Posting Date: February 02, 2007

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

February 05, 2007

Meeting 07-05

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m. on Monday, February 05, 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 January 22, and January 29, 2007
   b) Claims Report
   c) Tax Abatement Applications
6) Polk County Sheriff's Report
7) Greater Des Moines Partnership Representative – Presentation of Project Destiny
8) **RESOLUTION NO. 07-32** – A Resolution approving the 28E Agreement between the City of Bondurant, the City of Altoona and the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for design, financing and construction of the Mud Creek Interceptor Sewer
9) **RESOLUTION NO. 07-33** – A Resolution approving the Engineering Agreement between the City of Bondurant, Polk County, Iowa, and Veenstra & Kimm, Inc., for design services necessary for construction of the Mud Creek Interceptor Sewer
10) **RESOLUTION NO. 07-34** – A Resolution approving the transfer of RAGBRAI income in the amount of $9,363.92 from the General Fund to the Special Revenue – Park & Recreation Restricted Funds
11) **RESOLUTION NO. 07-35** – A Resolution approving a Lease Agreement between the City of Bondurant and Dr. Douglas R. Pick concerning the former Legacy Bank building
12) **RESOLUTION NO. 07-36** – A Resolution approving the renewal license for Off-Premise Liquor, Wine or Beer Permit and Sunday Sales Privilege Application for Kiran Lata Virk, a Sole Proprietorship, d/b/a Kiran Lata, 1111 Lincoln Street, Southeast, Bondurant, Polk County, Iowa
13) **RESOLUTION NO. 07-37** – A Resolution setting a Public Hearing Date for the proposed FY 2007 / 2008 City of Bondurant Municipal Budget
14) Mr. Jeff Harden, City of Altoona Zoning and Building Official – Presentation of Potential Changes to Building Codes

    PUBLIC HEARING – For consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Building Code, 2006 International Residential Code and the 2006 International existing Building Code – Chapter 155

ORDINANCE NO. 07-200 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Building Code, 2006 International Residential Code and the 2006 International existing Building Code – Chapter 155 (1st reading)

15) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Mechanical Code and the 2006 International Fuel Gas Code – Chapter 156

ORDINANCE NO. 07-201 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Mechanical Code and the 2006 International Fuel Gas Code – Chapter 156 (1st reading)

16) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Plumbing Code – Chapter 157

ORDINANCE NO. 07-202 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Plumbing Code – Chapter 157 (1st reading)

17) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2005 National Electrical Code – Chapter 158

ORDINANCE NO. 07-203 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2005 National Electrical Code – Chapter 158 (1st reading)

18) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City of Bondurant, Iowa, 2002, by adding new provisions pertaining to Contractor Licensing – Chapter 160

ORDINANCE NO. 07-204 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by adding new provisions pertaining to Contractor Licensing – Chapter 160 (1st reading)

19) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City of Bondurant, Iowa, 2002, by adding new provisions pertaining to the adoption of the International Fire Code – Chapter 161

ORDINANCE NO. 07-205 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by adding new provisions pertaining to the adoption of the International Fire Code – Chapter 161 (1st reading)

20) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to Subdivision Regulations - Chapter 180

ORDINANCE NO. 07-206 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to Subdivision Regulations – Chapter 180 (1st reading)

21) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 159 pertaining to the adoption of the 2002 National Electrical Code

ORDINANCE NO. 07-207 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 159 pertaining to the adoption of the 2002 National Electrical Code (1st reading)

22) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 162 pertaining to the adoption of the 1997 Uniform Code for the Abatement of Dangerous Buildings

ORDINANCE NO. 07-208 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 162 pertaining to the adoption of the1997 Uniform Code for the Abatement of Dangerous Buildings (1st reading)

23) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 163 pertaining to the adoption of the 1997 Life Safety Code
ORDINANCE NO. 07-209 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 163 pertaining to the adoption of the1997 Life Safety Code (1st reading)

24) ***PUBLIC HEARING*** – For consideration of amending the Code Ordinances of the City Bondurant, Iowa, 2002, by repealing Chapter 166 pertaining to the adoption of the 2000 International Residential Code
ORDINANCE NO. 07-210 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 166 pertaining to the adoption of the 2000 International Residential Code (1st reading)

25) Discussion item(s)
   a) Fiscal Year 2007 / 2008 budget

26) Reports / Comments and appropriate action thereon:
   a) City Attorney Brick
   b) City Administrator Arentsen
   c) Council Members
   d) Mayor McCoid

27) **CLOSED SESSION** – Pursuant to Iowa Code Section 21.5c to discuss strategy with legal counsel in matters involving litigation where its disclosure would be likely to prejudice or disadvantage the position of the governmental body.

28) Adjournment

BONDURANT CITY COUNCIL
REGULAR MEETING
February 05, 2007

Meeting No. 07-05

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 05th day of February, 2007, at 6:00 p.m.

Present: Mayor Marla McCoid
Council Member Mike Adams, Sr.
Council Member Michele R. Bailey
Council Member Jeffrey A. Kromrie
Council Member Keith Ryan
City Attorney Bill Mallory
City Administrator Mark J. Arentsen
Finance Director Lori Dunham

Absent: City Attorney Matthew S. Brick
Council Member Bruce N. Cordes
Deputy City Clerk Michelle Wells

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the United States Post Office on February 02, 2007. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Mayor McCoid called the meeting to order at 6:02 p.m. Roll call was taken and a quorum was declared.

City Administrator Arentsen asked that item #11 be deleted from the agenda. Motion made by Council Member Ryan, seconded by Council Member Bailey, to approve the agenda, as amended. Roll Call: Ryan-Yes, Bailey-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve the consent items consisting of the City Council Minutes of January 22, and January 29, 2007, the Claims Report and Tax Abatement Applications for Susan Deo, 601 Mallard Pointe Drive, Northwest; Jennifer Rafdal, 409 Tailfeather Court, Northwest; Kenny and Kelly Ramus, 602 Evergreen Circle, Northwest; Jeff Nelson, 703 Lincoln Street, Southeast; Mike and Barb Lewis, 1005 Grant Street, South, Unit #4; Autumn Oseth, 3201 Poplar Street, Southwest; Megan M. Baccam, 3208 Wolf Creek Road, Southwest and Steven T. Apland, 1310 Adams Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes. Motion carried.

Polk County Sheriff's Department representative Lt. Peterman had nothing to report.

Mr. Bob Veenstra, Veenstra & Kimm, Inc., 3000 Westown Parkway, West Des Moines, Iowa, presented the 28E Agreement between the City of Bondurant, Polk County, Iowa, the City of Altoona, Polk County, Iowa, and The Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the Provision of Property Acquisition, Design and Construction Administration Services, and for Financing of the Mud Creek Interceptor, Phase 23 Project, as an Expedited Project to Construct a WRA Expansion Improvement and answered questions from Council.

Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve Resolution No. 07-32, a Resolution approving the 28E Agreement between the City of Bondurant, Polk County, Iowa, the City of Altoona, Polk County, Iowa, and The Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the Provision of Property Acquisition, Design and Construction Administration Services, and for Financing of the Mud Creek Interceptor, Phase 23 Project, as an Expedited Project to Construct a WRA Expansion Improvement. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes. Motion carried.

Mr. Bob Veenstra, Veenstra & Kimm, Inc., presented the Engineering Services Agreement between the City of Bondurant, Polk County, Iowa, and Veenstra & Kimm, Inc., 3000 Westown Parkway, West Des Moines, Iowa, for design services pertaining to the Mud Creek Interceptor Sewer Project.

Motion made by Council Member Ryan, seconded by Council Member Bailey, to approve Resolution No. 07-33, a Resolution approving the Engineering Services Agreement between the City of Bondurant, Polk County, Iowa, and Veenstra & Kimm, Inc., 3000 Westown Parkway, West Des Moines, Iowa, for design services pertaining to the Mud Creek Interceptor Sewer Project. Roll Call: Ryan-Yes, Bailey-Yes, Adams-Yes. Motion carried.

Mr. Jay Byers, The Greater Des Moines Partnership, 700 Locust Street, Suite 100, Des Moines, Iowa, presented Project Destiny and answered questions from the Mayor and Council.

Council Member Kromrie arrived at 6:15 p.m.

Motion made by Council Member Kromrie, seconded by Council Member Ryan, to approve Resolution No. 07-34, a Resolution approving the transfer of RAGBRAI income in the amount of $9,363.92 from the General Fund to the Special Revenue – Park and Recreation Restricted Funds. Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve Resolution No. 07-36, a Resolution approving the renewal license for Off-Premise Liquor, Wine or Beer Permit and Sunday Sales Privilege Application for Kiran Lata Virk, a Sole Proprietorship, d/b/a Kiran Lata, 1111 Lincoln Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Kromrie-No. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve Resolution No. 07-37, a Resolution setting a Public Hearing date for Monday, March 05, 2007, at 6:00 p.m. to receive public comment on the proposed City of Bondurant, Iowa, Fiscal Year 2007 / 2008 Municipal Budget. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Kromrie-Yes. Motion carried.

Mr. Jeff Harden, City of Altoona Zoning and Building Official presented the potential changes to Building Codes and answered questions from the Mayor and Council.

Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Building Code, 2006 International Residential Code and the 2006 International existing Building Code – Chapter 155. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:09 p.m. No comments were received during the Public Hearing. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the Public Hearing and open the regular meeting. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. The Public Hearing closed at 7:10 p.m. Motion made by Council member Ryan, seconded by Council Member Adams, to approve the first reading of Ordinance No. 07-200, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Building Code, 2006 International Residential Code and the 2006 International existing Building Code – Chapter 155. Roll Call: Ryan-Yes, Adams-Yes, Bailey-Yes, Kromrie-Yes. Motion carried.

Motion made by Council Member Kromrie, seconded by Council Member Ryan to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Mechanical Code and the 2006 International Fuel Gas Code – Chapter 156. Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:12 p.m. No comments were received during the Public Hearing. Motion made by Council Member Kromrie, seconded by Council Member Ryan, to close the Public Hearing and open the regular meeting. Roll Call: Kromrie-Yes, Ryan-Yes, Bailey-Yes, Adams-Yes. Motion carried. The Public Hearing closed at 7:13 p.m. Motion made by Council Member Kromrie, seconded by Council Member Ryan, to approve the first reading of Ordinance No. 07-201, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Mechanical Code and the 2006 International Fuel Gas Code – Chapter 156. Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Kromrie, seconded by Council Member Ryan, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Plumbing Code – Chapter 157. Roll Call: Kromrie-Yes,

Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:14 p.m. No comments were received during the Public Hearing. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the Public Hearing and open the regular meeting. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. The Public Hearing closed at 7:15 p.m. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to approve the first reading of Ordinance No. 07-202, an Ordinance amending the Code of Ordinances of the City Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2006 International Plumbing Code – Chapter 157. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2005 National Electrical Code – Chapter 158. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:16 p.m. No comments were received during the Public Hearing. Motion made by Council Member Kromrie, seconded by Council Member Ryan, to close the Public Hearing and open the regular meeting. Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing closed at 7:17 p.m. Motion made by Council Member Kromrie, seconded by Council Member Ryan, to approve the first reading of Ordinance No. 07-203, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to the adoption of the 2005 National Electrical Code – Chapter 158. Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by adding new provisions pertaining to Contractor Licensing – Chapter 160. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:18 p.m. No comments were received during the Public Hearing. Motion made by Council Member Kromrie, seconded by Council Member Ryan, to close the Public Hearing and open the regular meeting. Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing closed at 7:19 p.m. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to approve the first reading of Ordinance No. 07-204, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by adding new provisions pertaining to Contractor Licensing – Chapter 160. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Kromrie, seconded by Council Member Ryan, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by adding new provisions pertaining to the adoption of the International Fire Code – Chapter 161. Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:20 p.m. No comments were received during the Public Hearing. Motion made by Council Member Kromrie, seconded by Council Member Ryan, to close the Public Hearing and open the regular meeting.

Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing closed at 7:21 p.m. Motion made by Council Member Kromrie, seconded by Council Member Ryan, to approve the first reading of Ordinance No. 07-205, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by adding new provisions pertaining to the adoption of the International Fire Code – Chapter 161. Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Mayor McCoid asked Mayor Pro Tem Bailey to preside over the meeting while she stepped out.

Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to Subdivision Regulations – Chapter 180. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:22 p.m. No comments were received during the Public Hearing. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the Public Hearing and open the regular meeting. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing closed at 7:23 p.m. Motion made by Council Member Kromrie, seconded by Council Member Ryan, to approve the first reading of Ordinance No. 07-206, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to Subdivision Regulations – Chapter 180. Roll Call: Kromrie-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 159 pertaining to the adoption of the 2002 National Electrical Code. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:24 p.m. No comments were received during the Public Hearing. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the Public Hearing and open the regular meeting. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing closed at 7:25 p.m. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to approve the first reading of Ordinance No. 07-207, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 159 pertaining to the adoption of the 2002 National Electrical Code. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Mayor McCoid returned to the meeting.

Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 162 pertaining to the adoption of the 1997 Uniform Code for the Abatement of Dangerous Buildings. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened

at 7:26 p.m. No comments were received during the Public Hearing. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the Public Hearing and open the regular meeting. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing closed at 7:27 p.m. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to approve the first reading of Ordinance No. 07-208, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 162 pertaining to the adoption of the 1997 Uniform Code for the Abatement of Dangerous Buildings. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 163 pertaining to the adoption of the 1997 Life Safety Code. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:28 p.m. No comments were received during the Public Hearing. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the Public Hearing and open the regular meeting. The Public Hearing closed at 7:29 p.m. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to approve the first reading of Ordinance No. 07-209, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 163 pertaining to the adoption of the 1997 Life Safety Code. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the regular meeting and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 166 pertaining to the adoption of the 2000 International Residential Code. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried. The Public Hearing opened at 7:30 p.m. No comments were received during the Public Hearing. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to close the Public Hearing and open the regular meeting. The Public Hearing closed at 7:31 p.m. Motion made by Council Member Ryan, seconded by Council Member Kromrie, to approve the first reading of Ordinance No. 07-210, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 166 pertaining to the adoption of the 2000 International Residential Code. Roll Call: Ryan-Yes, Kromrie-Yes, Adams-Yes, Bailey-Yes. Motion carried.

The Mayor and Council Members will review the Fiscal Year 2007 / 2008 proposed Municipal Budget.

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

- ✓ None.

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

- Flashing light for 2nd Street, Northwest, will cost approximately $3,300.
- Provided a sample ballot for the Library / Public Safety Building special election.
- The Library and Public Safety Building Site Plans are on the agenda for the February 08, Planning and Zoning Commission meeting.
- The next Council Meeting will be on Tuesday, February 20, due to President's Day.
- Met with the Highway 65 landowners on January 24 and had good attendance. Will meet with the development community on March 01.
- Annexation update.
- U.S. Highway 65 / Interstate 80 project update.

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

- Council Member Kromrie – Public Safety Building update.
- Council Member Bailey – No Comment.
- Council Member Adams – No Comment.
- Council Member Ryan – No Comment.

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

- Wants the Fire Department to seek grant applications and explore fund raising opportunities for the Public Safety Building project.

Council Member Kromrie stated for the record that in his personal opinion the Library and Fire Department are two entities that are 100% different, because the Fire Department members are committing a lot of time to training and answering emergency calls. When he was Fire Chief and trying to raise money there was a lot of time spent away from the family and it is hard to do it all.

Mayor McCoid called for a ten minute recess.

Motion made by Council Member Kromrie, seconded by Council Member Ryan, to go into closed session, pursuant to Iowa Code Section 21.5c to discuss strategy with legal counsel in matters involving litigation where its disclosure would be likely to prejudice or disadvantage the position of the governmental body. Roll Call: Kromrie-Yes, Ryan-Yes, Bailey-Yes, Adams-Yes. Motion carried. Council went into closed session at 7:45 p.m.

Motion made by Council Member Ryan, seconded by Council Member Adams, to close the closed session and open the regular meeting at 8:40 p.m. Roll Call: Ryan-Yes, Adams-Yes, Kromrie-Yes, Bailey-Yes. Motion carried.

Mayor McCoid left during the closed session and Mayor Pro Tem Bailey presided.

City Attorney Mallory described Council's request pursuant to Iowa Code Section 21.5c pertaining to matters involving litigation. City Attorney Mallory stated he will respond to Nutri Ject Systems, Inc., pursuant to the request for progress payment dated January 16, 2007, Invoice No. 4243 and the appropriateness of that request for progress payment under the terms of the agreement between the City of Bondurant and Nutri Ject Systems, Inc. He understands that Council wants him to respond to Nutri Ject Systems Inc., with regards to dates for substantial completion and the date for final payment, pursuant to that same contract, and as part of the letter pursuant to the terms of the agreement between the owner and contractor, Council requests a copy of the letter be sent to the bond company providing notice with regards to various provisions of the contract.

Motion made by Council Member Ryan, seconded by Council Member Adams, that City Attorney Mallory follow Council's strategy concerning Nutri Ject Systems, Inc. Roll Call: Ryan-Yes, Adams-Yes, Bailey-Yes, Kromrie-Yes. Motion carried.

Motion made by Council Member Kromrie, seconded by Council Member Adams, to adjourn the meeting at 8:45 p.m. Roll Call: Kromrie-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

_____
Michele Bailey
Mayor Pro Tem

ATTEST:

_____
Lori Dunham
Finance Director

SEAL

I, the understated Finance Director 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 February 05, 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.

_____
Lori Dunham
Finance Director