

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

The Blue Grass City Council met in regular session at 7:00 p.m. on the 3<sup>rd</sup> day of April 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, James Goodin, Bonnie Strong and Lisa Smith. City Attorney William McCullough and City Engineer Mike Janecek were also in attendance.

**APPROVAL OF AGENDA:** Council member Goodin moved to strike item #20 from the Agenda in the spirit of community and reconciliation in trying to move the Council forward in a positive manner, seconded by Council member Barton. A roll call vote was taken: Goodin-aye, Barton-aye, Smith-nay, Strong-nay and Schutte-nay. Motion died due to a lack of a majority vote. Council member Smith moved to approve the Agenda as presented, seconded by Council member Strong. A roll call vote was taken: Smith-aye, Strong-aye, Schutte-nay, Barton-nay and Goodin-nay. Motion died due to a lack of a majority vote. Council member Schutte made a motion to bring the Agenda back up for reconsideration and approve as presented, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Smith-aye, Barton-nay and Goodin-nay. 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 adding that he has asked that Sergeant Jahns be in attendance requesting that if he observes someone getting out of order, that he escort that individual out. Thank you”.

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

**CONSENT AGENDA:**

- 1. Motion to approve the minutes of the March 20, 2017 City Council meeting**
- 2. Motion to approve the minutes of the March 28, 2017 Special Council meeting**
- 3. Motion to adopt Resolution 2017-08 ref: authorizing an expenditure from the accumulated Tax Increment Financing Reserve**
- 4. Payment of claims**

Council member Smith moved to approve the Consent Agenda as presented, seconded by Council member Barton. Council member Strong expressed concerns on the claims payables listing such as the mulch purchase at Menards and the City Attorney’s invoice charging the City for the time spent at the March 6, 2017 Council meeting that was canceled. She also expressed concerns on the fact that the City Engineer and City employees were all paid for that particular meeting when the Council was not. A roll call vote was taken: Smith-aye, Barton-aye, Strong-aye, Goodin-nay and Schutte-nay. Motion carried.

**INFORMATION PROCEEDINGS:**

- 5. Blue Grass Home Coming Days ref: street closures, horseshoe pits, 5K/1 mile run, parade route and fireworks:** Blue Grass Community Club Vice President Wayne Beck and Race Route Coordinator Brinson Kinzer asked the Council for permission to hold the Club’s annual Homecoming Day’s events June 2, 2017 through June 4, 2017. Mr. Kinzer briefly reviewed the 5K/1 mile race route stating that it would again be reversed; however, would still start and finish at the Community Club. He said that in years past, the Public Works Department has donated their time using City equipment to help assist with the race and asked the Council for permission to have Public Works, again this year assist with the race. Mr. Beck reviewed the following: Street closures; parade route; use of the horseshoe pit and permission

to hold their annual fireworks at dusk. Robertson informed the Club that they would have to make alternate routes with next year's events as North Mississippi Street will be closed due to construction. Council member Schutte moved to approve the street closures, use of the horseshoe pits, 5K/1 mile run, parade route and fireworks for the annual Homecoming Day's events and permission for Public Works to use City equipment to assist during the 5K/1 mile race, seconded by Council member Goodin. A roll call vote was taken: Schutte-aye, Goodin-aye Strong-aye, Barton-aye and Smith-aye. Motion carried. Ms. Kathy Scherer, President of the Blue Grass Community Club asked the City for their support by either a donation and/or take partnership and sponsor half of the fireworks with the Blue Grass Savings Bank sponsoring the other half. The Clerk reported that according to the State Attorney General's Office, the City cannot use public monies toward a donation. Mayor Brandenburg reported that he had spoken with Sergeant Jahns that morning on trying to help offset public safety costs incurred by the Community Club by the City paying for their Officers at their current hourly rate. Council member Smith requested that the item be placed on the next meeting agenda for a vote. McCullough cautioned the Council on making such donations to private clubs reminding them that there are many restrictions that could potentially be an issue for the City. Further discussion was held.

**AMBULANCE DEPARTMENT:** Medic Executive Director, Linda Frederikson reported the following:

- 6. Ambulance Department Report:** The Medic EMS report consisted of the following: February 2017: 67 dispatch calls; 51 transports with a Blue Grass Fire District average response time of 7:24 minutes; total of 558 dispatches for the period of June 2016 through February 2017 and 355 transports. Ms. Frederikson reported that it was Medic's 35<sup>th</sup> year anniversary and that it was going on 3 years at the Public Safety Building. Both Chief Seamer and Sergeant Jahns reported that they were very pleased with Medic and their staff reporting no issues.

**FIRE DEPARTMENT:** Fire Chief Brian Seamer reported the following:

- 7. Fire Department report:** The February 2017 report consisted of 27 calls with 220.70 on scene man-hours reported and for the month of March 2017 report, there were a total of 28 calls with 100.4 on scene man-hours totaling 93 year-to-date calls for service. Seamer reported that the Department assisted Walcott Fire immediately following the March 6<sup>th</sup> tornado expressing concerns on Blue Grass as he felt that the disaster planning should be revisited considering that a tornado was spotted near Blue Grass. He also reported that the Department had participated in 2 live burns with Muscatine Fire on various tasks and a live fire with Walcott Fire. Council member Strong expressed concerns on the City's emergency alarm going off 3 different times during the evening of March 6<sup>th</sup>. Seamer reminded the Council and members of the audience that during a weather emergency that the alarm will continue to go off in 15 minute increments until the threat is gone and that there is no longer an all clear signal. Council member Strong suggested that Chief Seamer put an article in the Bugle so that residents are aware of the alarm signals. Council member Goodin highly recommended a weather radio that is battery operated as it is a great tool to have. Resident Brinson Kinzer said that Blue Grass was very fortunate that evening thanking all the volunteers that assisted other agencies and thanking them for everything that they do.
- 8. Water Fight and Street Closures:** Chief Seamer asked for permission for the Fire Department to hold their annual water fight and close off Orphed Street and use of City facilities at the old fire station on Saturday, June 3, 2017 from approximately 7:00 a.m. to 3:00 p.m. Council member Goodin moved to approve the annual water fight, street closure and use of the City facilities on June 3, 2017, seconded by Council member Smith. A roll call vote was taken: Goodin-aye, Smith-aye, Barton-aye, Strong-aye and Schutte-aye. Motion carried.
- 9. Annual Car Show ref: Street Closures:** Chief Seamer reported a date of June 17, 2017 for the Department's 12<sup>th</sup> annual Car Show requesting to close off Mayne Street from the Public Safety Building to the Cornerstone Construction building from approximately 6:00 a.m. to 4:00 p.m. Council member Goodin moved to approve the street closure as requested, seconded by Council member Barton. A roll call vote was taken: Goodin-aye, Barton-aye, Smith-aye, Strong-aye and Schutte-aye. Motion carried.

**BUILDING COMMISSIONER:** Building Commissioner Ray Daufeldt reported the following:

**10. Building Commissioner Report:** Mr. Daufeldt gave the Building Commissioner report for the month of February 2017 as follows: 6 new homes currently under construction; 6 building permits issued; 5 remodeling projects and 1 complete rental inspection and 1 non-scheduled. Daufeldt also reported the Building Commissioner report for the month of March 2017 as follows: 6 new homes currently under construction; 5 building permits issued; 6 remodeling projects; 1 pending rental inspection and 1 non-scheduled; no activity on the new Relentless Rod and Custom Shop reporting that his building permit had expired on October 13, 2016 and that a stop work order was ordered on December 7, 2016; reported that there was no activity on the new car wash owners upgrading their bays and reported that there has been no activity on the vacated home on South Oak Lane. Daufeldt also reported that he had met with Mr. Ahrens and a structural engineer from McClure Engineering in regards to the integrity of the structure and upon inspection, the structural engineer found several violations; therefore, in order for Mr. Daufeldt to issue Mr. Ahrens a building permit, Mr. Ahrens would have to make the necessary repairs and have the structural engineer re-inspect for approval.

**11. Status of Variance Violation:** Previously, the City Attorney, after further research reported that according to 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. Both Mr. Daufeldt and the City Attorney had met with Mr. Sampson and his attorney in regards to complying and it was agreed upon that Mr. Sampson would reapply for another Variance from the Zoning Board of Adjustment accompanied by the required meeting fee(s).

Daufeldt reported that he had made contact with Mr. Sampson and according to Mr. Sampson, once his Attorney has completed the Variance Application, he would then submit.

**ENGINEER REPORT:** City Engineer Mike Janecek reported the following:

**12. Engineer Report:** Janecek reported that he was asked to provide information from Townsend Engineering in regards to the large lot in the Prairie Woods Estates Subdivision as there is a potential developer looking to develop. He said that he was also contacted by Dan Dolan as he was in the process of preparing a draft of his preliminary and final plat for his final addition and constructing the rest of the streets and water main.

**13. 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 check plans were submitted to the Iowa Department of Transportation (IDOT) and McClure Engineering was waiting for the IDOT's comments to come back at which time the City can begin their final stages and start the bid letting process during the Fall of 2017. He also briefed the Council on proceeding with obtaining temporary construction easements as once he has coordinated with City staff a public meeting could be set to better explain the temporary construction easement process to the public. Further discussion was held.

**14. 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 reported that he had emailed Hometown Plumbing & Heating requesting that they add top soil to the lower areas and over seed and once there is at least 70 percent growth and the City is satisfied, the City could release their \$1,000.00 retainage.

**15. 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 had submitted both the Facility Plan and Antidegradation Alternatives Analysis Report to the IDNR and are waiting for their comments and that once McClure Engineering receives the IDNR's comments, he would then review in depth the findings with the Council along with a complete review of the Facility Plan that includes estimated costs and options.

**16. Mayne Street Resurfacing Project:** Janecek reported that the plans and specifications were complete and that the design portion of the project would be done by the end of April and would be ready for review at the May 1, 2017 meeting. He gave a synopsis of the resurfacing project as Mayne Street would consist of 2 lanes with a bike lane of each side of the street.

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

**17. Public Works Department Report:** The February/March 2017 report consisted of the following: 27 Iowa-One Call locates; reported that Public Works was in the process of tagging doors on the residents that could not be reached in order to properly inspect their sump pumps; requested that a thank you letter be sent to Illowa Investments as they donated their labor and roller to roll out South Juniata Street after a garbage truck had damaged the street; reported that his goal was to get the shoulders fixed up once the weather was permitting; still waiting for their pump as it was in the process of being re-nosed as they are currently running on a loaner pump; trimmed the trees at the Cemetery for easier mowing and that it looked very nice; replaced the batteries at the Public Safety Building as they were able to complete the job costing only \$2,730.00 for 24 batteries with labor included to install the batteries; had two trees removed at City Hall as they were deteriorating and was worried that if and when a branch was to fall it would take out the power to City Hall; laid mulch down at City Hall, again explaining why he did not choose to purchase it in bulk as the bagged mulch was treated and has a better longevity; received their last load of salt and that the salt shed was completely full and proposed the FY '17-'18 Sealcoat Project totaling \$55,000.00 explaining that both he and Street Committee Chair Schutte had to put off a few streets until next year as the bid originally came in at \$79,000.00. Council member Schutte moved to accept the FY '17-'18 Sealcoat Project bid from LL Pelling in the amount of \$55,000.00, seconded by Council member Barton. A roll call vote was taken: Schutte-aye, Barton-aye, Strong-nay, Smith-aye and Goodin-aye. Motion carried. Council member Strong asked that in the future that a list of the streets being proposed be included in their packet prior to voting on. Resident Mark Wakefield expressed concerns that both East and West Lauretta Streets were taken off the list as he was concerned on the amount of traffic that would be detouring onto West Lauretta Street due to the construction project of North Mississippi Street. Robertson reassured Mr. Wakefield that prior to the start of the North Mississippi Street project, that both East and West Lauretta Streets would be sealcoated.

**NUISANCE ABATEMENT(S):** Nuisance Committee Chair Chuck Barton reported the following:

**18. Nuisance Abatement(s):** Chair Barton referred to the "Concerned Citizens Log Book" reporting that there was nothing new to report. Council member Smith asked if nuisance abatement letters were sent in regards to the last nuisance complaint. Sergeant Jahns reported that the Department had spoken with Dr. Bayne in regards to his recent complaint and it appears that he is satisfied; however, the Department will continue to monitor the two properties and if a nuisance exists, the Department will take appropriate action.

**POLICY & ADMINISTRATION:**

**19. Review and Discuss the March 20, 2017 Meeting ref: Mediation:** McCullough reported that it was previously suggested by Council member Smith, due to the recent conflict with the Mayor and City Council members that a Mediator from the Iowa League Cities assist in moving the City forward. He said that the costs were estimated at \$1,000.00 plus travel expenses. Council members Smith and Strong said they would like to see the City move forward and have a Mediator. Mayor Brandenburg asked if the Council would be interested in having a Scott County Mediator with minimal costs; however, was

unclear as to what experience their Mediator would have in dealing with cities. Council member Smith moved to have the Mediator from the Iowa League of Cities assist with mediation, seconded by Council member Strong. A roll call vote was taken: Smith-aye, Strong-aye, Schutte-aye, Barton-aye and Goodin-aye. Motion carried.

**COMMENTS AND FUTURE AGENDA ITEMS:** Council member Smith requested two items to be placed on the next meeting agenda: 1) that the Council take another look at promoting Sergeant Jahns to Police Chief and 2) to have the police radio removed from Mayor Brandenburg and returned to the Police Department.

Resident Tim Rhoades inquired about the activity at the Scott County West Business Park as he was interested in purchasing a lot. Mayor Brandenburg suggested the Mr. Rhoades contact realtor Tom Bracey as there has been some interest.

Council member Strong commented on a newspaper article written in the North Scott Press that quoted the Mayor saying that apparently she and Council member Smith were both trying to under mind him and that these are contentious times and that they have not seen eye to eye on the intricate details. She also corrected the article as the City currently has two full-time Officers and three part-time Officers. Mayor Brandenburg replied stating that that was not his quote and that he did not say that reminding the Council that he did not write the article. Council member Strong expressed her disappointment on the newspaper article as she considered the article to be a deformation of character asking the Mayor for an apology. McCullough said that everyone would agree that, unfortunately the article was published in the manner that it was and that he would highly recommend that in the future, that the Mayor and Council consult him prior to being interviewed.

**RECESS:** Council member Schutte moved to take a 10-minute recess, seconded by Council member Goodin. A roll call vote was taken: Schutte-aye, Goodin-aye, Strong-aye, Smith-aye and Barton-aye. Motion carried. The meeting recessed at 8:04 p.m.

Council member Schutte moved to return from recess, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye Barton-aye, Strong-aye and Goodin-aye. Motion carried. The meeting reconvened at 8:15 p.m.

Prior to proceeding with the Agenda, Mayor Brandenburg apologized to Council member Strong if in fact that what he said was misconstrued as that was not his intentions and that it has been very difficult being the new Mayor as the City cannot move on without working together. He reported that his door was always open for a means of communication. Council member Strong thanked Mayor Brandenburg.

#### **POLICY & ADMINISTRATION (Cont'd):**

**20. Disciplinary Action regarding the March 6, 2017 Council meeting - Personnel Evaluation(s) ref: upon request – Closed Session, Section 21.5(i) Code of Iowa:** Council member Schutte reported that he had requested that this item be placed on the Agenda due to the fact that the March 6, 2017 Council meeting was canceled due to the time being omitted on the Agenda; therefore, he wanted the Council to discuss disciplinary action against the Mayor, City Attorney and the City Clerk. Mayor Brandenburg informed the City Clerk Ms. Ann Schmidt, according to Section 21.5 (i) of the Code of Iowa, Personnel Evaluations, that she may request a closed session at which time Ms. Schmidt requested an open session. Council member Schutte asked the Clerk if she was aware on how the Agenda was supposed to be written. The Clerk reported that to the best of her knowledge, yes. She explained on how she believes that the time was first omitted as far back as January, 2016 as it was her recollection that she tried to condense the Agenda to an 8 ½ x 11 page and in doing so, the meeting time was omitted; however, reassured the Council that she has since then took precautionary steps by creating a “header”. Council member Smith asked the Clerk who approves the Agenda once she has prepared a tentative Agenda. The Clerk said that once she drafts a tentative Agenda, she emails the Attorney, Mayor and all the City Council members asking for any corrections, additions, etc. Council member Goodin reminded the Council that for approximately 14 months that not one person noticed that the time was omitted from the

Agenda; therefore, he feels that everyone was just as responsible. Council member Schutte expressed his concerns that in the past whenever there has been a Departmental issue that either a written or oral reprimand was given. He said that he feels that the City Clerk, Mayor and City Attorney should be held accountable and that if the Council chooses to do nothing about this then he wants the fingers to stop being pointed at just one individual. Council member Strong said that she feels that an oral reprimand should be appropriate as she feels that if the Council chooses to do nothing that they will be setting a precedence and that the City Clerk has special preferential treatment. Council member Goodin disagreed stating that again, everyone received the Agenda and if anyone was to get reprimanded that they are all equally as responsible and that this issue should cease and assist and that the Council should move on with positive things. McCullough clarified for the record that it appeared that the meeting time was only omitted on the regularly scheduled Council meetings and that all the special meeting agendas and committee of the whole meeting agendas were all correct and contained the proper time. Resident Cheryl Smith recalled the meeting of March 6, 2017 when both Council members Strong and Smith knowingly admitted that they both knew about the meeting time being omitted from the Agenda at which time both Council members Strong and Smith denied Ms. Smith's statement. Resident Mark Wakefield reminded the Council of all the duties of the Office of the City Clerk reminding the Council of everything the City Clerk has done for the City and that everyone makes mistakes and he believes that the Council should move on. Council member Barton said that he was willing to take responsibility as he believes that they are all just as responsible. Council member Smith said that she realizes all the duties of the City Clerk and that she does not feel that anything should be done to the City Clerk. She said that when she found out that the meeting time was omitted from the Agenda, it was less than the 24 hours; therefore, she did not have time to bring it to anyone's attention. McCullough reminded the Council that the City Clerk's job has become very increasingly complex over the years as there are various State statutes and regulations that she has to follow that are very difficult for most people and that the Clerk does a fantastic job and that he would recommend that the Council not let one mistake be against her performance that she has done for the City over the years. Mayor Brandenburg reported that for the record the City Clerk did post the budget public hearing notice meeting time on the website and published in the Quad City Times and that after 23 years of service, she made an inadvertent mistake recommending that the Council move on with other City business. He reminded the Council that as Mayor, he administers the discipline to all City Department Heads and after hearing the Council's discussion, it appears that the majority of the Council was to administer no discipline. Council member Goodin moved to move on and that no action be taken, seconded by Council member Smith. A roll call vote was taken: Goodin-aye, Smith-aye, Barton-aye, Schutte-nay and Strong-nay. Motion carried.

Council member Schutte asked that the City Attorney's evaluation be discussed next. City Attorney William McCullough requested an open session. Council member Schutte reiterated that he feels that the responsibility was passed onto the City Council as the error should have been acknowledged by either the City Clerk, Mayor or Attorney. Council member Strong expressed her concerns on the City Attorney, City Clerk and all the other City employees getting paid for the March 6, 2017 Council meeting that was later canceled but most importantly the fact that it was later discovered that the City could have held their budget public hearing but was not made aware of it at the time; therefore, she felt that the City Attorney should have called all the Council members back to the table but did not. Council member Smith said that she feels that with the City Attorney's longevity that he should have caught the meeting time from being omitted from the Agenda. Mayor Brandenburg added that with the Attorney's tenure that he probably only looks at the items on the Agenda and not the heading, again it was an error that everyone was equally responsible. Council members Strong and Smith said that it was their recollection that the Council was to only review the Agenda and not approve the Agenda. McCullough added that while the Council is to review the Agenda but if a Council member was to notice that something on the Agenda was incorrect or needed corrected that they would bring that information forward. He said that he, too, looks at the Agenda and he did not notice that the meeting time was omitted from the Agenda. Resident Mark Wakefield reiterated that he believes that it was an honest

mistake and that the Attorney probably reviews the Agenda legally. Council member Goodin moved to take no action against the City Attorney, seconded by Council member Barton. A roll call vote was taken: Goodin-aye, Barton-aye, Schutte-nay, Smith-nay and Strong-nay. Motion died due to a lack of a majority vote. Further discussion was held in regards to the City Attorney's time for reviewing the March 6, 2017 Agenda and attendance at the March 6, 2017 Council meeting. Council member Strong moved to not pay the City Attorney for the time spent reviewing the March 6, 2017 meeting Agenda and his attendance at the March 6, 2017 Council meeting, seconded by Council member Schutte. A roll call vote was taken: Strong-aye, Schutte-aye, Smith-aye, Barton-nay and Goodin-nay. Motion carried.

Council member Schutte asked that the Mayor's evaluation be discussed next. Mayor Brandenburg requested an open session. Council member Schutte reiterated that while the Mayor may be the immediate supervisor of all City Departments, the end result is the City Council. Council member Goodin added that he feels that the discussions are redundant; therefore, he recommends that the Council move on with the Agenda. Council member Schutte agreed. Mayor Brandenburg clarified for the record that the Clerk emails the meeting notices to all to recognize any errors, but that particular meeting Council member Smith obviously recognized the error before the meeting and chose not to bring it to anyone's attention prior to the start of the meeting. He displayed the handout that Council member Smith passed out to everyone at the March 6, 2017 Council meeting that was dated February 27, 2017 claiming that she had prior knowledge that there was an error and chose not to do anything about it. McCullough reminded the Council that the only issue being discussed is that the Mayor did not notice the time being omitted on the Agenda, and whether he should be disciplined. Council member Goodin moved to take no action against the Mayor, seconded by Council member Barton. A roll call vote was taken: Goodin-aye, Barton-aye, Schutte-nay, Strong-nay and Smith-abstain. Motion died due to a lack of a majority vote. McCullough clarified for the record that the motion is not resolved because it did not pass or the issue dies due to a lack of a motion. The Clerk personally apologized to the public that it was an error on her part for omitting the meeting time on the Agenda and that she has since then taken precautionary methods to avoid this from happening in the future.

Council member Schutte stated that in an effort to move forward, he was willing to move on in a positive manner and let this go but does want an open communication amongst the Mayor, Council and City as a whole where there is no finger pointing and/or accusations. Council member Goodin agreed that there has been a lot of animosity and that he, too, believes that in an effort to move forward that everyone needs to start communicating and be professional. Council member Schutte referenced the City Attorney's memo dated April 2, 2017 as it was very well written and decisive and that it should be on the top of everyone's list as a priority. Council member Strong expressed her disappointment with the City Attorney as she had requested that he type this memo on March 21, 2017 so that it could be discussed after the Special meeting at the March 28, 2017 meeting as she believes that this whole discussion could have been avoided had he typed the memo when requested. McCullough apologized as he was unable to complete the memo until now. Council member Smith thanked the City Clerk for taking on the burden by herself as she does not believe it was just her.

**21. To Strategize the sale and/or purchase of real estate – Closed Session, Section 21.5(j) Code of Iowa:** Mayor Brandenburg referred to Section 21.5 (j) of the Code of Iowa, announcing that the Council would be going into closed session. Council member Goodin moved to close the regular meeting and go into closed session, seconded by Council member Smith. A roll call vote was taken: Goodin-aye, Smith-aye, Schutte-aye, Barton-aye and Strong-aye. Motion carried. The regular meeting was closed at 8:49 p.m.

Council member Schutte moved to reopen the regular meeting, seconded by Council member Goodin. A roll call vote was taken: Schutte-aye, Goodin-aye, Barton-aye, Smith-aye and Strong-aye. Motion carried. The regular meeting reconvened at 9:00 p.m.

**22. Resolution 2017-09 ref: authorizing an expenditure from the Local Option Sales Tax Reserve:** Council member Goodin introduced Resolution 2017-09 at which time corrections were made. Council

member Goodin moved to adopt Resolution 2017-09 as corrected, seconded by Council member Schutte. A roll call vote was taken: Goodin-aye, Schutte-aye, Barton-aye, Strong-aye and Smith-aye. Motion carried. Resident Mark Wakefield inquired about the City's purchase. Mayor Brandenburg reported that the City had had an appraisal on the land prior to the purchase reviewing pertinent details in the Agreement. Resident Brinson Kinzer questioned the balance in the Local Option Sales Tax. The Clerk reported an estimated balance of \$750,000.00.

Prior to adjourning, resident Cheryl Smith publicly apologized to Council member Strong as she did not want any hard feelings. Council member Strong accepted Ms. Smith's apology.

**ADJOURNMENT:** Council member Barton made a motion to adjourn, seconded by Council member Schutte. A roll call vote was taken: Barton-aye, Schutte-aye, Smith-aye, Strong-aye and Goodin-aye. Motion carried. The meeting adjourned at 9:08 p.m.

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Mayor, Timothy Brandenburg

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

**CLAIMS REPORT**

AT&T	TELEPHONE/FAX/INTERNET	97.92
BI-STATE REGIONAL COMM.	PROFESSIONAL FEES	275.50
BP	VEHICLE OPERATIONS	575.80
CENTRAL STATES H & W FUND	HEALTH INSURANCE	8,198.00
CENTURYLINK	TELEPHONE/FAX/INTERNET	393.38
COMPASS MINERALS AMERICA	SALT	1,543.93
DAUFELDT, RAY	TELEPHONE/FAX/INTERNET	25.00
DOWNING, ROBERT	TELEPHONE/FAX/INTERNET	15.00
FIRE FIGHTERS ASSOC. OF MUSCAT	TRAINING/TRAVEL/SAFETY	300.00
FRANK'S TREE SERVICE	BLDG & GROUNDS MAINT	900.00
HENNING, KEVIN	TELEPHONE/FAX/INTERNET	15.00
L-TRON CORPORATION	EQUIPMENT OPERATIONS	672.88
MCCLURE ENGINEERING	ENGINEERING	4,383.75
MCCULLOUGH, WILLIAM	LEGAL SERVICES	2,835.00
MENARDS	BLDG & GROUNDS MAINT	717.60
MIDAMERICAN ENERGY	UTILITIES	5,704.35
OFFICE MACHINE CONSULT	COMP PURCH/MAINTENANCE	2,500.00
PD AIR SYSTEMS	EQUIPMENT OPERATIONS	3,165.00
PORTER INSURANCE AGENCY	IAMU INSURANCE	62,185.00
ROBERTSON, LONNIE	TELEPHONE/FAX/INTERNET	25.00
SCHMIDT, ANN	TELEPHONE/FAX/INTERNET	25.00
SYNCHRONY BANK	BLDG & GROUNDS MAINT	165.60
TC AUTO	VEHICLE OPERATIONS	933.54
VERIZON WIRELESS	TELEPHONE/FAX/INTERNET	368.23
WHITE DISTRIBUTION	BLDG & GROUNDS MAINT	66.84
<b>***** REPORT TOTAL *****</b>		<b>96,087.32</b>

**FUND TOTALS**

GENERAL FUND	51,872.06
ROAD USE FUND	1,754.33
EMPLOYEE BENEFITS	23,621.90
TAX INCREMENT FINANCING	45.00
WATER FUND	6,892.33
SEWER FUND	11,901.70
<b>****</b>	<b>96,087.32</b>