

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

October 15, 2012

Meeting 12-21

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, October 15, 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 October 01, 2012
 - b) Receive and File – Planning & Zoning Commission Minutes of September 13, and September 27, 2012
 - c) Receive and File – BRSC Board Meeting Minutes of September 12, 2012
 - d) Receive and File – Library Board Meeting Minutes of September 06, 2012
 - e) Claims Report
 - f) Tax Abatement Applications – Scott Szurek, 1304 Joshua Court, Southeast; and Amy Pigott, 406 3rd Street, Southeast, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Guests requesting to address the City Council
- 9) Marvin Berger, Martens & Company, CPA, LLP – City of Bondurant Municipal Audit Report for Fiscal Year 2012
RESOLUTION NO. 12-184 – A Resolution approving the City of Bondurant Municipal Audit Report for Fiscal Year 2012
- 10) **PUBLIC HEARING** – For consideration of adopting plans, specifications, form of contract, and estimated cost for the Trailhead Project
RESOLUTION NO. 12-185 – A Resolution adopting plans, specifications, form of contract, and estimated cost for the Trailhead Project
- 11) Chance Chesnut, Project Manager, Huber Grading, Inc. – Presentation of Plat of Survey for Huber Grading, Inc.
RESOLUTION NO. 12-186 – A Resolution approving a Plat of Survey for Huber Grading, Inc., located at 401 2nd Street, Northeast, Bondurant, Polk County, Iowa
- 12) Discussion item(s)
 - a) Paine Heights sidewalk credits
 - b) Change orders pertaining to Paine Heights Storm Sewer Project / Engineer responsibility

- 13) **RESOLUTION NO. 12-187** – A Resolution approving the appointment of Wesley E. Enos, III, 409 5th Street, Northwest, Bondurant, Iowa, to the Planning and Zoning Commission seat vacated by Jolyn Meehan
- 14) **RESOLUTION NO. 12-188** – A Resolution approving the State of Iowa Financial Report for Fiscal Year 2012
- 15) **RESOLUTION NO. 12-189** - A Resolution approving the Annual Appropriation Payment of \$100,000 payable to Wil-Ron Properties, LLC, pertaining to Development Agreement
- 16) **RESOLUTION NO. 12-190** – A Resolution approving Fund Transfers
- 17) **RESOLUTION NO. 12-191** – A Resolution approving the renewal application for a Special Class C Beer Permit (BC) and Sunday Sales for Casey's Marketing Company, d/b/a Casey's General Store #1373, 302 2nd Street, Northeast, Bondurant, Polk County, Iowa
- 18) **RESOLUTION NO. 12-192** – A Resolution approving the renewal application for a Special Class C Liquor License (BW) (Beer/Wine) and Sunday Sales for Polito's Pizza House, Inc., 210 Lincoln Street, Northeast, Bondurant, Polk County, Iowa
- 19) **RESOLUTION NO. 12-193** – A Resolution authorizing and directing the City Administrator to write-off certain Emergency Services medical service accounts as uncollectible due to Medicare, Too Small to Collect or Administrative Error
- 20) **ORDINANCE NO. 12-213** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 55, Section 55.10 Vicious Dogs (1st reading)
- 21) **ORDINANCE NO. 12-214** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 47, Section 47.07, Lake Petocka Park Regulations (second reading)
- 22) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
- 23) Adjournment

BONDURANT CITY COUNCIL REGULAR MEETING

October 15, 2012

Meeting No. 12-21

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 15th day of October, 2012, at 6:00 p.m.

Present: Mayor Keith Ryan
Council Member Amy Bogaards
Council Member Eric Johnson
Council Member Brian Lohse
City Council Member Curt Sullivan
City Administrator Mark Arentsen
Deputy City Clerk Michelle Wells

Absent: Council Member Jerry Fischer

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 12, 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 Lohse, to approve the agenda as presented. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve the Consent Items consisting of the City Council Minutes of October 01, 2012, Planning and Zoning Commission Minutes of September 13, and September 27, 2012, BRSC Board Meeting Minutes of September 12, 2012, Library Board Meeting Minutes of September 06, 2012, the Claims Report and Tax Abatement Applications for Scott Szurek, 1304 Joshua Court, Southeast; and Amy Pigott, 406 3rd Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Ayes: 4. Nays: 0. Motion carried.

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

Marvin Berger, Martens & Company, CPA, LLP, presented the City of Bondurant Municipal Audit Report for Fiscal Year 2012. Motion made by Council Member Johnson, seconded by Council Member Bogaards, to approve Resolution No. 12-184, a Resolution approving the City of Bondurant Municipal Audit Report for Fiscal Year 2012. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to close the regular City Council meeting at 6:11 p.m., and open the Public Hearing for consideration of adopting plans, specifications, form of contract, and estimated cost for the Trailhead Project. Roll Call: Ayes: 4. Nays: 0. Motion carried. No public comments were received during the Public Hearing. Motion made by Council Member Bogaards, seconded by Council Member Johnson to close the Public Hearing at 6:12 p.m., and open the regular City Council meeting. Roll Call: Ayes: 4. Nays: 0. Motion carried. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-185, a Resolution adopting plans, specifications, form of contract, and estimated cost for the Trailhead Project. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Dave Huber, Huber Grading, Inc., presented a Plat of Survey and answered questions from the Mayor and Council. Motion made by Council Member Sullivan, seconded by Council Member Lohse, to approve Resolution No. 12-186, a Resolution approving a Plat of Survey for Huber Grading, Inc., located at 401 2nd Street, Northeast, Bondurant, Polk County, Iowa. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Discussion items included Paine Heights sidewalk credits and Change Orders pertaining to the Paine Heights Storm Sewer Project and the City Engineer's responsibility for the Change Orders. Kent Sullivan, 121 Paine Street, Southeast, participated in the discussion.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-187, a Resolution approving the appointment of Wesley E. Enos, 409 5th Street, Northwest, Bondurant, Iowa, to the Planning and Zoning Commission seat vacated by Jolyn Meehan. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve Resolution No. 12-188, a Resolution approving the State of Iowa Financial Report for Fiscal Year 2012. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-189, a Resolution approving the annual Appropriation Payment of \$100,000 payable to Wil-Ron Properties, LLC, pertaining to Development Agreement. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve Resolution No. 12-190, a Resolution approving Fund Transfers. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-191, a Resolution approving the renewal application for a Special Class C Beer Permit (BC) and Sunday Sales for Casey's Marketing Company, d/b/a Casey's General Store #1373, 302 2nd Street, Northeast, Bondurant, Polk County, Iowa. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-192, a Resolution approving the renewal application for a Special Class C Liquor License (BW) (Beer/Wine) and Sunday Sales for Polito's Pizza House, Inc., 210 Lincoln Street, Northeast, Bondurant, Polk County, Iowa. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Johnson, seconded by Council Member Bogaards, to approve Resolution No. 12-193, a Resolution authorizing and directing the City Administrator to write-off certain medical service accounts as uncollectible due to Medicare, too small to collect or administrative error. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to table Ordinance No. 12-213, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 55, Section 55.10 Vicious Dogs. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to waive the second reading of Ordinance No. 12-214, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 47, Section 47.07, Lake Petocka Park Regulations and approve as the third and final reading. Roll Call: Ayes: 4. Nays: 0. Motion carried.

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

- Metro Waste Authority contractor selection process update.
- EMS regional meeting.
- Personal medical update.
- Appointing Brian Lohse as Mayor Pro Tem for calendar year 2013.
- Tax rollback.

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

- Working with a steering committee regarding public works equipment sharing.
- TIF annual report.
- Going out for bids for drainage work adjacent to Lincoln Estates.
- Meeting October 23, to discuss Trailhead lighting.
- Fall clean-up is November 03, for household solid waste and November 05, appliances only.

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

- **Council Member Bogaards** – Asked the City's off-site data storage policy and Farmer's Market update.
- **Council Member Lohse** – Donation check for BRSC sign coming soon.
- **Council Member Sullivan** – Trailhead site plan and REAP grant update.
- **Council Member Johnson** – New concession stand construction begins next week; Bondu Spook-Tacular at Lake Petocka on October 2, and recent discussions about future Rec Center sharing with the Elementary School.

Motion made by Council Member Sullivan, seconded by Council Member Lohse, to adjourn said meeting at 7:20 p.m. Roll Call: Ayes: 4. 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 October 15, 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