

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

September 07, 2010

Meeting 10-18

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Tuesday, September 07, 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) Pledge of Allegiance
- 4) Abstentions declared
- 5) Perfecting and Approval of the Agenda
- 6) Guests Present
- 7) Consent Items:
 - a) Approval of the City Council Minutes of August 16, 2010
 - b) Receive and File – Planning and Zoning Commission Minutes of July 22, 2010
 - c) Claims Report
 - d) Tax Abatement Applications – Daniel Curry, 805 – 34th Street, Southwest; Ryan Ingle, 703 Jefferson Avenue, Southeast; Kip and Danielle Foglesong, 1001 13th Street, Southeast; Terry and Susan Barkema, 402 3rd Street, Southeast; and Rob and Melissa Stewart, 3417 Poplar Drive, Southwest, Bondurant, Polk County, Iowa
- 8) Polk County Sheriff's Report
- 9) **PUBLIC HEARING** – To Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa, and Approve Urban Renewal Plan Amendment for the 2010 Addition to the Bondurant Urban Renewal Area
 - RESOLUTION NO. 10-114** – A Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa, and Approve Urban Renewal Plan Amendment for the 2010 Addition to the Bondurant Urban Renewal Area
- 10) **RESOLUTION NO. 10-115** – A Resolution setting a Public Hearing date of September 20, 2010, on General Obligation Property Acquisition Loan Agreement in a principal amount not to exceed \$160,000
- 11) Tom Wittman, P.E., Civil Engineering Consultants, Inc. – Presentation of Final Plat for Wisteria Heights Plat 2
 - RESOLUTION NO. 10-116** – A Resolution approving the Final Plat for Wisteria Heights Plat 2
- 12) Steve Wolvers – Presentation of Plat of Survey located at 510 – 2nd Street, Southeast, Bondurant, Iowa
 - RESOLUTION NO. 10-117** – A Resolution approving a Plat of Survey located at 510 – 2nd Street, Southeast, Bondurant, Polk County, Iowa
- 13) **RESOLUTION NO. 10-118** – A Resolution of Appreciation to Michele Bailey for her dedicated service as a Council Member
- 14) **RESOLUTION NO. 10-119** – A Resolution approving the Street Financial Report for Fiscal Year 2009 / 2010
- 15) **RESOLUTION NO. 10-120** – A Resolution designating the City of Bondurant's authorized representatives for the submittal of Federal Disaster Payment requests
- 16) **RESOLUTION NO. 10-121** – A Resolution approving the Fund Transfers for FY 2010 / 2011

- 17) **RESOLUTION NO. 10-122** – A Resolution approving the appointment of Nicole Ryan to the City of Bondurant Tree Board
- 18) **RESOLUTION NO. 10-123** – A Resolution approving a Permit for Supervised Display of Fireworks for the Bondurant-Farrar Community School District Homecoming on September 17, 2010
- 19) **RESOLUTION NO. 10-124** – A Resolution approving a Homecoming Parade Permit for Bondurant-Farrar Community School District on September 13, 2010
- 20) **RESOLUTION NO. 10-125** – A Resolution approving a Proclamation declaring September 2010 as *National Preparedness Month*
- 21) **RESOLUTION NO. 10-126** – A Resolution levying assessment for costs of a Nuisance Abatement pertaining to weeds and grass and other dense growth at 1111 Lincoln Street, Southeast, Bondurant, Iowa,
- 22) **RESOLUTION NO. 10-127** – A Resolution approving the job description and hiring a Half-Time Recreation Coordinator
- 23) **RESOLUTION NO. 10-128** – A Resolution approving a Change Order submitted by Elder Corporation in the amount of \$11,641.41 to add a trail crossing at Tailfeather Drive, Northwest
- 24) **RESOLUTION NO. 10-129** – A Resolution approving Stormwater Utility Fee changes by reducing or eliminating said fee, until further action of the City Council
- 25) **RESOLUTION NO. 10-130** – A Resolution approving the City of Bondurant Stormwater Utility Fee Credit Policy
- 26) **ORDINANCE NO. 10-211** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 65, Section 65.01 pertaining to Stop or Yield Required
- 27) **ORDINANCE NO. 10-212** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 103, Section 103.05 pertaining to Stormwater Utility Appeals Concerning Fees
- 28) Discussion item(s)
 - a) Clement Estates drainage
 - b) Consider requiring sewer backflow preventers
 - c) Flood Survey and intern wages
 - d) Sidewalk Construction on 2nd Street, Southeast, between the cemetery and Lincoln Street, Southeast
 - e) Replacement of pickup truck snowplow blade
 - f) Pre-Disaster Awareness Training
- 29) **CLOSED SESSION** – Pursuant to Iowa Code Section 21.5(j) to discuss the purchase of particular real estate
- 30) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
 - d) City Attorney Brick
- 31) Adjournment

BONDURANT CITY COUNCIL REGULAR MEETING

September 07, 2010

Meeting No. 10-18

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 07th day of September, 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 September 03, 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 6:01 p.m.

Boy Scouts Troop 10 led the Mayor, Council Members and guests in the Pledge of Allegiance.

JoAnn White, 304 Lincoln Street, Southeast; Deana Tusing, 400 Lincoln Street, Southeast; and Earl Efnor, 402 Lincoln Street, Southeast, Bondurant, Iowa, stated their opposition to having to pay for sidewalk installation on their street and were concerned with their large trees having to be removed for the project.

Ron Sinn, 101 3rd Street, Northeast, Bondurant, Iowa, stated he is angry at the way City Staff mows the ditch on the west side of his property and blows grass onto his lawn.

Bob Ratliff, 316 2nd Street, Northwest; and Becky Anderson, 203 Mallard Pointe Drive, Northwest, Bondurant, Iowa, asked what preventative measures the City is planning to prevent the Mallard Pointe lift station from flooding again during heavy rainfall. Mrs. Anderson would like Mud Creek surveyed because she feels it is filling in and her backyard is leveling out.

Polk County Sheriff's Department representative Deputy Stephanie Pederson had nothing to report. Council Member Bogaards asked that attention be given to speeding on Lincoln Street, Southeast, and Arbor Ridge Development.

Motion made by Council Member Boatwright, seconded by Council Member Bogaards, to approve the Consent Items consisting of the City Council Minutes of August 16, 2010, the Planning and Zoning Minutes of July 22, 2010, the Claims Report and Tax Abatement Applications for Daniel Curry, 805 34th Street, Southwest; Ryan Ingle, 703 Jefferson Avenue, Southeast; Kip and Danielle Foglesong, 1001 13th Street, Southeast; Terry and Susan Barkema, 402 3rd Street, Southeast; and Rob and Melissa Stewart, 3417 Poplar Drive, Southwest, Bondurant, Polk County, Iowa. Roll Call: Boatwright-Yes, Bogaards-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bogaards, to close the regular City Council Meeting at 6:45 p.m., and open the Public Hearing to Declare Necessity and Establish an Urban Renewal Area, pursuant to Section 403.4 of the Code of Iowa, and approve Urban Renewal Plan Amendment for the 2010 Addition to the Bondurant Urban Renewal Area. Roll Call: Adams-Yes, Bogaards-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. No verbal comments were received during the Public Hearing. Motion made by Council Member Adams, seconded by Council Member Boatwright, to close the Public Hearing at 6:46 p.m., and open the regular City Council Meeting. Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution No. 10-114, a Resolution declaring Necessity and Establish an Urban Renewal Area, pursuant to Section 403.4 of the Code of Iowa, and approve Urban Renewal Plan Amendment for the 2010 Addition to the Bondurant Urban Renewal Area. Roll Call: Adams-Yes, Boatwright-Yes, Bogaards-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Fischer, to approve Resolution No. 10-115, a Resolution setting a Public Hearing date for September 20, 2010, at 6:00 p.m., on General Obligation Property Acquisition Loan Agreement in a principal amount not to exceed \$160,000. Roll Call: Boatwright-Yes, Fischer-Yes, Adams-Yes, Sullivan-Yes, Bogaards-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve Resolution No. 10-116, a Resolution approving the Final Plat for Wisteria Heights Plat 2. Roll Call: Bogaards-Yes, Sullivan-Yes, Fischer-Yes, Boatwright-Yes, Adams-Yes. Motion carried

Motion made by Council Member Adams, seconded by Council Member Fischer, to approve Resolution No. 10-117, a Resolution approving the Plat of Survey located at 510 2nd Street, Southeast, Bondurant, Iowa. Roll Call: Adams-Yes, Fischer-Yes, Bogaards-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution No. 10-118, a Resolution of appreciation to Michele Bailey for sixteen years of dedicated service as a Council Member. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Fischer-Yes, Bogaards-Yes. Motion carried. Mayor Ryan presented the framed Resolution and a plaque of recognition and appreciation to Mrs. Bailey. She said she plans to attend every Council Meeting and take notes and will be running in the next City Council election.

Motion made by Council Member Bogaards, seconded by Council Member Adams, to approve Resolution No. 10-119, a Resolution approving the Street Financial Report for Fiscal Year 2009 / 2010. Roll Call: Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Fischer, to approve Resolution No. 10-120, a Resolution designating the City's authorized representatives for the submittal of Federal Disaster Payment requests. Roll Call: Boatwright-Yes, Fischer-Yes, Adams-Yes, Bogaards-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Adams, to approve Resolution No. 10-121, a Resolution approving the Fund Transfers for Fiscal Year 2010 / 2011. Roll Call: Fischer-Yes, Adams-Yes, Bogaards-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Bogaards, to approve Resolution No. 10-122, a Resolution approving the appointment of Nicole Ryan, 508 15th Street, Southeast, Bondurant, Iowa, to the City Tree Board. Roll Call: Fischer-Yes, Bogaards-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Bogaards, to approve Resolution No. 10-123, a Resolution approving a Permit for Supervised Display of Fireworks for the Bondurant-Farrar Community School District Homecoming on September 17, 2010. Roll Call: Sullivan-Yes, Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Boatwright, to approve Resolution No. 10-124, a Resolution approving a Homecoming Parade Permit for Bondurant-Farrar Community School District on September 13, 2010. Roll Call: Bogaards-Yes, Boatwright-Yes, Adams-Yes, Fischer-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Bogaards, to approve Resolution No. 10-125, a Resolution approving a Proclamation declaring September 2010 as *National Preparedness Month*. Roll Call: Fischer-Yes, Bogaards-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Adams, to approve Resolution No. 10-126, a Resolution levying assessment for costs of a Nuisance Abatement pertaining to weeds, grass and other dense growth at 1111 Lincoln Street, Southeast, Bondurant, Iowa. Roll Call: Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Adams, to approve Resolution No. 10-127, a Resolution approving the job description and hiring a Half-Time Recreation Coordinator. Roll Call: Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Adams, to approve Resolution No. 10-128, a Resolution approving a Change Order submitted by Elder Corporation in the amount of \$11,641.41 to add a trail crossing at Tailfeather Drive, Northwest. Roll Call: Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Discussion pertaining to reducing or eliminating Stormwater Utility fees was concluded by amending the Resolution as follows: 4. Eliminate monthly charge of \$62.50 to Bill Barnes, parcel 231/00025-001-011 in exchange for granting trail easement, as long as said parcel is owned by Bill Barnes or representative entities of Bill Barnes. 5. Eliminate monthly charge of \$75.00 to Bill Barnes, parcel 231/00025-001-008 in exchange for granting trail easement, as long as said parcel is owned by Bill Barnes or representative entities of Bill Barnes. Motion made by Council Member Adams, seconded by Council Member Fischer, to approve Resolution No. 10-129, a Resolution approving Stormwater Utility Fee changes by reducing or eliminating said fee, until further action of the City Council, as amended. Roll Call: Adams-Yes, Fischer-Yes, Bogaards-Yes, Boatwright-No, Sullivan-Yes. Motion carried.

Motion made by Council Member Council Member Bogaards, seconded by Council Member Adams, to approve Resolution No. 10-130, a Resolution approving the City of Bondurant Stormwater Utility Fee Credit Policy. Roll Call: Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bogaards, to waive the first and second reading of Ordinance No. 10-211, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 65, Section 65.01 pertaining to Stop or Yield Required and approve as the third and final reading. Roll Call: Adams-Yes, Bogaards-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Bogaards, to waive the first and second reading of Ordinance No. 10-212, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 103, Section 103.05 pertaining to Stormwater Utility Appeals Concerning Fees and approve as the third and final reading. Roll Call: Fischer-Yes, Bogaards-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Discussion held pertaining to Clement Estates drainage issues; requiring sewer backflow preventers; flood survey / intern's wages; sidewalk construction on 2nd Street, Southeast, between the cemetery and Lincoln Street, Southeast; replacement of pickup truck snowplow blade; and Pre-Disaster Awareness Training.

Mayor Ryan called for a five minute recess at 8:00 p.m.

Motion made by Council Member Adams, seconded by Council Member Fischer, to close the regular City Council Meeting at 8:05 p.m., and go into Closed Session pursuant to Iowa Code Section 21.5(j) to discuss the purchase of particular real estate. Roll Call: Adams-Yes, Fischer-Yes, Bogaards-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. Motion made by Council Member Adams, seconded by Council Member Bogaards, to close the Closed Session at 8:32

p.m., and open the regular City Council Meeting. Roll Call: Adams-Yes, Bogaards-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

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

- Would like to purchase a new cell phone for City business, rather than use his work cell phone.
- iPad and audio update.
- Would like Council Members to have a draft of the agenda on the Tuesday before the next Council Meeting.
- 1111 Lincoln Street, Southeast, graffiti.
- MWA grant for iPads.

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

- 46 single family building permits issued in 2010.
- Grant application update.
- I-Jobs funding request denied.
- Cemetery bids update.
- Multi-Use Trail project update.
- Audit report in October.
- Proposed Kinney Park parking lot changes for 263 stalls.

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

- Council Member Boatwright – Unsightly weeds and grass in the right-of way of the property on the southeast corner of Mallard Pointe Drive, Northwest, and 2nd Street, Northwest; and noticed a newly laid gravel driveway on 2nd Street, Northeast.
- Council Member Fischer – No Comment.
- Council Member Bogaards – No Comment.
- Council Member Adams – Kinney Park ball diamonds look abandoned. They need mowed and trimmed.
- Council Member Sullivan – No Comment.

- **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 Sullivan, to adjourn said meeting at 8:55 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 September 07, 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