

CITY OF MAXWELL, IOWA
MAXWELL CITY COUNCIL REGULAR MEETING
MONDAY, JULY 8, 2019, 6:30 P.M. CITY HALL

1. The meeting was called to order by Mayor Steven Gast at 6:30 P.M.
2. Roll call was answered by Susie Livesay, Doug Miller, & Nicole Hudson. Absent: Alex Golly & Jon Klein. Visitors: Sue Philpott.
3. A motion to approve the agenda moving 8D, 8G, 8H after Department Reports and to defer 8C to the August 12 meeting was made by Hudson. Miller seconded. 3 ayes.
4. Citizens Forum
 - a. Craig Wetzel – Craig represented 3 Angels LLC. He was present to talk about 609 Main St. They removed everything from the building that was bad. They plan to remodel, build an addition and add a garage to the property. It will probably be fall before they started construction because they must sell another house first. The council told him that he needed to get permits within a week and secure the property.
5. Department Reports
 - a. Sheriff – Written report on file. Deputy Adam Luke was present. He informed the council that Joel Navratil and he would be the new liaisons for the Story County Sheriff’s Office. The speed trailer was set-up and asked if the council would like it anywhere else.
 - b. Fire – Written report on file. Chief Tony Ness was present. He will be finding out more on the radios needed for the new paging system going into place. All physicals have been taken and everyone passed.
 - c. EMS - Written report on file.
 - d. Library – No report. The library did ask when they needed the changes to the board available for the ballot. Steve will send the information to them.
 - e. Public Works – Written report on file. Streets should be done the middle of August. Water Tower is painted, and the inside was sandblasted, primed and painted. Testing is being done and we will be switching over to town water later in the week.
 - f. City Clerk – Written report on file. The council asked for a proposal for having an electrician work look at the reasons for flickering lights in city hall. Several complaints were discussed including barking dogs before action is taken. The city attorney would like to have multiple people sign complaints for barking dogs. The council was asked to look at the 2 properties that have received nuisance complaints and will be discussed at next meeting. The sixth complaint was about vegetation blocking view of corner. Clerk will send letter to resident.

Report received and filed- Hudson moved to accept and file the department reports. Miller seconded. 3 ayes.

6. Public Hearings
 - a. Second Reading of an Ordinance amending Chapter 99, Section 99.01 Sewer Service Charges Required to Establish New Sewer Rates - Hudson moved to open the public hearing on an Ordinance amending Chapter 99, Section 99.01 Sewer Service Charges Required to Establish New Sewer Rates. Miller seconded. 3 ayes. No public. Miller moved to close the public hearing. Seconded by Hudson. 3 ayes. This Ordinance establishes the rates for sewer usage. Minimum service charge would be \$34.25 despite any temporary absence

of the customer and a usage charge of \$1.87 per 1000 gallons. Hudson moved to accept the second reading of an Ordinance amending Chapter 99, Section 99.01 Sewer Service Charges Required to Establish New Sewer Rates. Livesay seconded. 3 ayes. Third reading will be August 12, 2019.

- b. Second Reading of an Ordinance amending Chapter 92, Section 92.02 Rates for Service to Establish New Water Rates – Miller moved to open the public hearing on an Ordinance amending Chapter 92, Section 92.02 Rates for Service to Establish New Water Rates. Hudson seconded. 3 ayes. No public. Livesay moved to close the public hearing. Seconded by Hudson. 3 ayes. This Ordinance establishes the rates for water usage. Minimum service charge would be \$20.62 despite any temporary absence of the customer and a usage charge of \$1.48 per 1000 gallons. Hudson moved to accept the second reading of an Ordinance amending Chapter 92, Section 92.02 Rates for Service to Establish New Water Rates. Miller seconded. 3 ayes. Third reading will be August 12, 2019.

7. Old Business

- a. NA

8. New Business -

- a. Resolution 2019-15 directing the Clerk to pay all Regular Bills Monthly Bills of the City each Two Weeks or as the Bills are Received – Hudson moved to approve Resolution 2019-15 directing the Clerk to pay all Regular Bills Monthly Bills of the City each Two Weeks or as the Bills are Received. Miller seconded. 3 ayes.
- b. Resolution 2019-16 Directing the Clerk to Transfer Funds to Zero Out Balances in the May 2013 Flood/Hail, 2014 FEMA Buyout, and Debt Service Funds – Hudson moved to approve Resolution 2019-16 Directing the Clerk to Transfer Funds to Zero Out Balances in the May 2013 Flood/Hail, 2014 FEMA Buyout, and Debt Service Funds. Miller seconded. 3 ayes.
- c. Motion to Approve Poultry Permit for 1400 Rock Creek Drive – Action was deferred to Aug. 12 meeting.
- d. Motion to Approve the Proposal to Install Drain in Cemetery – Water ponds on the north and south side of the southern part of the cemetery making it impossible to mow and maintain during wet weather. Installing the 8” outlet pipe, two 4” tile drains and 8” intake will reduce the time surface ponding will exist. Miller moved to approve un-budgeted construction of an 8” drain with two 4” lines by the drive on the south and an 8” intake for surface water with payment coming from line item 001-450-6320 Cemetery Grounds Maintenance/Repair. Livesay seconded. 3 ayes
- e. Motion to Approve Alcohol License for KT’s Bar & Grill – Miller moved to approve KT’s Bar & Grill alcohol license. Livesay seconded. 3 ayes.
- f. Motion to Approve New Member to Board of Adjustments/Planning & Zoning – An opening on the Board of Adjustments/Planning & Zoning was advertised. Sue Philpott was the only applicant. Miller moved to accept Sue Philpott as the new member of the Board of Adjustments/Planning & Zoning until 2021. Hudson seconded. 3 ayes.
- g. Motion to Approve Proposal for Re-Roofing Water Plant & Blower Building – Hudson moved to approve the re-roofing of the Water Plant with a metal roof for \$10,500 from 600-810-6310 Building Maintenance and Repair and the Blower

Building for \$850 from 610-815-6310 Building Maintenance and Repair. Miller seconded. 3 ayes

- h. Motion to Approve Floodlight at Scout Park- Livesay moved to put a floodlight on the building and the parking area of Scout Park. Miller seconded. 3 ayes.
- i. Motion to Approve Policy for Enforcement of City Codes – This policy is for the City Code “At-Large Enforcement”. Hudson moved that is the policy of the Council that the staff perform the following duties: In those cases where the City Staff is called to capture an “at-large” animal or to pick up a captured “at-large” animal and return it to its owner., the City becomes the complainant and it is the job of responsibility of City staff to take pictures (with dates) of the animal off the owner’s premises, complete a complaint form, check the box stating they are willing to testify, and submit the form to the City Clerk who will issue the warning letter
- j. Motion to Concur with the Zoning Commission Recommendation to Eliminate the Maximum Size of 1,000 Square Feet for Accessory Buildings Leaving the Requirement that Accessory Building be Limited to 20% of the Rear Yard Plus Side Yard Area and Authorizing an Amendment be Drafted for Publication and Hearing. – The Planning & Zoning Commission recommends dropping the maximum floor area of all permitted accessory buildings to not total more than the lesser of 1,000 sq. ft and only requiring the 20% of the sum of the required rear plus side yard area. Hudson moved to publish amendment removing the 1,000 sq. ft. maximum size for an accessory building but leaving the requirement that the square foot size for accessory buildings are not to exceed 20% of the rear and side yard area. Livesay seconded. 3 ayes.

9. Council and Mayor Reports –

- a. Susie Livesay – 1) Susie asked about mosquito spraying for Old Settlers. Mayor said yes. 2) Is the city going to give the owner of 609 Main St. a timeframe for doing something with the property. Clerk was instructed to set up an appointment with the building inspectors in 1 week to create a nuisance list.
- b. Nicole Hudson-1) Nicole asked about the speed signs that were supposed to be put up on Myers St. & 2nd St. Clerk will ask Public Works about them.
- c. Doug Miller – 1) Did the Library figure out what they were going to about their PO Box? Not as of this meeting. 2) The post in front of the hydrant at Woodlawn and 5th St needs to be replaced.
- d. Steve Gast – 1) A position on the Park Board is open. Clerk will advertise for the position. 2) Library has asked about the process for adding the change of the dynamic of the Library Board.

10. Consent Agenda

- 1) Hudson moved to accept the June 4, 2019 minutes and bills. Livesay seconded. 3 ayes.
- 2) Bills presented were as follows:

VENDOR	REFERENCE	AMOUNT
CLAIMS REPORT		
AFLAC	AFLAC CANCER	252.48
ALLIANT ENERGY	MONTHLY UTILITY BILL	4,516.71
BADGER METER	CELLULAR READ FOR WATER METER	300
BADGER METER	CELLULAR READS- WATER READDS	340.87

BANLEACO	MMIT-COPIER	190.51
CALDWELL,BRIERLY,CHALUPA,NUZUM	606 ROACK CREEK & LARSON PROP	226
CALDWELL,BRIERLY,CHALUPA,NUZUM	DEBT COLLECTION FOR RON LARSON	565
CASEYS GENERAL STORE	MONTHLY DIESEL & GAS	812.02
CERTIFIED POWER, INC	DRIVELINE-NEW BUILD	716.09
CHEM-SULT, INC	SODIUMHYPOCHLORITE & PHOSPHATE	479.53
CHITTY GARBAGE SERVICE	MONTHLY GARBAGE	4,675.65
CHITTY GARBAGE SERVICE	MONTHLY GARBAGE	4,127.25
CITY OF AMES	1ST HALF OD RESOURCE RECOVERY	4,830.00
CONSUMERS ENERGY	RCH ELECTRIC	52
DAVE POMEROY	5-23-2019 CEMETERY MOWING	1,200.00
DAVE POMEROY	6/7/2019 - MOWING & WEEDEATING	1,200.00
DAVE POMEROY	6/27/2019 - CEMETERY MOWING	1,200.00
DENNIS BELL	REPAIRS TO WELCOME ARCH/BRIDGE	338.36
ELECTRONIC ENGINEERING	TOWER FEES	3,210.30
EMERGENCY MEDICAL PRODUCTS	EMS ITEMS	723.62
FELD FIRE	MONITOR & MOUNT, BOOTS, & HOOK	8,008.76
DB IOWA HOLDINGS	LEGAL NOTICES-PH,ORD, MINUTES	692.89
GOOD HOUSEKEEPING	magazine subscription	8
INDEPENDANT PUBLIC ADVISORS	QUARTERLY RETAINER & MILEAGE	2,084.20
IOWA DEP OF NATURAL RESOURCES	ANNUAL WATER SUPPLY FEE FY20	105.23
IOWA LEAGUE OF CITIES	MEMBER DUES 7/19-6/20	804
IOWA ONE CALL	LOCATES	19.1
IOWA ONE CALL	14 LOCATES	31.7
IOWA REGIONAL UTILITIES ASSOC	RCH WATER	490.3
IOWA REGIONAL UTILITIES ASSOC	MONTHLY RCH WATER	1,035.68
IPERS	IPERS	1,461.07
JERICO SERVICES, INC	DUST CONTROL	454.23
JKT CONSTRUCTION	CONCRETE FLOOR FOR SHELTER HSE	10,380.00
KEYSTONE LABORATORIES INC	#1C04198-SOLIDS,NITROGEN,BOD	326
KEYSTONE LABORATORIES INC	#1C04443-SOLIDS,NITROGEN,BOD	483.5
KEYSTONE LABORATORIES INC	#1C04999-NITROGEN,BOD,CBOD	137.5
MID-AMERICAN RESEARCH CHEMICAL	PHOTO BLUE PWD,WIPE-OUT	1,244.25
MAXWELL STATE BANK	FED/FICA TAX	2,372.17
MIDWEST INSURANCE CORP	INSURANCE	31,170.00
MOMAR	ALTOSID BRIQUETS & c-CIDE	3,014.81
MOTHER EARTH NEWS	MAGAZINE SUBSCRIPTION	10
NEW CENTURY FS	LP GAS	969.1
PETTY CASH	POSTAGE	8.2
RANDY PRITCHARD	USED PLATE COMPACTOR	400
SAFE BUILDING COMPLIANCE & TEC	#2947 - 3 NEW BUILD PERMITS	9,931.75
SNYDER & ASSOCIATES	SPEED ZONES & SIGNAGE	1,191.00
STAPLES CREDIT PLAN	PAPER,ENVELOPES,FOLDERS	307.64

