

(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**

**April 15, 2024
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: Tom Dean, Jerry Sexton, Mike Horihan and Nick Goodweiler. Councilperson Jodee Stoolman arrived at 7:02 p.m. City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Finance Officer Heidi Van Auken, Parks & Recreation Director Erin Laughlin, City Attorney Kevin Olson and City Engineer Dave Schechinger. City Staff attending via Zoom: Library Director Jessie Schafer, public Works Director Matt Goodale and Police Chief Greg Hall.

APPROVE THE AGENDA

Motion by Dean, second by Goodweiler to approve the agenda. Absent: Stoolman. Motion carried on a voice vote.

APPROVE CONSENT AGENDA

Approve Minutes from the April 1, 2024 Special City Council meeting.
Approve Minutes from the April 1, 2024 Regular City Council meeting.
Approve the February 2024 Monthly Financial Report.
Approve Claims for April 15, 2024

EXPENDITURES	4/15/2024	
ALATORRE	WINDOW CLEANING-CITY BLDG	81.00
ALLIANT ENERGY	ALLIANT ENERGY	12,037.06
AMAZON.COM	VARIOUS PURCHASES	406.77
BAKER & TAYLOR	BOOKS	215.82
BARNHART'S CUSTOM SERVICES	TREE REMOVAL-WAPSI WIDENING	15,320.00
CAPITAL ONE	PROG PRIZES & CRAFT SUPP-LIBRARY	51.76
CEDAR COUNTY RECORDER	RECORDING FEES	92.00
CEDAR COUNTY TRANSFER STATION	TRASH DISPOSAL	51.00
FINNEGAN, ANDREW	UNIFORM, BOOTS REIMBURSEMENT	299.94
FROST, GLORIA	BLDG INCENTIVE PAYMENT	1,000.00
HAWKINS	CHEMICALS	3,890.08
HI-LINE	TRACTOR REPAIR PARTS	52.20
KANOPY	ON DEMAND VIDEO SERVICE	69.00
LINN COUNTY R.E.C.	STREET LIGHTS	288.25
LRS HOLDINGS	TRASH & RECYCLING MARCH 2024	18,142.00
MAINSTAY SYSTEMS OF IOWA	VPN SOFTWARE, DRIVES-CITY	475.00
MOPPY MO'S	CLEANING SERVICES-CITY, TH, P&R, LIB	962.50
MPEC	VEHICLE MAINT SUPPLIES	98.36
MUNICIPAL SUPPLY	METERS & RADIOS	22,650.55
OASIS ELECTRIC	REMOTE WATER READER SERVICE	774.34
OLSON, KEVIN D	LEGAL SERVICES-APRIL 2024	1,500.00
OVERDRIVE	DIGITAL & AUDIO BOOKS	72.07
QC ANALYTICAL SERVICES	LAB ANALYSIS	802.00
STANARD & ASSOCIATES	POLICE SELECTION TEST	43.50
STATE HYGIENIC LAB	LAB ANALYSIS	43.50
SUMMIT FIRE PROTECTION	FIRE EXTINGUISHER SERVICE-PD	598.00
THE HOME DEPOT PRO	SOAP, DISPENSER-P&R	30.68
TIPTON CONSERVATIVE	SUBSCRIPTION - LIBRARY	44.00
TYLER TECHNOLOGIES	SOFTWARE SERVICES-TAX, UB	3,635.10
UNIFORM DEN	UNIFORMS-POLICE	1,294.12
VEENSTRA & KIMM	VARIOUS PROJECTS	28,084.19
WEST BRANCH TIMES	SUBSCRIPTION - CITY	35.00
WEX BANK	VEHICLE FUEL	1,025.30
TOTAL		114,165.09
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	4/12/2024	45,783.21

PAID BETWEEN MEETINGS

AMAZON.COM	BOOKS & DVDs	137.01
AT&T MOBILITY	WIRELESS SERVICE	279.06
BAKER & TAYLOR	BOOKS	332.61
JOHNSON CONTROLS	FIRE MONITOR DIALER REPAIR	2,248.84
LEAF CAPITAL FUNDING	COPIER LEASE - LIBRARY	142.02
MPEC	VEHICLE SUPPLIES - PW	37.88
STOREY KENWORTH	LASER CHECKS	410.75
TOTAL		3,588.17
GRAND TOTAL EXPENDITURES		163,536.47

FUND TOTALS

001 GENERAL FUND	52,226.93
022 CIVIC CENTER	733.26
031 LIBRARY	8,269.38
110 ROAD USE TAX	4,995.84
112 TRUST AND AGENCY	5,872.84
321 WIDENING WAPSI CREEK	28,057.46
324 WW TREATMENT FACILITY	14,445.07
330 EASTSIDE WATER MAIN PH2	901.66
600 WATER FUND	37,814.30
610 SEWER FUND	9,782.29
740 STORM WATER UTILITY	437.44
GRAND FUND TOTAL	163,536.47

REVENUE-FISCAL YEAR 2024

FUND FEBRUARY	
001 GENERAL FUND	68,591.70
022 CIVIC CENTER	489.92
031 LIBRARY	198.28
036 TORT LIABILITY	92.76
110 ROAD USE TAX	25,838.54
112 TRUST & AGENCY	2,661.35
119 EMERGENCY TAX FUND	49.86
121 LOCAL OPTION SALES TAX	29,940.31
125 TIF	500.07
126 TIF LMI MEADOWS PT 4	1.55
226 DEBT SERVICE	641.23
300 CAPITAL IMPROVEMENT RESERVE	95.14
600 WATER FUND	54,213.35
610 SEWER FUND	78,558.10
740 STORM WATER UTILITY	5,963.67
TOTAL	267,835.83

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM

Tim and Becky Wagaman, representing the West Branch Lions Club addressed the Council with a proposal from the West Branch Lions Club for installing a temporary pickle ball court at Beranek Park. Wagaman asked for permission to paint the existing basketball court for one pickle ball court. In recent years, the pickle ball sport has proved to be quite popular. The Lions Club will pay the entire expense for the painting of the court as well as movable net used for pickle ball. The total cost of the project will be approximately \$7000.00. and if Council approves, the new court would be ready by the end of May. Wagaman said the club is looking into finding a more permanent space for a future legacy project which would include four new pickle ball courts and that Wapsi Park is being considered for their project. The Council thanked the Wagaman's and Lions Club for their proposal and gave them permission to proceed with the installation at Beranek Park.

Kara Diemer-Graham, 611 W. Orange Street addressed the Council with her concerns regarding the rezoning request for The Meadows Part 6. Diemer-Graham said she had questions on the decision-making process for why two-family dwellings were more preferred over affordable single-family homes in West Branch. City

Clerk Brick encouraged Ms. Diemer-Graham to attend one or both of the upcoming public hearings at a special Planning & Zoning Commission meeting scheduled for April 22nd and/or the public hearing at the next City Council meeting on May 6th to share her concerns and have her questions addressed by the Commission and Council.

PUBLIC HEARING / NON-CONSENT AGENDA

Public Hearing – Regarding Adoption of the Final Proposed Budget for Fiscal Year 2025.

Laughlin opened the public hearing at 7:11 p.m. There were no public comments. Laughlin closed the public hearing at 7:12 p.m.

Resolution 2024-30 – Adopting the Final Budget for Fiscal Year 2025 (July 1, 2024 – June 30, 2025). / Move to action.

Kofoed explained the FY25 budget and recapped changes to help maintain fiscal responsibility. Kofoed said the most significant change was to increase police officer salaries to recruit and retain a five-officer department. The end result, is a seventy-one percent increase (or \$314,000) to the police department budget which comes directly from general fund dollars. In order to meet this commitment to public safety, the following budget cuts were made; elimination of the part-time Park & Rec position, elimination of the West Branch Building Incentive program, elimination of one library position, and cutting city staff participation in the Hoover's Hometown Days event planning and overall expense of the event. Kofoed said some of the positive things to come in FY25 will be new employees that will fill former vacancies and the addition of a new full-time Utility Billing/Deputy Clerk position for the City Office. Kofoed also mentioned highlights of FY24 which include the city approving plans for a new family dental office and an assisted living center, the completion of the Eastside Water Main Phase 1 project, the completion of the Herbert Hoover Hwy roundabout project (fifty percent funded by Johnson County), implementation of e-bills and automated water meter reading for utility billing, and the near completion of the Wastewater Treatment Facility project. Kofoed also added the Building Inspector Terry Goerdts was named Building Inspector of the Year in January and that KCRG has chosen West Branch to be in the "Our Town" series starting in June.

Motion by Dean, second by Horihan to approve Resolution 2024-30. AYES: Dean, Horihan, Goodweiler, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 2024-31 – Setting a time and place for a Public Hearing for the purpose of Soliciting Written and Oral comments on the City's Proposed Fiscal Year 2024 Budget Amendment. / Move to action.

The public hearing date is set for May 6, 2024 at 7:00 p.m.

Motion by Dean, second by Sexton to approve Resolution 2024-31. AYES: Dean, Sexton, Stoolman, Horihan, Goodweiler. NAYS: None. Motion carried.

Public Hearing - on proposal to enter into a Water Revenue Loan and Disbursement Agreement.

Laughlin opened the public hearing at 7:37 p.m. There were no public comments. Laughlin closed the public hearing at 7:38 p.m.

Resolution 2024-32 - Taking additional action on proposal to enter into a Water Revenue Loan and Disbursement Agreement. / Move to action.

Kofoed said the loan is to fund the Phase 2 Eastside Water Main project and the result will increase water rates an additional eight (8) percent on top of the scheduled two (2) percent increase that will be effective July 1, 2024. Kofoed asked Council members Dean and Stoolman who championed for the Eastside Water Main projects to explain their reasons for supporting them. Dean said when he came on to City Council for a second time, he was notified by Public Works Director Matt Goodale of the failing water mains on the east side of town. Prior Councils had identified the issue years before, but the project kept getting pushed back. Dean said that along with the failing water mains, adequate fire protection was not available to residents living on the eastside which is unacceptable. Stoolman added that some of the fire hydrants were also not operational and should a structure fire occur, the fire department would have to rely on trucking water to the scene. Laughlin added that infrastructure on the eastside hadn't been touched in nearly fifty (50) years and the project was long overdue.

Motion by Dean, second by Sexton to approve Resolution 2024-32. AYES: Dean, Sexton, Stoolman, Goodweiler, Horihan. NAYS: None. Motion carried.

Resolution 2024-33 - Approving Pay Estimate Number 17 in the amount of \$519,910.77 to Boomerang Corp. for the Wastewater Treatment Facility Improvements Project. / Move to action.

Schechinger said the project is ninety percent complete and that getting the facility up and running along with final grading would complete the project.

Motion by Dean, second by Goodweiler to approve Resolution 2024-33. AYES: Dean, Goodweiler, Horihan, Stoolman, Sexton. NAYS: None. Motion carried.

First Reading of Ordinance 813 - Amending the Code of Ordinances of the City of West Branch, Iowa, by amending provisions pertaining to Floodplain Management (Chapter 160). / Move to action.

Kofoed said he was contacted by the Iowa Department of Natural Resources last year regarding updates required to the Floodplain Management ordinance. Kofoed asked the Council to consider reading the remaining two ordinance readings at the May 6th City Council meeting.

Motion by Dean, second by Goodweiler to approve the first reading of Ordinance 813. AYES: Dean, Goodweiler, Horihan, Sexton, Stoolman. NAYS: None. Motion carried.

Resolution 2024-34 – Promoting Andrew Finnegan as the Lead Water / Sewer Operator for the City of West Branch and setting the salary for Fiscal Year 2024/2025. / Move to action.

Motion by Dean, second by Horihan to approve Resolution 2024-34. AYES: Dean, Horihan, Stoolman, Sexton, Goodweiler. NAYS: None. Motion carried.

Resolution 2024-35 – Intent to dispose of Auditor’s Parcel “O” located west of and adjacent to Lot 1, Heritage Hills, West Branch. / Move to action.

Olson said the developer of Heritage Hill determined that if the subdivision would be required to maintain the detention basin that will be constructed on this parcel, he should own it. The resolution will set the date, May 6, 2024 for a public hearing to dispose of the parcel.

Motion by Sexton, second by Goodweiler to approve Resolution 2024-35. AYES: Sexton, Goodweiler, Dean, Horihan, Stoolman. NAYS: None. Motion carried.

Resolution 2024-36 - Support of the application of BBCO, LLC for funding via the Workforce Housing Tax Credit Program and pledging city monies for the same. / Move to action.

Olson said that this resolution supports Phase 3 of the Heritage Hill subdivision and reminded the Council that per the Development Agreement with BBCO LLC., the more tax credits the developer receives, the less the city has to pay the developer in TIF dollars.

Motion by Dean, second by Sexton to approve Resolution 2024-36. AYES: Dean, Sexton, Horihan, Goodweiler, Stoolman. NAYS: None. Motion carried.

Resolution 2024-37 – Regarding a Residential Stormwater Appeal from the Property Owner of 212 W. Main Street. / Move to action.

City Administrator Kofoed excused himself from this portion of the meeting stating a conflict of interest. Kofoed’s family owned the property prior to Mr. Bickford purchasing it in 2023. Bickford asked the Council to approve his appeal of the City Administrator’s decision to uphold the city’s stormwater requirement and the residential site plan review process.

Bickford stated that the requirement to provide additional stormwater mitigation on the property would add unexpected additional expenses for the development of his property. Bickford also said that in late September, the city informed him that he would be required to combine the property from 5 small lots into one (or two) legal lots (per Chapter 165) in order to develop on the R-2 zoned property. Bickford said he said he was not aware of the requirement when he purchased the property which also was an added expense.

City Engineer Schechinger explained the SUDAS requirements (that the City follows) with regard to stormwater and its mitigation. Schechinger and Bickford’s engineer (MMS Consultants) both agreed that storm water mitigation would be required. Schechinger said he approved the site plan submitted for the project in October 2023 with those certain stormwater mitigation conditions.

Bickford argued that his property was being singled out for excessive stormwater requirements and that adjacent properties push water onto the property adding to his issues. He also argued that other properties in some of the new subdivisions haven’t had to have this type of mitigation required.

Schechinger stated that all new subdivisions also must adhere to strict storm water requirements through the platting process and provide storm water detention. Schechinger added that all building permits for new construction (adding a structure to vacant lot), must go through the residential site plan process before a building permit will be issued. The council discussed and determined that all proper procedures were followed by the engineer and city staff.

Motion by Sexton, second by Goodweiler to deny Bickford's appeal. AYES: Sexton, Goodweiler, Dean, Stoolman, Horihan. NAYS: None. Motion carried.

Discussion – Lee Cassabaum property discussion

Olson asked the Council for permission to have the property in question to be appraised and an offer made to Cassabaum and then he can decide the next steps. Kofoed said Cassabaum recently requested a shed in the right of way be taken down and new shed rebuilt on his property. Kofoed said the property is in the floodway and rebuilding would not be allowed. This has been a long-standing issue between the property owner and the city so Horihan asked that the city have an honest negotiation with Cassabaum and a firm follow through to resolve the issue once and for all. The council directed Olson to proceed with the appraisal.

CITY ADMINISTRATOR REPORT – No report

CITY ATTORNEY REPORT – No report

CITY ENGINEER REPORT – No report

STAFF REPORTS – City Clerk Brick stated the she and Van Auken would be out of the office Tuesday through Friday attending training.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Stoolman asked what the process was for dirt settling issues on the Eastside Water Main project (phase 1). Schechinger said that there is a two-year maintenance bond on the project and any issues need to be reported to City Administrator and him to have the issues addressed.

ADJOURNMENT

Motion to adjourn by Dean, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 8:46 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk