

# **-Notice of Public Meeting-**

**Governmental Body: Elkhart City Council**

**Date of Meeting: April 17, 2023**

**Time/Place of Meeting: 6:00 PM - Elkhart Community Center-264 NW Garfield Ave**

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*NOTE: All public comments will generally be limited to a maximum of three (3) minutes per person and shall fall under Agenda Item 5: Citizen Hearing and Other Communications. Under Iowa law, the City Council is prohibited from discussing or taking any action on an item not appearing on its posted agenda. Any issue raised by public comment under the Citizen Hearing will be referred to staff for a decision on whether or not it should be placed on a future agenda. All comments from the public, Council, and Staff shall address the presiding officer, and upon recognition by the presiding officer, shall be confined to the question under debate.*

## **Business Meeting Agenda:**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of Agenda**
- 5. Citizen Hearing and Other Communications:**
  - a. Polk County Sheriff Report
  - b. Scott Drey-Fire Chief
  - c. Public Comments on items not on the Agenda- **3-minute limit**
- 6. Public Hearings**
  - a. Public Hearing for FY2024 Budget
  - b. Public Hearing for Well #4 Project
  - c. Public Hearing for Prairie Point Park
- 7. Reports of Elected Officials, City Staff and Standing Committees**
- 8. Consent Agenda:**
  - a. March Cash Report
  - b. March Treasurer's Report
  - c. March Budget Report
  - d. April Bills submitted
  - e. March Minutes of Council Meeting
  - f. Kippy's Alcohol Permit Renewal
  - g. Iowa Retail Permit for Cigarette/Tobacco/Nicotine/Vapor-Hab Enterprises LLP
- 9. Resolution of Approval** for increase to Pay/per call for Fire Department
- 10. Discussion and Possible Action** of Bid for Prairie Pointe Park Project subject to Engineer's Approval
- 11. Resolution of Approval** for Plans and Specs for Well #4 Project
- 12. Resolution of Approval** for Seeding around Prairie Pointe Park Ponds
- 13. Resolution of Approval** of Pay Request #5-Stormwater Project
- 14. Resolution of Approval** of Change Order #2-Stormwater Project
- 15. Set Public Hearing Date** for Water, Sewer and Stormwater Rate Increase for FY2024
- 16. Resolution of Approval** to Adopt the FY2024 Budget
- 17. Resolution of Approval** for Street Closings for Mean Machine event May 20<sup>th</sup>
- 18. Resolution of Approval** to ECBC for Street Closings-City Festival, June 24<sup>th</sup>
- 19. Resolution of Approval** for Road Maintenance Agreement with Polk County
- 20. Resolution of Approval** for Metropolitan Advisory Council Homeland Security Service Agreement 2023-2028, an extension of our 28E Agreement
- 21. Resolution of Approval** for 28E Agreement with Emergency Management Commission
- 22. Adjourn**

Date Posted: Thursday, April 13, 2023

City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm  
Community Center

Consent Agenda and Staff Reports

**Council Action:**

You will be asked to approve the consent agenda. The staff reports are for informational purposes only.

## General Report on Current Projects:

### 1) Major Ongoing City Projects

- **Water treatment project.** We approved the contract for the WTP project at the February Council meeting. Construction would start later in the spring and will last through May 2025. This project will be paid for by a low interest SRF loan and paid back by water revenue cash. We held the bid opening for the new well (Well #4) as part of this project on April 13<sup>th</sup>. The costs for the new well are already figured into the new rate increases as discussed in February.
- **Phase 1 of the storm water project.** This project is nearing completion. Construction has finished on the storm water pipe running under Elm Street as well as the Mandy / Elm intersection. All roadwork is now complete and opened to the public. All that remains is the final grading of the ponds which should be complete soon, depending on the weather. This project is being paid for by the 2022A GO Bond and grant funds.
- **Prairie Pointe Park expansion.** This project is part of the Phase 1 stormwater project. We now have over \$1 million in grants, donations and other non-tax dollars to be used on this and the stormwater Phase 1 project. We will be applying for Destination Iowa funds from the Iowa Department of Economic Development as well as Prairie Meadows Legacy grants. We will be setting the bid opening for the first phase of the park project for April 13<sup>th</sup> and the public hearing for that project at the April Council meeting. The first phase of the project will include the paved trails, walking bridge, trail lighting, landscaping and access road and parking lot. That portion of the project is fully funded and will likely be complete by the end of this year. The next phase of the park amenities will include a stage/amphitheater, public restrooms and shelter, fishing pier, toddler playground, and educational signage. That phase will be completed in FY2025 pending additional grant funding.
- **Lift Station #1 upgrades.** The lift station near the old lagoons will need a capacity upgrade after the 1<sup>st</sup> phase of Kimberley Woods is complete. Bill Kimberley will be installing a new lift station as well to meet the needs of the northern part of the development. The city needs to ensure the existing lift station has capacity for additional future growth of the community. This project is in our CIP and is being paid for by the 2022A GO bond. It will go out to bid later this spring and should start construction in the spring or summer of 2023.
- **NE Elm Street I&I sanitary sewer line grouting project.** You have awarded this project to Visu-Sewer for grouting the sanitary sewer line along Elm Street. That project should begin in March. We have discovered another point of infiltration into our sanitary sewer system – a manhole in the industrial park. We have it videoed and V&K recommends adding this repair to Visu-Sewer’s original contract. Fixing both of these points of infiltration will go a long way towards reducing stormwater impacts on our lift station. These two fixes will happen in the spring. This would be a budgeted expense in our FY23 Budget.
- In addition, MVP has finished televising the remaining sanitary sewer pipes in the Mid-Town area. Forrest at V&K has the flash drive and is currently reviewing the video for additional areas of infiltration.

### 2) Code enforcement update

- Last month's code violation notices are included in your council packet for your information. The violations listed are still outstanding. Overall, 335 properties have been sent notices so far - 306 have completely mitigated their violations (91.3% of the overall total which is up slightly from last month). Of the 29 notices not mitigated, that includes 13 new last month and several that have received extensions.

### 3) Planning and Zoning update

- The P&Z met in April to review the latest draft of the Main Street Plan. There were minor changes to the plan and we anticipate another month of review/revision by the P&Z and the council could see the plan by May.

### 4) Park Board update

- The Park Board met in April to discuss the Prairie Pointe Park project, discuss the annual donation letter and begin preparing for the new playground equipment for the West Side Park which is coming in July.

### 5) Number of building permits since last council meeting

- 13 new permits for this month (0 new construction or remodel; 6 fence; 0 shed, 1 deck; 1 basement finish; 0 demo; 0 sign; 0 driveway; 5 trade; 0 solar; 0 misc.)
- 27 total permits for 2023 (4 new construction or remodel; 6 fence; 0 shed, 1 deck; 4 basement finish; 0 demo; 1 sign; 0 driveway; 11 trade; 0 solar; 0 misc.)
- Total of 84 permits for 2022 (23 new construction or remodel, 2 basement finish, 25 fence, 4 shed, 3 deck, 15 trade, 0 demo, 2 sign, 4 driveway, 3 solar, 3 misc.)
- Total of 110 permits in 2021. 78 permits in 2020. 38 in 2019.

**Report on Additional Agenda Items that Require Action:**

**1) Hold three public hearings**

- The first hearing will be for the FY2024 budget. The proposed budget is included in your packet along with my summary. After the hearing, you will be asked to approve the budget. The draft budget is little changed from our workshop in January with Matt Stoffel.
- The second hearing is for the Well #4 project. This will be part of the overall Water Treatment Plant project. We held the bid opening on Thursday, April 13<sup>th</sup> and received zero bids. We are looking into why this happened and how to move forward. We can still hold the hearing without awarding the contract.
- The third hearing is for the Prairie Pointe Park project. We held the bid opening on Thursday, April 13<sup>th</sup> and received two bids. The apparent low bid was from Concrete Technologies. However, both bids were significantly over budget. We are looking into how to proceed. My recommendation would be to not accept the low bid and we can study what needs to be changed. We can still hold the hearing, however.
- You will also be asked, after the public hearings, to award a contract for seeding on the Prairie Pointe Park project. At the time of preparing this report, we have received one quote. If additional quotes come in prior to the meeting, they will be forwarded to you. This project is part of the overall Prairie Pointe Park project but was let separately for timing and to receive better pricing.

**2) Discussion and possible action on approving an increase to the pay/per call for fire department members**

- You have heard from Scott about his plan to entice additional members to the department. One idea was to increase to amount of pay per call for each member. Our FY24 budget includes a significant increase to the pay per call for members. However, Scott still has money left in his current budget for increasing this pay now, instead of waiting until July. He is requesting you consider increasing the pay per call from \$10 to \$20 per member.

**3) Discussion and possible action on approving the 5<sup>th</sup> pay request for the stormwater project**

- You will be asked to approve the 5<sup>th</sup> partial pay request for the contractor at \$86,523.40. The pay request has been approved by V&K and included in your packet. This project is being paid for by the 2022A GO Bond and grant funds.

**4) Discussion and possible action on approving Change Order #2 for the stormwater project**

- You will be asked to approve the 2<sup>nd</sup> change order request for the stormwater project. The change order was requested by the City to approve sod on residents yards that were impacted by the project instead of seeding. Total for this request is \$4,455.00. The change order request has been included in the packet.

**5) Set a public hearing for updating water, sewer and stormwater utility ordinances for May 15<sup>th</sup> at 6:00 pm**

- You will be asked to set a public hearing for the May council meeting to begin the approval process for the utility rate increase as proposed. The first readings for the ordinance changes will be in May as well. The ordinance changes have been included in your pack et for informational purposes only as the only action that will be taken in April will be to set the upcoming public hearings.

**6) Discussion and possible action on approving two street closures**

- There are two street closure requests that you will be asked to consider: 1) A Mean Machine event scheduled for Saturday, May 20<sup>th</sup> and 2) the Betterment Committee annual request for the City Festival on June 24<sup>th</sup>. Maps and details of both closures have been included in your packet.

**7) Discussion and possible action on approving new road maintenance agreement with Polk County**

- You will be asked to approve the new road maintenance agreement with Polk County. This agreement updates our existing agreement with the County since we passed the agreed upon population threshold to take over maintenance of 126<sup>th</sup> (Walnut) Street and 46<sup>th</sup> (Grant) Street through our city limits.
- Because we do not have the capability to snow plow these streets (to plow these roads, you would need a much larger dump truck than what we have as well as much larger plows), this agreement allows the County to continue to maintain/plow them.
- The agreement is based on a cost per mile amount and based on the county's three-year average, they are estimating it will cost the city approximately \$15,000/annually. This would be paid for by an increase in Road Use Taxes coming into the city due to our growing population and increase in the number of miles of roads under our responsibility.

**8) Discussion and possible action to approve joining the Metropolitan Advisory Council Homeland Security Services Agreement**

- You will be asked to consider joining the Metropolitan Advisory Council (MAC) Homeland Security Services Agreement to receive services including: chemical, biological, radiological tactical response team; bomb squad response and other services of this nature. The cost to Elkhart would be \$1,546.01 annually. I suspect if we don't join, we would still have the option to use these services but the cost per use would be substantially higher. The letter from MAC along with the 28E agreement have been included in your packet.

**9) Discussion and possible action to approve annual 28E Agreement with Polk County Emergency Management Commission**

- You will be asked to approve our annual 28E Agreement with the Polk County Emergency Management Commission. This agreement allows Elkhart to receive emergency management services. The total cost is \$441 annually. The 28E agreement has been included in your packet.

**BANK CASH REPORT**  
2023

BANK NAME FUND GL NAME	FEBRUARY CASH BALANCE	MARCH RECEIPTS	MARCH DISBURSMENTS	MARCH CASH BALANCE	OUTSTANDING TRANSACTIONS	MAR BANK BALANCE
COMM STATE BANK - OPERAT BK#1						
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BANK COMM STATE BANK - OPERAT BK#1						2,286,556.94
001 CHECKING - GENERAL	47,809.50	9,877.36	39,051.78	18,635.08	91,551.25	
002 CHECKING	50,926.62	0.00	0.00	50,926.62		
110 CHECKING - RUT	56,692.59	0.00	2,310.19	54,382.40	6,341.49	
111 CHECKING - I-JOBS	0.00	0.00	0.00	0.00		
112 CHECKING - EMPLOYEE BENEFITS	23,591.62	429.35	0.00	24,020.97		
119 CHECKING - EMERGENCY	5,365.64	98.48	0.00	5,464.12		
121 CHECKING - LOCAL OPTION	196,614.89	0.00	0.00	196,614.89		
125 CHECKING - TIF	658,886.79	2,854.76	0.00	661,741.55		
165 CHECKING - RESTRICTED CULTURE	0.00	0.00	0.00	0.00		
167 CHECKING - ELKHART MEMRL PARK	1,432.00	0.00	0.00	1,432.00		
200 CHECKING - DEBT SERVICE	26,619.22-	270.00	0.00	26,349.22-		
301 CHECKING - CAPITAL PROJECT	0.50	0.00	0.00	0.50		
302 CHECKING - URBAN RENEWAL	0.00	0.00	0.00	0.00		
306 CHECKING- SEWER LAGOON FACILIT	155,670.55-	0.00	0.00	155,670.55-		
307 CHECKIN - SEWER IND PARK	0.00	0.00	0.00	0.00		
308 CHECKING- WATER INDUSTR PARK	0.00	0.00	0.00	0.00		
309 CHECKING	0.00	0.00	0.00	0.00		
311 CHECKING-COMP PLAN	0.00	0.00	0.00	0.00		
312 CHECKING-MAIN STREET	120,013.72	0.00	0.00	120,013.72	2,839.00	
313 CHECKING-PRAIRIE POINT	411,693.08	0.00	25,932.37	385,760.71	25,932.37	
314 CHECKING-WA TREATMENT EXT	104,352.34-	0.00	18,143.96	122,496.30-	22,143.96	
315 CHECKING-MAINTENANCE SHOP	9,703.33	0.00	0.00	9,703.33		
316 CHECKING-STORM WATER	239,681.08	0.00	0.00	239,681.08		
317 CHECKING-LIFT STATION	395,581.01	0.00	0.00	395,581.01		
600 CHECKING - WATER	154,412.58	20,080.90	10,377.68	164,115.80	24,011.70	
601 CHECKING - WATER SINKING	3,450.00	0.00	0.00	3,450.00		
610 CHECKING - SEWER	109,599.38	19,722.60	10,029.31	119,292.67	24,931.61	
611 CHECKING-SRF-2020B	6,070.00-	0.00	0.00	6,070.00-		
612 CHECKING-NO LONGER USING-2018A	0.00	0.00	0.00	0.00		
613 CHECKING-SRB 2018B	0.00	0.00	0.00	0.00		
740 CHECKING - STORMWATER	67,858.44	3,164.96	652.95	70,370.45	1,557.09	
PENDING CREDIT-CARD DEPOSITS					1,324.18	
DEPOSITS					123,364.97	
WITHDRAWALS					961.98	
COMM STATE BANK - OPERAT TOTAL	2,260,600.66	56,498.41	106,498.24	2,210,600.83	75,581.30	2,286,182.13

WARNING - BANK TOTALS DO NOT EQUAL THE GENERAL LEDGER ACCOUNT TOTALS DIFFERENCE --> 374.81-

COMM STATE BANK - CAP PRJ BK#2

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BANK COMM STATE BANK - CAP PRJ BK#2						7,424.01
001 CHECKING - GEN BANK2 CAP PROJ	7,423.40	0.91	0.00	7,424.31		
DEPOSITS					0.30	
COMM STATE BANK - CAP PRJ BK#2	7,423.40	0.91	0.00	7,424.31	0.30-	7,424.01

**BANK CASH REPORT**  
2023

BANK FUND	BANK NAME	FEBRUARY CASH BALANCE	MARCH RECEIPTS	MARCH DISBURSMENTS	MARCH CASH BALANCE	OUTSTANDING TRANSACTIONS	MAR BANK BALANCE
COMM STATE BANK - LND EQP BK#3							
BANK 001	COMM STATE BANK - LND EQP BK#3 CHECKING - GEN BANK3 LAND/EQUP	15,238.75	4.66	0.00	15,243.41		15,243.41
	COMM STATE BANK - LND EQP BK#3	15,238.75	4.66	0.00	15,243.41	0.00	15,243.41
COMM STATE BANK - MEMPARK BK#4							
BANK 167	COMM STATE BANK - MEMPARK BK#4 CHECKING-ELK.MEMRL PARK BOARD	0.00	0.00	0.00	0.00		
	COMM STATE BANK - MEMPARK BK#4	0.00	0.00	0.00	0.00	0.00	0.00
COMMY ST BANK - CEMASSC BK#5							
BANK 168	COMMY ST BANK - CEMASSC BK#5 CHECKING-ELK.CEMETERY ASSOCIAT	1,193.12	0.00	0.00	1,193.12		1,285.12
	COMMY ST BANK - CEMASSC TOTALS	1,193.12	0.00	0.00	1,193.12	0.00	1,193.12
WARNING - BANK TOTALS DO NOT EQUAL THE GENERAL LEDGER ACCOUNT TOTALS						DIFFERENCE -->	92.00-
Bankers Trust DM BK#6							
BANK 169	Bankers Trust DM BK#6 CHECKING	0.00	0.00	0.00	0.00		
	Bankers Trust DM TOTALS	0.00	0.00	0.00	0.00	0.00	0.00
VERIDIAN CREDIT UNION BK#7							
BANK 169	VERIDIAN CREDIT UNION BK#7 CHECKING-ELK.COMMUNITY BETTERM	0.00	0.00	0.00	0.00		
	VERIDIAN CREDIT UNION TOTALS	0.00	0.00	0.00	0.00	0.00	0.00
COMM ST BK-FIRE RESTRICT BK#8							
BANK 166	COMM ST BK-FIRE RESTRICT BK#8 CHECKING	686.89-	0.00	0.00	686.89-		365,122.02
166	FIRE DEPT RESTRICTED CASH DEPOSITS	365,609.43	229.33	0.00	365,838.76	29.85	
	COMM ST BK-FIRE RESTRICT BK#8	364,922.54	229.33	0.00	365,151.87	29.85-	365,122.02
TOTAL OF ALL BANKS		2,649,378.47	56,733.31	106,498.24	2,599,613.54	75,551.15	2,675,164.69



**TREASURER'S REPORT**  
**CALENDAR 3/2023, FISCAL 9/2023**

ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	CHANGE IN LIABILITY	ENDING BALANCE
001 GENERAL	70,671.65	9,878.61	39,047.46	.00	41,502.80
002 ARPA	50,926.62	.00	.00	.00	50,926.62
110 ROAD USE TAX	56,692.59	.00	2,310.19	.00	54,382.40
111 I-JOBS	.00	.00	.00	.00	.00
112 EMPLOYEE BENEFITS	23,591.62	429.35	.00	.00	24,020.97
119 EMERGENCY FUND	5,365.64	98.48	.00	.00	5,464.12
121 LOCAL OPTION SALES TAX	196,614.89	.00	.00	.00	196,614.89
125 TAX INCREMENT FINANCING	658,886.79	2,854.76	.00	.00	661,741.55
165 RESTRICTED CULTURE & RE	.00	.00	.00	.00	.00
166 FIRE DEPT RESTRICTED	364,922.54	229.33	.00	.00	365,151.87
167 ELKHART MEMORIAL PARK F	1,432.00	.00	.00	.00	1,432.00
168 CEMETERY ASSOCIATION FU	1,193.12	.00	.00	.00	1,193.12
169 COMMUNITY BETTERMENT FU	.00	.00	.00	.00	.00
200 DEBT SERVICE	26,619.22-	270.00	.00	.00	26,349.22-
301 CAPITAL PROJECT FUND	.50	.00	.00	.00	.50
302 CAPITAL PROJ URBAN RENE	.00	.00	.00	.00	.00
306 SEWER LAGOON FACILITY	155,670.55-	.00	.00	.00	155,670.55-
307 SEWER INDUSTRIAL PARK	.00	.00	.00	.00	.00
308 WATER INDUSTRIAL PARK	.00	.00	.00	.00	.00
309 CHECKING-CAP IMPROVE PL	.00	.00	.00	.00	.00
311 CHECKING-COMP PLAN	.00	.00	.00	.00	.00
312 CHECKING-MAIN STREET	120,013.72	.00	.00	.00	120,013.72
313 PRAIRIE POINT PARK-2022	411,693.08	.00	25,932.37	.00	385,760.71
314 WA TRTMENT EXT-2022A	104,352.34-	.00	18,143.96	.00	122,496.30-
315 MAINTENANCE SHOP-2022A	9,703.33	.00	.00	.00	9,703.33
316 STORM WATER-PHASE1-2022	239,681.08	.00	.00	.00	239,681.08
317 LIFTSTATION PROJ-2022A	395,581.01	.00	.00	.00	395,581.01
600 WATER	154,412.58	18,836.15	9,132.93	.00	164,115.80
601 WATER SINKING	3,450.00	.00	.00	.00	3,450.00
610 SEWER	109,599.38	19,680.28	9,986.99	.00	119,292.67
611 SRF LOAN-2020B	6,070.00-	.00	.00	.00	6,070.00-
612 NO LONGER USING 2018A	.00	.00	.00	.00	.00
613 CHECKING-SRB 2018B	.00	.00	.00	.00	.00
740 STORM WATER	67,858.44	2,953.52	441.51	.00	70,370.45
Report Total	2,649,578.47	55,230.48	104,995.41	.00	2,599,813.54

**BUDGET WORKSHEET**  
**CALENDAR 3/2023, FISCAL 9/2023**

ACCOUNT NUMBER ACCOUNT TITLE	2 YRS AGO EXP	LYR EXPENSE	CURRENT BUDGET	EXPENDED YTD	NEW BUDGET
POLICE TOTAL	17,390.83	33,850.09	35,649.00	26,720.59	37,236.00
EMERGENCY MANAGEMEN	1,045.91	5,554.43	138,611.00	26,338.15	21,140.00
FIRE TOTAL	52,874.85	48,887.47	70,340.00	29,831.14	76,544.00
FIRE DEPT RESTRICTE	.00	.00	.00	.00	.00
AMBULANCE TOTAL	5,953.99	6,959.05	11,450.00	5,786.40	14,050.00
BUILDING INSPECTION	71,991.86	87,183.03	80,000.00	31,070.70	90,000.00
ANIMAL CONTROL TOTA	102.43	.00	.00	.00	.00
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PUBLIC SAFETY TOTAL	149,359.87	182,434.07	336,050.00	119,746.98	238,970.00
ROADS, BRIDGES, SID	119,537.99	84,067.73	117,540.00	38,739.29	141,818.00
STREET LIGHTING TOT	9,667.45	10,006.79	12,000.00	8,021.64	10,750.00
TRAFFIC CONTROL & SA	2,697.96	2,094.27	3,000.00	606.59	3,000.00
SNOW REMOVAL TOTAL	11,320.01	17,123.69	14,699.00	12,647.49	17,427.00
GARBAGE TOTAL	1,672.56	2,280.32	1,500.00	677.79	2,500.00
RECYCLING TOTAL	13,338.59	16,465.36	17,000.00	12,391.92	17,500.00
GARAGE OTHER PUB WO	31,506.12	48,859.14	95,376.00	39,848.59	145,122.00
STORM SEWER TOTAL	.00	.00	.00	.00	.00
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PUBLIC WORKS TOTAL	189,740.68	180,897.30	261,115.00	112,933.31	338,117.00
HEALTH REGULATION/I	.00	.00	.00	.00	.00
WATER,AIR,MOSQUITO	1,551.18	1,146.36	3,000.00	.00	.00
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HEALTH & SOCIAL SER	1,551.18	1,146.36	3,000.00	.00	.00
LIBRARY TOTAL	1,900.00	1,900.00	1,900.00	.00	1,900.00
PARKS TOTAL	87,983.91	33,512.49	36,443.00	34,577.29	107,453.00
RECREATION TOTAL	3,711.34	2,520.54	4,200.00	1,048.72	3,500.00
RAGBRAI TOTAL	.00	.00	.00	.00	.00
CEMETERY TOTAL	7,605.19	11,957.84	11,506.00	9,183.53	14,167.00
COMMUNITY CTR/ZOO/M	9,353.12	11,849.76	13,452.00	9,962.27	22,386.00
OTHER CULTURE/RECRE	.00	.00	.00	.00	.00
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CULTURE & RECREATIO	110,553.56	61,740.63	67,501.00	54,771.81	149,406.00
COMMUNITY BEAUFIFIC	2,188.15	.00	.00	.00	.00
PLANNING & ZONING T	129,503.62	46,150.18	30,500.00	30,397.81	35,500.00
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COMMUNITY & ECONOMI	131,691.77	46,150.18	30,500.00	30,397.81	35,500.00
MAYOR/COUNCIL/CITY	6,893.82	5,739.89	6,535.00	3,683.46	6,980.00
CLERK/TREASURER/ADM	69,388.52	59,958.07	73,055.00	45,746.79	86,038.00
ELECTIONS TOTAL	.00	436.51	500.00	1,920.75	500.00
LEGAL SERVICES/ATTO	882.14	920.00	1,500.00	739.66	1,500.00
CITY HALL/GENERAL B	66,734.30	76,205.74	112,852.00	98,070.04	150,781.00
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**BUDGET WORKSHEET**  
**CALENDAR 3/2023, FISCAL 9/2023**

ACCOUNT NUMBER ACCOUNT TITLE	2 YRS AGO EXP	LYR EXPENSE	CURRENT BUDGET	EXPENDED YTD	NEW BUDGET
GENERAL GOVERNMENT	143,898.78	143,260.21	194,442.00	150,160.70	245,799.00
DEBT SERVICE-2020GO	.00	.00	30,266.00	.00	.00
DEBT SERVICE-STREET	.00	.00	.00	.00	.00
MAIN STREET TOTAL	3,510.00	61,504.00	62,256.00	.00	61,960.00
DEBT SERVICE-WATER	.00	.00	.00	.00	12,380.00
DEBT SERV-2020A-LAG	398,636.35	297,173.10	297,492.00	17,865.78	298,116.00
DEBT SERV-2015A-IND	.00	.00	.00	.00	.00
SRF-2020B LAGOON TO 2022A TOTAL	.00	.00	.00	.00	.00
	.00	.00	.00	39,896.74	184,775.00
DEBT SERVICE TOTAL	402,146.35	358,677.10	390,014.00	57,762.52	557,231.00
PARKS TOTAL	.00	24,377.24	300,000.00	67,318.93	150,000.00
COMMUNITY BEAUTIFIC	1,190,840.30	811,057.74	4,330,000.00	1,131,053.96	3,968,414.00
OTHER COMM & ECO DE	.00	.00	.00	.00	.00
WATER MAIN PROJECT	.00	.00	.00	.00	.00
WATER TOWER PROJECT	.00	.00	.00	.00	.00
URBAN RENEWAL TOTAL	.00	.00	.00	.00	.00
SEWER LAGOON FACILI	18,000.00	.00	.00	.00	.00
SEWER INDUSTRIAL PA	.00	.00	.00	.00	.00
WATER INDUSTRIAL PA	.00	.00	.00	.00	.00
CIP TOTAL	.00	.00	.00	.00	.00
CAPITAL PROJECTS TO	1,208,840.30	835,434.98	4,630,000.00	1,198,372.89	4,118,414.00
WATER TOTAL	219,280.70	235,739.06	186,702.00	132,631.66	215,543.00
SEWER/SEWAGE DISPOS	139,757.94	157,640.03	134,657.00	118,154.20	119,528.00
SRF-2020B LAGOON TO	81,977.52	82,577.50	.00	6,070.00	82,430.00
STORM WATER TOTAL	17,514.49	22,811.29	5,997.00	4,940.19	.00
ENTERPRISE FUNDS TO	458,530.65	498,767.88	327,356.00	261,796.05	417,501.00
TRANSFERS IN/OUT TO	655,629.24	733,643.36	538,562.00	148,524.21	753,244.00
TRANSFER OUT TOTAL	655,629.24	733,643.36	538,562.00	148,524.21	753,244.00
TOTAL EXPENSES	3,451,942.38	3,042,152.07	6,778,540.00	2,134,466.28	6,854,182.00

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL
APRIL 2023	ANKENY SANITATION	GARBAGE SVC		75.31
147331	ARNOLD MOTOR SUPPLY	1 TON CHEVY		108.66
MARCH 2023	BRENDA HYSELL	PHONE REIMBURSEMENT		75.00
MARCH 2023	CHAD SANDS	PHONE REIMBURSEMENT		75.00
APRIL 2023	CONSUMERS ENERGY	IND PARK STREET LIGHTS		155.22
APRIL 2023	DES MOINES REGISTER MEDIA	PUBLISH LEGALS		574.13
APRIL 2023	ED LEEDOM	CODE ENFORCEMENT		360.92
PR20230331	EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	3,715.86	
PR20230415	EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	3,370.80	7,086.66
APRIL 2023	FIDELITY SECURITY LIFE	VISION INSURANCE	40.01	
PR20230331	FIDELITY SECURITY LIFE	VISION	5.02	
PR20230415	FIDELITY SECURITY LIFE	VISION	5.02	50.05
APRIL 2023	GCMOA	GOLDEN CIRCLE DUES	25.00	
LUNCHEON-APRIL 2023	GCMOA	GCMOA LUNCHEON	35.00	60.00
APRIL 2023	HUXLEY COMMUNICATIONS	CHALL/FIRE/CITY SHOP INTERNET		172.00
2021 WA MAIN EXT	IA FINANCE AUTHORITY-SRF	2021 SERIES WA MAIN EXTENSION		
PR20230315	TREASURER STATE OF IOWA	STATE TAXES	638.80	
PR20230331	TREASURER STATE OF IOWA	STATE TAX	609.43	1,248.23
PR20170331	IPERS	IPERS		
PR20200330	IPERS	IPERS		
PR20230315	IPERS	IPERS	2,325.25	
PR20230331	IPERS	IPERS	2,244.08	4,569.33
40019	WASTE SOUTIONS OF IOWA	PORTABLE RESTROOMS	31.80	
9172018	WASTE SOUTIONS OF IOWA	PORTABLE RESTROOMS	31.80	63.60
APRIL 2023	JUDY WELCH	FY2024 BUDGET		200.00
2304834	KINZLER CONSTRUCTION SERVICES	OVERHEAD DOOR OLD SHOP		590.11
APRIL 2023	KNOX COMPANY	KNOX CONNECTION SOFTWARE		500.76
APRIL 2023	MARCO TECHNOLOGIES LLC	COPIER	180.00	
APRIL 2023FINAL OLD	MARCO TECHNOLOGIES LLC	FINAL PAY ON OLD COPIER/PRINT	50.38	
NEW CONTRACT	MARCO TECHNOLOGIES LLC	COPIER/PRINTER	46.70	277.08
MARCH 2023	MARISSA BUTLER	PHONE REIMBURSEMENT	75.00	
TRAVEL EXP	MARISSA BUTLER	TRAVEL EXPENSE FOR CLERKS	11.70	86.70
82822	MENARDS - ANKENY	MISC SUPPLIES	91.62	
APRIL 2023	MENARDS - ANKENY	MISC. SUPPLIES	39.61	131.23
APRIL 2023	METRO WASTE AUTHORITY	CURB IT RECYCLING EXPENSE		1,589.76
2304857	MICROBAC LABORATORIES INC	WASTEWATER		74.50
APRIL 2023	MID AMERICAN ENERGY	ELECTRIC/GAS 03670-63009		3,358.15
APRIL 2023	POLK COUNTY TREASURER	SHERIFF CONTRACT		2,620.75
APRIL 2023	RACOM CORPORATION	28RADIO ACCESS EDACS		719.10
MARCH 2023	RICK HUEBNER	PHONE REIMBURSEMENT		75.00
MARCH 2023	RON CORNWELL	PHONE REIMBURSEMENT		75.00
CODE UPDATE	SIMMERING-CORY	CODE UPDATES		2,800.00
APRIL 2023	STAPLES CREDIT PLAN	OFFICE SUPPLIES		92.74
APRIL 2023	THORPE WATER DEVELOPMENT	MONTHLY CONTRACT OF SERVICE		3,644.00
APRIL 2023	VAN WALL EQUIPMENT INC	MOWER		61.75
1801-043-1	VEENSTRA & KIMM INC	ENGINEERING SERVICES FOR	434.00	
18056-87	VEENSTRA & KIMM INC	BUILDING PERMITS	497.63	
18072-25	VEENSTRA & KIMM INC	WATER TREATMENT PLANT EXT	7,438.12	
18079-6	VEENSTRA & KIMM INC	MIAN STREET MASTER PLAN	612.50	
18083-6	VEENSTRA & KIMM INC	PPARK AMENITIES	21,091.25	30,073.50
APRIL 2023	VERIZON WIRELESS	PHONES FIRE/CHALL		259.51
APRIL 2023	VISA	CSB CREDIT CARD		467.84
APRIL 2023	WASTE SOLUTIONS OF IOWA	PORTABLE RESTROOMS		352.00
APRIL 2023	WELLMARK	GOUP INSURANCE	2,106.58	

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL
PR20230331	WELLMARK	INSURANCE- A T	236.86	
PR20230415	WELLMARK	INSURANCE- A T	236.86	2,580.30
				=====
		Accounts Payable Total		65,303.89
		Invoices: Paid		13,977.98
		Invoices: Scheduled		51,325.91
		Payroll Checks		
		-----		
		001 GENERAL		6,431.34
		110 ROAD USE TAX		653.78
		600 WATER		1,497.35
		610 SEWER		1,695.02
		740 STORM WATER		123.38
				-----
		Total Paid On: 3/30/23		10,400.87
		001 GENERAL		4,791.38
		110 ROAD USE TAX		727.49
		600 WATER		1,977.12
		610 SEWER		1,707.90
		740 STORM WATER		189.81
				-----
		Total Paid On: 4/13/23		9,393.70
				=====
		Total Payroll Paid		19,794.57
				=====
		Report Total		85,098.46
				=====

**CLAIMS REPORT**  
**CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
001	GENERAL	40,464.04
110	ROAD USE TAX	2,242.36
169	COMMUNITY BETTERMENT FUND	63.60
312	CHECKING-MAIN STREET	3,412.50
313	PRAIRIE POINT PARK-2022A	21,091.25
600	WATER	8,191.50
601	WATER SINKING	
610	SEWER	9,118.01
740	STORM WATER	515.20
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	TOTAL FUNDS	85,098.46

**CITY OF ELKHART BUSINESS MEETING MINUTES, MARCH 20, 2023 – 6:00 P.M. ELKHART  
COMMUNITY CENTER**

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1. **Call to Order**  
Mayor Fors called the meeting to order at 6:00 PM
2. **Pledge of Allegiance**  
Mayor Fors led the room in the Pledge of Allegiance
3. **Roll Call**  
Council Members Present: Nathan Gillmore, Steve Allen, Brad Fordyce, Brian Shipley and Angie Schaffer
4. **Approval of Agenda**  
Motioned by Fordyce, seconded by Allen to approve the Agenda as published, motion carried
5. **Citizen Hearing and Other Communications**
  - a. Polk County Sheriff Report  
Submitted a report
  - b. Public Comments  
No public comments
6. **Reports of the Elected Officials, City Staff and Standing Committees**

Drey, Fire Chief: emailed a report with request to use the City Park for Easter Egg Hunt April 8, 2PM

Sands, City Administrator: Submitted a report, reviewed 2 things with Mayor and Council, no questions from Mayor and Council to address.

Hysell, City Clerk: Reported to Mayor and Council of reasons for not approving FY2024 Budget this month, it is ready for approval in April, final submit date has been extended by the State to April 30, a claim has been filed and approved and check in full on the way for the vandalism on the backboards at Prairie Point Park, Hysell reported on New Deputy Clerk of her accomplishments in training and duty's that she will be taking over in the near future, Hysell also requested approval from Mayor and Council to get involved in some new future events for Elkhart

Kappos, Planning and Zoning: Kappos reported that they are in review of a new project, and will report back on their recommendations next month.
7. **Consent Agenda Resolution 2023-30**  
Motioned by Fordyce, seconded by Schaffer to approve the Consent Agenda, motion carried
  - a. February Cash Report
  - b. February Treasurer's Report
  - c. February Budget Report
  - d. March Bills submitted
  - e. February Minutes of Council Meeting
8. **Resolution 2023-31**  
Motioned by Allen, seconded by Gillmore to Re-Set Public Hearing Date for FY2024 Budget to April 17, 6PM at Elkhart Community Center, motion carried
9. **Resolution 2023-32**  
Motioned by Allen, seconded by Schaffer to Set Bid Letting Date for Well#4 project for April 13<sup>th</sup> at 2PM, Elkhart City Hall, motion carried
10. **Resolution 2023-33**  
Motioned by Schaffer, seconded by Allen to Set a Public Hearing Date for Well #4 for April 17, at 6 PM, Elkhart Community Center, motion carried
11. **Resolution 2023-34**  
Motioned by Shipley, seconded by Fordyce to Set Bid Letting Date for Prairie Point Park Project for April 13, 2PM at Elkhart City Hall, motion carried
12. **Resolution 2023-35**  
Motioned by Fordyce, seconded by Schaffer to Set Public Hearing Date for Prairie Point Park Project for April 17, 6PM Elkhart Community Center, motion carried
13. **Resolution 2023-36**  
Motioned by Shipley, seconded by Fordyce Approving the hiring of a Back-Up Seasonal Employee, John Kaczmarczyk, at \$16.00 per/hr., motion carried
14. **Adjourn**  
Motioned by Shipley, seconded by Allen to adjourn the Council Meeting at 6:21PM, motion carried

**CITY OF ELKHART BUSINESS MEETING MINUTES, MARCH 20, 2023 – 6:00 P.M. ELKHART  
COMMUNITY CENTER**

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CLAIMS REPORT		
VENDOR	INVOICE DESCRIPTION	AMOUNT
ANKENY SANITATION	GARBAGE SVC	\$75.31
AUTOMATIC SYSTEMS	INFLUENT AND EFFLUENT CHECK	\$288.75
BAYCOM	NEW TELECOMMUNICATIONS	\$2,664.00
BRENDA HYSELL	PHONE REIMBURSEMENT	\$75.00
CHAD SANDS	TRAVEL/PHONE EXPENSES	\$122.16
CHEM-SULT, INC	WATER TREATMENT CHEMS	\$683.51
COMPASS BUSINESS SOLUTIONS	BUSINESS CARDS-RON	\$37.50
COMPASS BUSINESS SOLUTIONS	MARISSA'S CLOTHING AND	\$209.32
COMPASS BUSINESS SOLUTIONS	MARISSA BUSINESS CARDS	\$60.31
COMPUTER RESOURCE SPECIAL	PRINTER FOR CITY SHOP AND	\$1,286.34
CONSUMERS ENERGY	IND PARK STREET LIGHTS	\$33.28
CONSUMERS ENERGY	IND PARK STREET LIGHTS	\$153.09
DES MOINES REGISTER MEDIA	PUBLISH LEGALS	\$220.61
ED LEEDOM	CODE ENFORCEMENT	\$361.58
EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	\$3,349.25
EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	\$3,842.34
ELKHART FITNESS CENTER	FIRE DEPT MEMBERSHIP	\$1,150.00
EMERGENCY SERVICES MARKET INC	IAMRESPONDING 1YR SUBSCRIPTION	\$305.00
FIDELITY SECURITY LIFE	VISION	\$40.01
FIDELITY SECURITY LIFE	VISION	\$5.02
FIDELITY SECURITY LIFE	VISION	\$5.02
FIRE SERVICE TRAINING BUREAU	FIRE SVC TRAINING BUREAU	\$95.46
GENERAL FIRE & SAFETY CO	ANNUAL FIRE EXTINGUISHER	\$1,052.00
HEIMAN INC FIRE EQUIPMENT	FIRE EQUIPMENT	\$825.28
HUXLEY COMMUNICATIONS	CHALL & FIRE INTERNET	\$172.00
	MEMORIAL PARK CONCESSION STAND	\$150.00
IA DEPT INSPECT/APPEALS		
IA FINANCE AUTHORITY-SRF	2021 SERIES WA MAIN EXTENSION	
TREASURER STATE OF IOWA	STATE TAXES	\$590.27
TREASURER STATE OF IOWA	STATE TAX	\$541.89
IOWA FIRE CHIEFS' ASSOCIATION	ANNUAL FIRE CHIEF DUES	\$16.00
IOWA FIRE CHIEFS' ASSOCIATION	ANNUAL FIRE CHIEF DUES	\$25.00
IPERS	IPERS	
IPERS	IPERS	
IPERS	IPERS	\$2,194.90
IPERS	IPERS	\$2,066.54
ITRON, INC.	MVRS MAINTENANCE AGREEMNT	\$1,533.60
JC CROSS CO.	SUPPLIES FOR SEWER LAGOON	\$214.26
WASTE SOUTIONS OF IOWA	PORTABLE RESTROOMS	\$31.80
WASTE SOUTIONS OF IOWA	PORTABLE RESTROOMS	\$31.80
MARCO TECHNOLOGIES LLC	COPIER	\$165.61



**CITY OF ELKHART BUSINESS MEETING MINUTES, MARCH 20, 2023 – 6:00 P.M. ELKHART  
COMMUNITY CENTER**

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MARISSA BUTLER	PHONE REIMBURSEMENT	\$75.00
MENARDS - ANKENY	MISC.SUPPLIES	\$257.55
MICROBAC LABORATORIES INC	TESTING	\$74.50
MID AMERICAN ENERGY	ELECTRIC/GAS 03670-63009	\$3,745.95
MIDWEST BREATHING AIR LLC	AIR FILL STATION	\$836.80
POLK COUNTY TREASURER	SHERIFF CONTRACT	\$2,620.75
RACOM CORPORATION	28RADIO ACCESS EDACS	\$719.10
RICK HUEBNER	PHONE REIMBURSEMENT	\$75.00
RON CORNWELL	PHONE REIMBURSEMENT	\$75.00
SAM'S CLUB	CITY HALL SUPPLIES	\$47.36
SIMMERING-CORY	DOWN PAYMENT-CODE UPDATE	\$1,700.00
STAPLES CREDIT PLAN	OFFICE SUPPLIES	\$353.39
THORPE WATER DEVELOPMENT		\$2,065.84
VEENSTRA & KIMM INC	WATER UTILITY UPDATE	\$617.50
VEENSTRA & KIMM INC	BUILDING PERMITS	\$880.50
VEENSTRA & KIMM INC	WATER TREATMENT PLANT EXP	\$18,143.96
VEENSTRA & KIMM INC	PPARK AMENITIES PHASE 1-	\$25,932.37
VERIZON WIRELESS	CITY HALL FIRE PHONES	\$168.96
VISA	CSB CREDIT CARD	\$166.60
VISA	BACKBOARDS AT PPPARK	\$1,955.00
WASTE SOLUTIONS OF IOWA	PORTA POTTY'S	\$379.00
WELLMARK	GROUP INSURANCE	\$1,894.68
WELLMARK	NEW EMPLOYEE SIGN UP GROUP	\$689.42
WELLMARK	INSURANCE- A T	\$236.86
WELLMARK	INSURANCE- A T	\$236.86
WEX BANK	FUEL	\$214.32
Accounts Payable Total		\$88,836.08
Invoices: Paid		\$21,112.90
Invoices: Scheduled		\$67,723.18
Total Paid On: 2/27/23		\$9,574.88
Total Paid On: 3/14/23		\$10,259.96
Total Payroll Paid		\$19,834.84
***** REPORT TOTAL *****		\$108,670.92
GENERAL		\$42,575.64
ROAD USE TAX		\$2,227.11
COMMUNITY BETTERMENT FUND		\$63.60
CHECKING-MAIN STREET		\$1,700.00
PRAIRIE POINT PARK-2022A		\$25,932.37
WA TRTMENT EXT-2022A		\$18,143.96
WATER		\$7,852.91
WATER SINKING SEWER		\$9,767.17

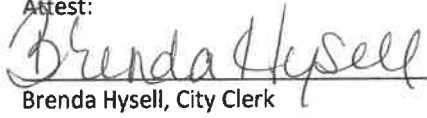
CITY OF ELKHART BUSINESS MEETING MINUTES, MARCH 20, 2023 – 6:00 P.M. ELKHART  
COMMUNITY CENTER

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STORM WATER  
TOTAL FUNDS

\$408.16  
\$108,670.92

Attest:

  
Brenda Hysell, City Clerk

  
Colten Fors, Mayor

## Brenda Hysell

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**From:** noreply@salesforce.com on behalf of IOWA ABD Licensing Support  
**Sent:** Wednesday, April 12, 2023 11:13 AM  
**To:** elkhartcityclerk@cityofelkhart.com  
**Cc:** licensingnotification@iowaabd.com  
**Subject:** Application App-178854 Ready for Review

Hello,

Application Number App-178854 has been set to "Submitted to Local Authority" status and is currently ready for your review.

Corp Name: Kippy's Place, LLC

DBA: Kippy's Place

License Number: LC0038530

Application Number: App-178854

Tentative Effective Date: 6/1/2023

License Type: Class C Retail Alcohol License (LC)

Application Type: Renewal

Amendment Type:

Thank you.

**Instructions on the reverse side**

For period (MM/DD/YYYY) 03 / 02 / 23 through June 30, 23

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade name/Doing business as: Hab Enterprises LLP DBA Homestead Essentials  
Physical location address: 267 NW Main St City: Elkhart ZIP: 50073  
Mailing address: 267 NW Main St City: Elkhart State: IA ZIP: 50073  
Business phone number: 515-619-5482

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor  Partnership  Corporation  LLC  LLP   
Name of sole proprietor, partnership, corporation, LLC, or LLP HAB Enterprises LLP  
Mailing address: 267 NW Main St City: Elkhart State: IA ZIP: 50073  
Phone number: 515-619-5482 Fax number: \_\_\_\_\_ Email: bryce.walter1998@gmail.com

**Retail Information:**

Types of Sales: Over-the-counter  Vending machine   
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes  No   
Types of Products Sold: (Check all that apply)  
Cigarettes  Tobacco  Alternative Nicotine Products  Vapor Products

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store  Bar  Convenience store/gas station  Drug store   
Grocery store  Hotel/motel  Liquor store  Restaurant  Tobacco store   
Has vending machine that assembles cigarettes  Other  \_\_\_\_\_

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print): Bryce Walter Name (please print): Rachelle Walter  
Signature: [Signature] Signature: [Signature]  
Date: 3/17/23 Date: 3/17/23

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \_\_\_\_\_
- Fill in the date the permit was approved by the council or board: \_\_\_\_\_
- Fill in the permit number issued by the city/county: \_\_\_\_\_
- Fill in the name of the city or county issuing the permit: \_\_\_\_\_
- New  Renewal

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375

City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm  
Community Center

Award Seeding Contract for Prairie Pointe Park Project

Council Action:

You will be asked to consider awarding the seeding contract for the Prairie Pointe Park Project. We took quotes until Friday, April 14<sup>th</sup>. At the time of preparing this report, we had received one quote. That is included in your packet. Should we receive additional quotes, they will be forwarded to you prior to the meeting. This project is part of the overall Prairie Pointe Park project but was let separately for timing and to receive better pricing. This would be paid for by the 2022A GO Bond along with several different grants. The quote is included in your packet.

QUOTATION

2023 PRAIRIE POINTE PARK POND SEEDING  
ELKHART IOWA

Contractor Emmons & Olivier Resources, Inc. (EOR)

Address 1002 Quartz Ave, Boone, IA 50036

To: City Council  
City of Elkhart  
260 NW Main Street  
Elkhart, Iowa 50073-0077

The undersigned, having examined the Contract Documents, and having familiarized himself with the nature and location of the work to be done and the conditions under which the work will be performed, hereby proposes to provide the required labor, services and materials and to perform the work described in the plans and specifications, within the time and for the sum or sums stated hereinafter on attached Quotation Schedule, which Quotation Schedule is hereby made a part of this Quotation.

The undersigned certifies that this Quotation is made in good faith, without collusion or connection with any other person or persons quoting the work.

The undersigned states that this Quotation is made in conformity with the plans, specifications and scope of work and agrees that in the event of any discrepancies or differences between any conditions of his Quotation and the plans, specifications and scope of work prepared by VEENSTRA & KIMM, INC., that the provisions of the latter shall prevail.

Contractor EOR

By Kevin M. Griggs

Title Senior Environmental Scientist, Iowa Operations Lead

QUOTATION SCHEDULE

2023 PRARIE POINTE PARK POND SEEDING

This is a UNIT BID PRICE CONTRACT. The bidder must provide the Unit Bid Price, the Extended Bid Price, and the Total Construction Cost; in case of discrepancy, the Unit Bid Price governs. The quantities shown on the Quotation Schedule, Bid Items, Quantities and Prices are approximate only, but are considered sufficiently adequate for the purpose of comparing bids. The Total Construction Cost shall be used only for comparison of bids.

1. Construct 2023 Prairie Pointe Park Pond Seeding for the following unit and lump sum prices:

	<u>Description</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Extended Price</u>
1.	Mobilization	LS	1	xxxxx	\$ <u>\$2500.00</u>
2.	Seeding and Fertilizing, Type 2	AC	0.2	\$ <u>\$760.00</u>	<u>\$152.00</u>
3.	Conventional Seeding, Custom Native Dry-Mesic Seed Mix	AC	1	<u>\$2150.00</u>	<u>\$2150.00</u>
4.	Conventional Seeding, Wetland Seed Mix	AC	0.6	<u>\$2300.00</u>	<u>\$1380.00</u>
5.	Native Vegetation Establishment, (1.6 Acres)	TRIP	6	<u>\$1500.00</u>	<u>\$9000.00</u>
6.	Rolled Erosion Control Product (RECP), Type 4	SY	9,000	<u>\$2.25</u>	<u>\$20,250.00</u>
TOTAL CONSTRUCTION COST (ITEMS 1.-1.6) \$					<u>\$35,432.00</u>

2. The work will commence after the date set forth in written Notice to Proceed. Type 2 seeding shall be completed by May 31, 2023. Wetland and native seeding shall be completed by June 30, 2023.

3. Liquidated damages in the amount of Five Hundred Dollars (\$500.00) per consecutive calendar day will be assessed for each day that the work shall remain uncompleted after the end of the contract period, with due allowance for extensions of the contract period.



# Bidder Status Form

## To be completed by all bidders

## Part A

Please answer "Yes" or "No" for each of the following:

- Yes  No My company is authorized to transact business in Iowa.  
*(To help you determine if your company is authorized, please review the worksheet on the next page).*
- Yes  No My company has an office to transact business in Iowa.
- Yes  No My company's office in Iowa is suitable for more than receiving mail, telephone calls, and e-mail.
- Yes  No My company has been conducting business in Iowa for at least 3 years prior to the first request for bids on this project.
- Yes  No My company is not a subsidiary of another business entity or my company is a subsidiary of another business entity that would qualify as a resident bidder in Iowa.

If you answered "Yes" for each question above, your company qualifies as a resident bidder. Please complete Parts B and D of this form.

If you answered "No" to one or more questions above, your company is a nonresident bidder. Please complete Parts C and D of this form.

## To be completed by resident bidders

## Part B

My company has maintained offices in Iowa during the past 3 years at the following addresses:

Dates: 3 / 1 / 2018 to 4 / 23 / 2023 Address: 1002 Quartz Ave

City, State, Zip: Boone, IA 50036

Dates: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ to \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Dates: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ to \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Address: \_\_\_\_\_

*You may attach additional sheet(s) if needed.* City, State, Zip: \_\_\_\_\_

## To be completed by non-resident bidders

## Part C

1. Name of home state or foreign country reported to the Iowa Secretary of State:

2. Does your company's home state or foreign country offer preferences to resident bidders, resident labor force preferences or any other type of preference to bidders or laborers?  Yes  No

3. If you answered "Yes" to question 2, identify each preference offered by your company's home state or foreign country and the appropriate legal citation.

*You may attach additional sheet(s) if needed.*

## To be completed by all bidders

## Part D

I certify that the statements made on this document are true and complete to the best of my knowledge and I know that my failure to provide accurate and truthful information may be a reason to reject my bid.

Firm Name: Emmons & Olivier Resources, Inc. (EOR)

Signature:  Date: 4/13/23

**You must submit the completed form to the governmental body requesting bids per 875 Iowa Administrative Code Chapter 156. This form has been approved by the Iowa Labor Commissioner.**

## Worksheet: Authorization to Transact Business

This worksheet may be used to help complete Part A of the Resident Bidder Status form. If at least one of the following describes your business, you are authorized to transact business in Iowa.

- Yes  No My business is currently registered as a contractor with the Iowa Division of Labor.
- Yes  No My business is a sole proprietorship and I am an Iowa resident for Iowa income tax purposes.
- Yes  No My business is a general partnership or joint venture. More than 50 percent of the general partners or joint venture parties are residents of Iowa for Iowa income tax purposes.
- Yes  No My business is an active corporation with the Iowa Secretary of State and has paid all fees required by the Secretary of State, has filed its most recent biennial report, and has not filed articles of dissolution.
- Yes  No My business is a corporation whose articles of incorporation are filed in a state other than Iowa, the corporation has received a certificate of authority from the Iowa secretary of state, has filed its most recent biennial report with the secretary of state, and has neither received a certificate of withdrawal from the secretary of state nor had its authority revoked.
- Yes  No My business is a limited liability partnership which has filed a statement of qualification in this state and the statement has not been canceled.
- Yes  No My business is a limited liability partnership which has filed a statement of qualification in a state other than Iowa, has filed a statement of foreign qualification in Iowa and a statement of cancellation has not been filed.
- Yes  No My business is a limited partnership or limited liability limited partnership which has filed a certificate of limited partnership in this state, and has not filed a statement of termination.
- Yes  No My business is a limited partnership or a limited liability limited partnership whose certificate of limited partnership is filed in a state other than Iowa, the limited partnership or limited liability limited partnership has received notification from the Iowa secretary of state that the application for certificate of authority has been approved and no notice of cancellation has been filed by the limited partnership or the limited liability limited partnership.
- Yes  No My business is a limited liability company whose certificate of organization is filed in Iowa and has not filed a statement of termination.
- Yes  No My business is a limited liability company whose certificate of organization is filed in a state other than Iowa, has received a certificate of authority to transact business in Iowa and the certificate has not been revoked or canceled.

City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm  
Community Center

Pay Request #5 for On Track Construction for the Phase 1  
Stormwater Project

**Council Action:**

You will be asked to approve pay request #5 for the Phase 1 Stormwater Project as approved by V&K and will be paid for by the new GO Bond. Total for this month's request is \$86,523.40. The pay request has been included in the packet.



**ESTIMATE OF CONSTRUCTION COMPLETED**

**PARTIAL PAYMENT NO. 5**

**PROJECT TITLE: East Storm Trunk Sewers and Lagoon Modifications**

**Contractor: On Track Construction, LLC**

**Date: April 13, 2023**

**Original Contract Amount:**


**\$931,500.00**

**Pay Period: December 24, 2022 to April 11, 2023**

**BID ITEMS**

ITEM NO.	DESCRIPTION	UNIT	QUANTITY			UNIT PRICE	VALUE COMPLETED TO DATE
			ESTIMATED (ORIG. CONT.)	AUTHORIZED (INCL. C.O.'S)	COMPLETED TO DATE		
1.	Mobilization	LS	1.00	1.00	1.00	\$65,000.00	\$65,000.00
2.	Traffic Control	LS	1.00	1.00	1.00	\$6,500.00	\$6,500.00
3.	Compaction Testing	LS	1.00	1.00	1.00	\$7,000.00	\$7,000.00
4.	Topsoil, Strip Salvage and Respread	CY	5,055.00	5,055.00	5,055.00	\$12.00	\$60,660.00
5.	Class 13 Excavation	CY	13,210.00	13,210.00	13,210.00	\$10.00	\$132,100.00
6.	Impervious Clay Seal	CY	2,636.00	2,636.00	2,636.00	\$10.00	\$26,360.00
7.	15" RCP Storm Sewer, Class III	LF	71.00	71.00	92.00	\$80.00	\$7,360.00
8.	24" RCP Storm Sewer, Class III	LF	236.00	236.00	235.00	\$145.00	\$34,075.00
9.	30" RCP Storm Sewer, Class III	LF	337.00	337.00	340.00	\$150.00	\$51,000.00
10.	36" RCP Storm Sewer, Class III	LF	67.00	67.00	67.00	\$225.00	\$15,075.00
11.	48" RCP Storm Sewer, Class III	LF	757.00	757.00	767.00	\$250.00	\$191,750.00
12.	Removal of Existing Storm Sewer, less than or equal to 24"	LS	1.00	1.00	1.00	\$19,751.00	\$19,751.00
13.	36" RCP Flared End Section with Apron Guard and Footing	EA	1.00	1.00	1.00	\$5,000.00	\$5,000.00
14.	48" RCP Flared End Section with Apron Guard and Footing	EA	1.00	1.00	1.00	\$7,500.00	\$7,500.00
15.	Manhole, SW-401, 48"	EA	1.00	1.00	1.00	\$3,500.00	\$3,500.00
16.	Manhole, SW-401, 60"	EA	1.00	1.00	1.00	\$6,500.00	\$6,500.00
17.	Manhole, SW-401, 72"	EA	3.00	3.00	3.00	\$7,275.00	\$21,825.00
18.	Manhole, SW-401, 84"	EA	1.00	1.00	1.00	\$10,500.00	\$10,500.00
19.	Manhole, SW-402, 6'x6'	EA	1.00	1.00	1.00	\$9,250.00	\$9,250.00
20.	Intake, SW-502, 60"	EA	3.00	3.00	3.00	\$6,250.00	\$18,750.00
21.	Intake, SW-512, 24"	EA	1.00	1.00	1.00	\$2,600.00	\$2,600.00
22.	Pond Outlet Structure	EA	1.00	1.00	1.00	\$15,000.00	\$15,000.00
23.	Pavement, PCC, 7"	SY	490.00	490.00	692.90	\$75.00	\$51,967.50
24.	Driveway, PCC, 6"	SY	16.00	16.00	18.30	\$90.00	\$1,647.00
25.	Driveway, PCC, 7"	SY	35.00	35.00	49.90	\$76.00	\$3,792.40
26.	Sidewalk, PCC, 4"	SY	114.00	114.00	119.65	\$60.00	\$7,179.00
27.	Detectable Warnings	SF	38.00	38.00	47.00	\$50.00	\$2,350.00
28.	Surfacing Removal	LS	1.00	1.00	1.00	\$8,000.00	\$8,000.00
29.	Granular Surfacing, 6"	TON	275.00	275.00	0.00	\$42.00	\$0.00
30.	Hydraulic Seeding, Fertilizing and Mulching, Type 1	ACRE	3.10	3.10	0.29	\$4,800.00	\$1,392.00
31.	Hydraulic Seeding, Fertilizing and Mulching, Type 2	ACRE	1.80	1.80	0.00	\$4,040.00	\$0.00
32.	Hydraulic Seeding, Fertilizing and Mulching, Type 5	ACRE	4.50	4.50	0.00	\$2,600.00	\$0.00
33.	Stormwater Pollution Prevention Plan (SWPPP) Preparation	LS	1.00	1.00	1.00	\$1,515.00	\$1,515.00
34.	Stormwater Pollution Prevention Plan (SWPPP) Management	LS	1.00	1.00	0.90	\$4,250.00	\$3,825.00
35.	8" Filter Socks, Installation & Removal	LF	3,300.00	3,300.00	0.00	\$2.00	\$0.00
36.	Silt Fence, Installation & Removal	LF	1,100.00	1,100.00	358.00	\$2.00	\$716.00
37.	RECP, Type 2	SY	20,420.00	20,420.00	0.00	\$1.50	\$0.00
38.	Rip Rap (Class E Revetment Stone)	TON	153.00	153.00	187.66	\$76.00	\$14,262.16
39.	Riffle Structures	EA	4.00	4.00	4.00	\$8,080.00	\$32,320.00
40.	Erosion Stone	TON	36.00	36.00	32.64	\$65.00	\$2,121.60
41.	6' Cedar Privacy Fence	LF	146.00	146.00	0.00	\$99.00	\$0.00
42.	Sanitary Sewer Force Main Adjustment	LS	1.00	1.00	2.00	\$10,000.00	\$20,000.00
<b>Original Contract Value Completed</b>							<b>\$868,143.66</b>

BID ITEMS							
ITEM NO.	DESCRIPTION	UNIT	QUANTITY			UNIT PRICE	VALUE COMPLETED TO DATE
			ESTIMATED (ORIG. CONT.)	AUTHORIZED (INCL. C.O.'S)	COMPLETED TO DATE		
CO1.1	Additional Surfacing Removal	SY	0.00	159.00	159.00	\$18.90	\$3,005.10
CO1.2	Water Main Adjustments	EA	0.00	2.00	2.00	\$8,008.12	\$16,016.24
CO1.3	Topsoil Import	CY	0.00	3,200.00	2,160.00	\$14.70	\$31,752.00
Change Order No. 1 Value Completed							\$50,773.34
<b>Total Value Completed - Bid Items</b>							<b>\$918,917.00</b>

SUMMARY			
		<b>Original Contract</b>	<b>Total Completed</b>
<b>Bid Item Subtotal</b>		\$931,500.00	\$868,143.66
APPROVED CHANGE ORDERS			
Change Order No.	Description/Notes	Total Approved	Total Completed
1	Additional Surfacing Removal, Water Main Adjustments, Topsoil Import	\$66,061.34	\$50,773.34
2		\$0.00	\$0.00
3		\$0.00	\$0.00
4		\$0.00	\$0.00
5		\$0.00	\$0.00
6		\$0.00	\$0.00
7		\$0.00	\$0.00
8		\$0.00	\$0.00
9		\$0.00	\$0.00
10		\$0.00	\$0.00
<b>Total Change Orders</b>		\$66,061.34	\$50,773.34
		<b>Total Approved</b>	<b>Total Completed</b>
<b>Revised Contract Price</b>		\$997,561.34	\$918,917.00
			<b>Total Completed</b>
<b>Total Materials Stored</b>			\$0.00
<b>Total Completed Plus Materials Stored</b>			\$918,917.00
<b>Retainage (5%)</b>			\$45,945.85
<b>Total Earned Less Retainage</b>			\$872,971.15
APPROVED PARTIAL PAYMENTS			
Partial Payment No.	Period	Total Approved	
1	March 21, 2022 to October 4, 2022	\$338,993.91	
2	October 5, 2022 to October 31, 2022	\$371,804.39	
3	November 1, 2022 to December 8, 2022	\$43,328.08	
4	December 9, 2022 to December 23, 2022	\$32,321.37	
5		\$0.00	
6		\$0.00	
7		\$0.00	
8		\$0.00	
9		\$0.00	
10		\$0.00	
		<b>Total Previously Approved</b>	\$786,447.75
<b>Amount Due This Request</b>			<b>\$86,523.40</b>
Note: The amount <b>\$86,523.40</b> is recommended for approval for payment in accordance with the terms of the Contract.			
CONTRACT SUMMARY			
ORIGINAL CONTRACT AMOUNT		\$931,500.00	
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$997,561.34	
THIS PARTIAL PAYMENT		\$86,523.40	
TOTAL PARTIAL PAYMENTS INCL THIS PAYMENT		\$872,971.15	
BALANCE		\$124,590.19	
PERCENT COMPLETE		92.1%	
<b>Recommended By:</b> <b>Veenstra &amp; Kimm, Inc.</b>		<b>Contractor:</b> <b>On Track Construction, LLC</b>	
<b>Approved:</b> <b>City of Elkhart</b>			
Signature		Signature	
Name	Jordan Kappos	Name	Joe Winter
Title	Project Engineer	Title	Vice President
Date		Date	4/13/2023

City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm  
Community Center

Change Order #2 for the Stormwater Phase 1 Project

Council Action:

You will be asked to approve Change Order request #2 for the Phase 1 Stormwater Project. The change order was requested by the City to approve sod on residents yards that were impacted by the project instead of seeding. Total for this request is \$4,455. The change order request has been included in the packet.



# Change Proposal

DATE: 4/13/2023

CP # 2

FOR: Sod

Bill To: City of Elkhart

DESCRIPTION	AMOUNT
<p><b>*Pricing to provide sod on disturbed areas along NE Elm and NE Mandy.</b></p> <p><b><u>ADD NEW BID ITEM:</u></b></p> <p>PROVIDE AND INSTALL SOD: \$49.50/ SQ x 90 SQ</p> <p><i>*EXCLUDES WATERING OF SOD</i></p> <p><i>*QUANTITY BASED ON MEASUREMENTS TAKEN IN FIELD</i></p> <p><i>*TOTAL VALUE SHALL BE PAID BASED ON ACTUAL QUANTITY INSTALLED</i></p>	4,455.00
<b>TOTAL</b>	<b>\$ 4,455.00</b>

THANK YOU FOR YOUR BUSINESS!



City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm

Community Center

Set Public Hearing Date at Next Council Meeting for Updating Water, Sewer and Stormwater Utility Ordinances for FY2024

Council Action:

You will be asked to set public hearings for updating water, sewer and stormwater utility ordinances for FY2024. The public hearings will be for the May Council meeting and our first readings of the ordinance updates will be in May as well. The ordinance changes have been included in your packet for your information. As you recall, after consultation with Matt Stoffel, we will be raising utility rates for FY2024. The rate increases will result in the average monthly user's bill increasing by approximately \$6.59/month over all three utilities. This increase still places the City right in the middle of all metro area utility rates.

**ORDINANCE #2023-1**

**AN ORDINANCE AMENDING THE ELKHART CODE OF ORDINANCES CHAPTER 92 TO PROVIDE FOR NEW WATER RATES**

BE IN ENACTED BY THE CITY COUNCIL OF THE CITY OF ELKHART, IOWA

SECTION 1. Purpose. The purpose of this Ordinance is to amend the Elkhart Code of Ordinances Chapter 92 to provide for new water rates from July 1, 2023 to June 30, 2026.

SECTION 2. Amendment. Elkhart Code of Ordinances Chapter 92 is amended by replacing current Section 92.02 with the following:

**92.02 RATES FOR SERVICE.** Water service shall be furnished at the following monthly rates within the City:

1 .

<b>Water Rates</b>	7/1/2023 to 6/30/2024	7/1/2024 to 6/30/2025	7/1/2025 to 6/30/2026
<b>Monthly Service Access Charge</b>			
5/8 x 3/4-inch water meter	\$17.39	\$19.48	\$21.82
1-inch water meter	\$20.88	\$23.38	\$26.19
1 1/2-inch water meter	\$24.35	\$27.27	\$30.54
2-inch water meter	\$31.32	\$35.07	\$39.28
3-inch water meter	\$41.75	\$46.76	\$52.38
4-inch water meter	\$52.19	\$58.46	\$65.47
All Usage Per 1,000 Gallons	\$5.66	\$6.33	\$7.09
Minimum Monthly Bill			
1. (includes the first 3,000 gallons)	\$34.37	\$38.50	\$43.12

2. The annual rate shall increase by 12.0% per year and will take effect on July 1st of each year. As a result of the annual review of rates, as detailed in Section 92.09 of this Ordinance, the Council may choose to adjust the monthly unit rate as necessary. Such rate adjustments shall be approved by ordinance of the City Council.
3. Bulk Rates. A bulk usage charge for water shall include a \$75.00 fee and \$10.00 for each 1,000 gallons used.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of these ordinances are hereby repealed.

SECTION 4. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be in effect on July 1, 2020, after final passage and publication as provided by law.

Passed by the City Council, of the City of Elkhart, on the \_\_\_\_ day of \_\_\_\_\_, 2023, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

CITY OF ELKHART, IOWA

\_\_\_\_\_  
Brenda Hysell, City Clerk

\_\_\_\_\_  
Colten Fors, Mayor

**ORDINANCE #2023-2**

**AN ORDINANCE AMENDING THE ELKHART CODE OF ORDINANCES CHAPTER 99 TO PROVIDE FOR NEW SEWER USER RATES**

BE IN ENACTED BY THE CITY COUNCIL OF THE CITY OF ELKHART, IOWA

SECTION 1. Purpose. The purpose of this Ordinance is to amend the Elkhart Code of Ordinances Chapter 99 to provide for new water rates from July 1, 2023 to June 30, 2026.

SECTION 2. Amendment. Elkhart Code of Ordinances Chapter 99 is amended by replacing current Section 99.07(1) with the following:

**99.07 SEWER USER CHARGE.** Sewer service shall be furnished at the following monthly rates within the City:

1.

	7/1/2023 to 6/30/2024	7/1/2024 to 6/30/2025	7/1/2025 to 6/30/2026
Monthly Service Access Charge	\$12.17	\$12.78	\$13.42
All Usage per 1000 Gallons Water	\$4.25	\$4.47	\$4.69
Minimum Monthly Bill	\$12.17	\$12.78	\$13.42
Infrastructure Improvement Additional Monthly Fee Schedule:	\$20.00	\$19.00	\$18.00

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of these ordinances are hereby repealed.

SECTION 4. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5: Effective Date. This ordinance shall be in effect on July 1, 2020, after final passage and publication as provided by law.

Passed by the City Council, of the City of Elkhart, on the \_\_\_\_ day of \_\_\_\_\_, 2023, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

CITY OF ELKHART, IOWA

\_\_\_\_\_  
Brenda Hysell, City Clerk

\_\_\_\_\_  
Colten Fors, Mayor

**ORDINANCE #2023-3**

**AN ORDINANCE AMENDING THE ELKHART CODE OF ORDINANCES  
CHAPTER 100 TO INCREASE STORM WATER SERVICE CHARGES**

BE IN ENACTED BY THE CITY COUNCIL OF THE CITY OF ELKHART, IOWA

SECTION 1. Purpose. The purpose of this Ordinance is to amend the Elkhart Code of Ordinances Section 100.11 to provide for an increase in storm water service charges.

SECTION 2. Amendment. Elkhart Code of Ordinances Sections 100.11(1) and (2) is amended by striking certain numbers and by adding the underlined:

1. Except as hereinafter noted, each customer whose property lies within the corporate limits of the City shall pay to the City, as a part of the customer's combined water, sewer, recycling, and storm water service account with the City, monthly utility billings, at the same time payment for other City utilities are made, the following charges per unit associated with the customer's property:
  - A. Undeveloped properties. A flat storm sewer availability charge at the rate of \$0.00 per month.
  - B. Single-family dwelling, one residential unit: \$6.00 per month.
  - C. Duplex dwelling, one residential unit: \$6.00 per month.
  - D. Townhome dwelling, one residential unit: \$6.00 per month.
  - E. Mobile home dwelling, one residential unit: \$6.00 per month.
  - F. Apartment dwelling, one residential unit: \$6.00 per month.
  - G. Nonresidential properties: one nonresidential unit: \$12.00 per month.
2. The yearly rate shall increase by 50 cents per year through 2026 for properties in Section 2, (1) B-F. The yearly rate shall increase by \$1 per year through 2026 for properties in Section 2, (1) G. As a result of the annual review of rates, as detailed in Section 100.15 of this chapter, the Council may choose to adjust the monthly unit rate as necessary. Such rate adjustments shall be approved by resolution of the City Council.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of these ordinances are hereby repealed.

SECTION 4. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the

ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5: Effective Date. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the Elkhart City Council on this \_\_\_\_\_ day of \_\_\_\_\_ and approved on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

CITY OF ELKHART, IOWA

\_\_\_\_\_  
Brenda Hysell, City Clerk

\_\_\_\_\_  
Colten Fors, Mayor

City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm  
Community Center

FY2024 Annual Budget Approval

**Council Action:**

You will be asked to consider approving the FY2024 annual budget. The proposed budget and my budget summary has been included in your council packet.



# CITY OF ELKHART, IOWA

PO BOX 77 - 260 NW Main Street  
ELKHART, IA 50073  
Phone: 515-367-4735  
[www.elkhartiowa.com](http://www.elkhartiowa.com)

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## MEMO

TO: City Council, Mayor  
FROM: Chad Sands, City Administrator  
DATE: 4/6/2023  
RE: Proposed FY24 Budget Summary

---

Brenda and I have completed the FY24 Budget. The following is a summary for your review prior to the April 17<sup>th</sup> Council meeting, at 6:00 pm in the Community Center. You will be asked to consider adopting the FY24 Budget as presented.

This summary will touch on two parts of the proposed budget (salaries and projects) along with a quick look at future budgets and a final analysis. Short of salaries and major projects, the budget is little changed from last year.

### Salaries

As you know, Elkhart currently has five full-time employees (City Administrator, City Clerk, Deputy City Clerk, Public Works Supervisor and Public Works II). This proposed budget provides for salary increases for each full-time employee. Increases to the City Administrator and City Clerk positions continue to reflect metro-area salaries for that type of position with their respective certifications while still maintaining one of the lower debt levies in Polk County and continued low utility rates (middle of the metro area).

The budget also has allowances for training and conferences for our full-time employees, commission and board members, as well as council members. As we continue to grow, it's critical that our employees and volunteer commission and board members increase training in their fields in order to provide the best possible service to our community.

The proposed salaries for FY24 are listed below, and supported by the budget. They are, of course, pending job performance reviews. These reviews are completed in June of every year, prior to the start of the fiscal year, and approved by the Council. Salaries may be lower depending on the employee review.

**City Administrator:** \$97,000/yr.

**City Clerk:** \$71,000/yr.

**Public Works Supervisor:** \$34.00/hr.

**Public Works II:** \$31.96/hr. (this includes his hourly rate increase for receiving his Grade 1 water distribution certification).

**Deputy City Clerk:** \$22/hr.

Again, these salaries are fully supported by the proposed budget. As you may remember, I had a third public works employee in a working draft of the budget, however, to keep costs in check (especially for the water and sewer utilities), I took that position out of the budget. We will revisit that position next year if it is deemed necessary by our Public Works Supervisor.

### **Projects**

As per our Capital Improvements Plan (CIP), a number of projects are wrapping up in the upcoming fiscal year and a couple more are slated to get started. The proposed budget in front of you provides the framework to pay for these critical projects. The following projects will be starting that will impact this budget:

- 1) Water treatment plant expansion and new well
  - a. \$4,857,000 project
  - b. Paid for by an SRF loan through water revenue cash
- 2) Prairie Pointe Park grading, amenities and trail
  - a. \$690,882 project
  - b. Paid for by GO debt through the debt service levy and two REAP grants (\$50,000 each) and a Water Quality Grant (\$500,000)
- 3) Lift Station Upgrades
  - a. \$419,014 project
  - b. Paid for by GO debt through sewer revenue

### **Future Budgets**

A quick look ahead to the FY25 budget would include possible increases to the number of full-time employees by adding a 3<sup>rd</sup> public works position, as I've mentioned. As the city continues to grow, this would be a logical progression to ensure that quality service provision is continued.

Looking further ahead as per the city's CIP, we will continue the city's comprehensive storm-water project towards the west side of the community. We will also be looking at a potential new City Hall / Community Center. The west-side sanitary sewer improvements as well as the final portions of the storm water project will both likely be in the FY28 budget. I will continue to work with Matt Stoffel and Forrest Aldrich to appropriately plan for those important projects.

### **Final Analysis**

We are projecting a positive balance in the general fund, water, sewer and stormwater funds. And in discussions with Matt Stoffel, utility cashflows meet our mandated coverage requirements. As you know, because we are starting a multi-million water treatment plant project, we are anticipating raising water rates 12% annually for the next three years. We are also anticipating raising sewer rates 6% annually for the next six years. Along with a 50-cent increase to storm water rates, this would amount to approximately a \$6.59 increase per utility bill for the average customer.

Increases in revenue are anticipated to include a rising number of building permits and new commercial, industrial and residential properties and their resulting property taxes. In addition, due to the population increase, it is expected that the city will receive increases in road use taxes and LOST funds.

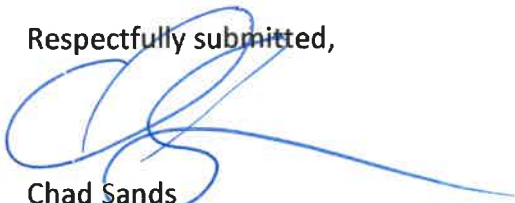
To fund this budget, we are keeping our regular tax levy the same as last year (10.65). This will continue to be one of the lower tax levies in the metro-area. Levies in the 12 to 13 range are not uncommon in growing cities around the metro area. Our debt service levy will increase, as per Matt Stoffel, from .60 to .95, making our projected overall tax levy 11.61 - a slight overall increase from last year.

With this budget, the city will be able to accomplish a significant number of critical projects with only a slight increase in the debt levy and small, incremental increases in utility rates. We are committed to keeping our taxes and utility rates low, while providing quality, professional services.

I would like to thank Brenda for her significant assistance in preparing this budget, as well as Scott Drey and Ron Cornwell for their department budgets.

I encourage any questions you may have.

Respectfully submitted,



Chad Sands  
City Administrator

FISCAL YEAR JULY 1, 2023 - JUNE 30, 2024  
 ADOPTION OF BUDGET AND CERTIFICATION OF CITY TAXES

The City of: ELKHART County Name: POLK COUNTY

Adopted On: (entered upon adoption) Resolution: (entered upon adoption)

The below-signed certifies that the City Council, on the date stated above, lawfully approved the named resolution adopting a budget for next fiscal year, as summarized on this and the supporting pages.

		With Gas & Electric		Without Gas & Electric	
Regular	2a	41,047,037	2b	40,720,422	City Number: 77-718 Last Official Census: 882
DEBT SERVICE	3a	51,495,359	3b	51,168,744	
Ag Land	4a	948,386			

TAXES LEVIED

Purpose	Dollar Limit	ENTER FIRE DISTRICT RATE BELOW		Request with Utility Replacement	Property Taxes Levied		Rate
Regular General levy	8.10000			5 332,481	329,835	43	8.10000
<b>Non-Voted Other Permissible Levies</b>							
Contract for use of Bridge	0.67500			6 0	0	44	0.00000
Opr & Maint publicly owned Transit	0.95000			7 0	0	45	0.00000
Rent, Ins. Maint of Civic Center	Amt Nec			8 15,000	14,880	46	0.36543
Opr & Maint of City owned Civic Center	0.13500			9 0	0	47	0.00000
Planning a Sanitary Disposal Project	0.06750			10 0	0	48	0.00000
Aviation Authority (under sec.330A.15)	0.27000			11 0	0	49	0.00000
Levee Impr. fund in special charter city	0.06750			13 0	0	51	0.00000
Liability, property & self insurance costs	Amt Nec			14 34,150	33,878	52	0.83197
Support of a Local Emerg.Mgmt.Comm.	Amt Nec			462 0	0	465	0.00000
<b>Voted Other Permissible Levies</b>							
Instrumental/Vocal Music Groups	0.13500			15 0	0	53	0.00000
Memorial Building	0.81000			16 0	0	54	0.00000
Symphony Orchestra	0.13500			17 0	0	55	0.00000
Cultural & Scientific Facilities	0.27000			18 0	0	56	0.00000
County Bridge	As Voted			19 0	0	57	0.00000
Missi or Missouri River Bridge Const.	1.35000			20 0	0	58	0.00000
Aid to a Transit Company	0.03375			21 0	0	59	0.00000
Maintain Institution received by gift/devise	0.20500			22 0	0	60	0.00000
City Emergency Medical District	1.00000			463 0	0	466	0.00000
Support Public Library	0.27000			23 0	0	61	0.00000
Unified Law Enforcement	1.50000			24 0	0	62	0.00000
<b>Total General Fund Regular Levies (5 thru 24)</b>				25 381,631	378,593		
Ag Land	3.00375			26 2,849	2,849	63	3.00375
<b>Total General Fund Tax Levies (25 + 26)</b>				27 384,480	381,442		
<b>Special Revenue Levies</b>							
Emergency (if general fund at levy limit)	0.27000			28 11,083	10,995	64	0.27000
Police & Fire Retirement	Amt Nec			29 0	0		0.00000
FICA & IPERS (if general fund at levy limit)	Amt Nec			30 34,000	33,730		0.82832
Other Employee Benefits	Amt Nec			31 10,500	10,416		0.25580
<b>Total Employee Benefit Levies (29,30,31)</b>				32 44,500	44,146	65	1.08412
<b>Sub Total Special Revenue Levies (28+32)</b>				33 55,583	55,141		
<b>As Req</b>		<b>With Gas &amp; Elec Valuation</b>	<b>Without Gas &amp; Elec Valuation</b>				
SSMID 1		0	0	34	0	66	0.00000
SSMID 2		0	0	35	0	67	0.00000
SSMID 3		0	0	36	0	68	0.00000
SSMID 4		0	0	37	0	69	0.00000
SSMID 5		0	0	555	0	565	0.00000
SSMID 6		0	0	556	0	566	0.00000
SSMID 7		0	0	1177	0	1179	0.00000
SSMID 8		0	0	1185	0	1187	0.00000
<b>Total Special Revenue Levies</b>				39 55,583	55,141		
Debt Service Levy 76.10(6)	Amt Nec			40 49,130	48,819	70	0.95407
Capital Projects (Capital Improv. Reserve)	0.67500			41	0	71	0.00000
<b>Total Property Taxes (27+39+40+41)</b>				42 489,193	485,402	72	11.60559

( Signature )

(Date)

( County Auditor )

(Date)

**NOTICE OF PUBLIC HEARING - CITY OF ELKHART - PROPOSED PROPERTY TAX LEVY**  
**Fiscal Year July 1, 2023 - June 30, 2024**

The City Council will conduct a public hearing on the proposed Fiscal Year City property tax levy as follows:

**Meeting Date:** 2/21/2023 **Meeting Time:** 06:00 PM **Meeting Location:** Elkhart Community Center

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of the proposed tax levy. After adoption of the proposed tax levy, the City Council will publish notice and hold a hearing on the proposed city budget.

City Website (if available)

City Telephone Number  
(515) 367-4735 ext: 1

	Current Year Certified Property Tax 2022 - 2023	Budget Year Effective Property Tax 2023 - 2024	Budget Year Proposed Maximum Property Tax 2023 - 2024	Annual % CHG
Regular Taxable Valuation	35,632,794	41,047,037	41,047,037	
Tax Levies:				
Regular General	288,626	288,626	342,348	
Contract for Use of Bridge			0	
Oper & Maint Publicly Owned Transit			0	
Rent, Ins. Maint. Of Non-Owned Civ. Ctr.	13,452	13,452	17,956	
Oper & Maint of City-Owned Civic Center			0	
Planning a Sanitary Disposal Project			0	
Liability, Property & Self-Insurance Costs	26,000	26,000	35,000	
Support of Local Emer. Mgmt. Commission			0	
Emergency	9,621	9,621	11,412	
Police & Fire Retirement			0	
FICA & IPERS	33,940	33,940	47,257	
Other Employee Benefits	8,000	8,000	11,489	
<b>Total Tax Levy</b>	<b>379,639</b>	<b>379,639</b>	<b>465,462</b>	<b>22.6</b>
<b>Tax Rate</b>	<b>10.65420</b>	<b>9.24888</b>	<b>11.33972</b>	

**Explanation of significant increases in the budget:**

Older building more maintenance on community center New Deputy/Utility Billing Clerk

**If applicable, the above notice also available online at:**

elkhartiowa.com

\*Total city tax rate will also include voted general fund levy, debt service levy, and capital improvement reserve levy.

\*\*Budget year effective property tax rate is the rate that would be assessed for these levies if the dollars requested is not changed in the coming budget year

**FUND BALANCE**  
 City Name: ELKHART  
 Fiscal Year July 1, 2023 - June 30, 2024

	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	TOTAL GOVERNMENT	PROPRIETARY	GRAND TOTAL
<b>Annual Report FY 2022</b>									
1 Beginning Fund Balance July 1	191,752	399,856	351,440	25,755	-163,092	0	805,711	284,040	1,089,751
2 Actual Revenues Except Beg Balance	580,058	307,972	433,841	301,925	2,649,061	0	4,272,857	506,282	4,779,139
3 Actual Expenditures Except End Balance	536,664	234,061	297,671	358,677	1,085,196	0	2,512,269	529,883	3,042,152
4 Ending Fund Balance June 30	235,146	473,767	487,610	-30,997	1,400,773	0	2,566,299	260,439	2,826,738
<b>Re-Estimated FY 2023</b>									
5 Beginning Fund Balance	235,146	473,767	487,610	-30,997	1,400,773	0	2,566,299	260,439	2,826,738
6 Re-Est Revenues	864,921	317,054	405,200	390,014	4,655,000	0	6,632,189	652,747	7,284,936
7 Re-Est Expenditures	686,186	244,274	298,685	390,014	4,630,000	0	6,249,159	434,005	6,683,164
8 Ending Fund Balance	413,881	546,547	594,125	-30,997	1,425,773	0	2,949,329	479,181	3,428,510
<b>Budget FY 2024</b>									
9 Beginning Fund Balance	413,881	546,547	594,125	-30,997	1,425,773	0	2,949,329	479,181	3,428,510
10 Revenues	867,242	324,058	467,000	544,851	3,518,414	0	5,721,565	696,446	6,418,011
11 Expenditures	888,771	295,049	383,853	557,231	4,118,414	0	6,243,318	610,863	6,854,181
12 Ending Fund Balance	392,352	575,556	677,272	-43,377	825,773	0	2,427,576	564,764	2,992,340

**LOCAL EMC SUPPORT**

City Name: ELKHART

Fiscal Year July 1, 2023 - June 30, 2024

As provided in Iowa Code Section 384.12, subsection 22, a city may levy the amount necessary in support of a local Emergency Management Commission. In addition to this individual levy, Emergency Management Commission support may also be included as part of the General Fund Levy. Iowa Code Section 29C.17, subsection 5 states that any support from cities or counties must be separately reported on tax statements issued by the county treasurer. Input the amount of General Fund Levy request to be used for support of an Emergency Management Commission. The total below will reflect the total amount of Emergency Management Commission support provided by the City.

	Request with Utility Replacement	Property Taxes Levied
Portion of General Fund Levy Used for Emerg. Mgmt. Comm.		0
Support of a Local Emerg. Mgmt. Comm.	0	0
TOTAL FOR FY 2024	0	0

RE-ESTIMATED EXPENDITURES SCHEDULE PAGE 1

City Name: ELKHART

Fiscal Year July 1, 2022 - June 30, 2023

GOVERNMENT ACTIVITIES CONT.	GENERAL	SPECIAL REVENUE	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT PROPRIETARY	RE-ESTIMATED 2023	ACTUAL 2022
<b>PUBLIC SAFETY</b>								
1 Police Department/Crime Prevention	35,649	0					35,649	33,850
2 Jail							0	0
3 Emergency Management	138,611						138,611	5,554
4 Flood Control							0	0
5 Fire Department	70,340	0					70,340	48,887
6 Ambulance	11,450						11,450	42,305
7 Building Inspections	80,000						80,000	87,183
8 Miscellaneous Protective Services							0	0
9 Animal Control	0						0	491
10 Other Public Safety							0	0
11 TOTAL (lines 1 - 10)	336,050	0				0	336,050	218,270
<b>PUBLIC WORKS</b>								
12 Roads, Bridges, & Sidewalks	15,744	101,796					117,540	48,722
13 Parking - Meter and Off-Street							0	0
14 Street Lighting	12,000	0					12,000	10,007
15 Traffic Control and Safety	1,000	2,000					3,000	2,094
16 Snow Removal	7,449	7,250					14,699	17,124
17 Highway Engineering							0	0
18 Street Cleaning							0	0
19 Airport (if not Enterprise)							0	0
20 Garbage (if not Enterprise)	18,500						18,500	41,524
21 Other Public Works	0	0					0	73,133
22 TOTAL (lines 12 - 21)	54,693	111,046				0	165,739	192,604
<b>HEALTH &amp; SOCIAL SERVICES</b>								
23 Welfare Assistance							0	0
24 City Hospital							0	0
25 Payments to Private Hospitals							0	0
26 Health Regulation and Inspection	0						0	0
27 Water, Air, and Mosquito Control	3,000						3,000	1,146
28 Community Mental Health							0	0
29 Other Health and Social Services							0	0
30 TOTAL (lines 23 - 29)	3,000	0				0	3,000	1,146
<b>CULTURE &amp; RECREATION</b>								
31 Library Services	1,900	0					1,900	1,900
32 Museum, Band and Theater							0	0
33 Parks	36,443	0					36,443	33,512
34 Recreation	4,200	0					4,200	2,521
35 Cemetery	11,506	0					11,506	11,958
36 Community Center, Zoo, & Marina	13,452						13,452	11,850
37 Other Culture and Recreation	0						0	0
38 TOTAL (lines 31 - 37)	67,501	0				0	67,501	61,741



RE-ESTIMATED EXPENDITURES SCHEDULE PAGE 2

City Name: ELKHART  
Fiscal Year July 1, 2022 - June 30, 2023

		GENERAL	SPECIAL REVENUE	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	RE-ESTIMATED 2023	ACTUAL 2022
<b>GOVERNMENT ACTIVITIES CONT.</b>										
<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>										
39	Community Beautification	0	0						0	12,873
40	Economic Development								0	822,562
41	Housing and Urban Renewal								0	0
42	Planning & Zoning	30,500							30,500	46,150
43	Other Com & Econ Development								0	358,677
44	TIF Rebates								0	0
45	TOTAL (lines 39 - 44)	30,500	0	0			0		30,500	1,240,262
<b>GENERAL GOVERNMENT</b>										
46	Mayor, Council, & City Manager	6,535	0						6,535	5,740
47	Clerk, Treasurer, & Finance Adm.	73,055							73,055	37,180
48	Elections	500							500	437
49	Legal Services & City Attorney	1,500							1,500	920
50	City Hall & General Buildings	112,852							112,852	51,441
51	Tort Liability								0	0
52	Other General Government								0	0
53	TOTAL (lines 46 - 52)	194,442	0	0	390,014	4,630,000	0		194,442	95,718
54	DEBT SERVICE								390,014	0
55	Gov Capital Projects					4,630,000			4,630,000	0
56	TIF Capital Projects								0	0
57	TOTAL CAPITAL PROJECTS	0	0	0		4,630,000	0		4,630,000	0
58	TOTAL Governmental Activities Expenditures (lines 11+22+30+38+44+52+53+54)	686,186	111,046	0	390,014	4,630,000	0		5,817,246	1,809,741
<b>BUSINESS TYPE ACTIVITIES</b>										
<b>Proprietary: Enterprise &amp; Budgeted ISF</b>										
59	Water Utility							186,702	186,702	235,739
60	Sewer Utility							134,657	134,657	240,217
61	Electric Utility								0	0
62	Gas Utility								0	0
63	Airport								0	0
64	Landfill/Garbage								0	0
65	Transit								0	0
66	Cable TV, Internet & Telephone								0	0
67	Housing Authority								0	0
68	Storm Water Utility								0	0
69	Other Business Type (City hosp., ISF, parking, etc.)							5,997	5,997	22,811
70	Enterprise DEBT SERVICE								0	0
71	Enterprise CAPITAL PROJECTS								0	0
72	Enterprise TIF CAPITAL PROJECTS								0	0
73	TOTAL BUSINESS TYPE EXPENDITURES (lines 59+72)							327,356	327,356	498,767
74	TOTAL ALL EXPENDITURES (lines 58+73)	686,186	111,046	0	390,014	4,630,000	0	327,356	6,144,602	2,308,508
75	Regular Transfers Out	0	133,228					106,649	239,877	435,973
76	Internal TIF Loan Transfers Out			298,685					298,685	297,671
77	Total ALL Transfers Out	0	133,228	298,685	0	0	0	106,649	538,562	733,644
78	Total Expenditures and Other Fin Uses (lines 74+77)	686,186	244,274	298,685	390,014	4,630,000	0	434,005	6,683,164	3,042,152
79	Ending Fund Balance June 30	413,881	546,547	594,125	-30,997	1,425,773	0	479,181	3,428,510	2,826,738

**RE-ESTIMATED REVENUES DETAIL**

City Name: ELKHART  
 Fiscal Year July 1, 2022 - June 30, 2023

REVENUES & OTHER FINANCING SOURCES	GENERAL	SPECIAL REVENUE	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	RE-ESTIMATED 2023	ACTUAL 2022
1 Taxes Levied on Property	326,809	44,502		27,722				399,033	263,561
2 Less: Uncollected Property Taxes - Levy Year								0	0
3 Net Current Property Taxes (line 1 minus line 2)	326,809	44,502		27,722	0			399,033	263,561
4 Delinquent Property Taxes								0	0
5 TIF Revenues			405,200					405,200	433,841
6 Other City Taxes:									
7 Utility Tax Replacement Excise Taxes	3,076	0		0				3,076	0
8 Utility franchise tax (Iowa Code Chapter 364.2)	4,000							4,000	1,511
9 Panmuel wager tax								0	0
10 Gaming wager tax								0	0
11 Mobile Home Taxes	0	0		0				0	0
12 Hotel/Motel Taxes								0	0
13 Other Local Option Taxes		160,479						160,479	204,839
14 Subtotal - Other City Taxes (lines 6 thru 12)	7,076	160,479		0	0			167,555	206,350
15 Licenses & Permits	161,280							161,280	103,873
16 Use of Money, & Property	9,730	500						10,230	5,723
17 Intergovernmental:									
18 Federal Grants & Reimbursements	137,546							137,546	81,400
19 Road Use Taxes		111,573						111,573	60,097
20 Other State Grants & Reimbursements	7,409	0		0	260,000			267,409	0
21 Local Grants & Reimbursements	130,000							130,000	84,089
22 Subtotal - Intergovernmental (lines 16 thru 19)	274,955	111,573		0	260,000			646,528	225,586
23 Charges for Fees & Service:									
24 Water Utility								259,000	235,630
25 Sewer Utility								253,248	209,840
26 Electric Utility								0	0
27 Gas Utility								0	0
28 Parking								0	0
29 Airport								0	0
30 Landfill/Carbage	19,000							19,000	17,280
31 Hospital								0	0
32 Transit								0	0
33 Cable TV, Internet & Telephone								0	0
34 Housing Authority								0	0
35 Storm Water Utility								33,850	29,696
36 Other Fees & Charges for Service	0	0						0	0
37 Subtotal - Charges for Service (lines 21 thru 33)	19,000	0		0	0	0	0	546,098	492,446
38 Special Assessments								0	0
39 Miscellaneous	21,450	0		0	0			21,450	1,950,420
40 Other Financing Sources:									
41 Regular Operating Transfers In	44,621	0		63,607	25,000			239,877	435,973
42 Internal TIF Loan Transfers In				298,685	0			298,685	297,671
43 Subtotal ALL Operating Transfers In	44,621	0		362,292	25,000			538,562	733,644
44 Proceeds of Debt (Excluding TIF Internal Borrowing)				0	4,370,000			4,370,000	363,695
45 Proceeds of Capital Asset Sales								0	0
46 Subtotal-Other Financing Sources (lines 36 thru 38)	44,621	0		362,292	4,395,000			4,908,562	1,097,339
47 Total Revenues except for beginning fund balance (lines 3, 4, 5, 12, 13, 14, 19, 33, 34, 35, & 39)	864,921	317,054		390,014	4,655,000			7,284,936	4,779,139
48 Beginning Fund Balance July 1	235,146	473,767		-30,997	1,400,773			2,826,738	1,089,751
49 TOTAL REVENUES & BEGIN BALANCE (lines									

**EXPENDITURES SCHEDULE PAGE 1**

City Name: ELKHART

Fiscal Year July 1, 2023 - June 30, 2024

GOVERNMENT ACTIVITIES	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2024	RE-ESTIMATED 2023	ACTUAL 2022
<b>PUBLIC SAFETY</b>										
Police Department/Crime Prevention	1 37,236							37,236	35,649	33,850
Jail	2							0	0	0
Emergency Management	3 21,140							21,140	138,611	5,554
Flood Control	4							0	0	0
Fire Department	5 76,544	0						76,544	70,340	48,887
Ambulance	6 14,050							14,050	11,450	42,305
Building Inspections	7 90,000							90,000	80,000	87,183
Miscellaneous Protective Services	8							0	0	0
Animal Control	9 0							0	0	491
Other Public Safety	10							0	0	0
<b>TOTAL (lines 1 - 10)</b>	11 238,970	0				0		238,970	336,050	218,270
<b>PUBLIC WORKS</b>										
Roads, Bridges, & Sidewalks	12 31,797	110,021						141,818	117,540	48,722
Parking - Meter and Off-Street	13							0	0	0
Street Lighting	14 10,750	0						10,750	12,000	10,007
Traffic Control and Safety	15 1,000	2,000						3,000	3,000	2,094
Snow Removal	16 10,427	7,000						17,427	14,699	17,124
Highway Engineering	17	0						0	0	0
Street Cleaning	18							0	0	0
Airport	19							0	0	0
Garbage (if not Enterprise)	20 21,700							21,700	18,500	41,524
Other Public Works	21 143,422	0						143,422	0	73,133
<b>TOTAL (lines 12 - 21)</b>	22 219,096	119,021				0		338,117	165,739	192,604
<b>HEALTH &amp; SOCIAL SERVICES</b>										
Welfare Assistance	23							0	0	0
City Hospital	24							0	0	0
Payments to Private Hospitals	25							0	0	0
Health Regulation and Inspection	26 0							0	0	0
Water, Air, and Mosquito Control	27 0							0	0	0
Community Mental Health	28							0	3,000	1,146
Other Health and Social Services	29							0	0	0
<b>TOTAL (lines 23 - 29)</b>	30 0	0				0		0	3,000	1,146
<b>CULTURE &amp; RECREATION</b>										
Library Services	31 1,900							1,900	1,900	1,900
Museum, Band and Theater	32							0	0	0
Parks	33 107,453	0						107,453	36,443	33,512
Recreation	34 3,500	0						3,500	4,200	2,521
Cemetery	35 14,167	0						14,167	11,506	11,958
Community Center, Zoo, & Marina	36 22,386							22,386	13,452	11,850
Other Culture and Recreation	37 0							0	0	0
<b>TOTAL (lines 31 - 37)</b>	38 149,406	0				0		149,406	67,501	61,741

EXPENDITURES SCHEDULE PAGE 2

City Name: ELKHART  
Fiscal Year July 1, 2023 - June 30, 2024

GOVERNMENT ACTIVITIES	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2024	RE-ESTIMATED 2023	ACTUAL 2022
<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>										
Community Beautification	39	0	0					0	0	12,873
Economic Development	40							0	0	822,562
Housing and Urban Renewal	41							0	0	0
Planning & Zoning	42	35,500						35,500	30,500	46,150
Other Com & Econ Development	43							0	0	358,677
TIF Rebates	44							0	0	0
TOTAL (lines 39 - 44)	45	35,500	0	0		0		35,500	30,500	1,240,262
<b>GENERAL GOVERNMENT</b>										
Mayor, Council, & City Manager	46	6,980						6,980	6,535	5,740
Clerk, Treasurer, & Finance Adm.	47	86,038						86,038	73,055	37,180
Elections	48	500						500	500	437
Legal Services & City Attorney	49	1,500						1,500	1,500	920
City Hall & General Buildings	50	150,781						150,781	112,852	51,441
Tort Liability	51							0	0	0
Other General Government	52							0	0	0
TOTAL (lines 46 - 52)	53	245,799	0	0		0		245,799	194,442	95,718
<b>DEBT SERVICE</b>										
Gov Capital Projects	54			557,231				557,231	390,014	0
TIF Capital Projects	55				4,118,414			4,118,414	4,630,000	0
TOTAL CAPITAL PROJECTS	56				4,118,414			4,118,414	4,630,000	0
TOTAL Government Activities Expenditures (lines 11+22+30+38+45+53+54+57)	58	888,771	119,021	0	4,118,414	0		5,683,437	5,817,246	1,809,741
<b>BUSINESS TYPE ACTIVITIES</b>										
<b>Proprietary: Enterprise &amp; Budgeted ISF</b>										
Water Utility	59									
Sewer Utility	60						215,543	215,543	186,702	235,739
Electric Utility	61						201,958	201,958	134,657	240,217
Gas Utility	62							0	0	0
Airport	63							0	0	0
Landfill/Garbage	64							0	0	0
Transit	65							0	0	0
Cable TV, Internet & Telephone	66							0	0	0
Housing Authority	67							0	0	0
Storm Water Utility	68							0	0	0
Other Business Type (City hosp., ISF, parking, etc.)	69							0	5,997	22,811
Enterprise DEBT SERVICE	70							0	0	0
Enterprise CAPITAL PROJECTS	71							0	0	0
Enterprise TIF CAPITAL PROJECTS	72							0	0	0
TOTAL Business Type Expenditures (lines 59 - 72)	73							417,501	327,356	498,767
TOTAL ALL EXPENDITURES (lines 58 + 73)	74	888,771	119,021	0	4,118,414	0		6,100,938	6,144,602	2,308,508
Regular Transfers Out	75	0	176,028		0			193,362	239,877	435,973
Internal TIF Loan / Repayment Transfers Out	76			383,853				383,853	298,685	297,671
Total ALL Transfers Out	77	0	176,028	383,853	0	0		193,362	538,562	733,644
Total Expenditures & Fund Transfers Out (lines 74+77)	78	888,771	295,049	383,853	4,118,414	0		6,100,938	6,683,164	3,042,152
Ending Fund Balance June 30	79	392,352	575,556	677,272	825,773	0		2,992,340	3,428,510	2,826,738

**REVENUES DETAIL**  
 City Name: ELKHART  
 Fiscal Year July 1, 2023 - June 30, 2024

	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2024	RE-ESTIMATED 2023	ACTUAL 2022
<b>REVENUES &amp; OTHER FINANCING SOURCES</b>										
Taxes Levied on Property	1 381,442	55,141		48,819	0			483,402	399,033	263,561
Less: Uncollected Property Taxes - Levy Year								0	0	0
Net Current Property Taxes (line 1 minus line 2)	3 381,442	55,141		48,819	0			483,402	399,033	263,561
Delinquent Property Taxes	4								0	0
TIF Revenues	5		467,000					467,000	405,200	433,841
Other City Taxes:										
Utility Tax Replacement Excise Taxes	6 3,038	442		311	0			3,791	3,076	0
Utility franchise tax (Iowa Code Chapter 364.2)	7 4,000							4,000	4,000	1,511
Parimutuel wager tax	8							0	0	0
Gaming wager tax	9							0	0	0
Mobile Home Taxes	10 0	0		0				0	0	0
Hotel/Motel Taxes	11							0	0	0
Other Local Option Taxes	12	147,975						147,975	160,479	204,839
Subtotal - Other City Taxes (lines 6 thru 12)	13 7,038	148,417	0	311				155,766	167,555	206,350
Licenses & Permits	14 152,500							152,500	161,280	103,873
Use of Money & Property	15 10,000	500					0	10,500	10,230	5,723
Intergovernmental:										
Federal Grants & Reimbursements	16 0							0	137,546	81,400
Road Use Taxes	17	120,000						120,000	111,573	60,097
Other State Grants & Reimbursements	18							0	267,409	0
Local Grants & Reimbursements	19 130,000							130,000	130,000	84,089
Subtotal - Intergovernmental (lines 16 thru 19)	20 130,000	120,000	0	0			0	250,000	646,528	225,586
Charges for Fees & Service:										
Water Utility	21							281,000	259,000	235,630
Sewer Utility	22							269,600	253,248	209,840
Electric Utility	23							0	0	0
Gas Utility	24							0	0	0
Parking	25							0	0	0
Airport	26							0	0	0
Landfill/Garbage	27 21,250							21,250	19,000	17,280
Hospital	28							0	0	0
Transit	29							0	0	0
Cable TV, Internet & Telephone	30							0	0	0
Housing Authority	31							0	0	0
Storm Water Utility	32							39,236	33,850	29,696
Other Fees & Charges for Service	33 0	0						589,836	565,098	492,446
Subtotal - Charges for Service (lines 21 thru 33)	34 21,250	0	0	0	0	0	0	611,086	565,098	492,446
Special Assessments	35							0	0	0
Miscellaneous	36 39,100							39,100	21,450	1,950,420
Other Financing Sources:										
Regular Operating Transfers In	37 125,912		25,000	111,868				106,610	239,877	435,973
Internal TIF Loan Transfers In	38			383,853				383,853	298,685	297,671
Subtotal ALL Operating Transfers In	39 125,912	0	25,000	495,721				106,610	538,562	733,644
Proceeds of Debt (Excluding TIF Internal Borrowing)	40			0	3,493,414			3,493,414	4,370,000	363,695
Proceeds of Capital Asset Sales	41		0					0	0	0
Subtotal-Other Financing Sources (lines 38 thru 40)	42 125,912	0	3,518,414	495,721			0	106,610	4,908,562	1,097,339
Total Revenues except for beginning fund balance (lines 3, 4, 5, 13, 14, 15, 20, 34, 35, 36, & 41)	43 867,242	324,038	467,000	544,851	3,518,414	0	0	696,446	6,418,011	4,779,139
Beginning Fund Balance July 1	44 413,881	546,547	594,125	-30,997	1,425,773	0	0	479,181	3,428,510	1,089,751
<b>TOTAL REVENUES &amp; BEGIN BALANCE (lines 42+43)</b>	45 1,281,123	870,605	1,061,125	513,854	4,944,187	0	0	1,175,627	10,111,674	5,868,890

**ADOPTED BUDGET SUMMARY**  
 City Name: ELKHART  
 Fiscal Year July 1, 2023 - June 30, 2024

	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2024	RE-ESTIMATED 2023	ACTUAL 2022
<b>Revenues &amp; Other Financing Sources</b>										
1 Taxes Levied on Property	381,442	55,141		48,819	0			485,402	399,033	263,561
2 Less: Uncollected Property Taxes-Levy Year	0	0		0	0			0	0	0
3 Net Current Property Taxes	381,442	55,141		48,819	0			485,402	399,033	263,561
4 Delinquent Property Taxes	0	0		0	0			0	0	0
5 TIF Revenues			467,000							
6 Other City Taxes	7,038	148,417		311	0			467,000	405,200	433,841
7 Licenses & Permits	152,500	0		0	0			155,766	167,555	206,350
8 Use of Money and Property	10,000	500		0	0			10,500	10,230	5,723
9 Intergovernmental	130,000	120,000		0	0			250,000	646,528	225,586
10 Charges for Fees & Service	21,250	0		0	0			589,836	611,086	492,446
11 Special Assessments	0	0		0	0			0	0	0
12 Miscellaneous	39,100	0		0	0			39,100	21,450	1,950,420
13 Sub-Total Revenues	741,330	324,058	467,000	49,130	0	0	0	589,836	2,376,374	3,681,800
<b>Other Financing Sources:</b>										
14 Total Transfers In	125,912	0	25,000	495,721	0	106,610	0	753,243	538,562	733,644
15 Proceeds of Debt	0	0	3,493,414	0	0	0	0	3,493,414	4,370,000	363,695
16 Proceeds of Capital Asset Sales	0	0	0	0	0	0	0	0	0	0
17 Total Revenues and Other Sources	867,242	324,058	467,000	544,851	3,518,414	0	696,446	6,418,011	7,284,936	4,779,139
<b>Expenditures &amp; Other Financing Uses</b>										
18 Public Safety	238,970	0		0				238,970	336,050	218,270
19 Public Works	219,096	119,021		0				338,117	165,739	192,604
20 Health and Social Services	0	0		0				0	3,000	1,146
21 Culture and Recreation	149,406	0		0				149,406	67,501	61,741
22 Community and Economic Development	35,500	0		0				35,500	30,500	1,240,262
23 General Government	245,799	0		0				245,799	194,442	95,718
24 Debt Service	0	0		557,231				557,231	390,014	0
25 Capital Projects	0	0	4,118,414	0	4,118,414	0	0	4,118,414	4,630,000	0
26 Total Government Activities Expenditures	888,771	119,021	4,118,414	557,231	4,118,414	0	417,501	5,683,437	5,817,246	1,809,741
27 Business Type Proprietary: Enterprise & ISF									327,356	498,767
28 Total Gov & Bus Type Expenditures	888,771	119,021	4,118,414	557,231	4,118,414	0	417,501	6,100,938	6,144,602	2,308,508
29 Total Transfers Out	0	176,028	383,853	0	0	0	193,362	753,243	538,562	733,644
30 Total ALL Expenditures/Fund Transfers Out	888,771	295,049	383,853	557,231	4,118,414	0	610,863	6,854,181	6,683,164	3,042,152
31 Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out										
32 (Under) Expenditures/Transfers Out	-21,529	29,009	83,147	-12,380	-600,000	0	85,583	-436,170	601,772	1,736,987
33 Beginning Fund Balance July 1	413,881	546,547	594,125	-30,997	1,425,773	0	479,181	3,428,510	2,826,738	1,089,751
34 Ending Fund Balance June 30	392,352	575,556	677,272	-43,377	825,773	0	564,764	2,992,340	3,428,510	2,826,738

**LONG TERM DEBT SCHEDULE - LI DEBT1**  
 GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS

Debt Name	Amount of Issue	Type of Debt Obligation	Debt Resolution Number	Principal Due FY	Interest Due FY	Total Obligation Due FY	Bond Reg./ Paying Agent Fees Due FY	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Funds OTHER THAN Current Year Debt Service Taxes	Amount Paid Current Year Debt Service Levy
GO AA Sewer Improve 2020A	3,793,000	GO	2020-95	273,000	17,980	290,980	7,135		298,115	0
Sewer Revenue Bond 2020B	1,466,000	NON-GO	2020-103	71,000	8,573	79,573	2,857		82,430	0
GO 2020C-Main St	450,000	GO	2020-96	55,000	6,960	61,960			61,960	0
Water Main Extension-2021 Series	376,000	NON-GO	2021-116	17,000	6,283	23,283	897		24,180	0
GO 2022A	2,080,000	GO	2022-30	115,000	69,175	184,175	600		135,645	49,130
	6	-				0				0
	7	-				0				0
	8	-				0				0
	9	-				0				0
	10	-				0				0
	11	-				0				0
	12	-				0				0
	13	-				0				0
	14	-				0				0
	15	-				0				0
	16	-				0				0
	17	-				0				0
	18	-				0				0
	19	-				0				0
	20	-				0				0
	21	-				0				0
	22	-				0				0
	23	-				0				0
	24	-				0				0
	25	-				0				0
	26	-				0				0
	27	-				0				0
	28	-				0				0
	29	-				0				0
	30	-				0				0
<b>TOTALS</b>				531,000	108,971	639,971	11,489	0	602,330	49,130

**LONG TERM DEBT SCHEDULE - LI DEBT2**  
 GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS

Debt Name	Amount of Issue	Type of Debt Obligation	Debt Resolution Number	Principal Due FY	Interest Due FY	Total Obligation Due FY	Bond Reg./ Paying Agent Fees Due FY	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Funds OTHER THAN Current Year Debt Service Taxes	Amount Paid Current Year Debt Service Levy
	31	-				0				0
	32	-				0				0
	33	-				0				0
	34	-				0				0
	35	-				0				0
	36	-				0				0
	37	-				0				0
	38	-				0				0
	39	-				0				0
	40	-				0				0
	41	-				0				0
	42	-				0				0
	43	-				0				0
	44	-				0				0
	45	-				0				0
	46	-				0				0
	47	-				0				0
	48	-				0				0
	49	-				0				0
	50	-				0				0
	51	-				0				0
	52	-				0				0
	53	-				0				0
	54	-				0				0
	55	-				0				0
	56	-				0				0
	57	-				0				0
	58	-				0				0
	59	-				0				0
	60	-				0				0
<b>TOTALS</b>				531,000	108,971	639,971	11,489	0	602,330	49,130



LONG TERM DEBT SCHEDULE - LT DEBT3  
 GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS

Debt Name	Amount of Issue	Type of Debt Obligation	Debt Resolution Number	Principal Due FY	Interest Due FY	Total Obligation Due FY	Bond Reg./ Paying Agent Fees Due FY	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Funds OTHER THAN Current Year Debt Service Taxes	Amount Paid Current Year Debt Service Levy
61						0				0
62						0				0
63						0				0
64						0				0
65						0				0
66						0				0
67						0				0
68						0				0
69						0				0
70						0				0
71						0				0
72						0				0
73						0				0
74						0				0
75						0				0
76						0				0
77						0				0
78						0				0
79						0				0
80						0				0
81						0				0
82						0				0
83						0				0
84						0				0
85						0				0
86						0				0
87						0				0
88						0				0
89						0				0
90						0				0
<b>TOTALS</b>				531,000	108,971	639,971	11,489	0	602,330	49,130

LONG TERM DEBT SCHEDULE - LT DEBT4  
 GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS

Debt Name	Amount of Issue	Type of Debt Obligation	Debt Resolution Number	Principal Due FY	Interest Due FY	Total Obligation Due FY	Bond Reg./Paying Agent Fees Due FY	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Funds OTHER THAN Current Year Debt Service Taxes	Amount Paid Current Year Debt Service Levy
91		-				0				0
92		-				0				0
93		-				0				0
94		-				0				0
95		-				0				0
96		-				0				0
97		-				0				0
98		-				0				0
99		-				0				0
100		-				0				0
101		-				0				0
102		-				0				0
103		-				0				0
104		-				0				0
105		-				0				0
106		-				0				0
107		-				0				0
108		-				0				0
109		-				0				0
110		-				0				0
111		-				0				0
112		-				0				0
113		-				0				0
114		-				0				0
115		-				0				0
116		-				0				0
117		-				0				0
118		-				0				0
119		-				0				0
120		-				0				0
<b>TOTALS</b>				531,000	108,971	639,971	11,489	0	602,330	49,130

**LONG TERM DEBT SCHEDULE - LT DEBTS**  
**GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS**

Debt Name	Debt Number	Type of Debt Obligation	Debt Resolution Number	Principal Due FY	Interest Due FY	Total Obligation Due FY	Bond Reg./ Paying Agent Fees Due FY	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Funds OTHER THAN Current Year Debt Service Taxes	Amount Paid Current Year Debt Service Levy
	121	-				0				0
	122	-				0				0
	123	-				0				0
	124	-				0				0
	125	-				0				0
	126	-				0				0
	127	-				0				0
	128	-				0				0
	129	-				0				0
	130	-				0				0
	131	-				0				0
	132	-				0				0
	133	-				0				0
	134	-				0				0
	135	-				0				0
	136	-				0				0
	137	-				0				0
	138	-				0				0
	139	-				0				0
	140	-				0				0
	141	-				0				0
	142	-				0				0
	143	-				0				0
	144	-				0				0
	145	-				0				0
	146	-				0				0
	147	-				0				0
	148	-				0				0
	149	-				0				0
	150	-				0				0
<b>TOTALS</b>				531,000	108,971	639,971	11,489	0	602,330	49,130

**LONG TERM DEBT SCHEDULE - LT DEBT6**  
**GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS**

Debt Name	Amount of Issue	Type of Debt Obligation	Debt Resolution Number	Principal Due FY	Interest Due FY	Total Obligation Due FY	Bond Reg./ Paying Agent Fees Due FY	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Funds OTHER THAN Current Year Debt Service Taxes	Amount Paid Current Year Debt Service Levy
	151	-				0				0
	152	-				0				0
	153	-				0				0
	154	-				0				0
	155	-				0				0
	156	-				0				0
	157	-				0				0
	158	-				0				0
	159	-				0				0
	160	-				0				0
	161	-				0				0
	162	-				0				0
	163	-				0				0
	164	-				0				0
	165	-				0				0
	166	-				0				0
	167	-				0				0
	168	-				0				0
	169	-				0				0
	170	-				0				0
	171	-				0				0
	172	-				0				0
	173	-				0				0
	174	-				0				0
	175	-				0				0
	176	-				0				0
	177	-				0				0
	178	-				0				0
	179	-				0				0
	180	-				0				0
<b>TOTALS</b>				531,000	108,971	639,971	11,489	0	602,330	49,130

LONG TERM DEBT SCHEDULE - LT DEBT7  
 GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS

Debt Name	Amount of Issue	Type of Debt Obligation	Debt Resolution Number	Principal Due FY	Interest Due FY	Total Obligation Due FY	Bond Reg./ Paying Agent Fees Due FY	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Funds OTHER THAN Current Year Debt Service Taxes	Amount Paid Current Year Debt Service Levy
181						0				0
182						0				0
183						0				0
184						0				0
185						0				0
186						0				0
187						0				0
188						0				0
189						0				0
190						0				0
191						0				0
192						0				0
193						0				0
194						0				0
195						0				0
196						0				0
197						0				0
198						0				0
199						0				0
200						0				0
201						0				0
202						0				0
203						0				0
204						0				0
205						0				0
206						0				0
207						0				0
208						0				0
209						0				0
210						0				0
<b>TOTALS</b>				<b>531,000</b>	<b>108,971</b>	<b>639,971</b>	<b>11,489</b>	<b>0</b>	<b>602,330</b>	<b>49,130</b>

**LONG TERM DEBT SCHEDULE - GRAND TOTALS**  
**GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS**

	Principal Due FY 2024	Interest Due FY 2024	Total Obligation Due FY 2024	Bond Reg./ Paying Agent Fees Due FY 2024	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Sources OTHER THAN Budget Year Debt Service Levy	Amount Paid Budget Year Debt Service Levy
GO - TOTAL	443,000	94,115	537,115	7,735	0	495,720	49,130
NON GO - TOTAL	88,000	14,856	102,856	3,754	0	106,610	0
GRAND - TOTAL	531,000	108,971	639,971	11,489	0	602,330	49,130

## NOTICE OF PUBLIC HEARING – PROPOSED BUDGET

Fiscal Year July 1, 2023 - June 30, 2024

City of: ELKHART

The City Council will conduct a public hearing on the proposed Budget at: Elkhart Community Center Meeting Date: 4/17/2023 Meeting Time: 06:00 PM

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the City Clerk and County Auditor.

City budgets are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dom.iowa.gov/local-budget-appeals>.

The Budget Estimate Summary of proposed receipts and expenditures is shown below. Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor, City Clerk, and at the Library.

The estimated Total tax levy rate per \$1000 valuation on regular property 11.60559

The estimated tax levy rate per \$1000 valuation on Agricultural land is 3.00375

At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

Phone Number (515) 367-4735 ext: 1 City Clerk/Finance Officer's NAME Brenda Hysell

		Budget FY 2024	Re-estimated FY 2023	Actual FY 2022
<b>Revenues &amp; Other Financing Sources</b>				
Taxes Levied on Property	1	485,402	399,033	263,561
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
<b>Net Current Property Taxes</b>	<b>3</b>	<b>485,402</b>	<b>399,033</b>	<b>263,561</b>
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	467,000	405,200	433,841
Other City Taxes	6	155,766	167,555	206,350
Licenses & Permits	7	152,500	161,280	103,873
Use of Money and Property	8	10,500	10,230	5,723
Intergovernmental	9	250,000	646,528	225,586
Charges for Fees & Service	10	611,086	565,098	492,446
Special Assessments	11	0	0	0
Miscellaneous	12	39,100	21,450	1,950,420
Other Financing Sources	13	3,493,414	4,370,000	363,695
Transfers In	14	753,243	538,562	733,644
<b>Total Revenues and Other Sources</b>	<b>15</b>	<b>6,418,011</b>	<b>7,284,936</b>	<b>4,779,139</b>
<b>Expenditures &amp; Other Financing Uses</b>				
Public Safety	16	238,970	336,050	218,270
Public Works	17	338,117	165,739	192,604
Health and Social Services	18	0	3,000	1,146
Culture and Recreation	19	149,406	67,501	61,741
Community and Economic Development	20	35,500	30,500	1,240,262
General Government	21	245,799	194,442	95,718
Debt Service	22	557,231	390,014	0
Capital Projects	23	4,118,414	4,630,000	0
<b>Total Government Activities Expenditures</b>	<b>24</b>	<b>5,683,437</b>	<b>5,817,246</b>	<b>1,809,741</b>
Business Type / Enterprises	25	417,501	327,356	498,767
<b>Total ALL Expenditures</b>	<b>26</b>	<b>6,100,938</b>	<b>6,144,602</b>	<b>2,308,508</b>
Transfers Out	27	753,243	538,562	733,644
Total ALL Expenditures/Transfers Out	28	6,854,181	6,683,164	3,042,152
<b>Excess Revenues &amp; Other Sources Over (Under) Expenditures/Transfers Out</b>	<b>29</b>	<b>-436,170</b>	<b>601,772</b>	<b>1,736,987</b>
Beginning Fund Balance July 1	30	3,428,510	2,826,738	1,089,751
<b>Ending Fund Balance June 30</b>	<b>31</b>	<b>2,992,340</b>	<b>3,428,510</b>	<b>2,826,738</b>

Final Publication Date  
4/5/2023

Ad Number  
GCI1042101

Publication  
Des Moines Register

Special Requests  
Attn: Brenda Hysell

Market  
Des Moines

Delivery Method  
Both

Number of Affidavits Needed  
1

Customer Email  
elkhartcityclerk@cityofelkhart.com

Customer Name  
Elkhart, City Of

Customer Phone Number  
(515) 367-4735

Customer Address  
PO Box 77  
Elkhart, IA 50073

Account Number (If Known)  
46297444

Name  
Elkhart, City Of

Street  
PO Box 77

City  
Elkhart

State  
IA

ZIP Code  
50073

Your Name  
Rose Urbach

Email Address  
rurbach@localiq.com





CITY OF ELKHART  
PO BOX 77  
ELKHART, IA 50073  
ATTN BRENDA HYSSELL

## AFFIDAVIT OF PUBLICATION

State of Wisconsin

County of Brown, ss.:

The undersigned, being first duly sworn on oath, states that The Des Moines Register and Tribune Company, a corporation duly organized and existing under the laws of the State of Iowa, with its principal place of business in Des Moines, Iowa, the publisher of

### DES MOINES REGISTER AND WEST DES MOINES REGISTER

newspaper of general circulation printed and published in the City of Des Moines, Polk County, Iowa, and that an advertisement, a printed copy of which is attached as Exhibit "A" and made part of this affidavit, was printed and published in The Des Moines Register on the following dates:

Ad No.	Start Date:	Run Dates:	Cost:
GCI1042101	4/5/2023	4/5/2023	\$232.72

Copy of Advertisement  
Exhibit "A"

\_\_\_\_\_  
Staff member, Register Media

Subscribed and sworn to before me by said affiant this 5th day of April, 2023.

*Kathleen Allen*  
\_\_\_\_\_

Notary Public

*1-7-25*  
\_\_\_\_\_ Commission expires

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

**NOTICE OF PUBLIC HEARING - PROPOSED BUDGET**

Fiscal Year July 1, 2023 - June 30, 2024

City of: ELKHART

The City Council will conduct a public hearing on the proposed Budget at: Elkhart Community Center Meeting Date: 4/17/2023 Meeting Time: 06:00 PM

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the City Clerk and County Auditor.

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Phone Number  
(515) 367-4735 ext: 1

City Clerk/Finance Officer's NAME  
Brenda Hysell

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City of Elkhart  
City Council Packet

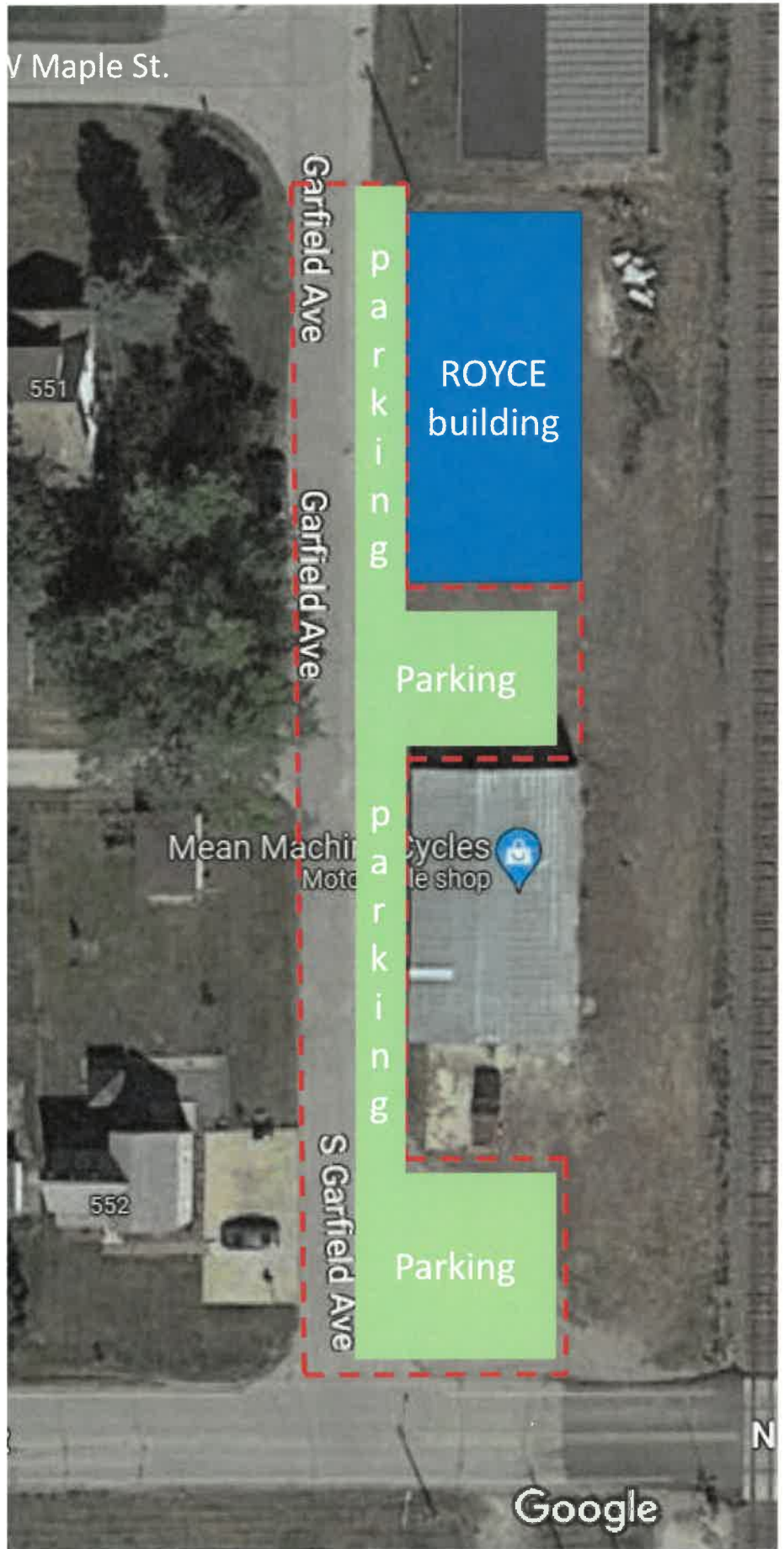
April 17<sup>th</sup> – 6:00 pm  
Community Center

Street Closure Requests

Council Action:

There are two street closure requests for this meeting that you will be asked to approve. Maps of the closures are included in your packet. The first, is the Mean Machine event scheduled for Saturday, May 20<sup>th</sup>. Garfield Ave would be closed from Walnut to Maple Streets on May 20th. The 2<sup>nd</sup> request is from the Betterment Committee to close streets for the City Festival on June 24th.

W Maple St.



**BEER GARDEN  
AND PARKING**

Date: March 22, 2023

To: Elkhart City Council

From: Elkhart Community Betterment Committee

Re: 2023 Elkhart City Festival June 24<sup>th</sup>

- Street Closings
- Fire & Rescue support

Council,

The ECBC is requesting the following street closings to facilitate the City Festival this year.

- Main Street from Lincoln to Washington
- Railroad from Elm to Maple
- Garfield from Main to Maple
- Maple from Garfield to Washington

This will facilitate the events planned for this year's event.

Our plan is as it has been in previous years, is to have Railroad from Elm to Maple cleared by the end of the day Sunday June 25<sup>th</sup>.

The remaining streets we plan on having open to normal traffic late June 24<sup>th</sup> and early June 25<sup>th</sup>

Additionally, the festival committee would request Fire & Rescue support for the day of the event.

Thank you for your consideration, and support.

Sincerely;

Andrew W. Cory

ECBC, Chairman.

City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm

Community Center

Approval of New Road Maintenance Agreement with Polk  
County

Council Action:

You will be asked to approve the new road maintenance agreement with Polk County. This agreement updates our existing agreement with the County since we passed the agreed upon population threshold to take over maintenance of 126<sup>th</sup> (Walnut) Street and 46<sup>th</sup> (Grant) Street through our city limits. Because the city does not have the capability to snow plow the streets [to plow these Farm to Market roads with the wide ditches, the city would require a large dump truck and extra-large plow) this agreement allows the County to continue to maintain/plow said streets for an approximate \$15,000/year. This would be paid for by an increase in Road Use Taxes coming into the city due to the additional miles of roads under our responsibility.

**AGREEMENT FOR COOPERATIVE PUBLIC SERVICE**

**BETWEEN**

**POLK COUNTY, IOWA**

**And**

**CITY OF ELKHART, IOWA**

THIS AGREEMENT is entered into by and between Polk County, Iowa, a governmental subdivision of the State of Iowa, hereinafter referred to as the "County", and the City of Elkhart, a municipal corporation within the County of Polk, State of Iowa, hereinafter referred to as the "City"

1. This agreement shall consist of six (6) pages and Attachments A, B, C, and D which shall be considered a part of this Agreement.
2. This Agreement shall become effective upon its execution by the parties, and shall remain in effect until terminated or amended by either party.
3. The purpose of this Agreement shall be listed in Attachment A.
4. Duties of the County shall be listed in Attachment B.
5. Duties of the City shall be listed in Attachment C.
6. Attachment D is a map showing the roads described in Attachments B and C.
7. "Routine Maintenance" shall be defined as the following on joint jurisdictional roadways; replenishment of granular material, surface blading and dragging, removal of snow and ice from not more than two traffic lanes and shoulders, frostboil repairs on granular surfaced roadways, replacement of pavement markings, street sweeping, mowing of shoulders and foreslopes, and other minor maintenance, usually performed on public roadways.
8. Unless the parties agree to complete Major Maintenance of a roadway by separate written

agreement, "Major Maintenance" shall be defined as the following and will remain the responsibility of the party having jurisdiction of the road and right-of-way; repair and installation of traffic control signs and devices, cutting of trees and brush, weed eradication, mowing, ditch cleaning, pavement patching and repair, dust control, maintenance or repair of tile lines, storm sewers, and entrance culverts, cross-road culverts, sanitary sewers or subsurface utilities, major bridge and culvert repair, repair of guardrails, pavement repair including potholes and patching, and edgerut and shoulder repairs.

9. "The party with maintenance responsibility" means the party which, because of this Agreement, is responsible for routine maintenance for roads or portions thereof as specified in this Agreement, regardless of the physical location of the road within or without the party's boundaries.
10. "Roads" and "streets" are synonymous terms as used in this Agreement.
11. No major maintenance shall be performed on the other party's roads by the party with maintenance responsibility until a separate written agreement for that work is executed by the parties.
12. Construction projects involving roads under the jurisdiction of more than one of the parties shall be agreed to by separate written agreement.
13. The party with maintenance responsibility shall perform routine maintenance in conformance with the terms of the Agreement on the roads designated in Attachments B and C.
14. All maintenance performed by the party with maintenance responsibility shall be performed in accordance with that party's normal maintenance practices and procedures for streets within its boundaries, except that the other party may request performance of routine maintenance functions at specific locations in response to maintenance needs which are brought to the attention of the party by the public. In the event that requests for routine maintenance are not completed within three days of the time an oral request is made, the requesting party, after giving at least two day written notice by registered mail to the party with maintenance responsibility, shall perform the routine maintenance and bill the party with



- maintenance responsibility. Reimbursement shall be made upon receipt of an itemized billing.
15. Each party shall be responsible for the establishment, erection and maintenance of any and all traffic control devices, signs and markings of a regulatory or informative nature, on or near streets within the party's boundaries, except maintenance of pavement markings, or as detailed in this agreement. The party with maintenance responsibility shall promptly inform the other party of any known damage to any traffic control device.
  16. This Agreement does not relieve the party within the boundaries of which a street lies from any liability due to or arising out of that party's design or construction of a road nor from the maintenance of a street prior to this Agreement.
  17. Nothing in this Agreement shall be construed as prohibiting the party with maintenance responsibility from hiring a third party to perform any work associated with this Agreement. In such instances the party with maintenance responsibility shall obtain a written hold harmless agreement from the third party, for the benefit of both parties to this Agreement, covering the work performed by the third party. The hold harmless agreement shall also require the third party to carry adequate insurance to fulfill its obligations to hold harmless the parties and to provide proof of insurance.
  18. Each party retains full responsibility for acquisition of right-of-way across land which lies within the boundaries of that party.
  19. Each party retains responsibility for approval of new driveways or entrances which lie within the boundaries of that party.
  20. The Polk County Public Works Director shall administer performance of this Agreement.
  21. Either party may terminate this Agreement by sending written notice of termination, specifying the reasons for termination, at least sixty days prior to the effective date of termination. Notice shall be sent to the governing body of the other party at its principal place of doing business by registered mail.
  22. In the event of a breach by the County or the City of this Agreement, said breach shall not be

considered to affect any remaining terms or conditions of this Agreement. If any terms or conditions of this Agreement are held to be invalid or illegal, those remaining terms or conditions shall not be construed to be affected.

23. This is the entire Agreement between all parties and it may be amended only upon agreement of all parties and only in writing.
24. The parties shall approve the Agreement by resolution or motion of their respective Board or Council, which shall authorize the execution of the Agreement.

**EXECUTION OF AGREEMENT**

IN WITNESS THEREOF, Polk County has caused this Agreement to be executed in three (3) separate counterparts, each of which shall be considered an original.

Executed by Polk County, Iowa

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Polk County, Iowa  
Board of Supervisors

Attest \_\_\_\_\_  
Auditor

\_\_\_\_\_  
Chairperson

**EXECUTION OF AGREEMENT**

**IN WITNESS THEREOF**, the City of Elkhart has caused this Agreement to be executed in three (3) separate counterparts, each of which shall be considered an original, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_

City of Elkhart, Iowa

Attest \_\_\_\_\_

\_\_\_\_\_  
Mayor

## **ATTACHMENT A**

The purpose of this Agreement is to specify which party shall maintain which roads where the roads are on the jurisdictional boundaries of the parties or extend into the jurisdictional boundary of the other party.

## ATTACHMENT B

### Duties of the County

The County shall provide routine maintenance with reimbursement on the following sections of paved roads:

ON	FROM	TO	LENGTH	POLK COUNTY	ELKHART
NE 38 St	NE 126 Ave	North City Limits	0.50	0.25	0.25
NE 38 St	NE 126 Ave	South City Limits	0.40	0.33	0.07
NE 126 Ave	NE 38 St	NE 56 St	2.00	0.56	1.44
NE 46 St	NE 118 Ave	NE 140 Ave.	2.78	1.20	1.58
		<b>TOTALS</b>	<b>5.68</b>	<b>2.34</b>	<b>3.34</b>

The County shall provide routine maintenance with reimbursement on the following sections of granular roadways:

ON	FROM	TO	LENGTH	POLK COUNTY	ELKHART
NE 134 Ave	0.1 Mile E. of NE 46 St.	0.25 Mi. E of NE 46 St.	0.15	0.07	0.08
		<b>TOTALS</b>	<b>0.15</b>	<b>0.07</b>	<b>0.08</b>

The County shall bill the City for applicable cost based on the location of the roadway; i.e., 50 percent reimbursement for borderline roads and 100 percent reimbursement for roads lying wholly within the boundaries of one party with the assignment of responsibility to the other party. Applicable costs include but are not limited to materials, equipment rental, labor, and third party contracts.

The billing shall be on a fixed cost per mile and shall be billed annually in September for the ensuing year.

Total City Miles By the County

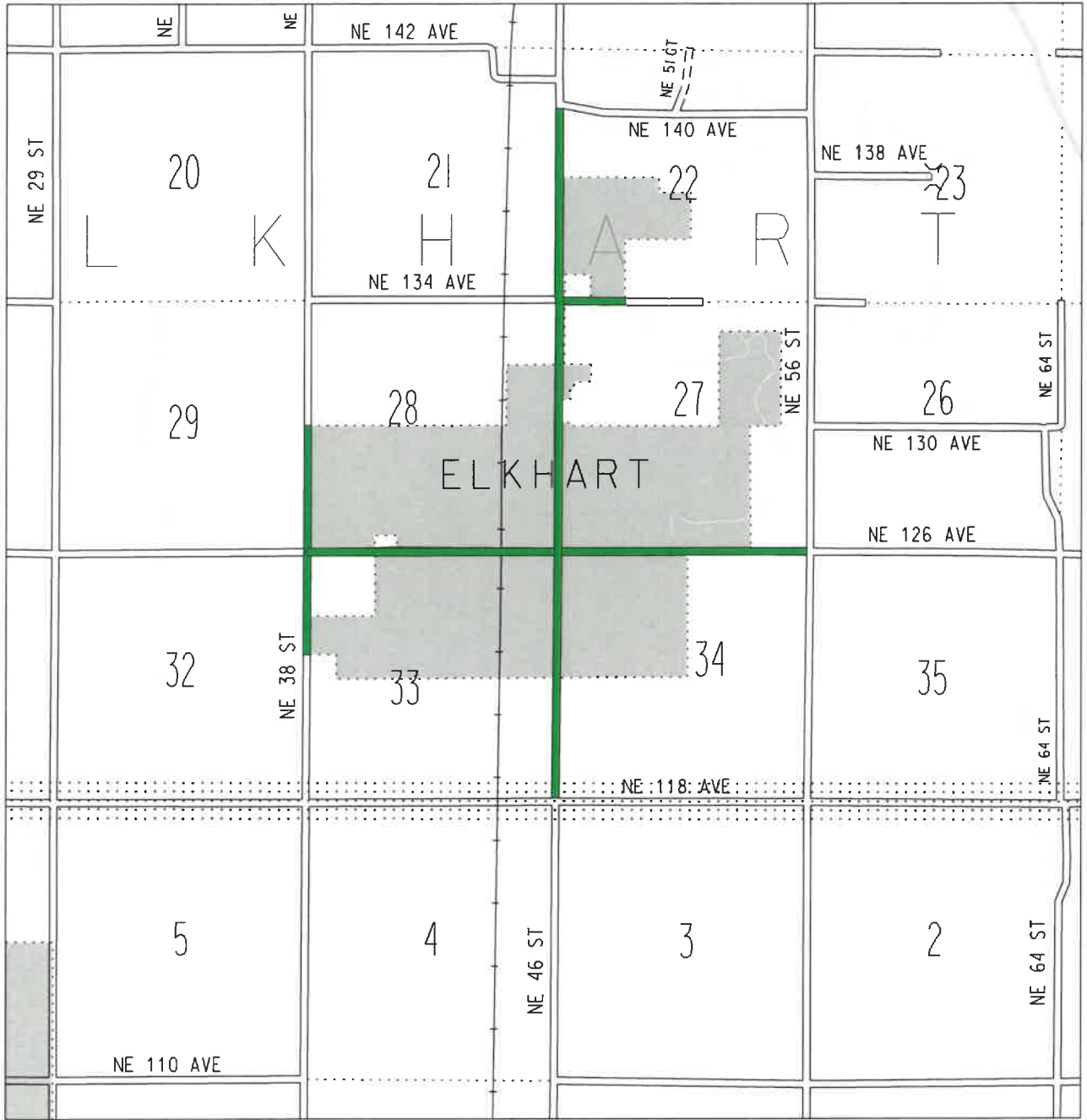
Paved	3.34 Miles
<u>Granular</u>	<u>0.08 Miles</u>
TOTAL	3.42 Miles

**ATTACHMENT C**

Duties of the City

The City shall upon receipt of the annual billing from the County as detailed in Attachment B make payment to the County for services to be provided for the ensuing year.

# ATTACHMENT "D"



 POLK COUNTY



NO SCALE



City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm

Community Center

Metropolitan Advisory Council Homeland Security  
Services Agreement

**Council Action:**

You will be asked to consider joining the Metropolitan Advisory Council (MAC) Homeland Security Services Agreement to receive services including: chemical, biological, radiological tactical response team; bomb squad response and other services of this nature. The cost to Elkhart is \$1,546.01 annually. The letter from MAC and the 28E agreement have been included in your packet.

DATE: 03 March 2023



Reference: Metropolitan Advisory Council Homeland Security Service Agreement 2023-2028

Curtis Pion,

The City of Des Moines proposes to extend the Metropolitan Advisory Council (MAC) Homeland Security Services Agreement with member communities beyond the current expiration date of June 30, 2023. The new agreement will be in effect July 1, 2023, through June 30, 2028 with no discontinuation of service.

The agreement provides for the following homeland security services:

- Metro Star Tactical Unit services which provides a Type II Weapons of Mass Destruction (WMD) Team and Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Tactical Response Team
- Des Moines Bomb Squad Type I bomb mitigation response
- Des Moines Police personnel trained in the collection and preservation of evidence located in hazardous (CBRNE) environments for contaminated crime scene processing
- Des Moines Dive Team availability and response

Despite rising costs of maintaining homeland security services, the population and assessed value-based fee structure has not changed. The annual fee for the homeland security services for Elkhart will be \$1546.01 annually.

Please provide a written response of your intent to continue participation in this program no later than March 24, 2023. A draft of the formal Intergovernmental 28E Agreement is attached and will be revised to reflect any changes in participation.

If you have questions or wish to submit a response via email, please contact Lieutenant Rodell Nydam of the Metro STAR Office at 248-6064 or [rdnydam@dmgov.org](mailto:rdnydam@dmgov.org). In your response, please include contact information for the person who will obtain official signatures for your jurisdiction. We greatly appreciate your continued partnership in safeguarding our communities.

Respectfully,

Dana Wingert, Chief of Police  
City of Des Moines Police Department

CHAPTER 28E AGREEMENT  
BY AND BETWEEN THE CITIES OF  
DES MOINES, ALTOONA, BONDURANT, CARLISLE, GRIMES, NORWALK, PLEASANT  
HILL, POLK CITY, JOHNSTON, MITCHELLVILLE, WEST DES MOINES  
WINDSOR HEIGHTS, INDIANOLA AND THE COUNTY OF POLK  
FOR THE PARTIAL FUNDING OF  
HOMELAND SECURITY SERVICES WITHIN THE METROPOLITAN AREA

WHEREAS, this Agreement is made and entered into by and between the cities of Des Moines, Altoona, Bondurant, Carlisle, Grimes, Indianola, Norwalk, Pleasant Hill, Polk City, Johnston, Mitchellville, West Des Moines, Windsor Heights and the County of Polk (hereinafter jointly referred to as the “Parties”).

WITNESSETH:

WHEREAS, the metropolitan area consisting of the Parties hereto represented on the Metropolitan Advisory Council will be best served in a joint cooperative effort of implementation of the Iowa Homeland Security Strategy and other major incident response capabilities; and

WHEREAS, the City of Des Moines and Polk County, to support the mission of the Iowa Homeland Security and Emergency Management have devoted significant resources and assets toward the provision of homeland security services and programs; and

WHEREAS, upon recommendation of the Metropolitan Advisory Council Homeland Security Subcommittee to provide for the safety and security of residents throughout the metropolitan area from the threats of weapons of mass destruction, potential terrorist activity and natural disasters, all the Parties hereto desire to maintain the resources and assets available to the City of Des Moines to enable the City of Des Moines to provide homeland security services including major incident response throughout the metropolitan area that will serve the respective jurisdictions of each Party hereto; and

WHEREAS, the City of Des Moines in conjunction with Polk County has implemented the following homeland security services:

- Metro STAR (Special Tactics and Response) Unit which provides a Type II Weapons of Mass Destruction (WMD) and Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Tactical Response Team<sup>1</sup>; and
- Des Moines Bomb Squad providing Type I bomb mitigation response<sup>2</sup>; and
- Des Moines Police Department will also provide full-time personnel trained in the collection and preservation of evidence located in hazardous (CBRNE) environments for contaminated crime scene processing; and

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<sup>1</sup> Typed Resource Definitions: Law Enforcement and Security Resources; SWAT/Tactical Teams. FEMA 508-6 (July 2007). U.S. Department of Homeland Security.

<sup>2</sup> Typed Resource Definitions: Law Enforcement and Security Resources; Bomb Squad/Explosives Team. FEMA 508-6 (July 2007). U.S. Department of Homeland Security.

- The Des Moines Police Department has other capabilities not specified nor guaranteed under this agreement, such as; Incident Command support; High risk tactical warrant service; Crisis Negotiation; Dive Team, Planning & Training; Tactical Surveillance; Criminal Polygraph Exams, Intelligence and Investigative Support; etc. These capabilities may be requested but are at the discretion of the Des Moines Police Department and dependent on availability of personnel at time of request.

WHEREAS; the Parties desire to provide the necessary funding to maintain the capabilities of the Des Moines WMD/CBRNE Tactical Response Team and the Des Moines Bomb Squad to serve all the respective jurisdictions within the metropolitan area that are a Party hereto; and

NOW, THEREFORE, the Parties do hereby agree as follows:

- I. **Purpose.** Pursuant to Chapter 28E of the Code of Iowa, the Parties do hereby agree that the purpose of this Agreement is to jointly exercise their respective powers to fund and implement enhanced Homeland Security Services to serve all the respective jurisdictions within the metropolitan area that are a Party hereto.
- II. **Homeland Security Services.** All Parties may, in accordance with the procedures set forth in Article III, utilize on an as needed basis the following Homeland Security Services:
  - A. **WMD/CBRNE Tactical Response Team (Metro STAR Unit):** This team is comprised of a commander, full time Des Moines Police Officers, part time Des Moines Police Officers, part time Polk County Sheriff's Deputies, a part time Johnston Police Officer, and part time Pleasant Hill Police Officer. Team members are all technician-level HazMat trained tactical operators. This allows the team to successfully work in Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) environments. Along with the normal operations of a tactical unit, team members are trained to neutralize active threats, and to provide assistance in support of HazMat Units and Bomb Squads operating in and around "hot zones" of potential CBRNE exposures. Team members provide a safe scene for those that will ultimately mitigate and control the exposure to CBRNE environments. This team also has the capabilities of conducting proactive investigation into CBRNE threats providing preliminary CBRNE monitoring levels to determine the presence of a potential CBRNE substance.
  - B. **Des Moines Bomb Squad:** This team is comprised of a Des Moines commander, full time Des Moines Police Officers trained as Bomb Technicians, part time Des Moines Police Officers trained as Bomb Technicians, and full time Des Moines Explosive Detection K9 teams. Bomb Technicians are all technician-level HazMat trained. The team will mitigate explosives hazards and are trained in the mitigation of Weapons of Mass

Destruction (WMD) dispersal devices. The team is also trained in the collection of hazardous evidence and post-blast investigations.

- C. Des Moines Police Department: Full-time Des Moines Police personnel trained in the collection and preservation of evidence found in hazardous (CBRNE) environments.

**III. Service/Command Procedures.** The protocol for utilization of the Homeland Security Services identified in this Agreement will be as follows:

- A. Upon occurrence of an incident which may necessitate the use of any of the Homeland Security Services, a Party's Incident Commander, as defined below, may request such Homeland Security Services by calling the Des Moines Dispatch Center at 283-4811 or such other phone numbers as the City of Des Moines or Polk County may designate in writing and forward to the Parties. The request shall relay the information necessary for the appropriate personnel to determine what Homeland Security Services in terms of personnel and equipment are needed to respond, which may include multiple or all Homeland Security Services available. The determinations on the appropriate Homeland Security Services personnel and equipment to be sent to a requesting Party shall be made at the discretion of the City of Des Moines using its established protocols. The City of Des Moines shall be held harmless by the requesting Party from liability in connection with its final decision on type and amount of equipment and number of personnel to be provided to the requesting Party.
- B. The responding Homeland Security Services personnel will have a team leader(s) who will report to the Incident Commander and coordinate activities between the requesting Party's personnel and the personnel providing the Homeland Security Services. The team leader(s) will assist the Incident Commander in reaching the objectives required by the circumstances at the scene. The Incident Commander, or his/her designee, shall have the power to issue reasonable orders and directives consistent with meeting the objectives. The team leader(s) will then act on those orders and directives as long as they are safe and within the capabilities of the responding Homeland Security Services team. The team leader(s) will provide technical advice when appropriate, but will not be expected to assume command of the scene.<sup>3</sup>
- C. When the Incident Commander and the team leader(s) agree that the objectives requiring Homeland Security Services response have been met the Homeland Security Services response teams will be released from the scene.
- D. The Homeland Security Services response teams will participate and share information in all post-incident debriefings held by the requesting Party.

---

<sup>3</sup> All responding and supporting agencies are expected to operate under the guiding principles of the National Incident Management System (NIMS) and the Incident Command System (ICS).

E. The term “Incident Commander” as used in this Agreement means the manager of an incident, no matter the size or complexity, or the number of agencies involved in the response. The “Incident Commander” is usually the first or senior, public safety or first-responder to arrive on scene. As additional responders arrive, command may transfer on the basis of who has primary authority for overall control of the incident. The “Incident Commander” is responsible for ensuring a coordinated effort and to ensure an effective response and the efficient, safe use of resources including:

- Establishing command and the Incident Command Post.
- Protecting life and property.
- Controlling personnel and equipment resources.
- Maintaining accountability for responders and public safety, as well as for task accomplishments.
- Assessing Incident Priorities.
- Determining Operational Objectives.
- Developing and Implementing the Incident Action Plan.
- Coordinating overall emergency activities.
- Coordinating the activities of outside agencies.
- Authorizing the release of information to the media.

IV. **Funding Contributions.** The City of Des Moines and Polk County have committed annual funding in fiscal years 2024 through 2028 to maintain the enhanced capabilities of Homeland Security Services for the metropolitan area. Funding is needed from the other Parties in each fiscal year to maintain the enhanced capabilities of the Homeland Security Services response to a minimally acceptable level for the Parties herein.

A. To maintain the enhanced capabilities of the Homeland Security Services, each Party to this Agreement will annually pay the respective amount for such Party as set forth in Exhibit “A” in fiscal years 2024 through 2028. The amounts listed in Exhibit A shall remain fixed for the duration of this agreement and are not subject to adjustment without majority approval of the parties of this agreement.

B. Each Party shall pay its respective annual amount set forth in Exhibit “A” to the City of Des Moines on or before July 31 of each fiscal year and such monies shall be used exclusively for necessary personnel, overtime, training, equipment, equipment maintenance and vehicle operating costs of providing the enhanced Homeland Security Services. The budget for enhanced capabilities of Homeland Security Services will be provided at the beginning of each fiscal year as outlined in Section V of this agreement.

C. Each Party may voluntarily contribute a qualified peace officer(s) to serve and train with the Metro STAR Team. Contribution of team member(s) will not preclude any Parties annual fee payment set forth in Exhibit “A”.

V. **Reporting.**

A. The City of Des Moines will provide an annual report on Homeland Security Services to each Party of each year. This report will provide information to keep the Parties to this Agreement informed of the status and activities of the Homeland Security response teams and will include:

1. Accomplishments achieved during the calendar year and goals and objectives for the next calendar year,
2. Individual and team training over the calendar year (courses, location, number of personnel trained, hours of training),
3. Training exercises performed during the calendar year,
4. Response dates and a synopsis of the event responded to,
5. Equipment received or retired during the calendar year, and
6. Budget showing expenditures made during the calendar year and proposed expenditures for the next calendar year.

The City of Des Moines will also provide this report to the Polk County Emergency Management Commission, the Polk County Chiefs' and Sheriff's Association, and the Fire Chiefs' Association.

VI. **Employee relationship.**

A. Employees of any Party acting pursuant to this Agreement shall be considered as acting under the lawful orders and instructions pertaining to their employment status with such Party. Under no circumstances are employees of one Party to be considered employees of any other Party. This Agreement does not create an employment relationship nor shall it be construed to create any employment relationship between Homeland Security Services personnel and the Party requesting such services.

B. If a Party desires to have an employee assigned as part of the Homeland Security Services, a separate Memorandum Of Understanding (MOU) would need to be executed, to define the responsibilities of the involved Parties.

VII. **Liability.** Each Party waives all claims against the other Parties for compensation for any property loss or damage and/or personal injury or death to its personnel as a consequence of the performance of this Agreement. Each Party shall bear the liability and/or costs of damage to its equipment and facilities, and the compensation of its employees, including injury or death to its personnel, occurring as a consequence of the performance of this Agreement.

Each Party to this Agreement shall be liable for the actions of its own employees to the extent allowed under Iowa Code Chapter 670.

Nothing in this Agreement shall prevent or limit any Party to this Agreement from recovering or attempting to recover costs of services rendered to a third party where such recovery of costs is provided for by law.

The Parties to this Agreement do not waive any defenses, immunities or other limitations applicable to a respective Party and nothing herein shall be so construed. Each Party to this Agreement reserves the right to fully defend all claims arising from loss of or damage to private property and/or death of or injury to private persons who are not parties to this Agreement including, but not limited to asserting defenses or immunities available under applicable law.

This Article shall survive the termination of this Agreement where necessary to protect each Party to this Agreement.

**VIII. Iowa Code Chapter 28E Requirements.**

- A. The cities of Des Moines, Altoona, Bondurant, Carlisle, Grimes, Johnston, Norwalk, Pleasant Hill, Polk City, Mitchellville, West Des Moines, Indianola, and Windsor Heights, are municipal corporations and political subdivisions of the State of Iowa and are public agencies as defined by Iowa Code Chapter 28E.
- B. Polk County is a political subdivision of the State of Iowa and is a public agency as defined by Iowa Code Chapter 28E.
- C. No separate legal or administrative entity is established by this Agreement.
- D. No real or personal property will be jointly acquired, held or disposed of in the performance of this Agreement. All equipment purchased in conjunction with the provision of Homeland Security Services shall be owned by the City of Des Moines or Polk County. Upon termination of this Agreement all such equipment and other personal property owned by the City of Des Moines or Polk County shall remain with such entities.
- E. The Des Moines Chief of Police and Polk County Sheriff shall administer the performance of this Agreement.
- F. This Agreement shall be in full force and effect upon the following:
  - 1. Its approval and execution by the respective City Councils and Boards of Supervisors of the Parties hereto; and



2. Filing of this Agreement with the Office of the Secretary of State as required under Section 28E.8, Code of Iowa.

G. The duration of this Agreement shall extend for a term beginning July 1, 2023 and ending on June 30, 2028. This Agreement may not be terminated prior to such termination date, in whole or in part, except upon mutual agreement of all the Parties. The Parties may renew this Agreement for additional 5-year periods with or without amendments or elect to enter into a new agreement upon mutual agreement of all Parties.

**IX. General Provisions.**

A. If any section, provision or part of this Agreement shall be found invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision or part thereof not found to be invalid or unconstitutional.

B. The Agreement represents the entire agreement between the Parties. If upon annual review of this Agreement by the Parties a determination is made that this Agreement should be revised, any subsequent change or modification to this Agreement shall be mutually agreed to by the Parties in the form of a duly approved and executed addendum to this Agreement.

C. Each Party approving this Agreement shall execute the separate signature page provided for it, and the Parties hereto authorize the City Clerk of the City of Des Moines to assemble the signature pages and append same to copies of this Agreement, to file this Agreement with the Secretary of State and to record it with the Offices of the Recorder of Polk and Warren Counties.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed.

**I. CITY OF DES MOINES, IOWA**

\_\_\_\_\_  
T.M. Franklin Cownie, Mayor

ATTEST:

\_\_\_\_\_  
Laura Baumgartner, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared T.M. Franklin Cownie and Laura Baumgartner to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Des Moines, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that T.M. Franklin Cownie and Laura Baumgartner acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**II. CITY OF ALTOONA, IOWA**

\_\_\_\_\_  
Dean O'Connor, Mayor

ATTEST:

\_\_\_\_\_  
Randy Pierce, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Dean O'Connor and Randy Pierce, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Altoona, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Dean O'Connor and Randy Pierce acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**III. CITY OF BONDURANT, IOWA**

\_\_\_\_\_  
Doug Elrod, Mayor

ATTEST:

\_\_\_\_\_  
Shelby Hagan, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Doug Elrod and Shelby Hagan, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Bondurant, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Doug Elrod and Shelby Hagan acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**IV. CITY OF CARLISLE, IOWA**

\_\_\_\_\_  
Drew Merrifield, Mayor

ATTEST:

\_\_\_\_\_  
Martha Becker, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF WARREN    )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Drew Merrifield and Martha Becker, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Carlisle, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Drew Merrifield and Martha Becker acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**V. CITY OF GRIMES, IOWA**

\_\_\_\_\_  
Scott Mikkelson, Mayor

ATTEST:

\_\_\_\_\_  
Olivia DeYoung, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Scott Mikkelson and Olivia DeYoung, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Grimes, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Scott Mikkelson and Olivia DeYoung acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**VI. CITY OF NORWALK, IOWA**

\_\_\_\_\_  
Tom Phillips, Mayor

ATTEST:

\_\_\_\_\_  
Lindsey Offenburger, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF WARREN    )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Tom Phillips and Lindsey Offenburger, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Norwalk, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Tom Phillips and Lindsey Offenburger acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**VII. CITY OF PLEASANT HILL, IOWA**

\_\_\_\_\_  
Sara Kurovski, Mayor

ATTEST:

\_\_\_\_\_  
Dena Spooner, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Sara Kurovski and Dena Spooner, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Pleasant Hill, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Sara Kurovski and Dena Spooner acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa



**VIII. CITY OF POLK CITY, IOWA**

\_\_\_\_\_  
Steve Karsjen, Mayor

ATTEST:

\_\_\_\_\_  
Jenny Coffin, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Steve Karsjen and Jenny Coffin, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Polk City, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Steve Karsjen and Jenny Coffin acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**IX. CITY OF WINDSOR HEIGHTS, IOWA**

\_\_\_\_\_  
Mike Jones, Mayor

ATTEST:

\_\_\_\_\_  
Travis Cooke, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Mike Jones and Travis Cooke, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Windsor Heights, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Mike Jones and Travis Cooke acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**X. CITY OF JOHNSTON, IOWA**

\_\_\_\_\_  
Paula Dierenfeld, Mayor

ATTEST:

\_\_\_\_\_  
Cyndee Rhames, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Paula Dierenfeld and Cyndee Rhames, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Johnston, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Paula Dierenfeld and Cyndee Rhames acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**XI. CITY OF WEST DES MOINES, IOWA**

\_\_\_\_\_  
Russ Trimble, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Russ Trimble and Ryan T. Jacobson, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of West Des Moines, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Russ Trimble and Ryan T. Jacobson acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**XII. CITY OF MITCHELLVILLE, IOWA**

\_\_\_\_\_  
Nicholas Murrow, Mayor

ATTEST:

\_\_\_\_\_  
Rahni Brose, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Nicholas Murrow and Rahni Brose, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Mitchellville, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Nicholas Murrow and Rahni Brose acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

**XIII. CITY OF INDIANOLA, IOWA**

\_\_\_\_\_  
Stephanie Erickson, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Raffety, City Clerk

STATE OF IOWA            )  
  ) ss:  
COUNTY OF POLK        )

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, personally appeared Stephanie Erickson and Jackie Raffety, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Indianola, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2023, and that Stephanie Erickson and Jackie Raffety acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa

XIV. COUNTY OF POLK, IOWA

\_\_\_\_\_  
Chair – Polk County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Polk County Auditor                      Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant Polk County Attorney

City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm

Community Center

28E Agreement with Polk County Emergency  
Management Commission

**Council Action:**

You will be asked to consider approving our annual 28E Agreement with the Polk County Emergency Management Commission. This agreement allows Elkhart to receive emergency management services. The total cost is \$441 annually. The 28E agreement has been included in your packet.



**28E AGREEMENT  
MEMBERS OF THE POLK COUNTY EMERGENCY  
MANAGEMENT COMMISSION  
FOR FUNDING OF EMERGENCY MANAGEMENT ADMINISTRATION**

This Agreement by and among Members of the Polk County Emergency Management Commission for Funding of Emergency Management Administration (“Agreement”) is entered into on the date last executed by the parties.

Whereas, pursuant to Iowa Code §29C.9 there is established in each county an emergency management commission to provide direction for delivery of the emergency management services of planning, administration, coordination, training and support for local governments and their departments; and

Whereas, pursuant to Iowa Code §29C.9 the Polk County Emergency Management Commission (“Commission”) does exist and operate, being composed of duly-appointed representatives of the following governmental entities: the City of Alleman, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Clive, the City of Des Moines, the City of Elkhart, the City of Grimes, the City of Johnston, the City of Mitchellville, the City of Pleasant Hill, the City of Polk City, the City of Runnells, the City of Urbandale, the City of West Des Moines, the City of Windsor Heights, the County of Polk; and

Whereas, pursuant to Iowa Code §29C.17 the budget of the Commission may be funded all or in part by a per capita allocation funded from city and county general funds; and

Whereas, it is the intent and desire of the Commission and its Members to fund administration of the Commission through an annual per capita allocation funded from city and county general funds.

It is hereby agreed by and among the members of the Commission as follows:

1. **28E Agreement.** This agreement is entered into pursuant to the provisions of Chapter 28E of the Code of Iowa.
2. **No Entity.** No separate, legal or administrative entity is created by this Agreement. No real property will be acquired in the performance of this Agreement.
3. **Administration.** The Chairperson of the Commission, or the Chairperson’s designee, shall administer performance of this Agreement.

4. **Term.** The term of this Agreement shall be three years from the effective date, and will specifically include assessments in budget years FY2023/24, FY2024/25, and FY2025/26.
5. **Termination.** This Agreement may be terminated at a regular meeting or at a special meeting called for such purpose, by an affirmative vote of representatives from Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1, which vote must be ratified by resolution of the governing bodies of Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1.
6. **Assessment.** Each Member shall fund Commission administration on the basis of a \$0.50 per capita annual allocation, according to the most recent population estimates provided by the Des Moines Area Metropolitan Planning Organization (MPO). These populations and the corresponding annual allocations are presented on Attachment 1, which is incorporated herein. Annual assessments are due and payable in the office of the Commission by December 31 of each year during the term of the Agreement.
7. **Execution of Agreement.** Member governmental entities shall approve this Agreement by resolution or motion of their respective council or board, which shall authorize execution of the Agreement. The executed Agreement will then be filed in the offices of the Iowa Secretary of State and the Recorder of Polk County by Polk County, in accordance with Chapter 28E of the Code of Iowa. The Agreement shall become effective when recorded in the Polk County Recorder's Office and shall remain in effect unless terminated as provided herein. This is the entire Agreement among the parties and may be amended only upon an affirmative vote of representatives from Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1, which vote must be ratified by resolution of the governing bodies of Member governmental entities whose combined population is not less than two-thirds (2/3) of the total population within Polk County as presented on Attachment 1. The laws of the State of Iowa apply to this Agreement.

**ATTACHMENT 1**

**Polk County Emergency Management Commission  
Most Recent Population Estimates Provided by the Des Moines Area MPO**

<b>Jurisdiction</b>	<b>Estimated Population in Polk County<sup>1</sup></b>	<b>Assessment Amount</b>
Alleman	423	\$211.50
Altoona	19,565	\$9,782.50
Ankeny	67,887	\$33,943.50
Bondurant	7,365	\$3,682.50
Clive	11,034	\$5,517.00
Des Moines	213,921	\$106,960.50
Elkhart	882	\$441.00
Grimes	15,360	\$7,680.00
Johnston	24,064	\$12,032.00
Mitchellville	2,458	\$1,229.00
Pleasant Hill	10,147	\$5,073.50
Polk City	5,543	\$2,771.50
Polk County (unincorp)	28,002	\$14,001.00
Runnells	457	\$228.50
Urbandale	33,804	\$16,902.00
West Des Moines	45,582	\$22,791.00
Windsor Heights	5,252	\$2,626.00
Balance <sup>2</sup>	655	\$0
<b>Total</b>	<b>492,401</b>	<b>\$245,873.00</b>

<sup>1</sup> ACS-5 Year 2018 Population Estimate (2014-2018) - U.S. Census Bureau (provided by Des Moines Area MPO)

<sup>2</sup>Balance of population within incorporated areas of Polk County (Carlisle, Granger, Norwalk and Sheldahl) but not members of the Polk County Emergency Management Commission

City of Elkhart  
City Council Packet

April 17<sup>th</sup> – 6:00 pm

Community Center

Code Enforcement

**Council Action:**

The Code Enforcement Report is for informational purposes only.

**MARCH 2023 CODE ENFORCEMENT REPORT**

**ELKHART**

CASE #	ADDRESS	VIOLATION	DATE OF VIOLATION	REINSPECT DATE	COMMENTS	COMPLIED
2020-03	352 N. Grant	Junk&Vehicle&Parking	4/2/2020	4/17/2020 6/16/20 7/24/20 10/2/20	Advisory- 6/1/20 2nd Advisory 7/6/20 Certified-9/1/20 FINAL Extension given by Chad	
2020-04	255 NW Main	Junk&Vehicle&Parking	4/2/2020	4/17/2020 6/16/20 7/15/20 4/22/21 5/21/21	Advisory- 6/1/20 2nd Advisory Certified- 4/6/21 Certified- 5/4/21 FINAL-6/15/21 Refer to City	
2020-06	216 NE Elm	Junk&Vehicle&Parking	4/2/2020	4/17/2020 6/16/20 *	Advisory- 6/1/20 2nd Advisory	
2020-08	252 NW Main	Junk	4/7/2020	4/17/2020 6/16/20 *	Advisory- 6/1/20 2nd Advisory	
<b>START 2021</b>						
2021-010	Lot 11	Junk	2/23/2021	3/11/2021- 4/8/21 5/21/21 6/17/21	M- 3/23/21 Advisory- 5/4/21 Certified- 6/1/21 FINAL	
2021-063	368 NW Maple	Vehicle	7/14/2021	7/27/2021 8/12/21 9/10/21 11/5/21	M- 7/28/21 Advisory- 8/24/21 Certified- 10/19/21 FINAL- 2/8/22 Referred to City	
<b>START 2022</b>						
2022-065	Lot 43	Junk	7/5/2022	7/22/2022 8/18/22 9/16/22 5/1/23	Advisory- 8/2/22 Certified- 8/30/22 FINAL- 10/26/22 Sent to City 1/24/23 Extend to 5/1/23 Per Brenda	
2022-092	Lot 25	Vehicle	9/13/2022	10/12/2022 11/11/22 12/9/23	Advisory- 10/26/22 Certified- 11/22/22 FINAL- 1/17/23 Refer to City	
2022-100	Lot 46	Junk	9/30/2022	11/11/2022 12/6/22 2/2/23	Advisory- 12/6/22 Certified- 1/17/23 FINAL- 3/28/23 Sent to City	
2022-101	Lot 31	Junk & Vehicle	9/30/2022	10/16/2022 11/11/22 12/9/22 1/19/23	M- 10/26/22 Advisory- 11/22/22 Certified- 1/3/23 FINAL- 2/13/23 Refer to City	
2022-105	Lot 29	Junk	10/11/2022	10/12/2022 11/3/22 12/9/23	Advisory- 10/26/22 Certified- 11/22/22 FINAL- 2/28/23 Refer to City	3/28/2023
2022-112	Lot 32	Junk	10/16/2022	11/8/2022 12/9/22 1/19/23 3/17/23	M 11/21/22 Advisory- 1/3/23 Certified- 2/28/23 FINAL	3/28/2023
2022-114	361 NW Washington	Vehicle	11/8/2022	11/24/2022 1/3/23 4/18/23	Advisory- 12-19-22 Certified Extnded to April per Brenda	
2022-120	Lot 28	Vehicle & Parking	11/22/2022	11/6/2022 12/22/22 2/2/23 4/17/23	M- 12/6/22 Advisory- 1/3/23 Certified- 1/28/23 FINAL	3/28/2023
2022-123	Lot 27	Parking	12/28/2022	12/20/2022	M	3/14/2023
2022-124	Lot 14	Vehicle	12/6/2022	12/22/2022 2/2/23 4/14/23	Advisory- 1/17/23 Certified- 3/28/23 FINAL	
<b>START 2023</b>						
2023-006	Lot 13	Junk	1/17/2023	1/11/2023 3/17/23	M- 2/28/23 Advisory	3/14/2023
2023-009	421 NE Maple	Parking	1/31/2023	2/14/2023	M	
2023-010	418 NE Elm	Parking	1/31/2023	2/14/2023	M	
2023-011	423 Grant	Parking	1/31/2023	1/14/2023 3/2/23	M- 2/13/23 Advisory	3/28/2023
2023-013	167 NW Maple	Junk	2/13/2023	2/28/2023 3/17/23	M- 2/28/23 Advisory	
2023-015	216 NE Allison	Junk	2/13/2023	2/28/2023	M	3/14/2023
2023-017	Lot 19	Junk	2/13/2023	3/9/2023	Advisory	3/14/2023
2023-018	Lot 24	Junk	2/13/2023	3/3/2023	Advisory	
2023-019	268 NW Elm	Junk	2/28/2023	3/17/2023 4/14/23	Advisory- 3/28/23 Certified	
2023-020	164 NW Lincoln	Junk	2/28/2023	3/17/2023 4/14/23	Advisory- 3/28/23 Certified	
2023-021	308 NE Trent	Junk	2/28/2023	3/14/2023	M	3/14/2023
2023-022	309 NE Allison	Junk	2/28/2023	3/14/2023	M	3/14/2023
2023-023	395 NE Megan	Parking	2/28/2023	3/14/2023	M	
2023-024	414 NE Elm	Junk	3/14/2023	3/30/2023	Advisory	
2023-025	309 Grand	Parking	3/14/2023	3/28/2023	M	3/28/2023
2023-026	113 NE Maple	Parking	3/14/2023	3/28/2023	M	3/28/2023
2023-027	220 NE Allison	Junk	3/14/2023	3/28/2023	M	3/28/2023
2023-028	410 NE Elm	Vehicle	3/14/2023	3/28/2023	M	
2023-029	Lot 33	Vehicle	3/14/2023	3/30/2023	Advisory	
2023-030	104 NE Maple	Junk	3/28/2023	4/11/2023	M	
2023-031	220 NE Mandy	Junk	3/28/2023	4/11/2023	M	
2023-032	220 NE Meagan	Junk	3/28/2023	4/11/2023	M	
2023-033	Lot 16	Parking	3/28/2023	4/11/2023	M	
2023-034	Lot 29	Parking	3/28/2023	4/11/2023	M	
2023-035	Lot 39	Parking	3/28/2023	4/11/2023	M	
2023-036	Lot 41	Vehicle & Parking	3/28/2023	4/11/2023	M	