

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

December 03, 2012

Meeting 12-24

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, December 03, 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 November 19, 2012
 - b) Park and Recreation Board Minutes of October 18, 2012
 - c) Tax Abatement Applications – Lindsay Warren, 335 Tailfeather Drive, Northwest; Alexander Kitchen, 513 3rd Street, Southeast; Brian Kinkle, 501 3rd Street, Southeast; Bradley W. Pyle, 320 Tailfeather Drive, Northwest, and Joe Phearman, 509 3rd Street, Southeast, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Guests requesting to address the City Council
- 9) Reo Menning, Metro Waste Authority – Solid Waste Collection Services Agreement
RESOLUTION NO. 12-212 – A Resolution approving the Solid Waste Collection Services Agreement between the City of Bondurant and Ankeny Sanitation, Inc
- 10) Michael Lee, Civil Design Advantage – Presentation of a Plat of Survey for Renaud Ridge
RESOLUTION NO. 12-213 – A Resolution approving the Plat of Survey for Renaud Ridge, located south of Arbor Ridge, east of Deer Ridge Drive, Northwest, and west of Grant Street, North
- 11) Susanne Gerlach, Public Financial Management – Presentation of the City's financial condition and borrowing capacity related to the 7/13 GO bond issue
- 12) Nancy Wright, Gallagher Benefit Services – Present United HealthCare renewal cost for employee health insurance plan
RESOLUTION NO. 12-214 – A Resolution approving the employee health insurance plan from United HealthCare – River Valley Insurance with an 8.37% increase

- 13) **ORDINANCE NO. 12-213** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 55, Animal Protection and Control (2nd reading)
- 14) **RESOLUTION NO. 12-215** – A Resolution approving the side yard setback requirement of 25 feet total side yard with 11 feet minimum on each side for other permitted uses for Zoning Code District Regulations, Chapter 178, R-1 Single-Family Residential District
- 15) **RESOLUTION NO. 12-216** – A Resolution approving the side yard setback requirement of 25 feet total side yard with 11 feet minimum on each side for other permitted uses for Zoning Code District Regulations, Chapter 178, R-2 One- and Two-Family Residential District
- 16) **RESOLUTION NO. 12-217** – A Resolution approving the side yard setback requirement of 25 feet total side yard with 11 feet minimum on each side for other permitted uses for Zoning Code District Regulations, Chapter 178, R-3 Multi-Family Residential District
- 17) **CLOSED SESSION** – Pursuant to Iowa Code Section 21.5(j) to discuss the purchase particular real estate
- 18) Adjournment

BONDURANT CITY COUNCIL

REGULAR MEETING

December 03, 2012

Meeting No. 12-24

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 03rd day of December, 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 Attorney David Brick
City Administrator Mark Arentsen
Finance Director Lori Dunham

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 November 30, 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.

Sean from Boy Scout Troop 10 led the pledge of allegiance.

Mayor Ryan requested that the agenda be amended to reflect inclusion of the Claims Report exclusive of the listed payment to Des Moines Water Works as item 5(a) and to add comments as item 16(a). Motion made by Council Member Johnson, seconded by Council Member Lohse, to approve the agenda as amended. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve the Claims Report as adjusted. Roll Call: Ayes: 4. Nays: 0. Motion carried. Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve the Consent Items consisting of the City Council Meeting Minutes of November 19, 2012, Parks and Recreation Board Minutes of October 18, 2012, and Tax Abatement Applications for Lindsay Warren, 335 Tailfeather Drive, Northwest; Alexander Kitchen, 513 3rd Street, Southeast; Brian Kirkle, 501 3rd Street, Southeast; Bradley W. Pyle, 320 Tailfeather Drive, Northwest; and Joe Phearman, 509 3rd Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Polk County Sheriff's Department representative Deputy Courtney stated that Deputy Brian Anderson would be present shortly to introduce himself as the new School Resource Officer for the Bondurant-Farrar School District.

Jordan Watkins, 204 11th Street, Southeast, Bondurant, Polk County, Iowa, addressed the Council regarding the recent junk removal from his property. Mayor Ryan asked that he be allowed to review the details and notify Mr. Watkins of any proposed changes to the City ordinance regarding nuisance abatement notification. Mr. Watkins requested that the \$100 administrative fee be waived due to the notification issue having to be resolved.

Reo Menning, Metro Waste Authority, presented the Solid Waste Collection Services Agreement between the City of Bondurant and Ankeny Sanitation, Inc., and answered questions from the Mayor and Council. Council Member Lohse inquired as to the indemnification of the City of Bondurant not being clearly stated in the contract and asked for clarity of the termination provision. Motion made by Council Member Lohse, seconded by Council Member Sullivan to table Resolution No. 12-212 until the indemnification issue can be resolved. Ms. Menning asked that the Council not delay their approval as time was running short to approve and get totes ordered. Ms. Menning stated that she would notify the City tomorrow of the answers requested. Motion made by Council Member Lohse, seconded by Council Member Sullivan, to withdraw the motion to table. Motion made by Council Member Sullivan, seconded by Council Member Lohse, to approve Resolution No. 12-212, a Resolution approving the Solid Waste Collection Services Agreement between the City of Bondurant and Ankeny Sanitation, Inc. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Michael Lee, Civil Design Advantage, presented a Plat of Survey for Renaud Ridge, located south of Arbor Ridge, east of Deer Ridge Drive, Northwest, and west of Grant Street, North, and answered questions from the Mayor and Council. Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve Resolution No. 12-213, a Resolution approving the Plat of Survey for Renaud Ridge. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Susanne Gerlach, Public Financial Management, presented the City's financial condition and borrowing capacity related to the July 2013 GO bond issue and answered questions from the Mayor and Council.

Nancy Wright, Gallagher Benefit Services, presented United HealthCare's renewal cost for employee health insurance plan and answered questions from the Mayor and Council. Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve the employee health insurance plan with United HealthCare – River Valley Insurance with an 8.37% increase. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Polk County Deputy Brian Anderson introduced himself as the new School Resource Officer for the Bondurant-Farrar School District, replacing Deputy Tarvin.

Discussion was led by City Attorney Brick concerning revisions to the animal control ordinance. An email dated 12/03/2012 at 1:00 p.m., from Polk County Animal Control Officer Bill King

included information on proper enclosure. It was requested that this definition of proper enclosure be added. Council Member Lohse recommended that Veterinarian in Section 55.10 be changed to 'member of the community at large' and that Section 55.18 be removed. Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve the second reading of Ordinance No. 12-213, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 55, Animal Protection and Control, as amended. Roll Call: Ayes: 4. Nays: 0. Motion carried.

City Administrator Arentsen stated that the Planning and Zoning Commission tabled this and the following two resolutions. It has been quite a while since the Zoning Code, especially the residential section, has been updated. Mr. Arentsen suggested that an RFP for zoning code consultant services be sent out to request an entire review of the Code over the next year. Motion made by Council Member Bogaards, seconded by Council Member Lohse, to table Resolution No. 12-215, a Resolution approving the side yard setback requirement of 25 feet total side yard with 11 feet minimum on each side for other permitted uses for Zoning Code District Regulations, Chapter 178, R-1 Single-Family Residential District. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to table Resolution No. 12-216, a Resolution approving the side yard setback requirement of 25 feet total side yard with 11 feet minimum on each side for other permitted uses for Zoning Code District Regulations, Chapter 178, R-2 One- and Two-Family Residential District. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to table Resolution No. 12-217, a Resolution approving the side yard setback requirement of 25 feet total side yard with 11 feet minimum on each side for other permitted uses for Zoning Code District Regulations, Chapter 178, R-3 Multi-Family Residential District. Roll Call: Ayes: 4. Nays: 0. Motion carried.

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

- Depot groundbreaking was last Thursday.
- Good news concerning grants this last week-Highway 65 traffic light grants from IDOT and MPO; MPO moving up grant dollars for Chichaqua trail connection to 2013; REAP \$75,000 grant awarded; chance for Prairie Meadows grant for Chichaqua trail connection.
- Pending surgery.

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

- Drainage channel paving between Lincoln Estates and 15th Street, Southeast, complete.
- Polk County Sheriff's Captain Knight assisting the school district with crossing issue.
- Working on obtaining a railroad crossing display for the trailhead.

- Traffic signal funding may fund 90% of project. Funding rules will have to be detailed. Project will not be completely done in 2013.
- WRA sewer line goes out for bid in February.
- Goal Setting Session next Monday, December 10 at 5:00 p.m.
- City Engineer interview questions requested. Interviews start Tuesday, December 04, at 6:00 p.m.

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

- Council Member Bogaards – No comment.
- Council Member Lohse – Bravo grant approved for interpretive trail signage.
- Council Member Sullivan – No comment.
- Council Member Johnson – No comment.
- City Attorney Brick – No comment.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to close the regular City Council meeting at 7:10 p.m., and go into Closed Session, pursuant to Iowa Code Section 21.5(j) to discuss the purchase of particular real estate. Roll Call: Ayes: 4. Nays: 0. Motion carried. Motion made by Council Bogaards, seconded by Council Member Johnson, to close the Closed Session at 7:34 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 Lohse, to adjourn said meeting at 7:35 p.m. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Lori Dunham, Finance Director

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 December 03, 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