

03/13/2023

The regular meeting of the Stuart City Council was called to order on the above date at 6:35 pm by Mayor Cook. Present were Council Members Kalbach, Kirkpatrick, and Renslow. Also present were City Administrator Ashour, Deputy Clerk Stouffer, Public Works Director Jim Henderson, Economic Development Director Matt Funk, Forrest Aldrich, Mike Dickson, Josh Sebern, Warren Varley, Crystal Kirkpatrick, Dustin Capps, Sean Bovinett, Luke Dahl, Marcus Mackey, Matt and Katie Johnson, Joe Vens, Jenyse Belden, Danielle Yonker, and Warren Varley.

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

Roll Call: All Ayes

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

- A. Approval of minutes of 02/13/2023 and special meeting of 02/13/2023
- B. Approval of financial statement as of 02/28/2023
- C. Approval of bills as presented
- D. Approval of Liquor License – Stuart Speedway

Roll Call: All Ayes

Public Works Director Jim Henderson informed the Council that due to the rising costs of rock and sand, the City will need to raise the price of a scoop of rock or sand sold to customers from the current rates of \$18.00 per scoop of rock and \$10.00 per scoop of sand to \$24.00 per scoop of rock or sand.

Moved by Renslow, seconded by Kalbach to approve raising the cost of a scoop of rock or sand sold to customers from the current rates of \$18.00 per scoop of rock and \$10.00 per scoop of sand to \$24.00 per scoop of rock or sand as presented by Public Works Director Henderson.

Roll Call: All Ayes

Councilmember Renslow informed the Council of a complaint in regard to the Rescue schedule and requested Rescue Department updates be presented to the Council as a follow up to a previous employee complaint. Mayor Cook, Mayor Pro-Tem Kirkpatrick, and Administrator Ashour informed the Council that the previous complaint has been resolved per the direction of an attorney, and clarified the complaint process and the proper chain of command. They further explained that council members should not be involved in any personnel issues, and future complaints should not be discussed at a council meeting but instead follow the established

complaint process with the proper chain of command. The City Administrator will determine whether any personnel issue needs to be brought before the Council. Rescue Director Sean Bovinett and Assistant Rescue Director Luke Dahl explained to the Council that the Rescue scheduling process has recently changed, and they have been working together during the transition. Neither the Director nor the Assistant Director was aware of any scheduling issues.

Brenda Dudley representing The Stuart Revitalization Group made a presentation to the Council regarding the Bonnie and Clyde Run/Walk. Brenda informed the Council that the run will take place April 15, 2023 and presented the route for the run/walk. Councilmember Renslow informed Dudley that there is street closure request form available at stuartia.com that will need to be completed, and affected businesses must be informed of the street closure.

Moved by Kalbach, seconded by Renslow to approve the Bonnie and Clyde Run/Walk as presented by Brenda Dudley with the Stuart Revitalization Group and requested that Brenda complete the street closure request form, inform affected businesses of the closure, and work with the Police Department and Public Works on the route/road closures.

Roll Call: All Ayes

Ryan Morrison made a presentation to the Council regarding the nuisance property located at 420 N Sherman Street. Morrison requested an extension until the next regular meeting 4/10/2023 in order to complete the sale of the property. Morrison and his realtor Teresa O'Connell informed the Council that the purchaser is aware of the nuisance violation and agrees to comply with the Residential Zoning Administrator's requirements to remove the stop work order placed upon the property and repair the structure to meet minimum building code standards. The Council requested to be updated on the status of the property sale and building permits at the next regular council meeting by Economic Development Director Funk.

Michael Pate of Amarak Perimeter Security made a presentation to the Council requesting permission to install an electric security fence for Manheim Auto Auction located at 723 SW 8th Street. Pate explained that this is a security fence, and is medically safe and will not harm anyone who comes into contact with it. Section 41.10 of the Code of Ordinances for the City of Stuart requires that, in this case, the Council must give written consent for an electric fence.

Moved by Kalbach, seconded by Renslow to approve the request to install an electric security fence for Manheim Auto Auction located at 723 SW 8th Street as presented by Michael Pate of Amarak Perimeter Security, subject to the approval of the city attorney.

Roll Call: All Ayes

Mayor Cook opened the Public Hearing on the 2023-2024 City Proposed Budget.

There were no written or oral objections.

Mayor Cook declared Public Hearing closed.

City Administrator Ashour informed the Council of Senate File 181, recently approved by the State of Iowa, regarding new rules related to the rollback of property taxes and the effect of those new rules on the city budget, resulting in a decrease of requested dollar amount.

Moved by Renslow, seconded by Kirkpatrick to approve Resolution No. 23-09C “Adoption of 2023- 2024 City Budget.”

Roll Call: All Ayes

Mayor Cook opened the Public Hearing on the proposal to enter into a general obligation insurance funding loan agreement.

There were no written or oral objections.

Mayor Cook declared Public Hearing closed.

Moved by Kalbach, seconded by Kirkpatrick to approve Resolution No. 23-08C “Resolution Taking Additional Action on Proposal to Enter into a General Obligation Insurance Funding Loan Agreement and Providing for the Levy of Taxes to Pay Taxable General Obligation Insurance Note.”

Roll Call: All Ayes

Dustin Capps of The Cup On 2nd, LLC made a presentation to the Council regarding a proposal for the City of Stuart lease to the concession stand located at the Sports Complex for \$1.00 for one year. The Cup On 2nd, LLC would have exclusive access to the stand, with only the Public Works Director and the Police receiving a key. Capps informed the Council that he is willing to make necessary repairs to the interior at his own expense, and will carry insurance on the contents of the concession stand.

Moved by Kalbach, seconded by Renslow to approve the proposal from Dustin Capps of The Cup On 2nd, LLC to lease the concession stand at the sports complex from the City of Stuart for \$1.00 for a one year term, and to direct the city attorney to write a lease before the special meeting 03/27/2023.

Roll Call: Ayes: Kalbach, Renslow
Nays: none
Abstain: Kirkpatrick

Motion carried.

City Engineer Forrest Aldrich made a presentation to the city council recommending accepting Change order No. 1 from Hydro-Klean, LLC of \$16,200.00 for the manholes number 26 and 32 including PCC pavement removal and replacement, seeding, and miscellaneous associated work, including cleanup.

Moved by Renslow, seconded by Kalbach to approve Change order No. 1 from Hydro-Klean, LLC of \$16,200.00 for the manholes number 26 and 32 including PCC pavement removal and replacement, seeding, and miscellaneous associated work, including cleanup.

Roll Call: All Ayes

The Council discussed the possibility of selling city-owned property to Allen and Tawnya Neal. The Council reviewed the information provided by the city attorney and requested a written proposal from the Neals if they are still interested in purchasing the property.

Mayor Cook informed the Council that he and Police Chief Reha have been working with Blue Line Solutions to set up a traffic study. When the study is complete, Blue Line Solutions will make a presentation to the Council regarding speed enforcement camera services.

City Engineer Forrest Aldrich made a presentation to the Council regarding the Wambold 3rd Addition (Phase 4) housing development.

Moved by Kalbach, seconded by Kirkpatrick to approve the soil boring agreement with Allender Butzke Engineers as presented by City Engineer Aldrich.

Roll call: All Ayes

Moved by Kalbach, seconded by Kirkpatrick to approve the Tibben Plat of Survey, Perpetual Sanitary Sewer Easement, and Temporary Grading Easement as presented by City Engineer Aldrich.

Roll Call: All Ayes

Moved by Renslow, seconded by Kalbach to set the date for bids to be received (April 20, 2023 at 2:00 pm) and set the date for a Public Hearing (April 24, 2023 at 6:00pm at City Hall) for the Wambold 3rd Addition (Phase 4) Construction Improvements.

Roll Call: All Ayes

City Engineer Aldrich made a presentation to the Council regarding the requests from Kwik Star for a Signage Easement, a Sanitary Sewer Easement, and a Quit Claim Deed for the right of way along 110th Street for a property they are in the process of purchasing.

Moved by Renslow, seconded by Kalbach to approve the requests from Kwik Star for a Signage Easement, a Sanitary Sewer Easement, and a Quit Claim Deed for the right of way along 110th Street for a property they are in the process of purchasing as presented by City Engineer Aldrich.

Roll Call: All Ayes

Guthrie County Engineer Josh Sebern made a presentation to the Council regarding an Infrastructure Investment and Jobs Act (I.I.J.A.) grant application for White Pole Road. Guthrie County is one of the finalists in the application process, and Sebern requested a motion of support from the Council. This does not obligate the City to participate in the project if the grant application is approved, but shows that the City is interested in pursuing the project if the grant is awarded.

Moved by Kalbach, seconded by Kirkpatrick to make a motion of support for the Infrastructure Investment and Jobs Act (I.I.J.A.) grant application as presented by Guthrie County Engineer Sebern.

Roll Call: All Ayes

Joe Vens, utility insurance agent with United Risk Services / First Mainstreet Insurance, presented to the Board the new premiums for 2023-2024 for the City property insurance as follows:

City: \$99,232.00

Sewer: \$25,798.00

Total: \$125,030.00 (\$120,952.12 EMC, \$4,077.88 Cyber)

Effective April 1, 2022

Danielle Yonker with Town and Country Insurance informed the Council that they were not able to complete their insurance quote for the City of Stuart by the March 13, 2023 meeting deadline

due to Iowa Communities Assurance Pool (ICAP) quote requirements. Yonker was informed that the Council is holding a special meeting 03/27/2023, and the Council requested a quote to be prepared before that date.

Moved by Kalbach, seconded by Renslow to approve the renewal of City property insurance premiums for 2023-2024 as presented by utility insurance agent Joe Vens, utility insurance agent with United Risk Services / First Mainstreet Insurance as follows, if a quote is not presented by Town and Country Insurance / Iowa Communities Assurance Pool (ICAP) before the special meeting date of 03/27/2023:

City: \$99,232.00

Sewer: \$25,798.00

Total: \$125,030.00 (\$120,952.12 EMC, \$4,077.88 Cyber)

Effective April 1, 2023

Roll Call: All Ayes

Economic Development Director Matt Funk made a presentation to the Council regarding the Blight Housing Application from Homes by Johnson. All requirements of the Blight Housing Rehabilitation Program have been met, and the property has been sold for \$175,900.00. Funk recommended awarding 10% of the sale price of the property, \$17,590.00, to Homes by Johnson.

Moved by Kalbach, seconded by Kirkpatrick to approve paying Homes by Johnson \$17,590.00, which is 10% of the sale price of \$175,900.00 of the Blight Housing Application property located at 419 N. Harrison Street, as recommended by Economic Development Director Funk.

Mayor Cook announced that the Town Clean-up will take place May 5th and 6th, 2023.

Adjournment at 8:40pm.

Minutes submitted by Deputy Clerk Stouffer.

Dick Cook, Mayor

Ashraf Ashour, City Administrator