

**THE REGULAR MEETING  
OF THE BLUE GRASS CITY COUNCIL  
BLUE GRASS, IOWA                      OCTOBER 2, 2017**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 2<sup>nd</sup> day of October 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 and Bonnie Strong. Absent was Council member Lisa Smith. City Attorney William McCullough and City Engineer Mike Janecek were also in attendance.

**APPROVAL OF AGENDA:** It was the consensus of the Council to remove several items from the Agenda due to the fact that there was not a full Council present; therefore, Council member Barton moved to approve the Agenda with the following items being removed: Roles & Responsibilities; Items #29, #30, #31, #33, #38, #39 and #40 and move Item #35 to be discussed directly after Item #9, seconded by Council member Strong. A roll call vote was taken: Barton-aye, Strong-aye, Schutte-aye and Goodin-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:** Resident Jim Fries inquired about the Golf Cart Ordinance and the Home Occupation Ordinance asking who enforces them and who do residents contact to report a violation. Mayor Brandenburg asked that residents contact the Police Department to report a violation on the Golf Cart Ordinance briefing Mr. Fries on the age requirements and routes that were considered to be off limits and if a resident were to suspect that a resident was running a business from their residence to report the complaint to City Hall.

Resident Tim Baker inquired about a street light outage. Robertson replied that the street light had already been reported to MidAmerican Energy. Mr. Baker also questioned the placement of lighting on the newly constructed Kevin Road expressing concerns on safety of not having adequate lighting in that particular area. Janecek reported that, unfortunately the Plats do not show the utility placements; however, once he received the exhibit showing the utility placement he would follow up with Public Works. The Clerk added that if the exhibit displays decorative lighting that that expense would be Mr. Dolan’s responsibility.

**ROLES & RESPONSIBILITIES OF THE MAYOR AND CITY COUNCIL:** (Previously removed from the Agenda)

**CONSENT AGENDA:**

- 1. Motion to approve the minutes of the September 18, 2017 Council meeting**
- 2. Motion to adopt Resolution 2017-38 ref: authorizing an expenditure associated with the construction project of the Rehabilitation of North Mississippi Street Project**
- 3. Motion to adopt Resolution 2017-39 ref: authorizing a transfer from the Local Option Sales Tax Fund in reference to the Mayne Street Rehabilitation Project**
- 4. Motion to adopt Resolution 2017-40 ref: authorizing an expenditure from the Tax Increment Financing Reserve**
- 5. Payment of claims**

Council member Strong moved to adopt the Consent Agenda with a correction to the distribution payable to Paul Harbeck, seconded by Council member Goodin. A roll call vote was taken: Strong-aye, Goodin-aye, Schutte-nay, and Barton-aye. Motion carried.

**INFORMATIONAL PROCEEDINGS:**

- 6. North Scott Press ref: request to publish sample ballot:** The Clerk reported that she had received a request from publisher Bill Tubbs from the North Scott Press asking that the City allow the North Scott Press to publish their sample ballot as there would be a substantial savings to the City; however, according to the Municipal Code, the Quad City Times is the City's designated newspaper for all publications; therefore, the City is required to publish all publications in the Quad City Times. Discussion was held. Council member Schutte asked that the Clerk follow up to see what the cost would have been with North Scott Press and report back to the Council.
- 7. Tom Hill & John Hermiston ref: North Mississippi Street Concerns:** Resident Tom Hill displayed several pictures to the Council that he had taken from his driveway that showed the change in elevation with oncoming traffic. He had also submitted a letter explaining the Council's flaw in their logic regarding their decision and continued to express several safety concerns if the City were to increase the speed limit in that particular area asking that the Council reconsider. Resident John Hermiston, too, displayed pictures from his residence that also showed the elevation with oncoming traffic on or near his residence. He, too, asked that the Council reconsider questioning if a study was performed before making their decision. Council member Schutte reported that he was on the City Council several years ago when the Council reduced the speed limit and it was his recollection that the reasoning for reducing the speed limit was due to several accidents in that particular area with one involving Mr. Hermiston's farm equipment. He said that he was undecided as to whether he was in favor of increasing the speed limit or not; however, it was his opinion that the decision should be for the safety of the Officers. Mr. Hermiston reminded the Council that there was a school bus stop in the area that they were proposing to increase the speed limit and asked if they even considered the fact that the North Mississippi Street corridor was designated as a "Farm to Market" road. He also asked that they consider the dangers during the winter months when the overpass creates ice as it makes for hazardous conditions. Mayor Brandenburg reminded Mr. Hill and Mr. Hermiston that the entire area consisted of approximately one-eighth of a mile and that he was not a proponent of changing it; however, the Council has the voting powers and that by raising the speed limit to 45 m.p.h. it only reduces the time by approximately seven seconds and that it was his opinion that the City will not see a decrease in the number of tickets written for that area. Mr. Hermiston added that he has observed that over the years the traffic on North Mississippi Street has increased quite significantly asking the Council to reconsider as the current speed limit is working; therefore, he asked that they do some type of study before making their decision. Further discussion was held.

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

- 8. Fire Department report:** The September 2017 report consisted of 38 calls with 113.6 on scene man-hours reported with 298 year-to-date calls for service. Seamer reported the following: the Department had trained on AG emergencies and grain bin rescue; during the month of October the Department will be utilizing the live fire simulator for live fire evolutions; reminded the Council that it was fire prevention month and that the Department would be working on activities for the elementary school as well as a couple of daycares; thanked the Council for the new concrete behind the Public Safety Building as it is much appreciated especially when performing extrication classes; attended the FEMA Crisis Leadership and Decision Making course as it was very informative and looked forward to discussing with the Public Safety Committee and the City Council so that together, they can all be better prepared; Department will be performing hose testing on Engine 1, Engine 2 and Truck 4 and is currently working on a needs assessment for the Department's equipment so that it can be budgeted appropriately.

**BUILDING COMMISSIONER:** Building Commissioner Jim Meyrer reported the following:

- 9. Building Commissioner Report:** The September 2017 report consisted of 7 new homes currently under construction; 10 building permits issued; 1 rental inspection noting that it had failed; Business Projects: owner at the Relentless Rod and Custom Shop reported that he was going to start getting bids to finish his project; 915 S. Oak Lane, owner stated that he was going to resume construction and finish this

winter; Site Plan Review for Dale Grunwald; the September 25, 2017 public hearing was canceled on the Preliminary and Final Plat of Prairie Woods Estates 3<sup>rd</sup> Addition and was waiting for revised Plats; Preliminary and Final Plat of Towne & Country Manor's 7<sup>th</sup> Addition and issued one Occupancy Permit.

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

**35. Nuisance Abatement(s):** Chair Barton referred to the "Concerned Citizens Log Book" reporting that there was three complaints filed. Sergeant Jahns reported that he followed up on the complaints and all issues have been resolved. Mayor Brandenburg reported that there has been an ongoing issue that the City has been trying to address and that the City will stay on top of that particular issue. He also noted that there were three letters sent out in regards to nuisance abatements hoping that after today's free bulk waste pickup that those nuisances were abated. Mayor Brandenburg reported that in regards to the complaint at the last meeting on the house located on North Juniata Street, apparently the street address is visible and there is full access to the residence; therefore, was not considered to be a nuisance.

**TOBACCO CITATION SETTLEMENT:**

**10. Jeff's Market Tobacco Citation Settlement:** McCullough reported that the City was notified by the Iowa Department of Justice Office of the Attorney General Revenue Division that Jeff's Market was issued a citation for sale of tobacco to a minor; however, based on the fact that this was Jeff's Market first offense in four years and that the individual being cited had supplied the City with a valid certificate of completion of the tobacco compliance training program that the charges to the retailer not be assessed. The Clerk asked if the City could request that the retailer reimburse the City for any legal fees incurred with the citation settlement at which time McCullough said no the City cannot request such reimbursement. Council member Barton moved to not issue a citation to Jeff's Market based on the fact that it was Jeff's Market's first violation in four years and that the employee had completed the required tobacco compliance training program, seconded by Council member Strong. Council member Goodin stated for the record that this was Jeff's Market's first offense in four years. A roll call vote was taken: Barton-aye, Strong-aye, Schutte-aye and Goodin-aye. Motion carried.

**PLANNING & ZONING COMMISSION:**

**11. Planning & Zoning Commission recommendations ref: Site Plan Review – Dale Grunwald:**

McCullough reported that the Planning & Zoning Commission had held a meeting on September 25, 2017 on the request from Mr. Dale Grunwald to review a proposed Site Plan. He said that based on the recommendations from the City Engineer, City Attorney and Fire Chief, the Board unanimously approved the Site Plan with the following four stipulations: 1) according to Chapter 17.48 there is a minimum requirement of one parking space per building and that although the Site Plan consists of storage units that Mr. Grunwald designate parking; 2) according to Section 17.46.040 (G) a hard surface is required for all driveways and parking spaces; therefore, Mr. Grunwald has not yet addressed how he plans to meet that requirement; 3) due to the fact that Mr. Grunwald's development will be infringing on neighboring properties, that he obtain signed copies of Temporary Easement Agreements and 4) that the storm drain on Genessee Street that runs directly onto Mr. Grunwald's property be incorporated into his Site Plan noting that he has not yet seen a revised Site Plan addressing those four requirements. Mr. Grunwald reported that he would meet all four requirements as the revised Site Plan should be near complete and that he was in the process of drafting the Temporary Easement Agreements and that once they were complete he would obtain the required signatures noting that all neighboring property owners have verbally agreed to sign the Agreements. He then stated that he would designate three parking spaces with one being handicapped; however, he had concerns on using concrete for his hard surface as concrete would create even more drainage issues in his opinion. Mr. Grunwald discussed using a more porous material for his hard surface as he was looking for a material that would retain water. Further discussion was held. McCullough recommended that the Council either table Mr. Grunwald's Site Plan until the City has received a revised Site Plan or approve subject to the four items.

- 12. Site Plan Review – Dale Grunwald:** Letters of recommendation from the City Attorney, City Engineer and Fire Chief were given to the Council in regards to the proposed Site Plan of Mr. Dale Grunwald. Council member Schutte moved to approve Mr. Grunwald’s Site Plan with the stipulation that he address the following items and that they be approved by both the City Engineer and City Attorney: 1) designate three parking spaces to meet the parking requirement; 2) address the hard surface requirement; 3) submit signed Temporary Easement Agreements from the adjacent property owners and 4) incorporate the storm drain as previously agreed upon that comes off Genessee Street into the revised Site Plan, seconded by Council member Goodin. A roll call vote was taken: Schutte-aye, Goodin-aye, Barton-aye and Strong-aye. Motion carried.
- 13. Planning & Zoning Commission recommendations ref: Towne & Country Manor 7<sup>th</sup> Addition – Preliminary and Final Plat:** McCullough reported that the Planning & Zoning Commission had also held a public hearing at their September 25, 2017 meeting on the request from Dan Dolan to review and approve both his Preliminary and Final Plats on the Towne & Country Manor 7<sup>th</sup> Addition. He said that based on the recommendations from both himself and the City Engineer, the Board unanimously approved the Preliminary and Final Plats of Towne & Country Manor’s 7<sup>th</sup> Addition with the stipulation that Mr. Dolan submit all the signed executed Final Plat documents listed under Chapter 16.20.020 to the Council prior to approving. He said that Mr. Dolan has not yet submitted his Final Plat documents. Council expressed several concerns that Mr. Dolan was not present to answer any questions.
- 14. Public Hearing ref: Towne & Country Manor 7<sup>th</sup> Addition – Preliminary & Final Plat:** Council member Strong moved to close the regular meeting and open the public hearing, seconded by Council member Schutte. A roll call vote was taken: Strong-aye, Schutte-aye, Goodin-aye and Barton-aye. Motion carried. The public hearing was opened at 7:52 p.m. Mayor Brandenburg opened the public hearing up for discussion. The Clerk noted that there were no oral or written objections. Resident Jim Fries inquired about the costs associated with holding a public hearing. Mayor Brandenburg reported that the Developer pays all the meeting fees, publication notices, certified letter fees, etc. Council member Schutte expressed concerns on continuing to discuss the Towne & Country Manor’s 7<sup>th</sup> Addition without representation as he felt that no decision could be made at this point. Mr. Fries reported that he had approached Mr. Dolan at the Planning & Zoning Commission’s public hearing about the 7<sup>th</sup> Addition’s Protective Covenants and that Mr. Dolan replied that he had not even looked at the Protective Covenants for several years. McCullough informed the Council that the Protective Covenants was part of the Final Plat documents needed in order to approve the Final Plat. It was the consensus of the Council to table due to the fact that Mr. Dolan was not present to answer any questions. Council member Goodin moved to close the public hearing and reopen the regular meeting, seconded by Council member Barton. A roll call vote was taken: Goodin-aye, Barton-aye, Schutte-aye and Strong-aye. Motion carried. The regular meeting convened at 7:55 p.m. Council member Strong moved to table Towne & Country Manor’s 7<sup>th</sup> Addition Preliminary and Final Plat as there was no representation present, seconded by Council member Schutte. A roll call vote was taken: Strong-aye, Schutte-aye, Goodin-aye and Barton-aye. Motion carried.
- 15. Request to Rezone properties from C-1 General Commercial District and R-3 General Residence District to R-2 Two-Family Residence District ref: MidWestOne Bank and Sawgrass Partners, LLC:** The Planning & Zoning Commission had held a public hearing on September 11, 2017 at the request from MidWestOne Bank and Sawgrass Partners, LLC to rezone property that was located with their proposed Prairie Woods Estates Third Addition from C-1 General Commercial District and R-3 General Residence District to R-2 Two-Family Residence District and after receiving recommendations from the City Attorney, City Engineer and Building Commissioner, unanimously approved the rezoning request and forwarded their recommendations onto the City Council; therefore, the City Council then held a public hearing on September 18, 2017 to discuss and review the request to rezone and after hearing no objections and receiving recommendations from the Commission were in favor of granting the rezoning request; however, questions remained unanswered in regards to this particular property

being located in an Tax Increment Financing area; therefore, the Council tabled the rezoning request until the City Attorney was able to answer their questions and placed on the October 2, 2017 meeting Agenda.

McCullough answered the Council's question in regards to whether the City was obligated to have a certain portion of commercial property within a Tax Increment Financing District by explaining that originally when the Development Agreement was approved the Prairie Woods Estates Subdivision zoned lots 84 and 85 as R-3 General Residence District and zoned lot 86 as C-1 General Commercial District and now Sawgrass Partners, LLC is requesting to rezone lots 84-86 to R-2 Two-Family Residence District; therefore, there are no City obligations. Council member Schutte moved to rezone lots 84-86 inclusive and part of outlots C and D of Prairie Woods Estates Addition from R-3 General Residence District and C-1 General Commercial District to R-2 Two-Family Residence District, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Goodin-aye and Barton-aye. Motion carried.

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

**16. Engineer Report:** Janecek reported the following: review of Grunwald's Mayne Street Property; review of Towne & Country Manor's 7<sup>th</sup> Addition, Preliminary and Final Plats; Review of Prairie Woods Estates 3<sup>rd</sup> Addition, rezone request and Preliminary and Final Plats; Mayne Street Overlay Project; Mayne Street Overlay Project reporting that it was complete and was waiting for the final change order and pay request; Site Plan review of MidWestOne Bank and Ethodd, LLC concrete plant; general work such as attend two Council meetings in reference to the North Mississippi Street Rehabilitation Project; prepared an updated letter with pictures and included an exhibit in reference to Casey's General Stores drainage issues and was waiting for a response; addressed all of the IDOT comments for final plan submittal on the North Mississippi Street Rehabilitation Project; drafted and submitted temporary construction easement legal descriptions to the City Attorney; working on getting approval from the IDNR for the NAN02 feasibility study as NAN02 has not provided all the information needed in order to submit to the IDNR and reported that the North Lift Station Project was complete as Hometown Plumbing & Heating had completed all the grading seeded needed in order for the City to accept the job.

**17. 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 he was gathering data and project figures to further discuss at the City's Committee of the Whole meeting October 4, 2017.

**18. 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 Hometown Plumbing & Heating has completely reseeded as requested and the Council approved the final pay request; therefore, this item was complete. Council requested that the item be removed from the Agenda.

**19. 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.

Janecek had previously reported that McClure Engineering had spoken with the DNR in regards to exploring the City's options on using the NAN02 infusion treatment and that the DNR requested a 2 year study; however, he would only recommend doing a 4 month study during the questionable months of December through April and analysis that data. Discussion was held on the costs the City would incur if they were to use the NAN02 infusion treatment and whether the City wanted to do a feasibility study

testing the product. A Committee of the Whole meeting was tentatively set for October 25, 2017 at 7:00 p.m. with representatives from NAN02 and Mr. Don Balis from McClure Engineering.

- 20. Mayne Street Resurfacing Project:** Janecek reported that the Mayne Street Resurfacing Project was complete and that the City was waiting on a change order and a final pay request from Illowa Investments. Street Committee Chair Schutte added that there was a change order in regards to the added turn lanes and reported that apparently someone had pulled out of the mini-mall and damaged the new overlay; therefore, he recommended that the Illowa Investments try to perform a kettle fill to fill the damage or the City is going to have to groove out a 3-4 foot section to repair. Robertson reported that he had ordered new signs for Mayne Street to accommodate the new striping.
- 21. Easement Agreements ref: North Mississippi Street Rehabilitation Project:** McCullough reported that he completed all 47 Temporary Construction Easement Agreements; therefore, once the Council has held their two public meetings that hopefully the City will be able to obtain all 47 signatures.
- 22. Set Committee of the Whole meeting ref: North Mississippi Street Rehabilitation Project:** A Committee of the Whole meeting was set for October 4, 2017 at 7:00 p.m. to further discuss the North Mississippi Street Rehabilitation Project and discuss whether the City would assess residents for the 20 percent that is not covered by the grant.

Mr. Dan Dolan arrived at 8:20 p.m. at which time he asked that the Council reconsider further discussing the approval of his Towne & Country Manor 7<sup>th</sup> Addition Preliminary and Final Plat.

- 13. Planning & Zoning Commission recommendations ref: Towne & Country Manor 7<sup>th</sup> Addition – Preliminary and Final Plat:** Council member Strong moved to rescind her previous motion to table Towne & Country Manor's 7<sup>th</sup> Addition, seconded by Council member Barton. A roll call vote was taken: Strong-aye, Barton-aye, Schutte-nay and Goodin-aye. Motion carried. Mr. Dolan apologized for his tardiness and reported that his Attorney was out ill and once she was back in the office she would start drafting the Final Plat documents; therefore, once they were complete he would submit to the City. He said that some minor revisions would be made to the covenants; however, he could not recall what the changes were. McCullough stated that if the changes to the covenants were significant, then they would have to be brought back to the City Council for approval. Resident Jim Fries asked Mr. Dolan what type of housing would be built in the 7<sup>th</sup> Addition. Mr. Dolan said that lots 1 and 2 consist of the single-family type attached housing that was built in the 6<sup>th</sup> Addition and lot 3 through 15 would consist of single-family homes. Mr. Fries asked Mr. Dolan what his plan were on the snow plowing and grass cutting on lots 1 and 2. Mr. Dolan said that he would address the long-term snow removal and grass cutting on lots 1 and 2. Street lighting was also discussed. Mr. Dolan said that the lighting would be decorative type and that the placement would be at MidAmerican Energy's discretion. Council member Schutte moved to approve the Preliminary and Final Plat of Towne & Country Manor's 7<sup>th</sup> Addition with the stipulation that the requirements set forth by the Planning and Zoning Commission and the City Attorney be met and a review of the covenants, providing the City receives that information, seconded by Council member Barton. A roll call vote was taken: Schutte-aye, Barton-aye, Strong-aye Goodin-aye. Motion carried.

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

- 23. Public Works Department Report:** The September 2017 report consisted of the following: 24 Iowa-One Call locates; daily sewer checks; mowing of parks, City property and right-of-ways; serviced all the lift stations; cold patched City Streets; Mayne Street complete with the exception of posting the new signs; concrete complete at the Public Safety Building; put dirt around new concrete and seeded; put dirt at West lift station and seeded; minor seeding at the end of Fenceline Drive; put pumps out due to heavy rain; trimmed bushes at the request of the Council on Lotte and Neisse as requested by the Council; ordered new signs; contracted 100 ton of salt for the upcoming winter months; serviced various types of equipment and had the traffic lights turned off at the intersection of Mayne and Mississippi Streets.

Robertson expressed concerns if the Council were to install flashing red lights on the stop signs at the intersection of Mayne and Mississippi Streets as that the red light would continuously flash into the Corner Grill making it a nuisance. Further discussion was held.

**24. Purchase of new truck:** Robertson presented three quotes on purchasing a new 2018 Ford F-350 truck for Public Works and assigning the 2011 Ford F-350 to the Building Commissioner as the Building Commissioner's 1997 truck is in need of major repairs that would exceed its value. He read allowed the following quotes: Ron Alpen \$36,845.00; Courtesy Ford \$36,629.00 and Kriegers \$42,320.00. Discussion was held. The Clerk reported that \$10,000.00 could come from the Road Use Fund with the remaining monies being taken from the Local Option Sales Tax Fund. Council member Strong expressed concerns on the City continuously using monies from the Local Option Sales Tax Fund. Council member Schutte recommended that the Road Use Fund payback the Local Option Sales Tax Fund in the next three years as the City has in the past done payback agreements from one fund to another fund. Comparisons to purchasing a used truck verses a new truck were reviewed; however, based on the fact that the City receives State bids there is very little cost difference to purchasing new. Mayor Brandenburg said that the new truck would also have a plow mount so that in the case another truck was needed this truck could be used to plow snow. Council member Goodin asked that the City start putting funds aside in the future for such purchases. The Clerk reported that the City does currently put monies aside for future purchases. Council asked Mr. Robertson if he had any preferences. Robertson said that the last three purchases have been through Ron Alpen and that they have always met the City's expectations and that their employees patronize Blue Grass. Council member Schutte moved to approve Ron Alpen's quote for the purchase of a 2018 Ford F-350 truck in the amount of \$36,845.00 with \$10,000.00 from the Road Use Fund and \$26,845.00 from the Local Option Sales Tax Fund with the agreement that the Clerk draft a 3-year payback Resolution stipulating that the Road Use Fund will pay back the Local Option Sales Tax Fund, seconded by Council member Goodin. A roll call vote was taken: Schutte-aye, Goodin-aye, Strong-aye and Barton-aye. Motion carried.

**25. NAN02, LLC – Set Committee of the Whole meeting:** Robertson expressed the need to set a Committee of the Whole meeting so that McClure Engineering can submit their data to the Iowa Department of Natural Resources so that the City can request an extension. A tentative date of October 25, 2017 at 7:00 p.m. was set to meet with NAN02 representatives and McClure Engineering.

**26. Request to replace fence ref: Fridley Park (Dennis Gruenhagen):** Resident Dennis Gruenhagen reported that the City's fence at Fridley Park was in need of replacing as his livestock was continuously getting out; therefore, he presented a quote from George Moeller, Jr. in the amount of \$2,650.00 to replace the woven wire, replace the broken posts and replace all the brackets. Mr. Gruenhagen agreed to split the costs with the City. Council member Schutte moved to accept Mr. George Moeller, Jr.'s quote in the amount of \$2,650.00 with the stipulation that Mr. Gruenhagen split the costs, seconded by Council member Barton. A roll call vote was taken: Schutte-aye, Barton-aye, Goodin-aye and Strong-aye. Motion carried. The Clerk requested that proof of insurance be submitted to the City prior to the start of the job. Mr. Gruenhagen agreed.

**27. Street Signs:** Previously discussed under Item #23.

#### **STREETS:**

**28. Drainage Issues ref: West Scott:** Robertson reported that the storm drain issue was resolved reporting that after the large rainfall the flow ran directly into the storm drain; therefore, Mr. Schmell was satisfied. Resident Jim Fries thanked the Public Works Department for putting up the stop signs on Seine Street.

#### **EMPLOYEE RELATION COMMITTEE:**

**29. Employee Relation Committee Meeting 8/29/17 "Topic of Discussion":** (Previously removed from the Agenda)

**30. Discussion ref: Appointing/Hiring of Police Chief:** (Previously removed from the Agenda)

**31. Job Advertisement for Police Chief:** (Previously removed from the Agenda)

**ORDINANCE(S):**

**32. Second reading of Ordinance Amendment 2017-05 ref: Chapter 8.14 Refuse Disposal:**

McCullough reported that he had not yet revised the Amendment to include Sergeant Jahns recommendations in regards to enforcement of the proposed changes. Council member Schutte moved to table the second reading of Ordinance Amendment 2017-05 and place on the October 16, 2017 meeting Agenda, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Goodin-aye and Barton-aye. Motion carried.

**33. DRAFT – Ordinance Amendment 2017-06 ref: Chapter 10.40.020 Speed Limits ref: North Mississippi Street:** (Previously removed from the Agenda)

**34. First Reading (waiving of the third reading) of Ordinance Amendment 2017-07 ref: Chapter 9.24 Curfew:** Council member Strong expressed concerns on way that the Park hours were implemented into the Curfew Ordinance as she felt that the rewording of Section 9.24.030 both A and B were not precise. Council member Schutte agreed as he, too, felt that the rewording was very confusing; therefore, he recommended that both paragraphs be written as one and change the age of a minor to age “18” and take out for the first “except for City Parks, or place” and leave the last revision the same “It is unlawful for any minor to be or remain upon any City Parks between sunset and sunrise the following morning”. Council member Goodin questioned whether a minor could be accompanied by an adult if the Park was rented. The Clerk reported that she had received a copy of both the City of Walcott and the City of Buffalo’s Park Ordinance which regulates park rules, hours, etc. commenting that the City does not have an Ordinance pertaining to regulations of City Parks. A rather lengthy discussion was held. It was the consensus of the Council to review other City’s Ordinances pertaining to City Parks and table the Amendment and discuss its entirety before Amending. Council member Schutte moved to table Ordinance Amendment 2017-07 until either the Ordinance Committee or City Council has reviewed and revised, seconded by Council member Barton. A roll call vote was taken: Schutte-aye, Barton-aye, Goodin-aye and Strong-aye. Motion carried.

(ITEM #35 was moved to be discussed directly under Item #9)

**ECONOMIC DEVELOPMENT:**

**36. Update on future economic development:** Economic Development Chair Smith had previously requested that this item remain on the Agenda so that she can be updated on any future economic development.

The Clerk reported that the City received a revised set of plans for the Prairie Woods Estates 3<sup>rd</sup> Addition that day and once she has received letters of recommendation from the City Attorney and the City Engineer, she would schedule a Planning & Zoning Commission meeting.

**POLICY & ADMINISTRATION:**

**37. Status of putting codebook on website:** The Clerk reported that the Codebook was now online thanks to Mr. Lane LeBahn from Advanced Business Systems and James Schmedding from the Bi-State Regional Commission for their assistance. Council requested that the Item be removed from the Agenda.

**38. Status of Office Space for Lease:** (Previously removed from the Agenda)

**39. Turn Office Space into historical showing for past, present, future Blue Grass:** (Previously removed from the Agenda)

**40. What if the 5-Year Plan:** (Previously removed from the Agenda)

**COMMENTS AND FUTURE AGENDA ITEMS:** Mayor Brandenburg reminded the Council of the upcoming October 4, 2017 Committee of the Whole meeting at 7:00 p.m. to discuss and review the North Mississippi Street Rehabilitation Project at its entirety.

Resident Mark Wakefield reminded the Council to review the Golf Cart Ordinance.

The Clerk reported that she would be attending the Iowa Municipal Finance Officers meeting in Des Moines for training October 18 through the October 20, 2017.

**ADJOURNMENT:** Council member Schutte made a motion to adjourn, seconded by Council member Barton. A roll call vote was taken: Schutte-aye, Barton-aye, Goodin-aye and Strong-aye. Motion carried. The meeting adjourned at 9:02 p.m.

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Mayor, Timothy Brandenburg

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

**CLAIMS REPORT**

|                                 |                        |                  |
|---------------------------------|------------------------|------------------|
| AHERN FIRE PROTECTION           | BLDG & GROUNDS MAINT   | 260.00           |
| AT&T                            | TELEPHONE/FAX          | 99.88            |
| BI-STATE REGIONAL COMM.         | PROF FEES              | 275.50           |
| BP                              | VEHICLE OPER           | 686.81           |
| CENTRAL STATES H & W FUND       | HEALTH INSURANCE       | 10,707.50        |
| CENTURYLINK                     | TELEPHONE/FAX          | 395.86           |
| DOWNING, ROBERT                 | TELEPHONE REIMB.       | 15.00            |
| GENERAL ASPHALT CONSTRUCTION    | COLD MIX               | 23.00            |
| GENESIS OCCUPATIONAL HEALTH     | MEDICAL                | 50.00            |
| HARBECK, PAUL                   | BLDG & GROUNDS MAINT   | 48.00            |
| HENNING, KEVIN                  | TELEPHONE REIMB.       | 15.00            |
| IA MUNICIPAL FINANCE OFFICERS   | TRAINING/TRAVEL/SAFETY | 125.00           |
| IOWA ONE CALL                   | PROF FEES              | 41.50            |
| MCCLURE ENGINEERING             | ENGINEERING            | 12,319.75        |
| MCCULLOUGH, WILLIAM             | LEGAL SERVICES         | 2,677.50         |
| MENARDS - MUSCATINE             | BLDG & GROUNDS MAINT   | 51.90            |
| MIDAMERICAN ENERGY              | UTILITIES              | 4,099.57         |
| PS3 ENTERPRISES INC.            | BLDG & GROUNDS MAINT   | 411.00           |
| QC ANALYTICAL SERVICES          | TESTING                | 2,428.70         |
| RACOM CORPORATION               | EQUIPMENT OPER         | 357.00           |
| ROBERTSON, LONNIE               | TELEPHONE REIMB.       | 25.00            |
| SCHMIDT, ANN                    | TELEPHONE REIMB.       | 25.00            |
| TALL GRASS BUSINESS             | OFFICE OPER            | 134.43           |
| VERIZON WIRELESS                | TELEPHONE/FAX/INTERNET | 323.27           |
| VISU-SEWER                      | SANITARY SEWER         | 30,853.75        |
| <b>***** REPORT TOTAL *****</b> |                        | <b>66,449.92</b> |

**FUND TOTALS**

|                              |                  |
|------------------------------|------------------|
| GENERAL FUND                 | 15,158.55        |
| RESERVES: STREET IMPROV FUND | 4,531.50         |
| EMPLOYEE BENEFITS FUND       | 9,175.00         |
| TAX INCREMENT FINANCING      | 45.00            |
| WATER FUND                   | 22.50            |
| SEWER FUND                   | 37,517.37        |
| <b>FUND TOTALS:</b>          | <b>66,449.92</b> |