

CITY OF MAXWELL, IOWA  
MAXWELL CITY COUNCIL REGULAR MEETING  
MONDAY, MAY 3, 2021, 6:30 P.M. CITY HALL

1. The meeting was called to order by Mayor Jameson Hudson at 6:30 P.M.
2. Roll call was answered by Alex Golly, Meggen Lawrence, Doug Miller, Steve Gast and Ken Jans. Visitors: Wes Farrand, Kenny Meusburger, Monty Lintz, Gordon Smith, Fran & Marty Pettit, Mitzi & Todd DeGroot, Janet Banes, Jayne Underhill, Connie Smith, Nick Sorensen, Sue Philpott, Darren Knoll, Karen Stouffer, Deputy Timothy Schroder, Tionna Pooler via conference call.
3. A motion to move 7a & 7b after 4a was moved by Gast and seconded by Jans. 5 ayes.
4. Citizens Forum
  - a. Jim Myers – Church Parking – NA.
  - b. Sue Philpott- Sue would like to see updates on the website. She would like to see a summary of the council meetings on the website or on Facebook. She would also like to see the agenda posted on Facebook.

7a. Discussion and Action on Livestock Permit at 1400 Rock Creek Dr. – Mayor announced that there was a 2-minute limit on speeches and that they can only be about the permit. Jameson read a letter from Rex and Robin Adams. Todd DeGroot asked for a permanent permit. Connie Smith Stated that the guard god bark continually day and night and that there was no shade except the shed for the sheep. The pasture was bare of food. Sue Philpott stated that there were many errors in Smith’s comments. Darren Knoll said that there was plenty of food and water for the sheep. Mitzi DeGroot said that they were not shearing sheep that they shed their hair. They were bred for food. Karen Stouffer Said that Mitzi loves her animals. Alex Golly bought the sheep and said there were no issues with the sheep. Gast moved to award DeGroot their sheep permit for up to 6 sheep. This permit cannot be transferred to the next owner. Golly seconded. 5 ayes.

7b Mayor Proclamation for Economic Development Week – Jameson read the proclamation for Economic Development Week for May 9-15, 2021. Nick Sorensen works for the City of Ames and helps area towns with Economic Development. He talked about some grants available.

7c Discussion and Action on Board of adjustment decision on Rental Home at 522 Broad St. – This item was moved forward since Kenny Meusburger and Monty Lintz was present to discuss. The Board of Adjustments granted the variance for the 2<sup>nd</sup> rental house on the property if they have off road parking behind the house to maintain the minimum off-street parking. Access to the parking would have to use the alley running to the Pioneer Cemetery. Gast moved to refer to the Parks and Open Spaces Board for the improvement of the access road and allow parking off to the side per Board of Adjustment decision and for the Board to make a recommendation back to the Council before their next meeting. Miller seconded. 5 ayes.

5. Department Reports
  - a. Sheriff – Written report on file. Deputy Timothy Schroeder was present. Deputy Schroeder said the speed trailer was parked at North St and Baldwin ST. He wanted to know if there were any other places to put it. Steve asked if any data could be collected from the sign. Deputy will investigate.
  - b. Fire – Written report on file. 8 calls with 39 people this month. Physicals are in June.
  - c. EMS – Written report on file.

7g. Discussion and Action on Payment with Cambridge Fire Rescue – Ken moved to approve the invoice for Cambridge Fire Rescue and to have subsequent invoices approved at the time of receipt. This invoice is for the EMS calls that Cambridge responds to. Lawrence seconded. 5 ayes.

- d. Library – Report on file. Grab and Go Activities are available. Friends of the Library has been created to help with fundraisers. The council would like to see a monthly wi-fi usage report. Discussion on state survey for broadband.
- e. Public Works – Written report on file. Baldwin St Project needs to include waterline replacement as some of the House connections have lead connectors. This would be a good time to replace and there should be grants to help.
- f. City Clerk – Written report on file. A resident asked about reserving the dog park. The council decided that it was a park facility and could be reserved as any of the shelters can for \$10. Planning and Zoning should look at the solar panel ordinances.

7j. Discussion and Action on Rock Creek Ridge Development – Tionna Pooler, financial advisor talked about the new development and how much money a TIF district would give to the city for expenses. Because of the LMI set aside the district would not be enough to cover the full expenses. Gast moved to continue with discussions with the developer on a schedule and if they don't meet that schedule that a portion of the city expenses would be paid back. Golly seconded. 4 ayes 1 nay- Lawrence. Too much financial risk to the city.

- g. Engineer – Wes Farrand from Snyder & Associates was present. 1) WWTP Project is about 51% done. 2) Draft permit is available for the sewer lagoons. Wes had some comments to send back to the DNR for the permit. Tony will need a grade 2 license starting Jan 1, 2022. 3) Iowa Heart Trail has talked to Snyder about portions of the trail, and this would be a good time to discuss a trail on Army Post Road.

## 6. Public Hearing

- a. Discussion and Action on Fiscal Year 2020/2021 Budget Amendment – Golly moved to open to the public. Jans seconded. 5 ayes. No Public Comments. Miller moved to close to the public. Jans seconded. 5 ayes. Gast moved to approve Resolution 2021-10 A Resolution approving the City's Proposed Amendment #1 to the Fiscal Year 2020-2021 Budget. Lawrence seconded. 5 ayes
- b. Discussion and Action on the first Reading of an Ordinance Amending the Code of Ordinances of the City of Maxwell, Iowa, Section 99.01 Pertaining to Sewer Service Charges – Golly moved to open to the public. Jans seconded. 5 ayes. No Public Comments. Miller moved to close to the public. Golly seconded. 5 ayes. Gast moved to approve the first reading of an Ordinance Amending the Code of Ordinances of the City of Maxwell, Iowa, Section 99.01 Pertaining to Sewer Service Charges and waive the second and third readings. Lawrence seconded. 5 ayes.
- c. Discussion and Action on the first Reading of an Ordinance Amending the Code of Ordinances of the City of Maxwell, Iowa, Section 92.02 Pertaining to Water Service Charges – Jans moved to open to the public. Miller seconded. 5 ayes. No Public Comments. Golly moved to close to the public. Jans seconded. 5 ayes. Miller moved to approve the first reading of an Ordinance Amending the Code of Ordinances of the City of Maxwell, Iowa, Section 92.02 Pertaining to Water Service Charges and waive the second and third readings. Jans seconded. 5 ayes
- d. Discussion and Action on the first Reading of an Ordinance Amending the Code of Ordinances of the City of Maxwell, Iowa, Chapter 165 Zoning Regulations, Section 165.15, Paragraph 5 Pertaining to Nonconforming Lots – Gast moved to open to the public. Lawrence seconded. 5 ayes. No Public Comments. Jans moved to close to the public. Golly seconded. 5 ayes. Gast moved to approve the first Reading of an Ordinance Amending the Code of Ordinances of the City of Maxwell, Iowa, Chapter

165 Zoning Regulations, Section 165.15, Paragraph 5 Pertaining to Nonconforming Lots and waive the second and third readings. Golly seconded. 5 ayes

7. Business:

- d. Discussion and Action on Preliminary Plan Set of Baldwin St Reconstruction Project – Wes Farrand presented the preliminary plans for the Baldwin Street Project. Discussion on all the options such as the road maybe slightly smaller, parking on one side, storm sewers and general construction concerns. It was decided to hold a public hearing for the residents along Baldwin St. on May 24<sup>th</sup> at 6:30 to answer any concerns or questions.
- e. Discussion and Action on Truck Pull Contract for Old Settler – Royal Mansfield would like to host a truck pull for Old Settlers this year. Gast moved to give permission for Royal to use the truck pull facility during Old Settlers if they have proof of insurance. Golly seconded. 5 ayes
- f. Discussion and Action of Abandonment of Army Post Road – Planning and Zoning has reviewed the request to vacate Army Post Road South of Broad St to the Heart of Iowa Trail. They feel that the road should be vacated south of the soccer field instead of south of Broad St. Gast moved to hold a Public Meeting and invite the abutting landowners to discuss any objections, easement for a trial, and private access to properties. Golly seconded. 5 ayes.
- h. Discussion and Action on Alcohol License for Nik’s Tippy Trailers. Miller moved to approve Alcohol License for Nik’s Tippy Trailer. Jans seconded. Discussion on the permit allowing the sale of alcohol in front of the stage all summer whether Market in the Park was in progress or not. Miller modified the motion for the license to be used only in conjunction with Market in the Park. Jans seconded. 5 ayes
- i. Discussion and Action on Tobacco license for Casey’s General Store – Miller moved to have the City-Wide Garage Sale on June 5. Jans seconded. 5 ayes,
- k. Discussion and Action on Tax Abatement for 521 1<sup>st</sup> Street – Gast moved to approve the Five-Year Tax Abatement for Improvements to 521 1<sup>st</sup> Street. Golly seconded. 5 ayes.
- l. Discussion and Action on a Motion to Authorize for Mayor to Sign Service Agreement with Safe Building.–Gast moved to authorize the mayor to sign the Service Agreement with Safe Building. Lawrence seconded. Discussion about Safe Building and concerns with continuing with the company. Motion was cancelled. Golly moved to defer action to next meeting pending research on other building inspectors. Lawrence seconded. 5 ayes.
- m. Discussion and Action on a Resolution Proposing Conveyance and Authorizing Public Hearing on Private Easement on Real Property located within the City of Maxwell, Iowa. – Gast moved to hold public hearing on a Resolution Proposing Conveyance and Authorizing Public Hearing on Private Easement on Real Property located within the City of Maxwell, Iowa. Jans seconded. 5 ayes.
- n. Discussion and Action on Street Repair Proposal from LL Pelling – Discussion on removing Douglas Dr. and 4<sup>th</sup> St between Metcalf St and Ashford St due to possibly heavy traffic from construction equipment for school. Gast moved to approve the proposal from LL Pelling removing those 2 sections of road. Jans seconded. 5 ayes.

- o. Discussion and Action on Water Line to Sewer Lagoons. – Todd White reached out to Tony to inform him of a 20% increase in materials for the waterline to the lagoons since his bid. Gast moved to approve the bid from Todd White with a 20% increase in materials. Golly seconded. 5 ayes.
- 8. Council and Mayor Reports –
  - a. Steve Gast – 1) Steve has received complaints on parking violations. . Mayor and Public Works Director has authority to write tickets. Possibly call school when kids are parking wrong at the school. 2) People at the basement out on Baldwin have vehicle and items in the park. A notification needs to be sent to them to move the vehicles and items into the right of way.
  - b. Alex Golly – 1) Speed limit sign on South St. still not put up. Clerk explained why. 2) On Baldwin St, the sidewalks need to be redone. 3) Alex would like to see time sheets filled out by employees to see how much time is spent in the different departments.
  - c. Meggen Lawrence - 1) Meggen doesn't believe clean-up day was used to its potential. 2) She has received complaints of rats coming out of the old Conoco station. Letter needs to be sent.
  - d. Doug Miller – 1) Doug talked about the grant through SCEDG. 2) Discussion on Broadband and flyers.
  - e. Ken Jans – 1) 609 Main St looks good. Property is cleaned up. 2) Derecho debris still needing to be cleaned up at trailer house on Metcalf St. 3) Fence built at 515 South St. Do they have a permit?

9. Consent Agenda

- a. Gast moved to approve the consent agenda. Lawrence seconded. 5 ayes.
- b. Bills presented were as follows:

VENDOR	REFERENCE	AMOUNT
ACCESS	MONTHLY PRINTER RENT	\$217.91
AFLAC	AFLAC CANCER	\$252.48
ALLIANT ENERGY	MONTHLY UTILITY BILL	\$3,821.42
AWS SERVICE CENTER	MONTHLY GARBAGE & CORRECT BILL	\$10,930.53
BIG 8 TYRE CENTER	2 TIRES FOR 863 AMBULANCE	\$363.90
CALDWELL,BRIERLY,& CHALUPA LLC	EASEMENT AGREEMENTS, 3ANGELS	\$144.00
CASEY'S BUSINESS MASTERCARD	MONTHLY GAS & DIESEL	\$388.51
CENTRAL IOWA SHORTLINE LLC	#13945,14357-CLAMPS,HOSE,LIGHT	\$1,831.11
CENTRAL IOWA SHORTLINE LLC	14,524,146,371,450,100,000	\$265.55
CHEM-SULT, INC	SODIUMHYPOCHLORITE & PHOSPHATE	\$699.89
CONLEY'S TRUCKING	BALL DIAMOND LIME	\$1,625.14
CONSUMERS ENERGY	RCH ELECTRIC	\$52.00
CYCLONE AWARDS & ENGRAVING	BETTERMENT AWARDS & PLATE	\$36.00
DAVE POMEROY	CEMETERY MOWING - 4/19/2021	\$650.00
DOOR AND FENCE STORE INC	CAPACITOR	\$343.00
DB IOWA HOLDINGS	PUBLISHING	\$28.22
IOWA DEP OF REVENUE	SALES TAX	\$181.00
IOWA DEP OF REVENUE	WATER EXCISE TAX	\$1,770.00
IOWA PRISON INDUSTRIES	GOLF CART/UTV/ATV PERMIT STICK	\$56.00

IOWA REGIONAL UTILITIES ASSOC	RCH WATER	\$270.68
IPERS	IPERS	\$1,789.66
KEYSTONE LABORATORIES INC	#1E02225-SOLIDS,BOD,NITROGEN	\$263.50
KEYSTONE LABORATORIES INC	#1E02861-SOLIDS,BOD,NITROGEN	\$202.50
MAXWELL STATE BANK	FED/FICA TAXES	\$2,570.36
MIDWEST INSURANCE CORP	INSURANCE	\$55.00
NEW CENTURY FS	LP GAS	\$308.35
PETTY CASH	TRUCK TITLE	\$6.90
MAXWELL POST OFFICE	4 ROLLS OF STAMPS	\$220.00
R MINI STORAGE	STORAGE UNIT LEASE	\$660.00
SAFE BUILDING LLC	PLUMBING,ELECTRICAL,BUILDING	\$2,430.91
SINCLAIR CONSTRUCTION	REPAIR SHELTER EAST OF CHURCHS	\$1,180.00
SNYDER & ASSOCIATES	119.0266.01-20-WWTP PROJECT	\$18,485.40
STAPLES CREDIT PLAN	CLOCK RIBBON,ENVELOPES,CUPS	\$176.01
STORY COUNTY ANIMAL CONTROL	CAT 10/15/2018	\$38.50
STORY COUNTY TREASURER	LAW ENFORCEMENT FY2021-3RD QTR	\$28,579.80
SYNCB/AMAZON	BOOKS & DVDS	\$422.67
U.S. BANK	DUES	\$832.47
US CELLULAR	MONTHLY CELL PHONE	\$205.30
USABlueBook	HEX NIPPLE,HYDRANT ADAPTOR	\$324.45
USABlueBook	RUBBER GROUND HOSE	\$391.90
Accounts Payable Total		\$83,071.02
Total Paid on: 4/07/21		\$4,303.48
Total Paid on: 4/21/21		\$4,146.49
Total Payroll Paid		\$8,449.97
***** REPORT TOTAL *****		\$91,520.99
Checks to be paid May 5, 2021		
ACCESS	MONTHLY PRINTER RENT	\$193.95
BADGER METER	CELL WATER READS	\$345.32
CALDWELL, BRIERLY & CHALUPA	EASEMENT ITEMS	\$385.00
CENTRAL IOWA SHORTLINE	MOWER BLADES,BATTERY,TURF MIX	\$245.29
IOWA REGIONAL UTILITIES ASSOC	RCH WATER	\$284.16
KEYSTONE	SOLIDS,BOD,NITROGEN,CBOD	\$190.00
USABlueBook	HOLE SAW	\$742.18
US CELLULAR	CELL PHONES & HOTSPOTS	\$205.41
WINDSTREAM	TELEPHONE & INTERNET	\$373.25
		\$2,964.56
Expenses By Fund	APR 2, 2021-APR 29, 2021	
GENERAL		\$58,278.22
ROAD USE TAX		\$2,014.84
CAPITAL FUND PRJCT-STORM		\$1,088.50
FEMA WIND DISASTER 2020		\$1,277.86

WATER		\$7,284.49
SEWER		\$5,181.18
WWTP FACILITY		\$16,395.90
TOTAL FUNDS		\$91,520.99
Revenue by Fund	21-Apr	
001 General		\$89,746.18
110 Road Use Tax		\$24,723.98
112 Employee Benefits		\$6,725.68
119 Emergency Fund		\$2,771.70
121 Local Option		\$9,561.75
600 Water		\$12,285.12
610 Sewer		\$13,597.91
Total Revenue		\$159,412.32

11. Adjourn. A motion to adjourn the meeting at 11:00 PM was moved by Gast. Seconded by Lawrence. 5 ayes.

NEXT REGULAR MEETING WILL BE JUNE 7, 2021, AT 6:30 PM

ATTEST: \_\_\_\_\_, Clerk      \_\_\_\_\_, Mayor  
                    Deb Hayes                                      Jameson Hudson