

## NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

July 19, 2010

Meeting 10-15

**NOTICE IS HEREBY GIVEN** that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, July 19, 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 July 06, 2010
  - b) Receive and File – Planning and Zoning Commission Minutes of May 13, 2010
  - c) Receive and File – Library Board of Trustees Minutes of June 03, 2010
  - d) Claims Report
  - e) Tax Abatement Applications – Sean & Casey McMurray, 1100 – 13th Street, Southeast; and Adam and Brandi Meyer, 3509 Poplar Drive, Southwest, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) **RESOLUTION NO. 10-87** – Deleted
- 9) **RESOLUTION NO. 10-88** – A Resolution approving a Change Order submitted by Elder Corporation in the amount of \$7,912 pertaining to the Lower 8" Water Main Under Storm Sewer
- 10) **RESOLUTION NO. 10-89** – A Resolution approving a Change Order submitted by Elder Corporation in the amount of \$37,553.50 pertaining to Moving Pipe from Center of Ditch
- 11) **RESOLUTION NO. 10-90** – A Resolution approving a Change Order submitted by Elder Corporation in the amount of \$1,305.28 for .50 steel casting **or** \$2,173.50 for .625 steel casting pertaining to Upgrade Casing
- 12) **RESOLUTION NO. 10-91** – A Resolution approving an Assignment of Agreement for Waste Collection and Disposal Service between Artistic Waste Systems, Inc., and Waste Management of Iowa, Inc.
- 13) **RESOLUTION NO. 10-92** – A Resolution approving Contractor's Application for Payment No. 4 submitted by Elder Corporation, in the amount of \$48,856.10 pertaining to the 2nd Street, Multi-Use Trail
- 14) **RESOLUTION NO. 10-93** – A Resolution approving the paving of Blaine Street, Northwest, Bondurant, Polk County, Iowa

- 15) **RESOLUTION NO. 10-94** – A Resolution setting a Public Hearing date on Expanded Urban Renewal Area Designation and Urban Renewal Plan Amendment
- 16) **RESOLUTION NO. 10-95** – A Resolution approving the Amendment to Chapter 28E Agreement for Continued Fire Protection and other Emergency Response Services for the Benefit of a portion of Franklin Township
- 17) **RESOLUTION NO. 10-96** – A Resolution approving the Amendment to Chapter 28E Agreement for Continued Fire Protection and other Emergency Response Services for the Benefit of a portion of Douglas Township
- 18) **CLOSED SESSION** – Pursuant to Iowa Code Section 21.5c and 21.5j to discuss strategy with legal counsel
- 19) Reports / Comments and appropriate action thereon:
  - a) Mayor
  - b) City Administrator
  - c) Council Members
  - d) City Attorney Brick
- 20) Adjournment

# **BONDURANT CITY COUNCIL REGULAR MEETING**

**July 19, 2010**

**Meeting No. 10-15**

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 19th day of July, 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 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 July 16, 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 item 8 was deleted from the agenda. Motion made by Council Member Adams, seconded by Council Member Bogaards, to approve the agenda as amended. Roll Call: Adams-Yes, Bogaards-Yes, Boatwright-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Bill Barnes, 306 2nd Street, Northeast, Bondurant, Iowa, asked Council for assistance with some drainage problems on his property.

Motion made by Council Member Bogaards, seconded by Council Member Adams, to approve the Consent Items consisting of the City Council Minutes of July 06, 2010, Planning and Zoning Commission Minutes of May 13, 2010, Library Board of Trustees Minutes of June 03, 2010, the Claims Report and Tax Abatement Applications for Sean and Casey McMurray, 1100 13th Street, Southeast, and Adam and Brandi Meyer, 3509 Poplar Drive, Southwest, Bondurant, Polk County, Iowa. Roll Call: Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

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

David Bovee, P.E., Stanley Consultants, Inc., presented three revised Change Orders submitted by Elder Corporation pertaining to the Paine Heights storm sewer project and answered questions from the Mayor and Council. Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution No. 10-88, a Resolution approving a Change Order submitted by Elder Corporation in the amount of \$7,912 pertaining to lowering the 8" watermain under new storm sewer. Roll Call: Adams-Yes, Boatwright-Yes, Fischer-Yes, Sullivan-Yes, Bogaards-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution No. 10-89, a Resolution approving a Change Order submitted by Elder Corporation in the amount of \$18,939 pertaining to moving pipe from center of ditch to shoulder of road for existing utilities. Roll Call: Adams-Yes, Boatwright-Yes, Sullivan-Yes, Fischer-Yes, Bogaards-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Fischer, to approve Resolution No. 10-90, a Resolution approving a Change Order submitted by Elder Corporation in the amount of \$1,305.28 for .50 steel casting pertaining to upgrade casing. Roll Call: Adams-Yes, Fischer-Yes, Bogaards-Yes, Sullivan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve Resolution No. 10-91, a Resolution approving an Assignment of Agreement for Waste Collection and Disposal Service between Artistic Waste Systems, Inc., and Waste Management of Iowa, Inc. Roll Call: Bogaards-Yes, Sullivan-Yes, Adams-Yes, Boatwright-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bogaards, to approve Resolution No. 10-92, a Resolution approving Contractor's Application for Payment No. 4 submitted by Elder Corporation, in the amount of \$48,856.10 pertaining to the 2nd Street, Multi-Use Trail. Roll Call: Adams-Yes, Bogaards-Yes, Boatwright-No, Sullivan-Yes, Fischer-Yes. Motion carried.

Don Powell, 212 Alpha Street, Northwest, Bondurant, Iowa, was present to discuss the proposed paving at the end of Blaine Street, Northwest. Council Member Bogaards said that she would prefer the paving project extend at least to the east entrance gate of the Public Works building. Motion made by Council Member Adams, seconded by Council Member Fischer, to approve Resolution No. 10-93, a Resolution approving the paving of Blaine Street, Northwest, for an amount not to exceed \$20,000. Roll Call: Adams-Yes, Fischer-Yes, Boatwright-No, Bogaards-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution No. 10-94, a Resolution setting a Public Hearing date of August 16, 2010, at 6:00 p.m., at the Bondurant City Center to consider an Expanded Urban Renewal Area Designation

and Urban Renewal Plan Amendment. Roll Call: Adams-Yes, Boatwright-Yes, Bogaards-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Adams, to approve Resolution No. 10-95, a Resolution approving the Amendment to Chapter 28E Agreement for Continued Fire Protection and other Emergency Services for the Benefit of a portion of Franklin Township. Roll Call: Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve Resolution No. 10-96, a Resolution approving the Amendment to Chapter 28E Agreement for Continued Fire Protection and other Emergency Services for the Benefit of a portion of Douglas Township. Roll Call: Bogaards-Yes, Fischer-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Mayor Ryan called for a five minute recess at 7:05 p.m.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to close the regular City Council meeting at 7:10 p.m., and open the Closed Session pursuant to Iowa Code Section 21.5c and 21.5j to discuss strategy with legal counsel. Roll Call: Adams-Yes, Boatwright-Yes, Bogaards-Yes, Sullivan-Yes, Fischer-Yes. Motion carried. Motion made by Council Member Adams, seconded by Council Member Fischer, to close the Closed Session at 7:40 p.m., and open the regular City Council meeting. Roll Call: Adams-Yes, Fischer-Yes, Bogaards-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

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

- Website update.
- Would like Council Members to consider starting the meetings with an invocation and Pledge of Allegiance.
- Park and Recreation Board meeting update.
- Chamber event at Lake Petocka on August 6.
- Cemetery update.
- Garfield Street, Southwest, paving project.
- Recent stormwater in Paine Heights.

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

- Grant applications update.
- I-JOBS update.
- Four new picnic tables ordered.

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

- Council Member Fischer – No Comment.
- Council Member Adams – City Engineering issues and Casey's parking on 2nd Street.
- Council Member Sullivan – Nuisance issue at 1111 Lincoln Street, Southeast.
- Council Member Bogaards – Nuisance issue at 1111 Lincoln Street, Southeast, and would like to review the method used by the City in its hiring process.
- Council Member Boatwright – City Engineering issues; utility box needs replaced on 2nd Street, Northwest; and homemade bridge erected for a connection to Arbor Ridge.

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

- No Comment.

Motion made by Council Member Bogaards, seconded by Council Member Adams, to adjourn said meeting at 8:07 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 July 19, 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