

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

May 05, 2014

Meeting 14-10

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, May 05, 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) 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 April 21, 2014
 - b) Receive and File - Planning & Zoning Minutes of April 10, 2014
 - c) Receive and File - Parks & Recreation Board Minutes of March 06, and March 20, 2014
 - d) Claims Report
 - e) Tax Abatement Applications - Scott Drewis, 309 Aspen Drive, Northwest; Brock Brown, 520 3rd Street, Southeast, and Connie Dornburgh, 113 Mallard Pointe Drive, Northwest, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Guests requesting to address the City Council
- 9) **RESOLUTION NO. 14-67** - A Resolution approving a Change Order submitted by Larry Elwood Construction, Inc, in the amount of \$357, pertaining to the Maintenance Building Addition Project
- 10) Joe Riding, District 3, Update Legislative Issues
- 11) **RESOLUTION NO. 14-68** - A Resolution of Appreciation for Dan Clark for his service on the BRSC Board
- 12) Discussion item
 - a) Urban chickens
- 13) **RESOLUTION NO. 14-69** - A Resolution approving the appointment of Wes Enos, a City of Bondurant Council Member, to serve on the Animal Management Committee
- 14) **RESOLUTION NO. 14-70** - A Resolution approving the appointment of xxx, a City of Bondurant resident to serve on the Animal Management Committee
- 15) **RESOLUTION NO. 14-71** - A Resolution initiating proceedings to determine whether an animal residing at 101 5th Street, Southeast, be deemed a vicious animal
- 16) **RESOLUTION NO. 14-72** - A Resolution approving the request from Founders Irish Pub to close 1st Street, Southeast, from Main Street, Southeast, to the alley, each Thursday evening from mid May to mid September from 6:00 p.m., to 10:00 p.m., for "Bike Night"

- 17) Jeff Cook, Board Chair, Parks and Recreation Board - Presentation of Parks Projects status
- 18) Todd Wilson, BRSC Board - BRSC update and proposed concert series
- 19) **RESOLUTION NO. 14-73** - A Resolution setting the second City Council meeting in June for June 23, 2014, due to Summerfest
- 20) **RESOLUTION NO. 14-74** - A Resolution approving the Amendment to the Agreement between the City of Bondurant and Veenstra & Kimm, Inc, pertaining to Building Inspection Services
- 21) **ORDINANCE NO. 14-206** - An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 165, Floodplain Regulations to Restrict Temporary Filling Within a Floodplain Area (1st reading)
- 22) **RESOLUTION NO. 14-75** - A Resolution authorizing and directing the City Administrator to write-off certain Emergency Services medical service accounts as non-collectible due to Medicare, Medicaid or too small to collect
- 23) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
 - d) City Attorney Brick
- 24) Adjournment

BONDURANT CITY COUNCIL

REGULAR MEETING

May 05, 2014

Meeting No. 14-10

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 05th day of May 2014, at 6:00 p.m.

Present: Mayor Pro Tem Brian Lohse
Council Member Amy Bogaards
Council Member Wes Enos
Council Member Eric Johnson
City Administrator Mark Arentsen
Deputy City Clerk Michelle Wells
City Attorney David Brick
City Engineer Bob Veenstra

Absent: Mayor Keith Ryan
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 May 02, 2014. 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 Pro Tem Lohse called the meeting to order at 6:00 p.m.

Mayor Pro Tem Lohse led the pledge of allegiance.

Mayor Pro Tem Lohse asked that items 13 through 16 and items 19 through 22 be moved under item 11 on the agenda. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve the agenda as amended. 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 April 21, 2014, receive and file Planning & Zoning Commission Minutes of April 10, 2014, Parks and Recreation Board Minutes of March 06, and March 20, 2014, the Claims Report, and Tax Abatement Applications for Scott Drewis, 309 Aspen Drive, Northwest; Brock Brown, 520 3rd Street, Southeast; and Connie Dornburgh, 113 Mallard Pointe Drive, Northwest, Bondurant, Polk County, Iowa. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Polk County Sheriff's Department Division Chief Kevin Schneider updated the Council Members on recent activity and said the speed trailer is positioned in the 25 mph speed limit area of 2nd Street, Northwest.

Joann White, 304 Lincoln Street, Southeast, said she is concerned that the fence has been removed from the cemetery and vandalism may occur. City Administrator Arentsen said the fence was falling down, and damaged by many years of snow plowing. Removing the fence provided easier maintenance for City Staff. Division Chief Schneider offered to schedule extra patrol through the cemetery.

Thad Long, SVPA Architects, stated his opinion pertaining to the final payment to Larry Elwood Construction for the Maintenance Building Addition Project. Motion made by Council Member Bogaards, seconded by Council Member Enos, to approve Resolution No. 14-67, a Resolution approving a Change Order submitted by Larry Elwood Construction, Inc., in the amount of \$357, pertaining to the Maintenance Building Addition Project. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Joe Riding, District 30 Supervisor, presented an update on legislative issues.

For the record Mayor Pro Tem Lohse read aloud a Resolution of Appreciation to Dan Clark. Motion made by Council Member Johnson, seconded by Council Member Bogaards, to approve Resolution No. 14-68, a Resolution of Appreciation to Dan Clark for his service on the Bondurant Recreational Sports Complex (BRSC) Board. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 14-69, a Resolution approving the appointment of Wes Enos, a Bondurant City Council Member, to serve on the Animal Management Committee. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Enos, to approve Resolution No. 14-70, a Resolution approving the appointment of Kasey McGrath, 205 1st Street, Northwest, Bondurant, as member of the community at large, on the Animal Management Committee. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Enos, seconded by Council Member Bogaards, to approve Resolution No. 14-71, a Resolution initiating proceedings to determine whether an animal residing at 101 5th Street, Southeast, Bondurant, be deemed a vicious animal. Roll Call: Ayes: 4. Nays: 0. Motion carried. City Administrator Arentsen distributed an e-mail from said resident stating that the dog will be removed from the property on Friday, May 09.

Motion made by Council Member Bogaards, seconded by Council Member Enos, to approve Resolution No. 14-72, a Resolution approving the request from Founders Irish Pub to close 1st Street, Southeast, from Main Street, Southeast, to the alley, each Thursday evening from mid May to mid September 2014, from 6:00 p.m., to 10:00 p.m., for "Bike Night". Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 14-73, a Resolution setting the second City Council meeting in June for June 23, 2014, due to Summerfest. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 14-74, a Resolution approving the Amendment to the Agreement between the City of Bondurant and Veenstra & Kimm, Inc., pertaining to Building Inspection Services. 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. 14-206, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 165, Floodplain Regulations to Restrict Temporary Filling Within a Floodplain Area. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Enos, to approve Resolution No. 14-75, a Resolution authorizing and directing the City Administrator to write-off certain Emergency Services medical service accounts as non-collectible due to Medicare, Medicaid or too small to collect. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Mayor Pro Tem Lohse led a discussion concerning a request to raise chickens within City limits. Sierra Smith, 103 3rd Street, Northeast, Bondurant asked Council to amend the Municipal Code by not listing chickens as livestock. Council Members Bogaards and Johnson each stated that they had received negative comments from some members of the community about allowing chickens. Ms. Smith does not plan to have a rooster. City Attorney Brick will draft a proposed Ordinance for an upcoming meeting for Council's consideration.

Council Member Johnson left the meeting at 6:50 p.m.

At his request, motion made by Council Member Bogaards, seconded by Council Member Enos, to table a Parks Projects status presentation by Jeff Cook, to the June 02, 2014, City Council meeting. Roll Call: Ayes: 3. Nays: 0. Motion carried.

Board Member Todd Wilson, Bondurant Recreational Sports Complex, presented a BRSC update and a proposal for a concert series.

Council Member Bogaards left the meeting at 7:09 p.m., and returned at 7:10 p.m.

The following item(s) were discussed as part of Mayor Pro Tem Lohse's comments:

- BDI Developers Conference May 01 update.
- Leaves for Washington D.C. trip on May 07.

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

- Chichaqua Valley Trail preconstruction meeting is May 13.
- Planning & Zoning Commission continuing to work on zoning ordinance.
- Applications for Assistant to the City Administrator position are due by May 05.
- Resolution designating the Engineer for the Lincoln Street, SE, Underpass Project scheduled for the May 19, Council meeting.
- City Attorney Brick is proceeding with action against a Paine Heights resident who refused to comply with a Board of Adjustment ruling that denied his variance request to erect a metal / canvas carport shelter.
- Vacation update.

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

- Council Member Bogaards - Asked the status of changes to the Recreation Coordinator's job description; asked when WRA work on Grant Street, South, will be restored; asked if the City has received concerns pertaining to the water level and thank you to City Staff for cold patching around storm drains.
- Council Member Enos - Will be researching dangerous dogs while you're in D.C.
- City Attorney Brick - Will be researching chicken ordinances while you're in D.C.

Motion made by Council Member Bogaards, seconded by Council Member Enos, to adjourn said meeting at 7:50 p.m. Roll Call: Ayes: 3. Nays: 0. Motion carried.

Michelle Wells, Deputy City Clerk

ATTEST:

Brian Lohse, Mayor Pro Tem

(SEAL)

I, the understated Mayor Pro Tem 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 Pro Tem and City Council on May 05, 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.

Brian Lohse, Mayor Pro Tem