

**THE REGULAR MEETING
OF THE BLUE GRASS CITY COUNCIL
BLUE GRASS, IOWA MAY 7, 2018**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 7th day of May 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: Lisa Smith, Bonnie Strong and Donna Kinzer. Council member Brad Schutte later arrived at 7:30 p.m. Absent was Council member Emilyne Slagle. City Attorney William McCullough and City Engineer Mike Janecek were also in attendance.

APPROVAL OF AGENDA: Council member Strong moved to approve the agenda as presented, seconded by Council member Kinzer. A roll call vote was taken: Strong-aye, Kinzer-aye and Smith-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: From those in attendance, there were none.

CONSENT AGENDA: The Clerk noted that revisions were made to Resolution 2018-19. Council member Smith made a motion to approve the consent agenda to include the appropriate revisions to Resolution 2018-19, seconded by Council member Strong:

- 1. Motion to approve the minutes of the April 16, 2018 City Council meeting**
- 2. Motion to adopt Resolution 2018-19 ref: authorizing issuance of a warrant in connection with the construction of the North Mississippi Street Rehabilitation Construction Project: Payment #2 to: Langman Construction, Inc.**
- 3. Payment of claims**

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

FIRE DEPARTMENT:

- 4. Fire Department Report:** Due to an emergency call, Chief Seamer and Council member Schutte were not present; therefore, the Council agreed to postpone the report until Chief Seamer was present.

ZONING BOARD OF ADJUSTMENT:

- 5. Zoning Board of Adjustment recommendation ref: Variance – Russell Johnson:** McCullough reported that the Zoning Board of Adjustment had held a public hearing on April 23, 2018 on the request from Mr. Russell Johnson as he was requesting to secure a Variance to allow an additional 30 feet by 30 feet to his existing 30 feet by 30 feet detached garage, totaling 1,800 square feet. He referred to Section 17.64.180; whereas, one additional accessory building is allowed not to exceed 900 square feet in an R-1 Single-Family residence district. Jeff Hermiston representing resident John Hermiston inquired about Mr. McCullough’s letter to the Board dated April 20, 2018 as he cautioned the Board in granting Mr. Johnson’s variance due to the facts and circumstances given by the applicant that his hardship is not considered a legal hardship. McCullough reported that although Mr. Johnson’s hardship is for extra storage, the Board granted the Variance due to Mr. Johnson’s lot size consisting of 1.20 acres. He said that the Board expressed concerns on the number of Variance requests on accessory buildings and requested that the Council review the Ordinance to possibly base the square footage off the size of the lot. Further discussion was held. McCullough informed the Council that according to Section

17.64.180, 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 31st day of April 23, 2018.

BUILDING COMMISSIONER: Building Commissioner Jim Meyrer reported the following:

- 6. Building Commissioner Report:** The April 2018 report consisted of 3 new homes currently under construction; 11 building permits issued; 2 final inspections reporting that only 1 Occupancy Permit was issued as the other inspection had failed; reported that the Zoning Board of Adjustment had met on April 23, 2018 on the request from Russ Johnson to secure a Variance to allow an additional 30 feet by 30 feet to his existing 30 feet by 30 feet detached garage reporting that the Variance was approved.
- 7. Nuisance Abatement ref: vacated residential property:** Meyrer reported that a certified letter was sent to the property owners listing the violations and the hazardous conditions of the home and also to inform them that their permit will not be renewed. He said that Mr. Glen Houghton had since then contacted him and secured the property; otherwise, there was no other progress made.

ENGINEER REPORT: City Engineer Mike Janecek reported the following:

- 8. Engineer Report:** The Engineer's Report consisted of the following: reported that he had attended two Council meetings during the month of April; explained that the invoicing issue has not yet been resolved due to McClure Engineering merging with IMEG Corporation; therefore, once the new accounting system was in place, the City would then receive an invoice; did a review of Wulf's Final Plat and submitted a letter addressing three minor revisions and that he was waiting on the Plat revisions to be made prior to the Planning and Zoning Commission meeting set for May 16, 2018 and reviewed the revised plans on the Grunwald Storage facility and submitted a letter noting the deficiencies and the fact that the Council approved without the recommended revisions.

- 9. North Mississippi Street Rehabilitation Project:** Previously, the City Council awarded Langman Construction, LLC the contract totaling \$2,047,794.74 to totally rehabilitate the North Mississippi Street corridor to include a new concrete street from Mayne Street to Laretta Street including curbs, gutters, sidewalks, storm and sanitary sewers.

Janecek gave a brief update of the May 2, 2018 construction progress meeting at City Hall reporting that Langman Construction is making considerable progress on the sanitary sewer installation and they are past Sycamore Street. He continued to report that the storm sewer work is waiting on private utility relocates at Mayne and Mississippi Street and that MidAmerican Energy and Iowa American Water Company have also made considerable progress on their relocation/improvement work and should be complete by the end of the month. Janecek continued to report that the City needs to make a decision to spend the extra money and install sanitary sewer South of the Mayne Street intersection and decide whether to pave the entire intersection at Mayne and Mississippi Street rather than patch for the underground work. He reported a tentative date of May 16, 2018 at 9:00 a.m. at City Hall for the next progress meeting.

- 10. Sycamore Street Light:** Janecek reported as part of the North Mississippi Street project the conduit work for the Sycamore Street light needs to be lowered and reported that the area has been staked. He said that the Public Works Director is in the process of talking with DECCO as the specifications were designed to be at a certain elevation under the ground.

- 11. Update: I.D.N.R. DPDES Permit:** Previously, the City had received notification from the Iowa Department of Natural Resources (IDNR) mandating that the City comply with the new regulatory regulations in regards to the City's NPDES Permit at which time the City submitted an extension letter requesting an extension; however, the IDNR had denied the City's request.

Janecek reported the following updates: reported that Josh Sobaski of the IDNR Field Office did a site survey on April 24, 2018 to determine if any waivers need to be obtained due to the proximity of the

proposed wastewater treatment plant components; the Disadvantaged Community Analysis application had been submitted and that the IDNR should have a decision by the end of May and the Engineering Contract for the Wastewater Treatment Plant components was being drafted and should be ready for the Council to review in the next two weeks.

- 12. Preliminary Discussion ref: SUDAS:** Janecek reported that he had spoken with City Engineer Brian Schadt from the City of Davenport as the City of Davenport has recently adopted the “Statewide Urban Design and Specifications” (SUDAS) informing the Council that the City can either adopt a supplement and/or specific City supplement depending on what the City recommends. It was the consensus of the Council to proceed based on the City Engineer’s recommendation. Janecek said that he has been waiting for Mr. Schadt to send him a copy; however, has been unsuccessful; therefore, he was going to be more aggressive on obtaining a copy.

STREETS:

- 13. Street Improvements ref: Intersection of Mayne and Mississippi Street:** Janecek gave a brief overview of the improvements to the intersection of Mayne and Mississippi Street reporting that since the sanitary sewer is also being reconstructed the Public Works Director proposed that the whole intersection be of concrete rather than patch 8-9 small asphalt patches. He said that he did a quick cost analysis and deducted the cost share amount that Iowa American Water Company would be paying in repairs and estimated the costs to be approximately \$25,272.70. Mayor Guy replied that he felt, too, that concrete should be used as a much more permanent solution rather than patch the project. Janecek explained that this would not be reported as a change order to the project; however, would be considered an add-on; therefore, would not be paid until the end of the contract. Council member Strong moved to include in the contract that the intersection of Mayne and Mississippi Street be of concrete, seconded by Council member Smith. A roll call vote was taken: Strong-aye, Smith-aye and Kinzer-aye. Motion carried.

Council member Schutte arrived at 7:30 p.m.

PUBLIC SAFETY BUILDING:

- 14. Ragan Mechanical ref: 1 or 2 year HVAC Semi-Annual Maintenance Renewal Contract:** Council reviewed the 1 or 2 year HVAC Semi-Annual Maintenance renewal Contract from Ragan Mechanical totaling \$1,550.00 for year 1 and \$1,580.00 for year 2 listing the exhaust fans and electric wall heater as optional totaling \$600.00. Council member Strong moved to accept the 2 year HVAC Semi-Annual Maintenance renewal Contract from Ragan Mechanical to include the optional inspections of the exhaust fans and electric wall heater, seconded by Council member Kinzer. A roll call vote was taken: Strong-aye, Kinzer-aye, Schutte-aye and Smith-aye. Motion carried.

PUBLIC WORKS: Public Works Director Lonnie Robertson was absent

- 15. Public Works Department Report:** Council reviewed the April 2018 Public Works Department report as follows: 90 Iowa-One Call locates; daily sewer checks; serviced all lift stations; cut down tree on North Mississippi Street; Public Works assisting with the crossing of children during construction; did some cold patching; serviced mowers and started mowing grass; took snow plows and salters off and washed and put in storage; two Public Works employees attended a safety class in Eldridge; repaired the Mayne and Mississippi Street intersection; dug out dirt and filled with rock for temporary parking spaces at City Hall; picked up signage from construction project; attended two progress meetings in regards to the North Mississippi Street project; involved with the construction project of North Mississippi Street daily and met with the DNR for the lagoon project.

- 16. FY '18 -'19 Sealcoat Project:** Street Committee member Schutte reported that the Public Works Director and himself prioritized the streets that were in need of sealcoating referring to a quote from LL Pelling Company in the amount of \$37,598.95. He said that once the North Mississippi Street project was complete, they would again review the streets to see what was damaged and sealcoat at a later date.

Council reviewed the proposed streets and expressed concerns on the sealcoat being done prior to the completion of the North Mississippi Street project. Resident Larry Richter expressed concerns on the City using the lime rock rather than a pea gravel as the lime rock creates dust. Mayor Guy replied that unfortunately, the City can no longer get the pea gravel for sealcoating. Council member Smith moved to approve LL Pelling Company's quote in the amount of \$37,598.95, seconded by Council member Strong. Council member Kinzer questioned if there was another type of product that could be used that would create less dust. Council member Schutte agreed to talk with the Public Works Director to see if there are other options. Mayor Guy suggested using some type of dust control in the interim and that he, too, would meet with the contractor to review the City's options. A roll call vote was taken: Smith-aye, Strong-aye, Kinzer-aye and Schutte-abstain. Motion carried.

ORDINANCE(S)/RESOLUTION(S):

- 17. First reading of Ordinance Amendment 2018-01 ref: authorizing the City of Blue Grass, Iowa to increase their existing refuse rates and charges:** Council member Schutte introduced the first reading of Ordinance Amendment 2018-01 commenting that the Amendment was on file at City Hall. Council member Schutte moved to accept the first reading of Ordinance Amendment 2018-01, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Strong-aye and Kinzer-aye. Motion carried.
- 18. Resolution 2018-18 ref: approving a Site Plan in reference to Dale Grunwald:** Council member Schutte introduced Resolution 2018-18 commenting that the Resolution was on file at City Hall. Council member Schutte moved to adopt Resolution 2018-18, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Kinzer-aye and Strong-aye. Motion carried.
- 19. DRAFT Ordinance Amendment 2018-02 ref: Chapter 15.04 Building Code and Chapter 15.50 Housing Code (waive third reading):** Ordinance Committee member Smith reported that she had requested that Ordinance Amendment 2018-02 be presented to the Council as a draft and propose to waive the third reading as it was her opinion that the Amendment needs to be adopted as soon as possible due to the construction season. Council member Schutte expressed his concerns on waiving the third reading due to the drastic changes and that he would highly recommend that this Amendment be put on the City's website and Facebook page to publicly announce the proposed changes. McCullough reported that according to Section 1.12.050 an Ordinance or Amendment must be considered and voted on for passage at two Council meetings; therefore, the third reading could be waived if the Council so chooses too. Meyrer added that it was his opinion that fees need to be implemented as quickly as possible as the City's current rates have not been reviewed for quite some time. Council member Smith asked if the Council wanted to consider waiving the third reading. Council member Schutte said that it was his opinion to publically put it out there for viewing and go from there.
- 20. Review: Chapter 6.16 Dangerous Animals:** Council member Smith referred to Section 6.16.040 Dangerous Animals as she encountered a personal issue with the neighbor's dog and to her knowledge the neighbor has not charged or received any notification that his dog is considered a dangerous animal. She said that according to Section 6.16.040 a written notice should have been served to the owner. Discussion was held.

FIRE DEPARTMENT: Fire Chief Brian Seamer reported the following:

- 4. Fire Department Report:** (Fire Chief Seamer arrived at 7:52 p.m.) The April 2018 report consisted of the following: 33 calls; reported that two trucks were in need of repairs and briefly discussed the proposed Ragbrai route expressing several safety concerns. Further discussion was held in regards to Ragbrai coverage.

NUISANCE ABATEMENT(S):

- 21. Nuisance Abatement(s):** There were none reported.

Low-to-Moderate Application:

22. LMI Financial Assistance Application ref: request to re-shingle house, breezeway and attached garage: The Clerk reported that the City received an application from Ms. Beverly Marlow for financial assistance to re-shingle a house, breezeway and attached garage. She said that Ms. Marlow has obtained two quotes. McCullough reported that according to the LMI requirements, Ms. Marlow has demonstrated that her income meets all the requirements and that he would recommend that Ms. Marlow sign an affidavit stating that she has no other reportable income and/or bank accounts. Council reviewed the application and quotes. Council member Smith moved to accept the lowest bid totaling \$6,200.00 and that the City pay 100 percent of the costs. Motion died due to a lack of a second. The Clerk reported that there were several options as in the past the City has requested that the resident pay a portion as good faith. McCullough cautioned the Council as they may be setting a precedence once a decision is made as the City will have other LMI financial assistance applications in the future. Council expressed concerns on setting a percentage or dollar amount and requiring the resident to pay for a portion as the resident requesting financial assistance may not be able to pay for the remaining percentage. Resident Chris Jepsen suggested that the resident contact the contractor to set up a financial plan to pay over a certain time period. Resident Larry Richter suggested that the resident ask if there are any senior citizen discounts as he has had several contractors give him a senior citizen discount. Mr. Grunwald inquired about the City's payment policy. The Clerk reported that the City pays the contractor direct once the project is complete and the resident is responsible for their share of the project. Council member Schutte said that it was his opinion that 10 percent match be required setting a "not to exceed" dollar amount and that the Council review each application case by case. Council agreed that since the money is there to financially help residents that meet the low-to-moderate income that the monies be utilized until it is gone. Council member Schutte moved to approve Ms. Marlow's LMI application and accept the low bid totaling \$6,200.00 with the City financing 90 percent with an amount not to exceed \$5,580.00 utilizing the LMI funds, seconded by Council member Kinzer. A roll call vote was taken: Schutte-aye, Kinzer-aye, Strong-aye and Smith-aye. Motion carried.

POLICY & ADMINISTRATION:

23. Ragbrai update: The Clerk reported that the Ragbrai Committee was partnering with the Park Board to assist in the Ragbrai fundraising with all proceeds going to the Park Board. She said that the Committee was proposing to have a minimum of four youth groups participate in the selling of Gatorade, water and pop and that they have scheduled a meeting with potential vendors to see what interest there was. The Clerk reminded the Council that there were going to be expenses associated with this event as it was a City sponsored event.

COMMENTS AND FUTURE AGENDA ITEMS: A tentative date was set for an Ordinance Committee meeting for May 29, 2018 at 6:00 p.m. and a tentative date was set for a Sewer Committee meeting for May 9, 2018 at 7:00 p.m.

The Clerk reported that a Planning and Zoning Commission meeting was set for May 16, 2018 at 6:00 p.m. on the request from Mr. John Wulf to subdivide his property on South Oak Lane.

Mayor Guy reported that he and Council member Brad Schutte had a very productive meeting with members of the Police Department to discuss different strategies on stopping the recent car thefts and burglaries. He informed the Council that there was going to be overtime involved in order to get this situation under control and provide adequate police protection. Council member Schutte said that he, too felt the meeting was very productive and the Department agreed to double up on shifts and possibly do some foot patrol. He said that both he and the Mayor had also asked that the Department resolve the miscommunications between Scott County and the Department as reports are apparently being written on either car thefts or burglaries in Blue Grass and not being relayed to the Department; therefore, the Department is unaware of any reports written. Mayor Guy added that Chief Jahns has agreed to contact Sheriff Lane to resolve this issue. Resident Chris Jepsen expressed his concerns as he has had two vehicles stolen and the keys to a third vehicle stolen. He expressed his frustrations and disappointment in regards to

the thefts and especially his conversation with one of the Officers on the Department as the Officer basically drove away. Council member Schutte said that both he and the Mayor had also addressed that same issue asking that the Department have more open communications. He said that he feels that he got his point across to make the town feel safe again as residents never had to worry about locking their cars until now and both he and the Mayor made it very clear to concentrate on these recent car thefts and burglaries and make their presence known. Further discussion was held.

ADJOURNMENT: Council member Schutte made a motion to adjourn, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Kinzer-aye and Smith-aye. Motion carried. The meeting adjourned at 9:12 p.m.

Mayor Larry Guy

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

CLAIMS REPORT

ALEX AIR APPARATUS INC.	EQUIPMENT OPERATIONS	494.74
ALEXIS FIRE EQUIPMENT	EQUIPMENT OPERATIONS	801.31
ALTORFER INC.	VEHICLE OPERATIONS	42.38
AT&T	TELEPHONE/FAX	115.03
BLUE GRASS AUTOMOTIVE	VEHICLE OPERATIONS	775.58
BP	VEHICLE OPERATIONS	855.91
BT GROCERY	BLDG & GROUNDS MAINTENANCE	7.75
BUSINESS RADIO & SALES & SERV.	EQUIPMENT OPERATIONS	536.55
CENTRAL STATES H & W FUND	HEALTH INSURANCE	8,478.00
CENTURYLINK	TELEPHONE/FAX	396.62
CROSS DILLON TIRE	EQUIPMENT OPERATIONS	584.60
DICK-N-SONS LUMBER INC.	OFFICE OPERATIONS	77.58
FIRE SERVICE TRAINING BUREAU	TRAINING/TRAVEL/SAFETY	200.00
GENERAL ASPHALT CONSTRUCTION C	COLD MIX	46.00
GENESIS OCCUPATIONAL HEALTH	MEDICAL	71.00
GUINN, BOB	EQUIPMENT OPERATIONS	228.85
IOWA ONE CALL	PROFESSIONAL FEES	68.40
JOHNSON DISTRIBUTING INC.	BLDG & GROUNDS MAINTENANCE	6.25
LANGMAN CONSTRUCTION LLC	N MISS STR REH PROJ PYMT #2	211,531.67
LINWOOD MINING & MINERAL	ROCK	990.50
MCCULLOUGH, WILLIAM T.	LEGAL SERVICES	2,362.50
MED-TECH RESOURCE INC.	EQUIPMENT OPERATIONS	55.13
MIDAMERICAN ENERGY	UTILITIES	4,754.97
MOSIMAN, MARY	FY '16-'17 EXAMINATION AUDIT	4,683.59
MUSCATINE COUNTY BOARD OF SUPE	ADVERTISING & PUBLICATIONS	36.47
NAPA AUTO PARTS	EQUIPMENT OPERATIONS	341.43

OFFICE MACHINE CONSULT	EQUIPMENT OPERATIONS	134.17
PERREAULT, ROBERTA	BLDG & GROUNDS MAINTENANCE	15.41
PORTER INSURANCE AGENCY INC.	INSURANCE/WORK COMP	42,538.00
PS3 ENTERPRISES INC.	BLDG & GROUNDS MAINTENANCE	548.00
QC ANALYTICAL SERVICES LLC	TESTING	2,048.96
QUAD CITY TIMES	ADVERTISING & PUBLICATIONS	483.27
SANDRY FIRE SUPPLY L.L.C.	EQUIPMENT OPERATIONS	58.20
TC AUTO INC.	VEHICLE OPERATIONS	181.74
TROPHY SHOPPE	OFFICE OPERATIONS	11.76
VERIZON WIRELESS	TELEPHONE/INTERNET	379.88
WALDINGER CORPORATION, THE	BLDG & GROUNDS MAINTENANCE	94.00
WITMER PUBLIC SAFETY GROUP INC	EQUIPMENT OPERATIONS	233.75
***** REPORT TOTAL *****		285,269.95

FUND TOTALS

GENERAL FUND	43,927.86
RESERVES: CITY HALL BLDG FUND	990.50
ROAD USE FUND	178.42
CAP IMPROV PROJECT FUND	89,845.17
EMPLOYEE BENEFIT FUND	20,933.14
SEWER FUND	7,708.36
RESERVES: SEWER IMPROV FUND	121,686.50
FUND TOTALS:	285,269.95