

**THE REGULAR MEETING  
OF THE BLUE GRASS CITY COUNCIL  
BLUE GRASS, IOWA                      APRIL 16, 2018**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 16<sup>th</sup> day of April 2018, in the City Council Chambers of City Hall, 114 N. Mississippi Street, pursuant to law, with Mayor Larry Guy presiding, with the Pledge of Allegiance and a moment of reflection. The following Council members were present: Brad Schutte, Lisa Smith, Bonnie Strong, Emilyne Slagle and Donna Kinzer. City Engineer Mike Janecek was also in attendance.

**APPROVAL OF AGENDA:** Council member Smith moved to approve the agenda as presented, seconded by Council member Strong. A roll call vote was taken: Smith-aye, Strong-aye, Kinzer-aye, Schutte-aye and Slagle-aye. Motion carried.

**MAYORAL COMMENTS:** Mayor Guy announced the following: “We would like to welcome all of you to your Blue Grass City Council meeting. We hope the meeting will be informative and beneficial. We do ask that you silence your cell phones and/or pagers. We want to hear from you but we ask that you wait to be recognized. Please state your name and address and make your comments brief. In an effort to keep the meeting on task, please limit your comments or concerns to several minutes. Please allow the person speaking to finish uninterrupted. Thank you”.

**PUBLIC FORUM:** MidAmerican Energy liaison Doug Haiston presented the City with a \$1,000.00 check that was part of MidAmerican Energy’s Trees Please Program grant that was awarded to the Blue Grass Park Board. He also informed the Council that MidAmerican Energy had contracted with a Contractor to either take out or trim trees along the North Mississippi Street corridor while replacing poles that did not include stump removal; however, after much discussion, MidAmerican Energy took the initiative and renegotiated the Contract to remove all stumps at no charge to the residents. Mayor and Council thanked Mr. Haiston for his perseverance on getting this issue resolved. Council member Strong requested that a letter be sent to thank MidAmerican Energy. Mr. Haiston also informed the Council of another tree program called “plant some shade” that allows both residents and businesses to order two trees from a selected few. Robertson informed the Council that Langman Construction had to trim back some trees and/or bushes that were planted in the right-of-way easements that made some residents very unhappy; therefore, he agreed to assist if a resident wanted the trees and/or bushes trimmed even more or taken out. Mr. Haiston reported that he and his wife were one of the residents that had their bushes trimmed but after Mr. Robertson explained the reasoning, they know now why they were trimmed back so far and have no complaints.

**CONSENT AGENDA:** Council member Strong made a motion to approve the consent agenda as presented, seconded by Council member Smith:

- 1. Motion to approve the minutes of the April 2, 2018 City Council meeting**
- 2. Motion to adopt Resolution 2018-16 ref: authorizing payment and closing out the Public Safety Building Reserve**
- 3. Payment of claims**

A roll call was taken: Strong-aye, Smith-aye, Slagle-aye, Kinzer-aye and Schutte-nay. Motion carried.

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

- 4. Park Board Report:** Chair Hermann referred to the April 5, 2018 meeting minutes reporting that the Board had submitted a grant to construct a shelter at Laurretta Park; Board was in the process of considering purchasing pine trees to plant at Laurretta Park for their \$1,000.00 MidAmerican Energy Trees Please Grant; reported that all 33 spots for the YMCA summer youth program were filled; planned date for the Pumpkin Dash was set for October 20, 2018 pending City Council approval.

**POLICE DEPARTMENT:** Chief Jahns reported the following:

- 5. Police Department Report:** The March 2018 Police Department Report consisted of the following: 111 traffic contacts with 80 warnings and 44 citations written; Blue Grass Officers responded to a total of 244 incident calls for service during the month and 1 arrest. Chief Jahns reported that Officers Adams and Weingart were sworn in during the month of February reporting that both Officers had completed their field training and that both Officers are on their own and operating as solo Officers; reported that both Officer Blackburn and himself are expecting a child very soon; reported that Officer Blackburn has requested to be scheduled limitedly due to demands of his personal life; Officer Sullivan and Officer Roberts had attended a drug interdiction training on what indicators to look for during a traffic stop that would lead them to illegal drugs being hidden in a vehicle; Officers attended a training on blood borne pathogens on March 13, 2018 as the training is required every 3 years to maintain their certification and reported that a training was set in June for mental health which is also a required training adding that this training has been opened up to the Blue Grass Fire Department and surrounding Police Departments.

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

- 6. Review of Engineering Fees associated with NPDES Permit extension:** IMEG Corporation Operations Manager Jack Kusek gave the Council a brief summary of the lagoon facility plan explaining that he had assisted Executive Director Denise Bulat from the Bi-State Regional Commission as she and Senator Mark Lofgren were meeting with the IDNR to ask that they consider allowing communities such as Blue Grass to use new technology and adequate time to do their research. Janecek reported the following engineering fees that were incurred as follows: original facility plan contract since April 1, 2016 totaling: \$21,247.97; reported a total of \$9,403.40 for additional services related to the Lagoon since June 23, 2017; a total of \$6,780.50 associated with additional work completed and delay all totaling \$37,431.87. He reminded the Council that \$22,000.00 was related to the Facility Plan and additional services for researching the NAN02 Technology. Kusek added that IMEG Corporation had compiled an application signed by the Mayor applying Blue Grass as a Disadvantage Community; however, stated that in order to meet the IDNR deadlines, they would continue to do borings and begin the waiver process. A rather lengthy discussion was held on what steps the City needs to do in order to be in compliant and meet the IDNR's timeline. Janecek also reported that according to Langman Construction there has been a lot of infiltration from the recent rainfall that was filling up the sewer; therefore, he and Robertson were hoping that during construction they uncover an old storm system that is tied into the City and that would possibly answer why the City's inflow numbers are so high.
- 7. Revised Site Plan ref: Dale Grunwald:** Janecek referred to his letter in reference to Mr. Grunwald's Site Plan summarizing his comments as follows: 1) provide building plans prior to construction; 2) hard surfacing: as the entrance driveway should be of concrete and the lot around the storage units should be of concrete, asphalt or sealcoat as Mr. Grunwald has only stated that the lot will be "rolled and sealed" and 3) plans should show inverts of the proposed storm sewer. Mr. Grunwald disputed Mr. Janecek's recommendations as he had addressed all the items that were previously requested of him with the exception of the hard surfacing and argued that the storm sewer requirement that Mr. Janecek was requesting was not even his responsibility to extend. The Clerk reiterated the minutes of the Planning & Zoning Commission on September 25, 2017 and the City Council at their October 2, 2017 meeting as it was mutually agreed upon that Mr. Grunwald address the following four items: 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. She expressed concerns on Mr. Grunwald being charged over \$2,500.00 in engineering and attorney fees associated with his original Site Plan review and now that more expenses have been incurred by both the attorney and engineer, he would then be billed for those costs as well. Janecek informed the Council that he was doing his job by making sure that Mr. Grunwald's Site Plan was in compliance with the City Code. Council member Kinzer and Slagle felt that Mr. Grunwald should comply with both the Attorney and

Engineer's recommendations and follow the Municipal Code. A rather lengthy discussion was held in regards to what requirements Mr. Grunwald had to do in order to be in compliance and meet the Engineer's recommendations. Council member Strong moved to approve Mr. Grunwald's Site Plan as is to include Mr. Grunwald's version of addressing the four items as identified above so that he can start his project and finish, seconded by Council member Schutte. A roll call vote was taken: Strong-aye, Schutte-aye, Smith-aye, Slagle-nay and Kinzer-nay. Motion carried.

#### **ZONING BOARD OF ADJUSTMENT:**

- 8. Zoning Board of Adjustment recommendation ref: Variance – Doug Schutte:** The Clerk reported that the Zoning Board of Adjustment had held a public hearing on April 4, 2018 on the request from Mr. Doug Schutte as he was requesting to secure a variance to allow an additional 12 feet by 24 feet to his existing 12 feet by 32 feet accessory building, totaling 672 square feet. She reported that the Board approved Mr. Schutte's variance request with the stipulation that the additional accessory building be adjoined to his existing accessory building to meet the requirements in Section 17.24.020 Uses Permitted as residents are allowed one accessory building not to exceed 900 square feet. The Clerk then referred to Section 17.64.180 as the Council has 30 days to remand the Board's decision back for further review at which time the Board must meet within 30 days of the Council's decision at which meeting the Board shall either affirm their decision or grant a rehearing; however, the Board's decision shall become final. No motions were made; therefore, the Variance shall become effective on the 31<sup>st</sup> day of April 4, 2018.

#### **ORDINANCE(S)/RESOLUTION(S):**

- 9. Resolution 2018-15 ref: approving Change Order #1 in reference to the construction project of the North Mississippi Street Rehabilitation Construction Project:** Janecek gave a brief overview of the Change Order. Council member Slagle moved to adopt Resolution 2018-15, seconded by Council member Strong. Council member Schutte expressed concerns on the Council not reading the Resolution aloud; therefore, Council member Slagle moved to withdraw her motion, seconded by Council member Strong. A roll call vote was taken: Slagle-aye, Strong-aye, Smith-aye, Schutte-aye and Kinzer-aye. Motion carried. Mayor Guy introduced Resolution 2018-15. Council member Smith moved to adopt Resolution 2018-15, seconded by Council member Slagle. A roll call vote was taken: Smith-aye, Slagle-aye, Schutte-aye, Strong-aye and Kinzer-aye. Motion carried.

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

- 10. Nuisance Abatement(s):** Council member Smith referred to the "Concerned Citizens Log Book" reporting that there were no new logs.
- 11. Disturbing the Peace – Chapter 9.32:** Council member Slagle expressed concerns on Chapter 9.32.010 (C) as it was her opinion that the Section lacks the voice of the people with mental illness and/or people with mental disabilities. Chief Jahns further explained that the Ordinance mimics the State Law; therefore, a City may be more stringent but could not be more lenient. Mayor Guy reported that Chapter 9.32 was placed on the Agenda due to the car wash's new automatic wash bay as the neighboring residents are being disturbed at all hours of the night. Chief Jahns reported that he had spoken with the owner and apparently he has turned down the noise level on the timer and to the best of his ability has tried to reduce the noise level. The Clerk reported that she had contacted Walcott, Durant and Buffalo to see if they had established hours for such operations reporting that unfortunately, they do not. Further discussion was held. It was the consensus of the Council to have the City Attorney review both Chapter 9.32 and Chapter 8.04 Nuisances to establish a hours of operations and present his recommendations to the Ordinance Committee for further review and recommendation.

#### **SANITATION COMMITTEE:**

- 12. Sanitation Committee recommendations ref: sanitation rates:** The Clerk reported that the Sanitation Committee had met on April 3, 2018 and after much review and discussion it was the Committee's recommendation to increase the garbage/recycling rates as follows: July 1, 2018 increase rates by \$2.50

per dwelling unit; July 1, 2019 increase rates by .50¢ per dwelling unit; July 1, 2020 increase rates by .50¢ per dwelling unit; July 1, 2021 increase rates by .50¢ per dwelling unit; July 1, 2020 increase rates by .50¢ per dwelling unit and prior to July 1, 2022, the Sanitation Committee shall reevaluate the rates. The Clerk presented a draft copy of an Ordinance Amendment. Sanitation Committee Schutte added that, unfortunately the sanitation rates have to be increased accordingly as the Sanitation Fund has reached its point where the City can no longer subsidize the current rate; therefore, in order for the fund to be self-sufficient, the increase is unavoidable. It was the consensus of the Council to have the Clerk prepare the Amendment for its first reading at the next Council meeting.

## **POLICY & ADMINISTRATION:**

- 13. Set Public Hearing date ref: FY '17-'18 Budget Amendment:** The Clerk reported a public hearing date of May 21, 2018 to approve a budget amendment for fiscal year 2017-2018. Council member Schutte moved to set a public hearing date of May 21, 2018 for the FY '17-'18 Budget Amendment, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Slagle-aye, Strong-aye and Kinzer-aye. Motion carried.
- 14. Clerk's Report:** The March 2018 report consisted of the following: 128 accounts were assessed a \$5.00 late fee penalty; 9 delinquent letters were sent out totaling \$1,143.38 that were due April 2, 2018 reporting that all were paid within the time prescribed with the exception of 4 accounts which were charged the \$25.00 delinquent fee and that liens are scheduled to be placed after 30 days, reminding the Council that during the winter months starting November 1 through April 30 there will be no shut offs; billing period of 02/24/18 to 03/23/18 billed a total of \$29,694.31 and a total of \$6,649.74 in the arrears; 696 bills produced; 185 ACH residents enrolled; reviewed the list of outstanding Street Assessments, Sidewalk Assessments, Snow Removal Liens and Utility Liens; reported that the State Auditor had released the City's audit for the period of July 1, 2016 through June 30, 2017; reviewed the Auditor's recommendations with the Auditor prior to releasing expressing her concerns as she believes that the State is far too hard on segregation of duties as they understand that most cities of Blue Grass' size are in the same situation as they have limited staff; Iowa's Offset Program: received \$289.00 from a delinquent account's State Income Tax Refund; Clerk's Reports: prepared the Clerk's Reports from September 2017 to February 2018 along with the additional bills paid and revenues received; Development Agreement: prepared a Resolution accordingly to the funding for Economic Development Grant with Sawgrass Partners; after Council approval obtained the required signatures; now that all documents have been approved and signed, will coordinate with the City's Bonding Attorney and file the appropriate documents as per their instructions; YMCA Registration: staff assisted the Park Board with their YMCA registrations reported that Chair Hermann came into City Hall on April 2<sup>nd</sup> to assist as there were quite a few parents in right at 7:00 a.m. to register their children; reported that all spots are filled; Sanitation Committee: prepared correspondence to the Sanitation Committee and coordinated a meeting that was held on April 3, 2018 at which time the Sanitation Committee made their recommendations; prepared a memo and drafted an Amendment for Council review at the April 16<sup>th</sup> meeting; Public Safety Building: prepared a Resolution to approve final payment and close out the Public Safety Reserve; Grunwald Site Plan: discussed Site Plan requirements with Dale Grunwald; received correspondence from the City Engineering identifying the 4 remaining items that are to be corrected and/or identified; waiting approval from both the City Attorney and City Engineer; once I receive their approval, she will prepare a Resolution for Council approval; Scott County Regional Authority & Riverboat Development Authority Grants: worked in conjunction with the Bi-State Regional Commission and both Chief Jahns and Park Board Chair Mike Hermann on the grants, submitted the grants accordingly as they were due April 1<sup>st</sup>; Publication: according to Chapter 8.20 Maintaining Private Property and Boulevard, Section 8.20.015 A-C and Section 8.20.025 Notice to Owner – this shall be published each year in a newspaper of general circulation of the City on/or before April 1<sup>st</sup>; therefore, published the required notice; New Employees: had two new employees sign all the

required employment applications, submitted accordingly and put into the City's payroll system; 4-1-18 Insurance Renewal: the Mayor, herself and the Public Works Director met with Mr. Seth Porter to review and renew the City's insurance policy for the period of 4-1-18 through 4-1-19; Ragbrai: received additional correspondence from Ragbrai, gave to the Ragbrai Committee which consists of 3 volunteers: Tina Kress, Becky Guy and Wayne Beck; Mr. Beck informed her that the Committee had attended the April 7<sup>th</sup> workshop and gained a lot of information and requested to meet with herself, the Mayor, Public Works Director and the Police Chief to coordinate the route as they plan on changing the map to go through the Drive-Inn Theatre's parking lot and out onto Industrial Drive and to West Lauretta Street, reported that City Hall is starting to receive a lot of telephone calls from vendors which are being forwarded to Ms. Kress as according to Mr. Beck, they will be allowing other vendors to participate; IDOT: in regards to the North Mississippi Street Rehabilitation Construction Project: continuously receiving emails through doc.express from both the IDOT and McClure Engineering; prepared a Resolution approving Change Order #1 to present to the Council for approval at the April 16<sup>th</sup> meeting; Wastewater Facility: prepared correspondence with the Public Works Director on the request from Denise Bulat from the Bi-State Regional Commission as she was going to Des Moines to meet with Senator Lofgren and together, discuss the City's financial hardship to the IDNR; LUCA: the 2020 Census: received the 2020 census LUCA (local update census address) package as this will be a major task but in order for the City to verify that the census data addresses are correct, staff will have to verify all addresses adding that this is a requirement; Variance – Doug Schutte: received a variance application; published the Public Hearing notice accordingly; sent certified letters out to all property owners within 300 feet; Zoning Board of Adjustment meeting was held April 4, 2018; Variance – Russ Johnson: Received another variance application; published the Public Hearing notice accordingly; sent certified letters out to all the property owners within 300 feet; Zoning Board of Adjustment meeting set for April 23, 2018 at 6:00 p.m.; Preliminary & Final Plat Application: received a Preliminary & Final Plat application from Mr. John Wulf as he is requesting to subdivide approximately 13.5 acres zoned R-2 Agricultural District into two lots (located on South Oak Lane) reporting that once the City receives letters of recommendations from both the City Attorney and City Engineer, a meeting date will be set; Low-to-Moderate Assistance Application: received a low-to-moderate assistance application from Ms. Beverly Marlow to reroof her house reporting that this information has been given to the City Attorney and once he is able to verify her income and information provided, it will then be presented to the City Council for approval or denial; Snow Removal Invoices: prepared and sent snow removal invoices out February 20, 2018 reporting that 1 invoice remained unpaid; therefore, a lien was placed along with a \$40.00 late fee; Scott County West Business Park: on the request of the Mayor, obtained names and telephone numbers on all the lots in the Scott County West Business Park subdivision and supplied copies to the Mayor and Council; IAWC Billing: still unable to access the reads as IAWC submits a file with all the reads at which time they are being manually put into the system reporting that the file format was given to our software provider; however, the file was not readable; therefore, IAWC is working with the City's software provider to work out what type of file is needed in order for our system to convert the reads.

**COMMENTS AND FUTURE AGENDA ITEMS:** Mayor Guy referred to a plat map of the Scott County West Business Park that contained names and addresses of the business owners as he felt it was pertinent that the Council have a copy.

Council member Strong expressed concerns on some large potholes throughout the City. Robertson reported that cold mix was not yet made available; however, once weather was permitting, Public Works would be out immediately.

Mayor Guy reported that he had met with Davenport Community School Superintendent Dr. Tate to further discuss the proposed access road off Oak Lane to allow emergency vehicles access in the case of an emergency. Further discussion was held.

**ADJOURNMENT:** Council member Schutte made a motion to adjourn, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Slagle-aye, Kinzer-aye and Strong-aye. Motion carried. The meeting adjourned at 8:18 p.m.

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Mayor Larry Guy

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

**CLAIMS REPORT**

BABE'S TERMITE & PEST CONTROL	BLDG & GROUNDS MAINTENANCE	65.00
BI-STATE REGIONAL COMM.	PROFESSIONAL FEES	275.50
CASEY'S GENERAL STORES INC.	VEHICLE OPERATIONS	654.55
COMPASS MINERALS AMERICA	SALT	4,616.17
CROSS DILLON TIRE	EQUIPMENT OPERATIONS	614.48
DICK-N-SONS LUMBER INC.	BLDG & GROUNDS MAINTENANCE	311.32
EASTERN IA LIGHT & POWER	UTILITIES	1,404.05
INTOXIMETERS	EQUIPMENT OPERATIONS	115.00
JOHNSON DISTRIBUTING INC.	BLDG & GROUNDS MAINTENANCE	21.00
MEDIACOM LLC	INTERNET	468.29
MIDAMERICAN ENERGY	UTILITIES	10.00
QUAD CITY TIMES	ADVERTISING & PUBLICATIONS	348.99
RAGAN MECHANICAL	BLDG & GROUNDS MAINTENANCE	11,436.82
REPUBLIC SERVICES	GARBAGE/RECYCLING	7,956.85
SCOTT COUNTY LIBRARY SYSTEM	LIBRARY SERVICES	27,578.50
SCOTT COUNTY SHERIFF	JAIL EXPENSE	25.00
TITAN MACHINERY	EQUIPMENT OPERATIONS	243.71
***** REPORT TOTAL *****		<b>56,145.23</b>

**FUND TOTALS**

GENERAL	10,918.85
LIBRARY MAINT FUND	27,578.50
RESERVES: PUBLIC SAFETY	4,626.32
ROAD USE	4,865.87
SEWER FUND	198.84
SANITATION FUND	7,956.85
<b>FUND TOTALS:</b>	<b>56,145.23</b>