



**STUART CITY COUNCIL SPECIAL MEETING  
TENTATIVE AGENDA  
MONDAY, MARCH 22, 2021  
5:30 P.M.  
COUNCIL CHAMBERS**

FOR PACKET INFORMATION, PLEASE VISIT [WWW.STUARTIA.COM/CITY-COUNCIL](http://WWW.STUARTIA.COM/CITY-COUNCIL)

**THE COUNCIL AND THE PUBLIC CAN ATTEND IN PERSON AND LISTEN TO THE MEETING DISCUSSIONS WHILE COMPLYING WITH THE 6' SOCIAL DISTANCE PROTOCOL**

**TO ATTEND THE MEETING BY PHONE: 1-646-749-3122 ACCESS CODE: 711-811-173 #**

**TO ATTEND THE MEETING ONLINE: <https://global.gotomeeting.com/join/711811173>**

**MAYOR COOK REQUESTS THAT ANYONE ATTENDING THE MEETING IN PERSON, PLEASE WEAR A MASK OR IF YOU WOULD RATHER NOT WEAR A MASK, PLEASE ATTEND OVER THE PHONE OR ONLINE**

- 1. CALL TO ORDER**
- 2. AGENDA APPROVAL**
- 3. URBAN RENEWAL PLAN AMENDMENT**
  - A. "PUBLIC HEARING ON PROPOSED AMENDMENT TO THE STUART URBAN RENEWAL AREA"**
  - B. RESOLUTION NO. 21-08C "RESOLUTION TO DECLARE NECESSITY AND ESTABLISH AN URBAN RENEWAL AREA, PURSUANT TO SECTION 403.4 OF THE CODE OF IOWA AND APPROVE URBAN RENEWAL PLAN AMENDMENT FOR THE STUART URBAN RENEWAL AREA"**
- 4. WHITE POLE ROAD PROJECT UPDATE / FORREST ALDRICH**
- 5. CULTURAL CENTER UPDATE**
- 6. CBDG GRANT FOR RESCUE UNIT EQUIPMENT / SET DATE FOR HEARING**
- 7. FIRE DEPARTMENT / 2021 STUART FIRE OFFICERS**
- 8. APPROVAL OF CEMETERY MOWING BIDS**
- 9. STREET DEPARTMENT / PURCHASE OF NEW MOWER**
- 10. GAS FRANCHISE FEES**
  - A. RESOLUTION NO. 21-09C "TO FIX A DATE FOR A PUBLIC HEARING ON PROPOSED ORDINANCE AMENDMENT ESTABLISHING A FRANCHISE FEE UNDER THE CITY'S GASWORKS UTILITY FRANCHISE WITH MIDAMERICAN ENERGY COMPANY AND TO ADOPT A REVENUE PURPOSE STATEMENT RELATED TO THE FRANCHISE FEE"**
- 11. PUBLIC FORUM**
- 12. ADJOURNMENT**

RESOLUTION NO. 21-08c

Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Stuart Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa (the "Urban Renewal Law"), a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the municipality and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the municipality; and

WHEREAS, this City Council of the City of Stuart, Iowa (the "City") by resolution previously established the Stuart Urban Renewal Area (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of projects and initiatives therein; and

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the "Property") lying within the description set out in Exhibit A hereto; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Property to be an economic development area; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which (1) covers the addition of the Property to the Urban Renewal Area; (2) deletes the expiration date from the Plan; (3) updates the description of the City's Hotel Stuart Project previously approved in the City's June, 2018 Plan Amendment; (4) updates the description of the City's Casey's General Stores, Inc. Expansion Project previously approved in the City's October, 2019 Plan Amendment; (5) updates the description of the City's S Division Street Turn Lane Project previously approved in the City's October, 2019 Plan Amendment; and (5) authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (a) using tax increment financing to pay the costs of the construction of arterial street improvements; (b) providing tax increment financing support to DICA Marketing Company (the "Company") in connection with the construction of a new manufacturing facility for use in the Company's business operations; (c) using tax increment financing to pay the costs of constructing sidewalk improvements; and (d) using tax increment financing to pay the costs of the City's Saints Center Support Program; and

WHEREAS, notice of a public hearing by the City Council on the question of amending the Plan and designating an expanded Urban Renewal Area, was heretofore given in strict compliance with the provisions of Chapter 403, Code of Iowa, and the Council has conducted said hearing on March 22, 2021; and

WHEREAS, the Planning and Zoning Commission of the City has reviewed and commented on the proposed Amendment; and

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the Amendment were mailed to Guthrie County, Adair County, and the West Central Valley Community School District; the consultation meeting was held on the 8<sup>th</sup> day of March, 2021; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Stuart, Iowa, as follows:

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa, is found to exist in the City on the Property.

Section 2. The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the March, 2021 Addition to the Urban Renewal Area.

Section 3. The development and redevelopment of the Property is necessary in the interest of the public health, safety or welfare of the residents of the City.

Section 4. It is hereby determined by this City Council as follows:

A. The Amendment and the projects and initiatives described therein conform to the general plan of the municipality as a whole;

B. Proposed economic development projects described in the Amendment are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives; and

C. Proposed blight alleviation and prevention projects described in the Amendment are necessary to restore the property situated in the Urban Renewal Area to its highest and best use and to prevent the spread of blighted conditions in the Urban Renewal Area; and

D. It is not intended that families will be displaced as a result of the City's undertaking under the Amendment. Should such issues arise with future projects, then the City will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing.

Section 5. The Amendment, attached hereto and made a part hereof, is hereby in all respects approved.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved March 22, 2021.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**(Attach copy of the urban renewal plan amendment to this resolution.)**

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Upon motion and vote, the meeting adjourned.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

EXHIBIT A  
Legal Description  
Expanded Stuart Urban Renewal Area  
(March, 2021 Addition)

That portion of Front Street (White Pole Road) located between the center line of South Madison Street and the east right of way line of All Saints Drive located in Section 4, Township 77 N, Range 30 W, Adair County, Iowa.

STATE OF IOWA  
COUNTIES OF ADAIR AND GUTHRIE                   SS:  
CITY OF STUART

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Stuart, and that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with the aforesaid records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with designating the expanded Stuart Urban Renewal Area for the City and on an urban renewal plan amendment.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Clerk

**(Please attach to this certificate a copy of the minutes or a resolution of the Planning and Zoning Commission showing the action taken by that Commission with respect to the urban renewal plan amendment.)**

CITY OF STUART, IOWA

URBAN RENEWAL PLAN AMENDMENT  
STUART URBAN RENEWAL AREA

March, 2021

The Urban Renewal Plan (the "Plan") for the Stuart Urban Renewal Area (the "Urban Renewal Area") is being amended for the purposes of (1) adding certain property to the Urban Renewal Area; (2) deleting the expiration date of the Plan; (3) updating the description of the City's Hotel Stuart Project; (4) updating the description of the City's Casey's General Stores, Inc. Expansion Project; (5) updating the description of the City's S Division Street Turn Lane Project; and (6) identifying new urban renewal projects to be undertaken therein.

**1) Addition of Property.** The real property (the "Property") legally described on Exhibit A hereto is, by virtue of this Amendment, being added as the March, 2021 Addition to the Urban Renewal Area. With the adoption of this Amendment, the City will designate the Property as an economic development area. The Property will become subject to the provisions of the Plan for the Urban Renewal Area.

**2) Deletion of Expiration Date.** The expiration date is hereby deleted from the Plan and any amendments thereto. The Plan shall remain in effect until repealed by the City Council. The City will collect incremental property tax revenues under the Plan for the maximum extent of the time allowed in Chapter 403 of the Code of Iowa, unless sooner curtailed by action of the City Council.

**3) Update Description of the Hotel Stuart Project.** The City approved the Hotel Stuart Project in the June, 2018 Amendment to the Plan. It is now necessary to update the description of the Hotel Stuart Project, as follows:

**Name of Project:** Hotel Stuart Project

**Name of Urban Renewal Area:** Stuart Urban Renewal Area

**Date of Council Approval of the Project:** June 11, 2018 as updated March 22, 2021

**Description of the Project and Project Location:** Black Swan Developers, LLC (the "Developer") has proposed to undertake the renovation of an existing building (the "Hotel Stuart Project") on certain real property situated at 203 East Front Street. It is anticipated that the renovated building will include commercial retail space on the first floor and apartment units on the second floor.

It has been requested that the City provide tax increment financing assistance to the Developer in support of the efforts to complete the Hotel Stuart Project.

The costs incurred by the City in providing tax increment financing assistance to the Developer will include legal and administrative fees (the "Admin Fees") in the estimated amount of \$7,000.

**Description of Public Infrastructure to be Constructed:** It is not anticipated that the City will install public infrastructure in connection with the Hotel Stuart Project.

**Description of Properties to be Acquired by the City:** It is not anticipated that the City will acquire real property in connection with the Hotel Stuart Project.

**Description of Use of TIF for the Project:** The City intends to enter into a Development Agreement with the Developer with respect to the construction and use of the Hotel Stuart Project and to provide annual appropriation economic development payments (the "Payments") to the Developer thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Stuart Urban Renewal Area. It is anticipated that the City's total commitment of incremental property tax revenues with respect to the Hotel Stuart Project will not exceed \$150,000 (decreased from \$200,000 previously approved in the June, 2018 Amendment to the Plan), plus the Admin Fees.

**4) Update Description of the Casey's General Stores, Inc. Expansion Project.** The City approved the Casey's General Stores, Inc. Expansion Project in the October, 2019 Amendment to the Plan. It is now necessary to update the description of the Casey's General Stores, Inc. Expansion Project, as follows:

**Name of Project:** Casey's General Stores, Inc. Expansion Project

**Name of Urban Renewal Area:** Stuart Urban Renewal Area

**Date of Council Approval of Project:** October 14, 2019 as updated March 22, 2021

**Description of the Project:** Casey's General Stores, Inc. ("Casey's") has proposed to undertake the expansion of its facilities (the "Expansion Project") including the construction of a new Casey's General Store, the addition of a parking lot and the construction of related infrastructure improvements, situated at 708 and 632 South Division Street in the Urban Renewal Area (the "Casey's Property").

It has been requested that the City provide tax increment financing assistance to Casey's in support of the efforts to complete, operate and maintain the Expansion Project.

The costs incurred by the City in providing tax increment financing assistance to Casey's will include legal and administrative fees (the "Admin Fees") in an amount not to exceed \$20,000.

**Description of Public Infrastructure to be Constructed in Connection with the Project:** Casey's will undertake the construction of the following street



improvement projects (the “Street Improvement Projects”) in connection with the Expansion Project:

**SW 7<sup>th</sup> Street Project:** The SW 7th Street Project will consist of the replacement of a section of SW 7<sup>th</sup> Street; the construction of storm sewer improvements; the installation of temporary paving; and the incidental utility, landscaping, site clearance and related cleanup work on and along SW 7<sup>th</sup> Street beginning at its intersection with S Gaines Street to and including its intersection with S Division Street in the Urban Renewal Area.

**S Division Street Project:** The S Division Street Project will consist of the construction of street and storm sewer improvements and the incidental utility, landscaping, site clearance and related cleanup work on S Division Street adjacent to its intersection with SW 7<sup>th</sup> Street in the Urban Renewal Area.

**SW 8<sup>th</sup> Street Connector Project:** The SW 8<sup>th</sup> Street Connector Project will consist of the construction of an extension to SW 8<sup>th</sup> Street from the intersection of S. Gaines and SW 8<sup>th</sup> Street to the intersection of SE. 7<sup>th</sup> Street and S Division Street, including surfacing and storm sewer extensions, and the incidental utility, landscaping, site clearance and related cleanup work in the Urban Renewal Area.

**Description of Properties to be Acquired in Connection with the Project:** It is not anticipated that the City will acquire real property in connection with the Expansion Project.

**Description of Use of TIF for the Project:** The City intends to enter into a Development Agreement with Casey’s with respect to the construction and use of the completed Expansion Project and the Street Improvements Project and to provide annual appropriation economic development payments (the “Payments”) to Casey’s thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Casey’s Property. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Expansion Project and the Street Improvements Project will not exceed \$1,000,000 (increased from \$500,000 as approved in the October 14, 2019 Amendment to the Plan), plus the Admin Fees.

**5) Update Description of the S Division Street Turn Lane Project.** The City approved the S Division Street Turn Lane Project in the October, 2019 Amendment to the Plan. It is now necessary to update the description of the S Division Street Turn Lane Project, as follows:

**Name of Project:** S Division Street Turn Lane Project (the “Turn Lane Project”)

**Name of Urban Renewal Area:** Stuart Urban Renewal Area

**Date of Council Approval of the Project:** October 14, 2019 as updated March 22, 2021

**Description of the Project:** The Turn Lane Project will consist of the construction of a turn-lane and the incidental utility, landscaping, site clearance and related cleanup work on and along S Division Street from its intersection with Interstate 80 North to a spot north of its intersection with SW 7<sup>th</sup> Street in the Urban Renewal Area.

It is expected that the completed Turn Lane Project will cause increased and improved ability of the City to provide adequate transportation infrastructure for the growth and retention of commercial and industrial enterprises.

**Description of Properties to be Acquired in Connection with the Project:** The City will acquire such easement territory and right-of-way as are necessary to successfully undertake the Turn Lane Project.

**Description of Use of TIF:** It is anticipated that the City will pay for the Turn Lane Project with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Turn Lane Project will not exceed \$1,000,000 (increased from \$850,000 as approved in the October 14, 2019 Amendment to the Plan), plus any interest expense incurred by the City on any borrowing undertaken for the funding of the Turn Lane Project.

**6) Identification of Projects.** By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project descriptions:

A.

**Name of Project:** White Pole Road/Front Street Improvement Projects (the "Street Improvement Projects")

**Name of Urban Renewal Area:** Stuart Urban Renewal Area

**Date of Council Approval of the Project:** March 22, 2021

**Description of the Project:** The Street Improvement Projects will consist of removing and replacing asphalt pavement; resurfacing; installing rock shoulders; painting of pavement markings; and the incidental utility, landscaping, site clearance and cleanup work related thereto on and along White Pole Road beginning at its intersection with All Saints Drive and continuing west to its intersection with N. Adair Street in the Urban Renewal Area.

It is expected that the completed Street Improvement Projects will cause increased and improved ability of the City to provide adequate transportation infrastructure for the growth and retention of commercial and industrial enterprises in the Urban Renewal Area.

**Description of Properties to be Acquired in Connection with the Project:** The City will acquire such easement territory and right-of-way as are necessary to successfully undertake the Street Improvement Projects.

**Description of Use of TIF:** It is anticipated that the City will pay for the Street Improvement Projects with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Street Improvement Projects will not exceed \$1,500,000, plus any interest expense incurred by the City on any borrowing undertaken for the funding of the Street Improvements Project.

**B.**

**Name of Project:** DICA Marketing Company Development Project

**Name of Urban Renewal Area:** Stuart Urban Renewal Area

**Date of Council Approval of Project:** March 22, 2021

**Description of Project and Project Site:** DICA Marketing Company (the "Company") has proposed to undertake the construction of a new facility for use in its manufacturing business operations (the "Development Project") on certain real property (the "Development Property") situated in the Urban Renewal Area.

It has been requested that the City provide tax increment financing assistance to the Company in support of the efforts to complete the Development Project.

The costs incurred by the City in providing tax increment financing assistance to the Company will include legal and administrative fees (the "Admin Fees") in an amount not to exceed \$10,000.

**Description of Public Infrastructure Projects:** It is not anticipated that the City will install public infrastructure in connection with the Development Project.

**Description of Properties to be Acquired in Connection with Project:** It is not anticipated that the City will acquire real property in connection with the Development Project.

**Description of Use of TIF:** The City intends to enter into a development agreement with the Company with respect to the construction of the completed Development Project and to provide (i) an economic development grant (the "Grant") to the Company in an amount not to exceed \$125,000; and (ii) economic development incremental property tax payments (the "Payments") to the Company in an amount not to exceed 800,000 thereunder. The Grant may be funded with (i) borrowed funds; (ii) an internal advance of City funds on-hand; and/ or (iii) a combination thereof. In any case, the City's debt obligation to fund the Grant will be repaid with incremental property tax revenues

derived from the Urban Renewal Area. The Payments will be funded with incremental property tax revenues to be derived from the Development Property. It is anticipated that the City's total commitment of incremental property tax revenues with respect to the Development Project will not exceed \$925,000, plus the Admin Fees.

C.

**Name of Project:** Safe Routes to School Sidewalk Project (the "Sidewalk Project")

**Name of Urban Renewal Area:** Stuart Urban Renewal Area

**Date of Council Approval of the Project:** March 22, 2021

**Description of the Project:** The Sidewalk Project will consist of the construction of sidewalk improvements along the north side of NE 2<sup>nd</sup> Street beginning at the existing sidewalk south of the All Saints Church and continuing west and connecting with the existing sidewalk located south of Stuart Elementary School in the Urban Renewal Area, including the incidental utility, landscaping, site clearance and related cleanup work.

**Description of Properties to be Acquired in Connection with the Project:** It is not anticipated that the City will acquire real property in connection with the Sidewalk Project.

**Description of Use of TIF:** It is anticipated that the City will pay for the Sidewalk Project with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Street Improvement Projects will not exceed \$75,000, plus any interest expense incurred by the City on any borrowing undertaken for the funding of the Sidewalk Project.

D.

**Name of Project:** Saints Center Support Program

**Name of Urban Renewal Area:** Stuart Urban Renewal Area

**Date of Council Approval of the Project:** March 22, 2021

**Description of the Project and Project Site:** The City acknowledges the importance of the Saints Center to the promotion of tourism and economic development in the Urban Renewal Area. The City intends to provide financial incentives (the "Financial Incentives") to support the continued operations, maintenance of and events held at the Saints Center.

**Description of Use of TIF:** It is anticipated that the City will fund the Financial Incentives with borrowed funds and/or with the proceeds of internal advances of City funds on-hand. In any case, the City's obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. The amount of incremental property tax revenues to be expended by the City in connection with the Saints Center Support Program will not exceed \$150,000, plus any interest expense incurred by the City on any borrowing undertaken for the funding of the Saints Center Support Program, over the course of the City's 2022 through 2026 fiscal years.



~~7) Required Financial Information.~~ The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$5,561,447</u>
Outstanding general obligation debt of the City:	<u>\$</u>
Proposed maximum indebtedness to be incurred in connection with this March, 2021 Amendment*:	<u>\$3,300,000</u>

\*It is anticipated that some or all of the debt incurred hereunder will be subject to annual appropriation by the City Council.

Future projects that will require a further amendment to the Urban Renewal Plan:

- Phase 4 Residential Housing Development Project
- Doe a Deer Business Expansion Project
- Lincoln's Lounge Business Development Project
- KB Welding & Repair, LLC Business Development Project (Jirak Building)
- Downtown blighted building acquisition/repair



**EXHIBIT A**  
Legal Description  
Stuart Urban Renewal Area  
March, 2021 Addition

That portion of Front Street (White Pole Road) located between the center line of South Madison Street and the east right of way line of All Saints Drive located in Section 4, Township 77 N, Range 30 W, Adair County, Iowa.

## Ashraf Ashour

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**From:** jrenslow2007@yahoo.com  
**Sent:** Wednesday, March 17, 2021 2:07 PM  
**To:** Ashraf Ashour  
**Subject:** Fire officers

Ash, below are the officers for the 2021 elections.

Chief- Josh Renslow  
Asst. Chief- Stephen Martinson  
1st Captain- Shane Martinson  
2nd Captain- Kory Guisinger  
1st lieutenant - Jim Henderson  
2nd lieutenant- Mike Kalbach

Booster pres- Kyle Steiner

sorry this was late I forgot about it

MOWER BIDS FOR PARKS DEPARTMENT

NAPA STUART

TORO#72930	25HP Kohler	\$10,021.90
	LESS TRADE	-\$2000.00
		-----
		\$8,021.90

CLIVE POWER EQUIPMENT

XMARK	MODEL LZE60	26HP KAWASAKI	\$9,599.00
		LESS TRADE	-\$ 400.00
			-----
			\$9,199.00

AGRIVISION EQUIPMENT

	MODEL JD Z950M	27HP KAWASAKI	\$10,600.00
		LESS TRADE	-\$ 1000.00
			-----
			\$9,600.00

VAN WALL EQUIPMENT

	MODEL Z950M	27HP KAWASAKI	\$10,372.06
		LESS TRADE	-\$ 600.00
			-----
			\$ 9772.06

RESOLUTION NO. 21-09c

To fix a date for a public hearing on proposed ordinance amendment establishing a franchise fee under the City's Gasworks Utility Franchise with MidAmerican Energy Company and to adopt a revenue purpose statement related to the franchise fee

WHEREAS, the City of Stuart (the "City"), in Adair and Guthrie Counties, State of Iowa, has granted a gasworks utility franchise to MidAmerican Energy Company pursuant to City Ordinance No. 04-02C; and

WHEREAS, pursuant to the authority of Section 364.2 of the Code of Iowa, the City Council has now determined to establish a gasworks utility franchise fee (the "Franchise Fee") to be imposed in connection with the provision of gasworks utility services within the City's jurisdiction; and

WHEREAS, it is necessary to fix a date of a meeting of the City Council at which the Council will hold a public hearing on a proposed amendment to Ordinance No. 04-02C to establish the Franchise Fee; and

WHEREAS, pursuant to the provisions of Section 364.2(f) of the Code of Iowa, the City has prepared a Revenue Purpose Statement for the Use or Expenditure of Gasworks Utility Franchise Fee Revenues (the "Revenue Purpose Statement") outlining the purposes for which the City shall use the Franchise Fee revenues that will be received if the proposed ordinance amendment is adopted, and it is now necessary for the City Council to take action to approve the Revenue Purpose Statement;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Stuart, Iowa, as follows:

Section 1. The Revenue Purpose Statement attached hereto as Exhibit A is hereby finally approved and adopted, subject to its publication as set forth in Section 364.2(f) of the Code of Iowa.

Section 2. This City Council shall meet on April 12, 2021, at the \_\_\_\_\_, in the City, at \_\_\_\_\_ o'clock \_\_\_\_m., at which time and place a hearing will be held on a proposed amendment to Ordinance No. 04-02C for the purpose of establishing the Franchise Fee.

Section 3. The City Clerk is hereby directed to give notice of the public hearing, the time when and place where the said meeting will be held and of the approved Revenue Purpose Statement, by publication at least once, not less than four (4) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PUBLIC HEARING ON PROPOSED ORDINANCE AMENDMENT ESTABLISHING A FRANCHISE FEE UNDER THE CITY'S GASWORKS UTILITY FRANCHISE WITH MIDAMERICAN ENERGY COMPANY AND PUBLICATION OF REVENUE PURPOSE STATEMENT FOR USE OF GASWORKS UTILITY FRANCHISE FEE REVENUES BY THE CITY OF STUART, IOWA

Notice is hereby given that the City Council of the City of Stuart will meet at the \_\_\_\_\_, on \_\_\_\_\_, 2021, at \_\_\_\_\_ o'clock \_\_\_\_m. to hold a public hearing on a proposed amendment to City Ordinance No. 04-02C, establishing a franchise fee under the City's Gasworks Utility Franchise Agreement with MidAmerican Energy Company (the "Company") equal to 5.0% of the Company's gross revenues to be generated from sales of gasworks utility services in the City.

Due to federal and state government recommendations in response to COVID-19 pandemic conditions, alternative access to the meeting will provided electronically via GoToMeeting, which will be accessible at the following:

**[Insert electronic access information]**

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action to adopt the proposed ordinance amendment or may abandon the proposal.

Pursuant to the provisions of Section 364.2(f) and a resolution of the City Council dated March 22, 2021, the City Council has adopted the following Revenue Purpose Statement, outlining the purposes for which the City shall use the franchise fee revenues that it will receive if the above-reference ordinance is adopted and approved.

***Revenue Purpose Statement for Use or Expenditures of Gasworks Utility Franchise Fee Revenues for the City of Stuart, Iowa***

Pursuant to the provisions of Section 364.2(f) of the Code of Iowa, the City of Stuart, Iowa hereby establishes the following purposes for which franchise fee revenues from its Gasworks Utility Franchise with MidAmerican Energy Company to be deposited into a gas franchise fee account within the City's General Fund as required by Section 384.3A of the Code of Iowa may be used or expended:

1. Moneys in the account shall be used for the purposes of inspecting, supervising, and otherwise regulating the Gasworks Utility Franchise.
2. Moneys in the account in excess of the amount necessary for the purpose specified in Item 1 above will be expended for the following:

- a. A minimum of \_\_\_\_\_% of the fees will be used for property tax relief.
- b. The funds in excess of the amount allocated for property tax relief will be used for any of the following purposes as determined annually by the City Council as part of the budget process.
  - (i) The repair, remediation, restoration, cleanup, replacement and improvement of existing public improvements and other publicly owned property, buildings, and facilities.
  - (ii) Projects designed to prevent or mitigate future disasters as defined in Section 29C.2.
  - (iii) Energy conservation measures for low-income homeowners, low-income energy assistance programs, and weatherization programs.
  - (iv) Public safety, including the equipping of fire, police, emergency services, sanitation, street and civil defense departments.
  - (v) The establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems.
  - (vi) The construction, reconstruction, or repair of streets, highways, bridges, sidewalks, pedestrian underpasses and overpasses, street lighting fixtures, and public grounds, and the acquisition of real estate needed for such purposes.
  - (vii) Property tax abatements, building permit fee abatements, and abatement of other fees for property damaged by a disaster as defined in Section 29C.2.
  - (viii) Economic development activities and projects.

Ashraf Ashour  
City Clerk

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved March 22, 2021.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**EXHIBIT A**

***Revenue Purpose Statement for Use or Expenditures of Gasworks Utility Franchise Fee  
Revenues for the City of Stuart, Iowa***

Pursuant to the provisions of Section 364.2(f) of the Code of Iowa, the City of Stuart, Iowa hereby establishes the following purposes for which franchise fee revenues from its Gasworks Utility Franchise with MidAmerican Energy Company to be deposited into a gasworks utility franchise fee account within the City's General Fund as required by Section 384.3A of the Iowa Code may be used or expended:

1. Moneys in the account shall be used for the purposes of inspecting, supervising, and otherwise regulating the Gasworks Utility Franchise.

2. Moneys in the account in excess of the amount necessary for the purpose specified in Item 1 above will be expended for the following:

a. A minimum of \_\_\_\_\_% of the fees will be used for property tax relief.

b. The funds in excess of the amount allocated for property tax relief will be used for any of the following purposes as determined annually by the City Council as part of the budget process.

(i) The repair, remediation, restoration, cleanup, replacement and improvement of existing public improvements and other publicly owned property, buildings, and facilities.

(ii) Projects designed to prevent or mitigate future disasters as defined in Section 29C.2.

(iii) Energy conservation measures for low-income homeowners, low-income energy assistance programs, and weatherization programs.

(iv) Public safety, including the equipping of fire, police, emergency services, sanitation, street and civil defense departments.

(v) The establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems.

(vi) The construction, reconstruction, or repair of streets, highways, bridges, sidewalks, pedestrian underpasses and overpasses, street lighting fixtures, and public grounds, and the acquisition of real estate needed for such purposes.

(vii) Property tax abatements, building permit fee abatements, and abatement of other fees for property damaged by a disaster as defined in Section 29C.2.

(viii) Economic development activities and projects.



STATE OF IOWA  
ADAIR AND GUTHRIE COUNTIES      SS:  
CITY OF STUART

I, the undersigned, City Clerk of the City of Stuart, Iowa, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to fixing a date for a hearing on the Council's proposal to amend an ordinance for the establishment of a gasworks utility franchise fee and approving a Revenue Purpose Statement.

WITNESS MY HAND and this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Clerk