

(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
Special Meeting**

**November 18, 2024
6:00 p.m.**

Mayor Roger Laughlin called the West Branch City Council special meeting to order at 6:00 p.m.

Roll call: Council members Jerry Sexton, Colton Miller. Attending via Zoom: Mike Horihan.

Absent: Jodee Stoolman and Tom Dean.

City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Finance Officer Heidi Van Auken, Deputy Clerk Jessica Brown, Park & Recreation Director Erin Laughlin and Public Works Director Matt Goodale. Staff attending via Zoom: Library Director Jessie Schafer and Sergeant Cathy Steen.

Presentation:

Mickey Shields, Iowa League of Cities - City Council training

Shields gave a presentation to the Council regarding roles and responsibilities of their duties as elected officials. Shields reviewed powers and duties of the mayor, council and staff. Shields stressed the importance of open meetings laws and chain of command.

ADJOURNMENT

Motion to adjourn by Miller, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 6:52 p.m.

**West Branch, Iowa
Council Chambers**

**City Council
Regular Meeting**

**November 18, 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 Jerry Sexton, Colton Miller. Attending via Zoom: Mike Horihan and Tom Dean.

Absent: Jodee Stoolman.

City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Public Works Director Matt Goodale, Finance Officer Heidi Van Auken, Deputy Clerk Jessica Brown, Park & Recreation Director Erin Laughlin, Public Works Director Matt Goodale and City Attorney Kevin Olson. Staff attending via Zoom: Library Director Jessie Schafer and Sergeant Cathy Steen.

APPROVE THE AGENDA

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

APPROVE CONSENT AGENDA

Approve minutes from the November 4, 2024 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 FY24.

Approve the September Financial Report.

Approve Claims for November 18, 2024.

Accept the resignation of Evie White from the Parks & Recreation Commission, effective immediately.

EXPENDITURES

11/18/2024

ALATORRE	WINDOW CLEANING-CITY	81.00
CAPITAL ONE	BLDG & PROG SUPPLIES, PRIZES	83.10
CEDAR COUNTY COOPERATIVE	LAWN MIX TREE STUMP BACKFILL	228.75
CEDAR COUNTY RECORDER	RECORDING FEES	84.00
DEMCO	LIBRARY PROCESSING SUPPLIES	91.61
DIVINE WORD COLLEGE	LOST INTERLIBRARY LOAN FEE	39.53
HAWKINS	CHEMICALS	2,979.86
IMWCA	IMWCA FY25 INSTALLMENT 5	2,747.00

IOWA RURAL WATER ASSOC.	DUES 1-1-25 TO 12-21-25	405.00
KANOPI	ON DEMAND VIDEO SERVICE	4.00
LRS HOLDINGS	TRASH & RECYCLING OCT 2024	18,488.00
LYNCH'S EXCAVATING	WATER MAIN BREAK REPAIRS	14,846.90
MENARDS	TREE PLANTING MTL.	326.32
MOPPY MO'S	CLEANING SERVICES	945.00
MPEC	TRUCK MAINT OIL/PARTS-PW	893.46
MUNICIPAL SUPPLY INC.	WATER METER SET-UP/ANNUAL FEES	24,175.00
PLUNKETT'S PEST CONTROL	PEST CONTROL-LIBRARY	50.00
PROTECT YOUTH SPORTS	BACKGROUND CHECKS-P&R	27.00
PYRAMID SERVICES	CHAIN SAW PARTS, REPAIR	609.48
QUILL	OFFICE SUPPLIES-CITY OFFICE	107.12
ROOF, GERDES, ERLBACHER, PLC	AUDIT FY24-1ST PAYMENT	9,100.00
STATE HYGIENIC LAB	LAB ANALYSIS	43.50
THE HOME DEPOT PRO	TOILET PAPER-LIBRARY	56.74
VEENSTRA & KIMM	VARIOUS PROJECTS	59,603.90
WEST BRANCH REPAIRS	VEHICLE SERVICE & REPAIR	361.20
WEST BRANCH TIMES	LEGAL PUBLICATIONS	830.71

TOTAL 137,208.18

PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS 11/8/2024 61,576.41

PAID BETWEEN MEETINGS

ALL AMERICAN CONCRETE	OLIPHANT ST CONCRETE REPAIRS	31,860.00
ALTORFER	SKID LOADER PARTS	155.00
AMAZON.COM	BLDG SUPPLIES, BOOKS, DVDS-LIB	83.90
AT&T MOBILITY	WIRELESS SERVICE	260.04
BAKER & TAYLOR	BOOKS	130.36
ECONO SIGNS	HERITAGE HILL SIGNS, SIGN SUPPLIES	4,145.01
LEAF CAPITAL FUNDING	COPIER LEASE-LIBRARY	142.02
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,580.36
MARTIN AGENCY INSURANCE	FIRE DEPT. INSURANCE RENEAWAL	22,894.00
WEX BANK	VEHICLE FUEL	1,633.62
VARIOUS VENDORS	UB REFUNDS	193.85
SISCO	HEALTH CLAIMS 10/15/2024	25.04
SISCO	HEALTH CLAIMS 11/4/2024	119.50

TOTAL 63,222.70

GRAND TOTAL EXPENDITURES 262,007.29

FUND TOTALS		
001 GENERAL FUND		59,073.03
022 CIVIC CENTER		297.50
031 LIBRARY		5,151.16
036 TORT LIABILITY		22,894.00
110 ROAD USE TAX		11,928.26
112 TRUST AND AGENCY		14,070.39
321 WIDENING WAPSI CREEK		5,967.50
324 WW TREATMENT FACILITY		2,280.00
330 EASTSIDE WATER MAIN PH2		9,018.55
331 CEDAR JOHNSON RD RECON		42,100.85
600 WATER FUND		49,926.27
610 SEWER FUND		38,775.55
740 STORM WATER UTILITY		524.23

GRAND FUND TOTAL 262,007.29

REVENUE-FISCAL YEAR 2025

FUND SEPTEMBER

001 GENERAL FUND	172,945.65
022 CIVIC CENTER	340.00
026 SIGNS ACCIONA DONATION	89.88
031 LIBRARY	14,977.11
036 TORT LIABILITY	6,682.90
110 ROAD USE TAX	39,858.58
112 TRUST & AGENGY	40,090.35
121 LOCAL OPTION SALES TAX	22,624.97
125 TIF	77,181.28

226 DEBT SERVICE	32,954.77
300 CAPITAL IMPROVEMENT RESERVE	8,910.87
500 CEMETERY PERPETUAL FUND	300.00
501 KROUTH PRINCIPAL FUND	741.36
502 KROUTH INTEREST FUND	346.58
600 WATER FUND	72,826.56
610 SEWER FUND	98,098.43
740 STORM WATER UTILITY	6,051.84
TOTAL	595,021.13

The Council had no comments.

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM - NONE

PUBLIC HEARING / NON-CONSENT AGENDA

Third Reading Ordinance 818 - Providing that General Property Taxes Levied and Collected on Certain Lots in The Meadows Part 4A and Part 4B and Pedersen Valley, Part One 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.

ORDINANCE 818

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED ON CERTAIN LOTS IN THE MEADOWS, PART 4A AND PART 4B AND PEDERSEN VALLEY, PART ONE, WEST BRANCH, IOWA, IN THE CITY OF WEST BRANCH, COUNTY OF CEDAR, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF WEST BRANCH, COUNTY OF CEDAR, WEST BRANCH COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH SAID WEST BRANCH URBAN RENEWAL AREA.

WHEREAS, KLM Investments, LLC and the City of West Branch entered into that certain development agreement for the construction of a project located in the Meadows Subdivision, Parts 4A and 4B, West Branch, Iowa; and

WHEREAS, the following properties are located in the West Branch Urban Renewal Area:

- a. Lot 1, The Meadows Subdivision, Part 4B, West Branch, Iowa
- b. Lot 4, The Meadows Subdivision, Part 4B, West Branch, Iowa
- c. Unit A, Lot 5, The Meadows Subdivision, Part 4B, West Branch, Iowa
- d. Unit B, Lot 5, The Meadows Subdivision, Part 4B, West Branch, Iowa
- e. Unit A, Lot 6, The Meadows Subdivision, Part 4B, West Branch, Iowa
- f. Unit B, Lot 6, The Meadows Subdivision, Part 4B, West Branch, Iowa
- g. Unit A, Lot 8, The Meadows Subdivision, Part 4B, West Branch, Iowa
- h. Unit B, Lot 8, The Meadows Subdivision, Part 4B, West Branch, Iowa
- i. Lot 28, The Meadows Subdivision, Part 4B, West Branch, Iowa
- j. Lot 29, The Meadows Subdivision, Part 4B, West Branch, Iowa
- k. Parcel N of Lots 1-3, The Meadows Subdivision, Part 4A, West Branch, Iowa

(the "Meadows Properties"); and

WHEREAS, KBH Holdings and the City of West Branch entered into that certain development agreement for the construction of a project on Lot 1, Pedersen Valley, Part One, West Branch, Iowa (collectively the "Pedersen Valley Properties"); and

WHEREAS, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the West Branch Urban Renewal Area, and the continuing needs of redevelopment of the Property within the West Branch Urban Renewal Area are such as to require the continued application of the incremental tax resources of the West Branch Urban Renewal Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST BRANCH, IOWA, THAT:

Section 1: The taxes levied against the Meadows Properties and Pedersen Valley Properties by and for the benefit of the State of Iowa, City of West Branch, County of Cedar, West Branch Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2: As to the Meadows Properties and Pedersen Valley Properties, that portion of the taxes which would be produced by the rate at which the tax is levied each year by and for each of the taxing districts taxing the Property in the West Branch Urban Renewal Area upon the total sum of the assessed value of Property, being the first day of the calendar year preceding the effective date of this Ordinance, that date being January 1, 2023, shall be allocated to and when collected be paid into a fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. The taxes so determined may be referred to herein as the "base period taxes."

Section 3: That portion of the taxes each year in excess of base period taxes for the Meadows Properties and Pedersen Valley Properties shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of West Branch to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of West Branch, Iowa to finance or refinance, in whole or in part, urban renewal projects undertaken within the West Branch Urban Renewal Area pursuant to the Urban Renewal Plan, as amended.

Section 4: At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of West Branch referred to in Section 3 hereof have been paid, or the City has provided for the division of taxes for a total of twenty (20) fiscal years, whichever is sooner, all monies thereafter received from taxes upon the Property shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 5: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the West Branch Urban Renewal Area and the territory contained therein.

Section 6: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this 18th day of November, 2024.

First Reading: October 21, 2024
Second Reading: November 4, 2024
Third Reading: November 18, 2024

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

No discussion.

Motion by Sexton, second by Miller on to approve the third reading of Ordinance 818. AYES: Sexton, Miller, Dean, Horihan. NAYS: None. Absent: Stoolman. Motion carried.

Third Reading Ordinance 819 - Providing that General Property Taxes Levied and Collected on Certain Lots in Heritage Hill Subdivision 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.

ORDINANCE 819

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON PARCELS LOCATED IN HERITAGE HILL, WEST BRANCH, IOWA, IN THE CITY OF WEST BRANCH, COUNTY OF CEDAR, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF WEST BRANCH, COUNTY OF CEDAR, WEST BRANCH COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH SAID WEST BRANCH URBAN RENEWAL AREA.

WHEREAS, BBCO, LLC and the City of West Branch entered into that certain development agreement for the construction of a project located in Heritage Hill, West Branch, Iowa, namely on Parcel No. 0500-13-05-361-007-0 (the "Property"); and

WHEREAS, the Property is located in the West Branch Urban Renewal Area; and

WHEREAS, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the West Branch Urban Renewal Area, and the continuing needs of redevelopment of the Property within the West Branch Urban Renewal Area are such as to require the continued application of the incremental tax resources of the West Branch Urban Renewal Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST BRANCH, IOWA, THAT:

Section 1: The taxes levied against the Property by and for the benefit of the State of Iowa, City of West Branch, County of Cedar, West Branch Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2: As to the Property, that portion of the taxes which would be produced by the rate at which the tax is levied each year by and for each of the taxing districts taxing the Property in the West Branch Urban Renewal Area upon the total sum of the assessed value of Property, being the first day of the calendar year preceding the effective date of this Ordinance, that date being January 1, 2023, shall be allocated to and when collected be paid into a fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. The taxes so determined may be referred to herein as the "base period taxes." The assessed value of the Property on said January 1, 2023 is \$74,730.00.

Section 3: That portion of the taxes each year in excess of base period taxes for the Property shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of West Branch to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of West Branch, Iowa to finance or refinance, in whole or in part, urban renewal projects undertaken within the West Branch Urban Renewal Area pursuant to the Urban Renewal Plan, as amended.

Section 4: At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of West Branch referred to in Section 3 hereof have been paid, or the City has provided for the division of taxes for a total of twenty (20) fiscal years, whichever is sooner, all monies thereafter received from taxes upon the Property shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 5: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the West Branch Urban Renewal Area and the territory contained therein.

Section 6: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this 18th day of November, 2024.

First Reading: October 21, 2024
Second Reading: November 4, 2024
Third Reading: November 18, 2024

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

No discussion.

Motion by Miller, second by Sexton to approve the third reading of Ordinance 819. AYES: Miller, Sexton, Dean, Horihan. NAYS: None. Absent: Stoolman. Motion carried.

First Reading Ordinance 820 – Amending Chapter 47 – Municipal Park Policies and Regulations. / Move to action.

Motion by Sexton, second by Miller to approve the first reading of Ordinance 820. AYES: Sexton, Miller, Dean, Horihan. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2024-122 – Amending that certain Development Agreement with BBCO, LLC. / Move to action.

Motion by Sexton, second by Miller to approve Resolution 2024-122. AYES: Sexton, Miller, Horihan, Dean. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2024-123 – Approving the submission of the City of West Branch FY24 Annual Urban Renewal Report. / Move to action.

Van Auken reviewed the annual report tax increment financing debt obligations for FY24. The Council had no questions

Motion by Miller, second by Sexton to approve Resolution 2024-123. AYES: Miller, Sexton, Horihan, Dean. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2024-124 – Approving the submission of the City of West Branch FY24 Annual Financial Report to the State Auditor’s Office. / Move to action.

Van Auken reviewed the annual report for actual revenues and expenditures of the city for FY24. The Council had no questions.

Motion by Miller, second by Sexton to approve Resolution 2024-124. AYES: Miller, Sexton, Horihan, Dean. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2024-125 – Considering the issue of whether Acciona Windpower North America, LLC. should be rebated a portion of Tax Increment Revenues. / Move to action.

Motion by Miller, second by Sexton to consider Resolution 2024-125. AYES: None. NAYS: Miller, Sexton, Horihan, Dean. Absent: Stoolman. Motion failed.

Resolution 2024-126– Approve Certain Annual Appropriation Payments Pursuant to various Development Agreements. / Move to action.

Van Auken noted that the city entered into a Development Rebate Agreement with BBCO, LLC for the Heritage Hill Subdivision and this agreement has now been added to the list of others that require annual approval of appropriation of tax revenues. The Council had no questions.

Motion by Miller, second by Sexton to approve Resolution 2024-126. AYES: Miller, Sexton, Horihan, Dean. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2024-127 - Directing the Finance Officer to Certify Tax Increment Financing Debt to the Cedar County Auditor. / Move to action.

Van Auken explained that two new projects will be certified to the County Auditor for FY26 as listed on the Tax Increment Financing (TIF) Indebtedness Certification form.

Motion by Sexton, second by Miller to approve Resolution 2024-127. AYES: Sexton, Miller, Dean, Horihan. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2024-128 - Approve invoice #13-35694 in the amount of \$592.55 to Eocene (formerly known as Impact7G) for the Wapsi Creek Widening SRF Sponsored Project. / Move to action.

Motion by Sexton, second by Miller to approve Resolution 2024-128. AYES: Sexton, Miller, Dean, Horihan. NAYS: None. Absent: Stoolman. Motion carried.

Discussion – Heritage Hill trail and drainage update from the City Engineer

Schechinger said that the trail the Developer installed a few weeks ago is not ADA compliant. Schechinger said that a portion of the trail has now been removed and reconstructed to correct the slope and transition to East Main Street. He said other adjustments are also needed to the adjacent property where drainage is an issue. Schechinger suggested that gravel will need to be added and graded to allow water to drain to the street. Additionally, the public sidewalk that spans between the Heritage Hill Subdivision and Staker Chiropractic is also not in compliance with ADA and suggested that the City replace this section of sidewalk as soon as possible. Sexton said he did a site visit and noted that the trail slopes toward the adjacent property causing a drainage issue and asked if the Developer could raise the trail and slope it toward the new street so that water would go to the curb and then down to Main Street. Schechinger said he would discuss that with the Developer.

CITY ADMINISTRATOR REPORT – No report

CITY ATTORNEY REPORT - No report

CITY ENGINEER REPORT – No report

STAFF REPORTS – No reports

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Laughlin asked when the street patch would be repaired on East Main Street from a recent water main break. Sexton asked if there was any comments or feedback regarding the temporary stop signs on West Main Street. Miller asked if there was any public outreach done regarding the signs to alert the public.

ADJOURNMENT

Motion to adjourn by Miller, second by Sexton. Motion carried on a voice vote. City Council meeting adjourned at 8:00 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk