

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

June 21, 2010

Meeting 10-13

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, June 21, 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 June 07, 2010
 - b) Claims Report
 - c) Tax Abatement Applications – Clark Patterson, 3413 Poplar Drive, Southwest; Trina Nickel, 216 Tailfeather Drive, Northwest; Brian and Courtney Garnes, 1301 Adams Street, Southeast; Nicholas and Erin Jones, 506 – 6th Court, Southeast; and Ryan and Lindsay Wells, 500 Filmore Avenue, Southeast, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Dean Roghair, P.E., Civil Design Advantage, LLC – Presentation of the Preliminary Plat for Arbor Ridge Plat 5 and Plat 6
RESOLUTION NO. 10-74 – A Resolution approving the Preliminary Plat for Arbor Ridge Plat 5 and Plat 6
- 9) **RESOLUTION NO. 10-75** – A Resolution approving the Fund Transfers for Fiscal Year 2009 / 2010
- 10) **RESOLUTION NO. 10-76** – A Resolution approving the monthly transfer of \$8,600 from the Water Checking into the Water Sinking Fund and the monthly transfer of \$3,225 from the Sewer Checking into the Sewer Sinking Fund for Fiscal Year 2010 / 2011
- 11) **RESOLUTION NO. 10-77** – A Resolution approving the Municipal Employee Wages for Fiscal Year 2010 / 2011
- 12) **RESOLUTION NO. 10-78** – A Resolution approving Contractor's Application for payment in the amount of \$28,842.19 submitted by Jasper Construction Services, Inc., pertaining to the Main Street Reconstruction Project
- 13) **RESOLUTION NO. 10-79** – A Resolution assigning stormwater management responsibilities and amending the Building and Grounds Superintendent job description
- 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 (third reading)

- 15) **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 (third reading)
- 16) **RESOLUTION NO. 10-80** – A Resolution approving the method for determining credit for monthly stormwater fee
- 17) Discussion item(s)
 - a) Cemetery perpetual fund
 - b) Dog ordinance
- 18) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
- 19) Adjournment

BONDURANT CITY COUNCIL REGULAR MEETING

June 21, 2010

Meeting No. 10-13

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 21st day of June, 2010, at 6:00 p.m.

Present: Mayor Keith Ryan
Council Member Mike Adams, Sr.
Council Member Eric Boatwright
Council Member Amy Bogaards
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 June 18, 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.

Council Member Boatwright asked that an additional discussion item be added to the agenda and said item would be defined as item 17c Nepotism Policy. Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve the agenda as amended. Roll Call: Sullivan-Yes, Boatwright-Yes, Bogaards-Yes, Fischer-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve the Consent Items consisting of the City Council Minutes of June 07, 2010, the Claims Report and Tax Abatement Applications for Clark Patterson, 3413 Poplar Drive, Southwest; Trina Nickel, 216 Tailfeather Drive, Northwest; Brian and Courtney Garnes, 1301 Adams Street, Southeast; Nicholas and Erin Jones, 506 6th Court, Southeast; and Ryan and Lindsay Wells, 500 Filmore Avenue, Southeast, Bondurant, Polk County, Iowa. Roll Call: Boatwright-Yes, Sullivan-Yes, Fischer-Yes, Bogaards-Yes, Adams-Yes. Motion carried.

Bondurant resident Jackie Kreuder, 502 Washington Avenue, Southeast, stated that additional street lights are needed on Washington Avenue, Southeast, and asked for the City's assistance.

Polk County Sheriff's Department Deputy Stephanie Pederson, was present but had nothing to report. Bondurant resident Michele Bailey, 129 Patterson, Southeast, asked that deputies check for late night fishing permits at Lake Petocka.

Dean Roghair, P.E., Civil Design Advantage, LLC, presented the Preliminary Plat for Arbor Ridge Plat 5 and Plat 6 and answered questions from the Mayor and Council. Council Member Boatwright wanted to emphasize that his comments about the trail and possible bridge that needed to go in weren't his personal opinion, but of resident's opinion and feedback. An individual who interviewed for Ms. Bogaard's Council seat talked specifically about the fact that we need to ensure that we're doing the right thing looking forward and not just for the here and now. Motion made by Council Member Fischer, seconded by Council Member Adams, to approve Resolution No. 10-74, a Resolution approving the Preliminary Plat for Arbor Ridge Plat 5 and Plat 6. Roll Call: Fischer-Yes, Adams-Yes, Boatwright-No, Sullivan-No, Bogaards-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve Resolution No. 10-75, a Resolution approving the Fund Transfers for Fiscal Year 2009 / 2010. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Yes, Bogaards-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution No. 10-76, a Resolution approving the monthly transfer of \$8,600 from the Water Checking into the Water Sinking Fund and the monthly transfer of \$3,225 from the Sewer Checking into the Sewer Sinking Fund for Fiscal Year 2010 / 2011. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bogaards-Yes, Fischer-Yes. Motion carried.

Council Member Boatwright asked that Resolution No. 10-77 be amended to increase Fire Chief Aaron Kreuder's annual wage from \$1,583.62 to \$2,400. Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution No. 10-77, a Resolution approving the Municipal Employee Wages for Fiscal Year 2010 / 2011, as amended. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bogaards-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Bogaards, to approve Resolution No. 10-78, a Resolution approving Contractor's Application for Payment in the amount of \$28,842.19 submitted by Jasper Construction Services, Inc., pertaining to the Main Street Reconstruction Project. Roll Call: Sullivan-Yes, Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Adams, to approve Resolution No. 10-79, a Resolution assigning stormwater management responsibilities and amending the Building and Grounds Superintendent job description. Roll Call: Sullivan-Yes, Adams-Yes, Bogaards-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bogaards, to approve the third and final reading of 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 Bondurant City Council Meeting

Sanitary Sewer Rates, effective on July 01, 2010, utility billing. Roll Call: Adams-Yes, Bogaards-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve the third and final 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, Boatwright-Yes, Adams-Yes, Bogaards-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Bogaards, to approve Resolution No. 10-80, a Resolution approving the method for determining credit for monthly stormwater fee. Roll: Sullivan-Yes, Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Discussion items included cemetery perpetual fund, dog ordinance and adopting a nepotism policy. During the discussion pertaining to nepotism, Council Member Boatwright stated that "Michele Bailey had to resign her position as a Council Member because her husband Boyce was hired by the City." Ms Bailey stated "for the record, that she in no way had to resign her position on Council. She was told by three different attorneys that it was not a conflict of interest and she didn't appreciate Council Member Boatwright saying that she had to resign because her husband took a job with the City. That is absolutely inaccurate."

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

- Washington DC trip.
- Summerfest lacking the presence of City Officials and would like City Officials to participate in the next parade.

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

- USDA grant application update.
- Received suggested price for lot sale.
- Dave Higgins and Carol Boussetot will be on staff July 06.
- Vacation update.
- Artistic letter of credit is due.
- Writing letter of intent for I-JOBS funding.

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

- Council Member Fischer – No Comment.
- Council Member Boatwright – Wastewater/Stormwater permit update; Union 76 site cleanup; and process for selling City property.
- Council Member Adams – Asked for update pertaining to property on 2nd Street, Northeast.
- Council Member Sullivan – No Comment.

- Council Member Bogaards – Due to the contesting of her being appointed to City Council, she will be running in the upcoming Special Election and hopefully will get to serve a long tenure with everyone.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to adjourn said meeting at 7:00 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 June 21, 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