

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL

December 17, 2012

Meeting 12-27

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, December 17, 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 December 03, December 04, and December 10, 2012
 - b) Receive and File – Planning & Zoning Commission Minutes of November 08, 2012
 - c) Receive and File – BRSC Board Minutes of November 14, 2012
 - d) Receive and File – Library Board Minutes of November 01, 2012
 - e) Claims Report
 - f) Tax Abatement Applications – Brent Hagan, 701 Cleveland Avenue, Southeast; Jeane Copsin, 124 Patterson Street, Southeast; Integrity Homes, 1301 Joshua Court, Southeast; Integrity Homes, 1316 Joshua Court, Southeast; 1212 13th Street, Southeast; 1213 13th Street, Southeast; 1308 13th Street, Southeast; and 1312 13th Street, Southeast, Bondurant, Polk County, Iowa
- 7) Polk County Sheriff's Report
- 8) Guests requesting to address the City Council
- 9) Council Member Brian Lohse, City representative of Bondurant Development, Inc – BDI report
- 10) **RESOLUTION NO. 12-218** – A Resolution approving Fund Transfers
- 11) **RESOLUTION NO. 12-219** – A Resolution approving the City of Bondurant Investment Policy for calendar year 2013
- 12) **RESOLUTION NO. 12-220** – A Resolution approving the City of Bondurant Cafeteria Plan Summary Plan Description
- 13) **RESOLUTION NO. 12-221** – A Resolution approving the Real Estate Purchase and Sale Agreement between the City of Bondurant and FC Coop II
- 14) **RESOLUTION NO. 12-222** – A Resolution approving the appointments to the Des Moines Area Metropolitan Planning Organization and The Des Moines Area Metropolitan Planning Organization Transportation Technical Committee, representing the City of Bondurant for calendar year 2013
- 15) **RESOLUTION NO. 12-223** – A Resolution approving the appointments to the Polk County E911 Service Board for calendar year 2013
- 16) **RESOLUTION NO. 12-224** – A Resolution approving the appointments to the Polk County Emergency Management Commission, representing the City of Bondurant for calendar year 2013

- 17) **RESOLUTION NO. 12-225** – A Resolution approving the appointments to the Metro Waste Authority Board of Directors representing the City of Bondurant for calendar year 2013
- 18) **RESOLUTION NO. 12-226** – A Resolution approving the appointments to the Des Moines Wastewater Reclamation Authority and the Des Moines Wastewater Reclamation Authority Technical Committee for calendar year 2013
- 19) **RESOLUTION NO. 12-227** – A Resolution approving the appointments to various Boards, Commissions, Offices and Representatives for calendar year 2013
- 20) **RESOLUTION NO. 12-228** – A Resolution approving the Contract for Engineering Services and employee hourly rate schedule between the City of Bondurant and Veenstra & Kimm, Inc
- 21) **RESOLUTION NO. 12-229** – A Resolution designating the Official Newspapers of Record for calendar year 2013
- 22) **RESOLUTION NO. 12-230** – A Resolution designating the Official Depositories for calendar year 2013
- 23) **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 (third and final reading)
- 24) **ORDINANCE NO. 12-215** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 50, Nuisance Abatement Procedure
- 25) **RESOLUTION NO. 12-232** – A Resolution approving Change Order No. 01, in the amount of -\$300, submitted by TK Concrete, pertaining to the Chichaqua Valley Trail Project
- 26) **RESOLUTION NO. 12-233** – A Resolution approving Change Order No. 02, in the amount of \$616.17, submitted by TK Concrete, pertaining to the Chichaqua Valley Trail Project
- 27) **RESOLUTION NO. 12-234** – A Resolution approving Change Order No. 03, in the amount of \$2,100, submitted by TK Concrete, pertaining to the Chichaqua Valley Trail Project
- 28) **RESOLUTION NO. 12-235** – A Resolution approving Change Order No. 04, in the amount of -\$1,100, submitted by TK Concrete, pertaining to the Chichaqua Valley Trail Project
- 29) **RESOLUTION NO. 12-236** – A Resolution approving Application and Certificate for Payment No. 3, submitted by TK Concrete, in the amount of \$1,895.22, pertaining to the Chichaqua Valley Trail Project
- 30) **RESOLUTION NO. 12-237** – A Resolution approving Application and Certificate for Payment No. 4, submitted by TK Concrete, in the amount of \$2,007.35, pertaining to the Chichaqua Valley Trail Project
- 31) Reports / Comments and appropriate action thereon:
 - a) Mayor
 - b) City Administrator
 - c) Council Members
- 32) Adjournment

BONDURANT CITY COUNCIL

REGULAR MEETING

December 17, 2012

Meeting No. 12-27

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 17th day of December, 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
City 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 December 14, 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 6:02 p.m.

Mayor Ryan led the pledge of allegiance.

Council Member Bogaards asked that a discussion item be added to the agenda and that said item be identified as 30a, crossing guard situation at 4th Street, and Grant Street, South. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve the agenda as amended. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve the Consent Items consisting of the City Council Meeting Minutes of December 03, December 04, and December 10, 2012, Planning and Zoning Commission Minutes of November 08, 2012, BRSC Board Minutes of November 14, 2012, Library Board Minutes of November 01, 2012, the Claims Report and Tax Abatement Applications for Brent Hagan, 701 Cleveland Avenue, Southeast; Jeane Copsin, 124 Patterson Street, Southeast; and Integrity Homes, 1301 Joshua Court, Southeast; 1316 Joshua Court, Southeast; 1212 13th Street, Southeast; 1213 13th Street, Southeast; 1308 13th Street, Southeast; and 1312 13th Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Captain Knight, Polk County Sheriff's Department, discussed the crossing guard situation at 4th Street and Grant Street, South. A Polk County Deputy will be positioned in the area in the morning and afternoon to issue citations if necessary.

Thad Long, 10911 Northeast 75th Street, Bondurant, Iowa, representing Bondurant Soccer Club, presented the club's report for 2012 / 2013. He stated that all improvements and maintenance are accomplished by volunteers and thanked the City Council and City Staff for their support.

Sunshine Huisman, 107 4th Street, Northwest, Bondurant, Iowa, informed the Mayor and Council that early morning deliveries occurring at the Anderson Elementary School across the street from her property, are disturbing her family's sleep. She asked Council to amend the City's noise ordinance because currently it is too vague.

Brian and Heather Johnson, 9508 Northeast Timber Creek Drive, Bondurant, Iowa, announced the City of Bondurant has been chosen as the site representing Polk County for the location of a Freedom Rock (patriotic mural) painted by Ray Sorensen. The chosen location will be at the American Legion, 315 2nd Street, Northwest. The City and the American Legion will assist with the cost.

Council Member and Bondurant Development, Inc., President, Brian Lohse, presented an informational update of BDI and said the focus continues to be promoting commercial development and marketing efforts.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-218, a Resolution approving Fund Transfers. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 12-219, a Resolution approving the City of Bondurant Investment Policy for calendar year 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Fischer, seconded by Council Member Johnson, to approve Resolution No. 12-220, a Resolution approving the City of Bondurant Cafeteria Plan Summary Plan Description. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 12-221, a Resolution approving the Real Estate Purchase and Sale Agreement between the City of Bondurant and FC Coop II. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve Resolution No. 12-222, a Resolution approving the appointments to the Des Moines Area Metropolitan Planning Organization and The Des Moines Area Metropolitan Planning Organization Transportation Technical Committee, representing the City of Bondurant for calendar year 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-223, a Resolution approving the appointments to the Polk County E911 Service Board for calendar year 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 12-224, a Resolution approving the appointments to the Polk County Emergency Management Commission, representing the City of Bondurant for calendar year 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-225, a Resolution approving the appointments to the Metro Waste Authority Board of Directors, representing the City of Bondurant for calendar year 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Fischer, to approve Resolution No. 12-226, a Resolution approving the appointments to the Des Moines Wastewater Reclamation Authority Technical Committee for calendar year 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-227, a Resolution approving the appointments to various Boards, Commissions, Offices and Representatives for calendar year 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Council Member Bogaards asked that Resolution No. 12-228 be amended by replacing the word 'owner with City' in Section 7. Motion made by Council Member Bogaards, seconded by Council Member Lohse, to approve Resolution No. 12-228, a Resolution approving the Contract for Engineering Services and employee hourly rate schedule between the City of Bondurant and Veenstra & Kimm, Inc., as amended. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Johnson, to approve Resolution No. 12-229, a Resolution designating the Official Newspapers of Record for calendar year 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Johnson, to approve Resolution No. 12-230, a Resolution designating the Official Depositories for calendar year 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve the third and final 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. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Jordan Watkins, 204 11th Street, Southeast, Bondurant, Iowa, voiced dissatisfaction about the charges assessed against him for junk removal on his property and contested the method the City used for nuisance abatement notification. Council Member Bogaards said nuisance abatements are complaint driven and the neighbors (remaining anonymous) are upset about the condition and continuous disarray of his property. Council unanimously agreed not to dismiss the charges for the junk removal.

Motion made by Council Member Lohse, seconded by Council Member Fischer, to approve the first reading of Ordinance No. 12-215. Council Member Lohse withdrew his motion to approve the first reading of Ordinance No. 215. Motion made by Council Member Lohse, seconded by Council Member Fischer to waive the first and second reading of Ordinance No. 12-215, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 50, Nuisance Abatement Procedure, Section 50.07 Method of Service and approve as the third and final reading. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-232, a Resolution approving Change Order No. 01, in the amount of -\$300, submitted by TK Concrete, pertaining to the Chichaqua Valley Trail Project. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-233, a Resolution approving Change Order No. 2, in the amount of \$616.17, submitted by TK Concrete, pertaining to the Chichaqua Valley Trail Project. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve Resolution No. 12-234, a Resolution approving Change Order No. 3, in the amount of \$2,100, submitted by TK Concrete, pertaining to the Chichaqua Valley Trail Project. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Council Member Bogaards amended Resolution No. 12-235 by noting a typographical error in the amount of -\$1,000 and changed it to -\$1,100. Motion made by Council Member Bogaards, seconded by Council Member Johnson, to approve Resolution No. 12-235, a Resolution approving Change Order No. 04, in the amount of -\$1,100, submitted by TK Concrete, pertaining to the Chichaqua Valley Trail Project. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to approve Resolution No. 12-236, a Resolution approving Application and Certificate for Payment No. 3, submitted by TK Concrete, in the amount of \$1,895.22, pertaining to Chichaqua Valley Trail Project. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Council Member Lohse, seconded by Council Member Bogaards, to approve Resolution No. 12-237, a Resolution approving Application and Certificate for Payment No. 4, submitted by TK Concrete, in the amount of \$2,007.35, pertaining to Chichaqua Valley Trail Project. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Mayor Ryan led a discussion on the crossing guard situation at the intersection of 4th Street and Grant Street, South.

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

- MWA contract update.

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

- Polk County wants to shift Hazmat costs to the cities in Polk County. Hazmat service for Polk County is currently provided by the Des Moines Fire Department and funded by Polk County. Cities present at the December 05, meeting on this subject, objected to the proposed cost shift. The logic is that cities are already paying for this service through the County tax levy. Annual cost to Polk County is about \$250,000.
- Meeting with Altoona on December 10, regarding potential formation of a Mud Creek Watershed Management Authority.
- BF high school students and faculty are planning to assist with the development and installation on interpretive display panels for the Trailhead.
- Meeting on December 12, to discuss traffic flow around the elementary school.
- Depot floor slab planned for December 19.
- Vacation update.

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

- Council Member Bogaards – No comment.
- Council Member Lohse – No comment.
- Council Member Sullivan – No comment.
- Council Member Johnson – No comment.
- Council Member Fischer – No comment.

Motion made by Council Member Bogaards, seconded by Council Member Sullivan, to adjourn said meeting at 7:30 p.m. Roll Call: Ayes: 5. 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 December 17, 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