The regular meeting of the Baxter City Council was called to order on Monday, January 8, 2024, at 6:00 p.m. in the Council Chambers of City Hall by Mayor Doug Bishop. Council members present were Jamie Milligan, Stephen Smith, Dan Kunkel, and Josh Meckley remotely.

Smith moved to approve the agenda. Kunkel seconded. Motion carried, all ayes.

Mayor Bishop gave a statement as Mayor.

Bishop administered oaths of office to Fire Chief, Kelly Milligan, and City Clerk, Katie Wilson.

Stephen Smith asked Milligan where Fire board agendas would be posted. Milligan explained agendas are provided to the city clerk’s office for posting to the website and bulletin board.

Appointment to Fill Vacancy – Four candidates submitted letters of intent to be considered to fill the council member position. Those interested included Dalton Kinzel, Tootie Samson, Lindey Butler and Joel Schabilion. Each candidate gave a brief highlight of their attributes and goals. Upon completion, Milligan motioned to approve appointing Dalton Kinzel. Kunkel seconded. Motion carried, all ayes.

Council member Smith expressed appreciation for Tootie Samson’s years of service on city council.

Mayor Bishop administered the oath of office to Dalton Kinzel.

Chief Daggett recognized resident, Gene Hennick, for his efforts involved with collecting donations for the December food bank drive.

Public Comments – None

Resolution #31-24; A Resolution Adopting A Code of Conduct Policy for Members of Baxter City Council – Milligan moved to approve, with the amendment to remove restrictions for city council members to meet individually with staff. Smith seconded. Roll call vote: Ayes; Kunkel, Smith, Milligan, Meckley, Kinzel. Nays; None. Absent; None. Resolution #31-24 adopted.

Fire Chief Request for City Email Service & City Hall Keys - Chief Kelly Milligan requested city email services for the purpose of record retention and data security for the fire department. Smith moved to approve. Kinzel seconded. Jamie Milligan abstained. Motion carried, all ayes.

J. Milligan moved to approve the minutes of the December regular and special meetings. Kunkel seconded. Motion carried, all ayes.

Library Annual Report – Marie Van Beek, Library Director, was in attendance to present. Van Beek announced they are seeking two new library board members this coming July. Van Beek also announced her plans to retire at the end of August.

2023 Library report data:

1. 193 Children’s Programs in 2023 – Storytimes, After School Fun, Minecraft Learn
2. 45 Adult Programs in 2023 – Cribbage, Book Club, Yoga, Quilt Club, Adult Conversations
3. 48 Summer Reading Programs Offered
4. School is utilizing grant funds to install a separate door to library for safety precautions

BEDC Report – President, Katie Petermeier, was in attendance to report.

1. BOOST grant day has been postponed to January 23rd
2. Committee is waiting for trailer park property abstract to be updated to close on the sale
3. Realtors from Home Team Iowa will be presenting at next BEDCO meeting with interest in Westfield Horizons lots

Ambulance Report and Contract Discussion – Gliem, EMS Director, was in attendance to provide a report. Bishop requested EMS reports be sent by Friday, before Monday night meetings. Bishop asked for Gliem to describe a typical day in her office. Gliem explained her typical duties include preparing billing, communications, record retention, and preparing for the audit. Discussion held over negotiating another 28E agreement with the termination of the current 28E by the Fire Advisory Board.

Bishop and Council requested the following EMS tasks be completed for the Feb. 12th meeting:

1. Notify council / mayor of FEMA grant deadlines
2. Provide recruiting plan for volunteers and a list of active members on the roster
3. Show explanation for how EMS point system and pay system works
4. Update on the non-profit status for EMS
5. Provide a year end call summary with corresponding pay history to first responders
6. Provide update on GEMT program completion regarding first reimbursement

Bishop requested Gliem text him each time she is on and off duty.

Fire Report –

Chief Kelly Milligan was in attendance to provide a fire report.

1. INDR grant awarded in November for fire gear and communications equipment
2. Jasper County Foundation Grant for $15,000 and $10,000 from Baxter Volunteer Firefighter’s Association obtained for structural fire gear
3. Current SCBA cylinders are past legal usable life and a request to fund this project will be made at the next Fire Advisory Board meeting

Police Report and Contract Discussion -

Mayor Bishop administered the oath of office to Chief Bill Daggett. Daggett was in attendance and provided a report.

Bishop requested police reports be sent by Friday, before Monday night meetings. Daggett explained his normal work week hours and how his schedule is many times unpredictable due to the nature of the job and evening/weekend call-outs. Bishop addressed several issues he disagreed with pertaining to the police department.

1. Bishop pulled a year’s worth of time records from Daggett’s state logging and asked for clarification on hours he works. Daggett explained he doesn’t log in and out for every single matter he is called out on and his official timecards are kept with the city clerk’s office.
2. Bishop questioned Daggett’s employment contract and suggested Daggett’s home address is roughly 30 minutes from Baxter, not 20 minutes, as required in the contract. Daggett explained at the time he was hired, there were full intentions to move to Baxter. Personal plans had changed to keep a routine schedule for his son, and at the time, council granted Daggett permission to reside in Altoona. Council members Kunkel and Meckley stated the issues the city had with prior chiefs living in town and confirmed that Chief Daggett communicated to council he would live in Altoona. Council also approved a take-home patrol vehicle via formal vote in March of 2023 for Daggett. Bishop expressed his displeasure with the patrol car being at his residence and stated he attempts to open Daggett’s contract back up due to his view of the situation as a liability. Daggett explained the negotiated and signed employment contract had certain guidelines directly related to accommodations under the American with Disabilities act for his son and keeping a necessary routine for his family.
3. Bishop questioned Baxter’s participation in GTSB 28E agreement for Polk County traffic and ordered to revoke participation within it. Daggett will provide detail of what is received by Baxter in the contract and bring to the Feb. 12th meeting for council’s discretion.
4. Bishop ordered Daggett to remove himself from the school until his radio is operational and he can receive calls within the school. School will need to make it a priority to resolve the connection issues.

Bishop requested Daggett text him each time he is on and off duty.

Blueline Solutions - Milligan questioned whether there is a warning period prior to tickets issued. Daggett noted there is a 30-day warning period to allow the public time to adjust. Blueline agreement is a 3-year contract. Bishop requested putting one by the school.

Resolution #32-24; A Resolution Approving Signing of a Contract with Blue Line Solutions – Smith moved to approve. Milligan seconded. Roll call vote: Ayes; Kunkel, Smith, Milligan. Nays; Meckley, Kinzel. Absent; None. Resolution #32-24 adopted.

Resolution #33-24; A Resolution Setting the Fine for Automated Traffic Enforcement Violations - A Resolution Approving Signing of a Contract with Blue Line Solutions – Smith moved to approve. Milligan seconded. Roll call vote: Ayes; Kunkel, Smith, Milligan. Nays; Meckley, Kinzel. Absent; None. Resolution #33-24 adopted.

Maintenance / Water / Wastewater Report and Contract Discussion -

Public Works Director, Bryce Halter, was in attendance and provided a report.

Milligan asked Halter to confirm the date of next IRUA meeting to address water loss issues. Discussion held over big discrepancies involving city water loss for city billing compared to gallons used through IRUA. Halter explained IRUA is testing the meter and Badger has verified the meter. Many troubleshooting techniques were mentioned including auditing the software, utilizing a hearing device, and looking at different leak detection companies.

Bishop confronted Halter on the status of his water / wastewater certification testing. Bishop claimed Halter never took the tests and requested him to supply his test results. Halter explained he wasn’t able to pass the first test. Bishop and Halter discussed the testing guidelines and waiting periods required. Bishop requested Halter provide a plan to schedule times to take the tests to become certified.

Water/Wastewater Affidavit Operator Contract –

Bishop reported that he obtained information from the DNR that the city’s current water / wastewater affidavit operator is not certified. Bishop confronted Halter about the matter and ordered him to supply MK Services official certification and email threads involving DNR notices stating the compliance issue. Halter stated MK Services has shown him the test results of becoming certified. Bishop stated if MK Services is not certified, a special meeting must be called immediately to approve a proposal received for affidavit operator contract services prior to the Feb. 1st deadline the DNR provided.

Bishop requested Halter text him each time he is on and off duty.

Clark’s Addition Water Discussion – Discussion held over installing a master meter in the area to ensure leaks are not existent. Discussion held over the city not being responsible for water and sewer repairs within the area due to it being outside of city limits.

Lead Service Line Inventory –

Bishop questioned status of lead service line inventory that is due fall of 2024. Halter will supply an update of the progress to council at the Feb. 12th meeting.

Sidewalk Program Discussion – Smith moved to table. Milligan seconded. Motion carried, all ayes.

Approval of City Emergency Operations Plan – Discussion held over importance of elected officials and city staff being ICS certified in order to obtain funding from the government in the event of a natural disaster. Modifications will be made to the plan and presented at the Feb. 12th meeting, along with a plan for training council and staff for ICS. Milligan moved to table. Smith seconded. Motion carried, all ayes.

Discussion J. Seeley Alley Closure Request – Seeley was in attendance. Council reviewed recommendation received from Iowa League of Cities in regards to the opposing neighboring property owner. Two key points were addressed; if there was any purpose for the city to own it and that the closure is not restricting access to the abutting property owner. Council decided to move forward with the process. A public hearing is scheduled to be held on Feb. 12th to approve the closure.

Discussion City Owned Building – 222 W Station St. – Discussion held over purpose of keeping this property. Halter and Wilson explained it is currently being used to store old city clerk records that are required to be kept permanently. Bishop will set up a time to tour the building and advise a plan based on the city needs.

Resolution #34-24; A Resolution Approving the Final Plat For Kunkel Addition Subdivision, a Minor Subdivision to the City of Baxter, Jasper County, Iowa – Milligan moved to approve. Meckley seconded. Roll call vote: Ayes; Smith, Milligan, Meckley, Kinzel. Nays; None. Abstain; Kunkel. Absent; None. Resolution #34-24 adopted.

Resolution #35-24; A Resolution Naming Agents of the City of Baxter Authorized to Endorse Checks and Orders for Payment or Withdraw or Transfer Funds on Deposit with City Depository State Savings Bank of Baxter, Iowa – Milligan moved to approve. Smith seconded. Roll call vote: Ayes; Kunkel, Smith, Milligan, Meckley. Nays; None. Absent; None. Resolution #35-24 adopted.

Resolution #36-24; A Resolution Approving Appointments to Boards & Commissions of the City of Baxter, Iowa – Kinzel moved to approve the resolution as amended. Smith seconded. Roll call vote: Ayes; Kunkel, Smith, Milligan, Meckley, Kinzel. Nays; None. Absent; None. Resolution #36-24 adopted.

ORDINANCE NO. 624; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BAXTER, 2010, BY AMENDING PROVISIONS PERTAINING TO GARBAGE/RECYCLING RATES – Milligan moved to table. Kinzel seconded. Motion carried, all ayes.

Council Action to Accept Attorney Proposal – Three proposals were submitted. Bishop informed council that the city’s current attorney is without a litigation representative for the time-being. Upon completion of discussion, Milligan moved to accept Brick Gentry’s proposal. Kunkel seconded. Motion carried, all ayes. A contract for approval will be placed on the next agenda.

FY2024-2025 Budget Timeline & Review – Wilson provided a budget timeline with the new legislation impacting the budget process. Three budget work sessions were scheduled: Mon. Jan. 22nd 5:30pm; Mon. Feb. 12th following regular meeting; Tues. Feb. 27th 5:30pm. Milligan moved to approve dates. Kinzel seconded. Motion carried, all ayes.

Approval to Waive Community Room Rental Fee for Partner Communications Annual Meetings – Smith moved to approve. Milligan seconded. Motion carried, all ayes.

Consent Agenda – None

Bills Payable – Smith moved to approve. Kinzel seconded. Motion carried, all ayes.

Mayor’s Report –

1. Bishop is looking at other options/opportunities to invest city funds
2. Bishop questioned if city has ever discussed moving to solar
3. Commercial lot for sale currently owned by Dan Kunkel
4. Plans for utilizing ARPA funds due to the federal requirement to have a commitment in place by the end of 2024 and funds spent by the end of 2026
5. Bishop mentioned the city must begin planning to hire a city administrator in the near future based on the city’s needs

Other Business – None

Smith moved to adjourn. Milligan seconded. Motion carried, all ayes. Meeting adjourned at 9:35 p.m.

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 Mayor Doug Bishop

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Katie Wilson, City Clerk