

(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**

**October 3, 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: Jerry Sexton, Jodee Stoolman, Nick Goodweiler and Tom Dean. Absent: Colton Miller. City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Public Works Director Matt Goodale, Police Chief John Hanna, City Attorney Kevin Olson, Fire Chief Kevin Stoolman. City Staff attending via Zoom: Library Director Nick Shimmin and City Engineer Dave Schechinger. Absent: Heidi Van Auken and Melissa Russell.

APPROVE THE AGENDA

Motion by Sexton, second by Goodweiler to approve the agenda. Motion carried on a voice vote.

APPROVE CONSENT AGENDA

Approve minutes from the September 19, 2022 City Council meeting.

Claims for 10/3/2022

July Financial Report

Amended Clerk's report – June 2022

EXPENDITURES	10/3/2022	
AMAZON.COM	FLOOR TAPE FOR GYM	143.49
BAKER & TAYLOR INC.	BOOKS	277.53
BARNHART'S CUSTOM SERVICES	GREENVIEW CONNECTION	195.00
CEDAR COUNTY COOPERATIVE	CEMETERY FUEL	767.56
CJ COOPER & ASSOCIATES	DRUG TESTING	65.00
D&R PEST CONTROL	PEST CONTROL - LIBRARY	70.00
ELECTRIC PUMP INC	TRASH BASKET REPAIRS	1,394.25
GIESE, JACOB	BLDG INCENTIVE PAYMENT	790.43
HAWKINS INC	CHEMICALS	1,298.92
HENNINGSEN DANIEL	BLDG INCENTIVE PAYMENT	1,085.73
IMPACT7G INC	WATER GRANT APP FEE- MEADOWS	10,000.00
IOWA CODIFICATION INC	CODE UPDATE JULY 2022	863.00
JETCO ELECTRIC INC	TOWER COMM REPAIR	369.10
KELLY, COLE	PS BBALL REFUND-AYLA	20.00
KOCH OFFICE GROUP	COPIER MAINTENANCE	326.39
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,559.33
LRS HOLDINGS, LLC	WAPSI & CEMETERY PORTABLE SERVICE	260.70
MARK D & AMBER KLEVEN	BLDG INCENTIVE PAYMENT	2,924.69
MCSELFRESH, SARA	BLDG INCENTIVE PAYMENT	363.18
MUNDELL, JENNIFER	BLDG INCENTIVE PAYMENT	276.07
MUNICIPAL SUPPLY INC	DUAL PORT POI	1,260.00
OLSON, KEVIN D	LEGAL SERVICES - OCTOBER 2022	1,500.00
PITNEY BOWES INC	POSTAGE METER RENTAL CITY	180.00
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	854.25
THE HOME DEPOT PRO	BLDG SUPPLIES	26.90
USA BLUE BOOK	REPAIR PARTS FOR PUMPS	534.70
VEENSTRA & KIMM INC.	SEVERAL PROJECTS	37,121.51
WEST BRANCH COMM DEV	CHRISTMAS PAST CONTRIBUTION	3,000.00
WEST BRANCH COMM SCHOOLS	VOLLEYBALL GYM RENTAL	210.00
TOTAL		67,737.73
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	9/30/2022	42,812.77
PAID BETWEEN MEETINGS		
METLIFE	INSURANCE	1,493.50
SISCO	INSURANCE	11,000.19
HY-VEE	CONCESSION SUPPLIES	112.10
JOHN DEERE FINANCIAL	HAND TOOLS & GLOVES	617.75

MEDIACOM	CABLE SERVICE	41.90
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE-CITY	1,005.00
QUILL CORP	APC BACKUPS	48.13
US BANK CORP CARD	CREDIT CARD PURCHASES	2,593.67
VERIZON WIRELESS	VERIZON WIRELESS	402.43
ALLIANT ENERGY	ALLIANT ENERGY	14,633.04
CURTIS L CASPER	MOW & TRIM NUISANCE	114.00
CULLIGAN WATER TECH	WATER SOFTNER SERVICE	29.99
HEIMAN FIRE EQUIPMENT	UNIFORMS - FIRE	2,131.54
MENARDS	STRAPS FOR WATER TRUCK	122.95
PITNEY BOWES PURCHASE POWER	POSTAGE SUPPLIES-LIBRARY	50.00
PLUNKETT'S PEST CONTROL	PEST CONTROL	102.98
PREMIER PARTS TIPTON	VEHICLE SUPPLIES - PW	983.69
QUILL CORP	OFFICE SUPPLIES - CITY	184.26
SPRINGDALE AGENCY	FIRE PAK INSURANCE RENEWAL	15,667.00
STATE HYGENIC LAB	LAB ANALYSIS	40.50
WEST BRANCH REPAIRS	SERVICE - FIRE	1,225.27
WEST BRANCH TIMES	LEGAL PUBLICATIONS & ADS	955.20
WEX BANK	VEHICLE FUEL	1,999.46
WAGeworks	EMPLOYEE FLEX PLAN	35.00
TOTAL		55,589.55
GRAND TOTAL EXPENDITURES		166,140.05

FUND TOTALS		
001 GENERAL FUND		49,910.71
022 CIVIC CENTER		920.37
031 LIBRARY		9,465.47
036 TORT LIABILITY		15,667.00
110 ROAD USE TAX		6,069.63
304 EASTSIDE WATER MAINS		3,841.13
112 TRUST AND AGENCY		15,285.23
321 WIDENING WAPSI CREEK		6,452.25
324 WW TREATMENT FACILITY		20,709.75
326 ROUNDABOUT MAIN & CEDAR		5,198.13
600 WATER FUND		14,140.54
610 SEWER FUND		8,444.84
740 STORM WATER UTILITY		10,000.00
950 BC/BS FLEXIBLE BENEFIT		35.00
GRAND FUND TOTAL		166,140.05

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM

Sam Becker, 613 Prairie View Drive addressed the Council with a concern over a fence he would like to have installed on his property. Becker, said recently he was made aware of easements on his property that will limit where he can place his fence. He said he was not made aware of any easements on his property by his selling agent when he purchased the property and feels misled that he can't do what he wants with his property because of the easements. Becker said other residents in his subdivision were also 'unaware' of the easement restriction and some already have fences installed in the easement areas. Becker said he contacted that seller (D R Horton – Iowa LLC) and they said they were also 'unaware' of the easements on the property and therefore did not disclose at the time of purchase. Becker asked the city to consider where easements are needed on future plats so that it will not limit what property owners can do with their property. Becker added that many residents do not know what drainage easements are and asked that the city 'educate' the public.

Steve Dole, 122 N 4th Street addressed the Council with concerns on the alley behind his property which he uses to access his garage since no on-street parking is available. Dole asked the Council if they had any plans for hard-surfacing the alley in the future and reducing the slope of the alley as it enters East Main Street.

PUBLIC HEARING / NON-CONSENT AGENDA

Public Hearing on proposal to rezone one lot located on Ohrt Street from R-1 to R-2 Residential District.

Mayor Laughlin opened the public hearing at 7:16 p.m. There were no public comments. Laughlin closed the public hearing at 7:17 p.m.

First Reading Ordinance 797 – Re-zoning that certain parcel of real property located at 154 Ohrt Street from R-1 Residence District to R-2 Residence District. / Move to action.

The rezoning request was made by the property owner who owns the adjacent lot in the Lynch Heights Subdivision which is zoned R-2. The property owner would like to do an auditor's parcel and join the two lots to make improvements in the future and has asked for their existing property to be re-zoned to match the zoning of their adjacent lot.

Motion by Dean, second by Sexton to approve the first reading of Ordinance 797. AYES: Dean, Sexton, Stoolman, Goodweiler. NAYS: None. Absent: Colton Miller. Motion carried.

Public Hearing on proposal to rezone various parcels in the area bounded by N. 2nd St., E. College St., E. Main St., and N. 4th St.

Laughlin opened the public hearing at 7:22 p.m. There were no public comments. Laughlin closed the public hearing at 7:23 p.m.

First Reading Ordinance 798 – Re-zoning that certain parcel of real property located north of E. Main Street and West of N. 4th Street from R-3 Residence District to Planned Unit Development District. / Move to action.

The purpose of this rezoning request is to include a parcel on N. 4th Street into the project area as well as an additional piece of land along the creek to allow for the placement of a detention pond.

Motion by Sexton, second by Goodweiler to approve the first reading of Ordinance 798. AYES: Sexton, Goodweiler, Dean, Stoolman. NAYS: None. Absent: Colton Miller. Motion carried.

Public Hearing regarding an amendment to the Historic Preservation Ordinance (Chapter 25).

Laughlin opened the public hearing at 7:24 p.m. There were no public comments. Laughlin closed the public hearing at 7:25 p.m.

First Reading Ordinance 799 – Establishing a Historic Preservation Commission for the City of West Branch Iowa; Providing for the recognition and promotion of Historic Sites and Defining Powers and Duties of the Commission. / Move to action.

The purpose of this ordinance is to re-establish the Historic District in Chapter 25 of the West Branch Code of Ordinances and add the Townsend's Rest to that district (at the owner's request). Due to a recent re-codification of the city Code, a section of the Historic Preservation Commission chapter was omitted. In addition, Kofoed further added some language to the ordinance (as presented).

Motion by Dean, second by Goodweiler to approve the first reading of Ordinance 799. AYES: Dean, Goodweiler, Sexton, Stoolman. NAYS: None. Absent: Colton Miller. Motion carried.

Resolution 2022-86 – Entering into an Officer Training Reimbursement Agreement with Lucas Moore. / Move to action.

Motion by Sexton, second by Dean to approve Resolution 2022-86. AYES: Sexton, Dean, Goodweiler, Stoolman. NAYS: None. Absent: Colton Miller. Motion carried.

Oath of Office - Police Officer Lucas Moore.

Laughlin swore in Lucas Moore as the city's fourth officer.

Resolution 2022-87 – Approving the Preliminary Plat of Heritage Hill, West Branch, Iowa. / Move to action.

The Council had no comments.

Motion by Dean, second by Sexton to approve Resolution 2022-87. AYES: Dean, Sexton, Stoolman, Goodweiler. NAYS: None. Absent: Colton Miller. Motion carried.

Resolution 2022-88 – Approving the Final Plat for Heritage Hill, West Branch, Iowa. / Move to action.

Kofoed explained that approving the final plat this early is a variation of the process but is required for the developer to continue with keeping his timeline and securing his financing of the project. Kofoed further explained that should any changes be required as the project moves forward, the developer will be responsible for all costs associated with those changes and that an advisory review committee will oversee the project. The Council had no comments.

Motion by Sexton, second by Goodweiler to approve Resolution 2022-88. AYES: Sexton, Goodweiler, Dean, Stoolman. NAYS: None. Absent: Colton Miller. Motion carried.

Resolution 2022-89- Approving the Site Plan for Lot 1, Heritage Hill Site, West Branch, Iowa. / Move to action.

Schechinger made note that the detention basin would be ‘dry’ basin and not a ‘wet’ pond. Kofoed said the city looked into the costs associated with a wet pond and determined that it was not feasible for the city to maintain. Kofoed added that the developer will construct a trail through the property and the city will maintain it in the future.

Motion by Dean, second by Stoolman to approve Resolution 2022-89. AYES: Dean, Stoolman, Sexton, Goodweiler. NAYS: None. Absent: Colton Miller. Motion carried.

Resolution 2022-90 – Authorizing the city administrator to formally request a deed from Johnson County for a portion of Cedar-Johnson Road. / Move to action.

Olson explained that a deed for Cedar-Johnson Road should be accepted so that the city can use future TIF funds for road improvements. Currently, the city owns the east half of Cedar-Johnson Road. A 28E Agreement signed in the seventies with Johnson County, required the city to maintain both sides of the road from West Main Street, north to 350th St. (Bickford Drive) and Greenview Drive. Olson said, “if we’re going to maintain it, we might as well own it”. Olson said once the deed had been accepted the city could annex the road.

Motion by Sexton, second by Goodweiler to approve Resolution 2022-90. AYES: Sexton, Goodweiler, Stoolman, Dean. NAYS: None. Absent: Colton Miller. Motion carried.

Resolution 2022-91 - Authorizing an Emergency Responder Advocacy Committee to speak on behalf of the City Council. / Move to action.

Kofoed explained some of the challenges facing emergency responder personnel and said the problem isn’t going to ‘go away’. He said that the number of calls is increasing and it is getting more and more difficult to respond to those calls because volunteers aren’t always readily available. Kofoed asked the Council for their support on organizing a committee to advocate on behalf of the West Branch Fire Department.

Motion by Goodweiler, second by Dean to approve Resolution 2022-91. AYES: Goodweiler, Dean, Stoolman, Sexton. NAYS: None. Absent: Colton Miller. Motion carried.

Discussion – Greenview connection driveway access

Based on the last Council meeting discussion, staff asked for direction on how to proceed with finishing the Greenview Drive connection. Two engineer drawings were shown. One connecting Greenview Drive to the south edge of Greenview Circle, the second, connecting Greenview Drive to the north side of the Greenview Circle with connecting driveways to the new road for 25, 26 and 27 Greenview. Laughlin suggested that the north portion of Greenview Circle be ‘abandoned’ by the city and the leaving the southwest corner of the circle for 26 and 27 Greenview to use as their access to the new road (with no new driveway connections being made). Councilperson Dean agreed with Laughlin’s proposal and Laughlin took an informal vote with the remaining members. The Council consensus was to agree with Laughlin’s proposal.

CITY ADMINISTRATOR REPORT

Kofoed attended the Iowa League of Cities Annual Conference in Waterloo this past week and provided a brief update.

CITY ATTORNEY REPORT

Olson said he has filed documents with the judge in Davenport for the Gaskill property. He also said that Hills Bank will start the foreclosure proceedings for 203 E. Green Street and that they have a potential buyer for the property who intends to rehab it.

CITY ENGINEER REPORT

Schechinger gave brief updates on the Wastewater Treatment Facility project and roundabout. Schechinger said bids are expected to go for that project in mid-November or early December.

STAFF REPORTS – None

COMMENTS FROM MAYOR AND COUNCIL MEMBERS - None

ADJOURNMENT

Motion to adjourn by Dean, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 8:14 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk