

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

August 02, 2010

Meeting 10-16

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, August 02, 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
- 6) Consent Items:
 - a) Approval of the City Council Minutes of July 19, 2010
 - b) Receive and File – Planning and Zoning Commission Minutes of July 08, 2010
 - c) Claims Report
- 7) Polk County Sheriff's Report
- 8) Jeff Fliger, Casey's General Stores – Presentation of a Site Plan for Casey's General Store #1861, located at 1455 Grant Street, South, Bondurant, Polk County, Iowa
RESOLUTION NO. 10-97 – A Resolution approving the Site Plan for Casey's General Store #1861, located at 1455 Grant Street, South, Bondurant, Polk County, Iowa
- 9) Chuck Bishop, Bishop Engineering – Presentation of a Preliminary Plat for Meadow Brook North Plat 19
RESOLUTION NO. 10-98 – A Resolution approving the Preliminary Plat for Meadow Brook North Plat 19
- 10) **RESOLUTION NO. 10-99** – A Resolution prioritizing the Application(s) for the purpose of receiving Community Betterment Grant Awards from Prairie Meadows Racetrack and Casino, Inc.
- 11) **RESOLUTION NO. 10-100** – A Resolution authorizing a Letter of Support for a Safe Routes to Schools grant application to be prepared and submitted by Polk County
- 12) **RESOLUTION NO. 10-101** – A Resolution approving the Iowa Communities Assurance Pool (ICAP) proxy designations
- 13) **RESOLUTION NO. 10-102** – A Resolution approving the Sidewalk Construction Plan
- 14) **RESOLUTION NO. 10-103** – A Resolution levying assessment for costs of a Nuisance Abatement pertaining to weeds, grass and other dense growth at 208 11th Street, Southeast, and 1111 Lincoln Street, Southeast, Bondurant, Polk County, Iowa
- 15) **RESOLUTION NO. 10-104** – A Resolution levying assessment for costs of a Nuisance Abatement pertaining to junk debris removal at 113 Grant Street, North, Bondurant, Polk County, Iowa
- 16) **RESOLUTION NO. 10-105** – A Resolution approving the closure of 1st Street, Southeast, Bondurant, Iowa, between Main Street, Southeast, and Grant Street, South, for Cory's Irish Pub's street dance on September 11, 2010, from 2:00 p.m., to 11:00 p.m.

- 17) **ORDINANCE NO. 10-209** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 50, Section 50.02 pertaining to Nuisance Abatement Procedure for sump pump discharge into the street right-of-way where storm sewer is available
- 18) **ORDINANCE NO. 10-210** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 65, Section 65.04 pertaining to Yield Required
- 19) **RESOLUTION NO. 10-106** – A Resolution supporting an application to the State of Iowa I-Jobs Infrastructure Investment Initiative in the amount of \$500,000 for use in addressing storm drainage issues in the Paine Heights subdivision and committing \$250,000 in City of Bondurant funds to this project
- 20) **RESOLUTION NO. 10-107** – A Resolution supporting Smart Planning Principals
- 21) **RESOLUTION NO. 10-108** – A Resolution supporting an application to the State of Iowa I-Jobs Infrastructure Investment Initiative in the amount of \$350,000 for use in addressing storm drainage issues in the COVE area subdivisions and committing \$150,000 in City of Bondurant funds to this project
- 22) Discussion item(s)
 - a) Action to be taken for Developer's violation of Bondurant Municipal Code Section 180.05(4)(H) – adopted under the authority of Iowa Code Sections 321 and 414 – for failure to provide Street Lighting at subdividers expense in accordance with the Urban Design Standards for Public Improvements. Remedial actions include: (1) Notice to Developer and opportunity to cure; (2) City funded abatement if not cured within reasonable time period set out in notice; (3) Legal action against Developer to recoup City's abatement costs; and (4) special assessment against current lot owners to recoup abatement costs if collection action against Developer is unsuccessful.
- 23) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
 - d) City Attorney Brick
- 24) Adjournment

BONDURANT CITY COUNCIL REGULAR MEETING

August 02, 2010

Meeting No. 10-16

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 02nd day of August, 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
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 July 30, 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 Bogaards announced that she would be abstaining from item 10. Mayor Ryan announced that item 10 was amended to include Bondurant Emergency Services and requested that items 19-21 be moved up to follow item 7, changing the items to 7b, 7c, and 7d. Motion made by Council Member Bogaards, seconded by Council Member Adams, to approve the agenda as amended. Roll Call: Bogaards-Yes, Adams-Yes, Boatwright-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Paul Bettin, 902 2nd Street, Northeast, Bondurant, Iowa, inquired as to why the City was purchasing the property his business, Bondurant Repair and Leasing, is located on. City Attorney Brick stated that the property has not been purchased but it is something we are looking at for City purposes.

Jeff Kromrie, 908 Lincoln Street, Southeast, Bondurant, Iowa, stated concerns about the condition and lack of sidewalks in old town and Meadow Brook subdivision. He requested that the Council consider addressing the issue.

Motion made by Council Member Bogaards, seconded by Council Member Adams, to approve the Consent Items consisting of the City Council Minutes of July 19, 2010, Planning and Zoning Commission Minutes of July 08, 2010, and the Claims Report. Roll Call: Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

No representative from the Polk County Sheriff's Department was present.

City Administrator Arentsen stated that an I-Jobs grant application has been submitted for the drainage issue in the Paine Heights subdivision. The City will hear by September 15 if it will be funded. Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution No. 10-106, a Resolution supporting an application to the State of Iowa I-Jobs Infrastructure Investment Initiative in the amount of \$500,000 for use in addressing storm drainage issues in the Paine Heights subdivision and committing \$250,000 in City of Bondurant funds to this project. Roll Call: Adams-Yes, Boatwright-Yes, Bogaards-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

City Administrator Arentsen stated that Smart Planning Principles is a requirement for the I-Jobs grant application. There has been talk of updating the City Comprehensive Plan and the City may receive some funding towards the Comp Plan. Motion made by Council Member Fischer, seconded by Council Member Bogaards, to approve Resolution No. 10-107, a Resolution supporting Smart Planning Principles. Roll Call: Fischer-Yes, Bogaards-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Bogaards, to approve Resolution No. 10-108, a Resolution supporting an application to the State of Iowa I-Jobs Infrastructure Investment Initiative in the amount of \$350,000 for use in addressing storm drainage issues in the COVE area subdivisions and committing \$150,000 in City of Bondurant funds to this project. Roll Call: Fischer-Yes, Bogaards-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Council Member Sullivan was in attendance telephonically. He left the meeting at 6:12 p.m.

Jeff Fliger, Casey's General Stores, presented the Site Plan for Casey's General Store #1861, located at 1455 Grant Street, South, and answered questions from the Mayor and Council. Motion made by Council Member Adams, seconded by Council Member Fischer, to approve Resolution No. 10-97, a Resolution approving the Site Plan for Casey's General Store #1861, located at 1455 Grant Street, South, Bondurant, Polk County, Iowa. Roll Call: Adams-Yes, Fischer-Yes, Boatwright-Yes, Bogaards-Yes. Motion carried.

Chuck Bishop, Bishop Engineering, 3501 104th Street, Des Moines, Iowa, representing Larry DeVries, presented the Preliminary Plat for Meadow Brook North Plat 19 and answered questions from the Mayor and Council. Motion made by Council Member Adams, seconded by Council Member Bogaards, to approve Resolution No. 10-98, a Resolution approving the Preliminary Plat for Meadow Brook North Plat 19. Roll Call: Adams-Yes, Bogaards-Yes, Boatwright-Yes, Fischer-Yes. Motion carried.

Mayor Ryan opened a discussion pertaining to prioritizing Prairie Meadows Racetrack and Casino grant applications. Chris Bogaards, Deputy Fire Chief, stated that the Emergency Services application was to enhance rural firefighting capabilities by purchasing extra porta tanks and supporting equipment. Roy McCleary, City Stormwater Coordinator, stated that float rate sensors are needed to monitor nitrate levels. There is also a need to install a weather

station at the school so monitoring can be done after rainfalls greater than half inch. Motion made by Council Member Adams, seconded by Council Member Fischer, to approve Resolution No. 10-99, a Resolution prioritizing the Applications for the purpose of receiving Community Betterment Grant Awards from Prairie Meadows Racetrack and Casino, Inc., by listing Bondurant Emergency Services Rural Fire Protection Enhancement as first priority, the Bondurant "Student Scientists" Watershed Project as second priority and the City Project for pre-school playground center at Lake Petocka Park as third priority. Roll Call: Adams-Yes, Fischer-Yes, Boatwright-Yes, Bogaards-Abstain. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Adams, to approve Resolution No. 10-100, a Resolution authorizing a Letter of Support for a Safe Routes to Schools grant application to be prepared and submitted by Polk County. Roll Call: Boatwright-Yes, Adams-Yes, Bogaards-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bogaards, to approve Resolution No. 10-101, a Resolution approving the Iowa Communities Assurance Pool (ICAP) proxy designations. Roll Call: Adams-Yes, Bogaards-Yes, Boatwright-Yes, Fischer-Yes. Motion carried.

Discussion was led by City Administrator Arentsen pertaining to sidewalk installation in old town. Council would like to see the Plan combined to two years instead of spreading it out over three years. Motion made by Council Member Adams, seconded by Council Member Bogaards, to approve Resolution No. 10-102, a Resolution approving the Sidewalk Construction Plan. Roll Call: Adams-Yes, Bogaards-Yes Fischer-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Boatwright, to approve Resolution No. 10-103, a Resolution levying assessment for costs of a Nuisance Abatement pertaining to weeds, grass and other dense growth at 208 11th Street, Southeast, and 1111 Lincoln Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Fischer-Yes, Boatwright-Yes, Adams-Yes, Bogaards-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Boatwright, to approve Resolution No. 10-104, a Resolution levying assessment for costs of a Nuisance Abatement pertaining to junk debris removal at 113 Grant Street, North, Bondurant, Polk County, Iowa. Roll Call: Bogaards-Yes, Boatwright-Yes, Adams-Yes, Fischer-Yes. Motion carried.

Patty Briggs, 10926 NE 117th Court, Maxwell, Laura Bailey, 10597 NE 82nd Ave, Bondurant, and Bethany Kinney, 133 Patterson Street, Southeast, Bondurant, requested a street closure for a benefit dance in memory of Timothy Donald Hartnett. Motion made by Council Member Boatwright, seconded by Council Member Fischer, to approve Resolution No. 10-105, a Resolution approving the closure of 1st Street, Southeast, Bondurant, Iowa, between Main Street, Southeast, and Grant Street, South, for Cory's Irish Pub's street dance from 11:00 a.m. on September 11 to 2:00 a.m., September 12, 2010. Roll Call: Boatwright-Yes, Fischer-Yes, Bogaards-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Adams, to waive the first and second reading of Ordinance No. 10-209, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 50, Section 50.02 pertaining to Nuisance Abatement Procedure for sump pump discharge into the street right-of-way where storm sewer is available and approve as the third and final reading. Roll Call: Boatwright-Yes, Adams-Yes, Bogaards-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Adams, to table Ordinance No. 10-210, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 65, Section 65.04 pertaining to Yield Required. Roll Call: Fischer-Yes, Adams-Yes, Bogaards-Yes, Boatwright-Yes. Motion carried.

Discussion was led by City Administrator Arentsen concerning the appropriate street lighting not installed in Meadow Brook Plat 18. He spoke with Steve Stoner, the developer, and Steve seemed surprised that the installation was not done. Mr. Arentsen requested that City Attorney Brick send notice on behalf of the City to cure the situation and suggested that future final plat approvals be withheld until streetlights are installed.

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

- New website up and running.
- Council Members will have City email addresses through Google docs.
- Requested biographies from Council Members.
- Pictures will be taken at next Council meeting.
- Meeting with the mayor of Altoona next week and eastern and northern Polk County mayors about trail development.

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

- Proceeding with Clement Estates appraisal.
- Work will begin this month on the cemetery entrance.
- Starting the process for parking stalls on the north side of the old Legion building.
- Rain has delayed the start of the trail to the new high school.

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

- Council Member Boatwright – Need for City to maintain Kinney Park this fall; USSSA interested in holding a tournament at Kinney Park next April.
- Council Member Fischer – No Comment.
- Council Member Bogaards – Inquired as to when the veterinarian will open; sent photos to City Attorney Brick on the car wash doors; requested that Polk County patrol 1111 Lincoln Street, Southeast; status of animal ordinance.
- Council Member Adams – Status of pavement cutting.

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

- No Comment.

Motion made by Council Member Adams, seconded by Council Member Bogaards, to adjourn said meeting at 7:29 p.m. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Keith Ryan, Mayor

ATTEST:

Lori Dunham, Finance Director

SEAL

I, the understated Finance Director 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 August 02, 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.

Lori Dunham, Finance Director