

(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**

**February 18, 2025
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, Mike Horihan, Tom Dean, Jerry Sexton. Absent: Jodee Stoolman.

City Staff present: City Administrator Adam Kofoed, City Clerk Leslie Brick, Public Works Director Matt Goodale, Park & Recreation Director Erin Laughlin and City Engineer Dave Schechinger.

Attending via Zoom: Deputy Clerk Jessica Brown and Sergeant Cathy Steen.

APPROVE THE AGENDA

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

APPROVE CONSENT AGENDA

Approve minutes from the February 3, 2025 City Council meeting.

Approve a Special Event Permit application from the West Branch Lions Club for a VolleyBrr Tournament on March 29, 2025.

Approve a Class E Retail Alcohol License for Casey’s Marketing Company #3463, 615 S. Downey St., West Branch.

Approve a Class C Retail Alcohol License, with Outdoor Service for Eldr LLC. (dba Little Lights on the Lane), 2 Ember Lane, West Branch. **(pending DRAM & fire inspection)**

West Branch Fire Department membership changes.

Approve the Annual Service Proposal and Contract for Whelen Outdoor Warning Sirens Claims for February 18, 2025.

| EXPENDITURES | 2/18/2025 | |
|---|------------------------------|-----------|
| AMAZON.COM | VARIOUS PURCHASES-LIBRARY | 183.07 |
| BEAVER HEATING AND AIR | SEASONAL FURNACE MAINT-LIB | 100.00 |
| BIG COUNTRY SEEDS | ICE MELT BAGS-PW | 931.00 |
| BOWERS CUSTOM SERVICES | HAULING SAND-PW | 1,778.86 |
| CAPITAL ONE | SUPPLIES, SNACKS, DVD-LIB | 297.35 |
| CEDAR COUNTY RECORDER | RECORDING FEES | 14.00 |
| CEDAR COUNTY TRANSFER | SHOP WASTE DISPOSAL | 25.00 |
| KANOPY | ON DEMAND VIDEO SERVICE | 51.00 |
| KIRKWOOD COMM. COLLEGE | CDL CLASS-SIMON, CASE | 3,600.00 |
| LRS HOLDINGS | TRASH & RECYCLING JAN 2025 | 18,698.25 |
| MENARDS | SHOP SUPPLIES-PW | 104.84 |
| MGSI, LTD | WINDOW REPAIR DAVE'S WELDING | 341.00 |
| MIDWEST FRAME & AXLE | PLOW REPAIR PARTS | 112.02 |
| MOPPY MO'S | CLEANING SERVICES | 1,015.00 |
| OLSON, KEVIN D | LEGAL SERVICES-FEB 2025 | 1,500.00 |
| OVERDRIVE | DIGITAL & AUDIO BOOKS | 2.49 |
| PYRAMID SERVICES | CHAINSAW SUPPLIES | 116.24 |
| STATE HYGIENIC LAB | LAB ANALYSIS | 43.50 |
| USA BLUE BOOK | SEWER PLANT FILTERS | 294.24 |
| VEENSTRA & KIMM | MEADOWS PT 6 REVIEW | 360.00 |
| WB COMMUNITY SCHOOLS | GYM RENTAL | 405.00 |
| WEST BRANCH TIMES | LEGAL PUBLICATIONS | 503.42 |
| ZIPPY'S SALT BARN | ROAD SALT | 8,205.12 |
| TOTAL | | 38,681.40 |
| PAYROLL-WAGES, TAXES, EMPLOYEE BENEFITS | 2/14/2025 | 61,374.78 |
| PAID BETWEEN MEETINGS | | |
| AT&T MOBILITY | WIRELESS SERVICE | 210.04 |
| BAKER & TAYLOR | BOOKS | 133.55 |

| | | |
|--------------------------|------------------------|------------|
| HARLESS, VERONICA | SR. FITNESS INTRUCTION | 525.00 |
| LEAF CAPITAL FUNDING | COPIER LEASE-LIBRARY | 142.02 |
| LIBERTY COMMUNICATIONS | LIBERTY COMMUNICATIONS | 1,586.53 |
| LINN COUNTY REC | STREET LIGHTS | 311.87 |
| WEX BANK | VEHICLE FUEL | 1,312.96 |
| SISCO | HEALTH CLAIMS 2/3/2025 | 305.20 |
| VARIOUS VENDORS | UB REFUNDS | 60.20 |
| TOTAL | | 4,587.37 |
| GRAND TOTAL EXPENDITURES | | 104,643.55 |
| FUND TOTALS | | |
| 001 GENERAL FUND | 51,864.61 | |
| 022 CIVIC CENTER | 367.50 | |
| 031 LIBRARY | 5,999.59 | |
| 110 ROAD USE TAX | 20,123.88 | |
| 112 TRUST AND AGENCY | 11,591.87 | |
| 600 WATER FUND | 7,134.17 | |
| 610 SEWER FUND | 7,074.68 | |
| 740 STORM WATER UTILITY | 487.25 | |
| GRAND FUND TOTAL | 104,643.55 | |

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

PRESENTATIONS / COMMUNICATIONS / OPEN FORUM - NONE

PUBLIC HEARING / NON-CONSENT AGENDA

Third Reading Ordinance 822 - Amending the Code of Ordinances of the City of West Branch, Iowa, by adding a new section pertaining to debts subject to the Setoff Program. Move to action.

ORDINANCE NO. 822

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, BY ADDING A NEW SECTION PERTAINING TO DEBTS SUBJECT TO THE SETOFF PROGRAM

Be It Enacted by the City Council of the City of West Branch, Iowa:

SECTION 1. NEW CHAPTER. The Code of Ordinances of the City of West Branch, Iowa, is amended by adding a new chapter, numbered Chapter 9, entitled DEBT SETOFF PROGRAM

CHAPTER 9 - DEBT SETOFF PROGRAM

SECTION 1. PURPOSE. The purpose of this Chapter is to establish policies and procedures pursuant to Iowa Code 421.65, authorizing the City to invoke the setoff provisions contained therein for debts owing the City and for which the City has afforded the debtor the opportunity to contest the debt.

SECTION 2. DEBTS SUBJECT TO SETOFF CONSTITUTING "QUALIFYING DEBT" PURSUANT TO IOWA CODE 421.65. All debts or charges authorized herein by the City of West Branch Code or otherwise set by Resolution approved by the West Branch City Council shall be deemed "qualifying debts" subject to the provisions of Iowa Code 421.65, for which the City shall provide those procedures as set out herein Chapter 9 of the City Code. Such "qualifying debts" include, but are not limited to the following:

- (a) Past-due or unpaid utility bills – (water, sewer, storm water, garbage and recycling services)
- (b) Unreturned (overdue) or damaged library materials / equipment
- (c) Unreturned or damaged city property / equipment
- (d) Past-due or unpaid parking tickets
- (e) Past-due or unpaid Park & Recreation program fees, park shelter fees, ball diamond rental fees
- (f) Past-due or unpaid pet licenses
- (g) Past-due or unpaid sidewalk repair/replacement costs
- (h) Past-due or unpaid sidewalk snow/ice removal invoices
- (i) Past-due or unpaid mowing invoice
- (j) Past-due or unpaid nuisance abatement invoice
- (k) Past-due or unpaid connection fees, permit fees, private water lines, curb box (shut off), water meters
- (l) Past-due or unpaid false alarm fees
- (m) Past-due or unpaid subdivision/planning fees including engineering fees incurred on behalf of developer/contractor/individual
- (n) Past-due or unpaid cemetery fees and invoices
- (o) Any debt which is in the form of a liquidated sum due, owing, and payable to the clerk of the district court
- (p) Any other liquidated sum certain, owing, and payable to the City of West Branch, Iowa, with respect to which the City has afforded the debtor notice provided herein.

SECTION 3. PROCEDURE FOR CERTIFICATION TO THE IOWA DEPARTMENT OF

REVENUE FOR SETOFF. With respect to any debt herein, the City shall provide the debtor fifteen (15) days advance written notice to the debtor's last-known address, affording the debtor a period of fifteen (15) days within which to protest or appeal the delinquency to the Finance Director for the City. If the delinquency is upheld by the Finance Director, or the debtor has not paid the debt within fifteen (15) of the date of the notice, the City may certify the delinquency to the Iowa Department of Revenue for purposes of collection pursuant to Iowa Code 421.65.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, said adjudication shall not affect the validity of the Ordinance as a whole, or any section, provision or part thereof not adjudicated invalid or unconstitutional.
SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved on the 18th day of February, 2025.

First Reading: January 21, 2025
Second Reading: February 3, 2025
Third Reading: February 18, 2025

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk

Motion by Dean, second by Miller to approve the third reading of Ordinance 822. AYES: Dean, Miller, Horihan, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2025-15 – Approving a Professional Service Agreement with Goerdts Inspections and Consultation Services, LLC. / Move to action.

Motion by Sexton, second by Dean to approve Resolution 2025-15. AYES: Sexton, Dean, Horihan, Miller. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2025-16- Resolution of local support for the renovation of the Herbert Hoover Presidential Library and Museum. / Move to action.

Laughlin asked how the City will pay for the donation and Kofoed replied that the money would come from Hotel/Motel tax.

Motion by Dean, second by Horihan to approve Resolution 2025-16. AYES: Dean, Horihan, Miller, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2025-17 – Approving an Agreement with the West Branch Lions Club for construction of a Pickleball Complex at Cubby Park. / Move to action.

Motion by Miller, second by Dean to approve Resolution 2025-17. AYES: Miller, Dean, Horihan, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2025-18 – Accepting a quote for residential solid waste and recycling collection services with _____ and direct the City Administrator to negotiate a contract. / Move to action.

Laughlin opened the discussion to see where the Council was leaning for either retaining LRS or moving to ABC Disposal, the tow lowest bidders. Kofoed said a recent Facebook poll had citizens split 50/50 on cost vs. quality of service. Sexton asked City Clerk Brick her thoughts on the current service and she responded that although missed trash and recycling services have improved in recent months, office staff still receives complaints regarding delayed cart deliveries and lack of communication when issues occur. Dean voiced his concern over keeping prices low for residents since water and sewer rates will continue to rise as well. Horihan commented that he felt “LRS was doing better” and preferred the low bid over past service issues. Miller said he was torn on the service levels, but also preferred the lower cost to the residents. Kofoed reiterated that either choice in vendors, residents will see a ten percent increase in current costs.

Motion by Miller, second by Dean to accept the quote from LRS and approve Resolution 2025-18. AYES: Miller, Dean, Horihan, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2025-19– Amending the Employee Handbook (Amendment #2). / Move to action.

Brick explained that the Employee Handbook revised in 2024 mainly updated current employment laws and is still under review to make certain sections clearer for supervisor and employee understanding. Brick said the proposed changes were all discussed and approved by the department directors and City Administrator prior to presentation to the Council.

Motion by Dean, second by Miller to approve Resolution 2025-19. AYES: Dean, Miller, Horihan, Sexton. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2025-20 – Approving a Purchase Agreement with Lee and Patricia Cassabaum for a parcel to be used as a portion of Beranek Drive. / Move to action.

Laughlin said that he and Councilperson Miller had met with Cassabaum to come up with an agreement to end the multi-year dispute over right-of-way issues on Cassabaum's property. The final agreement includes the City purchasing a portion of Cassabaum's property to be used as right-of-way and that the City bear the cost to remove a dilapidated shed from the property and grade his yard where the shed is located. Kofoed said Cassabaum has also requested the City to consider putting up a fence as a barrier to keep people from parking on this property going forward. Dean adamantly refused the request and said the property owner is responsible for making sure people don't park on his property.

Motion by Sexton, second by Horihan to approve Resolution 2025-20. AYES: Sexton, Horihan, Dean, Miller. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2025-21 - Approving an Easement Encroachment Agreement for Lots 2 through 13, Heritage Hill, Part Two, West Branch, Iowa. /Move to action.

Sexton questioned if the encroachment was for a patio and if Public Works would have issue with access to the water main that lies below the easement area. Schechinger stated that he was consulted regarding the request from the developer which is to be a ten-foot-high, cantilever overhang (not a patio). Schechinger said the request was not idea, it was acceptable and he consulted with Public Works Director Goodale who does not have an issue with the request. Goodale felt the chances that the City would need to access the water main would be slim

Motion by Dean, second by Sexton to approve Resolution 2025-21. AYES: Dean, Sexton, Miller, Horihan. NAYS: None. Absent: Stoolman. Motion carried.

Resolution 2025-22 - Setting a Public Hearing on the plans, specifications, estimate of cost and form of contract; ordering bids and directing notice of the same; all for the Cedar-Johnson Road Reconstruction Project. / Move to action.

Schechinger reviewed the project schedule with the Council and said the public hearing date is scheduled for March 17th and that bids are due by 2:00 p.m. on Thursday, March 13th. The Council will review the bids on March 17th and award the contract for the project at that time.

Motion by Miller, second by Dean to approve Resolution 2025-22. AYES: Miller, Dean, Sexton, Horihan. NAYS: None. Absent: Stoolman. Motion carried.

Discussion – LMI survey City Council on what type of program to implement

Kofoed provided the council with a list of questions to consider to form an LMI program. Kofoed said the City's LMI fund will grow to approximately \$130,000 and when the money is gone, no more funds will be available unless another project generates LMI funds. The council discussed several topics that will assist City Administrator to form a program which will be reviewed and approved by the Council at a later date.

CITY ADMINISTRATOR REPORT – No report

CITY ATTORNEY REPORT – Absent

CITY ENGINEER REPORT

Schechinger said his meeting last week with FEMA was rescheduled to this week and that the email back forth was not effective and that a face-to-face meeting will be held to hash out any remaining issues. He also alerted the Council that there is a new bill being considered in Des Moines regarding on how cities can raise sewer rates which will be a concern for cities who have to upgrade waste water plants in the future and how cities will pay for them. He encouraged the Council to reach out to legislators and get more information and voice their concerns.

STAFF REPORTS

Parks & Rec Director Laughlin said the library will host an author visit (rescheduled from a couple of weeks ago) this Friday. She also mentioned that the new senior fitness program is growing in popularity and it will continue for the foreseeable future. Laughlin also said Parks & Rec will have a kid's super hero program over spring break.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Dean said he was asked by a downtown business if the City could provide more bike racks downtown.

ADJOURNMENT

Motion to adjourn by Miller, second by Dean. Motion carried on a voice vote. City Council meeting adjourned at 7:57 p.m.

Roger Laughlin, Mayor

ATTEST:

Leslie Brick, City Clerk