

**THE REGULAR MEETING
OF THE BLUE GRASS CITY COUNCIL
BLUE GRASS, IOWA SEPTEMBER 6, 2022**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 6th day of September 2022, in the City Council Chambers of City Hall, 114 N. Mississippi Street, pursuant to law, with Mayor Brad Schutte presiding, with a Pledge of Allegiance and a moment of reflection.

Council present: Brus, Jepsen, Hermann, Rhoades and Sampson.

APPROVAL OF AGENDA: Sampson moved to approve the Agenda as presented, seconded by Jepsen. Roll call: Sampson-aye, Jepsen-aye, Hermann-aye, Rhoades-aye and Brus-aye. Motion carried.

PUBLIC FORUM: From those in attendance, there were none.

CONSENT AGENDA: Sampson moved to adopt the Consent Agenda as presented, seconded by Jepsen.

1. **August 15, 2022 Minutes**
2. **Resolution 2022-45 ref: authorizing payment from the accumulated TIF Reserve**
3. **Resolution 2022-46 ref: authorizing payment #2 to Heurer Construction from the ARP Reserve**
4. **Resolution 2022-47 ref: authorizing payment from the accumulated TIF Reserve**
5. **Payment of claims**

Roll call: Sampson-aye, Jepsen-aye, Rhoades-aye, Brus-aye and Hermann-aye. Motion carried.

HOME OCCUPATION PERMIT:

6. **Home Occupation Permit:** Meyrer reported that he had completed a home inspection reporting that the Klindts meet the requirements set forth in Section 17.67.040. Heather Shady expressed concerns on the Klindt's property as it has become even more of a nuisance and most definitely had an impact on the value of her home. Timothy and Salvacion Klindt arrived at 7:05 p.m. presenting a final certification from the Health Department granting permission to operate a food establishment for catering or delivery only from their residence. Council expressed their concerns on setting a precedence as their property has become a nuisance with its overall appearance with all the signs, tents, etc. as it is creating a potential safety hazard due to its location. Tim Klindt agreed to take down the tents and signs as he did not want to create any hate or discontent with his neighbors. Hermann moved to approve Timothy and Salvacion Klindt's Home Occupation Permit for a period of 1-year with the stipulation that they follow Chapter 17.67 Home Occupation and based on the conversation, there will be no yard signage or items on the premises and that their business only consist of catering or takeout and that the property not become a nuisance or create vehicular traffic issues, seconded by Sampson. Roll call: Hermann-aye, Sampson-aye, Brus-aye, Rhoades-aye and Jepsen-aye. The Clerk reiterated the Home Occupation Permit renewal process.
7. **Home Occupation Permit:** Meyrer reported that John Wesson had applied for a Home Occupation Permit as he was applying for a Federal Firearms License. He said that after doing a home inspection, Mr. Wesson meets the requirements set forth in Section 17.67.040; therefore, recommends approving. Mr. Wesson gave a brief synopsis of what his hobby business entailed reporting that he had spoken with all his neighbors and there were no issues. Brus moved to approve Mr. Wesson's Home Occupation Permit for a period of 1-year, seconded by Rhoades. Roll call: Brus-aye, Rhoades-aye, Sampson-aye, Hermann-aye and Jepsen-aye. Motion carried.

SEALED BIDS:

8. **Bid Opening:** Mayor Schutte announced that no bids were received on the swing set at Gless Field; therefore, it was the consensus of the Council and Park Board to have Public Works dismantle and scrap when the new equipment arrives.
9. **Acceptance:** No bids were received.

ENGINEER REPORT:

- 10. Report:** City Engineer Mike Janecek presented the August 2022 Engineer's report.
- 11. NPDES Permit:** Mayor Schutte referred to Item #22 as the IDNR had submitted a Consent Order assessing an administrative penalty of \$1,500.00 for the delays and failure to comply with previous agreements associated with the City's NPDES Permit.
- 12. N. Oak Lane Trail:** Janecek reported that the IDOT approved the plans; therefore, the advertising for bids has been let out for bid with a bid opening date of September 27, 2022 at 10:00 a.m. at City Hall. He said that a public hearing was scheduled for October 3, 2022 to either accept or reject the bids.
- 13. Safety Road/Trail:** Janecek reported that he had prepared a punch list of items that need to be completed before accepting the trail project. He reviewed the project final costs as Heuer Construction had to core out some bad material and during the construction project, it was agreed upon to fix the drainage area on/near the trail. The Clerk announced that the City was awarded a \$1,000.00 Environmental Grant from IAWC to correct that specific drainage area on/near the trail. A ribbon cutting ceremony would be set in Spring of 2023.

BUILDING COMMISSIONER:

- 14. Report:** Building Commissioner Jim Meyrer presented the August 2022 Building Commissioner report.

PUBLIC WORKS:

- 15. Report:** Public Works Director Jim Meyrer presented the August 2022 Public Works Department report.
- 16. Sewer Report:** Meyrer reported that everything has been checking out accordingly. Discussion was held on accepting the infrastructure improvements in the Prairie Woods 3rd Addition. It was the consensus of the Council to place on the next meeting Agenda.
- 17. Parking of Vehicles:** Meyrer previously reported that IAWC had informed the City that we would no longer be able to park in the bays at 120 East Orphed Street; therefore, it was his recommendation to either insulate the maintenance storage building and install an overhead door or construct a new building. It was the consensus of the Council to have Meyrer go out for bids and compare at the next meeting.

Meyrer reported that he had received a few bids on improving the existing building; however, was unable to obtain any bids on constructing a butler type building that would be added onto their existing building. Council expressed concerns on the amount of monies it will take to upgrade their existing building. Brus offered the City, two heated parking bays at his shop for the winter months at no charge if the City was willing to pay the utility bills during those months as it would give the City additional time to do their research on whether to improve the existing shop or construct an entire new building. It was the consensus of the Council to accept Mr. Brus' offer as that will allow additional time to decide on what improvements should be done. Jepsen moved to agree to enter into a Lease Agreement with Chad Brus for two heated bays with the stipulation that the City pay the electric bills during those months, seconded by Rhoades. Roll call: Jepsen-aye, Rhoades-aye, Hermann-aye, Brus-abstain and Sampson-aye. Motion carried.

POLICE DEPARTMENT:

- 18. Status of Applications:** Mayor Schutte reported that the Chief was in the process of reviewing applications and that he would be in contact with the Employee Relations Committee to being the interviewing process.

LICENSE RENEWAL(S):

- 19. Liquor License renewal:** Brus moved to approve The Corner Grill's liquor license renewal, seconded by Jepsen. Roll call: Brus-aye, Jepsen-aye, Rhoades-aye, Hermann-aye and Sampson-aye.

NUISANCE ABATEMENT(S):

20. Nuisance Abatements(s): Mayor Schutte reported that there were a few minor complaints that were resolved. He said that the telephone wires at the Quest building were also taken care of. Rhoades commended the Public Works Department for trimming back the bushes on South Juniata Street and West Meuse Street. He inquired about the pool abatement asking what the status was on the fence. The Clerk agreed to follow up as the owners of the property agreed to fill in the remaining dirt and seed.

POLICY & ADMINISTRATION:

21. NIMS Training: It was the consensus of the Council to remove from the Agenda and place back on a meeting Agenda in December.

22. IDNR Administrative Consent Order: Mayor Schutte referred to a memo prepared by the City Attorney in regards to an IDNR Administrative Consent Order as it provides a process for the City to sell the wastewater system and transfer the responsibility for the compliance with the construction of the facilities to IAWC. The Consent Order also assessed an administrative penalty of \$1,500.00 for the delays and failure to comply with previous agreements associated with the City's NPDES Permit. Hermann moved to accept the IDNR's Administrative Consent Order, seconded by Sampson. Roll call: Hermann-aye, Sampson-aye, Rhoades-aye, Jepsen-aye and Brus-aye. Motion carried.

23. Grant Proposals: Hermann reported that the Board was requesting to apply for a grant to replace approximately 14-16 picnic benches with recycled picnic benches. It was the consensus of the Council to apply for the recycled picnic tables.

COMMENTS AND FUTURE AGENDA ITEMS: Brus expressed concerns on the fact that L & L Pelling has not yet sealcoated the City Streets as they were supposed to sealcoat KB Auto's parking lot by August 31, 2022; therefore, Brus requested that KB Auto's Site Plan Agreement be placed on the next meeting Agenda.

Rhoades inquired about an acreage for sale in Blue Grass, as apparently the Code only allows for agricultural animals on acreages with 40 acres or more. The Clerk reported that it had already been brought to the Ordinance Committee's attention and she was in the process of drafting an Amendment to reduce the acres to a minimum of 10 acres or more.

ADJOURNMENT: Brus made a motion to adjourn, seconded by Sampson. Roll call: Brus-aye, Sampson-aye, Hermann-aye, Rhoades-aye and Jepsen-aye. Motion carried. The meeting adjourned at 8:07 p.m.

Mayor Brad Schutte

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

CLAIMS REPORT

ALLTEST	MEDICAL	168.00
B.G. AUTOMOTIVE	EQUIP OPER	293.23
BP	VEH OPER	644.63
BRUS CONSTRUCTION	BLDG & GRNDS MAINT	5,102.00
CASEY'S	VEH OPER	1,651.26
CENTRAL STATES H & W FUND	HEALTH INSURANCE	9,100.80
CENTURYLINK	FAX	60.84
FELDO WINDOWS	LMI ASS'T GRANT	498.10
HEUER CONSTRUCTION	CONSTRUCTION WARRANT	202,934.97
INTERSTATE BILLING SERVICE	EQUIP OPER	87.42
IOWA ONE CALL	PROF FEES	25.20
JOHNSON DISTRIB.	BLDG & GRNDS MAINT	7.00
MARTIN & WHITACRE SURVEYORS	ENGINEERING SVS	8,546.92
MCCULLOUGH, WM.	LEGAL SVS	1,425.00
MENARDS	BLDG & GRNDS MAINT	430.12
MIDAMERICAN ENERGY	UTILITIES	3,933.49
MIDWEST RADAR & EQUIP	EQUIP OPER	120.00
PANTHER UNIFORMS	UNIFORM ALLOW	272.63
QC ANALYTICAL SVS	TESTING	2,921.75
R.P. LUMBER CO.	BLDG & GRNDS MAINT	86.98
RAGAN MECHANICAL	BLDG & GRNDS MAINT	1,139.00
REPUBLIC ELECTRIC COS.	BLDG & GRNDS MAINT	94.50
RIVERSTONE GROUP	COLD MIX	298.35
RNJ DISTRIBUTION	BLDG & GRNDS MAINT	8.95
SANDRY FIRE SUPPLY	EQUIP OPER	1,559.50
SCOTT CO. SHERIFF	JAIL EXPENSES	75.00
TC AUTO	VEH OPER	182.38
TROPHY SHOPPE	OPER SUPPLIES	20.92
UNIFORM DEN	EQUIP OPER	25.45
VERIZON	TELEPHONE/INTERNET SVS	1,010.02
WHITE DISTRIBUTION	BLDG & GRNDS MAINT	78.75
TOTAL:		242,803.16

TOTAL FUNDS:

GENERAL	222,107.47
RESERVES - CITY HALL BLDG	5,102.00
ROAD USE	119.58
EMPLOYEE BENEFITS	7,584.00
TAX INCREMENT FINANCING	50.00
SEWER	7,840.11
TOTAL FUNDS:	242,803.16