

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

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**1. Call to Order**

Mayor Pro-Tem called the meeting to order at 6:00 PM

**2. Pledge of Allegiance**

Mayor Pro-Tem 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 Schaffer 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**

Many concerned citizens of the prospect of a New Gas Station were present. Concerns were Lighting, Fuel Fumes, water drainage issues, health concerns, house values, kids in the neighborhood. Mayor Pro-Tem Shipley addressed the concerned Citizens with answers and past history of Mayor and Councils desires to move forward on bringing a gas station to town, the need for a gas station in Elkhart has been expressed to many Mayor and Councils in the past, we will do our best to address all of your concerns at the time of planning and reviewing the site plan, it is Mayor and Council's desire to move forward with an incentives plan. Councilman Fordyce also addressed the Public with his review and some statistics of a gas station and why and where this may be the best place available to place it.

**6. Public Hearing**

**a. Public hearing on proposal to enter into a Water Revenue Loan and Disbursement Agreement**

Motioned by Fordyce, seconded by Schaffer to open Public Hearing at 6:37 PM, explanation of this Public Hearing addressed by Sands, City Administrator, no public comments, motioned by Fordyce, seconded by Schaffer to close Public Hearing at 6:40 PM, motions carried

**b. Lift Station Project**

Motioned by Fordyce, seconded by Schaffer to open Public Hearing at 6:40 PM, no Public Comments, motioned by Fordyce, seconded by Schaffer to close Public Hearing at 6:41 PM, motions carried

**7. Reports of the Elected Officials, City Staff and Standing Committees**

Drey, Fire Chief: Calls-11 Medical, 2 Rescue, 1 Hazmat and 3 Fire-they are preparing to Staff the City Festival Tractor Pull on Saturday June 24

Sands, City Administrator: Submitted a report in Council Packets, no questions or concerns from Mayor or Council-Betterment Committee is requesting verbal approval from Council to have Fireworks display at City Festival, consensus was YES

Kappos, Planning and Zoning: P&Z reviewed and recommended

**a. Main Street Master Plan**

**b. Well #4 Project**

**c. Amend Requirements of Fence Setbacks on Corner lots**

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**8. Consent Agenda Resolution 2023-70**

Motioned by Fordyce, seconded by Schaffer to approve the Consent Agenda, motion carried

- a. May Cash Report
- b. May Treasurer's Report
- c. May Budget Report
- d. June Bills submitted
- e. May Minutes of Council Meeting
- f. Alcohol Permit for The Hen House Pub n Grub for City Festival
- g. Tax Abatements for 1311 NW Laurel St-Marcus Pitts-Units 101,102,103,104, 106,107,108,109,110,111,112,113,118,119,120,121,122, 123,124,125,127,128, 129,130-Elkhart Industrial Park
- h. Tax Abatements for 1410 W Walnut St-Schuessler Enterprises, Inc. Units- 201,202,203,204,213,214,215,216
- i. Tax Abatements for 1410 W Walnut St-Bill Gardner-Units- 205,206,207,208,209,210,211,212
- j. Tax Abatement for Built Right Homes at addresses 106 NE Adams Ave-318 NE Adams Ave-322 NE Adams Ave-326 NE Adams Ave

**9. Resolution 2023-71**

Motioned by Allen, seconded by Gillmore for Approval for taking additional action on proposal to enter into a Water Revenue Loan and Disbursement Agreement, motion carried

**10. Resolution 2023-72**

Motioned by Fordyce, seconded by Allen to Set a Public Hearing Date for Ordinance Update-Well Protection Ordinance of July 17, 6 PM Elkhart Community Center, motion carried

**11. Resolution 2023-73**

Motioned by Schaffer, seconded by Fordyce to Set a Public Hearing Date for Ordinance Update-Fence, Walls and Vision Clearance of July 17, 6 PM at Elkhart Community Center, motion carried

**12.** Resident did not come to Council Meeting for a Hearing on Citizen Row Work- this was tabled to next month

**13. Resolution 2023-74**

Motioned by Allen, seconded by Shipley to Award Contract and Specs for Lift Station Project to On-Track Construction for \$555,555.00, motion carried

**14. Resolution 2023-75**

Motioned by Allen, seconded by Shipley to Award Contract and Specs for Well #4 project to Gingerich Well & Pump Service LLC for \$404,225.00, Forrest with V&K was present with information and recommendation of Well #4 Project Bidding, motion carried

**15. Resolution 2023-76**

Motioned by Shipley, seconded by Schaffer to Award Contract and Specs for Prairie Point Park Project to Concrete Connection, LLC for Alternate #1- \$605,000.00, Forrest with V&K was present with information and recommendation of Prairie Pointe Park Project Bidding, motion carried

**16.** Discussion and Approval to start the process for Developer Connection Fees, Forrest with V&K was present with information on Developer Connection Fees, Consensus by Mayor and Council was to move forward with a plan.

**17. Resolution 2023-78**

Motioned by Fordyce, seconded by Allen Adopting 2<sup>nd</sup> Reading of Ordinance 2023-1-Water Rate Increase for FY2024, motion carried

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**18. Resolution 2023-79**

Motioned by Fordyce, seconded by Schaffer Adopting 2<sup>nd</sup> Reading of Ordinance 2023-2-Sewer Rate Increase for FY2024, motion carried

**19. Resolution 2023-80**

Motioned by Schaffer, seconded by Shipley Adopting 2<sup>nd</sup> Reading of Ordinance 2023-3-Stormwater Increase for FY2024, motion carried

**20. Resolution 2023-81**

Motioned by Shipley, seconded by Fordyce Approving moving forward with Gas Station Incentives, motion carried

**21. Resolution 2023-82**

Motioned by Shipley, seconded by Schaffer, Approval of Employee Salary Increases for FY2024 as of July 1, 2023 as follows: Chad Sands (City Administrator) from \$90,000.00 to \$97,000.00 per/yr-Brenda Hysell (City Clerk) from \$65,000.00 to 70,000.00 per/yr-Ron Cornwell (Public Works Director) from \$31.25 to \$34.00 per/hr- Rick Huebner (Public Works) from \$31.00 to \$31.96 per/hr and Scott Drey from \$2000.00 to \$5,000.00 per/yr, Gillmore-Nay, Allen-Aye, Shipley-Aye, Fordyce-Aye, and Schaffer-Aye, motion carried

**22. Resolution 2023-83**

Motioned by Fordyce, seconded by Schaffer Approval for Elkhart Christian Church of Schedule Submitted to hold Summer Events at Prairie Pointe Park, motion carried

**23. Resolution 2023-84**

Motioned by Fordyce, seconded by Allen Approval for Transfers from TIF to Debt Service for \$270,000.00 and LOST to Debt Service of \$13,745.60 to pay 2020A Loan Payment/Interest, motion carried

**24. Resolution 2023-85**

Motioned by Allen, seconded by Schaffer Approval for a Transfer from TIF to Debt Service of \$58,128.00 to make Loan Payment/Interest for 2020C, motion carried

**25. Resolution 2023-86**

Motioned by Schaffer, seconded by Allen Approval for a Transfer from Water to Water Sinking for Loan Payment/Interest of \$19,252.72 for 2021 Series, motion carried

**26. Resolution 2023-87**

Motioned by Allen, seconded by Schaffer Approval for a Transfer from Sewer to Sewer Sinking of \$77,070.00 for 2020B Loan Payment/Interest, motion carried

**27. Resolution 2023-88**

Motioned by Shipley, seconded by Schaffer Approval for a Transfer from Sewer to Sewer Sinking of \$6,070.00 for 2020B Loan Interest, motion carried

**28. Resolution 2023-89**

Motioned by Fordyce, seconded by Schaffer Approval for Transfer from Water-\$22,900.00, Sewer-\$33,787.50, TIF-\$40,496.25, Stormwater-\$20,088.75, all to Debt Service for Loan Payment/Interest 2022A, motion carried

**29. Resolution 2023-90**

Motioned by Allen, seconded by Gillmore Approval for a Transfer from LOST to Sewer Lagoon Debt Pay Back-\$25,000.00, motion carried

**30. Resolution 2023-91**

Motioned by Fordyce, seconded Schaffer Approval for Annual Transfer from Emergency Fund-\$9,874.41 and Employee Benefits-\$43,246.47 to General Fund, motion carried

**31. Resolution 2023-92**

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Motioned by Shipley, seconded by Schaffer Approval of Appointment of Mayor as Mayor Interim to Brad Campbell to serve final months of Term to December 31, 2023. Gillmore-Nay, Allen-Nay, Shipley-Aye, Fordyce-Aye and Schaffer-Aye, motion carried

**32.** Presentation of Appointment of Mayor Interim, Brad Campbell, was sworn into office

**33. Adjourn**

Motioned by Shipley, seconded by Fordyce to adjourn the Council Meeting at 7:25PM

CLAIMS REPORT

VENDOR	INVOICE DESCRIPTION	AMOUNT
ALLENDER BUTZKE ENGINEERS	WATER TREATMENT PLANT EXT.	\$3,550.00
ANKENY SANITATION	GARBAGE SVC	\$75.31
BRENDA HYSELL	PHONE REIBURSEMENT	\$75.00
CEDAR RAPIDS BANK & TRUST	BOND PAYMENTS-2020C	\$58,128.00
CHAD SANDS	TRAVEL EXPENSE FOR MEETINGS	\$116.30
CHEM-SULT, INC	WATER TREATMENT CHEMS	\$777.02
CHEM-SULT, INC	WATER TREATMENT CHEMS	\$594.71
CITY OF ANKENY	EMS CONTRACT	\$3,652.36
CONSUMERS ENERGY	IND PARK STREET LIGHTS	\$115.91
CRUISER ENTERPRISES	MAIN STREET INCENTIVE PROGRAM	\$6,363.39
DEREK CARNEY	FLOWERS FOR CEMETERY FOR	\$54.39
DES MOINES REGISTER MEDIA	PUBLISH LEGALS	\$723.28
DES MOINES REGISTER MEDIA	PUBLISH LEGALS	\$25.09
ED LEEDOM	CODE ENFORCEMENT	\$361.58
EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	\$3,787.24
EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	\$3,947.98
	SEWER LAGOON	
FASTENAL	AERATORS&DIFFUSER	\$687.55
FIDELITY SECURITY LIFE	VISION INSURANCE	\$40.01
FIDELITY SECURITY LIFE	VISION	\$5.02
FIDELITY SECURITY LIFE	VISION	\$5.02
HUXLEY COMMUNICATIONS	CHALL/FIRE/SHOP INTERNET	\$162.00
IA FINANCE AUTHORITY-SRF	2021 SERIES WA MAIN EXTENSION	
TREASURER, STATE OF IOWA	MONTHLY WET TAX SALES	\$888.62
TREASURER, STATE OF IOWA	MONTHLY WET TAX SALES FEE	\$5.70
TREASURER STATE OF IOWA	STATE TAXES	\$584.18
TREASURER STATE OF IOWA	STATE TAX	\$611.86
IOWA ONE CALL	EMAIL LOCATES	\$92.70
IOWA PLAINS SIGNING INC	SIGNS	\$336.00
IPERS	IPERS	
IPERS	IPERS	
IPERS	IPERS	\$2,162.52
IPERS	IPERS	\$2,318.24
ITRON, INC.	MVRS MAINTENANCE AGREEMNT	\$90.00

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JASON JUNGST	CREDIT ON ACCOUNT	\$180.32
WASTE SOUTIONS OF IOWA	PORTABLE RESTROOMS	\$31.80
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LEMNA ENVIRONMENTAL TECH	SEWER LAGOON PARTS	\$245.00
MARCO TECHNOLOGIES LLC	COPIER/PRINTER	\$156.64
MARISSA BUTLER	PHONE REIBURSEMENT	\$75.00
MENARDS - ANKENY	CITY HALL PANELING IN NEW	\$134.95
MENARDS - ANKENY	CITY HALL AND SHOP SUPPLIES	\$106.40
METRO WASTE AUTHORITY	CURB IT RECYCLING EXPENSE	\$1,594.08
MID AMERICAN ENERGY	ELECTRIC/GAS	\$2,868.76
MUNICIPAL SUPPLY INC	METER SUPPLIES	\$292.50
POLK COUNTY	28E AGREEMENT-SURFACE MAINTEN	\$1,664.20
POLK COUNTY TREASURER	SHERIFF CONTRACT	\$2,620.75
RACOM CORPORATION	28RADIO ACCESS EDACS	\$719.10
RICK HUEBNER	PHONE REIBURSEMENT	\$75.00
RON CORNWELL	PHONE REIBURSEMENT	\$75.00
SAM'S CLUB	SUPPLIES FOR BALL FIELDS AND	\$139.86
THORPE WATER DEVELOPMENT	SERVICE CONTRACT	\$1,855.50
VAN WALL EQUIPMENT INC	NEW JD MOWER	\$10,292.84
VEENSTRA & KIMM INC	ELKHART INDUSTRIAL SITE PLAN	\$1,386.00
VEENSTRA & KIMM INC	BUILDING PERMITS	\$7,706.25
VEENSTRA & KIMM INC	MAIN STREET MASTER PLAN	\$875.00
VEENSTRA & KIMM INC	KIMBERLY WOODS PLAT 1&2	\$4,284.53
VEENSTRA & KIMM INC	MAIN LIFT STATION IMPROVEMENTS	\$19,818.15
VEENSTRA & KIMM INC	PRAIRIE POINTE PARK AMENITIES	\$3,343.85
VERIZON WIRELESS	CHALL/FIRE PHONES	\$167.96
VISA	CSB CREDIT CARD	\$1,426.63
WALDINGER CORPORATION	SIREN MAINTENANCE	\$224.00
WASTE SOLUTIONS OF IOWA	PORTABLE RESTROOMS	\$196.00
WELLMARK	GROUP INSURANCE	\$2,106.58
WELLMARK	INSURANCE- A T	\$236.86
WELLMARK	INSURANCE- A T	\$236.86
WEX BANK	FUEL	\$659.55
Accounts Payable Total		\$156,164.70
Invoices: Paid		\$83,775.00
Invoices: Scheduled		\$72,389.70
Total Paid On: 5/25/23		\$10,945.20
Total Paid On: 6/13/23		\$11,042.91
Total Payroll Paid		\$21,988.11
***** REPORT TOTAL *****		\$178,152.81
GENERAL		\$59,499.47
ARPA		\$6,363.39
ROAD USE TAX		\$4,469.31

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COMMUNITY BETTERMENT FUND	\$63.60
DEBT SERVICE	\$58,128.00
CHECKING-MAIN STREET	\$875.00
PRAIRIE POINT PARK-2022A	\$3,343.85
WA TRTMENT EXT-2022A	\$3,550.00
LIFTSTATION PROJ-2022A	\$19,818.15
WATER	\$11,648.66
WATER SINKING	
SEWER	\$9,717.96
STORM WATER	\$675.42
TOTAL FUNDS	\$178,152.81