

**THE REGULAR MEETING  
OF THE BLUE GRASS CITY COUNCIL  
BLUE GRASS, IOWA                      NOVEMBER 20, 2017**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 20<sup>th</sup> day of November 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: Brad Schutte, James Goodin, Bonnie Strong and Lisa Smith. Absent was Council member Chuck Barton. City Attorney William McCullough was also in attendance.

**APPROVAL OF AGENDA:** Council member Goodin moved to approve the Agenda as presented, seconded by Council member Strong. A roll call vote was taken: Goodin-aye, Strong-aye, Smith-aye and Schutte-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 November 6, 2017 Council meeting**
- 2. Motion to adopt Resolution 2017-55 ref: authorizing a transfer from the Tax Increment Financing Low-to-Moderate Income Reserve to the Local Option Sales Tax Fund**
- 3. Motion to adopt Resolution 2017-56 ref: authorizing a payment in reference to the Public Safety Building’s \$2,390,696.45 General Obligation Public Safety Facility Project Note with the Blue Grass Savings Bank**
- 4. Payment of claims**

Council member Strong asked for further clarification on a claim that was approved at the November 6, 2017 meeting and made corrections to the November 6, 2017 meeting minutes. Council member Smith expressed concerns on an inquiry that resident Larry Guy had had at the last meeting not being in the meeting minutes. She also inquired about Items #24 and #25 being listed under the “Sewer Committee” as the Sewer Committee had never met to discuss those items. It was the consensus of the Council to leave “Committee” off of the topic of an item if the Committee had not met. Council member Goodin moved to adopt the Consent Agenda with the corrections to the November 6, 2017 meeting minutes, seconded by Council member Strong. A roll call vote was taken: Goodin-aye, Strong-aye, Smith-nay and Schutte-nay. Motion denied due to a lack of a majority vote. After a brief discussion in regards to approving the Consent Agenda, it was the consensus of the Council to approve them individually: Item #1: Council member Schutte moved to approve the November 6, 2017 Council meeting with the added corrections, seconded by Council member Goodin. A roll call vote was taken: Schutte-aye, Goodin-aye, Smith-nay and Strong-aye. Motion carried. Item #2: Council member Smith moved to adopt Resolution 2017-55, seconded by Council member Goodin. A roll call vote was taken: Smith-aye, Goodin-aye, Schutte-aye and Strong-aye. Motion carried. Item #3: Council member Schutte moved to adopt Resolution 2017-56, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Smith-aye and Goodin-aye. Motion carried.

Item #4: Council member Smith moved to approve the payment of claims, seconded by Council member Strong. A roll call vote was taken: Smith-aye, Strong-aye, Schutte-nay and Goodin-aye. Motion carried.

**POLICY & ADMINISTRATION:**

- 5. Council meetings and Published minutes:** Council member Smith reported that she had requested this item to be placed on the Agenda as she feels that the Council has lost track of what Council meetings are

as they are a municipal body having legislative and administration powers such as passing Ordinances, etc. She expressed concerns on the published minutes being so lengthy giving several examples of which she feels could have been eliminated and various discussions that are held at Council meetings that could have been emailed to the Council rather than being discussed at a Council meeting. McCullough agreed as he, too feels that the published minutes are quite lengthy; however, he has had this discussion several times with this Council as well as previous Councils as this puts the Clerk in a tough position deciding what gets published and what does not. He said that the State only requires that the Clerk publish the topic of discussion, the vote and the decision and recommended that the Clerk continue to type the unpublished minutes containing an accurate transcript of the meeting elaborating more on the discussions held and make available to the public on the City's website and if the Council has a certain topic of discussion that they wish to have published, they can choose to do so. Council member Schutte suggested that the Attorney draft a template for the Council to review and vote on. Council member Goodin expressed his concerns on several members of this body chastise and get on the Clerk's case about something that either is or is not in the minutes and this is why the Council is at this point and that he was not happy that this was even being brought up. Further discussion was held. It was the consensus of the Council to come up with some rules and establish a template to assist the Clerk on typing her minutes.

#### **SEALED BID(S):**

- 6. Bid Opening ref: 1997 Chevy Service Truck:** Mayor Brandenburg opened and read aloud the following sealed bids: Jack Stoffers \$1,005.00; Jake West \$900.00; Jim Meyrer \$765.43 and A.J. Kapell \$1,505.00.
- 7. Acceptance of bid and authorizing the sale of the 1997 Chevy Service Truck:** Council member Schutte moved to accept A.J. Kapell's bid for \$1,505.00 for the purchase of the City's 1997 Chevy Service Truck "as is", seconded by Council member Goodin. A roll call vote was taken: Schutte-aye, Goodin-aye, Smith-nay and Strong-aye. Motion carried.

**PARK BOARD:** Park Board Chair Mike Hermann gave the Park Board report as follows:

- 8. Park Board Report:** Chair Hermann referred to the November 1, 2017 meeting minutes reporting that the Board was preparing for their upcoming Christmas Tree Lighting Ceremony scheduled for December 4, 2017 with festivities to start at 4:30 p.m.; reported that donation "Thank You" letters were sent out to all that donated to the Pumpkin Dash and that their December 2017 meeting will be a review of the year and in January 2018, the Board will begin planning new events for the 2018 year.

**POLICE DEPARTMENT:** Police Officer Bob Guinn gave the Police Department report as follows:

- 9. Police Department Report:** The October 2017 Report consisted of the following: 76 traffic contacts with 43 warnings and 31 citations written; Blue Grass Officers responded to a total of 188 calls for service during the month and 8 arrests.

#### **LICENSING & RENEWAL(S):**

- 10. Jeff's Market ref: Liquor License Renewal:** The Clerk reported that the Alcoholic Beverage Division had submitted Jeff's Market liquor license to the City for local jurisdiction approval and reported that Sergeant Jahns had no issues with the license renewal. Council member Schutte moved to approve Jeff's Market liquor license renewal, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Strong-aye and Goodin-aye. Motion carried.

#### **NUISANCE ABATEMENT(S):**

- 11. Nuisance Abatement(s):** Mayor Brandenburg reported that the owners of Rich Metals were complaining about the noise being generated from the car wash; therefore, they are in the process of surveying their property lines. Council member Schutte referred to the "Concerned Citizens Log Book" reporting no new logs. Council member Strong expressed safety concerns on the parking of delivery trucks, trailers, etc. that continuously park in the turn lane on North Mississippi Street in front of Jeff's

Market as it creates a safety issue and that she feels that either a “no parking” sign needs to be placed or they should be ticketed. She then reported that the parking issue on North Genessee Street and Harrison Street has not yet been resolved even after Sergeant Jahns had asked that they refrain from parking in that particular area. Further discussion was held.

**ORDINANCE(S):**

- 12. Third reading/Adoption of Ordinance Amendment 2017-05 ref: Chapter 8.14 Refuse Disposal:** Council member Schutte introduced a synopsis of the third reading of Ordinance Amendment 2017-05 commenting that the Amendment was on file at City Hall for review. Council member Schutte moved to accept the third reading of Ordinance Amendment 2017-05, seconded by Council member Goodin. A roll call vote was taken: Schutte-aye, Goodin-aye, Strong-aye and Smith-aye. Motion carried. Council member Schutte moved to adopt the Ordinance Amendment 2017-05, seconded by Council member Goodin. A roll call vote was taken: Schutte-aye, Goodin-aye, Smith-aye and Strong-aye. Motion carried.
- 13. Third Reading/Adoption of Ordinance Amendment 2017-08 ref: an Amendment to the existing zoning map:** Council member Schutte introduced a synopsis of the third reading of Ordinance Amendment 2017-08 commenting that the Amendment was on file at City Hall for review. Council member Schutte moved to accept the third reading of Ordinance Amendment 2017-08, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Smith-aye and Goodin-aye. Motion carried. Council member Schutte moved to adopt Ordinance Amendment 2017-08, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Smith-aye and Goodin-aye. Motion carried.
- 14. DRAFT: Ordinance Amendment 2018-01 ref: An Ordinance adding Chapter 9.40 Fireworks to allow for the legal use of consumer grade fireworks on specified dates and time:** McCullough reported that the draft was identical to the City of Davenport and Scott County which consists of consumer fireworks and time limits. The Clerk reported that the Fire Chief had approved the draft as written; however, recommended that in the future regulate the sale of fireworks and issuance of permits. Discussion was held on the enforcement of the new Ordinance. It was the consensus of the Council to reduce the simple misdemeanor fees defined in Section 9.40.040 Penalty and Enforcement and that the first reading be on the December 4, 2017 meeting Agenda and that the second reading, waiving of the third reading be placed on the December 18, 2017 meeting Agenda.
- 15. Resolution 2017-51 ref: removing certain Tax Increment Rebate Properties from the City and County rolls as agreed upon in the November 19, 2001 Development Agreement between the City of Blue Grass and Towne & Country Manor Development Corp.:** The Clerk reported that a portion of Towne & Country Manor’s properties identified as A-5 consisting of eighteen properties has reached its 10-year limit; therefore, the Resolution is authorizing the City Clerk to notify the Scott County Auditor to remove the designated properties from the City’s Tax Increment Financing records. Council member Goodin introduced Resolution 2017-51. Council member Goodin moved to adopt Resolution 2017-51, seconded by Council member Schutte. A roll call vote was taken: Goodin-aye, Schutte-aye, Strong-aye and Smith-aye. Motion carried.
- 16. Resolution 2017-52 ref: authorizing the City Clerk to certify the City’s Debt Certificate for Fiscal 2019 pursuant to Chapter 403 of the Code of Iowa:** Council member Schutte introduced Resolution 2017-52. Council member Schutte moved to adopt Resolution 2017-52, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Goodin-aye and Smith-aye. Motion carried.
- 17. Resolution 2017-53 ref: approving the FY 2017 Annual Urban Renewal Report and its submission to the Iowa Department of Management:** Council member Goodin introduced Resolution 2017-53. Council member Goodin moved to adopt Resolution 2017-53 as presented, seconded by Council

member Schutte. A roll call vote was taken: Goodin-aye, Schutte-aye, Strong-aye and Smith-aye. Motion carried. McCullough gave a brief synopsis of the FY 2017 Annual Urban Renewal Report.

- 18. Resolution 2017-54 ref: acceptance and approval of the Annual Financial Report for the City of Blue Grass for the year ending June 30, 2017:** The Clerk reported that December 1<sup>st</sup> of each year the City is required to publish the Annual Financial Report containing a summary of the City's revenues, expenditures and any and all public debt for the fiscal year ending June 30, 2017 according to Section 362.3 of the Code of Iowa. She reported the following: revenues totaling \$6,049,249.00 and expenditures totaling \$4,171,970.00 with a June 30, 2017 ending balance of \$4,677,510.00. She reported that the City's indebtedness as of June 30, 2017 as follows: General Obligation Debt totaling \$1,995,523.00 and Short-Term Debt totaling \$293,469.00. Council member Schutte introduced a synopsis of Resolution 2017-54 commenting that the Resolution was on file at City Hall for review. Council member Schutte moved to adopt Resolution 2017-54 approving the 2017 Annual Financial Report for the fiscal year ending June 30, 2017 as presented, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Smith-aye and Goodin-aye. Motion carried.
- 19. Resolution 2017-57 ref: authorizing the "imposition of a Local Option Sales and Services Tax" on the Official Public Measure Ballot for the March 6, 2018 Special Election in Muscatine County:** Council member Goodin introduced Resolution 2017-57. Corrections were made. Council member Goodin moved to adopt Resolution 2017-57 as corrected, seconded by Council member Schutte. A roll call vote was taken: Goodin-aye, Schutte-aye, Strong-aye and Smith-aye. Motion carried.

#### **ECONOMIC DEVELOPMENT:**

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

McCullough reported that the City was in the process of preparing a Development Agreement for the Prairie Woods Estates 3<sup>rd</sup> Addition subdivision.

#### **POLICY & ADMINISTRATION:** City Clerk/Financial Officer Ann Schmidt reported the following:

- 21. Clerk's Report:** The October 2017 report consisted of the following: 113 accounts were assessed a \$5.00 late fee penalty; 6 delinquent letters were sent out totaling \$877.36 that were due October 31, 2017 reporting that all were paid within the time prescribed reminding the Council that during the winter months starting November 1 through April 30 there will be no shut offs; however, delinquent accounts would be assessed a \$25.00 delinquent fee if not paid by the due date; billing period of 09/24/17 to 10/23/17 billed a total of \$28,762.45 and a total of \$6,515.10 in the arrears; 706 bills produced; 180 ACH residents enrolled; reviewed the list of outstanding Street Assessments, Sidewalk Assessments, Snow Removal Liens; Utility Liens and meeting fee reimbursement liens; attended several training workshops: Iowa Municipal Finance Officers semi-annual meeting; Dorsey & Whitney class on Tax Increment Financing and the Iowa League of Cities 2017 Budget Workshop; telephone conference with the City's Bonding Attorney and City Attorney in regards to drafting a Development Agreement with Bob Martin and Tom Bracey and other various Tax Increment related issues; prepared the City's Annual Financial report for the fiscal year ending June 30, 2017; prepared the City's Annual Tax Increment Financing Indebtedness Report for fiscal year 2019 that is due December 1<sup>st</sup>; assisted in gathering correspondence in regards to the litigation case against Mediacom; reported that Iowa American Water Company (IAWC) during the month of October was still requesting daily reads reporting that on October 31, 2017 IAWC was able to transfer the Galaxy Read System over to their system; prepared a public hearing with the Planning & Zoning Commission for October 23, 2017 and the City Council on November 6, 2017 in regards to the revised Preliminary and Final Plat of the proposed Prairie Woods Estates 3<sup>rd</sup> Addition; prepared Resolution 2017-51, 2017-52, 2017-53, 2017-54, 2017-55 and 2017-56; formatted the draft Fireworks Ordinance that was prepared by the City Attorney; working in conjunction with the Muscatine County Auditor in regards to implementing a Local Option Sales and Services Tax on Muscatine County's March 6, 2018 Special Election ballot and prepared a Resolution for Council

approval; worked in conjunction with Sergeant Jahns on submitting a grant through America Walks to purchase two pedestrian cross walk signs for the Crossing Guards; prepared a thank you letter to Warehouse Rentals on the request of the Council; prepared and posted the public bid notice for the 1997 Chevy Service Truck; prepared public notice for the hiring of Part-Time Police Officers and advertised on the Iowa Workforce Development's website; assisted the City Attorney in obtaining all the required signatures on the Temporary Construction Easement Agreements and drafted a Resolution approving the City's ADA Pedestrian Transition Plan that was drafted by McClure Engineering; in the process of completing the All Town Sign Grant with the data submitted by the Public Works Director; assisting the new Building Commissioner and was unable to complete the July Utility Billing reconciliation reports.

**22. Status of Office Space for Lease:** Mayor Brandenburg reported that he had previously received some positive information from the interested party in leasing the City Hall complex and would have something definite by the end of the month. Council agreed to give the prospective business until the end of the year. Council member Smith said it was her opinion that the City should try to utilize the space.

**COMMENTS AND FUTURE AGENDA ITEMS:** Council member Schutte expressed his concerns on the certified letter the City received from Mediacom notifying the City that Mediacom has filed a renewal with the Iowa Utilities Board to continue to serve the City of Blue Grass. He asked that the City Attorney draft a letter to the Iowa Utilities Board informing them of Mediacom violating their current Franchise Agreement with the City.

Council member Schutte referred to a letter the City received from the Scott County Regional Authority informing the Police Department that their Technology Enhancement Grant was included in the final recommendations and that the grant recipient's awards would be announced at a news conference on November 21, 2017 at 1:00 p.m. Council requested that Officer Guinn attend this news conference to accept the award.

Resident Mark Wakefield inquired about the status of Mediacom's litigation. McCullough reported that litigation was still ongoing and that together he and Hopkins & Huebner were currently finishing up discovery which should be done in a month or so and that once there is an update, he would have Hopkins & Huebner attend a meeting to brief the Council.

Employee Relation Committee Chair Goodin tentatively set a meeting for November 28, 2017 at 9:00 a.m. for an employee evaluation requesting that the Mayor elect attend. Council member Smith asked if the Committee ever received the employee's list of duties that they had previously requested. Chair Goodin said that that would also be discussed at their meeting. Further discussion was held.

Council members Smith and Strong requested that both the parking concerns/safety issues at Harrison Street and Genessee Street and parking concerns/safety issues at Jeff's Market be placed on the next meeting Agenda.

**ADJOURNMENT:** Council member Smith made a motion to adjourn, seconded by Council member Schutte. A roll call vote was taken: Smith-aye, Schutte-aye, Goodin-aye and Strong-aye. Motion carried. The meeting adjourned at 8:34 p.m.

---

Mayor, Timothy Brandenburg

---

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

**CLAIMS REPORT**

BLUE GRASS SAVINGS	GO BOND/DUMP TRUCK PAYMENTS	89,475.00
CASEY'S GENERAL STORES	VEHICLE OPER	596.57
EASTERN IA LIGHT & POWER	UTILITIES	1,396.06
ECONO SIGNS	STREET SIGNS	888.30
GENESIS HEALTH GROUP	MEDICAL	27.00
GRAINGER	BLDG & GROUNDS MAINT	58.15
GUINN, BOB	OPER SUPPLIES	9.58
IOWA ONE CALL	PROFESSIONAL FEES	23.50
MEDIACOM	INTERNET	431.29
MIDAMERICAN ENERGY	UTILITIES	3,807.97
MIDWEST RADAR	EQUIP OPERATIONS	120.00
NAPA AUTO PARTS	EQUIP OPERATIONS	616.67
PANTHER UNIFORMS	UNIFORM ALLOW	95.20
REPUBLIC SERVICES	GARBAGE/RECYCLING	7,956.85
SCHMIDT, ANN	TRAINING	44.94
SCOTT COUNTY SHERIFF	JAIL EXPENSE	112.50
UNITYPOINT HEALTH	MEDICAL	79.00
WATCHGUARD VIDEO	EQUIPMENT OPER	5,830.00
<b>***** REPORT TOTAL *****</b>		<b>111,568.58</b>

**FUND TOTALS**

GENERAL FUND	12,183.59
RESERVES: MAINT VEHICLE	2,000.00
ROAD USE FUND	2,157.82
DEBT SERVICE FUND	85,475.00
SEWER FUND	1,795.32
SANITATION FUND	7,956.85
<b>FUND TOTALS:</b>	<b>111,568.58</b>