

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

November 01, 2010

Meeting 10-22

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, November 01, 2010, in the Bondurant City Center, 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 October 18, 2010
 - b) Claims Report
 - c) Tax Abatement Application – Chad and Sarah Rahm, 712 33rd Street, Southwest, Bondurant, Polk County, Iowa
- 8) Polk County Sheriff's Report
- 9) **ORDINANCE NO. 10-214** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 135, Section 135.10, pertaining to Maintenance of Parking or Terrace (2nd reading)
- 10) **ORDINANCE NO. 10-215** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 65, Section 65.1, pertaining to Stop Required by deleting 60 & 61 (1st reading)
- 11) **RESOLUTION NO. 10-153** – A Resolution authorizing and directing the City Administrator to write-off certain Emergency Medical Service Accounts as uncollectible due to Medicare, Medicaid, too small to collect or bankruptcy
- 12) **RESOLUTION NO. 10-154** – A Resolution authorizing Internal Advance to Tax Increment Revenue Fund
- 13) **RESOLUTION NO. 10-155** – A Resolution approving Contractor's Application for Payment Request No. 3, submitted by Elder Corporation in the amount of \$173,645.97 pertaining to the Multi-Use Trail
- 14) **RESOLUTION NO. 10-156** – A Resolution approving the renewal application for a Class C Beer and Sunday Sales Permit for Casey's General Store #1373, 302 2nd Street, Northeast, Bondurant, Polk County, Iowa
- 15) **RESOLUTION NO. 10-157** – A Resolution approving Bondurant Emergency Services Fees for Service effective November 01, 2010
- 16) Discussion item(s)
 - a) Hooper Corporation lot occupancy
 - b) Rear yard grading on Cove and Michael Streets
 - c) Sidewalk project locations
 - d) Sewer backflow installation / partial rebate to homeowners
 - e) Truck replacement
 - f) Speed camera

- 17) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
- 18) Adjournment

BONDURANT CITY COUNCIL REGULAR MEETING

November 01, 2010

Meeting No. 10-22

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 01st day of November, 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

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 October 29, 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.

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

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

Ron Carpenter, 102 Paine Street, Southeast, and Diane Dybevik, 99 Paine Street, Southeast, said last year's snow removal was inadequate and asked for better service this coming winter. They added that the field near their property needs improved maintenance in the summer.

Motion made by Council Member Adams, seconded by Council Member Bogaards, to approve the Consent Items consisting of City Council Minutes of October 18, 2010, the Claims Report and a Tax Abatement application for Chad and Sarah Rahm, 712 33rd Street, Bondurant, Polk County, Iowa. Roll Call: Adams-Yes, Bogaards-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Polk County Sheriff's Department representative Lieutenant Scott Redlinger was present but had nothing to report.

Bondurant City Council Meeting

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve the second reading of Ordinance No. 10-214, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, pertaining to Maintenance of Parking or Terrace. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bogaards-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to waive the first and second reading of Ordinance No. 10-215, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 65, Section 65.1, pertaining to Stop Required by deleting number 60 and 61, and approve as the third and final reading. Roll Call: Adams-Yes, Boatwright-Yes, Sullivan-Yes, Fischer-Yes, Bogaards-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Adams, to approve Resolution No. 10-153, a Resolution authorizing and directing the City Administrator to write-off certain Emergency Medical Service Accounts as uncollectible due to Medicare, Medicaid, too small to collect or bankruptcy. Roll Call: Bogaards-Yes, Adams-Yes, Fischer-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Fischer, to approve Resolution No. 10-154, a Resolution authorizing Internal Advance to Tax Increment Revenue Fund. Roll Call: Sullivan-Yes, Fischer-Yes, Bogaards-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan to approve Resolution No. 10-155, a Resolution approving Contractor's Application for Payment No. 3, submitted by Elder Corporation in the amount of \$173,645.97 pertaining to the Multi-Use Trail. Roll Call: Boatwright-Yes, Sullivan-Yes, Fischer-Yes, Bogaards-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Adams, to approve Resolution No. 10-156, a Resolution approving the renewal application for a Class C Beer and Sunday Sales Permit for Casey's General Store #1373, 302 2nd Street, Northeast, Bondurant, Polk County, Iowa. Roll Call: Fischer-Yes, Adams-Yes, Sullivan-Yes, Bogaards-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Adams, to approve Resolution No. 10-157, a Resolution approving Bondurant Emergency Services Fees for Service, effective November 01, 2010. Roll Call: Sullivan-Yes, Adams-Yes, Fischer-Yes, Bogaards-Yes, Boatwright-Yes. Motion carried.

Discussion items: **Hooper Corporation lot occupancy.** Mayor Ryan met with land owner Mike Adams, Jr., and a majority of the equipment has been moved. There are a few pieces of equipment left and during the second phase (possibly next week) the other pieces will be out of here.

Rear yard grading on Cove and Michael Streets. Mayor Ryan met with the homeowner farthest north on Cove Street, and the homeowner agreed that his fence was too close to the ground for water to flow underneath it. The fence will either be cut off at the bottom or the dirt will be dug out underneath to allow for flow. The second home's pooling of water in the southeast corner seems to be a result of the high ground around the utility boxes. Qwest and MidAmerican will look at the placement of the pedestals and hopefully move them or at the least, shave the hump down smoothly. The third house has water coming in around the drainage areas and the builder of that home (Nate Miller) agreed that the grade was not done properly and he will re-grade the property allowing the water to flow through. Mayor Ryan said at this point, a majority of the problems will soon be resolved.

Sidewalk Project locations. Council Member Sullivan suggested shortening the project and put sidewalks on the east side of Lincoln Street, Southeast, between 3rd Street, and 5th Street, Southeast. He will present a map with the proposed sidewalk locations for consideration at the next meeting.

Sewer backflow installation / partial rebate to homeowners. Council Member Adams presented a Private Property Protection Program, which he said was a mockup of the City of Des Moines. The program provides a subsidy to property owners that contract with a licensed plumber to redirect one or more of the eligible sources of infiltration and inflow to an outlet other than the sanitary sewer system or to install a backwater valve on the private sewer service to protect against surcharges on the public sewer system. The proposed program for Bondurant residents would allow a reimbursement of \$500 to the property owners that meet the requirements of the program. Council Member Boatwright didn't know if he could support using taxpayer funds for a program that may not benefit everyone in the community, noting that some don't have basements. Council Member Adams replied that not all of the City's projects benefit the entire community. Council Member Sullivan believes for future development the City should work with the City Engineer and Code Enforcement Officer and determine what areas are more susceptible to these types of issues, adding instead of making it across the board; we can narrow it down to certain areas and have the opinion of the City Engineer behind it. Council Member Adams said his proposal addresses the issues of the existing homeowners such as sewer backup in their basements and that part of Council's job is assisting the citizens as best they can.

Truck replacement. Council agreed to replace a City truck that will be used mainly for plowing and hauling. Quotes will be presented at the next meeting. Ken Grove, Street Superintendent, participated in the discussion.

Speed Camera. Mayor Ryan said many communities are considering speed monitoring systems. He determined the revenue share is 60% for the City and 40% to the vendor. At this time he is waiting for the vendor to send a copy of an agreement with another City. Council Member Boatwright isn't sure if we should believe anything the City has been told so far and other options need to be looked at. He said there is the "big brother" concern and he shares in that concern and that deterring people from coming through the City isn't good. Council Members Boatwright and Fischer both feel that Polk County should be asked to patrol heavily in the areas that are being brought to the City's attention.

Council Member Bogaards stated this is a “big brother” issue, adding why wouldn’t you want to become a town that enforces laws? Council Member Sullivan says it is more perception and most of the people he talked to would rather be ticketed by a law enforcement officer rather than a piece of technology. Council Member Adams said that he is in favor of the speed camera and the City has looked into establishing our own Police Department in the past but the costs were too high. The discussion concluded by Mayor Ryan saying more information will be collected about Red Speed, other companies will be looked at, Polk County will be asked to patrol problem areas in town, a copy of the Law Enforcement Agreement will be reviewed and provided to the Council Members and RFI’s will be sent out pertaining to a Police Department.

Mayor Ryan had no comments.

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

- Smoke testing will begin this week in Paine Heights.
- Multi-Use Trail Project is progressing.
- Cemetery Project update.
- Flood survey has started.
- Pine tree will be planted on Tuesday.
- Street sweeper beginning this week.
- Vacation update.

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

- Council Member Boatwright – Asked about tabled agenda items.
- Council Member Bogaards – No Comment.
- Council Member Adams – No Comment.
- Council Member Sullivan – No Comment.
- Council Member Fischer – No Comment.

Motion made by Council Member Adams, seconded by Council Member Bogaards, to adjourn said meeting at 7:15 p.m. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Keith Ryan, Mayor

ATTEST:

Michelle Wells, Deputy City Clerk

SEAL
Bondurant City Council Meeting
November 11, 2010

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 November 01, 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