

*(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**

**May 6, 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, Jodee Stoolman and Nick Goodweiler.

City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Public Works Director Matt Goodale, Police Chief Greg Hall, Parks & Recreation Director Erin Laughlin, City Attorney Kevin Olson and City Engineer Dave Schechinger.

City Staff attending via Zoom: Library Director Jessie Schafer and Finance Officer Heidi Van Auken.

**APPROVE THE AGENDA**

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

**APPROVE CONSENT AGENDA**

Approve minutes from the April 15, 2024 City Council meeting.

Approve a Class C Retail Alcohol (12-month) license with Outdoor Service privileges for Cedar’s Edge Golf Course Inc., 3 Ember Lane, West Branch - pending DRAM

Approve a Special Event Permit for Main Street West Branch for “Kickoff to Summer”.

Approve a 5-day Class C Retail Alcohol license for Hazelhasky LLC (dba Herb & Lou’s) for June 8, 2024 (in conjunction with Kickoff to Summer) - pending DRAM

Monthly Financial Report for March 2024.

Approve Claims for May 6, 2024.

EXPENDITURES	5/6/2024	
ACTION SEWER & SEPTIC SERVICE	N DOWNEY PLUGGED STORM SEWER	377.50
AMAZON.COM	PROGRAM & BLDG SUPPLIES	72.93
BARRETT, BENJAMIN	FIRE TRAINING REIMBURSEMENT	653.00
BRICK, LESLIE	MEALS, MILEAGE REIMBURSEMENT	283.04
DES MOINES STAM	NOTARY STAMP - VAN AUKEN	34.00
DOG WASTE DEPOT	DOG WASTE BAGS	709.95
DONAHUES CARPET CLEANING	CARPET CLEANING - LIBRARY	575.04
HEIDI VAN AUKEN	MILEAGE, MEAL REIMBURSEMENT	108.55
HI-LINE	SHOP SUPPLIES	118.14
HOLIDAY INN DM AIRPORT	IMFOA LODGING-BRICK, VAN AUKEN	712.32
HOLLYWOOD GRAPHICS	REVERSIBLE JERSEYS	749.00
IOWA ASSN. MUN. UTILITIES	QUARTERLY SAFETY TRAINING DUES	950.00
IA LAW ENFORCEMENT ACADEMY	MMPI--2 EVAL POLICE	50.00
IOWA ONE CALL	UTILITY LOCATION SERVICES	82.80
RECDESK LLC	ANNUAL SUBSCRIPTION	5,800.00
STATE INDUSTRIAL PRODUCTS	CHEMICALS	250.38
THE HOME DEPOT PRO	BLDG SUPPLIES-P&R	297.65
TYLER TECHNOLOGIES	AUTO METER READ FEE	321.50
UNIVERSITY OF IOWA HEALTH	DRUG TESTING-PW, POLICE	568.00
WB COMMUNITY SCHOOLS	YOUTH BASKETBALL GYM RENTAL	450.00
TOTAL		13,163.80
PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS	4/26/2024	48,181.86
PAID BETWEEN MEETINGS		
METLIFE	INSURANCE	1,341.59
SISCO	INSURANCE	11,193.73
SISCO	HEALTH & FLEX CLAIMS 4/29/2024	5,744.32
BOOMERANG	WW TREATMENT PAY ESTIMATE 17	519,910.77
AMAZON.COM	BOOKS	18.77
BAKER & TAYLOR	BOOKS	462.39
JOHN DEERE FINANCIAL	MISC. SUPPLIES FOR WATER	142.90

LYNCH'S EXCAVATING	WATER MAIN REPAIR-ORANGE ST.	4,570.80
MEDIACOM	CABLE SERVICE	41.90
PLUNKETT'S PEST CONTROL	PEST CONTROL-CITY, TOWN HALL	110.14
QUILL	OFFICE SUPPLIES	79.47
THE HOME DEPOT PRO	SOAP FOR PARK BATHROOMS	27.60
US BANK CORP. CARD	CREDIT CARD PURCHASES	1,909.10
VERIZON WIRELESS	VERIZON WIRELESS	412.70
VARIOUS VENDORS	UB REFUNDS	31.95
AMAZON.COM	DVDS - LIBRARY	99.19
BROWN'S WEST BRANCH	COOLANT - POLICE	41.20
CEDAR CO. SHERIFF'S OFFICE	PATROL RESERVES	4,375.00
CEDAR CO. COOPERATIVE	FUEL	2,455.70
CULLIGAN WATER TECH	WATER SOFTENER SERVICE	30.49
GRIEBAHN INDUSTRIES	NAME PLATES - POLICE, P&R	46.00
HEIMAN FIRE EQUIPMENT	LIGHT	244.82
IA LAW ENFORCEMENT ACADEMY	MMPI--2 EVAL POLICE	150.00
OASIS ELECTRIC	REPLACE PHOTOCELL LIGHT-FIRE	131.30
PARKSIDE SERVICE	BRAKE REPAIR - 550 PW	323.58
PLAY IT AGAIN SPORTS	COACHES SCORE BOOK	6.99
WEST BRANCH REPAIRS	VEHICLE SERVICES - FIRE	303.40
WEST BRANCH TIMES	LEGAL PUBLICATIONS, JOB ADS	908.10
TOTAL		555,113.90
GRAND TOTAL EXPENDITURES		616,459.56

FUND TOTALS		
001 GENERAL FUND		38,703.90
022 CIVIC CENTER		55.07
031 LIBRARY		5,644.89
110 ROAD USE TAX		5,640.42
112 TRUST AND AGENCY		24,737.10
324 WW TREATMENT FACILITY		519,910.77
600 WATER FUND		12,681.69
610 SEWER FUND		8,188.32
740 STORM WATER UTILITY		897.40
GRAND FUND TOTAL		616,459.56

REVENUE-FISCAL YEAR 2024  
FUND MARCH

001 GENERAL FUND		199,377.29
022 CIVIC CENTER		2,989.34
031 LIBRARY		851.25
036 TORT LIABILITY		9,450.81
110 ROAD USE TAX		20,457.61
112 TRUST & AGENCY		43,949.01
119 EMERGENCY TAX FUND		5,078.79
121 LOCAL OPTION SALES TAX		18,932.18
125 TIF		100,220.07
126 TIF LMI MEADOWS PT 4		506.00
226 DEBT SERVICE		40,574.12
300 CAPITAL IMPROVEMENT RESERVE		9,693.12
324 WW TREATMENT FACILITY		84,681.49
500 CEMETERY PERPETUAL FUND		300.00
501 KROUTH PRINCIPAL FUND		745.09
502 KROUTH INTEREST FUND		348.34
600 WATER FUND		64,964.16
610 SEWER FUND		86,109.40
740 STORM WATER UTILITY		5,902.69
TOTAL		695,130.76

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

**PRESENTATIONS / COMMUNICATIONS / OPEN FORUM**

Lee Cassabaum, 316 Beranek Drive addressed the Council regarding his property and issues with drainage due to the condition of the street over time. Cassabaum said there has been a lot of history between him and the city over this subject. Cassabaum asked the Council to provide a clear offer on how to remedy the situation as

this has been going on over multiple years, multiple city administrators and city councils. Cassabaum said he just wants a fair deal from the city and to move on. City Attorney Olson explained some of the past proposed offers to Cassabaum to the current Council, and said a new offer should be prepared and presented to the property owners for consideration as city needs and budgetary conditions have changed over the years.

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

#### Public Hearing – Amending the current budget for fiscal year ending June 30, 2024.

Laughlin opened the public hearing at 7:17 p.m. There were no public comments. Laughlin closed the public hearing at 7:18 p.m.

#### Public Hearing – Proposed Amendment to the West Branch Zoning Code (Rezoning request from The Meadows Part 6 – from R-1 to R-2).

Laughlin opened the public hearing at 7:18 p.m. Brad Larson, partner of KLM Investments along with Chris Kofoed explained that Part 6 is their final phase of their development. This last section is being proposed as R-2 residential (two-family) zoning. Larson stated that the recent sections developed were also re-zoned to R-2 because that is what's selling. Larson said that at the special April 22<sup>nd</sup> Planning & Zoning commission meeting, the commission recommended that a portion of the lots be reserved for single family dwellings as the city is in need of that type of housing. Based on that feedback, Larson presented the proposed layout for eleven (11) single family lots and eight (8) zero lot dwelling lots for the nineteen (19) lot subdivision. Larson said the commission also proposed a three-year time limit for single family homes to be built on the specified lots and after that time, the developer could market them as two-family lots. Sexton opposed that idea saying that if he was a potential homeowner and built a single-family home on one of the single-family lots and then later a two-family home was built next to him, he would be upset. Sexton thanked Larson and Kofoed for working with the city over the past fifteen years with helping grow the community that was "stagnant" prior to them spurring growth, but would like to remove the three-year time limit on the single-family lots. Olson said that the terms of the individual lots and what could be constructed on them would be included in the Developer's Agreement which he will begin to prepare as part of the preliminary plat approval process. There were no public comments. Laughlin closed the public hearing at 7:30 p.m.

#### Public Hearing – Proposal to dispose of an interest in real property generally referred to as Auditor's Parcel "O", West Branch, Iowa.

Laughlin opened the public hearing at 7:30 p.m. There were no public comments. Laughlin closed the public hearing at 7:31 p.m.

#### Second 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.

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

#### Third 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.

##### ORDINANCE 813

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, BY AMENDING PROVISIONS PERTAINING TO FLOODPLAIN MANAGEMENT

BE IT ENACTED by the City Council of the City of West Branch, Iowa:

SECTION 1. The Code of Ordinances of the City of West Branch, Iowa, Chapter 160 Floodplain Regulations, Sections 160.01, 160.06, and 160.07 are amended by the following wording:

1. Amend CH 160.01 by incorporating the definition of a Factory-built Home:

FACTORY-BUILT HOME - Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for highway use.

2. Amend CH 160.01 by incorporating the definition of a Factory-built Home or Subdivision:

FACTORY-BUILT HOME PARK OR SUBDIVISION - A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.

3. Amend CH 160.06 (2) (B) by deleting the first line in its entirety and replace with the following:

All development within the Floodway District shall:

4. Amend CH 160.06 (2) (C) by deleting it in its entirety and replace with the following:

No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or any other drainage facility or system.

5. Amend CH 160.06 (2) (EC) by deleting it in its entirety and replace with the following:  
Structures, if permitted, shall have a low flood damage potential and shall not be for human habitation.

6. Amend CH 160.07 (2) by incorporating the following provision:  
Performance Standards

All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Until a regulatory floodway is designated, no development may increase the Base Flood Elevation more than one (1) foot. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

7. Amend CH 160.07 (2) (D) (3) by deleting it in its entirety and replace with the following provision:

New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case on non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation.

8. Amend CH 160.07 (2) (D) by incorporating the following provision:

(4) New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation or designed to be watertight and withstand inundation to such a level.

SECTION 2. REPEALER. All ordinance or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

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

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved this 6th day of May, 2024.

First Reading: April 15, 2024  
Second Reading: May 6, 2024  
Third Reading: May 6, 2024

\_\_\_\_\_  
Roger Laughlin, Mayor

ATTEST:

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

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

First Reading Ordinance 814 - Amending the Code of Ordinances of the City of West Branch, as previously amended, by changing water rates. / Move to action.

The reason for the water increase is due to the Eastside Water Main Project-Phase 2. The city's financial advisor assisted the city in preparing the required percentage increase in order to repay the water revenue loan. Motion by Dean, second by Goodweiler to approve the first reading of Ordinance 814. AYES: Dean, Goodweiler, Stoolman, Sexton, Horihan. NAYS: None. Motion carried.

First Reading Ordinance 815 – Re-zoning an approximate 9.83-acre parcel from R-1 Residential District to R-2 Residential District. / Move to action.

Based on the public hearing discussion earlier in the meeting, City Attorney Olson said the City could include specific language in the Developer's Agreement regarding which lots could be used for zero lot and single-family home dwellings which would need to be adhered to by the Developer.

Motion by Sexton, second by Goodweiler to approve the first reading of Ordinance 815. AYES: Sexton, Goodweiler, Horihan, Stoolman. NAYS: Dean. Motion carried.

Resolution 2024-38 – Approving amending the current budget for the fiscal year ending June 30, 2024. / Move to action.

Van Auken stated that a budget amendment is a normal process for a city that is growing and doing projects. She explained the most significant reasons behind this year's budget amendment were for: public safety salaries, training and recruitment, worker's comp insurance, purchase of a new leaf vacuum, a mobility lift for Town Hall, bond payments, payment of partial self-funded health claims and purchase of new water meters and water reading software. Van Auken also explained that when the city receives funds from other sources such as grants or loans and expends those funds, if they were not originally budgeted, they would also need to

be included in the budget amendment. That was the case with the city receiving bond funds for the Phase 2 Eastside Water Main project. The Council had no further questions.

Motion by Dean, second by Goodweiler to approve Resolution 2024-38. AYES: Dean, Goodweiler, Sexton, Horihan, Stoolman. NAYS: None. Motion carried.

Resolution 2024-39 - Approving the disposal of the City's interest in Auditor's Parcel "O" to BBCO, LLC, subject to reservation of a water main easement. / Move to action.

There were no comments.

Motion by Dean, second by Goodweiler to approve Resolution 2024-39. AYES: Dean, Goodweiler, Stoolman, Horihan, Sexton. NAYS: None. Motion carried.

Resolution 2024-40 - Hiring Brad Longlett as a Full-Time Police Officer for the City of West Branch and setting the salary for Fiscal Year 2024/2025. / Move to action.

Chief Greg Hall introduced Officer Longlett and stated that he has known him for two decades and once worked for him in Durant. Hall said the city is fortunate to have an officer with his qualifications and experience. Hall said he will be good for West Branch.

Motion by Dean, second by Horihan to approve Resolution 2024-40. AYES: Dean, Horihan, Stoolman, Sexton, Goodweiler. NAYS: None. Motion carried.

Oath of Office – Police Officer Brad Longlett

Mayor Laughlin preformed the swearing in of Officer Longlett. Longlett thanked the Council for the opportunity and said that he would do everything to make them proud.

Resolution 2024-41 – Hiring Taylor Case as a Streets Maintenance worker for the City of West Branch, Iowa, and setting the salary for the position for Fiscal Year 2024/FY2025. / Move to action.

There was no discussion.

Motion by Dean, second by Horihan to approve Resolution 2024-41. AYES: Dean, Horihan, Goodweiler, Stoolman, Sexton. NAYS: None. Motion carried.

Resolution 2024-42 - Hiring Kobe Simon as a Streets Maintenance worker for the City of West Branch, Iowa, and setting the salary for the position for Fiscal Year 2024/2025. / Move to action.

There was no discussion.

Motion by Dean, second by Goodweiler to approve Resolution 2024-42. AYES: Dean, Goodweiler, Horihan, Sexton, Stoolman. NAYS: None. Motion carried.

Resolution 2024-43 - Allowing the consumption of alcohol on a public street within the City of West Branch, Iowa on Saturday June 8, 2024 on the 100 block of North Downey Street and street closure for a community event. / Move to action.

There was no discussion.

Motion by Goodweiler, second by Sexton to approve Resolution 2024-43. AYES: Goodweiler, Sexton, Stoolman, Horihan, Dean. NAYS: None. Motion carried.

Resolution 2024-44 – Approving the annual renewal rates with Wellmark Blue Cross Blue Shield through the Iowa Community Trust for health insurance. / Move to action.

Laughlin noted there was a slight increase to the premiums of 4.9% which is lower than past years.

Motion by Dean, second by Goodweiler to approve Resolution 2024-44. AYES: Dean, Goodweiler, Stoolman, Horihan, Sexton. NAYS: None. Motion carried.

Resolution 2024-45 – Approving the annual renewal rates with MetLife for Basic Life, AD&D, Short Term disability, Long Term disability, Dental and Vision insurance. / Move to action.

Kofoed said the city did get an increase in the ancillary benefits due to lack of participation in the last six months or due to employee turn-over. Kofoed said that now that the city is staffing back up, next year he hoped to see a decrease in premiums.

Motion by Dean, second by Goodweiler to approve Resolution 2024-45. AYES: Dean, Goodweiler, Horihan, Sexton, Stoolman. NAYS: None. Motion carried.

Resolution 2024-46 - Approving Reimbursement Request Number 4 in the amount of \$272,582.12 to Johnson County Treasurer for the Herbert Hoover Highway Roundabout Project. / Move to action.

City Engineer Schechinger said that this was the final pay request for the project. He said the final cost of the project was \$1,117,806.20, approximately \$185,000 over the original estimate due to the city's decision to extend the reconstruction of Cedar-Johnson Road north of the Meadows Part 3 to accommodate the new street for that development as well as core out costs associated with the unsuitable soil found during the project.

Motion by Sexton, second by Goodweiler to approve Resolution 2024-46. AYES: Sexton, Goodweiler, Horihan, Stoolman, Dean. NAYS: None. Motion carried.

Resolution 2024-47 – Accepting the public improvements constructed in association with the Eastside Water Main Replacement Project – Phase 1. / Move to action.

Schechinger said the project is now complete and has a five-year maintenance bond which allows the city to require the contractor to correct any issues found post construction. He said Councilperson Stoolman had sent a few photos of ground settling in some areas and that he and Goodale would inspect. Laughlin said he was very pleased with Lynch Excavating's work and that he felt the project went very smooth and hopes the next phase will go just as well.

Motion by Dean, second by Horihan to approve Resolution 2024-47. AYES: Dean, Horihan, Stoolman, Sexton, Goodweiler. NAYS: None. Motion carried.

Resolution 2024-48 – Approving Pay Estimate Number 1 in the amount of \$151,804.97 to Midwest Underground Contractors Inc. for the Phase 2 Eastside Water Main Replacement Project. / Move to action.

Schechinger stated that this pay estimate is for stored materials and vibration monitoring in order to start the project.

Motion by Dean, second by Horihan to approve Resolution 2024-48. AYES: Dean, Horihan, Goodweiler, Sexton, Stoolman. NAYS: None. Motion carried.

Resolution 2024-49 – Authorizing and approving a Loan and Disbursement Agreement and providing for the issuance and securing the payment of \$1,116,000 Water Revenue Bonds, Series 2024. / Move to action.

There were no comments.

Motion by Sexton, second by Goodweiler to approve Resolution 2024-49. AYES: Sexton, Goodweiler, Horihan, Stoolman, Dean. NAYS: None. Motion carried.

### **CITY ADMINISTRATOR REPORT**

Kofoed announced that he, Laughlin and Sexton spoke with Congresswoman Miller-Meeks and pitched their case for Cedar-Johnson Road reconstruction. Kofoed said this is the second attempt at the grant opportunity. Kofoed reminded the Council that spring means "nuisance season" and he has been out through the community identifying areas that need property reminder for grass, repairs and junk removal.

### **CITY ATTORNEY REPORT – No report**

### **CITY ENGINEER REPORT**

Schechinger provided a few updates on current city projects. He said the Phase 2 Eastside Water Main project started last week and is moving along despite the weather. He reported that the Wastewater Treatment Facility is expecting to go "on-line" this week. Contractors are working on final grading and seeding as well. Schechinger said he is still waiting on the DNR to issue the necessary permits so that they can put the project out to bid for the Wapsi Creek Widening project. He added that he had met with Kofoed and Van Auken regarding Capital Improvement Planning (CIP) projects and will present the projects and costs at a future date.

### **STAFF REPORTS**

Goodale reported on his departments various duties that were going on. He said that his two new employees started to work today along with annual hydrant flushing, the brush pile has been ground up and that the new brush pile has not yet been established or ready for residents to use.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Horihan said he is very happy with Chief Hall and Sergeant Steen’s recruitment efforts in hiring for the department despite the difficult police market.

Stoolman thanked the staff involved in making sure the detour was set up for semi traffic going to Cargill after a few semi’s tried going up N. 6<sup>th</sup> Street and not being able to navigate the residential streets. Stoolman also requested that West Orange Street to be monitored for speeding traffic.

Dean said he sent photos to Representative Bobby Kaufman of the interstate traffic that came through town during the past few weeks.

**ADJOURNMENT**

Motion to adjourn by Dean, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 8:15 p.m.

---

Roger Laughlin, Mayor

ATTEST:

---

Leslie Brick, City Clerk