

## MINUTES OF THE ELKHART CITY COUNCIL

Monday, May 18, 2026, at 6:30 p.m.

Elkhart Community Center - 264 NW Garfield Ave

1. Mayor John Kaczmarczyk called the meeting to order at 6:30 p.m.

2. Mayor John Kaczmarczyk led the Pledge of Allegiance

3. Council members Ian Nichols, Travis Warnke, Jill Edler, Brad Fordyce, and Angie Schaffer were in attendance.

4. Approval of Agenda-

Council Member Schafer moved, Edler seconded, to amend agenda swapping the order of items 5 and 6 and adding item 6 d. Forest Aldrich of Veenstra and Kimm. Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

Council Member Edler moved, Warnke seconded, to approve and accept amended agenda for May 18, 2026.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

5. Presentations

a. Megan Hirst, ICAP-Explained new bill, and rates.

6. Citizen Hearing and Other Communications

a. Polk County Sheriff Report – responded to sixty-one calls in April.

b. Scott Drey-Fire Chief – responded to sixteen calls in April.

c. Public Comments – No Comments

d. Forest Aldrich Veenstra and Kimm - provided an update on water treatment plant operational issues.

7. Hearing - As Requested by Property Owner of 159 NW Elm Street

Council Member Edler moved to open public hearing at 6:57 p.m. Warnke seconded.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

Property owners and Council discussed code enforcement issues pertaining to the property.

Council Member Fordyce moved, Edler seconded, to close the public hearing at 7:26 p.m.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

a. Possible Action Regarding Agenda Item #7

Council Member Schaffer moved, Warnke seconded, to set up a meeting for a re-check of the property with the Mayor, a Council Member, Harrison VanAusdall, and the Property Owners.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

8. Hearing - As Requested by Property Owner of 275 NW Main Street

Council Member Fordyce moved, Warnke seconded, to open public hearing at 7:28 p.m.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

Property owner and Council discussed code enforcement issues pertaining to the property.

Council Member Warnke moved, Nichols seconded, to close public hearing at 7:52 p.m.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

a. Possible Action Regarding Agenda Item #8

Council Member Warnke moved, Nichols seconded, to table/pause action until further information is available.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

9. Consent Agenda

a. Approval of City Council Meeting Minutes of April 20, 2026

b. Approval of April and May Claims Submitted

c. Receive and File - April 2026 Budget Report by Function

d. Receive and File - April 2026 Treasurers Report

e. Receive and File - April 2026 Balance Sheet

f. Receive and File - April 2026 Revenue & Expense Report

g. The Hen House Pub N Grub LLC – Special Class C Retail Alcohol License -  
462 W Walnut Street - 5-Day License (Off-Premises)

h. Resolution #2026-32; A Resolution Approving Fiscal Year 2027 Monthly Fund Transfers

i. Big Ash Cigar – FY26-27 Tobacco Permit

Council Member Nichols moved, Schaffer seconded, to pull out item 9 b for a separate vote.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

Council Member Nichols moved, Schaffer seconded, to approve Consent Agenda pulling item 9 b for a separate vote.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

Council Member Schaffer moved, Edler seconded, to approve Consent Agenda item 9 b.

Ayes: Nichols, Edler, Schaffer, Fordyce. Abstain: Warnke

#### 10. Business Items

a. Resolution #2026-33; A Resolution Approving Proposed Professional Building Inspection Services Agreement with Veenstra & Kimm, Inc., a Kleinfelder Company

Council Member Schaffer moved, Edler seconded, to approve Resolution #2026-33.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

b. Resolution #2026-34; A Resolution to Enter into an Amended 28E Agreement for Emergency Services between the City of Ankeny and City of Elkhart

Council Member Edler moved, Nichols seconded, to approve Resolution #2026-34.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

c. Resolution #2026-35; A Resolution Approving a Liability Insurance Proposal with Iowa Communities Assurance Pool (ICAP)

Council Member Schaffer moved, Edler seconded, to approve Resolution #2026-35.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

d. Resolution #2026-36; A Resolution Approving the City of Elkhart Volunteer Release and Waiver of Liability Form and Volunteer T-Shirt Distribution Policy

Council Member Schaffer moved, Edler seconded to approve Resolution #2026-36.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

e. Ordinance No. 2026-2; An Ordinance Amending the Elkhart Code of Ordinances Chapter 92 to Provide New Water Rates (Second Reading)

Council Member Schaffer moved, Nichols seconded, to approve the second reading of Ordinance No. 2026-2.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

f. Ordinance No. 2026-3; An Ordinance Amending the Elkhart Code of Ordinances Chapter 99 To Provide for New Sewer User Rates (Second Reading)

Council Member Fordyce moved, Warnke seconded, to approve the second reading of Ordinance No. 2026-3.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

g. Ordinance No. 2026-4; An Ordinance Amending the Elkhart Code of Ordinances Chapter 100 to Provide New Storm Water Service Charges (Second Reading)

Council Member Schaffer moved, Warnke seconded, to approve the second reading of Ordinance No. 2026-4,

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

#### 11. Discussion Items

##### a. Review of Current UTV/ATV Ordinance

Council Member Fordyce moved, Nichols seconded, to table until next meeting.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

12. Reports of Elected Officials, City Staff and Standing Committees - provided in Council Packet available online at City of Elkhart website.

13. 2026 City Time Capsule – will be opened on the Tuesday prior to festival, contents will be displayed during the festival and then resealed for an additional 50 years.

#### 14. Adjourn

Council Member Schaffer moved to adjourn at 8:05 p.m., Fordyce seconded.

Ayes: Nichols, Warnke, Edler, Schaffer, Fordyce.

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John Kaczmarczyk, Mayor

Attest: \_\_\_\_\_

Debra J. Nabity, City Clerk

