

REGULAR MEETING

The Fairbank City Council met in regular session on Monday, August 10, 2015. Mayor Cowell called the meeting to order at 6:00 P.M. with the Pledge of Allegiance. Members present: Vorwald, Robinson, Mangrich, Erickson and Woods. Also present: Heather Prendergast, City Attorney; Dave Ryan, Public Works Director; Justin Sullivan, Assistant Police Chief; and Brittany Annis, Acting City Clerk.

Motion by Woods, second by Mangrich to amend the agenda to include REAP Grant Discussion. Roll call vote – Ayes: Woods, Mangrich, Robinson, Erickson and Vorwald. Nays: None.

Motion by Erickson, second by Vorwald to approve the amended agenda. Roll call vote – Ayes: Erickson, Vorwald, Robinson, Mangrich and Woods. Nays: None.

Motion by Mangrich, second by Erickson to approve the minutes of the July 27th regular meeting and the August 3rd special meeting. Roll call vote – Ayes: Mangrich, Erickson, Woods, Vorwald and Robinson. Nays: None.

Mayor Cowell began the public comment session on the proposed wind turbines proximity to our City limits saying that it would be limited to 30 minutes total. Everyone that spoke needed to give their name and each person would have a chance to speak but could not repeat a previous addressed topic. Our Attorney, Heather Prendergast, spoke up after silence and said again this is a public comment session so you are free to give us feedback on the proximity of wind turbines to our City limits. Mayor Cowell explained the meaning of our proposed 28E Agreement with Fayette county. This agreement is only an agreement that if passed requires that county to contact us in case somebody were to want to put up anything within a 2 mile radius of our City limits. He advised the council to amend a previously passed resolution from stating that the City of Fairbank is not in favor of wind turbines “proximity” with the city limits to the City of Fairbank does not support construction of wind turbines within 2 miles of it’s city limits. Jerry Vandaele asked the council if they were writing up a new resolution and they answered no just hoping to approve amending our already passed resolution. Landon Kane asked if we were going to make 28E agreements with other counties. Mayor Cowell answered yes but we are waiting to hear back from Fayette County first.

Motion by Robinson, second by Mangrich to amend Resolution 2015-14: A RESOLUTION REGARDING THE CITY OF FAIRBANK’S NON-SUPPORT OF WIND TURBINES NEAR FAIRBANK. It will now state that the City of Fairbank does not support the construction of wind turbines within the two miles of its City limits. Roll call vote – Ayes: Robinson, Mangrich, Erickson, Woods and Vorwald. Nays: None.

Motion by Mangrich, second by Vorwald to not sign the letter from Optimum Renewables LLC stating that the city would not oppose any turbines which are more than 1.5 miles from the city limits of Fairbank. Roll call vote – Ayes: Mangrich, Vorwald, Robinson, Erickson and Woods. Nays: None

Russ Myers wanted to know why the City would amend a resolution and the council stated that they should be consistent and that changing the word from proximity to 2 miles makes it more uniform with our 28E agreements that we are trying to get. Sue Frost wanted to know if Optimum Renewables changes the location again how would they handle the utilities and the easements needed from the city. Steve, a representative from Optimum Renewables LLC, explained that right now they were trying to work with the railroad or a state highway that would let them use the land that they own to run utilities. Randy Robinson asked if we could document how many people were in attendance for this meeting. There were 33 people.

Adam Kerns was present with an insurance update. He left Two Rivers at the end of July and wants us to keep him as our agent but sign letters approving the switch to Ruhl & Ruhl Insurance, a division of HUB International Midwest Limited. Motion by Robinson, second by Erickson to approve Adam Kerns with Ruhl & Ruhl as our insurance agent. Roll call vote – Ayes: Robinson, Erickson, Woods, Vorwald and Mangrich. Nays: None.

Lori Beierschmitt was present wanting to know if the council meeting agendas could also be posted to our webpage. Motion by Vorwald, second by Mangrich to approve posting agendas to our webpage. You can find these on the following link: <http://www.fairbank-ia.org/city-council.php>. Roll call vote – Ayes: Vorwald, Mangrich, Erickson, Woods and Robinson. Nays: None.

Ken Little was present stated that a previously addressed agenda item, Clean Up Lot at 502 Cedar Drive, from the meeting on June 22, 2015 had not been addressed yet. The land owners were present and stated that they were not addressed of this issue after it was brought up at the council meeting. It was also brought to the attention of the council that there had not been a certain time limit set on the clean-up. The council and Ken Little agreed that the brush, weeds and all that needs to be cleaned up could either be hauled away or burned. Motion by Mangrich, second by Robinson to give the land owners 60 days to clean-up their lot and to send a letter to them

stating what all needed to be done. Roll call vote – Ayes: Mangrich, Robinson, Vorwald, Woods and Erickson. Nays: None.

Ken Little was also present to discuss a concern he has with the Fairbank Police Department. He said that he believed our Acting Police Chief, Justin Sullivan, was communicating information to others about a case involving his minor child. Attorney Heather Prendergast was presented a letter and she is going to look into the matter and see if it needs further discussion at a future council meeting or a closed session.

Motion by Robinson, second by Mangrich to approve Brittany Annis as Deputy Clerk. Roll call vote – Ayes: Robinson, Mangrich, Erickson, Woods and Vorwald. Nays: None.

Motion by Mangrich, second by Erickson to approve John Danos with Dorsey and Whitney LLP as legal counsel for the City of Fairbank’s 2015 Urban Renewal/Development Project. Roll call vote – Mangrich, Erickson, Woods, Vorwald and Robinson. Nays: None.

Dave Ryan discussed utilities at the East Knollridge addition. He contacted somebody at Butler County REC and is waiting to hear back from them on timing and cost. He thought he would have something to give the council at the next council meeting.

Mayor Cowell gave another update on the REAP Grant that the City applied for. The submission was approved and will be voted on in September. If awarded the money, we are planning on creating a kayak launch in West Bentley Park, a new shelter, and a sidewalk leading up to the island walking bridge. Total cost of project would be \$63,000.

Motion by Woods, second by Robinson to approve bills as presented. Roll call vote – Ayes: Woods, Robinson, Vorwald, Erickson and Mangrich. Nays: None.

The American Bottling Company, Concessions.....	321.60
Black Hawk Waste Disposal, Service	4816.80
Buchanan County Econom Devel, FY16 Dues	2410.15
Butler County REC, Electricity	62399.99
Casey’s General Store, Gas.....	782.91
CHIEF/Law Enforcement Supply, Supplies	1127.90
Christie Door, Maintenance	91.00
Corrpro, Cathodic Protection System	840.00
D & S Portables, Inc., Rental.....	150.00
Diamonds Body Shop, Inc., Truck Maintenance.....	2006.68
Don’s Truck Sales, Freight	312.25
Dunkerton Co-op, Diesel	71.86
Fairbank Food Center, Supplies	39.42
Farmers Win Coop, Supplies	51.95
Groebner, Supplies.....	463.51
Hawkins, Inc., Supplies	564.10
Iowa DNR, Exams/Annual Fees	400.50
INRCOG, FY16 Dues.....	523.11
Iowa One Call, Locates	27.00
Windstream, Service	697.45
John Deere Financial, Supplies.....	17.98
Keystone Laboratories, Testing.....	269.00
Kirkwood Community College, Classes	80.00
Marc, Supplies.....	1419.00
Martin Bros., Concessions.....	126.50
Modern Building Products, Supplies	804.47
Northeast Iowa Inspections, Annual Pool Inspections.....	418.00
Oelwein Publishing, Publications	160.74
Office of Vehicle Services, Inspections.....	130.00
TriTech Software Systems, Billing Service ^o	137.50
Pathways Behavioral Services, Contribution.....	400.00
Premier Technology LLC, Office Equipment.....	395.40
Roberts, Stevens, Prendergast & Guthrie, P.L.C., Legal Services	2038.99

Sandry Fire Supply, LLC, Supplies	167.41
Sam’s Club, Concessions	388.74
Staab Construction Corporation, Sewer.....	422291.76
Super City Dots, LLC, Concessions.....	477.60
Team Lab, Supplies.....	165.50
Terracon, Concrete Testing.....	492.00
Turf & Landscape, Labor	1580.00
Verizon, Cell Service	229.00
Krystal Henry, Lesson Refund.....	30.00
Tami Hill, Lesson Refund	30.00
Jessica Huntley, Lesson Refund.....	30.00
Juanita Heitter, Util Dep Refund	200.00
Jacob Grover, Util Dep Refund.....	200.00
Dan Doeing, Util Dep Refund	200.00
Nick Curley, Summer REC Director.....	1500.00
Justin Sullivan, Vehicle Maintenance	50.00
City of Fairbank, Utilities	191.44
City of Fairbank, Utilities	6238.65
Delta Dental, Premium.....	182.20
Wellmark, Premium	3490.88
Clayton Energy Corporation, Natural Gas	4829.35
Clayton Energy Corporation, Reservation	3766.53
Fairbank Postmaster, Postage.....	140.00
Treasurer State of Iowa, Sales Tax	3062.13
IPERS, Benefits	3866.57
US Treasury, 941 Taxes	5282.49
US Treasury, 941 Taxes	607.66
US Treasury, 941 Taxes	1971.01
The Library Board approved the following bills on August 5, 2015:	
Baker & Taylor, Books	712.03
Fairbank Public Library, Petty cash	44.71
Food Network, Subscription.....	34.97
Iowa Library Services, Subscription.....	80.65
Modern Building Products, Supplies	11.97
Rite Price Office Supply, Supplies.....	141.99

Motion by Robinson, second by Erickson to adjourn at 6:55 P.M. Roll call vote—Ayes: Robinson, Erickson, Woods, Vorwald, and Mangrich. Nays: None.

Bill Cowell, Mayor

Brittany Annis, Acting City Clerk

