

(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**

**June 17, 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. Absent: Nick Goodweiler.
City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Public Works Director Matt Goodale, Police Chief Greg Hall, City Attorney Kevin Olson and City Engineer Dave Schechinger.
City Staff attending via Zoom: Finance Officer Heidi Van Auken, Deputy Clerk Jessica Brown and Library Director Jessie Shaffer.

APPROVE THE AGENDA

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

APPROVE CONSENT AGENDA

Approve minutes from the June 3, 2024 City Council meeting.
Approve a Special Class C Retail Alcohol (BW) 5-day license for the West Branch Firefighters Inc. (in conjunction with Hoover's Hometown Days 2024)
Approve the Monthly Financial Report for May 2024
** There will no Claims for June 17, 2024. (no action to be taken on this item)

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM - NONE

PUBLIC HEARING / NON-CONSENT AGENDA

Resolution 2024-54 – Approving a Subdivider's Agreement with KLM Investments for The Meadows Subdivision, Part 6, West Branch, Iowa. / Move to action.

This item was previously tabled due Council requests for revisions to the lots to be used for single family dwellings and the future of Outlot A. The Developer was agreeable to the Council's requests and the changes are reflected in the revised Subdivider's Agreement.

Motion by Dean, second by Sexton to approve Resolution 2024-54. AYES: Dean, Sexton, Horihan, Stoolman. NAYS: None. Absent: Goodweiler. Motion carried.

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

ORDINANCE 815

AN ORDINANCE RE-ZONING AN APPROXIMATE 9.83-ACRE PARCEL FROM R-1 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT.

WHEREAS, the Developer has petitioned the City of West Branch for a zoning district amendment for properties located in the Meadows Subdivisions, said parcel being legally described as:

BEING PART OF AUDITOR'S PARCEL G IN BOOK I PAGE 103 IN THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) AND THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 6, TOWNSHIP 79 NORTH, RANGE 04 WEST OF THE 5TH/ P.M., CITY OF WEST BRANCH, CEDAR COUNTY, IOWA DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 32 OF THE CORRECTED PLAT FOR THE MEADOWS SUBDIVISION PART 4B AS RECORDED IN BOOK 1554, PAGE 326 OF THE CEDAR COUNTY RECORDER'S OFFICE, THENCE N88°41'21"E, 172.30 FEET TO THE SOUTH LINE OF OUTLOT B OF THE MEADOWS SUBDIVISION PART 4A AS RECORDED IN BOOK 1492, PAGE 39 OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE ALONG SAID SOUTH LINE S82°46'48"E, 80.44 FEET; THENCE ALONG SAID SOUTH LINE S58°47'20"E, 126.13 FEET; THENCE ALONG SAID SOUTH LINE S38°53'07"E, 499.31 FEET; THENCE ALONG SAID SOUTH LINE S09°48'28"W, 146.35 FEET; THENCE ALONG SAID SOUTH LINE S80°11'32"E, 60.86 FEET; THENCE 151.84 FEET ALONG SAID SOUTH LINE ON A 300.00 FOOT RADIUS CURVE CONCAVE NORTHERLY, (CHORD BEARING N85°18'30"E, 150.22 FEET) TO THE WEST LINE OF LOT A OF SAID PART 4A; THENCE ALONG SAID WEST LINE S19°00'26"E, 66.00 FEET TO THE NORTH LINE OF OUTLOT A OF SAID PART A; THENCE 140.95 FEET ALONG SAID NORTH LINE ON A 352.59 FOOT RADIUS CURVE CONCAVE NORTHERLY (CHORD BEARING S81°52'08"W, 140.01 FEET) THENCE ALONG SAID SOUTH LINE S01°20'05"W, 156.35 FEET; THENCE ALONG SAID NORTH LINE N71°51'36"W, 259.28 FEET; THENCE ALONG SAID NORTH LINE N77°54'25"W, 108.11 FEET; THENCE N85°28'43"W, 277.46 FEET; THENCE ALONG SAID NORTH LINE

N69°36'54"W, 99.17 FEET; THENCE N01°19'23"W, 681.39 FEET TO THE POINT OF BEGINNING. DESCRIBED AREA CONTAINS 9.83 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

; and

WHEREAS, the Developer has requested that the Parcel be rezoned to be located in an R-2 Residential District, in place of an R-1 Residential District; and

WHEREAS, the West Branch Planning and Zoning Commission has recommended the City Council approve said rezoning request; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

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

Section 1. That the zoning map for the City of West Branch is hereby amended to show the Parcel being located in a R-2 Residential District in place of R-1 Residential District.

Section 2. This ordinance shall be in full force and effect from and after its publication as by law provided.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. 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 this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 17th day of June, 2024.

Read First Time: May 6, 2024
Read Second Time: May 20, 2024
Read Third Time: June 17, 2024

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

Motion by Sexton, second by Dean to approve the third reading of Ordinance 815. AYES: Sexton, Dean, Stoolman, Horihan. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-59 - Setting the salary for an Appointed Official of the City of West Branch, Iowa for Fiscal Year 2025. / Move to action.

Motion by Dean, second by Sexton to approve Resolution 2024-59. AYES: Dean, Sexton, Horihan, Stoolman. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-60 – Approving the City of West Branch Employee Handbook dated July 1, 2024. / Move to action.

City Clerk Brick said that the handbook has been under review since 2017 and that many updates had been adopted over the past several years but incorporated into the document. All updates have now been added along with other employer legal compliance topics.

Motion by Dean, second by Sexton to approve Resolution 2024-60. AYES: Dean, Sexton, Stoolman, Horihan. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-61 – Approving Change Order #1 in the amount of \$18,500.00 for the Phase 2 Eastside Water Main Improvement Project. / Move to action.

Schechinger explained the details for Change Order #1 is for replacing an existing manhole with a new 48" manhole at the intersection of East Main Street and North 4th Street, due to a brick manhole structural defect.

Motion by Sexton, second by Dean to approve Resolution 2024-61. AYES: Sexton, Dean, Stoolman, Horihan. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-62 – Approving Pay Estimate Number 2 in the amount of \$112, 526.84 to Midwest Underground Contractors Inc. for the Phase 2 Eastside Water Main Replacement Project. / Move to action.

Dean asked Schechinger how he thought the project was going and if the contractor was adhering to the timeline. Schechinger replied that the project is moving along and that the new water main has been installed on N. 4th Street and that the contractor was now working on E. Orange Street to connect to the new main on N. 6th St. Schechinger said the contractor is doing a good job with project and will move on to S. 2nd Street when E. Orange is complete.

Motion by Dean, second by Sexton to approve Resolution 2024-62. AYES: Dean, Sexton, Horihan, Stoolman. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-63 - Amending the Fiscal Year 2025 Pay Scale for Regular Full-Time Employees. / Move to action.

Kofoed said that in order to keep our pay scale competitive when hiring new employees, that the pay scale will move with inflation. The pay scale was increased 3.4% over last year's scale.

Motion by Dean, second by Horihan to approve Resolution 2024-63. AYES: Dean, Horihan, Stoolman, Sexton. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-64 – Approving the Annual Subscription Agreement with Tyler Technologies, Inc. in the amount of \$23,025.91. / Move to action.

Stoolman asked for an explanation of the difference between IT support and the service that Tyler Technologies provides. Brick explained that Tyler Technologies provides use of their software for the city's financial, payroll, utility billing and cemetery processing and that Tyler Tech provides the city support on their products and functions only. There were no other questions.

Motion by Dean, second by Sexton to approve Resolution 2024-64. AYES: Dean, Sexton, Stoolman, Horihan. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-65 - Approving the Annual Maintenance Agreement for Information Technology Support with Mainstay Systems of Iowa LLC. / Move to action.

Kofoed explained that Mainstay Systems of Iowa provides IT support for non-processing functions such as computer set up, network updates or issues, cyber security for all departments of the City.

Motion by Dean, second by Sexton to approve Resolution 2024-65. AYES: Dean, Sexton, Stoolman, Horihan. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-66 - Approving the Workers' Compensation Proposal with Iowa Municipalities Workers' Compensation Association (IMWCA) for Fiscal Year 2025. / Move to action.

Motion by Dean, second by Sexton to approve Resolution 2024-66. AYES: Dean, Sexton, Horihan, Stoolman. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-67 – Authorizing the Transfer of Funds. / Move to action.

Stoolman asked why the City transfers funds to the Library at the end of the fiscal year instead of at the beginning of the fiscal year. Van Auken explained that funds the City transfers is the budgeted amount for the current fiscal year and has been the practice for several years. Van Auken said the transfer occurs after the City receives the full fiscal year taxes from the County. Van Auken confirmed that this practice has made the library run in the red until the funds are transferred each June.

Motion by Dean, second by Sexton to approve Resolution 2024-67. AYES: Dean, Sexton, Stoolman, Horihan. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-68 - Approving Pay Estimate Number 19 in the amount of \$42,132.03 to Boomerang Corp. for the Wastewater Treatment Facility Improvements Project. / Move to action.

Schechinger said the punch list was created and that the contractor has addressed most of the remaining items. Stoolman asked if there would be any funds left over from the project to have the road treated with tree sap as a dust control measure. Schechinger said that the City should consider treating the road to prolong filter life as the new facility was already collecting a lot of dust from the road. Kofoed said that the City wouldn't be able to use SRF funds for road treatment as the rules for that type of funding is pretty specific for its use. Kofoed said he look for other alternate funding sources.

Motion by Sexton, second by Horihan to approve Resolution 2024-68. AYES: Sexton, Horihan, Stoolman, Dean. NAYS: None. Absent: Goodweiler. Motion carried.

Resolution 2024-69 – Waiving the right to review a final plat for the Tim Crew Minor Subdivision (with conditions). / Move to action.

Kofoed explained Crew's request to sell a portion of his property for farming purposes to a local farmer and that because the land in question is within the city limits, the City has the right to review the request. Kofoed said this matter was brought before the Planning & Zoning Commission in May where they requested Crew provide an easement be recorded with the county that would provide street frontage for the parcel remaining in the city limits should there be future development in that area.

Motion by Dean, second by Sexton to approve Resolution 2024-69. AYES: Dean, Sexton, Stoolman, Horihan. NAYS: None. Absent: Goodweiler. Motion carried.

Discussion Review fiscal year 2025 City Council Strategic Goals

Kofoed listed the City Council's top eight strategic goals for fiscal year 2024 and 2025 as a reminder of objectives he would be working on. 1) Completing Phase 2 Eastside Water Main Project, 2) Starting the Wapsi Creek Widening Project, 3) Public Works completing identifying lead service lines, 4) Planning for the reconstruction of Main Street and funding options, 5) Creating a 5 officer Police Department, 6) Hiring a full-time Parks & Recreation Director, 7) Pursue a 1% franchise fee on gas & electric service, and 8) Review the City's financial sustainability for the next five years from the effects of HF718.

CITY ADMINISTRATOR REPORT

Kofoed invited the Council to attend the Iowa League of Cities Conference in September for those who have not yet attended one. Kofoed said he would like to know if anyone is interested and if not would like to extend the offer to city staff members. He also encouraged Council members to stop in the City Office to meet Jessica Brown, the city's new utility billing/deputy clerk. Kofoed also informed the Council that the City did not get awarded grant funds for the reconstruction of Cedar-Johnson Road, so other funding options would need to be looked for.

CITY ATTORNEY REPORT

Olson said he and Schechinger met with Johnson County regarding the city taking full ownership of Cedar-Johnson Road. Olson said that he would expect the City to receive a deed to the road in the near future.

CITY ENGINEER REPORT

Schechinger said he is still awaiting on FEMA for their approval of the Wapsi Creek Widening project and that he should be hearing something by the end of the month. He said once that approval is obtained, the city will be able to put the project out for bid. He also reported that his firm is still doing some surveying of Cedar-Johnson Road to be able to give more accurate project expense numbers to the city's financial advisor.

STAFF REPORTS

Police Chief Hall said he was actively searching for the city's 5th police officer. He said this recent search netted 20 applicants and that testing would occur this weekend. Chief said his goal is to find the "best fit for West Branch".

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Horihan said he recently witnessed the West Branch police department arresting a group of individuals stealing alcohol from a local convenience store. Horihan said with the help of a few other local agencies working together, the West Branch PD successfully apprehended a few of the suspects. Horihan reiterated the importance of need for the department and said their quick response to the situation.

ADJOURNMENT

Motion to adjourn by Dean, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 7:56 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk