Posting Date: October 16, 2009

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

October 19, 2009

Meeting 09-20

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, October 19, 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 05, 2009
   b) Receive and File – Planning and Zoning Commission Minutes of August 13, 2009
   c) Receive and File – Library Board of Trustees Minutes of September 03, 2009
   d) Claims Report
   e) Tax Abatement Applications – Cole Richard Valasek, 1109 – 13th Street, Southeast; Whitney Nelson, 300 Tailfeather Drive, Northwest; Lisa Hazelton, 3408 Maple Drive, Southwest; and Tara Schumann, 401 – 1st Street, Northwest, Bondurant, Polk County, Iowa
7) Polk County Sheriff's Report
8) Marvin Berger, Martens and Company, Inc. – Presentation of FY 2009 Municipal Audit Report for the City of Bondurant, Polk County, Iowa
   RESOLUTION 09-162 – A Resolution approving the FY 2009 Municipal Audit Report for the City of Bondurant, Polk County, Iowa
9) **RESOLUTION 09-163** – A Resolution approving the State of Iowa Financial Report for FY 2009
10) **RESOLUTION 09-164** – A Resolution approving the Annual Appropriation Payment in the amount of $100,000 payable to Wil-Ron Properties, LLC, pertaining to the Development Agreement between the City of Bondurant, Polk County, Iowa, and Wil-Ron Properties, LLC
11) **RESOLUTION 09-165** – A Resolution rescinding Resolution 08-168, a Resolution assigning all interest earnings from unspent bond proceeds to the General Fund
12) **RESOLUTION 09-166** – A Resolution approving the proposed improvements to the Bondurant Soccer Club fields
13) **RESOLUTION 09-167** – A Resolution directing the issuance of the City of Bondurant's intent to not renew the garbage collection contract with Artistic Waste Services, Inc.

14) **ORDINANCE 09-212** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 65, Section 65.01 by amending provisions pertaining to Stop Required
15) **ORDINANCE 09-213** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 62, Section 62.01 by amending provisions pertaining to General Traffic Regulations
16) Discussion item(s)
    a) Consideration of Deer Ridge Drive, Northwest, speed control options
    b) Responsibility of snow removal for 2nd Street, Northwest, sidewalk
17) Reports / Comments and appropriate action thereon:
    a) Mayor McCoid
    b) City Administrator
    c) Council Members
18) Adjournment

BONDURANT CITY COUNCIL
REGULAR MEETING
October 19, 2009

Meeting No. 09-20

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 October, 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 Administrator Mark J. Arentsen
Deputy City Clerk Michelle Wells
Finance Director Lori Dunham

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 16, 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 suggested that item 16a and 16b on the agenda be moved up and identified as 7a and 7b. Motion made by Council Member Boatwright, seconded by Council Member Ryan, to approve the agenda, as amended. Roll Call: Boatwright-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Bailey, to approve the Consent Items consisting of the City Council Minutes of October 05, 2009, Planning and Zoning Commission Minutes of August 13, 2009, Library Board of Trustees Minutes of September 03, 2009, the Claims Report and Tax Abatement applications for Cole Richard Valasek, 1109 – 13th Street, Southeast; Whitney Nelson, 300 Tailfeather Drive, Northwest; Lisa Hazelton, 3408 Maple Drive, Southwest; and Tara Schumann, 401 – 1st Street, Northwest, Bondurant, Polk County, Iowa. Roll Call: Ryan-Yes, Bailey-Yes, Boatwright-Yes, Sullivan-Yes, Adams-Yes. Motion approved.

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

Residents from Deer Ridge Development expressed concern pertaining to the speeding that occurs daily on Deer Ridge Drive, Northwest, and asked Council for solutions. Polk County Deputy Anderson volunteered a speed trailer to help monitor the speed and City Staff will install an additional "Children at Play" sign. A traffic study could possibly be performed after the

new high school opens. Ronda Zarr, 604 – 6th Court, Northwest and Lance Beresford, 400 Deer Ridge Drive, Northwest, Bondurant, Iowa, participated in the discussion.

Steve Sesker, 202 – 2nd Street, Northwest, Bondurant, Iowa, asked the Mayor and Council to clarify the responsibility of the snow removal for the sidewalk on 2nd Street, Northwest. It was the consensus of the Mayor and Council that 2nd Street, NW, on the west side of Grant Street is a 6' sidewalk and 2nd Street, NE, on the east side of Grant Street, will be a 10' bike path. Snow removal will be the responsibility of the resident.

Marvin Berger, Martens and Company, Inc., presented the Fiscal Year 2009 Municipal Audit Report for the City. He stated that the City is making good progress in eliminating its deficit fund balances. Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve the Fiscal Year 2009 Municipal Audit Report for the City of Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution 09-163, a Resolution approving the State of Iowa Financial Report for Fiscal Year 2009. Roll Call: Boatwright-Yes, Sullivan-Yes, Ryan-Yes, Bailey-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve Resolution 09-164, a Resolution approving the Annual Appropriation Payment in the amount of $100,000 payable to Wil-Ron Properties, LLC., pertaining to the Development Agreement between the City of Bondurant, Polk County, Iowa, and Wil-Ron Properties, LLC. 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 Resolution 09-165, a Resolution rescinding Resolution 08-168, a Resolution assigning all interest earnings from unspent bond proceeds to the General Fund. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Alan Knuth, Bondurant Soccer Club, discussed funding options and fundraising events for the proposed improvements to the concession stand at the Bondurant soccer field. Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution 09-166, a Resolution approving the proposed improvements to the Bondurant Soccer Club Fields and to amend the Resolution by adding, the City of Bondurant will contribute $5,000 to the project. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Discussion pertaining to the City's options of the renewal of the current garbage collection contract with Artistic Waste Services, or the possibility of the City of Bondurant joining the City of West Des Moines and the City of Norwalk in a Request for Proposal (RFP). Reo Menning, Metro Waste Authority, Tony Colosimo, Artistic Waste Services and Joe Fontana, Ankeny Sanitation, participated in the discussion. Motion made by Council Member Boatwright,

seconded by Council Member Sullivan, to approve Resolution 09-167, a Resolution directing the City Administrator to issue the City of Bondurant's intent to not renew the garbage collection contract between the City of Bondurant, Polk County, Iowa, and Artistic Waste Services, Inc. Roll Call: Boatwright-No, Sullivan-No, Adams-Yes, Bailey-No, Ryan-No. Motion failed.

Council Member Adams left the room at 7:50 p.m., and returned at 7:52 p.m.

Motion made by Council Member Boatwright, seconded by Council Member Ryan, to waive the first and second reading of Ordinance 09-212, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 65, Section 65.01, by amending provisions pertaining to Stop Required, 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 Bailey, seconded by Council Member Ryan, to waive the first and second reading of Ordinance 09-213, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 62, Section 62.01, by amending provisions pertaining to General Traffic Regulations, and approve as the third and final reading. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Sullivan-Yes, Boatwright-Yes. Motion carried.

Council Member Boatwright asked for a recess at 8:02 p.m. The meeting reconvened at 8:10 p.m.

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

- Unable to attend the Council Meeting on December 21.
- Pleased with the audit.
- Planning Session in December.

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

- The street paving of the Main Street Reconstruction Project is 95% completed.
- 2nd Street Sidewalk Project update.
- Metro Advisory Council needs City representative.
- Business Record article.

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

- Council Member Ryan – No Comment
- Council Member Boatwright – Soliciting quotes for employee health insurance; status of tobacco and alcohol licenses for closed business; concerned that our IPAIT Money Market account is earning 0%; and inquired about the Tennis Court Savings account
- Council Member Sullivan – Asked terms of parking lease agreement with Cory's Pub.
- Council Member Adams – No Comment.
- Council Member Bailey – No Comment.

Motion made by Council Member Boatwright, seconded by Council Member Adams, to adjourn said meeting at 8:25 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 October 19, 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