Posting Date: May 01, 2009

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

May 04, 2009

Meeting 09-09

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, May 04, 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 April 20, 2009
   b) Receive and File – Planning & Zoning Commission Minutes of March 26, 2009
   c) Claims Report
   d) Tax Abatement Applications – Angela Schermer, 807 33rd Street, Southwest; Valerie Francois, 803 34th Street, Southwest; Brian D. Johnson, 1212 15th Street, Southeast; and Landon Greene, 1208 15th Street, Southeast, Bondurant, Polk County, Iowa
7) Discussion item(s)
   a) Public comment pertaining to the Post Office Lease Renewal
   b) Council Member summation of previous meetings pertaining to the Post Office Lease Renewal
   c) Investment Policy
8) Discussion concerning the use of the Glenn Stoll property
   RESOLUTION NO. 09-78 – A Resolution approving the housing of cattle and horses on the Glenn Stoll property located at 8452 Northeast 80th Street, Bondurant, Polk County, Iowa
9) **RESOLUTION NO. 09-80** – A Resolution approving the bid submitted by Jasper Construction Services, Inc., in the amount of $579,003.50 pertaining to the Main Street Reconstruction Project
10) **RESOLUTION NO. 09-82** – A Resolution approving Temporary Easements pertaining to the Second Street, Northwest, Sidewalk Project
11) **RESOLUTION NO. 09-83** – A Resolution approving Temporary Easements pertaining to the Second Street, Northeast, Bike Path Project
12) **RESOLUTION NO. 09-86** – A Resolution approving applying interest charges to outstanding invoices that remain unpaid after a period of 30 days
13) **RESOLUTION NO. 09-88** – A Resolution directing the Rebidding of Main Street Electrical Project
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) Polk County Sheriff's Report

16) **RESOLUTION NO. 09-79** – A Resolution approving the appointment of Steve Hall to the Bondurant Park and Recreation Board Bicycle Subcommittee
17) **RESOLUTION NO. 09-81** – A Resolution setting the second meeting date in June 2009, as Monday, June 22, due to Summerfest
18) **RESOLUTION NO. 09-84** – A Resolution approving the quote submitted by Konica-Minolta in the amount of $7,361.00 for the purchase of a copy machine
19) **RESOLUTION NO. 09-85** – A Resolution approving the purchase of a 6" Engine Driven Trash Pump from Construction & Aggregate Products, Inc., in the amount of $9,200.00 for wastewater utility
20) **RESOLUTION NO. 09-87** – A Resolution approving the City of Bondurant Smoke Free Workplace Policy
21) Reports / Comments and appropriate action thereon:
    a) Mayor McCoid
    b) City Administrator
    c) Council Members
    d) City Attorney Brick
22) Adjournment

BONDURANT CITY COUNCIL
REGULAR MEETING
May 04, 2009

Meeting No. 09-09

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 04th day of May, 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 May 01, 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.

Council Member Adams announced that he would be abstaining from agenda item 12. Mayor McCoid announced that certain agenda items had been rearranged and placed after the Closed Session. In the event the meeting ran long, they will be considered at the next meeting. Motion made by Council Member Bailey, seconded by Council Member Ryan, to approve the agenda, as presented. Roll Call: Bailey-Yes, Ryan-Yes, Boatwright-Yes, Adams-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Bailey, to approve the Consent Items consisting of the City Council Minutes of April 20, 2009, Planning and Zoning Commission Minutes of March 26, 2009, the Claims Report, and Tax Abatement Applications for Angela Schermer, 807 33rd Street, Southwest; Valerie Francois, 803 34th Street, Southwest; Brian D. Johnson, 1212 15th Street, Southeast; and Landon Greene, 1208 15th Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Boatwright-Yes, Bailey-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Mayor McCoid asked that all correspondence and e-mails pertaining to the Post Office lease renewal be included in Council meeting minutes book and they would be available for public review. Mayor McCoid opened the meeting for public comment.

Public comment from Barb Westling, 300 2nd Street, Northwest; Joann White, 304 Lincoln Street, Southeast; Jerry Fischer, 105 5th Street, Northeast; Cindy Tendall, 212 2nd Street, Northwest; Matt Williams, 109 Main Street, Southeast; Pat Haning, 404 Lincoln Street, Southeast; Patti and Steve Davis, 10204 Northeast 76th Avenue; Steve Sesker, 202 2nd Street, Northwest; Bondurant, Polk County, Iowa, all spoke in favor of renewing the Post Office lease for a period of five years. A show of hands confirmed this opinion. No public comment opposing the lease renewal was received. Council Member Ryan asked that the Post Office lease renewal be on the next Council agenda. Mayor McCoid asked that a Resolution for a three-year lease and a Resolution for a five-year lease each be presented for consideration at the Council meeting on May 18.

Mayor McCoid opened the discussion concerning the City of Bondurant Investment Policy and read communication from the City's Auditor, Marvin Berger, stating his professional opinion and approval regarding the City's policy of investing funds.

Mr. Chuck Speas, Speas Farms, Inc., announced his son Andrew's plan to train cutting horses and house cattle on the Glenn Stoll property located at 8452 Northeast 80th Street, Bondurant, Iowa, and answered questions from the Mayor and Council. Motion made by Council Member Ryan, seconded by Council Member Sullivan, to approve Resolution No. 09-78, a Resolution approving the housing of cattle and horses on the Glenn Stoll property, located at 8452 Northeast 80th Street, Bondurant, Polk County, Iowa, providing that a non-transferable agreement between the City of Bondurant, and Speas Farms, Inc., limit the number of cattle housed to fifty. Roll Call: Ryan-Yes, Sullivan-Yes, Adams-Yes, Boatwright-Yes, Bailey-Yes. Motion carried.

Mayor McCoid asked Mayor Pro Tem Ryan to preside over the meeting at 7:20 p.m., citing a conflict of interest pertaining to Resolution 09-80. Council Member Sullivan suggested approving the base bid from Sternquist Construction, Inc., in the amount of $532,187.35 without Alternate #1, which included items such as ornamental trees, shrubs, benches, trash receptacles, colored concrete walk and perennials, adding that perhaps City organizations, groups, or grants could be used for those items. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 09-80, a Resolution approving the bid submitted by Jasper Construction Services, Inc., in the amount of $579,003.50, which included Alternate #1 pertaining to the Main Street Reconstruction Project. Roll Call: Bailey-Yes, Adams-Yes, Sullivan-No, Ryan-Yes, Boatwright-Yes. Motion carried.

Council Member Boatwright asked for a recess at 7:31 p.m. The meeting reconvened at 7:44 p.m.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 09-82, a Resolution approving Temporary Easements pertaining to the Second Street, Northwest, Sidewalk Project. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution No. 09-83, a Resolution approving Temporary Easements pertaining to the

Second Street, Northeast, Bike Path Project. Roll Call: Boatwright-Yes, Sullivan-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to approve Resolution No. 09-86, a Resolution approving applying interest charges to outstanding invoices that remain unpaid after a period of thirty (30) days. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Abstain, Ryan-Yes, Sullivan-Yes. Motion carried.

Mayor McCoid asked Mayor Pro Tem Ryan to preside over the meeting for Resolution No. 09-88, citing a conflict of interest. City Administrator Arentsen explained some inconsistent information inadvertently provided to the electricians bidding on the number of landscaping beds receiving outdoor outlets. Bob Norgaard, Eagle Electric, was the low bidder of the project and felt the rebidding process gave the other bidders an unfair advantage. Motion made by Council Member Bailey, seconded by Council Member Sullivan, to approve Resolution No. 09-88, a Resolution directing the rebidding of the Main Street Electrical Project. Roll Call: Bailey-Yes, Sullivan-No, Adams-Yes, Ryan-Yes, Boatwright-Yes. Motion carried.

Council Member Boatwright suggested considering item 19 before closing the regular meeting for the Closed Session. Motion made by Council Member Adams, seconded by Council Member Ryan, to approve Resolution No. 09-85, a Resolution approving the purchase of a 6" Engine Driven Trash Pump from Construction & Aggregate Products, Inc., in the amount of $9,200.00 for the wastewater utility. Roll Call: Adams-Yes, Ryan-Yes, Bailey-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Ryan, to close the regular City Council meeting at 8:10 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: Sullivan-Yes, Ryan-Yes, Bailey-Yes, Boatwright-Yes, Adams-Yes. Motion carried. Motion made by Council Member Adams, seconded by Council Member Ryan, to close the Closed Session at 8:26 p.m., and open the regular City Council meeting. Roll Call: Adams-Yes, Ryan-Yes, Bailey-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Polk County representative Deputy Chong Wong had left the meeting.

Motion made by Council Member Adams, seconded by Council Member Bailey, to approve Resolution No. 09-79, a Resolution approving the appointment of Steve Hall to the Bondurant Park and Recreation Board Bicycle Subcommittee. Roll Call: Adams-Yes, Bailey-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Boatwright, to approve Resolution No. 09-81, a Resolution setting the second meeting in June as Monday, June 22, due to Summerfest. Roll Call: Adams-Yes, Boatwright-Yes, Ryan-Yes, Bailey-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Adams, seconded by Council Member Bailey, to approve Resolution No. 09-84, a Resolution approving the quote submitted by Konica-Minolta in the

amount of $7,361.00 for the purchase of a Bizhub C353 printer/copier/scanner. Roll Call: Adams-Yes, Bailey-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Ryan, to approve Resolution No. 09-87, a Resolution approving the City of Bondurant Smoke Free Workplace Policy. Roll Call: Sullivan-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes, Boatwright-Yes. Motion carried.

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

- Benefit for disabled veterans on May 09, at Cory's Irish Pub.
- Meeting updates.

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

- Update on 84 Lumber property.

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

- Council Member Boatwright – Asked when speed limit signs would be installed on Grant Street, North; would like Park and Rec Board updates; parking is a problem at Kinney Park and the soccer field; asked City Administrator to research the planning and development of a City such as Overland Park, Kansas.
- Council Members Adams, Bailey, Ryan and Sullivan had no comments.

Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to adjourn said meeting at 8:45 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 May 04, 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