

-Notice of Public Meeting-

Governmental Body: Elkhart City Council

Date of Meeting: January 16th, 2024

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. Changes to the city zoning ordinance regarding barbed wire fencing
 - b. Changes to the city zoning ordinance regarding temporary uses
 - c. Changes to the city zoning ordinance regarding the zoning map
- 7. Reports of Elected Officials, City Staff, and Standing Committees**
- 8. Consent Agenda:**
 - a. December Cash Report
 - b. December Treasurers Report
 - c. December Budget Report
 - d. January Bills submitted
 - e. December 18th of Council Meeting
- 9. Discussion and possible action** for the first reading for proposed changes to the city zoning ordinance regarding barbed wire fencing
- 10. Discussion and possible action** for the first reading for proposed changes to the city zoning ordinance regarding temporary uses
- 11. Discussion and possible action** for the first reading for proposed changes to the city zoning ordinance regarding the zoning map
- 12. Resolution of approval** for pay request #1 for the main lift station project
- 13. Resolution of approval** for pay request #6 for the WTP project
- 14. Resolution Setting Date** for Public Hearing on Designation of the Expanded Elkhart Urban Renewal Area and on Urban Renewal Plan Amendment
- 15. Resolution of approval** for setting date for Council Budget work-session on January 29th at 6:00 PM
- 16. Adjourn**

CONSENT

AGENDA

JANUARY 16TH,

2023

BANK CASH REPORT 2023

BANK NAME FUND GL NAME	NOVEMBER CASH BALANCE	DECEMBER RECEIPTS	DECEMBER DISBURSMENTS	DECEMBER CASH BALANCE	OUTSTANDING TRANSACTIONS	DEC BANK BALANCE
COMM STATE BANK - OPERAT BK#1						

BANK COMM STATE BANK - OPERAT BK#1						1,741,031.19
001 CHECKING - GENERAL	119,485.38-	70,029.19	58,501.94	107,958.13-	263,966.45	
002 CHECKING	30,263.23	0.00	0.00	30,263.23		
110 CHECKING - RUT	109,750.73	0.00	73,141.36	36,609.37	81,811.29	
111 CHECKING - I-JOBS	0.00	0.00	0.00	0.00		
112 CHECKING - EMPLOYEE BENEFITS	1,727.86	0.00	0.00	1,727.86		
119 CHECKING - EMERGENCY	424.49	0.00	0.00	424.49		
121 CHECKING - LOCAL OPTION	139,991.50	0.00	3,863.20	136,128.30		
125 CHECKING - TIF	399,689.50	0.00	0.00	399,689.50		
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	44,900.63	3,863.20	3,480.00	45,283.83	3,480.00	
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	130,670.55-	0.00	0.00	130,670.55-		
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	113,418.72	0.00	6,695.00	106,723.72	6,695.00	
313 CHECKING-PRAIRIE POINT	388,396.54-	0.00	0.00	388,396.54-	753,997.15	
314 CHECKING-WA TREATMENT EXT	421,826.80-	0.00	106,200.28	528,027.08-	496,808.28	
315 CHECKING-MAINTENANCE SHOP	86,224.17-	0.00	0.00	86,224.17-	95,927.50	
316 CHECKING-STORM WATER	115,160.32	0.00	47,906.66	67,253.66	48,648.68	
317 CHECKING-LIFT STATION	359,736.87	0.00	0.00	359,736.87	4,197.50	
600 CHECKING - WATER	184,761.85	26,170.30	21,667.63	189,264.52	61,697.93	
601 CHECKING - WATER SINKING	9,234.70	0.00	15,000.00	5,765.30-	15,000.00	
610 CHECKING - SEWER	54,808.45	21,258.33	18,588.60	57,478.18	52,749.20	
611 CHECKING-SRF-2020B	5,715.00	0.00	0.00	5,715.00		
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	65,346.59	3,244.50	1,301.58	67,289.51	3,514.16	
PENDING CREDIT-CARD DEPOSITS					12,244.42	
DEPOSITS					394,794.39	
WITHDRAWALS					1,955.16	

COMM STATE BANK - OPERAT TOTAL	489,759.50	124,565.52	356,346.25	257,978.77	1,483,409.49	1,741,388.26
WARNING - BANK TOTALS DO NOT EQUAL THE GENERAL LEDGER ACCOUNT TOTALS					DIFFERENCE -->	357.07
COMM STATE BANK - CAP PRJ BK#2						

BANK COMM STATE BANK - CAP PRJ BK#2						7,429.93
001 CHECKING - GEN BANK2 CAP PROJT	7,430.23	0.00	0.00	7,430.23		
DEPOSITS					0.30	

COMM STATE BANK - CAP PRJ BK#2	7,430.23	0.00	0.00	7,430.23	0.30-	7,429.93

Bank Name	Chg Date	Chg Amt	Dep Amt	Tran No	Rcpt Seq	Tran Seq
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	GRAND TOTALS					0.00

TREASURER'S REPORT
CALENDAR 12/2023, FISCAL 6/2024

ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	CHANGE IN LIABILITY	ENDING BALANCE
001 GENERAL	96,579.55-	70,014.89	57,397.42	1,090.22-	85,052.30-
002 ARPA	30,263.23	.00	.00	.00	30,263.23
110 ROAD USE TAX	109,750.73	.00	73,084.62	56.74-	36,609.37
111 I-JOBS	.00	.00	.00	.00	.00
112 EMPLOYEE BENEFITS	1,727.86	.00	.00	.00	1,727.86
119 EMERGENCY FUND	424.49	.00	.00	.00	424.49
121 LOCAL OPTION SALES TAX	139,991.50	.00	3,863.20	.00	136,128.30
125 TAX INCREMENT FINANCING	399,689.50	.00	.00	.00	399,689.50
165 RESTRICTED CULTURE & RE	.00	.00	.00	.00	.00
166 FIRE DEPT RESTRICTED	366,508.61	.00	.00	.00	366,508.61
167 ELKHART MEMORIAL PARK F	1,432.00	.00	.00	.00	1,432.00
168 CEMETERY ASSOCIATION FU	1,285.12	.00	.00	.00	1,285.12
169 COMMUNITY BETTERMENT FU	.00	.00	.00	.00	.00
200 DEBT SERVICE	44,900.63	3,863.20	3,480.00	.00	45,283.83
301 CAPITAL PROJECT FUND	.50	.00	.00	.00	.50
302 CAPITAL PROJ URBAN RENE	.00	.00	.00	.00	.00
306 SEWER LAGOON FACILITY	130,670.55-	.00	.00	.00	130,670.55-
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	113,418.72	.00	6,695.00	.00	106,723.72
313 PRAIRIE POINT PARK-2022	388,396.54-	.00	.00	.00	388,396.54-
314 WA TRTMENT EXT-2022A	421,826.80-	.00	106,200.28	.00	528,027.08-
315 MAINTENANCE SHOP-2022A	86,224.17-	.00	.00	.00	86,224.17-
316 STORM WATER-PHASE1-2022	115,160.32	.00	47,906.66	.00	67,253.66
317 LIFTSTATION PROJ-2022A	359,736.87	.00	.00	.00	359,736.87
600 WATER	184,761.85	24,591.41	19,620.72	468.02-	189,264.52
601 WATER SINKING	9,234.70	.00	15,000.00	.00	5,765.30-
610 SEWER	54,808.45	20,928.54	17,858.88	399.93-	57,478.18
611 SRF LOAN-2020B	5,715.00	.00	.00	.00	5,715.00
612 NO LONGER USING 2018A	.00	.00	.00	.00	.00
613 CHECKING-SRB 2018B	.00	.00	.00	.00	.00
740 STORM WATER	65,346.59	3,070.36	1,098.86	28.58-	67,289.51
Report Total	880,459.06	122,468.40	352,205.64	2,043.49-	648,678.33

BUDGET WORKSHEET
CALENDAR 12/2023, FISCAL 6/2024

ACCOUNT NUMBER ACCOUNT TITLE	2 YRS AGO EXP	LYR EXPENSE	CURRENT BUDGET	EXPENDED YTD	NEW BUDGET
POLICE TOTAL	33,850.09	35,666.92	37,236.00	17,279.49	.00
EMERGENCY MANAGEMEN	5,554.43	33,506.95	21,140.00	64.26	.00
FIRE TOTAL	48,887.47	47,341.92	76,544.00	21,459.24	.00
FIRE DEPT RESTRICTE	.00	.00	.00	.00	.00
AMBULANCE TOTAL	6,959.05	9,663.98	14,050.00	4,434.16	.00
BUILDING INSPECTION	87,183.03	47,792.33	90,000.00	2,864.64	.00
ANIMAL CONTROL TOTA	.00	.00	.00	.00	.00
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PUBLIC SAFETY TOTAL	182,434.07	173,972.10	238,970.00	46,101.79	.00
ROADS, BRIDGES, SID	84,067.73	51,967.42	141,818.00	85,571.22	.00
STREET LIGHTING TOT	10,006.79	10,719.51	10,750.00	5,207.50	.00
TRAFFIC CONTROL & SA	2,094.27	1,470.38	3,000.00	50.00	.00
SNOW REMOVAL TOTAL	17,123.69	15,932.48	17,427.00	6,976.43	.00
GARBAGE TOTAL	2,280.32	903.72	2,500.00	1,766.61	.00
RECYCLING TOTAL	16,465.36	17,165.52	17,500.00	11,918.57	.00
GARAGE OTHER PUB WO	48,859.14	60,814.80	145,122.00	16,521.61	.00
STORM SEWER TOTAL	.00	.00	.00	.00	.00
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PUBLIC WORKS TOTAL	180,897.30	158,973.83	338,117.00	128,011.94	.00
HEALTH REGULATION/I	.00	.00	.00	.00	.00
WATER,AIR,MOSQUITO	1,146.36	1,593.51	.00	.00	.00
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HEALTH & SOCIAL SER	1,146.36	1,593.51	.00	.00	.00
LIBRARY TOTAL	1,900.00	1,900.00	1,900.00	.00	.00
PARKS TOTAL	33,512.49	41,775.71	107,453.00	116,967.89	.00
RECREATION TOTAL	2,520.54	1,855.55	3,500.00	731.47	.00
RAGBRAI TOTAL	.00	.00	.00	.00	.00
CEMETERY TOTAL	11,957.84	12,460.13	14,167.00	5,412.89	.00
COMMUNITY CTR/ZOO/M	11,849.76	13,369.82	22,386.00	7,018.54	.00
OTHER CULTURE/RECRE	.00	.00	.00	.00	.00
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CULTURE & RECREATIO	61,740.63	71,361.21	149,406.00	130,130.79	.00
COMMUNITY BEAUTIFIC	.00	.00	.00	.00	.00
PLANNING & ZONING T	46,150.18	38,754.78	35,500.00	759.50	.00
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COMMUNITY & ECONOMI	46,150.18	38,754.78	35,500.00	759.50	.00
MAYOR/COUNCIL/CITY	5,739.89	5,261.97	6,980.00	3,340.00	.00
CLERK/TREASURER/ADM	59,958.07	64,805.91	86,038.00	31,453.79	.00
ELECTIONS TOTAL	436.51	1,920.75	500.00	.00	.00
LEGAL SERVICES/ATTO	920.00	739.66	1,500.00	16,165.32	.00
CITY HALL/GENERAL B	76,205.74	124,137.91	150,781.00	42,606.56	.00
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BUDGET WORKSHEET
CALENDAR 12/2023, FISCAL 6/2024

ACCOUNT NUMBER ACCOUNT TITLE	2 YRS AGO EXP	LYR EXPENSE	CURRENT BUDGET	EXPENDED YTD	NEW BUDGET
GENERAL GOVERNMENT	143,260.21	196,866.20	245,799.00	93,565.67	.00
DEBT SERVICE-2020GO	.00	19,415.00	.00	.00	.00
DEBT SERVICE-STREET	.00	58,128.00	.00	.00	.00
MAIN STREET TOTAL	61,504.00	.00	61,960.00	.00	.00
DEBT SERVICE-WATER	.00	.00	12,380.00	.00	.00
DEBT SERV-2020A-LAG	297,173.10	345,993.78	298,116.00	3,480.00	.00
DEBT SERV-2015A-IND	.00	.00	.00	.00	.00
SRF-2020B LAGOON TO	.00	.00	.00	.00	.00
2022A TOTAL	.00	39,896.74	184,775.00	.00	.00
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DEBT SERVICE TOTAL	358,677.10	347,177.52	557,231.00	3,480.00	.00
PARKS TOTAL	24,377.24	93,754.03	150,000.00	30,489.08	.00
COMMUNITY BEAUTIFIC	811,057.74	1,282,925.85	3,968,414.00	1,311,859.52	.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	.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
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CAPITAL PROJECTS TO	835,434.98	1,376,679.88	4,118,414.00	1,342,348.60	.00
WATER TOTAL	235,739.06	196,712.63	215,543.00	104,122.17	.00
SEWER/SEWAGE DISPOS	157,640.03	159,976.31	119,528.00	77,672.60	.00
SRF-2020B LAGOON TO	82,577.50	.00	82,430.00	.00	.00
STORM WATER TOTAL	22,811.29	6,921.93	.00	3,428.90	.00
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ENTERPRISE FUNDS TO	498,767.88	363,610.87	417,501.00	185,223.67	.00
TRANSFERS IN/OUT TO	733,643.36	848,227.44	796,621.00	132,775.10	.00
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TRANSFER OUT TOTAL	733,643.36	848,227.44	796,621.00	132,775.10	.00
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TOTAL EXPENSES	3,042,152.07	3,577,217.34	6,897,559.00	2,062,397.06	.00
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INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	CHECK#	CHECK DATE
62355	ALLIED SYSTEMS, INC	SERVICE ON SYSTEMS		405.10	22122	12/28/23
1623538	ANKENY SANITATION	GARBAGE SVC		150.62	22095	12/21/23
20DEC2023	ARDICK EQUIPMENT CO INC	EQUIPMENT		172.50	22096	12/21/23
20DEC2023	ARNOLD MOTOR SUPPLY	SHOP SUPPLIES		557.40	22097	12/21/23
20DEC2023	CEDAR RAPIDS BANK & TRUST	BOND PAYMENTS		3,480.00	22098	12/21/23
28DEC2023	CHAD SANDS TRANSITION SERVICE	DECEMBER SERVICES		560.00	22123	12/28/23
13977	CHEM-SULT, INC	WATER TREATMENT CHEMS	639.11		22099	12/21/23
14093	CHEM-SULT, INC	WATER TREATMENT CHEMS	666.02	1,305.13	22124	12/28/23
202310269868	CITY OF ANKENY	EMS CONTRACT		4,207.32	22125	12/28/23
199381C	COMPASS BUSINESS SOLUTIONS	DISCONNECT NOTICES		296.72	22126	12/28/23
1012	COMPUTER RESOURCE SPECIAL	TECHNOLOGY SERVICES		225.00	22127	12/28/23
20DEC2023	CONSUMERS ENERGY	IND PARK STREET LIGHTS	127.70		22100	12/21/23
28DEC2023	CONSUMERS ENERGY	IND PARK STREET LIGHTS	138.14	265.84	22128	12/28/23
73081N	D & K PRODUCTS INC	CEMETERY CHEMICAL GAMEUP		719.00	22129	12/28/23
3920617	DORSEY & WHITNEY LLP	TIF CONSULT		6,695.00	22130	12/28/23
PR20231130	EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	2,771.57		11019798	12/01/23
PR20231215	EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	2,000.24		11019799	12/13/23
PR20231231	EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	1,928.78		11019802	12/29/23
PR20240115	EFTPS PAYROLL FEDERAL TAXES	FED/FICA TAX	3,985.37	10,685.96	11019803	1/12/24
PR20231201	FIDELITY SECURITY LIFE	VISION	5.02		22094	12/13/23
PR20231215	FIDELITY SECURITY LIFE	VISION	3.93		22094	12/13/23
PR20231231	FIDELITY SECURITY LIFE	VISION	3.93		22149	1/12/24
PR20240115	FIDELITY SECURITY LIFE	VISION	3.93	16.81	22149	1/12/24
20DEC2023	GWORKS	ANNUAL SUPPORT FEES		6,763.00	22101	12/21/23
160258	HAWKEYE TRUCK EQUIPMENT	RED OVAL STROBE		71.00	22102	12/21/23
20DEC2023	HEARTLAND COOP	FUEL	6.83		22103	12/21/23
28DEC2023	HEARTLAND COOP	FUEL	512.38	519.21	22131	12/28/23
20DEC2023	HUXLEY COMMUNICATIONS	CHALL/FIRE/SHOP INTERNET	162.00		22104	12/21/23
28DEC2023	HUXLEY COMMUNICATIONS	CHALL/FIRE/SHOP INTERNET	172.00	334.00	22132	12/28/23
PR20231115	TREASURER STATE OF IOWA	STATE TAXES	472.59		11019797	12/01/23
PR20231130	TREASURER STATE OF IOWA	STATE TAX	438.25		11019797	12/01/23
PR20231215	TREASURER STATE OF IOWA	STATE TAXES	333.79		11019801	12/29/23
PR20231231	TREASURER STATE OF IOWA	STATE TAX	315.21	1,559.84	11019801	12/29/23
20DEC2023	IOWA FIREFIGHTERS ASSOCIATION	FIRE MEMBER DUES		272.00	22105	12/21/23
28DEC2023	IOWA RURAL WATER ASSOCIATION	MEMBERSHIP DUES		355.00	22133	12/28/23
PR20231115	IPERS	IPERS	1,719.21		11019796	12/01/23
PR20231130	IPERS	IPERS	1,816.44		11019796	12/01/23
PR20231215	IPERS	IPERS	1,209.63		11019800	12/29/23
PR20231231	IPERS	IPERS	1,196.83	5,942.11	11019800	12/29/23
35385932	MARCO TECHNOLOGIES LLC	COPIER/PRINTER		306.57	22106	12/21/23
28DEC2023	MARISSA BUTLER	DECEMBER CELL PHONE		75.00	22134	12/28/23
28DEC2023	MENARDS - ANKENY	MOTOR OIL		369.10	22136	12/28/23
20DEC2023	METRO WASTE AUTHORITY	CURB IT RECYCLING EXPENSE		5,252.77	22107	12/21/23
NT2316595	MICROBAC LABORATORIES INC	MONTHLY WASTEWATER SAMPLES	74.50		22108	12/21/23
NT2316778	MICROBAC LABORATORIES INC	WELL #4 SAMPLES	274.00		22108	12/21/23
NT2317246	MICROBAC LABORATORIES INC	NITROGEN-NITRITE SAMPLES	34.00	382.50	22108	12/21/23
546737863	MID AMERICAN ENERGY	ELECTRIC/GAS	440.82		22109	12/21/23
546740423	MID AMERICAN ENERGY	ELECTRIC/GAS	145.65		22109	12/21/23
546746051	MID AMERICAN ENERGY	ELECTRIC/GAS	10.77		22109	12/21/23
546753154	MID AMERICAN ENERGY	ELECTRIC/GAS	25.22		22109	12/21/23
546753727	MID AMERICAN ENERGY	ELECTRIC/GAS	1,408.60		22109	12/21/23
546895691	MID AMERICAN ENERGY	ELECTRIC/GAS	307.21		22109	12/21/23
546897167	MID AMERICAN ENERGY	ELECTRIC/GAS	39.06		22109	12/21/23
546897468	MID AMERICAN ENERGY	ELECTRIC/GAS	52.89		22109	12/21/23

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	CHECK#	CHECK DATE
547437652	MID AMERICAN ENERGY	ELECTRIC/GAS	811.44		22109	12/21/23
549748390	MID AMERICAN ENERGY	ELECTRIC/GAS	10.59	3,252.25	22109	12/21/23
ED09466	MIDWEST UNDERGROUND	AUGER HEAD - WHEEL LOADER		3,298.00	22090	12/12/23
35112084	MODERN MECHANICAL HEATING &	HVAC SERVICE		162.64	22110	12/21/23
20DEC2023	MUNICIPAL SUPPLY INC	WATER-SEWER SUPPLIES		144.65	22111	12/21/23
2146631	MURPHY TRACTOR & EQUIP	621E WHEEL LOADER		63,000.00	22091	12/12/23
337319	NORWALK READY MIX	BASKETBALL COURT SIDEWALKS		608.27	22137	12/28/23
28DEC2023	ON-TRACK CONSTRUCTION,LLC	RETAINAGE PAYMENT		47,906.66	22138	12/28/23
20DEC2023	P&P CONCRETE&CONSTRUCTION	RAILROAD AND ELM INTAKE REPAIR		4,500.00	22112	12/21/23
127101	PFM FINANCIAL ADVISORS	FINANCIAL ADVISORS		15,000.00	22092	12/12/23
11500	POLK COUNTY TREASURER	SHERIFF CONTRACT	2,694.67		22139	12/28/23
11521	POLK COUNTY TREASURER	SHERIFF CONTRACT	2,694.67	5,389.34	22113	12/21/23
RI-230471	RACOM CORPORATION	28RADIO ACCESS EDACS	719.10		22140	12/28/23
RI-230561	RACOM CORPORATION	28RADIO ACCESS EDACS	719.10	1,438.20	22140	12/28/23
28DEC2023	RICK HUEBNER	DECEMBER CELL PHONE		75.00	22141	12/28/23
28DEC2023	ROBERT FOURAKER	LEAGUE TRAINING REIMBURSEMENT		220.00	22142	12/28/23
28DEC2023	RON CORNWELL	DECEMBER CELL PHONE	75.00		22143	12/28/23
29DEC2023	RON CORNWELL	CLOTHING REIMBURSEMENT	74.88	149.88	22143	12/28/23
8511	THORPE WATER DEVELOPMENT	SERVICE CONTRACT		3,915.74	22114	12/21/23
28DEC2023	TRAVIS COOKE	DECEMBER SERVICES		1,890.00	22144	12/28/23
6089239	VAN WALL EQUIPMENT INC	MOWER SUPPLIES		63.20	22115	12/21/23
81281	VAN WERT INC	METERS AND CONNECTIONS	8,674.03		22145	12/28/23
81285	VAN WERT INC	METER SUPPLY	363.69		22145	12/28/23
81318	VAN WERT INC	METER SUPPLY	50.49		22145	12/28/23
81373	VAN WERT INC	METER SUPPLY	251.49	9,339.70	22116	12/21/23
9950613183	VERIZON WIRELESS	CHALL/FIRE PHONES		339.58	22117	12/21/23
74477	WASTE SOLUTIONS OF IOWA	PORTABLE RESTROOMS	237.00		22118	12/21/23
74481	WASTE SOLUTIONS OF IOWA	PORTABLE RESTROOMS	186.00	423.00	22118	12/21/23
PR20231201	WELLMARK	INSURANCE- A T	241.00		22093	12/13/23
PR20231215	WELLMARK	INSURANCE- A T	144.38		22093	12/13/23
PR20231231	WELLMARK	INSURANCE- A T	144.38		22148	1/12/24
PR20240115	WELLMARK	INSURANCE- A T	144.38	674.14	22148	1/12/24
93043324	WEX BANK	FUEL	483.47		22119	12/21/23
93757875	WEX BANK	FUEL	215.99	699.46	22146	12/28/23
323295	WHITFIELD&EDDY,PLC TRUST ACCNT	LEGAL SERVICES		14,666.41	22120	12/21/23
21DEC2023	WRH, INC	PAY REQUEST #5		106,200.28	22121	12/21/23
				=====		
			Accounts Payable Total	335,300.90		

Payroll Checks

001	GENERAL	4,585.77
110	ROAD USE TAX	489.23
600	WATER	1,720.02
610	SEWER	1,504.95
740	STORM WATER	130.96

Total Paid On: 12/01/23		8,430.93

001	GENERAL	2,422.35
110	ROAD USE TAX	204.32
600	WATER	1,453.43
610	SEWER	1,208.25

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	CHECK#	CHECK DATE
		740 STORM WATER		81.72		
		Total Paid On: 12/15/23		5,370.07		
		001 GENERAL		2,679.24		
		110 ROAD USE TAX		194.93		
		600 WATER		1,387.25		
		610 SEWER		1,153.34		
		740 STORM WATER		77.96		
		Total Paid On: 12/29/23		5,492.72		
		001 GENERAL		7,824.70		
		110 ROAD USE TAX		257.98		
		600 WATER		1,820.24		
		610 SEWER		1,510.66		
		740 STORM WATER		103.22		
		Total Paid On: 1/12/24		11,516.80		
		Total Payroll Paid		30,810.52		
		Report Total		366,111.42		

CLAIMS REPORT
CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
001	GENERAL	68,973.87
110	ROAD USE TAX	73,515.11
200	DEBT SERVICE	3,480.00
312	CHECKING-MAIN STREET	6,695.00
314	WA TRTMENT EXT-2022A	106,200.28
316	STORM WATER-PHASE1-2022A	47,906.66
600	WATER	22,634.39
601	WATER SINKING	15,000.00
610	SEWER	20,429.11
740	STORM WATER	1,277.00

	TOTAL FUNDS	366,111.42

**CITY OF ELKHART BUSINESS MEETING MINUTES, DECEMBER 18TH, 2023 – 6:00 P.M. ELKHART
COMMUNITY CENTER**

- 1. Call to Order**
Mayor Campbell called the meeting to order at 6:00 PM
- 2. Pledge of Allegiance**
Mayor Campbell led the room in the Pledge of Allegiance
- 3. Roll Call**
Council Members Present: Steve Allen, Brad Fordyce, Angie Schaffer, Nathan Gillmore, Rob Fouraker
- 4. Approval of Agenda**
Motioned by Allen, 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- 47 Calls Reported
 - b. Scott Drey-Fire Chief
Submitted a report-12 calls, 4 fire, 2 medical, 2 hazmat assignments, 4 rescues. Drey also spoke about potential purchasing a fire truck. They had one lined one that fell through so this is being tabled for a later date.
 - c. Public Comments on items not on the Agenda-3-minute limit
Ron Adams gave concerns about work area at water treatment plant. Tony Hess had concerns and asked questions about consent agenda, also had questions about tax abatements. Jeff was there to represent AES Little League and introduced himself.
- 6. Reports of Elected Officials, City Staff, and Standing Committees**
Acting City Clerk gave update to City Council on Annual Financial Report, talked about interview with Marketa Oliver regarding interview for new City Administrator search. Travis Cooke gave update on temp City Clerk Duties. Chad Sands gave update on temp help. Kappos gave P&Z Report. Mayor Campbell talked about company called Blue Line Solutions that handle traffic safety and information on what we could do to help cut down speeding. Incoming Council member Jill Edler and incoming Mayor Johnny Kaczmarczyk were sworn in by Mayor Campbell. Mayor Campbell thanked Nathan Gillmore and Steve Allen for serving on council for the last 4 years.
- 7. Consent Agenda Resolution 2023-171**
Motioned by Allen, seconded by Fouraker to approve Consent Agenda, motion carried
 - a. November Cash Report
 - b. November Treasurers Report
 - c. November Budget Report
 - d. Approval of December Bills
 - e. November 27th Minutes of Council Meeting
 - f. Application for Tax Abatement 114 NE ADAMS AVE
 - g. Application for Tax Abatement 402 NE MADISON AVE
 - h. Application for Tax Abatement 404 NE MADISON AVE
 - i. Application for Tax Abatement 406 NE MADISON AVE
 - j. Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor
 - k. Correcting vacation hours for Deputy Clerk/Acting Clerk by addition of 3 days (24 hours) back to the balance
- 8. Update on City Administrator Search with Brent Hinson**
Brent Hinson gave update on search for City Administrator. Brent will now be moving forward with advertising for the position. Application deadline will be January 16th.
- 9. Discussion about purchasing fire truck**
Tabled for a later date
- 10. Resolution 2023-172**
Motioned by Gillmore, seconded by Allen to approve Cory Acres Plat 3, motion carried
- 11. Motioned by Fordyce, seconded by Allen to set date of January 16th at 6:00PM for a public hearing for proposed changes to the city zoning ordinance regarding barbed wire fencing, motion carried**
- 12. Motioned by Fordyce, seconded by Gillmore to set date of January 16th at 6:00PM for a public hearing for proposed changes to the city zoning ordinance regarding temporary uses, motion carried**

**CITY OF ELKHART BUSINESS MEETING MINUTES, DECEMBER 18TH, 2023 – 6:00 P.M. ELKHART
COMMUNITY CENTER**

13. Motioned by Fordyce, seconded by Fouraker to set date of January 16th at 6:00PM for a public hearing for proposed changes to the city zoning ordinance regarding the zoning map, motion carried
14. Motioned by Fordyce, seconded by Fouraker to set date of January 29th at 6:00PM for Council Budget work-session, motion carried
15. **Resolution 2023-173**
Motioned by Allen, Seconded by Gillmore to approve pay estimate #5 for the water treatment plant, motion carried
16. **Resolution 2023-174**
Motioned by Fordyce, seconded by Schaffer to approve raise from \$21.00 to \$25.00 per hour for acting City Clerk starting 01/01/2024, motion carried
17. **Resolution 2023-175**
Motioned by Fordyce, seconded by Gillmore to approve 1 year extension on residential tax abatements, Fordyce: yea, Gillmore: yea, Allen: yea, Fouraker: yea, Schaffer: nay, motion carried
18. **Winners of Childrens Coloring Contest**
Ages 2-4: Haelyn
Ages 5-7: Camille
Ages 8-12: Kalen
19. **Adjourn**
Motioned by Fordyce, seconded by Schaffer to adjourn the Council Meeting at 7:12PM

Asset:

Marissa Butler, Acting City Clerk

Brad Campbell, Mayor

**#9 CITY ZONING
ORDINANCE
REGARDING BARBED
WIRE FENCING**

41.10 BARBED WIRE AND ELECTRIC FENCES. It is unlawful for a person to use barbed wire or electric fences to enclose land within the City limits without the written consent of the Council unless such land consists of 10 acres or more and is used as agricultural land.

Add to end: except as otherwise provided in Section 157.07.

157.07. INDUSTRIAL DISTRICTS. In any industrial district, a chain link fence not exceeding eight feet in height is permitted in the limits of the rear yards and interior side yards.

Add to end: Such fence may be topped by three strands of barbed wire, provided that the overall height does not exceed eight feet, and the barbed wire is not less than six feet above grade.

**#10 CITY ZONING
ORDINANCE
REGARDING
TEMPORARY USES**

Section 165.28 Temporary Uses

1. Authorization

Temporary uses are permitted only as expressly provided in this section.

2. Permit required

No temporary use shall be established unless a Certificate of Use application showing compliance with the provisions of this Ordinance has been completed and issued by the Zoning Administrator.

3. Use Limitation

No signs in connection with a temporary use shall be permitted unless otherwise permitted.

4. Particular Temporary Uses Permitted

The following are temporary uses which are subject to specific regulations and standards as set forth below, in addition to the other requirements specified in this Ordinance.

A. Christmas Tree Sales

- (1) Permitted in any C-1, C-2, L-1, or I-1 district.**
- (2) Maximum length of permit for display and open-lot sales shall be forty-five (45) days per year.**

B. Contractor's Office, Construction Equipment Sheds, and Trailers

- (1) Permitted in any district, where the temporary use is incidental to a construction project with an active building permit.**
- (2) Maximum length of temporary permit shall be one (1) year.**
- (3) The temporary structure shall be removed from the property upon issuance of an occupancy permit for the new or rehabilitated building.**
- (4) Such permits shall be renewable at the discretion of the Zoning Administrator.**

C. Real Estate Sale Office

- (1) Permitted on the property of the new development approved in accordance with the City of Elkhart Zoning and Subdivision Ordinances. A model home may be used as a temporary sales office.**

(2) Maximum length of permit shall be one (1) year, and may be renewed from year to year until the completion of the development.

(3) The office shall be removed upon completion of the development of the subdivision.

D. Temporary Shelter

(1) When fire or natural disaster has rendered a single-family residence unfit for human habitation, the temporary use of a camper or recreational vehicle located on the single-family lot during rehabilitation of the original residence or construction of a new residence is permitted subject to the following additional regulations:

(a) Required water and sanitary waste facilities must be provided.

(b) Maximum length of permit shall be six (6) months, but the Zoning Administrator or designee may extend the permit for a period or periods not to exceed sixty (60) days in the event of circumstances beyond the control of the owner. Application for the extension shall be made at least fifteen (15) days prior to expiration of the original permit.

(2) A recreational vehicle (RV) or camper may be used for temporary shelter in the City of Elkhart for a period not to exceed twenty-one (21) days in a calendar year and not more than fourteen (14) consecutive nights during any one stay. This is to accommodate traveling visitors. The following additional requirements must be met:

(a) Health regulations and disposal of waste must be met.

(b) Limited to one RV or camper at a time per property.

(c) The twenty-one (21) days in a calendar year are per property.

E. Produce or Farm Stands

A stand or display for the sale of produce or other farm products grown on property.

(1) Not allowed in any residential zoned district.

(2) If operating as a temporary use shall not be open for more than six (6) months. If stand is located off property, written permission shall be provided from the landowner to the City.

(3) All temporary signs shall be affixed to the stand and, when added together, shall not exceed thirty-five (35) square feet in area. The sign(s) may contain the name of the stand

but shall only contain advertising that pertains to the produce sold at the stand. This type of sign shall require the issuance of a sign permit.

- (4) The stand and parking for the stand shall neither block nor be located in any right-of-way.
- (5) The stand shall not be located in any minimum front or side yard required in any C-1, C-2, L-1, or I-1 district, and shall be twenty-five (25) feet from any property line in any A-1 district.

F. Mobile Food Units

- (1) **Mobile Food Unit:** Any type of annually licensed food establishment that is a readily movable vehicle (on wheels), that is self-propelled (driven), or can be pulled or pushed to a location and used for the vending of food or beverage items to the public.
 - (a) **Permit:** Every Mobile Food Unit shall apply to Elkhart City Hall for a permit to operate at least three business days prior to use by providing the following information on a form to be provided by the City:
 - 1) The full name, age, permanent address and phone number of the applicant.
 - 2) A description of the food to be sold.
 - 3) The business name and address.
 - 4) The starting date and duration of the proposed sale.
 - 5) The address of the private property where the sale will be held, and the name and address of the property owner or the person in control of that property.
 - 6) A written statement from the property owner or person in control of the property listed in subsection 5) of this section that the applicant is authorized to use the property for a sale on the proposed dates.
 - 7) The period of time the applicant has been engaged in the same or similar business, and the jurisdictions in which the applicant has previously conducted business in the last year.
 - 8) A description of the structure, vehicle, tent, trailer or other configuration from which the sale will be conducted.

9) The application must be accompanied by a copy of all required permits and licenses, including but not limited to, a retail sales tax permit issued by the Iowa Department of Revenue. Applicant is required to obtain and establish in its application that has obtained insurance of the type and amounts specified.

10) A description of how bathroom facilities will be provided to satisfy the requirements of section (d).

(b) **Parking:** The premises of operation must have at least three paved off-street parking spaces dedicated to the Mobile Food Unit and is served by a paved driveway from a public right-of-way. For purposes of this subsection, a Mobile Food Unit may share parking with an existing business on the site only if available parking is sufficient to serve the normal operations of both. If the operation of a Mobile Food Unit at the site has caused an overflow of customer or employee parking into the street or other private parking lots in the vicinity within the past year, shared parking is presumed to be insufficient.

(c) **Duration:** License must be renewed annually with Elkhart City Hall.

(d) **Bathrooms:** Access to restrooms are required through written agreement with property owner of adjacent business operator.

(e) **Hours of operation:** Mobile Food Units are permitted to operate between 5:30 a.m. and 1:30 a.m. the following day unless the premises are located within 125 feet of any residentially zoned property. Within 125 feet of a residential property, mobile food units are allowed to operate between 8:00 a.m. and 10:30 p.m. on the same day. Mobile food units operating on premises subject to a permit shall remove all equipment, temporary structures, garbage, and any vehicle or trailer used in the operation of the business from the licensed premises and the underlying parcel at any time not open for business and during hours business is prohibited. This section does not apply to temporary closures of the business of up to 30 minutes two times during allowed hours of operation.

(f) **Restrictions—**not allowed as standalone use of vacant lot.

1) Must meet all applicable requirements of this section, the City Code, the Iowa Code, and the Iowa Administrative Code.

2) The premises of operation must be within a C-1, C-2, L-1, or I-1 zoning district.

3) The premises is not a parcel having a residential use as its principal use.

4) Trailers, vehicle, tents, equipment, and areas used for the storage, display or sale of food will be located only on a paved surface outside required zoning setback for structures and outside any required fire lanes and drive approaches.

(G) Temporary Concrete Batch Plants or Temporary Asphalt Batch Plants or Temporary Concrete or Temporary Asphalt Recycling Plants associated with road projects.

(1) Permitted in A-1, L-1 and I-1 districts subject to the following:

(a) Permitted by Conditional Use Permit for a period not to exceed three (3) years. Extension or renewal of such Conditional Use Permit shall not be authorized.

- (b) Permitted only as an ancillary facility to and existing permanent concrete or asphalt batch plant or concrete or asphalt recycling plant located within Polk County. This grant of privilege is for the same use as the existing facility only.
- (c) The Contractor shall submit a routing of trucks delivering raw materials to and from the proposed plant to Elkhart City Hall as a condition prior to approval.
- (d) The Contractor shall be required to restore the area to its original productive state prior to the end of the three (3) year operation time period.
- (e) Such facilities shall only be allowed to access via arterial or collector roads and highways. Access via local residential road serving residential areas shall be prohibited.
- (f) Entire site must be 600 feet from a single residential dwelling or 1,000 feet from a group of 3 or more residential dwellings clustered together at a spacing of 300 feet or less. A residence on the property on which a temporary use is located shall not be counted in this requirement.

(2) Also permitted for longer time periods under the following terms and conditions:

- (a) Permitted in all districts where allowed by conditional use permit in connection with the sand and gravel operation.
- (b) Such facility shall be erected only in conjunction with city, county, state or federal highway projects in Polk County.
- (c) They shall be permitted only for the period of such projects.
- (d) The contractor shall submit a routing of trucks delivering raw materials to and from the proposed plant to Elkhart City Hall as a condition prior to approval.
- (e) The contractor shall be required to restore the area to its original productive state.
- (f) Such facilities shall only be allowed to access via arterial or collector roads and highways. Access via local residential roads serving residential areas shall be prohibited.
- (g) Entire site must be 1,000 feet from a residential dwelling.

H. Fireworks stands

A stand for the sales of consumer fireworks as defined by state law.

- (1) Permitted in any C-2, L-1, I-1, or A-1 district.
- (2) Must meet setback requirements for zoning district, but not less than twenty-five (25) in A-1 district.
- (3) All signing shall meet the requirements of the Sign Code.
- (4) May operate only for dates allowed by state law.

**#11 CITY ZONING
ORDINANCE
REGARDING THE
ZONING MAP**

ORDINANCE #2021-4

AN ORDINANCE AMENDING THE ELKHART CODE OF ORDINANCES CHAPTER 165 TO PROVIDE FOR NEW REGULATIONS WITHIN THE C-1 ZONING DISTRICT.

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 165 to provide for new regulations within the C-1 zoning district and rezone certain districts by amending the zoning ordinance. The changes were duly recommended by the Elkhart Planning and Zoning Commission on May 10, 2021.

SECTION 2. Amendment. Elkhart Code of Ordinances Chapter 165 is amended by replacing current Section 165.13 with the following:

165.13 C-1 CORE BUSINESS DISTRICTS.

1. Permitted Uses. The following regulations and uses permitted shall apply to all C-1 Core Business Districts:

A. Residential uses shall only be permitted on the 2nd floor and above. There shall be no ground floor residential uses.

B. Stores and shops for the conducting of any lawful retail business.

C. Banks, theaters, offices, taverns, pubs, brew pubs, restaurants and cafes.

D. Preschool and child daycare centers.

E. Other uses which in the opinion of the Zoning Administrator are of the same general character as those listed above as permitted uses and which will not be detrimental to the district in which they are located.

2. Height of Buildings in C-1 Core Business Districts. No building shall be erected to a height in excess of 35 feet.

3. Required Dimensions in C-1 Core Business District. Lot dimensions shall not be less than 25 feet in width and 50 feet in depth.

4. Yards required.

A. Rear yard – not less than 10 percent of the depth of the lot.

B. Side yard (if provided) – not less than 3 feet wide.

5. Percentage of Lot Covered in C-1 Core Business Districts. No building, to be used for said commercial purposes, shall occupy in excess of 90 percent of the area of the lot.

6. **Buffers.** If abutting or adjacent to a residential or industrial district, a buffer is required as described in Section 165.26, Screening.

7. **Surfacing Requirements.** See surfacing requirements in Section 165.27.

8. **Other Standards.** All uses shall meet the parking, architectural design, sign and other standards in this Code of Ordinances.

SECTION 3. Amendment. Elkhart Code of Ordinances Chapter 165 is also amended by updating the Zoning Map with the following changes to correspond to the changes in Chapter 165.13.

1. The C-1 Core Business District from Lincoln Avenue to Grant Avenue is re-zoned to R-1 (50).

SECTION 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of these ordinances are hereby repealed.

SECTION 5. 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 6: Effective Date. This ordinance shall be in effect on August 1, 2021, after final passage and publication as provided by law.

Passed by the City Council, of the City of Elkhart, on the 21st day of June, 2021, and approved this 21st day of June, 2021.

ATTEST:

CITY OF ELKHART, IOWA

Brenda Hysell, City Clerk

Colten Fors, Mayor

Ch. 165.06

Ordinance,

Amend official zoning map to change property listed as:

(legal description) from A-1 Agricultural to

L-1 Light Industrial

**#12 PAY REQUEST #1
FOR MAIN LIFT
STATION PROJECT**



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

January 3, 2024

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

ELKHART, IOWA
MAIN LIFT STATION IMPROVEMENTS
PAY ESTIMATE NO. 1

Attached is an electronic copy of Pay Estimate No. 1 for work on the Main Lift Station Improvements project, under the contract between the City of Elkhart and On Track Construction, LLC dated June 20, 2023. The partial pay estimate is for the period November 27, 2023 to January 5, 2024.

Pay Estimate No. 1 is for bypass structure, internal piping, and mobilization.

We have checked the estimate and recommend payment to On Track Construction, LLC in the total amount of \$92,506.25

Please sign Pay Estimate No. 1 in the space provided and return a signed copy of the pay estimate to our office. Please return a signed copy of Pay Estimate No. 1 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.

Forrest Aldrich

FSA:rsb
18082
Enclosures
cc: On Track Construction, LLC



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

Date: **January 3, 2024**

PAY ESTIMATE NO. 1


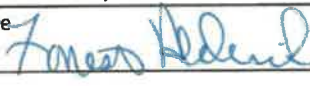
Project Title		Main Lift Station Improvements City of Elkhart		Contractor		On Track Construction, LLC 1435 West F Avenue, O.O. Box 524 Nevada, Iowa 50201	
Original Contract Amount & Date		\$555,555.00	20-Jun-23	Pay Period		11/27/2023 to 1/5/2024	
BID ITEMS							
Bid Item No.	Specification Section / Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Completed	Value Completed
1.01	Mobilization	LS	1	\$ 25,550.00	\$ 25,550.00	50.00%	\$ 12,775.00
1.02	Bypass Structure and Internal Piping	LS	1	\$ 70,000.00	\$ 70,000.00	90.00%	\$ 63,000.00
1.03	Bypass Piping and Fitting	LS	1	\$ 24,000.00	\$ 24,000.00	90.00%	\$ 21,600.00
1.04	Bypass Pumping	LS	1	\$ 26,400.00	\$ 26,400.00	0.00%	\$ -
1.05	Lift Station Alterations	LS	1	\$ 13,000.00	\$ 13,000.00	0	\$ -
1.06	Lift Stations, Pumps, Controls & Piping	LS	1	\$ 129,900.00	\$ 129,900.00	0	\$ -
1.07	Lift Station, Painting	LS	1	\$ 5,000.00	\$ 5,000.00	0	\$ -
2.01	Site Electrical	LS	1	\$ 118,000.00	\$ 118,000.00	0	\$ -
2.02	Standby Pump & Pad	LS	1	\$ 100,305.00	\$ 100,305.00	0.0%	\$ -
2.03	Standby Pump Piping	LS	1	\$ 12,000.00	\$ 12,000.00	0	\$ -
2.04	Fencing	LS	1	\$ 14,850.00	\$ 14,850.00	0	\$ -
3.01	Site Resporation	LS	1	\$ 16,550.00	\$ 16,550.00	0	\$ -
				TOTAL ORIGINAL CONTRACT	\$ 555,555.00		\$ 97,375.00

MATERIALS STORED SUMMARY

Bid Item No.	Description	Number of Units	Unit Price	Extended Cost
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
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			\$ -	\$ -
			\$ -	\$ -
TOTAL MATERIALS STORED				\$ -

SUMMARY			
		Original Contract Price	Value Completed
Bid Items Subtotal		\$555,555.00	\$ 97,375.00
APPROVED CHANGE ORDERS			
Change Order No.	Description/Notes	Total Approved	Value Completed
TOTAL ALL CHANGE ORDERS		\$ -	\$ -
Revised Contract Price		\$ 555,555.00	\$ 97,375.00
		Total Materials Stored	\$ -
		Value of Completed Work and Materials Stored	\$ 97,375.00
		Less Retained Percentage (5%)	\$ 4,868.75
		Total Earned Less Retainage	\$ 92,506.25
PREVIOUSLY APPROVED PARTIAL PAYMENTS			
Less Estimate(s) Previously Approved		Pay Estimate No.1	\$ -
		Less Total Pay Estimates Previously Approved	\$ -
Percent Complete	17.5%	Amount Due This Estimate	\$ 92,506.25

The amount \$92,506.25 is recommended for approval for payment in accordance with the terms of the contract.

Quantities Complete Submitted By: On Track Construction, LLC	Recommended By: Veenstra & Kimm, Inc.	Approved By: City of Elkhart
Signature 	Signature 	Signature
Title Project Manager	Title Project Engineer	Title Mayor
Date 1/3/2024	Date 1/3/2024	Date

**#13 PAY REQUEST #6
FOR WTP PROJECT**



VEENSTRA & KIMM INC.

3000 Westtown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

Date: **January 10, 2024**

PAY ESTIMATE NO. 6


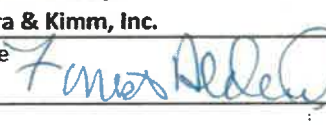
Project Title		Water Treatment Plant Expansion Elkhart, Iowa		Contractor		WRH, Inc. P.O. Box 256 Amana, Iowa 52203	
Original Contract Amount & Date		\$4,507,000.00		21-Feb-23		Pay Period 12/1/2023 to 12/31/2023	
BID ITEMS							
Bid Item No.	Specification Section / Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Completed	Value Completed
	Bonds / Permits / Insurance / Builders Risk	LS	100%	\$ 85,450.00	\$ 85,450.00	100%	\$ 85,450.00
	Administration / Project Management	LS	100%	\$ 100,000.00	\$ 100,000.00	43.5%	\$ 43,500.00
	Office Trailer / Portable Toilet / Dumpster	LS	100%	\$ 45,000.00	\$ 45,000.00	42%	\$ 19,000.00
0700	Mobilization	LS	100%	\$ 65,000.00	\$ 65,000.00	100%	\$ 65,000.00
00700	Cleanup	LS	100%	\$ 30,000.00	\$ 30,000.00	7%	\$ 2,000.00
02200	Sitework	LS	100%	\$ 170,000.00	\$ 170,000.00	32%	\$ 55,000.00
02610	Buried Piping	LS	100%	\$ 171,000.00	\$ 171,000.00	12%	\$ 21,141.32
02930	Seeding	LS	100%	\$ 20,000.00	\$ 20,000.00	0%	\$ -
03300	Concrete - WTP	LS	100%	\$ 200,000.00	\$ 200,000.00	36.75%	\$ 73,500.00
03300	Concrete - Misc.	LS	100%	\$ 50,000.00	\$ 50,000.00	0%	\$ -
04200	Masonry	LS	100%	\$ 185,000.00	\$ 185,000.00	0%	\$ -
05000	Metal Fabrications	LS	100%	\$ 25,000.00	\$ 25,000.00	0%	\$ -
06000	Roof Package	LS	100%	\$ 175,000.00	\$ 175,000.00	0%	\$ -
07000	Thermal and Moisture Protection	LS	100%	\$ 150,000.00	\$ 150,000.00	0%	\$ -
08110	Steel Doors and Frames	LS	100%	\$ 13,000.00	\$ 13,000.00	0%	\$ -
08306	Access Hatches	LS	100%	\$ 5,000.00	\$ 5,000.00	0%	\$ -
09702/09900	Painting / Floor Coatings	LS	100%	\$ 100,000.00	\$ 100,000.00	0%	\$ -
10000	Specialties	LS	100%	\$ 20,000.00	\$ 20,000.00	0%	\$ -
11224	Chemical Feed Equipment	LS	100%	\$ 183,750.00	\$ 183,750.00	0%	\$ -
11310	Biological Filter System (Release to Fab)	LS	100%	\$ 260,109.50	\$ 260,109.50	100%	\$ 260,109.50
11310	Biological Filter System	LS	100%	\$ 1,064,890.50	\$ 1,064,890.50	0%	\$ -
11420	Horizontal Split Case Pumps	LS	100%	\$ 45,000.00	\$ 45,000.00	0%	\$ -
12345	Casework	LS	100%	\$ 10,000.00	\$ 10,000.00	0%	\$ -
13570	Process Piping	LS	100%	\$ 305,000.00	\$ 305,000.00	0%	\$ -
15000	HVAC	LS	100%	\$ 198,000.00	\$ 198,000.00	0%	\$ -
15400	Plumbing	LS	100%	\$ 50,000.00	\$ 50,000.00	0%	\$ -
15950	Testing & Balancing	LS	100%	\$ 10,000.00	\$ 10,000.00	0%	\$ -
16000	Electrical MOB	LS	100%	\$ 62,000.00	\$ 62,000.00	0%	\$ -
16000	Service Entrance	LS	100%	\$ 78,000.00	\$ 78,000.00	0%	\$ -
16000	ATS/Generator	LS	100%	\$ 101,000.00	\$ 101,000.00	0%	\$ -
16000	MCC1	LS	100%	\$ 105,000.00	\$ 105,000.00	0%	\$ -
16000	Finished Water Pump 1 & 2	LS	100%	\$ 10,000.00	\$ 10,000.00	0%	\$ -
16000	Blower 1 & 2	LS	100%	\$ 10,000.00	\$ 10,000.00	0%	\$ -
16000	Well 4	LS	100%	\$ 21,000.00	\$ 21,000.00	0%	\$ -
16000	HVAC	LS	100%	\$ 17,000.00	\$ 17,000.00	0%	\$ -
16000	Filter Blower	LS	100%	\$ 4,000.00	\$ 4,000.00	0%	\$ -
16000	JB1, 2, 3 Power and Control	LS	100%	\$ 33,000.00	\$ 33,000.00	0%	\$ -
16000	JB3, 4, 5 Power and Control	LS	100%	\$ 33,000.00	\$ 33,000.00	0%	\$ -
16000	Filter Level Sensors	LS	100%	\$ 4,000.00	\$ 4,000.00	0%	\$ -
16000	CP2	LS	100%	\$ 4,000.00	\$ 4,000.00	0%	\$ -
16000	Chemical Feed Equipment	LS	100%	\$ 12,000.00	\$ 12,000.00	0%	\$ -
16000	Receptacles	LS	100%	\$ 30,000.00	\$ 30,000.00	0%	\$ -
16000	Lighting	LS	100%	\$ 29,000.00	\$ 29,000.00	0%	\$ -
16000	CP3 & Fiber	LS	100%	\$ 9,000.00	\$ 9,000.00	0%	\$ -
16000	DO Sensors	LS	100%	\$ 6,000.00	\$ 6,000.00	0%	\$ -
16000	Temporary Service	LS	100%	\$ 17,000.00	\$ 17,000.00	0%	\$ -
17000	Instrumentation and Controls	LS	100%	\$ 185,800.00	\$ 185,800.00	0%	\$ -
				TOTAL ORIGINAL CONTRACT	\$ 4,507,000.00		\$ 624,700.82

MATERIALS STORED SUMMARY

Specifications Section No.	Description	Number of Units	Unit Price	Extended Cost
03300	Concrete - WTP	1	\$ 4,598.68	\$ 4,598.68
08306	Access Hatches	1	\$ 1,500.43	\$ 1,500.43
15000	HVAC	1	\$ 20,135.00	\$ 20,135.00
			\$ -	\$ -
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TOTAL MATERIALS STORED				\$ 26,234.11

SUMMARY			
		Original Contract Price	Value Completed
Bid Items Subtotal		\$4,507,000.00	\$ 624,700.82
APPROVED CHANGE ORDERS			
Change Order No.	Description/Notes	Total Approved	Value Completed
CO 1	Permitting Delays	\$ 96,579.53	\$ 48,289.77
CO 2	Winter Construction Conditions	\$ 97,540.53	\$ 31,280.34
CO 3			
CO 4	Additional Check Valves	\$ 5,185.15	
CO 5	Additional Buried Gate Valves	\$ 9,243.13	
TOTAL ALL CHANGE ORDERS		\$ 208,548.34	\$ 79,570.11
Revised Contract Price		\$ 4,715,548.34	\$ 704,270.93
Total Materials Stored			\$ 26,234.11
Value of Completed Work and Materials Stored			\$ 730,505.04
Less Retained Percentage (5%)			\$ 36,525.25
Total Earned Less Retainage			\$ 693,979.78
PREVIOUSLY APPROVED PARTIAL PAYMENTS			
Less Estimate(s) Previously Approved		8/21/2023	\$ 95,427.50
		9/18/2023	\$61,028.41
		10/16/2023	\$4,750.00
		11/9/2023	\$325,132.27
		12/18/2023	\$106,200.28
Less Total Pay Estimates Previously Approved			\$ 592,538.46
Percent Complete	15.5%	Amount Due This Estimate	\$ 101,441.32

The amount \$101,441.32 is recommended for approval for payment in accordance with the terms of the contract.

Quantities Complete Submitted By:	Recommended By:	Approved By:
WRH, Inc.	Veenstra & Kimm, Inc.	Elkhart, Iowa
Signature 	Signature 	Signature
Title Project Manager	Title Project Engineer	Title Mayor
Date	Date 1/11/2024	Date

**#14 SET DATE FOR
PUBLIC HEARING ON
DESIGNATION OF THE
EXPANDED ELKHART
URBAN RENEWAL
AREA**



January 11, 2024

VIA EMAIL

Brad Fordyce
Member, Elkhart City Council
Elkhart, IA

Re: Elkhart Urban Renewal Area (February, 2024 Addition)
Our File No. 481239-15

Dear Brad:

We have prepared the attached materials which will enable the City Council to act on January 16, 2024 to set February 19, 2024 as the date for a public hearing on the expansion of the Elkhart Urban Renewal Area and on an amendment to the existing urban renewal plan for the Area.

The notice which is included in the attached resolution must be published once, not less than four (4) and not more than twenty (20) days prior to the date selected for the hearing. The last date on which the notice can effectively be published is February 15, 2024. Please print a separate copy of the notice for delivery to the newspaper and email a copy of the published notice to lemke.susan@dorsey.com.

In addition to publishing the notice of a hearing, a copy of the amendment to the urban renewal plan must be submitted to the Planning and Zoning Commission, and the Commission must provide a written recommendation to the City Council with respect to whether the amendment is in conformance with the City's general or comprehensive plans.

Also, a "consultation session" must be set up with Polk County and the North Polk Community School District. Please refer to my separate letter attached for further details.

Please return one fully executed set of these proceedings, once all the actions have been taken, and contact John Danos or me if you have any questions.

Kind regards,

Amy Bjork

Attachments

cc: Chad Sands
Alecia Cederdahl
Tom Henderson



January 11, 2024

VIA EMAIL

Brad Fordyce
Member, Elkhart City Council
Elkhart, IA

Re: Elkhart Urban Renewal Area Amendment/Consultation Session
Our File Number: 481239-15

Dear Brad:

The Iowa Urban Renewal Law requires that the City provide information concerning a proposed urban renewal plan amendment to certain other governmental bodies which might be affected by the use of tax increment financing within the amended urban renewal area. Specifically, the City must send a copy of the urban renewal plan amendment and an invitation to attend a meeting to discuss the urban renewal plan amendment to any county and school district whose jurisdiction covers any property to be included within the amended urban renewal area. This consultation must be held at least two weeks before the public hearing.

It is our understanding that the property within the City's amended urban renewal area would affect Polk County and the North Polk Community School District.

Attached is a draft letter which you may use in order to provide notification to these governmental entities of the date, time and place of a meeting at which they may discuss the urban renewal plan amendment. The law does not require that this be a meeting of the City Council, and you may use your discretion about who represents the City at the meeting.

Along with the letter, you should send a copy of the urban renewal plan amendment and a copy of the notice of the public hearing on the urban renewal plan amendment.

According to our records, here are the mailing addresses for the individuals who should receive the notification letter and the enclosures:

Board of Supervisors
c/o Polk County Auditor
Administration Building
111 Court Avenue, Room 230
Des Moines, Iowa 50309

Superintendent
North Polk Community School District
13930 NE 6th Street
Alleman, Iowa 50007

Please call John Danos, Severie Orngard or me if you have questions.

Kind regards,

Amy Bjork

Attachment

cc: Chad Sands
Alecia Cederdahl
Tom Henderson

[City letterhead]

DATE: _____
TO: Board of Supervisors, Polk County, Iowa
Superintendent, North Polk Community School District
FROM: City Council
City of Elkhart, Iowa
RE: Elkhart Urban Renewal Area Amendment

The City of Elkhart is in the process of expanding its Elkhart Urban Renewal Area, and amending the urban renewal plan for the area and, pursuant to Section 403.5 of the Code of Iowa, the City is sending you the enclosed copy of its urban renewal plan amendment and scheduling a meeting at which you will have the opportunity to discuss this amendment.

The meeting to discuss our urban renewal plan amendment has been set for _____, 2024, at _____ .m. at the _____ in Elkhart. If you are unable to send a representative to the meeting, we invite your written comments. In addition, Section 403.5 gives your designated representative the right to make written recommendations concerning the urban renewal plan amendment no later than seven days following the date of the meeting.

The City Council will also hold a public hearing on this urban renewal plan amendment at _____ o'clock ____ .m. on February 19, 2024, and a copy of the notice of hearing is enclosed for your information.

Please call our City Administrator at (515) 367-4735 if you have questions.

Enclosure



January 16, 2024

To: City of Elkhart Planning & Zoning Commission

Re: Elkhart Urban Renewal Area/Urban Renewal Plan Amendment

A public hearing will be held by the City Council on February 19, 2024 on a proposed amendment to the urban renewal plan for the Elkhart Urban Renewal Area to add the property legally described in the proposed amendment and to approve a new urban renewal project. I have prepared this memorandum to assist the Commission in performing its role in this process.

Section 403.5 of the Code of Iowa requires that, before they hold a public hearing, the City Council must submit a copy of the proposed plan amendment to the Commission, “for review and recommendations as to its conformity with the general plan for the development” of the City. The statute does not require that the Commission hold a hearing on the proposed plan amendment, nor does it require that the Commission take any action to either approve or reject the proposed plan amendment. It directs that the Commission review the plan amendment and comment to the City Council as to whether the plan amendment conforms to, or is consistent with, the City’s Comprehensive Plan. Please complete your review and submit any comments to the City Council by Noon on February 19, 2024.

Please call John Danos or me at (515) 283-1000 if you have questions about the statutory process.

Kind regards,

Amy Bjork

SET DATE FOR HEARING ON
DESIGNATION OF EXPANDED URBAN
RENEWAL AREA AND URBAN
RENEWAL PLAN AMENDMENT

481239-15

Elkhart, Iowa

January 16, 2024

The City Council of the City of Elkhart, Iowa, met on January 16, 2024, at _____ p.m., at the _____, in the City, for the purpose of setting a date for a public hearing on the designation of an expanded Elkhart Urban Renewal Area and on a proposed urban renewal plan amendment. The Mayor presided and the roll being called, the following members of the Council were present and absent:

Present: _____

Absent: _____.

The Mayor announced that an amendment to the boundaries of the Elkhart Urban Renewal Area had been prepared, along with an amendment to the urban renewal plan for the areas, and that it was now necessary to set a date for a public hearing on the proposed amended areas and proposed amendment to the urban renewal plan. Accordingly, Council Member _____ moved the adoption of the following resolution entitled "Resolution Setting Date for a Public Hearing on Designation of the Expanded Elkhart Urban Renewal Area and on Urban Renewal Plan Amendment," and the motion was seconded by Council Member _____. Following due consideration, the Mayor put the question on the motion 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 Setting Date for Public Hearing on Designation of the Expanded Elkhart Urban Renewal Area and on Urban Renewal Plan Amendment

WHEREAS, this City Council of the City of Elkhart, Iowa (the “City”) by resolution previously established the Elkhart Urban Renewal Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of projects and initiatives therein; and

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the “Property”) lying within the legal description set out in Exhibit A; and

WHEREAS, this City Council is desirous of obtaining as much information as possible from the residents of the City before making this decision; and

WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which (1) covers the addition of the Property to the Urban Renewal Area; and (2) authorizes the undertaking of a new urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to PARSHVA LLC in connection with the construction of a commercial building for use in the business operations of a gas station; and

WHEREAS, it is now necessary that a date be set for a public hearing on the designation of the expansion of the Urban Renewal Area and on the Amendment;

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

Section 1. This City Council will meet at the _____, Elkhart, Iowa, on February 19, 2024, at _____ p.m., at which time and place it will hold a public hearing on the designation of the expanded Urban Renewal Area described in the preamble hereof and on the Amendment.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in Elkhart, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, City Council Member Brand Fordyce and Chad Sands, urban renewal consultant for the City, are hereby designated as the City’s representatives in connection with the consultation process which is required under that section of the urban renewal law. It is hereby directed that representatives of Polk County and the North Polk Community School District be invited to participate in the consultation.

Section 4. The proposed Amendment is hereby submitted to the City's Planning and Zoning Commission for review and recommendations, as required by Section 403.5, Code of Iowa.

Passed and approved January 16, 2024.

Mayor

Attest:

City Clerk

NOTICE OF PUBLIC HEARING ON DESIGNATION OF EXPANDED
ELKHART URBAN RENEWAL AREA AND ON PROPOSED URBAN
RENEWAL PLAN AMENDMENT

Notice Is Hereby Given: That at _____ p.m., at the _____, Elkhart, Iowa, on February 19, 2024, the City Council of the City of Elkhart will hold a public hearing on the question of amending the urban renewal plan (the “Plan”) for the Elkhart Urban Renewal Area and designating an expanded Elkhart Urban Renewal Area (the “Urban Renewal Area”), pursuant to Chapter 403, Code of Iowa, by adding and including all the property (the “Property”) described as follows:

Lot 2 and Lot 1 in Prairie Pointe Commercial Plat 1, and Official Plat, except Parcel A of the Plat of Survey filed in the Office of the Recorder for Polk County, Iowa on August 21, 2006, and recorded in Book 11814, Page 71, being a part of said Lot 1, now included in and forming a part of the City of Elkhart, Polk County, Iowa.

The proposed amendment to the Plan brings the Property described above under the Plan and makes it subject to the provisions of the Plan. The amendment also authorizes the undertaking of a new urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to PARSHVA LLC in connection with the construction of a commercial building for use in the business operations of a gas station.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Acting City Clerk

•••••

On motion and vote the meeting adjourned.

Mayor

Attest:

City Clerk

EXHIBIT A
Legal Description
Expanded Elkhart Urban Renewal Area
(February, 2024 Addition)

Lot 2 and Lot 1 in Prairie Pointe Commercial Plat 1, and Official Plat, except Parcel A of the Plat of Survey filed in the Office of the Recorder for Polk County, Iowa on August 21, 2006, and recorded in Book 11814, Page 71, being a part of said Lot 1, now included in and forming a part of the City of Elkhart, Polk County, Iowa.

STATE OF IOWA
POLK COUNTY
CITY OF ELKHART

SS:

I, the undersigned, City Clerk of the City of Elkhart, Iowa do hereby certify that pursuant to the resolution of its City Council fixing a date of public hearing on the question of designating the expanded Elkhart Urban Renewal Area for the City and on a proposed urban renewal plan amendment, 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, and copies were sent to the county and school district.

WITNESS my hand this ____ day of _____, 2024.

City Clerk

(Attach here publisher's affidavit of publication of notice.)

(PLEASE NOTE: This certificate must not be dated until the publication has been made and you have reviewed it to be sure that the notice was published on the date indicated in the attached affidavit.)

STATE OF IOWA
POLK COUNTY
CITY OF ELKHART

SS:

I, the undersigned, City Clerk of the City of Elkhart, Iowa do hereby certify that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with those records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with setting a date for public hearing on the question of designating the expanded Elkhart Urban Renewal Area for the City and on an urban renewal plan amendment.

WITNESS my hand this ___ day of _____, 2024.

City Clerk

CITY OF ELKHART, IOWA

URBAN RENEWAL PLAN AMENDMENT
ELKHART URBAN RENEWAL AREA

FEBRUARY, 2024

The Urban Renewal Plan (the “Plan”) for the Elkhart Urban Renewal Area (the “Urban Renewal Area”) of the City of Elkhart, Iowa (the “City”) is being amended for the purposes of adding certain property to the Urban Renewal Area and identifying a new urban renewal project to be undertaken therein.

1) Addition of Property. The real property (the "Property") legally described on Exhibit A hereto is, by virtue of this Amendment, being added as the February, 2024 Addition to the Urban Renewal Area. With the adoption of this Amendment, the City will designate the Property as an economic development area. The Property will become subject to the provisions of the Plan for the Urban Renewal Area. It is anticipated that the City will adopt an ordinance providing for the division of property tax revenues, as set forth in Section 403.19 of the Code of Iowa, with respect to the Property.

2) Identification of Project. By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project description:

Name of Project: Gas Station Development Project

Date of Council Approval of Project: February 19, 2024

Description of the Project and Project Site: PARSHVA LLC (the “Developer”) is undertaking the construction of a new commercial building (the “Project”) on the Property (as described in Section 1 of this Amendment) for use in the business operations of a gas station. It has been requested that the City provide tax increment financing assistance to the Developer in support of the efforts to complete the Project.

The costs incurred by the City in providing tax increment financing assistance to the Developer will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$20,000.

Description of Use of TIF for the Project: The City intends to enter into a Development Agreement with the Developer with respect to the construction of the Project and to provide annual appropriation economic development payments (the “Payments”) to the Developer thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Project will not exceed \$750,000, plus the Admin Fees.

3) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$6,307,125</u>
Outstanding general obligation debt of the City:	<u>\$</u>
Proposed debt to be incurred in connection with this February, 2024 Amendment*:	<u>\$ 770,000</u>

*It is anticipated that some or all of the debt incurred hereunder will be subject to annual appropriation by the City Council.

EXHIBIT A

LEGAL DESCRIPTION

Certain real property situated in the City of Elkhart, Polk County, State of Iowa more particularly described as:

Lot 2 and Lot 1 in Prairie Pointe Commercial Plat 1, and Official Plat, except Parcel A of the Plat of Survey filed in the Office of the Recorder for Polk County, Iowa on August 21, 2006, and recorded in Book 11814, Page 71, being a part of said Lot 1, now included in and forming a part of the City of Elkhart, Polk County, Iowa.

**#15 SETTING DATE
FOR COUCNIL
BUDGET WORK-
SESSION**

JANUARY 29TH AT 6:00

@ CITY HALL