

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

May 17, 2010

Meeting 10-11

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, May 17, 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
Brent Carmichael, Director, Champions of Autism and ADHD
- 6) Consent Items:
 - a) Approval of the City Council Minutes of May 03, 2010
 - b) Approval of the Planning & Zoning Commission Minutes of March 25, 2010
 - c) Library Board of Trustees Minutes of April 01, 2010
 - d) Claims Report
 - e) Tax Abatement Applications – Justin & Sandy Friest, 217 Tailfeather Drive, Northwest; Michael DeBoer, 408 – 1st Street, Northwest; and Edwin Lust, 3305 Maple Drive, Southwest, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) **PUBLIC HEARING** – For consideration of approving the amended City of Bondurant Municipal Budget for Fiscal Year 2009 / 2010
RESOLUTION NO. 10-50 – A Resolution approving the amended City of Bondurant Municipal Budget for Fiscal Year 2009 / 2010
- 9) Heather Roberts, Iowa League of Cities – Presentation of the Iowa Cities E-Payment Aggregation System ("iCash")
RESOLUTION NO. 10-51 – A Resolution authorizing the approval of and participation in an agreement under Iowa Code Chapter 28E to establish an agency to be known as the Iowa Cities E-Payment Aggregation System ("i-Cash"), effective July 01, 2010
- 10) Denise Roberts, 504 – 2nd Street, Southeast, Bondurant, Iowa – Presentation of a Site Plan for 15 Main Street, Southeast, Bondurant, Polk County, Iowa
RESOLUTION NO. 10-52 – A Resolution approving the Site Plan for 15 Main Street, Southeast, Bondurant, Polk County, Iowa
- 11) Dean Roghair, Civil Design Advantage, LLC, Representative for Arbor Ridge, LLC, Presentation of a Preliminary Plat for Arbor Ridge Plat 5 and Plat 6
RESOLUTION NO. 10-53 – A Resolution approving the Preliminary Plat for Arbor Ridge Plat 5 and Plat 6

- 12) Vic Piagentini, Associated Engineering of Iowa – Presentation of Development Concepts for Morgan Estates Plat 2
RESOLUTION NO. 10-54 – A Resolution approving the Development Concepts for Morgan Estates Plat 2
- 13) David Bovee, P.E., Stanley Consultants, Inc. – Presentation of the bids pertaining to the 2nd Street / Pleasant Street Storm Sewer and Bike Path Paving Project
RESOLUTION NO. 10-55 – A Resolution approving the bid award to Elder Corporation in the amount of \$698,005.04 pertaining to the 2nd Street / Pleasant Street Storm Sewer and Bike Path Paving Project
- 14) **ORDINANCE NO. 10-203** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 99, Section 99.02, pertaining to sanitary sewer rates, effective on July 01, 2010, utility billing
- 15) **ORDINANCE NO. 10-204** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 177.04 pertaining to Accessory Buildings
- 16) **ORDINANCE NO. 10-205** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 63, Section 63.04.3 pertaining to Speed Regulations
- 17) Deb Mathias, P.E., Stanley Consultants, Inc. – Presentation of Stormwater Utility
ORDINANCE NO. 10-206 – An Ordinance amending the Code of Ordinance of the City of Bondurant, Iowa, 2002, by adding Chapter 103 Stormwater Utility effective July 01, 2010
- 18) Discussion item(s)
 - a) Chamber event at Lake Petocka
 - b) City staffing needs
 - c) Council vacancy
 - d) Selling price for City property at corner of 1st and Main
 - e) Future sidewalk improvement project
- 19) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
- 20) Adjournment

BONDURANT CITY COUNCIL REGULAR MEETING

May 17, 2010

Meeting No. 10-11

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 17th day of May, 2010, at 6:00 p.m.

Present: Mayor Keith Ryan
Council Member Mike Adams, Sr.
Council Member Eric Boatwright
Council Member Jerry Fischer
Council Member Curt Sullivan
City Administrator Mark Arentsen
Deputy City Clerk Michelle Wells
Finance Director Lori Dunham

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 May 14, 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 Adams, seconded by Council Member Sullivan, to approve the agenda as presented. Roll Call: Adams-Yes, Sullivan-Yes, Fischer-Yes, Motion carried.

Brent Carmichael, Director, Champions of Autism and ADHD, thanked Bondurant Emergency Services for their generous donation of \$1,600 collected during the City Wide Garage Sale on May 08.

Council Member Boatwright arrived at 6:04 p.m.

Pat Collison, Water and Wastewater Superintendent, stated the effectiveness of the trash pump at the lagoon lift station and thanked Council for approving the purchase in 2009. On a personal note, asked Council if they were going to uphold their decision to pave Blaine Street, Northwest, this year.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve the Consent Items consisting of the City Council Minutes of May 03, 2010, Planning & Zoning Commission Minutes of March 25, 2010, Library Board of Trustees Minutes of April 01,

2010, the Claims Report and Tax Abatement Applications for Justin & Sandy Friest, 217 Tailfeather Drive, Northwest, Michael DeBoer, 408 1st Street, Northwest; and Edwin Lust, 3305 Maple Drive, Southwest, Bondurant, Polk County, Iowa. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Fischer-Yes. Motion carried.

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

Motion made by Council Member Sullivan, seconded by Council Member Adams, to close the regular City Council meeting and open the Public Hearing at 6:10 p.m., for consideration of approving the amended City of Bondurant Municipal Budget for Fiscal Year 2009 / 2010. Roll Call: Sullivan-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes. Motion carried. No verbal comments were received during the Public Hearing. No verbal or written comments were received by the City Administrator's office. Motion made by Council Member Adams, seconded by Council Member Fischer, to close the Public Hearing and open the regular City Council meeting at 6:11 p.m. Roll Call: Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. Motion made by Council Member Fischer, seconded by Council Member Adams, to approve Resolution No. 10-50, a Resolution approving the amended City of Bondurant Municipal Budget for Fiscal Year 2009 / 2010. Roll Call: Fischer-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Heather Roberts, Iowa League of Cities, presented the Iowa Cities E-Payment Aggregation System ("iCash") and answered questions from the Mayor and Council. The agreement promotes efficient public service to the citizens and businesses of Iowa, by providing them with the option of paying fees, charges and taxes via electronic transactions. Motion made by Council Member Fischer, seconded by Council Member Boatwright, to approve Resolution No. 10-51, a Resolution authorizing the approval and participation in an agreement under Iowa Code Chapter 28E to establish an agency to be known as the Iowa Cities E-Payment Aggregation System ("i-Cash"), effective July 01, 2010. Roll Call: Fischer-Yes, Boatwright-Yes, Adams-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Fischer, to table agenda item 10 until the owner of the property arrived. Roll Call: Ayes: All.

Dean Roghair, Civil Design Advantage, LLC, representing Arbor Ridge, LLC, presented the Preliminary Plat for Arbor Ridge Plat 5 and Plat 6 and answered questions from the Mayor and Council. Council Members Boatwright and Sullivan stated that Arbor Ridge, LLC, should build a trail/bridge connection across Mud Creek between Arbor Ridge Plat 5 and Mallard Pointe Plat 4, paying the total cost or possibly cost sharing with the City. Council Members Adams and Fischer felt a trail connection would benefit Mallard Pointe Development more than Arbor Ridge Development and wouldn't expect the Arbor Ridge Development to pay 100% of the cost. Mayor Ryan said it wouldn't be economically feasible at this time. Don Timmins, Arbor Ridge, LLC; Bill Spencer, Landmark Development; Roy McCleary, Bondurant Stormwater Coordinator and Michele Bailey, resident, participated in the discussion. Motion made by Council Member Adams, seconded by Council Member Fischer, to approve the Preliminary Plat for Arbor Ridge Plat 5 and Plat 6 pending detention pond calculations. Roll Call: Adams-Yes, Fischer-Yes, Boatwright-No, Sullivan-No. Motion failed.

Denise Robert, 504 2nd Street, Southeast, Bondurant, Iowa, presented a Site Plan for 15 Main Street, Southeast, Bondurant, Iowa, and answered questions from the Mayor and Council. Motion made by Council Member Adams, seconded by Council Member Sullivan, to approve Resolution No. 10-52, a Resolution approving the Site Plan for 15 Main Street, Southeast, Bondurant, Iowa. Roll Call: Adams-Yes, Sullivan-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Mike Harmeyer, Harmeyer Homes, presented the Development Concepts for Morgan Estates Plat 2 and answered questions from the Mayor and Council. Motion made by Council Member Adams, seconded by Council Member Fischer, to approve Resolution No. 10-54, a Resolution approving the Development Concepts for Morgan Estates Plat 2. Roll Call: Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

David Bovee, P.E., Stanley Consultants, Inc., presented the bids pertaining to the 2nd Street / Pleasant Street Storm Sewer and Bike Trail Paving Project and answered questions from the Mayor and Council. Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve Resolution No. 10-55, a Resolution approving the bid award to Elder Corporation in the amount of \$698,005.04 pertaining to the 2nd Street / Pleasant Street Storm Sewer and Bike Trail Paving Project. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Yes, Fischer-Yes. Motion carried.

Council Member Adams left the meeting at 6:53 p.m., and returned at 6:55 p.m.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve the first reading of Ordinance No. 10-203, 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 Rates, effective on July 01, 2010, utility billing. The first 1300 gallons or lesser amount per month will be \$10.21 per month (minimum bill) and all usage over 1300 gallons per month will be \$11.04 per 1,000 gallons. Roll Call: Adams-Yes, Boatwright-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to waive the first and second reading of Ordinance No. 10-204, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 177, Section 177.04, pertaining to Accessory Buildings and approve as the third and final reading. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Adams, to waive the first and second reading of Ordinance No. 10-205, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 63, Section 63.04, pertaining to Speed Regulations and approve as the third and final reading. Roll Call: Boatwright-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Deb Mathias, P.E., Stanley Consultants, Inc., presented a Stormwater Utility Ordinance and answered questions from the Mayor and Council. Motion made by Council Member Sullivan, seconded by Council Member Adams, to approve the first reading of Ordinance No. 10-206, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by adding

Chapter 103 Stormwater Utility, effective July 01, 2010. Roll Call: Sullivan-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Discussion items included a proposed Bondurant Chamber event at Lake Petocka on August 06; City staffing needs; procedure to fill Council vacancy; selling price for City property at the corner of 1st and Main Street, Southeast; and future sidewalk improvement projects.

Mayor Ryan announced a recess at 8:50 p.m. Council reconvened at 8:51 p.m.

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

- Appointed Council Member Adams as Mayor Pro Tem for the remainder of 2010; asked City Administrator Arentsen to replace Council Member Boatwright as the Mayor's representative on BDI; appointed Council Member Adams to the Central Iowa Regional Drinking Water Commission; asked Council Member Fischer to replace former Council Member Bailey as LUCA representative for the Census; and asked Council Member Sullivan to consider replacing former Council Member Bailey on the B-F School Foundation Committee.
- Website update.
- Met with the 5th grade class at B-F Elementary School.
- Upcoming Washington DC trip.

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

- 66 out of 100 basement inspections completed in Paine Heights.
- Good turnout for the BDI Developers Conference event on May 06.
- Will be negotiating Dr. Pick's lease.
- Referenced letter from Polito attorney.

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

- Council Member Fischer – Asked if Ordinance is in place pertaining to vehicles parked on grass and the number of vehicles allowed parked in one driveway.
- Council Member Boatwright – Cemetery perpetual fund and suggested soil samples at Mud Creek.
- Council Member Adams – Dirt pile still there at 104 Grant Street, South.
- Council Member Sullivan – FEMA Grant update.

Motion made by Council Member Adams, seconded by Council Member Sullivan, to adjourn said meeting at 9:10 p.m. Roll Call: Ayes: 4. Nays: 0. Motion carried.

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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 May 17, 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