

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

March 19, 2012

Meeting 12-07

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, March 19, 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 and Declaring a Quorum
- 2) Call to Order
- 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 March 05, 2012
 - b) Receive and File – Planning and Zoning Commission Minutes of February 09, 2012
 - c) Receive and File – Library Board of Trustees Minutes of February 09, 2012
 - d) Claims Report
 - e) Tax Abatement Applications – Stephanie Avery, 608 – 36th Street, Southwest; Jerry Van Oort, 912 – 35th Street, Southwest; and Kevin and Kimberly Lange, 1335 Joshua Circle, Southeast, Bondurant, Polk County, Iowa
- 8) Polk County Sheriff's Report
- 9) **PUBLIC HEARING** – For consideration of a rezoning request submitted by Kading Properties, to rezone the legally described property as Lot 24, Clarence Oleson Vista Estates Plat 4, from C-2, Commercial District to R-5, Planned Unit Development
ORDINANCE NO. 12-203 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending the zoning classification of certain real estate, legally described property as Lot 24, Clarence Oleson Vista Estates Plat 4, from C-2, Commercial District to R-5, Planned Unit Development (1st reading)
- 10) **PUBLIC HEARING** – For consideration of proposed plans, specifications, form of contract, and estimated cost pertaining to the Chichaqua Valley Trail Phase 1 Project
RESOLUTION NO. 12-41 – A Resolution awarding the Chichaqua Valley Trail Phase 1 Project to TK Concrete in the amount of \$131,798
- 11) **ORDINANCE NO. 12-202** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 41, Section 41.15, to Provide for the Establishment of Regulations Regarding Possession of Firearms within Public Buildings and Public Lands (second reading)
- 12) **RESOLUTION NO. 12-42** – A Resolution approving Contractor's Application for Payment submitted by Jensen Builders, LTD, in the amount of \$21,492.49 for the Kinney Park Safe Room Project
- 13) **RESOLUTION NO. 12-43** – A Resolution awarding the 2012 street patching work project to xxx in the amount of xxx

- 14) **RESOLUTION NO. 12-44** – A Resolution approving the purchase of a Scag mower from Prairie Ag Supply in the amount of \$13,600
- 15) **RESOLUTION NO. 12-45** – Approval of a Preliminary Resolution Pursuant to Section 348.42 of the Iowa Code Covering Phase II of the Sidewalk Improvement Project
- 16) **RESOLUTION NO. 12-46** – A Resolution approving the Preliminary Plat and Schedule of Assessments for the 2011 Sidewalk Installation Project
- 17) **RESOLUTION NO. 12-47** – A Resolution approving the Trail Easement with FC Cooperative
- 18) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
- 19) Adjournment

BONDURANT CITY COUNCIL REGULAR MEETING

March 19, 2012

Meeting No. 12-07

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 March, 2012, at 6:00 p.m.

Present: Mayor Keith Ryan
Council Member Amy Bogaards
Council Member Jerry Fischer
Council Member Eric Johnson
Council Member Brian Lohse
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 March 16, 2012. 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 led the pledge of allegiance.

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

Anthony Herman, 803 Aurora Avenue, Des Moines, Iowa, presented information pertaining to the over collection of sales tax being distributed to cities that have their own local option tax. He asked the Mayor and Council to consider a local option tax and therefore, receive their share of the sales tax over collection, plus any revenue from the local option tax

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve the Consent Items consisting of the City Council Minutes of March 05, 2012, Planning and Zoning Commission Minutes of February 09, 2012, Library Board of Trustees Minutes of February 09, 2012, the Claims Report and Tax Abatement Applications for Stephanie Avery, 608 36th Street, Southwest; Jerry Van Oort, 912 35th Street, Southwest; and Kevin and Kimberly Lange, 1335 Joshua Circle, Bondurant, Polk County, Iowa. Roll Call: Bogaards-Yes, Johnson-Yes, Sullivan, Lohse-Yes, Fischer-Yes. Motion carried.

Polk County Sheriff's Department Deputy Frank Courtney had nothing to report. David and Misty Kugler, 500 15th Street, Southeast, reported constant speeding on 15th Street, Southeast, and asked for extra speed monitoring.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to close the regular City Council meeting at 6:15 p.m., and open the Public Hearing for consideration of a rezoning request submitted by Kading Properties, to rezone the legally described property as Lot 24, Clarence Oleson Vista Estates Plat 4, from C-2, Commercial District to R-5, Planned Unit Development (PUD) for Lincoln Estates Condominiums. Roll Call: Lohse-Yes, Bogaards-Yes, Fischer-Yes, Johnson-Yes, Sullivan-Yes. Motion carried. David and Misty Kugler, 500 15th Street, Southeast, voiced their concerns about drainage issues and flooding and if the condominiums would decrease property values. Mark Lee, Lee Engineers and Surveyors, and Dan Novelli, Kading Properties, answered questions and addressed concerns of the project. No additional comments were received during the Public Hearing. Motion made by Council Member Lohse, seconded by Council Member Johnson, to close the Public Hearing at 6:30 p.m., and open the regular City Council meeting. Roll Call: Lohse-Yes, Johnson-Yes, Fischer-Yes, Sullivan-Yes, Bogaards-Yes. Motion carried. Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve the first reading of Ordinance No. 12-203, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, by amending the zoning classification of certain real estate, legally described property as Lot 24, Clarence Oleson Vista Estates Plat 4, from C-2, Commercial District to R-5 Planned Unit Development (PUD). Roll Call: Lohse-Yes, Bogaards-Yes, Fischer-Yes, Johnson-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson to close the regular City Council meeting at 6:34 p.m., and open the Public Hearing for consideration of proposed plans, specifications, form of contract and estimated cost pertaining to the Chichaqua Valley Trail Phase 1 Project. Roll Call: Bogaards-Yes, Johnson-Yes, Lohse-Yes, Fischer-Yes, Sullivan-Yes. Motion carried. No verbal comments were received during the Public Hearing. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to close the Public Hearing at 6:35 p.m., and open the regular City Council meeting. Roll Call: Bogaards-Yes, Johnson-Yes, Lohse-Yes, Fischer-Yes, Sullivan-Yes. Motion carried. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-41, a Resolution awarding the bid to TK Concrete in the amount of \$131,798 pertaining to the Chichaqua Valley Trail Phase 1 Project. Roll Call: Bogaards-Yes, Johnson-Yes, Sullivan-Yes, Fischer-Yes, Lohse-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve the second reading of Ordinance No. 12-202, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 41, Section 41.15, to Provide for Establishment of Regulations Regarding Possession of Firearms within Public Buildings and Public Lands. Roll Call: Bogaards-Yes, Fischer-Yes, Lohse-Yes, Johnson-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Lohse, to approve Resolution No. 12-42, a Resolution approving Contractor's Application for Payment submitted by Jensen Builders, LTD, in the amount of \$21,492.49 for the Kinney Park Safe Room Project. Roll Call: Sullivan-Yes, Lohse-Yes, Fischer-Yes, Johnson-Yes, Bogaards-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to approve Resolution No. 12-43, a Resolution awarding the 2012 street patching work project to The Concrete Company in the amount of \$59,753. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes, Lohse-Yes, Bogaards-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve Resolution No. 12-44, a Resolution approving the purchase of a Scag mower from Prairie Ag Supply in the amount of \$13,600. Roll Call: Bogaards-Yes, Fischer-Yes, Johnson-Yes, Sullivan-Yes, Lohse-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 12-45, a Preliminary Resolution Pursuant to Section 348.42 of the Iowa Code Covering Phase II of the Sidewalk Improvement Project. Roll Call: Bogaards-Yes, Lohse-Yes, Fischer-Yes, Johnson-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 12-46, a Resolution approving the Preliminary Plat and Schedule of Assessments for the 2011 Sidewalk Installation Project. Roll Call: Bogaards-Yes, Lohse-Yes, Fischer-Yes, Sullivan-Yes, Johnson-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to table Resolution No. 12-47, a Resolution approving the Trail Easement with FC Cooperative. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes, Bogaards-Yes, Lohse-Yes. Motion carried.

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

- Would like a Council Member to accompany him on the Washington D.C. trip in May.

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

- Administrative Assistant applications due by March 30.
- Paine Heights contractor did the clearing and grubbing between Plaza RV and Snyder Street.
- Hubbell Realty working out issues pertaining to Eastbridge Development.
- Bird's Nest Daycare Site Plan meeting on March 22.
- WRA awarded the contract for the sewer installation for the section south of the Interstate and will be starting in about a month. By the end of this year the sewer will be dug in to the Interstate.
- Comprehensive Plan approval scheduled for May 07, Council meeting,

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

- **Council Member Lohse** – Unable to attend April 16, Council meeting.
- **Council Member Johnson** – No Comment.
- **Council Member Sullivan** – No Comment.
- **Council Member Fischer** – Driving hazard at Casey's on 2nd Street, where semis are parking. Unable to attend April 16, Council meeting.
- **Council Member Bogaards** – Concrete repair needed on Washington Street, Southeast.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to adjourn said meeting at 6:55 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 March 19, 2012, 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