

**THE REGULAR MEETING  
OF THE BLUE GRASS CITY COUNCIL  
BLUE GRASS, IOWA                      OCTOBER 1, 2018**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 1<sup>st</sup> day of October 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 Slagle moved to approve the agenda as presented, seconded by Council member Strong. A roll call vote was taken: Slagle-aye, Strong-aye, Kinzer-aye, Smith-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 Smith made a motion to approve the consent agenda as presented, seconded by Council member Slagle:

1. **Motion to approve the minutes of the September 17, 2018 City Council meeting**
2. **Motion to approve the minutes of the September 25, 2018 Committee of the Whole meeting**
3. **Motion to adopt Resolution 2018-53 ref: approving an expenditure associated with the construction project of the North Mississippi Street Rehabilitation Construction Project**
4. **Motion to adopt Resolution 2018-54 ref: authorizing issuance of a warrant in connection with the construction of the North Mississippi Street Rehabilitation Construction Project - payment #7 to Langman Construction Inc.**
5. **Motion to adopt Resolution 2018-55 ref: approving a Preliminary and Final Plat of John Wulf’s First Addition, a subdivision located in the corporate limits of the City of Blue Grass, Scott County, Iowa**
6. **Payment of claims**

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

**FIRE DEPARTMENT:** Fire Chief Brian Seamer reported the following:

7. **Fire Department Report:** The September 2018 report consisted of the following: 27 calls with 76 on scene man-hours recorded with a total of 317 year-to-date calls. The report also consisted of the following: the Department responded to a structure fire within the City limits with mutual aid from Buffalo Fire; preparations for the Department’s Annual Halloween Dance set for October 26, 2018 and reported that the Department will be having live fire trainings during the end of October into November as this is a mandatory training and will also be doing Agricultural trainings that entails grain bin rescue. Chief Seamer added that the Department will have their trucks to honor the late Buffalo Fire Chief Terry Adams.

**BUILDING COMMISSIONER:** Building Commissioner Jim Meyrer reported the following:

8. **Building Commissioner Report:** The September 2018 report consisted of 13 new homes currently under construction; 16 building permits issued; 1 home occupation issued and 3 rental inspections with 2 passing and 1 fail briefing the Council on the violations. Meyrer reported that upon inspecting the

pavilion at Laurretta Park, he found several leveling issues along with the fact that he had first recommended that the posts be set in concrete and that was not done. He also briefed the Council on the status of the property at 304 E. Salem Street, reporting that the foundation was at least 65 percent filled; therefore, he was satisfied so far with the progress.

- 9. Home Occupation Renewal ref: Terry Leighton:** Meyrer reported that Mr. Terry Leighton had filed for a renewal on his Home Occupation Permit to sell firearms and after careful review, reissued Mr. Leighton his Home Occupation Permit as he had met all the requirements according to Section 17.67.050. The Clerk reported that according to the Home Occupation Ordinance, a resident may reapply for a renewal with the stipulation that the applicant has not been in violation of the rules and regulations defined under the Home Occupation Ordinance and no complaints have been filed; therefore, reporting that no complaints had been filed. Council member Smith questioned if a background check was performed prior to issuing Mr. Leighton's renewal. Meyrer reported that according to the Ordinance, a background check is not mandatory; however, that would be the responsibility of the Police Department to perform background checks. McCullough added that in order for Mr. Leighton to sell firearms, he would have to be clear of any convictions or felonies.

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

- 10. Engineer Report:** The September 2018 Engineer's Report consisted attendance at one Council meeting during the month along with the following Items #11 through 13.

- 11. 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 Laurretta Street including curbs, gutters, sidewalks, storm and sanitary sewers.

Janecek reported that Langman Construction had made good progress over the last few weeks and are on schedule to substantially complete the project at this time within the allowable working days. He continued to report that the street pavement was complete South of Laurretta Street; driveways are beginning between Lotte and Laurretta Streets; sidewalks will also be done shortly after the driveways are complete; storm and sanitary work is complete; Laurretta Street intersection is closed until the intersection is paved; South of Lotte Street is open to traffic; all remaining pavement and driveways will be completed next week with sidewalks to follow; backfill between curbs and sidewalk will be done soon after the final grading, seeding, fertilizing and mulching is complete. Janecek added that the completion date is based on substantial completion of major items and punch list items have been done with 30 days after the punch list is completed and then all retainage will be released. Council expressed their disappointment that Langman Construction has continuously reported throughout the project that they are ahead of schedule and now with the deadline fast approaching, Langman Construction is struggling to meet that deadline as they have had several weeks of great weather to backfill and seed. Janecek reassured the Council that the City has a 2 year warranty on Langman Construction's Performance Maintenance Bond.

- 12. 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 which was later denied by the IDNR; therefore, submitted an application as a Disadvantaged Community.

Janecek reported that, unfortunately, the City did not qualify as a Disadvantaged Community; therefore, their application was denied. He said that IMEG will complete the surveying for the lagoon improvements during the first week of October and the Design Phase will commence once the surveying is complete which will be completed over winter for next year's construction season. Financing was discussed as the City Clerk has already spoken with President Wayne Beck at the Blue Grass Savings Bank on low interest financing.

**13. Update ref: SUDAS (Statewide Urban Design and Specifications):** Janecek reported that he was working on drafting the City's "Statewide Urban Design and Specifications" (SUDAS) based on both his and the Public Works Director's recommendations. He said that 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.

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

**14. Public Works Department Report:** Robertson presented the September 2018 Public Works Department report as follows: 75 Iowa-One Call locates; daily sewer checks; serviced all lift stations and cleaned 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; did some cold patching throughout the City; installed the snow plow mounts on their service truck; reported several issues with the lift stations due to the recent City-wide power outage; LL Pelling had completed the City's 2018 sealcoating of streets; Ragan Mechanical had to service the Public Safety Building; Nutri-Ject will begin dredging the lagoons in the next couple of weeks as they are waiting for the crops to be out before starting and also weather permitting; had to have a steering pump installed on the City's dump truck; dug the dirt out and hauled rock for the Lauretta Park pavilion; put river rock around City Hall and put dirt around parking lot and seeded; put one pump out at South Mississippi Street during the month; have been keeping the storm drains cleaned out as needed and reported that the crack sealing of City Hall's parking lot and Liberty Trail were complete. Robertson added that Public Works was in the process of repairing a storm sewer at West Scott and Parkway Drive that recently surfaced.

**15. Storm Sewer ref: East Garonne Street:** Robertson reported that Chad Brus, Brus Construction had approached him about upgrading the storm sewer on East Garonne Street from a 4 inch PVC pipe to an 8 inch PVC pipe and tie into the City's 12 inch intake near his construction site agreeing to provide the materials at no costs to the City if the City would install. He said that Public Works could do the work estimating approximately 2-3 days of work as they have all the equipment they would need recommending that the City approve as that would help alleviate drainage issues in that particular area. Council member Smith moved to proceed with the upgrading of the storm sewer on East Garonne as proposed with Public Works to do the construction work, seconded by Council member Kinzer. A roll call vote was taken: Smith-aye, Kinzer-aye, Schutte-aye, Strong-aye and Slagle-aye. Motion carried. Discussion was held on a water main break on Terrace Drive as Iowa American Water Company reported to Public Works that it would be another 1-2 weeks as Iowa American Water Company has reported 5 other water main breaks.

#### **LICENCING & RENEWAL(S):**

**16. Liquor License ref: Casey's General Stores #3288:** The Clerk reported that Casey's General Stores #3288 was upgrading their License from Native Wine privileges to Full Wine privileges and that the Alcoholic Beverage Division had submitted to the City for approval. Council member Schutte moved to approve Casey's General Stores #3288 liquor license, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Kinzer-aye, Strong-aye and Slagle-aye. Motion carried.

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

**17. First reading of Ordinance Amendment 2018-07 ref: amending Chapters 2.24 City Clerk-Financial Officer, 2.26 Assistant City Clerk-Financial Officer and 2.28 Part-Time Clerk:** Council member Schutte introduced a synopsis of the first reading of Ordinance Amendment 2018-07 commenting that the Amendment was on file at City Hall for review. Council member Schutte moved to accept the first reading of Ordinance Amendment 2018-07, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Strong-aye, Slagle-aye and Kinzer-aye. Motion carried.

**18. First reading of Ordinance Amendment 2018-08 ref: amending Chapters 2.44 Police Department, 2.60 Reserve Police Department and adding Chapters 2.70 RSVP Retired and Senior Volunteer Department and 2.80 Police Records Clerk:** McCullough requested that the Council table the first reading of Ordinance Amendment 2018-08 as he found several revisions that did not conform to the Police Department's Manual. Council member Schutte moved to table the first reading of Ordinance Amendment 2018-08 until the City Attorney has made the appropriate revisions to conform to the Police Department's Manual, seconded by Council member Slagle. A roll call vote was taken: Schutte-aye, Slagle-aye, Smith-aye, Strong-aye and Kinzer-aye. Motion carried.

**NUISANCE ABATEMENT(S):**

**19. Nuisance Abatement(s):** Mayor Guy read aloud a complaint filed by Mr. Wade Graves in regards to the Police Department. McCullough reported that he had spoken with Chief Jahns on the complaint; whereas, Chief Jahns provided him with all the Police reports and, after a careful review he found all the reports to be in accordance; therefore, a letter will be sent to Mr. Graves.

**COMMENTS AND FUTURE AGENDA ITEMS:** Council member Smith inquired about Illowa Investments recent invoice. Council member Schutte replied that the invoice contained both City Hall's parking lot and Liberty Trail. Council member Smith asked if the City was going to send anything to show their condolences to the recent death of Buffalo Police Chief Terry Adams. It was the consensus to follow the City's Administrative Policy and send a memorial as the City works and trains very closely with the Buffalo Fire Department.

Council member Schutte inquired about the legal services incurred associated with the Union Contract. McCullough reported that he had to reinstate the City's Bargaining Unit with the Public Employee Relation Board (PERB). Council member Kinzer also inquired about legal services incurred associated with Grunwald Land Development asking if the City will be reimbursed. The Clerk reported that the only time the City gets reimbursed for legal services is when there is either a Variance Request or Subdivision Plat, reporting that since Mr. Grunwald was proposing an Agreement with the City, legal services are at the City's expense. Further discussion was held.

Mayor Guy asked that a future Agenda list the purchase of a permanent for the Public Safety Building Sign as the building really needs a permanent sign. The Clerk reported that several years ago, the Council moved to purchase a permanent sign on the building; however, was never followed through with. Council agreed.

Discussion was held on the proposed access road from North Oak Lane to the Elementary School.

**ADJOURNMENT:** Council member Schutte made a motion to adjourn, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Kinzer-aye, Slagle-aye and Strong-aye. Motion carried. The meeting adjourned at 7:55 p.m.

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Mayor Larry Guy

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

**CLAIMS REPORT**

AHERN FIRE PROTECTION	BLDG & GROUNDS MAINTENANCE	260.00
ALEX AIR APPARATUS INC.	EQUIPMENT OPERATIONS	1,218.36
AT&T	TELEPHONE/FAX	106.23
BLUE GRASS PRESBYTERIAN	MEMORIAL	50.00
BOUND TREE MEDICAL LLC	EQUIPMENT OPERATIONS	131.99
BP	VEHICLE OPERATIONS	797.59
CENTENNIAL CONTRACTORS	BLDG & GROUNDS MAINTENANCE	240.00
CENTRAL STATES H & W FUND	HEALTH INSURANCE	10,867.50
CENTURYLINK	TELEPHONE/FAX	408.06
DICK-N-SONS LUMBER INC.	EQUIP OPERATIONS	3,310.34
GETZ FIRE EQUIPMENT	BLDG & GROUNDS MAINTENANCE	1,800.00
GRISHAM INDUSTRIES, INC.	EQUIPMENT OPERATIONS	450.00
HAHN READY MIX	BLDG & GROUNDS MAINTENANCE	312.91
IMEG CORP.	ENGINEERING	107,134.70
IOWA ONE CALL	PROFESSIONAL FEES	72.00
L L PELLING CO.	SEALCOATING-STREET IMPROV	47,787.40
L-TRON CORPORATION	EQUIPMENT OPERATIONS	329.00
LANGMAN CONSTRUCTION INC.	N MISS STR CONSTR PROJ	122,800.35
LINWOOD MINING & MINERAL	BLDG & GROUNDS MAINTENANCE	98.79
MCCULLOUGH, WILLIAM T.	LEGAL SERVICES	1,530.00
MED-TECH RESOURCE INC.	EQUIPMENT OPERATIONS	538.89
MIDWEST WHEEL COMPANIES	VEHICLE OPERATIONS	141.23
PETERSON PARKING LOT STRIPING	BLDG & GROUNDS MAINTENANCE	300.00
PETTY CASH	PUMPKIN DASH FUNDRAISER	200.00
PS3 ENTERPRISES INC.	BLDG & GROUNDS MAINTENANCE	430.56
QC ANALYTICAL SERVICES LLC	TESTING	2,206.54
QUAD CITY TIMES	ADVERTISING & PUBLICATIONS	434.83
RAGAN MECHANICAL	BLDG & GROUNDS MAINTENANCE	200.81
SANDRY FIRE SUPPLY L.L.C.	EQUIPMENT OPERATIONS	2,363.04
SCHMIDT, ANN	TRAVEL	14.50
SCOTT COUNTY SHERIFF	JAIL EXPENSE	50.00
TC AUTO INC.	EQUIPMENT OPERATIONS	20.00
TITAN MACHINERY	EQUIPMENT OPERATIONS	379.16
TRI CITY BLACKTOP INC.	COLD MIX	85.20
VERIZON WIRELESS	TELEPHONE/INTERNET	435.84
WHITE DISTRIBUTION	BLDG & GROUNDS MAINTENANCE	42.14
***** REPORT TOTAL *****		<b>307,547.96</b>

**FUND TOTALS**

GENERAL FUND	15,168.50
RESERVES: PARK IMPROV	200.00
RESERVES: STREET IMPROV	107,134.70
ROAD USE	48,617.75
EMPLOYEE BENEFITS FUND	9,315.00
CAP'T IMPROV FUND	122,800.35
SEWER FUND	4,289.16
SANITATION FUND	22.50
<b>FUND TOTALS:</b>	<b>307,547.96</b>

