NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

November 04, 2013

Meeting 13-22

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, November 04, 2013, in the Bondurant City Center, 200 Second Street, Northeast, Bondurant, Polk County, Iowa. Said meeting is open and the public is encouraged to attend.

AGENDA

1) Roll Call
2) Call to Order and Declaring a Quorum
3) Pledge of Allegiance
4) Abstentions declared
5) Perfecting and Approval of the Agenda
6) Consent Items:
   a) Approval of the City Council Meeting Minutes of October 21, 2013
   b) Receive and File – Parks & Recreation Board Meeting Minutes of September 19, 2013
   c) Receive and File – Planning & Zoning Commission Minutes of October 10, 2013
   d) Claims Report
   e) Tax Abatement Application – Jeffrey Evans, 434 3rd Street, Southeast, Bondurant, Polk County, Iowa
7) Polk County Sheriff’s Report
8) Guests requesting to address the City Council
9) Mark Land, Snyder & Associates – Presentation for the potential of forming a Mud Creek Watershed Management Authority
   RESOLUTION NO. 13-177 – A Resolution approving the 28E Agreement creating a Watershed Management Authority for Mud Creek, Camp Creek and Spring Creek
10) RESOLUTION NO. 13-178 – A Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations, which shall come due in the next succeeding fiscal year, pertaining to the City’s Development Agreement with S.C. Stoner Construction
11) RESOLUTION NO. 13-179 – A Resolution authorizing Internal Advance to Tax Increment Revenue Fund pertaining to Urban Service Area debt payment
12) **RESOLUTION NO. 13-180** – A Resolution approving the City of Bondurant’s submittal of three Safe Routes to School applications to the Des Moines Area Metropolitan Planning Organization (MPO)

13) **RESOLUTION NO. 13-181** – A Resolution approving the proposal submitted by Veenstra & Kimm to prepare three Safe Routes to School applications to the Des Area MPO in the amount of $1,200

14) **RESOLUTION NO. 13-182** – A Resolution approving the revised Cooperative Services Agreement between the City of Bondurant and Polk County for Maintenance of Joint Jurisdictional Roadways

15) **RESOLUTION NO. 13-183** – A Resolution approving the renewal license application for a Special Class C Liquor License (BW) (Beer/Wine) for Polito’s Pizza House, Inc., 210 Lincoln Street, Northeast, Bondurant, Iowa

16) **PUBLIC HEARING** – On a Resolution or consideration of declaring necessity and establish an Urban Renewal Area, pursuant to Section 403.4 of the Code of Iowa and approve Urban Renewal Plan Amendment for the 2013 Addition to the Bondurant Urban Renewal Area

**RESOLUTION NO. 13-184** – A Resolution to declare necessity and establish an Urban Renewal Area, pursuant to Section 403.4 of the Code of Iowa and approve Urban Renewal Plan Amendment for the 2013 Addition to the Bondurant Urban Renewal Area

17) Discussion item(s)
   a) Noise ordinance changes
   b) Budget break-down
   c) Enforcement process for non-compliant residents for Paine Heights Sewer Project
   d) Possible amendments to City Floodplain Ordinance
   e) MPO Main Street Streetscape Extension funding application

18) Reports / Comments and appropriate action thereon:
   a) Mayor
   b) City Administrator
   c) Council Members
   d) City Attorney

19) **CLOSED SESSION** – Pursuant to Iowa Code Section 21.5(j) to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property and Pursuant to Iowa Code Section 21.5(c) to discuss strategy with Counsel in matter that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation

20) Adjournment
A regular meeting of the City Council of the City of Bondurant, Polk County, Iowa, was held in the Community Room at the Bondurant City Center on the 04th day of November 2013, at 6:00 p.m.

Present: Mayor Keith Ryan
Council Member Amy Bogaards
Council Member Eric Johnson
Council Member Brian Lohse
Council Member Curt Sullivan
City Administrator Mark Arentsen
City Engineer Bob Veenstra
City Attorney David Brick
Deputy City Clerk Michelle Wells
Finance Director Lori Dunham

Absent: Council Member Jerry Fischer

Notice of the meeting was posted at the Bondurant City Center, Casey’s General Stores, Legacy Bank and the United States Post Office on November 01, 2013. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Roll Call was taken and a quorum was declared. Mayor Ryan called the meeting to order at 6:00 p.m.

Mayor Ryan led the pledge of allegiance.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve the agenda as presented. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Sullivan, to approve the Consent Items consisting of the City Council Meeting Minutes of October 21, 2013, Parks and Recreation Board Meeting Minutes of September 19, 2013, Planning and Zoning Commission Minutes of October 10, 2013, the Claims Report and Tax Abatement Application for Jeffrey Evans, 434 3rd Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Polk County Sheriff’s Department Deputy Ryan Phillips presented a detailed report on recent activity.
Mark Land, Snyder & Associates, gave a presentation on the potential of forming a Mud Creek Watershed Management Authority and answered questions from the Mayor and Council. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 13-177, a Resolution approving the 28E Agreement creating a Watershed Management Authority for Mud Creek, Camp Creek and Spring Creek. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 13-178, a Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations, which shall come due in the next succeeding fiscal year, pertaining to the City's Development Agreement with S.C. Stoner Construction. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve Resolution No. 13-179, a Resolution authorizing Internal Advance to Tax Increment Revenue Fund pertaining to Urban Service Area debt payment. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 13-180, a Resolution approving the City of Bondurant’s submittal of three Safe Routes to School applications to the Des Moines Area Metropolitan Planning Organization (MPO) as the following: Lincoln Street, Southeast, underpass project, Mallard Pointe / Deer Ridge trail connection and Tailfeather / Grant Street intersection pedestrian signals. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Bogaards, to approve Resolution No. 13-181, a Resolution approving the proposal submitted by Veenstra & Kimm to prepare three Safe Routes to School applications to the Des Area MPO in the amount of $1,200. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 13-182, a Resolution approving the revised Cooperative Services Agreement between the City of Bondurant and Polk County for Maintenance of Joint Jurisdictional Roadways. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 13-183, a Resolution approving the renewal license application for a Special Class C Liquor License (BW) (Beer/Wine) for Polito's Pizza House, Inc., 210 Lincoln Street, Northeast, Bondurant, Iowa. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to close the regular City Council meeting at 6:18 p.m., and open the Public Hearing for consideration of declaring necessity and establish an Urban Renewal Area, pursuant to Section 403.4 of the Code of Iowa and approve Urban Renewal Plan Amendment for the 2013 Addition to the
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Bondurant Urban Renewal Area. Roll Call: Ayes: 4. Nays: 0. Motion carried. No verbal comments were received during the Public Hearing. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to close the Public Hearing at 6:19 p.m., and open the regular City Council meeting. Roll Call: Ayes: 4. Nays: 0. Motion carried. Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve Resolution No. 13-184, a Resolution to declare necessity and establish an Urban Renewal Area, pursuant to Section 403.4 of the Code of Iowa and approve Urban Renewal Plan Amendment for the 2013 Addition to the Bondurant Urban Renewal Area. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Discussion items included noise ordinance changes, budget break-down, enforcement process for non-compliant residents for the Paine Heights Sewer Project; possible amendments to City floodplain ordinance and MPO Main Street Streetscape Extension funding application. City Attorney David Brick, City Engineer Bob Veenstra, Finance Director Lori Dunham and Sunshine Huisman, 107 4th Street, Southwest, Bondurant, Iowa, participated in the discussion

The following item(s) were discussed as part of Mayor Ryan's comments:

• Law enforcement options.
• Requested volunteers to clear the room after the meeting for the election on Tuesday.

The following item(s) were discussed as part of City Administrator Arentsen’s comments:

• WRA construction continues; completion by the end of the year.
• Polk County Conservation Board is delaying the Chichaqua Valley Trail connection to the west until 2015.
• Parks and Recreation Board will meet twice a month until park capital project funds are expended.
• DART is discussing a tax rate increase of 8-12 cents next year and following years.
• Will meet with the Mayor and BF school superintendent and school board president on November 6.
• City Hall will be closed November 11, for Veteran’s Day.

The following item(s) were discussed as part of Council Member’s comments:

• Council Member Sullivan – Stop sign replacement at 5th Street, and Lincoln Street, Southeast.
• Council Member Johnson – No comment.
• Council Member Bogaards – No comment.
• Council Member Lohse – No comment.

Council Member Bogaards asked for a two minute recess at 7:42 p.m.
Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to close the regular City Council meeting at 7:44 p.m., and open the Closed Session, Pursuant to Iowa Code Section 21.5(j) to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property and Pursuant to Iowa Code Section 21.5(c) to discuss strategy with Counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Roll Call: Ayes: 4. Nays: 0. Motion carried. Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to close the Closed Session at 7:59 p.m., and open the regular City Council meeting. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to adjourn said meeting at 8:00 p.m. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Michelle Wells, Deputy City Clerk

ATTEST:

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Keith Ryan, Mayor

(SEAL)

I, the understated Mayor of the City of Bondurant, Polk County, Iowa, hereby certify that the foregoing is a true and accurate copy of proceedings had and done by the Mayor and City Council on November 04, 2013, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the Office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting, and the said minutes from which the foregoing proceedings have been extracted were written from and available for public inspection within ten business days and prior to the next convened meeting of said body.