

**NOTICE OF A REGULAR MEETING
BONDURANT CITY COUNCIL**

June 18, 2012

Meeting 12-13

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, June 18, 2012 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) Consent Items:
 - a) Approval of the City Council Minutes of June 04, 2012
 - b) Receive and File – Planning and Zoning Commission Minutes of May 24, 2012
 - c) Receive and File – Library Board of Trustees Minutes of May 03, 2012
 - d) Claims Report
 - e) Tax Abatement Applications – Nate Kannegieter, 628 Mulberry Drive, Northwest; Daniel Brandhorst, 1332 Joshua Court, Southeast; and Brad Hamilton, 1256 Lincoln Street, Southeast, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Guests requesting to address the City Council
- 9) **PRESENTATION – RESOLUTION NO. 12-104** – A Resolution of Appreciation to Tom Hockensmith, 3rd District Supervisor
- 10) Presentation deleted
- 11) **RESOLUTION NO 12-105** – A Resolution terminating the Right of First Refusal Agreement between the City of Bondurant and the Robert Stoll Family
- 12) **PUBLIC HEARING** – For consideration of amending the City of Bondurant Urban Renewal Plan
RESOLUTION NO. 12-106 – 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 2012 Addition to the Bondurant Urban Renewal Area
- 13) **PUBLIC HEARING** – For consideration of approving a Development Agreement with Hubbell Realty Company, including annual appropriation tax increment payments in an amount not to exceed \$3,050,000
RESOLUTION NO. 12-107 – A Resolution approving a Development Agreement with Hubbell Realty Company, including annual appropriation tax increment payments in an amount not to exceed \$3,050,000

- 14) **RESOLUTION NO. 12-108** – A Resolution approving certain street closures from 12:00 p.m., on June 25, to 11:30 p.m., June 28, 2012, for Summerfest
- 15) **RESOLUTION NO. 12-109** – A Resolution approving a renewal application for an Iowa Cigarette and Tobacco Permit for EZ Mart, located at 1111 Lincoln Street, Southeast, Bondurant, Iowa
- 16) **RESOLUTION NO. 12-110** – A Resolution approving a Plat of Survey for Andy Rowland, for property located east of 510 2nd Street, Southeast, Bondurant, Polk County, Iowa
- 17) **RESOLUTION NO. 12-111** – A Resolution approving the Application for Final Payment submitted by Jensen Builders, LTD., in the amount of \$19,347.50, pertaining to the Kinney Park Safe Room Project
- 18) **RESOLUTION NO. 12-112** – A Resolution awarding the City of Bondurant Work Comp Insurance for Fiscal Year 2012 / 2013 to Iowa Municipalities Workers' Compensation Association in the amount of \$25,669, which includes an initial payment of \$6,419
- 19) **RESOLUTION NO. 12-113** – A Resolution approving the renewal license application for a Class C Beer Permit and Sunday Sales for Casey's General Store #1861, located at 1455 Grant Street, South, Bondurant, Polk County, Iowa
- 20) **RESOLUTION NO. 12-114** – A Resolution approving Application for Payment submitted by TK Concrete in the amount of \$70,998.53, pertaining to the Trailhead Project
- 21) **RESOLUTION NO. 12-115** – Introduction of Resolution of Necessity for Paine Heights Sump Pump Drainage and Storm Sewer Improvements Project and setting of Public Hearing date on same for July 02, 2012
- 22) Adjournment

BONDURANT CITY COUNCIL REGULAR MEETING

June 18, 2012

Meeting No. 12-13

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 18th day of June, 2012, at 6:00 p.m.

Present: Mayor Keith Ryan
Council Member Jerry Fischer
Council Member Eric Johnson
Council Member Curt Sullivan
City Administrator Mark Arentsen
Deputy City Clerk Michelle Wells

Absent: Council Member Amy Bogaards
Council Member Brian Lohse

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the United States Post Office on June 15, 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 Johnson, seconded by Council Member Sullivan, to approve the agenda as presented. Roll Call: Johnson-Yes, Sullivan-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to approve the Consent Items consisting of the City Council Minutes of June 04, 2012, Planning and Zoning Commission Minutes of May 24, 2012, Library Board of Trustees Minutes of May 03, 2012, the Claims Report and Tax Abatement Applications for Nate Kannegieter, 628 Mulberry Drive, Northwest; Daniel Brandhorst, 1332 Joshua Court, Southeast; and Brad Hamilton, 1256 Lincoln Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried.

Polk County Sheriff's Department Deputy John Pohlman had nothing to report. Mayor Ryan stated that he has received resident's complaints of Polk County deputies speeding and ignoring stop signs without flashing lights or sirens and questioned if they are responding to a call. Deputy Pohlman advised Mayor Ryan to inform the Department's Supervisor.

Motion made by Council Member Johnson, seconded by Council Member Sullivan, to approve Resolution No. 12-104, a Resolution of Appreciation to Tom Hockensmith, 3rd District Supervisor representing the City. Roll Call: Johnson-Yes, Sullivan-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Fischer, to approve Resolution No. 12-105, a Resolution terminating the Right of First Refusal Agreement between the City of Bondurant and the Robert Stoll Family. Roll Call: Sullivan-Yes, Fischer-Yes, Johnson-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to close the regular City Council meeting at 6:07 p.m., and open the Public Hearing for consideration of amending the City of Bondurant Urban Renewal Plan. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried. Peggy Vint, Superintendent, Bondurant-Farrar Community School District and Mike McNichols, representative, Bondurant-Farrar School Board, voiced their concerns of the affect Tax Increment Financing would have on the school's finances. Motion made by Council Member Sullivan, seconded by Council Member Johnson, to close the Public Hearing and open the regular City Council meeting at 6:23 p.m. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried. Council Member Sullivan inquired about removal of the Eastbridge apartment project from the Urban Renewal Area, when the property tax rebates stipulated in the Development Agreement are fully funded. City Administrator Arentsen and City Attorney John Danos stated that this could be done. Mr. Danos stated that he would revise the Resolution to incorporate that item if requested to do so by the City Council. The Council Members agreed that they would like to remove Eastbridge when the tax rebates are fully funded. Mr. Danos explained that there are potentially several phases to the Eastbridge project. The tax rebates for each phase would be accounted for separately. The valuation associated with each phase would be administered separately. This means that Phase I rebates would likely be fully funded prior to Phase II rebates or any other phases. The Phase I property will be deleted from the Urban Renewal Area when the tax rebates are fully funded. This same concept will occur with Phase II or any other future phases. Mike McNichols thanked the City for their cooperation. Motion made by Council Member Sullivan, seconded by Council Member Johnson, to approve Resolution No. 12-106, a Resolution Declaring Necessity and Establishing an Urban Renewal Area, Pursuant to Iowa Code Section 403.4 and approve the Urban Renewal Plan Amendment for the 2012 Addition to the Bondurant Urban Renewal Area, as amended. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to close the regular City Council meeting at 6:35 p.m., and open the Public Hearing for consideration of approving a Development Agreement with Hubbell Realty Company, including annual appropriation tax increment payments in an amount not to exceed \$3,050,000. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried. No Public Comments were received during the Public Hearing. Motion made by Council Member Sullivan, seconded by Council Member Johnson, to close the Public Hearing at 6:36 p.m., and open the regular

City Council meeting. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried. Motion made by Council Member Fischer, seconded by Council Member Johnson, to approve Resolution No. 12-107, a Resolution approving a Development Agreement with Hubbell Realty Company, including annual appropriation tax increment payments in an amount not to exceed \$3,050,000. Roll Call: Fischer-Yes, Johnson-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to approve Resolution No. 12-108, a Resolution approving certain street closures for Summerfest, from 12:00 p.m., on June 25, to 11:30 p.m., June 28, 2012. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Fischer, to approve Resolution No. 12-109, a Resolution approving a renewal application for an Iowa Cigarette and Tobacco permit for EZ Mart, LLC., located at 1111 Lincoln Street, Southeast, Bondurant, Iowa. Roll Call: Sullivan-Yes, Fischer, Yes, Johnson-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Sullivan, to approve Resolution No. 12-110, a Resolution approving a Plat of Survey for Andy Rowland, for property located east of 510 2nd Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Fischer-Yes, Sullivan-Yes, Johnson-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to table Resolution No. 12-111, a Resolution approving the Application for Final Payment submitted by Jensen Builders, LTD., in the amount of \$19,347.50, pertaining to the Kinney Park Safe Room Project, until the electrical and drainage issues are resolved and an Occupancy Permit is obtained for the Safe Room. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Sullivan, to approve Resolution No. 12-112, a Resolution awarding the City of Bondurant Work Comp Insurance for Fiscal Year 2012 / 2013 to Iowa Municipalities Workers' Compensation Association in the amount of \$25,669, which includes an initial payment of \$6,419. Roll Call: Fischer-Yes, Sullivan-Yes, Johnson-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to approve Resolution No. 12-113, a Resolution approving the renewal license application for a Class C Beer Permit and Sunday Sales for Casey's General Store #1861, located at 1455 Grant Street, South, Bondurant, Polk County, Iowa. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to approve Resolution No. 12-114, a Resolution approving Application for Payment submitted by TK Concrete in the amount of \$70,998.53, pertaining to the Trailhead Project. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to approve Resolution No. 12-115, a Resolution of Necessity for the Paine Heights Sump Pump Drainage and Storm Sewer Improvements Project and setting a Public Hearing date for July 02, 2012. Roll Call: Sullivan-Yes, Johnson-Yes, Fischer-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Fischer, to adjourn said meeting at 6:47 p.m. Roll Call: Ayes: 3. Nays: 0. Motion carried.

Michelle Wells, Deputy City Clerk

ATTEST:

Keith Ryan, Mayor

(SEAL)

I, the understated Mayor 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 June 18, 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.

Keith Ryan, Mayor