Posting Date: August 28, 2009

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

August 31, 2009

Meeting 09-17

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, August 31, 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 August 17, 2009
   b) Claims Report
   c) Tax Abatement Applications – Patricia Kiernan, 905 – 13th Street, Southeast; Mike & Jolene Kramer, 304 Mulberry Drive, Northwest; Alison Augspurger, 3312 Poplar Drive, Southwest; Zach & Kristi Oksendahl, 3404 Poplar Drive, Southwest; and Jerry Ridgeway, 1005 Grant Street, South, Unit #2, Bondurant, Polk County, Iowa
7) Polk County Sheriff's Report
8) **RESOLUTION 09-147** – A Resolution approving the Professional Services Agreement between the City of Bondurant and Stanley Consultants, Inc., pertaining to the 2nd Street, NW/NE Sidewalk and Multi-use Path Construction Project in the amount of $43,000
9) **RESOLUTION 09-148** – A Resolution levying assessment for costs of a Nuisance Abatement for tall grass at the corner of Grant Street, South, and Hwy. 65, Bondurant, Polk County, Iowa
10) **RESOLUTION 09-149** – A Resolution approving the City of Bondurant Street Financial Report
11) **RESOLUTION 09-150** – A Resolution approving Contractor's Application for Payment No. 3 submitted by Jasper Construction Services, Inc., in the amount of $50,262.69 pertaining to the Main Street Reconstruction Project
12) **RESOLUTION 09-151** – A Resolution adopting the Polk County, Iowa, Multi-Jurisdictional Hazard Mitigation Plan
13) Discussion item(s)
    a) Fall and spring clean up
    b) Garbage collection contract
14) ***CLOSED SESSION*** – Pursuant to Iowa Code Section 21.5(c) to discuss strategy in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation
15) **RESOLUTION 09-152** – A Resolution Directing the Completion of Drainage Facilities for the Clement Estates Property

16) Reports / Comments and appropriate action thereon:
    a) Mayor McCoid
    b) City Administrator
    c) Council Members
    d) City Attorney Brick
17) Adjournment

BONDURANT CITY COUNCIL
REGULAR MEETING
August 31, 2009

Meeting No. 09-17

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 31st day of August, 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

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 August 28, 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.

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

Motion made by Council Member Sullivan, seconded by Council Member Bailey, to approve the consent items consisting of the City Council Minutes of August 17, 2009, the Claims Report and Tax Abatement Applications for Patricia Kiernan, 905 – 13th Street, Southeast; Mike and Jolene Kramer, 304 Mulberry Drive, Northwest; Alison Augspurger, 3312 Poplar Drive, Southwest; Zach and Kristi Oksendahl, 3404 Poplar Drive, Southwest; and Jerry Ridgeway, 1005 Grant Street, South, Unit #2, Bondurant, Polk County, Iowa. Roll Call: Sullivan-Yes, Bailey-Yes, Adams-Yes, Boatwright-Yes, Ryan-Yes. Motion carried.

Polk County Sheriff's Department representative Lt. Raibikis and Deputy Barber had nothing to report. Council Members Adams and Bailey complimented Deputy Barber on his job performance.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution 09-147, a Resolution approving the Professional Services Agreement between the City of Bondurant and Stanley Consultants, Inc., pertaining to the 2nd Street, Northwest/Northeast, Sidewalk and Multi-use Path Construction Project in the amount of $43,000. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Bailey, to approve Resolution 09-148, a Resolution levying assessment for costs of a Nuisance Abatement for tall grass at the corner of Grant Street, South, and Highway 65, Bondurant, Polk County, Iowa. Roll Call: Sullivan-Yes, Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Ryan, to approve Resolution 09-149, a Resolution approving the City of Bondurant Street Financial Report. Roll Call: Sullivan-Yes, Ryan-Yes, Bailey-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution 09-150, a Resolution approving Contractor's Application for Payment No. 3 submitted by Jasper Construction Services, Inc., in the amount of $50,262.69 pertaining to the Main Street Reconstruction Project. 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 09-151, a Resolution adopting the Polk County, Iowa, Multi-Jurisdictional Hazard Mitigation Plan. Roll Call: Sullivan-Yes, Bailey-Yes, Ryan-Yes, Boatwright-Yes, Adams-Yes. Motion carried.

Discussions were held pertaining to the spring/fall clean ups and the garbage collection contract.

Motion made by Council Member Ryan, seconded by Council Member Sullivan, to add discussion item "c" and said item be defined as Clements Estates drainage facilities. Roll Call: Ryan-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Boatwright-Yes. Motion carried. Stuart Feldstein, representing BIG, LC; Bill Elson, representing BIG, LC; Troy Clement, representing Clement Estates and Roy McCleary, City of Bondurant Stormwater Coordinator participated in the discussion and answered questions from the Mayor and Council.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to close the regular City Council meeting at 7:15 p.m., and go into closed session pursuant to Iowa Code Section 21.5(c) to discuss strategy in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Roll Call: Bailey-Yes, Boatwright-Yes, Ryan-Yes, Adams-Yes, Sullivan-Yes. Motion carried. Mayor McCoid announced a five minute recess. Motion made by Council Member Bailey, seconded by Council Member Adams, to close the closed session at 8:00 p.m., and open the regular City Council meeting. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Council Member Boatwright read aloud proposed Resolution 09-152. Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution 09-152, a Resolution directing the completion of drainage facilities for the Clement Estates property. Roll Call: Adams-Yes, Boatwright-Yes, Ryan-Yes, Sullivan-Yes, Bailey-Yes. Motion carried.

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

- Former Union 76 site update.

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

- Safe room grant application update.
- Committee to meet Tuesday to address trailer parking issues.
- 2nd Street NW/NE Sidewalk / Bike Path update.
- Potential retail prospects for the downtown area.

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

- Council Member Sullivan – No Comment.
- Council Member Boatwright – Would like date set for City Administrator's review.
- Council Member Ryan – No Comment.
- Council Member Adams – No Comment.
- Council Member Bailey – Breaking and entering update.

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

- No Comment

Motion made by Council Member Adams, seconded by Council Member Sullivan, to adjourn said meeting at 8:15 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 August 31, 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