

CITY OF MAXWELL, IOWA
MAXWELL CITY COUNCIL REGULAR MEETING
WEDNESDAY, AUGUST 7, 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: Susie Livesay, Carol Laffey, Nancy Pritchard, Mitzi DeGroot and friends, Josh & Lisa Barrett, Royal Mansfield, Shane Patterson – CIT, Some Girl????, Wes Farrand.
3. A motion to approve the agenda with changes to Consent Agenda was made by Westendorf. Miller seconded. 5 ayes.
4. Citizens Forum
 - a. Nancy Pritchard – Nancy Pritchard was present to discuss safety considerations when having fireworks. When the lights go off and the loud noise of the fireworks start immediately after the end of the rodeo, it becomes a safety issue with large animals becoming scared. Nancy was hurt during this situation. It could have easily been a child or someone with less experience with such animals. She would like the council to consider the safety issue of having the fireworks in such proximity to the rodeo. She is not saying to get rid of the fireworks but to give the contestants time to get their animals back to the trailers and secured plus this gives people that want/need to leave time to get out of the bleachers and away from the area. The council will take this concern into consideration.
5. Public Hearing
 - a. Public Hearing on the Authorization of a Loan Agreement and the Issuance of Notes to Evidence the Obligation of the City Thereunder.
 - i. Resolution Instituting Proceedings to Take Additional Action. – Jans moved to open to the public. Gast seconded. 5 ayes. No written or oral comments. Gast moved to close to the public. Jans seconded. 5 ayes. Gast moved to approve Resolution 2024-13 A Resolution Instituting Proceedings to take Additional Action. Westendorf seconded. 5 ayes.
 - b. Resolution Directing the Acceptance of a Proposal to Purchase \$250,000 (Dollar Amount Subject to Change) General Obligation Capital Loan Notes, Series 2024 - Gast moved to approve Resolution 2024-14 A Resolution Directing the Acceptance of a Proposal to Purchase \$250,000 (Dollar Amount Subject to Change) General Obligation Capital Loan Notes, Series 2024 with Exchange State Bank. Westendorf seconded. 5 ayes. This will be a 15-year loan.
6. Business
 - a. Discussion and Action for Carol Laffey on Park Rental - Carol Laffey was present to discuss the Old Settlers Celebration, The Old Settlers Steering Committee, and the rental of the park for the 1st full weekend of August. She quoted the original Old Settler, Bonnie Schauer, with this saying "All wise people share one trait – to listen." She pointed out some inconsistencies between the board and its constitution. Sue Philpott read the updated Old Settlers Steering Board's Constitution. Mayor Higgins read the ordinance that deals with the committee and the shelter. Steve mentioned that if a new committee took over the celebration, they would have to raise money to put it on. Carol agreed.

Discussion continued with input from both council members and residents. Jans moved to allow Carol Laffey to rent the park except for the church stand for the 1st full weekend of August. Westendorf seconded. 3 ayes, 2 nay – Philpott and Gast. Miller thought the council should seek legal advice before proceeding.

- b. Discussion and Action on CIT Sewer Solutions Proposal – Chase Patterson from CIT Sewer Solutions was present to discuss adding connection liners to the sewer lines. This would help with tree roots in the mainlines that are coming from the connection of private lines. These lines are private services. The city will have to determine if these lines are nuisances and notify the property owners. They can either pay up front or the city will pay for it and the resident will have the cost will be added to property taxes for 5 years. Chase will create a list of the worst lines and submit a quote to the city.
- c. Discussion and Action on Accepting Bids for Tree Removal- Three bids were received for tree removal. Wildish Tree Care- \$34,900, Top Notch Tree Care - \$57,000, TreeHugger Complete Care - \$50,000. Jans moved to hire Wildish Tree Care for the removal of trees. Gast seconded. 5 ayes.
- d. Discussion and Action on Paving Trail Spur at Legion Park – The city received a quote from Wicks Construction for a trail from the main bike trail to 1st St. This would be a 10 ft, 6 “ thick trail. The cost is \$45,255. Gast moved to accept the quote subject to Snyder & Associates providing cross section and ADA and trail standards. The money will come from Local Option Tax as community betterment. Jans seconded. 5 ayes.
- e. Discussion and Action on Ordinance Amendment Requiring Dogs be leashed and Controlled When off Premises. – Ordinance amendment defines “at large” means when not on private property and secured on a lead with a fixed location keeping the animal on the private and not (1) in an enclosed, physically fenced or electronically fenced area, (2) not on a leash and under the control of a competent person, (3) restrained within a vehicle, or (4) housed in a veterinary hospital or kennel. Westendorf moved to pursue the ordinance amendment. Gast seconded. 5 ayes. Post to waive 2nd & 3rd hearings.
- f. Discussion and Action on 2024 Legislative Changes to Ordinances– Gast moved to amend the 8 ordinances per state code and to get clarification for the Iowa Supreme Court decision of Bankers Trust Vs City of Des Moines. Miller seconded. 5 ayes.
- g. Discussion and Action on Accepting Library Board Member - Gast moved to approve the Jenny English for Library Board of Trustees. Westendorf seconded. 5 ayes. Ahlers Cooney Bond Counsel Engagement and authorize the mayor to sign. Miller seconded. 5 ayes.
- h. Discussion and Action on New Cameras for Yardwaste. – One of the cameras at the yardwaste quit working. Jans moved to buy 2 replacement cameras for the yardwaste. Westendorf seconded. 5 ayes.
- i. Discussion and Action on Employee Reviews – Discussion on employee reviews and raises.
 - a. Resolution Amending the Salaries for Employees of the City for Fiscal Year 2025 – Gast moved to approve Mayor’s recommendation for raises and the additional \$1 for Scott Johnson’s certificate raise.
- j. Discussion and Action on Scott Johnson Certification Raise – See i(a) motion.

k. Discussion and Action on Nuisance – Dale went through his findings for nuisances. He also discussed a person that does nuisances for other cities. It was decided to check to see if they are interested in working for Maxwell. Dale will check on a proposal from them with rates and what nuisances they take care of. Tim Peters spoke about nuisance reports from several years ago.

7. Departmental Reports

- a. Sheriff – Report on file
- b. Fire – Report on file.
- c. EMS – Report on file.
- d. Library – Report on file.
- e. Public Works – No report on file. There were yardwaste questions about the bags being used for yard waste pick-up.
- f. City Clerk- Report on file. Animal wanted what questions the city had for the contract. Dale will get the questions to them.
- g. Engineer – Report on file. Wes Farrand was present. 1) Baldwin St Project- There was discussion on the 5th St. outlet alternatives. Gast moved to pursue option 3 which would extend an open channel along 5th St to the Indian Creek. Miller seconded. 5 ayes. 2) Water Treatment Plant – Backwash Pump Station Alternatives – Alternatives for this project are available. It will be discussed at the next meeting. Gast moved to authorize the mayor to sign the application for a design loan. Jans seconded. 5 ayes. 3) Heart of Iowa Trail – Discussion of a bike trail/sidewalk to Dollar General. DOT will be involved.
- h. Parks & Open Spaces – No report on file.

8. Council and Mayor Reports –

- a. Doug Miller – Doug voiced concerns about budget and overtime hours, as well as the extra hours worked by outside staff.
- b. Ken Jans – Ken has noticed all the different social media/websites that are carrying the City of Maxwell name. He also asked about the progress of the city logo.
- c. Dale Higgins – 1) Dale talked about the progress of the Community Visioning Group. 2) Dale talked about sidewalk improvements, including crosswalk markings and connections to the school.

9. Consent Agenda

1) Westendorf moved to approve the Consent agenda. Gast seconded. 5 ayes.

2) Bills presented were as follows:

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
AFLAC	AFLAC CANCER	\$ 172.50
ALLIANT ENERGY	MONTHLY UTILITY BILL	\$ 8,202.09
AMAZON CAPITAL SERVICES	BOOKS & DVDS	\$ 100.22
AT&T MOBILITY	FIRSTNET CELL PHONES	\$ 232.33
BADGER METER	CELLULAR METER READS	\$ 396.15
CENTRAL IOWA DISTRIBUTING, INC	METRO JRT JR 2 PLY	\$ 211.00
CENTRAL IOWA SHORTLINE LLC	#31957-LUBGUARD	\$ 32.80
CENTRAL IOWA SHORTLINE LLC	3,210,232,142,321,720,000,000,000	\$ 467.95
CHEM-SULT, INC	SODIUMHYPOCHLORITE	\$ 590.00

CIT SEWER SOLUTIONS	FY2025 MAINTENANCE CONTRACT	\$ 9,514.02
CONSUMERS ENERGY	RCH ELECTRIC	\$ 41.00
IOWA DEP OF REVENUE	WET JUN 2024	\$ 608.33
IOWA DEP OF REVENUE	WET MAY 2024	\$ 660.90
IOWA DEP OF REVENUE	SALES TAX JUN 2024	\$ 105.89
IOWA DEP OF REVENUE	SALES TAX MAY 2024	\$ 106.36
IOWA ONE CALL	#262221	\$ 42.60
IOWA REGIONAL UTILITIES ASSOC	RCH WATER	\$ 367.54
IPERS	IPERS	\$ 2,416.72
JOHN DEERE FINANCIAL	AIR CLEANER	\$ 211.98
MAXWELL STATE BANK	FED/FICA TAX	\$ 4,685.08
MICROBAC LABORATORIES	TESTING	\$ 760.50
MID IOWA PLANNING ALLIANE	MIPA FISCAL YEAR 2025 DUES	\$ 129.00
MOMAR	MOSQUITO SPRAYER PARTS	\$ 260.00
NEW CENTURY FS	LP GAS	\$ 2,695.33
OVERDRIVE INC	FY2025 BRIDGES E-BOOK CONTENT	\$ 506.16
PETTY CASH	POSTAGE	\$ 100.00
MAXWELL POST OFFICE	POSTAGE	\$ 500.00
PRATT SANITATION INC	MONTHLY GARBAGE	\$ 5,286.85
R MINI STORAGE	MONTHLY RENT	\$ 960.00
SAFE BUILDING LLC	PERMITD	\$ 225.00
SHELBY PATTERSON	SWITCH COMPUTER AT LAGOONS	\$ 225.00
SNYDER & ASSOCIATES	ROCK CREEK DR DEV. & HOINT	\$ 2,254.25
STORY COUNTY ANIMAL CONTROL	ANIMAL COMPLAINT & CITATIONS	\$ 66.42
U.S. BANK	GOOGLE & NORTON	\$ 555.96
USABlueBook	TESTIN SUPPLIES	\$ 615.64
USABlueBook	LITHIUM BATTERY	\$ 9.58
WINDSTREAM	091143420-TELEPHONE	\$ 916.84
Accounts Payable Total		\$ 45,231.99
Total Paid On: 7/15/24		\$ 3,530.40
Total Paid On: 7/24/24		\$ 6,873.20
Total Paid On: 8/07/24		\$ 7,358.58
Total Payroll Paid		\$ 17,762.18
***** REPORT TOTAL *****		\$ 62,994.17

Expenses	July 11-Aug 7	
GENERAL		\$ 31,859.99
ROAD USE TAX		\$ 1,904.30
WATER		\$ 9,732.04
SEWER		\$ 19,497.84
TOTAL FUNDS		\$ 62,994.17

Revenues July

001 General	\$ 30,788.97
016 Washington Township	\$ 16,129.41
110 Road Use Tax	\$ 9,774.06
112 Employee Benefits	\$ 217.66
119 Emergency Funds	\$ 78.87
120 Utility Franchise	\$ 5,455.67
121 Local Option	\$ 13,578.62
200 Debt Service	\$ 931.85
600 Water	\$ 13,448.96
610 Sewer	\$ 26,980.61
	\$
TOTAL FUNDS	117,384.68

10. Adjourn. A motion to adjourn the meeting at 9:50 P.M. was moved by Philpott. Seconded by Jans. 5 ayes

THE NEXT REGULAR MEETING WILL BE SEPTEMBER 4, 2024 AT 6:00 P.M.

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