

CITY OF MAXWELL, IOWA
MAXWELL CITY COUNCIL REGULAR MEETING
WEDNESDAY, OCTOBER 2, 2024, 6:00 P.M. CITY HALL

1. The meeting was called to order by Mayor Dale Higgins at 6:00 P.M.
2. Roll call was answered by Steve Gast, Sue Philpott, Joel Westendorf, Doug Miller, & Ken Jans. Visitors: Jim Tongay and friend, & Wes Farrand.
3. A motion to approve the agenda was made by Gast. Philpott seconded. 5 ayes.
4. Citizens Forum
 - a. NA.
5. Public Hearing
 - a. Second Hearing on an Ordinance Amending the Code of Ordinances of the City of Maxwell, Iowa, Requiring Dogs to be Leashed and Controlled When off Premises. – Gast moved to open public hearing. Miller seconded. 5 ayes. No public comments. There was some discussion on length of leash when walking dog and what constitutes under control. Miller moved close to the public. Gast seconded. 5 ayes. Gast moved to approve the 2nd reading on Ordinance Amending the Code of Ordinances of the City of Maxwell, Iowa, Requiring Dogs to be Leashed and Controlled When off Premises and waive the 3rd reading. Jans seconded. 5 ayes.
6. Business
 - a. Discussion and Action on Sidewalk at 421 6th St - Jim Tongay is wanting to cover his old sidewalk with dirt and is asking the city to abandon the sidewalk on his property along Maxwell St. Permission was granted for the sidewalk removed years ago with a permit. It was never removed and is in a state of disrepair. Sue would like to see the sidewalk repaired. The Community Visioning Group has done a survey on sidewalks and the community would like sidewalks around town. Gast moved Jim Tongay to be allowed to bury or remove sidewalk with the knowledge that a new sidewalk may be required at a future date. Jans seconded. 4 ayes, 1 nay-Philpott.
 - b. Discussion and Action on Demolition Permit – Ken made changes to the current demolition permit to update. Sue protested that the changes were made to fit one person. It was explained that the addition of the word structure was for future projects that were not covered under the existing permit. Additional suggested changes are to be made by Ken. Philpott moved to table this item until the next meeting. Gast seconded. 4 ayes, 1-nay-Westendorf.
 - c. Review and Action on Integrated Roadside Vegetation Management Plan and Set Public Hearing. - The intent of this program is not to mow so much own ground. It allows the town to plant and maintain prairie grounds. This plan will also provide more opportunities for grants. Gast moved to set a public hearing to approve the Integrated Roadside Vegetation Management Plan. Jans seconded. 5 ayes.
 - d. Discussion and Action on Alcohol License for Lucky Wife Wine Slushies - Gast moved to approve alcohol license for Lucky Wife Wine Slushies. Westendorf seconded. 5 ayes.
 - e. Discussion and Action on Alcohol License for Dollar General –. Gast moved to approve alcohol license for Dollar General. Westendorf seconded. 5 ayes.

- f. Action on Assigning City Personnel for Safety Deposit Box – Gast moved to assign the current Clerk, Deputy Clerk and Mayor to have access to the safety deposit boxes. Westendorf seconded. 5 ayes.
- g. Discussion and Action on Windstream Relocation Permit– Wes Farrand was available to look over and explain the maps connected to the permit. Jans moved to approve the permit after engineers have approved locations. Gast seconded. 5 ayes.
- h. Discussion and Action on Proposed Survey Approval for Oakes Property – Gast moved to approve the survey. Miller seconded. 5 ayes.
- i. Discussion and Action on A Resolution approving an Agreement for the Leasing, Assignment, or Sale of Existing Dark Fiber Located in the City of Maxwell Right of Way by Interstate Power and Light Company. – Gast moved to approve Resolution 2024-17 authorizing the mayor to sign the agreement for leasing, assignment or sale of existing dark fiber facilities located in the City of Maxwell right-of-way by Interstate Power and Light Company. Philpott seconded 5 ayes.
- j. Discussion and Action on Scott Johnson Certification Raise. – Scott Johnson earned a certificate for Grade 1 Water Distribution. This certificate comes with a \$1 pay increase. Jans moved to authorize the \$1 pay raise and to back pay for October 2 payroll. Westendorf seconded. 5 ayes for pay raise. 1 nay for back pay-Miller.
- k. Discussion and action on Park Regulations Ordinance – There was some discussion about wording. Gast moved to make changes as corrected tonight and turn in an ordinance for public hearing on November 6th. Westendorf seconded. 5 ayes.
- l. Discussion and Consideration on Housing Development Updates – There was another discussion on developers for the land north of Rock Creek Dr. Is the city willing to support a development that would contain some low-medium income housing? These would include new families and first-time homeowners. Jans motioned for the mayor to talk to the developers about moving forward. Gast seconded. 4 ayes. 1 nay-Philpott- Reason was that first-time homeowners are not stable and would not stay.

Jans moved to move 7f. Engineering before closed session so Wes Farrand could leave. Westendorf seconded. 5 ayes.

7g. Engineering – Wes Farrand present. 1) Baldwin St. Project – Several issues have arisen. They are working through them. They need to be done before Thanksgiving as the asphalt plant shuts down then. 2) Water Treatment Plant – this project is on track. The council had decided to go with the original plans. Dale asked about putting a septic tank at that location. It is possible. 3) Woodlawn St Stormwater – Plan date scheduled. 4) Heart of Iowa Trail – The paving for the switchback is done. The easement will be signed soon. The bridge at Rock Creek is closed until a fence is put up. 5) There was discussion on grants for stormwater sewer line, grants for farm to market roads, and when the GIS maps can be transferred to SilverSmith.

- m. Approve a Motion to go into Closed Session according to Chapter 22.7(45), 22.7(50) & 22.7(71) – Steve discussed reasons for going into a closed session and procedures for closed session. Gast moved to go into closed session per Iowa Codes Chapter 22.7(45), 22.7(50), & 22.7(71). Westendorf seconded. Gast-aye, Philpott-nay, Westendorf-aye, Miller-aye, Jans-aye. Closed session at 8:55 p.m.

Everyone but the city council left the chambers. Gast moved to open regular session at 9:26 p.m. Jans seconded. 5 ayes.

7. Departmental Reports

- a. Sheriff – No Report
- b. Fire – Report on file. Pancake breakfast is Oct 26th.
- c. EMS – Report on file.
- d. Library – Report on file. The Halloween party is on Oct 19th. Hot Chocolate will be given out on Beggar’s Night.
- e. Public Works – Report on file. The council asked for a written quote for yardwaste leveling.
- f. City Clerk – Report on file. Steve asked for a transfer resolution for tree removal payment for the next meeting.
- g. Parks & Open Spaces – Report on file.

8. Council and Mayor Reports –

- a. Steve Gast – 1) Eddie Erickson Took down a tree that was in the right-of-way. He would like the city to reimburse him for the cost of removal. Tony needs to take a closer look to see if it was on the right-of-way. The council will need to decide after that if they will pay a portion. 2) An email was received from Iowa Waste Exchange that contained chairs & desks for free. Steve thought we should get chairs for the council to replace the current chairs. The clerk will call to see if they are still available.
- b. Joel Westendorf – 1) Joel attended the League of Cities Conference. It was a good conference with lots of information. 2) Joel asked about reports from the new speed signs. He would also like another speed sign for Baldwin St.
- c. Doug Miller – 1) Doug asked about Pratts raising costs and does the council need to raise garbage costs. 2) Doug would like to revisit the nuisance letters since they were dropped after not being able to hire a 3rd party. 3) Need to investigate whether having our own mower or hiring someone to mow the cemetery is more cost worthy, Finance committee will address the garbage and cemetery questions.
- d. Dale Higgins – 1) Tony will have to see about getting a pad poured for the bench along the bike trail as part of the easement agreement.

9. Consent Agenda

- 1) Westendorf moved to approve the Consent agenda. Gast seconded. 5 ayes.
- 2) The bills presented were as follows:

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
ACCESS	MONTHLY PRINTER RENT	\$ 199.43
AFLAC	AFLAC CANCER	\$ 144.42
ALLIANT ENERGY	MONTHLY UTILITY BILL	\$ 8,411.13
AMAZON CAPITAL SERVICES	#1931-61GT-4JM4 - DVDS & BOOKS	\$ 264.78
AT&T MOBILITY	FIRSTNET CELL PHONES	\$ 273.69
BADGER METER	METER CELLULAR READS	\$ 398.40
BRICK GENTRY P.C.	PARK RENT & CITIZEN COMPLAINT	\$ 180.00
CARRIE HEAPS	MILAGE TO STORY COUNTY AUDITOR	\$ 16.08
CENTRAL IOWA SHORTLINE LLC	WD-40 MULTI-USE	\$ 17.98

CENTRAL IOWA SHORTLINE LLC	#32976-BANJO MALE FITTING	\$ 95.55
CHEM-SULT, INC	SODIUMHYPOCHLORITE	\$ 701.00
CITY OF MAXWELL	WATERBILL-LEGION, CITY, SHOP	\$ 480.47
COMMONWEALTH ELECTRIC CO	REPLACED 2 PHOTO EYES IN LIGHT	\$ 158.85
CONSUMERS ENERGY	RCH ELECTRIC	\$ 41.00
ELECTRIC PUMP & TOOL	SERVICE AGREEMENT-LIFT STATION	\$ 400.00
ENVIROTECH SERVICES	DUST CONTROL	\$ 4,387.50
GANNETT IOWA LOCALIQ	PUBLISHED LEGALS	\$ 891.60
INDEPENDANT PUBLIC ADVISORS	BANK LOAN ADVISE	\$ 9,000.00
IOWA ONE CALL	41 LOCATES	\$ 38.90
IOWA REGIONAL UTILITIES ASSOC	RCH WATER	\$ 339.12
IOWA REGIONAL UTILITIES ASSOC	RCH WATER	\$ 313.73
IOWA STATE UNIVERISITY	RADIO SUBSCRIBER FEES - FY25	\$ 8,265.96
IPERS	IPERS	\$ 2,592.67
JAKE THOMPSON	removal of trees	\$ 10,000.00
JRM CONSTRUCTION	DRIVEWAY REPAIR 710 MAXWELL ST	\$ 2,000.00
MATTHEWS WHITE PLUMBING	REPLACED WATERMAIN VALVE	\$ 4,567.64
MAXWELL STATE BANK	FED/FICA TAXES	\$ 4,196.75
NEW CENTURY FS	GAS & DIESEL	\$ 1,628.87
PLUMB SUPPLY COMPANY	SINK FOR PARK RESTROOM	\$ 111.51
MAXWELL POST OFFICE	POSTAGE FOR WATERBILLS	\$ 400.00
PRATT SANITATION INC	MONTHLY GARBAGE	\$ 5,222.28
SAFE BUILDING LLC	3 PERMITS	\$ 302.02
STEVE GAST	LARGE LEAF BAGS	\$ 42.71
TREASURER-STATE OF IOWA	STATE TAXES	\$ 2,005.53
U.S. BANK	PRIME SUBSCRIPTION	\$ 405.50
USABlueBook	#INV00454687-TESTING SUPPLIES	\$ 282.90
VAN WALL EQUIPMENT	Heavy DUTY GRADER	\$ 3,584.00
WINDSTREAM	#091143420- INTERNET TELEPHONE	\$ 313.21
WINDSTREAM	091143516-TELEPHONE & INTERNET	\$ 543.70
Accounts Payable Total		\$ 73,218.88
Total Paid On: 9/18/24		\$ 6,701.61
Total Paid On: 10/02/24		\$ 6,088.97
Total Payroll Paid		\$ 12,790.58
***** REPORT TOTAL *****		\$ 86,009.46

Expenses	Sep 05- Oct 2	
GENERAL		\$ 41,898.64
ROAD USE TAX		\$ 9,336.65
REMOVAL OF TREES		\$ 10,000.00
WATER		\$ 14,511.18
SEWER		\$ 10,262.99
TOTAL FUNDS		\$ 86,009.46

Revenues	September	
001 General		\$ 42,358.01
110 Road Use Tax		\$ 13,646.28
112 Employee Benefits		\$ 2,013.07
121 Local Option		\$ 11,913.37
200 Debt Service		\$ 9,847.88
301 Baldwin St Project		\$ 250,000.00
600 Water		\$ 15,567.05
610 Sewer		\$ 30,244.27
TOTAL FUNDS		\$ 375,589.93

10. Adjourn. A motion to adjourn the meeting at 10:13 P.M. was moved by Philpott.
Seconded by Gast. 5 ayes

THE NEXT REGULAR MEETING WILL BE NOVEMBER 6, 2024 AT 6:00 P.M.

ATTEST: _____, Clerk _____, Mayor
 Deb Hayes Dale Higgins