Posting Date: May 16, 2008

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

May 19, 2008

Meeting 08-11

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, May 19, 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 May 01 and May 05, 2008
   b) Receive and File – Planning & Zoning Commission Minutes of April 24, 2008
   c) Receive and File – Library Board of Trustees Minutes of April 03, 2008
   d) Claims Report
   d) Tax Abatement Applications – Marla McCoid, 14 Main Street, Southeast; Seth & Tracey Ramaeker, 3406 Ash Drive, Southwest; Jennifer Farquhar, 3204 Maple Drive, Southwest; Aaron Groves, 717 – 35th Street, Southwest; Craig & Kristi Christianson, 806 – 13th Street, Southeast; and Jon & Rachel Glissman, 706 Filmore Avenue, Southeast, Bondurant, Polk County, Iowa
6) Polk County Sheriff's Report
7) Geri Huser, Iowa House Representative – Update on State of Iowa Legislative Issues
8) ***PUBLIC HEARING*** – For consideration of 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, Bondurant Polk County, Iowa, from R-2 One- and Two-Family Residential to R-5 Planned Unit Development (PUD)

   ORDINANCE NO. 08-208 – An Ordinance approving 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, Bondurant, Polk County, Iowa, from R-2 One- and Two-Family Residential to R-5 Planned Unit Development (PUD) (1st reading)
9) Mr. Eric Cannon, E.I., Snyder & Associates, Inc. – Presentation of a revised Preliminary Plat for Wolf Creek Plat 3

   RESOLUTION NO. 08-76 – A Resolution approving the revised Preliminary Plat for Wolf Creek Plat 3
10) ***PUBLIC HEARING*** – To consider a proposal for the Issuance and Sale of Revenue Bonds or Notes (Presbyterian Homes Mill Pond Apartments, Inc.) in an Aggregate Amount not to Exceed $4,200,000.00

RESOLUTION NO. 08-77 – A Resolution approving the Issuance and Sale of Revenue Bonds or Notes (Presbyterian Homes Mill Pond Apartments, Inc.) in an Aggregate Amount not to Exceed $4,200,000.00

11) Mr. Mike Flattery, Stanley Consultants, Inc. – Presentation of a Scope of Services pertaining to the Wastewater Lagoon Treatment Plan of Action in Response to the IDNR Administrative Consent Order

RESOLUTION NO. 08-78 – A Resolution approving the Scope of Services submitted by Stanley Consultants, Inc., in the amount of $25,000.00 pertaining to the Wastewater Lagoon Treatment Plan of Action in Response to the IDNR Administrative Consent Order

12) Mr. Mike Flattery, Stanley Consultants, Inc. – Presentation of a Professional Services Agreement between the City of Bondurant, Polk County, Iowa, and Stanley Consultants, Inc., pertaining to the Design, Bidding and Construction Services for a 12" Watermain and 8" Sanitary Sewer to the new Bondurant-Farrar High School

RESOLUTION NO. 08-79 – A Resolution approving the Professional Services Agreement between the City of Bondurant, Polk County, Iowa, and Stanley Consultants, Inc., in the amount of $25,423.00, for the Design, Bidding and Construction Services for a 12" Watermain and 8" Sanitary Sewer to the new Bondurant-Farrar High School

13) ***PUBLIC HEARING*** – For Consideration of amending the current City of Bondurant, Iowa, Municipal Budget for Fiscal Year 2007 / 2008

RESOLUTION NO. 08-80 – A Resolution approving the amended City of Bondurant, Iowa, Municipal Budget for Fiscal Year 2007 / 2008

14) **RESOLUTION NO. 08-81** – A Resolution approving the Contractor's Application for Payment from Munro Construction Company, Inc., in the amount of $56,752.08 pertaining to the Library project

15) **RESOLUTION NO. 08-82** – A Resolution approving the freight charges in the amount of $452.00 for the Outdoor Warning Siren purchased from Federal Signal Corporation

16) **RESOLUTION NO. 08-83** – A Resolution approving the fund transfers for Fiscal Year 2007 / 2008

17) **ORDINANCE NO. 08-213** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to Parking Regulations, Chapter 69.06, by adding #19 to Parking Prohibited (2nd reading)

18) **RESOLUTION NO. 08-84** – A Resolution setting a Public Hearing date of June 19, 2008, on Designation of the Expanded Bondurant Urban Renewal Area and Urban Renewal Plan Amendment

19) **RESOLUTION NO. 08-85** – A Resolution setting a Public Hearing date of June 02, 2008, to receive public comment on the Furnishings Bid Package for the Bondurant Community Library project

20) Discussion item(s)
   a) 15th Street, Southeast, parking in area between sidewalk and street pavement
   b) Status of Library project
   c) Schedule Special Meeting to Consider Status of CIP projects

21) Reports / Comments and appropriate action thereon:
   a) Mayor McCoid
   b) City Administrator Arentsen
   c) Council Members

22) Adjournment

BONDURANT CITY COUNCIL

REGULAR MEETING

May 19, 2008

Meeting No. 08-11

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 19th day of May, 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
Finance Director Lori Dunham

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 May 16, 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.

Council Member Bailey asked that item 14 be moved after Discussion item "c" and said item be defined as item "d". Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the agenda as amended. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Mayor McCoid asked Mayor Pro Tem Adams to preside during the Consent Items, citing a conflict of interest. Motion made by Council Member Ryan, seconded by Council Member Sullivan, to approve the consent items consisting of the City Council Minutes of May 01, and May 05, 2008, Planning and Zoning Commission Minutes of April 24, 2008, Library Board of Trustees Minutes of April 03, 2008, the Claims Report and Tax Abatement applications for Marla McCoid, 14 Main Street, Southeast / 110 – 1st Street, Southeast; Seth and Tracey Ramaeker, 3406 Ash Drive, Southwest; Jennifer Farquhar, 3204 Maple Drive, Southwest; Aaron Groves, 717 – 35th Street, Southwest; Craig & Kristi Christianson, 806 – 13th Street, Southeast; and Jon and Rachel Glissman, 706 Filmore Avenue, Southeast, Bondurant, Polk County, Iowa. Roll Call: Ryan-Yes, Sullivan-Yes, Bailey-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

Polk County Sheriff's Department representative Deputy Arcuri was present but had nothing to report.

Iowa House Representative Geri Huser was not present to give an update on Iowa Legislative issues. Motion made by Council Member Ryan, seconded by Council Member Boatwright, to table the update. Roll Call: Ryan-Yes, Boatwright-Yes, Bailey-Yes, Sullivan-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Ryan, to close the regular City Council meeting at 6:05 p.m., and open the Public Hearing for consideration of 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 2nd Street, Northwest, Bondurant, Polk County, Iowa, from R-2 One- and Two-Family Residential to R-5 Planned Unit Development (PUD). Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. Mr. David Bentz, Bishop Engineering, presented the re-zoning request and stressed that the house size for this development is the same size as is in an R-2 zoning district and he is just asking for a smaller lot with 10 foot total setback. Public comment from Mr. Michael Adams, Jr., Adams Custom Homes, 210 2nd Street, Northeast, Bondurant, Iowa, stated that the re-zoning would allow smaller lots and lower lot prices, therefore more lots would be sold, which puts the other developers at an unfair disadvantage. Public comment from Mr. Marvin Skinner, Planning and Zoning Commission Member, stated that this re-zoning request was voted down by the Planning and Zoning Commission, adding that he is still very concerned about the culture that this re-zoning could result in, and that the other developers could follow suit. Motion made by Council Member Adams, seconded by Council Member Bailey, to close the Public Hearing at 6:16 p.m., and open the regular City Council meeting. Roll Call: Adams-Yes, Bailey-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. Motion made by Council Member Adams, seconded by Council Member Sullivan, to approve the first reading of Ordinance No. 08-208, an Ordinance approving 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 2nd Street, Northwest, Bondurant, Polk County, Iowa, from R-2 One- and Two-Family Residential to R-5 Planned Unit Development (PUD). Roll Call: Adams-No, Sullivan-No, Bailey-Yes, Ryan-No, Boatwright-No. Motion failed.

Mr. Eric Cannon, E.I., Snyder & Associates, Inc., presented a revised Preliminary Plat for Wolf Creek Plat 3 and answered questions from the Mayor and Council. Motion made by Council Member Sullivan, seconded by Council Member Ryan, to approve Resolution No. 08-76, a Resolution approving the revised Preliminary Plat for Wolf Creek Plat 3. Roll Call: Sullivan-Yes, Ryan-Yes, Bailey-Yes, Adams-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Boatwright, to close the regular City Council meeting at 6:30 p.m., and open the Public Hearing to consider a proposal for the Issuance and Sale of Revenue Bonds or Notes (Presbyterian Homes Mill Pond Apartments, Inc.) in an aggregate amount not to exceed $4,200,000.00. Roll Call: Ryan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Sullivan-Yes. Motion carried. Mr. Matthew McQuillen,

City Manager's Office, City of Ankeny, representing the Mayor and City Council of Ankeny, was present to show support for the City of Bondurant's consideration for the Mill Pond bond re-financing project. Due to the amount of General Obligation Bonds issued this year, the City of Ankeny wasn't bank qualified to assist Mill Pond. Mr. Steve Fenlon, Presbyterian Homes Mill Pond Apartments, Inc., explained the conditions of the loan. No verbal comments were received during the Public Hearing. Motion made by Council Member Adams, seconded by Council Member Ryan, to close the Public Hearing at 6:37 p.m., and open the regular City Council meeting. Roll Call: Adams-Yes, Ryan-Yes, Bailey-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 08-77, a Resolution approving the issuance and sale of revenue bonds or notes (Presbyterian Homes Mill Pond Apartments, Inc.), in an aggregate amount not to exceed $4,200,000.00. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 08-78, a Resolution approving the Scope of Services submitted by Stanley Consultants, Inc., in the amount of $25,000.00 pertaining to the Wastewater Lagoon Treatment Plan of Action in response to the IDNR Administrative Consent Order. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Bailey, to approve Resolution No. 08-79, a Resolution approving the Professional Services Agreement between the City of Bondurant, and Stanley Consultants, Inc., in the amount of $25,423.00, for the Design, Bidding and Construction Services for a 12" watermain and 8" sanitary sewer to the new Bondurant-Farrar High School. Roll Call: Sullivan-Yes, Bailey-Yes, Ryan-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Boatwright, to close the regular City Council meeting at 6:50 p.m., and open the Public Hearing for consideration of amending the current City of Bondurant, Iowa, Municipal Budget for Fiscal Year 2007 / 2008. Roll Call: Ryan-Yes, Boatwright-Yes, Bailey-Yes, Adams-Yes, Sullivan-Yes. Motion carried. No verbal comments were received during the Public Hearing. Motion made by Council Member Ryan, seconded by Council Member Sullivan, to close the Public Hearing at 6:52 p.m., and open the regular City Council meeting. Roll Call: Ryan-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Boatwright-Yes. Motion carried. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 08-80, a Resolution approving the amended City of Bondurant, Iowa, Municipal Budget for Fiscal Year 2007 / 2008. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 08-82, a Resolution approving the freight charges in the amount of $452.00 for the Outdoor Warning Siren purchased from Federal Signal Corporation. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 08-83, a Resolution approving the fund transfers for Fiscal Year 2007 / 2008. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Ryan, to waive the second reading of Ordinance No. 08-213, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to Parking Regulations, Chapter 69.06, by adding #19 to Parking Prohibited and approve as the third and final reading. Roll Call: Adams-Yes, Ryan-Yes, Bailey-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Boatwright, to approve Resolution No. 08-84, a Resolution setting a Public Hearing date of June 19, 2008, on designation of the expanded Bondurant Urban Renewal Area and Urban Renewal Plan Amendment. Roll Call: Ryan-Yes, Boatwright-Yes, Bailey-Yes, Adams-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Bailey, to approve Resolution No. 08-85, a Resolution setting a Public Hearing date of June 02, 2008, to receive public comment on the Furnishings Bid Package for the Bondurant Community Library project. Roll Call: Ryan-Yes, Bailey-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Mayor McCoid led a discussion pertaining to parking on 15th Street, Southeast, between the sidewalk and street pavement. Public comment was heard from Keith Ryan, 508 – 15th Street, Southeast; Ray Sauer, 1108 – 15th Street, Southeast; John Wright, 1008 – 15th Street, Southeast; and Mike Adams, Jr., 1105 – 14th Street, Southeast, Bondurant, Iowa. Additional discussion included the status of the Library project and scheduling a special meeting to discuss Capital Improvement projects.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution No. 08-81, a Resolution approving the Contractor's Application for Payment from Munro Construction Company, Inc., in the amount of $56,752.08 pertaining to the Library project. Roll Call: Bailey-No, Boatwright-Yes, Sullivan-Yes, Ryan-Yes, Adams-No. Motion carried.

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

- Update concerning the school bond issue.

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

- Bike path update.
- Meeting with Communication Innovators this week.
- Will be gone on Thursday.
- Public Safety Building contractor is ahead of schedule.

- Hosting the Northeast Polk Mayors and City Administrators meeting on May 28.
- Need information for the Public Safety Building plaque.

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

- Council Member Adams – Asked for update on 4" watermain.
- Council Member Bailey – No Comment.
- Council Member Ryan – MWA update.
- Council Member Boatwright – Digital voice recorder issue.
- Council Member Sullivan – No Comment.

Motion made by Council Member Adams, seconded by Council Member Boatwright, 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:

_____
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 May 19, 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