

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

February 01, 2010

Meeting 10-03

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, February 01, 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
- 2) Call to Order and Declaring a Quorum
- 3) Abstentions declared
- 4) Perfecting and Approval of the Agenda
- 5) Guests Present
 - Dave Funk, Candidate for the U.S. House of Representatives
- 6) Consent Items:
 - a) Approval of the City Council Minutes of January 18, 2010
 - b) Receive and File – Planning and Zoning Commission Minutes of January 14, 2010
 - c) Claims Report
 - d) Tax Abatement Applications – Sahara Reyes, 700 – 33rd Street, Southwest; Ryan Graves, 804 – 34th Street, Southwest; Ronald and Alicia Peterson, 3301 Maple Drive, Southwest; Edward and Brandy Masden, 225 Tailfeather Drive, Northwest; Nicole Humston, 3418 Ash Drive, Southwest; and Jeremy Mally, 133 Mallard Pointe Drive, Northwest, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Skip Conkling – Presentation of DART update
- 9) Mr. David Bentz, Bishop Engineering – Presentation of a re-zoning request for Mallard Creek Development of approximately 114.85 acres from R-2 One- and Two-Family Residential zoning district to R-5 Planned Unit Development (PUD) zoning district
 - PUBLIC HEARING** – For consideration of approving a re-zoning request for Mallard Creek Development of approximately 114.85 acres from R-2 One- and Two-Family Residential zoning district to R-5 Planned Unit Development (PUD) zoning district
 - ORDINANCE 10-201** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending the Zoning Classification of certain Real Estate in Mallard Creek Development from an R-2 One- and Two-Family Residential district to R-5 Planned Unit Development (PUD) district
- 10) Eric Cannon, Snyder & Associates – Presentation of Wolf Creek Preliminary Plats 5 & 6
 - RESOLUTION 10-10** – A Resolution approving the Preliminary Plats for Wolf Creek Plat 5 and Plat 6
- 11) Tom Wittman, Civil Engineering Consultants, Inc. – Presentation of a Preliminary Plat for Wisteria Heights Plat 2
 - RESOLUTION 10-11** – A Resolution approving the Preliminary Plat for Wisteria Heights Plat 2

- 12) Dan Fullerton, Stanley Consultants – Presentation of Supplemental Agreement No. 3
RESOLUTION 10-12 – A Resolution approving Supplemental Agreement No. 3 between the City of Bondurant and Stanley Consultants, Inc., in an amount not to exceed \$22,000 pertaining to the 2nd Street, NW / NE Sidewalk / Bike Path Project
- 13) **RESOLUTION 10-13** – A Resolution setting a Public Hearing date for March 01, 2010, to receive public comment on the proposed City of Bondurant, Polk County, Iowa, Fiscal Year 2010 / 2011 Municipal Budget
- 14) **RESOLUTION 10-14** – A Resolution supporting the efforts of the North / East Polk County Coalition and endorses the priorities of the North / East Polk County Coalition
- 15) **RESOLUTION 10-15** – A Resolution approving the Software License Agreement between the City of Bondurant, Polk County, Iowa, and Spinutech, Inc.
- 16) **RESOLUTION 10-16** – A Resolution approving submittal of the 2nd Street/Pleasant Street/Grant Street Bike Path Completion Project request for Regional or Metropolitan Transportation Enhancement Funds
- 17) **RESOLUTION 10-17** – A Resolution approving the Employee Contract and Agreement between the City of Bondurant, Polk County, Iowa, and Mark Arentsen
- 18) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
 - d) City Attorney
- 19) Adjournment

BONDURANT CITY COUNCIL REGULAR MEETING

February 01, 2010

Meeting No. 10-03

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 1st day of February, 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 29, 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.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the agenda as presented. Roll Call: Bailey-Yes, Adams-Yes, Sullivan-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Dave Funk, Candidate for the U.S. House of Representatives, presented his views on local, state and federal government.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve the Consent Items consisting of the City Council Minutes of January 18, 2010, Planning and Zoning Commission Minutes of January 14, 2010, the Claims Report and Tax Abatement Applications for Sahara Reyes, 700 – 33rd Street, Southwest; Ryan Graves, 804 – 34th Street, Southwest; Edward and Brandy Masden, 225 Tailfeather Drive, Northwest; Nicole Humston, 3418 Ash Drive, Southwest; and Jeremy Mally, 133 Mallard Pointe Drive, Northwest, Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Polk County Sheriff's Department was present but had nothing to report.

Skip Conkling, DART Representative, presented an update and answered questions from the Mayor and Council.

David Bentz, Bishop Engineering, presented a re-zoning request for Mallard Creek Development of approximately 114.85 acres from R-2 One- and Two-Family Residential zoning district to R-5 Planned Unit Development (PUD) zoning district and answered questions from the Mayor and Council. Motion made by Council Member Bailey, seconded by Council Member Adams, to close the regular City Council meeting at 6:33 p.m., and open the Public Hearing for consideration of approving a re-zoning request for Mallard Creek Development 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: Bailey-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. No verbal comments were received during the Public Hearing. Motion made by Council Member Bailey, seconded by Council Member Adams, to close the Public Hearing at 6:34 p.m., and open the regular City Council meeting. Roll Call: Bailey-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. Council Member Boatwright noted that in proposed Ordinance 10-201, Section 2A, twin homes and townhomes should be included in (1) and Section 2G (2) a full basement for each single family home built on a re-zoned lot. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the first reading of Ordinance 10-201, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending the zoning classification of certain real estate in Mallard Creek Development from an R-2 One- and Two-Family Residential district to R-5 Planned Unit Development (PUD) district, as amended. Roll Call: Bailey-Yes, Adams-Yes, Sullivan-No, Boatwright-Yes, Fischer-Yes. Motion carried.

Eric Cannon, Snyder & Associates, presented the Preliminary Plats for Wolf Creek Development Plat 5 and Plat 6 and answered questions from the Mayor and Council. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution 10-10, a Resolution approving the Preliminary Plats for Wolf Creek Plat 5 and Plat 6. Roll Call: Bailey-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes, Boatwright-Yes. Motion carried.

Tom Wittman, and Brett Johnson, Civil Engineering Consultants, and Brian Curnes, Integrity Homes, presented the Preliminary Plat for Wisteria Heights Plat 2 and answered questions from the Mayor and Council. Motion made by Council Member Adams, seconded by Council Member Bailey, to approve Resolution 10-11, a Resolution approving the Preliminary Plat for Wisteria Heights Plat 2. Roll Call: Adams-Yes, Bailey-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

David Bovee, Stanley Consultants, presented Supplemental Agreement No. 3 between the City of Bondurant and Stanley Consultants, and answered questions from the Mayor and Council. Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution 10-12, a Resolution approving Supplemental Agreement No. 3 between the City of Bondurant and Stanley Consultants, Inc., in an amount not to exceed \$22,000 pertaining to the 2nd Street, NW / NE Sidewalk / Bike Path Project and a new 10' wide multi-use trail

between 5th Street, NE, and the new High School. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution 10-13, a Resolution setting a Public Hearing date for March 01, 2010, to receive public comment on the proposed City of Bondurant, Polk County, Iowa, Fiscal Year 2010 / 2011 Municipal Budget. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution 10-14, a Resolution supporting the efforts of the North / East Polk County Coalition and endorses the priorities of the North / East Polk County Coalition. Roll Call: Bailey-Yes, Adams-Yes, Sullivan-Yes, Boatwright-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution 10-15, a Resolution approving the Software License Agreement between the City of Bondurant, Polk County, Iowa, and Spinutech, Inc. Roll Call: Bailey-Yes, Adams-Yes, Sullivan-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution 10-16, a Resolution approving submittal of the 2nd Street/Pleasant Street/Grant Street Bike Path Completion Project request for Regional or Metropolitan Transportation Enhancement Funds. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Council Member Boatwright asked that a punctuation error be corrected in Resolution 10-17. Motion made by Council Member Bailey, seconded by Council Member Fischer, to approve Resolution 10-17, a Resolution approving the Employee Contract and Agreement between the City of Bondurant, Polk County, Iowa, and Mark Arentsen, as amended. Roll Call: Bailey-Yes, Fischer-Yes, Sullivan-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

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

- MWA recycling update.

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

- Stormwater utility update.
- USDA revolving sewer loan update.
- Vacation dates.

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

- Council Member Fischer – Work commitment prevented attending Eastern Polk Regional Development annual dinner meeting.

- Council Member Boatwright – Nothing missed for those who couldn't attend the Eastern Polk Regional Development annual dinner meeting.
- Council Member Sullivan – Asked for clarification of 2nd Street, NE, Bike Path Project completion date.
- Council Member Adams – Questioned ownership of right-of-way if Union Pacific abandons railway
- 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 7:30 p.m. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Keith Ryan, Mayor

ATTEST:

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 February 01, 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.

Michelle Wells, Deputy City Clerk