



CITY COUNCIL MEETING
MONDAY, NOVEMBER 7, 2022 – 7:00 p.m.
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.

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 October 17, 2022 City Council meeting.
 - b. Approve West Branch Fire Department appointment.
 - c. Claims for 11/3/2022
7. Presentations/Communications/Open Forum
8. Public Hearing/Non-Consent Agenda
 - a. **Third 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.
 - b. **Third 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.
 - c. **Third 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.
 - d. **First Reading Ordinance 800** – Providing that General Property Taxes Levied and Collected on Certain Lots in The Meadows, Part 4A and Part 4B in West Branch, Iowa be paid to a Special Fund for Payments on Loans in connection to the West Branch Urban Renewal Area. / Move to action.
 - e. **Resolution 2022-98** – Approving a Partial Acquisition Agreement with KLM Investments LLC. / Move to action.
 - f. **Resolution 2022-99** – Approving an Amended Partial Acquisition Agreement with the West Branch Community School District. / Move to action.
 - g. **Resolution 2022-100** – Setting a date for a Public Hearing of the Intent to Vacate Birdie Drive and to Dispose of the City's interest in the same. / Move to action.
 - h. **Resolution 2022-101** – Approving an Amended Utility Relocation Agreement with the Iowa Department of Transportation. / Move to action.
 - i. **Resolution 2022-102** – Approving an Indemnification Agreement with BBCO LLC. / Move to action.
9. Discussion – West Branch Schedule of Fees
10. City Administrator Report
11. City Attorney Report
12. City Engineer Report
13. City Staff Reports
 - a. Nick Shimmin – Presentation of the West Branch Library Annual Report
14. Comments from Mayor and Council Members
15. Motion to adjourn.

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

APPROVE THE AGENDA

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

APPROVE CONSENT AGENDA

EXPENDITURES	10/17/2022	
AE OUTDOOR POWER	MOWER PART	60.29
AMAZON	VARIOUS ITEMS - LIBRARY	480.23
ARSL	MEMBERSHIP RENEWAL	50.00
BAKER & TAYLOR INC	BOOKS	1,003.11
CAPITAL ONE	VARIOUS ITEMS - LIBRARY	103.33
CEDAR COUNTY RECORDER	RECORDING FEES	59.00
CEDAR COUNTY TRANSFER STATION	TRASH DISPOSAL	85.00
D & N FENCE COMPANY INC	GREENVIEW CONN FENCE DEPOSIT	2,030.00
DAVID & RENEE HAUGLAND	BLDG INCENTIVE PAYMENT	637.60
EMYLEE & RYAN HARNEY	BLDG INCENTIVE PAYMENT	842.23
HI-LINE INC	SHOP SUPPLIES	121.09
IMWCA	IMWCA FY23 INSTALLMENT 4	2,035.00
IOWA ASSN. MUN. UTILITIES	QUARTERLY SAFETY TRAINING DUES	806.86
IOWA DNR	2023 ANNUAL WATER USE FEE	115.00
IOWA ONE CALL	UTILITY LOCATOR SERVICE	64.80
JAYME CILEK	CLEANING SERVICES-CITY, TH, PARKS	450.00
KANOPY	ON DEMAND VIDEO SERVICE	34.00
LEAF CAPITAL FUNDING LLC	COPIER LEASE - LIBRARY	142.02
LINN COUNTY R.E.C.	STREET LIGHTS	202.50
LRS HOLDINGS, LLC	TRASH & RECYCLING SEPT 2022	17,226.75
LYNCH'S EXCAVATING INC	GREENVIEW CONNECTION	1,155.15
MOORE'S WELDING INC	MOWER BLOCK REPAIR	400.00
OVERDRIVE INC	DIGITAL & AUDIO BOOKS	301.44
PARKSIDE SERVICE	MOWER TIRE REPAIR	110.32
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE-LIBRARY	100.00
PREMIER PARTS TIPTON	BATTERY-PW	315.94
SHAY, ALLEN	BLDG INCENTIVE PAYMENT	894.41
SHIMMIN, NICK	CONF TRAVEL-SHIMMIN, KNOCHE	708.15
STATE HYGIENIC LAB	LAB ANALYSIS	40.50
STEFANIE & ANTHONY ARNAMAN	BLDG INCENTIVE PAYMENT	1,290.73
SURVEYING AND MAPPING, LLC	ANNUAL GIS WEBSITE MAINTENANCE	3,600.00
THE HOME DEPOT PRO	BLDG SUPPLIES	151.15
THE NORTHWAY CORPORATION	WELL 2 ABANDONMENT	20,800.00
THOMAS MARK & JEANETTE	BLDG INCENTIVE PAYMENT	811.39
WEST BRANCH TIMES	LEGAL PUBLICATIONS & ADS	734.51
TOTAL		57,962.50
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	10/14/2022	46,988.83
PAID BETWEEN MEETINGS		
GLOBAL PAYMENTS	SEPTEMBER CC FEES	921.79
AMAZON.COM	AMAZON MEMBERSHIP FEE - PD	129.00
AT&T MOBILITY	WIRELESS SERVICE	364.84
BROWN'S WEST BRANCH	VEHICLE SERVICE - PD	325.16

STATE INDUSTRIAL PRODUCTS	CHEMICALS	236.00
WEX BANK	VEHICLE FUEL	1,403.46
VARIOUS VENDORS	UB REFUNDS	262.05
METLIFE	INSURANCE	1,493.37
SISCO	INSURANCE	12,289.59
TOTAL		17,425.26

GRAND TOTAL EXPENDITURES	122,376.59
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FUND TOTALS	
001 GENERAL FUND	51,538.29
022 CIVIC CENTER	81.00
031 LIBRARY	9,114.32
036 TORT LIABILITY	1,937.87
110 ROAD USE TAX	4,522.81
112 TRUST AND AGENCY	19,319.20
600 WATER FUND	31,467.63
610 SEWER FUND	4,395.47
GRAND FUND TOTAL	122,376.59

REVENUE-FISCAL YEAR 2023
FUND AUGUST

001 GENERAL FUND	54,261.39
022 CIVIC CENTER	425.38
027 MEMORIAL GARDEN PROJECT	
031 LIBRARY	260.89
036 TORT LIABILITY	1.31
110 ROAD USE TAX	25,598.14
112 TRUST & AGENCY	2,408.12
119 EMERGENCY TAX FUND	0.75
121 LOCAL OPTION SALES TAX	21,601.78
125 TIF	25.97
226 DEBT SERVICE	140.77
300 CAPITAL IMPROVEMENT RESERVE	1.09
302 ARPA NEU FUND	186,305.59
500 CEMETERY PERPETUAL FUND	600.00
600 WATER FUND	57,605.76
610 SEWER FUND	81,682.26
740 STORM WATER UTILITY	5,641.49
TOTAL	436,560.69

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM

Sheriff Warren Wethington, Cedar County addressed the Council on behalf of a request from City Administrator Kofoed and Police Chief John Hanna. Wethington started with “he wants to help West Branch” but also doesn’t have excess staffing to do so. Wethington cited his issues which include short staff, vacations and training that fills up his deputies’ schedules. He offered providing coverage similar to what other cities in Cedar County have to help with some of West Branch’s on-call time while the city’s newest police officer completes his training with a monthly cost of \$6155.00 per month. Wethington offered some weekend hours, but made no promises on how soon that could happen. He added that with the growth that West Branch is seeing and call volume, it was his opinion that the city needs six police officers.

PUBLIC HEARING / NON-CONSENT AGENDA

Second 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.

No comments.

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

Second 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.
No comments.

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

Second 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.
No comments.

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

Resolution 2022-92 – Hiring Andrew Finnegan as a Streets Maintenance worker for the City of West Branch, Iowa and setting the salary for the position for Fiscal Year 2023. / Move to action.

Motion by Dean, second by Sexton to approve Resolution 2022-92. AYES: Dean, Sexton, Miller, Stoolman. NAYS: None. Absent: Nick Goodweiler. Motion carried.

Resolution 2022-93 – Approving a salary adjustment for Henry (Max) Kober and Logan Cilek for Fiscal Year 2023. / Move to action.

Sexton asked if Kober and Cilek were with the salary adjustment knowing that the new hire was going to making just under what they will be making after having two years of service more with the City. Kofoed said this is their ‘first’ bump and that salaries would be re-evaluated again during the FY24 budget.

Motion by Dean, second by Sexton to approve Resolution 2022-93. AYES: Dean, Sexton, Miller, Stoolman. NAYS: None. Absent: Nick Goodweiler. Motion carried.

Resolution 2022-94 – Hiring Gerry Brick as a Regular Part-Time Public Works Laborer for the City of West Branch, Iowa and setting the salary for the position for Fiscal Year 2023. / Move to action.

Stoolman questioned why Brick’s salary would not be comparable to that of full-time staff since Brick will performing many of the same duties as a full-timer. Kofoed explained that Brick currently has a full-time job with another city and this position allows flexibility for him to work around his full-time schedule. Stoolman stated that she wanted to go on record “that she does not agree with the pay”. Sexton added that the “city is getting a bargain” (hiring Brick).

Motion by Sexton, second by Dean to approve Resolution 2022-94. AYES: Sexton, Dean, Stoolman, Miller. NAYS: None. Absent: Nick Goodweiler. Motion carried.

Resolution 2022-95 - Approving Pay Estimate Number 3 in the amount of \$1,265,515.11 to Boomerang Corp. for the Wastewater Treatment Facility Improvements Project. / Move to action.

Motion by Sexton, second by Dean to approve Resolution 2022-95. AYES: Sexton, Dean, Stoolman, Miller. NAYS: None. Absent: Nick Goodweiler. Motion carried.

Resolution 2022-96 – Approving a performance contract with Jake McVey, Purple Cow Records Inc. for Hoover’s Hometown Days 2023 in the amount of \$4,500.00. / Move to action.

Kofoed said a friend and supporter of Jake McVey recommended him to perform for Hoover’s Hometown Days to draw in a bigger crowd for the event.

Motion by Dean, second by Sexton to approve Resolution 2022-96. AYES: Dean, Sexton, Miller, Stoolman. NAYS: None. Absent: Nick Goodweiler. Motion carried.

Resolution 2022-97 – Approving a partial acquisition agreement with the West Branch Community School District. / Move to action.

This acquisition of right-of-way on south side of West Main Street is needed for the round-about project. The West Branch School Board will need to approve the agreement and provide a Quit Claim Deed for the property to the City.

Motion by Miller, second by Sexton to approve Resolution 2022-97. AYES: Miller, Sexton, Stoolman, Dean. NAYS: None. Absent: Nick Goodweiler. Motion carried.

Accepting and placing on file – Main Street Executive Director / Community Development Director job description.

CDG's Stacy Waters and Nicki Brick presented the joint CDG/City job description to the Council and provided background information on the group's recent success stories from grants, business development, and community event planning. Their proposal for the position would be for a split of twenty-five hours for CDG and fifteen hours with the city. The proposal includes the city paying for employee benefits (approximately \$21,000 annually) along with an additional \$7400.00 in salary.

Mayor Direction – Setting the date and time for Trick-or-Treat 2022

Laughlin set the date for Monday, October 31, 2022 from 5:00-8:00 p.m.

CITY ADMINISTRATOR REPORT

Kofoed said staff will be starting the strategic planning process for their respective departments and the information will be shared with Council in November. Kofoed also mentioned that he will be meeting with J&M Displays to consider other fireworks package options for Hoover's Hometown Days.

CITY ATTORNEY REPORT - None

CITY ENGINEER REPORT

Schechinger reported on various city projects;

I-80 Widening Project (Eastside) – the city is required to move a water main, but IDOT want the city to hold-off due to some potential issues with moving those utilities. Wapsi Creek Widening – Impact 7G plans have been reviewed, a few adjustments are needed.

WWTF – west lagoon is done, SAGR system is being installed, east lagoons are having sludge removed.

Round-about – ROW acquisitions should be complete within the next couple of weeks, project design is being finalized, project ready to go out for bid in early December, then utilities will start getting moved.

STAFF REPORTS – None

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Dean commented that he heard that paving will begin later this week on Hoover Highway although he didn't seem confident that the project was ready. Stoolman admitted she was struggling with how much it would cost the City to have Cedar County cover some of the on-call time.

ADJOURNMENT

Motion to adjourn by Miller, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 8:05 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: November 7, 2022

AGENDA ITEM: Approve West Branch Fire Department Appointment

PREPARED BY: Leslie Brick, City Clerk
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DATE: October 25, 2022

BACKGROUND:

Approve appointments to the West Branch Fire Department:

Firefighter – Dean Goodale (approved by the WBFD on October 19, 2022)



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: November 7, 2022

AGENDA ITEM: Claims

PREPARED BY: Heidi Van Auken

DATE: November 1, 2022

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**11/7/2022**

ABBY NOELCK	ADULT FITNESS INSTRUCTION	200.00
ADAM KOFOED	TRAVEL REIMB - KOFOED	560.50
AE OUTDOOR POWER	MOWER PARTS - PW	55.74
AMANDA MALLOY	BLDG INCENTIVE PAYMENT	3,812.41
AMAZON.COM.CA.,INC.	OFFICE SUPPLIES-P&R	491.78
BAKER & TAYLOR INC.	BOOKS	450.47
BEAN & BEAN	GRAVE OPENINGS	1,300.00
BRICK, LESLIE	IMFOA MILEAGE REIMB-BRICK/VA	167.50
C&E FITNESS	YOUTH BB LEAGUE-3RD GRADE	410.00
CJ COOPER & ASSOCIATES	DRUG TESTING	493.75
DIRK WIENEKE	WEED CONTROL-P&R, FIRE	3,505.00
GONGORA, JOSE	SAFETY CONSULTING FY22	750.00
HAWKINS INC	CHEMICALS	2,985.59
HEMMEN CRAIG OR JEAN	BLDG INCENTIVE PAYMENT	1,000.98
HOLIDAY INN DES MOINES AIR	LODGING - BRICK	448.00
IMPACT7G INC	WIDENING WAPSI CREEK	1,424.00
IOWA CODIFICATION INC	ANNUAL WEB HOSTING	450.00
IOWA ONE CALL	UTILITY LOCATION SERVICE	120.60
IOWA RURAL WATER ASSOC.	DUES 1-1-23 TO 12-31-23	325.00
JAYME CILEK	CLEANING SERVICES-PARKS	202.50
KNOCHE, REBECCA	MILEAGE FOR LEARNING CIRCUIT	67.75
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,574.97
LRS HOLDINGS, LLC	TRASH & RECYCLING OCT 2022	17,710.25
MENARDS	SUPPLIES - P&R	339.88
MERCY IOWA CITY PHYSICIAN	PHYSICAL-MOORE	177.00
OLSON, KEVIN D	LEGAL SERVICES & REIMBURSEMENT	1,755.00
PARKSIDE SERVICE	TIRE REPLACEMENT-PW	795.59
PREMIER PARTS TIPTON	PARTS	849.55
QUILL CORP	BLDG & OFFICE SUPPLIES-CITY TH	35.88
ROBERT PRATT & MINDY KRAUS	BLDG INCENTIVE PAYMENT	864.07
ROCK VALLEY PHYSICAL THERA	DRUG TEST-PD	43.00
SENSUS USA	WATER METER SFT ANNUAL SUPPORT	1,949.94
TERRACON CONSULTANTS INC	WW TREATMENT ENGINEERING FEE	720.00
UNIFORM DEN INC.	UNIFORM	308.53
USA BLUE BOOK	SUPPLIES FOR WATER	611.61
VEENSTRA & KIMM INC.	VARIOUS PROJECTS	41,365.01
WEST BRANCH COMMUNITY SCHO	GYM RENTAL	450.00

TOTAL	88,771.85
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**PAYROLL-WAGES, TAXES, EMPLOYEE
BENEFITS**
10/28/2022**54,590.35****PAID BETWEEN MEETINGS**

METLIFE	INSURANCE	1,528.56
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SISCO	INSURANCE	11,674.89
AMAZON	VARIOUS PURCHASES	164.00
CARRIE HOURIGAN	CLEANING SERVICES-LIBRARY	322.00
CEDAR COUNTY COOP	FUEL BARREL FILL	496.65
HARRY'S CUSTOM TROPHIES	4X6 OUTDOOR ZINC	150.00
HY-VEE	CONCESSION SUPPLIES	201.80
PURPLE COW RECORDS	HHTD MCVEY DEPOSIT	2,250.00
JOHN DEERE FINANCIAL	VEHICLE REPAIR PARTS	26.93
KOCH OFFICE GROUP	COPIER MAINTENANCE	202.40
MEDIACOM	CABLE SERVICE	41.90
MERCY IOWA CITY	DRUG TEST FEE - PW	23.00
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE-CITY	500.00
PLAY IT AGAIN SPORTS	YOUTH SPORTS SUPPLIES	160.96
PREMIER PARTS TIPTON	VEHICLE MAINTENANCE PARTS-PW	209.20
PROTECT YOUTH SPORTS	BACKGROUND CHECK	59.45
QC ANALYTICAL SERVICES	LAB ANALYSIS	804.75
QUILL CORP	OFFICE SUPPLIES	151.85
STATE INDUSTRIAL PRODUCTS	CHEMICALS	236.00
VERIZON WIRELESS	VERIZON WIRELESS	412.07
BOOMERANG CORP	WW TREATMENT PAY ESTIMATE 3	1,265,515.11
ALLIANT ENERGY	ALLIANT ENERGY	11,967.73
BUSINESS RADIO SALES	REPAIRS & ANTENNAS	187.50
CULLIGAN WATER TECH	WATER SOFTNER SERVICE	63.48
EMERGENCY SERVICES MARKETING	EMERGENCY NOTIFICATION-FIRE	735.00
FIRE SERVICE TRAINING BUREAU	TRAINING BOOKS-FIRE	193.18
KIESLER POLICE SUPPLY	AMMUNITION	179.58
PLUNKETT'S PEST CONTROL	PEST CONTROL - CITY, TOWN HALL	110.18
US BANK CORPORATE CARD	CREDIT CARD PURCHASES	1,826.79
TOTAL		1,300,394.96
GRAND TOTAL EXPENDITURES		1,443,757.16
FUND TOTALS		
001 GENERAL FUND		72,012.51
022 CIVIC CENTER		811.41
031 LIBRARY		9,513.95
110 ROAD USE TAX		5,709.73
112 TRUST AND AGENCY		23,299.72
304 EASTSIDE WATER MAINS		8,955.00
319 RELOCATING WATER & SEWER		452.00
321 WIDENING WAPSI CREEK		9,321.00
324 WW TREATMENT FACILITY		1,285,879.87
326 ROUNDABOUT MAIN & CEDAR		3,661.75
600 WATER FUND		16,967.21
610 SEWER FUND		7,173.01
GRAND FUND TOTAL		1,443,757.16

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
POLICE OPERATION	GENERAL FUND	UNIFORM DEN INC.	UNIFORM	143.00
			UNIFORM	165.53
		LIBERTY COMMUNICATIONS	SERVICES	312.68
		GONGORA, JOSE	SAFETY CONSULTING FY22	93.75
		MERCY IOWA CITY PHYSICIAN & CLINIC SER	PHYSICAL-MOORE	177.00
		ROCK VALLEY PHYSICAL THERAPY	DRUG TEST-PD	43.00
			TOTAL:	934.96
FIRE OPERATION	GENERAL FUND	LIBERTY COMMUNICATIONS	SERVICES	89.66
		GONGORA, JOSE	SAFETY CONSULTING FY22	93.75
		CJ COOPER & ASSOCIATES	DRUG TEST - FIRE	418.75
		DIRK WIENEKE	WEED CONTROL-P&R, FIRE	55.00
			TOTAL:	657.16
ROADS AND STREETS	GENERAL FUND	GONGORA, JOSE	SAFETY CONSULTING FY22	93.75
			TOTAL:	93.75
PARK & RECREATION	GENERAL FUND	WEST BRANCH COMMUNITY SCHOOLS	MENS BB LEAGUE GYM RENTAL	450.00
		MENARDS	SUPPLIES - P&R	259.98
			STORAGE FOR JERSEYS	79.90
		LIBERTY COMMUNICATIONS	SERVICES	281.03
		GONGORA, JOSE	SAFETY CONSULTING FY22	93.75
		DIRK WIENEKE	WEED CONTROL-P&R, FIRE	100.00
			LAWN CARE SERVICE-CUBBY, L	3,350.00
		AMAZON.COM.CA., INC.	OFFICE SUPPLIES-P&R	9.06
			CAMP	96.76
			OFFICE SUPPLIES	8.08
			CONCESSION STAND	152.97
			YOUTH SPORTS	129.01
			CONCESSION STAND	95.90
		JAYME CILEK	CLEANING SERVICES-PARKS	72.00
		C&E FITNESS	YOUTH BB LEAGUE-3RD GRADE	410.00
		ABBY NOELCK	ADULT FITNESS INSTRUCTION	200.00
			TOTAL:	5,788.44
CEMETERY	GENERAL FUND	AE OUTDOOR POWER	MOWER PARTS - PW	55.74
		BEAN & BEAN	GRAVE OPENINGS	1,300.00
			TOTAL:	1,355.74
ECONOMIC DEVELOPMENT	GENERAL FUND	HEMMEN CRAIG OR JEAN	BLDG INCENTIVE PAYMENT	1,000.98
		ROBERT PRATT & MINDY KRAUS	BLDG INCENTIVE PAYMENT	864.07
		AMANDA MALLOY	BLDG INCENTIVE PAYMENT	3,812.41
			TOTAL:	5,677.46
CLERK & TREASURER	GENERAL FUND	QUILL CORP	BLDG SUPPLIES-CITY	9.60
			OFFICE SUPPLIES-CITY	16.68
		HOLIDAY INN DES MOINES AIRPORT	LODGING - BRICK	224.00
			LODGING - VAN AUKEN	224.00
		BRICK, LESLIE	IMFOA MILEAGE REIMB-BRICK/	167.50
		IOWA CODIFICATION INC	ANNUAL WEB HOSTING	450.00
		LIBERTY COMMUNICATIONS	SERVICES	424.12
		GONGORA, JOSE	SAFETY CONSULTING FY22	93.75
		OLSON, KEVIN D	REIMB NUISANCE FILING FEE	255.00
		JAYME CILEK	CLEANING SERVICES-CITY, TH	63.00
		ADAM KOFOED	TRAVEL REIMB - KOFOED	560.50
			TOTAL:	2,488.15

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
LEGAL SERVICES	GENERAL FUND	OLSON, KEVIN D	LEGAL SERVICES NOV 2022	1,500.00
			TOTAL:	1,500.00
SOLID WASTE	GENERAL FUND	LRS HOLDINGS, LLC	TRASH & RECYCLING OCT 2022	17,217.25
			FALL CLEANUP-LANDFILL	493.00
			TOTAL:	17,710.25
LOCAL CABLE ACCESS	GENERAL FUND	LIBERTY COMMUNICATIONS	SERVICES	64.95
			TOTAL:	64.95
COMMISSION	GENERAL FUND	VEENSTRA & KIMM INC.	MEADOWS PT5 REVIEW	353.50
			WB HERITAGE HILL SITE REVI	401.00
			TOTAL:	754.50
TOWN HALL	CIVIC CENTER	QUILL CORP	BLDG SUPPLIES-TH	9.60
		LIBERTY COMMUNICATIONS	SERVICES	45.03
		JAYME CILEK	CLEANING SERVICES-CITY, TH	67.50
			TOTAL:	122.13
LIBRARY	LIBRARY	KNOCHE, REBECCA	MILEAGE FOR LEARNING CIRCU	57.75
			PARKING REIMB LIB ASSOC CO	10.00
		BAKER & TAYLOR INC.	BOOKS	208.44
			BOOKS	242.03
		LIBERTY COMMUNICATIONS	SERVICES	238.42
		GONGORA, JOSE	SAFETY CONSULTING FY22	93.75
			TOTAL:	850.39
ROADS & STREETS	ROAD USE TAX	PARKSIDE SERVICE	TIRE REPLACEMENT-PW	619.59
			TIRE MOUNTING-PW	176.00
		LIBERTY COMMUNICATIONS	SERVICES	39.70
		CJ COOPER & ASSOCIATES	DRUG TESTING	65.00
			CLEARINGHOUSE QUERY	10.00
			TOTAL:	910.29
CAPITAL PROJECT	EASTSIDE WATER MAI	VEENSTRA & KIMM INC.	EASTSIDE WATER MAIN	8,955.00
			TOTAL:	8,955.00
CAPITAL PROJECT	RELOCATING WATER &	VEENSTRA & KIMM INC.	I80 WIDENING COORDINATION	452.00
			TOTAL:	452.00
CAPITAL PROJECT	WIDENING WAPSI CRE	VEENSTRA & KIMM INC.	CHANNEL WIDENING FLOOD IMP	7,897.00
		IMPACT7G INC	WIDENING WAPSI CREEK	1,424.00
			TOTAL:	9,321.00
CAPITAL PROJECT	WW TREATMT FAC IMP	TERRACON CONSULTANTS INC	WW TREATMENT ENGINEERING F	720.00
		VEENSTRA & KIMM INC.	WW TREATMENT FACILITY	11,400.00
			WW TREATMENT FACILITY	8,168.76
			WW TREATMENT FACILITY	76.00
			TOTAL:	20,364.76
INVALID DEPARTMENT	ROUNABOUT MAIN &	VEENSTRA & KIMM INC.	HHH & CEDAR JOHNSON INTERS	3,661.75
			TOTAL:	3,661.75
WATER OPERATING	WATER FUND	IOWA ONE CALL	UTILITY LOCATION SERVICE	60.30
		SENSUS USA	WATER METER SFT ANNUAL SUP	1,949.94
		IOWA RURAL WATER ASSOC.	DUES 1-1-23 TO 12-31-23	325.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		HAWKINS INC	CHEMICALS	2,985.59
		LIBERTY COMMUNICATIONS	SERVICES	39.69
		GONGORA, JOSE	SAFETY CONSULTING FY22	93.75
		USA BLUE BOOK	SUPPLIES FOR WATER	78.95
			SUPPLIES FOR WATER	157.90
			SUPPLIES FOR WATER	181.43
			WATER/SEWER SUPPLIES	153.03
		PREMIER PARTS TIPTON	VEHICLE MAINTENANCE PARTS	16.30
			VEHICLE MAINTENANCE PARTS	28.53
			VEHICLE MAINTENANCE PARTS	713.83
			BATTERY CORES	81.00-
			TOTAL:	6,703.24
SEWER OPERATING	SEWER FUND	IOWA ONE CALL	UTILITY LOCATION SERVICE	60.30
		LIBERTY COMMUNICATIONS	SERVICES	39.69
		GONGORA, JOSE	SAFETY CONSULTING FY22	93.75
		USA BLUE BOOK	WATER/SEWER SUPPLIES	40.30
		PREMIER PARTS TIPTON	PARTS - PW	171.89
			TOTAL:	405.93

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===== FUND TOTALS =====
001 GENERAL FUND                37,025.36
022 CIVIC CENTER                 122.13
031 LIBRARY                      850.39
110 ROAD USE TAX                 910.29
304 EASTSIDE WATER MAINS        8,955.00
319 RELOCATING WATER & SEWER    452.00
321 WIDENING WAPSI CREEK @ BE   9,321.00
324 WW TREATMT FAC IMP 2021    20,364.76
326 ROUNDABOUT MAIN & CEDAR-J  3,661.75
600 WATER FUND                  6,703.24
610 SEWER FUND                  405.93
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GRAND TOTAL:                    88,771.85
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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
FIRE OPERATION	GENERAL FUND	VERIZON WIRELESS	WIRELESS SERVICE	40.01
			TOTAL:	40.01
ROADS AND STREETS	GENERAL FUND	PROTECT YOUTH SPORTS	BACKGROUND CHECK	32.45
			TOTAL:	32.45
PARK & RECREATION	GENERAL FUND	HARRY'S CUSTOM TROPHIES LTD	4X6 OUTDOOR ZINC	150.00
		VERIZON WIRELESS	WIRELESS SERVICE	41.34
		PLAY IT AGAIN SPORTS	YOUTH SPORTS SUPPLIES	160.96
		HY-VEE ACCOUNTS RECEIVABLE	CONCESSION SUPPLIES	201.80
		AMAZON.COM.CA., INC.	CONCESSION SUPPLIES RETURN	79.94-
			YOUTH SPORTS SUPPLIES	29.99
			CONCESSION SUPPLIES	134.01
			CONCESSION SUPPLIES	79.94
		PROTECT YOUTH SPORTS	BACKGROUND CHECK	27.00
			TOTAL:	745.10
CEMETERY	GENERAL FUND	CEDAR COUNTY COOPERATIVE	FUEL BARREL FILL	496.65
			TOTAL:	496.65
COMM & CULTURAL DEVEL	GENERAL FUND	PURPLE COW RECORDS, INC.	HHTD MCVEY DEPOSIT	2,250.00
			TOTAL:	2,250.00
CLERK & TREASURER	GENERAL FUND	QUILL CORP	OFFICE SUPPLIES-CTY	4.42
			BLDG SUPPLIES-CITY	54.24
		PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE-CITY	166.67
			TOTAL:	225.33
LOCAL CABLE ACCESS	GENERAL FUND	MEDIACOM	CABLE SERVICE	41.90
			TOTAL:	41.90
TOWN HALL	CIVIC CENTER	QUILL CORP	BLDG SUPPLIES-TH	19.34
			TOTAL:	19.34
LIBRARY	LIBRARY	QUILL CORP	OFFICE SUPPLIES-LIBRARY	31.53
			OFFICE SUPPLIES	42.32
		KOCH OFFICE GROUP	COPIER MAINTENANCE	202.40
		CARRIE A HOURIGAN	CLEANING SERVICES-LIBRARY	322.00
			TOTAL:	598.25
ROADS & STREETS	ROAD USE TAX	VERIZON WIRELESS	WIRELESS SERVICE	110.24
		JOHN DEERE FINANCIAL	VEHICLE REPAIR PARTS	26.93
		MERCY IOWA CITY PHYSICIAN & CLINIC SER	DRUG TEST FEE - PW	23.00
			TOTAL:	160.17
WATER OPERATING	WATER FUND	VERIZON WIRELESS	WIRELESS SERVICE	110.24
		PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE-CITY	166.67
		PREMIER PARTS TIPTON	VEHICLE MAINTENANCE PARTS-	218.20
			CORE DEPOSIT RETURN CREDIT	9.00-
			TOTAL:	486.11
SEWER OPERATING	SEWER FUND	QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	804.75
		VERIZON WIRELESS	WIRELESS SERVICE	110.24
		PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE-CITY	166.66
		STATE INDUSTRIAL PRODUCTS	CHEMICALS	236.00
			TOTAL:	1,317.65

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
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===== FUND TOTALS =====				
001	GENERAL FUND			3,831.44
022	CIVIC CENTER			19.34
031	LIBRARY			598.25
110	ROAD USE TAX			160.17
600	WATER FUND			486.11
610	SEWER FUND			1,317.65

GRAND TOTAL:				6,412.96

TOTAL PAGES: 2

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
CAPITAL PROJECT	WW TREATMT FAC IMP	BOOMERANG CORP	WW TREATMENT PAY ESTIMATE	<u>1,265,515.11</u>
			TOTAL:	1,265,515.11

===== FUND TOTALS =====
324 WW TREATMT FAC IMP 2021 1,265,515.11

GRAND TOTAL: 1,265,515.11

TOTAL PAGES: 1

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	GENERAL FUND	EFTPS	FEDERAL WITHHOLDINGS	2,250.63
			SOCIAL SECURITY WITHHHOLDI	1,257.23
			MEDICARE WITHHOLDINGS	300.31
			TOTAL:	3,808.17
POLICE OPERATION	GENERAL FUND	BUSINESS RADIO SALES	ANTENNAS - PD	37.00
		US BANK CORPORATE CARD	CREDIT CARD PURCHASES	74.00
			CREDIT CARD PURCHASES	83.03
		ALLIANT ENERGY	SERVICES	181.34
		KIESLER POLICE SUPPLY, INC	AMMUNITION	179.58
			TOTAL:	554.95
FIRE OPERATION	GENERAL FUND	BUSINESS RADIO SALES	REPAIR MOTOROLA-FIRE	150.50
		US BANK CORPORATE CARD	CREDIT CARD PURCHASES	6.00
		ALLIANT ENERGY	SERVICES	520.67
		FIRE SERVICE TRAINING BUREAU	TRAINING BOOKS -FIRE	193.18
		CULLIGAN WATER TECHNOLOGIES	WATER SOFTNER SERVICE	63.48
		EMERGENCY SERVICES MARKETING CORP INC	EMERGENCY NOTIFICATION-FIR	735.00
			TOTAL:	1,668.83
STREET LIGHTING	GENERAL FUND	ALLIANT ENERGY	SERVICES	2,759.95
			TOTAL:	2,759.95
PARK & RECREATION	GENERAL FUND	US BANK CORPORATE CARD	CREDIT CARD PURCHASES	0.64-
			CREDIT CARD PURCHASES	12.00
			CREDIT CARD PURCHASES	408.82
			CREDIT CARD PURCHASES	21.98
		ALLIANT ENERGY	SERVICES	275.73
			TOTAL:	717.89
COMM & CULTURAL DEVEL	GENERAL FUND	US BANK CORPORATE CARD	CREDIT CARD PURCHASES	10.50-
		ALLIANT ENERGY	SERVICES	23.33
			TOTAL:	12.83
CLERK & TREASURER	GENERAL FUND	PLUNKETT'S PEST CONTROL INC	PEST CONTROL - CITY OFFICE	55.09
		US BANK CORPORATE CARD	CREDIT CARD PURCHASES	559.04
			CREDIT CARD PURCHASES	30.25
		ALLIANT ENERGY	SERVICES	242.51
			TOTAL:	886.89
LOCAL CABLE ACCESS	GENERAL FUND	US BANK CORPORATE CARD	CREDIT CARD PURCHASES	6.00
		ALLIANT ENERGY	SERVICES	100.00
			TOTAL:	106.00
TOWN HALL	CIVIC CENTER	PLUNKETT'S PEST CONTROL INC	PEST CONTROL - TOWN HALL	55.09
		ALLIANT ENERGY	SERVICES	614.85
			TOTAL:	669.94
NON-DEPARTMENTAL	LIBRARY	EFTPS	FEDERAL WITHHOLDINGS	538.86
			SOCIAL SECURITY WITHHHOLDI	374.54
			MEDICARE WITHHOLDINGS	87.60
			TOTAL:	1,001.00
LIBRARY	LIBRARY	US BANK CORPORATE CARD	CREDIT CARD PURCHASES	582.81
			CREDIT CARD PURCHASES	24.00
		ALLIANT ENERGY	SERVICES	854.42

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TOTAL:	1,461.23
NON-DEPARTMENTAL	ROAD USE TAX	EFTPS	FEDERAL WITHHOLDINGS	462.44
			SOCIAL SECURITY WITHHHOLDI	198.34
			MEDICARE WITHHOLDINGS	46.39
			TOTAL:	707.17
ROADS & STREETS	ROAD USE TAX	US BANK CORPORATE CARD	CREDIT CARD PURCHASES	30.00
		ALLIANT ENERGY	SERVICES	53.03
			TOTAL:	83.03
POLICE OPERATIONS	TRUST AND AGENCY	EFTPS	SOCIAL SECURITY WITHHHOLDI	538.03
			MEDICARE WITHHOLDINGS	125.83
			TOTAL:	663.86
BUILDING INSPECTIONS	TRUST AND AGENCY	EFTPS	SOCIAL SECURITY WITHHHOLDI	104.74
			MEDICARE WITHHOLDINGS	24.49
			TOTAL:	129.23
ROADS & STREETS	TRUST AND AGENCY	EFTPS	SOCIAL SECURITY WITHHHOLDI	254.92
			MEDICARE WITHHOLDINGS	59.62
			TOTAL:	314.54
LIBRARY	TRUST AND AGENCY	EFTPS	SOCIAL SECURITY WITHHHOLDI	374.54
			MEDICARE WITHHOLDINGS	87.60
			TOTAL:	462.14
PARK & RECREATION	TRUST AND AGENCY	EFTPS	SOCIAL SECURITY WITHHHOLDI	245.16
			MEDICARE WITHHOLDINGS	57.33
			TOTAL:	302.49
CEMETERY	TRUST AND AGENCY	EFTPS	SOCIAL SECURITY WITHHHOLDI	80.81
			MEDICARE WITHHOLDINGS	18.90
			TOTAL:	99.71
MAYOR AND COUNCIL	TRUST AND AGENCY	EFTPS	MEDICARE WITHHOLDINGS	6.31
			TOTAL:	6.31
CLERK & TREASURER	TRUST AND AGENCY	EFTPS	SOCIAL SECURITY WITHHHOLDI	201.08
			MEDICARE WITHHOLDINGS	47.03
			TOTAL:	248.11
LOCAL CABLE ACCESS	TRUST AND AGENCY	EFTPS	SOCIAL SECURITY WITHHHOLDI	30.86
			MEDICARE WITHHOLDINGS	7.22
			TOTAL:	38.08
NON-DEPARTMENTAL	WATER FUND	EFTPS	FEDERAL WITHHOLDINGS	320.94
			SOCIAL SECURITY WITHHHOLDI	210.72
			MEDICARE WITHHOLDINGS	49.29
			TOTAL:	580.95
WATER OPERATING	WATER FUND	EFTPS	SOCIAL SECURITY WITHHHOLDI	210.72
			MEDICARE WITHHOLDINGS	49.29
		ALLIANT ENERGY	SERVICES	4,575.81
			TOTAL:	4,835.82

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	SEWER FUND	EFTPS	FEDERAL WITHHOLDINGS	222.67
			SOCIAL SECURITY WITHHHOLDI	152.74
			MEDICARE WITHHOLDINGS	35.73
			TOTAL:	411.14
SEWER OPERATING	SEWER FUND	EFTPS	SOCIAL SECURITY WITHHHOLDI	152.71
			MEDICARE WITHHOLDINGS	35.70
		ALLIANT ENERGY	SERVICES	1,766.09
			TOTAL:	1,954.50

===== FUND TOTALS =====

001	GENERAL FUND	10,515.51
022	CIVIC CENTER	669.94
031	LIBRARY	2,462.23
110	ROAD USE TAX	790.20
112	TRUST AND AGENCY	2,264.47
600	WATER FUND	5,416.77
610	SEWER FUND	2,365.64

 GRAND TOTAL: 24,484.76

Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319)351-2277
Return to: City of West Branch, 110 N. Poplar Street, P.O. Box 218, West Branch, Iowa 52358 (319)643-5888

ORDINANCE NO. 797

AN ORDINANCE RE-ZONING THAT CERTAIN PARCEL OF REAL PROPERTY LOCATED AT 154 OHRT STREET FROM R-1 RESIDENCE DISTRICT TO R-2 RESIDENCE DISTRICT.

WHEREAS, the owner of 154 Ohrt Street has petitioned the City of West Branch for a zoning district amendment for properties located in the Pederson Valley subdivision, said parcel being legally described as:

Lot 54, Pedersen Valley, Part Four, West Branch, Cedar County, Iowa (the “Parcel”).

WHEREAS, the owner has requested that the Parcel be rezoned to be located in an R-2 Residence Business District, in place of an R-1 Residence 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 Residence District in place of R-1 Residence 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 November, 2022.

Read First Time: October 3, 2022
Read Second Time: October 17, 2022
Read Third Time: November 7, 2022

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319)351-2277
Return to: City of West Branch, 110 N. Poplar Street, P.O. Box 218, West Branch, Iowa 52358 (319)643-5888

ORDINANCE NO. 798

AN ORDINANCE RE-ZONING THAT CERTAIN PARCELS 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.

WHEREAS, BBCO, LLC, has petitioned the City of West Branch for a zoning district amendment for properties located north of E. Main Street and west of N. 4th Street, said parcel being legally described as:

All that portion of former Depot Street as shown in the 1901 Replat of West Branch, Iowa, as shown in Book S, pages 351-353, Recorder's Office, Cedar County, Iowa, and more particularly described as follows: Beginning at the NW corner of Lot Five (5), Block Thirteen (13) in the Town of West Branch, Cedar County, Iowa; thence westerly 20.48 feet along the northerly line of said Lot Five (5) produced westerly to a point; thence northerly along a straight line to the NW corner of Lot Ten (1), said Block Thirteen (13), thence southeasterly along the westerly line of said Block Thirteen (13) to a point of beginning; and also

Lots Six (6), Seven (7) and Eight (8) in Block Thirteen (13) in the Original Town of Cameron, now West Branch, Cedar County, Iowa; also beginning at the NE corner of Lot Seven (7) of Block Thirteen (13) of the plat of the Original Town of Cameron as recorded in Book E at pages 436-438 of the Town Lot Deed Records of Cedar County, Iowa; thence north to the SE corner of Lot Eight (8) in said Block Thirteen (13); thence west along the south line of said Lot Eight (8) to the SW corner of Lot Eight (8); thence south to the NW corner of Lot Seven (7) of said Block Thirteen (13); thence east along the north line of Lot Seven (7) to the place of beginning; and also

Beginning at the NW corner of Lot 5 in Block 13, 1901 Replat of West Branch, Cedar County, Iowa, as shown in Book S, pages 351-353, Recorder's Office of Cedar County, Iowa; thence northerly to the SW corner of Lot 6 in Block 13; thence westerly along the southerly border of said Lot 6 to the SW corner thereof; thence southeasterly along the northern lot line of said Lot 5 to the point of beginning; and also

Lot 9, Block 13 in the Original Town of Cameron, now West Branch, Cedar County, Iowa; and also

That portion of Wapsi Creek Park shown on that certain preliminary plat of Heritage Hill Subdivision, West Branch, Iowa. (*the "Parcel"*).

WHEREAS, the owner has requested that the Parcel be rezoned to be located in a Planned Unit Development District, in place of an R-3 Residence 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 Planned Unit Development District in place of R-3 Residence 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 November, 2022.

Read First Time: October 3, 2022
Read Second Time: October 17, 2022
Read Third Time: November 7, 2022

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

ORDINANCE NO. 799

AN ORDINANCE 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.

BE IT ORDAINED by the City Council of the City of West Branch, Iowa:

Section 1. Amendment. The Code of Ordinances of the City of West Branch, Iowa, is hereby amended by adding and incorporating Chapter 25 entitled “Historic Preservation,” which reads as follows:

“25.01. PURPOSE AND INTENT.

The purpose of this ordinance is to:

- a. Promote the educational, cultural, economic and general welfare of the public through the recognition, enhancement, and perpetuation of sites and districts of historical and cultural significance;
- b. Safeguard the City's historic, aesthetic, and cultural heritage by preserving sites and districts of historic and cultural significance;
- c. Stabilize and improve property values;
- d. Foster pride in the legacy of beauty and achievements of the past;
- e. Protect and enhance the City's attractions to tourists and visitors and the support and stimulus to business thereby provided;
- f. Strengthen the economy of the City;
- g. Promote the use of sites and districts of historic and cultural significance as places for the education, pleasure, and welfare of the people of the City.

25.02. DEFINITIONS.

- a. Commission. The City of West Branch Historic Preservation Commission, as established by this ordinance.
- b. Historic District. An area which contains a significant portion of sites including archaeological sites, buildings, structures, objects and/or other improvements which, considered as a whole, possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and
 1. embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or
 2. that represents a significant and distinguishable entity whose components may lack individual distinction; or

3. is associated with events that have made significant contributions to the broad patterns of our local, state or national history; or
4. possesses a coherent and distinctive visual character or integrity based upon similarity of scale, design, color, setting, workmanship, materials, or combinations thereof, which is deemed to add significantly to the value and attractiveness of properties within such area.
5. is associated with the lives of persons significant in our past; or
6. has yielded, or may be likely to yield, information important in prehistory or history.

c. Historic Landmark. A site including archaeological sites, object, structure or building which,

1. is associated with events that have made a significant contribution to the broad patterns of our history; or
2. is associated with the lives of persons significant in our past; or
3. embodies the distinctive characteristics of a type, period, or method of construction, or that represents a work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; or
4. has yielded, or may be likely to yield, information important in prehistory or history.

d. Districts

1. “West Branch Historic District” consists of any building in West Branch that is listed on the National Register of Historic Places. All of the terms of this chapter apply to property located within the West Branch Historic District. (See Map included in the Appendix to this Code of Ordinances.)

2. “West Branch Preservation District” consists of all of those properties located within the West Branch Historic District, together with all of those properties in the West Branch Preservation District, as shown on the map included in the Appendix to this Code of Ordinances. The provisions of this chapter relating to signs apply to property located within the West Branch Preservation District. Any properties adjacent to a district, may be included in the West Branch Preservation District upon application of the property owner to the City Office. (See form of application in the Appendix to this Code of Ordinances.)

3. “West Branch Underground Railroad Preservation District” consist of any building or site in West Branch known to be affiliated with the underground railroad; or is a nearby property or site affiliated with the West Branch Underground Railroad. (See Map included in the Appendix to this Code of Ordinances.)

25.03. WEST BRANCH HISTORIC PRESERVATION COMMISSION.

- a. The Commission shall initially consist of (not less than three, 3) members who shall be residents of the City.

- b. Members of the Commission shall be appointed by the Mayor with the advice and consent of the City Council. Members shall demonstrate a positive interest in historic preservation, possessing interest or expertise in architecture, architectural history, historic preservation, city planning, building rehabilitation, conservation in general or real estate.
- c. The original appointment of the members of the Commission shall be, three for two years, and two for three years, from January 1 following the year of such appointment or until their successor is appointed to serve for a term of three years.
- d. Vacancies occurring in the Commission, other than expiration of term of office, shall be only for the unexpired portion of the term of the member replaced.
- e. Members may serve for more than one term and each member shall serve until the appointment of a successor.
- f. Vacancies shall be filled by the City according to the original selection as aforesaid.
- g. Members shall serve without compensation.
- h. A simple majority of the commission shall constitute a quorum for the transaction of business.
- i. The Commission shall elect a Chairman who shall preside over all Commission meetings and elect a Secretary who shall be responsible for maintaining written records of the commission's proceedings.
- j. The Commission shall meet at least three (3) times a year.

Because the West Branch Historic Preservation Commission has a strong interest in liaison with organizations that have a special affinity with local history, the Commission may recommend to the Mayor and Council that up to three Ex. Officio (non-voting) honorary members be appointed to the Commission by the Mayor with the advice and consent of the City Council. These Ex. Officio (non-voting) honorary members may be representatives of the Herbert Hoover National Historic Site, the Herbert Hoover Presidential Library-Museum and the Hoover Presidential Foundation.

25.04. POWERS OF THE COMMISSION.

- a. The Commission may conduct studies for the identification and designation of historic districts and landmarks meeting the definitions established by this ordinance. The commission may proceed at its own initiative or upon a petition from any person, group, or association. The Commission shall maintain records of all studies and inventories for public use.
- b. The Commission may make a recommendation to the State Historic Preservation Office for the listing of a historic district or landmark in the National Register of Historic Places and may conduct a public hearing thereon.
- c. The Commission may investigate and recommend to the City Council the adoption of ordinances designating historic landmarks and historic districts if they qualify as defined herein; and
- d. Provide information for the purpose of historic preservation to the governing body.

- e. Promote and conduct an educational and interpretive program on historic properties within its jurisdiction.
- f. Other Powers. In addition to those duties and powers specified above, the Commission may, with City Council approval:
 - i. Accept unconditional gifts and donations of real and personal property, including money, for the purpose of historic preservation.
 - ii. Acquire by purchase, bequest, or donation, fee and lesser interests in historic properties, including properties adjacent to or associated with historic properties.
 - iii. Preserve, restore, maintain and operate historic properties, under the ownership or control of the Commission.
 - iv. Lease, sell, and otherwise transfer or dispose of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property.
 - v. Contract, with the approval of the governing body, with the state or the federal government or other organizations. Cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation.

25.05. PERMIT REQUIRED. It is unlawful for any person to begin new construction or to make any external alteration or repairs, including signs, in any manner whatsoever to any building within the confines of the Historic District, or to install or change a sign within the Preservation District, without first obtaining a permit as provided herein. Permits may be found and turned in at the City Office.

25.06. APPLICATION. Applicants for permit under this chapter must file with the City Administrator an application in writing on a form furnished for such purpose, which shall give the following information:

1. Name of applicant and property owner.
2. Permanent address of applicant and full address of property owner.
3. A detailed description of the nature of the proposed construction, external alteration and/or repair to the building.
4. A drawing or sketch of proposed construction or external alteration.
5. The intended start and finish dates for alteration and/or repair.

(See the Appendix to this Code of Ordinances for Permit Application Form.)

25.07. ADMINISTRATIVE REVIEW AUTHORITY. The City Administrator or designee and the Historic Preservation Commission Chair, will have authoritative review rights on window decals that meet design standards. The Historic Preservation Commission will be the appeal board on window decal administrative review.

25.08. INVESTIGATION AND ISSUANCE.

1. Upon receipt of application for permit under this chapter by the City Administrator or designated alternate, the application shall be checked for compliance with the City of West Branch Building Codes within five (5) days. It shall also be referred upon receipt to the Chairperson of the West Branch Preservation Commission.
2. Applications for construction, alterations and/or repairs not in compliance with City of West Branch Building Codes will be returned to the applicant with a complete explanation of changes necessary for compliance.
3. Upon receipt of application, the Chairperson of the West Branch Preservation Commission shall call a meeting of said Commission. The Commission shall approve or disapprove the application by majority vote based on the *Basic Standards for the Restoration and Rehabilitation of Historic Structures, Standards for Signage Design and Display, Checklist and Example of Prohibited Signs*. (See Appendix to this Code of Ordinances.) The application and a report of Commission action shall be returned to the Mayor within ten (10) calendar days from date of receipt.
4. Upon receipt of the application and report from the West Branch Preservation Commission, the City Administrator or designated agent will issue a permit to authorize construction, alterations and repairs receiving approval of the Commission. The permit shall be issued within twelve (12) calendar days from the date of the application. The permit fee shall be \$10.00.
5. Upon receipt of an unfavorable report from the West Branch Preservation Commission, the City Administrator or his or her assigned agent will notify applicant of the rejection and the reason therefor. The applicant will also be informed in the same notification that the rejection can be appealed through the Council at the following regular meeting, or that a revised application may be submitted to the Commission for review.
6. The Council shall serve as an arbitrator on all appeals. The Council shall decide within 30 days of an appeal. An appeal of the decision of Council, if any, must be made with the Clerk of District Court within 60 days of the decision of Council.

25.09. VIOLATION. Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor; if such violation continues, each day's violation shall be considered a separate offense.

25.10. NONCONFORMING SIGNS. All signs installed or displayed on September 9, 1991, are allowed to remain. All signs installed or displayed subsequent to September 9, 1991, and all future signs, including replacements or modifications, must fully comply with this chapter. Variances may be granted upon showing of undue hardship. Before any variance is granted the following conditions must be shown to be present: the sign must be located outside a building and must display a trademark or symbol recognized State-wide or nationally.

25.11. AMENDATORY PROVISIONS.

The City may amend this ordinance to meet any unforeseen circumstances which may affect the duties and responsibilities of the Commission.”

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 November, 2022.

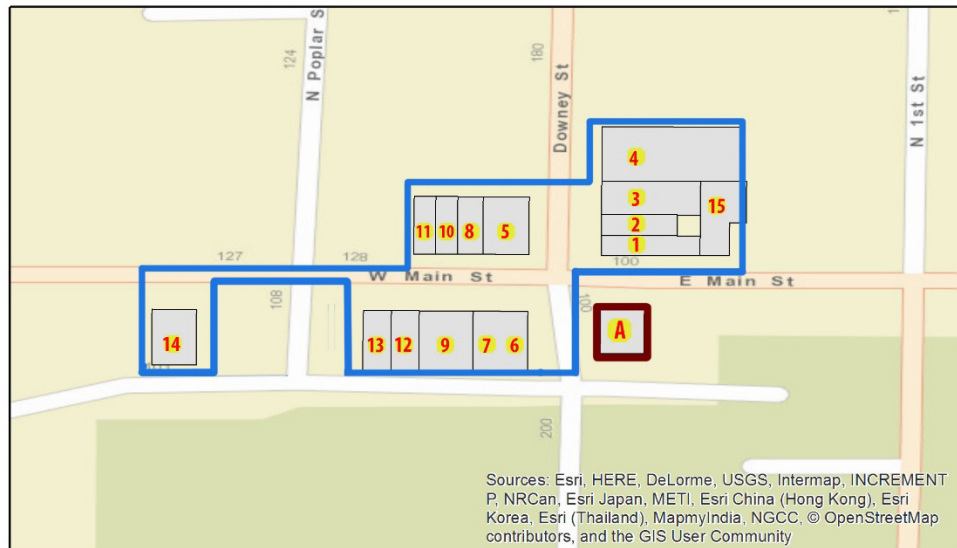
First Reading:	October 3, 2022
Second Reading:	October 17, 2022
Third Reading:	November 7, 2022

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

West Branch Preserved Historic Buildings



Legend

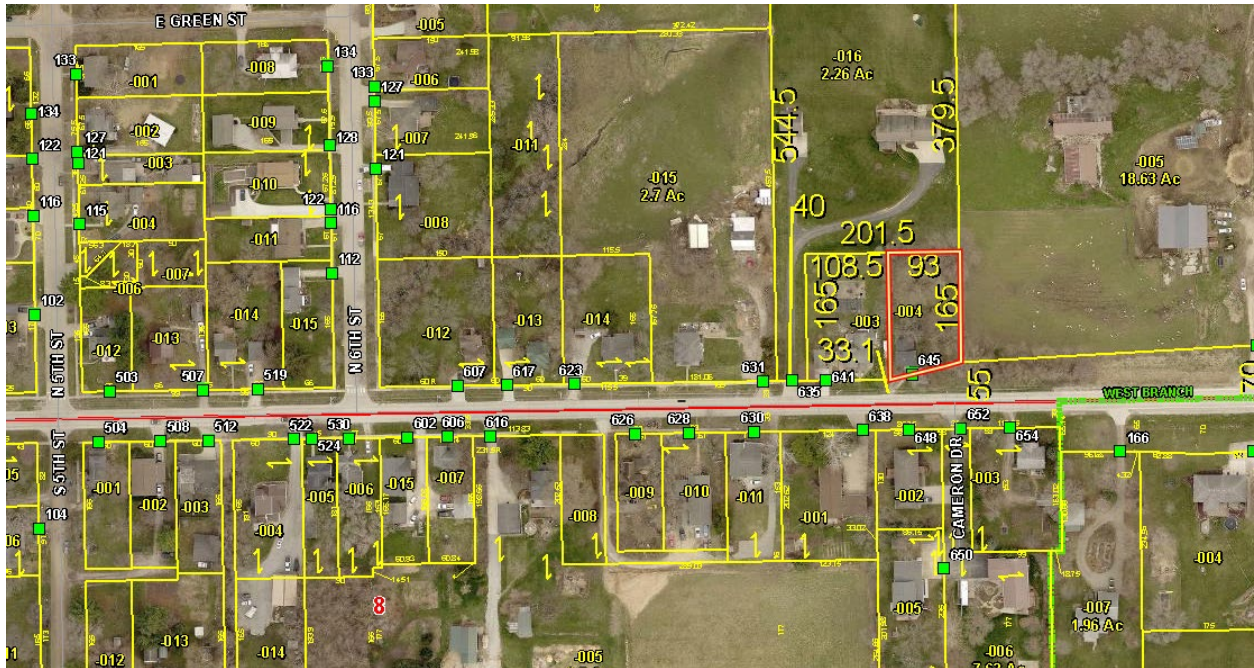
- Preserved Buildings
- Historic District
- Preservation District

Building Legend

1. Citizen's Savings Bank (1908)
2. Leech Building (1912)
3. Leech-Gruwell Garage (1911)
4. Opera Block (1895)

5. Old West Branch State Bank (1916)
6. Crook's Hotel/Hoover House (1870)
7. West Branch Bank (1875)
8. Veterans Memorial Building (1947)
9. Union Block (1895)
10. Patterson-Leech Building (1890)

11. Gruwell-Crew Building (1894)
12. Earliest Citizen's Savings Bank (1898)
13. Grinnell Building (1869)
14. Enlow Building (1904)
15. Rich and Bailey Block (1895)
- A- Albin-Douglass Building



Red: West Branch Underground Railroad Preservation District, selected property is known as Townsend's Traveler's Rest.

ORDINANCE 800

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED ON CERTAIN LOTS IN THE MEADOWS, PART 4A AND PART 4B, WEST BRANCH, IOWA, IN THE CITY OF WEST BRANCH, COUNTY OF CEDAR, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF WEST BRANCH, COUNTY OF CEDAR, WEST BRANCH COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH SAID WEST BRANCH URBAN RENEWAL AREA.

WHEREAS, KLM Investments, LLC and the City of West Branch entered into that certain development agreement for the construction of a project located in the Meadows Subdivision, Parts 4A and 4B, West Branch, Iowa; and

WHEREAS, the following properties are located in the West Branch Urban Renewal Area:

- a. Lot 7, The Meadows Subdivision, Part 4A, West Branch, Iowa
- b. Lot 27, The Meadows Subdivision, Part 4A, West Branch, Iowa
- c. Unit A, Lot 9, The Meadows Subdivision, Part 4B, West Branch, Iowa
- d. Unit B, Lot 9, The Meadows Subdivision, Part 4B, West Branch, Iowa
- e. Unit A, Lot 10, The Meadows Subdivision, Part 4B, West Branch, Iowa
- f. Unit B, Lot 10, The Meadows Subdivision, Part 4B, West Branch, Iowa
- g. Unit A, Lot 11, The Meadows Subdivision, Part 4B, West Branch, Iowa
- h. Unit B, Lot 11, The Meadows Subdivision, Part 4B, West Branch, Iowa
- i. Unit A, Lot 14, The Meadows Subdivision, Part 4B, West Branch, Iowa
- j. Unit B, Lot 14, The Meadows Subdivision, Part 4B, West Branch, Iowa
- k. Unit A, Lot 15, The Meadows Subdivision, Part 4B, West Branch, Iowa
- l. Unit B, Lot 15, The Meadows Subdivision, Part 4B, West Branch, Iowa
- m. Unit A, Lot 18, The Meadows Subdivision, Part 4B, West Branch, Iowa
- n. Unit B, Lot 18, The Meadows Subdivision, Part 4B, West Branch, Iowa
- o. Unit A, Lot 19, The Meadows Subdivision, Part 4B, West Branch, Iowa
- p. Unit B, Lot 19, The Meadows Subdivision, Part 4B, West Branch, Iowa
- q. Unit A, Lot 20, The Meadows Subdivision, Part 4B, West Branch, Iowa
- r. Unit B, Lot 20, The Meadows Subdivision, Part 4B, West Branch, Iowa
- s. Unit A, Lot 21, The Meadows Subdivision, Part 4B, West Branch, Iowa
- t. Unit B, Lot 21, The Meadows Subdivision, Part 4B, West Branch, Iowa
- u. Unit A, Lot 22, The Meadows Subdivision, Part 4B, West Branch, Iowa
- v. Unit B, Lot 22, The Meadows Subdivision, Part 4B, West Branch, Iowa
- w. Unit A, Lot 23, The Meadows Subdivision, Part 4B, West Branch, Iowa
- x. Unit B, Lot 23, The Meadows Subdivision, Part 4B, West Branch, Iowa
- y. Unit A, Lot 24, The Meadows Subdivision, Part 4B, West Branch, Iowa
- z. Unit B, Lot 24, The Meadows Subdivision, Part 4B, West Branch, Iowa
- aa. Unit A, Lot 25, The Meadows Subdivision, Part 4B, West Branch, Iowa
- bb. Unit B, Lot 25, The Meadows Subdivision, Part 4B, West Branch, Iowa

(collectively the “Properties”); and

WHEREAS, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the West Branch Urban Renewal Area, and the continuing needs of redevelopment of the Property within the West Branch Urban Renewal Area are such as to require the continued application of the incremental tax resources of the West Branch Urban Renewal Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST BRANCH, IOWA, THAT:

Section 1: The taxes levied against the Properties by and for the benefit of the State of Iowa, City of West Branch, County of Cedar, West Branch Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2: As to the Properties, that portion of the taxes which would be produced by the rate at which the tax is levied each year by and for each of the taxing districts taxing the Property in the West Branch Urban Renewal Area upon the total sum of the assessed value of Property, being the first day of the calendar year preceding the effective date of this Ordinance, that date being January 1, 2021, shall be allocated to and when collected be paid into a fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. The taxes so determined may be referred to herein as the “base period taxes.”

Section 3: That portion of the taxes each year in excess of base period taxes for the Properties shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of West Branch to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of West Branch, Iowa to finance or refinance, in whole or in part, urban renewal projects undertaken within the West Branch Urban Renewal Area pursuant to the Urban Renewal Plan, as amended.

Section 4: At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of West Branch referred to in Section 3 hereof have been paid, or the City has provided for the division of taxes for a total of twenty (20) fiscal years, whichever is sooner, all monies thereafter received from taxes upon the Property shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 5: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the West Branch Urban Renewal Area and the territory contained therein.

Section 6: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this ____ day of December, 2022.

First Reading: November 7, 2022

Second Reading:

Third Reading:

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

RESOLUTION 2022-98

RESOLUTION APPROVING A PARTIAL ACQUISITION AGREEMENT WITH KLM INVESTMENTS, LLC.

WHEREAS, the City of West Branch and Johnson County, Iowa, have entered into a 28E Agreement to construct certain street improvements at the intersection of Cedar-Johnson Road and Main Street (the “Project”); and

WHEREAS, as part of the Project, the City needs to acquire some property from KLM Investments, LLC; and

WHEREAS, to that end, the parties have negotiated a Partial Acquisition Agreement whereby the City will acquire the Property for the Project from KLM Investments, LLC; and

WHEREAS, it is now necessary for the City Council to approve said agreement.

NOW, THEREFORE, It Is Resolved by the Council of the City of West Branch, Iowa, that the City Council of the City of West Branch that the aforementioned Partial Acquisition Agreement is hereby approved. Further, the Mayor and City Clerk are hereby directed to execute the agreement on behalf of the City.

Passed and approved this 7th day of November, 2022.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

PARTIAL ACQUISITION AGREEMENT

THIS PARTIAL ACQUISITION Agreement (the “Agreement”) is made and entered into by and between the City of West Branch, an Iowa municipal corporation, 110 N. Poplar Street, West Branch, Iowa 52358, hereinafter referred to as the “City”; and KLM Investments, LLC, PO Box 698, West Branch, Iowa 52358, hereafter referred to as the “KLM.”

WHEREAS, KLM is the owner of that certain real property generally referred to as the Meadows Subdivision, which is located adjacent to and east of Cedar-Johnson Road and adjacent to and north of W. Main Street in the City (the “Property”); and

WHEREAS, the City is jointly constructing a roundabout intersection at the intersection of Cedar-Johnson Road and W. Main Street, said project being constructed by Johnson County (the “Project”)

WHEREAS, in order to facilitate future street improvements along W. Main Street, the City desires to acquire a portion of the Property that is shown on Exhibit “A” attached hereto and incorporated herein by this reference (the “Right-of-Way”); and

WHEREAS, KLM desires to take possession of excess fill and dirt generated by the Project.

NOW THEREOFRE, FOR THE MUTUAL PROMISES AND COVENANTS HEREIN CONTAINED AND OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

1. That contemporaneously with the execution of this Agreement, KLM shall execute a Warranty Deed attached hereto as Exhibit “B.” City agrees that if the City desires to obtain an abstract of title for the property depicted on Exhibit “B,” the City shall do so at its sole expense.

2. In exchange for executing this Agreement and the Quit Claim Deed, the City will pay to Owner the sum of \$25,775.00, which represents \$1.00 per square foot for the acquisition. Said \$25,775.00 shall be paid to KLM after obtaining a mortgage release for the right-of-way to be recorded with the warranty deed.

3. That contemporaneously with the execution of this Agreement, KLM shall also execute the Temporary Construction Easement in the form shown on Exhibit "C" attached hereto.

4. As part of the Project, the City will cause the excess fill to be placed upon the Property under the following conditions:

- a. Firstly, the excess fill will be placed along the Property's frontage with Cedar-Johnson Road in a location agreed to among the parties.
- b. Any excess fill available after completing the fill along Cedar-Johnson Road will be stockpiled on the Property near the terminus of Orange Street.
- c. City shall be responsible for placing appropriate erosion control and seeding on the fill and stockpile.

5. City agrees to pay all costs of recording necessary to complete this transaction.

6. The covenants contained herein shall inure to the benefit to the successors in interest to this Agreement.

Dated this _____ day of _____, 2022.

CITY OF WEST BRANCH:

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on this _____ day of _____, 2022, by Roger Laughlin and Leslie Brick as Mayor and City Clerk respectively of the City of West Branch, Iowa.

Notary Public

SIGNATURE PAGE OF KLM INVESTMENTS, LLC
PARTIAL ACQUISITION AGREEMENT

By:_____

Print name and title

STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on this _____ day of _____, 2022, by _____ as Manager of KLM Investments, LLC.

Notary Public

EXHIBIT "A"
PLAT OF SURVEY

EXHIBIT “B”
FORM OF WARRANTY DEED

Return To: City of West Branch, Iowa, 110 N. Poplar Street, West Branch, Iowa 52358

Preparer: Kevin D. Olson, 1400 5th Street, P.O. Box 5127, Coralville, IA 52241, (319) 351-2277

Taxpayer: City of West Branch, Iowa, 110 N. Poplar Street, West Branch, Iowa 52358



WARRANTY DEED

For the consideration of One Dollar(s) and other valuable consideration, KLM Investments, LLC, does hereby Convey to City of West Branch, Iowa, an Iowa municipal corporation, the following described real estate in CEDAR County, Iowa:

That part of Auditor's Parcel G of the SW ¼ SW ¼ in Section 6, Township 79 North, Range 4 West of the 5th P.M. in the City of West Branch, Cedar County, Iowa, as re-recorded in Book I in Page 103, of the Cedar County Records, and more particularly described on that certain Right-of-Way Acquisition Plat thereof recorded in Book ____ at Page ____, Plat Records of Cedar County, Iowa.

Exemption: Section 428A.2(21) of the Code of Iowa.

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and Convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: _____, 2022.

By: _____

STATE OF **IOWA**, COUNTY OF **CEDAR**:

This record was acknowledged before me on _____, 2022 by
_____ as Manager of KLM Investments, LLC.

Signature of Notary Public

EXHIBIT "C"
FORM OF TEMPORARY CONSTRUCTION EASEMENT

Prepared by:

Kevin D. Olson
West Branch City Attorney

1400 5th Street, PO Box 5640
Coralville, Iowa

(319) 351-2277
facsimile (319) 351-2279

Return to: City of West Branch, Iowa 110 N. Poplar Street, West Branch, Iowa 52358

TEMPORARY CONSTRUCTION EASEMENT

THIS AGREEMENT, made and entered into by and between the **City of West Branch Iowa**, a municipal corporation, 1512 7th Street, Coralville, Iowa 52241, hereinafter referred to as “GRANTEE,” and **KLM Investments, LLC**, PO Box 698, West Branch, Iowa 52358, hereinafter collectively referred to as “GRANTOR.”

FOR THE PARTIES’ JOINT AND MUTUAL CONSIDERATION IT IS HEREBY
AGREED AS FOLLOWS:

1. THAT UNDERSIGNED GRANTOR states that the GRANTOR is the lawful owner of certain real estate generally legally described on Exhibit “A” attached hereto and incorporated into this Agreement by this reference.
2. That the GRANTOR hereby covenants that the GRANTOR is lawfully seized and possessed of the real estate described above, and that the GRANTOR has a good and lawful right to grant the temporary easement described herein.
3. That the GRANTOR hereby grants and conveys to the GRANTEE a temporary construction easement in the area shown on Exhibit “A” attached hereto (“Easement Area”), to facilitate the placement of excess fill, grading, erosion control and seeding in the City of West Branch, Iowa (the “Project”).
4. The term of this temporary construction easement will be for a period of time required by GRANTEE to complete the construction and acceptance of the Project by the West Branch City Council, but in no event will exceed the term of one (1) year from the date of entering the Property.
5. GRANTEE shall repair any damage to the Easement Area caused by it during the construction and development of the Project, excepting the placement of fill and stockpiling of excess fill from the Project on the Property.

6. GRANTEE shall not materially change the configuration of the Easement Area without GRANTOR'S prior written consent. Following Completion of the Project, the GRANTEE shall restore and replace the Easement Area to the approximate state that the Easement Area was prior to construction of the Project.
7. GRANTOR reserves the right to use Easement Area for purposes which will not interfere with GRANTEE'S full enjoyment of the rights hereby granted, provided that the GRANTOR shall not erect or construct any building, fence, retaining walls, or other structure, plant any trees, drill or operate any well, or construct any reservoir or other obstruction which will in any way interfere with GRANTEE'S construction of the Project.
8. That the GRANTEE shall indemnify GRANTOR against (i) any loss, damage or injury to GRANTOR or the Easement Area, and (ii) any loss, damage, injury, claim or other liability to any third party which may occur as a result of the GRANTEE'S, or its representatives', agents', or contractors' exercise of the easement rights granted hereunder by the GRANTOR, except for loss which may be occasioned by a diminution in business or personal use.
9. That the GRANTOR acknowledges that possession of the Easement Area is the essence of this Agreement and the GRANTOR does hereby grant the GRANTEE immediate possession of said Easement Area.
10. That the GRANTOR states and warrants that there is no known well, solid waste disposal site, hazardous substances, or underground storage tanks on the Easement Area.
11. That provisions hereof shall inure to the benefit of and bind the heirs, successors, personal representatives and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.
12. That this written Temporary Construction Easement Agreement shall be fully binding upon the parties hereto. No waiver, change, modification or amendment of this Agreement shall be binding upon the GRANTOR or the GRANTEE unless in writing and signed by both parties. The waiver by either party of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach of that provision or of any other provision or condition in this Agreement.
13. That this written Temporary Construction Easement Agreement is intended to set forth all of the commitments, responsibilities and obligations as between the GRANTOR and the GRANTEE in connection with the easement rights granted herein. Accordingly, the terms of this Agreement supersede and replace all prior oral negotiations and written documentation provided to facilitate negotiation of the easement rights granted herein.

Dated this _____ day of _____, 2022.

GRANTOR:
KLM Investments, LLC

GRANTEE:
City of West Branch, Iowa

By: _____

By: _____
Roger Laughlin, Mayor

Print name and title

ATTEST:

Leslie Brick, City Clerk

STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on this ____ day of _____, 2022, by Roger Laughlin and Leslie Brick, as Mayor and City Clerk of the City of West Branch, Iowa.

A Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on this _____ day of _____, 2022, by _____ as _____ of KLM Investments, LLC.

A Notary Public in and for the State of Iowa

PLOTTED: Tuesday, October 11, 2022 12:39:08 PM

X-REFS: FILE PATH: Z:\WEST BRANCH 368291 HHH AND CEDAR JOHNSON ROUNDABOUT\SURVEY\AC-02 KLM INVESTMENTS LLC

RIGHT-OF-WAY ACQUISITION PLAT

FOR THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA

INDEX LEGEND

COUNTY: CEDAR
SECTION: 6 TOWNSHIP: 79 RANGE: 4
ALIQUOT PART: SW 1/4, SW1/4

CITY: WEST BRANCH, IOWA

PROPRIETOR: KLM INVESTMENTS LLC

PREPARED BY: CHRISTOPHER D. HIGGINS,
PLS 19452
VEENSTRA & KIMM INC.
9600 UNIVERSITY PARKWAY - SUITE 1
CORALVILLE, IA 52241
(319) 466-1000

SURVEY PREPARED BY: CHRISTOPHER D. HIGGINS, VEENSTRA AND KIMM INC. - 2600 UNIVERSITY PARKWAY - SUITE 1 - CORALVILLE, IA 52241 - (319) 466-1000

Right-of-Way Acquisition Legal Description

Right-of-Way Acquisition in Auditor's Parcel G of the Southwest Fractional Quarter of the Southwest Fractional Quarter in Section 6, Township 79 North, Range 4 West of the 5th P.M. in the City of West Branch, Cedar County, Iowa as recorded in Book I on Page 103 of the Cedar County Records, more particularly described as follows:

Beginning at the Southwest Corner of said Auditor's Parcel G; thence N01°19'12"W, 365.32 feet along the East Right-of-Way of Cedar-Johnson Road; thence N88°40'47"E, 10.00 feet; thence S01°19'12"E, 249.88 feet; thence S18°25'58"E, 65.00 feet; thence S65°19'34"E, 60.00 feet; thence N87°17'32"E, 736.71 feet; thence S02°51'03"E, 25.00 feet to a point on the Northerly Right-of-Way of West Main Street; thence S87°17'32"W, 820.46 feet along said Northerly Right-of-Way to the Point of Beginning. Containing 25,775 Square Feet, more or less.

OUTLOT A
THE MEADOWS SUBDIVISION PART 4A
CEDAR COUNTY RECORDER'S
REC: BK 1492, PG 39-61

LEGEND

- - FOUND PROPERTY CORNER - 5/8" REBAR UNLESS OTHERWISE NOTED
- - SET 5/8" x 30" REBAR WITH PLASTIC ORANGE CAP #19452, UNLESS OTHERWISE NOTED
- ▲ - FOUND SECTION CORNER AS NOTED
- (xx) - RECORD DISTANCE OR BEARING
- PARCEL BOUNDARY
- - - - - PROPERTY LINES
- - - - - EASEMENT LINES
- - - - - R.O.W. LINES
- - - - - SECTION LINES
- - - - - CENTER LINE
- - RIGHT-OF-WAY ACQUISITION - 25,775 SQ.FT.

DATE SURVEYED 9-1-2022

PROPRIETOR: KLM INVESTMENTS LLC

SURVEY PREPARED FOR: CITY OF WEST BRANCH, IOWA

BASIS OF BEARING: NAD83 IOWA STATE PLANE
COORDINATE SYSTEM SOUTH ZONE 1402 AS
BROADCAST BY THE IOWA REAL TIME NETWORK.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Christopher D. Higgins 10/11/2022
Date

License Number 19452
My license renewal date is December 31, 2022
Pages or sheets covered by this seal: PS-01

DATE	REVISIONS	SCALE	AS NOTED
		DRAWN	BCT
		CHECKED	DRS
		APPROVED	CDH
		DATE	9-7-2022
		ISSUED FOR	



HHH AND CEDAR JOHNSON ROUNDABOUT
CITY OF WEST BRANCH

2600 University Parkway, Suite 1 • Coralville, Iowa 52241
319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

RIGHT-OF-WAY ACQUISITION
AUDITOR'S PARCEL G
SW1/4-SW1/4 SEC 6-T79N-R4W

DWG. NO.

AC-02

PROJECT 368291

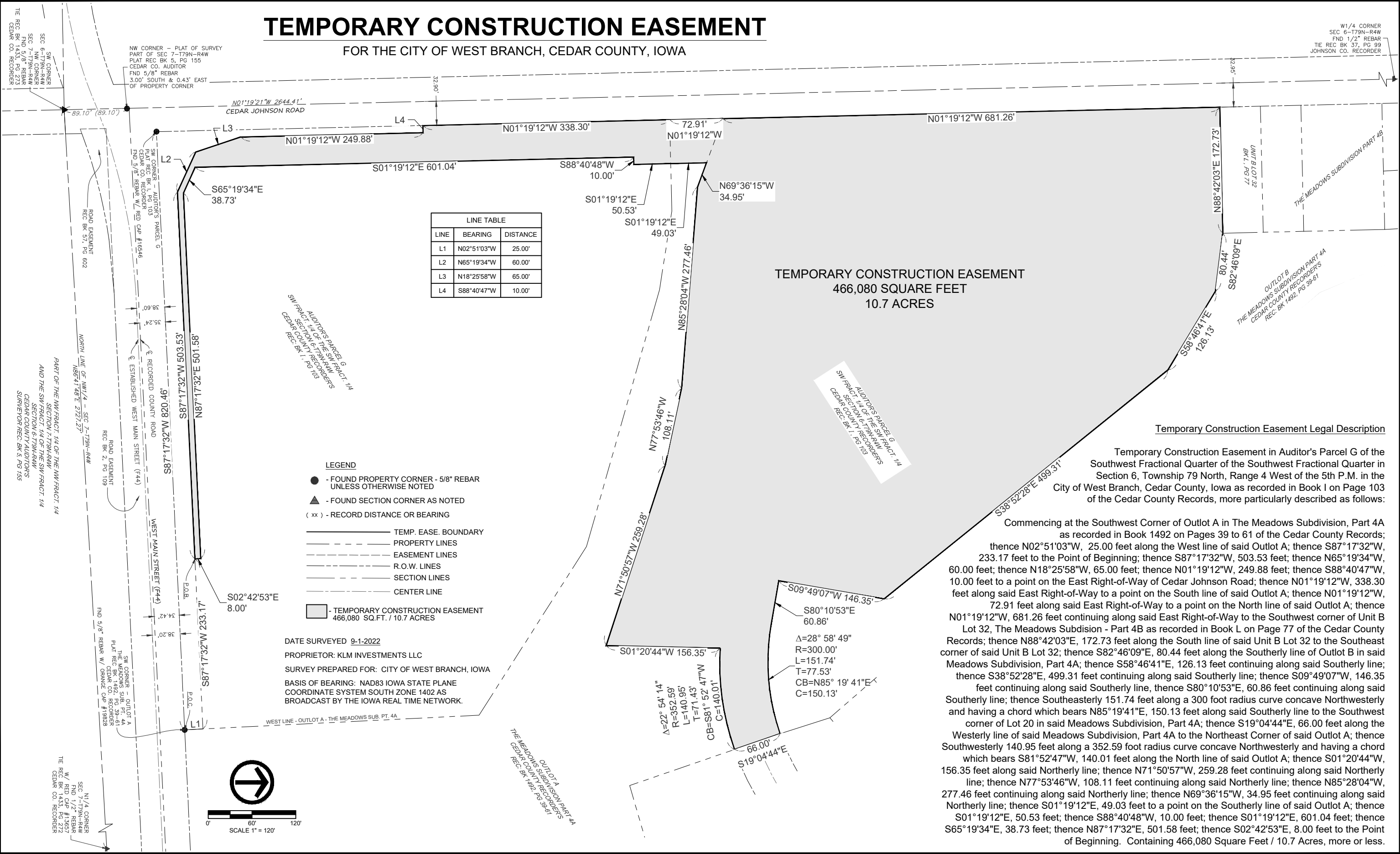
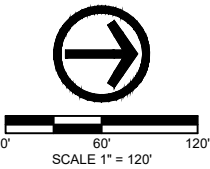
TEMPORARY CONSTRUCTION EASEMENT

FOR THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N02°51'03"W	25.00'
L2	N65°19'34"W	60.00'
L3	N18°25'58"W	65.00'
L4	S88°40'47"W	10.00'

- LEGEND
- - FOUND PROPERTY CORNER - 5/8" REBAR UNLESS OTHERWISE NOTED
 - ▲ - FOUND SECTION CORNER AS NOTED
 - (xx) - RECORD DISTANCE OR BEARING
 - TEMP. EASE. BOUNDARY
 - PROPERTY LINES
 - EASEMENT LINES
 - R.O.W. LINES
 - SECTION LINES
 - CENTER LINE
 - TEMPORARY CONSTRUCTION EASEMENT 466,080 SQ.FT. / 10.7 ACRES


DATE SURVEYED 9-1-2022
PROPRIETOR: KLM INVESTMENTS LLC
SURVEY PREPARED FOR: CITY OF WEST BRANCH, IOWA
BASIS OF BEARING: NAD83 IOWA STATE PLANE
COORDINATE SYSTEM SOUTH ZONE 1402 AS
BROADCAST BY THE IOWA REAL TIME NETWORK.



Temporary Construction Easement Legal Description

Temporary Construction Easement in Auditor's Parcel G of the Southwest Fractional Quarter of the Southwest Fractional Quarter in Section 6, Township 79 North, Range 4 West of the 5th P.M. in the City of West Branch, Cedar County, Iowa as recorded in Book I on Page 103 of the Cedar County Records, more particularly described as follows:

Commencing at the Southwest Corner of Outlot A in The Meadows Subdivision, Part 4A as recorded in Book 1492 on Pages 39 to 61 of the Cedar County Records; then N02°51'03"W, 25.00 feet along the West line of said Outlot A; then S87°17'32"W, 233.17 feet to the Point of Beginning; then S87°17'32"W, 503.53 feet; then N65°19'34"W, 60.00 feet; then N18°25'58"W, 65.00 feet; then N01°19'12"W, 249.88 feet; then S88°40'47"W, 10.00 feet to a point on the East Right-of-Way of Cedar Johnson Road; then N01°19'12"W, 72.91 feet along said East Right-of-Way to a point on the North line of said Outlot A; then N01°19'12"W, 681.26 feet continuing along said East Right-of-Way to the Southwest corner of Unit B Lot 32, The Meadows Subdivision - Part 4B as recorded in Book L on Page 77 of the Cedar County Records; then N88°42'03"E, 172.73 feet along the South line of said Unit B Lot 32 to the Southeast corner of said Unit B Lot 32; then S82°46'09"E, 80.44 feet along the Southerly line of Outlot B in said Meadows Subdivision, Part 4A; then S58°46'41"E, 126.13 feet continuing along said Southerly line; then S38°52'28"E, 499.31 feet continuing along said Southerly line; then S09°49'07"W, 146.35 feet continuing along said Southerly line, then S80°10'53"E, 60.86 feet continuing along said Southerly line; then Southeasterly 151.74 feet along a 300 foot radius curve concave Northwesterly and having a chord which bears N85°19'41"E, 150.13 feet along said Southerly line to the Southwest corner of Lot 20 in said Meadows Subdivision, Part 4A; then S19°04'44"E, 66.00 feet along the Westerly line of said Meadows Subdivision, Part 4A to the Northeast Corner of said Outlot A; then Southwesterly 140.95 feet along a 352.59 foot radius curve concave Northwesterly and having a chord which bears S81°52'47"W, 140.01 feet along the North line of said Outlot A; then S01°20'44"W, 156.35 feet along said Northerly line; then N71°50'57"W, 259.28 feet continuing along said Northerly line; then N77°53'46"W, 108.11 feet continuing along said Northerly line; then N85°28'04"W, 277.46 feet continuing along said Northerly line; then N69°36'15"W, 34.95 feet continuing along said Northerly line; then S01°19'12"E, 49.03 feet to a point on the Southerly line of said Outlot A; then S01°19'12"E, 50.53 feet; then S88°40'48"W, 10.00 feet; then S01°19'12"E, 601.04 feet; then S65°19'34"E, 38.73 feet; then N87°17'32"E, 501.58 feet; then S02°42'53"E, 8.00 feet to the Point of Beginning. Containing 466,080 Square Feet / 10.7 Acres, more or less.

DATE		REVISIONS		SCALE AS NOTED		HHH AND CEDAR JOHNSON ROUNDABOUT CITY OF WEST BRANCH		TEMPORARY CONSTRUCTION EASEMENT AUDITOR'S PARCEL G SW1/4-SW1/4 SEC 6-T79N-R4W		DWG. NO. TE-03	
				DRAWN	BCT			2600 University Parkway, Suite 1 • Coralville, Iowa 52241 319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)		PROJECT 368291	
				CHECKED	DRS						
				APPROVED	CDH						
				DATE	10-21-2022						
				ISSUED FOR							

PLOTTED: Tuesday, October 25, 2022 11:02:44 AM

X-REFS: Design Cedar-Johnson STB & AC-02 KLM Investments LLC & Cedar Aerials
FILE PATH: Z:\WEST BRANCH 368291 HHH AND CEDAR JOHNSON ROUNDABOUT\SURVEY\TE-03 KLM INVESTMENTS LLC

RESOLUTION 2022-99

**RESOLUTION APPROVING AMENDED PARTIAL ACQUISITION AGREEMENT
WITH THE WEST BRANCH COMMUNITY SCHOOL DISTRICT.**

WHEREAS, the City of West Branch and Johnson County, Iowa, have entered into a 28E Agreement to construct certain street improvements at the intersection of Cedar-Johnson Road and Main Street (the “Project”); and

WHEREAS, as part of the Project, the City needs to acquire some property from the West Branch Community School District; and

WHEREAS, the City previously approved a Partial Acquisition Agreement that has been amended for the City to pay the School District \$1.00 per SF for said acquisition; and

WHEREAS, it is now necessary for the City Council to approve said amended agreement.

NOW, THEREFORE, It Is Resolved by the Council of the City of West Branch, Iowa, that the City Council of the City of West Branch that the aforementioned amended Partial Acquisition Agreement is hereby approved. Further, the Mayor and City Clerk are hereby directed to execute the agreement on behalf of the City.

Passed and approved this 7th day of November, 2022.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

PARTIAL ACQUISITION AGREEMENT

THIS PARTIAL ACQUISITION Agreement (the “Agreement”) is made and entered into by and between the City of West Branch, an Iowa municipal corporation, 110 N. Poplar Street, West Branch, Iowa 52358, hereinafter referred to as the “City”; and West Branch Community School District, 148 N. Oliphant Street, West Branch, Iowa 52358, hereinafter referred to as the “School.”

WHEREAS, School is the owner of that certain real property generally referred to as 900 W. Main Street in the City; and

WHEREAS, the City is jointly constructing a roundabout intersection at the intersection of Cedar-Johnson Road and Main Street (the “Project”)

WHEREAS, in order to facilitate pedestrian access in the future, the City desires to acquire a portion of 900 W. Main Street that is shown on Exhibit “A” attached hereto and incorporated herein by this reference (the “Property”).

NOW THEREOFRE, FOR THE MUTUAL PROMISES AND COVENANTS HEREIN CONTAINED AND OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

1. That contemporaneously with the execution of this Agreement, School shall execute a Quit Claim Deed attached hereto as Exhibit “B.” City agrees that if the City desires to obtain an abstract of title for the property depicted on Exhibit “B,” the City shall do so at its sole expense.
2. In exchange for executing this Agreement and the Quit Claim Deed, the City will pay to Owner the sum of \$20,749.00, which represents \$1.00 per square foot for the acquisition.
3. As part of the Project, the City will grade the property acquired from the School for the future placement of a trail/sidewalk.
4. School expressly agrees to take all steps necessary to transfer the real property to the City in compliance with applicable Iowa law and the Title Standards of the Iowa Bar Association.
5. City agrees to pay all costs of recording necessary to complete this transaction.

6. In addition, the City will insure that access to the Property will be maintained at all times during the term of the Project.

7. The City covenants and agrees that no special assessment will be assessed to any property owned by Owner for this Project.

8. The covenants contained herein shall inure to the benefit to the successors in interest to this Agreement.

Dated this _____ day of _____, 2022.

CITY OF WEST BRANCH:

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on this _____ day of _____, 2022, by Roger Laughlin and Leslie Brick as Mayor and City Clerk respectively of the City of West Branch, Iowa.

Notary Public

SIGNATURE PAGE OF WEST BRANCH COMMUNITY SCHOOL DISTRICT
PARTIAL ACQUISITION AGREEMENT

By: _____
Greg Hetrick, Board President

ATTEST:

By: _____
Angie Klinkkammer, Board Secretary

STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on this _____ day of _____, 2022, by Greg Hetrick and Angie Klinkkammer as President and Secretary of the Board of Directors of the West Branch Community School District.

Notary Public

EXHIBIT "A"
PLAT OF SURVEY

EXHIBIT "B"
FORM OF QUIT CLAIM DEED

Return To: City of West Branch, Iowa, 110 N. Poplar Street, West Branch, Iowa 52358

Preparer: Kevin D. Olson, 1400 5th Street, P.O. Box 5127, Coralville, IA 52241, (319) 351-2277

Taxpayer: City of West Branch, Iowa, 110 N. Poplar Street, West Branch, Iowa 52358

QUIT CLAIM DEED

For the consideration of One Dollar(s) and other valuable consideration, West Branch Community School District, an Iowa school corporation, does hereby Quit Claim to the City of West Branch, Iowa, an Iowa municipal corporation, all our right, title, interest, estate, claim and demand in the following described real estate in CEDAR County, Iowa:

That part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 79 North, Range 4 West of the 5th P.M. and a part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 79 North, Range 4 West of the 5th P.M., in the City of West Branch, Iowa, as recorded in Book 5 on Page 155 of the Cedar County Auditor's Survey Records, and more particularly described on that certain Right-of-Way Acquisition Plat recorded in Book ____ at Page ____, Plat Records of Cedar County, Iowa.

This deed is exempt pursuant to Section 428A.2(6) of the Code of Iowa.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: _____

WEST BRANCH COMMUNITY SCHOOL DISTRICT:

By: _____
Greg Hetrick, Board President

ATTEST:

By: _____
Angie Klinkkammer, Board Secretary

STATE OF IOWA)
) ss
COUNTY OF CEDAR)

This instrument was acknowledged on this _____ day of _____, 2022, by
Greg Hetrick and Angie Klinkkammer as President and Secretary of the Board of Directors of
the West Branch Community School District.

Notary Public

PLOTTED: Thursday, September 8, 2022 3:13:29 PM

X-REFS: FILE PATH: Z:\WEST BRANCH 368291 HHH AND CEDAR JOHNSON ROUNDABOUT\SURVEY\AC-01 WEST BRANCH HIGH SCHOOL

INDEX LEGEND

COUNTY: CEDAR
SECTION: 7 TOWNSHIP: 79 RANGE: 4
ALIQUOT PART: NW 1/4, NW1/4
SECTION: 6 TOWNSHIP: 79 RANGE: 4
ALIQUOT PART: SW 1/4, SW1/4
CITY: WEST BRANCH, IOWA

PROPRIETOR: WEST BRANCH COMMUNITY SCHOOLS

PREPARED BY: CHRISTOPHER D. HIGGINS,
PLS 19452
VEENSTRA & KIMM INC.
2600 UNIVERSITY PARKWAY - SUITE 1
CORALVILLE, IA 52241
(319) 466-1000

RIGHT-OF-WAY ACQUISITION PLAT

FOR THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA

SURVEY PREPARED BY: CHRISTOPHER D. HIGGINS, VEENSTRA AND KIMM INC. - 2600 UNIVERSITY PARKWAY - SUITE 1 - CORALVILLE, IA 52241 - (319) 466-1000

Right-of-Way Acquisition Legal Description

Right-of-Way Acquisition in that Part of the Northwest Fractional Quarter of the Northwest Fractional Quarter in Section 7, Township 79 North, Range 4 West of the 5th P.M. and that Part of the Southwest Fractional Quarter of the Southwest Fractional Quarter in Section 6, Township 79 North, Range 4 West of the 5th P.M., in the City of West Branch, Cedar County, Iowa as recorded in Book 5 on Page 155 of the Cedar County Auditor's Surveyor Records, more particularly described as follows:

Commencing at the Northwest Corner of said Section 7; thence N86°41'48"E, 33.02 feet along the North line of the Northwest Quarter of said Section 7 to a point on the Easterly Right of Way of Cedar Johnson Road, said Point being the Point of Beginning; thence N01°05'48"W, 22.45 feet along said Easterly Right-of-Way to a point on the Southerly Right-of-Way of West Main Street; thence Northeasterly 150.02 feet along a 695.30 foot radius curve concave Southeasterly and having a chord which bears N75°38'21"E, 149.73 feet along said Southerly Right-of-way; thence N84°34'20"E, 75.00 feet continuing along said Southerly Right-of-Way; thence N87°10'36"E, 318.26 feet continuing along said Southerly Right-of-Way; thence S02°49'28"E, 19.34 feet; thence S87°07'10"W, 319.65 feet; thence S59°59'32"W, 251.00 feet to a point on said Easterly Right-of-Way of Cedar Johnson Road; thence N01°05'48"W, 78.57 feet along said Easterly Right-of-Way to the Point of Beginning. Containing 20,749 Square Feet, more or less.

LEGEND

- - FOUND PROPERTY CORNER - 5/8" REBAR UNLESS OTHERWISE NOTED
- - SET 5/8" x 30" REBAR WITH PLASTIC ORANGE CAP #19452, UNLESS OTHERWISE NOTED
- ▲ - FOUND SECTION CORNER AS NOTED
- (XX) - RECORD DISTANCE OR BEARING

- PARCEL BOUNDARY
- PROPERTY LINES
- EASEMENT LINES
- R.O.W. LINES
- SECTION LINES
- CENTER LINE

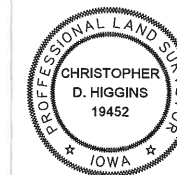
■ - RIGHT-OF-WAY ACQUISITION - 20,749 SQ.FT / 0.48 ACRES.

DATE SURVEYED 9-1-2022

PROPRIETOR: WEST BRANCH COMMUNITY SCHOOLS

SURVEY PREPARED FOR: CITY OF WEST BRANCH, IOWA

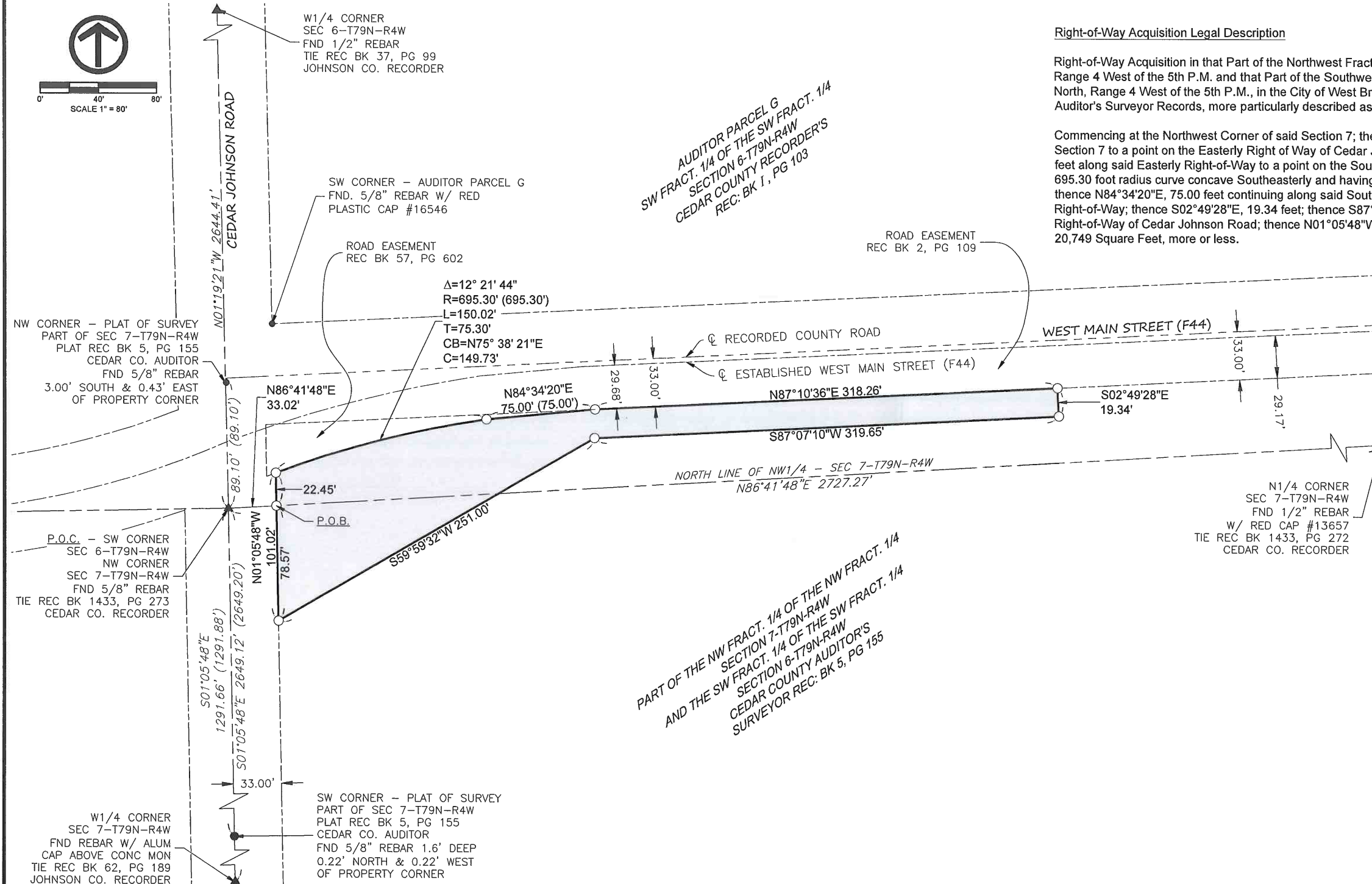
BASIS OF BEARING: NAD83 IOWA STATE PLANE
COORDINATE SYSTEM SOUTH ZONE 1402 AS
BROADCAST BY THE IOWA REAL TIME NETWORK.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Chris Higgins 9/8/2022
Christopher D. Higgins Date

License Number 19452
My license renewal date is December 31, 2022
Pages or sheets covered by this seal: AC-01



DATE	REVISIONS	SCALE	AS NOTED
		DRAWN	BCT
		CHECKED	DRS
		APPROVED	CDH
		DATE	9-7-2022
		ISSUED FOR	



HHH AND CEDAR JOHNSON ROUNDABOUT
CITY OF WEST BRANCH

2600 University Parkway, Suite 1 • Coralville, Iowa 52241
319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

RIGHT-OF-WAY ACQUISITION
PART OF NW1/4-NW1-4 SEC 7-T79N-R4W
& SW1/4-SW1/4 SEC 6-T79N-R4W

DWG. NO.

AC-01

PROJECT 368291

RESOLUTION 2022-100

**RESOLUTION OF INTENT TO VACATE BIRDIE DRIVE AND TO DISPOSE OF THE CITY'S
INTEREST IN THE SAME.**

WHEREAS, the City Council has heretofore found that Birdie Drive is not needed for the public use; and

WHEREAS, prior to vacate a street and dispose of any real property, the City is required to hold a public hearing pursuant to Section 364.7 of the Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa that a public hearing on the proposal to dispose of the City's interest in Birdie Drive is hereby set for 7:00 p.m. on November 21st, 2022 at the Council Chambers, West Branch, Iowa. Further, the City Clerk is hereby directed to publish notice of said hearing in accordance with applicable law.

Passed and approved this 7th day of November, 2022.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSAL TO VACATE AND DISPOSE OF THE CITY'S INTEREST IN BIRDIE DRIVE.

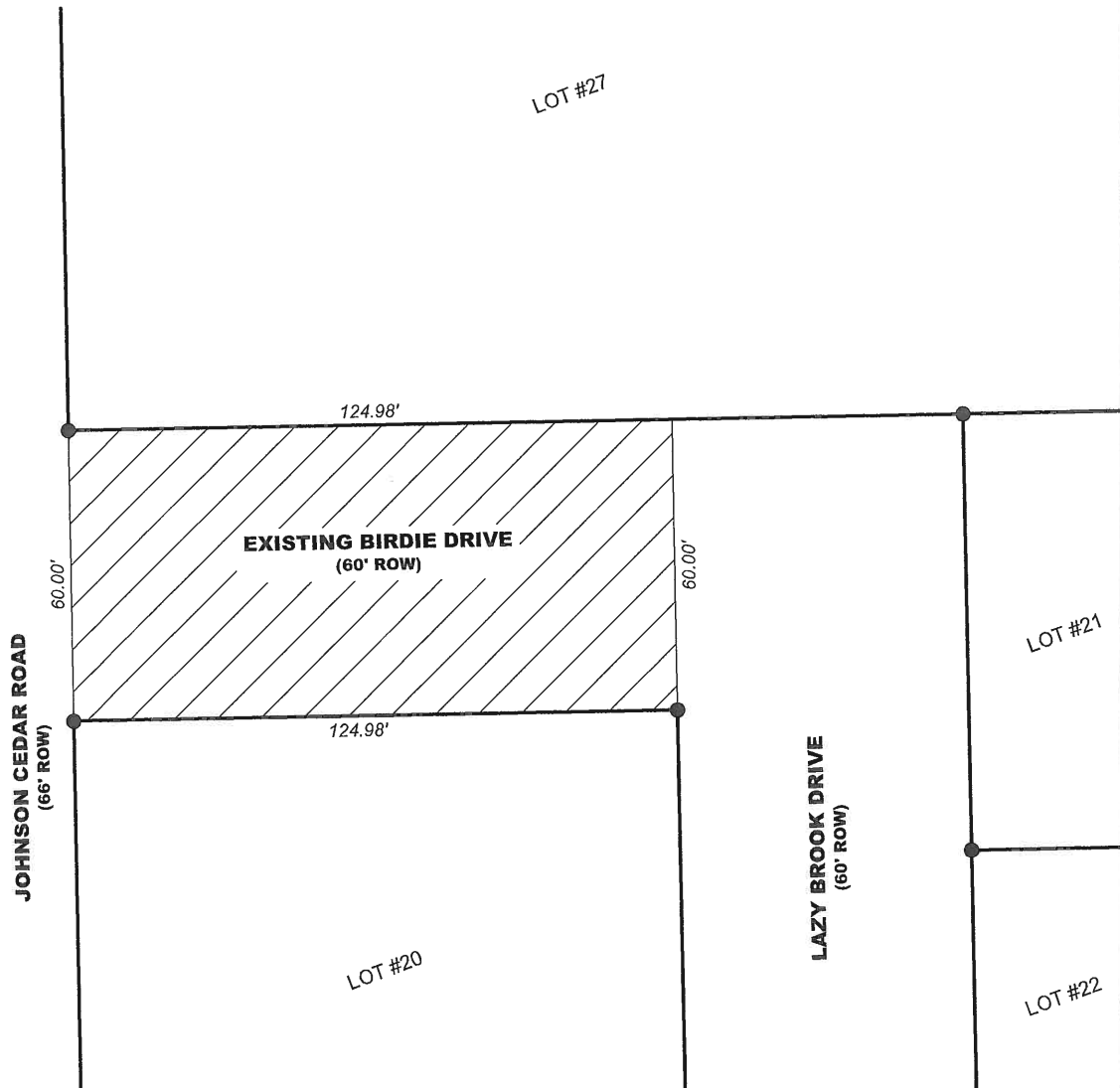
YOU ARE HEREBY NOTIFIED that a public hearing will be held by the City Council of the City of West Branch in the Council Chambers, at the City Hall at 110 N. Poplar Street, at 7:00 o'clock P.M., on Monday, November 21, 2022. Said public hearing shall be to consider the intent to vacate a Birdie Drive and dispose of the City's interest in the same.

BE FURTHER ADVISED that all interested persons are invited to attend and be heard on the proposal to vacate and dispose of the City's interest in the aforementioned easement. Further information regarding the above-referenced easement may be obtained by contacting the West Branch City Clerk.

Leslie Brick, City Clerk,
by Direction of the City Council

ROW VACATION EXHIBIT

BIRDIE DRIVE IN CEDARS EDGE
CITY OF WEST BRANCH, CEDAR COUNTY, IOWA



RIGHT OF WAY VACATION DESCRIPTION

The vacation of the 60 foot public Right of Way known as Birdie Drive in Cedars Edge, City of West Branch, Cedar County, Iowa described as:

The existing Right of Way immediately adjacent to Lot 20 of and Lot 27 of Cedar Edge lying between Lazy Brook Drive and Johnson Cedar Road.

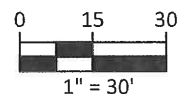
Described Right of Way contains 0.17 acres subject to other easements and restrictions of record.



SHEET TITLE:
EXHIBIT
PROJECT NAME:
BOELK

PROJECT MANAGER:
BRG
DATE ISSUED:
9-8-22
CURRENT REV:
A

PROJECT NO.:
180013
SHEET NUMBER:
01

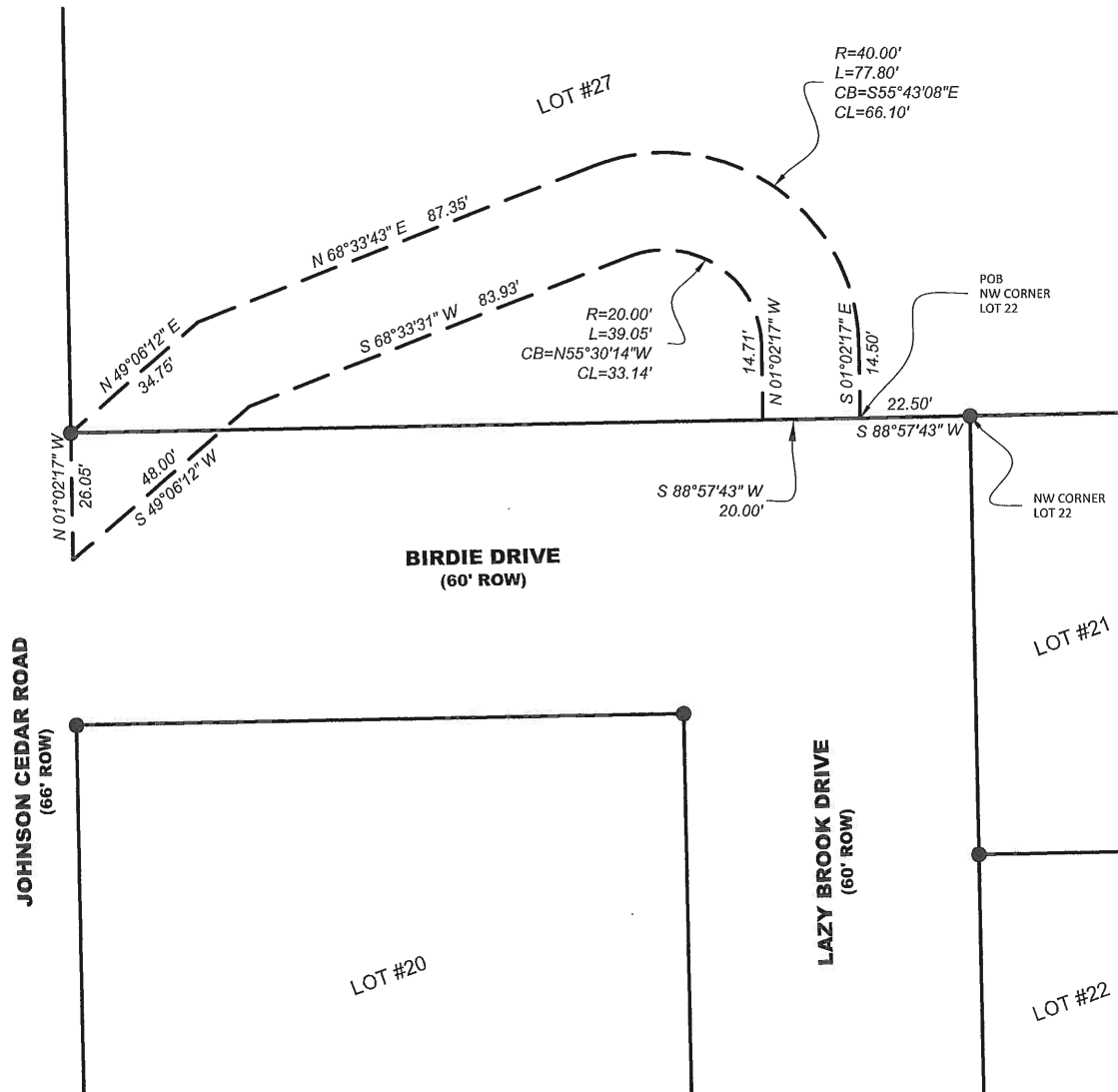


S:\PROJECTS\180013\BOS Design\CMU-Survey\Plats\180013 File line exhibit.dwg

ACCESS EASEMENT EXHIBIT

LOT 27 IN CEDARS EDGE

CITY OF WEST BRANCH, CEDAR COUNTY, IOWA



ACCESS EASEMENT DESCRIPTION

A 20 foot access easement in Lot 27 of Cedars Edge, City of West Branch, Cedar County, Iowa described as:

Commencing at the Northwest corner of Lot 21 of Cedar Edge; thence S88°57'43\"W 22.50 feet along the North Right of Way of Birdie Drive to the Point of Beginning; thence continuing along the North Right of Way S88°57'43\"W 20.00 feet; thence N01°02'17\"W 14.71 feet; thence 39.05 feet along a 20.00 foot radius curve concave westerly whose 33.14 foot chord bears N55°30'14\"W; thence S68°33'31\"W 83.93 feet; thence S49°06'12\"W 48.00 feet to the East Right of Way of Johnson Cedar Road; thence N01°02'17\"W along the East Right of Way 26.05 feet; thence N49°06'12\"E 34.75 feet; thence N68°33'43\"E 87.35 feet; thence 77.80 feet along a 40.00 foot radius curve concave westerly whose 66.10 foot chord bears S55°43'08\"E; thence S01°02'17\"E 14.50 feet to the Point of Beginning.

Described easement contains 4,001 S.F. subject to other easements and restrictions of record.



SHEET TITLE:
EXHIBIT

PROJECT NAME:
BOELK

PROJECT MANAGER:
BRG

DATE ISSUED:
9-8-22

CURRENT REV:
A

PROJECT NO.:
180013

SHEET NUMBER:
01

0 15 30

1" = 30'



\\projects\180013\05 Desktop\CM\Survey\180013 File\180013 Exhibit.dwg

RESOLUTION 2022-101

**RESOLUTION APPROVING AN AMENDED UTILITY RELOCATION AGREEMENT
WITH THE IOWA DEPARTMENT OF TRANSPORTATION.**

WHEREAS, as part of the Interstate 80 widening (the “Project”) to be performed by the Iowa Department of Transportation (“DOT”) the City of West Branch needed to move a water line to a different location to facilitate construction of the Project; and

WHEREAS, the City and DOT previously entered into an agreement regarding the Project in February, 2022; and

WHEREAS, the City requested changes to the agreement in order for the DOT to reimburse the City for said relocation work; and

WHEREAS, it is now necessary for the City Council to approve said amended agreement.

NOW, THEREFORE, It Is Resolved by the Council of the City of West Branch, Iowa, that the City Council of the City of West Branch that the aforementioned amended Agreement is hereby approved. Further, the Mayor is hereby directed to execute the agreement on behalf of the City.

Passed and approved this 7th day of November, 2022.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

**IOWA DEPARTMENT OF TRANSPORTATION
Preconstruction Agreement
For Primary Road Project**

County	Cedar
City	West Branch
Project No.	IM-NHS-080-7(114)251—03-52
	IM-NHS-080-7(154)251—03-52
	IM-NHS-080-7(130)255—03-16
	IM-NHS-080-7(155)255--03-16
	IM-NHS-080-7(165)255—03-16
Iowa DOT	
Agreement No.	2022-6-135
Staff Action No.	

This Agreement, is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and the city of West Branch, Iowa, a Local Public Agency, hereafter designated the "LPA" in accordance with Iowa Code Chapters 28E, 306, 306A and 313.4 as applicable;

The DOT proposes to establish or make improvements to Interstate 80 within Cedar County, Iowa; and

The DOT and the LPA are willing to jointly participate in said project, in the manner hereinafter provided; and

The LPA and the DOT previously entered into the following agreement(s) for the above referenced project: Utility Relocation Reimbursement Agreement No. U-2019-21139 for preliminary engineering, construction engineering, and construction was executed by the DOT and LPA on May 3rd, 2019, and April 25th, 2019, respectively; and Addendum No. U-2020-21139A for additional utility relocations necessary for construction of the highway improvement project(s), and was executed by the DOT and LPA on February 11th, 2022, and February 8th, 2022, respectively.

This Agreement reflects the current concept of this project which is subject to modification by mutual agreement between the LPA and the DOT; and

Therefore, it is agreed as follows:

1. Project Information

- a. The DOT will design, let, and inspect construction of the following described project in accordance with the project plans and DOT standard specifications:

The construction of a single barrel Reinforced Concrete Box (RCB) culvert for the Hoover Trail crossing under Interstate 80 at the abandoned railroad 0.5 miles east of County Road X30. See Exhibit A for location.

2. Project Costs

- a. The DOT will bear all costs related to this project.

3. Traffic Control

- a. Interstate 80 through-traffic will be maintained during the construction.

4. Right of Way and Permits

- a. Subject to the provisions hereof, the LPA in accordance with 761 Iowa Administrative Code Chapter 150.3(1)c and 150.4(2) will remove or cause to be removed (within the corporate limits) all encroachments or obstructions in the existing primary highway right of way. The LPA will also prevent the erection and/or placement of any structure or obstruction on said right of way or any additional right of way which is acquired for this project including but not limited to private signs, buildings, pumps, and parking areas.
- b. The DOT will be responsible for the coordination of utility facility adjustments for the primary road project.
- c. The LPA agrees to relocate all city-owned utilities necessary for construction which are located within the existing street or alley right of way, subject to the approval of and without expense to the DOT and in accordance with 761 Iowa Administrative Code Chapter 150.4(5) and the DOT Utility Accommodation Policy.
- d. LPA owned utilities located upon existing right of way and covered under the previously executed Utility Reimbursement Agreement and Addendum listed above will be adjusted at the expense of the DOT in accordance with the previously executed utility reimbursement agreement and addendum referenced above.
- e. With the exception of service connections no new or future utility occupancy of project right of way, nor any future relocations of or alterations to existing utilities within said right of way will be permitted or undertaken by the LPA without the prior written approval of the DOT. All work will be performed in accordance with the Utility Accommodation Policy and other applicable requirements of the DOT.

5. Construction & Maintenance

- a. Upon completion of the project, no changes in the physical features thereof will be undertaken or permitted without the prior written approval of the DOT.
- b. Future maintenance of the primary highway within the project area will be carried out in accordance with the terms and conditions contained in 761 Iowa Administrative Code Chapter 150.

6. General Provisions

- a. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the modification, amendment or revision to the DOT. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the FIS to the DOT.
- b. The LPA will comply with all provisions of the equal employment opportunity requirements prohibiting discrimination and requiring affirmative action to assure equal employment opportunity as required by Iowa Code Chapter 216. No person will, on the grounds of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which State funds are used.
- c. It is the intent of both (all) parties that no third party beneficiaries be created by this Agreement.

- d. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Agreement cannot be fulfilled.
- e. This Agreement may be executed in (two) counterparts, each of which so executed will be deemed to be an original.
- f. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

July 2014

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2022-6-135 as of the date shown opposite its signature below.

CITY OF WEST BRANCH:

By: _____ Date _____, 20____.
Title: Mayor

I, _____, certify that I am the Clerk of the City, and that
_____, who signed said Agreement for and on behalf of
the City was duly authorized to execute the same on the ____ day of _____, 20____.

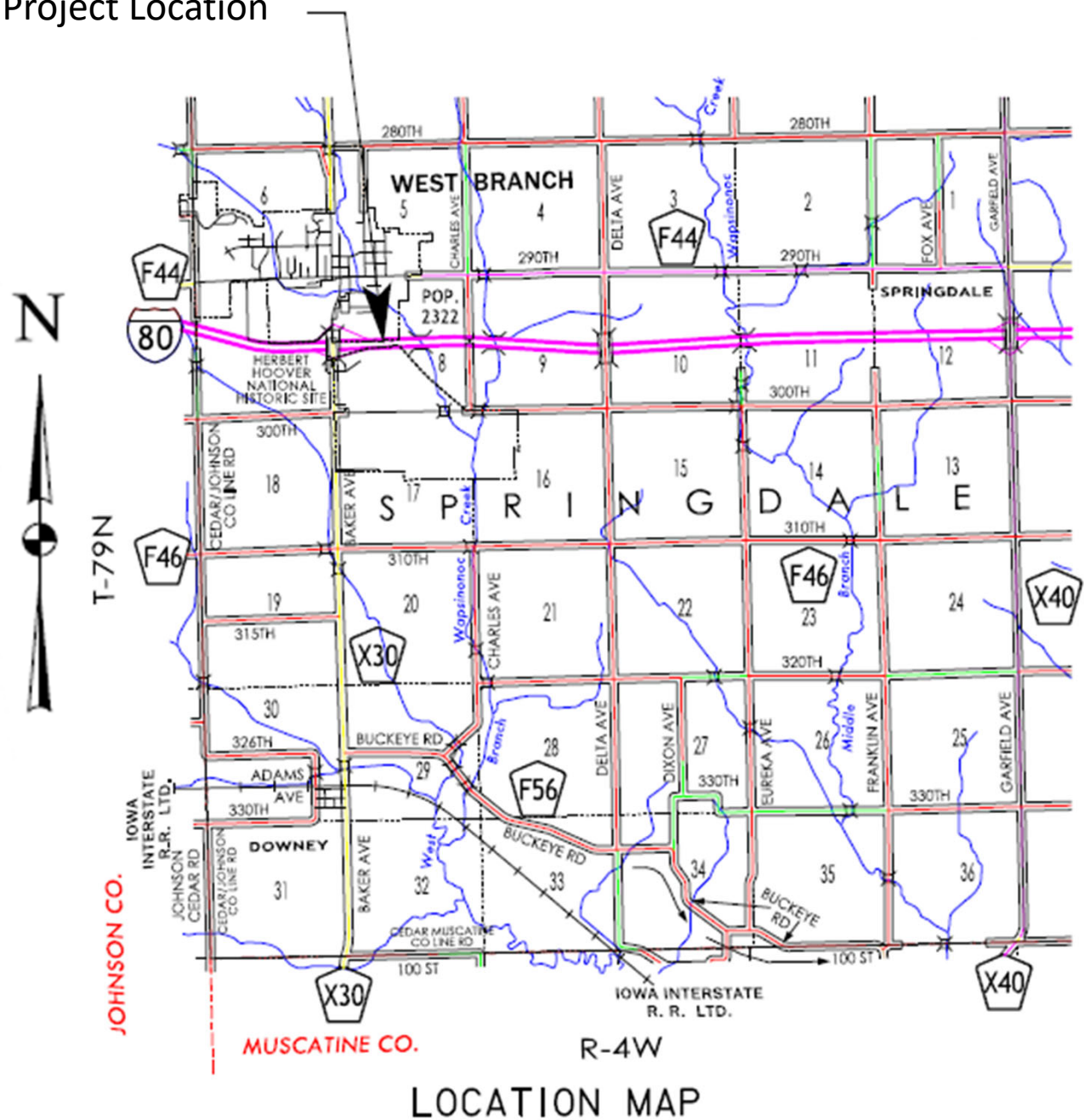
Signed: _____
City Clerk of West Branch, Iowa

IOWA DEPARTMENT OF TRANSPORTATION:

By: _____ Date _____, 20____.
James R. Schnobelen, P.E.
District Engineer
District 6

Exhibit A: Project Location

Project Location



RESOLUTION 2022-102

**RESOLUTION APPROVING AN INDEMNIFICATION AGREEMENT WITH BBCO,
LLC.**

WHEREAS, City is the owner of the property legally described on that certain Retracement Plat of Survey attached as Exhibit “A” (the “Property”); and

WHEREAS, BBCO has approached the City about entering the Property to perform work prior to the transfer of the Property to BBCO; and

WHEREAS, both parties have agreed to enter into an indemnification agreement to allow BBCO to access the Property to perform tasks associated with the Project to be constructed on the Property at BBCO’s own risk; and

WHEREAS, it is now necessary for the City Council to approve said agreement.

NOW, THEREFORE, It Is Resolved by the Council of the City of West Branch, Iowa, that the City Council of the City of West Branch that the aforementioned Indemnification Agreement is hereby approved. Further, the Mayor and City Clerk are hereby directed to execute the agreement on behalf of the City.

Passed and approved this 7th day of November, 2022.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

INDEMNIFICATION AGREEMENT

THIS AGREEMENT entered into by and between the **City of West Branch, Iowa**, 110 N. Poplar Street, West Branch, Iowa 52358 hereinafter referred to as “City”; and **BBCO, LLC**, 32 Hummingbird Lane, Iowa City, Iowa 52245 hereinafter referred to as “BBCO.”

WHEREAS, City is the owner of the property legally described on that certain Retracement Plat of Survey attached as Exhibit “A” (the “Property”); and

WHEREAS, BBCO has approached the City about entering the Property to perform work prior to the transfer of the Property to BBCO; and

WHEREAS, both parties have agreed to enter into an indemnification agreement to allow BBCO to access the Property to perform tasks associated with the Project to be constructed on the Property at BBCO’s own risk.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. That City allows BBCO and its agents to access the Property and perform project tasks on the Property at its own risk prior to transfer of the Property to BBCO. BBCO and its agents shall notify City at least 24 hours in advance of accessing the Property to perform Project tasks.
2. BBCO agrees to fully indemnify, defend, save and hold City, its officers, representatives, agents, contractors, subcontractors, employees, personal representatives and beneficiaries harmless from any and all liability to third parties (including reimbursement of reasonable legal fees and costs) arising directly or indirectly from the negligent act, error or omission of BBCO, its officers, representatives, agents, contractors, subcontractors or employees in connection with the accessing the Property prior to conveyance to BBCO and performance of Project tasks on the Property by BBCO.
3. BBCO shall restore the Property to the original condition if BBCO does not construct the Project for any reason whatsoever.
4. That BBCO shall provide City with a certificate of insurance naming the City as an additional insured on its general liability policy while this Agreement is in effect.
5. Once the Property is conveyed to BBCO pursuant to the Development Agreement between the City and BBCO, this Agreement will cease to be in full force and effect.

Dated this ____ day of _____, 2022.

BBCO, LLC

City of West Branch, Iowa

Robert B. Thomas, Manager

Roger Laughlin, Mayor

Barry Frantz, Manager

ATTEST:

Leslie Brick, City Clerk

PLOTTED: Wednesday, October 3, 2018 11:29:57 AM

X-REFS: Aerial
FILE PATH: Z:\WEST BRANCH 368261 CROELL REVISED LEGAL DESCRIPTION\DRAWINGS\DESIGN DRAWINGS\CROELL BOUNDARY

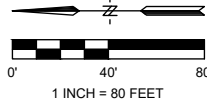
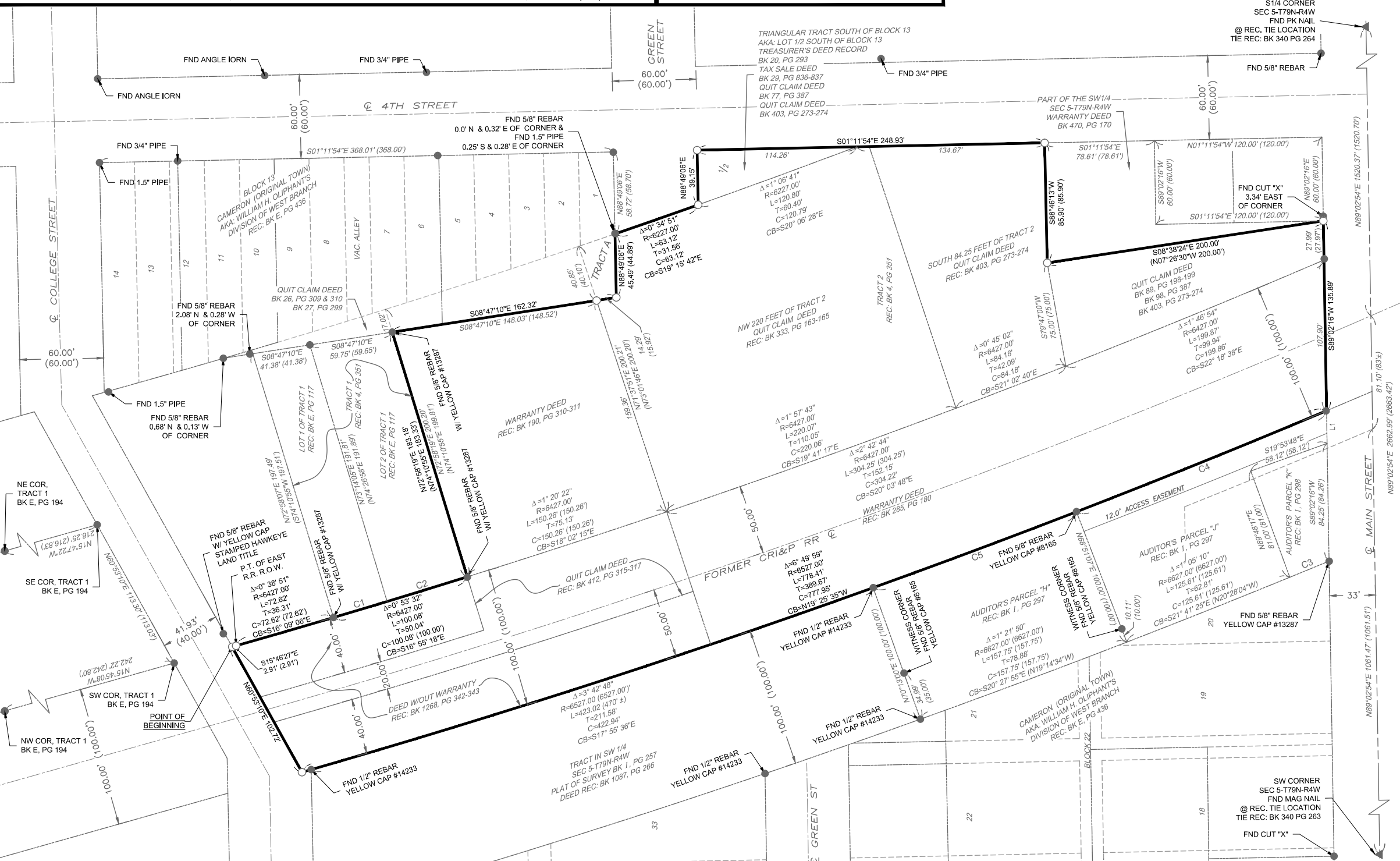
Exhibit "A"

INDEX LEGEND

COUNTY: CEDAR
SECTION: 5 TOWNSHIP: 79 RANGE: 4
ALIQUOT PART: SW 1/4
CITY: WEST BRANCH, IA
LOCATION: PART OF THE FORMER CRI&P
RAILROAD CO. STATION GROUNDS
PROPRIETOR: CROELL REDI-MIX INC
PREPARED BY: BOBBY J. MADDALENO, PLS 19960
VEENSTRA & KIMM INC.
860 22ND AVE, SUITE 4
CORALVILLE, IA 52241
(319) 466-1000

RETRACEMENT PLAT OF SURVEY

SURVEY PREPARED BY: BOBBY J. MADDALENO, VEENSTRA AND KIMM INC. - 860 22ND AVENUE - CORALVILLE, IA 52241 - (319) 466-1000



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°02'16\"W (N89°43'27\"W)	23.38' (23.38')

CURVE TABLE

CURVE	ARC LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	40.06' (40.06')	0°21'26\"	6427.00' (6427.00')	S16°39'15\"E (S15°25'32\"E)	40.06' (40.06')
C2	60.02' (59.94')	0°32'06\"	6427.00' (6427.00')	S17°06'00\"E (S15°52'17\"E)	60.02' (59.94')
C3	30.39' (30.37')	0°15'46\"	6627.00' (6627.00')	S22°21'53\"E (S20°05'26\"E)	30.39' (30.37')
C4	193.16' (193.16')	1°41'44\"	6527.00' (6527.00')	N21°59'42\"W (S20°46'21\"E)	193.15' (193.15')
C5	155.37' (155.37')	1°21'50\"	6527.00' (6527.00')	N20°27'55\"W (S19°14'34\"E)	155.37' (155.37')

LEGEND

- FOUND PROPERTY CORNER
5/8\" REBAR UNLESS OTHERWISE NOTED
- SET 5/8\" REBAR WITH PLASTIC YELLOW CAP #19960
- ▲ FOUND SECTION CORNER AS NOTED
- (xx) RECORD DISTANCE OR BEARING

- PARCEL BOUNDARY
- PROPERTY LINES
- EASEMENT LINES
- R.O.W. LINES
- SECTION LINES
- PLATTED LINES
- CENTER LINE (ROAD AND RAILROAD)

DATE SURVEYED 9-18-2018

PROPRIETOR: CROELL REDI-MIX INC

SURVEY PREPARED FOR: CITY OF WEST BRANCH, IOWA

BASIS OF BEARING: NAD83(2011)(EPOCH 2010.00) IOWA STATE
PLANE COORDINATE SYSTEM SOUTH ZONE 1402 AS BROADCAST
BY THE IOWA REAL TIME NETWORK.

DATE	REVISIONS	SCALE	AS NOTED
	DRAWN	BCT	
	CHECKED	ALG	
	APPROVED	BJM	
	DATE	9-20-2018	
	ISSUED FOR		

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING.
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.



CROELL SITE RETRACEMENT SURVEY
CITY OF WEST BRANCH, IOWA

860 22nd Avenue • Suite 4 • Coralville, Iowa 52241-1565
319-466-1000 • 319-466-1008(FAX) • 888-241-8001(VA75)

RETRACEMENT PLAT OF SURVEY
IN THE SW 1/4 OF SEC 5-T79N-R4W
FOR THE CITY OF WEST BRANCH, IOWA

DWG. NO.
PS-01
PROJECT 368261



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: November 7, 2022

AGENDA ITEM: Discussion - West Branch Schedule of Fees

PREPARED BY: Adam Kofoed, City Administrator

DATE: November 2, 2022

BACKGROUND:

Per internal discussions, between work order times and limited funding, the city does have options in what services to provide and at what costs. There are a number of items the city provides for free, at an extremely low cost, or we provide the service too often. It's council's choice to make these changes, but with certainty our budget issues and timeliness in the public works department will not improve without some give and take.

When staff gets through stormwater audits in December we will provide further research on this topic: but here are a few examples:

Private Operational Expenses not being captured by the city:

- a. Tipping Fees (\$16,000)
- b. Leaf Pickup Storm sewer (\$26,000)
- c. Brush Pickup (\$24,000)
- d. Credit Card Fees (\$10,000)
- e. Total: \$76,000 a year

Tipping Fees

Total= \$16,000 for Johnson County Refuse drop off of trash.

Leaf Pickup

Labor Hours =8 hours *2 people *3x a week *6 weeks (288 hours) 3% of time =\$20,000 including benefits

Truck Hours =8 hours *1 truck *3x a week *6 weeks (144 hours)

Leaf Vacuum= \$60,000 for 10 years= \$6,000 year (\$6,000)

Total= \$26,000 without vehicle maintenance costs

Brush Pickup:

Labor Hours = 8 hours * 2 people * 1x a week * 30 weeks (480 hours) 5% of time = \$23,000 including benefits

Truck hours = 240

Truck = \$100,000 * 5% = \$5,000 five year rotation = \$1,000

Total = \$24,000

All together roughly \$76,000 we are not capturing. These estimates do not include increases in wages and equipment. Costs do not include gas and other maintenance.

= 76000 / 1000 properties / 12 months equals \$6.30 a month

Credit Card Fees

= 800 * 12 months = \$9,600

Cemetery Lots (will never break even, but West Branch under charges).

Name	Internment Rights (lots) Prices	Internment, Burial Charges
West Branch	\$100 per space (old section) \$500 per (2) spaces (new section) – city deposits 60% of sales to the West Branch Perpetual Care account, the other 40% to the Cemetery general fund which funds repairs and salaries	(pass thru costs) Traditional burial \$650 (M-F) \$100 extra (Saturday) \$200 extra (Sundays or holidays) Cremation burial \$125 (M-F) – city retains \$\$ \$100 – Saturday \$200 – Sunday & holidays
Solon	N/A	N/A
Tiffin	N/A	N/A
Tipton	\$350 per space	\$700 and \$750 Sat. and \$850 Sun. and Holidays
West Liberty	\$550 per lot or \$600 per two	Need to call
Iowa City	\$875 per lot +50% for nonresident	\$975 adult, \$1,100 weekend, \$1,200 holiday
Coralville	\$550 per lot \$825 nonresident plus fees to mark and monuments	Need to call
North Liberty	N/A	N/A
Washington	\$500 per lot	Various based fees including monument locating.



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: November 7, 2022

AGENDA ITEM: Presentation of West Branch Public Library Annual Report
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PREPARED BY: Nick Shimmin – Library Director

DATE: October 26, 2022

BACKGROUND:

Per city code section 22.09, the library is to make a report to the council containing statements to the condition of the library, number of items added to the collection, circulation, and finances along with any other information the council may wish to have.

Attached on the following pages is the FY2022 Annual Report which covers the year from July 1, 2021 to June 30, 2022.

A presentation will be provided giving further information on each of the items presented by the library director.

ANNUAL REPORT

West Branch Public Library Annual Report for Fiscal Year 2022

October 2022

Welcome

Welcome to the Annual Report of the West Branch Public Library for 2022 fiscal year. As we emerge from the pandemic, many businesses and services, like the library, are searching for where our community is, what their needs are, and how to best provide library services.

This is a work that is definitely still in progress. We're all aware that our community is growing and set to continue that growth. In the course of two years the middle school - a source significant library foot traffic - moved further away and our community shifted demographics and interests. We found that many in our community applaud that growth, but worry that may lose the feeling of a small, connected community.

This past year, the library created a new strategic plan which involved surveying the community about what they see, need, and want. We have created plans which use library resources and connections to build community among our residents, both old and new. In the past year we began efforts like the return of the community newsletter, a regular email update, a community calendar, work on ensuring that all members of our community feel welcome, and celebrating the heritages found here and nearby.

In the coming year, we'll continue these efforts. By the end of the year, we hope to add welcome baskets, programs to bring specific populations together, and further celebrations of our various heritages.



2022 - 2024 STRATEGIC PLAN



KNOW YOUR COMMUNITY / BE AN INFORMED CITIZEN

- Know more about what goes on in local groups, service groups, and activities.
- See a positive image of the community.
- Learn how to lead a happy and healthy life.

- Connect with local nonprofits and charities.
- Find support for your business or community group.
- Find support and community while working remotely.



BUILD SUCCESSFUL ENTERPRISES



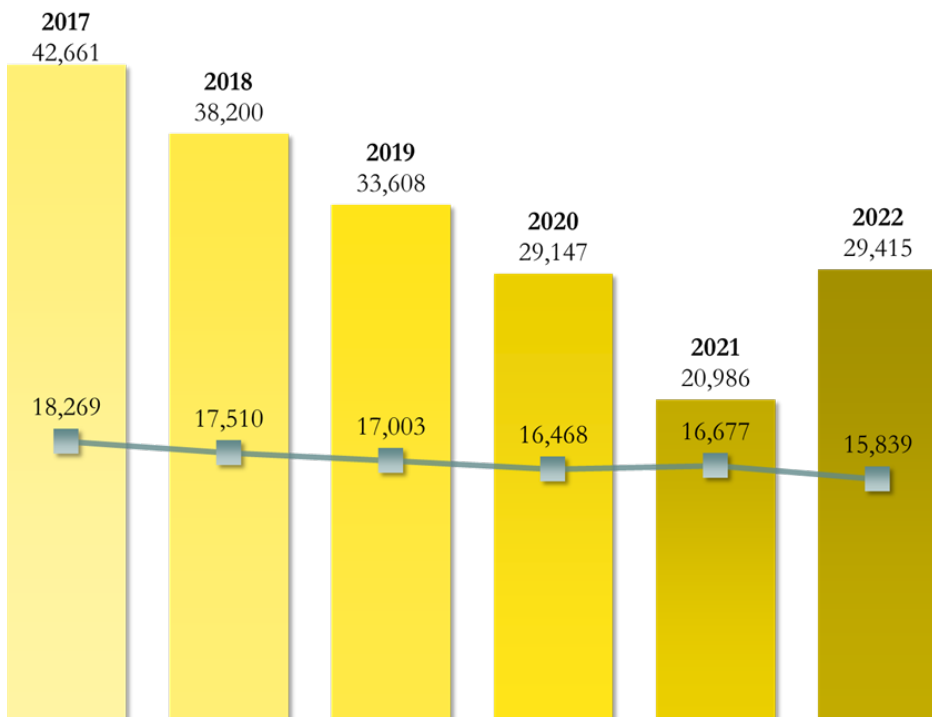
CELEBRATE DIVERSITY

- Celebrate the heritages, backgrounds, and experiences of our community members.
- Learn about others' viewpoints and experiences and welcome them to our community.



In the Report

Welcome	1
Circulation & Collection Size	2
Ebooks	2
Summer Library Program	3
Programming	3
Financial Information	4
Library Visits	4
About this Report	4



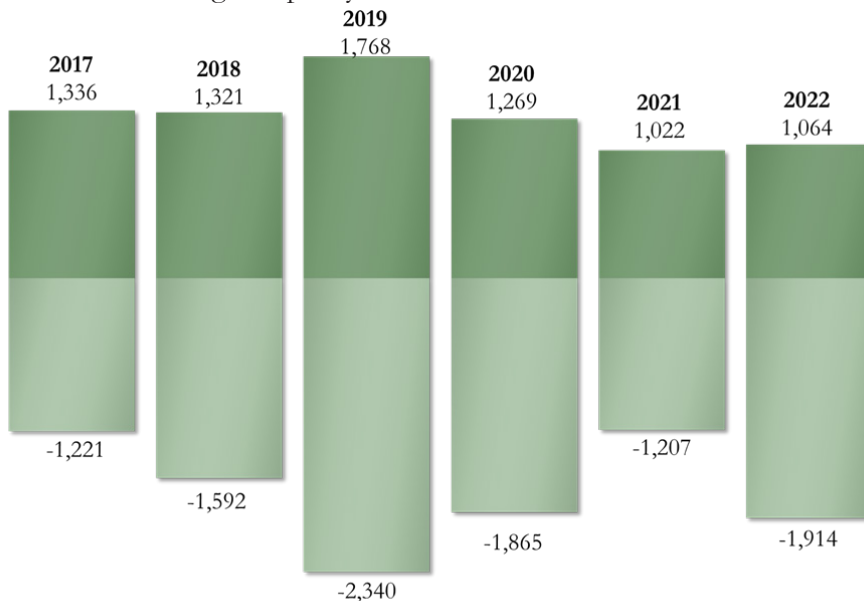
Total Circulation (bars) & Total Collection Size (line), 2017-2022

Circulation & Collection Size

As with other areas, the community's needs for the library collection have changed over the course of the two pandemic years. Circulation is rebounding, but trends in use continue to shift away from some items. The rise in streaming services and a change in movie theater distribution dropped library DVD use by 75% in a span of 5 years. Magazines also have little interest to our community now.

Yet, the draw of families coming to the library for a place to interact is strong. They come to the library for engagement and leave with a stack of books.

During the pandemic removal of unused books was less so you will note a rebound in weeding this past year.



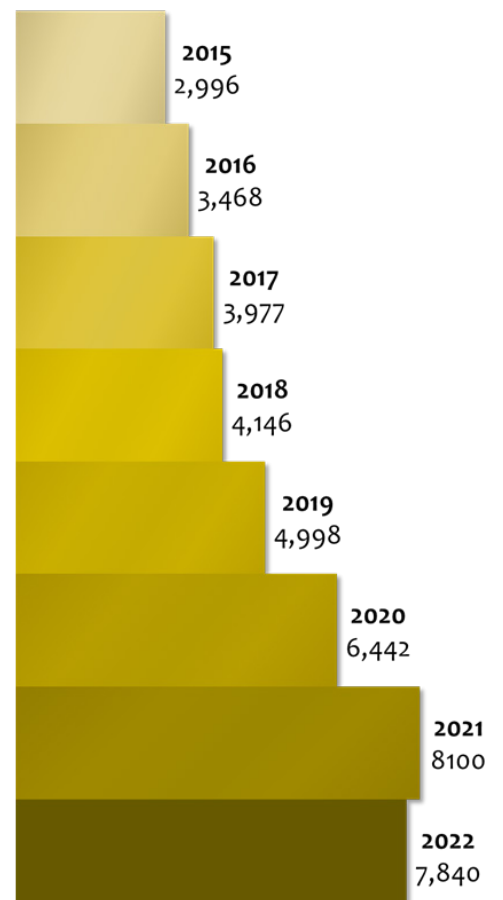
Numbers of items added and removed from the collection, 2017-2022

Electronic Items

One of the most interesting library-use trends of the pandemic has been in electronic use. When it began, people moved to electronic means of entertainment both for reading and visual entertainment.

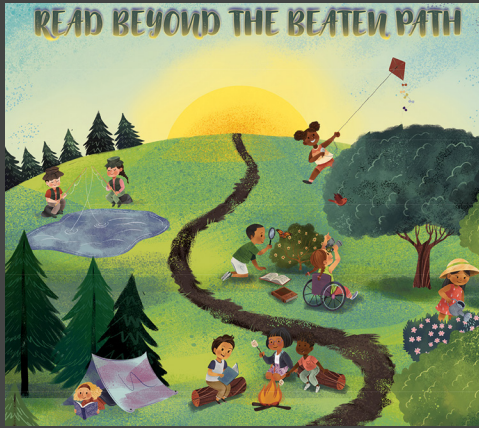
Ebooks and electronic audiobooks were not quite as popular in 2022 as during the height of quarantine, but many found the benefits of the format and have stuck with it. Electronic items are available at any time during the day and the breadth of the collection vastly exceeds that of any small library.

Electronic materials do remain very expensive for libraries and the demand easily outpaces the available funding. Electronic books for libraries cost five times the cost of a physical copy and local users alone are currently waiting for over 450 electronic titles.



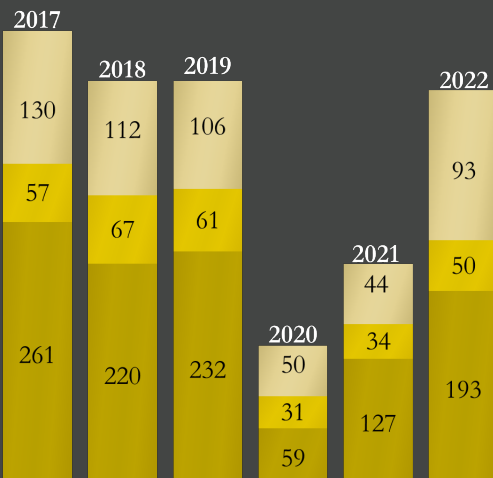
eBook & eAudiobook use, 2015 - 2022

Summer Library Program



Read Beyond the Beaten Path combined camp, adventure, and self discovery. With a focus on Summer Camp, we shared many different summer experiences from outdoor activities such as nature programs, arts and crafts, music, and more. We welcomed presenters that brought us butterfly experience tents, a hands-on reptile program, and even an African Drum Circle. We also went beyond the library to the Herbert Hoover National Park for Campfire Stories, to Cedar Valley Park for a family hike and picnic, and a Teen Campout at Becky's house.

Adults enjoyed a return to bingo cards, which challenged them to expand their reading horizons and explore their community. We gave away 3 exciting grand prize packs and more adults participated than ever before.



Youth(top), Teen(middle), & Adult (bottom) Summer Registrations



Kids gathered outside during summer to hear a story from ISU

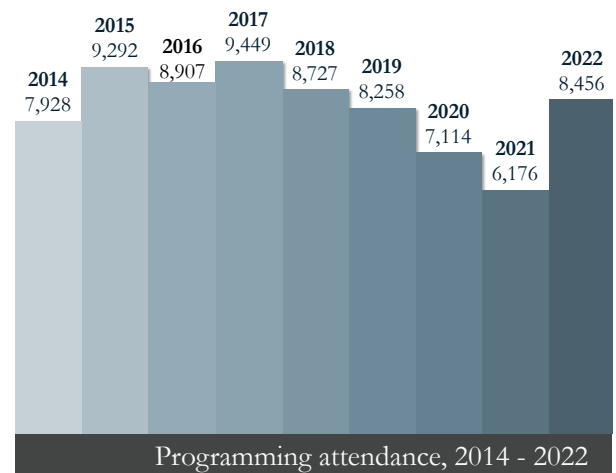
Programming

Events in 2022 saw the slow shift from outdoor programs towards returns to in-library programs. Storytimes again became a big draw and elementary-aged kids were able to visit the library once a month with their classes again.

The library staff left out some programming during the 2022 school year, primarily after-school programming and focused more on providing materials and craft supplies directly to homes. When in-person events did return, the library found a mixed reaction of either those extremely happy to get out of the house and those still a little tentative about gathering in a group.

Through 2022, many library programs, like the book discussion, were offered in a hybrid format with both in-person and online attendance available.

While not completely back to pre-pandemic levels, programming has begun to move back upwards and remains a focus of both library staff and library users alike.

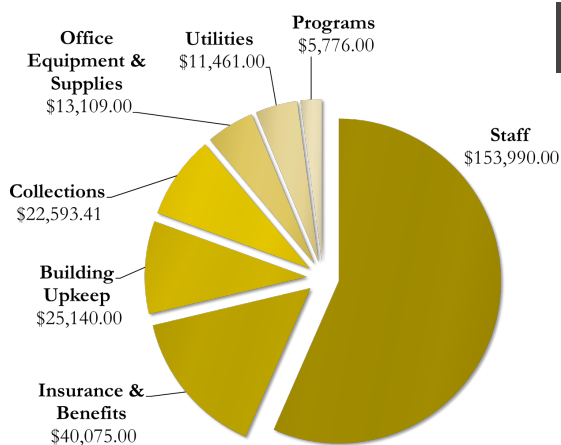


Programming attendance, 2014 - 2022

Financial Information

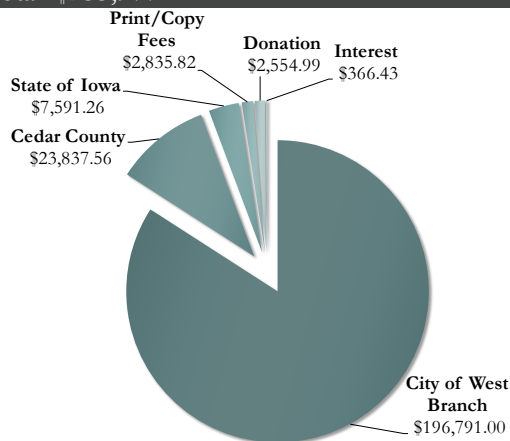
First, it is important to note that totals for expenditures in the library's records include benefits which are not reflected in the income as they come from a different city fund. Also, income is not fully expended so these totals will never be fully used.

The expenditures for Building Upkeep were this year with the replacement of an automatic door opener at roughly \$10,000. The library received an ARPA grant from the State Library for the book bike. This shows in the state income as well as the building upkeep due to a lack of a better category in which to place it. Regardless, building upkeep has grown regularly as the building ages.



Library Expenditures by Category
Total: \$274,144

Library Income by Category
Total: \$233,977



About this Report

The library's annual report has been prepared by
Nick Shimmin
Library Director
PO Box 460
West Branch, IA 52358

(319)643-2633

staff@wbpl.org

visit us on the web at
wbpl.org

The library would like to thank all of the people that make the West Branch Public Library possible in FY2022:

Library Board of Trustees

Karina Krall
Lisa Kofoed
Amber Klevin
Jim Farmer
Lizabeth Osborne
Craig Walker
Shari Heick

Friends of the Library Board

Sarah Hetrick
Jennie Embree
Liz Hernandez
Lisa Nelson
Kim Linn

Staff

Nick Shimmin
Rebecca Knoche
Jessica Schafer
Katrina Korsmo

Library Visits

As expected, the number of visitors to visit the library decreased throughout the pandemic. Through the end of fiscal year 2020, through much of 2021, and into the beginning of 2022, the foot traffic has begun to return but has not regained itself.

The construction of the new Middle School to the western part of town has also had a significant effect on foot traffic. As was often known, the library was a hub for after-school hangout for pre-teen students and younger siblings in their care.

The library also held off on holding after-school activities which provided fewer incentives for this group of users to visit. With the reintroduction of these programs, we'll find out how this population uses the library in the future.

