

Posting Date: September 16, 2016

**NOTICE OF A REGULAR MEETING
BONDURANT CITY COUNCIL
SEPTEMBER 19, 2016**

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m. on Monday, September 19, 2016, in the Bondurant City Center, 200 Second Street, Northeast, Bondurant, Polk County, Iowa. Said meeting is open and the public is encouraged to attend.

AGENDA

1. Roll Call
2. Call to Order and Declaring a Quorum
3. Pledge of Allegiance
4. Abstentions declared
5. Perfecting and Approval of the Agenda
6. Consent Agenda:
All items listed below are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.
 - a. Approval of the City Council Meeting Minutes of September 6, 2016
 - b. Receive and File – Parks & Rec. Board Meeting Minutes of August 22, 2016
 - c. Receive and File – Library Board Meeting Minutes of July 7, 2016 & Librarian Report
 - d. Claims Report & Bondurant Financial Statement (emailed 09/16/16)
 - e. Tax Abatement Applications
7. Polk County Sheriff's Report
8. Guests requesting to address the City Council
9. **RESOLUTION NO. 16-115** – Resolution approving the City Encroachment Policy
10. **RESOLUTION NO. 16-160** - Resolution approving Iowa Interactive as a Service Provider
11. **ORDINANCE NO. 16-215** – (Second Reading) Ordinance amending Chapter 92, Water Rates, Removing the Elderly Service Availability Charge of \$3.57 Effective 1/1/17
12. **ORDINANCE NO. 16-216** – (Second Reading) Ordinance amending, Chapter 106, Collection of Solid Waste, of the City Code of the City of Bondurant, Iowa, by Removing Elderly 48 Gallon Toter Rate of \$7.67 Effective 1/1/17
13. Discussion Items –
 - a. Bee Keeping
 - b. Memorial Items Policy
 - c. Old Town Tree Maintenance
 - d. City Administrator Position Filling Timeline
14. **CLOSED SESSION** – Pursuant to Iowa Code 21.5.1(c) to discuss potential litigation
15. Reports / Comments and appropriate action thereon:
 - a. Mayor
 - b. City Administrator
 - c. Council Members
 - d. City Attorney
16. Adjournment

City Council Meetings:

- Regular Meeting, October 3, 2016
- Regular Meeting, October 17, 2016
- Special Meeting, October 24, 2016 (Joint Meeting with Planning & Zoning Commission)
- Regular Meeting, November 7, 2016
- Regular Meeting, November 21, 2016

The Bondurant City Council maintains the right to waive the first and second readings of ordinances presented and may pass the third and final reading of the same ordinance within the same council meeting.

BONDURANT CITY COUNCIL
Minutes
September 6, 2016 6:00 P.M.
Bondurant City Center

1. Roll Call

Present: Mayor Curt Sullivan, Council Member Jennifer Keeler, Council Member Brian Lohse, Council Member Doug Elrod, Council Member Bob Peffer

City Officials

Present: City Administrator Mark Arentsen, City Clerk Shelby Hagan, City Engineer Bob Veenstra, Finance Director Lori Dunham, City Attorney David Brick, Recreation Coordinator Molly Rupert

2. Call to Order and Declaring a Quorum

Mayor Curt Sullivan called the meeting to order at 6:02 p.m. and declared a quorum.

3. Pledge of Allegiance

4. Abstentions declared - None.

5. Perfecting and Approval of the Agenda

Motion made by Enos, seconded by Peffer, to approve the agenda. Vote on Motion 5-0. Motion declared carried unanimously.

6. Consent Agenda:

All items listed below are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

- a. Approval of the City Council Meeting Minutes of August 15, 2016 & August 22, 2016
- b. Receive and File – Parks & Rec. Board Meeting Minutes of July 7, 2016
- c. Claims Report
- d. Tax Abatement Applications
- e. Delinquent Account Listing and Utility Billing Bad Debt Listing
- f. Liquor/Beer License Applications

Motion by Enos, seconded by Keeler, to approve the Consent Agenda. Vote on Motion 5-0. Motion declared carried unanimously.

7. Polk County Sheriff's Report – Absent.

8. Guests requesting to address the City Council – Zella Hinshaw, 211 1st Street, Northwest, addressed Council about a nuisance property at 209 Alpha Street, Northwest. She reported that the property was a mess and needs cleaned up. Council will have City Staff investigate the property.

Motion by Enos, seconded by Keeler, to close the Regular City Council Meeting and move into the Public Hearing at 6:10 p.m. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion carried 5-0.

9. **PUBLIC HEARING** – Relative to the Budget Amendment for FY2017

No public comments.

Mayor Sullivan closed the Public Hearing and moved back into the Regular City Council Meeting at 6:11 p.m.

10. **RESOLUTION NO. 16-145** – Resolution approving the Budget Amendment for FY2017

Moved by Peffer, seconded by Enos, to approve RESOLUTION NO. 16-145. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

11. **RESOLUTION NO. 16-146** – Resolution authorizing the execution of a Memorandum of Agreement with Luther Park Health Center, Inc. regarding the issuance of Revenue Refunding Bonds in multiple series

Moved by Lohse, seconded by Enos, to approve RESOLUTION NO. 16-146. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

12. **RESOLUTION NO. 16-147** - Resolution setting the wage for the City Administrator for FY 2017

Moved by Lohse, seconded by Enos, to approve RESOLUTION NO. 16-147. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

13. **RESOLUTION NO. 16-148** – Resolution approving the Plat of Survey for the Cell Tower

Moved by Enos, seconded by Peffer, to approve RESOLUTION NO. 16-148. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

14. **RESOLUTION NO. 16-149** – Resolution approving the Street Closing Application for Bondurant-Farrar Community School District for the Homecoming Parade on September 19, 2016

Moved by Enos, seconded by Elrod, to approve RESOLUTION NO. 16-149. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

15. **RESOLUTION NO. 16-150** – Resolution approving the request for a Supervised Fireworks Display on September 23, 2016, for Homecoming

Moved by Enos, seconded by Peffer, to approve RESOLUTION NO. 16-150. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

16. **RESOLUTION NO. 16-151** – Resolution approving the request for a Supervised Fireworks Display on September 9, 2016, for RVTV Cy-Hawk Showdown

Moved by Peffer, seconded by Enos, to approve RESOLUTION NO. 16-151. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

17. **RESOLUTION NO. 16-152** – Resolution approving the Final Plat of Renaud Heights Plat 3

Moved by Lohse, seconded by Enos, to approve RESOLUTION NO. 16-152. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

18. **RESOLUTION NO. 16-153** – Resolution approving the Street Closing Application for the CyMan Triathlon

Moved by Lohse, seconded by Enos, to approve RESOLUTION NO. 16-153. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

19. **RESOLUTION NO. 16-154** – Resolution approving Amendment No. 1 to the Agreement with Veestra & Kimm, Inc. for the Gay Lea Wilson Trail Engineering Services in the amount of \$32,975.00

Moved by Lohse, seconded by Enos, to approve RESOLUTION NO. 16-154. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

20. **RESOLUTION NO. 16-155** – Resolution approving the Sandra Miller Annexation Petition

Moved by Keeler, seconded by Peffer, to approve RESOLUTION NO. 16-155. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

21. **RESOLUTION NO. 16-156** – Resolution appointing Bob Peffer, Ted Bezdega, Heidi Bedier, Jill Sanders and Dayne Magneson to the Tree Board

Moved by Lohse, seconded by Elrod, to approve RESOLUTION NO. 16-156. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

22. **RESOLUTION NO. 16-157** – Resolution approving the Financial Report for Fiscal Year 2016

Moved by Enos, seconded by Keeler, to approve RESOLUTION NO. 16-157. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

23. **RESOLUTION NO. 16-158** – Resolution approving the Street Financial Report for Fiscal Year 2016

Moved by Enos, seconded by Lohse, to approve RESOLUTION NO. 16-158. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

24. **RESOLUTION NO. 16-159** – Resolution approving the Site Plan for Iowa Erosion Control

Moved by Enos, seconded by Elrod, to approve RESOLUTION NO. 16-159. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

25. **ORDINANCE NO. 16-215** – (First Reading) Ordinance amending Chapter 92, Water Rates, Removing the Elderly Service Availability Charge of \$3.57 Effective 10/1/16

Council discussed the auditor's comments and the legality of amending the Bondurant Code to comply with the Iowa Code.

Moved by Lohse, seconded by Peffer, to amend ORDINANCE NO. 16-215 to change the effective date to 1/1/17. Roll Call: Ayes: Lohse, Peffer, Keeler, Elrod. Nays: Enos. Motion Carried 4-1.

Moved by Lohse, seconded by Peffer, to approve the first reading of ORDINANCE NO. 16-215 as amended. Roll Call: Ayes: Lohse, Peffer, Keeler, Elrod. Nays: Enos. Motion Carried 4-1.

26. **ORDINANCE NO. 16-216** – (First Reading) Ordinance amending, Chapter 106, Collection of Solid Waste, of the City Code of the City of Bondurant, Iowa, by Removing Elderly 48 Gallon Toter Rate of \$7.67

Moved by Lohse, seconded by Peffer, to amend ORDINANCE NO. 16-216 to change the effective date to 1/1/17. Roll Call: Ayes: Lohse, Peffer, Keeler, Elrod. Nays: Enos. Motion Carried 4-1.

Moved by Lohse, seconded by Peffer, to approve the first reading of ORDINANCE NO. 16-216 as amended. Roll Call: Ayes: Lohse, Peffer, Keeler, Elrod. Nays: Enos. Motion Carried 4-1.

27. **ORDINANCE NO. 16-217** – (First Reading) Ordinance amending the Code of the City of Bondurant, Iowa, by amending Chapter 63 – Speed Regulations

Moved by Peffer, seconded by Lohse, to waive the first and second reading and approve the third and final reading of ORDINANCE NO. 16-217. Roll Call: Ayes: Lohse, Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 5-0.

28. Discussion Items –

- a. BRSC 2017 Operations – Little League Board proposed taking over the operations of the Complex starting next year. Negotiations will take place on a lease agreement between the City and Little League.
- b. Hwy 65 Water Main Project – Alternative location is easier than original proposed location. Work can be done as early as spring.
- c. Encroachment Policy – A Resolution will be on the next Agenda with the proposed amendments to the Policy.
- d. Bulk Regulations- October 24, 2016 – City Council and the Planning & Zoning Commission will meet at 6:00 p.m. at the City Center to discuss Bulk Regulations.
- e. Polk County Sheriff's Department Contract – Council Member Lohse and Council Member Enos agreed to join the committee with City Administrator Arentsen to discuss the upcoming contract renewal with Polk County. The contract ends June 30, 2017.

29. Reports / Comments and appropriate action thereon:

- a. Mayor – Events coming up, communication process.
- b. City Administrator – Locks on Lake Petocka restrooms, hydro seeding the site soon, trail meeting on Thursday, DART meeting, record month for permits, Bondurant Auto Body construction has started, bike ride on September 18, Cyman, electronic sign delivered, League of Cities Conference.
- c. Council Members
Elrod – Channel 5 contacted Council for a comment regarding the Senior Citizen Discount following the meeting.

Keeler – Mr. Kinrade’s Project, comments on Facebook.

Enos – None.

Peffer – Go Hawks!

Lohse – Mercy Clinics meeting, Arena meeting.

d. City Attorney - None

21. Adjournment

Moved by Peffer, seconded by Lohse, to adjourn the meeting at 8:01 p.m. Vote on Motion 5-0.

Motion declared carried unanimously.

Shelby Hagan, City Clerk

ATTEST:

Curt Sullivan, Mayor

I, the understated Mayor 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 September 6, 2016, that all the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for the 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 in written form and available for public inspection within ten business days and prior to the next convened meeting of said body.

Curt Sullivan, Mayor

Meeting No. 16-08

**CITY OF BONDURANT
PARKS AND RECREATION BOARD
MINUTES**

August 22, 2016

A Regular meeting of the City of Bondurant Parks and Recreation Board was held at City Park, 203 2nd Street, Southeast, Polk County, Iowa on August 22, 2016, at 6:00 p.m.

Present: Board Member Bryant Arns
 Board Member Michele Hartzler
 Board Member Jason Holst
 Board Member Marian Collison
 Board Member Jessi Cassler
 Board Member Dennis Lyman
 Recreation Coordinator Molly Rupert
 Utility Billing Clerk Misty Richardson-Kugler
 City Administrator Mark Arentsen

Absent: Board Chair Joe Van Horn

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the Bondurant Post Office on August 16, 2016. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Board Member Collison called the meeting to order at 6:00 p.m. A quorum was present.

Motion made by Board Member Arns, seconded by Board Member Hartzler, to approve the Parks and Recreation Board Agenda from August 22, 2016. Roll call: Ayes: 6. Nays: 0. Motion carried.

Motion made by Board Member Hartzler, seconded by Board Member Cassler, to approve the Parks and Recreation Board Minutes from July 7, 2016. Roll call: Ayes: 6. Nays: 0.

Iowa Interactive-tabled until September

Memorial items on City property- tabled until September

Encroachment Policy- Policy is being considered because there are no rules or regulations for residents to build on city property. Board Member Cassler questioned anyone being excepted because of the grandfather clause. Board Member Collison asked what would happen if someone builds and then moves. Board in favor of policy.

Dog Park Proposal- City Administrator suggested the location for the dog park to be at the winter rec. area. The city is waiting for the REAP grant to see about lighting. Recreation Coordinator Rupert stated that donations are being researched for fencing and benches. Board agrees that permits for use of the dog park should be granted from the start.

Budget Review- No comment

BRSC Update- City Administrator is having continued discussions with the Little League Board on the use for next year. He has suggested that the City will have possession of the grounds from August to April. Board Member Arns suggested that if Little League doesn't want the concession stand that maybe other groups can run it for fundraising.

Lake Petocka Restrooms- Plumbing and concrete is done, graded area still needs to be seeded. Total project will equal \$150,000 to \$160,000. \$37,000 from REAP will fund a portion of that. \$5000 of the \$37,000 will be committed to natural vegetation seeding.

Event Reports- Tot T-ball ended last week with a record high of 86 kids, this went a week longer because of the weather. Board Member Hartzler suggested renting a gym for bad weather evenings. Touch-A-Truck was a success with around 400 people and 15 trucks.

2016 Recreation Programming- Recreation Coordinator Rupert stated that she is waiting on Founders to confirm some dates and times for the Fall/Winter programming.

The following items were discussed as part of the Recreation Coordinators comments:

- Does RV-TV have any events for kids? Big Wheel Races?
- Molly spent the day at the fair with the Iowa Park Day.

The following items were discussed as part of the Board Member's comments:

- Board Member Arns reminded the Board about RV-TV Sept. 9. Some events include human foosball, wing eating contest and a bags tournament. The event coordinators need help with face painting, meals for the WHO crew, fireworks and sponsorships. Went with glass backboard instead for the basketball hoops.
- Board Member Cassler stated that there was a wasp problem at Wisteria Heights Park.

The following items were discussed as part of the City Administrator's comments:

- 90+ sidewalk chalkers for Jazz in July.
- Winter Recreation area should be usable by next year.
- Gay Lea Wilson trail down Grant could be done by the end of October.

Board Member Collison adjourned the meeting at 6:55 p.m.

A Regular meeting will be held on Thursday, September 15, 2016, at 6:00 p.m.

Misty Richardson-Kugler
Administrative Assistant

ATTEST:

Marian Collison
Board Member

Minutes of the Bondurant Community Library Board Meeting
Wednesday, July 7, 2016

MEMBERS PRESENT: Pat Kaura, Josh Bryant, Craig Kinrade, Sue Ugulini, Stacey Klinker, Michell Klinker-Feld, Craig Campbell, Jen Keeler—City Council Liaison.

Meeting called to order at 7:00 p.m. Minutes of the June meeting were reviewed. Motion by Kinrade to approve, Campbell seconded. Motion carried.

- 1.) FINANCIAL REPORT: The final financial report for 2015-16 was reviewed. We budgeted \$241,480, spent \$241,080.08, for a balance of \$399.12. The 2016-17 budget will be amended to include the extra monies we will be receiving from Polk County. We will add that amount to line items that will cover an additional payroll period during that fiscal year.
- 2.) WARRANT LIST: Expenditures were reviewed. Our first purchase of ebooks from Overdrive is included for \$1649.11. Jill mentioned that over half of the newly-purchased books were checked out on the first day. Motion by Kaura, second by Kinrade to approve the warrant list. Motion carried.
- 3.) STATISTICS: We continue to see an uptick in use of online materials, wi-fi, internet use, story time attendance and requests for notary services.
- 4.) CITY COUNCIL LIAISON: Housing permits continue to be issued. The special census netted the city more money than anticipated. In addition, the city was refunded \$18,000 for census costs. We've had vandalism at the city park and the Depot/Trailhead restrooms were damaged. Jill reported the same two juvenile males also left water running in the men's bathroom at the library. She reported it to the sheriff's deputy who spoke with her and the City Administrator. The two boys have been "trespassed,"—not allowed admittance to any of the public buildings or recreational areas. City council is asking for more detailed reports from the sheriff's office about vandalism reports.
- 5.) STAFF REPORT: We assume we did not get the American Legion grant since we didn't hear back from them and deadline was in June.
 - Jill thanked Craig Kinrade for driving the library float in the Summerfest parade.
 - New slip printer for the front desk installed.
 - Jill provided board with the following breakdowns on expenditures for the Kohls grant and the Direct State Aid monies:

| Kohls | | Direct State Aid | |
|--|----------|---------------------------------|-----------|
| Brybelly checkers and tic-tac-toe | \$ 15.94 | Tom's Painting | \$2984.00 |
| Lightweight soft play forms for toddlers | 169.99 | Open/Close sign | 105.99 |
| Wooden cars & accessories for car rug | 103.89 | Acrylic sheets to protect wall | 83.67 |
| Play rug | 61.16 | Movie licensing—3-year renewal | 600.00 |
| Play away | 129.99 | Partial cost of new Wii console | 100.67 |
| Parking garage & ramp racer | 37.11 | | |
| Total | \$518.08 | Total | \$3874.33 |

- 6.) LIBRARIAN ITEMS: Jill has not yet hired an adult services librarian. New advertisements placed with DMACC and Iowa Workforce Development websites in addition to ones on ILA website.
 - Tom Looft completed painting on library interior walls. Jenny and Marilyn became ill from paint fumes and filed workers' compensation claims for lost time. Jill was contacted by OSHA with a complaint that had been filed for fumes from the painting project. The OSHA inspector performed an air quality tests on paint 2 hours old. The test showed there were no harmful emissions from the paint, although more ventilation could have been provided by opening doors. This was not done at

the time of painting because of outside temperatures and humidity. Complete OSHA report on the incident will be follow in the next 2 weeks. Marilyn will be back to work tomorrow Thursday the 7th of July; Jenny returned to work on July 5th.

- As of today, we have 734 children signed up for the summer reading program
- Mulch work in the gardens was completed by city workers.

7.) **NEW BUSINESS:** We reviewed the amended Homebound Book Distribution Policy. All requested changes were made. Motion by Kinrade, seconded by Klinker to accept. Motion carried.

8.) Motion by Kinrade, second by Campbell to adjourn the meeting. Meeting adjourned at 7:22 p.m. There will be no August meeting. Next meeting **Wednesday, September 7, 2016, 7:00 p.m.**

Submitted by Pat Kaura, Secretary

Librarian items-September

- The first installment of the quarterly payments from the Polk County Supervisors for rural library patronage has been received. \$8829.00 was deposited in mid-July that will make our annual income from the supervisors to be \$35,316.00. I have been working with Lori to submit a budget amendment to include this overage in planned income into expense line items.
- The community calendar has been implemented on the library's website. A tab has been created and letters were mailed to organizations in the community with information on how to submit items to be included. We have already started receiving information and are uploading those to the website within a day of receiving the information. Jenny will be highlighting this new service in upcoming months of the Bondurant Living Magazine. This was one of the goals in our five year plan that was developed with community involvement earlier this year.
- Another of those five-year plan goals included an outreach program to the Wolf Creek subdivision, is soon to begin also. Contact has been made with the manager of the clubhouse in Wolf Creek and weekly Story Times with material check out will begin on September 14th. Letters have been mailed to residents of the subdivision, flyers have been made, an article in Bondurant Living is also in the works and it has been posted on the subdivisions Facebook page. I had surveyed several of the daycare provides that live in the area and this time seemed to be the best fit, and they were very happy to hear this service was in the planning.
- The Library has received the Accreditation Certificate from the State Library and will be placed in the frame that hangs by the copy machine.
- The Library Foundation is donating money towards a LED sign to go on the brick planter on the corner of Grant & 2nd, in front of the old dentist office. It will allow the library to advertise our events as well as city events that are upcoming. It should be installed by the end of September.
- I have been working with HVAC contractor about the extreme humidity in the library this summer. Humidity has always been a problem in the library building but it seems excessive this summer. He has contacted one of their techs that work with systems to see if there is a solution. In the meantime I have purchased a dehumidifier and staff is emptying it at least three times a day.
- The outside light on the east end of the building had to be replaced in August. It is the entrance that the cleaning staff use and as they often enter the building after sunset it is important it is working. We had hoped it was just a bulb but no such luck. Stewart Electric replace the whole light. I have not received an invoice on the work done yet.
- Parks & Rec/Molly and I have been planning a new on-going scavenger hunt for the community this fall. Bondurant Rocks started last Thursday with children and adults decorating palm sized rocks. They then went out and hid them around the community (City Park, lake, library, etc.) then they posted on Facebook hints about where they



Just a few of the 20 + kids and parents that stopped in to paint rocks for Bondurant Rocks

were hidden. Now participants are hunting and finding the rocks and bringing them to the library for a small prize and then going back out and hiding the rocks again. We will continue this till the end of October and probably start back up in the spring. Kind of like the geocaching and Pokémon go hunting that is very popular.

- A recent issue that the library had with a couple of young men that I reported had left the water on in the men's room for a long time (we caught them on the security camera). They were banned from all city property due to other problems at the park, as well as this issue at the library. One of the young men has been serving community service at the library as requested by Officer Courtney. He has completed the allotted hours and has really done very well. I think he is looking forward to being able to use the city's services again.

Stats for August

- Total Circulation for the month 4186, 3428 last year at this time.
- On-line usage (e-Books, Downloadable music, Tumblebooks, Freegal (music), Reference USA, EBSCO, Learning Express and Zinio (magazines) 987, 508 last year.
- Door Count 3208, 2674 last year.
- Assisting patrons by phone, with the catalog, computers, etc. 474, 465 last year.
- Story times 12 were held with 75 in attendance, we took the first 2 weeks of the month off for planning & vacation purposes.
- Outreach to Daycare and preschools none was held in August.
- Total programming attendance for adults, youth and children 200.
- Website visits 582, last year 460.
- Internet usage in house was 299, last year 324, 161 Wi-Fi users 89 last year (this number continues to rise and this a number we collect by sight, no program to collect this data yet. I know there are many that use the wi-fi after hours), 9 iPad users.
- Meeting room usage 6(does not include library programs) last year 12.
- Issued 25 new library cards Last year we issued 13 cards during the month of August.
- The library did 4 requests for materials from other libraries and provided 24 to other libraries.
- 232 items were added to the collection and 11 were removed.

| CHECK NO | DATE | EMP NO | PAY TO THE ORDER OF | CHECK AMOUNT | CLEARED | VOIDED | MANUAL |
|----------|-----------|--------|---------------------------|--------------|---------|--------|--------|
| 1 | | | LEGACY BANK | | | | |
| 49807 | 9/09/2016 | 3129 | MARGARET L CHRISTIAN | 505.15 | | | |
| 49808 | 9/09/2016 | 5103 | PATRICK COLLISON | 1539.90 | | | |
| 49809 | 9/09/2016 | 4139 | TABITHA M SCOTT | 576.34 | | | |
| | | | | ----- | | | |
| | | | | 2621.39 | | | |
| | | | ACH TRANSACTIONS | | | | |
| 157001 | 9/09/2016 | 8402 | MARK J ARENTSEN | 2433.50 | | | |
| 157101 | 9/09/2016 | 7104 | BOYCE E BAILEY | 1194.99 | | | |
| 157201 | 9/09/2016 | 4130 | RONALD J BROWN | 351.26 | | | |
| 157301 | 9/09/2016 | 3118 | JENNIFER CAMPBELL | 1062.95 | | | |
| 157401 | 9/09/2016 | 5113 | LORI DUNHAM | 1451.73 | | | |
| 157501 | 9/09/2016 | 4140 | SARA M FISCHER | 51.84 | | | |
| 157601 | 9/09/2016 | 7101 | KENNETH E GROVE | 1271.67 | | | |
| 157701 | 9/09/2016 | 5118 | SHELBY HAGAN | 1142.49 | | | |
| 157801 | 9/09/2016 | 7105 | DAVID HIGGINS | 1291.28 | | | |
| 157901 | 9/09/2016 | 4135 | JOSH D JONES | 534.53 | | | |
| 158001 | 9/09/2016 | 3135 | MICHELL M KLINKER-FELD | 589.30 | | | |
| 158101 | 9/09/2016 | 1441 | AARON M KREUDER | 1743.14 | | | |
| 158201 | 9/09/2016 | 7106 | JASON L MCGRANN | 1039.67 | | | |
| 158301 | 9/09/2016 | 1504 | REBECCA L MORRIS | 611.98 | | | |
| 158401 | 9/09/2016 | 3130 | MARILYN M O'BRIEN | 992.95 | | | |
| 158501 | 9/09/2016 | 5119 | MISTY L RICHARDSON-KUGLER | 200.00 | | | |
| 158502 | 9/09/2016 | 5119 | MISTY L RICHARDSON-KUGLER | 5.00 | | | |
| 158503 | 9/09/2016 | 5119 | MISTY L RICHARDSON-KUGLER | 815.30 | | | |
| 158601 | 9/09/2016 | 5122 | MOLLY E RUPERT | 975.26 | | | |
| 158701 | 9/09/2016 | 3128 | JILL C SANDERS | 1379.18 | | | |
| 158801 | 9/09/2016 | 1478 | PATRICIA E SMITH | 326.00 | | | |
| 158901 | 9/09/2016 | 5121 | NICOLE M VAN HOUTEN | 1012.18 | | | |
| 159001 | 9/09/2016 | 4132 | JANETTE L YOUNG | 223.42 | | | |
| | | | | ----- | | | |
| | | | | 20699.62 | | | |
| | | | BANK TOTAL | 23321.01 | | | |
| | | | REPORT TOTAL | 23321.01 | | | |

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST | GL ACCOUNT | CK SQ |
|-----------------------------------|------|----------|--------------|-------------------------------|----------------|------|--------------|-------|
| ----- | | | | | | | | |
| LEGACY BANK | | | | | | | | |
| A-33211 | 1 | 9/20/16 | 9/20/16 | 1715 A KING'S THRONE KYBOS | 190.00 | 001 | 001-430-6415 | 1 |
| | | | | INVOICE TOTAL | 190.00 | | | |
| A-33506 | 1 | 9/20/16 | 9/20/16 | KYBOS | 106.00 | 001 | 001-440-6415 | 1 |
| | | | | INVOICE TOTAL | 106.00 | | | |
| | | | | VENDOR TOTAL | 296.00 | | | |
| 37 ARDICK EQUIPMENT COMPANY | | | | | | | | |
| 7985 | 1 | 9/20/16 | 9/20/16 | STREET SIGNS-BLUEJAY LAN | 1,017.75 | 001 | 001-210-6499 | 1 |
| | | | | INVOICE TOTAL | 1,017.75 | | | |
| 8015 | 1 | 9/20/16 | 9/20/16 | NO LEFT TURN SIGN-SCHOOL | 43.00 | 001 | 001-210-6499 | 1 |
| | | | | INVOICE TOTAL | 43.00 | | | |
| | | | | VENDOR TOTAL | 1,060.75 | | | |
| 1191 BAILEY'S EXCAVATING, INC. | | | | | | | | |
| 9600 | 1 | 9/20/16 | 9/20/16 | 1"ROCK-SOCCER DRIVE | 307.15 | 110 | 110-210-6310 | 1 |
| | | | | INVOICE TOTAL | 307.15 | | | |
| | | | | VENDOR TOTAL | 307.15 | | | |
| 9999999999 2951 CORY BERKENES | | | | | | | | |
| 09092016 | 1 | 9/20/16 | 9/20/16 | REIMB SHELTER RESERVATIO | 50.00 | 001 | 001-430-6451 | 1 |
| | | | | INVOICE TOTAL | 50.00 | | | |
| | | | | VENDOR TOTAL | 50.00 | | | |
| 1585 BIG GREEN UMBRELLA MEDIA INC | | | | | | | | |
| 357302 | 1 | 9/20/16 | 9/20/16 | BONDURANT LIVING MAGAZIN | 122.34 | 600 | 600-812-6402 | 1 |
| | 2 | | | BONDURANT LIVING MAGAZIN | 611.66 | 001 | 001-621-6402 | 1 |
| | | | | INVOICE TOTAL | 734.00 | | | |
| | | | | VENDOR TOTAL | 734.00 | | | |
| 73 BRICK GENTRY P.C. | | | | | | | | |
| 216746 | 1 | 9/20/16 | 9/20/16 | COUNCIL MTG;OPEN MTGS LA | 1,227.00 | 001 | 001-640-6411 | 1 |
| | 2 | | | VISTA PLAT ZONING VARIAN | 288.75 | 001 | 001-540-6411 | 1 |
| | 3 | | | NON-AG CONDEMNATION | 875.00 | 600 | 600-812-6411 | 1 |
| | 4 | | | SENIOR RATE REVIEW | 166.25 | 600 | 600-812-6411 | 1 |
| | | | | INVOICE TOTAL | 2,557.00 | | | |
| | | | | VENDOR TOTAL | 2,557.00 | | | |
| 702 CASEYS GENERAL STORES | | | | | | | | |
| 22161 816 | 1 | 9/20/16 | 9/20/16 | FUEL | 59.19 | 110 | 110-210-6331 | 1 |
| | | | | INVOICE TOTAL | 59.19 | | | |
| | | | | VENDOR TOTAL | 59.19 | | | |

114 CONTINENTAL RESEARCH

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST | GL | ACCOUNT | CK SQ |
|------------|------|----------|--------------|--|----------------|------|----|--------------|-------|
| 439493-CRC | 1 | 9/20/16 | 9/20/16 | 114 CONTINENTAL RESEARCH WASP KILLER;BUG SPRAY | 951.00 | 001 | | 001-430-6320 | 1 |
| | | | | INVOICE TOTAL | 951.00 | | | | |
| | | | | VENDOR TOTAL | 951.00 | | | | |
| 8602170916 | 1 | 9/20/16 | 9/20/16 | 144 DES MOINES WATER WORKS WATER SAMPLES | 42.00 | 600 | | 600-811-6389 | 1 |
| | | | | INVOICE TOTAL | 42.00 | | | | |
| | | | | VENDOR TOTAL | 42.00 | | | | |
| 2-736970 | 1 | 9/20/16 | 9/20/16 | 913 G & L CLOTHING UNIFORMS-DH | 54.90 | 600 | | 600-811-6181 | 1 |
| | 2 | | | UNIFORMS-DH | 54.90 | 610 | | 610-816-6181 | 1 |
| | | | | INVOICE TOTAL | 109.80 | | | | |
| | | | | VENDOR TOTAL | 109.80 | | | | |
| 41004 816 | 1 | 9/20/16 | 9/20/16 | 1363 GIT-N-GO CONVENIENCE STORES FUEL | 53.59 | 110 | | 110-210-6331 | 1 |
| | | | | INVOICE TOTAL | 53.59 | | | | |
| | | | | VENDOR TOTAL | 53.59 | | | | |
| R103005393 | 1 | 9/20/16 | 9/20/16 | 1819 HARRISON TRUCK CENTERS ALTERNATOR,BATTERIES-209 | 1,291.15 | 110 | | 110-210-6350 | 1 |
| | | | | INVOICE TOTAL | 1,291.15 | | | | |
| | | | | VENDOR TOTAL | 1,291.15 | | | | |
| 18682 | 1 | 9/20/16 | 9/20/16 | 193 HAWKEYE TRUCK EQUIPMENT MONROE HYDRAULIC SPREADE MODEL MCV120-84-50 16-06 2012 INTL | 18,050.00 | 110 | | 110-210-6799 | 1 |
| | | | | INVOICE TOTAL | 18,050.00 | | | | |
| | | | | VENDOR TOTAL | 18,050.00 | | | | |
| G058374 | 1 | 9/20/16 | 9/20/16 | 1142 HD SUPPLY WATERWORKS LTD MARKING FLAGS,PAINT-WATE | 154.00 | 600 | | 600-811-6507 | 1 |
| | 2 | | | MARKING FLAGS,PAINT-SEWE | 114.00 | 610 | | 610-816-6507 | 1 |
| | | | | INVOICE TOTAL | 268.00 | | | | |
| | | | | VENDOR TOTAL | 268.00 | | | | |
| 184559 | 1 | 9/20/16 | 9/20/16 | 230 IOWA ONE CALL LOCATES | 165.70 | 600 | | 600-812-6490 | 1 |
| | | | | INVOICE TOTAL | 165.70 | | | | |
| | | | | VENDOR TOTAL | 165.70 | | | | |
| 35395 | 1 | 9/20/16 | 9/20/16 | 224 IOWA DEPT OF TRANSPORTATION SIGN POSTS | 1,037.60 | 110 | | 110-210-6509 | 1 |

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST | GL | ACCOUNT | CK SQ |
|-----------|------|----------|--------------|---|----------------|------|----|--------------|-------|
| | | | | INVOICE TOTAL | 1,037.60 | | | | |
| 35433 | 1 | 9/20/16 | 9/20/16 | SIGN RIVETS | 85.50 | 110 | | 110-210-6509 | 1 |
| | | | | INVOICE TOTAL | 85.50 | | | | |
| | | | | VENDOR TOTAL | 1,123.10 | | | | |
| | | | | 228 IMFOA | | | | | |
| 6148 | 1 | 9/20/16 | 9/20/16 | CONFERENCE REGISTRATION- | 125.00 | 001 | | 001-621-6240 | 1 |
| | 2 | | | CONFERENCE REGISTRATION- | 75.00 | 001 | | 001-621-6240 | 1 |
| | 3 | | | CONFERENCE REGISTRATION- | 25.00 | 600 | | 600-812-6240 | 1 |
| | 4 | | | CONFERENCE REGISTRATION- | 25.00 | 610 | | 610-817-6240 | 1 |
| | | | | INVOICE TOTAL | 250.00 | | | | |
| | | | | VENDOR TOTAL | 250.00 | | | | |
| | | | | 1167 KEY COOPERATIVE | | | | | |
| 10315 816 | 1 | 9/20/16 | 9/20/16 | FUEL | 272.55 | 001 | | 001-150-6331 | 1 |
| | 2 | | | FUEL | 272.55 | 001 | | 001-160-6331 | 1 |
| | 3 | | | FUEL | 160.64 | 600 | | 600-811-6331 | 1 |
| | 4 | | | FUEL | 160.64 | 610 | | 610-816-6331 | 1 |
| | 5 | | | FUEL | 527.01 | 110 | | 110-210-6331 | 1 |
| | 6 | | | FUEL | 290.22 | 001 | | 001-430-6331 | 1 |
| | 7 | | | FUEL | 102.76 | 741 | | 741-865-6331 | 1 |
| | 8 | | | FUEL | 18.60 | 001 | | 001-350-6507 | 1 |
| | 9 | | | FUEL | 153.78 | 001 | | 001-440-6331 | 1 |
| | | | | INVOICE TOTAL | 1,958.75 | | | | |
| | | | | VENDOR TOTAL | 1,958.75 | | | | |
| | | | | 965 MANATT'S INC. | | | | | |
| 826962 | 1 | 9/20/16 | 9/20/16 | CRUSHED CONCRETE-PETOCKA SIDEWALK SUBGRADE | 174.72 | 335 | | 335-430-6797 | 1 |
| | | | | INVOICE TOTAL | 174.72 | | | | |
| | | | | VENDOR TOTAL | 174.72 | | | | |
| | | | | 842 MENARDS | | | | | |
| 15249 | 1 | 9/20/16 | 9/20/16 | SUPPLIES-PETOCKA RESTROO | 75.12 | 001 | | 001-430-6507 | 1 |
| | | | | INVOICE TOTAL | 75.12 | | | | |
| | | | | VENDOR TOTAL | 75.12 | | | | |
| | | | | 291 MIDAMERICAN ENERGY | | | | | |
| 18021 916 | 1 | 9/20/16 | 9/20/16 | SERVICES | 57.13 | 001 | | 001-210-6371 | 1 |
| | 2 | | | SERVICES | 519.54 | 110 | | 110-210-6371 | 1 |
| | 3 | | | SERVICES | 371.84 | 610 | | 610-816-6371 | 1 |
| | 4 | | | SERVICES | 478.37 | 001 | | 001-150-6371 | 1 |
| | 5 | | | SERVICES | 478.37 | 001 | | 001-160-6371 | 1 |
| | 6 | | | SERVICES | 256.39 | 001 | | 001-430-6371 | 1 |
| | 7 | | | SERVICES | 525.00 | 001 | | 001-410-6371 | 1 |
| | 8 | | | SERVICES | 388.28 | 001 | | 001-650-6371 | 1 |
| | 9 | | | SERVICES | 3,999.24 | 110 | | 110-210-6372 | 1 |
| | 10 | | | SERVICES | 139.68 | 001 | | 001-440-6371 | 1 |

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST | GL | ACCOUNT | CK SQ |
|------------|------|----------|--------------|---|----------------|------|----|--------------|-------|
| | 11 | | | SERVICES | 13.33 | 741 | | 741-865-6371 | 1 |
| | | | | INVOICE TOTAL | 7,227.17 | | | | |
| | | | | VENDOR TOTAL | 7,227.17 | | | | |
| 70007664 | 1 | 9/20/16 | 9/20/16 | 286 METRO WASTE AUTHORITY RESIDENTIAL GARBAGE SRVC | 14,859.86 | 670 | | 670-840-6499 | 1 |
| | | | | INVOICE TOTAL | 14,859.86 | | | | |
| | | | | VENDOR TOTAL | 14,859.86 | | | | |
| 4188 | 1 | 9/20/16 | 9/20/16 | 979 NAPA AUTO PARTS WHEEL BATTERY CHARGER | 169.00 | 001 | | 001-430-6350 | 1 |
| | | | | INVOICE TOTAL | 169.00 | | | | |
| 4948 | 1 | 9/20/16 | 9/20/16 | BATTERY CHARGER | 399.00 | 110 | | 110-210-6350 | 1 |
| | | | | INVOICE TOTAL | 399.00 | | | | |
| | | | | VENDOR TOTAL | 568.00 | | | | |
| 2595703001 | 1 | 9/20/16 | 9/20/16 | 322 OFFICE DEPOT INC BINDERS | 72.77 | 600 | | 600-812-6506 | 1 |
| | 2 | | | BINDERS | 72.77 | 610 | | 610-817-6506 | 1 |
| | 3 | | | BINDERS | 72.78 | 001 | | 001-621-6506 | 1 |
| | 4 | | | TRASH BAGS | 14.04 | 001 | | 001-650-6507 | 1 |
| | | | | INVOICE TOTAL | 232.36 | | | | |
| 3180917001 | 1 | 9/20/16 | 9/20/16 | SUPPLIES | 186.00 | 001 | | 001-410-6506 | 1 |
| | | | | INVOICE TOTAL | 186.00 | | | | |
| | | | | VENDOR TOTAL | 418.36 | | | | |
| 6681 | 1 | 9/20/16 | 9/20/16 | 337 POLK COUNTY TREASURER LAW ENFORCEMENT AUG 2016 | 40,157.00 | 001 | | 001-110-6050 | 1 |
| | | | | INVOICE TOTAL | 40,157.00 | | | | |
| | | | | VENDOR TOTAL | 40,157.00 | | | | |
| 74236903 | 1 | 9/20/16 | 9/20/16 | 348 PRAXAIR CYLINDER RENTAL | 41.57 | 001 | | 001-160-6507 | 1 |
| | | | | INVOICE TOTAL | 41.57 | | | | |
| | | | | VENDOR TOTAL | 41.57 | | | | |
| 8889550 | 1 | 9/20/16 | 9/20/16 | 1196 QUILL BROTHER TONER | 13.19 | 001 | | 001-150-6506 | 1 |
| | | | | INVOICE TOTAL | 13.19 | | | | |
| 8892548 | 1 | 9/20/16 | 9/20/16 | COPY PAPER | 89.70 | 001 | | 001-410-6506 | 1 |
| | 2 | | | COPY PAPER, BROTHER TONER | 35.19 | 001 | | 001-150-6506 | 1 |
| | 3 | | | COPY PAPER, BROTHER TONER | 35.18 | 001 | | 001-160-6506 | 1 |
| | 4 | | | CLEANER, TRASH BAGS | 17.60 | 001 | | 001-650-6506 | 1 |
| | 5 | | | POST-ITS | 8.79 | 600 | | 600-812-6506 | 1 |
| | 6 | | | COPY PAPER | 29.90 | 001 | | 001-621-6506 | 1 |

| INVOICE# | LINE | DUE DATE | INVOICE DATE | REFERENCE | PAYMENT AMOUNT | DIST | GL ACCOUNT | CK SQ |
|----------|------|----------|--------------|--|---------------------|------|--------------|-------|
| | | | | INVOICE TOTAL | 216.36 | | | |
| 8949355 | 1 | 9/20/16 | 9/20/16 | BROTHER TONER | 14.51 | 001 | 001-160-6506 | 1 |
| | | | | INVOICE TOTAL | 14.51 | | | |
| | | | | VENDOR TOTAL | 244.06 | | | |
| 02-2016 | 1 | 9/20/16 | 9/20/16 | 1375 R & B SERVICES, LLC NUISANCE MOWING 102 3RD | 432.50 | 001 | 001-210-6499 | 1 |
| | | | | INVOICE TOTAL | 432.50 | | | |
| | | | | VENDOR TOTAL | 432.50 | | | |
| 09082016 | 1 | 9/20/16 | 9/20/16 | 1267 REES TREE SERVICE TREE BRANCH REMOVAL-10 L STORM DAMAGE | 500.00 | 110 | 110-210-6499 | 1 |
| | | | | INVOICE TOTAL | 500.00 | | | |
| 09162016 | 1 | 9/20/16 | 9/20/16 | TREE/STUMP REMOVAL 10 LI | 1,700.00 | 110 | 110-210-6499 | 1 |
| | | | | INVOICE TOTAL | 1,700.00 | | | |
| | | | | VENDOR TOTAL | 2,200.00 | | | |
| 10238 | 1 | 9/20/16 | 9/20/16 | 850 STEWART ELECTRIC, INC. REPLC YARD LIGHT-CITY PA | 327.50 | 001 | 001-430-6320 | 1 |
| | | | | INVOICE TOTAL | 327.50 | | | |
| 10239 | 1 | 9/20/16 | 9/20/16 | REPLC EXTERIOR WALL LIGH | 231.50 | 001 | 001-410-6310 | 1 |
| | | | | INVOICE TOTAL | 231.50 | | | |
| | | | | VENDOR TOTAL | 559.00 | | | |
| 146388 | 1 | 9/20/16 | 9/20/16 | 1421 THRASHER SERVICE CORP REPLC UV BULB | 338.00 | 001 | 001-650-6310 | 1 |
| | | | | INVOICE TOTAL | 338.00 | | | |
| | | | | VENDOR TOTAL | 338.00 | | | |
| 39203 | 1 | 9/20/16 | 9/20/16 | 433 WILLIAMSONS REPAIR REPAIR MOWER TIRES-3 | 76.18 | 001 | 001-430-6350 | 1 |
| | | | | INVOICE TOTAL | 76.18 | | | |
| | | | | VENDOR TOTAL | 76.18 | | | |
| | | | | LEGACY BANK TOTAL | 96,698.72 | | | |
| | | | | TOTAL MANUAL CHECKS | .00 | | | |
| | | | | TOTAL E-PAYMENTS | .00 | | | |
| | | | | TOTAL PURCH CARDS | .00 | | | |
| | | | | TOTAL ACH PAYMENTS | .00 | | | |
| | | | | TOTAL OPEN PAYMENTS | 96,698.72 | | | |
| | | | | GRAND TOTALS | 96,698.72 | | | |
| | | | | Interim Warrants | 9,000.33 | | | |
| | | | | Total | \$105,699.05 | | | |

**CITY OF BONDURANT
INTERIM WARRANT LIST
September 19, 2016**

| DATE | VENDOR - REFERENCE | ACCOUNT CODE | TOTALS |
|-------------|--|---------------------|---------------|
| 09/08/16 | Matt Sheridan - Replace staledated check | 600-810-6420 | 13.85 |
| 09/09/16 | IRS USA tax payment - Federal/FICA | | 8,986.48 |
| | | Total | 9,000.33 |

**Tax Abatement Applications
September 19, 2016
City of Bondurant**

| Name | Address | Completion Date | Cost |
|-----------------------|---------------------------------------|--------------------|--------------|
| Traci Warner | 500 4 th Street, Southeast | September 6, 2016 | \$267,125.00 |
| Chad & Amanda Godfrey | 205 6 th Street, Northeast | September 9, 2016 | \$305,499.00 |
| Davin Nichola | 105 4 th Street, Northwest | September 15, 2016 | \$240,061.00 |
| Adam Jackson | 434 4 th Street, Southeast | September 16, 2016 | \$257,000.00 |

CITY OF BONDURANT
RESOLUTION NO. 16-115

RESOLUTION APPROVING THE CITY ENCROACHMENT POLICY

WHEREAS, the City of Bondurant desires to maintain a harmonious relationship with property owners adjacent to City property while protecting the City's authority to control uses occurring on City property; AND

WHEREAS, protection of undeveloped public lands includes but is not limited to protection of the natural environment, animal habitat (food and shelter) and public access/enjoyment; AND

WHEREAS, encroachment onto public lands is a form of trespass and erection of structures or modifications to natural areas; AND

WHEREAS, the City Administrator shall investigate and determine appropriate action if encroachment has been discovered; AND

WHEREAS, failure of the property owner to remove an encroachment within thirty (30) days, or after being granted an extension, shall result in the City removing the encroachment and restoring the property to its original condition; AND

WHEREAS, individuals may appeal encroachment decisions to the City Council for consideration; AND

WHEREAS, in order to maintain property lines, private adjacent property owners may mow up to 8' beyond the property line boundary on City property without obtaining an Encroachment Permit; AND

WHEREAS, in order to provide access to farmland adjacent to or bisecting City land or trails, the City may issue a permit to the bordering landowner; AND

WHEREAS, other exceptions to the policy may be granted by the City Administrator and reported to the City Council at the next City Council meeting only when encroachments are deemed to be in the overall City's best interest; AND

WHEREAS, this policy does not apply to authorized uses approved by the City Council pursuant to licenses, easements or permits,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the City Encroachment Policy, is hereby approved as presented.

Passed this 19th day of September, 2016,

By: _____
Curt Sullivan, Mayor

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

| Council Action | Ayes | Nays | Abstain | Absent |
|----------------|------|------|---------|--------|
| Lohse | | | | |
| Peffer | | | | |
| Enos | | | | |
| Keeler | | | | |
| Elrod | | | | |

CITY OF BONDURANT ENCROACHMENT POLICY

September 19, 2016

Purpose and Intent

The City of Bondurant desires to maintain a harmonious relationship with property owners adjacent to City property while protecting the City's authority to control uses occurring on City property. The City seeks to be a good neighbor to private property owners adjacent to City parks, trails, greenways and other City properties. The City expects the same consideration in return. If there is a dispute between neighbors, every reasonable effort will be made to review and resolve the situation prior to resorting to formal legal action.

Protection of undeveloped public lands includes but is not limited to protection of the natural environment, animal habitat (food and shelter) and public access/enjoyment. Protection of developed properties includes protection of buildings and other improvements installed and maintained by the City on City property. Where public and private land intersect, public lands must be unencumbered by private or commercial uses that have negative impacts on the environment or interfere with or limit public access, use or enjoyment of the land. The purpose and intent of this policy is to protect and preserve all real property owned by the City of Bondurant from unauthorized use. Consideration regarding encroachments shall address land, water and habitat protection, public access, enjoyment, safety and health concerns, and protection of the general health and welfare of the users of City properties.

Policy

Encroachment onto public lands is a form of trespass and erection of structures or modifications to natural areas are encroachments into public lands that have been set aside for public use. The City of Bondurant prohibits the unauthorized placement of natural or manmade materials on City owned property, the unauthorized construction or placement of any structures or other "improvements" on City owned property and the unauthorized alteration of City property in any way (hereinafter referred to as an "Encroachment").

Examples of encroachment include, but are not limited to, the following:

- Placing any refuse or trash on public lands, including unauthorized placing of "natural" or biodegradable waste such as compost, grass or tree clippings, stumps, yard waste, animal waste or dead animals;
- Building or placing unauthorized structures such as decks, fences, walls, fire pits, storage buildings and paver patios;

- Storing personal items such as grills, picnic tables, lawn furniture, cars, trucks, trailers, boats or other equipment or vehicles;
- Installing personal gardens, flower beds, trees and other vegetation, or modifying existing vegetation, including mowing of grass;
- Applying pesticide, herbicide or other unauthorized chemicals on City property;
- Placing pipes, or trenches that redirect natural water drainage and force it onto City property from downspouts, sump pumps, or detention ponds on City property.

Procedure

Upon discovery of an encroachment, the City Administrator shall investigate and determine appropriate action. If a determination is made that the encroachment requires corrective action, the property owner will be notified, and every reasonable effort will be made to resolve the situation prior to resorting to formal legal action. If informal action does not resolve the issue, the property owner shall be notified in writing and directed to remove the unauthorized encroachment within thirty (30) days from the date of notice. If an adjacent property owner receives a notice to remove an unauthorized encroachment, he/she will also be provided with an Encroachment Permit Application at the same time. If the adjacent property owner wishes to apply for an approval of an encroachment ("Application"), said Application must be submitted to the City within 30 days of notification to the adjacent property owner. The filing of an Application for approval of encroachment shall toll the initial time period to remove an encroachment (as referenced above).

Upon receipt of a timely submitted application, the City Administrator is authorized to approve or deny any such application. If the City Administrator approves an application, the adjacent property owner may continue the encroachment described in the application subject to the terms of this policy. If an application is denied, the adjacent property owner has twenty (20) days from the date of denial to file a written appeal to the City Council. The City Council will consider the appeal at the next regular City Council meeting. The Council may, however, take additional time if necessary to consider the appeal but must act on the appeal within 60 days of the appeal filing date. If an appeal of the City Administrator's initial denial is not timely filed within 30 days of the denial, or if the City Council denies the appeal request after hearing, the adjacent property owner must remove or correct the encroachment within 30 days of the City Council or City Administrator's decision, whichever is procedurally applicable. The property owner may submit a written request for a reasonable extension of time for

filing either the Encroachment Permit Application or the appeal to the City Council that the City Administrator is authorized to approve, as his or her discretion.

In the event that the property boundary is disputed, a boundary survey may be requested by the encroaching party and performed by a licensed surveyor. Cost for surveys shall be paid by the encroaching land owner if the survey finds that there is an encroachment upon City property without authorization. The City shall reimburse the property owner for any boundary survey in the event it is determined that no encroachment exists.

Costs to Resolve Unauthorized Encroachments

Failure of the property owner to remove an encroachment within 30 days of notice from the City Administrator or 30 days after receipt of an adverse decision by the City Council, shall result in the City removing the encroachment and restoring the property to its original condition.

In this situation, the violator shall be assessed the actual costs for removal and restoration of the encroached upon area.

If the violator fails to pay the remediation costs, these costs will be placed upon the tax roll for the property. Such costs will include, but are not limited to;

- Salary and benefits of all employees performing work on the encroached upon areas;
- Equipment usage fees;
- Boundary surveys;
- Construction permit engineering or architectural fees;
- Legal fees;
- Dumping fees;
- A 5% administrative fee; and
- Accrued interest if payment is not received within 30 days of invoicing.

Violation of an Encroachment Permit

In the event that a permit holder fails to abide by the provisions of this policy or the terms and conditions of the permit, the City Administrator may revoke or abate any permit upon proper notice.

The permit holder or property owner shall pay all costs incurred by the City in abating any encroachment or improvement.

Appeals

Individuals may appeal encroachment decisions to the City Council for consideration. Written requests for an accommodation appeals must be received within 30 days of the written notice of unauthorized encroachment.

Mowing Exception

In order to maintain property lines, private adjacent property owners may mow up to 8' beyond the property line boundary on City property without obtaining an Encroachment Permit.

Farmland Access Exception

In order to provide access to farmland adjacent to or bisecting City land or trails, the City may issue a permit to the bordering landowner. The permit shall identify the agreed upon access needs, buffer zone (distance, vegetation, etc.), visual triangles related to access/road/trail crossings, tile lines, responsible party and any safety concerns identified by either party.

Other Exceptions

All pre-existing permanent, or temporary encroachments shall be, upon adoption of this policy, allowed, subject to any previous agreement and conditions made between the City of Bondurant and the Responsible Party. If no agreement was ever made between the City of Bondurant and the Responsible Party prior to a resolution approving this policy, the property owner must submit an application according to this policy within thirty (30) days of being notified by city staff of the violation. Failure to timely submit an encroachment application with the city thirty (30) after being notified shall cause the removal of the encroachment per the terms outlined above in the "Costs to Resolve Unauthorized Encroachments".

Other exceptions to the policy may be granted by the City Administrator and reported to the City Council at the next City Council meeting only when encroachments are deemed to be in the overall City 's best interest. Every request for accommodation shall be evaluated individually and on its own merit, and may be denied for any reason deemed appropriate by the City Administrator.

If the City encroaches up on private property (tree roots), the property owner may contact the City to have the situation evaluated by the City, with any action taken based on the laws of the State of Iowa. If tree branches encroach onto private property, the owner may trim the tree up to the property line at their expense as based on Iowa law.

This policy does not apply to authorized uses approved by the City Council pursuant to licenses, easements or permits.

Indemnification

In the event a permit is granted by the City for an encroachment, the permit holder shall be obligated to sign an agreement obligating the permit holder to defend, indemnify and hold the City and its employees harmless from and against any loss or damage arising from the use or existence of an encroachment or improvement authorized or unauthorized under this permit.

Encroachments of the following nature will be exempt from this policy.

1. Government required mailboxes approved by the U.S. Postal Service.
2. Traffic signs, traffic signals, streetlights, barricades for street and sidewalk repair, all public utility infrastructure, all seasonal lights and decorations, and all other infrastructure owned by the federal government; any governmental agency, organization, and institution created by the federal government; the State of Iowa; and all political subdivisions of the state, including the City of Bondurant.
3. Official newspaper machines when all adjacent property owners have given permission for the machine owner to place the encroachment in front of their property.
4. Fire escapes and balconies placed at or above eight feet (8') measured from grade to the lowest point of the item.

Revocation of Encroachment Permit

The City Administrator, upon advice from the City Engineer, may revoke or modify an encroachment permit without cause when necessary for the installation of a public improvement by the city, or when necessary to remove an encroachment extending onto public property from private property that interferes with public convenience or safety.

Any violation of this policy may be punishable by the City as a misdemeanor or a municipal infraction.

Shelby Hagan

From: Mark Arentsen [mailto:marentsen@cityofbondurant.com]
Sent: Thursday, September 01, 2016 11:10 AM
To: 'Curt Sullivan'; 'Brian Lohse'; Wes Enos; 'Bob Peffer'; jkeeler@cityofbondurant.com; delrod@cityofbondurant.com
Cc: 'David Brick'; shagan@cityofbondurant.com
Subject: FW: City Encroachment Policy

Please see the e-mail below from David Brick re: City Encroachment Policy. David's e-mail responds to questions that were raised at the last Council meeting. I spoke to David today on the phone for a couple minutes about the encroachment issue. He has some additional suggestions for the policy and the enforcement process which he will describe at the Council meeting.

Mark Arentsen

City Administrator
City of Bondurant, Pop. 5,493
200 Second St., NE, PO Box 37
Bondurant, IA 50035
515-967-2418
515-971-6855 (Cell)
515-967-5732 (Fax)
marentsen@cityofbondurant.com
www.cityofbondurant.com

From: David Brick [mailto:davebrick@me.com]
Sent: Friday, August 26, 2016 5:44 PM
To: Arentsen Mark
Subject: Re: City Encroachment Policy

Mark,

In reviewing your questions regarding the proposed encroachment policy, I will respond to each question:

1. I would recommend the City Council hear the appeals. In reviewing Bondurant's code, the Board of Adjustments can only hear appeals from a party aggrieved by the Zoning Administrator (unless you are the zoning administrator, which I honestly don't know who has that title in Bondurant). Beyond that, in reviewing Bondurant's code of ordinances chapter 27, there are several reasons to conclude that the Board of Adjustment would not have the authority to hear appeals of your encroachment policy.
2. Existing Encroachments only need to be allowed to continue if the City and the "Encroaching Party" already had a pre-existing encroachment agreement with the city (pre-existing from the passing of the policy). Do you have any existing unexpired encroachment agreements? Otherwise, any party with an existing encroachment should submit an application consistent with the policy. If you want me to add language to this effect to the policy, let me know.
3. The city would be potentially liable for any issue that occurred on City property, even if it was caused by a third party encroacher. Any encroachments that Bondurant allows to stay (I am assuming encroachments that receive a permit), Bondurant would make the encroacher sign a release of liability for Bondurant allowing the encroachment/easement and said Agreement should be filed with the County Recorder.

Mark Arentsen

From: David Brick [davebrick@me.com]
Sent: Friday, August 26, 2016 5:44 PM
To: Arentsen Mark
Subject: Re: City Encroachment Policy

Mark,

In reviewing your questions regarding the proposed encroachment policy, I will respond to each question:

1. I would recommend the City Council hear the appeals. In reviewing Bondurant's code, the Board of Adjustments can only hear appeals from a party aggrieved by the Zoning Administrator (unless you are the zoning administrator, which I honestly don't know who has that title in Bondurant). Beyond that, in reviewing Bondurant's code of ordinances chapter 27, there are several reasons to conclude that the Board of Adjustment would not have the authority to hear appeals of your encroachment policy.
2. Existing Encroachments only need to be allowed to continue if the City and the "Encroaching Party" already had a pre-existing encroachment agreement with the city (pre-existing from the passing of the policy). Do you have any existing unexpired encroachment agreements? Otherwise, any party with an existing encroachment should submit an application consistent with the policy. If you want me to add language to this effect to the policy, let me know.
3. The city would be potentially liable for any issue that occurred on City property, even if it was caused by a third party encroacher. Any encroachments that Bondurant allows to stay (I am assuming encroachments that receive a permit), Bondurant would make the encroacher sign a release of liability for Bondurant allowing the encroachment/easement and said Agreement should be filed with the County Recorder.
4. I think your thoughts here are feasible and make sense.
5. Yes, I would clarify in the policy that the remedy you have written in the policy is not the exclusive remedy and that the City can use any other enforcement means as well that it has under its code (if you decide to make nuisance abatement an option, you would want to amend 50.02 (Nuisances Enumerated) to add encroachment as one of the potential nuisances.

If you want, I can edit your current draft and add the nuisance language and perhaps the "existing encroachment" language. Let me know if you want me to that, as I will be in the office this weekend. Thanks Mark.

David E. Brick
Brick Gentry, P.C.
6701 Westown Parkway, Suite 100
West Des Moines, IA 50266
Phone: 515-274-1450
Fax: 515-274-1488

Confidentiality Notice: The information contained within this transmission (including all attached files) contains confidential information belonging to the sender, which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in

reliance on or regarding the contents of this information is strictly prohibited. If you have received this correspondence in error, immediately notify the sender to secure its prompt return.

Circular 230 Disclaimer: To ensure compliance with Treasury Regulations governing written tax advice, please be advised that any tax advice included in this communication, including any attachments, is not intended, and cannot be used, for the purpose of (i) avoiding any federal tax penalty or (ii) promoting, marketing, or recommending any transaction or matter to another person.

On Aug 24, 2016, at 1:27 PM, Mark Arentsen <marentsen@cityofbondurant.com> wrote:

David, The draft City Encroachment Policy is attached. This Policy was considered at a special City Council meeting on 8/22. The red text shows changes that I believe the Council members support. There were several questions/comments made at the meeting. These are shown below. A response to these in the next couple days would be appreciated. It would be good to get the Policy adopted at the 9/6 Council meeting. Perhaps there will be ordinance requirements related to enforcement. It would be good to have the 1st reading of any ordinance requirements at the 9/6 meeting also.

1. Can appeals of the City Administrator's decision denying an encroachment permit go to the Board of Adjustments or should appeals be to the City Council? I think the Council members prefer the Board of Adjustments is that's possible.

2. Must existing encroachments be allowed to continue (grandfathered in)?

3. What liability does the City assume by allowing encroachments? Are structures such as sheds or fire pits a greater concern than something like a bird feeder? What about gardens some of which include wooden borders or fencing?

4. The Council seems ok with mowing a portion of the City's property next to a residential lot. A width of 8' has been discussed. Bioswales built on City property could not be mowed. The City could prohibit mowing in locations that are determined unsafe to mow. These prohibited areas would mainly be steep grades that are unsafe for people or equipment.

5. Could the nuisance abatement process set out in Chapter 50 be used as an enforcement process?

Mark Arentsen

City Administrator

City of Bondurant, Pop. 5,493

200 Second St., NE, PO Box 37

Bondurant, IA 50035

515-967-2418

515-971-6855 (Cell)

515-967-5732 (Fax)

marentsen@cityofbondurant.com

www.cityofbondurant.com

<Encroachment Policy 8-24-16.doc>

Per David Brick
8/28/16

CITY OF BONDURANT ENCROACHMENT POLICY

AUGUST 24, 2016

Purpose and Intent

The City of Bondurant desires to maintain a harmonious relationship with property owners adjacent to City property while protecting the City's authority to control uses occurring on City property. The City seeks to be a good neighbor to private property owners adjacent to City parks, trails, greenways and other City properties. The City expects the same consideration in return. If there is a dispute between neighbors, every reasonable effort will be made to review and resolve the situation prior to resorting to formal legal action.

Protection of undeveloped public lands includes but is not limited to protection of the natural environment, animal habitat (food and shelter) and public access/enjoyment. Protection of developed properties includes protection of buildings and other improvements installed and maintained by the City on City property. Where public and private land intersect, public lands must be unencumbered by private or commercial uses that have negative impacts on the environment or interfere with or limit public access, use or enjoyment of the land. The purpose and intent of this policy is to protect and preserve all real property owned by the City of Bondurant from unauthorized use. Consideration regarding encroachments shall address land, water and habitat protection, public access, enjoyment, safety and health concerns, and protection of the general health and welfare of the users of City properties.

Policy

Encroachment onto public lands is a form of trespass and erection of structures or modifications to natural areas are encroachments into public lands that have been set aside for public use. The City of Bondurant prohibits the unauthorized placement of natural or manmade materials on City owned property, the unauthorized construction or placement of any structures or other "improvements" on City owned property and the unauthorized alteration of City property in any way (hereinafter referred to as an "Encroachment").

Examples of encroachment include, but are not limited to, the following:

- * Placing any refuse or trash on public lands, including unauthorized placing of "natural" or biodegradable waste such as compost, grass or tree clippings, stumps, yard waste, animal waste or dead animals;
- * Building or placing unauthorized structures such as decks, fences, walls, fire pits, storage buildings and paver patios;

- Storing personal items such as grills, picnic tables, lawn furniture, cars, trucks, trailers, boats or other equipment or vehicles;
- Installing personal gardens, flower beds, trees and other vegetation, or modifying existing vegetation, including mowing of grass;
- Applying pesticide, herbicide or other unauthorized chemicals on City property;
- Placing pipes, or trenches that redirect natural water drainage and force it onto City property from downspouts, sump pumps, or detention ponds on City property.

Procedure

Upon discovery of an encroachment, the City Administrator shall investigate and determine appropriate action. If a determination is made that the encroachment requires corrective action, the property owner will be notified, and every reasonable effort will be made to resolve the situation prior to resorting to formal legal action. If informal action does not resolve the issue, the property owner shall be notified in writing and directed to remove the unauthorized encroachment within 90 days from the date of notice. If an encroachment exists, the adjacent property owner received a notice to remove an unauthorized encroachment, he/she will also will be provided with an Encroachment Permit Application at the same time. If the adjacent property owner wishes to apply for an approval of an encroachment, said The application must be submitted to the City within 30 days of notification to the adjacent property owner. The City Administrator is authorized to approve or deny any such the application. If the City Administrator approves an the application, the adjacent property owner may continue the encroachment described in the application upon a showing of compliance with any other City requirements (IE, City could force them to carry liability insurance and/or City may want to have them sign an indemnification agreement). If the application is denied, the adjacent property owner has 30 days from the date of denial to file a written appeal to the City Council. The City Council will consider the appeal at the next regular City Council meeting. The Council may take additional time if necessary to consider the appeal but should act on the appeal within 60 days of the appeal filing date. If no appeal of the City Administrator's denial is filed within 30 days of the denial, or if the City Council denies the appeal request. The adjacent property owner must remove or correct the encroachment within 30 days of the City Council or City Administrator decision. **The property owner may submit a written request for an extension for filing either the Encroachment Permit Application or the appeal to the City Council that the City Administrator is authorized to approve.**

In the event that the property boundary is disputed, a boundary survey may be requested by the encroaching party and performed by a licensed surveyor. Cost for surveys shall be paid by the encroaching land owner if the survey finds that there is an encroachment upon City property without authorization. The City shall reimburse the property owner for any boundary survey where it is determined that no encroachment exists.

Costs to Resolve Unauthorized Encroachments

Failure of the property owner to remove an encroachment within 90-30 days, or after a permit granted an extension, shall result in the City removing the encroachment and restoring the property to its original condition.

In this situation, the violator shall be assessed the actual costs for removal and restoration of the encroached upon area.

If the violator fails to pay the remediation costs, these costs will be placed upon the tax roll for the property. Such costs will include, but are not limited to;

- Salary and benefits of all employees performing work on the encroached upon areas;
- Equipment usage fees;
- Boundary surveys;
- Construction permit engineering or architectural fees;
- Legal fees;
- Dumping fees;
- A 5% administrative fee; and
- Accrued interest if payment is not received within 30 days of invoicing.

Appeals

Individuals may appeal encroachment decisions to the City Council for consideration. Written requests for an accommodation appeals must be received within 30 days of the written notice of unauthorized encroachment.

Mowing Exception

In order to maintain property lines, private Adjacent property owners may mow up to 8' beyond the property line boundary on City property without obtaining an Encroachment Permit.

Farmland Access Exception

In order to provide access to farmland adjacent to or bisecting City land or trails, the City may issue a permit to the bordering landowner. The permit shall identify the agreed upon access needs, buffer zone (distance, vegetation, etc.), visual triangles related to access/road/trail crossings, tile lines, responsible party and any safety concerns identified by either party.

Other Exceptions

All pre-existing permanent, or temporary encroachments shall be, upon adoption of this policy, allowed, subject to any previous agreement and conditions made between the City of Bondurant and the Responsible Party. If no agreement was ever made between the City of Bondurant and the Responsible Party prior to [MONTH AND YEAR OF PASSAGE], the property owner must submit an application according to this policy within thirty (30) days of being notified by city staff of the violation. Failure to timely submit an encroachment application with the city thirty (30) after being notified shall cause the removal of the encroachment per the terms outlined above in the "Costs to Resolve Unauthorized Encroachments".

Valid permits in shall remain in effect until modified, expired, or revoked.

Other exceptions to the policy may be granted by the City Administrator and reported to the City Council at the next City Council meeting only when encroachments are deemed to be in the overall City 's best interest. Every request for accommodation shall be evaluated individually and on its own merit, and may be denied for any reason deemed appropriate by the City Administrator.

If the City encroaches up on private property (tree roots), the property owner may contact the City to have the situation evaluated by the City, with any action taken based on the laws of the State of Iowa. If tree branches encroach onto private property, the owner may trim the tree up to the property line at their expense as based on Iowa law.

This policy does not apply to authorized uses approved by the City Council pursuant to licenses, easements or permits.

Formatted: Font: Calibri

Formatted: Font: Calibri, Not Italic

Formatted: Font: Not Italic

Formatted: Font: Calibri

Formatted: Font: Calibri, 12 pt

Formatted: Font: Calibri

Formatted: Normal (Web), Indent Left: 0"

Formatted: Font: Calibri

Formatted: Font: Calibri, 10 pt, No underline

Indemnification

In the event a permit is granted by the City for an encroachment, the permit holder shall defend, indemnify and hold the City and its employees harmless from and against any loss or damage arising from the use or existence of an encroachment or improvement authorized or unauthorized under this permit.

CITY OF BONDURANT
RESOLUTION NO. 16-160

RESOLUTION APPROVING IOWA INTERACTIVE AS A SERVICE PROVIDER

WHEREAS, the City of Bondurant desires to offer Web-enabled services for citizens to interact and transact online; AND

WHEREAS, Iowa Interactive is a digital government solutions provider offering secure payment processing, online forms, and event and recreation registrations; AND

WHEREAS, this software will be effective, efficient, and beneficial to the City and its patrons,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, Iowa Interactive as a Service Provider, is hereby approved as presented.

Passed this 19th day of September, 2016,

By: _____
Curt Sullivan, Mayor

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

| Council Action | Ayes | Nays | Abstain | Absent |
|----------------|------|------|---------|--------|
| Lohse | | | | |
| Peffer | | | | |
| Enos | | | | |
| Keeler | | | | |
| Elrod | | | | |

Online Registration Programs

| Company Name | Rec. Software Incl | Cost/Annual Fee | Contract Years | Work with Forte |
|------------------|--------------------|--|----------------|---|
| Rec Desk | Yes | \$3480 annual | 0 | No Sign up on Stripe 2.9% \$.30 per transaction |
| ActiveNet | Yes | \$10-12K startup + annual fees | - | No |
| Iowa Interactive | No | \$3.00 per transaction | 5 year | No |
| Cogran | Yes | \$400 startup, \$1800 annual fee \$2.50 per transaction via paypal | 0 | No |
| RecPro | Yes | \$5500 startup \$3500 annual | 5 year | Yes |
| RecTrac | Yes | \$34,000 startup No transaction fee | - | No |

In terms of cost, Iowa Interactive is our best bet. However, it does not come with recreation software and it does not use our credit processor, so we'd have to have two separate processors. It comes with 5 year contract, so we'd be committed for awhile.

Both RecDesk and RecPro are the best options for recreation software and they both cost about the same annually. RecPro does use Forte, but it requires a startup fee. RecDesk does not work with Forte, but does work with Stripe. Stripe is free to setup, and costs 2.9% + \$.30 per transaction. RecPro comes with a 5 year contract, RecDesk has no contract.

RecPro is just online registration for recreation programming. It does not bring to the table other uses of online registration such as permits. Iowa Interactive can be used for rec online registration and other uses such as permits.

Card processing side

| | | |
|-----------------------------|-----------------------------|-------------------------------|
| | Iowa Interactive 2.35%+1.50 | Forte - 2.5% - \$1.95 minimum |
| Tot tball registration \$43 | \$2.51 | \$1.95 |
| Youth basketbl reg \$103 | \$3.92 | \$2.58 |

We do not want to use Iowa Interactive for utility because Forte fees are cheaper - \$2.90 for debit/credit card. So once the user's bill is over \$60, Forte is the cheaper option. Also, Forte is a vendor recommended by Data Tech. DT has a module that we can purchase in the future (costs \$4,500) for residents to go online and view their account balances and history. Forte is a vendor that already works with our Summit software.

We do not want to use Forte online registration because we would have to use the RecPro online registration system. With the initial startup cost of \$5,500 and the annual fee of \$3,500 after that, we would have to have over 1,000 registrations to make that price comparable per registration of \$3 for Iowa Interactive.

Iowa Interactive online registration requires the use of Iowa Interactive card processing.

ORDINANCE NO. 16-215

**ORDINANCE AMENDING CHAPTER 92, WATER RATES, REMOVING THE ELDERLY SERVICE
AVAILABILITY CHARGE OF \$3.57 EFFECTIVE 1/1/17**

BE IT ENACTED by the City Council of the City of Bondurant, Polk County, Iowa:

Section 1. **SECTION AMENDED.** Chapter 92 – Water Rates

99.02 RATES FOR SERVICE. Water service shall be furnished at the following rates within the City:
(Code of Iowa, Sec. 384.84)

1. A service availability charge of \$6.10 per month.

Section 2. **REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. **SEVERABILITY.** If any section, provisions, sentence, clause, phrase or part of this ordinance shall be adjudicated, invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any provision, section, subsection, sentence clause, phrase or part thereof not adjudged invalid or unconstitutional.

Section 4. **EFFECTIVE DATE.** This ordinance shall be in full force and effect following its passage, adoption and publication as required by law.

PASSED AND APPROVED by the City Council this 19th day of September, 2016.

CITY OF BONDURANT, POLK COUNTY, IOWA

CURT SULLIVAN, MAYOR

ATTEST:

SHELBY HAGAN, CITY CLERK

FIRST CONSIDERATION: September 06, 2016

SECOND CONSIDERATION:

THIRD CONSIDERATION:

CHAPTER 92

WATER RATES

| | |
|---------------------------------|---------------------------|
| 92.01 Service Charges | 92.06 Lien for Nonpayment |
| 92.02 Rates For Service | 92.07 Lien Exemption |
| 92.03 Rates Outside the City | 92.08 Lien Notice |
| 92.04 Billing for Water Service | 92.09 Customer Deposits |
| 92.05 Service Discontinued | 92.10 Temporary Vacancy |

92.01 SERVICE CHARGES. Each customer shall pay for water service provided by the City based upon use of water as determined by meters provided for in Chapter 91. Each location, building, premises or connection shall be considered a separate and distinct customer whether owned or controlled by the same person or not.

(Code of Iowa, Sec. 384.84)

92.02 RATES FOR SERVICE. Water service shall be furnished at the following rates within the City: (Code of Iowa, Sec. 384.84)

1. A service availability charge of \$6.10 per month ~~except for qualified elderly individuals who shall be charged a service availability charge of \$3.57 per month.~~
2. In addition to the service availability charge, a usage charge of \$6.10 for each 1,000 gallons of water used per month.
3. A usage charge of \$9.15 for each 1,000 gallons of water withdrawn from a hydrant as an approved metered withdrawal. No service availability charge is required
4. A usage charge of \$10.23 for each 1,000 gallons of withdrawn water from a hydrant under an approved withdrawal not qualifying for the metered withdrawal. No service availability charge is required
5. A usage surcharge of \$15.00 per 1,000 gallons of water withdrawn from a hydrant for flushing will be added to the usage charge for any withdrawal not in conformance with the requirements of 92.13. The surcharge shall apply to all water volume used for flushing. The surcharge would not be applied to other usage if a portion of the withdrawal is for a purpose other than flushing.

(Ordinance No. 05-203)

(Ordinance No. 07-211)

(Ordinance No. 13-211)

(Ordinance No. 15-200)

Lori Dunham

From: Dave Brick [Dave.Brick@brickgentrylaw.com]
Sent: Tuesday, August 16, 2016 3:56 PM
To: Lori Dunham
Subject: Re: senior discounts

Importance: High

Lori,

It is my opinion that offering the senior citizens a discount would be violative of Iowa Code 388.6. I would suggest we stop that process ASAP. It appears that the Rate is set in Bondurant Code 92.02(1).

Let me know if you want me to prepare amended ordinance or if you will handle.

92.02(1) currency reads: A service availability charge of \$6.10 per month except for qualified elderly individuals who shall be charged a service availability charge of \$3.57 per month.

We would just need to amend to now say: A service availability charge of \$6.10 per month.

Thanks Lori.

David E. Brick
Brick Gentry, P.C.
6701 Westown Parkway, Suite 100
West Des Moines, IA 50266
Phone: 515-274-1450
Fax: 515-274-1488

Confidentiality Notice: The information contained within this transmission (including all attached files) contains confidential information belonging to the sender, which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on or regarding the contents of this information is strictly prohibited. If you have received this correspondence in error, immediately notify the sender to secure its prompt return.

Circular 230 Disclaimer: To ensure compliance with Treasury Regulations governing written tax advice, please be advised that any tax advice included in this communication, including any attachments, is not intended, and cannot be used, for the purpose of (i) avoiding any federal tax penalty or (ii) promoting, marketing, or recommending any transaction or matter to another person.

> On Aug 3, 2016, at 10:49 AM, Lori Dunham <ldunham@cityofbondurant.com> wrote:
>
> Good morning Dave,
>
> Bondurant is having their annual audit this week and one of the
> comments made during the audit was that the City offered discounted
> rate to seniors for water availability fee and garbage. The
> attachment shows our current rates along with the State of Iowa code
> regarding discrimination provided by our auditors.

>
> Would you be able to look into this to see if the City is in fact
> providing a fee that discriminates against other residents?
>
> Thanks for your time.
>
> Regards,
>
> Lori Dunham
> Finance Director
> City of Bondurant, Pop 5,493
> 200 2nd St NE, PO Box 37
> Bondurant, IA 50035
> 515-967-2418/f 515-967-5732
> ldunham@cityofbondurant.com/www.cityofbondurant.com\> <SKM_C454e16080309530.pdf>

388.6 Discrimination in rates.
 A city utility or a combined utility system may not provide use or service at a discriminatory rate, except to the city or its agencies, as provided in section 384.91.
 [C75, 77, 79, 81, §388.6]

| CITY OF BONDURANT | |
|--|-------------------|
| UTILITY RATES SCHEDULE | |
| <small>RATE INCREASE BEGINS ON July 01, 2016 BILLING</small> | |
| WATER FEES | |
| Availability Fee | \$6.10 per month |
| Senior Availability Fee | \$3.57 per month |
| Usage Fee (per 1,000 gallons) | \$6.10 per 1,000 |
| <small>Customers outside the Bondurant corporate limits shall pay one and one-half times the above stated rates.</small> | |
| SANITARY SEWER FEES | |
| Minimum Fee (0-1,000 gallons) | \$11.03 per month |
| Usage Fee (per 1,000 gallons) | \$11.67 per 1,000 |
| STORMWATER FEE (per ERU) | \$3.25 per month |
| GARBAGE FEE - 96 GAL | \$8.43 per month |
| GARBAGE FEE - 48 GAL | \$7.72 per month |
| SENIOR GARBAGE - 48 GAL | \$7.67 per month |
| RECYCLING FEE | \$2.70 per month |
| FOR ADDITIONAL INFORMATION | |
| BONDURANT CITY CENTER | |
| (515) 937-2418 | |

ORDINANCE NO. 16-216

ORDINANCE AMENDING CHAPTER 106, COLLECTION OF SOLID WASTE, OF THE CITY CODE OF THE CITY OF BONDURANT, IOWA, BY REMOVING ELDERLY 48 GALLON TOTES RATE OF \$7.67 EFFECTIVE 1/1/17

BE IT ENACTED by the City Council of the City of Bondurant, Polk County, Iowa:

Section 1. **SECTION AMENDED.** Chapter 106, Section 106.09(c) of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is hereby repealed and the following adopted in lieu thereof:

106.09 COLLECTION FEES. The collection and disposal of solid waste as provided by this chapter are declared to be beneficial to the property served or eligible to be served and there shall be levied and collected fees therefore in accordance with the following:

~~C. Qualified elderly individuals for a 48 gallon tote - \$7.67 per month, per tote~~

Section 2. **SECTION AMENDED.** Chapter 106, Section 106.09(d) of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is hereby repealed and the following adopted in lieu thereof:

106.09 COLLECTION FEES. The collection and disposal of solid waste as provided by this chapter are declared to be beneficial to the property served or eligible to be served and there shall be levied and collected fees therefore in accordance with the following:

~~D. C.~~ Recycling Fee - \$2.70 per month

Section 3. **REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. **SEVERABILITY.** If any section, provisions, sentence, clause, phrase or part of this ordinance shall be adjudicated, invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any provision, section, subsection, sentence clause, phrase or part thereof not adjudged invalid or unconstitutional.

Section 5. **EFFECTIVE DATE.** This ordinance shall be in full force and effect following its passage, adoption and publication as required by law.

PASSED AND APPROVED by the City Council this 19th day of September, 2016.

CITY OF BONDURANT, POLK COUNTY, IOWA

CURT SULLIVAN, MAYOR

ATTEST:

SHELBY HAGAN, CITY CLERK

(SEAL)

FIRST CONSIDERATION: September 06, 2016

SECOND CONSIDERATION:

THIRD CONSIDERATION:

4. License Issued. If the City Administrator upon investigation finds the application to be in order and determines that the applicant will collect, transport, process or dispose of solid waste without hazard to the public health or damage to the environment and in conformity with law and ordinance, the requested license shall be issued to be effective for a period of one year from the date approved.

5. License Renewal. An annual license may be renewed simply upon payment of the required fee, provided the applicant agrees to continue to operate in substantially the same manner as provided in the original application and provided the applicant furnishes the City Administrator with a current listing of vehicles, equipment and facilities in use.

6. License Not Transferable. No license authorized by this chapter may be transferred to another person.

7. Owner May Transport. Nothing herein is to be construed so as to prevent the owner from transporting solid waste accumulating upon premises owned, occupied or used by such owner, provided such refuse is disposed of properly in an approved sanitary disposal project.

8. Grading or Excavation Excepted. No license or permit is required for the removal, hauling, or disposal of earth and rock material from grading or excavation activities; however, all such materials shall be conveyed in tight vehicles, trucks or receptacles so constructed and maintained that none of the material being transported spills upon any public right-of-way.

106.09 COLLECTION FEES. The collection and disposal of solid waste as provided by this chapter are declared to be beneficial to the property served or eligible to be served and there shall be levied and collected fees therefore in accordance with the following:

(Goreham vs. Des Moines, 1970, 179 NW 2nd, 449)

1. Schedule of Fees. The fees for solid waste collection and disposal service, used or available, are:

A. For each residential premises and for each dwelling unit of a multiple-family dwelling for either a 96 gallon toter - \$8.43 per month, per toter

B. For each residential premises and for each dwelling of a multi-family dwelling for a 48 gallon toter - \$7.72 per month, per toter

~~C. Qualified elderly individuals for a 48 gallon toter - \$7.67 per month, per toter~~

~~C~~ D. Recycling Fee - \$2.70 per month

(Ordinance No. 03-214)

(Ordinance No. 05-200)

(Ordinance No. 05-208)

Shelby Hagan

From: Mark Arentsen [mailto:marentsen@cityofbondurant.com]
Sent: Thursday, September 08, 2016 11:54 AM
To: 'Shelby Hagan'
Cc: csullivan@cityofbondurant.com
Subject: FW: Lincoln and Railroad
Attachments: 20160908_064046.jpg; 20160908_064102.jpg

Shelby, Please list Old Town Tree Maintenance as a Discussion Item on the 9/19 agenda.

Mark Arentsen

City Administrator
City of Bondurant, Pop. 5,493
200 Second St., NE, PO Box 37
Bondurant, IA 50035
515-967-2418
515-971-6855 (Cell)
515-967-5732 (Fax)
marentsen@cityofbondurant.com
www.cityofbondurant.com

From: Mark Arentsen [mailto:marentsen@cityofbondurant.com]
Sent: Thursday, September 08, 2016 11:48 AM
To: 'csullivan@cityofbondurant.com'; 'Brian Lohse'; Wes Enos (wes@wesenos.com); 'Bob Peffer'; 'jkeeler@cityofbondurant.com'; 'Doug Elrod'
Cc: 'David Brick'
Subject: FW: Lincoln and Railroad

Attached are pictures of a large tree branch that fell on a truck at the corner of Lincoln & Railroad last night. I'm not sure if the truck can be fixed. A similar tree branch incident occurred last summer two blocks away at the corner of Lincoln and 2nd St. SE. A large branch took down power lines which cut off electric service to about 35 homes and probably to the storm siren at the cemetery. In both cases these are old trees. There are other older trees in this part of town. In both cases the branches fell onto the street so the City responded and removed them. No one has been hurt yet, but there are a number of similar aged trees along a couple blocks of Lincoln St. and potentially other locations in the older part of town. Some are close to the lot line. We'll need to find out if the tree last night was in the street ROW or not. Ken tells me that there have been three other large tree branch events in this general area this year. Several years ago the City sent letters to owners of a number of properties along Lincoln St. stating that trees on their property have large branches hanging into the public right of way. Section 151.03 of the City Code requires property owners to keep branches at least 15' above the street surface and 8' above the sidewalk. One of the owners appeared at a Council meeting and objected to having to comply with the ordinance. The Council members didn't seem interested in pursuing this so the matter was dropped. It's now clear that these old trees are becoming a more significant public safety issue. More of these incidents are likely to occur if these old trees are not dealt with. At some point someone could get hurt. The incident last year occurred on a clear day with practically no wind. If someone had been walking, biking or driving by at the wrong time it could have been a very bad situation. Cutting the branches in violation of 151.03 would help but it's possible that there may be dangerous branches that are not in violation of this section. The City could find someone knowledgeable about these types of trees and evaluate what should be done with them. Some of these are soft maples that come apart more easily in wet or windy conditions. Perhaps the nuisance ordinance could be used or amended to require removal of potentially dangerous trees or branches. I'm concerned that the City could be named in some type of future legal action if someone decided that the City was not protecting public safety. In my opinion, trees on private property should be the responsibility of the property owner. The City could help with branch removal by arranging a contractor, and placing the charges on the owners tax bill if they wanted that. There's typically a \$100 fee for placing a

charge on the tax bill because the City does have hard costs of publishing notices of special assessments and mailings, but the City could waive that if it wanted to. I am intending to list this as a Discussion Item on the 9/19 agenda.

Mark Arentsen

City Administrator

City of Bondurant, Pop. 5,493

200 Second St., NE, PO Box 37

Bondurant, IA 50035

515-967-2418

515-971-6855 (Cell)

515-967-5732 (Fax)

marensen@cityofbondurant.com

www.cityofbondurant.com

From: Jason McGrann [<mailto:jmcgrann@cityofbondurant.com>]

Sent: Thursday, September 08, 2016 7:15 AM

To: Arentsen Mark

Subject: Lincoln and Railroad





CHAPTER 151

TREES

| | |
|----------------------------|--|
| 151.01 Definition | 151.04 Trimming Trees to be Supervised |
| 151.02 Planting Prohibited | 151.05 Disease Control |
| 151.03 Duty to Trim Trees | 151.06 Inspection and Removal |

151.01 DEFINITION. For use in this chapter, “parking” means that part of the street, avenue or highway in the City not covered by sidewalk and lying between the lot line and the curb line; or, on unpaved streets, that part of the street, avenue or highway lying between the lot line and that portion of the street usually traveled by vehicular traffic.

151.02 PLANTING PROHIBITED. No person shall plant a tree in any street, street parking or public right-of-way.

(Ordinance No. 11-205)

151.03 DUTY TO TRIM TREES. The owner or agent of the abutting property shall keep the trees on, or overhanging the street, trimmed so that all branches will be at least fifteen (15) feet above the surface of the street and eight (8) feet above the sidewalks. If the abutting property owner fails to trim the trees, the City may serve notice on the abutting property owner requiring that such action be taken within fourteen (14) days. If such action is not taken within that time, the City may perform the required action and assess the costs against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2c, d & e])

151.04 TRIMMING TREES TO BE SUPERVISED. Except as allowed in Section 151.03, it is unlawful for any person to trim or cut any tree in a street or public place unless the work is done under the supervision of the City.

151.05 DISEASE CONTROL. Any dead, diseased or damaged tree or shrub, which may harbor serious insect or disease pests or disease injurious to other trees is hereby declared to be a nuisance.

151.06 INSPECTION AND REMOVAL. The City Administrator shall inspect or cause to be inspected any trees or shrubs in the City reported or suspected to be dead, diseased or damaged, and such trees and shrubs shall be subject to the following:

1. City Property. If it is determined that any such condition exists on any public property, including the strip between the curb and the lot line of private property, the Council may cause

such condition to be corrected by treatment or removal. The Council may also order the removal of any trees on the streets of the City which interfere with the making of improvements or with travel thereon.

2. Private Property. If it is determined with reasonable certainty that any such condition exists on private property and that danger to other trees or to adjoining property or passing motorists or pedestrians is imminent, the Council shall notify by certified mail the owner, occupant or person in charge of such property to correct such condition by treatment or removal within fourteen (14) days of said notification. If such owner, occupant or person in charge of said property fails to comply within fourteen (14) days of receipt of notice, the Council may cause the condition to be corrected and the cost assessed against the property.

(Code of Iowa, Sec. 364.12[3b & h])

CITY ADMINISTRATOR POSITION

POSITION REFILLING SCHEDULE

AUGUST 17, 2016

| | |
|-------------------|---|
| September 19 - 30 | Consider position description. Should there be changes to the existing duties set out in City Code Chapter 21? Changes could be made after 9/30, but it would be best to have any changes made before the process goes too far. |
| October 1 | <p>Send out Request for Proposals to potential consultants to manage the position filling process. Four firms/people that provide this service for City Administrator/Manager type positions are:</p> <ul style="list-style-type: none">○ Pat Callahan, Iowa; Gov○ HR USA, Northbrook IL; Slavin○ Management Consultant, Norcross GA and○ Brimeyer Fursman, Maplewood MN. <p>Pat Callahan works primarily in Iowa. Gov HR USA and Brimeyer Fursman work primarily in the Midwest. Slavin has offices around the country.</p> |
| November 1 | Consultant responses due. |
| November 1 - 30 | Evaluation of consultants. This could include presentations to the City by the consultants. |
| December 5 | Selection of consultant. This could potentially be delayed until around January 1, but it would be best to pick a consultant sooner |

| | |
|-----------------------|---|
| | rather than later. Once a consultant is selected, they will probably develop their own plan/schedule for filling the position. Below are some general dates related to having someone in place by around 6/1/17. The actual starting date could be sooner or later. |
| January 2 | Position profile approved by City Council. |
| January 1 - 30 | Position advertised through International City Management Association and possibly other methods. |
| February 15 | Resumes due to consultant. |
| February 15 - March 3 | City/consultant selection of interviewees. |
| March 20 - 31 | Interviews |
| April 1 - 15 | Background checks of potential candidates. This could include someone traveling to the communities where the candidates work or recently worked. |
| April 15 | Position offer to recommended candidate. |
| May 1 | Contract approval by City and selected candidate. |
| June 1 - 15 | Start date for new person. |

CHAPTER 21

CITY ADMINISTRATOR

| | |
|-------------------------------------|------------------------------------|
| 21.01 Appointment and Compensation | 21.03 Powers and Duties Generally |
| 21.02 Administrative Responsibility | 21.04 Supervision of City Officers |

21.01 APPOINTMENT AND COMPENSATION. The Council shall appoint by majority vote a City Administrator to serve at the discretion of the Council. The City Administrator shall receive such annual salary as the Council shall from time to time establish by resolution. The City Council may, by Resolution, change the status of the City Administrator from an at-will employee to a contract employee.

(Ordinance No. 10-200)

21.02 ADMINISTRATIVE RESPONSIBILITY. The City Administrator is directly responsible to the Council for the administration of municipal affairs as directed by that body. All departmental activity requiring the attention of the Council shall be brought before the Council by the City Administrator and all Council involvement in administration initiated by the Council must be coordinated through the City Administrator.

21.03 POWERS AND DUTIES GENERALLY. The powers and duties of the City Administrator include the following:

1. Responsibility for all accounting and accounting procedures for the City.
2. Administration of all ordinances, resolutions, Council policies, directives and procedures.
3. Continuous study of the City government's operating procedures, organizations and facilities and recommendation of fiscal and other policies to the Council whenever necessary.
4. Preparation and administration of the City's annual operating budget.
5. Supervision of the City's administrative policies and procedures, including personnel and purchasing.
6. Keeping the Council informed as to the progress of its programs and the status of its policies.
7. Coordination and direction of all City services provided through the various departments.

8. Study of possible joint arrangements with municipal boards and commissions, making recommendations for such arrangements as are mutually acceptable and coordinating these activities as agreed upon.

9. Assisting the Mayor in any duties as requested by the Mayor.

10. Assisting the Council and the Planning and Zoning Commission in the carrying out of the comprehensive plan and to assist in all other forms of planning within the City government.

11. Acting for the City in the exercise and execution of all policies and programs whereby the City is involved in a joint basis with any other governmental subdivision, agency or department.

12. Employment and removal of City employees in accordance with Council approved policies regarding pay, employment, and removal of such employees.

21.04 SUPERVISION OF CITY OFFICERS. The City Administrator is responsible to the Council for the performance of all department activities. All City officers and department heads, regardless of their method of appointment, are responsible to the City Administrator for the conduct of their department.