

# COMMITTEE OF THE WHOLE SESSION OF THE BLUE GRASS CITY COUNCIL

BLUE GRASS, IOWA

OCTOBER 4, 2017

The Blue Grass City Council met in special session, as a Committee of the Whole at 7:00 p.m. on the 4<sup>th</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. A pledge of allegiance and a moment of reflection were recognized. The following Council members present: Chuck Barton, Lisa Smith, Bonnie Strong, James Goodin and Brad Schutte. City Attorney William McCullough and City Engineer Mike Janecek were also in attendance.

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

Mayor Brandenburg commented to the audience that the topics to be discussed at this meeting were intended for discussion only and that no action would be taken as this meeting was a Committee of the Whole session only.

The Mayor presented the topics to be open for discussion and opened the meeting.

**North Mississippi Street Rehabilitation Project/Sidewalk Assessments:** Mayor Brandenburg reported that he, along with the City Attorney, City Engineer, Public Works Director and the City Clerk had had a telephone conference with Kent Ellis, Local Systems Engineer with the Iowa Department of Transportation (IDOT) in regards to the City’s timeline associated with the January 17, 2018 assigned bid letting date. He said that Mr. Ellis stressed the importance of the City obtaining all 47 signatures on the Temporary Construction Easement Agreements by October 25, 2017 or the IDOT will push back the bid letting date. Janecek reported that the Attorney had completed all 47 Temporary Construction Easement Agreements and that once the City has obtained all the signatures they will then be submitted to the IDOT. He further explained the reason why it was imperative for residents to sign the Temporary Construction Easement Agreements as the Easement Agreements allow the contractor temporary access onto their property; however, the intent is to stay within the right-of-way (R.O.W.). He said that if the City is not able to obtain all 47 signatures then the City will need to start the condemnation process and according to Mr. Ellis, as long as there is a court date set on condemnation, the project will continue without delay. Janecek added that within the scope of the project, once construction is complete, the contractor will seed, repair and/or replace any landscaping that was damaged and/or removed as the intent is to restore the property back to its original condition prior to construction. He continued to report the following pertinent information regarding the project: estimated project costs \$1,169,338.23; sanitary sewer project costs \$590,504.00; sidewalk construction project \$151,924.80 with total estimated costs at \$1,916,174.03; project timeline was reviewed with the project starting at the intersection of Mayne and Mississippi and move North; several documents were reviewed such as the temporary R.O.W. proceedings; traffic control and staging; geometrics, staking and jointing; storm sewer profiles along with sanitary sewer construction; pavement markings and traffic signaling; sidewalk layout and construction as in order to be in compliance with American with Disabilities Act (ADA) all sidewalks were to be constructed at 5 foot and all new ADA ramps were required; proposed detours and curb cuts were also reviewed. Janecek said that Iowa American Water Company (IAWC) is planning on hiring their own contractor to install new pipes and make infrastructure improvements. The

Clerk suggested that representatives from both IAWC and MidAmerican Energy also be present during the City's informational meetings so that any questions pertaining to those two utilities could be answered. Discussion was held in reference to the Regional 9 Federal Transportation Alternatives Program (TAP) grant that was awarded to the City as it only covers 80 percent of the project costs with the City matching 20 percent as it was up to the Council whether they would assess residents 20 percent of the project costs or not. Janecek reported that the 20 percent total was estimated at approximately \$30,384.96 expressing concerns that if the City were to assess the residents 20 percent of their share of the sidewalk costs, that that would only delay the project even further. He recommended that the City not assess residents as the City would incur more than the 20 percent in legal and engineering fees and costs to do individual appraisals. Mayor Brandenburg reminded the Council that they required residents residing on Mayne Street to pay for 100 percent of their sidewalk when they created the Mayne Street Sidewalk Replacement Project as he felt that the Council would be hypocritical if they were not to assess residents their 20 percent. Council reviewed the most recent Engineer's Opinion of Probable Construction Cost by resident as each resident was estimated at approximately \$500.00. Council member Smith said that when Mr. Ellis had first telephoned her, she recalled him saying that if the IDOT knew that the City was going to assess the residents the City's 20 percent match, that the City would not have been awarded the grant. McCullough asked that the Council consider the timeline of the project when deciding whether to assess residents or not as it was his opinion that residents would be more willing to sign the Temporary Construction Easement Agreement if there was no assessment; however, if the City does decide to assess residents and a resident refuses to sign the Temporary Construction Easement Agreement, then the City would have to begin the condemnation process which would again only delay the project even farther. Council members Schutte and Strong reported that they would have to abstain as the project includes their property. Council member Barton said that it was his recommendation to move forward and not assess residents the 20 percent. Council member Smith agreed to move forward and waive the 20 percent assessment. Council member Goodin said that he was on the Council when the City first applied for funding as the City did not have the money to complete the project; therefore, in order to keep moving forward he would agree to waive the 20 percent also. McCullough said that since the meeting was a Committee of the Whole, Council could not make an official motion; therefore, it was decided that the informational meeting be a Special Council meeting so that the Council could make an official motion. The Clerk expressed concerns on mail delivery, garbage/recycling pickup, etc. Janecek said that those types of discussions will be held in the preconstruction meeting with the contractor at which time will be prearranged. Council requested that letters be sent to all residents that will be impacted by this project inviting them to attend either a Special Meeting of the City Council on October 12, 2017 at 6:30 p.m. or a Committee of the Whole meeting on October 17, 2017 at 6:30 p.m. with both meetings being held at the Public Safety Building and that representatives from both IAWC and MidAmerican Energy attend also to answer any questions residents may have.

**Other Business:** Mayor Brandenburg reminded the Council of the October 25, 2017 Committee of the Whole meeting with NAN02 representatives.

Council member Strong asked what the status was on the Fireworks Ordinance. It was the consensus of the Council to draft an Ordinance to mimic the City of Davenport. McCullough agreed to draft for the Council to review.

Mayor Timothy Brandenburg asked for further comments and/or discussion, since there were no other comments, the Mayor adjourned the meeting. The meeting adjourned at 8:22 p.m.

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