

**THE REGULAR MEETING
OF THE BLUE GRASS CITY COUNCIL
BLUE GRASS, IOWA SEPTEMBER 4, 2018**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 4th day of September 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: Bonnie Strong, Brad Schutte, Lisa Smith, Emilyne Slagle and Donna Kinzer. 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, Smith-aye, Slagle-aye and Schutte-nay. 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: Council member Schutte asked for clarification regarding Resolution 2018-50. Janecek briefly explained change order #2 as it was in regards to the additional costs to purchase top soil as McClure Engineering had assumed that the top soil was sufficient to reuse; however, it was later determined by the Iowa Department of Transportation that the soil removed was not suitable for vegetation and contained contaminates. Further discussion was held. Council member Schutte inquired about a claim payable. Council member Smith expressed her concerns on the way Item #8 was written in the August 20, 2018 meeting minutes as it was worded as such that the Council actually reviewed the Clerk’s financial report when in fact they did not. The Clerk replied that whenever documents are given to the Council to review, she acknowledges those documents in her minutes. Council member Strong requested that rather than the minutes read “Council reviewed” revise to “The Clerk presented”. Council member Smith also requested that the meeting minutes under Item #9 be corrected to read “it was the consensus of the Committee” and not the Council. Council member Smith made a motion to approve the consent agenda with the requested corrections to the August 20, 2018 meeting minutes, seconded by Council member Strong:

- 1. Motion to approve the minutes of the August 20, 2018 City Council meeting**
- 2. Motion to adopt Resolution 2018-48 ref: authorizing an expenditure with the construction of the Rehabilitation of North Mississippi Street Project**
- 3. Motion to adopt Resolution 2018-49 ref: authorizing an expenditure from the accumulated Tax Increment Financing Reserve**
- 4. Motion to adopt Resolution 2018-50 ref: authorizing change order #2 in reference to the construction project of the North Mississippi Street Rehabilitation Construction Project**
- 5. Motion to adopt Resolution 2018-51 ref: authorizing issuance of a warrant in connection with the construction of the North Mississippi Street Rehabilitation Construction Project – payment #6 to Langman Construction Inc.**
- 6. Payment of claims**

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

FIRE DEPARTMENT: Fire Chief Brian Seamer reported the following:

7. Fire Department Report: The August 2018 report consisted of the following: 44 calls with 111.3 on scene man-hours recorded with a total of 289 year-to-date calls. The report also consisted of the following: the Department would begin having tours at the Station and giving presentations at the Elementary School for Fire Prevention Week, October 7 through October 13, 2018; making preparations for the Department's Annual Halloween Dance set for October 26, 2018; reported door issues at the Public Safety Building with key cards; had an issue with Rescue #6 as the throttle cable broke; therefore, had TC Auto repair reporting that Rescue #6 was back in service; reported that during the month of September the Department would be training on pump operations along with vehicle extrication and stabilization with the Department's newly purchased equipment that was purchased with their fundraising/donation monies. Chief Seamer informed the Council that the Department was in dire need of replacing and upgrading their cascade system which is estimated at approximately \$38,550.00. He briefed the Council on how vital the cascade system is to the Department and how it operates. The Clerk reported that Chief Seamer had submitted a quote for the purchase of cascade system which will be further discussed under Item #27 requesting that the City apply for grant funding to purchase the new system. She said that if the City is unsuccessful in receiving the grant that the City utilize the assess funds toward the purchase when the Township payments are received in December rather than apply the assess funds toward the Tanker Truck Note. Council member Schutte agreed; however, reminded the Council that the City would have to get the Township Trustees approval prior to making the purchase. Mayor Guy informed the Council on how vital the cascade system is to the Department and that it was the City's responsibility to ensure that the Department has adequate equipment to function. He also commended the Chief on keeping him apprised during the recent storm where a tree fell and closed off South Mississippi Street. Chief Seamer added that unfortunately, he had to call in the Public Works Director to get the backhoe as the tree was much too large for the Department to move. Council member Strong asked that in the future that the Council also be informed as well as she was unaware of the street closure. Mayor Guy explained that unfortunately, his internet services were out; therefore, he was unable to send out an email to the Council adding that he had even contacted the Clerk late that evening to post a warning to the residents on the City's Facebook Page that there could be possible delays when commuting in the morning as there were several street closures due to downed trees and power lines.

UTILITY BILL DISPUTE:

8. Ilana Poulin ref: Utility Bill Dispute: Resident Ilana Poulin explained to the Council that she had received a telephone call from City Hall informing her of a rather unusual large usage at which time she then discovered that she had a toilet leak. She asked the Council if they could waive her sewer usage during those two months when her leak occurred. Council member Kinzer reported that she had telephoned Ms. Poulin who informed her that Iowa American Water Company had agreed to waive one-third of her usage during this particular leak. The Clerk further explained that the Assistant City Clerk had noticed that Ms. Poulin's consumption for the May 24, 2018 billing period was rather unusual as it recorded 117,948 gallons; therefore, she telephoned Ms. Poulin immediately and for the June 24, 2018 billing period recorded a total of 34,293 gallons. She reported that if the Council was in favor of averaging Ms. Poulin's May and June bills that her average usage computes to approximately 4,105 gallons per month which equivalents to \$31.18; therefore, would credit Ms. Poulin a total of \$609.01. Council expressed concerns that Iowa American Water Company was not utilizing the Galaxy System's leak detection report to inform residents of possible leaks. Mayor Guy reported that he was waiting to see if Iowa American Water Company and the City's software provider could resolve the converting of reads; however, as of today that has not happened; therefore, he was going to have to get involved. Discussion was held. Council member Kinzer moved to average Ms. Poulin's May and June bills to 4,105 gallons crediting her a total of \$609.01, seconded by Council member Smith. A roll call vote was taken: Kinzer-aye, Smith-aye, Schutte-aye, Strong-aye and Slagle-aye. Motion carried. Council member Smith commended the Assistant City Clerk for taking the initiative and finding the leak and notifying Ms. Poulin. Ms. Poulin thanked the Mayor and Council for their assistance in this matter.

BUILDING COMMISSIONER: Building Commissioner Jim Meyrer reported the following:

9. Building Commissioner Report: The August 2018 report consisted of 13 new homes currently under construction; 6 building permits issued totaling \$4,302.40; 2 rental inspections that passed; no activity on the Relentless Rod building; Tammi Wink purchased the property at 304 E. Salem Street; however, reported that there are still some concerns on the property such as a 8 foot cement hole that poses as a safety concerns even though there is a snow fence surrounding the area and the fact that the sewer is still open allowing drainage into the City's sanitary system along with Tammi's financial status to rebuild a home on the lot; reported that the new Prairie Woods Estates 3rd Addition has 8 lots sold reporting that a few more homes will be going up within the next 30 days expressing concerns on the lack of buildable lots this time next year and asked that the Council consider moving forward with granting Mr. Grunwald an Economic Development Grant as that will only bring new growth to Blue Grass as new homes brings new families which generates new revenues and more commercial development. A rather lengthy discussion was held in regards to the City securing the property at 304 E. Salem Street by filing in the foundation as with the winter months fast approaching, the City fears that the foundation would not be protected from the frost and would fill with debris and water which would then drain into the City's sanitary sewer system causing more issues. Mayor Guy suggested that he, the Building Commissioner and the Public Works Director meet with Ms. Tammi Wink to address the City's concerns. Meyrer also reported that Brus Construction was in the process of obtaining a building permit on the recent vacated home that he purchased at 915 South Oak Lane.

SANITATION:

10. Republic Services, Matt Pivot, Municipal Services Manager ref: Amending the Solid Waste, Refuse and Recycling Collection Contract: Republic Services Municipal Services Manager Matt Pivot briefly explained that due to the change in policies on imported recyclables and due to domestic markets it drove commodity prices down; therefore, a "recycling process fee" was imposed reporting that the Scott Area Solid Waste Commission has the authority to pass that fee to Republic Services. He said that currently the Scott Area Solid Waste Commission has not charged Republic Services this fee; however, has the authority; therefore, Republic Services was in the process of adding an Amendment to cities so that if and when that fee is assessed, it will be passed along to the proper authorities for picking up recycling. Mr. Pivot said that in the proposed Amendment, Republic Services wanted to offer the City an extension of rates as the City's current contract expired on June 30, 2022; therefore, extended the rates until June 30, 2028. The proposed Amendment read as follows: *rates: July 1, 2022 through June 30, 2023 \$14.65 per unit; July 1, 2023 through June 30, 2024 \$15.09 per unit; July 1, 2024 through June 30, 2025 \$15.55 per unit; July 1, 2025 through June 30, 2026 \$16.01 per unit; July 1, 2026 through June 30, 2027 \$16.49 per unit; July 1, 2027 through June 30, 2028 \$16.99 per unit; and the added language associated with the Recycling Process Charges: "Annual Recycling Adjustment: On July 1st of each year, Republic Services shall evaluate, and adjust if needed, the Recycling Process Charge based on any changes in Commodity Sales, Processing Rates and/or Residual Costs. The Recycling Processing Charge over the most recent twelve month period shall be compared to the last identified Recycling Processing Charge to determine any change. A reduction in Recycling Processing Charge shall result in a decreased price for the Recycling Services for the twelve months after the effective date of the Annual Recycling Adjustment. An increase in Recycling Processing Charge shall result in an increased price for the Recycling Services for the twelve months after the effective date of the Annual Recycling Adjustment. Should unforeseen circumstances cause at least a 20 percent in Republic's Recycling Processing Charge, both parties agree to implement a mid-year adjustment to the Recycling Processing Charge. Recycling Processing Charge September 1, 2018 through June 30, 2019 based on a \$.00 cost per ton - \$.00 per home."* The Contract also adjusted the Yard Waste Tags beginning April 1, 2019 to \$3.00 per tag. Council member Strong expressed concerns on the increase in yard waste tags. Mr. Pivot said that the increase was due to operational costs in order for Republic Services to send a truck out to Blue Grass to pick up yard waste. The Clerk reported that when Mr. Pivot first had spoken

with her in regards to the new recycling process fee, she asked that Republic Services extend the fees based on the current fee structure and take out the language in regards to assessing a fuel surcharge. Mr. Pivot said that he was unclear whether the City's last contract had a fuel surcharge but would agree to remove. Council member Schutte referred to Ordinance Amendment 2018-01 that was just adopted by the Council on June 4, 2018 increasing the sanitation rates. He said that the Amendment also stipulated that "an adjustment, if any, shall be determined by the City Council prior to July 1, 2011"; therefore, it was his opinion that the Amendment falls within the guidelines of the Amendment. Council member Schutte moved to accept Republic Services "Amendment for the Solid Waste, Refuse and Recycling Collection Contract entered into on November 1, 2011", seconded by Council member Kinzer. A roll call vote was taken: Schutte-aye, Kinzer-aye, Slagle-aye, Strong-aye and Smith-aye. Motion carried. Council member Schutte expressed his disappointment informing Mr. Pivot that the City only sees a Republic Services representative when it is Contract time. Council member Strong agreed asking if a representative could at least attend one meeting quarterly. Mr. Pivot explained that, unfortunately he may only be able to attend a meeting twice a year as he represents over 60 cities and most of all meet the same time as Blue Grass; however, he would try to get a representative to attend in the future.

ENGINEER REPORT: City Engineer Mike Janecek reported the following:

11. Engineer Report: The August 2018 Engineer's Report consisted attendance at one Council meeting during the month.

12. 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 reported that Langman Construction had made less progress this month on the project but are still ahead of schedule reporting that street pavement and driveways were complete between Mayne Street and Lotte Street and the majority of the sidewalks and pedestrian ramps were complete. He said that the sanitary sewer work is complete and the storm sewer has been started but still needs to be finished between Lotte and Laretta Street and is expected to be installed early September and then paving can commence the following week. Janecek said that MidAmerican Energy and Iowa American Water Company are done with their work and CenturyLink and Mediacom have a few other minor adjustments to complete. He said that the Contractor still expects final completion at the end of September instead of October as originally anticipated and reported that Change Order #2 was required for importing top soil as it was previously assumed that the existing top soil was salvageable; however, the IDOT deemed the soil unsuitable for vegetation.

13. 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 that IMEG had spoken with Courtney Cswerko from the IDNR Field Office and she had indicated that based on her analysis, Blue Grass would most likely not qualify as a Disadvantaged Community but the application had to be discussed with the IDNR Project Manager and should have a determination within a few weeks. He reported that IMEG had begun surveying for the lagoon improvements project reporting that once that was complete the design phase will commence.

14. Update ref: SUDAS (Statewide Urban Design and Specifications): Janecek had previously reported that he had met with the Public Works Director to begin reviewing the City of Davenport's adopted "Statewide Urban Design and Specifications" (SUDAS) as this will be a major undertaking and require several meetings.

Janecek reported that both he and the Public Works Director met and finalized the SUDAS recommendation and would put their recommendations in writing for next month's meeting which will

include a few minor revisions in supplement specifications as they would like the City to require that sewer and water laterals be marked on street curbs as per current specifications and for private residential storm sewers to not be allowed to public storm sewers without Council approval.

PLAT OF SURVEY:

15. Plat of Survey ref: Prairie Woods Estates 3rd Addition, Lot #3: McCullough reported that he had reviewed the Plat of Survey submitted by McCoy Homes proposing a boundary line adjustment taking the South 10 feet of Lot #3 and add to Lot #4 reporting that he had no issues with the request. Janecek reported that IMEG had reviewed the Plat of Survey and requested one revision: that all found and set corners with caps be identified as to material such as plastic, aluminum, etc. Council member Schutte moved to approve the Plat of Survey based on the recommendations of the City Attorney and City Engineer with the stipulation that the City Engineer's request be made as defined in his letter dated August 31, 2018, seconded by Council member Slagle. A roll call vote was taken: Schutte-aye, Slagle, Kinzer-aye, Strong-aye and Smith-aye. Motion carried.

PUBLIC WORKS: Public Works Director Lonnie Robertson reported the following:

16. Public Works Department Report: Robertson presented the August 2018 Public Works Department report as follows: 75 Iowa-One Call locates; daily sewer checks; serviced all lift stations and clean trash baskets; mowed City parks and right-of-ways weekly; attended one progress meeting on the North Mississippi Street Rehabilitation Project and is still overseeing the construction project and had a walk through with the IDOT; attended a SUDAS meeting with the City Engineer; reported that the flashing light at West Mayne and Oak Lane was removed; reported that there were two alarms at two separate lift stations one was due to a power outage and the other was due to a sump seal; Public Works did some road closures due to downed power lines during the last storm; hauled concrete from City Hall's parking lot and hauled rock in reporting that Reitz Construction had completed the pouring of the parking lot and had the parking lot striped; however, highly recommended that the joints be sealed reporting that he would present a quote at the next Council meeting. Council member Schutte agreed as if the City does not seal the parking lot that moisture would eventually heave the concrete. It was the consensus of the Council to have Robertson get a quote on the sealing of joints for City Hall's parking lot and present at the next meeting. Robertson continued to report that LL Pelling had started the sealcoating of streets; the generator at the Public Safety Building was serviced and reported that there are still door issues at the Public Safety Building. Resident Mark Wakefield referred to a letter he received from MidAmerican Energy asking who compiled the list of trees to be trimmed. Robertson said that MidAmerican Energy compiled their own list and if a tree has a blue dot on it, MidAmerican Energy would trim that particular tree. Council member Smith requested that Robertson send her a list of the streets that are going to be sealcoated. Robertson reported that LL Pelling was done. Council member Smith requested that in the future that he inform the entire Council of the streets that are to be sealcoated. Robertson reported that he had contacted the Street Committee in regards to monies that were held aside to repair the streets impacted by the North Mississippi Street Project and it was agreed upon to sealcoat West Orphed Street adding that Iowa American Water Company would be offsetting the total costs by \$6,000.00 as they, too, had repairs that impacted West Orphed Street. Council member Smith asked that Public Works look at a wire on East Laurretta and North Neisse Street as she believes the wire was hanging way too low. Robertson agreed to look at. He continued to report that he had just received the Contract for salt and wanted to get it ordered as soon as possible; therefore, would place on the next meeting agenda reporting that the price went from \$65.00 a ton to \$81.00 a ton. Council member Smith recommended that Robertson also obtain a quote from Buffalo's Cargill. Robertson reported that, unfortunately Cargill does not sell bulk salt. Council member Strong asked that Public Works try to monitor daily the storm drain at Sycamore and North Juniata Street as it is becoming a nuisance as there seems to be a lot of debris that blocks the drain from draining backing up onto the sidewalk forcing the elementary kids to walk through the mud. Mayor Guy agreed to have Public Works look at the area.

POLICE DEPARTMENT: Chief Jahns reported the following:

17. Set Trick-or-Treat date/time: Previously, the Council tabled setting the date and time for Blue Grass' Trick-or-Treat as they wanted additional time to see what other cities were doing and how the Elementary School's schedule would coincide with the date and time set for trick-or-treat.

Council member Strong expressed her concerns on setting the date for trick-or-treat as she feels the City should wait until the completion of the North Mississippi Street project based on the fact that there is no fill in the boulevards that she feels is unsafe. Robertson suggested closing off the sidewalks and posting signs. Janecek reminded the Council that Langman Construction was ahead of schedule and anticipates the project to be complete either the last week in September or the first week in October. Chief Jahns reported that the City of Davenport set October 31, 2018 from 5:30 p.m. to 7:30 p.m. as their trick-or-treat date and time. Discussion was held. Council member Strong moved to table setting the date and time for trick-or-treat in Blue Grass due to construction issues. Motion died due to a lack of a second. Discussion was held on the City closing off portions of the street and/or sidewalk with signs that are deemed unsafe at the time of trick-or-treat. Council member Smith moved to set trick-or-treat on October 31, 2018 from 5:30 p.m. to 7:30 p.m. Motion died due to a lack of a second. Council member Kinzer expressed her concerns on setting 5:30 p.m. as the start time as she feels that is too late. Chief Seamer reminded the Council that due to the new school dismissal time and parents just getting home and trying to get their children in their costumes that it was his opinion that 5:00 p.m. would be way too early. The Clerk reminded the Council that October 31, 2018 fell on a Wednesday; therefore, that was an early dismissal day. Council member Slagle moved to set trick-or-treat for Blue Grass on October 31, 2018 from 5:30 p.m. to 7:00 p.m. with the stipulation that the appropriate signage be placed if necessary, seconded by Council member Kinzer. A roll call vote was taken: Slagle-aye, Kinzer-aye, Strong-nay, Smith-nay and Schutte-aye. Motion carried. Robertson agreed to post signs if needed.

LICENSING & RENEWALS:

18. Liquor License renewal ref: The Corner Grill: The Clerk reported that the Alcoholic Beverage Division confirmed that The Corner Grill had successfully completed their liquor license renewal application; therefore, had submitted the liquor license to the City for local jurisdiction approval. Chief Jahns reported no issues with the license renewal. Council member Schutte moved to approve The Corner Grill's liquor license renewal, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Strong-aye, Kinzer-aye and Slagle-aye. Motion carried.

POLICY & ADMINISTRATION:

19. Grunwald Land Development ref: Economic Development Grant: Grunwald Land Development Developer Dale Grunwald previously approached the Council on awarding him an Economic Development Grant in the amount of \$455,000.00 with annual payments of \$35,000.00 a year for a period of 13 years to help offset the infrastructure costs to construct both the sanitary and storm sewer in order for him to construct 28 lots in Black Bear Crossing's 2nd Addition as the total infrastructure costs totaled approximately \$1,798,565.00. It was the consensus of the Council to have the Clerk prepare a financial study on property tax revenues since this was a long term investment to see if this investment was even feasible for the City to pursue prior to making any decisions.

Council member Smith questioned the difference between Sawgrass Partner's Development Agreement and Mr. Grunwald's proposal. McCullough briefly explained the difference as with Sawgrass Partner's Development Agreement, the property is already under an existing development which is located in a TIF area; therefore, the City will receive some TIF monies back as the property develops. He said that in order for Sawgrass Partners to receive a rebate payment from the City they are required to build a required number of homes per year and fill out a rebate request form with the City. McCullough proceeded to explain Mr. Grunwald's proposal as Mr. Grunwald's 1st and 2nd Additions were already included in the City's Urban Renewal Area Plan which is expected to expire on or about 2021; therefore, Mr. Grunwald's TIF will expire and he will be unable to develop his 2nd Addition without financial assistance from the City. He also explained that in some respects Mr. Grunwald's

development might be perceived as being fairer as the City is not using TIF funds; whereas, TIF funds are monies you are taking from the Schools and County and with Mr. Grunwald's development you strictly using City property tax revenues to compensate him which will be generated from his 2nd Addition. Council member Slagle said that based on her studies, after the residential recession in 2008 the housing market began again in 2011 referring to Ruhl & Ruhl's summit that is released annually which also refers to the City of LeClaire and Bettendorf of which neither City has residential TIF and their lots are selling just fine. She also reported that according to her resources the Iowa State Legislature is proposing to take away all TIF's as it is not being used for what it was originally intended for. Council member Strong questioned the property tax distribution once the TIF expires asking if the property tax monies will then be redistributed back to the Schools, County and City. McCullough replied yes when the TIF expires on or about 2021. Mr. Grunwald replied that the reason he did not start his 2nd Addition in 2011 was because of the competition, he could not compete with the costs of the lots being sold in the Prairie Woods Estates Subdivision at the time. Council member Schutte reminded the Council that this is not a TIF and that if Mr. Grunwald does not build, he does not receive any rebate payments; therefore, the risk is Mr. Grunwald's and not at the City's risk. Mr. Grunwald explained that in order for him to fully develop the 2nd Addition, which would consist of approximately 28 residential lots, he would need some financial assistance; therefore, he has agreed to finance the infrastructure with the stipulation that the City grant him an Economic Development Grant that would offset both the sanitary and storm sewer costs; otherwise, it would not financially be feasible to develop. He said that the decision was ultimately up to the City whether they wish to continue to grow or let the land just sit there and not gain any more property taxes reminding the Council that this is a long-term commitment. Council member Strong said that it was brought to her attention that there have been issues with Mr. Grunwald in both the City of Long Grove and Eldridge with water retention in the past referring to a newspaper article where Mr. Grunwald stated that he would abandoned his residential development plans on his land if the City does not take over; therefore, she feels that this is some type of bullying and that she feels Mr. Grunwald is also trying to bully the City of Blue Grass by stating that that he would let that ground sit. She reminded him that the City has no financial obligation in helping him out of his financial crisis that neither he or his attorney or engineer did not catch. Mr. Grunwald said that it was not a financial crisis as he will have approximately \$2M invested in his development. Council member Strong reported that she had spoken with a lot of residents of all different age groups and they feel that the City should invest in the City's needs such as the Fire Department's request for a new compressor, another full-time Police Officer and the upcoming State mandated \$2M sewer project and the existing City's General Obligation Debt for the Public Safety Building rather than give that amount of money to Mr. Grunwald for that amount of houses. Janecek again, reminded the Council that Mr. Grunwald's proposal has no impact on the City funding those types of projects as the annual rebate payments would be generated from Mr. Grunwald's development giving a price comparison on purchasing a Blue Grass residential lot which are considerably lower than for instance the City of Davenport's price per residential lot; therefore, leaving the Developer with less monies to offset infrastructure costs adding that it was quite common for cities to financially assist Developers with residential developments in order to generate growth. He said asked that the Council also take into consideration that after the 13 years of rebate payments, the City would then reap all the benefits of the development potentially increase the commercial possibilities. McCullough said that based on the financial projections there will be other monies the City can use to fund those types of projects that Council member Strong was referring too; however, from a policy perspective, the question is does the City want to commit \$35,000.00 a year and assist Mr. Grunwald as this is a long-term Policy decision until the TIF expires. He said that it was his opinion based on the financial projections that the City could certainly afford entering into an agreement with Mr. Grunwald from an economic development standpoint. Council member Kinzer inquired whether Grunwald Land Development was in good standings with the Iowa Secretary of State. McCullough replied that yes, Grunwald Land Development's Certificate of Existence is now in good standings with the Iowa Secretary of State. Council member Strong said that in the past the Council has asked numerous times for initial police protection and the answer was always the same there is no money

we cannot afford to have another full-time Police Officer and now all of a sudden we have an extra \$35,000.00 a year for the next 10 years. McCullough asked the Council if they wish to invest the monies in the City's future or use it for their current needs. Council member Smith expressed concerns on whether the City would receive property tax revenues if the new homes were not vacated. The Clerk reported that in using the same tax base from Grunwald's 1st Addition which is estimated at \$9.3M in property tax valuations, the City, when the TIF expires the City will receive an additional \$110,000.00 from Grunwald's 1st Addition in City property tax revenues; therefore, if you were to use those tax base numbers when Mr. Grunwald's rebate expires in 13 years, the City would then receive an additional \$110,000.00 in City property tax revenues from the 2nd Addition alone. She also reminded the Council that the City will also receive additional Road Use Tax monies as it is based on per capita and that once the TIF expires on or about 2021/2022 the City will receive an additional \$363,730.00 in City property tax revenues reiterating the concerns the Council had back in 2001 when the TIF was first established as the Council at that time was willing to take the risk and invest in Blue Grass' future referring to Towne & County Manor's development, Prairie Woods Estate's development and Black Bear Crossing's development as without residential TIF, those developments would not have been feasible. Council member Schutte moved to enter into a Development Agreement with Grunwald Land Development. Motion died due to a lack of a second. Council member Slagle moved to not enter into a Development Agreement with Grunwald Land Development, seconded by Council member Strong. A roll call vote was taken: Slagle-aye, Strong-aye, Schutte-nay, Smith-aye and Kinzer-aye. Motion carried.

ORDINANCE(S)/RESOLUTION(S):

20. Third reading/adoption of Ordinance Amendment 2018-04 ref: amending Chapter 17.24 R-1

Single Family Residence District: Council member Schutte introduced a synopsis of the third reading of Ordinance Amendment 2018-04 commenting that the Amendment was on file at City Hall for review. Council member Schutte moved to accept the third reading of Ordinance Amendment 2018-04, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Strong-aye, Slagle-aye and Kinzer-aye. Motion carried.

Council member Smith moved to adopt Ordinance Amendment 2018-04, seconded by Council member Schutte. A roll call vote was taken: Smith-aye, Schutte-aye, Strong-aye, Slagle-aye and Kinzer-aye. Motion carried.

21. Second reading of Ordinance Amendment 2018-05 ref: amending Chapter 2.50 Public Works

Director and Chapter 2.52 Public Works Employee job descriptions: Council member Schutte introduced a synopsis of the second reading of Ordinance Amendment 2018-05 commenting that the Amendment was on file at City Hall for review. Council member Schutte moved to accept the second reading of Ordinance Amendment 2018-05, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Strong-aye, Slagle-aye and Kinzer-aye. Motion carried.

22. Second reading of Ordinance Amendment 2018-06 ref: amending Chapter 10.48 School Crossing and Crossing Guards job descriptions:

Council member Strong introduced a synopsis of the second reading of Ordinance Amendment 2018-06 commenting that the Amendment was on file at City Hall for review. Council member Strong moved to accept the second reading of Ordinance Amendment 2018-06, seconded by Council member Smith. A roll call vote was taken: Strong-aye, Smith-aye, Schutte-nay, Slagle-aye and Kinzer-aye. Motion carried.

PLANNING & ZONING COMMISSION:

23. John Wulf's First Addition – Preliminary & Final Plat: Previously, the City Council held a public hearing at the request from Mr. John Wulf on May 21, 2018 to subdivide approximately 13 acres zoned A-2 Agricultural District into 2 lots; however, due to the fact that Mr. Wulf had not submitted all the required legal documents, the City Council tabled John Wulf's First Addition Preliminary and Final Plat until he had met those requirements.

McCullough reported that John Wulf's Attorney Mr. Ben Yeggy has submitted all but two

documents and that both Mr. Wulf and Mr. Yeggy are fully aware that they have until September 18, 2018 to file all the required Final Plat documents; otherwise, both the Preliminary and Final Plat will be null and void.

NUISANCE ABATEMENT(S):

- 24. Nuisance Abatement(s):** Chief Jahns reported that 5 nuisance abatement letters were sent out mostly regarding weeds and a dilapidated pools, etc. reporting that 90 percent of the residents are in compliance and that he has one property he is still working on.

POLICY & ADMINISTRATION (Cont'd):

- 25. Security Cameras as City Hall:** Council member Smith reported that she had found some security cameras that backup on a hard drive that she feels would best fit City Hall's needs under \$400.00 recommending that Public Works install. She said that they could be installed while the City Attorney drafts a Policy assigning the Police Chief and Mayor to administer. Chief Seamer reviewed the security cameras recommending that the Council not purchase anything below 1080p resolution. Discussion was held. Council member Strong moved to purchase the security cameras upgrading to the 1080p resolution under \$500.00 as a safety concern with Public Works to install, seconded by Council member Smith. A roll call vote was taken: Strong-aye, Smith-aye, Schutte-nay, Kinzer-nay and Slagle-aye. Motion carried

- 26. Purchase of tablets/laptops:** Previously, the Council asked that the Clerk research tablets or laptops so that the City could save money on copies and begin going paperless.

Council member Smith reported that she had asked that Kristy Seamer assist her in researching what would work best for the City and it was her opinion that the City look into the Samsung Galaxy Tab A SM-T580 10.1 inch touchscreen with a price of \$205.99 each through Amazon. The Clerk reported that there would be additional costs on providing an anti-virus for each tablet at which time Council member Smith said that there are free downloads that the City could use as well as other free software downloads. The Clerk cautioned the Council on using "free" downloads and/or software as in the past the State Auditor's Office has cautioned cities that do not operate by using business type software. Council member Smith said that perhaps it was recommended by the State and not mandatory; therefore, she felt the free anti-virus and software would be sufficient. Further discussion was held on purchasing one or two tablets as a trial basis at which time Council member Slagle agreed to download the next Council packet on her own iPad and bring to the next Council meeting as a trial basis and give her opinion to see if it was worth pursuing.

- 27. Grant Proposals:** The Clerk presented the following grant proposals: Fire Department to purchase a Bauer Enclosed Compressor with accessories in the amount of \$38,550.00 and the Police Department to purchase 2 in-car camera system; 2 patrol vehicle trauma kits and a ZOL AED Plus totaling \$9,850.79. Discussion was held on the City matching a portion of the Grant as the Clerk highly stressed the need to match a percentage toward the grant to increase the City's chance of being awarded grant monies. Council agreed to submit both grant proposals with a 10 percent match. Council member Smith reported that she had spoken the City's liaison for MidAmerican Energy Mr. Doug Haiston and he had informed her that MidAmerican Energy was once again offering a \$500.00 grant; therefore, she recommended that the City request monies to help offset costs to purchase the security cameras at City Hall. It was the consensus of the Council to request that the grant fund the security cameras at City Hall. Council member Smith agreed to contact Mr. Haiston on the City's request.

COMMENTS AND FUTURE AGENDA ITEMS: Mayor Guy asked that the Council give him their cell phone numbers so that in future if and when an emergency arises and he has no internet services he can text them.

Council member Schutte questioned the invoice submitted to the City for legal services rendered by Hopkins & Huebner P.C. in the amount of \$1,250.00. McCullough reported that the legal services were in regards to Mediacom's litigation as the Council previously requested that the City continue to pursue moving forward with having the Franchise fees applied through the Public Utilities State Board based on the fact that other cities have had success in doing that; therefore, Hopkins & Huebner are in the process of drafting some Ordinances similar so that the Council could adopt so that the Utilities Board will move forward.

Council member Smith requested that a Committee of the Whole meeting be held to discuss the Golf Cart, Bicycle, ATV and snowmobile Ordinance. A tentative meeting date was set for September 25, 2018 at 7:00 p.m. requesting that Chief Jahns be present. Chief Jahns said that Officer Bujalski from the City of Buffalo would also be in attendance as he enforces the City of Buffalo's Golf Cart Ordinance.

Council member Strong reminded the Council that there was an Employee Relation Committee on September 5, 2018 at 4:30 p.m. She also reported that she has been having issues with CenturyLink's internet service. Public Works employee Bob Downing reported that during that last storm CenturyLink had to install a temporary patch on a line; therefore, that may be the main cause of services being interrupted.

Resident Mark Wakefield questioned the status of Reitz Construction's concrete pile on his property. Robertson reported that Pleasant Valley Redi-mix was scheduled to crush this Fall waiting for the season to slow down.

RECESS: Council member Schutte moved to take a 5-minute recess, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Kinzer-aye, Strong-aye and Slagle-aye. Motion carried. The meeting recessed at 9:31 p.m.

Council member Schutte moved to return from recess, seconded by Council member Strong. A roll call vote was taken: Schutte-aye, Strong-aye, Slagle-aye, Kinzer-aye and Smith-aye. Motion carried. The meeting reconvened at 9:36 p.m.

EMPLOYEE RELATION:

28. Personnel Evaluation(s) ref: upon request – Closed Session, Section 21.5(i) Code of Iowa: Mayor Guy informed Mr. Guinn, according to Section 21.5 (i) of the Code of Iowa, Personnel Evaluations, that Mr. Guinn may request a closed session at which time Mr. Guinn requested to go into closed session. Council member Smith moved to close the regular session and go into closed session, seconded by Council member Schutte. A roll call vote was taken: Smith-aye, Schutte-aye, Kinzer-aye, Slagle-aye and Strong-aye. Motion carried. The regular meeting closed at 9:37 p.m.

Council member Schutte moved to reopen the regular session, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Strong-aye, Slagle-aye and Kinzer-aye. Motion carried. The regular meeting reconvened at 9:50 p.m.

Council member Slagle moved to have "Promotion of Officer Guinn" on the next meeting Agenda, seconded by Council member Strong. A roll call vote was taken: Slagle-aye, Strong-aye, Schutte-aye, Smith-aye and Kinzer-aye. Motion carried.

ADJOURNMENT: Council member Smith made a motion to adjourn, seconded by Council member Slagle. A roll call vote was taken: Smith-aye, Slagle-aye, Schutte-aye, Kinzer-aye and Strong-aye. Motion carried. The meeting adjourned at 9:51 p.m.

Mayor Larry Guy

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

CLAIMS REPORT

ADI GROUP	SAFETY EQUIPMENT	395.50
AT&T	TELEPHONE/FAX	105.11
BARCO MUNICIPAL PRODUCTS	BLDG & GROUNDS MAINTENANCE	230.49
BLUE GRASS FEED & SEED	BLDG & GROUNDS MAINTENANCE	79.68
BP	VEHICLE OPERATIONS	975.60
BRUS CONSTRUCTION LLC	PROFESSIONAL FEES	197.80
CCP INDUSTRIES INC.	BLDG & GROUNDS MAINTENANCE	172.18
CENTRAL STATES H & W FUND	HEALTH INSURANCE	8,582.00
CENTURYLINK	TELEPHONE/FAX	419.68
ECONO SIGNS LLC	STREET SIGNS	243.74
HOPKINS & HUEBNER P.C.	LEGAL SERVICES	1,250.00
IMEG CORP.	ENGINEERING-N MISS STR PROJ	52,242.44
IOWA ONE CALL	PROFESSIONAL FEES	74.70
JLEE OIL LLC	VEHICLE OPERATIONS	70.19
LANGMAN CONSTRUCTION INC.	N MISS STR PROJ PAYMENT #6	148,268.24
LINWOOD MINING & MINERAL	BLDG & GROUNDS MAINTENANCE	3,228.76
MCCULLOUGH, WILLIAM T.	LEGAL SERVICES	1,462.50
MIDWEST BREATHING AIR SYSTEMS	EQUIPMENT OPERATIONS	585.46
MIDWEST RADAR & EQUIP	EQUIPMENT OPERATIONS	80.00
MIDWEST WHEEL COMPANIES	EQUIPMENT OPERATIONS	56.16
MILLS CHEVROLET	VEHICLE OPERATIONS	201.44
OTERO DOOR WORKS	BLDG & GROUNDS MAINTENANCE	420.00
PS3 ENTERPRISES INC.	BLDG & GROUNDS MAINTENANCE	548.00
REITZ CONSTRUCTION INC.	BLDG & GROUNDS MAINTENANCE	41,763.00
ROBERTS, ANDREW	VEHICLE OPERATIONS	54.01
SULLIVAN, SHAWN	UNIFORM ALLOWANCE	200.00
TALL GRASS BUSINESS RESOURCES	OFFICE OPERATIONS	423.93
VERIZON WIRELESS	TELEPHONE/INTERNET	379.61
***** REPORT TOTAL *****		262,710.22

FUND TOTALS

GENERAL FUND	45,829.46
RESERVES: CITY HALL BLDG	6,500.00
RESERVES: STREET IMPROV	52,242.44
ROAD USE FUND	188.00
EMPLOYEE BENEFITS FUND	7,356.00
TAX INCREMENT FINANCING RESERVE	67.50
CAPITAL IMPROV RESERVE	127,780.00
SEWER FUND	2,258.58
RESERVES: SEWER IMPROV	20,488.24
FUND TOTALS:	262,710.22