Posting Date: May 15, 2009

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

May 18, 2009

Meeting 09-10

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, May 18, 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 May 04, 2009
   b) Receive and File – Library Board of Trustees Minutes of April 02, 2009
   c) Claims Report
   d) Tax Abatement Applications – Adam M. White, 1216 15th Street, Southeast; and Clint Trebon, 1104 13th Street, Southeast, Bondurant, Polk County, Iowa
7) Polk County Sheriff's Report
8) **RESOLUTION NO. 09-89** – A Resolution approving the Lease Agreement between the City of Bondurant and the United States Postal Service effective February 01, 2010, with an expiration date of January 31, 2015, for a total term of five years

OR

RESOLUTION NO. 09-89 – A Resolution approving the Lease Agreement between the City of Bondurant and the United States Postal Service effective February 01, 2010, with an expiration date of January 31, 2013, for a total term of three years

9) ***PUBLIC HEARING*** – For consideration of approving the amended City of Bondurant Municipal Budget for Fiscal Year 2008 / 2009
   RESOLUTION NO. 09-90 – A Resolution approving the amended City of Bondurant Municipal Budget for Fiscal Year 2008 / 2009
10) **ORDINANCE NO. 09-205** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 92, Section 92.07, pertaining to Lien Exemption and Section 92.09 pertaining to Customer Deposits (3rd reading)
11) **RESOLUTION NO. 09-91** – A Resolution approving a Temporary Easement pertaining to the 2nd Street, Northwest, Sidewalk/Bike Path Project
12) **RESOLUTION NO. 09-92** – A Resolution approving the renewal application for an Iowa Retail Cigarette and Tobacco Permit for Casey's General Store #1373, located at 302 2nd Street, Northeast, Bondurant, Polk County, Iowa
13) **RESOLUTION NO. 09-93** – A Resolution approving the renewal application for an Iowa Retail Cigarette and Tobacco Permit for Casey's General Store #1861, located at 1455 Grant Street, South, Bondurant, Polk County, Iowa

14) **ORDINANCE NO. 09-206** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 1, by adding Section 1.15 entitled Payment of Fees, Fines or Unsatisfied Judgments as a Prerequisite to Issuance by City of a License or Permit
15) **RESOLUTION NO. 09-94** – A Resolution approving the levying of assessments for costs pertaining to sanitary sewer and watermain improvements at Arbor Ridge, LLC
16) **RESOLUTION NO. 09-95** – A Resolution approving certain street closures for Summerfest
17) Reports / Comments and appropriate action thereon:
    a) Mayor McCoid
    b) City Administrator
    c) Council Members
18) Adjournment

BONDURANT CITY COUNCIL
REGULAR MEETING
May 18, 2009

Meeting No. 09-10

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 18th day of May, 2009, at 6:00 p.m.

Present: 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: Mayor Marla McCoid

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 15, 2009. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Mayor Pro Tem Keith Ryan called the meeting to order at 6:00 p.m. Roll call was taken and a quorum was declared.

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

Floyd Gardner, 107 3rd Street, Northeast, and Matt Williams, 109 Main Street, Southeast, Bondurant, Iowa, voiced their dissatisfaction pertaining to the recent event held at Cory's Irish Pub. It was suggested that loud events of this nature should be held at an outlying location such as Lake Petocka or the Wooden Nickel.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve the Consent Items consisting of the City Council Minutes of May 04, 2009, Library Board of Trustees Minutes of April 02, 2009, the Claims Report, and Tax Abatement Applications for Adam M. White, 1216 15th Street, Southeast; and Clint Trebon, 1104 13th Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Ryan-Yes, Bailey-Yes. Motion carried.

Polk County Sheriff's Department was present but had nothing to report. Council Member Bailey reminded Polk County that violations are to be written under Bondurant Municipal Code and not State Code.

Council Member Adams announced that he would be abstaining from item 10 on the agenda.

Public comment from Joann White, 304 Lincoln Street, Southeast, Bondurant, Iowa, said she hoped that Council considered the elderly and potential new business when they vote on renewing the Post Office lease. Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve Resolution No. 09-89, a Resolution approving the Lease Agreement between the City of Bondurant and the United States Postal Service effective February 01, 2010, with an expiration date of January 31, 2015, for a total term of five years. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Boatwright-No, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to close the regular City Council meeting at 6:15 p.m., and open the Public Hearing for consideration of approving the amended City of Bondurant Municipal Budget for Fiscal Year 2008/2009. Roll Call: Boatwright-Yes, Sullivan-Yes, Bailey-Yes, Adams-Yes, Ryan-Yes. Motion carried. City Administrator Arentsen said no written or verbal comments were received by his office. Council Member Boatwright asked what changes had been made to the budget. His questions were answered by Finance Director Lori Dunham. 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 6:17 p.m., and open the regular City Council meeting. 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. 09-90, a Resolution approving the amended City of Bondurant Municipal Budget for Fiscal Year 2008/2009. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Public comment received from Brian Wadsworth, 425 Main Street, Southeast; Bruce Cordes, 96 Snyder Street, Southeast; Mike Adams, Jr., 1105 14th Street, Southeast; and Greg Hanson, 505 11th Court, Southeast, Bondurant, Iowa, each asking Council not to approve the third and final reading of Ordinance 09-205, pertaining to Lien Exemption and Customer Deposits. Matt Williams, 109 Main Street, Southeast, Bondurant, Iowa, commented in favor of approving the Ordinance. Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to table Ordinance No. 09-205, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending provisions pertaining to Lien Exemption and Customer Deposits until the next meeting. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Abstain, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution No. 09-91, a Resolution approving the Temporary Easement pertaining to the 2nd Street, Northwest, Sidewalk/Bike Path Project. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution No. 09-92, a Resolution approving the renewal application for an Iowa Retail Cigarette and Tobacco Permit for Casey's General Store #1373, located at 302 2nd Street, Northeast, Bondurant, Polk County, Iowa. Roll Call: Adams-Yes, Boatwright-Yes, Bailey-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution No. 09-93, a Resolution approving the renewal application for an Iowa Retail Cigarette and Tobacco Permit for Casey's General Store #1861, located at 1455 Grant Street, South, Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Boatwright-Yes, Ryan-Yes, Adams-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Sullivan, to approve the first reading of Ordinance No. 09-206, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 1, by adding Section 1.15 entitled Payment of Fees, Fines or Unsatisfied Judgments as a Prerequisite to Issuance by City of a License or Permit. Roll Call: Bailey-Yes, Sullivan-Yes, Ryan-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Sullivan, to approve Resolution No. 09-94, a Resolution approving the levying of assessments for costs pertaining to sanitary sewer and watermain improvements at Arbor Ridge, LLC. Roll Call: Bailey-Yes, Sullivan-Yes, Ryan-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution No. 09-95, a Resolution approving certain street closures for Summerfest. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

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

- Update on Mud Creek drainage basin.
- Update on WRA sewer connection.
- Access Control Plan meeting on May 28.
- Update Public Safety Building grading.
- Altoona extended sewer line for Bondurant connection.

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

- Council Member Boatwright – Inquired about Rita Rostenbach's proposed cemetery aesthetic improvements request; Park & Rec Board minutes; BDI update.
- Council Members Bailey – Update on school foundation.
- Council Member Sullivan – Asked City Administrator to monitor possible Post Office relocation.
- Council Member Ryan – Asked City Administrator to discuss public complaints with Cory's Irish Pub.
- Council Member Adams – No comment.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to adjourn said meeting at 7:15 p.m. Roll Call: Ayes: 5. Nays: 0. Motion carried.

_____
Keith Ryan, Mayor Pro Tem

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 18, 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