

08/14/2023

The regular meeting of the Stuart City Council was called to order on the above date at 6:00 pm by Mayor Cook. Present were Council Members Kalbach (over the phone,) Kirkpatrick, Morgan, Doely and Renslow. Also present were City Administrator Ashour, Deputy Clerk Stouffer, Public Works Director Jim Henderson, Economic Development Director Matt Funk, Forrest Aldrich, Shane Martinson, Daniel Irving, Mike Dickson, Josh Sebern, Allen Neal, Tawnya Neal, Marcus Mackey, Brandi Coil, Lisa Sherman and Travis Small.

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

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

Motion carried.

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

- A. Approval of minutes of 07/10/2023
- B. Approval of financial statement as of 07/31/2023
- C. Approval of bills as presented
- D. Approval of Liquor Licenses – Bailey’s Convenience #3, Los Altos Mexican Restaurant
- E. Approval of Outdoor Liquor Licenses (Gridiron Gathering) – Ruby’s Pub& Grill, Johnie’s Tavern, Los Altos Mexican Restaurant, The Stuart Scoop, The Cup on 2<sup>nd</sup>
- F. Approval of Outdoor Liquor Licenses (Best of the Block BBQ) – Johnie’s Tavern, The Stuart Scoop

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

Motion carried.

Public Works Director Jim Henderson informed the Council that interviews were successful for the position of Street/Wastewater laborer #2, and recommended that Mason Barkley be hired at a wage of \$20.00 per hour. Henderson informed the Council that Barkley is willing to obtain residency in Stuart before snow removal begins.

Moved by Doely, seconded by Renslow to approve Public Works Director Henderson’s recommendation to hire Mason Barkley to fill the vacant position of Street/Wastewater laborer

#2 at a wage of \$20.00 per hour, with Barkley obtaining residency in Stuart before snow removal begins.

Roll Call: All Ayes

The Council discussed the current wages and step-increase structure for wastewater certifications for Public Works employees. Public Works Director Henderson suggested that the director be paid a wage of \$36.00 per hour, that new hires with no certification be paid a wage of \$20.00 per hour, that employees with a Grade 1 Wastewater Certification be paid a wage of \$23.50 per hour, and that employees with a Grade 2 Wastewater Certification be paid a wage of \$25.50 per hour.

<u>Position</u>	<u>Current Wage</u>	<u>Proposed Wage</u>	<u>Total Increase</u>
Public Works Director (Grade 3 Wastewater)	\$33.10 / hour	\$36.00 / hour	\$6032.00 / year
Street Laborer #1 (Grade 1 Wastewater)	\$21.28 / hour	\$23.50 / hour	\$4617.60 / year
Street Laborer #2 (No certification)	\$17.00 / hour	\$20.00 / hour	\$6240.00 / year

Moved by Renslow, seconded by Morgan to approve the proposed wage structure for the Public Works employees as presented by Public Works Director Henderson to pay the Public Works Director a wage of \$36.00 per hour, to pay new hires with no certifications \$20.00/hour, to pay employees with a Grade 1 Wastewater Certification a wage of \$23.50 per hour, and to pay employees with a Grade 2 Wastewater Certification a wage of \$25.50 per hour, effective immediately. The Council also decided that future wage changes for all departments will not be discussed until the budget work session.

Roll Call: All Ayes

Mayor Cook informed the Council that the traffic study being performed by a second traffic enforcement camera vendor is not yet complete. Police Chief Reha will attend the next meeting with information from both vendors to present to the Council. Councilmember Kirkpatrick requested that the DOT (Department of Transportation) also attend the meeting.

Moved by Renslow to approve working on a traffic enforcement camera contract with the first vendor, Jenoptik.

There was no second to the motion.

Motion not carried.

The item was tabled.

City engineer Forrest Aldrich of Veenstra & Kimm made a presentation to the Council regarding the Safe Routes to School Sidewalk Project.

Moved by Renslow, seconded by Doely to approve Partial Payment No. 2 to Caliber Concrete, LLC for \$68,940.66.

Roll Call: All Ayes

Brandi Coil made a presentation to the Council regarding the size and placement of the driveway approach provided by the Safe Routes to School project for her property. Coil stated that the provided driveway approach does not line up with her garage, that the actual size of her driveway is much wider than what was provided, and that the concrete being used will not support the weight of her vehicles and equipment. City Engineer Forrest Aldrich informed the Council that standard residential driveway approach measurements were included in the project, and agreed that a 3 foot by 10 foot section could be added to the already provided driveway approach to align it with the garage for a cost of approximately \$300.00.

Moved by Morgan, seconded by Renslow to approve allowing a 3 foot by 10 foot section to be added to the already provided driveway approach to align it with the garage for a cost of approximately \$300.00.

Roll Call: All Ayes

Coil made a presentation to the Council requesting that either no approach be provided at all for the remaining gravel portion of her driveway, or that a wider approach be provided to match the existing gravel portion of her driveway. Aldrich explained that the terms of the grant for the project do not allow for gravel approaches to be up against the sidewalk. This means the existing gravel would need to be removed and replaced with soil and seeded as lawn, or the remaining gravel would need to be replaced with concrete. Coil agreed to pay for the cost of concrete and rebar to allow for the wider driveway approach to be installed where the existing gravel driveway is.

Moved by Doely, seconded by Renslow to approve constructing an additional driveway approach where there is an existing gravel approach if Coil agrees to paying for the additional

concrete and rebar, and if Coil does not agree to pay the additional cost, just a sidewalk will be constructed.

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

Motion carried.

Mayor Cook made a presentation to the Council requesting to change the Code of Ordinances to allow the City to assess a fine of \$50.00 for each additional mowing infraction notice served to citizens who have previously received a mowing infraction notice. This fine is in addition to the fines that are assessed if abatement is needed.

No action was taken.

Mayor Cook made a presentation to the Council regarding the history of code enforcement regarding resident Andrew Forcht. Forcht provided a written request to the Council requesting the item be tabled until next month due to not being notified that he would be discussed during the meeting, and being unable to attend.

The item was tabled until the next regular meeting. Mr. Forcht will be notified that code enforcement regarding him will be discussed.

Bids for removal of tree stumps at the Soccer Complex were received as follows:

<b><u>Contractor:</u></b>	<b><u>Amount of Bid:</u></b>
Cline's Stump Grinding	\$ 3,474.00
Xtreme Grinding LLC	\$ 5,500.00
Schafer Stump Grinding	\$ 6,227.40
Perfect Circle Tree Service LLC	\$ 6,420.00
Xtreme Tree	\$ 8,157.50

Mayor Cook informed the Council that the cost would be paid from the allocation of Soccer Complex Improvements funded by the Series 2023A bond issue, thanks to cost savings due to the Utility participation in the lighting improvements for the Soccer Complex.

Moved by Kirkpatrick, seconded by Doely to award the contract for the tree stump removal for the Soccer Complex to Cline's Stump Grinding based on their bid of \$3,474.00, to be paid from the allocation of Soccer Complex Improvements funded by the Series 2023A bond issue.

Roll Call: All Ayes

City Administrator Ashour made a presentation to the Council regarding recommended insurance requirements for contractors performing work for the City. The recommendation was provided by the City's insurance representative.

Councilmember Renslow requested the insurance requirements presented be referred to the city attorney for review. The item was tabled.

Guthrie County Engineer Josh Sebern made a presentation to the Council regarding the status of Guthrie County's grant application to make improvements to White Pole Road. Sebern asked that the Council approve a letter of support for the project, to be sent to the United States Secretary of Transportation.

Moved by Renslow, seconded by Doely to approve the letter of support for Guthrie County's application for a grant to make improvements to White Pole Road.

Role Call: All Ayes

The Council discussed a memorandum prepared by city attorney DuWayne Dalen regarding the property sale to Allen and Tawnya Neal. Dalen recommended that the cost of an abstract and abstract preparation, as well as the costs of deed preparation and filing fees, would be paid by Allen and Tawnya Neal. An additional small parcel was added to the proposal, bringing the total area to 3.12 acres. Allen and Tawnya Neal responded to the Council that they are willing to pay the cost of an abstract and abstract preparation, as well as the costs of deed preparation and filing fees.

Moved by Kirkpatrick, seconded by Renslow to set the date (September 11, 2023 at 6:00 pm at the City Hall) of Public Hearing for the proposed property sale to Allen and Tawnya Neal as recommended by city attorney DuWayne Dalen, with Mr. and Mrs. Neal paying the costs of an abstract and abstract preparation, as well as the costs of deed preparation and filing fees.

Roll Call: All Ayes

City Engineer Forrest Aldrich with Veenstra & Kimm, Inc. made a presentation to the Council regarding the progress of the 2023 Manhole Rehabilitation Project. Aldrich informed the Council that there is a manhole in very poor condition that needs repair.

Moved by Renslow, seconded by Morgan to approve Pay Estimate No. 2 to Hydro-Klean LLC for \$44,913.62.

Roll Call: All Ayes

Moved by Doely, seconded by Morgan to approve Change Order No. 2 \$18,670.00 for the 2023 Manhole Rehabilitation Project as 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 2023 Sanitary Sewer System Improvements Project and informed the Council that the bid date for the project will need to be set for September 6<sup>th</sup>, 2023 at 2:00 pm and the Public Hearing for the project will need to be during the regular Council meeting of September 11, 2023 at 6:00 pm.

Moved by Doely, seconded by Kirkpatrick to approve setting the bid date (September 6, 2023 at 2:00 pm at City Hall) for the 2023 Sanitary Sewer System Improvements project and setting the date (September 11, 2023 at 6:00 pm at City Hall) for the Public Hearing for the 2023 Sanitary Sewer System Improvements Project as presented by City Engineer Forrest Aldrich with Veenstra & Kimm, Inc.

Roll Call: All Ayes

Mayor Cook opened the public hearing for the Wambold 3<sup>rd</sup> Addition Construction of Street Lighting Project.

There were no written or oral objections.

Mayor Cook declared the public hearing closed.

Moved by Renslow, seconded by Morgan to approve Resolution No. 23-20C “Resolution to Approve Plans, Specifications, Form of Contract and Estimate of cost for the Wambold 3<sup>rd</sup> Addition Street Lighting Project.”

Roll Call: All Ayes

City Engineer Forrest Aldrich with Veenstra & Kimm, Inc. informed the Council that one bid was received for the Wambold 3<sup>rd</sup> Addition Street Lighting Project:

**Contractor:**

**Bid:**

Ardent Lighting Group LLC

\$172,238.00

After review of the bid received, Veenstra & Kimm, Inc. would recommend the City of Stuart award contract for the Wambold 3<sup>rd</sup> Addition Street Lighting project to Ardent Lighting Group LLC based on their bid of \$172,238.00.

Moved by Kirkpatrick, seconded by Renslow to approve Resolution No. 23-21C “Resolution Awarding a Contract for the Wambold 3<sup>rd</sup> Addition Street Lighting Project” to Ardent Lighting Group LLC as recommended by City Engineer Forrest Aldrich of Veenstra & Kimm.

Roll Call: All Ayes

City Engineer Forrest Aldrich of Veenstra & Kimm made a presentation to the Council regarding the Wambold Phase 3 (Housing Phase 4) Project. Aldrich recommended payment to McAninch Corporation in the amount of \$427,442.64.

Moved by Morgan, seconded by Renslow to approve Pay Application No. 2 to McAninch Corporation for \$427,442.64 as recommended by City Engineer Forrest Aldrich of Veenstra & Kimm.

Roll Call: All Ayes

Travis Small of Kwik Star made a presentation to the Council regarding options for intersection alignment for South Division Street and 110<sup>th</sup> Street. Small has discussed the options with Public Works Director Henderson and City Engineer Forrest Aldrich. Henderson and Aldrich recommended to the Council that Alternate B3 be approved.

Moved by Renslow, seconded by Kirkpatrick to approve Alternate B3 to leave the Phillips 66 driveway across Division Street from the Kwik Star site where it is instead of using eminent domain to move it, and to put in a continuous center turning lane on South Division Street from the south interstate ramp to a point south of 110<sup>th</sup> Street for intersection alignment at South Division Street and 110<sup>th</sup> Street as presented by Travis Small of Kwik Star and as recommended by Public Works Director Henderson and city engineer Forrest Aldrich.

Roll Call: All Ayes

Moved by Renslow, seconded by Kirkpatrick to approve Resolution No. 23-22C “Approval of Cigarette Permit for Fiscal Year July 1, 2023 to June 30, 2024.”

Roll Call: All Ayes

Moved by Kirkpatrick, seconded by Morgan to approve Resolution 23-24C “A Resolution Accepting the Official Financial Report of the City for City Streets and Parking for the Fiscal Year 2023 and Directing the Clerk to File the Report with the Iowa Department of Transportation (Road Use).”

Roll Call: All Ayes

Moved by Renslow, seconded by Doely to approve Resolution No. 23-27C “A Resolution Replacing the Income / Offset Program and Approving Memorandum of Understanding between the Iowa Department of Revenue and the City of Stuart, Iowa, Regarding State Setoff Program.”

Roll Call: All Ayes

Economic Development Director Matt Funk made a presentation to the Council regarding a request from Jim Farrand of Elevate Homes for reimbursement of costs associated with a gas line easement issue in the All Saints Housing Development.

The Council denied the request.

Economic Development Director Matt Funk made a presentation to the Council regarding development agreements with SLK Holdings #002, LLC and with Bonnie & Clyde Hideout, LLC and informed the Council that the Public Hearings for the development agreements will need to be held during the regular Council meeting of September 11, 2023 at 6:00 pm.

Moved by Doely, seconded by Renslow to approve setting the date (September 11, 2023 at 6:00 pm at City Hall) for the Public Hearing for the development agreement with SLK Holdings #002, LLC as presented by Economic Development Director Matt Funk.

Roll Call: All Ayes

Moved by Doely, seconded by Renslow to approve setting the date (September 11, 2023 at 6:00 pm at City Hall) for the Public Hearing for the development agreement with Bonnie & Clyde Hideout, LLC as presented by Economic Development Director Matt Funk.

Roll Call: All Ayes

Adjournment at 8:14 pm.

Minutes submitted by Deputy Clerk Stouffer.

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Dick Cook, Mayor

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Ashraf Ashour, City Administrator