Posting Date July 18, 2008

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

July 21, 2008

Meeting 08-16

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, July 21, 2008, 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 and Declaring a Quorum
4) Guests Present
5) Consent Items:
   a) Approval of the City Council Minutes of July 07, 2008
   b) Receive and File – Library Board of Trustees Minutes of June 05, 2008
   c) Claims Report
   d) Tax Abatement Applications – Kelly & Jason Donnelly, 3308 Maple Drive, Southwest; Tom Trammell, 1400 – 15th Street, Southeast; and Kenneth Cornelius, 908 – 35th Street, Southwest, Bondurant, Polk County, Iowa
6) Polk County Sheriff's Report
7) ***PUBLIC HEARING*** – To receive Public Comment on Designation of the Expanded Bondurant Urban Renewal Area and on the Proposed Urban Renewal Plan Amendment
   RESOLUTION NO. 08-115 – A Resolution approving the Expanded Bondurant Urban Renewal Area and the Proposed Urban Renewal Plan Amendment
8) Onsite Discussion at 2nd Street, Northwest, pertaining to the proposed bike path
9) Mr. John Garton, Stanley Consultants, Inc. – Presentation of a Sewer Service Area Evaluation for property north, west, south and southeast of the current City boundaries
10) **RESOLUTION NO. 08-116** – A Resolution approving the offer from Munro Construction Company, Inc., in the amount of $300.00 for incorrectly placed wire mesh
11) **RESOLUTION NO. 08-117** – A Resolution amending Resolution 07-183, a Resolution approving Applications for Voluntary Annexation in Section 21-80-22, Section 28-80-22, and Section 27-80-22 to include a road description
12) **RESOLUTION NO. 08-118** – A Resolution authorizing and directing the City Administrator to Write-Off Certain Emergency Medical Accounts as Uncollectible due to Medicare, Medicaid or Bad Debt
13) **ORDINANCE NO. 08-214** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 50, Section 50.02.(9C), by amending provisions pertaining to Nuisances Enumerated (2nd reading)
14) **ORDINANCE NO. 08-215** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 47, by adding Section 47.07, pertaining to Lake Petocka Park Regulations (2nd reading)
15) **ORDINANCE NO. 08-216** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 51, Section 51.04(1) and Section 51.06 (1), (2), (3), (4A), (4C), (4D), and (4E) pertaining to Junk and Junk Vehicles (1st reading)

16) **ORDINANCE NO. 08-217** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 27, Section 27.01, pertaining to Board of Adjustment fee (1st reading)
17) **RESOLUTION NO. 08-119** – A Resolution setting the first meeting date in September as Tuesday, September 02, due to the Labor Day holiday
18) **RESOLUTION NO. 08-120** – A Resolution approving Change Order No. 4 submitted by Munro Construction Company, Inc., in the amount of $2,569.00, pertaining to the Library project
19) **RESOLUTION NO. 08-121** – A Resolution setting a Public Hearing date of August 04, 2008, to institute proceedings for the Issuance of General Obligation Urban Renewal Corporate Purpose Bonds, Series 2008, in a principal amount not to exceed $2,300,000.00 and provide for the advertisement of such sale
20) Reports / Comments and appropriate action thereon:
    a) Mayor McCoid
    b) City Administrator Arentsen
    c) Council Members
    d) City Attorney Brick
21) Adjournment

BONDURANT CITY COUNCIL

REGULAR MEETING

July 21, 2008

Meeting No. 08-16

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 21st day of July, 2008, at 6:00 p.m.

Present: Mayor Marla McCoid
Council Member Mike Adams, Sr.
Council Member Michele R. Bailey
Council Member Eric Boatwright
Council Member Keith Ryan
Council Member Curt Sullivan
City Attorney David 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 July 18, 2008. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Mayor McCoid called the meeting to order at 6:03 p.m. Roll call was taken and a quorum was declared.

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

Motion made by Council Member Ryan, seconded by Council Member Boatwright, to approve the Consent Items consisting of the City Council Minutes of July 07, 2008, Library Board of Trustees Minutes of June 05, 2008, the Claims Report and Tax Abatement Applications for Kelly and Jason Donnelly, 3308 Maple Drive, Southwest; Tom Trammell, 1400 – 15th Street, Southeast; and Kenneth Cornelius, 908 – 35th Street, Southwest, Bondurant, Polk County, Iowa. Roll Call: Ryan-Yes, Boatwright-Yes, Bailey-Yes, Adams-Yes, Sullivan-Yes. Motion carried.

Polk County Sheriff's Department was not present.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to close the regular City Council meeting at 6:10 p.m., and go into Public Hearing for the purpose of designating the expanded Bondurant urban renewal area and the proposed urban renewal plan amendment. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Ryan-Yes, Sullivan-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 6:11 p.m., and open the regular City Council meeting. Roll Call: Bailey-Yes, Adams-Yes, Boatwright-Yes, Ryan-Yes, Sullivan-Yes. Motion carried. Motion made by Council Member Ryan, seconded by Council Member Bailey, to approve Resolution No. 08-115, a Resolution approving the designation of the expanded Bondurant urban renewal area and the proposed urban renewal plan amendment. Roll Call: Ryan-Yes, Bailey-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Mayor McCoid announced at 6:12 p.m., that the Council Meeting would move to 2nd Street, Northwest, for discussion on the proposed bike path. David Bovee, Stanley Consultants, Inc., and City Attorney David Brick answered questions from the Mayor and Council. The discussion continued at the City Center at 6:45 p.m. Mr. Rick Erickson, 102 and 104 – 2nd Street, Northwest, said he wouldn't mind if the proposed bike path was located in the easement, but objected to any portion of it being constructed on his property. He is also concerned about water problems for the residences west of him.

Mr. John Garton, Stanley Consultants, Inc., presented a sanitary sewer service area study defined by a boundary by Northeast 94th Avenue to the north, Altoona to the south, the proposed Northeast Beltway Corridor to the west and Northeast 80th Street to the east, and answered questions from the Mayor and Council.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution No. 08-116, a Resolution approving the offer from Munro Construction Company, Inc., in the amount of $300.00 for incorrectly placed wire mesh. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Adams, to approve Resolution No. 08-117, a Resolution amending Resolution No. 07-183, a Resolution approving Applications for Voluntary Annexation in Section 21-80-22, Section 28-80-22, and Section 27-80-22, to include a road description. Roll Call: Sullivan-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution No. 08-118, a Resolution authorizing and directing the City Administrator to write-off certain Emergency Medical Accounts as uncollectible due to Medicare, Medicaid, or bad debt. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to waive the second reading of Ordinance No. 08-214, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 50, Section 50.02(9C) by amending provisions pertaining to Nuisances Enumerated, and approve as the third and final reading. Roll Call: Bailey-Yes, Adams-Yes, Boatwright-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to waive the second reading of Ordinance No. 08-215, an Ordinance amending the Code of Ordinances of

the City of Bondurant, Iowa, 2002, Chapter 47, Section 47.07, pertaining to Lake Petocka Park Regulations, and approve as the third and final reading. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bailey, to approve the first reading of Ordinance No. 08-216, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 51, Section 51.04(1) and Section 51.06(1), (2), (3), (4A), (4C), (4D), and (4E) pertaining to Junk and Junk Vehicles. Roll Call: Adams-No, Bailey-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to waive the first and second reading of Ordinance No. 08-217, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 27, Section 27.01, pertaining to Board of Adjustment fee, and approve as the third and final reading. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve Resolution No. 08-119, a Resolution setting the first meeting date in September as Tuesday, September 02, due to the Labor Day holiday. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 08-120, a Resolution approving Change Order No. 04 submitted by Munro Construction Company, Inc., in the amount of $2,569.00, pertaining to the Library project. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Mayor McCoid asked Mayor Pro Tem Adams to preside over the meeting for agenda item #19, citing a conflict of interest. Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve Resolution No. 08-121, a Resolution setting a Public Hearing date of August 04, 2008, at 6:00 p.m., at the Bondurant City Center, to institute proceedings for the Issuance of General Obligation Urban Renewal Corporate Purpose Bonds, Series 2008, in a principal amount not exceed $2,300,000.00 and provide for the advertisement of such sale. Roll Call: Bailey-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes, Adams-Yes. Motion carried. Mayor McCoid returned to preside over the meeting at 8:25 p.m.

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

- She and City Administrator Arentsen attended the Rolling Agers potluck on Monday.

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

- REAP grant application.
- Library project update.
- Public Safety Building project update.

- 2nd Street, SE siren update.
- WRA 28E Agreement amendment update.
- Mallard Pointe Park drainage tile.

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

- Council Member Adams – Truck routes need to be enforced.
- Council Member Bailey – P & L cleanup status; swimming pool permit issues; and City Hall needs a phone system backup battery.
- Council Member Boatwright – Park and Recreation Board update.
- Council Member Ryan – Tree growth around stop signs; recycling update; and some of the outbuildings have been removed at the Gabus property.
- Council Member Sullivan – Asked the status of the new audio system; asked for update on the 4-way traffic study; and the mosquito offset cost.

Motion made by Council Member Adams, seconded by Council Member Bailey, to adjourn the meeting at 8:40 p.m. Roll Call: Ayes: 5. Nays: 0. Motion carried.

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Marla McCoid, Mayor

ATTEST:

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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 July 21, 2008, 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