

**Minutes of the Maxwell City Council
Regular Session
Wednesday May 14, 2025**

Note: The following are unofficial until they are approved by the City Council at the next council meeting.

The Maxwell City Council met in regular session on May 14, 2025, at 6:00 PM at Maxwell City Hall, with Mayor Dale Higgins presiding. Council Members Present: Steve Gast, Sue Philpott, Joel Westendorf, Doug Miller, and Ken Jans. Staff Present: City Clerk Wendy Crabtree, Roland City Clerk Mellisa Mattingly, Snyder & Associates representatives Wes Farrand and Brent Culp. Additional Attendees: Emmanuel Toribio from Short Elliott Hendrickson and Greg Piklapp from Story County Outreach Ames Alliance. The meeting was attended by seven members of the public and ten callers.

A motion was made by Gast and seconded by Jans to approve agenda for this meeting which included agenda for May 14, 2025, with movement of agenda items 4, 5 and 6 after 2. Vote on Motion: 6-0. Motion declared carried unanimously.

Gast motioned and Westendorf seconded to consent agenda which included approval of minutes from April 9, 2025 regular council minutes to authorize the mayor to approve the Maxwell Old Settler's Generations Committee's request to close streets subject to approved plan, approval of the minutes for April 28, 2025 public hearing for proposed budget for FY 26, approval of the minutes for April 30, 2025 Woodlawn storm sewer public hearing, and the approval of the claims from April 9, 2025 to May 14, 2025. Vote on Motion: 6-0. Motion declared carried unanimously.

Open forum: none.

Gast motioned and Westendorf seconded to open the public hearing at 6:05 pm. No comments from the public. Gast motioned and Miller seconded to close the public hearing at 6:06 pm. A motion was made by Gast to approve Resolution 2025-23, a resolution to approve amending the FY25 budget, subject to review by the Finance Committee's approval. The Finance Committee will meet May 20, 2025, at 5:30 pm.

Brent Culp from Snyder & Associates presented a \$312,000 cost estimate for the 7th Street punchout per the Planning & Zoning Commission's recommendation. The project would affect driveways, require easements, and necessitate street reconstruction with a vertical curve and storm sewer. Developers opposed the punchout due to cost concerns, preferring to proceed with the initial design. Community members raised concerns about sidewalks, traffic flow, and emergency access. The mayor emphasized the importance of pedestrian planning, while others questioned past decisions regarding sidewalks. Planning & Zoning Commissioner Shelly Balke highlighted safety risks at Rock Creek Drive and Highway 210, claiming the 7th Street connection would improve emergency response. Discussions on dead-end streets and future development plans followed, with stakeholders citing city code changes and long-term infrastructure considerations. Developers warned that delaying the project could impact financial incentives. Jans asked council to reconsider the original motion of rejecting Planning & Zoning's

recommendation for extending 7th Street and to approve the original Rock Creek preliminary plat. Roll Call Vote: Ayes: Westendorf, Gast, and Jans Nays: Miller, Philpott. Motion carries. Gast motioned and Jans seconded approving the original preliminary Rock Creek Ridge plat with no 7th Street punchout. Ayes: Gast, Westendorf, Miller, and Jans. Nays: Philpott. Motion carries. Piklapp requested a special council meeting for the resolution of a letter of support for the housing tax credit application. Special meeting is scheduled for 5/28/25 at 6:00pm.

Cindy Janes 619 Maxwell questioned the need for the Woodlawn Street storm sewer project, noting that homeowners in the area were aware of the flood risks when purchasing. She asked the mayor where funding would come from. The mayor acknowledged the complexity of storm management and stated that the project would be a full tax burden. Farrand addressed the design basis and storm drainage area, highlighting the proposed storm sewer route on the map. The mayor requested Farrand's review of the 4th Street and Woodlawn Street area. Gast outlined potential funding sources, including Road Use Tax (for road stabilization), Franchise Fee (restricted to right-of-way improvements), Local Option Sales Tax (could qualify as community betterment), General Obligation Bond or Tax-Revenue Loan (similar to Baldwin Street project) and/or Future Grants (may apply if timing aligns). Gast estimated FY27 as the earliest possible start date for the project. Gast motioned approving the project as submitted and Jans seconded. Farrand advised bidding documents would be the only thing that needed to change in 2 years. Vote on Motion: 6-0. Motion declared carried unanimously.

Scott Johnson with public works contacted Westendorf about hydrant flushing, identifying ten problematic hydrants that do not drain properly and risk freezing in winter. Bonnet leaks contribute to water loss, and some hydrants require cheater bars, which can delay firefighters and cause damage. The replacement cost is \$5,500 per hydrant, and repair cost is \$500 per hydrant. Westendorf recommends a hydrant maintenance program. The mayor noted five existing programs and potential federal grants. Gast stated the water system has budgeted \$5,000 annually for capital replacements, including upgrading four inch lines to six inch lines. Some of the worst-case hydrants may be replaced with available cash and agreed with Westendorf on the maintenance program. The mayor requested a maintenance resolution for Jans & Westendorf to present to the council. Westendorf will assess priority hydrants using the GIS system. Gast suggested fire and public works staff lead the project. Gast motioned to bring a fire hydrant maintenance resolution back to council including an inventory as a first step of all the hydrants and prioritize what work needs to be done. Jans seconded. Vote on Motion: 6-0. Motion declared carried unanimously.

A motion was made by Gast and seconded by Miller to approve 409 Ashford chicken permit. Vote on Motion: 6-0. Motion declared carried unanimously.

A motion was made by Gast and seconded by Jans to deny the 309 Main chicken permit. Last year the backyard was not maintained, and the application did show the distances to show all the neighboring properties. Vote on Motion: 6-0. Motion declared carried unanimously.

A motion was made by Miller and seconded by Gast to keep the current system for the second water meter process. Miller reviewed his water usage from 2022-2024 and the data is too

inconsistent to be viable, and the data does not support the new meter plan. Vote on Motion: 6-0. Motion declared carried unanimously.

A motion was made by Gast and seconded by Philpott for the mayor to sign the US Cellular transaction notice. Vote on Motion: 6-0. Motion declared carried unanimously.

A motion was made by Gast and seconded by Miller for approval of Jesse Hill's bid for option #2 and option #3 for a total of \$33,630 for the derelict shed and the city issuing half payment upfront \$16,815 to purchase materials. Jans suggested getting electrical bids. Gast suggests surface mounts after Jesse's work is done. Vote on Motion: 6-0. Motion declared carried unanimously.

A motion was made by Miller and seconded by Jans to approve Resolution 2025-22 a resolution for approving revision of the city's investment policy and authorizing the mayor and clerk to sign the same with a new line added, now therefore be it further resolved, the City Clerk/ Treasurer is authorized to deposit money after consulting with financing committee and mayor. Investing funds as appropriate so they do not stay stagnant. Jans recommended investing with Maxwell State Bank to support local business and the rates are competitive. The minimum deposit is \$15,000, while IPAIT requires a \$250,000 minimum investment. Motion carried. Roll Call Vote: 5-0. Sustain: Jans. Resolution declared adopted, signed by the mayor, and hereby made a portion of these minutes.

Resolution 2025-24 was withdrawn.

A motion was made by Gast and seconded by Miller to approve Resolution 2025-25, a resolution establishing policy regarding yard waste. Miller motioned and Westendorf seconded to add 4D, stating Resident must email or call city hall notifying them prior to desired yard waste pickup day (Monday). Jans wanted to amend #6 -Anyone requesting permission to harvest logs should contact city hall to get a key. Gast requests if harvester is down there, do they need to have insurance and would like the attorney or insurance agent to review before we amend #6. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the mayor, and hereby made a portion of these minutes.

A motion was made by Gast and seconded by Westendorf to move Resolution 2025-27 for Purchasing Policy to the June agenda. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the mayor, and hereby made a portion of these minutes.

A motion was made by Gast and seconded by Philpott for Resolution 2025-26 for Credit Card Policy. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the mayor, and hereby made a portion of these minutes.

A motion was made by Gast and seconded by Jans authorizing mayor to sign letter from the auditor's office and select option 3 to use our current auditor Roof, Gerdes, Erlbacher PLC. Vote on Motion: 6-0. Motion declared carried unanimously.

A motion was made by Gast and seconded by Miller to approve the third and final Reading of Ordinance No. 343, Amending the Code of Ordinances pertaining to Water, Sewer, and Solid

Waste Collection Fees. Three readings required. Water used per month is \$5.50 per 1,000 gallons. Sewer and garbage are \$9.00 per 1,000 gallons. Waste is \$20 per month. Vote on Motion: 6-0. Motion declared carried unanimously.

A motion was made by Gast and seconded by Miller to skip South Street dust control spraying. There will be minimal and slower traffic on South Street this summer when the DOT replaces the bridge. Mayor suggests getting two bids for 300' North of 210 on 667th, all of Myers Street and taking the lowest bid. Vote on Motion: 6-0. Motion declared carried unanimously.

Gast motioned and Westendorf seconded to table Planning & Zoning's recommendation to retain the existing name of Army Post Road, designate the loop as Old Settler's Way, and establish a numbering system for primary buildings. RCV: Nay: Philpott, Gast, Jans Aye: Westendorf, Miller. Motion failed. Gast motioned and Jans seconded the Rodeo Grounds be 100 Army Post Road, and everything to the East be designated to be 101 Army Post Road, with individual letters A-F as appropriate. Vote on Motion: 6-0. Motion declared carried unanimously.

A motion was made by Gast and seconded by Miller to approve Mitzi DeGroote as the new Planning and Zoning commission member. Vote on Motion: 6-0. Motion declared carried unanimously. DeGroote rescinded her letter for vacancy. An open position still exists.

A motion was made by Gast and seconded by Miller to approve Resolution 2025-28 a 28E agreement for collecting unpaid parking ticket violations, with an amendment to item 2 to designate Maxwell personnel will be allowed access to indicate license plates for those unpaid city parking tickets. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the mayor, and hereby made a portion of these minutes.

A motion was made by Jans and seconded by Westendorf to approve Resolution 2025-29 a resolution approving current pay for Fire & EMS. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the mayor, and hereby made a portion of these minutes.

A motion was made by Gast and seconded by Miller to approve Resolution 2025-30, a resolution approving hourly pay increases for full-time, part-time, and seasonal city employees not governed by the library board, with changes for FY26. Gast motioned to table resolution until after employee evaluations are completed, for July 9 agenda. Gast motioned to approve resolution with changes to current rates and Miller seconded resolution approving hourly pay for current employees. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the mayor, and hereby made a portion of these minutes.

A motion was made by Gast and seconded by Westendorf to approve Heart of Iowa Nature Trail ordering temporary signs. Jans took to Parks and Open Spaces. Hundreds of people come to town and ask where restrooms or other amenities are at. Mayor approved ordering signs for \$1,000 or under. Vote on Motion: 6-0. Motion declared carried unanimously.

Jans received several complaints about the fill dirt at the soccer fields. Kids have been seen playing on it and it is an eyesore. Discussion about whether equipment needs rented or someone hired to complete the job. Mayor will give directions to public works to get it handled.

Sherif's report – on file. No action taken.

Jans motioned and Gast seconded to approve all reports except the Engineer's report, moving them to the next meeting. Motion carried. Farrand discussed the Baldwin Street closeout and erosion control review. Snyder addressed a homeowner's complaint at 619 Baldwin; a short wall near a crabapple tree may be requested, but tree damage and cost remain uncertain. Farrand also addressed 5th Street pavement conditions. Miller asked about finalizing working days; Farrand is awaiting confirmation.

Council Notes: Jans noted the merry-go-round is broken and needs removal. Miller reported that the updated road seal coating quote is \$2,641.90 lower since 5th Street was removed. Additional quotes will be gathered, with Streets Chair Jans and Philpott reviewing street conditions with Public Works. Gast sent a report listing six trees in the right of way needing removal, including one hazardous tree at Maxwell & Fifth. Philpott noted ongoing yard maintenance issues and concerns about relocation of chicken coop at 429 Ashford. She read a personal statement about feeling disrespected at the 4/30/25 public hearing. Miller noted widespread tall grass and unmowed areas. A citizen near Metcalf & Fifth expressed visibility concerns regarding a tree in the city parking area. Westendorf had no notes.

Jans motioned to adjourn meeting, Westendorf seconded Vote on Motion: 6-0. Motion declared carried unanimously. 10:12pm.