

**THE REGULAR MEETING
OF THE BLUE GRASS CITY COUNCIL
BLUE GRASS, IOWA JANUARY 3, 2017**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 3rd day of January 2017, in the City Council Chambers of City Hall, 114 N. Mississippi Street, pursuant to law, with Mayor Timothy Brandenburg presiding, with the Pledge of Allegiance and a moment of reflection. The following Council members were present: Chuck Barton, Brad Schutte, Bonnie Strong and James Goodin. Absent was Council member Lisa Smith. City Attorney William McCullough and City Engineer Mike Janecek were also in attendance.

APPROVAL OF AGENDA: Council member Strong moved to approve the Agenda as presented, seconded by Council member Goodin. All ayes, motion carried.

MAYORAL COMMENTS: Mayor Brandenburg announced the following: “Welcome to your Blue Grass City Council meeting. If you are not a member of the Fire, Ambulance, or Police Department, please turn off or silence your cell phones, pagers, etc. It is your right to be heard; however, please ask to be recognized by the Mayor. After being recognized, please stand and state your name and address. In an effort to keep the meeting on task, please limit your comments or concerns to several minutes. Please have the courtesy to allow the person speaking to finish uninterrupted. Thank you”.

PUBLIC FORUM: From those in attendance, there were none.

CONSENT AGENDA: Council member Goodin made a motion to approve the consent agenda as presented, seconded by Council member Barton:

- 1. Motion to approve the minutes of the December 19, 2016 City Council meeting**
- 2. Motion to adopt Resolution 2017-01 ref: setting the mileage rate beginning January 1, 2017 and ending December 31, 2017**
- 3. Motion to adopt Resolution 2017-02 ref: authorizing an expenditure from the accumulated Tax Increment Financing Reserve**
- 4. Motion to approve the September 2016 Clerk’s Report, additional bills paid and revenue received**
- 5. Payment of claims**

A roll call was taken: Goodin-aye, Barton-aye, Strong-aye and Schutte-nay. Motion carried.

FIRE DEPARTMENT: Fire Chief Brian Seamer reported the following:

6. Fire Department report: The December 2016 report consisted of 45 calls with a record of 407 year-to-date calls for service in 2016 noting that he would review the Annual Report during the Trustee meeting. Seamer expounded on the activity during the month.

7. Purchase of Extrication Equipment: Chief Seamer reported that the Department’s backup extrication equipment was near inoperable and that the parts are becoming obsolete. He said that he had spoken with Sandry Fire Equipment as they are selling their demo extrication equipment at \$7,000.00 which includes the upgraded hoses to a high pressure system. Council member Schutte said that the costs to purchase new would be approximately \$25,000.00. The Clerk reported that she had spoken with both the Blue Grass and Fulton Township Trustees about utilizing monies from the Township Reserve to make such purchase; however, was unable to speak to a Buffalo Trustee. McCullough referred to the Township Agreement as the language allows the City to make such purchase; however, past protocol was that the City make an attempt to contact each Trustee; therefore, the City may move forward since they have spoken with the majority of the Trustees. Council member Strong made a motion to allow the Fire Department to purchase the extrication equipment from Sandry Fire Equipment with funds from the Fire Township Fund, seconded by Council member Barton. A roll call vote was taken: Strong-aye, Barton-aye, Goodin-aye and Schutte-aye. Motion carried.

8. Set Annual Fire Township Meeting: The Council set two alternative dates for the annual Fire Township Trustee meeting as follows: February 8, 2017 at 7:00 p.m. or February 15, 2017 at 7:00 p.m. The Clerk reported that she would contact the Trustees to see what date would work best and report to the Council.

BUILDING COMMISSIONER: Building Commissioner Ray Daufeldt reported the following:

9. Building Commissioner Report: Mr. Daufeldt gave the Building Commissioner report for the month of December 2016 as follows: 7 new homes currently under construction; 3 building permits issued; 5 remodeling projects; 1 complete rental inspection; no activity on the new Relentless Rod and Custom Shop reporting that the building permit had expired on October 13, 2016 and that a stop work order was ordered on December 7, 2016; and reported no activity on the vacated home on South Oak Lane. McCullough reported that he had received an email in regards to an individual looking at purchasing the vacated home along with the land surrounding the property. Mayor Brandenburg inquired about a building addition. Daufeldt further expounded on the addition.

10. Status of Variance Violation: McCullough referred to an email the City received from the Scott County Assessor in regards to taxation purposes only noting that the Assessor's zoning classification has no relation to the City's zoning classification; therefore, after further researching the Board of Adjustment meeting minutes and the City Council meeting minutes it appears that Mr. Sampson's Variance request was to construct an accessory building on the land prior to constructing his primary residence. Daufeldt added that it was also his recollection that Mr. Sampson's original purpose of the constructing an accessory building was to allow him to reside there until he was able to construct his primary residence. Council member Strong said that she had asked about it last summer whether someone was living there or not and was always told that no one was living there and so she continued to ask as it was apparent that someone was living there. She said that it was her recollection that Mr. Sampson stated that no one was going to live in the building. McCullough questioned whether the accessory building was built to City Code for a primary residence or not and whether an Occupancy Permit was issued to Mr. Sampson. He said that it was his recommendation that Mr. Sampson request a meeting with the Zoning Board of Adjustment to look at whether or not they should revoke Mr. Sampson's Variance and that the City needs to determine whether the building meets City Code or not for residential use. Council member Schutte expressed concerns on whether an Occupancy Permit was issued or not. Council agreed that Mr. Sampson be contacted to request a meeting with the Zoning Board of Adjustment accompanied by the meeting fee.

ENGINEER REPORT: City Engineer Mike Janecek reported the following:

11. Engineer Report: Janecek reported that he attended a meeting with City Staff and the developers in regards to a proposed subdivision within the Prairie Woods Estates subdivision. Also reported that he would follow up on updating his original punch list of items that he had prepared several years ago that list any potential costs for future improvements and/or repairs needed to the Prairie Woods Estates Subdivision.

12. North Mississippi Street Rehabilitation Project: After completion of the "Design Phase Engineering" of the rehabilitation of North Mississippi Street, the City was awarded grant monies through both the STP and TAP; however, these grants exclude any utility construction costs. Total project costs are estimated at \$2,744,887.95.

Janecek reported that the final plans are near complete with a construction timeline of 2018. Discussion was held in regards to detour plans and construction timelines.

13. Status of North Lift Station: The City Council awarded the contract to Hometown Plumbing & Heating in the amount of \$219,739.73 for the reconstruction of the North Lift Station with a completion date of May 31, 2016.

Janecek reminded the Council that the City is still holding a \$1,000.00 retainage on the job until Hometown Plumbing & Heating completes the grading and seeding in Spring of 2017.

- 14. Update: I.D.N.R. NPDES Permit:** Previously the City had received notification from the Iowa Department of Natural Resources (IDNR) mandating that the City comply with the new regulatory reporting in regards to the City's NPDES Permit. The new requirements are creating a major financial hardship as the new permit requirements include the reporting of ammonia nitrogen limits and E. coli limits.

Janecek reported that McClure Engineering was waiting for the DNR to submit their comments prior to submitting the City's preliminary draft of their Facility Plan. He said that according to the DNR, they are back logged at least three months.

PUBLIC WORKS: Public Works Director Lonnie Robertson reported the following:

- 15. Public Works Department Report:** The December 2016 report consisted of the following: 4 Iowa-One Call locates; requested to meet with the Sewer Committee to review and discuss the results from Visu-Sewer in regards to Terrace Drive and Lamphere Drive; Public Works had begun the sump-pump inspection program reporting that they have found a 7 residents that are in violation reporting that letters would be sent to those residents allowing them 30 days to correct and discussed a unique situation with the Corner Grill as she would like to tie into the storm sewer; however, the sidewalk would have to be torn up. He asked if the City would allow her additional time until the weather is permitting. Council agreed. Reported that the majority of the doors are fixed at the Public Safety Building and again, requested to meet with the Street Committee on the future rehabilitation of Mayne Street. A Street Committee was tentatively set for January 5, 2017 at 7:00 p.m.

NUISANCE ABATEMENT(S):

- 16. Snow Removal Invoices:** Robertson reported that Public Works had cleared 8 sidewalks that were in violation of the snow removal policy recommending that 2 be waived as one was a new resident that had not even moved in yet and the other was a new business. Council unanimously approved 6 snow removal invoices to be sent and to waive both the new businesses sidewalk invoice and the new resident's sidewalk invoice requesting that the invoices be sent with a notation that in the future the resident/business owner shall be charged and include a copy of the Ordinance for their reference.
- 17. Nuisance Abatement(s):** Mayor Brandenburg referenced several nuisance complaints in reference to snowplowing. Robertson explained that he, too, had rock in his yard and expounded on the snowplowing and agreed to talk with his crew. Nuisance Chair Barton referred to the "Concerned Citizens Log Book" reporting that there were no new logs.

RESOLUTION(S)/ORDINANCE(S):

- 18. DRAFT ref: Ordinance Amendment 2017-01 ref: an Amendment to Chapter 15.50 Housing Code, Section 15.50.090 Requirement for Rental Property:** Council reviewed DRAFT Amendment 2017-01. Council unanimously agreed to proceed with the first reading at the next Council meeting.
- 19. DRAFT ref: Chapter 2.04 Municipal Officers Generally 2.04.050 (B) Compensation – Mayor:** Mayor Brandenburg reported that it had been since 2001 since the Mayor's salary was increased; therefore, after researching what area Mayors were being paid he found that the average pay was estimated between \$3,600.00 and \$6,300.00 a year; therefore, he had requested that the Mayor's compensation be increased to the \$3,600.00 a year. He added that he had put in over 80 hours in the Police Department last month doing investigations, reports, etc. Council member Schutte expressed concerns that a full Council was not present to discuss as he felt that the entire Council should be present to discuss; therefore, Council member Schutte moved to table the Mayor's request to increase his compensation until a full Council was present, seconded by Council member Strong. All ayes, motion carried.

POLICY & ADMINISTRATION:

20. Prairie Woods Estates ref: Revised Covenants: McCullough reported that the Covenants for the Prairie Woods Estates was revised and recorded in April of 2014 without the City’s knowledge. He reported that the revisions were in regards to MidWestOne Bank replatting several lots within the subdivision. McCullough reminded the Council that while a Subdivision’s Covenants may be more stringent than the City’s Municipal Code, the Municipal Code supersedes the Subdivision Covenants. Further discussion was held in regards to the enforcement of the Covenants.

21. Clock Repairs: The Mayor reported that the Clerk had obtained a quote to repair the neon portion of the sesquicentennial clock totaling \$225.00. Council member Schutte moved to approve the repairs, seconded by Council member Strong. All ayes, motion carried.

COMMENTS AND FUTURE AGENDA ITEMS: Mayor Brandenburg read aloud a thank you from the family of Natalie Hermann.

Mayor Brandenburg read aloud a letter the City received from the North Scott Press asking that the City consider establishing the North Scott Press as their designated publication of legal notices. The Clerk expressed concerns as it was her recollection that the last time the North Scott Press had asked, the City asked that Publisher Bill Tubbs research the number of Blue Grass (City only) subscribers to see if the North Scott Press could even meet the requirements and the City never received that information. She said that she also recalls that there was a conflict with publication deadlines as well. Council asked that the Clerk request that the North Scott Press report the number of Blue Grass (City only) subscribers.

Resident Mark Wakefield inquired about the status of the Scott County West Business Park. Mayor Brandenburg reported that apparently a trucking company had purchased two lots but nothing has officially been presented to the City.

McCullough reported that he had filed the paperwork with the Iowa Utilities Board showing support of Iowa American Water Company purchasing the City’s water utility and has not heard anything back as of yet.

Council member Strong inquired about the status of the Mediacom Franchise Fee dispute. McCullough reported that he had nothing new to report.

Council member Goodin asked that sometime in the future that a Committee of the Whole meeting be held to begin discussing implementing some type of tax incentives to attract businesses to the Scott County West Business Park. McCullough reminded the Council that after speaking with the City’s Bonding Attorney that the City may extend the life of the TIF in the Scott County West Business Park which would allow the City to collect additional TIF monies to either use as some type of incentive or to assist in development. Mayor Brandenburg reported that there was some issues in regards to the current zoning as apparently it does not allow for a trucking terminal which may be an issue at a later time. McCullough reported that if a trucking terminal was being proposed that the Zoning Board of Adjustment would have to determine whether the terminal fell under the current zoning. Further discussion was held. Council member Schutte expressed his disappointment that the City did not have a Chamber of Commerce to assist in future development.

ADJOURNMENT: Council member Barton made a motion to adjourn, seconded by Council member Schutte. All ayes, motion carried. The meeting adjourned at 8:44 p.m.

Mayor Timothy Brandenburg

Attest: Ann M. Schmidt, CMC, City Clerk/Financial Officer

CLAIMS REPORT

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| AHERN FIRE PROTECTION | BLDG & GROUNDS MAINT | 150.00 |
| AT&T | TELEPHONE/FAX/INTERNET | 115.05 |
| BLUE GRASS POSTMASTER | OPERATING SUPPLIES | 215.00 |
| BLUE GRASS SAVINGS BANK | FIRE TRUCK PAYMENT | 13,500.00 |
| BP | VEHICLE OPERATIONS | 675.81 |
| CENTRAL STATES H & W FUND | HEALTH INSURANCE | 11,386.50 |
| CENTURYLINK | TELEPHONE | 393.76 |
| COMPASS MINERALS AMERICA | SALT | 3,020.58 |
| DAUFELDT, RAY | TELEPHONE/FAX/INTERNET | 25.00 |
| DOWNING, ROBERT | TELEPHONE/FAX/INTERNET | 15.00 |
| HENDERSON PRODUCTS | EQUIPMENT OPERATIONS | 518.00 |
| HENNING, KEVIN | TELEPHONE/FAX/INTERNET | 15.00 |
| JLEE OIL LLC | VEHICLE OPERATIONS | 30.00 |
| MCCLURE ENGINEERING | ENGINEERING | 586.50 |
| MCCULLOUGH, WILLIAM | LEGAL SERVICES | 2,272.50 |
| MIDAMERICAN ENERGY | UTILITIES | 5,078.51 |
| NAPA AUTO PARTS | EQUIPMENT OPERATIONS | 484.59 |
| NORTH SCOTT PRESS | OFFICE OPERATIONS | 47.00 |
| OMNI SITE | EQUIPMENT OPERATIONS | 1,380.00 |
| QC ANALYTICAL SERVICES | TESTING | 530.00 |
| ROBERTSON, LONNIE | TELEPHONE/FAX/INTERNET | 25.00 |
| SCHMIDT, ANN | TELEPHONE/FAX/INTERNET | 25.00 |
| SCOTT COUNTY AUDITOR | SPECIAL ELECTION | 2,789.30 |
| SYNCHRONY BANK | VEHICLE OPERATIONS | 60.64 |
| TALL GRASS BUSINESS | OFFICE OPERATIONS | 54.55 |
| TC AUTO INC. | VEHICLE OPERATIONS | 57.43 |
| TRI STATE FIRE CONTROL | EQUIPMENT OPERATIONS | 101.50 |
| UNIFORM DEN | SAFETY EQUIPMENT | 57.94 |
| VERIZON WIRELESS | TELEPHONE/FAX/INTERNET | 368.43 |
| ***** REPORT TOTAL ***** | | 43,978.59 |

FUND TOTALS

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|-------------------------|------------------|
| GENERAL FUND | 9,335.43 |
| FIRE TOWNSHIP FUND | 13,500.00 |
| ROAD USE FUND | 3,599.22 |
| EMPLOYEE BENEFITS FUND | 8,481.50 |
| TAX INCREMENT FINANCING | 675.00 |
| WATER FUND | 3,863.24 |
| SEWER FUND | 4,452.54 |
| SANITATION FUND | 71.66 |
| **** | 43,978.59 |