

12/12/2022

The regular meeting of the Stuart City Council was called to order on the above date at 6:30 pm by Mayor Pro Tem Kirkpatrick. Present were Council Members Doely, Kalbach, Morgan and Renslow. Also present were Mayor Cook, City Administrator Ashour, Deputy Clerk Stouffer, Forrest Aldrich, Warren Varley, Matt Funk, Jim Henderson, Barb Boss, Kory Guisinger, Nate Westre, Alexis Collazo, Val and Kevin Pieper, Luke Dahl, Sean Bovinett, Shirley Jones, Vi Jones, Jason VanAusdall, Chip Schultz, and Dustin Capps.

Moved by Renslow, seconded by Morgan to approve the Agenda, moving items No. 9 and No. 17(A) to be discussed before item No. 4.

Roll Call: All Ayes

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

- A. Approval of minutes of 11/14/2022
- B. Approval of financial statement as of 11/30/2022
- C. Approval of bills as presented
- D. Approval of Liquor License – Your Private Bartender, LLC (Saints Center)
- E. Approval of Liquor License – The Cup on 2nd

Roll Call: All Ayes

Public Works Director Jim Henderson informed the Council that the threshold for comp time may be exceeded before the end of the year, and the Council was in agreement with exceeding the threshold. Mayor Cook explained that the Public Works department has had an open position for most of the year, so the two current employees have had to work extra hours. Henderson requested that the Council consider extending the Cemetery Mowing and Cemetery Spraying Contracts for a two year term. The Council requested more information be provided at the next meeting. Henderson also requested the city mowing be let for bids until the open position with Public Works is filled. Henderson will continue to mow the wastewater treatment plant location himself. The Council requested the city mowing be discussed at the next regular meeting.

Stuart Economic Development Director Matt Funk presented to the Council a list of building permit concerns received from the Stuart Economic Enterprise for Development (S.E.E.D.) Zoning Administrator Jason VanAusdall of Veenstra & Kimm recommended holding a workshop with the members of S.E.E.D., the Mayor, Councilmembers, and city staff to address concerns. Deputy Clerk Stouffer was named as the point of contact for building permit questions. Funk will organize a workshop to address the concerns.

Viola Jones of 920 N Main Street made a presentation to the Council about a nuisance violation notice that she received. The Council agreed to discuss the issue of sticks in yards with the Code

Enforcement Officer, and to require that photos of violations be sent with notices, as well as the section of code in violation be included.

The Council discussed Item No. 5, and decided that no action needed to be taken.

Council member Renslow presented a Street Closure Request form to the Council. The form will be added to the Chamber of Commerce's website.

Moved by Doely, seconded by Morgan to approve the request form for street closures as presented by council member Renslow.

Roll Call: All Ayes

Alexis Collazo of Jenoptik made a presentation to the council regarding speed enforcement through mobile and in-vehicle ALPR (Automatic License Plate Reader) system cameras. There would be no cost to the city for the installation, maintenance, and repair of equipment, and the revenue generated by fines would be shared between Jenoptik and the City of Stuart. The Council requested Chief Reha work with Collazo to prepare a final analysis and recommendation for the next regular meeting.

Police Chief Reha made a presentation to the Council regarding extra pay needed for the Police Department. Reha informed the Council that their \$10,000.00 Overtime / Vacation / Part-time for the remaining of 2022 has been exceeded due to officers being on leave for illnesses during the year and having to hire part-time officers to cover them while they are away and also due to officers being on vacation and having to hire part-time officers to cover their shift while they are away. Police Chief Reha is asking for an additional \$2,500.00 to cover the additional salary costs that have exceeded the \$10,000.00 Overtime / Vacation / Part-time for the remaining of 2022.

Moved by Renslow, seconded by Kalbach to approve the \$2,500.00 to cover the additional salary costs that have exceeded the \$10,000.00 Overtime / Vacation / Part-time for the remaining of 2022 as presented by Police Chief Reha.

Rescue Director Sean Bovinett made a presentation to the Council regarding the need for an Assistant Rescue Director. Bovinett recommended that Luke Dahl, a current Rescue employee, be promoted to fill the position with an annual salary of \$54,000.00. The Council requested this item to be discussed at the next regular meeting. Bovinett provided the Council updates on the status of the new ambulance and the potential agreement with Guthrie County Hospital for patient transport.

Nate Westre of Main Street Marketing made a presentation to the Council regarding a marketing proposal for the City of Stuart. The Council requested to discuss this item at the next regular meeting.

Mayor Pro Tem Kirkpatrick opened the public hearing on the 2022 Sewer Manhole Project.

There were no written or oral objections.

Mayor Pro Tem Kirkpatrick closed the Public Hearing.

City Engineer Forrest Aldrich with Veenstra & Kimm, Inc. informed the Council that a total of one bid was received for the 2022 Sewer Manhole Project:

<u>Contractor</u>	<u>Base Bid</u>	<u>Alternate 1</u>	<u>Alternate 2</u>
Hydro-Klean, LLC	\$156,165.00	\$36,835.00	\$23,345.00

After review of the bids received, Veenstra & Kimm, Inc. would recommend the City of Stuart award contract for the 2022 Sewer Manhole project to Hydro-Klean, LLC based on their base bid of \$156,165.00.

Moved by Kalbach, seconded by Renslow to approve the Award of Contract to Hydor-Klean, LLC for the total base bid in the amount of \$156,165.00 for the 2022 Sewer Manhole Project as presented and recommended by City Engineer Forrest Aldrich.

Roll Call: All Ayes

City Engineer Forrest Aldrich with Veenstra & Kimm, Inc. made a presentation to the Council regarding the 2022 Street Improvements Project.

Moved by Renslow, seconded by Kalbach to approve Partial Payment Estimate No. 2 to InRoads, LLC for the amount of \$5490.04 for the 2022 Street Improvements Project.

Roll Call: All Ayes

City Engineer Forrest Aldrich with Veenstra & Kimm, Inc. and City Financial Advisor Chip Schultz made a presentation to the Council regarding the 2023 Housing Phase 4 project.

City Financial Advisor Chip Schultz made a presentation to the Council regarding the preliminary budget framework. The Council set a special meeting date of January 4, 2023 at 6:30 pm at the council chambers to hold an informational meeting to discuss the preliminary budget framework.

Warren Varley of the Stuart Economic Enterprise for Development (S.E.E.D.) spoke to the council regarding the Planning and Zoning Commission's recommendation to consider extending future use zoning two miles past city limits in agreement with state code rather than the existing city code dictating a one mile limit. The Council requested to discuss this item at the next regular meeting.

Mayor Pro Tem Kirkpatrick opened the public hearing on the proposed Ordinance No. 22-08C "An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Lot 22 of Wambold Second Addition Owned by the City of Stuart from Conservation to Residential District."

There were no written or oral objections.

Mayor Pro Tem Kirkpatrick closed the Public Hearing.

Council Member Renslow introduced an ordinance entitled Ordinance No. 22-08C "An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Lot 22 of Wambold Second Addition Owned by the City of Stuart from Conservation to Residential District."

It was moved by Council Member Renslow and seconded by Council Member Kalbach that the aforementioned ordinance had been given its first consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Kirkpatrick, Morgan, Doely, Renslow

Nays: None

WHEREUPON, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Council Member Kalbach and seconded by Council Member Morgan that the rule requiring Ordinance No. 22-08C "An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Lot 22 of Wambold Second Addition Owned by the City of Stuart from Conservation to Residential District" be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be acted upon be suspended. The Mayor put the question on motion and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Kirkpatrick, Morgan, Doely, Renslow

Nays: None

WHEREUPON, the Mayor declared the Motion duly carried.

It was moved by Council Member Kalbach and seconded by Council Member Renslow that the Ordinance entitled Ordinance No. 22-08C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Lot 22 of Wambold Second Addition Owned by the City of Stuart from Conservation to Residential District” 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, Kirkpatrick, Morgan, Doely, Renslow

Nays: None

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

No action was taken on Item No. 16(C.)

Mayor Pro Tem Kirkpatrick opened the public hearing on the proposed Ordinance No. 22-10C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Property Owned by Joyce Hick and Walter B. Hick Trust.”

There were no written or oral objections.

Mayor Pro Tem Kirkpatrick closed the Public Hearing.

Council Member Kalbach introduced an ordinance entitled Ordinance No. 22-10C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Property Owned by Joyce Hick and Walter B. Hick Trust.”

It was moved by Council Member Kalbach and seconded by Council Member Renslow that the aforementioned ordinance had been given its first consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Kirkpatrick, Morgan, Doely, Renslow

Nays: None

WHEREUPON, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Council Member Kalbach and seconded by Council Member Morgan that the rule requiring Ordinance No. 22-10C “An Ordinance Amending the Code of Ordinances

of the City of Stuart, Iowa, by Changing the Zoning for Property Owned by Joyce Hick and Walter B. Hick Trust” be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be acted upon be suspended. The Mayor put the question on motion and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Kirkpatrick, Morgan, Doely, Renslow
Nays: None

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. 22-10C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Property Owned by Joyce Hick and Walter B. Hick Trust” 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, Kirkpatrick, Morgan, Doely, Renslow
Nays: None

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

Mayor Pro Tem Kirkpatrick opened the public hearing on the proposed Ordinance No. 22-11C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Parcel “G” in NW ¼ of SW ¼ and SW ¼ of SW ¼ of 34-78-30 Owned by S.E.E.D. from Agricultural to Residential District.”

There were no written or oral objections.

Mayor Pro Tem Kirkpatrick closed the Public Hearing.

Council Member Kalbach introduced an ordinance entitled Ordinance No. 22-11C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Parcel “G” in NW ¼ of SW ¼ and SW ¼ of SW ¼ of 34-78-30 Owned by S.E.E.D. from Agricultural to Residential District.”

It was moved by Council Member Kalbach and seconded by Council Member Doely that the aforementioned ordinance had been given its first consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Kirkpatrick, Morgan, Doely, Renslow
Nays: None

WHEREUPON, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Council Member Renslow and seconded by Council Member Kalbach that the rule requiring Ordinance No. 22-11C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Parcel “G” in NW ¼ of SW ¼ and SW ¼ of SW ¼ of 34-78-30 Owned by S.E.E.D. from Agricultural to Residential District” be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be acted upon be suspended. The Mayor put the question on motion and the roll being called, the following named Council Members voted:

Ayes: Kalbach, Kirkpatrick, Morgan, Doely, Renslow
Nays: None

WHEREUPON, the Mayor declared the Motion duly carried.

It was moved by Council Member Kalbach and seconded by Council Member Renslow that the Ordinance entitled Ordinance No. 22-11C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa, by Changing the Zoning for Parcel “G” in NW ¼ of SW ¼ and SW ¼ of SW ¼ of 34-78-30 Owned by S.E.E.D. from Agricultural to Residential District” 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, Kirkpatrick, Morgan, Doely, Renslow
Nays: None

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

Item No. 17(B) was tabled.

Stuart Economic Development Director Matt Funk presented to the Council a request from Kwik Trip, Inc. for a waiver on the sidewalk requirements. Sidewalks will be installed in the future when requested by the City. Kwik Star. also requested a waiver on the open green space requirement, from a minimum of 25% to a minimum of 20%.

Moved by Renslow, seconded by Doely to approve the waiver on the sidewalk requirement with the understanding that sidewalks will be installed in the future when requested by the City and to approve the waiver on the minimum open green space requirement from 25% to 20% as requested by Kwik Star.

Roll Call: All Ayes

Adjournment at 9:25 pm

Minutes submitted by Deputy Clerk Stouffer

Dick Cook, Mayor

Ashraf Ashour, City Administrator