

10/09/2023

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, Kirkpatrick, Morgan, Doely and Renslow. Also present were City Administrator Ashour, Deputy Clerk Stouffer, Jim Henderson, Matt Funk, Forrest Aldrich, Greg Irving, Kristi Irving, Chip Schultz (over the phone,) Brenda Dudley, Crystal Kirkpatrick, Kory Guisinger, John Gulbranson, Brian Johnson, Josh Renslow, David Reha, Brandi Coil, Bob Cook, Sean Bovinett, Jotham Arber, Ben Sloss, Loretta Sloss, Mike Dickson, Barbara Boss, and Kevin Guisinger.

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

Roll Call: All Ayes

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

- A. Approval of minutes of 09/11/2023 and Joint Meeting of 09/11/2023
- B. Approval of financial statement as of 09/30/2023
- C. Approval of bills as presented
- D. Approval of Liquor Licenses – Casey’s Marketing Company, Los Altos Mexican Restaurant

Roll Call: All Ayes

Bids for removal of tree stumps at the North (10 stumps) and South (6 stumps) Oak Grove Cemeteries and Lawbaugh Park (6 stumps) were received as follows:

Contractor:	Amount of Bid:
SLS Tree Management	\$ 3,726.00
Perfect Circle Tree Service LLC	\$ 4,280.00
Xtreme Grinding LLC	\$ 5,270.00
Cline's Stump Grinding	\$ 5,830.00
Schafer Stump Grinding	\$ 13,696.00

Moved by Renslow, seconded by Doely to award the contract for the tree stump removal for the North and South Oak Grove Cemeteries and Lawbaugh Park to SLS Tree Management based on their bid of \$3,726.00, to be paid from the the allocation of Park Improvements funded by the Series 2023A bond and the Cemetery fund according to the percentage of tree stumps removed at each location, with \$1043.28 (28%) to be paid from the allocation of Park Improvements funded by the Series 2023A bond and \$2682.72 (72%) to be paid from the cemetery.

Roll Call: All Ayes

Brandi Coil requested an update regarding planned improvements to the Soccer Complex. Public Works Director Jim Henderson explained that he is working with the Utility to identify water, wastewater, and storm water concerns that need to be addressed before improvements can continue.

The Council reviewed recommendations provided by the Planning and Zoning Commission. The first recommendation of the Planning & Zoning Commission was to pave an alley section that runs east-west next to the Masonic Temple. Public Works Director Jim Henderson informed the Council that the cost of the few alleys in town that are paved was paid by the adjoining property owners, and was not done at the expense of the City.

The second recommendation of the Planning & Zoning Commission was to allow permit parking on Division Street for airbnb renters and apartment tenants only. Business owners and landlords Ben and Loretta Sloss urged the Council not to allow permit parking for renters on Division Street, stating that there is currently not adequate parking for the businesses in that area. Public Works Director Jim Henderson advised the Council that allowing overnight parking on Division Street would make street maintenance difficult.

The third recommendation of the Planning & Zoning Commission was to either remove the dead ash trees from the platted section of North Ninth Street that lies to the north of the lot owned by Greg and Kristi Irving and to maintain the platted street with adequate grass cutting per the city code, or to vacate the street. The Council was informed that the ash trees have been removed, and the area is maintained in the same manner as the City parks. Councilmember Renslow urged the Irvings to inform the City if they feel the property is not being taken care of adequately.

The Council declined to take action in regard to the above recommendations provided by the Planning and Zoning Commission.

Fire Chief Josh Renslow informed the Council that three bids for the 2005 GMC 5500 Duramax Fire Truck and two bids for the 1992 Ford F700 Pumper were received as follows:

2005 GMC 5500 Duramax Fire Truck	Amount of Bid:
Elk Mound Fire District	\$ 51,800.00
Michael D. Gronlund	\$ 5,151.51
Scott Williams	\$ 4,255.00

1992 Ford F700 Pumper	Amount of Bid:
Scott Williams	\$ 2,855.00
Troy Sedore	\$ 2,850.00

Fire Chief Renslow recommended to the Council that the bid from Elk Mound Fire District of \$51,800.00 for the 2005 GMC 5500 Duramax Fire Truck be accepted, and that the 1992 Ford F700 Pumper not be sold.

Moved by Kalbach, seconded by Morgan to accept the bid from Elk Mound Fire District of \$51,800.00 for the 2005 GMC 5500 Duramax Fire Truck, and to reject the bids for the 1992 Ford F700 Pumper as recommended by Fire Chief Josh Renslow.

Roll Call: All Ayes

Council Member Kalbach introduced an ordinance entitled Ordinance No. 23-04C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa (2016), by Revoking Section 63.04(4) and Revising Section 63.04(1)(B.) and 63.04(2)(A.)(C.) Regarding Speed Regulations.”

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 Renslow 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 Kirkpatrick and seconded by Council Member Kalbach that the ordinance entitled Ordinance No. 23-04C “An Ordinance Amending the Code of Ordinances of the City of Stuart, Iowa (2016), by Revoking Section 63.04(4) and Revising

Section 63.04(1)(B.) and 63.04(2)(A.)(C.) Regarding Speed Regulations” 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.

Mayor Cook informed the Council that Zoning Administrator Jason Van Ausdall is working with City Attorney DuWayne Dalen to start the condemnation process for a nuisance property owned by Richard Peters located at 420 North Sherman Street.

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 \$495,628.14.

Moved by Doely, seconded by Renslow to approve Pay Application No. 4 to McAninch Corporation for \$495,628.14 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 2023 Manhole Rehabilitation Project. The Council expressed concern that the issue with Steve James’ yard has not yet been resolved. Aldrich recommended payment to Hydro-Klean, LLC in the amount of \$49,105.50, and informed the Council that the retainage will not be released until the yard is repaired and the project is complete.

Moved by Doely, seconded by Renslow to approve Partial Payment No. 3 to Hydro-Klean, LLC for \$49,105.50.

Roll Call: All Ayes

Moved by Renslow, seconded by Doely to approve Resolution No. 23-32C “Resolution Authorizing Issuance of a \$150,000 Taxable General Obligation Insurance Funding Note, Series 2023B” and to approve the Bank Term Sheet.

Roll Call: All Ayes

Stuart Rescue Director Sean Bovinett and Guthrie County EMS Director Jotham Arber made a presentation to the Council regarding a draft proposal to develop a countywide EMS service.

The proposal depends on the participation interest of current EMS services in Guthrie County, as well as the results of a vote to tax for EMS services that is planned to be on the ballot of the general election in 2024.

Moved by Renslow, seconded by Doely to allow Guthrie County EMS Director Jotham Arber to continue to develop a proposal and plan for a countywide EMS service that may include the Stuart Rescue and to continue discussions about the proposal, with the understanding that the City is not deciding whether or not to participate at this time.

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

Police Chief Reha made a presentation to the Council regarding extra pay needed for the Police Department. Chief Reha informed the Council that their \$10,000.00 Overtime / Vacation / Part-time for the remainder of 2023 has been exceeded due to increased wages and also due to officers being eligible for more vacation time earned and having to hire part-time officers to cover their shift while they are away. Police Chief Reha is asking for a permanent increase in the amount of wages allotted to cover the additional salary costs for Overtime / Vacation / Part-time. Chief Reha suggested allowing the value of the current earned vacation pay as a cap for Overtime / Vacation / Part-time, to be adjusted every year with wage increases and changes in vacation time earned. Councilmember Kalbach requested City Administrator Ashour be authorized to determine the appropriate threshold for extra wages for the Police.

Moved by Kalbach, seconded by Renslow to authorize City Administrator Ashour to approve the amount of extra pay needed to cover Overtime / Vacation / Part-time, previously approved as \$10,000.00 per calendar year per the City Council minutes 02/18/2020.

Roll Call: All Ayes

Police Chief Reha informed the Council that there is no update available at this time regarding the traffic enforcement cameras. Reha recommended a committee be formed to discuss the traffic cameras.

Moved by Kalbach, seconded by Morgan to approve Resolution No. 23-33C “Resolution to adopt Procurement Policy” for the CDBG Water Grant.

Roll Call: All Ayes

Moved by Morgan, seconded by Kalbach to approve the increase of hourly contribution rate from \$9.10 to \$9.43 per hour paid, effective January 1, 2024, for City Employee Health Insurance provided by LINECO (Line Construction Benefit Fund) (Blue Cross Blue Shield).

Roll Call: All Ayes

The Council tabled the Agenda Item No. 16 (IT Services for City and Utility / Panora Fiber Telco.)

City Financial Advisor Chip Schultz of Northland Securities made a presentation (over the phone) regarding the proposed letter of engagement with Ahlers & Cooney, P.C. per the Joint meeting request for legal services to be provided for the legal aspect of exploring additional revenue sources. Schultz informed the Council that Northland Securities will also have a letter of engagement to present to the Council and Utility Board regarding the financial aspect of exploring additional revenue sources.

The Council tabled Agenda Item No. 17 (Proposed Letter of Engagement with Ahlers & Cooney, P.C. / Joint Meeting Request.)

Economic Development Director Matt Funk made a presentation to the Council regarding the status of the All Saints Addition and Wambold Phase 3 housing developments, as well as the development agreement with Aust Hotels. Funk informed the Council that the City of Stuart has been selected for the Community Visioning Program.

Adjournment at 7:50 pm.

Minutes submitted by Deputy Clerk Stouffer.

Dick Cook, Mayor

Ashraf Ashour, City Administrator