

**THE REGULAR MEETING
OF THE BLUE GRASS CITY COUNCIL
BLUE GRASS, IOWA FEBRUARY 19, 2019**

The Blue Grass City Council met in regular session at 7:00 p.m. on the 19th day of February 2019, 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: Brad Schutte, Donna Kinzer, Bonnie Strong, Emilyne Slagle and Lisa Smith.

APPROVAL OF AGENDA: Council member Strong moved to approve the agenda as presented, seconded by Council member Slagle. A roll call vote was taken: Strong-aye, Slagle-aye, Smith-aye, Kinzer-aye and Schutte-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: Council member Strong moved to adopt the Consent Agenda as presented, seconded by Council member Kinzer:

- 1. Motion to approve the minutes of the February 4, 2019 City Council meeting**
- 2. Motion to approve the minutes of the February 6, 2019 Committee of the Whole meeting**
- 3. Motion to adopt Resolution 2019-09 ref: authorizing an expenditure from the accumulative Tax Increment Financing Reserve**
- 4. Payment of claims**

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

SNOW REMOVAL:

- 5. Jack Jackson: snow removal dispute:** Resident Jack Jackson was not present at the time of discussion; therefore, the Council agreed to continue with the Agenda allowing Mr. Jackson additional time to attend.
- 6. Janice Mausser: snow removal dispute:** Resident Janice Mausser asked the Council to waive her \$75.00 snow removal invoice from January 14, 2019 due to the fact that she must have been gone at the time as she always clears her driveway and sidewalk and was unclear as to why she would not have cleared it that day. Council member Slagle asked Ms. Mausser if the City has ever waived a snow removal invoice before at which time Ms. Mausser said no as she has always cleared her sidewalk. Council member Strong replied that although it has been an unusual winter, residents still need to plan ahead and watch the weather and make special arrangements to have their sidewalks cleared. Council member Slagle moved to waive, one-time only, Ms. Mausser’s \$75.00 snow removal invoice, seconded by Council member Kinzer. A roll call vote was taken: Slagle-aye, Kinzer-aye, Strong-nay, Smith-nay and Schutte-nay. Motion denied. Council member Strong added that although the Council has waived snow removal invoices in the past they were mainly due to medical excuses at which time, Ms. Mausser said that she was unclear as to how specific the Council wanted her to get, as she has been assisting her mother that has medical issues. Further discussion was held.

WASTEWATER:

- 7. QC Analytical Services, LLC ref: 2019 Wastewater Operator:** The Clerk reported that according to the Contract between the City of Blue Grass and QC Analytical Services that was approved February 2, 2015, the Contract would roll over every year unless either party sends a written notice. CEO/President Len Hoogerwerf reported that QC Analytical Services was a State Certified Lab and that he has been with the City since 2006. He reported last year that there was a rate increase; however, has not implemented those new rates and does not intend too. Mr. Hoogerwerf said that he has a great working relationship with the City and the Public Works Director and looks forward to managing the City's wastewater. It was the consensus of the Council to continue with QC Analytical Service's Contract with no changes.

FIRE DEPARTMENT: Fire Chief Brian Seamer reported the following:

- 8. Cascade System Purchase:** Chief Seamer previously reported that the Department was awarded a grant in the amount of \$20,000.00 from the Scott County Regional Authority to help offset costs in replacing the Department's cascade system which was estimated at approximately \$40,000.00 as their system was deteriorating as it was originally purchased in 1982.

Chief Seamer presented a quote from Alex Air Apparatus in the amount of \$37,469.00 for the purchase of a new cascade system which includes shipping and installation. He reported that it was the consensus of the Fire Township Trustees at the February 6, 2019 meeting to utilize a portion of the remaining \$17,469.00 from the Fire Township Funds; therefore, it was his recommendation to split the \$17,469.00 from both the Fire Township Funds and the Fire Department Capital Reserve. Council member Smith moved to approve the quote from Alex Air Apparatus in the amount of \$37,469.00 utilizing half of the remaining balance from the Fire Township Funds and the other half from the Fire Department Capital Reserve, seconded by Council member Strong. A roll call vote was taken: Smith-aye, Strong-aye, Schutte-aye, Kinzer-aye and Slagle-aye. Motion carried.

BUILDING COMMISSIONER:

- 9. Site Plan Agreement ref: Cornerstone Construction Group, LLC – expires 12/2/18:** McCullough previously informed the Council that in December of 2013, the Council entered into an Agreement with Cornerstone Construction Group, LLC to extend their Site Plan Agreement for a period of five years which expired December 2, 2018 which was to allow Cornerstone Construction Group, LLC additional time to concrete their parking lot by paving 3,000 square feet annually by the 30th day of November each year; however, Cornerstone Construction Group, LLC has not complied with the Agreement. At the request of Mr. Mattson to further discuss the Agreement with his Attorney Mr. Ben Yeggy, the Council directed the City Attorney to contact Mr. Yeggy to further discuss the Agreement and report back to the Council.

Council member Schutte expressed several concerns in regards to a memo prepared by the City Attorney dated February 19, 2019 and since the City Attorney was not present to discuss, he moved to table the Site Plan Agreement and place on the March 4, 2019 Council meeting Agenda, seconded by Council member Slagle. A roll call vote was taken: Schutte-aye, Slagle-aye, Smith-aye, Strong-aye and Kinzer-aye. Motion carried.

10. Chapter 15.04 Building Permits ref: Section 15.04.043 Fence Requirements and Construction:

Previously, several businesses that reside within the Corporate limits of Blue Grass expressed concerns on a letter they had received from the City requesting that their barbed wire be removed from their fence as it was a violation of the City's fence Ordinance; however, after much discussion, Council moved to allow Questliner, Dick-n-Son's Lumber and Troy Dickens to be grandfathered-in and allow them to have barbed wire fencing and have the Ordinance Committee meet to further review and discuss the Fence Ordinance.

The Clerk reported that she had added a grandfather clause to the Ordinance Amendment prepared by the Building Commissioner for the Ordinance Committee to review. Council member Schutte referred to the City Attorney's memo dated February 19, 2019 recommending that the Amendment contain

language grandfathering those barbed wire fences that were installed prior to January 24, 2019 and that if the barbed wire fencing is replaced, that the fence no longer be grandfathered and would be subject to the barbed wire Fence Ordinance.

PARK BOARD: Park Board Chair Mike Hermann gave the Park Board report as follows:

- 11. Park Board Report:** Chair Hermann referred to the Board's February 7, 2019 meeting minutes asking if there were any questions from the Council as the Board was finalizing their plans with the Little League and are currently looking into implementing the game pickle ball. He said that there was some interest in a swimming pool and/or splash pad.

POLICE DEPARTMENT: Chief Garrett Jahns reported the following:

- 12. Police Department Report:** Chief Jahns presented the January 2019 Police Department Report which consisted of the following: 74 traffic contacts with 45 warnings and 26 citations written; 197 incident calls for service; 3 custodial arrests and 1 non-custodial arrest. Chief Jahns also reported that he had begun working on the COPS Grant for a third full-time Officer in conjunction with the Bi-State Regional Commission and reported that he was planning on attending the Governor's Traffic Safety Bureau 2019 Conference April 23-24, 2019 on behalf of the City and to support the program as the Department receive grant monies from the Bureau each year that runs from October 1st to September 30th. He expounded on the Snow Emergency parking tickets as before they were due and payable at City Hall and now the tickets have to be paid at Scott County with an additional \$85.00 for court costs. Further discussion was held. Council member Schutte requested that the new Snow Emergency Parking Ticket process be placed on the March 4, 2019 meeting Agenda so that the Council may direct their questions and/or concerns to the City Attorney.

NUISANCE ABATEMENT(S):

- 13. Nuisance Abatement(s):** The Clerk reported that there were no new complaints or concerns reported.

PLANNING & ZONING COMMISSION:

- 14. Planning & Zoning Commission recommendations ref: The Diamond Addition, Preliminary & Final Plat:** The Clerk reported that a public hearing was held with the Planning & Zoning Commission on February 11, 2019 at the request of Mr. Scott Powell. She said that Mr. Powell had purchased a piece of property on South Oak Lane and was proposing to subdivide the house on Lot #2 and leave the remaining property as farmland on Lot #1. The Clerk reported that the Planning & Zoning Commission had recommended that the City Council approve both the Preliminary and Final Plat based on the recommendations of the City Attorney and City Engineer. Council member Strong asked if the City Attorney's comments in regards to obtaining the required signatures in his letter dated January 23, 2019 were addressed. The Clerk replied that all the required signatures have been received.

- 15. Public Hearing ref: The Diamond Addition – Preliminary & Final Plat:** Council member Schutte moved to close the regular meeting and open the public hearing, seconded by Council member Kinzer. A roll call vote was taken: Schutte-aye, Kinzer-aye, Strong-aye, Slagle-aye and Smith-aye. Motion carried. The regular meeting was closed at 7:29 p.m.

Mayor Guy opened the public hearing for discussion. The Clerk reported that there were no oral or written objections. Mr. Scott Powell reported that he had no further comments. Mayor Guy ask for further discussion, since there were none, Council member Schutte moved to close the public hearing and reopen the regular meeting, 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 regular meeting reconvened at 7:30 p.m.

- 16. Resolution 2019-10 ref: Approving a Preliminary & Final Plat of The Diamond Addition, a subdivision located within the corporate limits of the City of Blue Grass, Scott County, Iowa:** Council member Schutte introduced Resolution 2019-10 and moved to adopt, seconded by Council

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

ORDINANCE(S)/RESOLUTION(S):

- 17. First reading of Ordinance Amendment 2019-03 ref: amending Chapter 10.28 Operation of Vehicles, Section 10.28.080 Stop Intersections:** Council member Schutte introduced a synopsis of the first reading of Ordinance Amendment 2019-03 commenting that the Amendment was on file at City Hall. Council member Schutte moved to accept the first reading of Ordinance Amendment 2019-03, seconded by Council member Smith. A roll call vote was taken: Schutte-aye, Smith-aye, Strong-aye, Slagle-aye and Kinzer-aye. Motion carried.

POLICY & ADMINISTRATION:

- 18. Council meeting minutes:** Council member Smith reported that she had requested this item to be placed on the Agenda as she has done quite a bit of research with other cities and there are no other cities that require their Clerk to type two sets of minutes; therefore, it was her opinion that the Clerk only type the published minutes which is required by law, and eliminate the longer version as she felt they are more or less drama. Council member Strong reminded the Council that according to the City Attorney, the City is only required to publish actions taken and list the financials as she, too, agrees with Council member Smith as the Clerk spends a great deal of time typing two sets of minutes and her time is very valuable and that she felt the Clerk could utilize her time more wisely. Council member Slagle agreed and if someone really wanted clarification, they could come to City Hall and listen to the tape. Council member Kinzer expressed her concerns on eliminating the longer version of minutes even though she realizes the amount of time it takes the Clerk to type two sets of minutes, the majority of residents rely on reading those sets of minutes rather than the published set; therefore, she was not in favor of eliminating the long version. Mayor Guy agreed as most residents do refer to the longer version when reading the minutes. Council member Schutte expressed his concerns on eliminating the longer version as he, too, was not in favor of eliminating them as he recalls the reason why the Clerk types two sets of minutes as the published copy was to save the City money on publishing costs and the longer version was to get the discussions behind the decisions. The Clerk suggested that the Council allow her time to talk with their website provider to see if she could upload the meeting tape on the City's website. Further discussion was held. Council member Smith moved to only require the Clerk to type and publish the published set of the meeting minutes and that the published set be uploaded to the City's website page, seconded by Council member Strong. A roll call vote was taken: Smith-aye, Strong-aye, Slagle-nay, Schutte-nay and Kinzer-nay. Motion denied. Council member Slagle commented that she only voted nay as she was most interested in finding out if the Clerk can upload the meeting tape to the City's website.
- 19. Set Public Hearing date ref: Fiscal '19-'20 City Budget:** The Clerk gave a timeline of the budget process reporting a public hearing date of March 4, 2019 at 7:00 p.m. Council member Schutte moved to set the public hearing date of March 4, 2019 at 7:00 p.m. for the adoption of the City's FY '19-'20 budget, seconded by Council member Kinzer. A roll call vote was taken: Schutte-aye, Kinzer-aye, Smith-aye, Slagle-aye and Strong-aye. Motion carried.
- 20. Clerk's Report:** City Clerk Ann Schmidt reported the following for the month of January 2019: reviewed the list of outstanding Street Assessments, Sidewalk Assessments, Snow Removal Liens and Utility Liens; 125 accounts were assessed a \$5.00 late fee penalty; a total of 7 delinquent letters sent out totaling \$1,056.59 that were due January 30, 2019 reporting that all paid within the time prescribed with the exception of 3 accounts that were assessed a \$25.00 fee and remain unpaid; therefore, liens are scheduled to be placed after 30 days; 703 bills were processed totaling \$27,813.65 for the billing period of 12/24/18 – 01/23/19 due February 15, 2019 with a total of \$7,932.30 in the arrears; 202 ACH payments; in regards to unpaid parking tickets, she is still waiting for the City Attorney to implement the Agreement with the Treasurer's Office; new office copier was delivered and is in use reporting that a

representative from Office Machine Consultants gave a brief training session to staff; still working with the Bi-State Regional Commission on participating in a Joint IT Services Contract with other small rural communities; set a public hearing date of February 11, 2019 with the Planning & Zoning Commission on the request from Mr. Scott Powell to approve a Preliminary and Final plat splitting one parcel into two parcels on South Oak Lane and set a public hearing date of February 19, 2019 with the City Council; prepared winter weather emergencies as needed declared by the Mayor; typed the minutes of the February 6, 2019 Committee of the Whole meeting; prepared W-2's for all employees, paid all the quarterly and annual taxes, sent out 1099's accordingly; in the process of updating the City's SAM Registration as this is done annually so that the City may receive federal funding; prepared and posted OSHA's form 300A that is required to be posted February 1st through April 30th of each year; prepared a draft of the FY '19-'20 budget and presented to the Finance Committee meeting that was held on February 13, 2019; prepared the public hearing notice to set the public hearing date of March 4, 2019 at 7:00 p.m.; Republic Services reported that they are no longer able to dump the small 35 gallon recycle totes; therefore, contacted over 30 residents to make arrangements for Republic Services to pick up and replace their carts with a 60 gallon tote presented the December 2018 Utility Billing reconciliation report. Council member Strong asked if the letter that she requested at the last Council meeting had been sent to inform the resident that has a snow removal lien since 2013 that the City may increase the rate. The Clerk said that she had sent a letter reminding the resident of the lien as she had discussed the rate increase with the City Attorney and he said that the City could not increase their rate due to the lien already being filed.

COMMENTS AND FUTURE AGENDA ITEMS: Council member Schutte expressed concerns on why the City Attorney has not implemented the Agreement between the City and the Treasurer's Office requesting that the "unpaid parking tickets" be placed on the March 4, 2019 meeting Agenda to further discuss. He also reviewed the list of unpaid Sidewalk Assessments, Nuisance Abatements, Snow Removal Liens; Utility Liens and other outstanding Utility Delinquencies as there was approximately \$4,700.00 expressing concerns on the loss of revenues that date back to 2001 asking why the City has not been able to collect these monies. Council member Schutte requested that these unpaid items be placed on the March 4, 2019 meeting Agenda.

Council member Strong reported that she had read an article where each county had provided a financial breakdown of wages, supplies, etc. that this winter has cost each of them so that people are made aware of what type of impact it has on their budget. She thought that would be interesting to see what type of an impact this winter has had on City's budget such as overtime, hours, salt, etc. Council member Schutte said that the Public Works Director has already informed him that he is going to have to change the cutting edges on their blades which costs approximately \$300-\$400.00 each. Mayor Guy added that according to the Public Works Director the City should have enough salt to get through the remaining part of this winter. Further discussion was held. Council member Strong asked that those costs also be provided and broken down. Council member Schutte agreed as he said it would be interested in hearing the total costs.

Mayor Guy read aloud a "thank you" presented by the Blue Grass Elementary School along with several individual letters from some of the students. Council member Schutte requested that a letter be drafted and signed by the Mayor to acknowledge their letters of support. Council member Strong reported that she felt it would be a great time to discuss the access road construction with the new Davenport School Superintendent. Mayor Guy replied that he had just discussed the access road this morning with both the City Clerk and Public Works Director as he is in the process of scheduling a meeting with Principal Mrs. Gott to see if the School could assist in going out for a grant. Council member Strong said that she had met with previous School Superintendent Dr. Art Tate to discuss the necessity of constructing an access road to allow emergency vehicles direct access to the School in case of an emergency and he, too, felt it was a necessity.

Mayor Guy passed along a compliment the City received from Mr. Rich Peek in regards to Public Works doing such an amazing job on the snow removal. He, too, commended Public Works as they have done an excellent job on keeping the streets maintained as they have put a lot of hours in over the past couple of

weeks. Mayor Guy said that he would like to discuss snow removal in the future such as sidewalks and parking during a snow emergency as there have been certain circumstances where he was not going to pull Public Works off the street from plowing to go around town and remove snow from sidewalks. Discussion was held on the home owner's responsibility of maintaining their boulevard and sidewalks.

SNOW REMOVAL:

5. Jack Jackson: snow removal dispute: Resident Jack Jackson was still not present at the time of discussion; therefore, no discussion was held.

ADJOURNMENT: Council member Slagle made a motion to adjourn, seconded by Council member Schutte. A roll call vote was taken: Slagle-aye, Schutte-aye, Strong-aye, Smith-aye and Kinzer-aye. Motion carried. The meeting adjourned at 8:08 p.m.

Mayor Larry Guy

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

CLAIMS REPORT

ASPEN EQUIPMENT	EQUIPMENT OPERATIONS	17.50
CASEY'S GENERAL STORES INC.	VEHICLE OPERATIONS	562.89
COMPASS MINERALS AMERICA	SALT	2,094.20
DICK-N-SONS LUMBER INC.	LAURETTA PARK SHELTER-GRANT	856.44
EASTERN IA LIGHT & POWER	UTILITIES	2,049.97
GETZ FIRE EQUIPMENT	BLDG & GRNDS (FIRE ALARM)	274.50
GUINN, BOB	POSTAGE	99.00
H & H TOWING LLC	PROF FEES (TOWING)	260.00
HUMANE SOCIETY OF SCOTT COUNTY	ANIMAL CONTROL	300.00
IA ASSO OF MUNI UTILITIE	PROFESSIONAL FEES (DUES)	670.00
IA MUNICIPAL FINANCE OFFICERS	TRAINING/TRAVEL (DUES)	50.00
IMEG CORP.	ENGINEERING (APPRAISAL)	7,267.50
JEFF'S MARKET	OFFICE OPERATIONS	4.79
MCCULLOUGH, WILLIAM T.	LEGAL SERVICES	1,980.00
MEDIACOM LLC	INTERNET SERVICES	479.29
MENARDS - MUSCATINE	BLDG & GRNDS (GARB BAGS)	6.98
MIDAMERICAN ENERGY	UTILITIES	5,872.49
NAPA AUTO PARTS	EQUIPMENT OPERATIONS	63.44
OFFICE MACHINE CONSULTANTS	EQUIPMENT OPERATIONS	6,825.25
QC ANALYTICAL SERVICES LLC	TESTING	2,500.12
QUAD CITY TIMES	ADVERTISING & PUBLICATIONS	371.08
REITZ CONSTRUCTION INC.	LAURETTA SHELTER-GRANT MONIES	2,425.00
REPUBLIC SERVICES #400	GARBAGE/RECYCLING	8,189.58
SCOTT COUNTY SHERIFF	JAIL EXPENSE	75.00
WALDINGER CORPORATION, THE	BLDG & GRNDS (NEW FURNACE)	2,367.46
***** REPORT TOTAL *****		45,662.48

FUND TOTALS

GENERAL FUND	23,525.35
ROAD USE FUND	2,111.70
TAX INCREMENT FINANCING	90.00
SEWER FUND	5,410.85
RESERVES: SEWER IMPROVEMENT	6,335.00
SANITATION FUND	8,189.58
FUND TOTALS:	45,662.48