Posting Date: October 02, 2009

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

October 05, 2009

Meeting 09-19

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, October 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 September 21, 2009
   b) Claims Report
   c) Tax Abatement Applications – Karen Keeran, 1209 Dee Street, Southeast; Brandon and Amber Russell, 149 Mallard Pointe Drive, Northwest; and Holli Miller, 109 Tailfeather Drive, Northwest, Bondurant, Polk County, Iowa
7) Polk County Sheriff's Report
8) Mr. Tom Hockensmith, 3rd District Supervisor – Update of Polk County activities
9) **RESOLUTION 09-158** – A Resolution approving the appointment of Jolyn Meehan, 602 Sycamore Drive, Northwest, Bondurant, Iowa, to the Planning and Zoning Commission seat vacated by Nicholas Bailey, which expires on December 31, 2013
10) Discussion item
    a) Mr. Tony Colosimo, Artistic Waste Services – garbage contract extension
11) **ORDINANCE 09-209** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 69 by adding Section 69.14 pertaining to Trailer and Boat Parking
12) **ORDINANCE 09-210** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 70, Section 70.03 pertaining to Parking Fines
13) **RESOLUTION 09-159** – A Resolution approving Contractor's Application for Payment No. 4 submitted by Jasper Construction Services, Inc., in the amount of $169,071.61 pertaining to the Main Street Reconstruction Project
14) **RESOLUTION 09-160** – A Resolution approving Change Order No. 2 submitted by Jasper Construction Services, Inc., in the amount of $1,274.21 pertaining to the Main Street Reconstruction Project
15) **RESOLUTION 09-161** – A Resolution directing the issuance of the City of Bondurant's intent to not renew a lease for property legally described as Outlot W in Clarence Oleson Vista Estates Plat 4
16) **ORDINANCE 09-211** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 48, Sections 48.01 and 48.06 titled "Residency Restrictions for Sex Offenders"

17) Discussion item
    a) Consider request to fill in ditch at 316 – 2nd Street, Northwest, as part of 2nd Street Sidewalk / Bike Path Project
18) Reports / Comments and appropriate action thereon:
    a) Mayor McCoid
    b) City Administrator
    c) Council Members
    d) City Attorney Brick
19) Adjournment

BONDURANT CITY COUNCIL
REGULAR MEETING
October 05, 2009

Meeting No. 09-19

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 05th day of October, 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
City Attorney David Brick

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 October 02, 2009. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Mayor Pro Tem Ryan called the meeting to order at 6:01 p.m. Roll call was taken and a quorum was declared.

Council Member Adams announced he would be abstaining from item 15.

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

Steve Sesker, 202 – 2nd Street, Northwest, and Rick Erickson, 102 – 2nd Street, Northwest, Bondurant, Iowa, asked Council for clarification on whether the 2nd Street Project is a sidewalk or a bike path and who will be responsible for the snow removal. Mayor Pro Tem Ryan asked that Council be given time to research options and discuss this further before making a decision. Barb Westling, 300 – 2nd Street, Northwest, Bondurant, Iowa, voiced concern for the safety of the bicycle riders that will use the sidewalk and questioned when MidAmerican Energy is going to fill in the eighteen inch hole they dug in her yard.

Motion made by Council Member Adams, seconded by Council Member Bailey, to approve the Consent Items consisting of the City Council Minutes of September 21, 2009, the Claims Report and Tax Abatement applications for Karen Keeran, 1209 Dee Street, Southeast; Brandon and Amber Russell, 149 Mallard Pointe Drive, Northwest; and Holli Miller, 109 Tailfeather Drive, Northwest, Bondurant, Polk County, Iowa. Roll Call: Adams-Yes, Bailey-Yes, Boatwright-Yes, Sullivan-Yes, Ryan-Yes. Motion approved.

Polk County Sheriff's Department representative Lt. Raibikis was present but had nothing to report.

Tom Hockensmith, 3rd District Polk County Supervisor presented an update on Polk County activities, which included the Iowa Events Center expansion; no hockey team this winter; courthouse expansion; HUD grant for low income housing; weatherization for 300 homes this year; IJOBS funding for an emergency operations center; H1N1 vaccine; and Polk County Public Works projects for Bondurant.

Motion made by Council Member Boatwright, seconded by Council Member Adams, to approve Resolution 09-158 a Resolution approving the appointment of Jolyn Meehan, 602 Sycamore Drive, Northwest, Bondurant, Iowa, to the Planning and Zoning Commission seat vacated by Nicholas Bailey, which expires on December 31, 2013. Roll Call: Boatwright-Yes, Adams-Yes, Sullivan-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Tony Colosimo, Artistic Waste Services, presented conditions for an extension of the City's garbage contract with Artistic Waste Services.

Motion made by Council Member Boatwright, seconded by Council Member Adams, to waive the second reading of Ordinance 09-209, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 69, by adding Section 69.14 pertaining to Trailer and Boat Parking and approve as the third and final reading. Roll Call: Boatwright-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the third and final reading of Ordinance 09-210, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 70, Section 70.03 pertaining to Parking Fines. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Sullivan, to approve Resolution 09-159, a Resolution approving Contractor's Application for Payment No. 4 submitted by Jasper Construction Services, Inc., in the amount of $169,071.61 pertaining to the Main Street Reconstruction Project. Roll Call: Bailey-Yes, Sullivan-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution 09-160, a Resolution approving Change Order No. 2 submitted by Jasper Construction Services, Inc., in the amount of $1,274.21 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 Boatwright, seconded by Council Member Sullivan, to approve Resolution 09-161, a Resolution directing the issuance of the City of Bondurant's intent to not renew a lease for property legally described as Outlot W in Clarence Oleson Vista Estates Plat 4. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to waive the first and second reading of Ordinance 09-211, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by repealing Chapter 48, Section 48.01 and Section 48.06 titled "Residency Restrictions for Sex Offenders." Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Bob Ratlifff, 316 – 2nd Street, Northwest, Bondurant, Iowa, presented his request to extend the culvert through the ditch in front of his property. The City Council agreed by consensus to place storm sewer pipe in the ditch in front of the Ratliff property, rather than leave the open ditch section called for in the project plans. Council also agreed by consensus to address future requests on a case by case basis. Steve Sesker, 202 – 2nd Street, Northwest; Rick Erickson, 102 – 2nd Street, Northwest; Barb Westling, 300 – 2nd Street, Northwest, and David Bovee, P.E., Stanley Consultants, Inc., participated in the discussion.

Thad Long, 10911 Northeast 75th Street, and Alan Knuth, 7525 Northeast 80th Street, Bondurant, Iowa, representing the Bondurant Soccer Club, presented proposed plans for adding water and sewer service in the concession stand to allow for the addition of restrooms and washing sinks. No on site food preparation is in the plans. The project also includes adding electrical service, and fixing drainage issues in front of the concession stand. They are presenting the proposed plan at the Planning and Zoning Commission meeting on October 08th.

Eric Boatwright left the meeting at 7:55 p.m., and returned at 7:57 p.m.

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

- Will be placing ads for the sale of the old 500,000 gallon ground storage water tank and radio antenna at City Hall.
- IDOT hosting an informational meeting pertaining to the I-80 / U.S. Highway 65 reconstruction project.
- 15 Main Street, Southeast, has been sold.
- Safe room application update.

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

- Council Member Ryan – MWA recycling update.
- Council Member Boatwright – No Comment.
- Council Member Sullivan – No Comment.
- Council Member Adams – No Comment.
- Council Member Bailey – No Comment.

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 8:04 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 October 05, 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