

(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**

**August 21, 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 and Nick Goodweiler. Jodee Stoolman was absent. City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Police Chief John Hanna, Public Works Director Matt Goodale, City Attorney Kevin Olson, and City Engineer Dave Schechinger. Staff attending via Zoom: Finance Officer Heidi Van Auken. Absent: Fire Chief Kevin Stoolman, Library Director Becky Knoche, Parks & Recreation Director Matt Condon.

APPROVE THE AGENDA

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

APPROVE CONSENT AGENDA

Approve minutes from the August 7, 2023 City Council meeting.
Approve minutes from the August 14, 2023 Special City Council meeting.
Approve minutes from the August 16, 2023 Special City Council meeting.
Approve a Class C Retail Alcohol license (**with Outdoor Service**) for ELDR Bar LLC dba The Lively, 3 Ember Lane, Suite 1, West Branch, IA.
Approve a Block Party permit for Rebecca Whitaker on Monday, September 4, 2023 from 10:00 a.m. to 5:00 p.m.
Approve the June Monthly Financial Report
Claims for 8/21/2023

EXPENDITURES	8/21/2023	
ABOUT FACES ENTERTAINMENT	HHTD 2023 ENTERTAINMENT CHILD	40.00
ADAM KOFOED	IACMA TRAVEL REIMB-KOFOED	593.20
AMAZON.COM	VARIOUS ITEMS	227.44
BAKER & TAYLOR	BOOKS	1,365.68
BARRON MOTOR SUPPLY	SUPPLIES PW	647.10
BUSINESS RADIO SALES	RADIO PARTS-POLICE	121.70
CEDAR COUNTY RECORDER	RECORDING FEES	76.00
CLARENCE LOWDEN SUN-NEWS	JOB AD - POLICE	33.50
DEERY BROTHERS FORD	VEHICLE MAINTENANCE - PW	121.64
DEMCO	BOOK PROCESSING SUPPLIES	92.41
DIAMOND VOGEL	STREET PAINT	4,615.22
DIRK WIENEKE	PARK LAWN MAINTENANCE	1,980.00
FELD FIRE EQUIPMENT	ANNUAL TRUCK SERVICE-FIRE	1,000.00
HAWKINS INC.	CHEMICALS	3,336.00
HEIDI VAN AUKEN	MPI MILEAGE REIMBURSEMENT	179.47
HOOVER PRESIDENTIAL FNDN.	2023 HHTD EVENT SIGNS	136.50
JOHNSON CONTROLS	FIRE MONITORING SERVICE	1,049.51
KANOPI	ON DEMAND VIDEO SERVICE	30.00
KIRKWOOD COMM. COLLEGE	FIRST AID/CPR CLASS - CONDON	23.00
KOCH OFFICE GROUP	COPIER MAINTENANCE	121.23
LINN COUNTY R.E.C.	STREET LIGHTS	231.75
LRS HOLDINGS	TRASH & RECYCLING JULY 2023	17,841.75
MAIN STREET WEST BRANCH	2023 HHTD ADS & EVENT SUPPLIES	1,272.83
MAINSTAY SYSTEMS OF IOWA	HYPERV SERVER INSTALL-POLICE	3,095.60
MOPPY MO'S	JANITORIAL SERVICES-LIBRARY	402.50
OVERDRIVE INC.	DIGITAL & AUDIO BOOKS	474.30
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE-LIBRARY	200.00
PLUNKETT'S PEST CONTROL	PEST CONTROL - CITY OFFICE, TH	105.90
QC ANALYTICAL SERVICES	LAB ANALYSIS	831.75
STATE HYGIENIC LAB	LAB ANALYSIS	347.50
TIPTON CONSERVATIVE	JOB AD - POLICE	55.75
TYLER TECHNOLOGIES	ANNUAL SAAS FEES-EBILLS	2,652.50
US BANK CORPORATE CARD	CREDIT CARD PURCHASES	1,996.56
VEENSTRA & KIMM	VARIOUS PROJECTS	29,926.64

WEST BRANCH TIMES	JOB AD - POLICE	734.34
TOTAL		75,959.27
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	8/18/2023	56,313.98
PAID BETWEEN MEETINGS		
SISCO	HEALTH CLAIMS 8/14/2023	332.10
LYNCH'S EXCAVATING INC.	EASTSIDE WATER MAINS PAY ESTIMATE 2	211,598.68
ALLIANT ENERGY	ALLIANT ENERGY	13,958.44
AT&T MOBILITY	WIRELESS SERVICE	364.48
BLIBLIONEX	CIRCULATION/CATALOG SOFTWARE	1,880.00
CAPITAL ONE	VARIOR ITEMS-LIBRARY	53.50
CEDAR COUNTY COOPERATIVE	FUEL-FIRE, PW	883.73
CULLIGAN WATER TECH	WATER SOFTENER SERVICE	29.99
HEIMAN FIRE EQUIPMENT	UNIFORM-BOOTS FIRE	346.00
LEAF CAPITAL FUNDING	COPIER LEASE-LIBRARY	142.02
THE HOME DEPOT	TRASH BAGS-P&R	334.35
VEENSTRA & KIMM	EASTSIDE WATER MAINS	1,660.00
WEX BANK	VEHICLE FUEL	1,476.93
GLOBAL PAYMENTS	JULY CC FEES	1,252.77
ABOUT FACES	HHTD 2023 ENTERTAINMENT	1,280.00
ABSOLUTE SCIENCE	HHTD 2023 ENTERTAINMENT	825.00
BARNYARD DISCOVERIES	HHTD 2023 ENTERTAINMENT	800.00
BRITTANY LEE BEDFORD	HHTD 2023 BAND	350.00
PURPLE COW RECORDS	HHTD 2023 BAND	2,250.00
JT INTERNATIONAL	HHTD 2023 INFLATABLES	5,000.00
MARY COLEEN PETERSON	HHTD 2023 BAND	400.00
VARIOUS VENDORS	UB REFUNDS	29.95
TOTAL		245,247.94
GRAND TOTAL EXPENDITURES		377,521.19
FUND TOTALS		
001 GENERAL FUND	68,865.44	
022 CIVIC CENTER	725.65	
031 LIBRARY	12,956.25	
110 ROAD USE TAX	12,178.20	
112 TRUST AND AGENCY	11,537.54	
319 RELOCATING WATER & SEWER	256.00	
321 WIDENING WAPSI CREEK	3,511.50	
324 WW TREATMENT FACILITY	15,678.46	
326 ROUNDABOUT MAIN & CEDAR	1,534.27	
329 EASTSIDE WATER MAINS	221,122.51	
600 WATER FUND	17,804.25	
610 SEWER FUND	10,731.37	
740 STORM WATER UTILITY	619.75	
GRAND FUND TOTAL	377,521.19	
REVENUE-FISCAL YEAR 2023		
FUND JUNE		
001 GENERAL FUND	121,963.02	
022 CIVIC CENTER	435.73	
026 SIGNS ACCIONA DONATION	83.83	
031 LIBRARY	1,441.52	
036 TORT LIABILITY	403.34	
110 ROAD USE TAX	38,733.67	
112 TRUST & AGENCY	4,039.50	
119 EMERGENCY TAX FUND	231.42	
121 LOCAL OPTION SALES TAX	28,879.71	
125 TIF	2,750.59	
126 TIF LMI MEADOWS PT 4	1,315.00	
226 DEBT SERVICE	1,889.73	
300 CAPITAL IMPROVEMENT RESERVE	336.03	
324 WW TREATMENT FACILITY	112,547.76	
500 CEMETERY PERPETUAL FUND	925.26	
501 KROUTH PRINCIPAL FUND	436.58	
502 KROUTH INTEREST FUND	203.71	

600 WATER FUND	46,643.19
610 SEWER FUND	71,345.64
740 STORM WATER UTILITY	5,601.75
TOTAL	440,206.98

Miller questioned Kofoed’s training reimbursement and asked what it all included. Kofoed replied that the reimbursement was membership fees and other expenses. Van Auken clarified that it was not for membership fees, rather mileage and food. The Council had no other questions.

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM - NONE

PUBLIC HEARING / NON-CONSENT AGENDA

Third Reading Ordinance 782 – Amending Chapter 63, Speed Regulations. / Move to action.

ORDINANCE NO. 782

AN ORDINANCE AMENDING CHAPTER 63 OF THE WEST BRANCH CODE OF ORDINANCES REGARDING SPEED LIMITS ON MAIN STREET.

WHEREAS, the Police Chief recommends changing the speed limits in front of the West Branch High School on West Main Street to 25 mph.

NOW, THEREFORE, BE IT ORDAINED:

1. Amendment. Section 63.04(4)(B) be deleted in its entirety.
2. Amendment. Section 63.04(3)(C) is hereby deleted in its entirety and replaced with the following:
“C. Main Street from the east right-of-line of its intersection with Thomas Drive westerly to the corporate limit line.”
3. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.
4. Adjudication. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.
5. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

First reading: August 16, 2021
 Second reading: September 7, 2021
 Third Reading: August 21, 2023

 Roger Laughlin, Mayor

ATTEST:

 Leslie Brick, City Clerk

This ordinance had its first reading and second readings in 2021, prior to the start of the roundabout project. It was decided at the second reading in September of 2021 to wait to reduce the speed limit upon completion of the roundabout. Now that the roundabout is complete, this ordinance has been brought back to the Council for final consideration and adoption. There were no Council comments.

Motion by Miller, second by Dean to approve third reading of Ordinance 782. AYES: Miller, Dean, Goodweiler, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

First Reading Ordinance 805 – Amending Chapter 92, Water Rates. / Move to action.

Brick stated that due to rising water and sewer rates, utility deposits for tenants need to increase to cover at least the minimum monthly bill. Brick said right now, with the deposit being one hundred dollars, she has more following up with residents and tracking them down for final bill payments. The Council agreed with the deposit increase and had no questions for Brick.

Motion by Sexton, second by Miller to approve first reading of Ordinance 805. AYES: Sexton, Miller, Dean, Goodweiler. NAYS: None. Absent: Stoolman. Motion carried.

First Reading Ordinance 806 – Amending Chapter 165, Zoning Regulations. / Move to action.

Brick stated that the current rezoning fee of one hundred and fifty dollars has not increased since prior to 2014 or since the city’s growth starting in 2015. Miller expressed his opinion that he didn’t feel that the proposed increase to three hundred dollars was high “enough”. He asked how much time staff puts into each rezoning request. Brick responded that there is an application process, meetings to schedule with Planning & Zoning, publication costs for public hearings and occasionally postage costs related to mailing notices to affected property owners. Miller said that he was okay with approving the first reading as is, but would like staff to

research other growing communities to see what they are charging to see if the city would be justified in increasing the rezoning fee higher.

Motion by Miller, second by Dean to approve first reading of Ordinance 806. AYES: Miller, Dean, Goodweiler, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

First Reading Ordinance 807 – Amending Chapter 166, Subdivision Regulations. / Move to action.

Brick stated that along with other costs associated with the city's growth, platting fees also were in need of an increase. Brick said other cities were surveyed and increasing the fee to three hundred dollars for each the preliminary and final plat was in line with other cities. The Council had no objection with the proposed fees. Motion by Miller, second by Sexton to approve first reading of Ordinance 807. AYES: Miller, Sexton, Dean, Goodweiler. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2023-84 – To fix a date for a public hearing on proposal to enter into a Water Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$54,700. / Move to action.

Motion by Sexton, second by Dean to approve Resolution 2023-84. AYES: Sexton, Dean, Miller, Goodweiler. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2023-85 – Approve Pay Estimate Number 3 in the amount of \$307,409.74 to Lynch Excavating Inc. for the Eastside Water Main Replacement Project. / Move to action.

There were no comments.

Motion by Miller, second by Dean to approve Resolution 2023-85. AYES: Miller, Dean, Goodweiler, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2023-86 – Approving Change Order #3 for the Herbert Hoover Highway Roundabout Project in the amount of \$237,861.71. / Move to action.

Schechinger informed that Council that change order number 3 includes traffic control changes early in the project to traffic control, subgrade repairs and storm sewer structures that were cast in place.

Motion by Dean, second by Sexton to approve Resolution 2023-86. AYES: Dean, Sexton, Goodweiler, Miller. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2023-87 – Approving Change Order #4 for the Herbert Hoover Highway Roundabout Project in the amount of \$3,783.70. / Move to action.

Schechinger said change order number 4 includes evaluation of pavement thickness for sections of the same design thickness more than 3500 square using non-destructive testing according to Materials I.M. 346 Method A.

Motion by Miller, second by Sexton to approve Resolution 2023-87. AYES: Miller, Sexton, Goodweiler, Dean. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2023-88 – Approving Change Order #5 for the Herbert Hoover Highway Roundabout Project in the amount of \$15,925.08. / Move to action.

Schechinger said change order number 5 consists of temporary lighting needed to open the roundabout prior to the start of school (as requested by the Council). The change order also includes a PCC thickness pay adjustment.

Motion by Sexton, second by Miller to approve Resolution 2023-88. AYES: Sexton, Miller, Dean, Goodweiler. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2023-89 - Approving Reimbursement Request Number 2 in the amount of \$511,059.83 to Johnson County Treasurer for the Herbert Hoover Highway Roundabout Project. / Move to action.

There were no comments on this agenda item.

Motion by Miller, second by Dean to approve Resolution 2023-89. AYES: Miller, Dean, Goodweiler, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2023- 90 – Approving Reimbursement Request Number 3 in the amount of \$279,495.59 to Johnson County Treasurer for the Herbert Hoover Highway Roundabout Project. / Move to action.

There were no comments on this agenda item.

Motion by Dean, second by Sexton to approve Resolution 2023-90. AYES: Dean, Sexton, Goodweiler, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2023-91 – Approving a salary adjustment for Matt Condon for Fiscal Year 2024. / Move to action.

Motion by Dean, second by Miller to approve Resolution 2023-91. AYES: Dean, Miller, Goodweiler, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2023-92 – Approving a License Agreement for Outdoor Seating with the Down Under. /Move to action.

Mike Jones, owner of The Down Under approached Main Street West Branch and the City with a proposal to add an outdoor service area for his downtown business. Jones submitted seating plans, lighting and fencing concepts and has secured the appropriate insurance to cover the proposed service area. Both Main Street and the City were in favor of Jones adding an outdoor service area adjacent to the business located at 102 W. Main as it would be a draw for residents and visitors of West Branch.

Motion by Dean, second by Goodweiler to approve Resolution 2023-92. AYES: Dean, Goodweiler, Miller, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Discussion – Property Tax Reform effects of the city budget

Kofoed presented his interpretation and opinion on how House File 718 (aka HF718) will affect the city’s future budgets which may include cutting some city non-essential services, programs, and possibly eliminating staff positions. Kofoed pleaded with the Council to educate themselves on this new legislation and advocate for changes in the Bill. Kofoed said that he has been unsuccessful getting state representatives to respond to him and asked for the Council to unite and request a response from our elected officials. Kofoed advised the Council to be prepared for resident’s questions on HF718 and how it will directly affect them. Kofoed stated the Iowa League of Cities is preparing informational videos to help with communicating to the public as well.

CITY ADMINISTRATOR REPORT – No report

CITY ATTORNEY REPORT – No report

CITY ENGINEER REPORT

Schechinger reported on the following projects: the roundabout was opened today (with temporary lighting in place). He reminded the Council that this project was “working day” contract and that there are 15-20 days left and that permanent lightening is expected to be completed in that time frame. The Meadows Part 3 is working on installing utilities and significant dirt work is being done. The Waster Water Treatment Facility SAGR cells are being filled with rock and work continues on the roof of the new building. Eastside Water Main Project: E College Street has been re-poured and will be finished up soon then Lynch’s will back to North 6th Street. Lynch has decided to bore the remaining water main up the street rather than disturbing more driveways and right-of-way.

STAFF REPORTS – No report

COMMENTS FROM MAYOR AND COUNCIL MEMBERS – No comments

ADJOURNMENT

Motion to adjourn by Miller, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 8:29 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk