Posting Date: November 13, 2009

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

November 16, 2009

Meeting 09-22

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, November 16, 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 November 02, 2009
   b) Receive and File – Library Board of Trustees Minutes of October 01, 2009
   c) Receive and File – Board of Adjustment Minutes of September 08, 2008
   d) Claims Report
   e) Tax Abatement Applications – Michelle Haifley, 204 Tailfeather Drive, Northwest; Aaron and Jackie Kreuder, 502 Washington Avenue, Southeast; Nathan Stewart, 1005 – 13th Street, Southeast; and Cole Ingle, 3409 Poplar Drive, Southwest, Bondurant, Polk County, Iowa
7) Polk County Sheriff's Report
8) ***PUBLIC HEARING*** – For consideration of renewing the Electric Franchise Agreement between the City of Bondurant, Polk County, Iowa, and MidAmerican Energy Company for a period of nineteen years
   Mr. John Sehnert, MidAmerican Energy Company – Presentation of MidAmerican Electric Franchise Agreement
   ORDINANCE O9-215 – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 111, Section 111.01, pertaining to Franchise Granted
9) **RESOLUTION 09-180** – A Resolution approving the Agreement for Solid Waste Collection and Disposal Services between the City of Bondurant, Polk County, Iowa, and Artistic Waste Services, Inc.
10) **RESOLUTION 09-181** – A Resolution authorizing and directing the City Administrator to write-off certain Emergency Medical Service Accounts as non-collectible
11) **RESOLUTION 09-182** – A Resolution authorizing Internal Advance to Tax Increment Fund
12 **RESOLUTION 09-183** – A Resolution levying assessment for costs of nuisance abatements at 1105 – 14th Street, Southeast; and 510 – 2nd Street, Southeast, Bondurant, Polk, Iowa
13) **RESOLUTION 09-184** – A Resolution approving Contractor's Application for Payment #2 submitted by Elder Corporation in the amount of $101,487.75 pertaining to the 2nd Street, NW / NE Sidewalk / Bike Path Project

14) **RESOLUTION 09-185** – A Resolution approving the Final Plat for Wolf Creek Plat 4
15) Discussion item(s)
    a) Mallard Pointe lift station
    b) Clement Estates detention pond status
16)) Reports / Comments and appropriate action thereon:
    a) Mayor McCoid
    b) City Administrator
    c) Council Members
17) Adjournment

BONDURANT CITY COUNCIL
REGULAR MEETING
November 16, 2009

Meeting No. 09-22

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 16th day of November, 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

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the United States Post Office on November 13, 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 his abstention for item 12.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to amend the agenda by deleting item 9, as he felt it was approved at the previous meeting and that item 14 be moved up and be defined as item 7a. Council Member Bailey stated changes had been made to the contract of item 9 and she would like them discussed. Roll Call: Boatwright-Yes, Sullivan-Yes, Ryan-No, Bailey-No, Adams-No. Motion failed. Motion made by Council Member Adams, seconded by Council Member Bailey, to amend the agenda by moving item 14 up on the agenda and said item be defined as 7a. 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 the Consent Items consisting of the City Council Minutes of November 02, 2009, Library Board of Trustees Minutes of October 01, 2009, Board of Adjustment Minutes of September 08, 2008, the Claims Report and Tax Abatement Applications for Michelle Haifley, 204 Tailfeather Drive, Northwest; Aaron and Jackie Kreuder, 502 Washington Avenue, Southeast; Nathan Stewart, 1005 – 13th Street, Southeast; and Cole Ingle, 3409 Poplar Drive, Southwest, Bondurant, Polk County, Iowa. Roll Call: Adams-Yes, Boatwright-Yes, Bailey-Yes, Ryan-Yes, Sullivan-Yes. Motion carried.

Polk County Sheriff's Department representative Deputy Chong Wong was present but had nothing to report. Council Member Bailey asked that Deer Ridge Drive, Northwest, be monitored for speed.

Mayor McCoid arrived at 6:09 p.m.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to close the regular City Council meeting at 6:10 p.m., and open the Public Hearing for consideration of amending the Code of Ordinances of the City of Bondurant, Polk County, Iowa, 2002, by amending Chapter 111, Section 111.01, pertaining to Franchise Granting by renewing the Electric Franchise Agreement between the City of Bondurant, Polk County, Iowa, and MidAmerican Energy Company for a period of nineteen years. Roll Call: Bailey-Yes, Boatwright-Yes, Adams-Yes, Ryan-Yes, Sullivan-Yes. Motion carried. Mr. John Sehnert, Franchise Manager, MidAmerican Energy Company, highlighted the proposed Electric Franchise Agreement and said the agreement had been approved by our City Attorney. No verbal or written comments were received from the public. Motion made by Council Member Bailey, seconded by Council Member Ryan, to close the Public Hearing at 6:23 p.m., and open the regular City Council meeting. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Sullivan-Yes, Boatwright-Yes. Motion carried. Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve the first reading of Ordinance 09-215, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 111, Section 111.01, pertaining to Franchise Granted. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution 09-185, a Resolution approving the Final Plat for Wolf Creek Plat 4. Roll Call: Boatwright-Yes, Sullivan-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

City Administrator Arentsen announced a change to the proposed Solid Waste Collection Agreement in Article 3.6. Motion made by Council Member Boatwright, seconded by Council Member Sullivan, to approve Resolution 09-180, a Resolution approving the Agreement for Solid Waste Collection and Disposal Services between the City of Bondurant, Polk County, Iowa, and Artistic Waste Services, Inc., as amended. Roll Call: Boatwright-Yes, Sullivan-Yes, Ryan-Yes, Bailey-Yes, Adams-Yes. Motion carried.

Motion made by Council Member Sullivan, seconded by Council Member Boatwright, to approve Resolution 09-181, a Resolution authorizing and directing the City Administrator to write-off certain Emergency Medical Service Accounts as non-collectible due to Medicare, Medicaid or too small to collect. Roll Call: Sullivan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Ryan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Sullivan, to approve Resolution 09-182, a Resolution authorizing Internal Advance to Tax Increment Fund. Roll Call: Bailey-Yes, Sullivan-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Sullivan, to approve Resolution 09-183, a Resolution levying assessment for costs of nuisance abatements for tall

grass at 1105 – 14th Street, Southeast; and 510 – 2nd Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Sullivan-Yes, Ryan-Yes, Boatwright-Yes, Adams-Abstain. Motion carried.

Motion made by Council Member Boatwright, seconded by Council Member Ryan, to approve Resolution 09-184, a Resolution approving Contractor's Application for Payment submitted by Elder Corporation in the amount of $101,487.75 pertaining to the 2nd Street, Northwest / Northeast Sidewalk / Bike Path Project. Roll Call: Boatwright-Yes, Ryan-Yes, Adams-Yes, Bailey-Yes, Sullivan-Yes. Motion carried.

Discussion items included the Mallard Pointe lift station and the status of the Clement Estates detention pond.

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

- Will be on vacation the week of November 23.
- Employee health insurance quotes will be discussed at the next meeting.

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

- Council Member Ryan – City website update.
- Council Member Boatwright – No Comment.
- Council Member Sullivan – No Comment.
- Council Member Adams – City Engineer discussion.
- Council Member Bailey – No Comment.

Motion made by Council Member Adams, seconded by Council Member Bailey, to adjourn said meeting at 6:55 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 November 16, 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