BONDURANT CITY COUNCIL

REGULAR MEETING

April 21, 2008

Meeting No. 08-08

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 April, 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 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 April 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 6:00 p.m. Roll call was taken and a quorum was declared.

City Administrator Arentsen asked that two items be added to agenda item #26 Discussion Item(s) and said items will be (c) Nuisance Abatement and (d) BIG, LC, landscaping change. Motion made by Council Member Ryan, seconded by Council Member Bailey, to approve the agenda, as amended. Roll Call: Ryan-Yes, Bailey-Yes, Sullivan-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Ryan, to approve the consent items consisting of the City Council Minutes of April 07, 2008, Planning and Zoning Commission Minutes of March 27, 2008, the Claims Report and Tax Abatement Applications for Richard & Sandra Heaberlin, 1311 Audrey Street, Southeast; Kyer Robinson, 701 Lincoln Street, Southeast; Todd & Erica Kreykes, 3300 Maple Drive, Southwest; and Jason Grubbs, 905 – 34th Street, Southwest, Bondurant, Polk County, Iowa. Roll Call: Boatwright-Yes, Ryan-Yes, Bailey-Yes, Sullivan-Yes, Adams-Yes. Motion carried.

Polk County Sheriff's Department was not present.

Motion made by Council Member Boatwright, seconded by Council Member Ryan, to approve Resolution No. 08-50, a Resolution of Appreciation to Prairie Meadows Racetrack and Casino for grants presented to the City of Bondurant for playground equipment to be installed at

Mallard Pointe Park, Bondurant Emergency Services for an extrication tool (JAWS), and the Bondurant Community Library for interior furnishings. Roll Call: Boatwright-Yes, Ryan-Yes, Bailey-Yes, Sullivan-Yes, Adams-Yes. Motion carried. Mayor McCoid presented the Resolution of Appreciation to Gary Palmer, CEO and Ed Skinner, Grant Advisory Committee Member of Prairie Meadows Racetrack and Casino and thanked them for their continued support.

Mr. Steve Fenlon, Presbyterian Homes Mill Pond Apartments, Inc., presented a Memorandum of Agreement between the City of Bondurant and Presbyterian Homes Mill Pond Apartments, Inc., and answered questions from the Mayor and Council. Motion made by Council Member Ryan, seconded by Council Member Boatwright, to approve Resolution No. 08-51, a Resolution setting a Public Hearing date of May 19, 2008, to consider a proposal to issue revenue bonds or notes, in one or more series, of the issuer in the aggregate principal amount not to exceed $4,200,000.00 and to loan said amount to Presbyterian Homes Mill Pond Apartments, Inc. Roll Call: Ryan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Sullivan-Yes. Motion carried.

Mr. Jerry Pritchard, Bondurant Men's Club, requested a permit for supervised display of fireworks for Summerfest. Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution No. 08-65, a Resolution approving the permit for supervised display of fireworks for Summerfest on June 17, 2008, for the City of Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Sullivan-Yes, Ryan-Yes. Motion carried.

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

Motion made by Council Member Adams, seconded by Council Member Bailey, to approve Resolution No. 08-52, a Resolution setting a Public Hearing date of May 05, 2008, to consider amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 177.04, in the Zoning Code, pertaining to Accessory Structures. Roll Call: Adams-Yes, Bailey-Yes, Ryan-Yes, Sullivan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bailey, to approve Resolution No. 08-53, a Resolution setting a Public Hearing date of May 05, 2008, to consider amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 175.02, in the Zoning Code, pertaining to General Provisions. Roll Call: Adams-Yes, Bailey-Yes, Ryan-Yes, Sullivan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bailey, to approve Resolution No. 08-54, a Resolution setting a Public Hearing date of May 05, 2008, to consider amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 175.01, in the Zoning Code, pertaining to General Provisions. Roll Call: Adams-Yes, Bailey-Yes, Ryan-Yes, Sullivan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution No. 08-55, a Resolution setting a Public Hearing date of May 05, 2008, to consider amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 175.02, #19 in the Zoning Code, pertaining to General Provisions. Roll Call: Adams-Yes, Boatwright-Yes, Ryan-Yes, Sullivan-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Boatwright, to approve Resolution No. 08-56, a Resolution setting a Public Hearing date of May 19, 2008, to receive public comment on the proposed City of Bondurant, Polk County, Iowa, amended Municipal Budget for Fiscal Year 2007 / 2008. Roll Call: Ryan-Yes, Boatwright-Yes, Sullivan-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Sullivan, to approve Resolution No. 08-57, a Resolution declaring April 26, 2008, as “Arbor Day” in the City of Bondurant, Polk County, Iowa. Roll Call: Ryan-Yes, Sullivan-Yes, Bailey-Yes, Adams-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council member Ryan, to approve Resolution No. 08-58, a Resolution authorizing and directing the City Administrator to write-off certain emergency medical accounts as non-collectible. Roll Call: Sullivan-Yes, Ryan-Yes, Bailey-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Boatwright, to approve Resolution No. 08-59, a Resolution approving the Contractor’s Application for Payment from Munro Construction Company, in the amount of $18,939.12 pertaining to the Library project. Roll Call: Ryan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 08-60, a Resolution approving the transfer of $56,000.00 from the Water Enterprise Fund (allocated for the 84 Lumber watermain project), to the Sewer Enterprise Fund for the Inflow and Infiltration (I&I) project. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve Resolution No. 08-61, a Resolution approving the transfer of $10,625.00 from the General Fund to the Trust & Agency Emergency Services Fund. This amount is one-half of the revenue from the Centennial Book sales and one-half of the monthly revenue collected from ERR. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution No. 08-62, a Resolution approving the transfer of $10,625.00 from the General Fund to the Trust & Agency Library Fund. This amount is one-half of the revenue from the Centennial Book sales and one-half of the monthly revenue collected from ERR. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Sullivan-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the first reading of Ordinance No. 08-207, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 69.08, pertaining to No Parking Zones. Roll Call: Bailey-No, Adams-No, Ryan-No, Boatwright-No, Sullivan-No. Motion failed.

Motion made by Council Member Sullivan, seconded by Council Member Ryan, to approve the first reading of Ordinance No. 08-208, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 17.06, pertaining to Council Member Compensation. The salary of each Council Member is seventy-five dollars for each regular and special meeting attended, payable annually and would become effective no earlier than January 01, 2010. Roll Call: Sullivan-Yes, Ryan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Mr. Gene Gabus, Mallard Creek Development, presented a request to re-zone the southeast section of Mallard Creek Development, consisting of no more than 100 lots, located west of Mallard Pointe Development and north of Second Street, Northwest, from R-2 One- and Two-Family Residential to R-5 Planned Unit Development (PUD), and answered questions from the Mayor and Council. Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution No. 08-63, a Resolution setting a Public Hearing date of May 05, 2008, to consider a re-zoning request for the southeast section of Mallard Creek Development, consisting of no more than 100 lots, located west of Mallard Pointe Development and north of Second Street, Northwest, from R-2 One- and Two-Family Residential to R-5 Planned Unit Development (PUD). Roll Call: Adams-Yes, Boatwright-Yes, Bailey-Yes, Sullivan-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 08-64, a Resolution approving the purchase of an Outdoor Warning Siren from Federal Signal Corporation in the amount of $16,979.90, to be located at 2nd Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Discussion items included Greater Des Moines Partnership Washington DC trip; DNR proposed Administrative Consent Order; sending nuisance abatements to violators and BIG, LC, landscaping changes.

Mayor McCoid called for a recess at 7:45 p.m. The meeting reconvened at 7:55 p.m.

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

- Due to Summerfest, the second meeting date in June will be June 19.
- MWA dinner.
- Meetings update.
- Would like the B-F School Superintendent to give an update concerning certain school issues at a future Council meeting.

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

- Altoona annexation.
- Pre-construction meeting on Monday for the Public Safety Building.
- Will be meeting with property owners in the areas of Franklin Street, Southwest; 32nd Street, Southwest; and Prairie Drive, Southwest to discuss drainage issues.
- Deadline for the sidewalk repairs is May 01.
- Swim bus will run from June 03 to August 12.
- Main Street Reconstruction project meeting will be on May 01, at 6:00 p.m., at the City Center.
- Playground equipment for Mallard Pointe Park will be installed on April 26.

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

- Bailey – Asked the voting hours for the courthouse referendum.
- Council Member Ryan – No Comment.
- Council Member Boatwright – Council should discuss investing in a digital voice recorder.
- Council Member Sullivan – No Comment.
- Council Member Adams – Encouraged voting on the courthouse referendum.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to go into closed session at 8:20 p.m., pursuant to Iowa Code Section 21.5(j) regarding Potential Purchase of Real Estate. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes. Motion approved.

Motion made by Council Member Bailey, seconded by Council Member Adams, to close the closed session and open the regular meeting at 8:29 p.m. 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 adjourn the meeting at 8:30 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 April 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.

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Michelle Wells, Deputy City Clerk