

02/13/2023

The regular meeting of the Stuart City Council was called to order on the above date at 6:40 pm by Mayor Cook. Present were Council Members Kalbach, Kirkpatrick, Morgan, Doely, and Renslow. Also present were City Administrator Ashour, Deputy Clerk Stouffer, Public Works Director Jim Henderson, Kory Guisinger, Economic Development Director Matt Funk, Forrest Aldrich, Chip Schultz, David Reha, Katie Guisinger, Allen Neal, Mike Dickson, Josh Sebern, Bob Cook, and Warren Varley.

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

Roll Call: All Ayes

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

- A. Approval of minutes of 01/09/2023 and special meeting of 01/23/2023
- B. Approval of financial statement as of 01/31/2023
- C. Approval of bills as presented
- D. Approval of Liquor License – Dollar General

Roll Call: All Ayes

Robert Cook, resident of Stuart, made a presentation to the Council regarding scheduling a town clean up for May 5 & 6, 2023.

Moved by Kalbach, seconded by Renslow to approve May 5 & 6, 2023 for the Town Clean Up as presented by Robert Cook, resident of Stuart.

Roll Call: All Ayes

Mayor Cook opened the Public Hearing on the 2023-2024 City Budget Maximum Tax Dollars.

There were no written or oral objections.

Mayor Cook declared Public Hearing closed.

Moved by Renslow, seconded by Doely to approve Resolution No. 23-02 “Approving Maximum Tax Dollars from Certain Levies for the City’s Proposed Fiscal Year 2023-2024 Budget.”

Roll Call: All Ayes

Moved by Morgan, seconded by Kalbach to adopt the proposed 2023-2024 City Budget and set date for Public Hearing on the proposed 2023-2024 City Budget for March 13, 2023 at 6:30 p.m. at Stuart City Hall.

Roll Call: All Ayes

Sergeant Katie Guisinger of the Stuart Police Department Community Programs (SPDCP) organization made a presentation to the Council regarding the Trees 4 Kids grant available through the Iowa Department of Natural Resources. If awarded the grant, the SPDCP would work with kids in the community to plant and care for 27 trees at the Sports Complex. Guisinger made a request to the Council that if the grant is awarded to the SPDCP, the City will cover the initial cost of purchasing the trees, up to \$2500.00, to be reimbursed by the Iowa Department of Natural Resources Trees 4 Kids grant.

Moved by Kalbach, seconded by Renslow to approve the request of Sergeant Katie Guisinger of the Stuart Police Department Community Programs (SPDCP) organization for the City cover the initial cost of purchasing trees, up to \$2500.00, to be reimbursed by the Iowa Department of Natural Resources Trees 4 Kids grant.

Roll Call: All Ayes

Public Works Director Henderson informed the Council that three bids to mow various City properties were received, as follows:

TCB Lawn Care, LLC	\$17,500.00
Emgarten Mowing	\$17,900.00
Madsen Lawn Care	\$22,000.00

Public Works Director Henderson recommended to the Council that the bid from TCB Lawn Care, LLC be accepted.

Moved by Kirkpatrick, seconded by Doely to accept the bid to mow various City properties received by TCB Lawn Care, LLC for \$17,500.00 for mowing and trimming from April 15<sup>th</sup> to November 15<sup>th</sup> for the 2023 mowing season, as recommended by Public Works Director Henderson.

Roll Call: Ayes: Kalbach, Kirkpatrick, Morgan, Doely  
Nays:  
Abstain: Renslow

Motion carried.

Guthrie County Engineer Josh Sebern and Guthrie County Supervisor Mike Dickson discussed with the Council the actions being taken by Guthrie County to repair White Pole Road due to heavy truck traffic. The county is planning to use four sampling methods in May or June of 2023 to determine whether portions of the road need to have the surface repaired or need to be completely replaced. The Council expressed concern that the City has been trying to coordinate with the county since March of 2021 to address the condition of White Pole Road, and would like to resolve the issue before the end of this year.

Moved by Renslow, seconded by Kirkpatrick to table item No. 8(B) until Guthrie County Engineer Sebern and Guthrie County Supervisor Dickson return with their determination of the best way to repair White Pole Road.

Roll Call: All Ayes

Guthrie County Engineer Sebern discussed with the Council the new Annual All-Systems Overweight Permit for Commercial & Farm Vehicles which took effect January 1, 2023. Sebern informed the Council that the City has the choice to participate in selecting approved routes for the permitted overweight vehicles to travel, or the City can choose not to participate. Sebern also informed the City that Guthrie County plans to choose to participate. Administrator Ashour asked Sebern who benefits from the proceeds of the permit fee, and was informed by Sebern that 75% of the fee is distributed to participating counties. Participating cities are not guaranteed any share of the fees by the state or by the county.

City Financial Advisor Chip Schultz made a presentation to the Council regarding the potential cost of repairs to White Pole Road and the funding framework for those repairs.

Mayor Cook opened the Public Hearing on the voluntary annexation of property owned by Glenda R. Tibben and David L. Tibben.

There were no written or oral objections.

Mayor Cook declared Public Hearing closed.

Moved by Renslow, seconded by Morgan to approve Resolution No. 23-03C "Resolution Approving Voluntary Annexation of Property Owned by Glenda R. Tibben and David L. Tibben."

Roll Call: All Ayes

Police Chief David Reha made a presentation to the Council regarding the potential contract with Jenoptik for speed enforcement cameras. Councilmember Kalbach requested Chief Reha and Mayor Cook contact a different company with speed camera enforcement services to make a presentation at a council meeting. Councilmember Renslow requested the contract presented by Jenoptik be sent to the city attorney again to look at section 1.5 “Effect of Termination.”

Allen Neal made a presentation to the Council regarding his interest in purchasing city-owned land that is adjacent to his property. The Council requested more information regarding utility infrastructure in the area, and the location of a platted alley.

Moved by Renslow, seconded by Kirkpatrick to gather more information regarding the presence of utility infrastructure and the location of a platted alley in relation to the city-owned land that is adjacent to Allen Neal’s property, and then to revisit the issue.

Roll Call: All Ayes

Councilmember Renslow asked about the findings in the City Audit for Fiscal Year Ended June 30, 2022. City Administrator Ashour addressed the findings and informed the Council that the City has received an “Unmodified Opinion,” which is the highest marking available for an audit.

Moved by Kalbach, seconded by Doely to approve the City Audit for Fiscal Year Ended June 30, 2022 as presented by Faller, Kincheloe, & Co, PLC, Certified Public Accountants.

Moved by Kalbach, seconded by Morgan to approve Resolution no. 23-05C “Resolution Finally Approving and Confirming Plans, Specifications, Form of Contract and Estimate of Cost for the 2022 Safe Routes to School PCC Sidewalk / Trail Project.”

Roll Call: All Ayes

City Financial Advisor Chip Schultz made a presentation to the Council regarding the funding framework for the City’s portion of the cost of the Safe Routes to School Project. The Council directed Schultz to work with Bond Attorney Dorsey & Whitney regarding using TIF (Tax Increment Financing) funds on hand to pay for the City’s portion of the cost of the Safe Routes to School Project.

City Engineer Forrest Aldrich with Veenstra & Kimm, Inc. informed the Council that a total of three bids were received for the 2022 Safe Routes to School PCC Sidewalk / Trail Project:

<b><u>Contractor</u></b>	<b><u>Bid</u></b>
Caliber Concrete, LLC	\$291,062.00
TK Concrete, Inc	\$296,756.00

Jasper Construction

\$419,794.30

After review of the bids received, Veenstra & Kimm, Inc. would recommend the City of Stuart award contract for the 2022 Safe Routes to School project to Caliber Concrete, LLC based on their bid of \$291,062.00.

Moved by Kalbach, seconded by Morgan to accept the bid from Caliber Concrete, LLC based on their bid of \$291,062.00 as recommended by City Engineer Aldrich, and to approve Resolution No. 23-06 “Resolution Awarding a Contract for the 2022 Safe Routes to School PCC Sidewalk / Trail Project.”

Roll Call: All Ayes

Moved by Kalbach, seconded by Doely to approve Resolution No. 23-04C “Resolution Setting a Date (March 13, 2023 at 6:30pm at City Hall) for a Public Hearing on Proposal to Enter into a General Obligation Insurance Funding Loan Agreement and to Borrow Money Thereunder in a Principle Amount not to Exceed \$150,000.”

Roll Call: All Ayes

Council Member Kalbach introduced an ordinance entitled Ordinance No. 23-01C “An Ordinance to Amend Section 170.02 of the Stuart Municipal Code to Include Suburban Lots Within 2 Miles of the Corporate Limits.”

It was moved by Council Member Kalbach and seconded by Council Member Kirkpatrick 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 Morgan and seconded by Council Member Kalbach that the statutory rule requiring an ordinance to be considered and voted on for passage at two City 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, Kirkpatrick, Morgan, Doely, Renslow

Nays: None

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member Morgan and seconded by Council Member Kalbach that the ordinance entitled Ordinance No. 23-01C “An Ordinance to Amend Section 170.02 of the Stuart Municipal Code to Include Suburban Lots Within 2 Miles of the Corporate Limits” now be put upon its final consideration and adoption. 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 the ordinance duly adopted.

Economic Development Director Matt Funk made a presentation to the Council regarding the status of the Blight Housing Application from Homes by Johnson.

City Engineer Forrest Aldrich of Veenstra & Kimm made a presentation to the Council regarding the bidding process for the Wambold Phase 4 housing development. Aldrich stated that the first recommendation of the Stuart Enterprise for Economic Development (S.E.E.D.) is to bid the entire project at one time. The second recommendation of S.E.E.D. is to split the project into a base bid and an alternate bid.

Moved by Renslow, seconded by Kalbach to accept the second recommendation of S.E.E.D. to split the project into a base bid and an alternate bid, and to move forward with the bidding process for the Wambold Phase 4 housing project.

Adjournment at 8:45pm.

Minutes submitted by Deputy Clerk Stouffer.

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Dick Cook, Mayor

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Ashraf Ashour, City Administrator