

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

January 06, 2014

Meeting 14-01

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, January 06, 2014, 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) City Administrator Arentsen - Administer Oath of Office to Council Member Wes Enos
- 2) Roll Call
- 3) Call to Order and Declaring a Quorum
- 4) Pledge of Allegiance
- 5) Abstentions declared
- 6) Perfecting and Approval of the Agenda
- 7) Consent Items:
 - a) Approval of the City Council Meeting Minutes of December 16, 2013
 - b) Receive and File – Library Board Meeting Minutes of November 07, 2013 and Statistics Report for November 2013
 - c) Claims Report
 - d) Tax Abatement Applications – Harold J. Cox, 1420 Northeast Morgan Drive; Darrin & Laura Wood, 312 Evergreen Drive, Northwest; Larry W. Freeman, 117 Mallard Pointe Drive, Northwest; and Keith Ryan, 422 3rd Street, Southeast, Bondurant, Polk County, Iowa
- 8) Polk County Sheriff's Report
- 9) Guests requesting to address the City Council
- 10) **PUBLIC HEARING** - For consideration of amending the Municipal Budget for FY 2013 / 2014
RESOLUTION NO. 14-01 - A Resolution amending the Municipal Budget for Fiscal Year 2013 / 2014
- 11) Andy Loonan, District 1 Field Services Coordinator - Update on the status and timeline for the Hwy 65 / I-80 reconstruction project
- 12) Bethany Wilcoxon, Senior Transportation Planner, Des Moines Area MPO - Presentation of The Tomorrow Plan
RESOLUTION NO. 14-02 - A Resolution of support for The Tomorrow Plan
- 13) **RESOLUTION NO. 14-03** - A Resolution approving the Live Healthy Iowa 5K
- 14) **RESOLUTION NO. 14-04** - A Resolution approving the appointments of Mayor Pro Tem, City Attorney, City Engineer and Emergency Services Chief
- 15) **ORDINANCE NO. 13-210** - An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 165 Floodplain Regulations (third reading)
- 16) **ORDINANCE NO. 13-211** - An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 92, Water Rates (second reading)
- 17) **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 (second reading)

- 18) **ORDINANCE NO. 13-213** - An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 53, Noise Control (first reading)
- 19) **ORDINANCE NO. 13-214** - An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 69, Parking Regulations (second reading)
- 20) **ORDINANCE NO. 14-200** - An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 75, Section 75.07, Accident Reports (first reading)
- 21) **RESOLUTION NO. 14-05** - A Resolution setting a Public Hearing date for January 20, 2014, on a proposal to enter into a Water Revenue Loan Agreement and borrow money thereunder in a principal amount not to exceed \$500,000
- 22) **RESOLUTION NO. 14-06** - A Resolution setting a Public Hearing date for January 20, 2014, on a General Obligation Water Capacity Acquisition Loan Agreement and to borrow money in a principal amount not to exceed \$1,250,000
- 23) **RESOLUTION NO. 14-07** - A Resolution approving the appointment of City Administrator Mark Arentsen to the Watershed Management Authority
- 24) Discussion item(s)
 - a) Northeast Morgan Drive annexation / water service requests
 - b) Proposed brush chipping rules / adopting in Municipal Code
 - c) Water meter bypass / adopting in Municipal Code
 - d) Delinquent fee / adopting in Municipal Code
- 25) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
 - d) City Attorney Brick
- 26) **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
- 27) Adjournment

BONDURANT CITY COUNCIL

REGULAR MEETING

January 06, 2014

Meeting No. 14-01

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 06th day of January 2014, at 6:00 p.m.

Present: Mayor Keith Ryan
Council Member Amy Bogaards
Council Member Wes Enos
Council Member Eric Johnson
Council Member Brian Lohse
City Attorney David Brick
City Administrator Mark Arentsen
Water Superintendent Pat Collison
Deputy City Clerk Michelle Wells
Finance Director Lori Dunham

Absent: Council Member Curt Sullivan

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the United States Post Office on January 03, 2014. All proceedings hereafter shown were taken while the convened meeting was open to the public.

City Administrator Arentsen administered the Oath of Office to Council Member Wes Enos.

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 Bogaards, seconded by Council Member Johnson, to approve the Consent Items consisting of the City Council Meeting Minutes of December 16, 2013, Library Board Meeting Minutes of November 07, 2013, the Claims Report, and Tax Abatement Applications for Harold J. Cox, 1420 Northeast Morgan Drive; Darrin and Laura Wood, 312 Evergreen Drive, Northwest; Larry W. Freeman, 117 Mallard Pointe Drive, Northwest; and Keith Ryan, 422 3rd Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Polk County Sheriff's Department Division Chief Kevin Schneider presented a detailed report on recent activity.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to close the regular City Council meeting at 6:07 p.m., and open the Public Hearing for consideration of amending the City of Bondurant Municipal Budget for Fiscal Year 2013 / 2014. Roll Call: Ayes: 4. Nays: 0. Motion carried. No public comments were received during the Public Hearing. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to close the Public Hearing at 6:08 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 Lohse, to approve Resolution No. 14-01, a Resolution approving the City of Bondurant amended Municipal Budget for Fiscal Year 2013 / 2014. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Andy Loonan, District 1 Field Services Coordinator, presented an update on the status and timeline for the Highway 65 / I-80 reconstruction project and answered questions from the Mayor and Council. The projected completion date is for the end of 2014.

Dylan Mullenix, and Bethany Wilcoxon, representing the Des Moines Area Metropolitan Planning Organization, presented The Tomorrow Plan and asked the City of Bondurant to be the first City to support the plan. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 14-02, a Resolution of support for The Tomorrow Plan. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Nicole Bruce presented the Live Healthy Iowa 5K scheduled for April 12, 2014, and answered questions from the Mayor and Council. The 5K route has not been determined yet but the event has nine confirmed locations and Bondurant would be the tenth location. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 14-03, a Resolution approving the Live Healthy Iowa 5K in the City of Bondurant. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Enos, to approve Resolution No. 14-04, a Resolution approving the appointments of Mayor Pro Tem, City Attorney, City Engineer and Emergency Services Chief for calendar year 2014. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve the third and final 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: 4. Nays: 0. Motion carried.

Council Member Lohse suggested the last sentence in Municipal Code Section 92.12(4) be separated and defined as 92.12(5). Motion made by Council Member Bogaards, seconded by Council Member Lohse, to waive the second 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 and approve as the third and final reading with Council Member Lohse's request. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve the second 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, by adding a new provision defining the effective period of a Preliminary Plat, adding that the language in the second to the last paragraph needs more definition. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Enos, to approve the first reading of Ordinance No. 13-213, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 53, Noise Control, with changes to be made by City Attorney Brick. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve the second 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: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Enos, to approve the first reading of Ordinance No. 14-200, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 75, Section 75.07, Accident Reports for All Terrain Vehicles and Snowmobiles. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 14-05, a Resolution setting a Public Hearing date for February 03, 2014, on a proposal to enter into a Water Revenue Loan Agreement and borrow money thereunder in a principal amount not to exceed \$500,000. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 14-06, a Resolution setting a Public Hearing date for February 03, 2014, on a General Obligation Water Capacity Acquisition Loan Agreement and to borrow money in a principal amount not to exceed \$1,250,000. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve Resolution No. 14-07, a Resolution approving the appointment of City Administrator Mark Arentsen to the Watershed Management Authority. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Discussion items included Northeast Morgan Drive annexation / water service requests; proposed brush chipping rules; prosecuting violators that bypass a water meter and delinquent fee policy. Water Superintendent Pat Collison participated in the discussion.

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

- No comment.

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

- The judge ruled in favor of the City in the Jeff Mundell lawsuit.
- City lagoon / WRA update. The City is officially out of the wastewater treatment business.
- Public works building addition began January 03.
- Applied for Public Interest Award given annually by the Central Iowa Taxpayer's Alliance. The City has reduced its tax rate for the last eight years.
- Chichaqua Valley Trail paving east to 88th Street Trailhead to be bid through DOT in March.
- Traffic Signal Project to be bid through DOT in March.
- 80 single family building permits issued in 2013.

The following item(s) were discussed as part of Council Member's and City Attorney Brick's comments:

- Council Member Lohse - No comment.
- Council Member Bogaards - Questioned why the City wasn't informed immediately when construction crews recently hit a water line; and thinks the City should stop hearing resident's personal property damage complaints at the City Council level.
- Council Member Enos - Happy to be here.
- Council Member Johnson - No comment.
- City Attorney Brick – No comment.

Council Member Bogaards asked for a five minute recess.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to close the regular City Council meeting at 8:20 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. Roll Call: Ayes: 4. Nays: 0. Motion carried. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to close the Closed Session at 8:35 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 Enos, to adjourn said meeting at 8:40 p.m. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Michelle Wells, Deputy City Clerk

ATTEST:

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 January 06, 2014, 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.

Keith Ryan, Mayor