

**THE REGULAR MEETING
OF THE BLUE GRASS CITY COUNCIL
BLUE GRASS, IOWA JUNE 17, 2024**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 17th day of June 2024, in the City Council Chambers of City Hall, 114 N. Mississippi Street, Blue Grass, Iowa, pursuant to law, with Mayor Brad Schutte presiding, with a Pledge of Allegiance and a moment of reflection.

Council present: Brandenburg, Hermann, Bowman and Blok.

APPROVAL OF AGENDA: Brandenburg moved to approve the Agenda as presented, seconded by Hermann. Roll call: Brandenburg-aye, Hermann-aye, Blok-aye and Bowman-aye. Motion carried.

Mayor Schutte read aloud the Mayoral Comments.

PUBLIC FORUM: Resident Donna Porter stated that she felt that all residents that run a business from their residence should be registered with the City especially if they are storing hazardous materials and/or chemicals so that Emergency Services when responding to an emergency call they are fully aware of what is stored on the property. The Clerk referred to Chapter 17.67 Home Occupation.

Resident Mrs. Wagner expressed her concerns on the City getting involved in Mr. Kelly's father-son small engine repair business as he is simply trying to teach his son responsibility and not making a profit from it as she has lived in Blue Grass for over 40 years and people have always done in-home businesses without registering through the City.

Resident Mike Houy asked what the status was on the cleanup efforts on East Laretta Street as far as he can see no one from the City has touched it and it looks terrible. Meyrer replied that Public Works has not had the time as they were busy preparing for Blue Grass Days reminding the Council that Public Works is down an employee and with it being summer, employees are trying to vacation time, etc.

1. **COUNCIL VACANCY/INTRODUCTIONS:** Mayor Schutte announced that due to the resignation of Council member Tim Rhoades, the Council has agreed to fill the vacancy by appointment rather than a special election. Blue Grass residents interested in filling the Council vacancy were: Terry Kelly, Justin Box and Cheryl Smith. Each candidate expressed their interest in filling the position and what they would like to accomplish.
2. **APPOINTMENT:** Bowman made a motion to nominate Cheryl Smith to fill the Council vacancy, seconded by Hermann. Roll call: Bowman-aye, Hermann-aye, Brandenburg-aye and Blok-aye. Motion carried.
3. **OATH OF OFFICE:** Mayor Schutte administered the Oath of Office swearing in Cheryl Smith who will serve the remainder of the term. Mayor and Council welcomed Ms. Smith to the Council.

CONSENT AGENDA: Brandenburg moved to adopt the Consent Agenda as presented, seconded by Hermann.

4. **June 3, 2024 Minutes**
5. **Resolution 2024-25 ref: payment from the LMI Tax Reserve**
6. **Resolution 2024-26 ref: payment from the accumulated Tax Increment Reserve**
7. **Resolution 2024-27 ref: setting wages for the employees for FY '24-'25**
8. **Resolution 2024-28 ref: payment from the accumulated Tax Increment Reserve**
9. **Resolution 2024-29 ref: internal advance for funding an Economic Development Grant**
10. **Resolution 2024-30 ref: TIF Rebate to Grunwald Land Dev.**
11. **Resolution 2024-31 ref: earmarking TIF monies as "undisbursed"**
12. **Resolution 2024-32 ref: pledging a TIF Rebate to the City of Blue Grass**
13. **Resolution 2024-33 ref: collection of TIF revenues**
14. **Resolution 2024-34 ref: transfer from the Local Option to the General Fund**

15. Resolution 2024-35 ref: transfer from the Money Market Reserve to Local Option

16. March 2024 Clerk's Report

17. April 2024 Clerk's Report

18. Payment of claims

Roll call: Brandenburg-aye, Hermann-aye, Bowman-aye, Smith-aye and Blok-aye. Motion carried.

INFORMATIONAL:

19. Blue Grass Community Center: Donna Porter and Cody Dorgan representing the Blue Grass Community Center presented a check to the Police Department for their Shop-with-a-Cop Program in the amount of \$842.00 as monies were raised through their "tip jar" during the Blue Grass Days events. Chief Meier had to leave unexpectedly due to a call; therefore, Mayor and Council thanked the Community Center for their continued support.

FIRE DEPARTMENT:

20. Report: Mayor Schutte presented the May 2024 Fire Department report prepared by Fire Chief Brian Seamer as he, too had to leave unexpectedly due to an emergency call.

21. Public Bid Opening: Mayor Schutte reported that the City had opened the bidding on the Department's 1999 Ford F350 Super Duty Brush Truck with a public bid opening date of June 17, 2024; therefore, opened the following bids: Curtis Dosland \$8,950.00; Barry Frantz \$8,250.00; Mike Ruhaak \$7,800.00; Brian Thoma \$7,777.00; Layton York \$10,556.00; Bruce Enterprises \$15,538.56; Terry Ferkel \$10,200.00; BD Sessa Electric \$7,710.00; Andy Vasquez \$18,150.00; A-Team Framing \$10,312.22; Matt Peterson \$12,345.67; David Triggs \$6,857.00; Matt Daxtater \$7,150.00; Bob's Towing \$11,000.00; David Frazier \$10,150.00; James Eveland \$9,880.00 and Brock Haigh \$6,777.77.

22. Acceptance: Smith made a motion to accept Andy Vasquez bid for the 1999 Ford F350 Super Duty Brush Truck in the amount of \$18,150.00 sold in as is condition with no warrant or no returns, seconded by Blok. Roll call: Smith-aye, Blok-aye, Bowman-aye, Brandenburg-aye and Hermann-aye. Motion carried.

PARK BOARD:

23. Report: Mayor Schutte presented the June 2024 Park Board report prepared by Chair Ryan Powers reporting a date of October 19, 2024 for the Board's Annual Pumpkin Dash.

24. Liberty Trail: Hermann reported that Liberty Trail was in need of crack fill and sealing. Meyrer reported that he was in the process of obtaining quotes.

HOME OCCUPATION:

25. Terry Kelly: Previously, the City had sent Mr. Terry Kelly a letter informing him that he was in violation of Chapter 17.67 Home Occupation as he was running a small engineer repair business from his residence.

Meyrer reported that he had performed a home inspection in reference to Mr. Kelly applying for a Home Occupation Permit to do a small engineer repair business from his garage. He summarized his findings as Mr. Kelly was still in violation several sections of Chapter 17.67 Home Occupation. Council questioned Mr. Meyrer on his inspection as he listed that Mr. Kelly had failed to obtain proper permits prior to both a furnace and an underground gas line. A rather lengthy discussion was held on Section 17.67.040 as it reads: "it shall be unlawful to operate a motor vehicle repair or motorcycle repair business within a district zoned R-1, R-2 and R-3 and such a business shall not be granted a Home Occupation Permit". McCullough recommended that the Council review the Ordinance to better define Section 17.67.040 for further clarification. Mr. Kelly reassured the Council that he would not be working on vehicles and/or motorcycles and that he was simply repairing trimmers, pressure washers, tillers, lawn and riding lawn mowers and snowblowers and that he would not store any equipment outside or sell equipment at his residence. Several neighboring residents spoke in support of Mr. Kelly.

It was the consensus of the Council that the Ordinance Committee review Chapter 17.67 and approve Mr. Kelly’s Home Occupation Permit with the stipulation that he only be allowed to work on the items he specified and if he violates those provisions, then his Home Occupation Permit be revoked and/or be cited. Brandenburg moved to approve Mr. Terry Kelly’s Home Occupation Permit to run a small engineer repair business from his residence with the stipulation he only works on trimmers, pressure washers, tillers, both lawn and riding lawn mowers and snowblowers, seconded by Blok. Roll call: Brandenburg-aye, Blok-aye, Smith-aye, Hermann-aye and Bowman-aye. Motion carried.

NUISANCE ABATEMENT(S):

26. Nuisance Abatement(s): Mayor Schutte reported that there were no new nuisance abatements.

LICENSING & RENEWAL(S):

27. Renewal(s): Bowman moved to approve JLee Oil/BP Cigarette Permit Renewal for the period of July 1, 2024 through June 30, 2025, seconded by Smith. Roll call: Bowman-aye, Smith-aye, Brandenburg-aye, Blok-aye, and Hermann-aye. Motion carried.

POLICY & ADMINISTRATION:

28. Clerk’s Report: City Clerk Ann Schmidt presented the April 2024 Clerk’s Report.

COMMENTS AND FUTURE AGENDA ITEMS: Resident Nick Barnett asked that the Council reconsider the fine assessment on building permits stating that it should be specified in the Code. The Clerk replied that the fines are specified in both the International Building Code and the Municipal Building Code. Further discussion was held on building permits.

RECESS: Hermann moved to recess for 5 minutes, seconded by Smith. Roll call: Hermann-aye, Smith-aye, Brandenburg-aye, Bowman-aye and Blok-aye. Motion carried. Brandenburg moved to reconvene, seconded by Smith. Roll call: Brandenburg-aye, Smith-aye, Blok-aye, Bowman-aye and Hermann-aye. Motion carried.

POLICY & ADMINISTRATION:

29. Strategize the sale and/or purchase of real estate: Mayor Schutte referred to the Code of Iowa, Section 21.5(j) stating that the Council would be going into executive closed session to strategize the sale and/or purchase of real estate. Brandenburg moved to close the regular meeting and go into closed session, seconded by Smith. Roll call: Brandenburg-aye, Smith-aye, Hermann-aye, Bowman-aye and Blok-aye. Motion carried.

Hermann moved to reopen the regular meeting, seconded by Smith. Roll call: Hermann-aye, Smith-aye, Blok-aye, Bowman-aye and Brandenburg-aye. Motion carried.

ADJOURNMENT: Bowman made a motion to adjourn, seconded by Hermann. Roll call: Bowman-aye, Hermann-aye Blok-aye, Brandenburg-aye and Smith-aye. Motion carried. The meeting adjourned at 8:57 p.m.

Mayor Brad Schutte

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

CLAIMS REPORT		
AERO CONCRETE	STREET IMPROVEMENTS	107,799.91
ALLTEST	PRE-EMPLOYMENT TESTING	140.00
B.G. BUGLE	ADVERTISING & PUBLICATIONS	200.00
PBC COLUMN SOFTWARE	ADVERTISING & PUBLICATIONS	585.78

EASTERN IA LIGHT & POWER	UTILITIES	1,550.77
GRUNWALD LAND DEV.	TIF REBATE	47,002.81
INTOXIMETERS	EQUIP OPER	125.00
IA LAW ENFORCEMENT ACADEMY	TRAINING	45.00
IA LEAGUE OF CITIES	PROF FEES	1,332.00
JOHNSON DISTRIBUTING	BLDG & GRNDS MAINT	7.00
MARTIN & WHITACRE SURVEYORS	ENGINEERING	6,852.83
MCCOY HOMES	ECON DEV REBATE PYMT	21,818.00
MCCULLOUGH, WM.	LEGAL SVS	1,127.50
MED-TECH RESOURCE	EQUIP OPER	420.63
MEDIACOM	INTERNET	476.77
MENARDS	BLDG & GRNDS MAINT	35.81
MIDAMERICAN ENERGY	UTILITIES	1,752.10
MOBILE TEAM TRAINING UNIT	TRAINING	510.00
NAPA	EQUIP OPER	2,389.41
PETERSEN PLUMBING	STREET BOND	1,000.00
PETTY CASH	BLDG & GRNDS MAINT	39.35
REPUBLIC SVS	GARBAGE/RECYCLING	10,185.75
ROSS MEDICAL SUPPLY	EQUIP OPER	12.00
TOTAL:		205,408.42

TOTAL FUNDS:		
GENERAL		17,519.45
TRUST FUND		1,000.00
TAX INCREMENT FINANCING		176,703.22
SANITATION		10,185.75
TOTAL FUNDS:		205,408.42

ADD'L BILLS PAID – MARCH 2024

PAYROLL		26,162.19
BG SAVINGS (FED'L/FICA/MEDICARE W/H)		8,317.88
TREASURER, STATE OF IA (STATE W/H)		1,161.56
IPERS (PENSION W/H)		5,767.34
AMERICO (457 PLAN W/H)		300.00
AFLAC (INS W/H)		71.16
CENTRAL STATES INS (EMPLOYEE CONTR)		560.00
CENTRAL STATES INS-HEALTH INSURANCE		12,179.20
TREASURER, STATE OF MAINE (EMPLOYEE W/H)		1,124.00
POSTMASTER-POSTAGE		239.95
AMAZON-OPER SUPPLIES		161.30
IOWA 80-VEH OPER		8.50
DAVENPORT COMPOST-FEES		35.00
WINDOW WORLD-LMI GRANT		2,214.00
BRIAN RAPPEL-OFFICE EQUIP		125.00
TOTAL:		58,427.08

FUND TOTALS

GENERAL		43,515.08
ROAD USE		2,457.85

SANITATION	274.95
EMPLOYEE BENEFITS	12,179.20
TOTALS:	58,427.08
REVENUES – MARCH 2024	
GENERAL	39,199.86
PARK IMPROV	25.00
FIRE TOWNSHIP	133.67
ROAD USE	13,584.05
EMPLOYEE BENEFITS	14,356.31
TAX INCREMENT FINANCING	8,081.48
LOCAL OPTION SALES TAX	23,454.14
MONEY MARKET	1,456.39
SEWER	295.36
SANITATION	12,775.23
TOTAL:	113,361.49
ADD'L BILLS PAID – APRIL 2024	
PAYROLL	24,873.95
BG SAVINGS (FED'L/FICA/MEDICARE W/H)	7,992.89
TREASURER, STATE OF IA (STATE W/H)	1,220.16
IPERS (PENSION W/H)	5,503.71
AMERICO (457 PLAN W/H)	300.00
AFLAC (INS W/H)	71.16
CENTRAL STATES INS (EMPLOYEE CONTR)	560.00
TREASURER, STATE OF MAINE (EMPLOYEE W/H)	1,124.00
POSTMASTER-POSTAGE	513.57
AMAZON-OPER SUPPLIES	569.19
IA WORKFORCE DEV-UNEMPLOYMENT	129.25
WALMART-OPER SUPPLIES	12.88
TOTAL:	42,870.76
FUND TOTALS	
GENERAL	40,101.84
ROAD USE	2,398.10
SANITATION	241.57
EMPLOYEE BENEFITS	129.25
TOTALS:	42,870.76
REVENUES – APRIL 2024	
GENERAL	276,051.18
LIBRARY MAINT	33,790.00
FIRE TOWNSHIP	129.44
ROAD USE	19,058.27
EMPLOYEE BENEFITS	101,218.48
TAX INCREMENT FINANCING	97,379.73
LOCAL OPTION SALES TAX	23,460.01
MONEY MARKET	1,411.60
SEWER	91.10
SANITATION	12,571.55
TOTAL:	565,161.36

