

## **NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL**

**December 16, 2013**

**Meeting 13-26**

**NOTICE IS HEREBY GIVEN** that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, December 16, 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 December 02, and December 09, 2013
  - b) Receive and File – Planning & Zoning Commission Minutes of October 24, 2013
  - c) Claims Report
  - d) November 2013 Financial Statements (e-mailed December 04, 2013)
  - e) Tax Abatement Applications – Brandy Trapp, 403 Filmore Avenue, Southeast; Brian Brincks, 427 3rd Street, Southeast; and Dustin Eick, 516 3rd Street, Southeast, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Guests requesting to address the City Council
- 9) **PUBLIC HEARING** – For conveyance of a permanent easement to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for an equalization basin and pump station and approval of a 28E Agreement with the WRA related to the construction, operation, control and maintenance of an equalization basin and pump facilities and grant a permanent easement for the equalization basin and pump facilities  
**RESOLUTION NO. 13-201** – A Resolution approving conveyance of a permanent easement to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for an equalization basin and pump station and approval of a 28E Agreement with the WRA related to the construction, operation, control and maintenance of an equalization basin and pump facilities and grant a permanent easement for the equalization basin and pump facilities
- 10) Leon Von Stein – Presentation of a Plat of Survey for 7901 Northeast 88th Street, Bondurant, Polk County, Iowa  
**RESOLUTION NO. 13-202** – A Resolution approving the Plat of Survey for 7901 Northeast 88th Street
- 11) **ORDINANCE NO. 13-210** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 165 Floodplain Regulations (second reading)
- 12) **ORDINANCE NO. 13-211** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 92, Water Rates (first reading)
- 13) **ORDINANCE NO. 13-212** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 180 – Subdivision Ordinance to add a new provision defining the effective period of a Preliminary Plat (1st reading)

- 14) **ORDINANCE NO. 13-213** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by adding a new Chapter 53, Noise Control (1st reading)
- 15) **ORDINANCE NO. 13-214** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 69, Parking Regulations (1st reading)
- 16) **RESOLUTION NO. 13-203** – A Resolution approving a Law Enforcement Services Agreement between the City of Bondurant and the Polk County Sheriff's Department from July 01, 2014, through June 30, 2017
- 17) **RESOLUTION NO. 13-204** – A Resolution levying assessment against the property at 701 Filmore Avenue, Southeast, Bondurant, Polk County, Iowa, for a nuisance abatement pertaining to tall grass
- 18) **RESOLUTION NO. 13-205** – A Resolution approving Fund Transfers
- 19) **RESOLUTION NO. 13-206** – A Resolution approving Application and Certification for Payment No. 1 submitted by Larry Elwood Construction in the amount of \$93,964.10, pertaining to the Maintenance Building Addition Project
- 20) **RESOLUTION NO. 13-207** – A Resolution approving a Bike Trail Easement Agreement between the City of Bondurant and Top Farms, LLLP, in the amount of \$8,781
- 21) **RESOLUTION NO. 13-208** – A Resolution approving an agreement with Iowa Living Magazine for \_\_\_ page(s) for City of Bondurant information in the monthly Bondurant Living Magazine
- 22) **RESOLUTION NO. 13-209** – A Resolution of appreciation to Jerry Fischer for his dedicated service on the City Council
- 23) **RESOLUTION NO. 13-210** – A Resolution of appreciation to Susan Ugulini for her dedicated service on the Library Board of Trustees
- 24) **RESOLUTION NO. 13-211** – A Resolution approving the appointments to the MPO and MPO Technical Committee
- 25) **RESOLUTION NO. 13-212** – A Resolution approving the appointments to the WRA and the WRA Technical Committee
- 26) **RESOLUTION NO. 13-213** – A Resolution approving the appointments to E911 Service Board
- 27) **RESOLUTION NO. 13-214** – A Resolution approving the appointments to the Polk County Emergency Management Commission
- 28) **RESOLUTION NO. 13-215** – A Resolution approving the appointment to the Metro Waste Board of Directors
- 29) **RESOLUTION NO. 13-216** – A Resolution approving the appointments to the various Boards, Commissions, Offices and Representatives
- 30) **RESOLUTION NO. 13-217** – A Resolution designating the Official Newspapers of record for 2014
- 31) **RESOLUTION NO. 13-218** – A Resolution designating the Official Depositories for 2014
- 32) **RESOLUTION NO. 13-219** – A Resolution approving the City's Investment Policy
- 33) **RESOLUTION NO. 13-220** – A Resolution setting a Public Hearing date for January 06, 2014, for consideration of amending the Municipal Budget for Fiscal Year 2013 / 2014
- 34) Reports / Comments and appropriate action thereon:
  - a) Mayor
  - b) City Administrator
  - c) Council Members
- 35) Adjournment

# **BONDURANT CITY COUNCIL**

## **REGULAR MEETING**

**December 16, 2013**

**Meeting No. 13-26**

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 16th day of December 2013, at 6:00 p.m.

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

Absent: None

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the United States Post Office on December 13, 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.

Council Member Lohse announced abstention for item 15.

Motion made by Council Member Bogaards, seconded by Council Member Fischer, to delete items 23 and 29 from the agenda and approve the agenda as amended. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve the Consent Items consisting of the City Council Meeting Minutes of December 02, and December 09, 2013, Planning and Zoning Commission Meeting Minutes of October 24, 2013, the Claims Report, and Tax Abatement Applications for Brandy Trapp, 403 Filmore, Avenue, Southeast; Brian Brincks, 427 3rd Street, Southeast; and Dustin Eick, 516 3rd Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Polk County Sheriff's Department Division Chief Kevin Schneider reported on recent school threats at the High School.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to close the regular City Council Meeting at 6:03 p.m., and open the Public Hearing for conveyance of a permanent easement to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for an equalization basin and pump station and approval of a 28E Agreement with the WRA related to the construction, operation, control and maintenance of an equalization basin and pump facilities and grant a permanent

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easement for the equalization basin and pump facilities. Roll Call: Ayes: 5. Nays: 0. Motion carried. No public comments were received during the Public Hearing. Motion made by Council Member Bogaards, seconded by Council Member Lohse, to close the Public Hearing at 6:05 p.m., and open the regular City Council meeting. Roll Call: Ayes: 5. Nays: 0. Motion carried. Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve Resolution No. 13-201, a Resolution approving conveyance of a permanent easement to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for an equalization basin and pump station and approval of a 28E Agreement with the WRA related to the construction, operation, control and maintenance of an equalization basin and pump facilities and grant a permanent easement for the equalization basin and pump facilities. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Leon Von Stein presented a Plat of Survey for 7901 Northeast 88th Street, Bondurant, Iowa. Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve Resolution No. 13-202, a Resolution approving a Plat of Survey for 7901 Northeast 88th Street, Bondurant, Polk County, Iowa. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve the second reading of Ordinance No. 13-210, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 165 Floodplain Regulations. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve the first reading of Ordinance No. 13-211, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 92, Water Rates. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve the first reading of Ordinance No. 13-212, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 180 – Subdivision Regulations to add a new provision defining the effective period of a Preliminary Plat. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to table Ordinance No. 13-213, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by adding a new Chapter 53, Noise Control, until further review and clarification. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve the first reading of Ordinance No. 13-214, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 69, Parking Regulations. Roll Call: Bogaards-Yes, Sullivan-Yes, Fischer-Yes, Johnson-Yes, Lohse-Abstain. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 13-203, a Resolution approving a Law Enforcement Services Agreement between the City of Bondurant and the Polk County Sheriff's Department from July 01, 2014, through June 30, 2017. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 13-204, a Resolution levying assessment against the property at 701 Filmore Avenue, Southeast, Bondurant, Polk County, Iowa, for a nuisance abatement pertaining to tall grass. Roll Call: Ayes: 5. Nays: 0. Motion carried.

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Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve Resolution No. 13-205, a Resolution approve Fund Transfers. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Fischer, to approve Resolution No. 13-206, a Resolution approving Application and Certification for Payment No. 1 submitted by Larry Elwood Construction in the amount of \$93,964.10, pertaining to the Maintenance Building Addition Project. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve Resolution No. 13-207, a Resolution approving a Bike Trail Easement Agreement between the City of Bondurant and Top Farms, LLLP, in the amount of \$8,781. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 13-208, a Resolution approving an agreement with Iowa Living Magazine for two pages, for City of Bondurant information in the monthly Bondurant Living Magazine. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve Resolution No. 13-209, a Resolution of appreciation to Council Member Jerry Fischer for his years of dedicated service on the City Council. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 13-211, a Resolution approving the appointments of Mark Arentsen and Keith Ryan to the Des Moines Area Metropolitan Planning Organization and Lori Dunham and Kenneth Grove to the Des Moines Area Planning Organization Transportation Technical Committee, representing the City of Bondurant for calendar year 2014. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve Resolution No. 13-212, a Resolution approving the appointments of Mark Arentsen and Keith Ryan to Des Moines Metropolitan Wastewater Reclamation Authority and Patrick Collison and Mark Arentsen to the WRA Technical Committee, representing the City of Bondurant for calendar year 2014. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 13-213, a Resolution approving the appointments of Mark Arentsen and Curt Sullivan to the Polk County E911 Service Board for calendar year 2014. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 13-214, a Resolution approving the appointments of Mark Arentsen and Curt Sullivan to the Polk County Emergency Management Commission for calendar year 2014. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve Resolution No. 13-215, a Resolution approving the appointments of Keith Ryan and Mark Arentsen to the Metro Waste Authority Board of Directors for calendar year 2014. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 13-217, a Resolution designating the Official Newspapers of record for calendar year 2014. Roll Call: Ayes: 5. Nays: 0. Motion carried.

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Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 13-218, a Resolution designating the Official Depositories for calendar year 2014. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 13-219, a Resolution approving the City of Bondurant's Investment Policy for calendar year 2014. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Bogaards, to approve Resolution No. 13-220, a Resolution setting a public hearing date for January 06, 2014, for consideration of amending the Municipal Budget for Fiscal Year 2013 / 2014. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Council Member Johnson left at 6:45 p.m.

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

- Working on a design for resident community awards.
- Thanked Senator Dennis Black for his attendance.
- Welcomed new Council Member Wes Enos.
- **The following item(s) were discussed as part of City Administrator Arentsen's comments:**
- Presented the City's four grant applications to the MPO today.
- WRA update.
- City Attorney Brick has the list for non-complying Paine Heights properties.
- The monthly City Managers group will hold their December meeting at Founders on December 18.
- Fire Department ladder truck update.

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

- Council Member Sullivan – No comment.
- Council Member Fischer – Thank you to the citizens, Mayor and City Administrator for the opportunity to serve the City. A lot has been accomplished in the last four years and there are more exciting things to come. Serving the community has been a pleasure and a very good learning experience and I have a new respect for elected officials after gaining an understanding of everything involved with City government.
- Council Member Bogaards – Thankful for the second ambulance. Bondurant Emergency Services had both ambulance running non-stop this week-end.
- Council Member Lohse – Altoona is withdrawing membership in Eastern Polk Regional Development.

Motion made by Council Member Fischer, seconded by Council Member Bogaards, to adjourn said meeting at 6:55 p.m. Roll Call: Ayes: 5. Nays: 0. Motion carried.

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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 December 16, 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.

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Keith Ryan, Mayor