

## NOTICE OF A REGULAR MEETING

### BONDURANT CITY COUNCIL

July 02, 2012

Meeting 12-14

**NOTICE IS HEREBY GIVEN** that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, July 02, 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 18, 2012
  - b) Receive and File – Planning and Zoning Commission Minutes of June 14, 2012
  - c) Claims Report
  - d) Tax Abatement Application – Jonathan D. Blair, 3420 Poplar Drive, Southwest, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Guests requesting to address the City Council
- 9) **PUBLIC HEARING** – For comment by any party having interest and / or any party subject to assessment in relation to the Resolution of Necessity for Paine Heights Sump Pump Drainage and Storm Sewer Improvements Project AND consideration of approving a Resolution of Necessity for Paine Heights Sump Pump Drainage and Storm Sewer Improvements Project and public assessment  
**RESOLUTION NO. 12-116** – A Resolution approving the Resolution of Necessity for Paine Heights Sump Pump Drainage and Storm Sewer Improvements Project
- 10) **PUBLIC HEARING** – A Public Hearing for designation of the expanded Bondurant Urban Renewal Area and on Urban Renewal Plan Amendment  
**RESOLUTION NO. 12-117** – A Resolution designating the expanded Bondurant Urban Renewal Area and on Urban Renewal Plan Amendment
- 11) **RESOLUTION NO 12-118** – A Resolution approving the Site Plan for the Metro Waste Authority Regional Collection building addition, located at 1105 Prairie Drive, Southwest, Bondurant, Polk County, Iowa
- 12) **RESOLUTION NO. 12-119** – A Resolution approving the Final Plat for Wolf Creek Plat 5
- 13) **RESOLUTION NO. 12-120** – A Resolution approving closure of the westbound lane of 2nd Street, Northeast, on Sunday, September 09, 2012, from 10:30 a.m., to 12:30 p.m., between Pleasant Street, and Main Street, Northeast, for the Cyman Triathlon

- 14) **RESOLUTION NO. 12-121** – A Resolution approving Change Order No. 5 submitted by Vanderpool Construction, Inc., in the amount of \$399.20, pertaining to the Paine Heights Storm Sewer Project
- 15) **RESOLUTION NO. 12-122** – A Resolution approving Change Order No. 6 submitted by Vanderpool Construction, Inc., in the amount of \$450, pertaining to the Paine Heights Storm Sewer Project
- 16) **RESOLUTION NO. 12-123** – A Resolution approving Application for Payment No. 4 submitted by Vanderpool Construction, Inc., in the amount of \$242,301.97, pertaining to the Paine Heights Storm Sewer Project
- 17) **RESOLUTION NO. 12-124** – A Resolution approving the municipal wages for Fiscal Year 2011 / 2012
- 18) **RESOLUTION NO. 12-125** – A Resolution designating municipal employee wages for Fiscal Year 2012 / 2013
- 19) **RESOLUTION NO. 12-126** – A Resolution of Support for Local Government Collaboration
- 20) **RESOLUTION NO. 12-127** – A Resolution levying assessment against the property located at 107 Lincoln Street, Southeast, for a nuisance abatement pertaining to junk debris removal and the property located at 401 2nd Street, Southeast, for a nuisance abatement pertaining to tall grass
- 21) **RESOLUTION NO. 12-128** – A Resolution levying assessment against the property located at 209 Alpha Street, Northwest, for delinquent water
- 22) **RESOLUTION NO. 12-129** – A Resolution approving the Application for Final Payment No. 7 and No. 8, submitted by Jensen Builders, LTD, in the amount of \$19,347.50, pertaining to the Kinney Park Safe Room Project
- 23) Discussion item(s)
  - a) Tax abatement reduction
  - b) Grant Street, S / Garfield Street, SW, traffic
  - c) Policy for abnormally high consumption on utility bills
  - d) Allowing limited watercraft on Lake Petocka
- 24) Reports / Comments and appropriate action thereon:
  - a) Mayor
  - b) City Administrator
  - c) Council Members
  - d) City Attorney Brick
- 25) Adjournment

# **BONDURANT CITY COUNCIL REGULAR MEETING**

**July 02, 2012**

**Meeting No. 12-14**

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 July, 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 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 June 29, 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 Johnson, to approve the agenda as presented. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve the Consent Items consisting of the City Council Minutes of June 18, 2012, Planning and Zoning Commission Minutes of June 14, 2012, the Claims Report and Tax Abatement Application for Jonathan D. Blair, 3420 Poplar Drive, Southwest, Bondurant, Polk County, Iowa. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Polk County Sheriff's Department Deputy John Pohlman had nothing to report.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to close the regular City Council meeting at 6:03 p.m., and open the Public Hearing for comment by any party having interest and / or any party subject to assessment in relation to the Resolution of Necessity for Paine Heights Sump Pump Drainage and Storm Sewer Improvements Project AND consideration of approving a Resolution of Necessity for Paine Heights Sump Pump Drainage and Storm Sewer Improvements Project and public assessment. Roll Call: Ayes: 5.

Nays: 0. Motion carried. Public Comments were made by Marilyn Heydon, 136 Snyder Street; Carol Genovese, 134 Snyder Street; Rodney Clark, 144 Patterson Street; Gene Romero, 140 Patterson Street; Leo Kolo, 148 Paine Street; Kerry Passick, 142 Patterson Street; Bernie Tucker, 140 Snyder Street; Larry Kent, 130 Patterson Street; Jim Monaghan, 94 Snyder Street; Michelle Brown, 132 Patterson Street; Dennis Morton, 146 Snyder Street; Judith Mass, 131 Patterson Street; Clay Sprague, 111 Paine Street; and Jack Behle, 126 Patterson Street; Southeast, Bondurant, Iowa. Written comments were received from Brian Asklund, 92 Snyder Street; Kelli and Dan Olson, 128 Patterson Street; James and Linda Monaghan, 94 Snyder Street; and Michelle Brown, 132 Patterson Street, Southeast, Bondurant, Iowa. Motion made by Council Member Bogaards, seconded by Council Member Lohse, to close the Public Hearing at 7:56 p.m., and open the regular City Council meeting. Roll Call: Ayes: 5. Nays: 0. Motion carried. Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve Resolution No. 12-116, a Resolution approving the Resolution of Necessity for Paine Heights Sump Pump Drainage and Storm Sewer Improvements Project. Roll Call: Bogaards-Yes, Fischer-Yes, Sullivan-Yes, Johnson-Yes, Lohse-Yes. Motion carried. A DVD is available at the City Center for anyone interested in listening to the comments during the meeting.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to close the regular City Council meeting at 8:03 p.m., and open the Public Hearing for designation of the expanded Bondurant Urban Renewal Area and on Urban Renewal Plan Amendment. Roll Call: Ayes: 5. Nays: 0. Motion carried. No public comments were received during the Public Hearing. No written comments were received by the City Administrator. Motion made by Council Member Bogaards, seconded by Council Member Lohse, to close the Public Hearing at 8:04 p.m., and open the regular City Council meeting. Roll Call: Ayes: 5. Nays: 0. Motion carried. Motion made by Council Member Lohse, seconded by Council Member Johnson, to approve Resolution No. 12-117, 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. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve Resolution No. 12-118, a Resolution approving the Site Plan for the Metro Waste Authority Regional Collection building addition, located at 1105 Prairie Drive, Southwest, Bondurant, Polk County, Iowa. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Sullivan, to approve Resolution No. 12-119, a Resolution approving the Final Plat for Wolf Creek Plat 5. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Johnson, seconded by Council Member Fischer to approve Resolution No. 12-120, a Resolution approving closure of the westbound lane of 2nd Street, Northeast, on Sunday, September 09, 2012, from 10:30 a.m., to 12:30 p.m., between Pleasant Street, and Main Street, Northeast, for the Cyman Triathlon. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Fischer, to approve Resolution No. 12-121, a Resolution approving Change Order No. 5 submitted by Vanderpool Construction, Inc., in the amount of \$399.20, pertaining to the Paine Heights Storm Sewer Project. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Bogaards, to approve Resolution No. 12-122, a Resolution approving Change Order No. 6 submitted by Vanderpool Construction, Inc., in the amount of \$450, pertaining to the Paine Heights Storm Sewer Project. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Lohse, to table Resolution No. 12-123, a Resolution approving Application for Payment No. 4 submitted by Vanderpool Construction, Inc., in the amount of \$242,301.97, pertaining to the Paine Heights Storm Sewer Project until complaint issues are resolved. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve Resolution No. 12-124, a Resolution approving the municipal wages for Fiscal Year 2011 / 2012. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Fischer, to approve Resolution No. 12-125, a Resolution designating municipal employee wages for Fiscal Year 2012 / 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Fischer, to approve Resolution No. 12-126, a Resolution of Support for Local Government Collaboration. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve Resolution No. 12-127, a Resolution levying assessment against the property located at 107 Lincoln Street, Southeast, Bondurant, Polk County, Iowa, for a nuisance abatement pertaining to junk debris removal and the property located at 401 2nd Street, Southeast, Bondurant, Polk County, Iowa, for a nuisance abatement pertaining to tall grass. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-128, a Resolution levying assessment against the property located at 209 Alpha Street, Northwest, Bondurant, Polk County, Iowa, for delinquent water. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to approve Resolution No. 12-129, a Resolution approving Application for Payment No. 7 and No. 8 submitted by Jensen Builders, LTD, in the amount of \$19,347.50, pertaining to the Kinney Park Safe Room Project, subject to water flow testing and verifying that the electrical changes have been made and a Certificate of Occupancy has been issued by the City Building Inspector. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Discussion items included tax abatement reduction, Grant Street, South / Garfield Street, Southwest, traffic, policy for abnormally high consumption on utility bills and allowing watercraft on Lake Petocka.

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

- Trailhead design.

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

- Check out the new park entry signs and look for the hidden object.
- Concrete bids due July 3.
- Grant updates
- Meeting with Kading Properties on July 9, pertaining to drainage issue.

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

- **Council Member Johnson** – No Comment.
- **Council Member Sullivan** – Happy Fourth of July to everyone.
- **Council Member Bogaards** – Asked the status of Prairie Meadows Grant applications; need to address the disrespectful issues of the contractor's working on the Paine Heights Project.
- **Council Member Lohse** – No Comment.
- **Council Member Fischer** – Paine Heights inspection / oversight issues.

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

- No Comment.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to adjourn said meeting at 9:45 p.m. Roll Call: Ayes: 5. Nays: 0. Motion carried.

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Michelle Wells, Deputy City Clerk

ATTEST:

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Keith Ryan, Mayor

(SEAL)

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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 July 02, 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.

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Keith Ryan, Mayor