The City Council of Elk Horn met in regular session on Wednesday, September 7th, 2022, at 6:00 PM with the following members present: Mayor Hansen; Councilmen Fredericksen, D. Petersen, Hogberg, K. Petersen and Teegerstrom.

Guests in attendance was Clint Fichter, Clerk Chelsee Jacobsen, Jodee Dixon, Dave Thompson, Alissa LaCanne, Jerry Evans, Adam McCall, Jeff Nelson.

Mayor Hansen called the meeting to order at 6:00PM

Fredericksen moved, seconded by K. Petersen to approve the agenda as presented. Ayes:5 Motion carried.

Hogberg moved, seconded by Fredericksen to approve August 1st, 2022, meeting minutes, and amending August 10th, 2022, adding Resolution #2022.8.10-1 Street Improvement GO Note and Resolution #2022.8.10-2 Fire Apparatus GO Note. Ayes:5 Motion carried.

K. Petersen moved, seconded by Hogberg to approve. Ayes: 5, motion carried.

Ordinance #9.7.2022-1 – Amending the Official Zoning Code of the City of Elk Horn, Iowa as follows,

**SECTION 1.** Under the regulations of the zoning code, the B-1 Central Business District provides a general business zone which will consider the special characteristics of that area. The purpose of this ordinance is to amend the regulations of the B-1 Central Business District to provide restrictions on residential uses to ensure the compatibility of such uses with other permitted uses of the district.

**SECTION 2.** Article 12: B-1 Central Business District of the Zoning Code is amended as follows:

12.2.1 ~~Any use permitted in the R-3 Multi-Family Residential Zone.~~ Placeholder

~~12.2.34 Apartment houses, apartment hotels, and mixed business and apartment buildings constructed to the applicable standards of the R-3 Zone.~~

12.4 **Conditional Uses.** ~~No conditional uses in this area.~~ Any use permitted in the R-3 Zone, provided that no such conditional use permit shall allow residential uses on the street-level or main-level of the primary structure. A conditional use permit may allow a residential use on the street-level or main-level of the primary structure only if the purpose of such use is to provide a handicap accessible use for a person requiring such accommodation, and such use does not prevent the utilization of the street-level or main-level of the primary structure for a permitted use.

12.6 **Parking Requirements.** ~~See Article XVIII.~~ Permitted uses shall have no on-site, off-street parking requirements and shall be allowed to utilize public parking provided in the district according to the standards of the Code of Ordinances. Residential uses granted a conditional use permit shall provide no less than two (2) off-street parking spaces for each dwelling unit. Residential uses may provide off-site parking requirements either on-site or on another ancillary, reciprocal site within one-quarter mile of the use, provided such site is approved in the accompanying conditional use permit.

**SECTION 3.** Any ordinance, resolution, or other action of the City Council in conflict with this amendment is hereby repealed.

**SECTION 4.** This ordinance shall be in full force and effect upon its passage and publication, as required by law.

**PASSED AND APPROVED** by the City Council of the City of Elk Horn, Iowa on the following dates:

First Reading Seventh (7th) day of September 2022.

Second Reading \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2022. WAIVED

Third Reading \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2022. WAIVED

D. Petersen moved, seconded by Fredericksen to waive the second and third readings. Ayes: 5, Motion carried.

Mayor Hansen presented the Contracts and Bonds for Bluffs Paving & Utility Company for the 2022 Street and Storm Sewer improvement project. Hogberg moved, seconded by Teegerstrom to approve Resolution # 9-7-2022.2, Approving Contracts and Bonds. Ayes:5, motion carried.

Clint Fichter stated there is a trial hearing set for November 3rd, 2022.

K. Petersen moved, seconded by D. Petersen to approve the claims register and timesheets as presented. Ayes:5, Motion carried.

Hogberg moved, seconded by Fredericksen to approve the financial report as presented. Ayes:5 Motion carried.

**Department Reports:**

Streets/Sidewalks: Cold patch has been done around town. Jeff stated the skid loader keeps shutting off during use without throwing codes, Jeff presented a bid to trade in. Council would like to hold off on trading in and get a second company try to fix the issues. Road crews will begin work September 12th on Hwy 173 from the water plant to the interstate.

Water/Water Samples/Sewer: Well #18 has been repaired and will need serviced yearly. Lead & Copper tests were sent in along with all paperwork for the month.

Pool/Park: Further discussion on sponsoring the putt putt course, $200 per hole/lifetime will get you a plaque on a hole. For more information, please contact Adam McCall as there are 9 holes up for sponsorship. Mayor Hansen suggested having the pool open for Free Swim during Tivoli Fest (Saturday & Sunday) of 2023. Chelsee applied for 2 grants to reconstruct a new pool house.

Fire Department/Rescue: October 15th the Elk Horn fire department will have a fundraiser in the park from 11-4. Meal will be served. New brush/rescue truck is completed. Council discussed Adam’s 90-day review. D. Petersen moved, seconded by Hogberg to provide a $1.00 raise for completing the probation period, and $3.00 an hour stipend for not taking health insurance through the city. If at any time insurance is needed this will be revoked. Starting September 13th, Adam’s new wage will be $24.00 an hour. Ayes:5, Motion carried. Rescue would like to add an iPad to the city’s account and make the monthly payment so the squad that always has internet, Motion by D. Petersen, seconded by Hogberg. Ayes:5, motion carried.

Library: Alissa presented council with a bid from Professional Computer Solutions out of Denison for IT support. D. D. Petersen moved, seconded by K. Petersen to approve the city to pay $1,500 from their budget to purchase. Ayes: 4, Nay: 1. Motion carried.

Building Permit: K. Petersen moved, seconded by D. Petersen to approve 2011 Washington. Ayes: 5, motion carried.

Liquor License: D. Petersen moved, seconded by Hogberg to approve the Norse Horse liquor license. Ayes: 5, motion carried.

City Clerk: Fredericksen moved, seconded by D. Petersen to approve mid-month claims to be paid (Verizon, MidAmerican, Amazon, METC and Walmart). Ayes: 5, motion carried. Fredericksen moved, D. Petersen seconded to allow Chelsee to attend Clerk School virtually October 5th-7th, and IMFOA Conference in Des Moines October 19th – 21st. Ayes: 5, motion carried.

K Petersen moved, seconded by Hogberg to adjourn the meeting at 8:34PM. Ayes:5 Motion carried.

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Mayor, Keli Hansen City Clerk, Chelsee Jacobsen