

## REGULAR MEETING

The Fairbank City Council met in regular session on Monday, September 12, 2022. Mayor Pro Tem R. Woods called the meeting to order at 6:00 PM with the Pledge of Allegiance. Members present: R. Woods, Williams, Erickson, T. Woods, and Coffin. Absent: None. Also, present at City Hall: Ben Delagardelle, Public Works; Nick Kuker, Public Works; Michelle Laube, Deputy Clerk; and Brittany Fuller, City Clerk.

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

There were no comments during the public comment section. Mayor Pro Tem R. Woods thanked everyone for attending.

Motion by Erickson, second by T. Woods to approve the minutes of the August 22<sup>nd</sup> Regular Meeting. Roll call vote- Ayes: Erickson, T. Woods, Coffin, Williams, and R. Woods. Nays: None.

Motion by Erickson, second by Coffin to approve the Treasurer's Report. Roll call vote- Ayes: Erickson, Coffin, T. Woods, Williams, and R. Woods. Nays: None. Receipts for the month of August were: General, \$5,819.57; Special Revenue, \$22,353.40; Capital Projects, \$84,752.77, Permanent Funds, \$14.35; Proprietary, \$171,581.75; and Transfers In, \$212,469.63. Disbursements for the month of August were: General, \$73,231.15; Special Revenue, \$5,376.28; Proprietary, \$193,035.42; Capital Projects, \$52,338.50; and Transfers Out, \$212,469.63. Balance on hand at close of business on August 31, 2022, was \$4,922,878.60.

The FY22 City Street Finance Report was presented to the council. It is required that all cities submit the report to the DOT by December 1<sup>st</sup> of each year. Motion by Williams, second by Coffin to acknowledge the presentation of the documents for the city's FY22 City Street Finance Report. Roll call vote- Ayes: Williams, Coffin, T. Woods, Erickson, and R. Woods. Nays: None.

Discussion was held on an agreement with Buchanan County regarding V62 work. The County is redoing their portion of V62 South of town and have offered to bring the project North into town until the intersection of Fairbank Street at a 50/50 split with them. The project is estimated to total around \$300,000.00 with the City's share being half of that. Motion by R. Woods, second by T. Woods to approve the agreement with Buchanan County on the work to be done on V62. This project will be done next year. Roll call vote- Ayes: R. Woods, T. Woods, Coffin, Erickson, and Williams. Nays: None.

The Buchanan County Board of Supervisors voted on June 20<sup>th</sup> to give a tower owned by them to the City of Fairbank. E911 Director Chris Hare explained that the tower was decommissioned and was no longer needed by them. The tower site lease agreement that both parties entered in April of 2012 was terminated by the county. Motion by Williams, second by Coffin to terminate the lease agreement from 2012 and accept the tower from Buchanan County. Roll call vote- Ayes: Williams, Coffin, T. Woods, Erickson, and R. Woods. Nays: None.

At the last meeting it was discussed during the department reports that the DNR was in town on a citizen complaint about the City's burn pile and air quality. They issued a letter of non-compliance stating that the City has 60 days to find an alternative to burning at that location. Hauling away or grinding and then hauling away are about the only options for the city to be able to keep a yard waste area. Both those options come with hefty costs. Possibly adding a charge to the utility bills was discussed. For now, the council stated to draft a letter for approval at the next meeting that will be sent to DNR explaining that as of November 1, 2022, the yard waste site will be closed to anything except grass clippings and leaves. Compost would still be accepted but not trees and burnable debris since burning is prohibited and the costs are too high to haul away. The future of having a yard waste area for burnable items will be discussed at the next meeting.

Two estimates were received to change the city's tractor front PTO from 540 to 1000 RPM to accommodate the snow blower. One was from Bodensteiner for \$9,500.00 and one from Titan Machinery for \$9,510 plus additional costs for transportation if needed. The council had this in the budget and wanted to get it purchased before this upcoming winter season. Motion by Coffin, second by T. Woods to purchase the pto gearbox and controller from Bodensteiner Implement Co. Roll call vote- Ayes: Coffin, T. Woods, Erickson, Williams, and R. Woods. Nays: None.

After the last meeting, Councilman R. Woods went to the Ball Diamond Park to look at the shed and see about adding a bigger opening for a roll up door for the four-wheeler. He stated that he does believe that the roll up door would work great. The exact door size would be determined once the opening was made. The quote for a 48" wide steel roll up door was \$1,447.50 and for a 6' door was \$1,652.50. Motion by Williams, second by T. Woods to approve Woods Construction to put the roll up door in the shed at the Ball Diamond Park and to put the

biggest size allowable in. Roll call vote- Ayes: Williams, T. Woods, Coffin, and Erickson. Abstain: R. Woods. Nays: None.

City Clerk Brittany Fuller, Deputy Clerk Michelle Laube, and Councilwoman Erickson were all able to register for the Iowa League of Cities Annual Conference and Exhibit being held in Waterloo at the end of September. City Hall will have limited open hours during the days of September 28<sup>th</sup>, 29<sup>th</sup>, and 30<sup>th</sup> to allow for this training.

Writing an ordinance and adding it to the City's code book has been discussed at the last few meetings regarding allowing chickens within the city limits. After learning the Council's stipulations, an ordinance was drafted and presented to the council. Motion by Coffin, second by Erickson to approve the wording in the draft ordinance allowing chickens within city limits. Roll call vote- Ayes: Coffin, Erickson, T. Woods, Williams, and R. Woods. Nays: None. This was just the first step in the process to getting it passed and adopted. The drafted chicken ordinance will be sent in to have it included in the final code update passing procedures.

The council discussed adding an ordinance about the demolition of a building. They were given surrounding towns samples and were requested to review for the next meeting.

A draft copy of the City of Fairbank's updated Code of Ordinances was reviewed by the council. There was a section that needed deleted about the city having a permitting process for UTV's otherwise everything else looked good. Just waiting on the building demolition information and getting them the new chicken ordinance then the steps needed to finalize and adopt the updated code of ordinances will be done.

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

ABIGAIL JONES, UTILITY DEPOSIT REFUND	\$ 200.00
AMG TECHNOLOGY INVEST GRP, UTILITY DEPOSIT REFUND	\$ 200.00
AMY VAN BROCKLIN, SWIM LESSON REFUND	\$ 35.00
APPARATUS TESTING SERV, LLC., ANNUAL TESTING	\$ 620.00
ARNOLD MOTOR SUPPLY, SUPPLIES	\$ 62.79
BEN DELAGARDELLE, CELL PHONE REIMBURSEMENT	\$ 75.00
BENNY RUEHS, SERVICES	\$ 75.00
BLACK HAWK WASTE DISPOSAL, SERVICES	\$ 5,817.90
BODENSTEINER IMPLEMENT CO., SUPPLIES	\$ 329.88
BRIAN DELAGARDELLE, CLOTHING ALLOWANCE/CELL PHONE REIMBURSEMENT	\$ 380.43
BUCHANAN CO CLERK OF COURT, COURT FEES	\$ 95.00
BUCHANAN COUNTY SHERIFF, SERVICES	\$ 700.00
BUTLER COUNTY REC, ELECTRIC	\$ 71,983.25
BUTLER COUNTY REC, SERVICES	\$ 3,008.00
CASEY'S GENERAL STORE, GAS	\$ 603.77
CHRISTOPHERSON & SONS, SUPPLIES	\$ 91.11
CITY OF FAIRBANK, ELECTRIC & GAS	\$ 6,448.15
CITY OF FAIRBANK, REPLENISH POSTAGE FUND	\$ 22.24
CITY OF FAIRBANK, UTILITY DEPOSITS APPLIED	\$ 600.00
CLAYTON ENERGY CORPORATION, NATURAL GAS	\$ 5,203.90
CLAYTON ENERGY CORPORATION, RESERVATION	\$ 4,321.57
CORN BELT POWER COOPERATION, SERVICES	\$ 1,071.25
D & D TIRE INC., TIRES	\$ 4,030.00
D & S PORTABLES, INC., RENTALS	\$ 380.00
DAKOTA DRISH, MILEAGE/SUPPLIES REIMBURSEMENT	\$ 275.78
DAVIS LAWN SERVICE, SERVICES	\$ 953.00
ELIZABETH MATTHIAS, SWIM LESSON REFUND	\$ 35.00
FAIRBANK FOOD CENTER, SUPPLIES	\$ 15.65
FAIRBANK POSTMASTER, BOX RENT	\$ 148.00
FAIRBANK POSTMASTER, UTILITY BILLS POSTAGE SEPT 2022	\$ 171.60
FARM WIN CO-OP, DIESEL	\$ 1,070.00
FAYETTE CO EMERGENCY MANAGEMENT, EMA DUES	\$ 504.86
GRAINGER, INC., SUPPLIES	\$ 371.41

IMAGE TREND,INC., ANNUAL LICENSE	\$ 400.00
IOWA CODIFICATION, INC., CODIFICATION DRAFT	\$ 1,500.00
IOWA LAW ENFORCEMENT ACADEMY, TRAINING	\$ 180.00
IOWA LEAGUE OF CITIES, DUES	\$ 948.00
IOWA ONE CALL, LOCATES	\$ 67.50
IOWA REGIONAL UTILITIES ASSOC., WATER	\$ 8,514.00
IOWA STATE UNIVERSITY, M. LAUBE TRAINING	\$ 224.00
IOWA UTILITIES BOARD, INSPECTION	\$ 1,026.84
IPERS, BENEFITS	\$ 5,049.12
JENNIFER KEMPS, POOL PASS REIMBURSEMENT	\$ 25.00
JETCO, INC., EQUIPMENT	\$ 7,189.45
JOHN DEERE FINANCIAL, SUPPLIES	\$ 58.29
KATIE NEIL, UTILITY DEPOSIT REFUND	\$ 200.00
KENNETH KLEITSCH, UTILITY DEPOSIT REFUND	\$ 200.00
LAW ENFORCEMENT SYSTEMS, INC., SUPPLIES	\$ 226.00
LITTLE WAPSIE COMMUNICATIONS, STATIC IP ADDRESSES	\$ 20.00
MANATT'S, SUPPLIES	\$ 216.00
MEDIACOM, PHONE LINE	\$ 104.00
MERCYONE WATERLOO MEDICAL CENTER, DRUG TESTING	\$ 24.00
MICHAEL GRUETZMACHER, 2022 REC DIRECTOR FEES	\$ 750.00
MICROBAC LABORATORIES, INC., TESTING	\$ 712.00
MODERN BUILDING PRODUCTS, SUPPLIES	\$ 2,813.60
NE SECURITY BANK, ACH SERVICE CHARGE	\$ 10.00
NE SECURITY BANK, PAYROLL PROCESSING FEE 8/1/2022	\$ 10.00
NE SECURITY BANK, PAYROLL PROCESSING FEE 8/15/2022	\$ 9.40
NE SECURITY BANK, RETURNED CHECK FEE	\$ 4.00
NICK CURLEY, 2022 REC DIRECTOR FEES	\$ 750.00
NICK KUKER, CLOTHING ALLOWANCE/CELL PHONE REIMBURSEMENT	\$ 320.00
NSB/HSA - H S A CONTRIBUTIONS	\$ 500.00
NSB/HSA- PAYROLL DEDUCTIONS	\$ 270.00
OAK TREE PROPERTIES, UTILITY DEPOSIT REFUND	\$ 200.00
OELWEIN PUBLISHING, PUBLISHINGS	\$ 175.00
ONMEDIA, COMMERCIAL	\$ 360.00
PRATT'S PEST CONTROL, MONTHLY PEST CONTROL	\$ 95.00
PREMIER TECHNOLOGY, SERVICES	\$ 193.75
QUICK MED CLAIMS, BILLING SERVICES	\$ 244.75
RANDY'S LAWN CARE & SNOW, SERVICES	\$ 4,375.00
RAYMOND BUTTERS & BRENDA FLORES, UTILITY DEPOSIT REFUND	\$ 200.00
READLYN AREA YOUTH, UMPIRE REIMBURSEMENT	\$ 300.00
ROBERTS, STEVENS,PRENDERGAST, ATTORNEY FEES	\$ 1,462.50
ROXANNE WENNER, SERVICES	\$ 120.00
SAM'S CLUB MC/SYNCB, CONCESSIONS	\$ 28.65
SANDRY FIRE SUPPLY, SUPPLIES	\$ 231.00
SHELBE WASON/BRADLEY BURNELL, SWIM LESSON REIMBURSEMENT	\$ 20.00
SHIELD TECHNOLOGY CORP., SOFTWARE	\$ 450.00
STETSON BUILDING PRODUCTS, LLC, SUPPLIES	\$ 150.41
SUBSURFACE SOLUTIONS, SUBSCRIPTION	\$ 721.13
SUPERIOR WELDING SUPPLY CO.	\$ 30.61
SYNCB/AMAZON, SUPPLIES	\$ 101.11
TAMI MILLER, SWIM LESSON REFUND	\$ 35.00
TEAM LABORATORY CHEMICAL CORP., SUPPLIES	\$ 668.50
TREASURER STATE OF IOWA, AUG. WT EXCISE TAX	\$ 1,136.88
TREASURER-STATE OF IOWA, AUG. SALES TAX	\$ 2,427.27

U. S. TREASURY, 941 TAXES	\$ 9,134.96
U.S. BANK, AUG PEFA GAS	\$ 1,842.24
U.S. BANK, JULY PEFA GAS	\$ 1,842.24
UNITYPOINT CLINIC-OCCUPATIONAL, DRUG TESTING	\$ 42.00
URBAN SERVICES, SERVICES	\$ 450.00
USA BLUEBOOK, SUPPLIES	\$ 86.76
UTILITY EQUIPMENT CO., SUPPLIES	\$ 474.88
VANESSA PORTER, SWIM LESSON REIMBURSEMENT	\$ 20.00
VERBELE BATES, UTILITY DEPOSIT REFUND	\$ 200.00
VERIZON WIRELESS, CELL PHONES	\$ 169.19
VISA, AVAYA PHONE SYSTEM	\$ 317.17
VISA, CONFERENCE	\$ 660.00
VISA, MICROSFOT EMAIL ACCOUNTS	\$ 110.50
VISA, N. KUKER TRAINING	\$ 925.00
VISA, SHIPPING	\$ 21.32
WEBSITES TO IMPRESS, INC., SERVICES	\$ 150.00
WELLMARK, SEPTEMBER PREMIUM	\$ 2,665.54
WESCO RECEIVABLES CORP., EQUIPMENT	\$ 1,493.78
WILNAT, INC., EQUIPMENT	\$ 700.79
WINDSTREAM ENTERPRISE, GAS ALARM	\$ 68.10
The Library Board Approved the Following Bills on September 7, 2022:	
SYNCB/AMAZON, SUPPLIES	\$ 64.54
BAKER & TAYLOR INC., BOOKS	\$ 757.69
CITY OF FAIRBANK, ELECTRIC & GAS	\$ 145.42
NE SECURITY BANK, PAYROLL PROCESSING FEE 8/15/2022	\$ 0.60
PRATT'S PEST CONTROL, MONTHLY PEST CONTROL	\$ 45.00
VISA, AVAYA PHONE SYSTEM	\$ 40.53
VISA, MICROSFOT EMAIL ACCOUNTS	\$ 12.50
ROXANNE WENNER, SERVICES	\$ 160.00

Discussion on the resolution needing passed to fill the Mayoral vacancy took place. Councilman R. Woods stated that nobody wanted to have to be in this position with the loss of Mayor Harter but that it was decided at the last meeting to make an appointment for the vacancy. Holding a special election would delay the process and that the term was just needing filled until January 1, 2024, which is only a year away. He stated that there were four interested parties: Jason Kayser, himself, Ron Miller, and Bill Cowell. The council felt grateful that they had so many interested parties and were appreciative of all the candidates as the mayor position is not an easy task. Ron Woods, Jason Kayser, and Bill Cowell all spoke. Ron Miller was not present. Councilman Coffin asked what the council thought was a more important skill to possess: Mayor experience or Council experience. Bill Cowell held the mayor seat and Jason Kayser was on the council in the past. Councilwoman Erickson stated that she appreciated Ron Woods putting his name in but stated she liked the council as it stood that day and would like to see him continue serving with the council and not as Mayor and Councilman Williams agreed. Councilman R. Woods explained that he thought the mayor experience was more important than council experience and Councilman T. Woods agreed. T. Woods explained that he was impressed with Bill Cowell's experience. Motion by T. Woods, second by R. Woods to appoint Bill Cowell and to **Approve Resolution – 2022-28 – Resolution Making an Appointment to Fill Mayoral Vacancy**. Roll call vote- Ayes: T. Woods, R. Woods, Williams, Erickson, and Coffin. Nays: None.

Motion by Coffin, second by Williams to adjourn at 7:19 PM. Roll call vote- Ayes: Coffin, Williams, T. Woods, Erickson, and R. Woods. Nays: None.

---

Ron Woods, Mayor Pro-Tem

---

Brittany Fuller, City Clerk