

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

**February 16, 2010**

**Meeting 10-04**

**NOTICE IS HEREBY GIVEN** that a Regular Meeting of the City Council will be held at 6:00 p.m., on Tuesday, February 16, 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 February 01, 2010
  - b) Receive and File – Library Board of Trustees Minutes of January 07, 2010
  - c) Tax Abatement Applications – Travis Yordi, 421 1st Street, Northwest; and Joseph L. Harms, 3304 Poplar Drive, Southwest, Bondurant, Polk County, Iowa
  - d) Claims Report
- 7) Polk County Sheriff's Report
- 8) **RESOLUTION NO. 10-18** – A Resolution of Appreciation to Prairie Meadows Racetrack and Casino for a \$10,000 Community Betterment Grant  
Mayor's presentation of Resolution of Appreciation to Gary Palmer, CEO, Prairie Meadows Racetrack and Casino
- 9) Shawn Burrows, Student Council President, Bondurant-Farrar Community School District  
Presentation of 2010 5-K Run route
- 10) **ORDINANCE NO. 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
- 11) Ed Slattery, Stanley Consultants, Inc. – Presentation of Stormwater Utility Rate Study  
**RESOLUTION NO. 10-19** – A Resolution approving the Professional Services Agreement between the City of Bondurant and Stanley Consultants, Inc., to conduct a Stormwater Utility Rate Study
- 12) Ed Slattery, Stanley Consultants, Inc. – Presentation of Clement Estates Regional Detention Facility  
**RESOLUTION NO. 10-20** – A Resolution approving a proposal submitted by Stanley Consultants, Inc., in an amount not to exceed \$19,000 for developing bidding and construction documents for completion of the Clement Estates Regional Detention Facility
- 13) **RESOLUTION NO. 10-21** – A Resolution approving a proposed Cooperative Service Agreement between the City of Bondurant, Polk County, Iowa, and Polk County, for design and construction engineering services for Garfield Street, Southwest, resurfacing

- 14) Discussion item(s)
  - a) Sidewalk snow removal
- 15) Reports / Comments and appropriate action thereon:
  - a) Mayor
  - b) City Administrator
  - c) Council Members
- 16) Adjournment

# **BONDURANT CITY COUNCIL REGULAR MEETING**

**February 16, 2010**

**Meeting No. 10-04**

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 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 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 February 12, 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 announced that Council Member Fischer would be participating in the meeting by speaker phone.

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.

Mike McNichols, Bondurant Development, Inc., presented a brief overview of the group's future objectives and thanked the City for their support and funding assistance.

Motion made by Council Member Boatwright, seconded by Council Member Bailey, to approve the Consent Items consisting of the City Council Minutes of February 01, 2010, Library Board of Trustees Minutes of January 07, 2010, and Tax Abatement Applications for Travis Yordi, 421 1st Street, Northwest; and Joseph L. Harms, 3304 Poplar Drive, Southwest, Bondurant, Polk County, Iowa, the Claims Report. Roll Call: Boatwright-Yes, Bailey-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

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

Motion made by Council Member Adams, seconded by Council Member Bailey, to approve Resolution No. 09-18, a Resolution of Appreciation to Prairie Meadows Racetrack and Casino for a \$10,000 Community Betterment Grant. Roll Call: Adams-Yes, Bailey-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. Mayor Ryan presented the framed resolution to Gary Palmer, CEO, Prairie Meadows Racetrack and Casino.

Breanna Huth, Bondurant-Farrar Community School District, presented the route for the 2010 5K Run and asked for the City's assistance with this event.

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 for the second reading of Ordinance No. 10-201 and answered questions from the Mayor and Council. Keith Daniel, 112 5th Street, Northeast; Brad Pfaltzgraff, 110 5th Street, Northeast; and Josh Bryant, 502 Mallard Pointe Drive, Northwest, Bondurant, Iowa, presented their objections to the re-zoning request. Objections voiced were too small of lots, therefore the lots being too close to the street, becoming a transient neighborhood, maintenance of the detention pond, parking and snow removal. City Administrator Arentsen had received a phone call from Todd Omundson saying he disagrees with the lot sizes. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the second reading of Ordinance No. 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. Roll Call: Bailey-Yes, Adams-Yes, Fischer-Yes, Boatwright-No, Sullivan-No. Motion carried.

Ed Slattery, Stanley Consultants, Inc., presented a proposed Professional Services Agreement pertaining to a Stormwater Utility Rate Study and answered questions from the Mayor and Council. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 10-19, a Resolution approving a Professional Services Agreement between the City of Bondurant, Polk County, Iowa, and Stanley Consultants, Inc., to conduct a Stormwater Utility Rate Study. Roll Call: Bailey-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Ed Slattery, Stanley Consultants, Inc., and Ed Pelds, Pelds Engineering, presented a proposal for Clement Estates Regional Detention Facility and answered questions from the Mayor and Council. Council Member Bailey stated for the record that the Clements sold property to George White and BIG and didn't finish the detention pond. Our problem is with the Clements. They took the proceeds from the sales and didn't follow through. Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to table Resolution No. 10-20, until after the March 01, Council Meeting. Roll Call: Sullivan-Yes, Boatwright-Yes, Fischer-No, Bailey-No, Adams-No. Motion failed. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 10-20, a Resolution approving a proposal submitted by Stanley Consultants, Inc., in an amount not to exceed \$19,000 for developing

bidding and construction documents for completion of the Clements Estates Regional Detention Facility. Roll Call: Bailey-Yes, Adams-Yes, Fischer-Yes, Boatwright-No, Sullivan-No. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution No. 10-21, a Resolution approving a Cooperative Service Agreement between the City of Bondurant, Polk County, Iowa, and Polk County, for design and construction engineering services for paving Garfield Street, Southwest. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Discussion was held pertaining to enforcing the sidewalk snow removal ordinance. Council agreed there will be no exceptions.

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

- City website update.
- Spoke at the statehouse about the City's experience with the construction debris dumped at the former Union 76 site.

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

- Spring clean up.
- Lake Petocka shelter project.
- Will be out Friday, February 19.

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

- Council Member Fischer – No Comment.
- Council Member Boatwright – No Comment.
- Council Member Sullivan – No Comment.
- Council Member Adams – No Comment.
- Council Member Bailey – No Comment.

Motion made by Council Member Bailey, seconded by Council Member Adams, to adjourn said meeting at 7:40 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 February 16, 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