

## REGULAR MEETING

The Fairbank City Council met in regular session on Monday, June 26, 2023. Mayor Cowell called the meeting to order at 6:00 PM with the Pledge of Allegiance. Members present: R. Woods, Williams, Erickson, and T. Woods. Absent: Coffin. Also, present at City Hall: Heather Prendergast, Attorney; Brian Delagardelle, Wastewater Operator; Nick Kuker, Public Works; and Michelle Laube, Deputy Clerk; and Brittany Fuller, City Clerk.

Motion by R. Woods, second by Erickson to approve the agenda. Roll call vote- Ayes: T. Woods, Erickson, R. Woods, and Williams. Nays: None.

Councilman Coffin arrived at 6:01 PM.

Dr. Jeff Nuss and Emily Kriens were both present during the public comment section to inform the council about a concern they have with the sound level of the music being played at the Fairbank Aquatic Center. They live just west of the pool. They mentioned that they thought it was too loud when it came to the lifeguards having to listen for issues with swimmers. Councilman R. Woods stated that he had noticed the music while mowing over by Casey's General Store. Pool Board Members, Heather Hansen and Heather Mangrich, were also in attendance. Heather Hansen explained that as soon as they heard the complaint they went to the pool and adjusted the music. The volume does need to be set at a certain level so that staff can communicate with the swimmers. Jeff Nuss thanked the council for the opportunity to talk and stated that he hoped that a change could be made. The pool board stated that they were going to work on spending more time there.

Motion by T. Woods, second by Erickson to approve the minutes of the June 12<sup>th</sup> Regular Meeting. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

Lisa Kremer was present from the Buchanan County Economic Development Commission to present the council with an update on what they have been doing and future events. Lisa also informed the council that Fairbank received the catalyst grant for the 1897 Café building. She stated that the project was the first ranked project and that everyone was very excited about this renovation. John Welsh has two years to complete the project and all finances for the project will be ran through the city budget. Jill Chemin was also present and was introduced as the new tourism director for Buchanan County.

Two bids were received from the request for proposals on auditor services for FY 2023. Attorney Prendergast opened them during the meeting. Keith Oltroggee out of Denver, Iowa for \$3,200.00 and Hogan and Hansen out of Waterloo, Iowa for \$6,000.00.

Motion by R. Woods, second by Williams to approve Keith Oltroggee to do the services for the FY 2023 required city annual exam. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

A listing of end of the year transfers was presented in the form of a resolution. Motion by R. Woods, second by T. Woods to approve **Resolution 2023-13 – Resolution Authorizing Transfer of Funds**. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

An agreement was written up regarding reimbursing Hunter Robinson for law enforcement equipment costs. He needed to purchase all new equipment since he was not able to use the equipment that he wears for his county job. The city agreed to pay him up to \$1,500.00 to obtain the necessary pieces of equipment in exchange for 1,500 hours worked. Anything less than 1,500 hours worked he would need to reimburse the city. Motion by Williams, second by Coffin to approve **Resolution 2023-14 – Resolution Approving the City of Fairbank Entering into an Agreement with Hunter Robinson for the Reimbursement of Law Enforcement Equipment Costs**. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

RTC Communications filled out an application for the use of highway right-of-way to install fiber optics out to the Poet Bioengineering office and it needed council approval. The application was previously reviewed by the city attorney. Motion by Erickson, second by T. Woods to approve the permit from the IA DOT for the right-of-way work. Roll call vote- Ayes: Coffin, T. Woods, Erickson. R. Woods, and Williams. Nays: None.

An outlet was set up for food vendors etc. in Riverside Park in a location that was the most cost effective. Currently the Fairbank American Legion pays for the electricity for the Veteran's Memorial in Riverside Park and a decision needed to be made on how to handle the payment of the electricity being used at that location. The council felt that more information needed to be obtained before there was a decision made. Motion by R. Woods, second by Williams to table the discussion and decision. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

Solutions were discussed again on the eliminated burn pile after many complaints about the current allowed operating hours. Currently, the key is allowed to be checked out at City Hall from 9 AM to 5 PM during the

week. The council thought about allowing the area to be available for use sometime during the day on Saturdays. Commercial use would still only be allowed for the compost pile and the rule of nothing accepted by residents larger than four inches and longer than six feet would still be in effect. Motion by Erickson, second by Coffin to try opening the yard waste area on Saturdays, while still allowing the key to be checked out during the weekdays. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

Motion by Coffin, second by T. Woods to approve the bills as presented. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

AERO-MOD, Equipment	\$ 1,864.32
AMAZON CAPITAL SERVICES, Membership	\$ 89.50
BLACK HAWK HEALTH DEPARTMENT, License	\$ 150.00
BUTLER COUNTY REC, Services	\$ 1,018.69
CLAYTON ENERGY CORPORATION, Natural Gas	\$ 615.76
DAKOTA SUPPLY GROUP, Supplies	\$ 1,971.40
BEN DELAGARDELLE, Clothing Allowance Reimbursement	\$ 131.42
BRIAN DELAGARDELLE, Reimbursement	\$ 1,971.91
CITY OF FAIRBANK, Electric & Gas	\$ 5,188.92
FEHR GRAHAM, Services	\$ 18,212.75
IPERS, Benefits	\$ 5,066.51
JETCO, INC., Equipment	\$ 6,183.50
JQ CONSTRUCTION LLC, Services	\$ 13,150.00
LITTLE WAPSIE COMMUNICATIONS, Static IP Addresses	\$ 20.00
MANATT'S, Supplies	\$ 317.25
MOBILE HEALTH SERVICES LLC, Firefighter Physicals	\$ 3,070.00
MODERN BUILDING PRODUCTS, Supplies	\$ 84.58
NSB/HSA - H S A Contributions	\$ 625.00
NSB/HSA- H S A Payroll Deductions	\$ 140.00
NE SECURITY BANK, Payroll Processing Fee 6/1/23	\$ 10.00
NE SECURITY BANK, Payroll Processing Fee 6/15/23	\$ 8.67
PRATT'S PEST CONTROL, Monthly Pest Control	\$ 140.00
QUICK MED CLAIMS, Ambulance Billing	\$ 45.38
RACOM CORPORATION, Equipment	\$ 4,297.50
LEANNE SIGGELKOV, Annual Rent	\$ 975.00
TREASURER-STATE OF IOWA, State Withholding Tax	\$ 2,557.20
U. S. TREASURY, 941 Taxes	\$ 4,433.38
U.S. BANK, PEFA Commodity	\$ 1,264.80
VAN WERT, INC, Equipment	\$ 1,310.06
VISA, Supplies	\$ 373.83
WELLMARK, July Premium	\$ 3,976.87
The Library Board Approved the Following Bills on June 21, 2023:	
AMAZON CAPITAL SERVICES, Programming & Membership	\$ 323.34
ANGELA BERG, Mileage	\$ 32.75
FAIRBANK PUBLIC LIBRARY, Postage Cash	\$ 47.53
CITY OF FAIRBANK, Electric & Gas	\$ 158.44
IPERS, Benefits	\$ 223.45
KANE KLEANING SERVICES, Services	\$ 450.00
NE SECURITY BANK, Payroll Processing Fee 6/15/23	\$ 1.33
PRATT'S PEST CONTROL, Monthly Pest Control	\$ 45.00
PREMIER TECHNOLOGY, Services	\$ 460.00
U. S. TREASURY, 941 Taxes	\$ 181.08
ROXANNE WENNER, Services	\$ 120.00

During the department reports, Chief Drish told the council that the police department had continued to enforce the rules in Fairbank regarding the issues with jake breaking and speeding. He listed off some of the most recent citations and stated that Hunter Robinson is set to start patrolling on July 4<sup>th</sup>. He also stated that Fairbank

Days only had a few issues. Brian told the council that City Limit signs were ordered and that the Main Street project was switching to the next phase in the project tomorrow which would be getting rid of the stop lights. The area at the intersection of Grove and 2<sup>nd</sup> Street would be fixed up by the city employees if the council approved to fix up the area that the contractor did not finish properly. The council agreed to get that done. Nick said that the new autofill sensor at the pool was installed.

Motion by T. Woods, second by Williams to enter into closed session at 7:05 PM pursuant to 21.5 (1)(c) - to discuss strategy with council in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

Motion by Williams, second by T. Woods to come out of closed session at 7:10 PM. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None. Motion by Coffin, second by T. Woods to direct the city clerk to do the recommendation that the attorney suggested under closed session. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

Motion by Williams, second by T. Woods to enter into closed session at 7:12 PM pursuant to Iowa Code 21.5 (1) (j) – to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

Motion by Erickson, second by Coffin to come out of closed session at 7:34 PM. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None. There was no action taken by the council after the closed session.

Motion by R. Woods, second by Coffin to adjourn at 7:35 PM. Roll call vote- Ayes: Coffin, T. Woods, Erickson, R. Woods, and Williams. Nays: None.

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Bill Cowell, Mayor

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Brittany Fuller, City Clerk