Posting Date: October 30, 2009

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

November 02, 2009

Meeting 09-21

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, November 02, 2009, 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) Abstentions declared
4) Perfecting and Approval of the Agenda and Declaring a Quorum
5) Guests Present
6) Consent Items:
   a) Approval of the City Council Minutes of October 19, 2009
   b) Claims Report
   c) Tax Abatement Applications – Cory Black, 303 Mulberry Drive, Northwest; and Ryan and Katie Kunze, 3313 Poplar Drive, Southwest, Bondurant, Polk County, Iowa
7) Polk County Sheriff's Report
8) **RESOLUTION 09-168** – A Resolution approving the renewal of a garbage collection contract between the City of Bondurant, Polk County, Iowa, and Artistic Waste Services, Inc., for a term of _____ at a rate of _____per month, per 96 gallon toter
9) **RESOLUTION 09-169** – A Resolution approving a garbage collection contract between the City of Bondurant, Polk County, Iowa, and Ankeny Sanitation, for a term of six months beginning 1/01/10, through 6/30/10, at a rate of $7.93 per residence
10) Reo Menning, Metro Waste Authority
    RESOLUTION 09-170 – A Resolution authorizing Metro Waste Authority (MWA) to issue an R.F.P., and award a contract for the collection of municipal solid waste within the City of Bondurant, Polk County, Iowa
11) Discussion item(s)
    a) Presentation on Kinney Park Safe Room
12) **ORDINANCE 09-214** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 69, Section 69.08, by amending provisions pertaining to No Parking Zones
13) **RESOLUTION 09-171** – A Resolution declaring *Silver Star Banner Day* in the City of Bondurant, Polk County, Iowa
14) **RESOLUTION 09-172** – A Resolution setting a Public Hearing date for November 16, 2009, for consideration of renewing the Electric Franchise Agreement between the City of Bondurant and Mid-American Energy Company for a period of nineteen years
15) **RESOLUTION 09-173** – A Resolution approving the renewal application for a Special Class C Liquor License (BW) (Beer/Wine) and Sunday Sales Permit for Polito's Pizza House, Inc., d/b/a Polito's Pizza House, Inc., 210 Lincoln Street, Northeast, Bondurant, Polk County, Iowa

16) **RESOLUTION 09-174** – A Resolution approving the renewal application for a Class C Beer Permit (BC) and Sunday Sales Permit for Casey's Marketing Company d/b/a Casey's General Store #1373, 302 – 2nd Street, Northeast, Bondurant, Polk County, Iowa
17) **RESOLUTION 09-175** – A Resolution approving the renewal application for a Class C Liquor License (LC) Commercial, Outdoor Service and Sunday Sales Permit for the Hamm Family, LLC., d/b/a Cory's Irish Pub, 110 – 1st Street, Southeast, Bondurant, Polk County, Iowa
18) **RESOLUTION 09-176** – A Resolution approving Contractor's Application for Payment #1 submitted by Elder Corporation in the amount of $76,619.57 pertaining to the 2nd Street, Northwest / Northeast Sidewalk / Bike Path Project
19) **RESOLUTION 09-177** – A Resolution approving Contractor's Application for Payment #5 submitted by Jasper Construction Services, Inc., in the amount of $126,448.49 pertaining to the Main Street Reconstruction Project
20) **RESOLUTION 09-178** – A Resolution approving Change Order #3 submitted by Jasper Construction Services, Inc., in the amount of $3,881.44 pertaining to the Main Street Reconstruction Project
21) **RESOLUTION 09-179** – A Resolution approving Change Order #4 submitted by Jasper Construction Services, Inc., in the amount of $565.07 pertaining to the Main Street Reconstruction Project
22) Reports / Comments and appropriate action thereon:
    a) Mayor McCoid
    b) City Administrator
    c) Council Members
    d) City Attorney Brick
23) Adjournment

BONDURANT CITY COUNCIL
REGULAR MEETING
November 02, 2009

Meeting No. 09-21

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 02nd day of November, 2009, 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

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the United States Post Office on October 30, 2009. 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.

Mayor McCoid asked Mayor Pro Tem Ryan to preside over the meeting for item 17, citing a conflict of interest.

Council Member Bailey asked that item 11 be moved up on the agenda and said item be identified as item 7a. Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve the agenda, as amended. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve the Consent Items consisting of the City Council Minutes of October 19, 2009, the Claims Report and Tax Abatement Applications for Cory Black, 303 Mulberry Drive, Northwest; and Ryan and Katie Kunze, 3313 Poplar Drive, Southwest, Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Boatwright-Yes, Ryan-Yes, Sullivan-Yes, Adams-Yes. Motion approved.

Polk County Sheriff's Department representative Deputy Barber was present but had nothing to report. Council Member Bailey asked when the Trailer Parking Ordinance becomes effective.

Thad Long, SVPA Architects, Inc., led a discussion on the proposed Kinney Park Safe Room and answered questions from the Mayor and Council. It was the consensus of the Council Members to install flush toilets versus portable chemical toilets.

Council Member Ryan asked that Resolution 09-168 be amended to include "subject to City Attorney's review and approval." Motion made by Council Member Boatwright, seconded by Council Member Ryan, to approve Resolution 09-168, a Resolution approving the renewal of a garbage collection contract between the City of Bondurant, Polk County, Iowa, and Artistic Waste Services, Inc., for a term of 3 1/2 years at a rate of $6.95 per month, per 96 gallon toter, $5.95 per month per 32 gallon toter and a senior rate of $5.51 per month per 32 gallon toter and said contract will be reviewed and approved by the City Attorney. Roll Call: Boatwright-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to table Resolution 09-169, a Resolution approving a garbage collection contract between the City of Bondurant, Polk County, Iowa, and Ankeny Sanitation, for a term of 6 months beginning 1/01/10, through 6/30/10, at a rate of $7.93 per residence. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to table Resolution 09-170, a Resolution authorizing Metro Waste Authority to issue an R.F.P., and award a contract for the collection of municipal solid waste within the City of Bondurant, Polk County, Iowa. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Ryan, to waive the first and second reading of Ordinance 09-214, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 69, Section 69.08, pertaining to No Parking Zones and approve as the third and final reading. Roll Call: Boatwright-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Boatwright, to approve Resolution 09-171, a Resolution approving a Proclamation declaring May 01, as the permanent *Silver Star Banner Day*, to honor the wounded and ill Soldiers of the City of Bondurant, Polk County, Iowa. Roll Call: Ryan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Bailey, to approve Resolution 09-172, a Resolution setting a Public Hearing date for November 16, 2009, at 6:00 p.m., in the Bondurant City Center for consideration of renewing the Electric Franchise Agreement between the City of Bondurant and MidAmerican Energy Company for a period of nineteen years. Roll Call: Sullivan-Yes, Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve Resolution 09-173, a Resolution approving the renewal application for a Special Class C Liquor License (BW) (Beer/Wine) and Sunday Sales Permit for Polito's Pizza House d/b/a

Polito's Pizza House, Inc., 210 Lincoln Street, Northeast, Bondurant, Polk County, Iowa. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve Resolution 09-174, a Resolution approving the renewal application for a Class C Beer Permit (BC) and Sunday Sales Permit for Casey's Marketing Company d/b/a Casey's General Store #1373, 302 2nd Street, Northeast, Bondurant, Polk County, Iowa. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Mayor Pro Tem Ryan announced Resolution 09-175. Motion made by Council Member Sullivan, seconded by Council Member Adams, to approve Resolution 09-175, a Resolution approving the renewal application for a Class C Liquor License (LC) Commercial, Outdoor Service and Sunday Sales Permit for the Hamm Family, LLC., d/b/a Cory's Irish Pub, 110 1st Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Sullivan-Yes, Adams-Yes, Bailey-Yes, Boatwright-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Ryan, to approve Resolution 09-176, a Resolution approving Contractor's Application for Payment #1 submitted by Elder Corporation in the amount of $76,619.57 pertaining to the 2nd Street, Northwest/Northeast Sidewalk/Bike Path Project. Roll Call: Sullivan-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Ryan, to approve Resolution 09-177, a Resolution approving Contractor's Application for Payment #5 submitted by Jasper Construction Services, Inc., in the amount of $126,448.49 pertaining to the Main Street, Reconstruction Project. Roll Call: Sullivan-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution 09-178, a Resolution approving Change Order #3 submitted by Jasper Construction Services, Inc., in the amount of $3,881.44 pertaining to the Main Street Reconstruction Project. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Mayor Pro Tem Ryan announced Resolution 09-179. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution 09-179, a Resolution approving Change Order #4 submitted by Jasper Construction Services, Inc., in the amount of $565.07 pertaining to the Main Street Reconstruction Project. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

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

- Appliance pick up during fall clean up.
- Main Street Reconstruction Project delay.
- Thanked Main Street residents and business owners for their patience during the project.
- Tree planting locations.
- Wished all candidates well with the election.

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

- Union Pacific may abandon the railroad tracks in town.
- Northeast Polk County Alliance meeting update.
- Update of the air lines at the lagoon.
- Met with the Rolling Agers on Monday.
- Sewer rates update.
- Stormwater fund.

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

- No Comment.

Mayor McCoid left the meeting at 7:25 p.m.

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

- Council Member Ryan – No Comment.
- Council Member Boatwright – Reminded everyone to vote on Tuesday.
- Council Member Sullivan – Additional parking on the north side of 101 Main Street, SE.
- Council Member Adams – No Comment.
- Council Member Bailey – No Comment.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to adjourn said meeting at 7:30 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 November 02, 2009, 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