

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

**January 18, 2010**

**Meeting 10-02**

**NOTICE IS HEREBY GIVEN** that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, January 18, 2010, in the Bondurant City Center at 200 Second Street, Northeast, Bondurant, Polk County, Iowa. Said meeting is open and the public is encouraged to attend.

### **AGENDA**

- 1) Roll Call and Declaring a Quorum
- 2) Call to Order
- 3) Abstentions declared
- 4) Perfecting and Approval of the Agenda
- 5) Guests Present
- 6) Consent Items:
  - a) Approval of the City Council Minutes of January 04, 2010
  - b) Planning and Zoning Commission Minutes of October 08, 2009
  - c) Receive and File – Library Board of Trustees Minutes of December 03, 2009
  - d) Claims Report
  - e) Tax Abatement Applications – Jason Lenaghan, 112 Tailfeather Drive, Northwest; Josh Heady, 606 Filmore Avenue, Southeast; and Todd and Jill McClintock, 1205 Dee Street, Southeast, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Kathy Lambert, USDA – Presentation on potential low interest sewer loan funding
- 9) Mike Flattery, Stanley Consultants, Inc. – Presentation of Supplemental Agreement No. 2  
**RESOLUTION 10-07** – A Resolution approving Supplemental Agreement No. 2 between the City of Bondurant and Stanley Consultants, pertaining to the 2nd Street, NW / NE Sidewalk / Bike Path Project
- 10) **ORDINANCE 09-216** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 99, Section 99.02, pertaining to Sanitary Sewer Service provided by the City of Bondurant, Polk County, Iowa
- 11) **ORDINANCE 09-217** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 106, Section 106.09, pertaining to Solid Waste and Recycling Collection Fees
- 12) **RESOLUTION 10-08** – A Resolution of Appreciation to Marvin Skinner for his years of dedicated service as a Planning and Zoning Commission Member
- 13) **RESOLUTION 10-09** – A Resolution setting a Public Hearing date for February 01, 2010, at 6:00 p.m., for consideration of approving a re-zoning request of approximately 114.85 acres from R2 (One- and Two-Family Residential) zoning district to R5 (Planned Unit Development – PUD) zoning district
- 14) **ORDINANCE 10-200** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Polk County, Iowa, 2002, by amending Chapter 21, Section 21.01 pertaining to City Administrator

- 15) Discussion item(s)
  - a) Clement Estates drainage issue
  - b) FY 2010 / 2011 budget
  - c) Website update
- 16) Reports / Comments and appropriate action thereon:
  - a) Mayor
  - b) City Administrator
  - c) Council Members
  - d) City Attorney
- 17) Adjournment

# **BONDURANT CITY COUNCIL REGULAR MEETING**

**January 18, 2010**

**Meeting No. 10-02**

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 18th day of January, 2010, at 6:00 p.m.

Present: Mayor Keith Ryan  
Council Member Mike Adams, Sr.  
Council Member Michele Bailey  
Council Member Eric Boatwright  
Council Member Jerry Fischer  
Council Member Curt Sullivan  
City Attorney David Brick  
City Administrator Mark Arentsen  
Deputy City Clerk Michelle Wells

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 January 15, 2010. 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 moved item 12 on the agenda and said item was defined as item 7a. Motion made by Council Member Bailey, seconded by Council Member Sullivan, to approve the agenda as amended. Roll Call: Bailey-Yes, Sullivan-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Adams, to approve the Consent Items consisting of the City Council Minutes of January 04, 2010, Planning and Zoning Commission Minutes of October 08, 2009, Library Board of Trustees Minutes of December 03, 2009, the Claims Report and Tax Abatement Applications for Jason Lenaghan, 112 Tailfeather Drive, Northwest; Josh Heady, 606 Filmore Avenue, Southeast; and Todd and Jill McClintock, 1205 Dee Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Boatwright-Yes, Adams-Yes, Bailey-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Polk County Sheriff's Department was not present.

Mayor Ryan read a Resolution of Appreciation to Marvin Skinner aloud for the record. Said Resolution read as follows: WHEREAS, Marvin Skinner began his term of office as a Planning & Zoning Commission Member for the City of Bondurant, Polk County, Iowa, in mid 1980; and WHEREAS, Marvin's involvement as a Planning & Zoning Commission Member enhanced and affirmed the collaborative spirit of many City efforts; and WHEREAS, the Bondurant City Council wishes to acknowledge the diligence and dedication with which Marvin Skinner represented the citizens of the City of Bondurant, Polk County, Iowa; and WHEREAS, Marvin has been an important contributor to a number of projects including Subdivision Regulations and Design Standards; Sign Code; Comprehensive Plan and Future Land Use Map, Urban Renewal Plan; Highway 65 Corridor Master Plan; revised City Zoning Map; Architectural Standards; NE Beltway Land Use Map; Parkland Dedication requirements and served on various study committees. NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Bondurant, Polk County, Iowa, on behalf of its citizens, do commend, honor, and express gratitude and appreciation to Marvin Skinner for his years of outstanding and commendable service to the City of Bondurant, Polk County, Iowa. BE IT FURTHER RESOLVED that a copy of this Resolution with the seal of the City of Bondurant, Polk County, Iowa, affixed shall be presented to Marvin Skinner and this Resolution shall become a part of the proceedings of the City Council of the City of Bondurant. Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution 10-08, a Resolution of Appreciation to Marvin Skinner for his years of dedicated service as a Planning and Zoning Commission Member for the City of Bondurant, Polk County, Iowa. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Fischer-Yes, Bailey-Yes. Motion carried.

Kathy Lambert, USDA Rural Development, discussed the potential for low interest sewer loan funding and answered questions from the Mayor and Council.

Mike Flattery, Stanley Consultants, Inc., presented Supplemental Agreement No. 2 pertaining to amending the Bike Path design to accommodate future drainage improvements in Paine Heights. Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution 10-07, a Resolution approving Supplemental Agreement No. 2 between the City of Bondurant and Stanley Consultants, Inc., amending their Agreement of April 08, 2008, pertaining to the 2nd Street, Northwest / Northeast, Sidewalk / Bike Path Project. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the third and final reading of Ordinance 09-216, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 99, Section 99.02, pertaining to Sanitary Sewer Service provided by the City of Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the third and final reading of Ordinance 09-217 an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 106, Section 106.09, pertaining to Solid Waste and Recycling Collection Fees. Roll Call: Bailey-Yes, Adams-Yes, Boatwright-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bailey, to approve Resolution 10-09, a Resolution setting a Public Hearing date for February 01, 2010, at 6:00 p.m., at the Bondurant City Center for consideration of a re-zoning request of approximately 114.85 acres from R-2 (One- and Two-Family Residential) zoning district to R-5 (Planned Unit Development – PUD) zoning district. Roll Call: Adams-Yes, Bailey-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Sullivan, to waive the first and second reading of Ordinance 10-200, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 21, Section 21.01, pertaining to City Administrator and approve as the third and final reading. Roll Call: Bailey-Yes, Sullivan-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Discussion concerning Clement Estates drainage issue. Dick Jensen, Attorney, representing Clement Estates participated in the discussion.

Discussion concerning updating the City's website. Cory Schmidt, Spinutech, Inc., participated in the discussion.

Council Member Boatwright asked for a recess at 7:20 p.m. The Council reconvened at 7:26 p.m.

Discussion concerning the proposed budget for Fiscal Year 2010 / 2011. Finance Director Lori Dunham 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:**

- Fishing Derby on January 16, was a huge success.
- Grant application updates.
- Possibly three preliminary plats to come before Planning and Zoning on January 28.

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

- Council Member Fischer – No Comment.
- Council Member Boatwright – Would like to see Park and Recreation Board promoting youth sports programs.
- Council Member Sullivan – Inquired about USDA revolving loan criteria.
- Council Member Adams – No Comment.
- Council Member Bailey – No Comment.

**The following item(s) were discussed as part of Attorney Brick's comments:**

- No Comment.

Motion made by Council Member Adams, seconded by Council Member Bailey, to adjourn said meeting at 7:50 p.m. Roll Call: Ayes: 5. Nays: 0. Motion carried.

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Keith Ryan, Mayor

ATTEST:

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Michelle Wells, Deputy City Clerk

SEAL

I, the understated Deputy City Clerk 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 18, 2010, 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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Michelle Wells, Deputy City Clerk