

Breda City Council Minutes
August 14, 2023, City Hall

Mayor Dan Snyder called the meeting to order at 5:30 PM with Samantha Pietig, Kayla Tiefenthaler, Jeff Riesberg, and Chris Uhlenkamp present. Bob Boeckman called in. Motion by to approve the agenda by Pietig, seconded by Tiefenthaler. Motion Carried. Motion by Uhlenkamp, seconded by Riesberg to approve the consent agenda which included the minutes of the July 12, 2023, claims and payroll. Motion Carried.

Fire Chief Dan Wiskus was not present and had advised City Clerk Rhonda Martin that there was nothing to report. The public works report was heard.

Council reviewed Well Ordinance 2023-0801 amending Title VI, Special Ordinances, Chapter 4, Water Well Protection. Motion to approve Ordinance 2023-0801 made by Uhlenkamp, seconded by Tiefenthaler. Motion to waive second and third reading and make ordinance effective upon publication made by Pietig, seconded by Riesberg. Voting Aye: Boeckman, Pietig, Tiefenthaler, Riesberg, and Uhlenkamp. Council discussed the need to have a Golf Course Encroachment Agreement. Motion to approve by Uhlenkamp, seconded by Pietig. Motion carried.

Clark reported the following building permits have been approved: 205 Daryl St, 102 N. 4th St, and 508 Wernimont St. Motion by Pietig, seconded by Tiefenthaler. Motion carried. Council reviewed tax abatement request for 113 Circle Dr. Motion to approve by Pietig, seconded by Riesberg. Ayes: Boeckman, Pietig, Tiefenthaler, and Riesberg. Uhlenkamp abstained.

The business of the pool was discussed. Decision made that the closing date of the pool will be August 20th.

Council discussed the annual donation to the Breda Day Care Center. The decision was made to donate \$6000 to the daycare to help offset the rising costs of utilities. Motion to approve by Pietig, seconded by Riesberg. Motion carried. Blake Reis has agreed to take the appointment to be on the planning and zoning board.

City Clerk Martin handed out paperwork to Mayor Snyder, and council members Tiefenthaler and Riesberg to fill out for this November's election.

Motion to adjourn by Uhlenkamp at 6:45 PM.

Dan J Snyder, Mayor

ATTEST:

Rhonda Martin, City Clerk

ORDINANCE NO. 2023-0801_____

**AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES OF
THE CITY OF BRED, IOWA, BY AMENDING TITLE VI, SPECIAL
ORDINANCES, CHAPTER 4, WATER WELL PROTECTION**

BE IT ENACTED by the City Council of the City of Bred, Iowa:

SECTION 1. CHAPTER AMENDED. Title VI, Special Ordinances, Chapter 4, Water Well Protection, (incorrectly titled as Title VII in the current city code) is hereby amended by striking the currently existing chapter and, in lieu thereof, stating as follows:

“TITLE VI SPECIAL ORDINANCES

CHAPTER 4 WATER WELL PROTECTION

6-4-1 Separation Distances

6-4-2 Nonconforming Uses

6-4-1 SEPARATION DISTANCES. No property owner within the city limits of the City of Bred, Iowa shall permit any use of their property which would violate the separation distances required to protect water wells as set forth in Table A of the Iowa Administrative Code, Section 567-43.3(7)(455B). Prescriptions as set forth in this section shall apply to all public water wells existing within the City except public water wells formerly abandoned for use by resolution of the Council.

6-4-2 NONCONFORMING USES. The use of structures or facilities existing as of October 1, 1990, may be continued even though such use may not conform with the regulations of this chapter. However, such structures or facilities may not be enlarged, extended, reconstructed or substituted subsequent to such date.”

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the City Council the 14th day of August, 2023, and approved this 14th day of August, 2023.

Dan J. Snyder, Mayor

ATTEST:

Rhonda J. Martin

(CITY SEAL)

First Reading: ___Approved_____

Second Reading: _Waived_____

Third Reading: Waived_____

CERTIFICATE

I, Rhonda J. Martin, City Clerk of the City of Breda, Iowa, hereby certify that the foregoing Ordinance No. _____ was published in The Observer newspaper published at least once weekly and having general circulation in the City of Breda, Iowa on the 24th day of August, 2023.

(CITY SEAL)
