

08/09/2021

The regular meeting of the Stuart City Council was called to order on the above date at 6:30 pm by Mayor Cook. Present were Council Members Askren (over the phone), Kalbach, Belden, Glass, and Renslow. Also present were City Administrator Ashour, Deputy Clerk Morgan, Public Works Director Jim Henderson, Kory Guisinger, Norma Thurman, Kevin Guisinger, Katie Guisinger, Forrest Aldrich, Mike Dickson, Shane Martinson, Everett Grasty, Eric Coop, Gene Skellenger, Ryan Morrison, Chip Biston, Matt Scott, Andrew Anderson, Josh Sebern, Nyle Godwin, Matt Aust, Katie Adams, Chip Schultz, Warren Varley, Karen Varley, and Daniel Irving.

Moved by Renslow, seconded by Belden to approve the agenda.

Roll Call: All Ayes

Moved by Renslow, seconded by Belden to approve the Consent Agenda:

- A. Approval of minutes of 07/12/2021 and Special Meeting of 07/26/2021
- B. Approval of financial statement as of 07/31/2021
- C. Approval of bills as presented
- D. Approval of liquor license – Ruby’s Pub & Grill
- E. Approval of outdoor liquor license (August 20-22, 2021) – Johnie’s Tap

Roll Call: All Ayes

The Council discussed the tree located at 215 N Fremont St and also discussed the status of Ash trees located in town and what determines a tree as dead or diseased.

Moved by Renslow, seconded by Kalbach to refer the item related to dead or diseased trees to City Attorney Steve Brick with Brick Gentry P.C. to review what determines a tree to be dead or diseased.

Roll Call: All Ayes

City Engineer Forrest Aldrich with Veenstra & Kimm, Inc. updated the Council on the status of the White Pole Road Maintenance Project and also presented updated cost estimate options for the project as follows:

Option No. 1 (including drainage repairs)

- Asphalt overlay filling in ruts
- Project cost estimate = \$250,000.00

- Life expectancy – 2-3 years

Option No. 2

- Milling of pavement, 4” asphalt overlay, drainage improvements, correction of pavement crown.
- Project cost estimate = \$1,535,000.00
- Life expectancy – 15-20 years

Per Mayor Cook’s request, Councilmember Mick Askren (over the phone) was excused from the Council meeting at 7:18pm due to negative comments made to another Council member.

Moved by Glass to table the White Pole Road Maintenance Project until the September 13<sup>th</sup>, 2021 regular Council meeting and to have a meeting take place with Guthrie County, Adair County, Councilmembers Askren & Kalbach, and other concerned citizens to discuss repair options for White Pole Road.

There was no second to the motion.

Motion not carried.

Moved by Belden, seconded by Kalbach to proceed with Repair Option No. 1 for the White Pole Road Maintenance Project with repairs to drainage issues and to table discussions related to turning restrictions on White Pole Road and truck route changes until the special meeting scheduled to take place on August 16, 2021 at 6:00pm.

Roll Call:     Ayes: Kalbach, Belden, Renslow  
                  Nays: Glass

Motion Carried

Councilmember Belden asked for information related to the White Pole Road Maintenance Project be inserted in customer utility bills to inform residents of the project.

Agenda item no. 5(B) “Ordinance No. 21-06c ‘An Ordinance To Amend Chapter 66, Stuart Code Of Ordinances, To Impose Restrictions On Limitations Of Trucks And Other Commercial Vehicles At The Intersection Of Front Street And Division Within The City Of Stuart.’” was tabled.

Agenda item no. 5 (C) “Resolution No. 21-21C ‘Resolution Establishing Truck Routes’” was tabled.

City Engineer Forrest Aldrich made a presentation to the Council regarding the proposed Karl Chevrolet Parking Lot Expansion. Forrest also presented the proposed 8' chainlink fence with privacy slats that Karl Chevrolet is wanting to install as a barrier between the proposed parking lot and residential housing.

Nikki Neal, engineer for Karl Chevrolet with Civil Design Advantage, LLC., made a presentation to the Council regarding the proposed Karl Chevrolet Parking Lot Expansion and also presented to the Council the proposed water retention pond to be located at the Karl Chevrolet Parking Lot Expansion location.

Moved by Glass, seconded by Belden to approve the Karl Chevrolet Parking Lot Expansion Project as presented by City Engineer Forrest Aldrich with the 8' chainlink fence with the privacy slats waiver as recommended by the Planning and Zoning Commission and as presented by City Engineer Forrest Aldrich and to also approve the water retention pond as presented by Nikki Neal, engineer for Karl Chevrolet with Civil Design Advantage, LLC. subject to Planning and Zoning Commission approval.

Roll Call: All Ayes

Moved by Kalbach, seconded by Renslow to approve the 2021 Community Catalyst and Building Remediation Grant Award & Contract with Matt Aust, Black Swan Developers, for the Hotel Stuart located at 203 E Front St.

Roll Call: All Ayes

Matt Aust with Black Swan Developers and owner of Hotel Stuart located at 203 E Front St. made a presentation to the Council regarding the status of the Hotel Stuart and also presented plans for the renovation of the Hotel Stuart.

Moved by Renslow, seconded by Glass to approve Resolution No. 21-20C "Resolution Authorizing And Approving A Loan Agreement, Providing For The Sale And Issuance Of A \$245,000 Taxable General Obligation Insurance Note, Series 2021A And Providing For The Levy Of Taxes To Pay The Same."

Roll Call: All Ayes

It was moved by Council Member Kalbach and seconded by Council Member Renslow that the rule requiring said Ordinance "Ordinance No. 21-05C 'An Ordinance Granting To MidAmerican Energy Company, Its Successors And Assigns, The Right And Non-Exclusive Franchise To Acquire, Construct, Erect, Maintain And Operate In The City Of Stuart, Iowa, A Natural Gas System And To Furnish And Sell Natural Gas To The City

And Its Inhabitants And Authorizing The City To Collect Franchise Fees For A Period Of 25 Years” be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be acted upon be dispensed with. The Mayor put the question on motion and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Belden, Glass, Renslow

Nays: None

Absent: Askren

**WHEREUPON**, the Mayor declared the Motion duly carried.

It was moved by Council Member Belden and seconded by Council Member Renslow that the Ordinance entitled Ordinance No. 21-05C “An Ordinance Granting To MidAmerican Energy Company, Its Successors And Assigns, The Right And Non-Exclusive Franchise To Acquire, Construct, Erect, Maintain And Operate In The City Of Stuart, Iowa, A Natural Gas System And To Furnish And Sell Natural Gas To The City And Its Inhabitants And Authorizing The City To Collect Franchise Fees For A Period Of 25 Years” now be put upon final passage and adoption. The Mayor put the question on the final passage and adoption of said Ordinance and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Belden, Glass, Renslow

Nays: None

Absent: Askren

**WHEREUPON**, the Mayor declared said Motion duly adopted and signed his approval to said Ordinance.

City financial advisor Chip Schultz with Northland Securities made a presentation to the Council regarding updates to operational financing and also presented a bond issue proposal for rescue and street department equipment.

Moved by Belden, seconded by Renslow to proceed with the bond issue as presented by City Financial Advisor Chip Schultz for rescue and street department equipment.

Roll Call: All Ayes

Council Member Renslow introduced action ratifying and affirming an ordinance entitled “Ordinance No. 19-03 CB. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the October, 2019 Addition to the Stuart Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa.”

It was moved by Council Member Renslow and seconded by Council Member Belden that the ratification and affirmation of the ordinance be given its first consideration and that it be approved. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Belden, Glass, Renslow  
Nays: None  
Absent: Askren

Whereupon, the Mayor declared the motion duly carried and declared that the ratification and affirmation of the ordinance had been given its initial consideration.

It was moved by Council Member Belden and seconded by Council Member Kalbach that the statutory rule requiring an ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Belden, Glass, Renslow  
Nays: None  
Absent: Askren

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member Renslow and seconded by Council Member Kalbach that the ordinance entitled "Ordinance No. 19-03 CB. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the October, 2019 Addition to the Stuart Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa," now be put upon its final consideration and adoption. The Mayor put the question on the final consideration and adoption of the ordinance and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Belden, Glass, Renslow  
Nays: None  
Absent: Askren

Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted,

Moved by Belden, seconded by Kalbach to approve Resolution No. 21-19C "Approval of Cigarette Permit"

Roll Call: All Ayes

Matt Funk, Economic Development Director, made a presentation to the Council regarding 3 TIF Proposals as follows:

TIF Proposal

Doe A Deer

1. Proposal of business: Regan Dolly to purchase 105 NW 2<sup>nd</sup> St, Stuart IA. "Currently Stuart Appliance" TIF Funds to go towards renovations
2. TIF rebate amount: \$12,500 per year, for two years, for a total of \$25,000
3. Minimum assessment agreement: To be determined.
4. Conditions for funding: Interior & exterior photos of improvement's, and receipts of expenses.
5. Legal expenses to be incurred by the developer.

TIF Proposal

STUART APPLIANCE

1. Proposal of business: Matt Tiernan and Mike Tiernan to purchase 212 NE 2<sup>nd</sup> St, "Currently a private storage facility. TIF funds to go towards renovations of building to be used for new appliance sales location and Real Estate brokerage office.
2. TIF rebate amount: \$12,500 per year, for four years, for a total of \$50,000
3. Minimum assessment agreement: To be determined.
4. Conditions for funding: Interior & exterior photos of improvement's, and receipts of expenses.
5. Legal expenses to be incurred by the developer.

TIF Proposal

Stuart Flowers and Gifts

1. Proposal of business: Kathryn and Jeremy Adams to purchase Stuart Flowers and Gifts. TIF funds to go towards installation of a new roof.
2. TIF rebate amount: \$12,500 per year, for two years, for a total of \$25,000
3. Minimum assessment agreement: To be determined.
4. Conditions for funding: Interior & exterior photos of improvement's, and receipts of expenses.
5. Legal expenses to be incurred by the developer.

Moved by Glass seconded by Renslow to approve the 3 TIF Proposals as presented by Economic Development Director Matt Funk and to refer the proposals to City Bond Attorney John Danos with Dorsey & Whitney and City Financial Advisor Chip Schultz, and to modify the Urban Renewal Plan to include the TIF Proposals.

Roll Call: All Ayes

Police Officer Daniel Irving updated the Council on the status of the K9 Program for the Police Department and informed the Council that a \$1,500.00 down payment is needed to acquire the K9 from Midwest K-9 Detection & Consulting. Officer Irving informed the Council that the \$1,500.00 would come from existing donations to the K-9 Program.

Moved by Kalbach, seconded by Glass to approve paying \$1,500.00 (from existing donations to the K-9 Program) down payment to Midwest K-9 Detection & Consulting to acquire the new police K-9 as presented by Police Officer Daniel Irving.

Roll Call: All Ayes

Mayor Cook appointed Craig Russell to the Utility Board to finish the remaining term of former Board Member Francis Marnin (Term expires Jan. 1, 2025).

Moved by Belden, seconded by Renslow to approve Mayor Cook's appointment of Craig Russell to the Utility Board to finish the remaining term of former Board Member Francis Marnin (Term expires Jan. 1, 2025).

Roll Call: All Ayes

The Council discussed the status of the Burger King property and decided to no longer pursue any action on the property.

Adjournment at 8:36pm

Minutes submitted by Deputy Clerk Morgan

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Dick Cook, Mayor

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Ashraf Ashour, City Administrator

## EXPENDITURES APPROVED BY THE CITY COUNCIL 08/09/2021

| CHECK #       | VENDOR                                 | PURPOSE  | AMOUNT      | DEPARTMENT                        |
|---------------|--|--|-------------|-----------------------------------|
| 60738 - 60775 | SALARIES                               | PAYROLL 07/16/2021   | \$26,342.66 | ALL DEPARTMENTS                   |
| 60776         | STUART POSTMASTER                      | 1 ROLL OF STAMPS FOR CITY HALL                                   | \$55.00     | GENERAL GOVERNMENT                |
| 60777         | DE LAGE LANDEN                         | COPIER LEASE FOR LIBRARY   | \$117.33    | LIBRARY                           |
| 60778         | IOWA WORKFORCE DEVELOPMENT             | UNEMPLOYMENT TAXES 2ND QUARTER 2021                              | \$182.09    | ALL DEPARTMENTS                   |
| 60779         | KACZINSKI JR, JAMES                    | PARTIAL REFUND TRANSIENT MERCHANT FEE                            | \$55.00     | GENERAL GOVERNMENT                |
| 60780         | KUM & GO                               | FUEL FOR RESCUE  | \$810.17    | RESCUE                            |
| 60780         | KUM & GO                               | FUEL FOR POLICE  | \$990.17    | POLICE                            |
| 60781         | MEDIACOM                               | MONTHLY TELEPHONE SERVICE FOR LIBRARY                            | \$79.10     | LIBRARY                           |
| 60782         | MMIT BUSINESS SOLUTIONS GROUP          | COPIER LEASE / OVERAGE CHARGE FOR POLICE                         | \$179.32    | POLICE                            |
| 60872         | MMIT BUSINESS SOLUTIONS GROUP          | COPIER LEASE / OVERAGE CHARGE FOR POLICE                         | \$189.94    | POLICE                            |
| 60783         | NEXUS 6                                | WEBSITE FOR LIBRARY  | \$50.00     | LIBRARY                           |
| 60784         | STUART MUNICIPAL UTILITIES             | REIMBURSE SEWER & POOL SALES TAXES 1ST QUARTER 2021              | \$1,403.17  | SEWER / POOL                      |
| 60784         | STUART MUNICIPAL UTILITIES             | REIMBURSE SEWER & POOL SALES TAXES 2ND QUARTER 2021              | \$3,095.25  | SEWER / POOL                      |
| 60785         | PAUL SHELDAHL                          | CONTRACT LABOR   | \$111.00    | GENERAL GOVERNMENT                |
| 60786         | BIBLIONIX                              | APOLLO AUTOMATION ANNUAL SUBSCRIPTION                            | \$900.00    | LIBRARY                           |
| 60787         | CENTURY LINK                           | MONTHLY PHONE SERVICE  | \$164.75    | POLICE                            |
| 60787         | CENTURY LINK                           | MONTHLY PHONE SERVICE  | \$132.27    | SEWER                             |
| 60787         | CENTURY LINK                           | MONTHLY PHONE SERVICE  | \$73.36     | STREET                            |
| 60787         | CENTURY LINK                           | MONTHLY PHONE SERVICE  | \$140.37    | FIRE / RESCUE                     |
| 60787         | CENTURY LINK                           | MONTHLY PHONE SERVICE  | \$297.99    | GENERAL GOVERNMENT                |
| 60788         | EFTPS                                  | FEDERAL PAYROLL TAXES 7/16/2021                                  | \$8,028.26  | ALL DEPARTMENTS                   |
| 60789         | FIRST CLASS CREDIT UNION               | PAYROLL SAVINGS 7/16/2021  | \$200.00    | ROAD USE                          |
| 60790         | LASER RESOURCES INTERNATIONAL          | COPIER SERVICE FOR LIBRARY                                       | \$172.61    | LIBRARY                           |
| 60791         | SHERMAN, LISA                          | REIMBURSEMENT ARSL DUES  | \$49.00     | LIBRARY                           |
| 60792         | OFFICE DEPOT                           | OFFICE SUPPLIES FOR POLICE DEPARTMENT                            | \$33.99     | POLICE                            |
| 60793         | SOUTHWEST IOWA PEST CONTROL            | MONTHLY PEST CONTROL FOR POLICE STATION                          | \$43.00     | PUBLIC SAFETY                     |
| 60794         | STUART TRUE VALUE                      | OFFICE SUPPLIES FOR LIBRARY                                      | \$6.49      | LIBRARY                           |
| 60795         | STUART VETERINARY CLINIC               | BOARDING LOOSE DOGS/ VACCINATIONS                                | \$172.00    | ANIMAL CONTROL                    |
| 60796         | TIERNAN TECH                           | ANTI-MALWARE RENEWAL   | \$119.97    | LIBRARY                           |
| 60797         | CASEY'S GENERAL STORE                  | FUEL FOR STREET DEPARTMENT                                       | \$6.30      | STREET                            |
| 60798         | CENTURYLINK                            | MONTHLY TELEPHONE SERVICE FOR AQUATIC CENTER                     | \$47.54     | POOL                              |
| 60799         | TDL CONSTRUCTION                       | ALL SAINTS ADDITION DIRT WORK AND GRADING                        | \$23,716.00 | GENERAL GOVERNMENT                |
| 60800         | VERIZON WIRELESS                       | MONTHLY CELL PHONE SERVICE FOR STREET / POLICE / SEWER / LIBRARY | \$633.79    | STREET / POLICE / SEWER / LIBRARY |
| 60844         | SALARIES                               | PAYROLL 07/30/2021   | \$26,907.16 | ALL DEPARTMENTS                   |
| 60845         | PAUL SHELDAHL                          | CONTRACT LABOR 7/31/2021   | \$55.50     | GENERAL GOVERNMENT                |
| 60846         | AFLAC INSURANCE                        | INSURANCE JULY 2021  | \$214.84    | LIBRARY / ROAD USE TAX            |
| 60847         | COON VALLEY COOP TELEPHONE ASSN        | INTERNET SERVICE AUGUST 2021 FOR POOL                            | \$64.95     | POOL                              |
| 60847         | COON VALLEY COOP TELEPHONE ASSN        | INTERNET SERVICE AUGUST 2021 FOR POLICE                          | \$64.95     | POLICE                            |
| 60848         | FIRST CLASS CREDIT UNION               | PAYROLL SAVINGS 07/30/2021                                       | \$200.00    | ROAD USE                          |
| 60849         | MIDAMERICAN ENERGY                     | MONTHLY GAS SERVICE CITY HALL, LIBRARY, POLICE                   | \$18.96     | GEN GOV'T / LIBRARY / POLICE      |
| 60849         | MIDAMERICAN ENERGY                     | MONTHLY GAS SERVICE AQUATIC CENTER                               | \$654.63    | POOL                              |
| 60849         | MIDAMERICAN ENERGY                     | MONTHLY GAS SERVICE STREET SHED                                  | \$12.13     | STREET                            |
| 60850         | SYMETRA LIFE INSURANCE                 | LIFE / DISABILITY INSURANCE AUGUST 2021                          | \$693.07    | ALL DEPARTMENTS                   |
| 60851         | LIBERTY NATIONAL                       | LIFE INSURANCE JULY 2021   | \$187.94    | POLICE                            |
| 60852         | DE LAGA LANDEN                         | COPIER LEASE FOR LIBRARY   | \$117.33    | LIBRARY                           |
| 60853         | EFTPS                                  | FEDERAL PAYROLL TAXES 7/30/2021                                  | \$8,271.90  | ALL DEPARTMENTS                   |
| 60854         | IPERS                                  | RETIREMENT JULY 2021   | \$14,233.65 | ALL DEPARTMENTS                   |
| 60855         | LASER RESOURCES INTERNATIONAL          | COPIER SERVICES FOR LIBRARY                                      | \$39.35     | LIBRARY                           |
| 60856         | LINECO                                 | HEALTH INSURANCE SEPTEMBER 2021                                  | \$16,051.06 | ALL DEPARTMENTS                   |
| 60857         | TREASURER STATE OF IOWA                | STATE WITHHOLDING JULY 2021                                      | \$3,995.00  | ALL DEPARTMENTS                   |
| 60858         | BARB BOSS                              | REPLACE CHECK # 55290  | \$836.57    | GEN GOV'T / LIBRARY / PARKS       |
| 60859         | FIRST STATE BANK                       | DEPOSIT SLIPS  | \$25.00     | GENERAL GOVERNMENT                |
| 60860         | NEXUS 6                                | WEBSITE FOR LIBRARY  | \$50.00     | LIBRARY                           |
| 60861         | MIDWEST K-9 DETECTION & CONSULTING LLC | DOWN PAYMENT FOR POLICE K-9 ALLY                                 | \$1,500.00  | POLICE                            |
| 60862         | ACCO                                   | SUPPLIES / CHEMICALS FOR AQUATIC CENTER                          | \$784.50    | POOL                              |
| 60863         | ADAIR COUNTY LANDFILL                  | MONTHLY LANDFILL FEES  | \$3,963.20  | SANITATION                        |
| 60864         | AG SOURCE LABORATORIES                 | SEWER TESTING  | \$369.00    | SEWER                             |
| 60864         | AG SOURCE LABORATORIES                 | SEWER TESTING  | \$13.50     | SEWER                             |
| 60864         | AG SOURCE LABORATORIES                 | SEWER TESTING  | \$171.00    | SEWER                             |
| 60865         | AGRILAND FS INC                        | FUEL FOR STREET DEPARTMENT                                       | \$823.13    | STREET                            |
| 60866         | ASKREN, JOHN                           | REIMBURSE MILEAGE FOR BUYING POOL SUPPLIES                       | \$446.88    | POOL                              |
| 60867         | AUTOMATIC SYSTEMS CO                   | SEWER PANELVIEW REPLACEMENT                                      | \$4,656.75  | SEWER                             |
| 60868         | AVEY SANITATION                        | MONTHLY GARBAGE COLLECTION SERVICE                               | \$2,574.50  | SANITATION                        |
| 60869         | BOSS, BARBARA                          | CLEANING CITY HALL / LIBRARY / PARKS                             | \$718.74    | CITY HALL / LIBRARY / PARKS       |
| 60870         | BOUNDTREE MEDICAL LLC                  | MEDICAL SUPPLIES   | \$1,727.09  | RESCUE                            |
| 60872         | CAPITAL CITY EQUIPMENT CO              | RESEAL LIFT CYLINDER   | \$153.53    | STREET                            |
| 60873         | COUNTRYSIDE LAWN SOLUTIONS LLC         | CONTRACT MOWING AUGUST 2021                                      | \$3,312.50  | CEMETERY                          |
| 60874         | CRYSTAL CLEAR WATER OF SOUTHWEST IOWA  | WATER FOR CITY HALL  | \$25.50     | GENERAL GOVERNMENT                |
| 60875         | FALLER, KINCHELOE & CO., PLC           | FY 2020-2021 AUDIT PROGRESS                                      | \$4,625.00  | GEN GOV'T / SEWER                 |
| 60876         | FARMERS ELECTRIC COOP INC              | QUAIL RUN STREET LIGHTS  | \$24.00     | GENERAL GOVERNMENT                |



CITY

EXPENDITURES MONTH OF JULY 2021

|                      |                     |
|----------------------|---------------------|
| GENERAL              | \$109,243.81        |
| ROAD USE TAX         | \$5,798.40          |
| EMPLOYEE BENEFITS    | \$22,824.26         |
| ECONOMIC DEVELOPMENT | \$772.50            |
| FIRE / RESCUE FUND   | \$450.12            |
| DEBT SERVICE FUND    | \$39,330.75         |
| CAPITAL PROJECTS     | \$0.00              |
| SEWER UTILITY        | \$19,167.79         |
| <b>TOTAL</b>         | <b>\$197,587.63</b> |

CITY

REVENUE MONTH OF JULY 2021

|                     |             |
|---------------------|-------------|
| GENERAL             | \$73,490.62 |
| EMERGENCY           | \$36.38     |
| ROAD USE            | \$25,798.00 |
| I JOB FUND          | \$0.00      |
| EMPLOYEE BENEFIT    | \$616.04    |
| LIBRARY TRUST       | \$0.00      |
| FIRE/RESCUE TRUST   | \$0.00      |
| DEBT SERVICE        | \$255.50    |
| ECONOMIC DEV.       | \$18,256.39 |
| SPECIAL ASSESSMENT  | \$1.24      |
| CAPITAL PROJECT (1) | \$1.01      |
| CAPITAL PROJECT (2) | \$0.75      |
| CEMETERY PERPETUAL  | \$0.00      |
| SEWER               | \$38,169.45 |