

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

**West Branch, Iowa
Council Chambers**

**City Council
Regular Meeting**

**October 2, 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 Clerk Leslie Brick, Public Works Director Matt Goodale, Police Chief John Hanna, Library Director Becky Knoche, City Attorney Kevin Olson. Staff attending via Zoom: Heidi Van Auken. Absent: City Administrator Adam Kofoed and City Engineer Dave Schechinger.

APPROVE THE AGENDA

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

APPROVE CONSENT AGENDA

Approve Minutes from the September 18, 2023 City Council meeting.
Approve the August Monthly Financial Report
Claims for 10/2/2023

EXPENDITURES	10/2/2023	
AMAZON.COM	VARIOUS ITEMS - LIBRARY	189.93
BAKER & TAYLOR	BOOKS	148.04
BOWERS CUSTOM SERVICES	WATERLINE REPAIR IN CEMETERY	2,202.50
CEDAR COUNTY COOPERATIVE	FUEL-PW	1,538.60
D&R PEST CONTROL	PEST CONTROL - LIBRARY	70.00
ECONO SIGNS	POSTS FOR STREET SIGNS	5,523.75
HICKS, KEVIN & CHELSEA	BLDG INCENTIVE PAYMENT	1,000.00
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,573.84
LINDSAY MURDOCK	BLDG INCENTIVE PAYMENT	1,000.00
MENARDS	SHOP SUPPLIES	24.78
PETERSON, ADAM & LINDSEY	BLDG INCENTIVE PAYMENT	911.96
ROBERT PRATT & MINDY KRAUS	BLDG INCENTIVE PAYMENT	898.82
SPEER FINANCIAL	TIF REPORT DELIVERY	375.00
THE HOME DEPOT PRO	BLDG SUPPLIES - CITY	29.61
USA BLUE BOOK	SUPPLIES FOR WATER	1,167.55
VEENSTRA & KIMM	VARIOUS PROJECTS	31,056.14
WHITAKER, REBECCA	BLDG INCENTIVE PAYMENT	1,000.00
TOTAL		48,710.52
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	9/29/2023	44,809.56
PAID BETWEEN MEETINGS		
METLIFE	INSURANCE	1,445.44
SISCO	INSURANCE	12,350.53
MEDIACOM	CABLE SERVICE	41.90
PITNEY BOWES INC.	POSTAGE METER RENTAL-CITY	180.00
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE-CITY	1,052.11
QUILL	OFFICE SUPPLIES-CITY	67.83
US BANK CORPORATE CARD	CREDIT CARD PURCHASES	1,328.13
VERIZON WIRELESS	VERIZON WIRELESS	412.52
SISCO	HEALTH CLAIMS 9/15/2023	6.39
LYNCH'S EXCAVATING	EAST SIDE WATER PAY ESTIMATE 4	161,324.16
ALLIANT ENERGY	ALLIANT ENERGY	14,666.82
BOUND TREE MEDICAL	MEDICAL SUPPLIES	276.87
CULLIGAN WATER TECH	WATER SOFTENER SERVICE	36.98
ECONO SIGNS	STREET SIGNS	66.44
FIRST DUE HOSE	FIRE HOSE TESTING & REPAIR	1,977.50
HOLLYWOOD GRAPHICS	VB TSHIRTS YOUTH P&R	574.12
HOTSY CLEANING SYSTEMS	CLEANING SUPPLIES-FIRE	1,425.04
LINN COUNTY REC	STREET LIGHTS	256.20
PLUNKETT'S PEST CONTROL	PEST CONTROL-CITY, TOWN HALL	105.90

QC ANALYTICAL SERVICES	LAB ANALYSIS	881.75
STATE HYGIENIC LAB	LAB ANALYSIS	43.50
WEST BRANCH REPAIRS	VEHICLE REPAIRS-FIRE	673.86
WEST BRANCH TIMES	LEGAL PUBLICATIONS	710.99
TOTAL		199,904.98
GRAND TOTAL EXPENDITURES		293,425.06

FUND TOTALS		
001 GENERAL FUND		39,561.93
022 CIVIC CENTER		760.56
031 LIBRARY		7602.3
110 ROAD USE TAX		14,006.93
112 TRUST AND AGENCY		14,097.40
321 WIDENING WAPSI CREEK		4,291.93
324 WW TREATMT FACILITY		13,037.37
326 ROUNDABOUT MAIN & CEDAR		1,342.70
329 EASTSIDE WATER MAINS		170,478.09
600 WATER FUND		17,175.78
610 SEWER FUND		10160.46
740 STORM WATER UTILITY		909.61
GRAND FUND TOTAL		293,425.06

REVENUE-FISCAL YEAR 2024
FUND AUGUST

001 GENERAL FUND		42,565.14
022 CIVIC CENTER		313.69
031 LIBRARY		4,324.76
036 TORT LIABILITY		117.36
110 ROAD USE TAX		28,197.35
112 TRUST & AGENCY		2,697.25
119 EMERGENCY TAX FUND		67.36
121 LOCAL OPTION SALES TAX		23,523.76
125 TIF		347.47
126 TIF LMI MEADOWS PT 4		1.55
226 DEBT SERVICE		637.15
300 CAPITAL IMPROVEMENT RESERVE		97.78
321 WIDENING WAPSI CREEK		4,864.00
326 ROUNDABOUT MAIN & CEDAR		26,144.00
329 EASTSIDE WATER MAINS		29,792.00
500 CEMETERY PERPETUAL FUND		300.00
600 WATER FUND		71,484.78
610 SEWER FUND		100,672.41
740 STORM WATER UTILITY		5,949.00
TOTAL		342,096.81

There were no comments.

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM

Mike Wagner, Alliant Energy, presentation on franchise fees

Wagner provided an overview of franchise fees and how they work. Wagner explained that Iowa cities currently have the right to implement a franchise fee of up to 5 percent as part of their agreements with franchised utilities that operate within their right of way. A franchise fee is assessed as a percentage of gross revenue collected in the city by the utility and is displayed as a line item on each customer bill. Currently, Alliant Energy charges the one-percent local option sales tax to residents for their services. If a franchise fee is implemented, the local option sales tax is no longer charged. That means the city would get the full percentage as a franchise fee, rather than sharing the local option sales tax with other cities within the county as prescribed by state law. Wagner said, by Iowa Code, cities are required to adopt a revenue purpose statement and adopt an ordinance formally setting or increasing the franchise fee. As an example, a one-percent franchise fee would equate to approximately \$45,000 for electric and another \$16,000 for gas annually, in which the City would receive the full amount. Wagner said fees are based off customer usage so those numbers could

vary year to year. Wagner said franchise fees are charged to all customers, including tax exempt entities and non-profits, which may be a consideration of the Council.

Kinon O’Neal, Regional Sales Manager of Altumint (presentation on traffic cameras)

O’Neal gave an overview of his company that manages automated traffic enforcement cameras. O’Neal said the companies fifteen-year history assists law enforcement in improving pedestrian, traffic, community and business safety by altering driver behavior through nonstop, remote monitoring. O’Neal said a seven-day speed study would be conducted to determine best placement of cameras at no expense to the City to identify “hot spots”. O’Neal said speeders are targeted for ten miles per hour over the speed limit and that the city is reimbursed sixty to seventy percent of the revenues generated. Three- or five-year contracts are required, and all maintenance costs are bore by his company.

PUBLIC HEARING / NON-CONSENT AGENDA

First Reading Ordinance 808 – Providing that General Property Taxes Levied and Collected on Certain Lots in The Meadows, Part 4A and Part 4B in West Branch, Iowa be paid to a Special Fund for Payments on Loans in connection to the West Branch Urban Renewal Area. / Move to action.

There were no comments.

Motion by Dean, second by Sexton to approve first reading of Ordinance 808. AYES: Dean, Sexton, Goodweiler, Stoolman, Miller. NAYS: None. Motion carried.

First Reading Ordinance 809 – Providing that General Property Taxes Levied and Collected at 401 Parkside Drive, West Branch, Iowa be paid to a Special Fund for Payments on Loans in connection to the West Branch Urban Renewal Area. / Move to action.

Olson explained that this ordinance is to set the base value on the new increment for the improvements at 401 Parkside Drive.

Motion by Miller, second by Sexton to approve first reading of Ordinance 809. AYES: Miller, Sexton, Stoolman, Goodweiler, Dean. NAYS: None. Motion carried.

Resolution 2023- 105– Approve Invoice #31444 in the amount of \$770.00 to Impact7G for the Wapsi Creek Widening SRF Sponsored Project. / Move to action.

There were no comments.

Motion by Sexton, second by Dean to approve Resolution 2023-105. AYES: Sexton, Dean, Stoolman, Miller, Goodweiler. NAYS: None. Motion carried.

Resolution 2023-106 – Approving that Certain Easement Agreement with Katharine Gaskill in connection with the Wapsi Creek Widening Project. / Move to action.

Olson explained that this will be the final payment to the Gaskill’s and then the lawsuit against the City will be dropped. He further explained that the perpetual easement allows the city to continue moving forward with the project and continued access to the property as needed.

Motion by Miller, second by Goodweiler to approve Resolution 2023-106. AYES: Miller, Goodweiler, Stoolman, Sexton. NAYS: Dean. Motion carried.

Resolution 2023-107 – Approving Pay Estimate Number 12 in the amount of \$734,586.93 to Boomerang Corp. for the Wastewater Treatment Facility Improvements Project. /Move to action.

Miller said he still had not heard if Boomerang issued a statement as to why the project was six months behind schedule or what steps they were taking to complete the project. City Engineer Schechinger was unavailable for comment. Goodale said some of the issues were sourcing of materials and that he and Veenstra & Kimm have monthly progress meeting but he had no other reasons for the delays. Miller said he was not satisfied that Boomerang has time to create an invoice for their work, but not time to issue a statement addressing the delays. Olson said that liquidated damages will be negotiated at the end of the project before the City accepts it as completed so there may some financial penalties at that time. Miller stated that he will be voting “No” to send a message to Boomerang.

Motion by Dean, second by Goodweiler to consider Resolution 2023-107. AYES: Goodweiler, Sexton. NAYS: Dean, Stoolman, Miller. Motion failed.

CITY ADMINISTRATOR REPORT - Absent

CITY ATTORNEY REPORT

Olson said the property at East Green Street is going to sheriff's auction on Tuesday, October 3rd and that there will be a new property owner soon.

CITY ENGINEER REPORT - Absent

STAFF REPORTS

Hanna asked the Council for permission to proceed with police officer recruitment again. He also reported that he, Kofoed, Van Auken, Laughlin and Dean met with the Cedar County Sheriff's office last week and they have agreed to cover some of the on-call time for six thousand dollars per month while a new officer search continues.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Dean asked Chief Hanna to look into whether or not a portion of West Orange Street (between N. Oliphant and N. Maple) was a school zone. Dean said he had received a complaint from a resident of speeding on that section of the street. Sexton asked the other Council members their thoughts on traffic cameras. Most agreed that they wouldn't want them in town, but may consider them on I-80. The Council may entertain a traffic study to see what the number of speeding cars looked like, but was concerned that there was not enough police staff to review the speeding tickets. Miller said his concern with charging franchise fees was the fact that the City would have to renew the Franchise Agreement with Alliant Energy for another twenty-five years. He also said he didn't want the Council to "panic and jump the gun" with regard to HF718 since the City really does not know what the financial impacts will be just yet. Stoolman said she was okay with charging the franchise fee only on the gas as that would affect all residents (including those on the west side of town who have Linn County REC for electric.) Dean said he was okay with one-percent on both electric and gas. The council agreed that more discussion and thought was needed on both subjects before making any long-term decisions.

ADJOURNMENT

Motion to adjourn by Miller, second by Dean. Motion carried on a voice vote. City Council meeting adjourned at 8:08 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk