

## REGULAR MEETING

The Fairbank City Council met in Regular session on Monday April 26, 2021. Mayor Harter called the meeting to order at 6:00 PM with the Pledge of Allegiance. Members present: R. Woods, Vorwald, T. Woods, and Erickson. Absent: Williams. Also, present at City Hall: Heather Prendergast, Attorney; Brian Delagardelle, Wastewater Operator; Dave Jergens, Public Works; Mike Everding, Part-Time Police Chief; Brittany Fuller, City Clerk; and Michelle Laube, Deputy Clerk.

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

There were no public comments.

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

Councilman Williams arrived at 6:01 PM.

Motion by Erickson, second by T. Woods to open the public hearing for the disposal of city owned property located at 405 Grove Street. Roll call vote- Ayes: Williams, R. Woods, Vorwald, T. Woods, and Erickson. Nays: None. There were no public comments received orally or in writing. Motion by T. Woods, second by Erickson to close the public hearing. Roll call vote- Ayes: Vorwald, R. Woods, Williams, Erickson, and T. Woods. Nays: None.

Motion by Erickson, second by T. Woods to approve **Resolution 2021-11 – Resolution of the City Council of the City of Fairbank, Iowa, Disposing of City Owned Property Legally Described Herein, Fairbank, Iowa**. The purchase agreement and offer received from the Fairbank Development Corporation was agreed upon and approved by the Council. The City Council of Fairbank disposes and sells the property at 405 Grove Street to the Fairbank Development Corporation for \$25,000 and pursuant to the terms contained in the purchase agreement. Roll call vote- Ayes: Vorwald, T. Woods, and Erickson. Nays: None. Abstain: Williams and R. Woods.

Hollie Hare was present to introduce herself and to discuss with the Council her plans to work with the Buchanan County Emergency Management and the city of Fairbank to update the city's Mitigation Plan. Hollie will work with the office staff to schedule a time for a meeting to work on the information needed for the update. In the past INRCOG had been utilized but she is taking on the project for Buchanan County to save them money.

The city of Fairbank received a community acknowledgment form from Kyle Helland with Helland Engineering. The form is part of a conditional permit request to bring fill into a floodplain area in town. After reviewing the form, and in consultation with the city engineer, Jon Biederman, attorney Prendergast recommended to the council that the form not be executed because the current application permit does not comply with the city's floodplain ordinance. Additionally, attorney Prendergast indicated that the DNR had communicated to Jon Biederman that the permitting through the DNR first was the preferable process versus obtaining a conditional permit before the DNR permit was granted. Attorney Prendergast indicated to the applicant that they could continue with their process with the DNR and then return to council with more information following the DNR's evaluation of the floodplain fill permit. Kyle Helland indicated that his intention with the form was to try and submit both to the DNR and FEMA at the same time in order to save time. Kyle Helland indicated that he was attempting to expedite the process by having this form done now. Action on the community acknowledgment form failed for lack of a motion.

Jon Biederman presented the council with some preliminary opinions for water main replacements in town. Along with the estimated project costs presented at the last meeting for the West Main Street section, Jon provided another one for a section of Grove Street between First Street and Second Street. The estimated project cost for that section was \$83,316. Motion by Vorwald, second by Erickson to approve Jon Biederman with Fehr Graham to submit the following projects to bid; the base project for West Main Street and the project for Grove Street with the two alternate projects for West Main Street listed as alternates. Roll call vote- Ayes: R. Woods, Williams, T. Woods, Erickson, and Vorwald. Nays: None.

Jon Biederman gave an update on the meeting he attended with the IA DOT on April 20<sup>th</sup> about the future Main Street project. He explained that he thought the meeting went well and that the project is still on for 2023. The project will consist of three divisions: ADA (Americans with Disabilities Act), IA DOT, and the city. The IA DOT is planning on replacing the center 28' of East Main Street and continue on with a section of Fourth Street to Grove Street. They will also be doing a new surface on the remainder of Hwy 281 in town from Fairbank Street to the bridge. All sidewalks within the IA Hwy 281 will be replaced and upgraded to current ADA accessibility standards. The sidewalks will be 100% funded by the ADA due to funds set aside to be used to help towns with less than 5,000

in population. The city is also possibly planning on street reconstruction in the sections off Main Street along the side streets of First Street, Second Street, Third Street, Fourth Street, and a section of East Main Street. There will also be costs involved with water distribution, sanitary sewer, and storm sewer. The entire project will require good coordination with all parties involved. Jon will keep the council informed with any updates and is working on providing a first draft of anticipated cost shares for the areas to be reconstructed soon. The IA DOT plans to go to bid letting with the plans in December 2022.

The ADA questioned the need to replace two sections of sidewalks in town during the Main Street project meeting on April 20<sup>th</sup>. The two sections run just east of the intersection of Grove and Fourth Street along Grove Street. They are not used and overgrown with vegetation. Including them in the project would not benefit the city and could cause issues down the road if they were ever connected to. ADA requested that the city draft a letter to them stating that those did not need to be in the scope of work for the sidewalk project. Motion by Vorwald, second by Williams to approve **Resolution 2021-12 – Resolution Rejecting the Replacement of Sidewalks with an ADA Grant, for Only Two Sections of Sidewalks not Used in Fairbank, Iowa**. Roll call vote- Ayes: Erickson, T. Woods, R. Woods, Williams, and Vorwald. Nay: None.

The state of Iowa has a statewide offset program for collection of funds. Section 8A.504 of the Code of Iowa provides for the offset of payments made by State of Iowa agencies to satisfy liabilities owed to Iowa government agencies. The Director of the Department of Administrative Services (DAS) is given the authority with other government agencies to participate in the program. All agencies participating in the Offset Program must sign a “Memorandum of Understanding” and provide DAS with a liability file. Motion by Williams, second by T. Woods to approve **Resolution 2021-08 – Approving a Memorandum of Understanding between the Iowa Department of Administrative Services, State Accounting Enterprise, and the City of Fairbank, Iowa for Participation in the Income Offset Program**. Roll call vote- Ayes: R. Woods, Vorwald, Erickson, T. Woods, and Williams. Nays: None.

City health insurance coverage options were discussed to help with the finalizing of the updated personnel manual. Motion by T. Woods, second by R. Woods to terminate the option of family health insurance coverage for the city employees. Roll call vote- Ayes: Vorwald, Erickson, Williams, R. Woods, and T. Woods. Nays: None.

Discussion on the personnel manual continued. The latest changes will be updated and should be ready for approval on the May 10<sup>th</sup> meeting. Motion by Williams, second by Erickson to table the passing of the personnel manual until the next meeting after the updates are made. Roll call vote- Ayes: R. Woods, Vorwald, T. Woods, Erickson, and Williams. Nays: None.

Motion by Vorwald, second by R. Woods to approve **Resolution 2021-09 – Resolution Hiring Public Works Director effective June 1, 2021**. Dave Jergens was hired at a pay rate of \$85,000 salary per year with no pay for overtime, salary is reflective of not taking health insurance benefits. Roll call vote- Ayes: T. Woods, Erickson, Williams, R. Woods, and Vorwald. Nays: None. Mayor Harter hired him effective immediately as Interim Public Works Director.

The council was presented with images of an option for striping for the police vehicle. Ben Delagardelle would design and apply the reflective vinyl and the quote of \$918 was for the two sides and rear gate. Motion by R. Woods, second by Williams to approve the image with the larger “City of Fairbank” text. Roll call vote- Ayes: Vorwald, T. Woods, Erickson, Williams, and R. Woods. Nays: None.

A new resident in town was inquiring about gravel being applied to an alley in their back yard between North Fourth Street and North Fifth Street. The homeowners along the alley will be contacted and more information will be obtained in order to make a decision. Motion by Vorwald, second by Erickson to table until more information is retrieved. Roll call vote- Ayes: R. Woods, Williams, T. Woods, Erickson, and Vorwald. Nays: None.

The elementary spring concert is scheduled for the same time as the next regular council meeting. Motion by Williams, second by Erickson to approve the next regular council meeting for May 10<sup>th</sup> at 4:00 PM instead of 6:00 PM to give office staff and council the ability to attend the spring concert. Roll call vote- Ayes: R. Woods, Vorwald, T. Woods, Erickson, and Williams. Nays: None.

The current budget year is ending June 30, 2021 and there are some changes needing to be amended to the numbers passed and approved in the spring of 2020. Motion by Williams, second by Erickson to approve **Resolution 2021-10 – Resolution Setting Time and Place for a Public Hearing for an Amendment of FY2020-2021 City Budget**. The public hearing will be on May 10 at 4:00 PM at City Hall, 116 East Main Street, Fairbank, IA. Roll call vote- Ayes: R. Woods, Vorwald, T. Woods, Erickson, and Williams. Nays: None.

The playground equipment bought last year for West Bentley Park with the help of the Fun For Everyone committee is here and ready to be installed. Now that it is nicer weather, Councilwoman Erickson said she would make some calls and try and get a plan in place for some volunteers. They will get a date set then let the community know about it.

Motion by Vorwald, second by T. Woods to adjourn at 7:21 PM. Roll call vote- Ayes: R. Woods, Williams, Erickson, T. Woods, and Vorwald. Nays: None.

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Mike Harter, Mayor

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Brittany Fuller, City Clerk