Posting Date: February 27, 2009

NOTICE OF A REGULAR MEETING

BONDURANT CITY COUNCIL

March 02, 2009

Meeting 09-05

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m., on Monday, March 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) Perfecting and Approval of the Agenda and Declaring a Quorum
4) Guests Present
5) Consent Items:
   a) Approval of the City Council Minutes of February 17, 2009
   b) Receive and File – Planning & Zoning Commission Minutes of January 15, 2009
   c) Claims Report
   d) Tax Abatement Applications – Rachel Glissmann, 706 Filmore Avenue, Southeast, Abby Oliver and Matt Armstrong, 417 1st Street, Northwest; and Andrew A. Wirtz, 3500 Ash Drive, Southwest, Bondurant, Polk County, Iowa
6) Polk County Sheriff's Report
7) Mr. David Bentz, Bishop Engineering – Presentation of a Revised Concept Plan for Mallard Creek Plat 1
   RESOLUTION NO. 09-23 – A Resolution approving the Revised Concept Plan for Mallard Creek, Plat 1, located north of Second Street, Northwest, Bondurant, Polk County, Iowa
8) Mr. Pete Klindt, Director of Operations for Git-N-Go – Presentation of a Revised Site Plan for Git-N-Go (formerly Cenex Ampride), 3207 Henry Street, Southwest, Bondurant, Polk County, Iowa
   RESOLUTION NO. 09-24 – A Resolution approving the Revised Site Plan for Git-N-Go Convenience Store, 3207 Henry Street, Southwest, Bondurant, Polk County, Iowa
9) ***PUBLIC HEARING*** – For Consideration of Approving City of Bondurant, Polk County, Iowa, Municipal Budget for Fiscal Year 2009 / 2010
   RESOLUTION NO. 09-25 – A Resolution approving the City of Bondurant, Polk County, Iowa, Municipal Budget for Fiscal Year 2009 / 2010
10) ***PUBLIC HEARING*** – For Consideration of approving Various Voluntary Annexations in Section 19 to the City of Bondurant, Polk County, Iowa
    RESOLUTION NO. 09-26 – A Resolution approving Various Applications for Voluntary Annexation in Section 19 to the City of Bondurant, Polk County, Iowa
11) **RESOLUTION NO. 09-27** – A Resolution approving a waterline connection at the northwest corner of Pleasant Street, Southeast, and 15th Street, Southeast, Bondurant, Iowa, for an estimated cost of $5,000.00
12) **RESOLUTION NO. 09-28** – A Resolution approving upsizing the 8" watermain at the new high school to a 12" watermain for a cost of $14,656.39

13) **RESOLUTION NO. 09-29** – A Resolution levying assessment for costs of a nuisance abatement at 1111 Lincoln Street, Southeast, Bondurant, Polk County, Iowa
14) **ORDINANCE NO. 09-202** – An Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 1, Section 1.14(4) pertaining to standard penalties for municipal infractions (1st reading)
15) **RESOLUTION NO. 09-30** – A Resolution approving the revisions to City Council Procedural Policies / Rules
16) **RESOLUTION NO. 09-31** – A Resolution approving the closing of the Fire Donations Savings Account and Sewer Improvement Savings Account
17) **RESOLUTION NO. 09-32** – A Resolution awarding the bid for demolition work at 100 1st Street, Southeast, and 104 Main Street, Southeast, Bondurant, Iowa, to D.W. Zinser Company, Inc., in the amount of $12,900.00.
18) **RESOLUTION NO. 09-33** – A Resolution approving the appointment of Nicholas Bailey, 129 Patterson Street, Southeast, Bondurant, Iowa, to the Planning and Zoning Commission seat vacated by Deborah Baker, which expires on December 31, 2013
19) **RESOLUTION NO. 09-34** – A Resolution approving the appointment of Brian Wells, 101 Second Street, Northwest, Bondurant, Iowa, to the Board of Adjustment seat vacated by Nicholas Bailey, which expires on December 31, 2010
20) **RESOLUTION NO. 09-35** – A Resolution approving IPAIT (Iowa Public Agency Investment Trust) as an approved investment option in the City's investment policy
21) ***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
22) Reports / Comments and appropriate action thereon:
    a) Mayor McCoid
    b) City Administrator
    c) Council Members
    d) City Attorney
23) Adjournment

BONDURANT CITY COUNCIL

REGULAR MEETING

March 02, 2009

Meeting No. 09-05

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 02nd day of March, 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

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 February 27, 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 Bailey announced she would be abstaining from agenda item 18.

Mayor McCoid asked that agenda item 20 be moved up and said item be defined as agenda item 8a. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve the agenda, as amended. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-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 February 17, 2009, the Claims Report and Tax Abatement Applications for Rachel Glissmann, 706 Filmore Avenue, Southeast; Abby Oliver and Matt Armstrong, 417 1st Street, Northwest; and Andrew A. Wirtz, 3500 Ash Drive, Southwest, Bondurant, Polk County, Iowa. Roll Call: Ryan-Yes, Bailey-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

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

Mr. David Bentz, Bishop Engineering, presented a Revised Concept Plan for Mallard Creek Plat 1 and answered questions from the Mayor and Council. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 09-23, a Resolution approving the Revised Concept Plan for Mallard Creek Plat 1, located north of Second Street, Northwest, Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Mr. Pete Klindt, Director of Operations for Git-N-Go Convenience Stores, presented a Revised Site Plan for Git-N-Go (formerly Cenex-Ampride), 3207 Henry Street, Southwest, Bondurant, Polk County, Iowa, and answered questions from the Mayor and Council. Motion made by Council Member Ryan, seconded by Council Member Boatwright, to approve Resolution No. 09-24, a Resolution approving the Revised Site Plan for Git-N-Go Convenience Store, 3207 Henry Street, Southwest, Bondurant, Polk County, Iowa. Roll Call: Ryan-Yes, Boatwright-Yes, Adams-Yes, Bailey-Yes, Sullivan-Yes. Motion carried.

Mr. Bryant Sheriff, Iowa Public Agency Investment Trust (IPAIT), discussed investment options for the City and answered questions from the Mayor and Council. Motion made by Council Member Ryan, seconded by Council Member Adams, to approve Resolution No. 09-35, a Resolution approving the inclusion of Iowa Public Agency Investment Trust (IPAIT) in the City of Bondurant Investment Policy as an appropriate investment vehicle. Roll Call: Ryan-Yes, Adams-Yes, Bailey-Yes, Boatwright-No, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Ryan, to close the regular City Council meeting at 6:40 p.m., and open the Public Hearing for consideration of approving the City of Bondurant, Polk County, Iowa, Municipal Budget for Fiscal Year 2009/2010. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. No verbal comments were received during the Public Hearing. Motion made by Council Member Bailey, seconded by Council Member Ryan, to close the Public Hearing at 6:41 p.m., and open the regular City Council meeting. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 09-25, a Resolution approving the City of Bondurant, Polk County, Iowa, Municipal Budget for Fiscal Year 2009/2010. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Ryan, to close the regular City Council meeting at 6:42 p.m., and open the Public Hearing for consideration of approving various applications for voluntary annexation in Section 19 to the City of Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. No verbal comments were received during the Public Hearing. Motion made by Council Member Bailey, seconded by Council Member Ryan, to close the Public Hearing at 6:43 p.m., and open the regular City Council meeting. Roll Call: Bailey-Yes, Ryan-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried. Motion made by Council Member Adams, seconded by Council Member Bailey, to approve Resolution No. 09-26, a Resolution approving various applications for voluntary annexation to the City of Bondurant,

Polk County, Iowa, which would include correcting a typographical error. Roll Call: Adams-Yes, Bailey-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Adams, to approve Resolution No. 09-27, a Resolution approving a waterline connection at the northwest corner of Pleasant Street, Southeast, and 15th Street, Southeast, Bondurant, Polk County, Iowa, for an estimated cost of $5,000.00. Roll Call: Ryan-Yes, Adams-Yes, Bailey-Yes, Boatwright-No, Sullivan-Yes. Motion carried.

Motion made by Council Bailey, seconded by Council Member Adams, to approve Resolution No. 09-28, a Resolution upsizing the 8" watermain at the new high school to a 12" watermain for an estimated cost of $14,656.39. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-No, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 09-29, a Resolution levying assessment for costs of a nuisance abatement at 1111 Lincoln Street, Southeast, Bondurant, Polk County, Iowa, for an amount of $200.00. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Bailey, to waive the first and second reading of Ordinance No. 09-202, an Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by clarifying Chapter 1, Section 1.14(4) regarding Standard Penalties for Municipal Infractions and approve as the third and final reading. Roll Call: Ryan-Yes, Bailey-Yes, Adams-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Bailey, to approve Resolution No. 09-30, a Resolution approving the revisions to City Council Procedural Policies / Rules defined in Exhibit "A". Roll Call: Ryan-Yes, Bailey-Yes, Adams-Yes, Boatwright-No, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 09-31, a Resolution approving the closing of the Fire Donations Savings Account and the Sewer Improvement Savings Account. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Mayor McCoid asked Mayor Pro Tem Ryan to preside over the meeting for Resolution No. 09-32, citing a conflict of interest. Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 09-32, a Resolution awarding the bid for demolition work at 100 1st Street, Southeast, and 104 Main Street, Southeast, Bondurant, Iowa, to D.W. Zinser Company, Inc., in the amount of $12,900.00. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Ryan, seconded by Council Member Boatwright, to approve Resolution No. 09-33, a Resolution approving the appointment of Nicholas Bailey, 129 Patterson Street, Southeast, Bondurant, Iowa, to the Planning and Zoning Commission seat

vacated by Deborah Baker, which expires on December 31, 2013, and would include correcting a typographical error. Roll Call: Ryan-Yes, Boatwright-Yes, Bailey-Abstain, Adams-Yes, Sullivan-Yes. Motion carried.

Motion made by Council Member Bailey, seconded by Council Member Adams, to approve Resolution No. 09-34, a Resolution approving the appointment of Brian Wells, 101 Second Street, Northwest, Bondurant, Iowa, to the Board of Adjustment seat vacated by Nicholas Bailey, which expires on December 31, 2010. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

Mayor McCoid called for a recess at 7:10 p.m. The meeting reconvened at 7:18 p.m.

Motion made by Council Member Bailey, seconded by Council Member Boatwright, to close the regular City Council meeting at 7:19 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. Motion made by Council Member Bailey, seconded by Council Member Adams, to close the Closed Session at 7:40 p.m., and open the regular City Council meeting. Roll Call: Bailey-Yes, Adams-Yes, Ryan-Yes, Boatwright-Yes, Sullivan-Yes. Motion carried.

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

- Meeting with the Polk County Assessor.
- Update on the 28E Agreement with Polk County concerning the urban services area wastewater project.

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

- DNR e-mail concerning stimulus for I & I funding projects.
- Bike path bid date is May 19.
- Pre-disaster mitigation planning session on March 30.
- Will be taking two days of vacation on Friday and Monday.
- Working on temporary easements.

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

- Council Member Adams – No Comment.
- Council Member Bailey – No Comment.
- Council Member Boatwright – No Comment.
- Council Member Ryan – Fire hydrant connections.
- Council Member Sullivan – No Comment.

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

- No Comment.

Motion made by Council Member Ryan, seconded by Council Member Bailey, to adjourn the meeting at 8:00 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 March 02, 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