



**CITY COUNCIL MEETING
MONDAY, AUGUST 7, 2023 - 7:00 P.M.
CITY COUNCIL CHAMBERS
110 N. POPLAR STREET, WEST BRANCH, IOWA**

<https://zoom.us/j/5814699699>

or dial in phone number 1-312-626-6799 with Meeting ID 581 469 9699.

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Welcome
5. Approve Agenda. /Move to action.
6. Approve Consent Agenda/Move to action.
 - a. Approve Minutes from the July 17, 2023 City Council meeting
 - b. Approve a Block Party permit from Cindy Simon for Saturday, August 26, 2023 from 3:00 p.m. to 10:00 p.m.
 - c. Approve a Special Event Permit for the West Branch Highschool Homecoming Parade on Wednesday, September 27, 2023 starting at 6:30 p.m.
 - d. Approve a Special Event Permit for the West Branch Dog Fair at Beranek Park on Saturday, September 2, 2023 from 11:00 a.m. to 3:00 p.m.
 - e. Claims for 8/7/2023
7. Presentations/Communications/Open Forum
8. Public Hearing/Non-Consent Agenda
 - a. **Third Reading Ordinance 804** – Amending title “Traffic and Vehicles” Chapter 65 “Stop or Yield Required”. / Move to action.
 - b. **Resolution 2023-79** – Authorizing and approving a certain Loan Agreement, providing for the issuance of \$3,040,000 General Obligation Corporate Purpose Bonds, Series 2023 and providing for the levy of taxes to pay the same. / Move to action.
 - c. **Resolution 2023-80** – Approving and Accepting certain Municipal Improvements Constructed in The Meadows Subdivision Part 5, West Branch, Iowa. / Move to action.
 - d. **Resolution 2023-81** - Approve Pay Estimate Number 2 in the amount of \$211,598.68 to Lynch Excavating Inc. for the Eastside Water Main Replacement Project. /Move to action.
9. Discussion – Water meter fixed base network
10. Discussion – Planning & Zoning decision on the matter of closing a portion of the alley between N. 4th and N. 5th St.
11. Discussion – Terror Trail alley
12. Discussion – Employee Benefits
13. Discussion- Post grade inspections on newly developed property within the city limits
14. City Administrator Report
15. City Attorney Report
16. City Engineer Report
17. City Staff Reports
18. Comments from Mayor and Council Members
19. 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**

**July 17, 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, City Attorney Kevin Olson and City Engineer Dave Schechinger. Staff attending via Zoom: Finance Officer Heidi Van Auken and Library Director Becky Knoche. Absent: Parks & Recreation Director Matt Condon and 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 July 3, 2023 City Council meeting
 Approve a Class C Retail Alcohol license (renewal) for Mexico Lindo, 711 S. Downey Street, West Branch. (pending DRAM & fire inspection)
 Approve a Class C Retail Alcohol license (new) for ELDR Bar LLC dba The Lively, 3 Ember Lane, Suite 1, West Branch, Iowa.
 Approve a Class E Retail Alcohol license, (renewal) for Rashika LLC dba Jack & Jill, 115 E. Main Street, West Branch effective 7/15/2023.
 Approve a Class C Retail Alcohol license, 5 day, with Outdoor Service for The Down Under August 4th through 8th, 102 W. Main Street, West Branch.
 Approve the May Monthly Financial Report Claims for 7/17/2023

EXPENDITURES	7/17/2023	
AMAZON.COM	VARIOUS PURCHASES	698.29
BARNHART'S CUSTOM SERVICES	PUSH BACK BRUSH PILE	480.00
BROWN'S WEST BRANCH FORD	2022 FORD EXPLORER SERVICE	77.96
CEDAR COUNTY AUDITOR	SOLID WASTE ASSESSMENT	15,555.32
CEDAR COUNTY RECORDER	RECORDING FEES	215.00
CEDAR COUNTY TRANSFER STATION	TRASH DISPOSAL	51.00
DEERY BROTHERS FORD	2016 F550 MAINT/REPAIRS PW	2,043.17
FRED'S FEED & SUPPLY	BALL PARK LIME	396.00
GRIEBAHN INDUSTRIES	NAME PLATE-P&R COMMISSION	26.00
HAWKINS INC	CHEMICALS	3,456.30
ICAD GROUP	ICAD FY24 DUES	2,500.00
IMWCA	IMWCA DEPOSIT FY24 & 1ST INSTALLMENT	9,461.00
IOWA ASSN. MUN. UTILITIES	QUARTERLY SAFETY TRAINING DUES	888.00
IOWA DNR	DUES/MEMBERSHIP	276.07
LRS HOLDINGS	TRASH & RECYCLING, TRASH STICKERS	18,072.25
MENARDS	MULCH FOR CUBBY PARK	97.24
MOPPY MO'S LLC	CLEANING SERVICES-CITY TH P&R	542.50
MPH INDUSTRIES INC	RADAR REPAIR DURANGO-POLICE	144.44
MUNICIPAL SUPPLY INC.	WATER METERS	7,440.00
OASIS ELECTRIC LLC	OUTLET INSTALL & REPAIRS TO WELL	2,010.87
OLSON, KEVIN D	LEGAL SERVICES JULY 2023	1,500.00
PYRAMID SERVICES INC.	GROUPS CARE PARTS	16.78
STATE HYGIENIC LAB	LAB ANALYSIS	81.00
UTILITY SERVICE CO., INC.	SOUTH & NORTH WATER TOWER MAINT PYMT	40,395.00
WEX BANK	VEHICLE FUEL	1,626.19
TOTAL		108,050.38
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS: REG & FIRE	7/7/2023	51,273.82
PAID BETWEEN MEETINGS		

ALLIANT ENERGY	ALLIANT ENERGY	13,334.91
AT&T MOBILITY	WIRELESS SERVICE	364.52
KOENIG, TATUM	UMPIRE- 1 GAME	30.00
LINN COUNTY REC	STREET LIGHTS	231.75
MPEC	MOWER PARTS	29.35
GLOBAL PAYMENTS	JUNE CC FEES	1,084.06
SISCO	HEALTH CLAIMS 7/10/2023	47.58
VARIOUS VENDORS	UB REFUNDS	60.64
TOTAL		15,182.81
GRAND TOTAL EXPENDITURES		174,507.01

FUND TOTALS		
001 GENERAL FUND	67,298.72	
022 CIVIC CENTER	640.94	
031 LIBRARY	6,705.96	
036 TORT LIABILITY	8,918.62	
110 ROAD USE TAX	7,566.35	
112 TRUST AND AGENCY	7,671.19	
600 WATER FUND	67,013.45	
610 SEWER FUND	8,166.48	
740 STORM WATER	525.30	
GRAND FUND TOTAL	174,507.01	

REVENUE-FISCAL YEAR 2023
FUND MAY

001 GENERAL FUND	193,424.94
022 CIVIC CENTER	827.93
031 LIBRARY	551.51
036 TORT LIABILITY	2,310.53
110 ROAD USE TAX	31,142.18
112 TRUST & AGENCY	12,626.95
119 EMERGENCY TAX FUND	1,325.83
121 LOCAL OPTION SALES TAX	34,894.46
125 TIF	8,958.69
126 TIF LMI MEADOWS PT 4	5.71
226 DEBT SERVICE	8,948.03
300 CAPITAL IMPROVEMENT RESERVE	1,925.39
324 WW TREATMENT FACILITY	551,712.18
500 CEMETERY PERPETUAL FUND	300.00
600 WATER FUND	47,869.04
610 SEWER FUND	71,693.85
740 STORM WATER UTILITY	5,641.88
TOTAL	974,159.10

Miller asked Chief Hanna if there were any known issues with the current alcohol license. Hanna reported that he was not aware of any violations.

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM - NONE

PUBLIC HEARING / NON-CONSENT AGENDA

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

There were no comments.

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

Resolution 2023-74 – Awarding General Obligation Corporate Purpose Bonds, Series 2023. / Move to action.

Maggie Burger, Speer Financial (the city’s financial advisor), presented the bid results from the bond sale that took place earlier in the day. Burger said that five bids were received and the highest bid in the amount of \$3,133,017.90 went to TD Securities (USA) LLC from New York, NY with a true interest rate of 3.5243%.

Burger reminded the Council that the Bond amount is \$3,040,000 and the difference (approximately \$93,000) will be paid to the City to use for their projects. Burger went on to say that the debt schedule is for seventeen years and is callable in 2030. At that time, the City could pay more to buy down the loan or refinance if interest rates are lower. The Council had no further comments.

Motion by Miller, second by Sexton to approve Resolution 2023-74. AYES: Miller, Sexton, Stoolman, Dean, Goodweiler. NAYS: None. Motion carried.

Resolution 2023-75 – Amending the West Branch Schedule of Fees. / Move to action.

Brick gave an overview of the proposed changes presented on the schedule of fees and indicated that the items in red text were items that the Council should they approve, pass with the current resolution. Other suggested fees (in blue text) would require an ordinance change as they are in the West Branch Code of Ordinance. Brick noted that a few necessary changes are for the utility deposit (for tenants) to coincide with rising water and sewer rates as well as increasing subdivision fees based on the city's continued growth and the staff time required for the process. Miller questioned why the registration fee for cats did not increase along with the doge. Kofoed said he surmised that the increase in dog registrations is to help pay for the future dog park expansion. Brick added that the fee schedule will continue to be reviewed annually to ensure that costs are reasonable and are covering the majority of the expense. The other Council members had no comments or questions.

Motion by Miller, second by Goodweiler to approve Resolution 2023-75. AYES: Miller, Goodweiler, Stoolman, Dean, Sexton. NAYS: None. Motion carried.

Resolution 2023-76 – Approving Pay Estimate Number 10 in the amount of \$476,187.40 to Boomerang Corp. for the Wastewater Treatment Facility Improvements Project. /Move to action.

There were no comments.

Motion by Dean, second by Miller to approve Resolution 2023-76. AYES: Dean, Miller, Stoolman, Sexton, Goodweiler. NAYS: None. Motion carried.

Resolution 2023-77 –Requesting submission of the question of Imposition of a Local Option Sale and Services Tax to the registered voters of West Branch, Iowa (Cedar County). /Move to action.

Kofoed said Olson prepared the ballot language for the November 2023 city election as discussed with Council at their last meeting. He added that the ten-year sunset was removed and that the LOSST tax would be ongoing until at which time the Council could decide to change the public purpose. Olson confirmed that if a future Council chose to change the public purpose, another public measure would need to go to the voters.

Motion by Dean, second by Miller to approve Resolution 2023-77. AYES: Dean, Miller, Stoolman, Goodweiler, Sexton. NAYS: None. Motion carried.

Resolution 2023-78 –Requesting submission of the question of Imposition of a Local Option Sale and Services Tax to the registered voters of West Branch, Iowa (Johnson County). /Move to action.

Motion by Dean, second by Sexton to approve Resolution 2023-78. AYES: Dean, Sexton, Goodweiler, Miller, Stoolman. NAYS: None. Motion carried.

CITY ADMINISTRATOR REPORT

Kofoed said he would bring to discussion items for the next Council meeting to further post grading inspections and employee benefits. He also mentioned that a special event permit was received for a Dog Fair to help fundraise for the dog park expansion. Kofoed also asked for a couple of Council members to volunteer to meet with him regarding a business expansion proposal in West Branch.

CITY ATTORNEY REPORT – No report

CITY ENGINEER REPORT

Schechinger gave updates on the following projects: Eastside Water Main Replacement is moving along on N. 6th St. Lynch Excavating, who won the bid, has the stormwater portion of the project complete and is up to E. Green Street and beginning work on the water mains. Roundabout project: most paving is done and contractors are making good progress. Wastewater Treatment Facility, had a final completion date of July 1st

however, recent rains have put them behind schedule. Schechinger said he will work with Boomerang on a revised schedule.

STAFF REPORTS

Hanna said that the police job posting closed on July 10th and eight applications were received, one being an Iowa Certified officer which who he was hoping to attract. Hanna said he would be reviewing the applications and schedule interviews in the coming days.

Goodale reported on the water tower maintenance project and said that the south water tower has been painted and the new logo applied. Goodale said that Suez was finishing up a few items and that the north water tower would be painted in 2024 per the maintenance schedule.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Stoolman asked if the City would be applying for a tree grant this year and asked if trees could be replaced in the right-of-way on N. 6th Street where several came down due to a city project. Laughlin liked that suggestion and Goodale said that he could apply for the grant.

Dean suggested that the (City) and Council promote how LOSST dollars have been used in the past so that voters realize the importance of the additional tax. Dean asked if signage could be placed on various past projects such as Cubby Park, the West Branch Fire Station and other areas to help raise awareness.

Miller encouraged the other Council members to take a drive down to Beranek Park and look at the “situation” and come to a decision to resolve it.

Laughlin reminded all that Hoover’s Hometown Days is in two weeks and hoped that everyone would come out and support the event.

ADJOURNMENT

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

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Approve a Block Party permit from Cindy Simon for Saturday, August 26, 2023 from 3:00 p.m. to 10:00 p.m.
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PREPARED BY: Adam Kofoed, City Administrator

DATE: July 27, 2023

BACKGROUND:

Aug. 26, 2023 block party will be closing Ridgeview Drive between W. Orange and Sullivan Street.

Staff is recommending approval with the following conditions:

1. Tents, tables and bouncy houses must be placed on private property.
2. Alcohol consumption cannot take place in the city right of way or upon city streets.
3. Amplified music must follow public peace ordinances and not played after 10:00 p.m.
4. Phone numbers of block party leaders must be posted on the barricades.
5. Emergency vehicle access must be maintained at all times.



BLOCK PARTY PERMIT APPLICATION

A block party is defined as an event open to a specific/defined neighborhood or area; where no admission fee is charged for attendance; where alcoholic beverages are not sold or where no entrance fee or admission is charged for service of alcoholic beverages; where a street closure, if necessary, shall not exceed six (6) hours; where the use of portable restroom facilities is not necessary.

Any and all requests for temporary street closings require approval by the West Branch City Council.

Name: Cindy Simon

Address: 306 Ridge View Dr.

City: West Branch State: IA Zip: 52358

Email: Cindysimon52@yahoo.com Home Phone: 941-224-1182

Business Phone: _____ Cell Phone: _____

Street(s) requested to be temporarily closed for block party, including termination points:

Corner of 301 & 302 Ridge View Dr & Orange

308 & 305 Ridge View Dr & Sullivan

(example: Main Street between N. 1st St. and N. 2nd St.)

Date(s) Requested for Block Party

Alternate Date(s) Requested

Aug 26th (Sat)

Start Time of Block Party

End Time of Block Party

3 pm - ~~10 pm~~

10 pm

Will there be outdoor, live or amplified music? Y N

If "yes", please be aware of noise provisions in West Branch Code of Ordinances, Chapter 40.03(2).

Have all neighbors within the enclosed area and/or impacted area been notified of the temporary street closure for the event? Y N

City Barricade Requirements

A \$50 refundable deposit is required for the use of barricades. All block parties within the City of West Branch are required to use barricades provided by the City of West Branch. The West Branch Public Works Department will deliver barricades on the weekday prior to the block party at the address provided. Please return the barricades to the same address to be picked up the first work day following the block party. The barricade deposit shall be refunded at the sole discretion of the City of West Branch. Submit a check for \$50, made payable to the City of West Branch and mail it to: City of West Branch, PO Box 218, West Branch, IA 52358 or drop it off at the City Office at 110 N. Poplar Street, West Branch, IA.

I Agree:

I have been advised of the requirements for a Block Party Permit and agree to meet all requirements established by the City of West Branch. Furthermore, I understand that if all requirements are not met, the Block Party Permit can be cancelled by the City of West Branch at any time, including at the start of or during the event. In the event that an organization is the applicant, I hereby certify, that I have the legal authority to represent the applicant and/or the participants, and that I have read the above requirements, understand the provisions, and freely and voluntarily sign it. I further understand that the City Council of the City of West Branch had the authority to grant or deny for this event.

I further voluntarily assume all risk of loss, damage, or injury that may be sustained by me or my guests while participating in, traveling from, or observing any of the events that are part of the block party, and I hereby release the City of West Branch and all its offices, elected officials, employees, and other agents from any and all liability associated with the block party.

All picnic tables, inflatables, etc. must be placed on ONE side of the street within the approved temporary street closing area in the event that emergency vehicle access is needed.

Signature: Carly Simon

Date: 7-10-2023

For Office Use Only:	
Date Application Received: _____	City Council Meeting Date: _____
City Council Action: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Date Applicant Notified: _____	
Date Public Works Notified: <u>7-20-23 [initials]</u>	Date WBPD Notified: <u>7-20-23 [initials]</u>
Date WBFD Notified: <u>7-20-23 -ok [initials]</u>	
Barricade Fee \$50.00 (refundable) Paid: _____	Date Refunded: _____



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	August 7, 2023
AGENDA ITEM:	Approve a Special Event Permit for the West Branch Highschool Homecoming Parade on Wednesday, September 27, 2023 starting at 6:30 p.m.
PREPARED BY:	Leslie Brick, City Clerk
DATE:	July 27, 2023

BACKGROUND:

The permit has been submitted by Abby Noelck, Student Government Advisor with the West Branch High School for their annual homecoming parade.

The parade route is the same as in years past and all City departments have reviewed and approved their request.

#WBHS Homecoming Parade #



Special Event Permit Application

Private events, ceremonies, or parties that anticipate less than 50 people and do not collect any money, sell any products, goods or services including food, beverage, or alcohol, do not use roads, streets, or pathways and do not have amplified sound or large tents do not require a Special Event Permit. A Facility Reservation form may be required. The City of West Branch may waive the submission deadline in extreme cases of unforeseen events.

Please supply the information requested below. Attach additional sheets, if necessary, to provide the required information. In issuing a permit for a special event, the City considers the following items:

1. The event is reasonably likely to cause injury to persons or property, create a disturbance, cause disorderly conduct or encourage or result in violation of the law, or community standards;
2. The event will be unreasonably and substantially interrupt the safe and orderly movement of pedestrians and vehicular traffic in the area;
3. The proposed location is adequate for the size and nature of the event;
4. The event does not unreasonably interfere with the intended use of the area;
5. The Applicant's apparent ability to execute the event;
6. The Applicant's apparent ability to obtain the appropriate insurance (if applicable);
7. The event unreasonably conflicts with other scheduled special events in the community;
8. Approvals by other governing agencies; and
9. All permit requirements have been met.

The application review process begins when the City of West Branch has received a completed application. Applications for special events must be approved by all appropriate departments, including but not limited to the West Brach Police Department, Fire Department, Public Works, Public Library, Parks and Recreation, Administration, and the City Council. In the event the application is denied by the City; the applicant may appeal to the West Branch City Council in writing within five (5) days of denial. The decision of the West Branch City Council is final.

FOR CITY OFFICE USE:

Approved by _____ Date of Approval _____

West Branch Administration WB West Branch Fire Department KS West Branch Police Department JH

West Branch Public Library BL West Branch Public Works [Signature] West Branch Parks and Recreation MC

Other _____ Other _____

Notes: _____



Special Event Permit Application

Event Title/Name: West Branch High School Homecoming Parade
 Event Organization: WBHS Student Government Phone: 515-230-5551
 Organization Address: 900 W. Main Street Tax ID #: _____
 City: West Branch State: IA Zip Code: 52358
 Event Website: N/A Event Email: studentgov@west-branch.k12.ia.us
 Event Coordinator Name and Title: Abby Noelck, Student Government Adviser
 Event Coordinator Email: anoelck@west-branch.k12.ia.us
 Event Coordinator Cell Number: 515-230-5551
 Event Coordinator Address: 902 20th Avenue Place #5
 City: Coralville State: IA Zip Code: 52241
 Description of Event: Homecoming parade involving school clubs and community organizations.

Requested Location(s) -All city facilities will also need to be reserved using the Facility Request Form. If there is a request to shut down a street, a traffic control plan including detour route drawing needs to be submitted.
See attached proposed parade route.

Event set up will begin: (date, day of the week and time)	Event will begin: (date, day of the week, and time)	Event will end: (date, day of the week, and time)	Removal and clean-up will be completed: (date, day of the week, and time)
Wednesday, Sept. 27, 6:00 p.m.	Wednesday, Sept. 27, 6:30 p.m.	Wednesday, Sept. 27, 7:15 p.m.	Wednesday, Sept. 27, 8:00 p.m.

Maximum Number of Participants: 200 Maximum Number of Vehicles: 50

Will there be an admission fee? No What is the admission fee? N/A

Will food be sold? No Organizers are responsible for making sure vendors have secured the appropriate permits.

Will alcohol be permitted or sold? No Organizers are responsible for insuring all permits have been obtained and all laws and regulations are followed.

Has all approval from non-city agencies (such as NPS, Johnson County, Cedar County, WBCSD) been granted? ___
 Please list other agencies involved. WB Community School District

Traffic Control Plan (please attach diagram): See attached parade route.



Public Notification Plan: Social media, flyers in schools

Amplified Sound/Noise Plan: _____

Site Plan/Race Course Map (please attach diagram): See attached parade route

Security Plan: _____

Restoration Plan: _____

Trash Management Plan: _____

Restroom Plan: Available at Little Rose Bowl (coronation to take place following the parade)

Signs/Banner Plan: _____

Insurance policy: with West Branch Community School District

Signature: Aby L Noeldt Date: 7/5/23

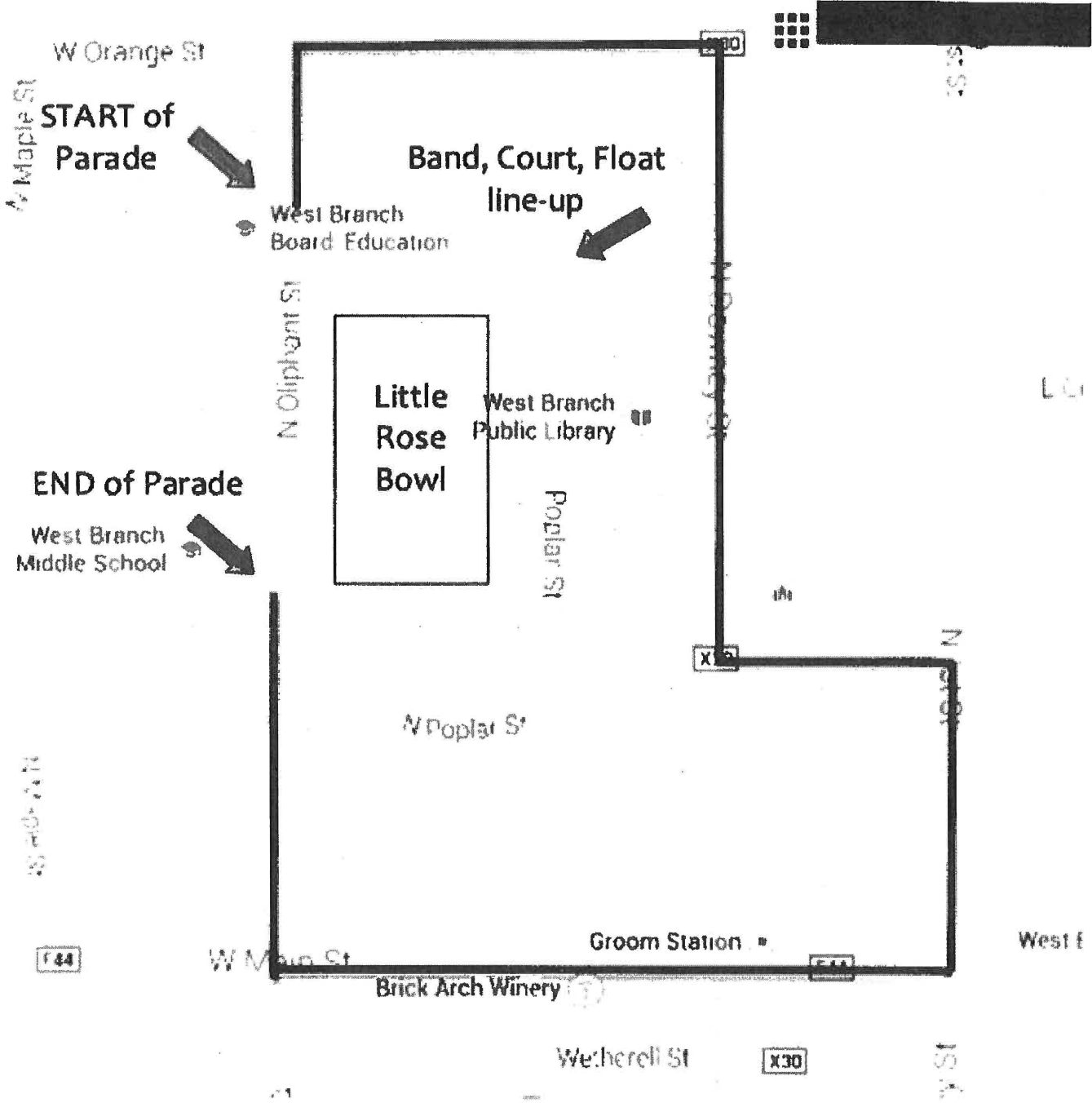
******By signing this form, you are agreeing that you have read the attached guidelines and agree with each as stated.**

Return completed form to: West Branch City Office, PO Box 218 or 110 N. Poplar St., West Branch, IA 52358.

Please contact Parks and Recreation Director Melissa Russell with any questions 319-930-0393 or melissa@westbranchiowa.org.

West Branch High School Homecoming Parade, Wednesday, September 27, 2023 – 6:30 p.m.

- All parade entries are to be lined up in front of the bus barns on Poplar St. and will wrap around the field starting at 6:00 p.m. The parade will be led by the American Legion Post, WBHS Band, Grand Marshals, Crown Bearers, and Court Members. All other floats and entries will be lined up on Poplar St. along the east side of the football field.
- After the parade, all participants are invited to stay for the coronation and pep rally at the Little Rose Bowl (rain location: Hoover Gym).
- Please direct all questions or concerns to Abby Noelck (WBHS Spanish Teacher/Student Government Adviser) at anoelck@west-branch.k12.ia.us





REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Approve a Special Event Permit for the West Branch Dog Fair at Beranek Park on Saturday, September 2, 2023 starting from 11:00 a.m. to 3:00 p.m.
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PREPARED BY: Leslie Brick, City Clerk
--

DATE: July 27, 2023

BACKGROUND:

The permit has been submitted by Two Sisters Kennels, (in conjunction with the Animal Control Commission). The purpose of the dog fair is to raise funds for the West Branch Dog Park expansion. The event is open to the public.

Staff has reviewed the application and recommend approval on the following conditions:

Alcohol sales are not permitted.

Alcohol consumption is allowed (no liquor and no glass containers.)

Trash – event organizers are responsible for disposing of all trash (and any dog waste) in the park dumpsters. Trash can liners will be provided.

Emergency services - Any incidents needing a police officer will need to be reported to Cedar County Non-emergency number (563)886-2121 or by calling 911.

Insurance will be at the sole expense of the event organizer. A Certificate of Liability Insurance will be submitted to the City Office two weeks prior to the event date.

West Branch Dog Fair



RECEIVED
6/27/23

Special Event Permit Application

Private events, ceremonies, or parties that anticipate less than 50 people and do not collect any money, sell any products, goods or services including food, beverage, or alcohol, do not use roads, streets, or pathways and do not have amplified sound or large tents do not require a Special Event Permit. A Facility Reservation form may be required. The City of West Branch may waive the submission deadline in extreme cases of unforeseen events.

Please supply the information requested below. Attach additional sheets, if necessary, to provide the required information. In issuing a permit for a special event, the City considers the following items:

1. The event is reasonably likely to cause injury to persons or property, create a disturbance, cause disorderly conduct or encourage or result in violation of the law, or community standards;
2. The event will be unreasonably and substantially interrupt the safe and orderly movement of pedestrians and vehicular traffic in the area;
3. The proposed location is adequate for the size and nature of the event;
4. The event does not unreasonably interfere with the intended use of the area;
5. The Applicant's apparent ability to execute the event;
6. The Applicant's apparent ability to obtain the appropriate insurance (if applicable);
7. The event unreasonably conflicts with other scheduled special events in the community;
8. Approvals by other governing agencies; and
9. All permit requirements have been met.

The application review process begins when the City of West Branch has received a completed application. Applications for special events must be approved by all appropriate departments, including but not limited to the West Branch Police Department, Fire Department, Public Works, Public Library, Parks and Recreation, Administration, and the City Council. In the event the application is denied by the City; the applicant may appeal to the West Branch City Council in writing within five (5) days of denial. The decision of the West Branch City Council is final.

FOR CITY OFFICE USE:

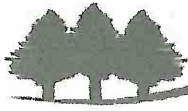
Approved by _____ Date of Approval _____

West Branch Administration AK West Branch Fire Department KS West Branch Police Department JA

West Branch Public Library PK West Branch Public Works MS West Branch Parks and Recreation MC

Other _____ Other _____

Notes: _____



CITY OF
WEST BRANCH
IOWA



Special Event Permit Application

Event Title/Name: West Branch Dog Fair
 Event Organization: Two Sisters Kennels Phone: _____
 Organization Address: 52 280th St Tax ID #: _____
 City: West Branch State: IA Zip Code: 52358
 Event Website: Facebook - West Branch Dog Fair Event Email: Admin@two
Sisters Kennels.com
 Event Coordinator Name and Title: Lauren Rurr owner
 Event Coordinator Email: Admin@twosisterskennels.com
 Event Coordinator Cell Number: 608-698-3464
 Event Coordinator Address: 15 Bradley Ln
 City: West Branch State: IA Zip Code: 52358
 Description of Event: Fundraiser for Dog Park

Requested Location(s) -All city facilities will also need to be reserved using the Facility Request Form. If there is a request to shut down a street, a traffic control plan including detour route drawing needs to be submitted.

Bevanek Park

Event set up will begin: (date, day of the week and time)	Event will begin: (date, day of the week and time)	Event will end: (date, day of the week, and time)	Removal and clean-up will be completed: (date, day of the week, and time)
<u>9am 9/2/23</u>	<u>11am 9/2/23</u>	<u>3pm 9/2/23</u>	<u>6pm 9/2/23</u>

Maximum Number of Participants: 2000 Maximum Number of Vehicles: 100

Will there be an admission fee? At will What is the admission fee? _____

Will food be sold? Yes Organizers are responsible for making sure vendors have secured the appropriate permits.

Will alcohol be permitted or sold? NO Organizers are responsible for insuring all permits have been obtained and all laws and regulations are followed.

Has all approval from non-city agencies (such as NPS, Johnson County, Cedar County, WBCSD) been granted?
 Please list other agencies involved. Dog Jog - Herbert Hoover Prairie

Traffic Control Plan (please attach diagram): N/A



Public Notification Plan: _____

Amplified Sound/Noise Plan: _____

Site Plan/Race Course Map (please attach diagram): _____

Security Plan: _____

Restoration Plan: Volunteer take down/clean up

Trash Management Plan: park provided

Restroom Plan: Park provided

Signs/Banner Plan: on tables @ entrance . Signs for each contest/event area

Insurance policy: _____
Signature: Laura Ruse Date: 6/27/23

******By signing this form, you are agreeing that you have read the attached guidelines and agree with each as stated.**

Return completed form to: West Branch City Office, PO Box 218 or 110 N. Poplar St., West Branch, IA 52358.

Please contact Parks and Recreation Director Melissa Russell with any questions 319-930-0393 or melissa@westbranchiowa.org.



Two Sisters Kennels
West Branch Dog Fair Sept. 2nd

Vendor List

Leash on Life
The Groom Station
Kota pets
Great Red Golden
Doggone Tasty
The Family Pet
Forever Bandana
Chocofresa food
Ladybug Concessions

Non sale vendors/demos
The Iowa City Animal Care and Adoption Center
Flyball
K9 Unit radar run

Still waiting on some confirmations

West Branch Dog Fair Special Event Permit

Public Notification Plan: The public will be notified of the event via social media, specifically Facebook (Voices of West Branch, West Branch Community page, Two Sisters Kennels account, as well as shared by other involved local businesses). Flyers will be put up at all local businesses and in the post office. If needed we can mail out notifications to anyone who lives in the immediate area.

Amplified Sound/Noise Plan: There is no music playing at this event. All activities should be minimally noisy. Any misbehaving dogs will be asked to leave.

Site Plan/Race Course Map: Attached

Security Plan: We would appreciate a police officer be tasked to oversee crowds. We will also have multiple volunteers supervising every event, entry and exit to the event, and patrolling among crowds.

Restoration Plan: All booths, tents, tables, and demonstrations are non permanent fixtures and will not cause any superficial or permanent damage. There will be a volunteer group to work on tear down immediately after the event and again to sweep the area the following morning.

Trash Management Plan: There will be multiple trash receptacles brought in and conveniently located throughout the event to promote use. There will be multiple signs and stations with free poop bags available to promote pick up of any dog waste. There will be volunteers assigned to manage any loose trash/left dog poop during the event and again after during tear down.

Restroom plan: There will be *on site* rented porta potties for use (see diagram for planned placement *flexible*. Herbert Hoover Historic site restrooms will also be open during the event.

Signs/Banner Plan: All signs and banners will be put up and taken down by event coordinators and will be attached to temporary fixtures (tables, booths, etc.). There will be no signs or banners attached to city property.

Insurance Policy: We wanted to explore the option of using the city's insurance or having the city cover the cost of event insurance since we are fundraising for a city park. If this is not an option, Two Sisters Kennels will take out event liability insurance policy with up to 1 Million dollars coverage.



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Claims for 8/7/2023

PREPARED BY: Finance Officer, Heidi Van Auken
--

DATE: August 2, 2023

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**8/7/2023**

AMAZON.COM	TABLET BATTERIES-LIBRARY	121.08
BEAN & BEAN	GRAVE OPENINGS	3,250.00
BROWN'S WEST BRANCH	VEHICLE SERVICE-POLICE	118.66
CATHERINE STEEN	BUSINESS MEALS SRO CONFERENCE	103.49
CEDAR COUNTY COOPERATIVE	FUEL-PW, FIRE	1,477.79
EAST CENT INTERGOVT ASN.	KEEP IA BEAUTIFUL MATCH	1,000.00
HOLLYWOOD GRAPHICS	HHTD 2023 BANNERS	128.50
IMWCA	IMWCA FY24 INSTALLMENT 2	2,836.00
IOWA DEPARTMENT OF NATURAL	NPDES FEE FY24	210.00
IOWA ONE CALL	UTILITY LOCATION SERVICE	67.50
MOPPY MO'S	CLEANING SERVICES-CITY TH P&R	507.50
OASIS ELECTRIC	INSTALL 3-PHASE SERV #4 WELL	3,428.42
SUMMIT COMPANIES	ANNUAL FIRE INSPECTION & MAINT	1,877.00
U.S. GEOLOGICAL SURVEY	STREAM GAGE MAINT & OPERRATION	9,040.00
USA BLUE BOOK	PUMP REPAIRS	218.95

TOTAL**24,384.89****PAYROLL-WAGES, TAXES, EMPLOYEE
BENEFITS****8/4/2023****49,921.26****PAID BETWEEN MEETINGS**

SISCO	HEALTH CLAIMS 7/31/2023	433.06
BAKER & TAYLOR	BOOKS - LIBRARY	268.57
D&R PEST CONTROL	D&R PEST CONTROL	70.00
GREAT AMERICAN BUSINESS	PET WASTE BAGS	840.00
HY-VEE ACCOUNTS RECEIVABLE	CONCESSION SUPPLIES	158.50
JOHN DEERE FINANCIAL	SUPPLIES-PW	909.12
LIBERTY COMMUNICATION	LIBERTY COMMUNICATION	1,538.58
STATE INDUSTRIAL PRODUCTS	CHEMICALS	243.08
US BANK CORP CARD	CREDIT CARD PURCHASES	5,023.38
USA BLUE BOOK	WATER MATERIALS	1,326.30
SISCO	HEALTH CLAIMS 7/24/2023	459.76
METLIFE	INSURANCE	1,493.72
SISCO	INSURANCE	12,350.53
CLARENCE LOWDEN SUN-NEWS	JOB AD - POLICE	100.50
GALLS	MEDICAL SUPPLIES-POLICE	30.95
GATEWAY HOTEL & CONFERENCE	MPI CONFERENCE - VAN AUKEN	564.48
MEDIACOM	CABLE SERVICE	41.90
MERCY PHYSICIANS	DOT PHYSICAL - TRIMPE	157.00
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE - CITY	500.00
QC ANALYTICAL SERVICES	LAB ANALYSIS	291.75
QUILL CORP	OFFICE SUPPLIES & EQUIPMENT	578.30
TIPTON CONSERVATIVE	JOB AD - POLICE	111.50

VERIZON WIRELESS	VERIZON WIRELESS	411.80
WEST BRANCH TIMES	JOB AD - POLICE	167.25
CENTRAL EXCAVATING	I80 E UTILITY RELOCATION PAY EST 2	335,907.71
BAKER & TAYLOR	BOOKS - LIBRARY	535.80
BANKERS ADVERTISING	NAME BADGES	78.32
BEAVER HEATING & AC	THERMOSTATS INSTALLATION-LIB	198.00
CAPITAL ONE	VARIOUS ITEMS-LIBRARY	222.62
CULLIGAN WATER TECH	WATER SOFTENER SERVICE	50.97
ALATORRE	WINDOW CLEANING-CITY BLDG	81.00
HEIMAN FIRE EQUIPMENT	EQUIPMENT	188.00
JOHNSON CO AMBULANCE	MEDICAL SUPPLIES-FIRE	44.26
KANOPY	ON DEMAND VIDEO SERVICE	20.00
KOCH OFFICE GROUP	COPIER MAINTENANCE	222.09
LEAF CAPITAL FUNDING	COPIER LEASE-LIBRARY	142.02
LEE'S LOCK & KEY	WATER TOWER LOCK REPLACEMENT	179.00
MENARDS	STREET TREES MULCH	618.80
MOPPY MO'S	JANITORIAL SERVICE-LIBRARY	437.50
OVERDRIVE	FY24 BRIDGES EBOOK FEE, BOOKS	1,184.84
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE - CITY	200.00
PLUNKETT'S PEST CONTROL	PEST CONTROL-TH, CITY	105.90
QUILL CORP	PAPER-LIBRARY	17.84
WEST BRANCH TIMES	LEGAL PUBLICATIONS	1,453.65

TOTAL **369,958.35**

GRAND TOTAL EXPENDITURES **444,264.50**

FUND TOTALS

001 GENERAL FUND	36,597.58
022 CIVIC CENTER	507.14
031 LIBRARY	9,996.51
036 TORT LIABILITY	2,673.62
110 ROAD USE TAX	9,505.03
112 TRUST AND AGENCY	17,329.06
319 RELOCATING WATER & SEWER	335,907.71
600 WATER FUND	13,762.28
610 SEWER FUND	8,305.91
740 STORM WATER UTILITY	9,679.66
GRAND FUND TOTAL	444,264.50

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
POLICE OPERATION	GENERAL FUND	SUMMIT COMPANIES CATHERINE STEEN BROWN'S WEST BRANCH	ANNUAL FIRE EXT SERVICE	234.63
			BUSINESS MEALS SRO CONFERE	103.49
			VEHICLE SERVICE-POLICE	118.66
			TOTAL:	456.78
FIRE OPERATION	GENERAL FUND	SUMMIT COMPANIES	ANNUAL FIRE EXT SERVICE	234.63
			TOTAL:	234.63
PARK & RECREATION	GENERAL FUND	OASIS ELECTRIC LLC MOPPY MO'S LLC	INSTALL CIRCUIT IRRIGATION	398.36
			CLEANING SERVICES-P&R	192.50
			TOTAL:	590.86
CEMETERY	GENERAL FUND	CEDAR COUNTY COOPERATIVE SUMMIT COMPANIES BEAN & BEAN	GAS FOR MOWER-PW	802.40
			ANNUAL FIRE EXT SERVICE	234.63
			GRAVE OPENINGS	3,250.00
			TOTAL:	4,287.03
COMM & CULTURAL DEVEL	GENERAL FUND	HOLLYWOOD GRAPHICS	HHTD 2023 BANNERS	128.50
			TOTAL:	128.50
ECONOMIC DEVELOPMENT	GENERAL FUND	EAST CENT INTERGOVT ASN.	KEEP IA BEAUTIFUL MATCH	1,000.00
			TOTAL:	1,000.00
CLERK & TREASURER	GENERAL FUND	MOPPY MO'S LLC	CLEANING SERVICES-CITY	140.00
			TOTAL:	140.00
TOWN HALL	CIVIC CENTER	SUMMIT COMPANIES MOPPY MO'S LLC	ANNUAL FIRE EXT SERVICE	234.63
			CLEANING SERVICES-TH	175.00
TOTAL:				409.63
LIBRARY	LIBRARY	SUMMIT COMPANIES AMAZON.COM.CA., INC.	ANNUAL FIRE EXT SERVICE	234.63
			DVDS	51.14
			TABLET BATTERIES-LIBRARY	18.99-
			BOOKS	53.92
			BOOKS	35.01
			TOTAL:	355.71
POLICE OPERATIONS	TORT LIABILITY	IMWCA	WORK COMP - POLICE	402.42
			TOTAL:	402.42
FIRE OPERATION	TORT LIABILITY	IMWCA	WORK COMP - FIRE	1,523.24
			TOTAL:	1,523.24
BUILDING INSPECTIONS	TORT LIABILITY	IMWCA	WORK COMP - BLDG INSPECT	47.99
			TOTAL:	47.99
ROADS & STREETS	TORT LIABILITY	IMWCA	WORK COMP - STREETS	338.47
			TOTAL:	338.47
LIBRARY	TORT LIABILITY	IMWCA	WORK COMP - LIBRARY	16.68
			TOTAL:	16.68
PARK & RECREATION	TORT LIABILITY	IMWCA	WORK COMP - PARK & REC	215.29
			TOTAL:	215.29
CEMETERY	TORT LIABILITY	IMWCA	WORK COMP - CEMETERY	90.51

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TOTAL:	90.51
CLERK & TREASURER	TORT LIABILITY	IMWCA	WORK COMP - ADMIN	39.02
			TOTAL:	39.02
ROADS & STREETS	ROAD USE TAX	CEDAR COUNTY COOPERATIVE SUMMIT COMPANIES	FUEL-PW ANNUAL FIRE EXT SERVICE	675.39 234.59
			TOTAL:	909.98
WATER OPERATING	WATER FUND	IOWA ONE CALL OASIS ELECTRIC LLC IMWCA SUMMIT COMPANIES USA BLUE BOOK	UTILITY LOCATION SERVICE INSTALL 3-PHASE SERV #4 WE WORK COMP - WATER ANNUAL FIRE EXT SERVICE PUMP REPAIRS	33.75 3,030.06 91.90 234.63 218.95
			TOTAL:	3,609.29
SEWER OPERATING	SEWER FUND	IOWA ONE CALL IOWA DEPARTMENT OF NATURAL RESOURCES IMWCA SUMMIT COMPANIES	UTILITY LOCATION SERVICE NPDES FEE FY24 WORK COMP - SEWER ANNUAL FIRE EXT SERVICE	33.75 210.00 70.48 234.63
			TOTAL:	548.86
STORM WATER UTILITY	STORM WATER UTILIT	UNITED STATES GEOLOGICAL SURVEY	STREAM GAGE MAINT & OPERRA	9,040.00
			TOTAL:	9,040.00

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

001	GENERAL FUND	6,837.80
022	CIVIC CENTER	409.63
031	LIBRARY	355.71
036	TORT LIABILITY	2,673.62
110	ROAD USE TAX	909.98
600	WATER FUND	3,609.29
610	SEWER FUND	548.86
740	STORM WATER UTILITY	9,040.00
GRAND TOTAL:		24,384.89

ORDINANCE 804

**AN ORDINANCE AMENDING TITLE "TRAFFIC AND VEHICLES"
CHAPTER 65 "STOP OR YIELD REQUIRED".**

WHEREAS, the West Branch City Council finds it in the best interest of the residents of West Branch to have a stop sign installed on Ridge View Dr. at its intersection with Prairie View Dr., in order to provide for the safety of the West Branch Community.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of West Branch, Cedar County, Iowa:

Section 1: Amendment. The Code of Ordinances is hereby amended by the City Council of West Branch, Iowa by adding the following language to Title, "TRAFFIC AND VEHICLES", Chapter 65, "STOP OR YIELD REQUIRED", Section 65.02, STOP REQUIRED.

(Insert after current subsection)

Ridge View Drive at its intersection with Prairie View Drive.

Renumber all remaining subsections after these changes.

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

Section 3. Adjudication. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

Passed and approved this 7th day of August, 2023

First Reading: July 3, 2023
Second Reading: July 17, 2023
Third Reading: August 7, 2023

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 2023.

City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Resolution 2023-79 – Authorizing and approving a certain Loan Agreement, providing for the issuance of \$3,040,000 General Obligation Corporate Purpose Bonds, Series 2023 and providing for the levy of taxes to pay the same.
--

PREPARED BY: City Clerk, Leslie Brick
--

DATE: August 2, 2023

SUMMARY:

See cover letter from John Danos, Dorsey & Whitney Bond Counsel for next steps in the process for approving the Loan Agreement and authorizing the issuance of the General Obligation Corporate Purpose Bonds, Series 2023.

August 2, 2023

Via Email

Adam Kofoed
City Administrator/City Hall
West Branch, Iowa

Re: \$3,040,000 General Obligation Corporate Purpose Bonds, Series 2023
Our File No. 439235-14

Dear Adam:

We have prepared and attach the necessary proceedings to be used at the August 7, 2023 City Council meeting to enable the City Council to adopt the resolution (the “Resolution”) approving the Loan Agreement and authorizing the issuance of the General Obligation Corporate Purpose Bonds, Series 2023 (the “Bonds”).

The proceedings attached include the following items:

1. Minutes of the meeting covering the adoption of the Resolution. The actual Resolution follows the minutes. The form of Bond, Authentication Certificate and Assignment set out in the Resolution should not be completed or executed.
2. Attestation Certificate attesting to the validity of the transcript.
3. County Filing Certificates. A certified copy of the Resolution must be filed with the Cedar and Johnson County Auditors, and we have prepared a form of certificate to be signed by the County Auditors relating to the filing of a certified copy of the Resolution in the County Auditors’ office. Please make extra copies for this purpose.

As provided in this Resolution, beginning in the 2024-2025 fiscal year, the County Auditors will have a mandatory duty to make a levy of taxes to pay principal of and interest on the Bonds unless the City’s budget each year affirmatively shows that the tax should not be levied because other funds will be applied to the payment of the Bonds for that budget year. To the extent the City determines that property tax levies will be needed for payment in any year, the tax levy amounts needed must be certified for that year in the City’s budget as part of the Debt Service Fund, and the funds derived from sources other than taxes must be shown on the appropriate budget document.

As these proceedings are completed, please return one fully executed copy to our office.

Page 2

Also attached is a Loan Agreement for execution by the Mayor and City Clerk. Please print the Loan Agreement for execution. After it has been signed, please scan and e-mail a copy to us as soon as possible and in advance of closing.

We are also attaching a Continuing Disclosure Certificate for the Mayor and City Clerk to sign. Please retain one executed copy for the City's records and e-mail a copy to us as soon as possible and in advance of closing.

Finally, we are attaching a Registrar and Paying Agent Agreement for the City Clerk and the Mayor to sign. Please print a copy for execution, after which it should be returned to us by email so that we may forward it to UMB Bank n.a. for signature as soon as possible and in advance of closing.

If you have any questions, please contact Erin Regan, Cheryl Ritter or me.

Best regards,

John P. Danos

Attachments

cc: Leslie Brick
Heidi Van Auken
Kevin Olson
Speer Financial, Inc.
Diana VanVleet
TD Securities (USA) LLC
AGM Insurance

MINUTES TO PROVIDE FOR THE
ISSUANCE OF BONDS

439235-14

West Branch, Iowa

August 7, 2023

The City Council of the City of West Branch, Iowa, met on August 7, 2023, at 7:00 o'clock p.m., at the City Council Chambers, 110 N. Poplar Street, West Branch, Iowa.

The meeting was called to order by the Mayor, and the roll was called showing the following Council Members present and absent:

Present: _____

Absent: _____.

After due consideration and discussion, Council Member _____ introduced the following resolution and moved its adoption, seconded by Council Member _____. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

••••

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

Roger Laughlin, Mayor

Attest:

Leslie Brick, City Clerk

RESOLUTION 2023-79

RESOLUTION AUTHORIZING AND APPROVING A CERTAIN LOAN AGREEMENT, PROVIDING FOR THE ISSUANCE OF \$3,040,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2023 AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME

WHEREAS, the City of West Branch (the “City”), in Cedar and Johnson Counties, State of Iowa, heretofore proposed to enter into a General Obligation Loan Agreement (the “Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$3,040,000 for the purpose of paying the costs, to that extent, of (a) constructing street, sanitary sewer system, storm water drainage, water system and sidewalk improvements; and (b) acquiring and installing street lighting, signage and signalization improvements (the “Projects”), and pursuant to law and a notice duly published, the City Council has held a public hearing on such proposal on May 15, 2023; and

WHEREAS, a Preliminary Official Statement (the “P.O.S.”) has been prepared to facilitate the sale of the General Obligation Corporate Purpose Bonds, Series 2023 (the “Bonds”) in evidence of the obligations of the City under the Loan Agreement, and the City has made provision for the approval of a preliminary official statement (the “P.O.S.”) and authorized its use by Speer Financial, Inc., as municipal advisor (the “Municipal Advisor”) to the City; and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of the Bonds were received and canvassed on behalf of the City and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the bid of TD Securities (USA) LLC, New York, New York (the “Purchaser”), is the best, such bid proposing the lowest interest cost to the City for the Bonds; and

WHEREAS, it is now necessary to make final provision for the approval of the Loan Agreement and to authorize the issuance of the Bonds;

NOW, THEREFORE, Be It Resolved by the City Council of the City of West Branch, Iowa, as follows:

Section 1. The City shall enter into the Loan Agreement with the Purchaser, in substantially the form as has been placed on file with the City Council, providing for a loan to the City in the principal amount of \$3,040,000, for the purpose or purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 2. The Bonds are hereby authorized to be issued to the Purchaser, in the aggregate principal amount of \$3,040,000, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

<u>Date</u>	<u>Principal</u>	<u>Interest Rate</u>	<u>Date</u>	<u>Principal</u>	<u>Interest Rate</u>
2024	\$ 50,000	4.00%	2033	\$250,000	4.00%
2025	\$130,000	4.00%	2034	\$265,000	4.00%
2026	\$210,000	4.00%	2035	\$ 60,000	4.00%
2027	\$220,000	4.00%	2036	\$ 65,000	4.00%
2028	\$285,000	4.00%	2037	\$ 70,000	4.00%
2029	\$320,000	4.00%	2038	\$ 70,000	4.00%
2030	\$330,000	4.00%	2039	\$ 75,000	4.00%
2031	\$290,000	4.00%	2040	\$ 75,000	4.00%
2032	\$275,000	4.00%			

Section 3. The Bonds shall be in the denomination of \$5,000 each, or any integral multiple thereof, shall be dated August 22, 2023, and shall become due and payable and bear interest as set forth in Section 2 hereof.

UMB Bank, n.a., West Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Registrar” or the “Paying Agent.” The City shall enter into an agreement (the “Registrar/Paying Agent Agreement”) with the Registrar, in substantially the form as has been placed on file with the City Council; the Mayor and City Clerk are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the City; and the Registrar/Paying Agent Agreement is hereby approved.

The City reserves the right to optionally prepay part or all of the Bonds maturing in the each of the years 2031 through 2040, prior to and in any order of maturity, on June 1, 2030, or any date thereafter, upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2023. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 4. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York (“DTC”). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the “Participants”). In the event that DTC determines not to continue to act as securities depository for the Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement

Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 5. The Bonds shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA
STATE OF IOWA
CEDAR AND JOHNSON COUNTIES
CITY OF WEST BRANCH

GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2023

No. _____ \$ _____

RATE	MATURITY DATE	BOND DATE	CUSIP
_____%	June 1, 20__	August 22, 2023	951556 ____

The City of West Branch (the “City”), in Cedar and Johnson Counties, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, New York

or registered assigns, the principal sum of

THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of UMB Bank, n.a., West Des Moines, Iowa (hereinafter referred to as the “Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2023, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Corporate Purpose Bonds, Series 2023 (the “Bonds”) issued by the City to evidence its obligation under a certain loan agreement, dated as of August 22, 2023 (the “Loan Agreement”), entered into by the City for the purpose of paying the cost, to that extent, of (a) constructing street, sanitary sewer system, storm water drainage, water system and sidewalk improvements; and (b) acquiring and installing street lighting, signage and signalization improvements.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 384 of the Code of Iowa, 2023, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council, adopted on August 7, 2023, authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds (the “Resolution”), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The City reserves the right to optionally prepay part or all of the principal of the Bonds maturing in each of the years 2031 through 2040, prior to and in any order of maturity on June 1, 2030, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of West Branch, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its City Clerk, as of August 22, 2023.

CITY OF WEST BRANCH, IOWA

By (DO NOT SIGN)
Mayor

Attest:

(DO NOT SIGN)
City Clerk

Registration Date: August 22, 2023

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 6. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible, and thereupon they shall be delivered to the Registrar for registration, authentication and delivery to or on behalf of the Purchaser, upon receipt of the loan proceeds (\$3,178,748.30), including original issue premium (\$138,748.30) (the “Loan Proceeds”), and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

A portion of the Loan Proceeds (\$34,230.40) shall be retained by the Underwriter as the Underwriter’s Discount.

A portion of the Loan Proceeds (\$3,088,532.90) received from the sale of the Bonds shall be deposited in a dedicated fund (the “Project Fund”), which is hereby created, to be used for the payment of costs of the Projects and to the extent that any such proceeds (the “Project Proceeds”) remain after the full payment of the costs of the Projects, such Project Proceeds, shall be transferred to the Debt Service Fund for the payment of interest on the Bonds.

A portion of the Loan Proceeds (\$11,500) received from the sale of the Bonds shall be used to pay the bond insurance premium to Assured Guaranty Municipal Corp.

The remainder of the Loan Proceeds (\$44,485) (the “Cost of Issuance Proceeds”), received from the sale of the Bonds shall be deposited in the Project Fund, and shall be used for the payment of costs of issuance of the Bonds, and to the extent that Cost of Issuance Proceeds remain after the full payment of the costs of issuance of the Bonds, such Cost of Issuance Proceeds shall be transferred to the Debt Service Fund for the payment of interest on the Bonds.

The City shall keep a detailed and segregated accounting of the expenditure of, and investment earnings on, the Loan Proceeds to ensure compliance with the requirements of the Internal Revenue Code, as hereinafter defined.

Section 7. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City, the following direct annual tax for collection in each of the following fiscal years:

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$249,600;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$324,400;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$326,000;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of \$382,200;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of \$405,800;

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of \$403,000;

For collection in the fiscal year beginning July 1, 2030,
sufficient to produce the net annual sum of \$349,800;

For collection in the fiscal year beginning July 1, 2031,
sufficient to produce the net annual sum of \$323,200;

For collection in the fiscal year beginning July 1, 2032,
sufficient to produce the net annual sum of \$287,200;

For collection in the fiscal year beginning July 1, 2033,
sufficient to produce the net annual sum of \$292,200;

For collection in the fiscal year beginning July 1, 2034,
sufficient to produce the net annual sum of \$76,600;

For collection in the fiscal year beginning July 1, 2035,
sufficient to produce the net annual sum of \$79,200;

For collection in the fiscal year beginning July 1, 2036,
sufficient to produce the net annual sum of \$81,600;

For collection in the fiscal year beginning July 1, 2037,
sufficient to produce the net annual sum of \$78,800;

For collection in the fiscal year beginning July 1, 2038,
sufficient to produce the net annual sum of \$81,000; and

For collection in the fiscal year beginning July 1, 2039,
sufficient to produce the net annual sum of \$78,000.

Section 8. A certified copy of this resolution shall be filed with the County Auditors of Cedar and Johnson Counties, and the County Auditors are hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditors shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any funds of the City which may lawfully be applied for such purpose may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 7 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for such purpose, and evidenced in the City's budget.

Section 9. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 10. It is the intention of the City that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The City hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 11. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an Purchaser to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, an Purchaser has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding or unless and to the extent that the offering is exempt from the requirements of the Rule.

On the date of issuance and delivery of the Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 12. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 13. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Roger Laughlin, Mayor

Attest:

Leslie Brick, City Clerk

ATTESTATION CERTIFICATE

STATE OF IOWA
COUNTIES OF CEDAR AND JOHNSON SS:
CITY OF WEST BRANCH

I, the undersigned, City Clerk of the City of West Branch, do hereby certify that as such City Clerk I have in my possession or have access to the complete corporate records of the City and of its City Council and officers and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of all the corporate records in relation to the adoption of a resolution authorizing a certain Loan Agreement and providing for the issuance of \$3,040,000 General Obligation Corporate Purpose Bonds, Series 2023 of the City evidencing the City's obligation under the Loan Agreement and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time with respect thereto.

I further certify that no appeal has been taken to the District Court from the decision of the City Council to enter into the Loan Agreement, to issue the Bonds or to levy taxes to pay the principal of and interest on the Bonds.

WITNESS MY HAND this _____ day of _____, 2023.

Leslie Brick, City Clerk

COUNTY FILING CERTIFICATE

STATE OF IOWA

SS:

CEDAR COUNTY

I, the undersigned, County Auditor of Cedar County, in the State of Iowa, do hereby certify that on the _____ day of _____, 2023, the City Clerk of the City of West Branch filed in my office a certified copy of a resolution of such City shown to have been adopted by the City Council and approved by the Mayor thereof on August 7, 2023, entitled: “Resolution authorizing and approving a certain Loan Agreement, providing for the issuance of \$3,040,000 General Obligation Corporate Purpose Bonds, Series 2023 and providing for the levy of taxes to pay the same,” and that I have duly placed a copy of the resolution on file in my records.

I further certify that the taxes provided for in that resolution will in due time, manner and season be entered on the State and County tax lists of this County for collection in the fiscal year beginning July 1, 2024, and subsequent years as provided in the resolution.

WITNESS MY HAND this _____ day of _____, 2023.

County Auditor

COUNTY FILING CERTIFICATE

STATE OF IOWA

SS:

JOHNSON COUNTY

I, the undersigned, County Auditor of Johnson County, in the State of Iowa, do hereby certify that on the _____ day of _____, 2023, the City Clerk of the City of West Branch filed in my office a certified copy of a resolution of such City shown to have been adopted by the City Council and approved by the Mayor thereof on August 7, 2023, entitled: "Resolution authorizing and approving a certain Loan Agreement, providing for the issuance of \$3,040,000 General Obligation Corporate Purpose Bonds, Series 2023 and providing for the levy of taxes to pay the same," and that I have duly placed a copy of the resolution on file in my records.

I further certify that the taxes provided for in that resolution will in due time, manner and season be entered on the State and County tax lists of this County for collection in the fiscal year beginning July 1, 2024, and subsequent years as provided in the resolution.

WITNESS MY HAND this _____ day of _____, 2023.

County Auditor



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Resolution 2023-80 - Approving and Accepting certain Municipal Improvements Constructed in The Meadows Subdivision Part 5, West Branch, Iowa.

PREPARED BY: Leslie Brick, City Clerk
--

DATE: August 2, 2023

SUMMARY:

The Meadows Part 5 Subdivision consists of twenty-three (23) residential lots zoned R-2 (Two-Family Residence District). The subdivision is located on Prairie View Drive and connects Loethen Ridge Estates to The Meadows Part 4B (going east to west).

The City Council approved the final plat (Resolution 2023-43) on May 1, 2023 and Subdivider's Agreement (Resolution 2022-65) on June 20, 2022.

City Engineer, Dave Schechinger of Veenstra & Kimm has inspected certain municipal improvements and recommends that the City now accept those improvements, except sidewalks which will be constructed as homes are built.

An escrow check submitted by the Developer, can now be returned.

Prepared by: Kevin D. Olson, 1400 5th Street, Coralville, Iowa 52241 (319) 351-2277
Return to: City of West Branch, 110 Poplar Street, West Branch, Iowa 52358 (319) 643-5888

RESOLUTION 2023-80

RESOLUTION APPROVING AND ACCEPTING CERTAIN MUNICIPAL IMPROVEMENTS CONSTRUCTED IN THE MEADOWS SUBDIVISION PART 5, WEST BRANCH, IOWA.

WHEREAS, the City of West Branch by Resolution previously approved the Final Plat of The Meadows Subdivision, Part 5, West Branch, Iowa; and

WHEREAS, as part of the subdivision approval, the City and Meadows Development, Inc. entered into that certain Subdivider's Agreement recorded in Book 1658, at page 1 , Records of the Cedar County Recorder, which required Meadows Development Inc. to construct certain municipal improvements; and

WHEREAS, the developer has now completed construction of said Municipal Improvements, except for the sidewalks to be constructed on each lot; and

WHEREAS, said municipal improvements have been reviewed by the City Engineer and found to meet City standards and specifications.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the above-listed improvements be and the same are hereby approved and accepted by the City.

BE IT FURTHER RESOLVED that all of the internal municipal improvements required to be constructed by the developer for The Meadows Subdivision, Part 5, West Branch, Iowa, under the terms of the aforementioned Subdivider's agreement, **excepting and excluding sidewalks**, be and the same are hereby accepted. Accordingly, the developer is hereby released from the requirements under the above-referenced Subdivider's agreement **except for the construction of sidewalks, which will be released on a lot by lot basis**. Finally, the City Clerk is hereby authorized and directed to certify a copy of this Resolution to the Cedar County Recorder's Office so that it may serve as a formal Release for the municipal improvements accepted herein.

Passed and approved this 7th day of August, 2023.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Resolution 2023-81 - Approve Pay Estimate Number 2 in the amount of \$211,598.68 to Lynch Excavating Inc. for the Eastside Water Main Replacement Project.
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PREPARED BY: Leslie Brick, City Clerk
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DATE: July 27, 2023

SUMMARY:

Lynch Excavating, Inc., of West Branch, Iowa was awarded the construction contract for the Eastside Water Main Replacement Project by the West Branch City Council through the passage of Resolution 2023-29 on April 3, 2023 in the amount of \$1,077,243.70.

The City has received and paid the following Pay Estimates for the project to date:

Pay Estimate Number	Amount	Resolution #	Date
1	\$41,325.00	2023-56	June 5, 2023

RESOLUTION 2023-81

RESOLUTION APPROVING PAY ESTIMATE NUMBER 2 IN THE AMOUNT OF \$211,598.68 TO LYNCH EXCAVATING INC. FOR THE EASTSIDE WATER MAIN REPLACEMENT PROJECT

WHEREAS, Lynch Excavating, Inc., of West Branch, Iowa was awarded the construction contract for the Eastside Water Main Replacement Project (the “Project”) by the West Branch City Council through the passage of Resolution 2023-29 on April 3, 2023 in the amount of \$1,077,243.70; and

WHEREAS, Lynch Excavating, Inc. has declared that said Project has started and work has been rendered in accordance with drawings and specifications on the Project and based on observations by project managers of Veenstra & Kimm who are contracted with the City of West Branch to oversee the construction process.

WHEREAS, the City Council of West Branch previously approved Pay Estimate Number 1 in the amount of \$41,325.00 to Lynch Excavating, Inc. of West Branch, IA to date; and

WHEREAS, it is now necessary for the City Council to accept Pay Estimate Number 2 in the amount of \$211,598.68 to Lynch Excavating, Inc.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the West Branch, Iowa, that Pay Estimate Number 2 in the amount of \$211,598.68 to Lynch Excavating, Inc. is approved.

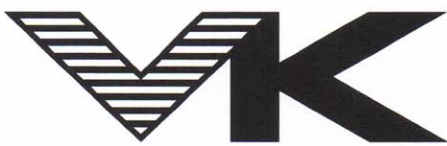
* * * * *

PASSED AND APPROVED this 7th day of July 2023.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk



PAY ESTIMATE NO. 2
EAST SIDE WATER MAIN REPLACEMENT
WEST BRANCH, IOWA

July 14, 2023

Lynch Excavating, Inc.
1967 Baker Avenue
West Branch, IA 52358

Contract Amount \$1,077,243.70
Contract Date April 3, 2023
Pay Period April 13, 2023 - May 15, 2023

BID ITEMS							
	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Completed	Value Completed
1.1	Clear + Grubb	UNIT	879.6	\$ 24.75	\$ 21,770.10	747.5	\$ 18,500.00
1.2	Special Backfill Material	CY	445	\$ 42.00	\$ 18,690.00		\$ -
1.3	Subgrd Stbl. Mtrl, PolyGrid TX-160	SY	1,334	\$ 3.85	\$ 5,135.90		\$ -
1.4	Excavation, Cl 13, Rdwy+Borrow	CY	237	\$ 22.00	\$ 5,214.00	26	\$ 572.00
1.5	Excav, Cl 10 Rdwy&Borrow, Furnish	CY	116	\$ 18.50	\$ 2,146.00		\$ -
1.6	Excavation, Cl 10 Rdwy & Borrow	CY	47	\$ 17.50	\$ 822.50		\$ -
1.7	Excavation, Cl 10, Core-Out	CY	432	\$ 18.50	\$ 7,992.00		\$ -
1.8	Topsoil, Furn+Spread	CY	40	\$ 48.00	\$ 1,920.00		\$ -
1.9	Topsoil, Strip, Salvage+Spread	CY	1,186	\$ 14.00	\$ 16,604.00		\$ -
1.10	Modified Subbase	CY	431	\$ 60.00	\$ 25,860.00	90	\$ 5,400.00
1.11	Cl A, Road Stone	CY	38	\$ 45.85	\$ 1,742.30	7	\$ 320.95
1.12	Rmvl of Pav't	SY	1,186	\$ 22.00	\$ 26,092.00	534	\$ 11,748.00
1.13	Rmvl of Paved Driveway	SY	445	\$ 22.00	\$ 9,790.00	91	\$ 2,002.00
1.14	Rmvl of Sidewalk	SY	74	\$ 22.00	\$ 1,628.00	5.1	\$ 112.20
1.15	Rmvl of Intake + Utility Access	EA	9	\$ 500.00	\$ 4,500.00	5	\$ 2,500.00
1.16	Disconnect & Rmvl of Water Main	LF	141	\$ 123.00	\$ 17,343.00		\$ -
1.17	Rmvl of Water Valve	EA	5	\$ 3,450.00	\$ 17,250.00		\$ -
1.18	Rmv Storm SWR Pipe Le 36"	LF	936	\$ 8.50	\$ 7,956.00	626	\$ 5,321.00
1.19	Rmv & Reinstall of Mailbox	EA	13	\$ 125.00	\$ 1,625.00	9	\$ 1,125.00
1.20	Rmv & Reinstall Signs	EA	9	\$ 125.00	\$ 1,125.00	5	\$ 625.00
1.21	Std/S-F PCC Pav't, Cl A Cl 3, 7"	SY	2,007	\$ 61.20	\$ 122,828.40	534	\$ 32,680.80
1.22	Manhole, Storm SWR, SW-401, 48"	EA	1	\$ 3,200.00	\$ 3,200.00		\$ -
1.23	Intake, SW-501	EA	2	\$ 3,500.00	\$ 7,000.00	2	\$ 7,000.00
1.24	Intake, SW-505	EA	3	\$ 6,000.00	\$ 18,000.00	2	\$ 12,000.00
1.25	Intake SW-511	EA	1	\$ 3,200.00	\$ 3,200.00		\$ -
1.26	ST SWR G-Main, Trench HDPE, 4"	LF	11	\$ 62.00	\$ 682.00		\$ -
1.27	ST SWR G-Main, Trench, RCP, 12"	LF	589	\$ 80.00	\$ 47,120.00	386	\$ 30,880.00
1.28	ST SWR G-Main, Trench, RCP, 36"	LF	53	\$ 260.00	\$ 13,780.00	60	\$ 15,600.00
1.29	Subdrain, Longtdal, (Shoulder) 6in.	LF	530	\$ 23.00	\$ 12,190.00		\$ -
1.30	Connect to Existing Storm	EA	3	\$ 2,010.00	\$ 6,030.00	2	\$ 4,020.00

	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Completed	Value Completed
1.31	Combined Sidewalk Retaining Wall	SF	120	\$ 75.00	\$ 9,000.00		\$ -
1.32	Type B Concrete Steps	EA	2	\$ 4,300.00	\$ 8,600.00		\$ -
1.33	Reinforced Sidewalk, PCC, 6"	SY	34	\$ 125.00	\$ 4,250.00		\$ -
1.34	Sidewalk, PCC, 6"	SY	39	\$ 100.00	\$ 3,900.00	5.1	\$ 510.00
1.35	Driveway, PCC, 6"	SY	546	\$ 70.00	\$ 38,220.00		\$ -
1.36	Detectable Warning	SF	10	\$ 40.00	\$ 400.00	8	\$ 320.00
1.37	Water Main, Trenched, 6" PVC	LF	9	\$ 540.00	\$ 4,860.00		\$ -
1.38	Water Main, Trenched, 8" PVC	LF	2,199	\$ 72.50	\$ 159,427.50	741	\$ 53,722.50
1.39	Water Main, Trenched, 6" DIP	LF	322	\$ 104.50	\$ 33,649.00		\$ -
1.40	Water Main, Trenched, 8" DIP	LF	350	\$ 97.50	\$ 34,125.00		\$ -
1.41	Water Main, Bored, 6" RJ PVC	LF	243	\$ 68.00	\$ 16,524.00		\$ -
1.42	Trenched In Place Service	EA	31	\$ 2,610.00	\$ 80,910.00		\$ -
1.43	Bored In-Place Service	EA	22	\$ 3,050.00	\$ 67,100.00		\$ -
1.44	Valve, Gate, 6"	EA	6	\$ 1,800.00	\$ 10,800.00	1	\$ 1,800.00
1.45	Valve, Gate, 8"	EA	13	\$ 2,400.00	\$ 31,200.00	1	\$ 2,400.00
1.46	Flushing Device (Blowoff), 8"	EA	1	\$ 1,200.00	\$ 1,200.00		\$ -
1.47	Fire Hydrant Assembly	EA	5	\$ 7,000.00	\$ 35,000.00	1	\$ 7,000.00
1.48	Relocation of Existing Fire Hydrant	EA	2	\$ 2,000.00	\$ 4,000.00		\$ -
1.49	Construction Survey	LS	1	\$ 26,992.00	\$ 26,992.00	0.5	\$ 13,496.00
1.50	Traffic Control	LS	1	\$ 17,000.00	\$ 17,000.00	0.5	\$ 8,500.00
1.51	Mobilization	LS	1	\$ 44,000.00	\$ 44,000.00	0.57	\$ 25,080.00
1.52	Seed+Fertilize (Urban)	LS	1	\$ 10,000.00	\$ 10,000.00		\$ -
1.53	Saw Cutting Dust Control	LS	1	\$ 6,000.00	\$ 6,000.00	0.5	\$ 3,000.00
1.54	Removal of Step Footing	EA	1	\$ 850.00	\$ 850.00		\$ -
Contract Price:					\$ 1,077,243.70		\$ 266,235.45

MATERIALS STORED SUMMARY				
	Description	# of Units	Unit Price	Extended Cost
Total				\$ -

SUMMARY		
	Total Approved	Total Completed
Contract Price	\$ 1,077,243.70	\$ 266,235.45
Approved Change Order (list each)		
Revised Contract Price	\$ 1,077,243.70	\$ 266,235.45

Stored

Total Earned \$ 266,235.45

Retainage (5%) \$ 13,311.77

Total Earned Less Retainage \$ 252,923.68

Total Previously Approved (list each)	Pay Estimate No. 1	\$ 41,325.00	

Total Previously Approved \$ 41,325.00

Percent Complete 25%

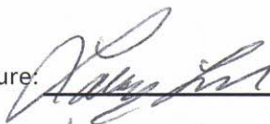
Amount Due This Request \$ 211,598.68


The amount \$211,598.68 is recommended for approval for payment in accordance with the terms of the contract.

Prepared By:
Lynch Excavating, Inc.

Recommended By:
Veenstra & Kimm, Inc.

Approved By:
West Branch, Iowa

Signature: 
Name: Larry Lynch
Title: owner
Date: 7-17-23

Signature: 
Name: Eric Gould
Title: Engineer
Date: July 14, 2023

Signature: _____
Name: _____
Title: _____
Date: _____



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Discussion - Water meter fixed base network

PREPARED BY: Public Works Director, Matt Goodale

DATE: July 31, 2023

BACKGROUND:

The water meter fixed base network was discussed and approved in the FY23 budget but was later put on hold after several more emergent projects were completed that used up a majority of the funds that were budgeted for the network. We still see the need for the network and are requesting to bring back an amendment to the water budget in order to purchase the equipment, software, training and initial year of support for 650 meters.

This network would allow the City office to receive monthly meter readings, check on high or low use meters, complete final meter readings and overall just have quicker turn around for all meter related issues that the utility clerk handles. The addition of the fixed base network would cut meter reading time by about 1/3 and each new meter swap would lessen the amount of time used to read meters, eventually leading to a fully centralized meter reading system.

City of West Branch
Fixed Based Network
07-17-2023

R100 Antenna and Installation	\$13,750
Software Set-up and Training	\$15,875
Annual Support Based off 650 Meters	\$8300

Total: **\$37,925**

3/4s iPERL Water Meters	\$155
SmartPoints	\$175
Dual Port SmartPoints	\$225

Dan Ashworth
Municipal Supply
515-249-2158





REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	August 7, 2023
AGENDA ITEM:	Discussion – Planning & Zoning decision on the matter of closing a portion of the alley between N. 4th and N. 5th St.
PREPARED BY:	Adam Kofoed, City Administrator
DATE:	July 27, 2023

BACKGROUND:

The alley between North 4th and North 5th Street has been a topic of conversation for many years between the City and the residents who use it. Most residents who live on the 100 block of North 4th Street do not have driveway access, and therefore must use the alley for parking. In addition, there is “no parking” on the 100 block of North Fourth Street.

Over time, the alley has deteriorated and constantly washes gravel onto East Main Street during heavy rain events which causes a driving hazard for west bound vehicles.

Discussions have taken place regarding over the past several years on vacating the alley, closing a portion of the alley to eliminate wash outs and turning it over to the residents who use it to maintain it.

The alley apron on the south end is schedule for modifications with the Eastside Water Main Replacement Project and Councilperson Stoolman asked that the subject of closing this portion of the alley be re-considered before any improvements are done.

PLANNING & ZONING RECOMMENDATION

Planning and Zoning Commission did not provide a recommendation. The commission did not hear any comments from the public. The City Administrator has limited knowledge on the alley. The commission felt for them to give an opinion they need more time.

STAFF DIRECTION NEEDED

Does council want us to proceed with public notices at the council level? Or do you want staff to try public notices at the planning and zoning level?



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Discussion – Terror Trail alley

PREPARED BY: Adam Kofoed, City Administrator

DATE: July 27, 2023

BACKGROUND:

John Tigrett, the owner of a single-family residence at 628 E. Main St. has spoken to the City Administrator Kofoed, Mayor Laughlin, and Public Works Director Goodale a few times in the last year.

John Tigrett argues the alley leading to his only public access to his home is not up to city standards. He also has troubles with his new Truck giving out warning signals and its often scratched due to overhanging trees. In addition, he argues the trees and shrubs should illegally located in the alley's right of way.

John has been talking to the city roughly the past 13 years but there have been abrupt changes in the mayor and city administration so its lost traction. John has gone as far to tell Mayor Laughlin he is willing to pay up to \$5,000 for the city to improve and fix the alley.



LEGAL & ENGINEER ADVICE

According to Attorney Olson and Engineer Schechinger, the only way the city could change the alley is through a quiet title. The original alley was platted a hundred years ago when the town was Cameron. When Cameron and West Branch merged, the county changed property lines and the alley. There are no notes what the boundaries were before the county merger. Therefore, they believe both property's abstracts will conflict with each other. Legal and Engineer are advising against the city acting since it will make them liable to damages if the city improperly establishes boundaries. Chances are the opposing property owners have enough evidence to hold the city liable.



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Discussion – Employee Benefits
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PREPARED BY: Adam Kofoed, City Administrator

DATE: July 27, 2023

BACKGROUND:

At the July 3, 2023 City Council meeting, the City Council approved 100% employer paid premiums of health and dental insurance for the West Branch Police Department only.

The council discussion included some debate as to whether all departments should receive the same benefit.

ANALYSIS

We are assuming there will be seven enrolled employee-family health plans, including the new officer. We analyzed three scenarios:

1. Projected costs to adopt an all employee policy.
2. Minimum cost to adopt an all employee policy
3. Maximum cost to an all employee policy.

FINDINGS

Staff projects a policy change will cost the city roughly \$38,000 in additional expenses, when the 15% savings is subtracted to the total. Remember Council saved taxpayers 15% when they switched insurance brokers in Fiscal Year 2023. That equals roughly a \$21.58 tax increase for a home valued at \$100,000. *This does not include other increases in property tax deductions increased by the 2021-2023 state legislation.*

The minimum cost would be a -1\$ tax increase if no new employees opt into the family plan plus the 15% savings is included.

The maximum costs would be a \$38.35 increase if twelve employees opt into the family plan and the 15% savings from switching health brokers is included.

*Data and equations are available upon request. *

PROS	CONS
Overall, it doesn't cost too much, especially since state property tax reductions are reducing some property tax pressures.	It could increase taxes.
The city has no choice but to use the tools available to them. State has increase property tax deductions, are phasing out their support for said policies, and adopted a property tax reform bill that will make it nearly impossible for public wages to match "average" private wage increases going forward.	The purpose of switching health insurance carriers was to save the tax payers money, not give more benefits to employees.
It will retain staff and boost morale in all departments.	Other departments may have labor pressures, but its not as severe as the Police Department.
It makes administration of health policies easier to administer and more efficient. This is at a time when invoices are up 30%, an uptick in utility account changes, and increased financial reporting requirements.	Life is complicated. Sometimes policies should be dynamic because the city's needs are constantly evolving.
One can argue clean water and sewer are the most vital part of city operations. Without clean water and a good sewer system the quality of life drastically decreases.	One can argue being a police officer in today's environment is much harder than it was a few years ago. One can argue the #1 priority of a city is to keep residents safe.

CITY ADMINISTRATION RECOMMENDATION

It is the recommendation of the city administrator to keep an open mind and wait until December. It's not ideal for staff to wait and it will make them feel less valued because the Police Department did not have to wait.

However, it's not a good idea for council to negotiate with staff until more information is known. Staff likely won't receive wage increases next year due to HF 718 property tax reform. Increasing health benefits would retain council's promise to promote merit wage pay. It won't be perfect for all staff, but it will give council a piece of mind waiting patiently to receive the best possible information. That way council's decision will be a well-informed decision.



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE: August 7, 2023

AGENDA ITEM: Discussion- Post grade inspections on newly developed property within the city limits
PREPARED BY: Adam Kofoed, City Administrator
DATE: July 27, 2023

BACKGROUND:

Drainage has always been a concern of WB residents. There are several creeks that meet causing flood issues. West Branch has a relatively hilly terrain as well.

The 2022-2024 council has discussed the possibility of post grade inspections as newer homeowners are struggling with drainage concerns.

STAFF DIRECTON:

Staff needs full direction to continue research or let the issue drop before more time is taken on this concern. We need to know if further research on post grade inspections is a good use of staff time?

WHAT IS A POST GRADE INSPECTION?

Some municipalities inspect lot gradings slopes just before turf is laid on the property. A licensed engineer or surveyor whether through V&K or a different engineering firm would certify the site has been graded according to the site plan. West Branch does not do that currently.

PROS	CONS
Could reduce the number of new properties having drainage concerns.	Even if grading certified and inspected properly, there can still be grading issues as the fill dirt or the home foundation settles in the ground.
Hopefully slows down the contractor in missing this important step. It may save future homeowners money for the job the to be graded correctly the first time.	Adds more time and costs to a lengthy and expensive building permit process.
It is the city’s duty to protect private investments in our town.	It could be the city at a greater liability

NOTICE

Lot Grading Survey Procedure

Effective Date September 1, 2020

In order to increase consistency in the enforcement of lot drainage control, the Building Safety Department has implemented a drainage confirmation procedure that will require a State of Texas Licensed Engineer or a State of Texas Licensed Surveyor to confirm in writing that a **residential** or **commercial** lot developed in the City of Mansfield generally conforms with the accepted grading and drainage plan. In the case where a lot does not have an existing city accepted grading and drainage plan, a licensed engineer will be required to submit one and/or provide as-built drawings that comply with the City's Design Standards and Drainage Ordinance. To confirm the aforementioned licensed professional will be required to:

1. Complete the City of Mansfield Lot Grading Inspection Certificate form (see attached).
2. Seal the Lot Grading Inspection Certificate form.
3. Provide a copy of the city accepted lot grading plan/ or as-built plans used in the inspection confirmation process.
4. Prepare any additional information deemed necessary by the City to confirm drainage compliance.
5. Provide documents at time of final inspection (**finals requested on or after effective date**).

Lot Grading Inspection Certificate

Date: _____

Project Address: _____ Building Permit #: _____

Lot: _____ Block: _____ Subdivision: _____

Grading Certification

I am a registered **Civil Engineer** / **Surveyor** in the State of Texas. I certify that I have visited the project site and the final grading substantially conforms to the accepted grading plan(s). Observed, but not limited to : areas that will be paved; cut and fill slopes; channels, swales, detention basins including completed outlet structure(s), terraces, berms, and other drainage facilities as indicated on the plan(s). This also includes all drainage facilities and final stabilization measures as required by the accepted plan(s) to ensure that the lot has positive drainage away from the foundation and to designed outfall areas so that there will not be nuisance water ponding on the lot.

Conforms to the "Accepted Grading Plan" (attach Grading Plan and Lot Survey)

Lot Grading has been modified (attach revised Grading Plan and Lot Survey. **Engineer Only**)

Notes: _____

Engineer/Surveyor Name: _____

Firm Name: _____

Firm Address: _____

Phone: _____

Seal