s Hometown Days 2022.
- Approve a 5-day, Class B Beer permit with Outdoor Service for the West Branch Fire Department, 105 S. 2<sup>nd</sup> St. for Hoover’s Hometown Days 2022.
- Approve a 5-day, Class B Beer permit with Outdoor Service for Hazelhasky LLC dba, Herb & Lou’s, 105 N Downey St. for Hoover’s Hometown Days 2022. **(PENDING DRAM)**
- Approve a 5-day, Class C Liquor license permit with Outdoor Service for The Down Under, 102 W. Main St., for Hoover’s Hometown Days 2022.
- Approve a cigarette permit with Rajan Bhatta, dba as Rashika, LLC, dba Jack & Jill, 115 E Main St., West Branch effective July 15, 2022.
- Approve a Class E, Class B Native Wine and Class C Beer permit with Sunday sales for Rashika LLC dba Jack & Jill, 115 E Main St., West Branch effective July 15, 2022.
- Approve destruction of certain records with Shred-it Services listed on Records Destruction Form per the Record Retention Manual for Iowa Cities.
- Claims for 7/5/2022

EXPENDITURES

7/5/2022

ARSL	CONFERENCE REGISTRATION	550.00
EAST CENT INTERGOVT ASN.	DUES 7-1-22 TO 6-30-23	1,806.48
IOWA LEAGUE OF CITIES	MEMBERSHIP DUES FY23	1,711.00
IOWA ONE CALL	UTILITY LOCATION SERVICE	102.60
KOCH OFFICE GROUP	COPIER MAINTENANCE	385.30
LIBRARICA LLC	LICENSE RENEWAL	328.20
OLSON, KEVIN D	LEGAL SERVICES - JULY 2022	1,500.00
PLASTIC RECYCLING OF IOWA	TABLES FOR PARKS	4,674.40
PREMIER PARTS TIPTON	SHOP SUPPLIES	77.94
SHIELD TECHNOLOGY CORP	SOFTWARE MAINTENANCE	2,245.50
TYLER TECHNOLOGIES	SOFTWARE MAINTENANCE FY23	10,908.65
VEENSTRA & KIMM INC.	EAST SIDE WATER MAIN REPLACEMENT	3,263.55
ZACK MURDOCK	BUSINESS MEALS AND BATTERY	179.40
TOTAL		27,733.02

PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	6/24/2022	70,093.90
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PAID BETWEEN MEETINGS

BAKER & TAYLOR	BOOKS	545.09
BAYCOM INC	VEHICLE TABLET & KEYBOARD	3,896.00
CEDAR COUNTY COOPERATIVE	FUEL - PW	1,218.57

CITY OF SOLON	TOURNAMENT FEES	100.00
D&R PEST CONTROL	PEST CONTROL - LIBRARY	70.00
DUBUQUE COUNTY HISTORICAL	MUSEUM TOUR FEES	119.45
DURANT YOUTH BALL	MAJORS SOFTBALL FEE	50.00
HY-VEE	CONCESSION SUPPLIES	3,213.11
IMPACT 7G INC	WIDENING WAPSI CREEK	5,508.00
JOHN DEER FINANCIAL	SUPPLIES	193.90
LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	1,563.91
LIBERTY DOORS INC	PARK RESTROOM DOORS	1,386.00
MEDIACOM	CABLE SERVICE	41.90
PITNEY BOWES	POSTAGE METER RENTAL - CITY	180.00
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE - CITY	500.00
QUILL CORP	OFFICE SUPPLIES	110.69
VERIZON WIRELESS	VERIZON WIRELESS	402.48
WILTON PARENTS FOR YOUTH	SOFTBALL TEAM REGISTRATION	50.00
AMAZON.COM	BASE ANCHOR FOUNDATION SET	170.95
BAKER & TAYLOR	BOOKS	154.24
CITY OF INWOOD	LOST BOOK REPLACEMENT FEE	15.68
COOK APPRAISAL LLC	GASKILL PROPERTY APPRAISAL	1,000.00
IOWA CITY PRESS-CITIZEN	SUBSCRIPTION	227.02
LAW ENFORCEMENT SYSTEMS	ABANDONED VEHICLE LABELS	105.00
LORENZ, NANCY	BLDG INCENTIVE PAYMENT	1,755.11
MENARDS	BLDG MAINTENANCE SUPPLIES	289.86
QUILL CORP	OFFICE SUPPLIES	51.78
STATE INDUSTRIAL PRODUCTS	CHEMICALS	236.00
VEENSTRA & KIMM INC	VARIOUS PROJECTS	14,568.55
CROELL, INC	1st ST WATER MAIN REPAIR	549.58
HAWKINS, INC	CHEMICALS	1,035.20
HI-LINE INC	SHOP SUPPLIES	255.84
IMPACT 7G INC	WIDENING WAPSI CREEK	25,385.00
KNOCHE, REBECCA	REIMBURSEMENT FOR SUPPLIES	19.96
MUNICIPAL SUPPLY INC	RADIO READS FOR METERS	8,240.00
PLUNKETT'S PEST CONTROL	PEST CONTROL - CITY & TOWN HALL	98.98
QC ANALYTICAL SERVICES	LAB ANALYSIS	804.75
SPAHN & ROSE LUMBER	MURAL SUPPLIES	307.92
SPEER FINANCIAL INC	CONSULTATION SEWER SRF LOAN	4,000.00
STATE HYGIENIC LAB	LAB ANALYSIS	40.50
THOMAS HEATING & AIR	FURNACE FILTERS - TOWN HALL	209.00
UMB BANK	BOND FEES 2013,2015,2016A, 2016B, 2017	1,250.00
WAGWORKS	EMPLOYEE FLEX PLAN	34.43
UNUM LIFE INSURANCE COMPANY	LIFE INSURANCE	619.02
WELLMARK	HEALTH INSURANCE	16,769.80
TOTAL		97,343.27
GRAND TOTAL EXPENDITURES		195,170.19
FUND TOTALS		
001 GENERAL FUND	65,154.04	
022 CIVIC CENTER	303.52	
031 LIBRARY	8712.67	
110 ROAD USE TAX	8072.92	
112 TRUST AND AGENCY	25872.66	
226 BONDING	1250.00	
321 WIDENING WAPSI CREEK	31893.00	
324 WW TREATMENT FACILITY	15981.00	
326 ROUNDABOUT MAIN/CEDAR	1990.55	
600 WATER FUND	17,448.00	
610 SEWER FUND	18457.40	
950 BC/BS FLEXIBLE BENEFIT	34.43	
GRAND FUND TOTAL	195,170.19	

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

**PRESENTATIONS / COMMUNICATIONS / OPEN FORUM – NONE**

**PUBLIC HEARING / NON-CONSENT AGENDA**

Third Reading Ordinance 794 - Amending Chapter 69 "Parking Regulations". / Move to action.

**ORDINANCE 794**

**AN ORDINANCE AMENDING TITLE "TRAFFIC AND VEHICLES" CHAPTER 69 "PARKING REGULATIONS".**

**WHEREAS**, the City of West Branch, Iowa has jurisdiction to establish Parking Regulations within the corporate limits of the City of West Branch; and

**WHEREAS**, No Parking Zones shall mean, to stop, stand, or parking of a vehicle in any of the following designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal; and

**WHEREAS**, the City Council has heretofore deemed it necessary and desirable to pass legislation regulating the no parking zones within the City.

**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 69, "PARKING REGULATIONS", Section 69.08, NO PARKING ZONES.

*(Insert after current subsection)*

xx. Both sides of Cedar-Johnson Road from its intersection with West Main Street to the northern City limit.

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.

Passed and approved this 5th day of July, 2022

First Reading: June 6, 2022  
Second Reading: June 20, 2022  
Third Reading: July 5, 2022

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Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, City Clerk

Motion by Dean, second by Sexton to approve the third reading of Ordinance 794. AYES: Dean, Sexton, Miller, Stoolman, Goodweiler. NAYS: None. Motion carried.

Third Reading Ordinance 795 – Establishing a Tree Commission for the City of West Branch, Iowa – Chapter 28-Tree Commission. / Move to action.

**ORDINANCE 795**

**AN ORDINANCE ESTABLISHING A TREE COMMISSION FOR THE CITY OF WEST BRANCH, IOWA.**

**WHEREAS**, the City Council of the City of West Branch has heretofore determined that it would be desirable to establish a Tree Commission for the City.

**NOW, THEREFORE, BE IT ORDAINED:**

1. **Amendment.** The Code of Ordinances of the City of West Branch, Iowa, are hereby amended by adding and establishing Chapter 28 entitled "Tree Commission," which reads as outlined on Exhibit "A" attached hereto.

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

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.

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 5<sup>th</sup> day of July, 2022.

First reading: June 6, 2022  
Second reading: June 20, 2022  
Third Reading: July 5, 2022

\_\_\_\_\_  
Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, City Clerk

**CHAPTER 28  
TREE COMMISSION**

28.01	Definitions	28.05	Trees on Public Property
28.02	Tree Board	28.06	Trees on Private Property
28.03	City Forester	28.07	Enforcement
28.04	Arboricultural Specifications and Standards of Practice		

Motion by Miller, second by Sexton to approve the third reading of Ordinance 795. AYES: Miller, Sexton, Goodweiler, Dean, Stoolman. NAYS: None. Motion carried.

First Reading Ordinance 796 – Amending Chapter 55 – Animal Protection and Control. / Move to action.

Alan Beyer, Animal Control Commission Chair said the ordinance change consists of three parts. The first, additional definitions were added to further define such incidents. Second, provides the owner of the animal or the offended party to appeal the classification of an animal. And third, gives the Appeals board final say on animal classification. Hanna said he guided the commission to make the changes which will allow him (as Chief Animal Control Officer), the ability to correctly classify dangerous animals going forward. The Council was in support of the changes and had no further comments.

Motion by Miller, second by Goodweiler to approve the first reading of Ordinance 796. AYES: Miller, Goodweiler, Stoolman, Dean, Sexton. NAYS: None. Motion carried.

Resolution 2022-69 – Authorizing the Chief of Police to enter into an agreement with Lexipol, LLC for Police Policy Management & Training. / Move to action.

Hanna presented the proposal to the Council and requested their support in moving forward with Lexipol. Hanna reiterated that having updated policies and procedures is crucial for his department. Hanna said a grant from ICAP in the amount of one thousand dollars will help offset the cost of the first year of service. Hanna also stated that the agreement will be annual and he would budget the expense annually going forward. The Council supported Hanna’s proposal and had no comments.

Motion by Miller, second by Goodweiler to approve Resolution 2022-69. AYES: Miller, Goodweiler, Stoolman, Sexton, Dean. NAYS: None. Motion carried.

Resolution 2022-70 – Approving a Liability Insurance Proposal with ICAP. / Move to action.

Kofoed said the proposal reflects a twenty percent increase from last year’s rate and reminded the Council that if directed, he would seek other proposals for next year cautioning that the process would take approximately three months. Kofoed also said that he had budgeted a fifteen percent increase, but with extra dollars in the tax levy, the additional would be covered with those funds. The Council had no questions or comments.

Motion by Dean, second by Goodweiler to approve Resolution 2022-70. AYES: Dean, Goodweiler, Stoolman, Miller, Sexton. NAYS: None. Motion carried.

Resolution 2022-71 – Approving the Workers Compensation Proposal with Iowa Municipalities Workers’ Compensation Association (IWMCA). /Move to action.

The Council had no comments.

Motion by Dean, second by Sexton to approve Resolution 2022-71. AYES: Dean, Sexton, Stoolman, Goodweiler, Miller. NAYS: None. Motion carried.

Discussion – Review City Council Procedural Rules

Kofoed said as part of his role in working with the Council, he wanted to remind the members of the procedural rules, code of conduct and code of ethics that was passed by a previous council in 2012. Kofoed asked the

members to review the documents for a continued good working relationship. The mayor and council thanked Kofoed for sharing the information.

#### Discussion – Review City Council Goals & Priorities

Kofoed shared Resolution 2022-03 passed by Council in January to remind the Council of priorities set for fiscal year 2023 which just began on July 1<sup>st</sup>. Kofoed said he is continuing discussions with Speer Financial on how the city will fund the projects. Kofoed also reminded the council of the work session scheduled at 5:45 on July 18<sup>th</sup> prior to the regular city council meeting when the Capital Improvement projects (CIP) will be discussed.

#### **CITY ADMINISTRATOR REPORT**

Kofoed reminded the council that he will be attending a training seminar next week and will limited availability. Kofoed also reminded them of the Iowa League of Cities annual conference in September and said those interested needed to get registered as soon as possible.

#### **CITY ATTORNEY REPORT - Absent**

#### **CITY ENGINEER REPORT**

Schechinger gave an update on the easements required on the KLM property on West Main Street. He said a meeting will be scheduled soon with KLM and the school for what easements will be needed to complete the round-about. He said the round-about plans are nearing ninety percent complete and he will continue to provide updates. He also reported that The Meadows Part 5 had submitted construction plans and that a few changes would be needed, but gave them the go-ahead to start moving dirt.

#### **STAFF REPORTS**

Russell gave an update on the Community Visioning project and said that the group will display a charette during Hoover's Hometown Days for the city projects the group came up with. The display will be in Town Hall.

Hanna said the police officer candidate search yielded six candidates, with one withdrawing and none of which are certified officers. Hanna said candidate testing has been scheduled and updates would be provided as they go through the process.

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

Sexton asked if there was anything the City could do regarding the continued delays with the waste water treatment facility. Kofoed said that while Boomerang has had some staffing and supply issues, they are moving forward. Kofoed said an electrical permit has been pulled and Goodale confirmed that dirt is starting to move on the project.

Miller asked for an updated timeline on the Wapsi Creek Widening project and wondered why it seemed that no progress was happening. Kofoed and Schechinger explained the many steps in the process and the on-going struggles with certain property owners along the project area.

#### **ADJOURNMENT**

Motion to adjourn by Miller, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 7:40 p.m.

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Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, City Clerk



## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b> July 18, 2022
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<b>AGENDA ITEM:</b> Approve a Class C Liquor License with Sunday Sales privileges for Mexico Lindo, Inc., DBA: Mexico Lindo Grill and Cantina at 711 S. Downey St.
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<b>PREPARED BY:</b> City Clerk, Leslie Brick
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<b>DATE:</b> July 12, 2022
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### BACKGROUND:

Liquor license renewal for Mexico Lindo, 711 S. Downey Street.

Effective August 5, 2022 through August 4, 2023.



## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b> July 18, 2022
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<b>AGENDA ITEM:</b> Accept the resignation from Tom Burger from the Parks & Recreation Commission.
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<b>PREPARED BY:</b> Parks & Recreation Director Melissa Russell
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<b>DATE:</b> July 12, 2022
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### BACKGROUND:

Tom Burger submitted his resignation from the Parks & Recreation Commission on July 10, 2022. Tom has served on the commission since 2018 and has provided valuable contributions to the commission during his time served.





## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b> July 18, 2022
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<b>AGENDA ITEM:</b> Claims
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<b>PREPARED BY:</b> Heidi Van Auken
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<b>DATE:</b> July 14, 2022
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### SUMMARY:

Claims Report: These are routine expenditures that include payroll, budget expenditures, and other financial items that relate to City Council approved items and/or other day-to-day operational disclosures.

**EXPENDITURES****7/18/2022**

AE OUTDOOR POWER	MOWER PARTS	86.97
AMAZON	VARIOUS ITEMS - LIBRARY	701.92
AMAZON.COM.CA.,INC.	CHROMEBOOK & ORGANIZER	439.14
BAKER & TAYLOR INC.	BOOKS	253.99
BEAN & BEAN	GRAVE OPENINGS	3,250.00
CAPITAL ONE	VARIOUS ITEMS - LIBRARY	301.03
CARRIE A HOURIGAN	CLEANING SERVICES - LIBRARY	333.50
CEDAR COUNTY AUDITOR	SOLID WASTE ASSESSMENT	15,555.32
CEDAR COUNTY COOPERATIVE	LAWN MIX TREE STUMP REMOVALS	190.00
CEDAR CO EMERGENCY MGMT	2022-2023 EMA ASSESSEMENT	11,290.50
CEDAR COUNTY ENGINEER	HAULING ROCK	3,399.89
CEDAR COUNTY RECORDER	RECORDING FEES	84.00
CROELL, INC.	CEMETERY SHED	1,180.35
CURTIS L CASPER	LAWN MOWING - NUISANCE	30.00
DIRK WIENEKE	WEED CONTROL & FERTILIZER	1,770.00
FRED'S FEED & SUPPLY	ANCHORS - LIBRARY	111.85
GRIEBAHN INDUSTRIES	GRIEBAHN INDUSTRIES INC	65.00
ICAD GROUP	FY23 DUES	2,500.00
IMPACT7G INC	WIDENING WAPSI CREEK	9,768.00
INTERSTATE POWER SYSTEMS	BLOCK HEATER REPLACEMENT	1,050.99
IOWA ASSN. MUN. UTILITIES	QUARTERLY SAFETY TRAINING DUES	806.86
IOWA DNR	DUES/MEMBERSHIP	276.35
JAYME CILEK	CLEANING SERVICES-CITY, TH	418.50
JJ NICHTING COMPANY	SHOP PARTS	1,370.00
JOHNSON CO EMERGENCY MGMT	FY23 HAZMAT TEAM 28E AGREE	50.00
JOURNEYED COM INC	ADOBE CREATIVE SUBS LIB, CABLE	839.76
KANOPY	ON DEMAND VIDEO SERVICE	56.00
KIRKWOOD COMM. COLLEGE	FIRST AID/CPR CLASSES - P&R	88.00
KOCH OFFICE GROUP	COPIER MAINTENANCE	313.28
LEAF CAPITAL FUNDING	COPIER LEASE - LIBRARY	142.02
LINN COUNTY R.E.C.	STREET LIGHTS	207.80
LOGAN CONTRACTOR'S SUPPLY	RENTAL FEE	91.50
LRS HOLDINGS, LLC	TRASH & RECYCLING JUNE 2022	17,006.50
MARC/FREMAREK, INC.	WEED KILLER	745.71
MATT PARROTT/STOREY KENWORTH	RECEIPT BOOKS	230.00
MENARDS	CEMETERY SHED	187.86
MUNICIPAL SUPPLY INC.	METERS	5,142.00
OVERDRIVE INC	DIGITAL AND AUDIO BOOKS	342.96
PARKSIDE SERVICE	TIRE REPAIR	37.53
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE - LIBRARY	130.97
RIVER PRODUCTS COMPANY	MTL FOR PEDEN SALT REMOVAL	4,562.45
STATE HYGIENIC LAB	LAB ANALYSIS	40.50
THE HOME DEPOT PRO	BLDG SUPPLIES - P&R	214.78
THOMAS HEATING & AIR	HVAC REPAIR - TOWN HALL	702.25
UTILITY SERVICE CO.	WATER TOWER MAINT PAYMNT	5,000.00

WEST BRANCH COMM SCHOOLS	SCHOOL BUS RENTAL - SWIMMING	744.80
WEST BRANCH TIMES	LEGAL PUBLICATIONS	664.08

<b>TOTAL</b>		<b>92,774.91</b>
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<b>PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS</b>	<b>7/8/2022</b>	<b>47,686.68</b>
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**PAID BETWEEN MEETINGS**

GLOBAL PAYMENTS	JUNE CREDIT CARD FEES	830.76
RELIANT FIRE APPARATUS INC	PIERCE VELOCITY PUC PUMPER	813,293.00
WAGWORKS	EMPLOYEE FLEX PLAN	297.13

<b>TOTAL</b>		<b>814,420.89</b>
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<b>GRAND TOTAL EXPENDITURES</b>		<b>954,882.48</b>
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**FUND TOTALS**

001 GENERAL FUND	899,324.58
022 CIVIC CENTER	778.75
031 LIBRARY	9,165.53
110 ROAD USE TAX	8,156.99
112 TRUST AND AGENCY	5,507.85
321 WIDENING WAPSI CREEK	9,768.00
600 WATER FUND	16,305.22
610 SEWER FUND	5,578.43
950 BC/BS FLEXIBLE BENEFIT	297.13
<b>GRAND FUND TOTAL</b>	<b>954,882.48</b>



## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b> July 18, 2022
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<b>AGENDA ITEM:</b> Second Reading Ordinance 796 - Amending Chapter 55 Animal Protection and Control
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<b>PREPARED BY:</b> John K. Hanna, Chief of Police
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<b>DATE:</b> July 13, 2022
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### **BACKGROUND:**

The Animal Control Commission has proposed several amendments to Chapter 55 of the Code of Ordinances. The changes add bite wound definitions, changes the wording of Level 3 and Level 4 classification of behavior. The proposed changes also provide an appeal process for the victim of a bite to appeal the classification of an animal and establishes the authority of the Animal Control Appeals Board.

## ORDINANCE 796

### AN ORDINANCE AMENDING CHAPTER 55 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH REGARDING ANIMAL CONTROL.

WHEREAS, the Animal Control Commission of the City of West Branch has recommended changes to Chapter 55 of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED:

1. Amendment. Section 55.01 of the Code of Ordinances is hereby amended by adding the following definition:

“Bite wound – type” means

- a. Pre-bite. The animal gets aggressive but only snaps or bites into the air, with no contact with human skin.
- b. Near bite. The animal’s skin come into contact with human skin, but the bite does not puncture the skin.
- c. Shallow puncture. The animal punctures the skin, but only in the shallow layers of tissue.
- d. Multiple shallow punctures. The animal punctures the skin in multiple areas, but said multiple areas only penetrate shallow layers of skin.
- e. Deep puncture. A bite causing serious or severe injury, penetrating further than a shallow puncture.
- f. Death – The animal kills or consumes a person’s flesh.”

2. Amendment. Section 55.16(c) is hereby amended by deleting in its entirety and replacing with the following:

“Level 3 behavior is established if an animal, whether confined or at large, bites or causes physical injury less than serious injury to any person or other domesticated animal.”

3. Amendment. Section 55.16(D)(1) and (2) are hereby amended by deleting in their entirety and replacing with the following:

“1. An animal, whether or not confined, unprovoked or aggressively bites or causes wounds of deep puncture or greater, or

2. An animal, while at large, kills or causes wounds of deep puncture or greater to any domesticated animal; or”

4. Amendment. Section 55.16(B) is hereby amended by deleting all of the section after the first sentence in its entirety and replacing it with the following:

“The owner of the animal, or the offended party, may appeal the classification to the Animal Control Appeals Board within ten (10) days of receipt of the classification order. The owner or offended party may file notice of appeal and request for a hearing in writing by filing with the City Clerk. The hearing shall be held within 30 days of the receipt of said notice. Failure to appeal will result in the classification being final. After said hearing, the Board shall notify the appealing party of its ruling in writing within 10 days. The appealing party may file notice of appeal of the Board’s ruling with the Iowa District Court within ten (10) days of the date of the Board’s ruling.”

5. Amendment. Chapter 55 is hereby amended by adding Section 55.23, which reads as follows:

“55.23. Animal Control Appeals Board. The Animal Control Appeals Board will be comprised of three members appointed by the Mayor. The three members shall consist of the following: a veterinarian, a member of the City Council and a member of the Animal Control Commission. The City Attorney shall attend all meetings of the Animal Control Appeals Board.”

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

7. 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.

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

First reading: July 5, 2022  
Second reading: July 18, 2022  
Third Reading:

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Roger Laughlin, Mayor

ATTEST: \_\_

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Leslie Brick, City Clerk



## REQUEST FOR COUNCIL CONSIDERATION

<b>MEETING DATE:</b> July 18, 2022
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<b>AGENDA ITEM:</b> Resolution 2022- 72 Authorizing the Transfer of Funds
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<b>PREPARED BY:</b> Heidi Van Auken
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<b>DATE:</b> July 12, 2022
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### SUMMARY:

Transfer of Funds can be performed to transfer funds from one fund, account, or program to a different fund, account, or program. There must be an available fund balance or budget in the fund, account, or program being transferred from. The ending balance in both the 'from' fund, account, or program; and the 'to' fund, account, or program must be positive.

The transfers include moving funds to the Fire Department's General Fund from Local Option Sales Tax and the Fire Apparatus Reserve to purchase a Pierce Velocity PUC Tanker/Pumper in July 2022.

**RESOLUTION 2022-72**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS**

BE IT RESOLVED, by the City Council of the City of West Branch, Iowa that the Finance Officer/Treasurer is hereby authorized to transfer the following funds to purchase a Pierce Velocity PUC Tanker/Pumper as follows:

T/O	Local Option Sales Tax	121	\$ 90,000
T/I	Fire Operation Equipment	001	\$ 90,000
T/O	Fire Apparatus Reserve	114	\$ 573,415.80
T/I	Fire Operation Equipment	001	\$ 573,415.80

\* \* \* \* \*

PASSED AND APPROVED this 18th day of July, 2022

\_\_\_\_\_  
Roger Laughlin, Mayor

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



Hoover's Hometown Days  
2022

**Donation**

<b>Amount</b>	<b>Donors</b>
\$ 5,000.00	Heritage Hill
\$ 5,000.00	Advantage Development / Parkside BP Station
\$ 2,500.00	River Products
\$ 1,500.00	Altorfer
\$ 1,000.00	Newport Industries
\$ 1,000.00	Croell Inc.
\$ 16,000.00	Total donated

**Sponsorship**

TITLE SPONSOR  
TITLE SPONSOR  
Fire Department Stage  
Trophy Dads  
Boot Jack Band  
Cassie & Randy

**Donation**

\$ 1,500.00	GreenState Credit Union
\$ 1,500.00	Hills Bank
\$ 1,000.00	West Branch Lions Club
\$ 500.00	Barnhart's Custom Services
\$ 500.00	Fidelity Bank & Trust
\$ 500.00	Liberty Communications
\$ 500.00	Plastic Products
\$ 500.00	Rummells Farms Inc
\$ 500.00	D R Horton LLC - Iowa
\$ 500.00	West Branch Kiwanis Club
\$ 500.00	Veenstra & Kimm
\$ 8,000.00	

Kids Activities  
Kids Activities  
Kids Activities  
Kids Activities  
Kids Activities  
Kids Activities  
Kids Activities  
Kids Activities  
Kids Activities  
Kids Activities  
Kids Activities

**Donation**

\$ 300.00	Family Pet Vet Clinic
\$ 250.00	KLM Investments
\$ 250.00	John Black
\$ 250.00	Laurie Dauber
\$ 250.00	Chris & Lisa Kofoed
\$ 150.00	Brent & Deborah Donohoe - Plato Farms
\$ 100.00	Rindy Inc.
\$ 100.00	Katie Molzen
\$ 100.00	Richard & Anji Hinkhouse
\$ 100.00	Wayne & Patty Laing
\$ 50.00	Joan Gibson
\$ 50.00	Carol Jones
\$ 50.00	Gregory & Robin Norfleet
\$ 50.00	Dave & Shelley Warden
\$ 50.00	Craig & Cindy Walker
\$ 50.00	Aaron Forest
\$ 20.00	Jessi Simon
\$ 2,170.00	

Fireworks  
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Fireworks

\$26,170.00 Total received as of 7/15/2022

**In Kind Donations**

Oasis Electric