

**THE REGULAR MEETING  
OF THE BLUE GRASS CITY COUNCIL  
BLUE GRASS, IOWA                      JULY 17, 2017**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 17<sup>th</sup> day of July 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, Lisa Smith and Bonnie Strong.

**APPROVAL OF AGENDA:** Council member Goodin moved to approve the Agenda as presented, seconded by Council member Barton. A roll call vote was taken: Goodin-aye, Barton-aye, Smith-aye, Schutte-aye and Strong-aye. 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. Thank you”.

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

**CONSENT AGENDA:**

- 1. Motion to approve the minutes of the July 5, 2017 Council meeting**
- 2. Motion to adopt Resolution 2017-29 ref: adopting a Policy for investments of public funds for the City of Blue Grass**
- 3. Motion to adopt Resolution 2017-30 ref: authorizing an expenditure from the accumulated Tax Increment Financing Reserve**
- 4. Payment of claims**

The Clerk reported that according to the Union Contract, employees are to spend their uniform allowance before July 1<sup>st</sup> of each year; however, Officer Guinn, being a new employee spent the remainder of his uniform allowance totaling \$360.10 on June 29, 2017. She said that if she would have had prior knowledge of the expenditure, she could have paid it in that fiscal year but did not receive the invoice until July; therefore, the monies will be expended out of the new fiscal year. The Clerk said at the request of Officer Guinn, he has asked that the City Council allow him to continue to spend his new allowance of \$600.00 and not deduct the \$360.10 from that amount. She said that in the past she would prepare a memo to all the employees reminding them to spend their uniform allowance or to use either their comp time and/or personal time by a certain date but was told by the past administration to discontinue that practice. Council member Strong reminded the Council that the City sends notification to all the local businesses reminding them to renew either their liquor license or cigarette permits; therefore, she felt that the City should remind employees of those pertinent deadlines and that she feels that Officer Guinn’s expenditure should be covered. The consensus of the Council was to allow Officer Guinn to expend the \$360.10 claim in the new fiscal year and be allowed to spend his additional \$600.00 uniform allowance. Council member Strong questioned the vehicle operation expenditures from last month’s claims payable comparing the expenditures from the Bulk Petroleum and Casey’s General Stores. Discussion was held on where staff gets their fuel. Robertson reported that Departments were told by the previous administration to split everything up so the Fire Department gets their fuel at Casey’s General Stores and Public Works get their fuel at Dick-n-Sons. Council member Strong recalls that Departments were to give both places the City’s business. Council member Goodin moved to approve the Consent Agenda as presented, seconded by Council member Barton. A roll call vote was taken: Goodin-aye, Barton-aye, Smith-aye, Strong-aye and Schutte-nay. Motion carried.

## **INFORMATIONAL PROCEEDINGS:**

**5. Gina Martin ref: Street Light at Baxter Drive:** Residents Gina and Bob Martin expressed their disappointment on the street light wooden pole that was recently installed at the corner of Baxter Drive and West Telegraph Road as they felt it was hideous and did not conform to the subdivision as all the other street lights on Baxter Drive were of the decorative type and asked that the City Council replace it to astatically match the subdivision. Ms. Martin agreed that a street light was needed in that area; however, she feels that the wooden pole degrades the properties on Baxter Drive. Mayor Brandenburg reported that several residents residing on Baxter Drive requested that a street light be placed at that particular area due to several safety concerns and it was the consensus of the City Council to install a wooden pole due to the fact that the placement was located in the City's easement. He said that it was his opinion that new pole was not part of the subdivision. Council member Strong said that she, too, had viewed the new street light pole and that she did not think it was a big issue as you cannot see the other decorative street lights from that particular pole; therefore, it was her opinion that the new pole remain a wooden pole. Sergeant Jahns reported that according to Eastern Iowa Light & Power Cooperative (REC) the decorative street lighting would be quite costly for both the decorative pole and the monthly costs. Mayor Brandenburg explained that the area where the pole was located needed the additional illumination for that particular area and that the wooden pole was more feasible. Council member Strong recalls the Clerk stating that certain subdivisions have covenants that require decorative type street lights and that the Council determined that the street light placement was not part of the subdivision and was located in the City's easement; therefore, went with the wooden pole. Council member Smith reported that it was her opinion that the wooden pole remain. Sergeant Jahns asked for some type of compromise. Mayor Brandenburg asked the Council for a motion to change the wooden pole to a decorative type pole and no motion was made; therefore, the wooden pole would remain in its current location.

**PARK BOARD:** Park Board Chair Mike Hermann reported the following:

**6. Park Board Report:** Hermann referred to the July 6, 2017 meeting minutes asking for any questions or comments. He informed the Council that several volunteers and Dale Grunwald were tentatively scheduled to install the basketball hoop at Laretta Park and install the swing set at Black Bear Park on Friday at 3:00 p.m. Chair Hermann reported that the Community Club has asked to partner with the Park Board and be involved in the Christmas Tree Lighting Ceremony to encourage more community involvement and extend the ceremony and hold certain events in the Community Club building. He also reported that the Board had proposed to tear down the pitching machine and nets at Gless Field as it was not being used by the Little League and was potentially a hazard. Council member Smith suggested that the Community Club members research a flag program that other communities are using by charging a resident \$35.00 a year and place a flag six times a year by that sponsor.

**POLICE DEPARTMENT:** Police Sergeant Jahns reported the following:

**7. Police Department Report:** The June 2017 report consisted of the following: 113 traffic contacts with 47 citations written and 101 warning citations issued with a total of 230 calls for service during the month and 4 arrest. Sergeant Jahns expounded on the calls for service and activity for the month and gave a brief synopsis of each arrest made. Other Police business: Sergeant Jahns and Officer Bujalski became certified TASER instructors and Officer Blackburn will be on medical leave until on or about September due to an injury he received at his full-time job. Sergeant Jahns also expounded on the complaints received in regards to fireworks. Council agreed that an Ordinance needs to be written to set certain regulations on fireworks. Sergeant Jahns also reported that the Department had received their speed trailer; therefore, was operational and will be placed throughout the City. Resident Mark Wakefield questioned the amount of tickets written versus the amount of warnings written. Sergeant Jahns explained that it all depended on the circumstances giving several examples of why a warning may be issued.

## **ANIMAL CONTROL:**

**8. Humane Society of Scott County Agreement ref: Animal Control:** Sergeant Jahns updated the Council on their options for trying to reduce the cat population by either taking the cat to the veterinary clinic to have the cat either spayed or neutered at a reduced costs then release the cat back into the community or have animal control set traps with trip fees of \$50.00 each time they travel to Blue Grass. He said that there was also a fee of \$10.00 per cat boarding fee per day and that the Humane Society would hold the cat up to 5 days. Further discussion was held on other options to reduce the cat population. The Clerk reported that the Attorney had reviewed the Agreement and had no issues with the renewal reporting no new changes. Council member Schutte moved to approve the Humane Society of Scott County Agreement, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Smith-aye, Barton-aye and Goodin-aye. Motion carried.

## **LICENSING & RENEWALS:**

**9. Liquor License Renewal ref: Casey's General Stores #3288:** Sergeant Jahns reported that the Department had no issues with the license renewal. The Clerk reported that all the paperwork had been filed accordingly with the State of Iowa. Council member Schutte moved to approve Casey's General Stores #3288 liquor license renewal, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Goodin-aye, Barton-aye and Strong-aye. Motion carried.

## **ORDINANCE(S):**

**10. Chapter 10.40.020 Speed Limits ref: North Mississippi Street:** Previously, the Council reviewed and discussed the speed limit on North Mississippi Street between the 55 m.p.h. speed limit sign and the 25 m.p.h. speed limit sign requesting that Scott County Engineer Jon Burgstrum be involved prior to making any changes.

Council member Strong proposed to change the North bound traffic speed limit sign from 35 m.p.h. to 45 m.p.h. at East Telegraph Road and change the 45 m.p.h. speed limit sign in the North bound lane to 55 m.p.h. and change the South bound lane of traffic from 35 m.p.h. to 45 m.p.h. at the City limits and move the 25 m.p.h. speed limit sign to the North side of West Lauretta Street. She asked that her proposal be given to Mr. Burgstrum for consideration. Discussion was held on the proposed changes and how it will impact motorists. It was the consensus of the Council to move forward with the proposed changes. Sergeant Jahns agreed to report the proposed changes to Mr. Burgstrum who will then propose the changes to the Scott County Board of Supervisors for approval.

**11. Chapter 10.24 Stopping, Standing and Parking ref: illegal parking:** The Council previously received a safety concern in regards to a resident that is parking numerous vehicles in front of his residence and throughout the entire neighborhood causing several safety concerns; therefore, the Council asked that the Police Department address. Sergeant Jahns reported that after several attempts to meet with this particular individual, he was unsuccessful.

Council member Goodin reported that he was in favor of changing the recommended parking violation to \$25.00 as previously recommended by Sergeant Jahns. Council member Schutte asked that Sergeant Jahns inform his Police Officers that there seems to be a lot of illegal parking and/or inoperable vehicles that need to be addressed. Mayor Brandenburg reported that during their staff meeting that morning inoperable vehicles were discussed; therefore, the Police Department was already informed to start issuing violations. Council requested that the \$25.00 parking violation be implemented into an Amendment and presented for its first reading at the next Council meeting.

**12. Chapter 8.14 Refuse Disposal:** Previously the Council reviewed Section 8.14.140 (c) No container shall be placed at the alley or street for pickup before 7:00 p.m. on the day prior to the designated collection day and Section 8.14.200 Violation – Penalty: Anyone who violates the provisions of this chapter is guilty of a municipal infraction and, upon conviction, shall be subject to a civil penalty of not to exceed \$100.00 for a first offense or \$200.00 for each repeat offense.

Mayor Brandenburg referred to Chapter 8.14 Refuse Disposal reviewing the proposed changes drafted by the Clerk that eliminates the water utility. Council member Schutte again referenced the safety aspect when residents leave their garbage/recycling totes curbside 24/7 as it could potentially be a hazard when blowing onto the street. Council agreed that a time limit be set to allow residents ample time to bring in their garbage/recycling totes off the streets/curbside. Mayor Brandenburg recommended that the City Attorney be advised so that he could give the Council the legal ramifications the City can have for garbage/recycling totes left either curbside on public property or on their own property. Council member Smith asked what the staff policy was when a resident calls in for a missed garbage. The Clerk said that the policy is to email two Republic Service representatives the missed address who then confirms receipt of the email. Council member Schutte expressed concerns on City staff sending emails to Republic Services and not making an actual telephone call. He asked that the City Clerk get clarification as to why staff cannot make a telephone call and if staff is allowed to make a telephone call then fine but if staff is not allowed to make a telephone call, then he requests that a representative attend a Council meeting to explain why. The Clerk also reported that a new resident that had just built a new home in an Agricultural zoned District had signed a 2-year agreement with Republic Services for a dumpster; however, according to the Code, the new resident must receive residential garbage/recycle services through the City; therefore, the resident has asked that the City allow him to continue to use the dumpster and be exempt from the City's residential garbage/recycling service. She said that when the new resident called Republic Services they never informed him that he would be required to receive residential garbage/recycling services from the City; therefore, he is now in a 2-year agreement with Republic Services. The Clerk said that after speaking with the Municipal Services Manager Matt Pivit, Mr. Pivit said that several cities do exempt farmers as their garbage service was not sufficient for the amount of garbage they have on a farm. Sanitation Chair Strong expressed concerns on all the other farmers within the Agricultural District as they, too, may request to be exempt from City services and that she feels that this particular individual should be on City garbage/recycling services. Council member Schutte expressed concerns on Republic Services allowing the new resident to sign a 2-year agreement knowing that this resident's address is within the corporate limits of Blue Grass; therefore, he felt Republic Services should allow this resident to cancel his dumpster service without penalty and receive residential garbage/recycling services from the City. The Clerk reported that she would follow up with Mr. Pivit on addressing their concerns and report back at the next Council meeting.

**13. Chapter 5.08 Peddlers, Solicitors and Transient Merchants:** The Clerk referred to Chapter 5.08 comparing the City's fees to the City of Durant recommending that the application fee be increased to \$25.00 per company rather than \$5.00 per peddler as that would help offset the staff costs for the application process and that the daily peddler fees be increased to \$50.00 per day rather than breaking the fees down per day/week. The Clerk reported that both the City of Durant and the City of Muscatine have reported several incidents from peddlers in the past. Council requested that the Clerk draft an Amendment for its first reading and present at the next Council meeting increasing the application fee to \$25.00 per company and increase the daily peddler fees to \$50.00 per day.

**14. Third Reading/Adoption of Ordinance Amendment 2017-02 ref: Building Commissioner Job Description:** Council member Schutte introduced a synopsis of the third reading of Ordinance Amendment 2017-02 commenting that the Amendment was on file at City Hall for review. Council member Schutte moved to approve the third reading of Ordinance Amendment 2017-02, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Smith-aye, Barton-aye and Goodin-aye. Motion carried. Council member Schutte moved to adopt Ordinance Amendment 2017-02, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Smith-aye, Barton-aye and Goodin-aye. Motion carried.

**15. NUISANCE ABATEMENT(S):** Nuisance Committee Chair Chuck Barton reported the following: **Nuisance Abatement(s):** Chair Barton referred to the "Concerned Citizens Log Book" reporting that there were none. Council member Smith complained of overgrown weeds on Salem Street as there are

two lots owned by Russel Kramer and the Loose resident. She said that she also followed up on the recent complaint of overgrown weeds on Moselle Street and it was her opinion that it was fine. Council member Strong expressed concerns on the abandoned vehicle on one lot as it does not appear to have current plates and weeds are growing up around the vehicle. Council member Schutte expressed concerns on the dangerous weeds being removed by City employees as he feels that the City is putting their employees at risk. Mayor Brandenburg agreed to talk to Public Works about the situation and proper removal. Council member Strong asked that the Police Department confirm that the electric fence at 313 Parkway Drive was shut off as mutually agreed upon by both the resident and the City.

#### **POLICY & ADMINISTRATION:**

**16. Clerk's Report:** The June 2017 report consisted of the following: 124 penalties assessed; 12 delinquent letters were sent out totaling \$2,351.72 that were due June 30, 2017 reporting that all were paid within the time prescribed with the exception of 3 accounts; however, after reviewing the shut off policy with the City Attorney it was discovered that there was no agreement drafted with Iowa American Water Company (IAWC); therefore, both the City Attorney and IAWC are in the process of drafting an agreement. She questioned whether the agreement needed to be approved by the City Council since that was mutually agreed upon in the sale. Council unanimously agreed that the agreement was part of the negotiations; therefore, did not need Council approval and to get the agreement drafted so that it could be enforced. The Clerk continued to report that for the billing period of 05/24/17 to 06/23/17 billed a total of \$27,861.08 and a total of \$11,158.75 in the arrears; 700 bills produced; 175 ACH residents enrolled; reviewed the list of outstanding Street Assessments, Sidewalk Assessments, Snow Removal Liens and Utility Liens; reported that the City had received 3 applications for the part-time Building Commissioner's position and forwarded to the Police Department to perform background checks; drafted the job interview questionnaire and awaiting further instructions from the Employee Relation Committee; published the 2016 Water Quality Report as required by the Department of Natural Resources; reported that she had received an email from the Bi-State Regional Commission in regards to the City of Wilton returning \$146,000.00 in Transportation Alternatives Program (TAP) funds; therefore, the Policy Committee agreed to award the City an additional \$73,000.00 in TAP funds which brings the total grant to \$278,000.00; the Clerk said that both she and the City Engineer have been contemplating on how to increase the TAP funds; therefore, together with the Bi-State Regional Commission the Policy Committee may award the City additional funding if the City can complete the required Americans with Disability Act (ADA) Report to see if a portion of that could qualify for the additional funding; completed an incident report in regards to an accident on June 27, 2017 where an employee had a mower roll over them; reported no injuries; however, the claim was submitted to the City's insurance company; scheduled a post-accident drug/alcohol testing screen; prepared and sent 2 invoices for reimbursement of attorney fees associated with the nuisance abatement letters to HM Mart and Relentless Rod & Custom Shop; assisted the City Attorney and Building Commissioner in regards to the drafting and sending a second nuisance abatement letter to the vacated HM Mart in reference to the dangerous building ordinance; assisting IAWC with monthly reads as IAWC has been unable to complete the transition of the galaxy software; closing out of the water sale such as canceling telephone and utility services; met with insurance representative Chris Porter in regards to canceling all property associated with the water utility and rewrite to include a renter's policy to include the old fire station building and siren; prepared a recognition letter at the request of the City Council to volunteer Ms. Billie Huffman, records clerk; contacted the City's insurance company in regards to damage of personal goods in regards to the street buckling on North Mississippi Street as the damaged personal goods were not covered; however, Mr. Porter suggested that that individual file a claim with their car insurance carrier; process of preparing and gathering data in regards to Dolan's 7<sup>th</sup> Addition and once all the data has been approved by the City Engineer and City Attorney, a meeting will be set with the Planning & Zoning Commission; process of preparing and gathering data in regards to Prairie Woods 3<sup>rd</sup> Addition and once all the data has been approved by the City Engineer and City Attorney, a meeting will be set with the Planning & Zoning Commission; placed 3 liens for past due nuisance abatement invoices; published the

required public hearing notice in regards to the awarding of contract for the Mayne Street Repaving Project; as the request of the Council contacted the Bi-State Regional Commission to assist with putting the City's codebook on the website; prepared various Resolution in reference to the new fiscal year; changed allocations accordingly for the new year exempting the water utility from several distributions; however, reminding the Council that once the bills have been paid from June there would no longer be any water distributions and reported that she was unable to complete the May or June Utility Billing Reconciliation Reports. Council member Smith reported that she had contacted the City's insurance carrier and canceled the claim against her personal property that was damaged when the street buckled on North Mississippi Street. She also questioned whether penalties would be assessed on the June utility bills. The Clerk reported that no penalties would be assessed since it was the City's software that did not compute the \$5.00 late fee penalty. Council member Schutte expressed several safety concerns on the accident that occurred with a Public Works employee as apparently the employee had Medic EMS evaluate him for injuries and did not report the accident immediately; therefore, he feels that the policy should be reviewed with all employees. He said that he felt that whenever an employee is injured that that employee be checked out by a medical doctor regardless of what our insurance carrier says as he felt that x-rays should have been performed in this particular incident.

**17. Status of putting codebook on website:** The Clerk reported at the request of the Council, she has been researching the City's options on putting the Municipal Code on the City's website. She said that she is waiting for the Bi-State Regional Commission to give the City their options as she recalls that when she first researched putting the code on the website it was very costly; however, once she had more information she would relay that to them. The Clerk asked the Council to review the City of Buffalo's website as she, too, can copy the codebook as PDF files; however, it would not allow users to search or browse on particular codes. Council member Strong suggested applying for a grant to help offset the costs. Council member Smith said that it was her opinion it would alleviate the telephone calls to City staff if the code was on the City's website.

**COMMENTS AND FUTURE AGENDA ITEMS:** Resident Mark Wakefield expressed safety concerns on golf carts using West Laretta Street to access the Dollar General, Dick-n-Son's Lumber, etc. as it was his recollection that West Laretta Street was considered to be one of the streets that was off limits. Council member Barton expressed concerns on the under aged kids driving golf carts throughout the City. Council member Schutte reported that originally there was a request to allow the use of golf carts; therefore, the Council amended the Ordinance to allow golf carts with certain restrictions and that he believes that the Ordinance just needs to be enforced. Council reviewed Chapter 10.70 Golf Carts referring to the streets that were restricted.

Mayor Brandenburg reported the visitation and funeral services for Gerry Turner's wife who passed away suddenly due to an illness. He said that Mr. Turner had recently resigned from serving on the Zoning Board of Adjustment as he and his wife moved out of the area.

Council member Smith reported that the street signs on the North side of town need to be replaced and that there was brush covering the street sign at Neisse and Lotte. Council member Schutte reported that he recalls the City receiving a grant for street signs; therefore, he agreed to contact the Public Works Director to see if street signs were eligible.

Employee Relation Committee Chair Goodin requested an Employee Relation Committee meeting to discuss and review the applications for the part-time Building Commissioner position. An Employee Relation Committee meeting was tentatively set for 9:00 a.m. Thursday, July 20, 2017.

**ADJOURNMENT:** Council member Schutte made a motion to adjourn, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Barton-aye, Goodin-aye and Strong-aye. Motion carried. The meeting adjourned at 8:48 p.m.

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Mayor, Timothy Brandenburg

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

**CLAIMS REPORT**

BADGER METER	EQUIPMENT OPER	54.00
BI-STATE REGIONAL COMM.	PROFESSIONAL FEES	275.50
BRANDENBURG, TIM	TRAINING/TRAVEL	23.54
BT GROCERY	TRAINING/TRAVEL	96.94
CASEY'S GENERAL STORES	VEHICLE OPER	908.56
EASTERN IA LIGHT & POWER	UTILITIES	120.00
ELECTRIC PUMP	LIFT STATION	331.70
GENESIS OCCUP'L HEALTH	MEDICAL	55.00
INSTITUTE OF PUBLIC AFFAIRS	TRAINING/TRAVEL	33.50
INTERSTATE POWER SYSTEMS	EQUIPMENT OPER	837.20
JOHNSON DISTRIBUTING	BLDG & GROUNDS MAINT	21.00
KUSTOM SIGNALS	EQUIPMENT OPER	5,913.00
LINWOOD MINING & MINERAL	ROCK	192.10
MEDIACOM	INTERNET	418.29
MOSIMAN, MARY	FY '15-'16 AUDIT	4,512.18
OFFICE MACHINE CONSULT	EQUIPMENT OPER	180.00
PANTHER UNIFORMS	UNIFORM ALLOW	360.10
QC ANALYTICAL SERVICES	TESTING	133.30
QUAD CITY TIMES	ADVERTISING & PUBLICATIONS	911.34
REXCO EQUIPMENT	EQUIPMENT OPER	9.99
SANDRY FIRE SUPPLY	EQUIPMENT OPER	290.43
UNITYPOINT HEALTH	MEDICAL	57.00
WITMER PUBLIC SAFETY GROUP	EQUIPMENT OPER	141.57
<b>***** REPORT TOTAL *****</b>		<b>15,876.24</b>

**FUND TOTALS**

GENERAL FUND	10,504.49
RESERVES: AUDIT FUND	4,512.18
TAX INCREMENT FINANCING	120.00
WATER FUND	270.58
SEWER FUND	468.99
<b>****</b>	<b>15,876.24</b>