

-Notice of Public Meeting-

Governmental Body: Elkhart City Council

Date of Meeting: May 15, 2023

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

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 Hearing**
 - a. Water Rate Increase for FY2024
 - b. Sewer Rate Increase for FY2024
 - c. Stormwater Rate Increase for FY2024
- 7. Reports of Elected Officials, City Staff and Standing Committees**
- 8. Consent Agenda:**
 - a. April Cash Report
 - b. April Treasurer's Report
 - c. April Budget Report
 - d. May Bills Submitted
 - e. April Minutes of Council Meeting
 - f. EBSA-Outdoor alcohol permit for City Festival (Elkhart Baseball Softball Association)
 - g. The Hen House Alcohol Permit for Event May 20th
- 9. Resolution Approving Street Closing** for Christian Church Activities, May 28th
- 10. Resolution to Set a Date for Public Hearing** on Proposal to Enter into a Water Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$5,000,000.
- 11. Resolution to Set a Date of Bid Opening** for Lift Station Project
- 12. Resolution to Set a Public Hearing Date** for Lift Station Project
- 13. Resolution to Set a Date of Bid Opening** for Well #4 Project
- 14. Resolution to Set a Date of Bid Opening** for Prairie Pointe Park Project
- 15. Resolution to Set a Date** for Special Council Meeting
- 16. Resolution to Set a Date for Public Hearing** for Budget Amendment FY2023
- 17. Resolution to Set a Date for Public Hearing** for Ordinance Change-165.24-Public Water Supply Wells
- 18. Resolution of Approval for First Reading** for Ordinance Change to Increase Water Rates for FY2024
- 19. Resolution of Approval for First Reading** for Ordinance Change to Increase Sewer Rates for FY2024
- 20. Resolution of Approval for First Reading** for Ordinance Change to Increase Stormwater Rates for FY2024
- 21. Resolution of Approval** for Pay Request #6-Stormwater Project
- 22. Resolution Approving or Waiving Our Right to Review** White Oak Final Plat Submittal
- 23. Resolution of Approval** for Transfer from LOST to Water for Purchase of a New Meter Reading System, ITRON
- 24. Resolution to Approve** the Purchase of a New Mower for Public Works
- 25. Resolution to Approve** the Purchase of a Desk for City Clerk's New Office
- 26. Resolution to Accept** a Resignation
- 27. Adjourn**

Date Posted: Thursday, May 11, 2023

City of Elkhart
City Council Packet

May 15th – 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 will be setting the (re)bid opening for the new well (Well #4) as part of this project at the May council meeting for June 15th. The costs for the new well are already figured into the new rate increases as discussed in February. In addition, you will be asked to set a public hearing for the June council meeting to enter into a water revenue loan to pay for the project as part of the SRF program. The proceedings from Dorsey and Whitney are included in your packet.
- **Phase 1 of the storm water project.** This project is nearing completion. Construction has finished on the storm water pipe. The final grading of the ponds is complete, as well. We will be having a final walk through to go over the punch list soon. 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 to complete Phase 2 of the park project. At our May council meeting, we will be setting the (re)bid opening for the first phase of the park project for June 15th. The first phase of the project will include the paved trails, 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 additional trails, walking bridge, 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 1st 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. You will be asked to set the bid opening date for June 15th and the public hearing for the June council meeting day.
- **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, 346 properties have been sent notices so far - 316 have completely mitigated their violations (91.3% of the overall total which is the same as last month). Of the 30 notices not mitigated, that includes 11 new last month and several that have received extensions.

3) Planning and Zoning update

- The P&Z met in May to review the latest draft of the Main Street Plan. Again, there were minor changes to the plan. However, with the last round of changes, we anticipate that the P&Z will recommend approval of the plan in June. That means the council would get to review the plan in June and consider its approval in July.
- At its June meeting, the P&Z will also review a new site plan in the newly annexed area of the Industrial Park.

4) Park Board update

- The Park Board did not meet in May. However, the board is reviewing the siting of sidewalks to connect the Prairie Pointe Park basketball courts and the existing sidewalks. This would eliminate the need for walking through mud and grass to get to the courts. Ron and Rick would be able to do the paving of the new sidewalks.

5) Board of Adjustment update

- As you know the Board of Adjustment considers variances to the zoning ordinance when the need arises. This board rarely needs to meet – which is a good thing. However, a variance request was submitted in May and the board will be meeting June 1st to consider the request. The request is from 322 NE Mandy Ave to extend the length of their driveway approach (on Elm Street) in order to pave a parking pad on the west side of their garage. Since the length of their approach is more than is allowed, a variance is needed to approve the request.
- This new parking pad would allow the oversized trailer that parks on Elm Street to move off the street on onto an approved parking area next to their garage.

6) Number of building permits since last council meeting

- 14 new permits for this month (6 new construction or remodel; 5 fence; 0 shed, 0 deck; 0 basement finish; 0 demo; 0 sign; 1 driveway; 2 trade; 0 solar; 0 misc.)
- 41 total permits for 2023 (10 new construction or remodel; 11 fence; 0 shed, 1 deck; 4 basement finish; 0 demo; 1 sign; 1 driveway; 13 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 three hearings will be for each of the utility rate increases as proposed. The first one will be for water. This rate increase will pay for the new water treatment plant. On average, the increase will amount to approximately \$4.30 per monthly utility bill. You will be asked to have the 1st reading of the ordinance after the public hearing.
- The 2nd hearing will be for the sanitary sewer utility. On average, the increase will amount to approximately \$1.79 per monthly utility bill. You will be asked to have the 1st reading of the ordinance after the public hearing.
- The 3rd hearing will be for the storm sewer utility. On average, the increase will amount to \$0.50 per monthly utility bill. You will be asked to have the 1st reading of the ordinance after the public hearing.
- All told, with each utility rate increase, the average monthly bill will increase by about \$6.59/month. It is expensive to run these utilities and cities are not immune to inflation and the increased costs of nearly everything. These increases will still put Elkhart right in the middle of all metro area utility rates. One reason for the increase is that Elkhart's utility rates have been so low for so long, they had to be increased to catch up with inflation and the increased costs to provide these services. The draft ordinances have been included in your packet.

2) Discussion and possible action on approving the 6th pay request for the stormwater project

- You will be asked to approve the 6th partial pay request for the contractor at \$37,255.34. The pay request has been reviewed by V&K and included in your packet. This project is being paid for by the 2022A GO Bond and grant funds.

3) Discussion and possible action on approving or waiving our right of review for final plat in White Oak

- The council has a right to approve, make recommendations or waive right of approval to any division of land with two miles of the city limits. There is a final plat in White Oak that you will be asked to consider waiving our right of approval. You may remember waiving our right of approval of the preliminary plat of this same property. The final plat has been included in your packet.

4) Discussion and possible action on approving a street closure for the Christian Church

- There is a street closure request that you will be asked to consider. The Christian Church has activities scheduled for Sunday, May 28th and are requesting a partial street closure of Washington Avenue in front of the church.

5) Set date for Special Council Meeting on Monday, May 22nd

- You will be asked to set a date for a special council meeting on Monday, May 22nd to amend the FY2023 budget.

6) Set a date for a public hearing for FY2023 Budget Amendment

- You will be asked to set a public hearing at the special City Council meeting on May 22nd for amending the FY2023 Budget.

7) Transfer of funds from LOST to Water for approved ITRON meter reading system

- As you recall, you approved the purchase of a new ITRON water meter reader in the fall of 2021 due to our old meter reader becoming technologically obsolete. Due to supply chain issues, we only recently took possession of the new meter reader.
- This transfer is for the already approved purchase, to move money from the LOST account to the Water account so we can pay the invoice. The invoice has been included in your packet.

8) Set a date for a public hearing for an ordinance change to ordinance #165.24 Public Water Supply Wells

- You will be asked to set a date for a public hearing for updating ordinance #165.24 Public Water Supply Wells and having the first reading. This ordinance protects our wells and by adding a 4th Well as part of the Water Treatment Plant project, we will need to update this ordinance. Next month, V&K will have the necessary language to include in your packet.

9) Discussion and possible action on the purchase of a new mower for Public Works

- You will be asked to consider the purchase of a new mower for the public works department. The old riding mower has far too many hours to keep it working appropriately. Ron has three quotes for a new mower and prefers the low bid. This is a FY2023 budgeted amount. The three quotes have been included in your packet.

10) Discussion and possible action on the purchase of a new desk for city hall

- You will be asked to consider the purchase of a new desk for the new city clerk's office. Due to space constraints in City Hall, Brenda is moving into the renovated back area and Marissa will be moving into Brenda's existing work space. We have a quote for Brenda's new desk that is included in your packet.

11) Discussion and possible action on accepting the mayor's resignation

- You will be asked to consider accepting the mayor's resignation due to his moving outside of the city. His resignation letter will be brought to the meeting.
- If you decide to fill the position by appointment, we will need to set a date for the appointment, likely at a council meeting in July. Staff will publish notice with that date and will collect letters of interest from the public. At the date chosen the council would then appoint the next Mayor who would serve until the end of Mayor For's term which is until the end of this year.

BANK CASH REPORT
2023

BANK FUND	BANK NAME GL NAME	MARCH CASH BALANCE	APRIL RECEIPTS	APRIL DISBURSMENTS	APRIL CASH BALANCE	OUTSTANDING TRANSACTIONS	APR BANK BALANCE
COMM STATE BANK - OPERAT BK#1							
BANK	COMM STATE BANK - OPERAT BK#1						2,451,357.18
001	CHECKING - GENERAL	18,619.36	156,502.96	62,905.91	112,216.41	37,817.54	
002	CHECKING	50,926.62	0.00	0.00	50,926.62		
110	CHECKING - RUT	60,213.53	9,880.28	2,364.16	67,729.65	4,246.56	
111	CHECKING - I-JOBS	0.00	0.00	0.00	0.00		
112	CHECKING - EMPLOYEE BENEFITS	24,020.97	18,725.24	0.00	42,746.21		
119	CHECKING - EMERGENCY	5,464.12	4,295.52	0.00	9,759.64		
121	CHECKING - LOCAL OPTION	210,371.05	10,543.23	0.00	220,914.28		
125	CHECKING - TIF	661,741.55	162,589.77	0.00	824,331.32		
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	26,349.22-	12,458.03	0.00	13,891.19-		
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	3,412.50	116,601.22		
313	CHECKING-PRAIRIE POINT	385,760.71	0.00	21,091.25	364,669.46		
314	CHECKING-WA TREATMENT EXT	122,496.30-	0.00	0.00	122,496.30-		
315	CHECKING-MAINTENANCE SHOP	9,703.33	0.00	0.00	9,703.33		
316	CHECKING-STORM WATER	239,681.08	0.00	86,523.40	153,157.68		
317	CHECKING-LIFT STATION	395,581.01	0.00	0.00	395,581.01		
600	CHECKING - WATER	164,742.00	22,275.11	12,238.25	174,778.86	13,947.32	
601	CHECKING - WATER SINKING	3,450.00	0.00	0.00	3,450.00		
610	CHECKING - SEWER	119,321.64	19,610.83	9,184.56	129,747.91	12,265.55	
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	70,355.94	3,264.73	909.99	72,710.68	1,189.94	
	PENDING CREDIT-CARD DEPOSITS					84.04	
	DEPOSITS					71,340.84	
	WITHDRAWALS					961.98	
COMM STATE BANK - OPERAT TOTAL		2,230,813.06	420,145.70	198,630.02	2,452,328.74	995.99-	2,451,332.75

WARNING - BANK TOTALS DO NOT EQUAL THE GENERAL LEDGER ACCOUNT TOTALS DIFFERENCE --> 24.43-

COMM STATE BANK - CAP PRJ BK#2

BANK	COMM STATE BANK - CAP PRJ BK#2						7,424.95
001	CHECKING - GEN BANK2 CAP PROJT	7,424.31	0.94	0.00	7,425.25		
	DEPOSITS					0.30	
COMM STATE BANK - CAP PRJ BK#2		7,424.31	0.94	0.00	7,425.25	0.30-	7,424.95

BANK CASH REPORT
2023

BANK NAME FUND CL NAME	MARCH CASH BALANCE	APRIL RECEIPTS	APRIL DISBURSMENTS	APRIL CASH BALANCE	OUTSTANDING TRANSACTIONS	APR BANK BALANCE	
COMM STATE BANK - LND EQP BK#3							
BANK 001	COMM STATE BANK - LND EQP BK#3 CHECKING - GEN BANK3 LAND/EQUP	15,243.41	4.51	0.00	15,247.92	15,247.92	
	COMM STATE BANK - LND EQP BK#3	15,243.41	4.51	0.00	15,247.92	0.00	
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	
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	
	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	
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	
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-	365,344.09	
BANK 166	FIRE DEPT RESTRICTED CASH DEPOSITS	365,838.76	222.07	0.00	366,060.83	29.85	
	COMM ST BK-FIRE RESTRICT BK#8	365,151.87	222.07	0.00	365,373.94	29.85-	
TOTAL OF ALL BANKS							
		2,619,825.77	420,373.22	198,630.02	2,841,568.97	1,026.14-	
						2,840,542.83	

TREASURER'S REPORT
CALENDAR 4/2023, FISCAL 10/2023

ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	CHANGE IN LIABILITY	ENDING BALANCE
001 GENERAL	41,487.08	156,508.41	41,127.07	21,778.84-	135,089.58
002 ARPA	50,926.62	.00	.00	.00	50,926.62
110 ROAD USE TAX	60,213.53	9,880.28	2,364.16	.00	67,729.65
111 I-JOBS	.00	.00	.00	.00	.00
112 EMPLOYEE BENEFITS	24,020.97	18,725.24	.00	.00	42,746.21
119 EMERGENCY FUND	5,464.12	4,295.52	.00	.00	9,759.64
121 LOCAL OPTION SALES TAX	210,371.05	10,543.23	.00	.00	220,914.28
125 TAX INCREMENT FINANCING	661,741.55	162,589.77	.00	.00	824,331.32
165 RESTRICTED CULTURE & RE	.00	.00	.00	.00	.00
166 FIRE DEPT RESTRICTED	365,151.87	222.07	.00	.00	365,373.94
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	26,349.22-	12,458.03	.00	.00	13,891.19-
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	3,412.50	.00	116,601.22
313 PRAIRIE POINT PARK-2022	385,760.71	.00	21,091.25	.00	364,669.46
314 WA TRTMENT EXT-2022A	122,496.30-	.00	.00	.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	86,523.40	.00	153,157.68
317 LIFTSTATION PROJ-2022A	395,581.01	.00	.00	.00	395,581.01
600 WATER	164,742.00	20,241.90	10,215.59	10.55	174,778.86
601 WATER SINKING	3,450.00	.00	.00	.00	3,450.00
610 SEWER	119,321.64	19,610.83	9,189.34	4.78	129,747.91
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	70,355.94	2,988.01	633.28	.01	72,710.68
Report Total	2,620,025.77	418,063.29	174,556.59	21,763.50-	2,841,768.97

BUDGET WORKSHEET
CALENDAR 4/2023, FISCAL 10/2023

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	29,702.26	37,236.00
EMERGENCY MANAGEMEN	1,045.91	5,554.43	138,611.00	26,789.77	21,140.00
FIRE TOTAL	52,874.85	48,887.47	70,340.00	34,144.82	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	39,006.45	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	135,429.70	238,970.00
ROADS, BRIDGES, SID	119,537.99	84,067.73	117,540.00	41,974.71	141,818.00
STREET LIGHTING TOT	9,667.45	10,006.79	12,000.00	8,929.25	10,750.00
TRAFIC 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	13,396.00	17,427.00
GARBAGE TOTAL	1,672.56	2,280.32	1,500.00	753.10	2,500.00
RECYCLING TOTAL	13,338.59	16,465.36	17,000.00	13,981.68	17,500.00
GARAGE OTHER PUB WO	31,506.12	48,859.14	95,376.00	42,841.74	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	122,483.07	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	36,647.06	107,453.00
RECREATION TOTAL	3,711.34	2,520.54	4,200.00	1,071.78	3,500.00
RAGBRAI TOTAL	.00	.00	.00	.00	.00
CEMETERY TOTAL	7,605.19	11,957.84	11,506.00	9,911.78	14,167.00
COMMUNITY CTR/ZOO/M	9,353.12	11,849.76	13,452.00	10,904.43	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	58,535.05	149,406.00
COMMUNITY BEAUTIFIC	2,188.15	.00	.00	.00	.00
PLANNING & ZONING T	129,503.62	46,150.18	30,500.00	30,831.81	35,500.00
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COMMUNITY & ECONOMI	131,691.77	46,150.18	30,500.00	30,831.81	35,500.00
MAYOR/COUNCIL/CITY	6,893.82	5,739.89	6,535.00	3,987.83	6,980.00
CLERK/TREASURER/ADM	69,388.52	59,958.07	73,055.00	51,164.52	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	106,409.45	150,781.00
-----	-----	-----	-----	-----	-----

BUDGET WORKSHEET
CALENDAR 4/2023, FISCAL 10/2023

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	164,222.21	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	.00	.00	.00	.00	.00
2022A TOTAL	.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	88,410.18	150,000.00
COMMUNITY BEAUTIFIC	1,190,840.30	811,057.74	4,330,000.00	1,220,989.86	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	1,309,400.04	4,118,414.00
WATER TOTAL	219,280.70	235,739.06	186,702.00	142,847.25	215,543.00
SEWER/SEWAGE DISPOS	139,757.94	157,640.03	134,657.00	127,343.54	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	5,573.47	.00
-----	-----	-----	-----	-----	-----
ENTERPRISE FUNDS TO	458,530.65	498,767.88	327,356.00	281,834.26	417,501.00
TRANSFERS IN/OUT TO	655,629.24	733,643.36	538,562.00	148,524.21	753,244.00
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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	2,309,022.87	6,854,182.00
=====	=====	=====	=====	=====	=====

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL
MAY 2023	ANKENY SANITATION	GARBAGE SVC		75.31
APRIL 2023	BRENDA HYSELL	PHONE REIMBURSEMENT		75.00
APRIL 2023	CHAD SANDS	PHONE REIMBURSEMENT		75.00
APRIL 2023	CHEM-SULT, INC	WATER TREATMENT CHEMS	231.42	
MAY 2023	CHEM-SULT, INC	WATER TREATMENT CHEMS	590.00	821.42
ANNUAL	CITY OF CAMBRIDGE IA-LIBRARY	ELKHART AGREEMENT-ANNUAL		1,900.00
MAY 2023	DES MOINES REGISTER MEDIA	PUBLISH LEGALS		204.95
MAY 2023	ED LEEDOM	CODE ENFORCEMENT		361.58
PR20230430	EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	3,793.65	
PR20230515	EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	3,538.38	7,332.03
MAY 2023	FIDELITY SECURITY LIFE	VISION INSURANCE	40.01	
PR20230430	FIDELITY SECURITY LIFE	VISION	5.02	
PR20230515	FIDELITY SECURITY LIFE	VISION	5.02	50.05
Luncheon	GCMOA	BRENDA AND MARISSA LUNCHEON		34.00
MAY 2023	HUXLEY COMMUNICATIONS	CHALL/FIRE/SHOP INTERNET		162.00
2021 WA MAIN EXT	IA FINANCE AUTHORITY-SRF	2021 SERIES WA MAIN EXTENSION		
PR20230415	TREASURER STATE OF IOWA	STATE TAXES	553.46	
PR20230430	TREASURER STATE OF IOWA	STATE TAX	555.17	1,108.63
ANNUAL	ICAP	ANNUAL INSURANCE EXPENSE		36,216.00
0010934	IOWA DEPT OF TRANSPORTATION	FOUR WAY STOP SIGNS AND NO		527.79
PR20170331	IPERS	IPERS		
PR20200330	IPERS	IPERS		
PR20230415	IPERS	IPERS	2,068.31	
PR20230430	IPERS	IPERS	2,128.41	4,196.72
40019	WASTE SOLUTIONS OF IOWA	PORTABLE RESTROOMS	31.80	
9172018	WASTE SOLUTIONS OF IOWA	PORTABLE RESTROOMS	31.80	63.60
MAY 2023	MARCO TECHNOLOGIES LLC	COPIER/PRINTER		166.08
APRIL 2023	MARISSA BUTLER	PHONE REIMBURSEMENT	75.00	
TRAVEL	MARISSA BUTLER	GCMOA LUNCHEON MEETING	26.91	101.91
84631	MENARDS - ANKENY	AIR COMPRESSOR AND HOSE OTHER		106.76
MAY 2023	METRO WASTE AUTHORITY	CURB IT RECYCLING EXPENSE		1,589.76
MAY 2023	MICROBAC LABORATORIES INC	TESTINGS		193.00
MAY 2023	MID AMERICAN ENERGY	ELECTRIC/GAS		3,130.17
MAY 2023	MIDWEST BREATHING AIR LLC	FIRE MAINTENANCE		679.07
MAY 2023	MUNICIPAL EMERGENCY SERVICES	METER SUPPLIES		292.50
FY22/23	POLK CO EMERGENCY MGMT AGENCY	28E AGREEMENT:\$.50 X 882		441.00
MAY 2023	POLK COUNTY TREASURER	SHERIFF CONTRACT		2,620.75
MAY 2023	RACOM CORPORATION	28RADIO ACCESS EDACS		719.10
APRIL 2023	RICK HUEBNER	PHONE REIMBURSEMENT		75.00
APRIL 2023	RON CORNWELL	PHONE REIMBURSEMENT		75.00
MAY 2023	STAPLES CREDIT PLAN	OFFICE SUPPLIES		196.34
MAY 2023	THORPE WATER DEVELOPMENT	SERVICE CONTRACT		1,822.00
80835/80913	VAN WERT INC	NEW METER READING SYSTEM	20,750.00	
80887	VAN WERT INC	METERS AND CONNECTIONS	4,273.80	25,023.80
1801-044-1	VEENSTRA & KIMM INC	ENGINEERING	237.50	
18056-88	VEENSTRA & KIMM INC	BUILDING PERMITS	1,079.63	
18079-7	VEENSTRA & KIMM INC	MAIN STREET MASTER PLAN	437.50	
18081-7	VEENSTRA & KIMM INC	KIMBERLY WOODS PLATS 1&2	1,884.94	
18083-7	VEENSTRA & KIMM INC	PPARK AMENITIES	2,000.00	5,639.57
MAY 2023	VERIZON WIRELESS	CHALL/FIRE PHONES		167.96
MAY 2023	VISA	CSB CREDIT CARD		755.83
MAY 2023	WASTE SOLUTIONS OF IOWA	PORTABLE RESTROOMS		341.00
MAY 2023	WELLMARK	GROUP INSURANCE	2,106.58	
PR20230430	WELLMARK	INSURANCE- A T	236.86	

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL
PR20230515	WELLMARK	INSURANCE- A T	236.86	2,580.30
APRIL 2023	WEX BANK	FUEL		391.40
				=====
Accounts Payable Total				100,312.38
Invoices: Paid				14,620.87
Invoices: Scheduled				85,691.51
Payroll Checks				

		001 GENERAL		7,258.84
		110 ROAD USE TAX		727.49
		600 WATER		1,986.44
		610 SEWER		1,717.23
		740 STORM WATER		189.81

Total Paid On: 4/27/23				11,879.81
		001 GENERAL		4,923.26
		110 ROAD USE TAX		741.49
		600 WATER		2,089.25
		610 SEWER		1,794.84
		740 STORM WATER		195.44

Total Paid On: 5/11/23				9,744.28
				=====
Total Payroll Paid				21,624.09
				=====
Report Total				121,936.47
				=====

CLAIMS REPORT
CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
001	GENERAL	57,139.64
110	ROAD USE TAX	2,912.51
169	COMMUNITY BETTERMENT FUND	63.60
312	CHECKING-MAIN STREET	437.50
313	PRAIRIE POINT PARK-2022A	2,000.00
600	WATER	36,035.62
601	WATER SINKING	
610	SEWER	22,706.24
740	STORM WATER	641.36

	TOTAL FUNDS	121,936.47

As of today, Ron Adams has not filed for the Alcohol Permit for EBSA-he requested it be approved, but I informed him that it would not get approved before it was filed this year-due to his mishap last year with filing for an alcohol permit with the cities Tax ID-No can do!! So if this has not been filed properly and I am not notified of proper filing we will need to remove it from the Consent Agenda at meeting.

Brenda

Brenda Hysell

From: noreply@salesforce.com on behalf of IOWA ABD Licensing Support
Sent: Thursday, May 11, 2023 9:56 AM
To: elkhartcityclerk@cityofelkhart.com
Cc: licensingnotification@iowaabd.com
Subject: Application App-181019 Pending Dramshop Review

Hello,

Application Number App-181019 has been set to "Pending Dramshop Review" status and is currently awaiting verification from the Applicant's designated Insurance Company. Once that has happened, you will receive a notification indicating that this Application will be ready for your review.

Corp Name: Michaelle Flinn

DBA: The Hen House Pub n Grub

License Number:

Application Number: App-181019

Tentative Effective Date: 5/20/2023

License Type: Special Class C Retail Alcohol License (BW)

Application Type: New

Amendment Type:

Thank you.

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

Street Closure Requests

Council Action:

There is a street closure request that you will be asked to consider. The Christian Church has activities scheduled for Sunday, May 28th and are requesting a partial street closure of Washington Avenue in front of the church from 10:00 am until 4:00 pm. No material is included in your packet.

City of Elkhart
City Council Packet

May 15th – 6:00 pm
Community Center

Setting Date for a Public Hearing

Council Action:

You will be asked to set a public hearing for our June Council meeting to enter into a water revenue loan to pay for the Water Treatment Plant project. The proceedings from Dorsey and Whitney are included in your packet.

5/12/2023

Via Email

Chad Sands
City Administrator/City Hall
Elkhart, Iowa

Re: SRF Water Revenue Loan and Disbursement Agreement
File No. 481239-14

Dear Chad:

We have prepared and attach proceedings for the May 15, 2023 City Council meeting to enable the Council to set June 20, 2023 as the date for a hearing on the proposal to enter into the SRF Water Revenue Loan and Disbursement Agreement (the "Agreement").

The documents attached include the following items:

1. Resolution fixing the date of meeting at which it is proposed to take action to enter into the Agreement. The form of notice is set out in Section 2 of the resolution. Please print an extra copy for delivery to the newspaper. Please insert the time and place of the hearing in both the resolution and the notice.
2. Attestation Certificate with respect to the validity of the transcript.
3. Organization and Establishment Certificate.
4. Outstanding Debt Certificate with respect to the outstanding debt of the Water Utility.
5. Publication Certificate with respect to publication of the notice, to which must be attached the publisher's affidavit of publication with a clipping of the notice as published.

The notice must be published at least once, not less than four (4) and not more than twenty (20) days before the meeting date set for the hearing, in a legal newspaper which has a general circulation in Elkhart. The last date on which this notice can be effectively published is June 16, 2023.

As soon as the notice appears in the newspaper, please have a copy emailed to lemke.susan@dorsey.com or faxed to our office at (515) 283-1060.

Please return one fully executed copy of all completed pages to us as soon as they are available.

Please call Erin Regan, Lauren Baker or me if you have questions.

Best regards,

John P. Danos

Attachments

cc: Brenda Hysell
Tracy Scebold
Tony Toigo
Lee Wagner
Matthew Stoffel

MINUTES TO SET DATE FOR HEARING
ON ENTERING INTO A LOAN AND
DISBURSEMENT AGREEMENT

481239-14

Elkhart, Iowa

May 15, 2023

The City Council of the City of Elkhart, Iowa, met on May 15, 2023, at _____ p.m.,
at the _____, in the City. The Mayor presided and the roll was called
showing the following members of the Council present and absent:

Present: _____

Absent: _____.

Council Member _____ introduced the resolution hereinafter next set
out and moved its adoption, seconded by Council Member _____; and after
due consideration thereof by the Council, the Mayor put the question upon the adoption of the
said resolution and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. _____

Resolution to fix a date for a public hearing on proposal to enter into a Water Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$5,000,000

WHEREAS, the City of Elkhart (the “City”), in Polk County, State of Iowa, did heretofore establish a Municipal Waterworks Utility System (the “Utility”) in and for the City which has continuously supplied water service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are vested in the City Council (the “Council”), and no board of trustees exists for this purpose; and

WHEREAS, pursuant to a prior resolution of the Council (the “Outstanding Bond Resolution”), the City has heretofore issued its \$376,000 Water Revenue Bond, SRF Series 2021, dated December 3, 2021 (the “Outstanding Bond”), a portion of which remains outstanding; and

WHEREAS, pursuant to the Outstanding Bond Resolution, the City reserved the right to issue additional obligations payable from the net revenues of the Utility and ranking on a parity with the Outstanding Bond under the terms and conditions set forth in the Outstanding Bond Resolution; and

WHEREAS, the City now proposes to enter into a Water Revenue Loan and Disbursement Agreement (the “Agreement”) and to borrow money thereunder in a principal amount not to exceed \$5,000,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of planning, designing, and constructing improvements and extensions to the Utility (the “Project”), and it is necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Elkhart, Iowa, as follows:

Section 1. This City Council shall meet on June 20, 2023 at the _____, in the City, at _____ o’clock ____m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Agreement.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once, not less than four (4) and not more than twenty (20) days before the meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS TO ENTER INTO A LOAN AND DISBURSEMENT AGREEMENT
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$5,000,000

(WATER REVENUE)

The City Council of the City of Elkhart, Iowa, will meet on June 20, 2023 at the _____, in the City, at _____ o'clock ____m., for the purpose of instituting proceedings and taking action to enter into a loan and disbursement agreement (the “Agreement”) and to borrow money thereunder in a principal amount not to exceed \$5,000,000, for the purpose of paying the cost, to that extent, of planning, designing, and constructing improvements and extensions to the Municipal Waterworks Utility System (the “Utility”) of the City.

The Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation, but, together with the City’s outstanding Water Revenue Bond, SRF Series 2021, dated December 3, 2021 and any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Utility.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Agreement. After receiving objections, the City may determine to enter into the Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Elkhart, Iowa.

Brenda Hysell
City Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Project which is reasonably estimated to cost approximately \$5,000,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon adoption and approval, as provided by law.

Passed and approved this May 15, 2023.

Mayor

Attest:

City Clerk

••••

On motion and vote, the meeting adjourned.

Mayor

Attest:

City Clerk

ATTESTATION CERTIFICATE:

STATE OF IOWA
COUNTY OF POLK
CITY OF ELKHART

SS:

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to fixing a date for hearing on the City Council's proposal to take action in connection with a Water Revenue Loan and Disbursement Agreement.

WITNESS MY HAND this ____ day of _____, 2023.

City Clerk

ORGANIZATION AND ESTABLISHMENT CERTIFICATE:

STATE OF IOWA
COUNTY OF POLK
CITY OF ELKHART

SS:

I, the undersigned City Clerk, do hereby certify that the aforementioned City is organized and operating under the provisions of Title IX of the Code of Iowa and not under any special charter and that such City is operating under the Mayor-Council form of government and that there is not pending or threatened any question or litigation whatsoever touching the incorporation of the City, the inclusion of any territory within its limits or the incumbency in office of any of the officials hereinafter named.

And I do further certify that the following named parties are officials of the City as indicated:

- _____, Mayor
- _____, City Administrator
- _____, City Clerk
- _____, City Treasurer
- _____, Council Member/Mayor Pro Tem
- _____, Council Member
- _____, Council Member
- _____, Council Member
- _____, Council Member

I further certify that the City established the Municipal Waterworks Utility System (the "Utility") prior to January 1, 1961, and that the Utility has been in continuous operation by the City since its establishment as aforesaid in supplying water service to the City and its inhabitants.

I further certify that the management and control of the Utility are vested in the City Council of the City, and that no board of trustees exists which has any part of the control and management of such Utility.

WITNESS MY HAND this ____ day of _____, 2023.

City Clerk

OUTSTANDING DEBT CERTIFICATE:

STATE OF IOWA
COUNTY OF POLK SS:
CITY OF ELKHART

I, the undersigned, City Clerk of the City of Elkhart, Iowa (the “City”), do hereby certify that the City has no bonds or other obligations of any kind now outstanding which are secured by and payable from the revenues derived from the operation of the Municipal Waterworks Utility System (the “Utility”), except as follows:

<u>Date</u>	<u>Type</u>	<u>Principal Amount Outstanding</u>	<u>Maturity</u>
12-03-2021	Water Revenue	\$ _____	06-01-2041

(Attach here a separate sheet listing any other outstanding obligations of the City secured by and payable from the revenues of the Utility, if any, excluding the proposed issue).

WITNESS MY HAND this ____ day of _____, 2023.

City Clerk

PUBLICATION CERTIFICATE:

(PLEASE NOTE: Please do not date and return this certificate until you have received the publisher’s affidavit and have verified that the notice was published on the date indicated in the affidavit, but please return all other completed pages to us as soon as they are available.)

STATE OF IOWA
COUNTY OF POLK
CITY OF ELKHART

SS:

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that pursuant to the resolution of its City Council fixing a date of meeting at which it is proposed to take action to enter into a loan and disbursement agreement, the notice, of which the printed slip attached to the publisher’s affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this ____ day of _____, 2023.

City Clerk

(Attach here the publisher’s original affidavit with clipping of the notice, as published.)

City of Elkhart
City Council Packet

May 15th – 6:00 pm
Community Center

Setting Date for a Public Hearing and Bid Opening

Council Action:

You will be asked to set a public hearing for our June Council meeting to discuss the plans and specifications of the Lift Station project. In addition, you will be asked to set the bid opening date for Thursday, June 15th at 2:00 pm. No material has been included in your packet for this action item.

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

Setting Date for Two Additional Bid Openings

Council Action:

You will be asked to set the bid opening date for Thursday, June 15th at 2:00 pm for the re-bid of both the Well #4 project and the Prairie Pointe Park Phase 1 project. No material has been included in your packet for this action item.

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

Setting Date for a Special Council Meeting

Council Action:

You will be asked to set a special City Council meeting on May 22nd for amending the FY2023 Budget. The budget amendment will be included in your special meeting packet.

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

Setting Date for a Public Hearing for FY2023 Budget
Amendment

Council Action:

You will be asked to set a public hearing at the special City Council meeting on May 22nd for amending the FY2023 Budget. The budget amendment will be included in your special meeting packet.

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

Setting Date for a Public Hearing and First Reading of
Ordinance #165.24 Change

Council Action:

You will be asked to set a date for a public hearing for updating ordinance #165.24 Public Water Supply Wells and having the first reading. This ordinance protects our wells and by adding a 4th Well as part of the Water Treatment Plant project, we will need to update this ordinance. Next month, V&K will have the necessary language to include in your packet.

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

First Reading of Ordinance Changes to Increase Utility
Rates

Council Action:

You will be asked to hold three public hearings for each of the utility rate ordinance changes. The first is for the Water Utility Ordinance. The second is for the Sanitary Sewer Utility Ordinance and the third is for the Storm Sewer Utility Ordinance. On average, the total increase to each monthly utility bill will be approximately \$6.59/month. The draft ordinances have been included in your packet.

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 .

Water Rates	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			
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 17th – 6:00 pm
Community Center

Pay Request #6 for On Track Construction for the Phase 1
Stormwater Project

Council Action:

You will be asked to approve pay request #6 for the Phase 1 Stormwater Project as reviewed by V&K and will be paid for by the new GO Bond. Total for this month's request is \$37,255.34. The pay request has been included in the packet.



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

May 11, 2023

Chad Sands
City Administrator
City of Elkhart
260 NW Main Street
P.O. Box 77
Elkhart, Iowa 50073-0077

ELKHART, IOWA
EAST STORM TRUNK SEWERS AND LAGOON MODIFICATIONS
PAY ESTIMATE NO. 6 (FINAL)

Attached is an electronic copy of Pay Estimate No. 6 (Final) for work on the East Storm Trunk Sewers and Lagoon Modifications project, under the contract between the City of Elkhart and On Track Construction, LLC dated March 21, 2022. The partial pay estimate is for the period April 12, 2023 to May 10, 2023.

Pay Estimate No. 5 is for granular surfacing, seeding, sodding and erosion control. We have checked the estimate and recommend payment to On Track Construction, LLC in the total amount of \$37,255.34. The retainage amount of \$47,906.66 should be paid 31 days after final acceptance of the project.

Please sign three copies of Pay Estimate No. 6 (Final) in the space provided. Return one signed copy to our office and one signed copy to On Track Construction, LLC with payment. A signed copy should also be kept for your files.

If you have any questions or comments, please contact us at 515-225-8000.

VEENSTRA & KIMM, INC.

Jordan Kappos

JDK
18075
Enclosures
cc: On Track Construction, LLC



ESTIMATE OF CONSTRUCTION COMPLETED

PARTIAL PAYMENT NO. 6 (FINAL)

PROJECT TITLE: East Storm Trunk Sewers and Lagoon Modifications

Contractor: On Track Construction, LLC

Date: May 11, 2023

Original Contract Amount:

\$931,500.00

Pay Period: April 12, 2023 to May 10, 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	289.83	\$42.00	\$12,172.86
30.	Hydraulic Seeding, Fertilizing and Mulching, Type 1	ACRE	3.10	3.10	3.45	\$4,800.00	\$16,560.00
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	0.95	\$2,600.00	\$2,470.00
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	1.00	\$4,250.00	\$4,250.00
35.	8" Filter Socks, Installation & Removal	LF	3,300.00	3,300.00	2,277.00	\$2.00	\$4,554.00
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
Original Contract Value Completed							\$902,933.52

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
CO2.1	Sodding	SQ	0.00	45.00	44.71	\$99.00	\$4,426.29
Change Order No. 2 Value Completed							\$4,426.29
Total Value Completed - Bid Items							\$958,133.15

SUMMARY			
		Original Contract	Total Completed
Bid Item Subtotal		\$931,500.00	\$902,933.52
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	Sodding	\$4,455.00	\$4,426.29
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
Total Change Orders		\$70,516.34	\$55,199.63
		Total Approved	Total Completed
Revised Contract Price		\$1,002,016.34	\$958,133.15
			Total Completed
Total Materials Stored			\$0.00
Total Completed Plus Materials Stored			\$958,133.15
Retainage (5%)			\$47,906.66
Total Earned Less Retainage			\$910,226.49
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	December 24, 2022 to April 11, 2023	\$86,523.40	
6		\$0.00	
7		\$0.00	
8		\$0.00	
9		\$0.00	
10		\$0.00	
		Total Previously Approved	\$872,971.15
Amount Due This Request			\$37,255.34
Note: The amount \$37,255.34 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	\$1,002,016.34
		THIS PARTIAL PAYMENT	\$37,255.34
		TOTAL PARTIAL PAYMENTS INCL THIS PAYMENT	\$910,226.49
		FINAL RETAINAGE (to be paid 31 days after final acceptance)	\$47,906.66
		PERCENT COMPLETE	100.0%
Recommended By: Veenstra & Kimm, Inc.		Contractor: On Track Construction, LLC	Approved: City of Elkhart
Signature		Signature	Signature
Name	Jordan Kappos	Name	
Title	Project Engineer	Title	
Date		Date	

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

Final Plat Approval or Waiving of Right of Review

Council Action:

You will be asked to either approve the final plat for NE White Oak Drive or waive our right of approval. You recently waived our right of review for the preliminary plat of this property. It is within two miles of Elkhart and not in our future growth area. The final plat and legal description are included in your packet.

Minor Final Plat
of
White Oak Estates

The West 20 acres of the South-half of the Southeast Quarter (S1/2-SW1/4) of Section 16, Township 81 North, Range 23 West of the 5th P.M., and the East-half of the Southwest Quarter (E1/2-SW1/4) of Section 17, Township 81 North, Range 23 West of the 5th P.M., Polk County, Iowa, more particularly described as follows: Beginning at the East Quarter (E1/4) corner of said Section 17; thence S20°33'14"W, 1309.44 feet, along the East line of said E1/2-SW1/4 of Section 17; to the NW corner of said E1/2-SW1/4 of Section 16; thence N89°51'30"E, 864.44 feet (Recorded as N89°51'30"E, 864.44 feet to the East line of said E1/2-SW1/4 of Section 16, thence S20°33'14"W, 1309.44 feet, along the East line of said E1/2-SW1/4 of Section 16; to the SW corner of said Section 16; also being the SE corner of said Section 17; thence N89°51'30"E, 864.44 feet (Recorded as N89°51'30"E, 864.44 feet) to the SW corner of said E1/2-SW1/4 of Section 17; thence N0°00'00"W, 1322.10 feet (Recorded as 1322.14 feet to the SW corner of said E1/2-SW1/4 of Section 17; thence N0°00'00"W, 1322.10 feet (Recorded as 1322.14 feet) to the NW corner of said E1/2-SW1/4 of Section 17; to the NW corner of said E1/2-SW1/4 of Section 16; thence S89°38'43"E, 1317.82 feet to the Point of Beginning and containing 99.32 acres, subject to 4.26 acre road easement, 34.86 net acres remaining; subject to and together with any and all other easements or restrictions of record. Note: The base of bearing is the South line of the SE1/4 of Section 17-81-23, which is assumed to bear N0°00'00"W.

- All services to utilities located on the opposite side of the roadway must be bored under the roadway at the lot owner's expense.
- Private on-site wastewater treatment systems utilizing subsurface soil absorption shall be used where possible. Alternative systems may be required depending on the soils at the building site location. Individual wastewater treatment systems shall be designed by an engineer.
- Any subsurface drainage lines that are designed must be installed or installed to their original condition by the individual property owners.
- All new mailboxes located within Polk County right-of-way must be of a breakaway design.
- Property is located within Zone 14 - Area of Minimal Flood Hazard (AMFH) FEMA Map 15153C0000F, effective date 2-1-2019.
- Any work in the Polk County right-of-way, other than for an entrance, will require a Polk County right-of-way Grant Permit.
- Any modified entrance or new entrance will require a Polk County Entrance Permit.
- Final development runoff will not adversely affect downstream drainage facilities or property owners.
- Street Lots A, B, C, D, and E shall be deeded to Polk County at the time of final plat.
- This plat is prepared under the cluster development option for the AG Agricultural District. A minimum of 90.12 acres shall be maintained as permanent, unbuildable open space. This area is represented by Outlot "C" and "D", the additional 4.50 acres of open space as designated on Lot 1; the additional 4.50 acres of open space as designated on Lot 2; and the additional 4.50 acres of open space as designated on Lot 3. Outlot "Y" and Outlot "Z" contains no further development rights as currently zoned.
- The entire frontages of Lots 1, 2 and 3 adjoining public roads must meet the current AASHTO minimum stopping distance requirements based upon the posted speed limit of 55 mph.
- Density calculations include max. of 2 development rights permitted based on total acreage indicated with this plat. However, owner is transferring the 2 development rights from Parcel 2018-196 and the residual parcel (Bk 17140, Pgs 867), and has 1 additional development right from the existing lot of record which is the existing 17.36 acre parcel at the NE corner of NE 38th St and NE 142nd Ave. (W 20A of the S1/2 of the SW1/4, Land Use Sec. 16-81-23). This equals a total of 3 development rights permitted, as represented by proposed Lots 1, 2, and 3 of this plat. Outlot "C" and "D" contain no additional development rights as currently zoned AG.

Lot 1 - 14231 NE 38th Street OR 3846 NE 142nd Avenue
 Lot 2 - 14287 NE 38th Street
 Lot 3 - 14359 NE 38th Street

Recorder Use Only

Site Information

Minor Final Plat
 Part of the SW1/4 Sec. 16-81-23
 & Part of the SW1/4 Sec. 17-81-23
 NE White Oak Drive & NE 142nd Avenue
 Ethart, IA 50073
 Owner: Matthew D. Albaugh & Cathy Stove
 Matthew D. Albaugh (515) 202-6963
 1480 NE White Oak Drive
 Ethart, IA 50073
 Albaugh23@aol.com
 Zoning: AG, Agricultural District (Cluster Development)
 Setbacks: Front 5 Feet, 50 Feet
 Sides - 15 feet
 Minimum Setback - 15%
 Surveyor: Brian R. Campbell, P.E., P.L.S.
 Return to: Campbell Engineering & Surveying, Inc.
 625 S. 5th St.
 Ankeny, IA 50021
 515-268-1535, info@ceswa.com

Legend

Found Survey Monument as noted
 Found Monument at Government corner
 5th Mag Nail in ACC at Government corner
 Set 1/2" Iron rebar YPC#12946
 Diameter
 ACC Asphalt Cement Concrete
 S Square feet
 YPC Yellow Plastic Cap
 (M) Measured Distance
 (R) Recorded Distance
 ROW Right-of-Way

Open Space and Density Calculations

99.32	Total Property
4.05	Total Road R.O.W.
95.27	Base Site Area
94.36	Open Space Ratio
4.05	Open Space Area
90.12	Minimum Open Space
94.86	Base Site Area
109.12	Minimum Open Space
4.74	Net Buildable Area
10.13	Lots 1-3 Area
2.28	Lot 1-3 Buildable Area
13.39	Lots 1-3 Open Space
4.74	Net Buildable Area
4.93	Max. Net Density
4.41	Site Density Yield
94.86	Base Site Area
3.02	Max. Gross Density
2.88	Distict Density Yield
3.00	Minimum Yield

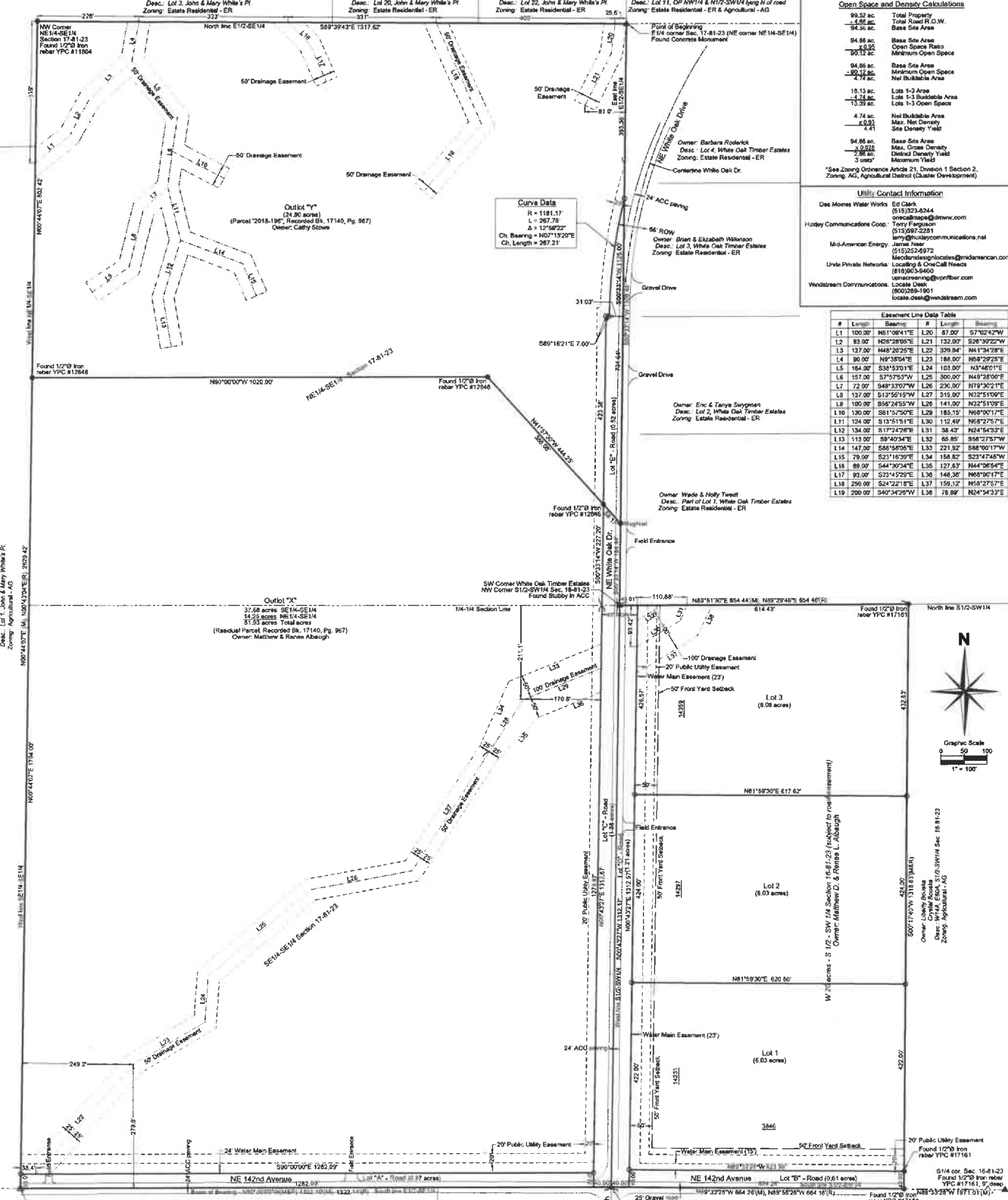
*See Zoning Ordinance Article 21, Division 1 Section 2.
 Zoning: AG, Agricultural District (Cluster Development)

Utility Contact Information

Des Moines Water Works: Ed Clark (515) 283-4344
 Des Moines Water Works: Terry Ferguson (515) 283-2281
 Husky Communications: Terry Ferguson (515) 283-2281
 Mid-American Energy: jimmy@midamericanenergy.com (515) 252-4972
 Mid-American Energy: michelle@midamericanenergy.com (515) 252-4972
 United Private Networks: Localizing & One-Call Needs (816) 363-5400
 Localize Desk: (800) 268-1901
 Localize Desk: localize@wmdstream.com

Easement Line Data Table

#	Length	Bearing	#	Length	Bearing
1	100.00'	N81°08'41"E	L20	81.00'	S7°02'42"W
2	83.00'	N45°20'25"E	L21	123.00'	S28°39'22"W
3	127.00'	N45°20'25"E	L22	399.84'	N41°34'28"E
4	90.00'	N9°38'04"E	L23	188.00'	N59°29'25"E
5	164.00'	S34°37'0"E	L24	103.00'	N3°48'0"E
6	157.00'	S75°57'5"W	L25	300.00'	N49°30'0"E
7	72.00'	S48°33'0"W	L26	230.00'	N79°30'2"E
8	127.00'	S12°52'19"W	L27	319.00'	N32°51'0"E
9	190.00'	S56°36'55"W	L28	141.00'	N22°51'0"E
10	130.00'	S81°37'20"E	L29	185.12'	N69°01'7"E
11	124.00'	S15°51'5"E	L30	112.40'	N62°27'5"E
12	134.00'	S17°24'28"E	L31	38.42'	N24°54'3"E
13	113.00'	S24°04'4"E	L32	65.85'	N58°27'8"W
14	147.00'	S86°58'05"E	L33	221.82'	S88°00'17"W
15	78.00'	S23°16'39"E	L34	158.82'	S23°47'48"W
16	89.00'	S44°20'34"E	L35	127.83'	N44°06'54"E
17	92.00'	S24°22'18"E	L36	146.30'	N65°03'7"E
18	250.00'	S24°22'18"E	L37	159.12'	N58°27'5"E
19	200.00'	S42°34'29"W	L38	78.89'	N24°54'3"E



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Signed: *Brian R. Campbell*
 Date: 4/25/2023 License Number: 12646
 "My license renewal date is December 31, 2023."

Campbell Engineering & Surveying
 225 E 14th, Suite 1
 Ankeny, Iowa 50021
 Phone: (515) 963-4386
 E-mail: info@ceswa.com

FIELD WORK:	BRC/CGC	7/06/2022	PROJECT#	MDA2301
DRAWN BY:	BRC	1/16/2023	FILE#	EP2301
CHECKED BY:	CGC	4/10/2023	SCALE	SHEET
REVISED BY:	CGC	4/25/2023	VERT:	1
REVISED BY:			HORIZ:	1"=100'

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

Approving a Transfer from LOST to Water for approved ITRON
Meter Reading System

Council Action:

You will be asked to approve a transfer from LOST to Water to pay for the already approved ITRON water meter reader. Due to supply chain issues, we only recently took possession of the new meter reader. The purchase was approved in November of 2021. The invoice has been included in your packet.



VAN WERT COMPANY

606 8th Street
Grundy Center, IA 50638

October 28, 2021

City of Elkhart
260 NW Main Street
Elkhart, IA 50073

600-810-6504
600-810-6490
— \$10,375.00

Approved
on Nov. 15th
Resolution
2021-121

Itron AMR Mobile Laptop System Proposal

Description	Quantity	Unit Price	Extended Price
Itron AMR Software			
• Itron Field Collection Service (FCS) Software Upgrade			No Charge
Itron AMR Collection Equipment			
• Itron Mobile for FCS (IMA Set Up Fee)	1	\$250.00	\$250.00
• Itron MC4Core Mobile Radio Receiver Package	1	\$19,000.00	\$19,000.00
Includes: MC4Core Data Collector Panasonic ToughPad w/ Docking Station Mapping Module Power Kit External Antenna			
Van Wert Company Professional Services			
• Implementation and Training	1	\$1,500.00	\$1,500.00
AMR Software/Hardware Total			\$20,750.00
Itron Annual Fees			
• Itron Field Collection Service (FCS) Software Annual Maintenance Contract			\$2,160.00
• Itron MC3Lite Radio Receiver Annual Maintenance Contract			\$1,320.00
• Itron Mobile for FCS Annual Subscription Fee			\$300.00

May 15th – 6:00 pm

Community Center

Purchase New Mower for Public Works

Council Action:

You will be asked to consider the purchase of a new mower for the public works department. The old riding mower has far too many hours to keep it working appropriately. Ron has three quotes for a new mower and prefers the low bid. This is a FY2023 budgeted amount. The three quotes have been included in your packet.

Preferred by Ron



Quote Summary

Prepared For:
 CITY OF ELKHART
 260 NW MAIN ST
 ELKHART, IA 50073

Prepared By:
 Ryan Parks
 Van-Wall Equipment, Inc.
 507 S Ankeny Blvd
 Ankeny, IA 50023
 Phone: 515-964-0611
 ryan.parks@vanwall.com

Quote Id: 28796892
Created On: 10 May 2023
Last Modified On: 10 May 2023
Expiration Date: 17 May 2023

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE Z930M ZTrak - 1TC930MCKNT120469	\$ 15,069.00	\$ 11,792.84 X	1 =	\$ 11,792.84

Equipment Total **\$ 11,792.84**



Trade In Summary	Qty	Each	Extended
2013 JOHN DEERE Z925M - 1TC925MVJDY010333	1	\$ 1,500.00	\$ 1,500.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 1,500.00

Trade In Total **\$ 1,500.00**

Quote Summary

Equipment Total	\$ 11,792.84
Trade In	\$ (1,500.00)
SubTotal	\$ 10,292.84
Est. Service Agreement Tax	\$ 0.00
Total	\$ 10,292.84
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 10,292.84

Q U O T A T I O N

PAGE: 1

MOWBILITY SALES AND SERVICE
 6575 NE 14th Street
 Des Moines, IA 50313 USA
 Phone #: (800)211-2808
 Fax #: (641)828-1536

PHONE #:
 CELL #: (515)249-9181
 ALT. #:
 P.O.#:
 TERMS: Net 10th EOM
 SALES TYPE: Quote

DATE: 5/10/2023
 ORDER #: 56892
 CUSTOMER #: 115335
 CP: Brandon W
 LOCATION: 1
 STATUS: Active

BILL TO 115335
 CITY OF ELKHART

SHIP TO
 CITY OF ELKHART

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
TOR	74020	4000 SERIES FX1000 (KAWI) 60IN XL	1	\$15,099.00	\$13,999.00	\$13,999.00
****	DISC	BID ASSIST DISCOUNT	1	\$0.00	-\$2,292.72	(\$2,292.72)

Prices reflected on this quote are valid for 30 days and while current supplies last. However, prices are subject to change if the program or promotion the prices were quoted under is no longer in effect.

SUBTOTAL: \$11,706.28
 TAX: \$0.00
ORDER TOTAL: \$11,706.28

Q U O T A T I O N

PAGE: 1

MOWBILITY SALES AND SERVICE
 6575 NE 14th Street
 Des Moines, IA 50313 USA
 Phone #: (800)211-2808
 Fax #: (641)628-1536

PHONE #:
 CELL #: (515)249-9181
 ALT. #:
 P.O.#:
 TERMS: **Net 10th EOM**
 SALES TYPE: **Quote**

DATE: **5/10/2023**
 ORDER #: **56991**
 CUSTOMER #: **115335**
 CP: **Brandon W**
 LOCATION: **1**
 STATUS: **Active**

BILL TO 115335
 CITY OF ELKHART

SHIP TO
 CITY OF ELKHART

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
EXM	LZX921GKA606A1	LAZER Z X-SERIES 31HP (KAW)	1	\$17,999.00	\$17,999.00	\$17,999.00
****	DISC	BID ASSIST DISCOUNT	1	\$0.00	-\$3,600.00	(\$3,600.00)

Prices reflected on this quote are valid for 30 days and while current supplies last. However, prices are subject to change if the program or promotion the prices were quoted under is no longer in effect.

SUBTOTAL: \$14,399.00
 TAX: \$0.00
 ORDER TOTAL: \$14,399.00

May 15th – 6:00 pm

Community Center

Purchase New Desk for City Hall

Council Action:

You will be asked to consider the purchase of a new desk for Brenda's new office. Due to space constraints in City Hall, Brenda is moving into the renovated back area and Marissa will be moving into Brenda's existing work space. We have a quote for Brenda's new desk that is included in your packet. This is a FY2023 budgeted amount.

Wilson Woodwork

INVOICE

Date: Apr 10, 2023

Bill To:
City of Elkhart
Brenda Hysell, City
Clerk

Ship To:
260 NW Min St,
Elkhart, IA, 50063

Balance Due: \$1,100.00

Item	Quantity	Rate	Amount
L-Shaped Sectional Desk	1	\$1,100.00	\$1,100.00

Subtotal: \$1,100.00

Tax (0%): \$0.00

Total: \$1,100.00

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

Discussion and Possible Action on Accepting the Mayor's
Resignation

Council Action:

You will be asked to consider accepting the mayor's resignation due to his moving outside of the city. His resignation letter will be brought to the meeting. If you decide to fill the position by appointment, we will need to set a date for the appointment, likely at a council meeting in July. Staff will publish notice with that date and will collect letters of interest from the public. At the date chosen the council would then appoint the next Mayor who would serve until the end of Mayor For's term which is until the end of this year.

City of Elkhart
City Council Packet

May 15th – 6:00 pm

Community Center

Code Enforcement

Council Action:

The Code Enforcement Report is for informational purposes only.

APRIL 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	
START 2021						
2021-010	Lot 11	Junk	7/23/2021	7/11/2021 8/8/21 5/31/21 6/17/21	M- 3/23/21 Advisory- 5/4/21 Certified- 6/3/21 FINAL	4/11/2023
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	
START 2022						
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	
2022-114	361 NW Washington	Vehicle	11/8/2022	11/24/2022 1/3/23 4/18/23 4/28/23	Advisory- 12-19-22 Certified Extnded to April per Brenda 4/11/23 Certified	
2022-124	Lot 14	Vehicle	12/6/2022	1/2/23/2023 2/3/23 4/14/23	Advisory- 1/17/23 Certified- 3/28/23 FINAL	4/11/2023
START 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	
2023-013	167 NW Maple	Junk	2/13/2023	3/28/2023 3/17/23	M- 2/28/23 Advisory	4/11/2023
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	
2023-023	305 NE Megan	Parking	3/28/2023	3/14/2023	M	4/11/2023
2023-024	414 NE Elm	Junk	3/14/2023	3/28/2023	Advisory	4/11/2023
2023-028	410 NE Elm	Vehicle	3/14/2023	3/28/2023	M	
2023-029	Lot 33	Vehicle	3/14/2023	3/30/2023 4/28/23	Advisory- 4/11/23 Certified	
2023-030	104 NE Maple	Junk	3/28/2023	4/11/2023	M	4/11/2023
2023-031	220 NE Mandy	Junk	3/28/2023	4/11/2023	M	
2023-032	220 NE Megan	Junk	3/28/2023	4/11/2023	M	4/24/2023
2023-033	Lot 16	Parking	3/28/2023	4/11/2023	M	4/11/2023
2023-034	Lot 29	Parking	3/28/2023	4/11/2023	M	4/11/2023
2023-035	Lot 39	Parking	3/28/2023	4/11/2023	M	4/24/2023
2023-036	Lot 41	Vehicle & Parking	3/28/2023	4/11/2023	M	
2023-037	267 Nw Maple	Junk	4/11/2023	4/25/2023	M	
2023-038	305 NE Allison	Parking	4/11/2023	4/25/2023	M	
2023-039	Lot 16	Vehicle	4/11/2023	4/27/2023	Advisory	
2023-040	Lot 27	Junk	4/11/2023	4/25/2023	M	
2023-041	264 NW Washington	Junk	4/24/2023	5/8/2023	M	
2023-042	227 Gramt	Junk	4/24/2023	5/8/2023	M	
2023-043	309 Gramt	Parking	4/24/2023	5/8/2023	M	
2023-044	104 NE Elm	Parking	4/24/2023	5/8/2023	M	
2023-045	317 Allison	Parking	4/24/2023	5/11/2023	Advisory	
2023-046	113 NE Megan	Junk	4/24/2023	5/8/2023	M	
2023-047	Lot 29	Junk	4/24/2023	5/8/2023	M	
2023-048						
2023-049						