

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

**West Branch, Iowa
Council Chambers**

**City Council
Regular Meeting**

**July 3, 2023
7:00 p.m.**

Mayor Roger Laughlin called the West Branch City Council regular meeting to order at 7:00 p.m. Roll call: Council members present: Colton Miller, Jerry Sexton, Tom Dean, Jodee Stoolman and Nick Goodweiler. City Staff present: City Administrator Kofoed, City Clerk Brick, Police Chief Hanna, Public Works Director Goodale, Parks & Recreation Director Matt Condon. Staff attending via Zoom: Finance Officer Heidi Van Auken. Absent: Library Director Becky Knoche, Fire Chief Kevin Stoolman.

APPROVE THE AGENDA

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

APPROVE CONSENT AGENDA

- Approve Minutes from the June 19, 2023 City Council meeting
- Approve a Special Event permit for Hoover’s Hometown Days 2023
- Approve a premise update for Cedar’s Edge Golf Course, 3 Ember Lane (effective 5/27/2023)
- Appoint Seth Goodspeed to the West Branch Library Board, term expires June 30, 2026
- Reappoint Lizabeth Osborne to the West Branch Library Board, term expires June 30, 2026
- Reappoint Annika Pettitt to the West Branch Library Board, term expires June 30, 2026
- Approve LL Pelling Project costs for 2023
- Claims for 7/3/2023

EXPENDITURES	7/3/2023	
CEDAR COUNTY EMA	2023-2024 EMA ASSESSMENT	11,917.75
EAST CENT INTERGOVT ASN.	DUES 7-1-23 TO 6-30-24	1,856.66
IOWA DEP OF PUBLIC SAFETY	WARRANTS & ARTICLES SYSTEM	1,200.00
IOWA LEAGUE OF CITIES	MEMBERSHIP DUES FY24	1,821.00
JOHNSON COUNTY EMA	FY24 HAZMAT TEAM 28E AGREE	50.00
LEXIPOL	POLICY MANUAL & TRAINING FY24	3,546.88
MAINSTAY SYSTEMS OF IOWA	IT SUPPORT	11,840.00
MUNICIPAL SUPPLY INC.	METER SUPPLIES	2,143.42
SHIELD TECHNOLOGY	SOFTWARE MAINTENANCE	2,245.50
SINCLAIR TRACTOR	2023 DEERE Z950M MOWER	5,220.00
TUCKER, JAMIE	CONCESSION FOOD REIMBURSEMENT	33.98
TYLER TECHNOLOGIES	ANNUAL SOFTWARE MAINTENANCE	11,425.30
VEENSTRA & KIMM	VARIOUS PROJECTS	39,999.10

TOTAL 93,299.59

PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS: REG & FIRE 6/23/2023 54,395.08

PAID BETWEEN MEETINGS

UMB BANK	BOND FEES	1,250.00
AMAZON.COM	BOOKS, TECH - LIBRARY	2,432.42
HALL, SAILOR	UMPIRE - 3 GAMES	90.00
JOHN DEERE FINANCIAL	SUPPLIES - PW, P&R	354.24
KOENIG, COOPER	UMPIRE - 2 GAMES	60.00
KOENIG, NIKKI	UMPIRE - 2 GAMES	60.00
KOENIG, TATUM	UMPIRE - 4 GAMES	120.00
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,545.83
LYNCH'S PLUMBING	IRRIGATION PARTS FOR CUBBY	71.20
MAIN STREET WEST BRANCH	2023 HHTD BANNERS	322.22
OVERDRIVE	DIGITAL & AUDIO BOOKS	79.99
STATE INDUSTRIAL PRODUCTS	CHEMICALS	243.08
UNITED VOLLEYBALL SUPPLY	VB POLE PADS FOR PARK	861.08
SISCO	HEALTH CLAIMS 6/20/2023	81.90
BAKER & TAYLOR	BOOKS - LIBRARY	220.99
BEAVER HEATING & AC	AC SERVICE CALL - LIBRARY	345.00

CEDAR CONTY COOP	FUEL - PW	1,875.99
FALLER, KINCHELOE & CO	AUDIT FY22 SERVICES	18,000.00
HI-LINE	SHOP SUPPLIES	198.35
HY-VEE ACCT RECEIVABLE	CONCESSION SUPPLIES	2,665.94
IOWA CITY PRESS CITIZEN	COLLECTIONS - LIBRARY	227.02
IOWA ONE CALL	UTILITY LOCATION SERVICES	127.80
JOHNSON CONTROLS	FIRE ALARM SERVICE CALL -LIBRARY	1,175.48
KOENIG, COOPER	UMPIRE - 4 GAMES	120.00
KOENIG, TATUM	UMPIRE - 6 GAMES	180.00
MEDIACOM	CABLE SERVICE	41.90
OVERDRIVE	DIGITAL & AUDIO BOOKS	560.71
PTINEY BOWES GLOBAL	POSTAGE METER LEASE-LIBRARY	77.37
PTINEY BOWES INC.	POSTAGE METER LEASE-CITY	180.00
QC ANALYTICAL SERVICES	LAB ANALYSIS	777.75
VERIZON WIRELESS	VERIZON WIRELESS	411.71
METLIFE	INSURANCE	1,463.02
SISCO	INSURANCE	12,350.53
AE OUTDOOR POWER	MOWER PARTS	190.21
ALLIANT ENERGY	ALLIANT ENERGY	12,421.90
AMAZON.COM	VARIOUS ITEMS - LIBRARY	2,807.05
CULLIGAN WATER TECH	WATER SOFTENER SERVICE	64.48
FELD FIRE EQUIP	FIRE HELMET	410.00
HEIMAN FIRE EQUIP	BATTERIES, HELMET - FIRE	4,767.76
JT INTERNATIONAL	HHTD INFLATABLES DEPOSIT	5,000.00
LEAF CAPITAL FUNDING	COPIER LEASE - LIBRARY	142.02
NAEMT	TRAINING COURSE FEES-FIRE	30.00
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE-CITY	1,005.00
PYRAMID SERVICES	VEHICLE MAINTENANCE	417.76
RIVER PRODUCTS	ROCK FOR STOCK PILE	316.66
SCHIMBERG	VALVE BOX EXT SEWER	184.00
US BANK CORP CARD	CREDIT CARD PURCHASES	1,557.56
TOTAL		77,885.92
GRAND TOTAL EXPENDITURES	225,580.59	

FUND TOTALS		
001 GENERAL FUND		111,065.82
022 CIVIC CENTER		589.38
031 LIBRARY		15,196.40
110 ROAD USE TAX		22,907.95
112 TRUST AND AGENCY		11,341.91
226 DEBT SERVICE		1,250.00
319 RELOCATING WATER & SEWER		7,926.73
321 WIDENING WAPSI CREEK		5,180.00
324 WW TREATMT FACILITY		19,412.75
326 ROUNDABOUT MAIN & CEDAR		1,306.26
329 EASTSIDE WATER MAINS		5,149.04
600 WATER FUND		14,904.13
610 SEWER FUND		9,350.22
GRAND FUND TOTAL		225,580.59

Stoolman and Miller questioned a couple of dollar amounts on the claims before voting to approve the claims. Dean motioned to approve the consent agenda before Sexton asked to abstain from agenda item 6c in which he has a personal conflict of interest. Dean amended his motion to approve consent items 6a, 6b, 6d, 6e, 6f, 6g and 6h and motioned to vote on 6c separately, Miller seconded Dean's amended motion. Motion by Dean, second by Miller to approve Consent items 6a, 6b, 6d, 6e, 6f, 6g and 6h. AYES: Dean, Miller, Stoolman, Sexton, Goodweiler. Motion by Dean, second by Miller to approve the Consent item 6c. AYES: Dean, Miller, Stoolman, Goodweiler. NAYS: None. Abstain: Sexton. Motion carried.

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM

Cyndi Chacon, 10 Lazy Brook Drive addressed the Council regarding a nuisance notice she received for her property regarding mowing the ditch along the rear of her property. Chacon said the ditch is not easily mowed as it is steep, ungraded and has large rocks in it. Chacon, as well as other neighbors along the west side of Lazy Brook were unaware that they would be responsible for mowing the ditch. Laughlin explained to Chacon that the ditch (as it abuts a city street), is considered right-of-way and that according to City Code, property owners

are required to ‘take care’ of it. Michelle Silva, 6 Lazy Brook who also received a notice asked “who would be responsible for an injury should it occur while they were maintaining city right-of way”. Laughlin said the property home owner’s insurance would be responsible in that case. Both residents were clearly upset about the issue and asked what they should do. While he was sympathetic to their plight, Laughlin encouraged her to work with the home builder who should have graded the property to the road.

PUBLIC HEARING / NON-CONSENT AGENDA

First Reading Ordinance 804 – Amending title “Traffic and Vehicles” Chapter 65 “Stop or Yield Required”. / Move to action.

Motion by Sexton, second by Miller to approve first reading of Ordinance 804. AYES: Sexton, Miller, Dean, Stoolman, Goodweiler. NAYS: None. Motion carried.

Resolution 2023-66 – Approving Change Order Number 1 in the amount of (\$8,000) for the I-80 Utility Relocation, West Branch, Iowa Project. / Move to action.

Laughlin clarified that the Change Order represents a credit in the amount of \$8000.00 which reduces the original contract price.

Motion by Miller, second by Dean to approve Resolution 2023-66. AYES: Miller, Dean, Stoolman, Goodweiler, Sexton. NAYS: None. Motion carried.

Resolution 2023-67 – Approving Pay Estimate Number 2 (Final) in the amount of \$335,907.71 for the I-80 Utility Relocation, West Branch, Iowa Project. / Move to action.

Miller asked if the City had been reimbursed by IDOT for Pay Estimate #1. Van Auken said the City had not yet received reimbursement and that Veenstra A& Kimm had been made aware of it. Miller asked to amend the motion to approve Pay Estimate #2 upon receipt of reimbursement of Pay Estimate #1.

Motion by Miller, second by Sexton to approve Resolution 2023-67 pending payment of Pay Estimate #1. AYES: Miller, Sexton, Dean, Goodweiler, Stoolman. NAYS: None. Motion carried.

Resolution 2023-68 – Approving the Workers’ Compensation Proposal with Iowa Municipalities Workers’ Compensation Association (IWMCA). / Move to action.

There were no comments.

Motion by Miller, second by Dean to approve Resolution 2023-68. AYES: Miller, Dean, Goodweiler, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 2023-69 – Approving a Liability Insurance Proposal with Iowa Communities Assurance Pool (ICAP). / Move to action.

There were no comments.

Motion by Miller, second by Goodweiler to approve Resolution 2023-69. AYES: Miller, Goodweiler, Stoolman, Sexton, Dean. NAYS: None. Motion carried.

Resolution 2023-70 – Allowing event signage in the public right-of-way for Hoover’s Hometown Days 2023. / Move to action.

There were no comments.

Motion by Miller, second by Sexton to approve Resolution 2023-70. AYES: Miller, Sexton, Stoolman, Dean, Goodweiler. NAYS: None. Motion carried.

Resolution 2023-71 – Setting the date for sale of General Obligation Corporate Purpose Bonds, Series 2023 and authorizing the use of a Preliminary Official Statement in connection therewith. / Move to action.

Motion by Miller, second by Dean to approve Resolution 2023-71. AYES: Miller, Dean, Goodweiler, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 2023-72 – Authorizing an Amendment of the Transfer of Funds. / Move to action.

There were no comments.

Motion by Sexton, second by Miller to approve Resolution 2023-72. AYES: Sexton, Miller, Stoolman, Goodweiler, Dean. NAYS: None. Motion carried.

Resolution 2023-73 – Amending the City of West Branch, IA Employee Handbook. / Move to action.

Laughlin opened the discussion and asked the Council to consider tabling the resolution until a new officer has been interviewed and/or selected and determine if this would help with the recruitment process. Laughlin said disagreements have surface by other employees on the fairness of the benefit offering. Sexton said if he were an employee, he would be upset as well and doesn't want to see good employees leave the City over these types of disputes. The Council all agreed that something is needed to entice people to work in law enforcement, Kofoed reiterated that statement and said if something doesn't change, more difficult decisions would be coming to Council in the future. Miller told Kofoed that if there is more "bad news, it is better to give to them all at once instead of one problem at a time". Kofoed said he was not ready to have those discussions publicly at this time. Miller said he was okay with benefit offering to police officers while Dean stated he did not want to offer the same to the other employees of the City. Sexton was reluctant on the subject and suggested that if the Council did approve this item, that they give future consideration on benefits in lieu of annual salary increases. Hanna took the podium and said the resolution presented to Council was at their direction from the June 19th City Council meeting. Hanna further stated that only three applicants had applied and would not confirm if any were viable candidates. Hanna said his recruitment started on June 10th and closes July 8th and encouraged any other city employee to apply for the position as well.

Motion by Dean, second by Goodweiler to approve Resolution 2023-73. AYES: Dean, Goodweiler, Stoolman, Miller, Sexton. NAYS: None. Motion carried.

CITY ADMINISTRATOR REPORT – Kofoed reminded the Council that next week he will be on vacation a couple days and attending training the remaining days.

CITY ATTORNEY REPORT – Absent

CITY ENGINEER REPORT - Absent

STAFF REPORTS – Hanna mentioned the I-80 incident last week which resulted in several crashes throughout the day which resulted in interstate traffic to route through West Branch. Hanna said resident Jeff Maher took it upon himself to help police and public works staff direct traffic for several hours downtown. Hanna wanted to publicly thank Mr. Maher for his efforts.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Dean asked what the City could do to prevent interstate traffic to detour through town when Highway 6 is the dedicated emergency route. Miller said he was also concerned and asked Kofoed to start tracking the number of times these types of incidents occur and the man hours it takes away from staff from performing their regular jobs.

Regarding the public comments by Lazy Brook Drive residents, Stoolman asked if grading was a part of the final inspection of homes. Kofoed said it was not as a post grading inspection would add additional costs and time to the closing of property. Miller asked if the City could hold the builder responsible but City Attorney Olson was absent and not able to answer the question.

ADJOURNMENT

Motion to adjourn by Miller, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 8:11 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk