

*(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**

**November 20, 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 Adam Kofoed, City Clerk Leslie Brick, Finance Officer Heidi Van Auken, Police Chief John Hanna, Public Works Director Matt Goodale, City Attorney Kevin Olson, City Engineer Dave Schechinger. City Staff attending via Zoom: Officer Cathy Steen.

**APPROVE THE AGENDA**

Motion by Sexton, second by Goodweiler to approve the agenda. Miller requested an amendment to agenda item 8P to reflect a corrected pay estimate amount to be considered as \$177,021.15. Goodweiler second Millers motion. Motion carried on a voice vote.

**APPROVE CONSENT AGENDA**

Approve Minutes from the October 30, 2023 Special City Council meeting.  
Approve Minutes from the November 6, 2023 City Council meeting.  
Approve a Class C Retail Alcohol (12-month) license with Outdoor Service privileges for The Down Under, 102 W. Main Street, West Branch.  
Approve the submission of the annual Street Finance Report for FY23  
Claims for 11/20/2023

EXPENDITURES	11/20/2023	
ADAM, JOHN & LISA	BLDG INCENTIVE PAYMENT	1,000.00
AMAZON.COM	VARIOUS ITEMS-LIBRARY	227.33
BAKER & TAYLOR	BOOKS	673.18
CAPITAL ONE	PROGRAM SNACKS-LIBRARY	76.71
CEDAR COUNTY RECORDER	RECORDING FEES	100.00
CEDAR COUNTY TRANSFER STATION	SHOP YARD CLEANUP-PW	51.00
ELITE HOLDING CO.	WINTER UNIFORMS-PW	341.00
HAWKINS INC.	CHEMICALS	2,941.92
IMWCA	IMWCA FY24 INSTALLMENT 5	2,836.00
KANOPI	ON DEMAND VIDEO SERVICE	20.00
MENARDS	LIGHT BULBS-LIBRARY	79.99
MOORE'S WELDING	LEAF VAC BOX REPAIR	85.00
MOPPY MO'S	JANITORIAL SERVICES	857.50
MPEC	VEHICLE MAINT, SUPPLIES-PW	78.85
MUNICIPAL SUPPLY	RADIO READ TOWER	17,299.00
OASIS ELECTRIC	DOWNTOWN ST LIGHT REPAIRS	549.65
OLSON, KEVIN	LEGAL SERVICES-NOV 2023	1,500.00
OVERDRIVE	DIGITAL & AUDIO BOOKS	244.99
PROTECT YOUTH SPORTS	BACKGROUND CHECKS	27.00
PUTNAM MUSEUM	LIBRARY ANNUAL MEMBERSHIP	80.00
PYRAMID SERVICES	PARTS FOR FIELD GROOMER	110.32
QUILL	RUBBER BANDS-LIBRARY	11.72
ROOF, GERDES, ERLBACHER, PLC	AUDIT FY23 - 1ST PAYMENT	9,000.00
TIPTON CONSERVATIVE	JOB AD - POLICE	111.50
VAN SCOYOC, KRISTEN	PRESCHOOL BB JERSEY REFUND	20.00
WEST BRANCH TIMES	LEGAL PUBLICATIONS	487.24
<b>TOTAL</b>		<b>38,809.90</b>
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	11/10/2023	50,598.15
<b>PAID BETWEEN MEETINGS</b>		
VARIOUS VENDORS	UB REFUNDS	92.40
LYNCH'S EXCAVATING	EAST SIDE WATER PAY ESTIMATE 5	188,436.37
ALLIANT ENERGY	ALLIANT ENERGY	11,558.09

APPARATUS TESTING SERVICE	FIRE PUMP CERT TESTING	655.25
AT&T MOBILITY	WIRELESS SERVICE	314.96
BROWN'S WB FORD	SERVICE & PARTS	234.25
CULLIGAN WATER TECH	WATER SOFTENER SERVICE	43.97
HEIMAN FIRE EQUIPMENT	HALLIGAN STYLE FORCIBLE ENTRY	474.41
LINN COUNTY REC	STREET LIGHTS	304.37
LRS HOLDINGS	TRASH & RECYCLING-SEPT, OCT	28,503.00
PAPAS TRUCH & TRAILER REPAIR	TRUCK SERVICE-FIRE	930.54
QUILL	OFFICE SUPPLIES-CITY	79.98
STATE HYGIENIC LAB	LAB ANALYSIS	43.50
WEX BANK	VEHICLE FUEL	1,198.10
SISCO	HEALTH CLAIMS 11/13/2023	72.43
GLOBAL PAYMENTS	SEPTEMBER CREDIT CARD FEES	1,044.35
SISCO	HEALTH CLAIMS 11/6/2023	27.51
TOTAL		234,013.48
GRAND TOTAL EXPENDITURES		323,421.53

FUND TOTALS		
001 GENERAL FUND	71,881.40	
022 CIVIC CENTER	434.37	
031 LIBRARY	8,206.25	
036 TORT LIABILITY	2,673.62	
110 ROAD USE TAX	5,456.88	
112 TRUST AND AGENCY	6,951.17	
329 EASTSIDE WATER MAIN PH 1	188,436.37	
600 WATER FUND	31,348.92	
610 SEWER FUND	7,599.82	
740 STORM WATER UTILITY	432.73	
GRAND FUND TOTAL	323,421.53	

There were no comments.

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

### **PRESENTATIONS / COMMUNICATIONS / OPEN FORUM**

Norm Bickford, 5732 350<sup>th</sup> St., West Branch addressed the Council regarding his property at 212 W. Main Street. Bickford said that the city's strict storm water requirements forced him to abandon his project for moving the Hoover Foundation house (currently located on Parkside Drive) to the property on West Main Street. Bickford said he was hopeful to save the house from demolition.

Chris Kofoed, 202 Ridge View Drive asked the Council to be mindful of their comments and communication (in public meetings) as people are watching. Kofoed asked the Council to help protect the town and reputation of West Branch.

### **PUBLIC HEARING / NON-CONSENT AGENDA**

#### Third Reading Ordinance 810 – Amending the Code of Ordinances of the City of West Branch, as previously amended, by Changing Water Rates. / Move to action.

##### ORDINANCE 810

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, AS PREVIOUSLY AMENDED, BY CHANGING WATER RATES.

WHEREAS, the City Council of the City of West Branch had heretofore deemed it necessary to raise water rates in preparation of water infrastructure projects.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA, AS FOLLOWS:

Section 1. Amendment. Section 92.02(1) of the Code of Ordinances of the City of West Branch, Iowa is hereby amended by deleting the section in its entirety and replacing it with the following:

Rate effective July 1, 2024:	\$9.93 per 1000 gallons with 1,700 gallon minimum.
Rate effective July 1, 2025:	\$10.13 per 1000 gallons with 1,700 gallon minimum.
Rate effective July 1, 2026	\$10.33 per 1000 gallons with 1,700 gallon minimum.
Rate effective July 1, 2027:	\$10.54 per 1000 gallons with 1,700 gallon minimum.”

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 20th day of November, 2023.

First Reading: October 16, 2023  
Second Reading: November 6, 2023  
Third Reading: November 20, 2023

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Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, City Clerk

No comments.

Motion by Sexton, second by Dean to approve third reading of Ordinance 810. AYES: Sexton, Dean, Miller, Stoolman, Goodweiler. NAYS: None. Motion carried.

Third Reading Ordinance 811 – Amending the Code of Ordinance of the City of West Branch, as previously amended, by Changing Sewer Rates. / Move to action.

ORDINANCE 811

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, AS PREVIOUSLY AMENDED, BY CHANGING SANITARY SEWER RATES.

WHEREAS, the City Council of the City of West Branch had heretofore deemed it necessary to raise sewer rates to keep up with inflation to ensure that the sewer system can be maintained in a good and working order.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA, AS FOLLOWS:

Section 1. Amendment. Section 99.01(1) of the Code of Ordinances of the City of West Branch, Iowa is hereby amended by deleting adding the following after the line “\$17.65 per 1000 gallons, with a 1,700- gallon minimum, payable monthly effective July 1, 2023,” which reads as follows:

“The sanitary sewer rate per 1000 gallons shall increase annually effective July 1, 2024, and for each July 1st thereafter by two percent (2%).”

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 20th day of November, 2023.

First Reading: October 16, 2023  
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\_\_\_\_\_  
Roger Laughlin, Mayor

ATTEST:

\_\_\_\_\_  
Leslie Brick, City Clerk

No comments.

Motion by Sexton, second by Goodweiler to approve second reading of Ordinance 811. AYES: Sexton, Goodweiler, Dean, Miller, Stoolman. NAYS: None. Motion carried.

Resolution 2023-115– Approving a Subdivider’s Agreement with Advantage Development, Inc. for The Meadows Subdivision Part Three, West Branch, Iowa. / Move to action.

Sexton asked if a sidewalk was required for the West Main Street portion of the property. Developer, Chad Kuene reminded the Council that the City purchased an easement along the south end of the property for the turn lane and that the sidewalk is designed to cross at the roundabout and run along the south side of West Main Street to hook in with the future trail.

Motion by Sexton, second by Goodweiler to approve Resolution 2023-115. AYES: Sexton, Goodweiler, Miller, Stoolman, Dean. NAYS: None. Motion carried.

Resolution 2023-116 – Approving the Final Plat of the Meadows Subdivision, Part Three, West Branch, Iowa. / Move to action.

There were no comments.

Motion by Dean, second by Sexton to approve Resolution 2023-116. AYES: Dean, Sexton, Goodweiler, Miller, Stoolman. NAYS: None. Motion carried.

Resolution 2023-117 – Approving the submission of the City of West Branch FY23 Annual Urban Renewal Report. / Move to action.

Van Auken reminded the Council that the annual report is due to the Iowa Department of Management by December 1<sup>st</sup> of each year and reports how the city uses their Tax Increment Financing (TIF) revenues. Van Auken said items to note that TIF revenues are used for are: Developer rebate agreements, capital projects and debt obligations of the city. Van Auken informed the Council that two debts have been recently paid off (Water Tower #2 and the judgement to Acciona). Sexton asked how the City would use the money budgeted for the two paid-off debts and Van Auken responded that now those dollars would now be used for other internal loans of the city for new projects.

Motion by Goodweiler, second by Miller to approve Resolution 2023-117. AYES: Goodweiler, Miller, Stoolman, Dean, Sexton. NAYS: None. Motion carried.

Resolution 2023-118 – Approving the submission of the City of West Branch FY23 Annual Financial Report to the State Auditor’s Office. / Move to action.

Van Auken reminded the Council this annual report due to the State Auditor’s Office reports how the City uses its special revenue, general fund and TIF dollars. Van Auken noted that the most of the money is spent on capital projects which totaled more than eleven million dollars for FY23. The Council had no comments or questions.

Motion by Dean, second by Sexton to approve Resolution 2023-118. AYES: Dean, Sexton, Stoolman, Goodweiler, Miller. NAYS: None. Motion carried.

Resolution 2023-119 – Considering the issue of whether Acciona Windpower North America, LLC. should be rebated a portion of Tax Increment Revenues. / Move to action.

No discussion.

Motion by Sexton, second by Goodweiler to consider Resolution 2023-119. AYES: None. NAYS: Sexton, Goodweiler, Dean, Stoolman, Miller. Motion failed.

Resolution 2023-120 - Approve Certain Annual Appropriation Payments Pursuant to various Development Agreements. / Move to action.

There were no comments.

Motion by Dean, second by Sexton to approve Resolution 2023-120. AYES: Dean, Sexton, Miller, Stoolman, Goodweiler. NAYS: None. Motion carried.

Resolution 2023-121 - Directing the Finance Officer to Certify Tax Increment Financing Debt to the Cedar County Auditor. / Move to action.

Van Auken reminded the Council that the City is required to certify any new debt to the Cedar County Auditor by December 1<sup>st</sup> of each year. Van Auken explained that new debt for FY25 totaled one million, eight hundred and two thousand dollars (\$1,802,000). That debt is comprised of a new interfund loan for one hundred fifty thousand dollars (\$150,000) to pay Johnson County for the Roundabout Project, rebate agreement for Advantage Rentals in an amount of nine thousand, five hundred dollars (\$9,500) and a portion of the 2023 GO Corporate Purpose Bond for the cost of the Roundabout Project in an amount of one million, six hundred forty-two thousand, five hundred (\$1,642,500). The Council had no comments.

Motion by Sexton, second by Dean to approve Resolution 2023-121. AYES: Sexton, Dean, Stoolman, Miller, Goodweiler. NAYS: None. Motion carried.

Resolution 2023-122 – Establishing a new Capital Fund. / Move to action.

No discussion.

Motion by Goodweiler, second by Sexton to approve Resolution 2023-122. AYES: Goodweiler, Sexton, Stoolman, Miller, Dean. NAYS: None. Motion carried.

Resolution 2023-123 - Approving Pay Estimate Number 13 in the amount of \$517,877.30 to Boomerang Corp. for the Wastewater Treatment Facility Improvements Project. /Move to action.

Schechinger said the project was approximately seventy-six percent (76%) complete and that Boomerang is expected to wrap up the project in the spring.

Motion by Dean, second by Goodweiler to approve Resolution 2023-123. AYES: Dean, Goodweiler, Miller, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 2023-124 – Pledging Financial Support of Hoover’s Hometown Days 2024 in the amount of \$10,000. / Move to action.

Laughlin said he supports the city giving financial support to continue the event for 2024. Kofoed said the city had budgeted money for the event when it was city lead, so the money will come from the general fund as it has in the past.

Motion by Sexton, second by Dean to approve Resolution 2023-124. AYES: Sexton, Dean, Stoolman, Miller, Goodweiler. NAYS: None. Motion carried.

Resolution 2023-125 - Appointing Zachary Murdock as a Part-Time Officer and setting the salary for FY24. / Move to action.

There was no discussion.

Motion by Sexton, second by Goodweiler to approve Resolution 2023-125. AYES: Sexton, Goodweiler, Miller, Dean. NAYS: None. Abstain: Stoolman. Motion carried.

Resolution 2023-126 – Approving a Salary Adjustment for certain appointed officers. / Move to action.

Hanna said the proposed pay increase was discussed at the special City Council meeting on October 30, 2023. The Council had no comments.

Motion by Dean, second by Goodweiler to approve Resolution 2023-126. AYES: Dean, Goodweiler, Stoolman, Miller, Sexton. NAYS: None. Motion carried.

Resolution 2023-127 - Approving Change Order Number 4 in the amount \$23,492.43 for the Eastside Water Main Improvement Project. /Move to action.

Sexton questioned the erosion control needed for East Main Street and asked why that was not included in the original bid. Schechinger said it was included and determined later. He also said the contractor uncovered many “surprises” while working on South First Street and issues were addressed as they were encountered to keep the project moving forward. Sexton expressed his thanks to Lynch Excavating for a job well done, noting that they worked efficiently and met the city’s expectations. Sexton added that he wished they could do all of the city’s jobs. The other council members nodded in agreement.

Motion by Sexton, second by Dean to approve Resolution 2023-127. AYES: Sexton, Dean, Miller, Stoolman, Goodweiler. NAYS: None. Motion carried.

Resolution 2023-128 - Approve Pay Estimate Number 6 in the amount of \$177,021.15 to Lynch Excavating Inc. for the Eastside Water Main Replacement Project. / Move to action.

Schechinger said the project is complete but that the contractor will need to return in the spring and address and seeding that was not able to be completed this fall. Schechinger said there will a couple of pay estimates remaining to close out the project.

Motion by Sexton, second by Goodweiler to approve Resolution 2023-128. AYES: Sexton, Goodweiler, Dean Miller, Stoolman. NAYS: None. Motion carried.

#### **CITY ADMINISTRATOR REPORT**

Kofoed asked the Council to review a police officer pay scale that he and Chief Hanna prepared and provide a verbal approval. Kofoed said he would have a formal resolution for council consideration for the next meeting so recruitment efforts could start again. Kofoed also said he has been working with Forrest Brown of Brown’s West Branch on their expansion plans. He also reminded the Council that the FY25 budget process is changing and additional steps and meetings will be required.

**CITY ATTORNEY REPORT** – No report

### **CITY ENGINEER REPORT**

Schechinger said he had discussions with Newport Fab & Machine on their business expansion and that they are wanting to do some fall/winter grading in preparation of the expansion. He said a site plan would come in 2024. Schechinger said a meeting with IDOT is scheduled for next week regarding the next phase of the I-80 expansion and how that will affect exit 254. He also reported good news on the Wapsi Creek project in that there are just a few minor tweaks needed to the plan and then the project will be ready to go to FEMA for their approval.

**STAFF REPORTS** – No reports

### **COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Dean said he would like the council to reconsider eliminating council pay (that was discussed at the special City Council meeting on October 30<sup>th</sup>). Dean said he reasons for reconsidering is because that while on a recent vacation, he received several calls and emails from residents on various topics. He said if council members are available during their personal time, they should be compensated. Miller agreed with Dean and said that often, Council members are asked to participate in other meetings including employee interviews which sometimes takes them away from working hours.

### **ADJOURNMENT**

Motion to adjourn by Miller, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 7:59 p.m.

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Roger Laughlin, Mayor

ATTEST:

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Leslie Brick, City Clerk