Posting Date: December 14, 2007

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

December 17, 2007

Meeting 07-31

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m. on Monday, December 17, 2007, in the Bondurant City Center at 200 Second Street, Northeast, Bondurant, Polk County, Iowa. Said meeting is open and the public is encouraged to attend.

AGENDA

1) Call to Order
2) Roll Call
3) Perfecting and Approval of the Agenda
4) Guests Present
5) Consent Items
   a) Approval of the City Council Minutes of December 03, and December 10, 2007
   b) Receive and File – Planning and Zoning Commission Minutes of October 11 and October 17, 2007
   c) Library Board of Trustees Minutes of November 07, 2007
   d) Claims Report
   e) Tax Abatement Applications – Fred Dornburgh, 402 – 5th Street, Northwest; Meg Muller, 408 Tailfeather Court, Northwest; Donald Daughenbaugh, 210 Walnut Drive, Northwest; Steve Moulton, 1005 Grant Street, South; Andrew Mitchell, 606 Sycamore Drive, Northwest; Amy and Trevor Spear, 309 Mulberry Drive, Northwest; Thomas I. Maulsby, IV, 604 Mulberry Drive, Northwest; Stephanie Eliasen, 1005 Grant Street, South, Unit #6; and Shirley J. Newton, 800 – 33rd Street, Southwest, Bondurant, Polk County, Iowa
6) Polk County Sheriff's Report
7) ERR Representative – Presentation of a solution to the material deposited at 3507 Grant Street, South, Bondurant, Iowa
8) ***PUBLIC HEARING*** – For Consideration of Proposed Plans, Specifications, and Form of Contract and Cost, to build the Bondurant Public Safety Building
   RESOLUTION NO. 07-181 – A Resolution approving the Proposed Plans, Specifications, and Form of Contract and Cost, from Jensen Construction, Ames, Iowa, in the amount of $767,500, to build the Bondurant Public Safety Building
9) **RESOLUTION NO. 07-182** – A Resolution approving the purchase of two, 1999 International Medium Duty Trucks from the Polk County Public Works Department for a total cost of $38,000.00
10) ***PUBLIC HEARING*** – For Consideration of Various Voluntary Annexation Applications to the City of Bondurant, Polk County, Iowa
    RESOLUTION NO. 07-183 – A Resolution approving the Various Voluntary Annexation Applications to the City of Bondurant, Polk County, Iowa
11) **RESOLUTION NO. 07-184** – A Resolution approving semi-annual Fund Transfers
12) **RESOLUTION NO. 07-185** – A Resolution approving the revised monthly transfer from the Water and Sewer Checking into the Water and Sewer Sinking Fund

13) **ORDINANCE NO. 07-220** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Provisions Pertaining to parking Where Prohibited within the City of Bondurant, Polk County, Iowa (2nd reading)
14) **RESOLUTION NO. 07-186** – A Resolution approving various appointments for calendar year 2008
15) **RESOLUTION NO. 07-187** – A Resolution approving the re-appointments of Susan J. Ugulini, Michell Klinker-Feld and Cheryl Lenhart to the City of Bondurant Library Board of Trustees, effective January 01, 2008, through December 31, 2013
16) **RESOLUTION NO. 07-188** – A Resolution approving the re-appointments of Council Member Keith Ryan as Primary Board Member and City Administrator Mark Arentsen as Alternate Board Member to represent the City of Bondurant, Polk County, Iowa, on the Metro Waste Authority Board of Directors for calendar year 2008
17) Presentation of the Final Plat for Arbor Ridge Plat 4
    RESOLUTION NO. 07-189 – A Resolution approving the Final Plat for Arbor Ridge Plat 4
18) **RESOLUTION NO. 07-190** – A Resolution setting the City Council meeting date for the second meeting in January 2008
19) Presentation of plaques to outgoing Council Members Bruce Cordes and Jeffrey Kromrie
20) Discussion item(s)
    a) Snow removal Ordinance
21) ***CLOSED SESSION*** Pursuant to Iowa Code Section 21.5(c) to discuss strategy in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation
22) **RESOLUTION NO. 07-191** – A Resolution setting the amount due from PDC Midwest, Inc., for water use, labor and testing pertaining, to flushing the watermain at Pleasant Street, Southeast
23 **RESOLUTION NO. 07-192** – A Resolution approving the Contractor Application for Payment Request from Munro Construction, in the amount of $76,221.41 for the Bondurant Community Library Project
24) Reports / Comments and appropriate action thereon:
    a) City Administrator Arentsen
    b) Council Members
    c) Mayor McCoid
25) Adjournment

REGULAR MEETING

December 17, 2007

Meeting No. 07-31

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, 2007, at 6:00 p.m.

Present: Mayor Marla McCoid
Council Member Mike Adams, Sr.
Council Member Michele R. Bailey
Council Member Bruce N. Cordes
Council Member Jeffrey A. Kromrie
Council Member Keith Ryan
City Attorney Matthew Brick
City Administrator Mark J. 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, 2007. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Mayor McCoid called the meeting to order at 6:05 p.m. Roll call was taken and a quorum was declared.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the agenda as presented. Roll Call: Bailey-Yes, Adams-Yes, Kromrie-Yes, Cordes-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Kromrie, seconded by Council Member Ryan, to approve the consent items consisting of the City Council Minutes of December 03, and December 10, 2007, Planning and Zoning Commission Minutes of October 11 and October 17, 2007, Library Board of Trustees Minutes of November 07, 2007, the Claims Report and Tax Abatement applications for Fred Dornburgh, 402 – 5th Street, Northwest; Meg Muller, 408 Tailfeather Court, Northwest; Donald Daughenbaugh, 210 Walnut Drive, Northwest; Steve Moulton, 1005 Grant Street, South; Andrew Mitchell, 606 Sycamore Drive, Northwest; Amy and Trevor Spear, 309 Mulberry Drive, Northwest; Thomas I. Maulsby, IV, 604 Mulberry Drive, Northwest; Stephanie Eliason, 1005 Grant Street, South, Unit #6; and Shirley J. Newton, 800 – 33rd Street, Southwest, Bondurant, Polk County, Iowa. Roll Call: Kromrie-Yes, Ryan-Yes, Bailey-Yes, Cordes-Yes, Adams-Yes. Motion carried.

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

Bondurant City Council Agenda

No representative from Environmental Reclamation & Recycling, Inc., attended the meeting to present a solution to the material deposited at 3507 Grant Street, South (the former Union 76 site) as scheduled on the agenda.

Motion made by Council Member Kromrie, seconded by Council Member Bailey, to close the regular City Council meeting at 6:12 p.m., and open the Public Hearing for consideration of proposed plans, specifications, and forms of contract and cost, to build the Bondurant Public Safety Building. Roll Call: Kromrie-Yes, Bailey-Yes, Adams-Yes, Ryan-Yes, Cordes-Yes. Motion carried. No verbal comments were received during the Public Hearing. Mr. David Harrison, Design Alliance, Inc., introduced Mr. Jeff Pearson, Project Manager, Jensen Builders, and answered questions from the Mayor and Council. City Attorney Brick arrived at 6:18 p.m. Motion made by Council Member Kromrie, seconded by Council Member Cordes, to close the Public Hearing at 6:25 p.m., and open the regular City Council Meeting. Roll Call: Kromrie-Yes, Cordes-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried. Motion made by Council Member Kromrie, seconded by Council Member Cordes, to approve Resolution No. 07-181, a Resolution accepting the bid from Jensen Construction, Ames, Iowa, in the amount of $707,300.00 for the base bid and an additional $60,200.00 for five alternates, for the proposed plans, specifications, and form of contract and cost to build the Bondurant Public Safety Building. The alternates include the following: Adding 9' to the width of the building for $22,800.00; adding a flag pole for $4,800.00; adding bollards for $9,000.00; adding upgraded siding panels for $14,700.00; and adding a wing wall to the front for $8,900.00. Roll Call: Kromrie-Yes, Cordes-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Kromrie, to approve Resolution No. 07-182, a Resolution approving the purchase of two, 1999 International medium duty trucks from the Polk County Public Works Department for a total cost of $38,000.00. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes, Cordes-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to close the regular City Council Meeting at 6:33 p.m., and open the Public Hearing for consideration of approving various voluntary annexation applications to the City of Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Adams-Yes, Cordes-Yes, Ryan-Yes, Kromrie-Yes. Motion carried. No verbal comments were received during the Public Hearing. Motion made by Council Member Bailey, seconded by Council Member Adams, to close the Public Hearing at 6:35 p.m., and open the regular City Council meeting. Roll Call: Bailey-Yes, Adams-Yes, Cordes-Yes, Ryan-Yes, Kromrie-Yes. Motion carried. Motion made by Council Member Kromrie, seconded by Council Member Bailey, to approve Resolution No. 07-183, a Resolution approving the various voluntary annexation applications to the City of Bondurant, Polk County, Iowa. Roll Call: Kromrie-Yes, Bailey-Yes, Adams-Yes, Cordes-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Kromrie, seconded by Council Member Cordes, to approve Resolution No. 07-184, a Resolution approving semi-annual fund transfers. Roll Call: Kromrie-Yes, Cordes-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Kromrie, seconded by Council Member Bailey, to approve Resolution No. 07-185, a Resolution approving the revised monthly transfer of $8,500.00 from the Water Checking into the Water Sinking Fund and the revised monthly transfer of $3,500.00 from the Sewer Checking into the Sewer Sinking Fund through June 30, 2008. Roll Call: Kromrie-Yes, Bailey-Yes, Cordes-Yes, Ryan-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the second reading of Ordinance No. 07-220, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to Parking Where Prohibited within the City of Bondurant, Polk County, Iowa, in Section 69.12, stating that parking a car, truck, camper, motor home, travel trailer or boat and / or boat trailer on grass is prohibited. All such vehicles parked, shall be parked on concrete or asphalt surface. Gravel is not permitted. Roll Call: Bailey-Yes, Adams-Yes, Cordes-No, Ryan-Yes, Kromrie-Yes. Motion carried.

Motion made by Council Member Kromrie, seconded by Council Member Bailey, to approve Resolution No. 07-186, a Resolution approving the following appointments for calendar year 2008: Mike Adams, Sr., Mayor Pro Tem; Brick Law Firm, City Attorney; Stanley Consultants, Inc., City Engineer; and Aaron Kreuder, Fire Chief. Roll Call: Kromrie-Yes, Bailey-Yes, Adams-Yes, Cordes-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Cordes, seconded by Council Member Ryan, to approve Resolution No. 07-187, a Resolution approving the re-appointments of Michell Klinker-Feld, Cheryl Lenhart and Susan J. Ugulini to the City of Bondurant Library Board of Trustees, effective January 01, 2008, through December 31, 2013. Roll Call: Cordes-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes, Kromrie-Yes. Motion carried.

Motion made by Council Member Kromrie, seconded by Council Member Bailey, to approve Resolution No. 07-188, a Resolution approving the re-appointments of Council Member Keith Ryan as Primary Board Member and City Administrator Mark Arentsen as Alternate Board Member to represent the City of Bondurant, Polk County, Iowa, on the Metro Waste Authority Board of Directors for calendar year 2008. Roll Call: Kromrie-Yes, Bailey-Yes, Adams-Yes, Cordes-Yes, Ryan-Yes. Motion carried.

Mr. Mark Trumbauer, Regency Land Development Services, presented the Final Plat for Arbor Ridge Plat 4 and answered questions from the Mayor and Council. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 07-189, a Resolution approving the Final Plat for Arbor Ridge Plat 4, which includes a landscape buffer easement and two utility easements. Roll Call: Bailey-Yes, Adams-Yes, Cordes-Yes, Kromrie-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve Resolution No. 07-190, a Resolution setting the second City Council meeting date for the month of January, as January 28, 2008, at 6:00 p.m. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Kromrie-No, Cordes-Yes. Motion carried.

Mayor McCoid presented plaques of recognition and appreciation to out-going Council Members Bruce Cordes and Jeffrey Kromrie for their years of dedicated service to the City of Bondurant.

City Administrator Arentsen led a discussion concerning amending the current snow ordinance. He will present a proposed snow ordinance at the January 7, 2008, Council meeting.

Mayor McCoid called for a recess at 7:21 p.m., and asked Mayor Pro Tem Bailey to preside over the Closed Session, at which time she left the meeting. Motion made by Council Member Bailey, seconded by Council Member Adams, to close the regular City Council Meeting at 7:35 p.m., and go into Closed Session, pursuant to Iowa Code Section 21.5(c) to discuss strategy in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Roll Call: Bailey-Yes, Adams-Yes, Kromrie-Yes, Ryan-Yes, Cordes-Yes. Motion carried. Motion made by Council Member Adams, seconded by Council Member Ryan, to close the Closed Session at 7:51 p.m., and open the regular City Council Meeting. Roll Call: Adams-Yes, Ryan-Yes, Bailey-Yes, Kromrie-Yes, Cordes-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Cordes, to approve Resolution No. 07-191, a Resolution setting the amount due of $11,593.80 from PDC Midwest, Inc., payable to the City of Bondurant for water use, labor and testing pertaining to flushing the watermain for the Pleasant Street, Southeast project. Roll Call: Adams-Yes, Cordes-Yes, Bailey-Yes, Kromrie-Yes, Ryan-Yes. Motion carried. Mayor McCoid returned to preside over the meeting at 7:55 p.m.

Motion made by Council Member Ryan, seconded by Council Member Adams, to approve Resolution No. 07-192, a Resolution approving the Contractor Application for Payment Request from Munro Construction in the amount of $76,221.41 for the Bondurant Community Library Project. Roll Call: Ryan-Yes, Adams-Yes, Kromrie-Yes, Cordes-Yes, Bailey-Yes. Motion carried.

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

- Presented the FY08 budget calendar.
- Has been in contact with the landscape architect pertaining to the downtown renovation.
- Meeting updates.
- Will be meeting with the bank and attorney concerning Paired Homes Site Plan.
- Will attend the school district's charette.
- Will be on vacation three days next week.

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

- Council Member Bailey – Appreciated serving with Bruce and Jeff on Council and will miss their comments and expertise; asked if the street light at the former Union 76 is on private property and there is a light out at the Entryway Park sign.
- Council Member Adams – Appreciated working with Bruce and Jeff on Council.
- Council Member Ryan – Thanked Bruce and Jeff for all of their help.
- Council Member Kromrie – Pleased at the progress of the library and fire station; feels serious consideration should be given to renewing the Post Office lease at budget time; would like to see an attractive sign be installed at the Bondurant City limits; continues to feel the former Union 76 site should be cleaned up and hopes his comments are viewed as proactive for Bondurant.
- Council Member Cordes – Thanked Mark for addressing the issues of the Wolf Creek residents; update on the Men's Club Santa Claus program; thanked City Staff and Council for their efforts during his twelve years as a Council Member. He hopes the new and future Councils continue to stay fiscally responsible and feels it hard to spend any money until the outcome of the WRA connection is determined.

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

- The municipal infraction is being served.
- The City of Des Moines is going to start to use Bondurant's municipal infraction form.
- The Brick Law Firm will not be requesting an attorney fee increase.

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

- Was disappointed that during the Goal Setting Session that certain projects weren't prioritized and expenditures allocated.
- Meeting updates.
- Holiday potluck on December 21.

Motion made by Council Member Adams, seconded by Council Member Bailey, to adjourn the meeting at 8:16 p.m. Roll Call: Ayes: 5. Nays: 0. Motion carried.

_____
Marla McCoid, Mayor

ATTEST:

_____
Michelle Wells, Deputy City Clerk

SEAL

I, the understated Deputy City Clerk 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, 2007, 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.

_____
Michelle Wells, Deputy City Clerk