

Posting Date: February 12, 2016

**NOTICE OF A REGULAR MEETING  
BONDURANT CITY COUNCIL  
February 16, 2016**

**NOTICE IS HEREBY GIVEN** that a Regular Meeting of the City Council will be held at 6:00 p.m. on Tuesday, February 16, 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 February 02, 2016 and February 08, 2016
  - b. Receive and File - Planning and Zoning Minutes of January 24, 2016
  - c. Claims Report and January 2016 City of Bondurant Financial Statements (emailed 02/10/16)
  - d. Tax Abatement Applications
7. Polk County Sheriff's Report
8. Guests requesting to address the City Council
9. **PRESENTATION** - Community Visioning Presentation
10. **RESOLUTION NO. 16-28** - Resolution approving the Bondurant-Farrar High School Student Council May Day 5K Run Route for Saturday, April 30, Mackenzie Clayton
11. **RESOLUTION NO. 16-29** - Resolution approving the Site Plan for Mobil Mini, Inc. at 3507 Grant Street, South
12. **RESOLUTION NO. 16-30** - Resolution authorizing call of bonds, approving a Loan Agreement and providing for issuance of \$1,065,000 General Obligation Refunding Bonds, Series 2016A, and providing for the levy of taxes to pay the same
13. **PUBLIC HEARING** - Relative to the Amendment to the Urban Revitalization Plan for the Bondurant Urban Revitalization Area
14. **RESOLUTION NO. 16-31** - Resolution adopting the Amendment to the Plan for the Bondurant Urban Revitalization Area
15. **RESOLUTION NO. 16-32** - Resolution approving the Sanitary Sewer Extension Funding Policy

16. **RESOLUTION NO. 16-33** - Resolution approving the five applications for Class C Liquor License (LC) Commercial and Outdoor Service, for Founders Irish Pub, 110 First Street, Southeast, Bondurant
17. **RESOLUTION NO. 16-34** - Resolution levying assessment for costs of Nuisance Abatement for 702 Cleveland Avenue, Southeast
18. **RESOLUTION NO. 16-35** - Resolution reappointing Jan Hall, 1913 Country Cave Lane, Altoona, to the Virgil C. Webb, William Garber and Flora Webb Garber Foundation Board of Directors
19. **ORDINANCE 16-201** - (Second Reading) Ordinance amending Chapter 122, Peddlers, Solicitors, and Transient Merchants
20. **ORDINANCE 16-204** - (First Reading) Ordinance adding Chapter 124, Mobile Food Vendor
21. **ORDINANCE 16-203** - (First Reading) Ordinance amending Chapter 18, City Clerk
22. Discussion Items –
  - a. Sankey Summit Zoning Classification
  - b. Workshop Sessions
23. Reports / Comments and appropriate action thereon:
  - a. Mayor
  - b. City Administrator
  - c. Council Members
24. Adjournment

City Council Meetings:

- Special Meeting, February 22, 2016
- Regular Meeting, March 7, 2016
- Regular Meeting, March 21, 2016
- Regular Meeting, April 4, 2016
- Regular Meeting, April 18, 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  
February 2, 2016 6:00 P.M.  
Bondurant City Center

1. Roll Call

Present: Mayor Curt Sullivan, Council Member Doug Elrod, Council Member Bob Pepper, Council Member Wes Enos, Council Member Jennifer Keeler

Absent: Council Member Brian Lohse

City Officials

Present: City Administrator Mark Arentsen, City Clerk Shelby Hagan, Library Director Jill Sanders, Finance Director Lori Dunham, Utility Billing Clerk Misty Richardson-Kugler, City Attorney David Brick

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 Elrod, to approve the agenda. Vote on Motion 4-0. 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 January 18, 2016
- b. Receive and File – Planning and Zoning Commission Minutes of January 14, 2016
- c. Receive and File – Parks and Recreation Board Minutes of November 19 and December 17, 2015
- d. Claims Report
- e. Utility Delinquent Listing
- f. Tax Abatement Applications

Motion by Pepper, seconded by Enos, to approve the Consent Agenda. Vote on Motion 4-0. Motion declared carried unanimously.

7. Polk County Sheriff's Report – Polk County Sheriff's Deputy had nothing to report. Mayor Sullivan requested an annual report for 2015.

8. Guests requesting to address the City Council - None.

9. **PRESENTATION** – Leslie Irlbeck and Michael McCoy, Metro Waste Authority

Leslie Irlbeck presented survey information and facts regarding the future decision of whether to co-mingle yard waste with residential garbage. MWA will be making a decision around June 2016 for the future of the yard waste program starting in 2017. The MWA City representative, Wes Enos, should be aware of the City's decision at the future vote.

10. **RESOLUTION NO. 16-18** - Resolution approving the Site Plan for Concrete Technologies at 3507 Grant Street, South

Justin Coen, Concrete Technologies, Ames, Iowa, presented a site plan regarding the temporary concrete plant. The highway construction will continue for another 3-4 months this year and the facility will be moved out as soon as it is complete. Mayor Sullivan reminded Mr. Coen that the Planning & Zoning Commission would like updates on its status. Moved by Enos, seconded by Elrod, to approve RESOLUTION NO. 16-18. Roll Call Vote: Ayes: Enos, Keeler, Peffer, Elrod. Nays: None. Motion Carried 4-0.

11. **RESOLUTION NO. 16-19** - Resolution approving the Site Plan for Personal Attention Leasing at 3507 Grant Street, South

Mike Felton, Operations Manager, Personal Attention Leasing, noted that some of the trailers have been moved out but there are still over 90 trailers on site. The trailer storage is not a proper use for the zoning of this property. The contract for storage expires May 6 and the trailers will be removed by then. Planning and Zoning requested they return to the April meeting to give an update. Moved by Enos, seconded by Elrod, to approve RESOLUTION NO. 16-19. Roll Call: Ayes: Enos, Keeler, Elrod. Nays: Peffer. Motion Carried 3-1.

Council Member Elrod inquired about the Mobil Mini storage. They were to appear at the January 28 Planning and Zoning Commission meeting but did not show. They are to appear at the Planning and Zoning Commission meeting on February 11.

12. **PRESENTATION** – Sankey Summit Subdivision Proposal

Eric Cannon, Civil Engineer, Snyder & Associates, 2727 Southwest Snyder Boulevard, Ankeny, presented a subdivision proposal for land on the west side of Grant Street, North, across from the high school. Discussion was held regarding cul-de-sacs, traffic circulation, Grant Street access, future sewer needs, and park dedication. The subdivision would be developed in four phases with only one phase serviceable by the current sewer. Lot size would be 65' and 70' for single family homes with a pond and area for a trail loop. There is currently 6.4 acres of parkland dedication, exceeding the requirement. Council Member Peffer asked the developer to consider housing that would appeal to empty nesters due to the school impact. The subdivision site, currently owned by Sandra Miller, will need to be annexed into the City.

13. **PRESENTATION** – England Property Subdivision Proposal

Nick Halfhill, Landmark Companies, Inc., 3405 Southeast Crossroads Drive, Grimes, Iowa, presented a subdivision proposal for land north of Lake Petocka. The east/west connector street currently being planned by Hoisington Koegler will pass through this development. The location may need to be moved north with driveways along the western end. Access to Highway 65/330 was discussed.

Motion by Enos, seconded by Keeler, to close the regular Council meeting and open the public hearing at 7:53 p.m.

14. **PUBLIC HEARING** – Relative to the proposal to enter into a loan agreement and to borrow money thereunder in a principal amount not to exceed \$1,130,000. No comments by the public.

Motion by Enos, seconded by Pepper, to close the public hearing and reopen the regular Council meeting at 7:54 p.m.

15. **RESOLUTION NO. 16-20** - Resolution taking action to enter into a Loan Agreement and awarding the sale of \$1,065,000 General Obligation Urban Renewal Refunding Bonds, Series 2016A

Susanne Gerlach, Public Financial Management, presented the bid information received earlier in the day. Five bids were received with good pricing. The debt will be paid at an interest rate just over 1% instead of the initial borrowing rate of over 4%.

Moved by Enos, seconded by Elrod, to approve RESOLUTION NO. 16-20. Roll Call: Ayes: Pepper, Keeler, Enos, Elrod. Nays: None. Motion Carried 4-0.

16. **RESOLUTION NO. 16-21** - Resolution approving the Water Utility, Sewer Utility, Storm Water Utility and Garbage Utility FY17 Budgets

Finance Director Dunham discussed current and next fiscal year extraordinary budget items impacting the proprietary funds. An adjustment was made to the Water Utility PILOT payment due to the DMWW rate increases with the adjustment shifted to the Sewer Utility. A water connection is planned between Courtyard Estates and the Paine Heights subdivision. The Sewer Utility will pay debt off early, repair the Urban Service Area lift station, and line the sewers in Paine Heights. A \$0.25 sewer rate reduction was discussed.

Pie charts, regarding budget information, were given to the Council Members as potential future articles in the Bondurant Living Magazine. The Mayor would also like an article regarding property valuations.

Moved by Enos, seconded by Pepper, to approve RESOLUTION NO. 16-21. Roll Call: Ayes: Pepper, Enos, Keeler, Elrod. Nays: None. Absent: Lohse. Motion Carried 4-0.

17. **RESOLUTION NO. 16-22** - Resolution approving the updated Information Systems Disaster Prevention and Recovery Plan

Moved by Peffer, seconded by Enos, to approve RESOLUTION NO. 16-22. Roll Call: Ayes: Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 4-0.

18. **RESOLUTION NO. 16-23** - Resolution approving the revised Recreation Coordinator Job Description

Moved by Peffer, seconded by Enos, to approve RESOLUTION NO. 16-23. Roll Call: Ayes: Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 4-0.

19. **RESOLUTION NO. 16-24** - Resolution approving Faller, Kincheloe and Co, PLC, to perform the City Audits for FY16, FY17 and FY18

Moved by Enos, seconded by Peffer, to approve RESOLUTION NO. 16-24. Roll Call: Ayes: Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 4-0.

20. **RESOLUTION NO. 16-25** - Resolution setting March 07, 2016, as a Public Hearing Date to receive public comment on the proposed City of Bondurant Municipal Budget for Fiscal Year 2016-2017

Moved by Keeler, seconded by Enos, to approve RESOLUTION NO. 16-25. Roll Call: Ayes: Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 4-0.

21. **RESOLUTION NO. 16-26** - Resolution authorizing the Dissolution of the Iowa Cities E-Payment Aggregation System ("iCash") Established Under an Intergovernmental Agreement Pursuant to Iowa Code Chapter 28E

Moved by Enos, seconded by Keeler, to approve RESOLUTION NO. 16-26. Roll Call: Ayes: Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 4-0.

22. **RESOLUTION NO. 16-27** - Resolution encouraging Polk County Conservation Board to remove snow from Chichaqua Valley Trail

Moved by Keeler, seconded by Enos, to approve RESOLUTION NO. 16-27. Roll Call: Ayes: Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 4-0.

23. **ORDINANCE 16-201** - (First Reading) Ordinance amending Chapter 122, Peddlers, Solicitors, and Transient Merchants

Council Member Elrod inquired about the bond requirement vs liability insurance. Utility Billing Clerk Richardson-Kugler requested that the background check be provided by the merchant. Attorney Brick will make changes for the next reading.

Moved by Enos, seconded by Peffer, to approve the first reading for ORDINANCE 16-201. Roll Call: Ayes: Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 4-0.

24. **ORDINANCE 16-202** - (First Reading) Ordinance amending the Chapter 115, Cemetery, that the City of Bondurant hereby states its willingness and intention to act as the trustee for the perpetual maintenance of interment spaces in the Bondurant Cemetery

The Iowa Insurance Division regulates cemeteries and the City is undergoing a compliance review. The Ordinance amendment was requested.

Moved by Enos seconded by Keeler, to waive the first and second reading and approve the third reading of ORDINANCE 16-202. Roll Call: Ayes: Peffer, Enos, Keeler, Elrod. Nays: None. Motion Carried 4-0.

25. Discussion Items –

- a. City Sanitary Sewer Extension Policy OR Sewer Extension Priorities – Bob Veenstra, Veenstra and Kimm, presented sewer system expansion needs and reviewed an extension policy. A resolution will be added to the next agenda to adopt the policy.
- b. Monthly Chipping Service – City Administrator Arentsen discussed options for having a brush drop off site once a month at the old water plant site instead of driving the chipper around town. A resolution will be added to the next agenda to adopt a policy and provide public notice.

26. Reports / Comments and appropriate action thereon:

- a. Mayor - Proposed meeting for BRSC to follow up with Tim Mullen and Todd Wilson, Bob Peffer and Doug Elrod would like to attend.
- b. City Administrator – Trout stock last Saturday, flagpole arrived for Porch Swings and Fireflies project, City Engineer will be giving grant presentations at MPO, SSMID workshop on February 8
- c. Council Members
  - Elrod – Inquired about the public hearing and adoption for the tax abatement
  - Keeler – Attended Polk County Emergency Management meeting, BDI meeting, BDI Arts and Recreation, inquired about the length of snow ordinance duration
  - Enos - None.
  - Peffer – Attended Eastern Polk Regional Development meeting January 28, City of Altoona is rejoining
- d. City Attorney Brick – None.

27. Adjournment

Moved by Peffer, seconded by Elrod, to adjourn the meeting at 9:27 p.m. Vote on Motion 4-0. Motion declared carried unanimously.

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Shelby Hagan, City Clerk

ATTEST:

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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 February 2, 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.

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Curt Sullivan, Mayor

BONDURANT CITY COUNCIL  
Minutes  
February 8, 2016 6:00 P.M.  
Bondurant City Center

1. Roll Call

Present: Mayor Curt Sullivan, Council Member Doug Elrod, Council Member Bob Peffer, Council Member Wes Enos, Council Member Jennifer Keeler

Absent: Council Member Brian Lohse, City Administrator Mark Arentsen

City Officials

Present: City Clerk Shelby Hagan, City Attorney David Brick

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 Keeler, to approve the agenda. Vote on Motion 4-0. Motion declared carried unanimously.

6. Guests requesting to address the City Council - None.

7. Purpose for Establishing a Self Supporting Municipal Improvement District (SSMID)

Mayor Sullivan explained to the attending property owners the suggested concept to possibly improve parking in the downtown area.

8. Process for Establishing a SSMID

City Attorney Brick explained the process which included defining the purpose, boundary, the levy rate, sunset period, and a steering committee.

9. How is a SSMID Governed and Operated?

Members of the SSMID would vote on officers; a "manager" would oversee day-to-day operations, and who would manage funds would have to be decided.

10. Should the SSMID have a Sunset Date?

The steering committee would establish the Sunset Date; based on how long it would take to accomplish the purpose.

11. Potential Timeline for Establishing a SSMID

The attending property owners opposed the SSMID concept, so therefore, a timeline was not discussed.

12. Reports / Comments and appropriate action thereon:

- a. Mayor - None.
- b. City Administrator – Absent.
- c. Council Members
  - Enos – None.
  - Keeler – Thanked property owners for attending.
  - Elrod - Thanked property owners for attending.
  - Peffer – Tax Abatement discussion next week.
- d. City Attorney Brick – None.

13. Adjournment

Moved by Peffer, seconded by Enos, to adjourn the meeting at 9:34 p.m. Vote on Motion 4-0. Motion declared carried unanimously.

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Shelby Hagan, City Clerk

ATTEST:

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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 February 8, 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.

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Curt Sullivan, Mayor

**CITY OF BONDURANT  
PLANNING AND ZONING COMMISSION  
January 28, 2016  
MINUTES**

**1. Call to Order**

Commission Chair Dave Higgins called the meeting to order at 6:00 p.m.

**2. Roll Call**

Roll call was taken and a quorum was declared.

Present: Commission Chair Dave Higgins  
Commission Member Brian Clayton  
Commission Member Jeff Kromrie  
Commission Member Laura Wood  
Commission Member Tamara Russell  
Commission Member Roy McCleary

Absent: Commission Member Karen Hudson

City Officials Present: City Administrator Mark Arentsen, City Clerk Shelby Hagan, Mayor Curt Sullivan, City Council Member Doug Elrod

**3. Perfecting and Approval of the Agenda**

Motion made by McCleary, seconded by Russell, to approve the agenda. Vote on Motion 6-0. Motion declared carried unanimously.

**4. Approval of the Commission Minutes**

Motion made by Kromrie, seconded by Clayton, to approve the minutes of January 14, 2016. Vote on Motion 6-0. Motion declared carried unanimously.

**5. Guests requesting to address the Commission – None**

**6. RESOLUTION PZ-16-03 - Resolution approving the Site Plan for Outlot "X" Meadow Brook North, Plat 18, John Wright, 600 3rd Street, Southeast**

Commission Chair Higgins tabled RESOLUTION PZ-16-03 due to the absence of John Wright.

**7. Discussion**

**a. Living Quarters within Commercial Property**

Tabitha Goodale, C&R Discount Representative, explained to the Commission the reason of their request. They have experienced multiple occasions of theft on the property. The Commission does not want to set a precedent of allowing living quarters within a Commercial Property. The Commission suggested hiring an employee that is scheduled for the overnight

hours. City Administrator Arentsen stated a letter from the City could be wrote up to address the awareness of the overnight security employee.

**b. Vista Development**

Civil Engineer Eric Cannon of Snyder and Associates presented the Commission with a conceptual plan with four phases. The development would require annexation and rezoning. The Commission questioned the presented plans, and developer Dave Harmeyer was present to answer. Harmeyer hopes to develop in 2017.

**c. Petocka Lake Subdivision**

Erin Ollendike of Civil Design Advantage presented to the Commission the concept plan for the England Property. The Collector Road was discussed due to its location on U.S. Highway 65; dangerous location and they propose the collector street go north. They plan to develop in three to four plats, starting on Pleasant Street. The developer, Bill Spencer, plans to begin work this summer.

**8. RESOLUTION PZ-16-06 - Resolution approving the Site Plan for Concrete Technologies at 3507 Grant Street, South**

Justin Coenen, Concrete Technologies, 1001 SE 37th Street, Grimes, Iowa, requested an extension from the Commission. They plan to finish the project this summer, dependent on weather. Commission Member Kromrie requested their presence in August for an update and/or approval of another extension.

Motion made by McCleary, seconded by Wood, to approve RESOLUTION PZ-16-06 and forward it to the City Council with a recommendation for approval of same. Roll Call Vote: Ayes: Kromrie, Higgins, Russell, Wood, Clayton, McCleary. Nays: None. Absent: Hudson. Motion Carried 6-0.

**9. RESOLUTION PZ-16-07 - Resolution approving the Site Plan for Personal Attention Leasing for 3507 Grant Street, South**

Steve Kines, Division Business Executive, Personal Attention Leasing, 4400 E. Holmes Rd, Memphis, Tennessee, confirmed this location as a temporary site until a permanent location is found in Cedar Rapids. Commission Member Kromrie stated that the location is a M Zone Classification. Kines informed the Commission that they can accelerate their efforts to exit the property; this was a transitional step for the company. Personal Attention Leasing and the property owner have a six-month agreement.

Motion made by Kromrie, seconded by McCleary, to approve RESOLUTION PZ-16-07. Roll Call Vote: Ayes: Kromrie, Higgins, Russell, Wood, Clayton, McCleary. Nays: None. Absent: Hudson. Motion Carried 6-0.

**10. RESOLUTION PZ-16-08 - Resolution approving the Site Plan for Mobil Mini, Inc. at 3507 Grant Street, South**

Mobil Mini, Inc. was requested to attend the Commission meeting, and failed to be compliant with the request. City Administrator Arentsen informed the Commission that Mobil Mini was sent a letter and was aware of the meeting. The Commission decided on a thirty day eviction letter, and another request to attend the February 11, 2016 Commission meeting.

Motion made by Wood, seconded by McCleary, to reject RESOLUTION PZ-16-08. Roll Call Vote: Ayes: Kromrie, Higgins, Russell, Wood, Clayton, McCleary. Nays: None. Absent: Hudson. Motion Carried 6-0.

**11. RESOLUTION PZ-16-05** - Resolution recommending amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 122, Peddlers, Solicitors, and Transient Merchants

Commission Member Clayton questioned the bond requirement. Discussion was held on bond vs. insurance.

Motion made by Russell, seconded by Clayton, to approve RESOLUTION PZ-16-05. Roll Call Vote: Ayes: Kromrie, Higgins, Russell, Wood, Clayton. Nays: McCleary. Absent: Hudson. Motion Carried 5-0.

**12. Reports and Comments**

**a. Commission Member Comments**

Commission Member Kromrie– None.

Commission Member Wood – Collector street and the Petocka Development.

Commission Member Clayton– Conversation on lot size with developers.

Commission Member Russell - Awareness of new developments and the needs, such as fire, police, and schools, that come with adding residents.

Commission McCleary - None.

**b. Commission Chair Comments – None.**

**c. City Administrator Comments – None.**

**13. Adjournment**

Moved by Kromrie, seconded by Wood, to adjourn the meeting at 8:56 p.m.

Commission Chair, David Higgins	City Clerk, Shelby Hagan
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CHECK NO	DATE	EMP NO	PAY TO THE ORDER OF	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1			LEGACY BANK				
48733	2/12/2016	3129	MARGARET L CHRISTIAN	483.79			
48734	2/12/2016	5103	PATRICK COLLISON	339.65			
48735	2/12/2016	4138	ERIC STEWART	73.88			
				-----			
				897.32			
			ACH TRANSACTIONS				
124301	2/12/2016	8402	MARK J ARENTSEN	2294.99			
124401	2/12/2016	7104	BOYCE E BAILEY	1013.19			
124501	2/12/2016	3118	JENNIFER CAMPBELL	936.06			
124601	2/12/2016	5113	LORI DUNHAM	1407.15			
124701	2/12/2016	7101	KENNETH E GROVE	1533.67			
124801	2/12/2016	5118	SHELBY HAGAN	1111.98			
124901	2/12/2016	4137	MARY N HANRAHAN	86.40			
125001	2/12/2016	7105	DAVID HIGGINS	1098.83			
125101	2/12/2016	1441	AARON M KREUDER	1694.31			
125201	2/12/2016	7106	JASON L MCGRANN	1114.78			
125301	2/12/2016	3130	MARILYN M O'BRIEN	887.86			
125401	2/12/2016	4134	COLIN P RANKIN	73.88			
125501	2/12/2016	5119	MISTY L RICHARDSON-KUGLER	200.00			
125502	2/12/2016	5119	MISTY L RICHARDSON-KUGLER	5.00			
125503	2/12/2016	5119	MISTY L RICHARDSON-KUGLER	787.96			
125601	2/12/2016	3128	JILL C SANDERS	1345.93			
125701	2/12/2016	1478	PATRICIA E SMITH	206.70			
125801	2/12/2016	4133	TODD A STEWART	125.60			
125901	2/12/2016	5121	NICOLE M VAN HOUTEN	958.34			
126001	2/12/2016	4132	JANETTE L YOUNG	155.52			
				-----			
				17038.15			
			BANK TOTAL	17935.47			
			REPORT TOTAL	17935.47			

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ
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				LEGACY BANK				
				11 ALTOONA FIRE DEPT				
126/124093	1	2/17/16	2/17/16	AMBULANCE ADMIN	800.00	001	001-160-6413	1
				INVOICE TOTAL	800.00			
				VENDOR TOTAL	800.00			
				20 ALTOONA ACE HARDWARE				
353299	1	2/17/16	2/17/16	SCREW DRIVER SET	19.99	110	110-210-6507	1
				INVOICE TOTAL	19.99			
				VENDOR TOTAL	19.99			
				1865 APWA/ISOSWO				
04072016JM	1	2/17/16	2/17/16	SPRING CONFERENCE	185.00	110	110-210-6230	1
				INVOICE TOTAL	185.00			
04072016KG	1	2/17/16	2/17/16	SPRING CONFERENCE	185.00	110	110-210-6230	1
				INVOICE TOTAL	185.00			
				VENDOR TOTAL	370.00			
				1585 BIG GREEN UMBRELLA MEDIA INC				
357276	1	2/17/16	2/17/16	BONDURANT LIVING MAG-JAN	183.50	741	741-865-6402	1
	2			BONDURANT LIVING MAG-JAN	550.50	001	001-621-6402	1
				INVOICE TOTAL	734.00			
				VENDOR TOTAL	734.00			
				73 BRICK GENTRY P.C.				
206640	1	2/17/16	2/17/16	LEGAL FEES-TAX ABATEMENT	2,222.50	001	001-640-6411	1
	2			MTG, PEDDLER ORDINANCE				
				LEGAL FEES	280.00	001	001-410-6411	1
				INVOICE TOTAL	2,502.50			
206641	1	2/17/16	2/17/16	LEGAL FEES	285.00	001	001-640-6411	1
				INVOICE TOTAL	285.00			
				VENDOR TOTAL	2,787.50			
				1795 ALAN D DARNIELLE				
01302016	1	2/17/16	2/17/16	BASKETBALL REF-11 GMS 1/	275.00	001	001-430-6598	1
				INVOICE TOTAL	275.00			
				VENDOR TOTAL	275.00			
				813 DES MOINES DOOR				
9754	1	2/17/16	2/17/16	REPLACE SHOP DOOR SPRING	350.00	001	001-430-6310	1
	2			REPLACE SHOP DOOR SPRING	350.00	110	110-210-6310	1
				INVOICE TOTAL	700.00			
				VENDOR TOTAL	700.00			
				146 DES MOINES AREA COMM COLLEGE				

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ
45574	1	2/17/16	2/17/16	146 DES MOINES AREA COMM COLLEGE TEXTBOOK-4	250.00	001	001-150-6230	1
				INVOICE TOTAL	250.00			
				VENDOR TOTAL	250.00			
3300020116	1	2/17/16	2/17/16	144 DES MOINES WATER WORKS WHOLESALE WATER COST	8,315.52	600	600-812-6413	1
	2			JAN 2016 BOOSTER ST EST	700.00	600	600-812-6413	1
	3			REVENUE BOND-PRINCIPAL	4,647.09	600	600-812-6802	1
	4			REVENUE BOND-INTEREST	1,533.27	600	600-812-6852	1
				INVOICE TOTAL	15,195.88			
3300030116	1	2/17/16	2/17/16	WHOLESALE WATER COST	9,734.72	600	600-812-6413	1
				INVOICE TOTAL	9,734.72			
85430830)1	1	2/17/16	2/17/16	AVAIL FEE-7950 NE 70TH	22.00	600	600-812-6413	1
				INVOICE TOTAL	22.00			
				VENDOR TOTAL	24,952.60			
1601172	1	2/17/16	2/17/16	769 FRASER TRANSPORTATION SRVCS AMBULANCE	200.00	001	001-160-6499	1
				INVOICE TOTAL	200.00			
				VENDOR TOTAL	200.00			
01302016	1	2/17/16	2/17/16	1911 THOMAS R GEORGE BASKETBALL REF-5 GMS 1/3	125.00	001	001-430-6598	1
				INVOICE TOTAL	125.00			
				VENDOR TOTAL	125.00			
41004 116	1	2/17/16	2/17/16	1363 GIT-N-GO CONVENIENCE STORES FUEL	55.36	110	110-210-6331	1
				INVOICE TOTAL	55.36			
				VENDOR TOTAL	55.36			
01302016	1	2/17/16	2/17/16	1797 LYNN HEETLAND BASKETBALL REF-11 GMS 1/3	275.00	001	001-430-6598	1
				INVOICE TOTAL	275.00			
				VENDOR TOTAL	275.00			
01302016	1	2/17/16	2/17/16	1913 CORY HEIMAN BASKETBALL REF-6 GMS 1/3	150.00	001	001-430-6598	1
				INVOICE TOTAL	150.00			
				VENDOR TOTAL	150.00			
54163	1	2/17/16	2/17/16	206 HYDRO KLEAN TELEWISE STORM LINE-DIST	1,405.35	741	741-865-6499	1
				INVOICE TOTAL	1,405.35			

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL	ACCOUNT	CK SQ
				VENDOR TOTAL	1,405.35				
200001360	1	2/17/16	2/17/16	932 IAMU DUES	680.79	600		600-812-6210	1
				INVOICE TOTAL	680.79				
				VENDOR TOTAL	680.79				
30929	1	2/17/16	2/17/16	224 IOWA DEPT OF TRANSPORTATION TP,PT	206.70	001		001-410-6507	1
	2			TP,PT	72.02	001		001-650-6507	1
	3			BATTERIES	37.44	001		001-430-6507	1
	4			BATTERIES	23.76	600		600-811-6507	1
	5			BATTERIES	3.12	001		001-150-6507	1
				INVOICE TOTAL	343.04				
				VENDOR TOTAL	343.04				
2816	1	2/17/16	2/17/16	228 IMFOA DUES-L DUNHAM	50.00	001		001-621-6240	1
				INVOICE TOTAL	50.00				
				VENDOR TOTAL	50.00				
10315	1	2/17/16	2/17/16	1167 KEY COOPERATIVE FUEL	112.69	001		001-150-6331	1
	2			FUEL	112.69	001		001-160-6331	1
	3			FUEL	82.00	600		600-811-6331	1
	4			FUEL	82.00	610		610-816-6331	1
	5			FUEL	563.82	110		110-210-6331	1
	6			FUEL	60.72	001		001-430-6331	1
	7			FUEL	60.71	741		741-865-6331	1
				INVOICE TOTAL	1,074.63				
				VENDOR TOTAL	1,074.63				
1Z00626	1	2/17/16	2/17/16	251 KEYSTONE LABORATORIES COLIFORM SAMPLES	44.00	600		600-811-6389	1
				INVOICE TOTAL	44.00				
				VENDOR TOTAL	44.00				
01302016	1	2/17/16	2/17/16	1891 BLAKE KRUGER BASKETBALL REF-4 GMS 1/3	100.00	001		001-430-6598	1
				INVOICE TOTAL	100.00				
				VENDOR TOTAL	100.00				
01302016	1	2/17/16	2/17/16	1915 ALEXANDER LONG BASKETBALL REF-6 GMS 1/3	150.00	001		001-430-6598	1
				INVOICE TOTAL	150.00				
				VENDOR TOTAL	150.00				

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL	ACCOUNT	CK SQ
01302016	1	2/17/16	2/17/16	1769 MICHAEL LONG BASKETBALL REF-6	150.00	001		001-430-6598	1
				GMS 1/3 INVOICE TOTAL	150.00				
				VENDOR TOTAL	150.00				
98292	1	2/17/16	2/17/16	842 MENARDS EXIT LIGHT BULBS	23.94	001		001-650-6507	1
				INVOICE TOTAL	23.94				
				VENDOR TOTAL	23.94				
70006592	1	2/17/16	2/17/16	286 METRO WASTE AUTHORITY MONTHLY CURB-IT FEE	4,374.51	670		670-840-6435	1
				INVOICE TOTAL	4,374.51				
				VENDOR TOTAL	4,374.51				
659-291369	1	2/17/16	2/17/16	1457 O'REILLY AUTO PARTS WIPER BLADES	61.10	110		110-210-6350	1
				INVOICE TOTAL	61.10				
				VENDOR TOTAL	61.10				
01302016	1	2/17/16	2/17/16	1914 RYNE OLLER BASKETBALL REF-4	100.00	001		001-430-6598	1
				GMS 1/3 INVOICE TOTAL	100.00				
				VENDOR TOTAL	100.00				
6327	1	2/17/16	2/17/16	337 POLK COUNTY TREASURER LAW ENFORCEMENT JAN 2016	38,373.00	001		001-110-6050	1
				INVOICE TOTAL	38,373.00				
				VENDOR TOTAL	38,373.00				
54779263	1	2/17/16	2/17/16	348 PRAXAIR CYLINDER RENTAL	39.95	001		001-160-6507	1
				INVOICE TOTAL	39.95				
				VENDOR TOTAL	39.95				
9246397	1	2/17/16	2/17/16	1525 REGISTER MEDIA PUBLISHING-MINUTES,GO LO	640.11	001		001-621-6402	1
	2			PUBLISH BLDG CODE ORDINA	38.48	001		001-540-6402	1
				INVOICE TOTAL	678.59				
9247315	1	2/17/16	2/17/16	PUBLISHING-LATE FEE	5.34	001		001-621-6402	1
				INVOICE TOTAL	5.34				
				VENDOR TOTAL	683.93				
01302016	1	2/17/16	2/17/16	1916 TODD RICHARDS BASKETBALL REF-6	150.00	001		001-430-6598	1
				GMS 1/3					

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ
				INVOICE TOTAL	150.00			
				VENDOR TOTAL	150.00			
1492	1	2/17/16	2/17/16	1404 RJ MARTIN EXCAVATING & TRUCK SANDER FLOOR REPAIR	340.00	110	110-210-6350	1
				INVOICE TOTAL	340.00			
				VENDOR TOTAL	340.00			
001566	1	2/17/16	2/17/16	1639 SCOTT VAN KEPPEL LLC LOADER RENTAL 1 WK	2,500.00	110	110-210-6415	1
				INVOICE TOTAL	2,500.00			
				VENDOR TOTAL	2,500.00			
0949436-IN	1	2/17/16	2/17/16	1106 SPRAYER SPECIALTIES, INC. COUPLER CONNECTORS-BRINE	9.08	110	110-210-6350	1
				INVOICE TOTAL	9.08			
				VENDOR TOTAL	9.08			
9927	1	2/17/16	2/17/16	850 STEWART ELECTRIC, INC. REPAIR EXT LIGHTS	185.00	001	001-150-6310	1
	2			REPAIR EXT LIGHTS	185.00	001	001-160-6310	1
				INVOICE TOTAL	370.00			
				VENDOR TOTAL	370.00			
3020IN1210	1	2/17/16	2/17/16	1813 UNITYPOINT CLINIC-OCCUPA MEDIC HEARING TESTS	35.70	110	110-210-6580	1
	2			HEARING TEST	17.85	001	001-430-6580	1
	3			HEARING TEST	17.85	600	600-812-6580	1
				INVOICE TOTAL	71.40			
				VENDOR TOTAL	71.40			
119948349	1	2/17/16	2/17/16	525 US CELLULAR CELL PHONES	21.94	001	001-621-6373	1
	2			CELL PHONES	80.92	600	600-812-6373	1
	3			CELL PHONES	22.60	610	610-817-6373	1
	4			CELL PHONES	58.98	610	610-816-6373	1
	5			CELL PHONES	111.28	110	110-210-6373	1
	6			CELL PHONES	12.04	001	001-430-6373	1
	7			CELL PHONES	202.70	001	001-150-6373	1
	8			CELL PHONES	202.68	001	001-160-6373	1
	9			CELL PHONES	24.07	741	741-865-6373	1
	10			CELL PHONES	24.60	001	001-440-6373	1
				INVOICE TOTAL	761.81			
				VENDOR TOTAL	761.81			
01302016	1	2/17/16	2/17/16	1921 CORY VAN ZANTE BASKETBALL REF-6 GMS 1/3	150.00	001	001-430-6598	1

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL ACCOUNT	CK SQ
				INVOICE TOTAL	150.00		
				VENDOR TOTAL	150.00		
01302016	1	2/17/16	2/17/16	1919 WEBER CHRIS BASKETBALL REF-4	100.00	001 001-430-6598	1
				GMS 1/3 INVOICE TOTAL	100.00		
				VENDOR TOTAL	100.00		
01302016	1	2/17/16	2/17/16	1918 BRETT WILKINS BASKETBALL REF-8	200.00	001 001-430-6598	1
				GMS 1/3 INVOICE TOTAL	200.00		
				VENDOR TOTAL	200.00		
01302016	1	2/17/16	2/17/16	1917 CHRIS WILKINS BASKETBALL REF-8	200.00	001 001-430-6598	1
				GMS 1/3 INVOICE TOTAL	200.00		
				VENDOR TOTAL	200.00		
01302016	1	2/17/16	2/17/16	1920 BOB WRIGHT BASKETBALL REF-2	50.00	001 001-430-6598	1
				GMS 1/3 INVOICE TOTAL	50.00		
				VENDOR TOTAL	50.00		
				LEGACY BANK TOTAL	84,250.98		
				TOTAL MANUAL CHECKS	.00		
				TOTAL E-PAYMENTS	.00		
				TOTAL PURCH CARDS	.00		
				TOTAL ACH PAYMENTS	.00		
				TOTAL OPEN PAYMENTS	84,250.98		
				GRAND TOTALS	84,250.98		
				Interim Warrant	7,274.07		
				Total	<u>\$91,525.05</u>		

**CITY OF BONDURANT  
INTERIM WARRANT LIST  
February 16, 2016**

DATE	VENDOR - REFERENCE	ACCOUNT CODE	TOTALS
02/12/16	IRS USA tax payment - Federal/FICA		7,274.07
		Total	7,274.07

**Tax Abatement Applications  
February 16, 2016  
City of Bondurant**

Name	Address	Completion Date	Cost
Adrienne & Michael Britt	119 Tailfeather Dr NE	February 10, 2016	\$296,600.00
James Maxwell	423 4th St SE	January 22, 2016	\$204,500.00

## Iowa's Living Roadways Community Visioning

### Overview

- Bondurant was one of ten communities that participated in the Iowa's Living Roadways Community Visioning program. Throughout 2015, the Bondurant Visioning committee completed a 10-meeting, facilitated process with Leslie Berckes from Trees Forever.
- The Community Visioning committee gathered information from community residents about how they get around Bondurant, places they'd like to improve, and places that should be highlighted. Information was gathered through public workshops (focus groups), the Visioning committee meetings, and public displays showing the design work.
- Priority areas for transportation enhancements were determined and given to a design team to create images of the projects.
- Community projects designs and results of the focus group sessions have been posted to <http://www.bondurantdevelopment.com/net/bondurant-development-s-arts-recreation-committee> and [www.communityvisioning.org](http://www.communityvisioning.org).
- Going forward, projects will be administered by BDI's Arts & Recreation Committee (A&R)

### Community Visioning Partners

- Iowa Department of Transportation
- Trees Forever
- Iowa State University Landscape Architecture Extension
- Design team from RDG - Bruce Niedermyer and Sara Davids
- Bondurant Visioning committee

### Priority Projects selected by Bondurant:

- Community landscaping
  - Highway 65 landscaping – trees, native prairie
  - Landscaping nodes along Chichaqua trail through town
  - Town-wide arboretum
- Lake Petocka park plan
- Conceptual plans for downtown/creating a town center
- Connecting neighborhoods with sidewalks, through greenways, etc.
- Wayfinding and community signage

### Next steps

- The Community Visioning boards will be posted around town (City Hall, Brick Street, etc.) for further viewing.
- A&R will meet with other community organizations to share results and identify ways to work together to accomplish projects
- A&R will develop a media plan for Porch Swings & Fireflies and community visioning projects

### Highlights for Projects:

- Community landscaping
  - Highway 65 landscaping – trees, native prairie
    - A&R will ask IDOT to choose Bondurant as a project location that is conducted and paid for by IDOT
    - Need letters of support from organizations and businesses
  - Landscaping nodes along Chichaqua trail through town
    - A&R has applied to Trees Forever & IDOT for grant for three nodes to be planted in spring 2016
    - A&R will ask for planting plan from landscapers
    - A&R could use help with design, planting, maintenance
  - Town-wide arboretum
    - Plant at least one specimen of each tree native to Iowa, include labels and map along future 2-3 mile loop
    - A&R (Ted) will create a plan for which trees should go where, which ones are already planted
    - Build on existing public tree survey to plot how many and what kinds of trees are planted
    - Requires trail to be completed first
- Lake Petocka park plan: long-term project that will require significant funding, more design work, and a phased approach
  - Move existing ball diamond
  - Build amphitheater where ball diamond is now
  - Connect recreational trail to lake near existing playground and future restrooms/shelter
  - Add competitive art installations along trail around the lake
  - Expand the sports complex
  - Add opportunities to interact with the lake: canoe launch, beach, fishing dock
  - Improve and expand parking
- Conceptual plans for downtown/creating a town center
  - Expands on the Comprehensive Plan, provides more specifics for map and before/after picture of desired buildings
  - A&R to present to Planning & Zoning, BDI, developers conference, current property owners
  - A&R to ask P&Z to establish an ordinance that matches the plan, particularly in regards to parking, location of the buildings, commercial focus
  - City recently suggested a self-supporting municipal improvement district (SCMID)
  - Senior housing project may result in a mixed-use project with market rate apartments on empty lot just south of Founders
- Connecting neighborhoods with sidewalks, through greenways, etc.
  - Share with city council and engineers so RDG's design suggestions can be used when the tile needs to be replaced
  - Use dirt from re-grading around water treatment ponds to create a sledding hill near the recreational trail
- Wayfinding and community signage
  - Contact Indianola about their recently installed directional signage: cost, where they were purchased, how they completed the graphic design

Other Projects, not part of Community Visioning:

- **Porch Swings and Fireflies**
  - Sign and flagpole to be installed in January
  - Old sign to be reinstalled north of the high school in spring
  - Additional plants and trees to be planted in spring
  - Students and artists collaborating on design for swings
  - Need additional funding for swings, trail, parking
- **Veterans Park**

## Highway 65 enhancements

Bondurant would like to ask IDOT to replant native grasses and trees along either side of Highway 65, from the entrance/exit to I-80 on the southwest to as far northeast as is feasible.

Highway 65 is the most heavily traveled roadway through Bondurant. For example, daily vehicle counts at the intersection of Highway 65 and Grant Street are 12,600 (from 2012). This is a space where first impressions are created for visitors and passersby and should be improved in a manner that reflects the community. Planting native grasses and wildflowers that are approved by the IDOT will provide a dynamic and beautiful entry portal that will also attract wildlife – especially native pollinators such as bees and butterflies. Providing a mix of native deciduous and coniferous trees outside the highway right-of-way will allow for screening of selected properties and will alleviate “highway hypnosis,” which occurs when drivers are lulled to sleep by an unchanging landscape adjacent to roadways. Improving the aesthetics of this corridor will enhance the image of existing and future businesses that locate along this corridor, which has been identified as a future commercial center in Bondurant’s Comprehensive Plan.

Native plants and trees will create an improved visual impression for travelers along this highway, both by screening unattractive properties and by providing a dynamic display. This will lead to:

- increased economic activity for existing and future businesses
- reduced “highway hypnosis” and safer traveling
- improved storm water management through greater absorption of rain and less erosion

Next steps:

- A&R committee to ask for letters of support from existing nearby businesses: Brick Street Market, Casey’s, Diamond Crystal, Bondurant’s Chamber of Commerce, etc.
- Ted to ask for letter of support from Loren Lowen from Polk County Conservation
- Mark to use these talking points to talk/email to Scott with DOT District 1 office

## **Downtown Enhancements**

Bondurant currently lacks an active core or heart of the community. Improvements to the downtown district have great potential to create this highly desired space. There are currently a few historic buildings of quality along Main Street. Those buildings should continue to be embraced and maintained in order to show the heritage of the city. There are other areas near these buildings that are either open lots or residential or commercial properties, some of which are occupied and some of which are vacant. Suitability studies should be conducted to identify which buildings in this area could be renovated to house commercial properties. Available open spaces should be taken advantage of by infilling new buildings with architectural styles that maintain historic qualities currently present in the district. Two-story, mixed-use buildings are highly recommended for this area. Offering retail/commercial space on the first floor directly adjacent to the street and pedestrian traffic with housing above provides an environment that is highly sought after in today's real estate market. Materiality on this style of architecture is also very important. A majority of construction should consist of brick and architectural proportions of the more historic buildings in town should be studied to provide consistency.

In addition to architectural improvements, any parking should be created behind new buildings in this area. Locating parking in the rear allows Main Street to feel activated as a cohesive space that has been present for years. It also reduces the potential for vehicular and pedestrian conflict in a corridor that needs to be focused on pedestrians. When choosing planting design and other site elements, consistency is key. The city has already made a tremendous effort to rehabilitate roads and sidewalks in this area and replicating those efforts while implementing other ideas shown in the visioning documents, such as way-finding signage, will provide a more cohesive environment.

The proximity of this downtown district to the existing Bondurant Trailhead and Civic Campus is another great opportunity. In the future, when bicyclists ride through Bondurant on the trail, or when someone visits City Hall or the library, they will have immediate access to any and all resources along Main Street. Plans currently exist to create a shared bicycle lane from the Trailhead (Depot) south to 5th Street SE and west to Grant Street S, where it will connect back with the School Connection Trail (see Community Connectivity board). This plan, paired with potential for a Des Moines Area Regional Transit (DART) bus stop and future electric vehicle charging stations, creates a pedestrian-focused transportation hub encouraging growth for this vibrant community.

This proposal is in the same spirit as what was specified in the Comprehensive Plan. The design team provided a more specific, less conceptual map for the downtown, with more specific plans for locating the buildings and parking.

We have had one newly-constructed building in the downtown district since the Comprehensive Plan was published, and it has parking at the front, in direct contradiction to what was in the Comprehensive Plan. We need to change the P&Z ordinances for this area in order to encourage what we want and prevent what we don't want for this area.

CITY OF BONDURANT

RESOLUTION NO. 16-28

RESOLUTION APPROVING THE BONDURANT-FARRAR HIGH SCHOOL STUDENT COUNCIL 5K RUN ROUTE FOR APRIL 30, 2016

WHEREAS, the Bondurant-Farrar High School Student Council plans to sponsor a 5K Run on April 30, 2016; AND

WHEREAS, the Student Council has a planned route and will ensure the safety of the participants and spectators by providing appropriate signage, blockades and traffic control; AND

WHEREAS, the race route has been reviewed and approved by the City Administrator

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the Bondurant-Farrar High School Student Council 5K Run Route for April 30, 2016, is hereby approved as presented.

Passed this 16th day of February, 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

Name	Yay	Nay	Abstain	Absent
Lohse				
Peffer				
Enos				
Keeler				
Elrod				

# May Day 5k 2016 Route - Saturday, April 30



- ★ Deputies
- Volunteers
- ▲ Barricades

CITY OF BONDURANT  
RESOLUTION NO. 16-29

RESOLUTION APPROVING THE SITE PLAN CONSIDERATION FOR MOBIL MINI, INC. AT  
3507 GRANT STREET, SOUTH

WHEREAS, the property is zoned for General Commercial District (C2); AND

WHEREAS, Robert F. Etzel Living Trust has owned the property since September 4, 2013; AND

WHEREAS, Mobil Mini, Inc. is an active business temporarily renting space while this property is being actively marketed for sale by Black Acre Realty; AND

WHEREAS, Mobil Mini, Inc. agreed to abide by the requests of the City of Bondurant's Planning and Zoning Commission; AND

WHEREAS, the Commission set an April 30th deadline with the request of Mobil Mini, Inc.'s presence at the April 14th regular meeting; AND

WHEREAS, fuel containment needs to be resolved by February 19th or electricity needs to be installed by February 25th,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Polk County, Iowa, that the Site Plan for Mobil Mini, Inc., is hereby approved as presented.

Passed this 02nd day of February, 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

Name	Yay	Nay	Abstain	Absent
Lohse				
Peffer				
Enos				
Keeler				
Elrod				

**PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ-16-08**

RESOLUTION APPROVING THE SITE PLAN CONSIDERATION FOR MOBIL MINI, INC. AT  
3507 GRANT STREET, SOUTH

WHEREAS, the property is zoned for General Commercial District (C2); AND

WHEREAS, Robert F. Etzel Living has owned the property since September 4, 2013; AND

WHEREAS, Mobil Mini, Inc. is an active business temporarily renting space while this property is being actively marketed for sale by Black Acre Realty; AND

WHEREAS, Mobil Mini, Inc. agreed to abide by the requests of the City of Bondurant's Planning and Zoning Commission; AND

WHEREAS, the Commission set an April 30th deadline with the request of Mobil Mini, Inc.'s presence at the April 14th regular meeting; AND

WHEREAS, fuel containment needs to be resolved by February 19th or electricity needs to be installed by February 25th,

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Bondurant, Iowa, that the Site Plan for Mobil Mini, Inc., is approved and forwarded to the City Council with a recommendation for approval of same.

Moved by McCleary, Seconded by Wood to adopt.

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission 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

Action	Yay	Nay	Abstain	Absent
Kromrie	✓			
Hudson	✓			
Higgins	✓			
Russell	✓			
Wood	✓			
Clayton	✓			
McCleary	✓			

\_\_\_\_\_  
Dave Higgins, Commission Chair

# MOBILE MINI, INC SITE PLAN



→ YARD AREA



→ PORTABLE OFFICES (2)

1/25/2016

# City OF Bondurant

200 Second Street, Northeast  
Post Office Box 37  
Bondurant, Iowa 50035-0037

Phone: (515) 967-2418  
FAX: (515) 967-5732

E-mail: [info@cityofbondurant.com](mailto:info@cityofbondurant.com)  
Website: [www.cityofbondurant.com](http://www.cityofbondurant.com)

**Mayor:**  
Curt Sullivan

**City Administrator:**  
Mark Arentsen

**Council Member:**  
Doug Elrod  
Wes Enos  
Jen Keeler  
Brian Lohse  
Bob Peffer

**City Attorney:**  
David E. Brick

**City Engineer:**  
Bob Veenstra Jr.

January 29, 2016

Joe Carroll  
Resource One  
451 Los Gatos Blvd.  
Los Gatos CA 95126

Dear Joe,

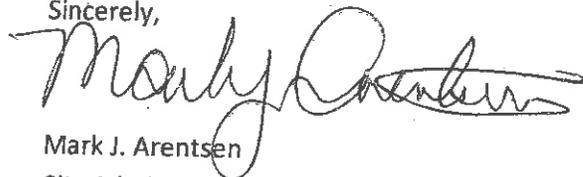
The Bondurant Planning & Zoning Commission met yesterday, January 28, 2016 to consider the site plan proposal you submitted for Mobil Mini's temporary occupancy of 3507 Grant St. S in Bondurant, IA. Commission members had several questions about the Mobil Mini operation. No one was present to answer their questions. As a result, the site plan was not approved. The Commission adopted a Resolution stating that Mini Mobil's occupancy of the site must be terminated on February 29, 2016 if a site plan is not approved at the Commission's next meeting on February 11.

If a site plan is not approved on February 11, continued occupancy of the property by Mobil Mini past February 29, 2016 will result in issuance of a citation(s) for violation of the City's zoning regulations. Citations can be up to \$750/day for the first offense and up to \$1,000/day for subsequent offenses. The City has the ability to issue daily citations if it chooses to.

It is in your interest to have a company representative present at the February 11, 2016 Planning & Zoning Commission meeting. The meeting starts at 6PM at the Bondurant City Center, 200 2nd St. NE, Bondurant, IA.

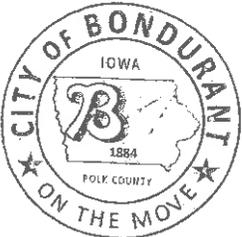
You may contact me with any questions or comments you have about this issue.

Sincerely,



Mark J. Arentsen  
City Administrator  
515-967-2418  
[marentsen@cityofbondurant.com](mailto:marentsen@cityofbondurant.com)

cc: Jason Johansen  
Dave Higgins



## Shelby Hagan

---

**From:** Shelby Hagan [shelby.hagan@gmail.com]  
**Sent:** Tuesday, February 09, 2016 4:39 PM  
**To:** Shelby Hagan  
**Subject:** Fwd: Bondurant Planning Commissioners  
**Attachments:** scan.pdf

----- Forwarded message -----

**From:** **Arentsen Mark** <marentsen@cityofbondurant.com>  
**Date:** Mon, Feb 8, 2016 at 1:18 PM  
**Subject:** Fwd: Bondurant Planning Commissioners  
**To:** Shelby Hagan <shelby.hagan@gmail.com>

----- Forwarded message -----

**From:** "Joe Carroll" <joe@quintex.com>  
**Date:** Feb 8, 2016 1:08 PM  
**Subject:** Bondurant Planning Commissioners  
**To:** "Bshea108@aol.com" <Bshea108@aol.com>, "DHiggins@cityofbondurant.com" <DHiggins@cityofbondurant.com>, "jkromrie@deerychevrolet.com" <jkromrie@deerychevrolet.com>, "talyruss@msn.com" <talyruss@msn.com>, "rmccleary@q.com" <rmccleary@q.com>, "kahudson73@gmail.com" <kahudson73@gmail.com>, "investigatorlw@gmail.com" <investigatorlw@gmail.com>  
**Cc:** "marentsen@cityofbondurant.com" <marentsen@cityofbondurant.com>

**I want to apologize on behalf of Mobile Mini, Inc. (MMI) that we neglected to have our local representative show up at your January 28<sup>th</sup> meeting. I had told Mark Arentsen we would be there, and my local rep was to have done so.....but it didn't happen. I would have flown out from CA had I thought there was any question as to his attendance.**

**Anyway, I again apologize, and hope to have two MMI folks at your Feb. 11<sup>th</sup> meeting to answer any questions you may have.**

**I've attached our basic site plan. MMI will have 3 employees on site just for a short period of time until our new facility is completed (in the April to June timeframe).**

**Thank you again.**

*Joe Carroll*

*Resource One*

*(408) 314-7262*

MINUTES FOR ISSUANCE OF BONDS  
AND REDEMPTION OF OUTSTANDING  
DEBT

420886-38

Bondurant, Iowa

February 16, 2016

The City Council of the City of Bondurant, Iowa, met on February 16, 2016, at \_\_\_\_\_  
o'clock \_\_\_\_\_.m., at the \_\_\_\_\_, Bondurant, Iowa.

The meeting was called to order by the Mayor, and the roll being called, the following  
named Council Members were present and absent:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

After due consideration and discussion, Council Member \_\_\_\_\_  
introduced the resolution hereinafter next set out and moved that the resolution be adopted,  
seconded by Council Member \_\_\_\_\_. After due consideration, the Mayor put  
the question on the motion and the roll being called, the following named Council Members  
voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. 16-30

Resolution authorizing call of bonds, approving a Loan Agreement and providing for issuance of \$1,065,000 General Obligation Refunding Bonds, Series 2016A, and providing for the levy of taxes to pay the same

WHEREAS, the City of Bondurant (the "City"), in the County of Polk, State of Iowa, previously issued its \$2,300,000 General Obligation Urban Renewal Corporate Purpose Bonds, Series 2008, dated September 2, 2008 (the "Series 2008 Bonds"), a portion of which currently remains outstanding, maturing on such dates and in such amounts and bearing interest at such rates as follows:

<u>Year</u>	<u>Principal Installment</u>	<u>Interest Rate</u>
2016	\$255,000	4.00%
2017	\$265,000	4.00%
2018	\$275,000	4.05%
2019	\$240,000	4.10%
2020	\$250,000	4.15%

; and

WHEREAS, pursuant to the resolution (the "2008 Bond Issuance Resolution") authorizing the issuance of the Series 2008 Bonds, the City reserved the right to prepay part or all of the Series 2008 Bonds maturing in each of the years 2017 to 2020 (the "Callable 2008 Bonds"), inclusive, prior to and in any order of maturity on June 1, 2016 or on any date thereafter, subject to the provisions of the 2008 Bond Issuance Resolution; and

WHEREAS, the City heretofore proposed to enter into a General Obligation Urban Renewal Refunding Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$1,130,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of current refunding the Callable 2008 Bonds, and has published notice of the proposed action and has held a hearing thereon on February 2, 2016; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of \$1,065,000 General Obligation Urban Renewal Refunding Bonds, Series 2016A (the "Bonds") in evidence of the obligation of the City under the Loan Agreement, and the City Council has made provision for the approval of the P.O.S. and has authorized its use by Public Financial Management, Inc. (the "Financial Advisor"); and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of the Bonds to be issued in evidence of the City's obligation under the Loan Agreement were received and canvassed on behalf of the City and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the bid of Bankers' Bank, Madison, Wisconsin (the "Purchaser"), is the best, such bid proposing the lowest interest cost to the City; and

WHEREAS, the Purchaser has executed a certain Sale Agreement with respect to the Loan Agreement and the Bonds, and the City has previously approved the Sale Agreement and has made provision for its execution and delivery; and

WHEREAS, it is now necessary to authorize the calling of the Callable 2008 Bonds for early redemption on June 1, 2016 (the "Redemption Date"); and

WHEREAS, it is now necessary to make final provision for the approval of the Loan Agreement and to authorize the issuance of the Bonds;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Bondurant, as follows:

Section 1. The City shall enter into the Loan Agreement with the Purchaser, in substantially the form as has been placed on file with the City Council, providing for a loan to the City in the principal amount of \$1,065,000, for the purpose or purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 2. Bankers Trust Company, Des Moines, Iowa, as Registrar and Paying Agent for the Callable 2008 Bonds, is hereby authorized to take all action necessary to call the Callable 2008 Bonds for redemption on the Redemption Date, and is further authorized and directed to give notice of such redemption by sending notice by electronic means to each of the registered owners of the Callable 2008 Bonds to be redeemed at the addresses shown on the City's registration books, not less than 30 days prior to the Redemption Date.

Section 3. The Bonds, in the aggregate principal amount of \$1,065,000, are hereby authorized to be issued in evidence of the City's obligation under the Loan Agreement. The Bonds shall be in the denomination of \$5,000 each, or any integral multiple thereof, shall be dated March 3, 2016, and shall mature on June 1 in each of the years, in the respective principal amounts, and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2017	\$295,000	0.70%
2018	\$285,000	0.80%
2019	\$240,000	0.95%
2020	\$245,000	1.10%

are hereby authorized to be issued to the Purchaser at the price specified in such bid, together with accrued interest.

Section 4. Bankers Trust Company, Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Registrar” or the “Paying Agent”. The City shall enter into an agreement (the “Registrar/Paying Agent Agreement”) with the Registrar, in substantially the form as has been placed on file with the Council; the Mayor and City Clerk are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the City; and the Registrar/Paying Agent Agreement is hereby approved.

The Bonds are not subject to early redemption prior to maturity.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2016. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Bond Registrar, and after such registration payment of the principal thereof and interest thereon shall be made to the registered owners, their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the City upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon

completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 5. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The form of Bonds shall be substantially as follows:

(Form of Bond)

UNITED STATES OF AMERICA  
STATE OF IOWA COUNTY OF POLK  
CITY OF BONDURANT

GENERAL OBLIGATION URBAN RENEWAL REFUNDING BOND, SERIES 2016A

No. \_\_\_\_\_ \$ \_\_\_\_\_

RATE	MATURITY DATE	BOND DATE	CUSIP
_____ %	June 1, _____	March 3, 2016	098041 _____

The City of Bondurant (the "City"), in the County of Polk, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.  
New York, New York

or registered assigns, the principal sum of

THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of Bankers Trust Company, Des Moines, Iowa (hereinafter referred to as the "Bond Registrar" or the "Paying Agent"), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2016, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owner at the address shown on such registration books. Interest will be calculated on the basis of a 360-day year comprised of twelve 30-day months.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Bond Registrar.

This Bond is one of a series of General Obligation Urban Renewal Refunding Bonds, Series 2016A (the "Bonds") issued by the City to evidence its obligation under a certain loan agreement, dated as of March 3, 2016 (the "Loan Agreement"), entered into by the City for the purposes of paying the costs, to that extent, of current refunding the outstanding balance of the City's General Obligation Urban Renewal Corporate Purpose Bonds, Series 2008, dated September 2, 2008.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 384 of the Code of Iowa, 2015, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council adopted on February 16, 2016, approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds (the "Resolution"), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The Bonds are not subject to early redemption prior to maturity.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Bond Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Bond Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Bond Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of Bondurant, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its City Clerk, all as of March 3, 2016.

CITY OF BONDURANT, IOWA

By: (DO NOT SIGN)  
Mayor

Attest:

(DO NOT SIGN)  
City Clerk

Registration Date: (Registration Date)

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned resolution.

BANKERS TRUST COMPANY  
Des Moines, Iowa  
Registrar

By: (Signature)  
Authorized Officer

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	- as tenants in common	UTMA	_____
TEN ENT	- as tenants by the entireties		(Cust)
JT TEN	- as joint tenants with right of survivorship and not as tenants in common	As Custodian for	_____
			(Minor)
		under Uniform Transfers to Minors Act	_____
			(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

\_\_\_\_\_  
(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint \_\_\_\_\_, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: \_\_\_\_\_

Signature guaranteed:

\_\_\_\_\_  
\_\_\_\_\_

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 7. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon they shall be delivered to the Bond Registrar for registration, authentication and delivery to or on behalf of the Purchaser, as determined by the City Council, upon receipt of the purchase price thereof, with accrued interest thereon, and all action heretofore taken in connection with the sale and award of the Bonds is hereby ratified and confirmed in all respects.

The proceeds received from the sale of the Bonds (the "Loan Proceeds") shall be used to (1) carry out the current refunding of the Callable 2008 Bonds on the Redemption Date; and (2) pay costs of issuance of the Bonds. To the extent the Loan Proceeds remain after the full payment of the costs set forth in (1) and (2) in the preceding sentence, such Loan Proceeds shall be used for the payment of interest on the Bonds. The City shall keep a detailed and segregated accounting of the expenditure of, and investment earnings on, the Loan Proceeds to ensure compliance with the requirements of the Internal Revenue Code, as hereinafter defined.

Section 8. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied the following direct annual tax for collection in each of the following fiscal years:

For collection in the fiscal year beginning July 1, 2016,  
sufficient to produce the net annual sum of \$306,599;

For collection in the fiscal year beginning July 1, 2017,  
sufficient to produce the net annual sum of \$292,255;

For collection in the fiscal year beginning July 1, 2018,  
sufficient to produce the net annual sum of \$244,975; and

For collection in the fiscal year beginning July 1, 2019,  
sufficient to produce the net annual sum of \$247,695.

Section 9. A certified copy of this resolution shall be filed with the County Auditor of Polk County, and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the City as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any funds of the City which may lawfully be applied for such purpose, including incremental property tax revenues, may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 9 of this Resolution, shall be reduced by the amount of such alternate funds as have been

appropriated for said purpose and evidenced in the City's budget. The City Council hereby declares its intention to use incremental property tax revenues from the Bondurant Urban Renewal Area for the payment of principal of and interest on the Bonds, this refunding being a refinancing of the costs of the Urban Renewal Project originally financed with the Series 2008 Bonds.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 11. It is the intention of the City that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The City hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 12. It is the intention of the City that the interest on the Bonds be and remain exempt from the taxes imposed by Division II (Personal Net Income Tax) and Division III (Business Tax on Corporations) of Chapter 422 of the Code of Iowa, as amended. The City hereby declares that the Bonds are being issued solely for the urban renewal purposes of the City pursuant to the authority granted in Section 403.12 of the Code of Iowa and under the urban renewal plan for the Bondurant Urban Renewal Area. Furthermore, the City covenants to use the proceeds from the issuance of the Bonds strictly for the carrying out of urban renewal projects in the Bondurant Urban Renewal Area as set forth in the preamble hereof.

Section 13. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for the bonds, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the bondholders to provide certain disclosure information to prescribed information repositories on a continuing basis or unless and to the extent the offering is exempt from the requirements of the Rule.

On the date of issuance and delivery of the Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 14. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 15. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 16, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

••••

On motion and vote, the meeting adjourned.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

STATE OF IOWA  
COUNTY OF POLK  
CITY OF BONDURANT

SS:

I, the undersigned, City Clerk of the City of Bondurant, do hereby certify that attached hereto is a true and correct copy of the proceedings of the Council of the City relating to the authorizing of the redemption of outstanding bonds and the issuance of \$1,065,000 General Obligation Refunding Bonds, Series 2016A, and relating to the approval of the formal contract of sale, and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time in relation to the sale, issuance and disposition of such bonds.

I further certify that no appeal has been taken to the District Court from the decision of the City Council to issue such bonds or to levy taxes to pay the principal thereof and interest thereon.

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
City Clerk

**(Please attach a copy of the bid of the successful bidder.)**

STATE OF IOWA

SS:

COUNTY OF POLK

I, the undersigned, County Auditor of Polk County, in the State of Iowa, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, the City Clerk of the City of Bondurant, Iowa, filed in my office a certified copy of a resolution of such City shown to have been adopted by the Council and approved by the Mayor thereof on February 16, 2016, entitled: "Resolution authorizing call of bonds, approving a Loan Agreement and providing for issuance of \$1,065,000 General Obligation Refunding Bonds, Series 2016A, and providing for the levy of taxes to pay the same," and that I have duly placed the copy of the resolution on file in my records.

I further certify that the taxes provided for in that resolution will in due time, manner and season be entered on the State and County tax lists of this County for collection in the fiscal year beginning July 1, 2016, and subsequent years as provided in the resolution.

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
County Auditor

February 11, 2016

Mark Arentsen  
City Administrator/City Hall  
Bondurant, Iowa  
Via Email

Re: \$1,065,000 General Obligation Refunding Bonds, Series 2016A  
Our File No. 420886-38

Dear Mark:

We have prepared and attach the necessary proceedings to be used at the February 16<sup>th</sup> City Council meeting to adopt the resolution (the "Resolution") providing for the issuance of General Obligation Refunding Bonds, Series 2016A. The Resolution also authorizes Bankers Trust to begin the process of calling the General Obligation Urban Renewal Corporate Purpose Bonds, Series 2008 for early redemption.

The proceedings attached include the following items:

1. Minutes for the adoption of the Resolution, with the actual Resolution following. The form of Bond, Authentication Certificate and Assignment set out in the Resolution should not be completed or executed.
2. Attestation Certificate attesting to the validity of the transcript.
3. County Filing Certificate relating to the filing of a certified copy of the Resolution in Polk County Auditor's office. After it is adopted, a certified copy of the Resolution must be filed with the Polk County Auditor. An extra copy of the Resolution should be printed for this purpose.

In the future, beginning in the 2016-2017 fiscal year, the County Auditor will have a mandatory duty to make a levy of taxes to pay principal of and interest on the Bonds unless the City's budget each year affirmatively shows that the tax should not be levied because other funds will be applied to the payment of the Bonds for that budget year. To the extent the City determines that property tax levies will be needed for payment in any year, the tax levy amounts needed must be certified for that year in the City's budget as part of the Debt Service Fund, and the funds derived from sources other than taxes must be shown on the appropriate budget document.

As these proceedings are completed, please return one fully executed copy to our office. Also, please scan and email an executed copy of the Resolution to Diana VanVleet at Bankers Trust.

Page 2

Also attached is a Loan Agreement for execution by the City Clerk and the Mayor. Please print three copies of the Loan Agreement for execution. After they have been signed please return all of these copies to us so that we can have them signed on behalf of the Bankers' Bank, after which we will furnish you with a signed original.

We are also sending a Continuing Disclosure Certification. Please print three copies for execution. Please retain one executed copy for the City's records and return two copies to us.

Finally, we are attaching a Registrar and Paying Agent Agreement for the City Clerk and the Mayor to sign. Please print three copies for execution, after which all three executed copies should be returned to us so that we may forward them to Bankers Trust for signature. We will provide you with a fully executed copy of the Agreement at the time of closing.

If you have any questions, please contact me.

Best regards,

John P. Danos

#### Attachments

cc: Shelby Hagan  
Susan Gerlach  
Diana VanVleet  
Bankers' Bank

LOAN AGREEMENT

This Loan Agreement is entered into as of March 3, 2016, by and between the City of Bondurant, Iowa (the "City"), and Bankers' Bank, Madison, Wisconsin (the "Purchaser"). The parties agree as follows:

1. The Purchaser shall loan to the City the sum of \$1,065,000, and the City's obligation to repay hereunder shall be evidenced by the issuance of General Obligation Urban Renewal Refunding Bonds, Series 2016A, in the aggregate principal amount of \$1,065,000 (the "Bonds").

2. The City adopted a resolution on February 16, 2016 (the "Resolution") authorizing and approving this Loan Agreement and providing for the issuance of the Bonds and the levy of taxes to pay the principal of and interest on the Bonds for the purpose or purposes set forth in the Resolution. The Resolution is incorporated herein by reference, and the parties agree to abide by the terms and provisions of the Resolution. In and by the Resolution, provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on the Bonds as the same will respectively become due.

3. The Bonds, in substantially the form set forth in the Resolution, shall be executed and delivered to or on behalf of the Purchaser to evidence the City's obligation to repay the amounts payable hereunder. The Bonds shall be dated March 3, 2016, shall be in denominations of \$5,000 or integral multiples thereof, shall bear interest, shall be payable as to principal on the dates and in the amounts, shall be subject to prepayment prior to maturity and shall contain such other terms and provisions as provided in the Bonds and the Resolution.

4. This Loan Agreement is executed pursuant to the provisions of Section 384.24A of the Code of Iowa and shall be read and construed as conforming to all provisions and requirements of the statute.

IN WITNESS WHEREOF, we have hereunto affixed our signatures all as of the date first above written.

CITY OF BONDURANT, IOWA

By \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

BANKERS' BANK  
Madison, Wisconsin

By \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name and Title)

## CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by the City of Bondurant, Iowa (the “Issuer”), in connection with the issuance of \$1,065,000 General Obligation Urban Renewal Refunding Bonds, Series 2016A (the “Bonds”), dated March 3, 2016. The Bonds are being issued pursuant to a resolution of the Issuer approved on February 16, 2016 (the “Resolution”). The Issuer covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Holders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriters in complying with S.E.C. Rule 15c2-12.

Section 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“Annual Report” shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

“Beneficial Owner” shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

“Dissemination Agent” shall mean the Dissemination Agent, if any, designated in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation.

“EMMA” shall mean the MSRB’s Electronic Municipal Market Access system available at <http://emma.msrb.org>.

“Holders” shall mean the registered holders of the Bonds, as recorded in the registration books of the Registrar.

“Listed Events” shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

“Municipal Securities Rulemaking Board” or “MSRB” shall mean the Municipal Securities Rulemaking Board, 1300 I Street NW, Suite 1000, Washington, DC 20005.

“Participating Underwriter” shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“Rule” shall mean Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“State” shall mean the State of Iowa.

**Section 3. Provision of Annual Reports.**

(a) To the extent such information is customarily prepared by the Issuer and is made publicly available, not later than June 30 (the “Submission Deadline”) of each year following the end of the of the 2015-2016 fiscal year, the Issuer shall, or shall cause the Dissemination Agent (if any) to, file on EMMA an electronic copy of its Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate in a format and accompanied by such identifying information as prescribed by the MSRB. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report and later than the Submission Deadline if they are not available by that date. If the Issuer’s fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(c), and the Submission Deadline beginning with the subsequent fiscal year will become one year following the end of the changed fiscal year.

(b) If the Issuer has designated a Dissemination Agent, then not later than fifteen (15) business days prior to the Submission Deadline, the Issuer shall provide the Annual Report to the Dissemination Agent.

(c) If the Issuer is unable to provide an Annual Report by the Submission Deadline, in a timely manner thereafter, the Issuer shall, or shall cause the Dissemination Agent (if any) to, file a notice on EMMA stating that there has been a failure to provide an Annual Report on or before the Submission Deadline.

**Section 4. Content of Annual Reports.** The Issuer’s Annual Report shall contain or include by reference the following:

(a) The audited financial statements of the Issuer for the prior fiscal year, prepared in accordance with generally accepted accounting principles promulgated by the Financial Accounting Standards Board as modified in accordance with the governmental accounting standards promulgated by the Governmental Accounting Standards Board or as otherwise provided under State law, as in effect from time to time, or, if and to the extent such audited financial statements have not been prepared in accordance with generally accepted accounting principles, noting the discrepancies therefrom and the effect thereof. If the Issuer’s audited financial statements are not available by the Submission Deadline, the Annual Report shall contain unaudited financial information (which may include any annual filing information required by State law) accompanied by a notice that the audited financial statements are not yet available, and the audited financial statements shall be filed on EMMA when they become available.

(b) other financial information and operating data regarding the Issuer of the type presented in the final official statement distributed in connection with the primary offering of the Bonds; provided, however, other than information included in its audited financial statements, the Issuer does not customarily prepare or make publicly available, most of the information in the final official statement, and accordingly no financial information or operating data (other than that normally included in the audited financial statements) will be provided by the Issuer in the Annual Report other than the following:

**None**

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Issuer or related public entities, which are available on EMMA or are filed with the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available on EMMA. The Issuer shall clearly identify each such other document so included by reference.

Section 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the Issuer shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds:

- (1) Principal and interest payment delinquencies.
- (2) Non-payment related defaults, if material.
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties.
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties.
- (5) Substitution of credit or liquidity providers, or their failure to perform.
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security.
- (7) Modifications to rights of security holders, if material.
- (8) Bond calls, if material, and tender offers.
- (9) Defeasances.
- (10) Release, substitution, or sale of property securing repayment of the securities, if material.

(11) Rating changes.

(12) Bankruptcy, insolvency, receivership or similar event of the obligated person.

Note to paragraph (12): For the purposes of the event identified in subparagraph (12), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material.

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

(b) If a Listed Event described in Section 5(a) paragraph (2), (7), (8) (but only with respect to bond calls under (8)), (10), (13) or (14) has occurred and the Issuer has determined that such Listed Event is material under applicable federal securities laws, the Issuer shall, in a timely manner but not later than ten business days after the occurrence of such Listed Event, promptly file, or cause to be filed, a notice of such occurrence on EMMA, with such notice in a format and accompanied by such identifying information as prescribed by the MSRB.

(c) If a Listed Event described in Section 5(a) paragraph (1), (3), (4), (5), (6), (8) (but only with respect to tender offers under (8)), (9), (11) or (12) above has occurred the Issuer shall, in a timely manner but not later than ten business days after the occurrence of such Listed Event, promptly file, or cause to be filed, a notice of such occurrence on EMMA, with such notice in a format and accompanied by such identifying information as prescribed by the MSRB. Notwithstanding the foregoing, notice of Listed Events described in Section (5)(a) paragraphs (8) and (9) need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to Holders of affected Bonds pursuant to the Resolution.

Section 6. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds or upon the Issuer's receipt of an opinion of nationally recognized bond counsel to the effect that, because of legislative action or final judicial action or administrative actions or proceedings, the failure of the Issuer to comply with the terms hereof will not cause

Participating Underwriters to be in violation of the Rule or other applicable requirements of the Securities Exchange Act of 1934, as amended. If such termination occurs prior to the final maturity of the Bonds, the Issuer shall give notice of such termination in the same manner as for a Listed Event under Section 5(c).

Section 7. Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or Annual Report prepared by the Issuer pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be the Issuer.

Section 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) (i) the amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted; (ii) the undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and (iii) the amendment or waiver either (1) is approved by a majority of the Holders, or (2) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Holders or Beneficial Owners; or

(b) the amendment or waiver is necessary to comply with modifications to or interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the Issuer shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing audited financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(c), and (ii) the Annual Report for the year in which the change is made will present a comparison or other discussion in narrative form (and also, if feasible, in quantitative form) describing or illustrating the material differences between the audited financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event,

in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Section 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate, any Holder or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. Direct, indirect, consequential and punitive damages shall not be recoverable by any person for any default hereunder and are hereby waived to the extent permitted by law. A default under this Disclosure Certificate shall not be deemed an event of default under the Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

Section 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent, if any, shall have only such duties as are specifically set forth in this Disclosure Certificate, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the Issuer under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

Section 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Participating Underwriters and Holders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated: March 3, 2016

CITY OF BONDURANT, IOWA

By \_\_\_\_\_  
Mayor

Attest:

By \_\_\_\_\_  
City Clerk

## PAYING AGENT AND REGISTRAR AND TRANSFER AGENT AGREEMENT

This Agreement is entered into as of the date hereof between **BANKERS TRUST COMPANY**, Des Moines, Iowa (the “Agent”) and the **CITY OF BONDURANT, IOWA** (the “Issuer”).

1. **Definition of Terms**—The terms “item,” “receipt,” “transfer,” “turnaround,” “process,” “business day,” and other terms used throughout this Agreement shall be deemed to have the meanings provided in the regulations promulgated pursuant to the Securities Exchange Act of 1934 and the Code of Iowa as amended and in effect from time to time.

2. **Issuance Resolution Incorporated By Reference**—The Agent agrees to act on behalf of the Issuer pursuant to the terms of this Agreement and pursuant to the Issuer’s resolution (the “Resolution”) authorizing and providing for the issuance of \$1,065,000 General Obligation Urban Renewal Refunding Bonds, Series 2016A, dated March 3, 2016 (the “Bonds”). The Resolution and the terms thereof are hereby incorporated by reference and the provisions of this Agreement are to be construed to be consistent with the Resolution. In the event of inconsistent language between the Resolution and this Agreement, the terms of the Resolution shall prevail.

3. **Registrar Function**—The Agent shall maintain records of the identity of the owners of the Bonds in order to carry out its function as Registrar and upon request of the Issuer shall from time to time deliver to the Issuer records, documents and other writings made or accumulated in the performance of its duties as Registrar. In such capacity the Agent is authorized at any time upon the surrender for cancellation of the Bonds to register new Bonds for the principal amount of Bonds so cancelled and to redeliver such new Bonds.

4. **Transfer Agent Function/Charges**—The Agent is hereby directed to record and authenticate Bonds signed by or bearing the facsimile signatures of the officers of the Issuer authorized to sign Bonds in such names and in such amounts as the Issuer may direct.

The Agent shall make transfers from time to time upon the records of the Issuer of any outstanding Bonds and of Bonds issued in exchange therefor signed by the officers of the Issuer upon surrender thereof for transfer properly endorsed and upon reasonable assurance that such endorsements are genuine and effective in accordance with Section 554.8401, Code of Iowa. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

The Issuer and the Agent may also require payment by the person requesting an exchange or transfer of the Bonds of a service charge and a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in relation thereto, except in the case of the issuance of a Bond for the unredeemed portion of a Bond surrendered for redemption.

Upon request for cancellation of such Bonds the Agent shall record and authenticate new Bonds duly signed and deliver such Bonds to or upon the order of the person entitled thereto.

5. **Paying Agent Function**—The Agent is hereby authorized and shall make payments of principal and interest to the registered owners of the Bonds as follows:

(a) If payment is by check, at least three business days prior to each payment date and if payment is by wire transfer, at least one business day prior to each payment date, the Issuer will deposit with the Agent in such amount as is required to make such payment.

(b) On each payment date the Agent will pay the interest and principal due prior to the maturity date without surrender of the Bond. For final payment of principal and interest, the Agent, upon presentation and surrender of the matured or called Bond, will pay principal and interest to each registered owner of the Bonds as of the record date by mailing a check or wiring funds to each such owner. In any case where the date of maturity of interest on or principal of the Bond or the date fixed for redemption of any Bond shall be a Saturday or Sunday or a legal holiday or a day on which banking institutions are authorized by law to close, then payment of interest or principal may be made on the succeeding business day with the same force and effect as if made on the date of maturity or the day fixed for redemption. Provided, however, that payment of principal shall be made not later than the second business day after receipt of the matured Bond.

(c) When the Agent shall receive notice from the Issuer of its option to redeem Bonds prior to maturity, the Agent shall select the Bonds to be redeemed and give notice of the redemption thereof, all in accordance with the terms of the Bonds and the Resolution.

6. **Form of Records**—The records of the Agent shall be in such form as to be in compliance with standards issued from time to time by the Municipal Securities Rule Making Board of the United States and any other securities industries standard and the requirements of the Internal Revenue Code of 1986 and Chapter 76 of the Code of Iowa.

7. **Confidentiality of Records**—The Agent's records in connection with the Bonds shall remain confidential records entitled to protection and confidentiality pursuant to Section 22.7, Code of Iowa. The Agent agrees that its use of the records will be limited to the purposes of this Agreement and that the Agent will make no private use or permit any private access thereto.

8. **Reliance Upon Certain Certifications and Representations**—The Agent may rely conclusively and act, without further investigation, upon any list, instruction, certification, authorization, certificate, or other instrument or paper suitably guaranteed and believed by it in good faith and due diligence in performing its functions to be genuine and to have been signed, countersigned, or executed by a duly authorized person or persons or upon the instruction of any authorized officer of the Issuer or upon the advice of the Issuer's counsel; and may register any Bond or may refuse to register any such Bond if in good faith the Agent deems such refusal

necessary in order to avoid any liability on the part of either the Issuer or the Agent, and the Issuer agrees to indemnify and hold harmless the Agent from and against any and all losses, costs, claims, and liability for so relying or acting or refusing to act.

9. **Rules and Regulations Governing Registration**—The Agent shall comply at all times with such rules, regulations and requirements as may govern the registration, transfer and payment of registered Bond including without limitation Chapter 76 and Sections 554.8101 et seq., Code of Iowa, and standards issued from time to time by the Municipal Securities Rule Making Board of the United States and any other securities industries standard and the requirements of the Internal Revenue Code of 1986.

10. **Signature of Officers**—In case any of the officers of the Issuer whose manual or facsimile signature appears on any Bond or other record delivered to the Agent shall cease to be such officer prior to the registration, processing, or transfer thereof, the Agent may nevertheless process such documents as though the person signing the same or whose facsimile signature appears thereon had not ceased to be such officer unless written instruction of the Issuer to the contrary is received.

11. **Record Date**—For purposes of determining the registered owners of the Bonds the record date shall be deemed to be the fifteenth day of the month preceding the date on which payment of principal, premium, if any, or interest is payable to the registered owners of the Bonds (“Payment Date”) whether such payment is due to optional redemption, operation of a sinking fund, or for any other reason.

12. **Three Days Turnaround**—The Agent agrees that it will turnaround within three business days of receipt all items received in proper form for transfer, process or other action pursuant to the terms of this Agreement.

13. **Destruction of Cancelled Bonds**—The Agent will promptly cancel and destroy all Bonds which have been spoiled, surrendered to it for transfer, or with respect to which principal, premium, if any, and interest owing on such Bonds has been paid, and will provide the Issuer with a Certificate of Destruction certifying as to the destruction of such cancelled Bonds.

14. **Payment of Unclaimed Amounts**—In the event any payment check representing payment of interest or principal on the Bonds is returned to the Agent or is not presented for payment or if any Bond is not presented for payment of principal or premium at the maturity or redemption date, if funds sufficient to pay such interest or principal shall have been made available to the Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or principal payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on its part under the Resolution or on, or with respect to, such interest or principal. The Agent’s obligation to hold such funds shall continue until the expiration of the escheat period in accordance with applicable laws, at which time the Agent shall surrender any remaining funds so held in accordance with the applicable escheat laws.

15. **No Obligation to Invest**—The Agent will have no obligation to invest any funds in its possession.

16. **Compensation of the Agent**—The Issuer will pay the Agent reasonable compensation for its services based upon the schedule of fees attached or such other schedule of fees as may be agreed upon from time to time between the Agent and the Issuer. The Agent's compensation may include the amount of any attorney fees incurred by it under Section 17 hereof.

17. **Bond Counsel**—When the Agent deems it necessary or reasonable it may apply to Bond Counsel for the Issuer or such other law firm or attorney approved by the Issuer for instructions or advice.

18. **Termination of Agreement**—This Agreement may be terminated by either party by giving the other party at least 90 days advance written notice. At termination of the Agreement, the Agent shall deliver to the Issuer any and all records, documents or other writings made or accumulated in the performance of its duties under this Agreement and shall refund the unearned balance, if any, of fees paid in advance by the Issuer.

19. **Examination of Records**—The Issuer or its duly authorized agents may examine all records relating to the Bonds at the principal office of the Agent at reasonable times as agreed upon with the Agent and such records shall be subject to audit from time to time at the request of the Issuer or the Agent. The Agent, on request, will furnish the Issuer with a list of the names, addresses, and other information concerning the owners of the Bonds or any of them.

20. **Filing of Form 1099-INT.** To the extent it is determined by the Agent or Bond Counsel for the Issuer that reports are required to be filed, the Agent agrees to comply with the provisions of the Internal Revenue Code with respect to the filing with the Internal Revenue Service and furnishing to recipients of interest on the Bonds copies of Form 1099-INT, or its substitute, annually.

21. **Obligations, Rights and Privileges of the Agent**—The Agent shall have, with regard to the particular functions it performs, the same obligation to the owner or owners of the Bonds and shall have the same rights and privileges the Issuer has in regard to those functions.

Dated as of March 3, 2016.

**CITY OF BONDURANT, IOWA**

By \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**BANKERS TRUST COMPANY  
AGENT**

By \_\_\_\_\_  
Trust Officer



## **PAYING AGENT, BOND REGISTRAR AND TRANSFER AGENT FEE SCHEDULE**

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### **ADMINISTRATION FEE**

- Book Entry Bonds \$250 initial/\$500 annual
- Registered/Private Placement Bonds \$500 initial/\$1,000 annual

\*Initial Fees paid at Closing

\*Annual Fees paid at Interest/Principal Dates

### **ADDITIONAL SERVICES**

- Dissemination Agent \$1,000 annual
- Placement of CDs or Sinking Funds \$500 per set up/outside BTC
- Optional or Partial Redemption \$300
- Mandatory Redemption \$100
- Early Termination/Full Call \$500
- Tax credit bond filing \$500 annual
- Disbursement Agent \$5,000 initial/\$3,000 annual
- Disbursement Agent wires/check \$10 per wire or check
- Paying Costs of Issuance \$500 one-time fee

### **CHANGES IN FEE SCHEDULE**

Bankers Trust reserves the right to renegotiate this fee schedule.

*Reasonable charges will be made for additional services or reports not contemplated at the time of execution of the Agreement or not covered specifically elsewhere in this schedule. Extraordinary out-of-pocket expenses will be charged at cost. However, this does not include ordinary out-of-pocket expenses such as normal postage and supplies, which are included in the annual fees quoted above.*

**Effective September 1, 2015**

HEARING ON PROPOSED  
AMENDMENT TO REVITALIZATION  
PLAN

Bondurant, Iowa

420886-39

February 16, 2016

A meeting of the City Council of the City of Bondurant, Iowa, was held at the City Center, in the City, at 6:00 o'clock p.m., on February 16, 2016. The Mayor presided and the roll was called, showing members present and absent as follows:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_

The Mayor announced that this was the time and place set for hearing on the 2016 Amendment to the Plan for the Bondurant Urban Revitalization Area. All written objections, statements, and evidence heretofore filed were read, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

**(Here, and on a separate page if necessary, list all persons presenting written or oral statements or evidence and summarize each presentation.)**

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

It was moved by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ that this meeting be adjourned to \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_\_\_m., at the \_\_\_\_\_, Bondurant, Iowa, at which time and place the City Council will meet to further consider the proposed amendment.

The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

Whereupon, the Mayor declared the said motion duly carried and the meeting was adjourned to the said time and place.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

CONSIDERATION OF RESOLUTION TO  
ADOPT AMENDMENT TO URBAN  
REVITALIZATION PLAN

420886-39

Bondurant, Iowa

\_\_\_\_\_, 2016

The City Council of the City of Bondurant, Iowa, met on \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_.m., at the \_\_\_\_\_, in the City, pursuant to adjournment and the rules of this Council. The Mayor presided and the roll was called showing the following members of the Council present and absent:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

The City Council further considered all objections, comments, and evidence received in connection with the 2016 Amendment to the Plan for the Bondurant Urban Revitalization Area, and embodied its findings in the resolution next hereinafter referred to.

Council Member \_\_\_\_\_ introduced the resolution next hereinafter set out, and moved that the said resolution be adopted; seconded by Council Member \_\_\_\_\_; and after due consideration thereof by the City Council, the Mayor put the question upon the motion and the roll being called, the following named Council Members voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

Whereupon, the Mayor declared the said resolution adopted, as follows:

RESOLUTION NO. 16-31

Resolution adopting the Amendment to the Plan for the Bondurant Urban Revitalization Area

WHEREAS, pursuant to the provisions of Chapter 404 of the Code of Iowa (the "Code") the City of Bondurant, Iowa (the "City"), has designated all real property situated within the City as the Bondurant Urban Revitalization Area (the "Urban Revitalization Area") and has adopted the Bondurant Urban Revitalization Area Plan (the "Plan") for such area; and

WHEREAS, it has been proposed that the Plan be amended to (i) update the legal description of the Urban Revitalization Area to include therein real property which has been annexed into the City; and (ii) update the tax abatement schedule for the single-family residential property classification; and

WHEREAS, pursuant to the provisions of the Code, before amending the Plan, the City must prepare an amended plan, hold a public hearing thereon, and otherwise comply with the procedures set forth in the Code; and

WHEREAS, an amendment to the plan (the "Amendment") has been prepared and presented to the City Council for consideration in accordance with the provisions of the Code, said Amendment being in a form and having the contents as set forth in Exhibit A attached hereto and by this reference made a part hereof; and

WHEREAS, pursuant to the provisions of the Code, the City Council has held a public hearing on the Amendment on February 16, 2016;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Bondurant, Iowa, as follows:

Section 1. The Amendment is hereby adopted in the form attached hereto as Exhibit A.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved February 16, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**ATTESTATION CERTIFICATE:**

STATE OF IOWA  
COUNTY OF POLK  
CITY OF BONDURANT

SS:

I, the undersigned, City Clerk of the City of Bondurant, Iowa, do hereby certify that the above and foregoing is a true, correct and complete copy of the minutes of the public hearing on and approval of an amendment to the plan for the Bondurant Urban Revitalization Area, including a true and complete copy of the resolution referred to in such minutes

WITNESS MY HAND this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
City Clerk

EXHIBIT A

PLAN AMENDMENT

By virtue of this amendment, the Urban Revitalization Plan (the "Plan") for the Bondurant Urban Revitalization Area is hereby amended to read as follows:

**Article 5 of the Plan is hereby amended to read as follows:**

*The revitalization area shall be known as the Bondurant Urban Revitalization Area (the "Revitalization Area"), and the legal description of real property to be included within the Revitalization Area is as follows:*

*All real property situated within the incorporated municipal limits of the City of Bondurant, County of Polk, State of Iowa as of February 1, 2016.*

*A map showing the real property to be included within the Revitalization Area is attached as Exhibit A-1.*

**Effective on July 1, 2016, the Plan is amended to provide an exemption for Eligible Residential Improvements as follows:**

Residential Improvements. *The construction of new residential facilities and the rehabilitation of and additions to existing residential facilities.*

Exemption. *All qualified real estate assessed as residential property is eligible to receive a partial exemption from taxation on the actual value added by the improvements for a period of three years as follows:*

*For the first year, an exemption from taxation on 90% of the actual value added.*

*For the second year, an exemption from taxation on 70% of the actual value added.*

*For the third year, an exemption from taxation on 50% of the actual value added.*

Actual Value Added. *In order to be eligible for tax abatement for residential improvements, the increase in actual value of the property must be at least 10%.*

Expiration of Availability of Exemption for Residential Improvements *The availability of this exemption for residential improvements shall expire on July 30, 2021, unless further action is taken by City Council to amend the Plan. Projects for which this exemption has been granted prior to said date shall continue to receive the full, three-year exemption in accordance with Section 404.7 of the Code of Iowa.*

February 12, 2016

**Via Email**

Mark Arentsen  
City Administrator/City Hall  
Bondurant, IA

Re: Bondurant Urban Revitalization Area  
Our File No. 420886-39

Dear Mark:

We have prepared and attach proceedings covering the hearing on the proposal to amend the Plan for the Bondurant Urban Revitalization Area (the "Amendment") and the adoption of the Amendment. These proceedings include the following items:

1. Minutes of the public hearing on the Amendment. In the event the Council desires to consider the Amendment for a longer period of time, the minutes include a motion to adjourn the meeting to a later time. If the Council desires to adopt the Amendment immediately, this adjournment may be stricken from the minutes by drawing a line through it and the following two paragraphs which convene the subsequent meeting.

2. Resolution adopting the Amendment.

3. Attestation Certificate attesting to the validity of the entire transcript.

Please return one fully executed copy of these proceedings to our office.

While it is not required by statute, we recommend that you file a copy of the Amendment and the resolution adopting it with the County Assessor.

If you have any questions, please contact Amy Bjork or me.

Best regards,

John P. Danos

Attachments

cc: Shelby Hagan

CITY OF BONDURANT  
RESOLUTION NO. 16-32

RESOLUTION APPROVING THE SANITARY SEWER EXTENSION FUNDING POLICY

WHEREAS, the City Engineer presented the sewer system expansion needs to the Council;  
AND

WHEREAS, a Sanitary Sewer Extension Funding Policy was presented and discussed; AND

WHEREAS, the Council agrees to the written policy dated February 01, 2016,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Polk County, Iowa, that the Sanitary Sewer Extension Funding Policy, is hereby approved as presented.

Passed this 16th day of February, 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

Name	Yay	Nay	Abstain	Absent
Lohse				
Peffer				
Enos				
Keeler				
Elrod				

## **CITY OF BONDURANT**

### **SANITARY SEWER EXTENSION FUNDING POLICY**

**FEBRUARY 1, 2016**

1. The City of Bondurant will assist with funding sanitary sewer construction when extensions will serve currently unserved properties and other upstream properties which could develop in the future.
2. City assistance will be provided only for trunk line or main line sewers. City assistance will not be provided for sanitary sewer projects serving exclusively commercial or residential subdivision lots.
3. The owners of property served by the extension must agree to have the newly served property included in a connection fee district.
4. An agreement will be developed with the property owner stipulating repayment requirements which could include a minimum assessment agreement.
5. Sewer construction must be designed and publicly bid by the City . Privately bid or negotiated sewer projects are not eligible for City financial assistance.
6. City financial assistance will be provided only when the City Council determines that sufficient City funds are available.
7. In the event that both commercial and residential projects request City assistance, preference will be given to commercial projects if an agreement between the City and commercial developer is negotiated.

CITY OF BONDURANT  
RESOLUTION NO. 16-33

RESOLUTION APPROVING THE RENEWAL LICENSE FOR CLASS C LIQUOR  
LICENSE (LC) (COMMERCIAL) FOR FOUNDERS IRISH PUB, 110 FIRST STREET,  
SOUTHEAST, BONDURANT

WHEREAS, Founders Irish Pub, 110 First Street, Southeast, Bondurant, Iowa, has applied for a Class C Liquor License (LC) (Commercial) in accordance with the provisions of Chapter 123 of the Code of Iowa; AND

WHEREAS, their privileges include catering, Class C Liquor License (LC (Commercial), Outdoor Service, and Sunday Sales; AND

WHEREAS, the application was completed accurately and in timely fashion,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the Renewal License Application for a Class C Liquor License (LC) (Commercial) for Founders Irish Pub, 110 First Street, Southeast, Bondurant, is hereby approved as presented.

Passed this 16th day of February, 2016,

By: \_\_\_\_\_  
Curt Sullivan, Mayor

ATTEST: I, Mark J. Arentsen, City Administrator 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.

\_\_\_\_\_  
Mark J. Arentsen, City Administrator

Name	Yay	Nay	Abstain	Absent
Lohse				
Peffer				
Enos				
Keeler				
Elrod				

**Applicant License Application ( LC0039795 )**

<b>Name of Applicant:</b> <u>Founders On Main, Inc.</u>		
<b>Name of Business (DBA):</b> <u>Founders Irish Pub</u>		
<b>Address of Premises:</b> <u>110 1st St. SE</u>		
<b>City</b> <u>Bondurant</u>	<b>County:</b> <u>Polk</u>	<b>Zip:</b> <u>50035</u>
<b>Business</b>	<u>(515) 250-6928</u>	
<b>Mailing</b>	<u>1115 SW 46th St</u>	
<b>City</b> <u>Ankeny</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50023</u>

**Contact Person**

<b>Name</b> <u>Nicole Romare</u>	
<b>Phone:</b> <u>(515) 419-7124</u>	<b>Email</b> <u>drink@whiskeyriveronmain.com</u>

**Classification** Class C Liquor License (LC) (Commercial)

**Term:** 12 months

**Effective Date:** 02/15/2016

**Expiration Date:** 02/14/2017

**Privileges:**

Catering Privilege

Class C Liquor License (LC) (Commercial)

Outdoor Service

Sunday Sales

**Status of Business**

<b>BusinessType:</b> <u>Privately Held Corporation</u>	
<b>Corporate ID Number:</b> <u>448562</u>	<b>Federal Employer ID</b> <u>46-1836935</u>

**Ownership**

**Joseph Romare**

**First Name:** Joseph

**Last Name:** Romare

**City:** Ankeny

**State:** Iowa

**Zip:** 50023

**Position:** Owner, President

**% of Ownership:** 100.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b> <u>Illinois Casualty Co</u>	
<b>Policy Effective Date:</b> <u>02/15/2016</u>	<b>Policy Expiration</b> <u>02/14/2017</u>
<b>Bond Effective</b>	<b>Dram Cancel Date:</b>
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>

**Temp Transfer Effective**

**Temp Transfer Expiration Date:**



CITY OF BONDURANT  
RESOLUTION NO. 16-35

RESOLUTION REAPPOINTING JAN HALL, 1913 COUNTRY CAVE LANE,  
ALTOONA, TO THE VIRGIL C. WEBB, WILLIAM GARBER AND FLORA WEBB  
GARBER FOUNDATION BOARD OF DIRECTORS

WHEREAS, the Virgil C. Webb, William Garber and Flora Webb Garber Foundation Board of Directors consist of various members of the Bondurant community and one of the board of director positions is appointed by the Mayor of Bondurant each January for a one-year term; AND

WHEREAS, Jan Hall, 1913 Country Cove Lane, Altoona, was appointed in 2015 and has attended all the Board of Director meetings and made a positive contribution to the Board;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that Jan Hall be reappointed to the Board of Directors of the Virgil C. Webb, William Garber and Flora Webb Garber Foundation for calendar year 2016.

Passed this 16th day of February, 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

Name	Yay	Nay	Abstain	Absent
Lohse				
Peffer				
Enos				
Keeler				
Elrod				

*Virgil C. Webb, William Garber and Flora Webb Garber Foundation*

*5360 NE 70<sup>th</sup> Ave.*

*Altoona, Iowa 50009*

*515.967.4498 515.971.9195*

January 31, 2016

Curt Sullivan

200 2nd St NE Box 37

Bondurant, IA 50035

RECEIVED

FEB 03 2016

CITY OF BONDURANT

The Virgil C. Webb, William Garber and Flora Webb Garber Foundation Board of Directors consist of various members of the Bondurant community. One of the board of director positions is one appointed by the Mayor of Bondurant each January for a one year term. This appointment is not limited to one year per appointment but the individual may be appointed by you for other one year terms.

Keith Ryan appointed Jan Hall for a director's position for 2015. She attended all the Board of Director meetings and made a positive contribution to the Board. She was a valuable asset to our meetings and decisions. Jan would again make an excellent director appointment for the Foundation.

It is that time of year for you to appoint your representative to the Foundation's Board of Directors for 2016. Please submit your nominee to me by February 25, 2016. This action is a function of the articles of incorporation of the Virgil C. Webb, William Garber and Flora Webb Garber Foundation and the Bondurant City Council has no authority over this appointment.

Your appointee must be aware that relatives of the directors are not eligible for scholarships. A director's familiarities with the Bondurant Farrar High School, knowledge of Virgil Webb and experience on organizations' board of directors are favorable director qualities sought by the Foundation.

If you should have an further questions, I would encourage you to contact me.

Regards,



Criss D. Vandelaar

Managing Director

[vcwebbfoundation@gmail.com](mailto:vcwebbfoundation@gmail.com)

4

## Shelby Hagan

---

**From:** Dave Brick [Dave.Brick@brickgentrylaw.com]  
**Sent:** Thursday, February 11, 2016 5:11 PM  
**To:** Arentsen Mark  
**Cc:** Shelby Hagan  
**Subject:** Ordinances UPDATED  
**Attachments:** Bondurant Application for Pedd Trans Mer AND Solicitor v2 .docx; 16.02.08 Chap 122 Amended Ordinance v4.docx; 16.02.08 Chap 122 Amended Ordinance v4.docx

Mark,

Here is the revised Ordinance for Mobile Truck; Revised Peddler Ordinance; and the Rules Governing Licensing for Peddler Application. Regarding the bond, the bond is a cash bond in the amount of \$200 for peddlers, pushcart operators, and solicitors and food trucks; said bond in this instance is cash only and payable to City Clerk. The bond for transient merchant is set pursuant to 9C (the Iowa Code only discusses bonds and the secretary of state requirement in regards to transient merchants and not the other categories). The bond for transient merchants is set at 2x the value of transient merchants inventory, so is a big of a moving target). In other words, the Bonds are all in line with Iowa Code (which as mentioned, Iowa code only addresses bonds for transient merchants.

I also made sure that the applicants in all cases need to get the criminal background check done on their own and then bring it to City when they apply for licenses.

The insurance language suggested by Doug has been added.

Please remember to pass the Application Rules document that is attached as a resolution after the Peddler ordinance is passed.

If you see any additional changes or want to put the transient merchant into the \$200 bond category, I do not believe that would be a big issue, as you can argue that if anything, the bond of \$200 is much more likely to be lower than they would pay under the State Statute (in other words, any complaints on the issue would be unlikely because almost all applicants would be paying less and not more.

Thanks.

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

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## **REQUIREMENTS FOR APPLICATION FOR LICENSE FOR PEDDLERS, SOLICITORS, PUSHCART OPERATORS, AND TRANSIENT MERCHANTS**

1. Application. Application for a license pursuant to this Bondurant Code of Ordinances Chapter 122 shall be in writing on forms furnished by the City Clerk. The application shall contain the following information:

A. The full name, permanent and local address and business address, if any. The application shall also set forth the applicant's employer, if any, and the employer's address, the nature of the applicant's business, the last three places of such business, a list of any vehicles used in the business and license plate number of any such vehicle and the length of time sought to be covered by the license. The applicant shall submit a copy of current photo ID or photo driver's license, to be retained by the City Clerk.

B. Any person who applies for, or seeks a peddler, solicitor, pushcart, or transient merchant license must first obtain, at their own expense, his or her current Department of Criminal Investigations criminal history report, dated within one year of license application, through the state Department of Public Safety; and, if such person is engaging in soliciting by operating out of a vehicle shall provide a certified copy of his or her current driving record. If a new applicant resided outside of Iowa anytime during the five years before applying, the person must also obtain, at their own expense, a copy of his or her current criminal history report and certified copy of driving record from each state of residence during the prior five years. Any person whose license has been suspended or revoked, or has expired for more than 30 days, will be required to obtain a current criminal history report and certified driving record in the same manner as a new applicant.

C. A list of all convictions (convicted of, pled guilty to or stipulated to the facts of a criminal offense) for criminal offenses, other than traffic offenses, during the ten years immediately preceding the date of application. A list of all convictions for traffic violations for which the applicant's license was suspended, revoked or barred during the five years immediately preceding the date of application.

D. A statement that the contents of the completed application are true.

E. The date the application is filed.

F. Further information as the City Clerk may require.

G. \$20 non-refundable application fee.

At the time an application is filed, the applicant shall pay to the City Clerk the application fees in the amount set forth.

2. Qualifications of Applicant. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

A. "Good driving record", for the purpose of engaging in soliciting by operating out of a vehicle, means all of the following:

(1) The applicant has not, within the preceding five years, been convicted of any moving traffic violation which resulted in automatic suspension or revocation of an operators or chauffeurs license under I.C. Ch. 321, 321A or 321J.

(2) The applicant's operators or chauffeurs license has not been suspended or revoked for any single moving traffic violation or combination of moving traffic violations within the preceding five years.

(3) The applicant has not, within the preceding one year, been convicted of three or more moving traffic violations.

(4) The applicant has not, within the preceding one year, been involved in more than one traffic accident in which applicant was at fault.

B. "Person of good moral character" means any person who:

(1) Has such good reputation as will satisfy the licensing authority that he or she will comply with this chapter and all other laws, ordinances and regulations applicable to the performance of his or her duties.

(2) Has not been convicted of, pled guilty to or stipulated to the facts of an offense involving moral turpitude within the preceding ten years.

(3) Has not been convicted of, pled guilty to or stipulated to the facts of an offense which is a simple misdemeanor, other than those listed in paragraph B.4., below, with in the preceding five years.

(4) Has not been convicted of, pled guilty to or stipulated to the facts of an offense involving theft, assault, drugs, public exposure, harassment or fraud within the preceding ten years, whether the offense is a misdemeanor or a felony.

(5) Has not been convicted of, pled guilty to or stipulated to the facts of an offense which is a felony other than a forcible felony within the preceding ten years.

(6) Has not been convicted of, pled guilty to or stipulated to the facts of any forcible felony, including any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, arson in the first degree or burglary in the first degree, or any sexual motivated crime.

C. Each applicant for a peddler, solicitor or transient merchant license must meet the requirements of this subsection before a license may be issued. The applicant shall:

(1) Have a good driving record.

(2) Be a person of good moral character.

(3) Be at least 18 years of age.

(4) Not currently on probation or parole.

3. Prior to issuance of a license, a background investigation of the applicant shall be conducted by the Police Department.

APPLICATION RULES APPROVED BY RESOLUTION BY CITY COUNCIL AT MEETING DATE XXXXXXXXX

**ORDINANCE NO. 16-201**

**ORDINANCE AMENDING THE CODE OF THE CITY OF BONDURANT, IOWA, BY AMENDING CHAPTER  
122-PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS**

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

Section 1. SECTION AMENDED. Chapter 122 of the Code of Ordinances for the City of Bondurant, Iowa, is repealed and the following adopted in lieu thereof:

**CHAPTER 122 - PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS**

**122.01 PURPOSE.** The purpose of this chapter is to protect residents of the City against fraud, unfair competition and intrusion into the privacy of their homes by licensing and regulating peddlers, solicitors and transient merchants.

**122.02 DEFINITIONS.** For use in this chapter the following terms are defined:

1. "Peddler" means any person, carrying goods, merchandise, or offering services, who sells or offers for sale for immediate delivery such goods or merchandise from house to house or upon the public street.
2. "Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustaceans or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include clean, whole, uncracked, odor-free shell eggs or foods which have a pH level of 4.6 or below or a water activity value of 0.85 or less.
3. "Pushcart" means a non-motorized vehicle limited to serving foods which are not potentially hazardous foods or commissary-wrapped food maintained at proper temperatures. A motorized vehicle is not considered a pushcart.
4. "Solicitor" means any person, firm, corporation, partnership, or association who solicits or attempts to solicit from house to house or upon the public street any contribution or donation or any order for goods, services, subscriptions or merchandise to be delivered at a future date.
5. "Transient merchant" means any person who engages in a temporary business of selling and delivering goods, foods which are not potentially hazardous foods, wares or merchandise within the City, who in furtherance of such purpose leases, uses or occupies any vehicle, trailer, tent, railroad car, or other place in the City for the exhibition and retail sale of such goods, wares or merchandise. "Transient merchant" does not include the temporary sale of goods, foods which are not potentially hazardous foods, wares, or merchandise, by a permanent merchant or private property adjacent to the merchant's permanent place of business.
6. "Vendor" includes peddlers, solicitors and transient merchants.

**122.03 LICENSE REQUIRED.** Any person engaging in or acting as a peddler, solicitor, pushcart operator, vendor, or in the business of a transient merchant in the City without first obtaining a license as herein provided is in violation of this chapter. Each pushcart shall be separately licensed and may operate only at the location specified in the license as approved by the Council or a duly authorized representative of the City

**122.04 APPLICATION FOR LICENSE.** An application in writing shall be filed with the City Administrator for a license under this chapter and any applicable application fee paid. Such application shall be in compliance with the City of Bondurant's requirements as set forth in its Application for License for Peddlers, Solicitors, and Transient Merchants Application Requirements that have been approved by resolution by the Council and shall be available upon request and a copy of said Requirements shall also be available and maintained at City Hall.

**122.05 LICENSE FEES.** The following license fees shall be paid to the City Administrator prior to the issuance of any license.

**1. Solicitors, Peddlers, Pushcart Operators, Vendors or Transient Merchants License Fees.** In addition to the application fee for each person actually soliciting, peddling, or acting as a transient merchant referenced above in 22.04, the following fee schedule shall also apply:

- A. For one day..... \$ 20.00
- B. For one week.....\$30.00
- C. For up to six (6) months..... \$50.00
- D. For one year or major part thereof ..\$ 100.00

**122.06 PERMIT BOND REQUIRED.**

**1. Transient Merchant.** Before a license under this chapter is issued to a transient merchant, an applicant shall provide to the Clerk evidence that the applicant has filed a bond with the Secretary of State in accordance with Chapter 9C of the Code of Iowa.

**2. Peddlers, Vendors, Pushcart Operator's, and Solicitors.** No peddler's, vendor, pushcart, or Solicitor's license shall be issued until the applicant has delivered to the City Clerk a cash bond for no less than \$200.00 per license or \$1,000.00 for an employer employing a group of five (5) or more license applicants.

A. The bond shall be held to indemnify and pay the City any penalties or costs incurred in the enforcement of any of the sections of this chapter and indemnify or reimburse any purchaser of services, goods, wares, merchandise or stock for any judgment which may be obtained by a purchaser for damages in any action commenced within three months from the date of purchase, due to misrepresentations as to the kind, quality or value of such services, goods, wares, merchandise or stock, whether the misrepresentations were made by the owner or by

his or her servants, agents or employees, either at the time of making the sale or through any advertisement of any character, printed or circulated, with reference to such stock of goods, wares, merchandise, services or any part thereof.

B. The balance of the bond shall be released by the City Clerk and returned to the applicant or employer upon request by the applicant or employer at any time more than four months after expiration of the peddler, pushcart operator, or solicitor license(s) for which the cash bond was provided, unless the City Clerk has received notice of a pending action in the State or Federal courts seeking a judgment upon a claim eligible for payment from the bond.

Except as otherwise provided by court order, the City Clerk shall not release any bond during the pendency of any such action.

**122.07 INSURANCE.** All licensees under this chapter shall provide proof of general liability insurance including products liability in the amount of \$300,000 per occurrence and \$100,000 for property damage. A certificate of insurance shall be delivered to the Clerk prior to the issuance of a license. The City and its employees shall be named as additional insured(s) against any liabilities that may arise in connection with the operations of the licensees.

**122.08 LICENSE ISSUED.** A waiting period of not less than three (3) business days from the date of the application shall be in effect to provide sufficient time for the City Administrator to complete a background check, which shall be completed in a reasonable period. If the City Administrator finds the application is completed in conformance with the requirements of this chapter, the facts stated therein are found to be correct and the license fee paid, a license shall be issued immediately. The Permit Badge must be displayed and visible on said applicant at all times.

**122.09 DISPLAY OF LICENSE.** Each pushcart operator, vendor, solicitor or peddler shall keep such license in possession at all times while doing business in the City and shall, upon the request of prospective customers, exhibit the license as evidence of compliance with all requirements of this chapter. Each transient merchant shall display publicly such merchant's license in the merchant's place of business.

**122.10 LICENSE NOT TRANSFERABLE.** Licenses issued under the provisions of this chapter are not transferable in any situation and are to be applicable only to the person filing the application.

**122.11 FDA STANDARD FOR PUSH CART OPERATORS AND VENDORS.** Each pushcart operator and vendor shall meet the Food and Drug Administration Food Service Sanitation standards and the Iowa Department of Agriculture Food Service Sanitation Code, and applicable rules and/or regulation, for food storage, preparation, and dispensing.

**122.12 HAND-WASHING FACILITIES.** Each pushcart operator and vendor shall provide hand-washing facilities for the employee of the license, when required by the Food and Drug Administration regulations.

**122.13 WASTE RETENTION AND REFUSE DISPOSAL.** Each pushcart operator and vendor shall provide a waste retention tank when required by Food and Drug Administration regulations. All waste liquids, garbage, litter and refuse shall be kept covered with tight-fitting lids and appropriately disposed of at the permanent location. No waste liquids, garbage, litter or refuse shall be dumped or

drained onto sidewalks, streets, gutters, drains, trash receptacles, or any other place except at the permanent location of a pushcart. When leaving the sales area, the licensee or licensee's employees shall pick up all litter resulting from the licensee's business, and shall deposit such litter in an approved container in compliance with the Food and Drug Administration Food Service Sanitation Code and regulations, located on the licensee's cart. Failure to do so shall be grounds for license revocation.

**122.14 LIST OF APPROVED FOOD AND BEVERAGE ITEMS.** The Food and Drug Administration has published laws and regulations regarding approved food and beverage items which may be sold by pushcart operators and vendors. No items of any kind, other than those food and beverage items allowed in the Food and Drug Administration regulations shall be sold or dispensed by pushcart operators and vendors.

**122.15 TIME RESTRICTION.** All Pushcart Operators, Vendors, Peddlers, or Solicitors licenses shall provide that said licenses are in force and effect only between the hours of eight o'clock (8:00) a.m. and eight o'clock (8:00) p.m.

**122.16 REVOCATION OF LICENSE.** After notice and hearing, the City Administrator may revoke any license issued under this chapter for the following reasons:

1. **Fraudulent Statements.** The licensee has made fraudulent statements in the application for the license or in the conduct of the business.
2. **Violation of Law.** The licensee has violated this chapter or has otherwise conducted the business in an unlawful manner.
3. **Endangered Public Welfare, Health or Safety.** The licensee has conducted the business in such manner as to endanger the public welfare, safety, order or morals.

**122.17 NOTICE.** The City Administrator shall send a notice to the licensee at the licensee's local address or any other address provided on licensee's application, not less than ten (10) days before the date set for a hearing on the possible revocation of a license. Such notice shall contain particulars of the complaints against the licensee, the ordinance provisions or State statutes allegedly violated, and the date, time and place for hearing on the matter.

**122.18 HEARING.** The City Administrator shall conduct a hearing at which both the licensee and any complainants shall be present to determine the truth of the facts alleged in the complaint and notice. Should the licensee, or authorized representative, fail to appear without good cause, the City Administrator may proceed to a determination of the complaint.

**122.19 RECORD AND DETERMINATION.** The City Administrator shall make and record findings of fact and conclusions of law, and shall revoke a license only when upon review of the entire record the City Administrator finds clear and convincing evidence of substantial violation of this chapter or State law.

**122.20 APPEAL.** If the City Administrator revokes or refuses to issue a license, the City Administrator shall make a part of the record the reasons therefore. The licensee, or the applicant, shall have a right to a hearing before the Council at its next regular meeting. The Council may reverse, modify or affirm the decision of the City Administrator by a majority vote of the Council members present and the City Administrator shall carry out the decision of the Council.

**122.21 EFFECT OF REVOCATION.** Revocation of any license shall bar the licensee from being eligible

for any license under this chapter for a period of one year from the date of the revocation.

**122.22 LICENSE EXEMPTIONS.** The following are excluded from the application of this chapter.

1. Newspapers. Persons delivering, collecting for or selling subscriptions to newspapers.
2. Club Members. Members of local civic and service clubs, Boy Scout, Girl Scout, 4-H Clubs, Future Farmers of America and similar organizations.
3. Local Residents and Farmers. Local residents and farmers who offer sales of their own products.
4. Students. Students representing the Bondurant-Farrar Community School District conducting projects sponsored by organizations recognized by the school.
5. Route Sales. Route delivery persons who only incidentally solicit additional business or make special sales.
6. Resale or Institutional Use. Persons customarily calling on businesses or institutions for the purposes of selling products for resale or institutional use.

**122.23 CHARITABLE AND NONPROFIT ORGANIZATIONS.** Authorized representatives of charitable or nonprofit organizations operating under the provisions of Chapter 504A of the Code of Iowa desiring to solicit money or to distribute literature are exempt from the operation of Sections 122.04 and 122.05. All such organizations are required to submit in writing to the City Administrator the name and purpose of the cause for which such activities are sought, names and addresses of the officers and directors of the organization, the period during which such activities are to be carried on, and whether any commissions, fees or wages are to be charged by the solicitor and the amount thereof. If the City Administrator finds that the organization is a bona fide charity or nonprofit organization the City Administrator shall issue, free of charge, a license containing the above information to the applicant. In the event the City Administrator denies the exemption, the authorized representatives of the organization may appeal the decision to the Council, as provided in Section 122.20 of this chapter.

#### **122.24 – MUNICIPAL INFRACTIONS**

- (a) Any person who violates this article shall be guilty of a municipal infraction punishable pursuant to City Code section 1.14. Any person who violates a section of this article after having previously been found guilty of violating the same section of this article shall be guilty of a repeat offense.
- (b) Relief under this section shall be in addition to the remedies set forth above in section 122-16.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF BONDURANT, POLK COUNTY, IOWA

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CURT SULLIVAN, MAYOR

ATTEST:

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MARK J. ARENTSEN, CITY ADMINISTRATOR

**ORDINANCE NO. 16-204**

**ORDINANCE AMENDING THE CODE OF ORDINANCES THE CITY OF BONDURANT,  
IOWA, 2002, BY ADDING A NEW CHAPTER 124–MOBILE FOOD VENDOR**

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

Section 1. CHAPTER ADDED. Chapter 124, of the Code of Ordinances for the City of Bondurant, Iowa, is added and adopted as follows:

**CHAPTER 124- MOBILE FOOD VENDORS**

**124.01 PURPOSE.** The purpose of this chapter is to make rules and restrictions for the governance of the operation of Mobile Food Vendors in the City of Bondurant.

**124.02 DEFINITIONS.** For use in this chapter the following terms are defined:

1. “Certified food protection manager” is a person who holds an active certified food protection manager certificate from a program approved by the National Conference for Food Protection.
2. “Food service establishment” shall have that same meaning established in § 481-30.2 of the Iowa Administrative Code.
3. “Mobile vendor” means a person engaged in the business of selling food or beverages from a mobile vendor vehicle.
4. “Mobile vendor vehicle” means a motorized vehicle or trailer used for the sale of food or beverages for immediate consumption.
5. “Zone” means the mobile vendor zone as defined in section XXXXX of this article.

**124.03 – MOBILE VENDOR ZONES**

- (a) Subject to the requirements of this section, a mobile vendor license is only valid for the sale of food or beverages for immediate consumption from a mobile vendor vehicle lawfully parked at a parking meter within a mobile vendor zone.
- (b) The mobile vendor zone consists of and is limited to the following street segments:

XXXXXX Avenue from XX Street to XXX Street,

XXXXX

XXXXXXXXX

XXXXXXXXXXXX

#### **124.04 – LICENSE REQUIRED**

- (a) Every mobile vendor shall, before offering for sale any food or beverages in the city, obtain a license for their sale from the city administrator as provided in this article.
- (b) A mobile vendor license authorizes the operation of a mobile vendor vehicle upon the public streets within the mobile vendor zone, subject to the regulations set forth in this article.
- (c) A separate mobile vendor license shall be required for each mobile vending vehicle.

#### **124.05. – APPLICATION FOR LICENSE**

- (a) Every mobile vendor shall apply to the city administrator for a mobile vendor license at least seven business days prior to use by providing the following information upon a form to be provided by the city administrator, and paying the application fee in the amount set in the schedule of fees adopted by the city council by resolution:
  - (1) The full name, age, permanent address and phone number of the applicant.
  - (2) The business name and address.
  - (3) A description of the motorized vehicle or trailer from which the sale will be conducted, including the license plate number, and the length of the motorized vehicle or the trailer and tow vehicle.
  - (4) A summary of the cuisine of food to be sold.
  - (5) The period of time the applicant has been engaged in the same or similar business, and the jurisdictions in which the applicant has previously conducted business in the last year.
  - (6) The application must be accompanied by a copy of a retail sales tax permit issued to the applicant by the Iowa Department of Revenue.
  - (7) If the mobile vendor sells food or beverages other than prepackaged items that do not require hot or cold handling procedures, then the application shall also contain the following:
    - a. A copy of the mobile food unit license issued by the Iowa Department of Inspections and Appeals for the mobile vendor vehicle.
    - b. A copy of the appropriate food establishment license issued by the Iowa Department of Inspection and Appeals for any commissary kitchen or other premises where food is prepared for sale from the mobile vendor vehicle, and the name and contact information for the individual or business responsible for the operation of such kitchen or premises.
    - c. The name of one or more certified food protection managers employed by the business and a copy of their current certification as a certified food protection manager.
    - d. The addresses of the businesses or facilities at which any fat, oil or grease generated in the operation of the mobile vendor business are disposed of, including the contact information for the individual or business responsible for the operation of each such business or facility. Any change in the businesses or facilities used for the disposal of such fat, oil and grease shall be reported to the city administrator in writing by the mobile vendor within three business days of the first use of a the new business or facility.
  - (8) The location where the mobile vendor vehicle will be regularly parked when not in use.

- (9) Evidence of liability insurance for operation of the mobile vendor vehicle, or the tow vehicle if the mobile vendor vehicle is a trailer, providing the coverages required by section 124.06 below.
- (b) A mobile vendor shall notify the city administrator in writing of any change to the information provided pursuant to subsection "a", above, within five business days of such change.

#### **124.06. - INSURANCE**

Every mobile vendor shall maintain liability insurance for operation of the mobile vendor vehicle, or the tow vehicle if the mobile vendor vehicle is a trailer, and provide proof of the following coverages in its application for a mobile vendor license and any time upon request by the city administrator:

- (1) An insurance policy or policies, or certificate of insurance, issued by an insurance company having an A.M. Best rating of no less than B+. The policy(ies) shall include commercial general liability insurance coverage and automobile liability insurance coverage, or the equivalent thereof, for the owner of the mobile vendor vehicle and tow vehicle if applicable, and for the mobile vendor business if different from the vehicle owner. The commercial general liability insurance shall include coverage for bodily injury, death and property damage with limits of liability of not less than \$1,000,000.00 per occurrence and aggregate combined single limit. The automobile liability insurance shall include coverage for bodily injury, death and property damage with limits of liability of not less than \$1,000,000.00 per occurrence, combined single limit.
- (2) The certificate of insurance referred to in this section shall provide that the insurance policy or policies have been endorsed to provide 30 days advance written notice of cancellation, 45 days advance written notice of non-renewal, and ten days advance written notice of cancellation due to nonpayment of premium, and that these written notices shall be provided by e-mail, facsimile, delivery or regular mail to the city administrator.
- (3) The cancellation or other termination of any required insurance policy shall automatically revoke and terminate the mobile vendor license, unless another policy(ies), complying with this section, shall be provided and in effect at the time of such cancellation or termination. The city administrator shall immediately issue written notification of the revocation of the mobile vendor license.

#### **124.07. – CASH S**

- (a) Except as provided in paragraph (c) below, no mobile vendor license shall be issued until the applicant has delivered to the city administrator a cash bond for no less than \$200.00. The bond shall be held to indemnify and pay the city any penalties or costs incurred in the enforcement of any of the sections of this article and indemnify or reimburse any purchaser of food or beverages for any judgment which may be obtained by a purchaser for damages in any action commenced within three months from the date of purchase, due to misrepresentations as to the kind, quality or value of such food or beverages, whether the misrepresentations were made by the owner or by his or her agents or employees, either at the time of making the sale or through any advertisement of any character, printed or circulated, with reference to such food or beverages.
- (b) A single bond may be used for all licenses obtained by the same mobile vendor.
- (c) The balance of the bond shall be released by the city administrator and returned to the applicant upon request by the applicant at any time more than four months after expiration of

all mobile vendor licenses for which the cash bond was provided, unless the city administrator has received notice of a pending action in the state or federal courts seeking a judgment upon a claim eligible for payment from the bond. Except as otherwise provided by court order, the city administrator shall not release any bond during the pendency of any such action.

#### **124.08. – LICENSE ISSUANCE**

- (a) A mobile vendor license shall be denied to any applicant who has operated a mobile vendor business in material violation of any of the requirements of this article or any other chapter of this Code within the prior 180 days.
- (b) The city administrator or the city administrator's designee shall, upon satisfaction that the information provided in an application for a mobile vendor license is true and correct and that the requirements of this article for issuance of the license have been satisfied, and upon payment of the cash bond required by section 124.207 issue the license.
- (c) The city administrator shall deny any application for the operation of a mobile vendor business that does not conform with all applicable requirements of this article, the City Code, the Iowa Code and the Iowa Administrative Code.
- (d) In the event an application for a mobile vendor license is denied, the city administrator or the city administrator's designee shall cause notice of such denial to be promptly communicated to the applicant or the applicant's representative by phone at the phone number provided in the application. Written notice shall also be sent to the applicant at the business address identified in the application informing the applicant of the denial, the reasons therefore, and the applicant's right to appeal the denial to an administrative hearing officer by filing a written notice of appeal with the city administrator within ten business days after the date of such notice.
- (e) If no appeal from the denial of a license is timely filed, or if the denial is not reversed upon final disposition of any appeal, the city administrator shall promptly refund the refundable portion of the application fee, as set in the schedule of fees adopted by the city council by resolution.
- (f) A mobile vendor license shall be effective for one calendar year, or the portion thereof remaining after issuance of the license.

#### **124.09. – APPEAL OF DENIAL**

The denial of an application for a mobile vendor license may be appealed pursuant to the administrative appeal process set forth in Chapter 122 of this Code.

#### **124.10 – TRANSFERABILITY OF LICENSE**

- (a) Mobile vendor licenses issued under this article are not transferable between individuals or businesses.
- (b) A mobile vendor may apply to transfer their mobile vendor license to another mobile vendor vehicle as follows:
  - (1) The mobile vendor shall file an amended application meeting the requirements of section 124.05 for the new mobile vendor vehicle and shall return the mobile vendor license previously issued for the original mobile vendor vehicle.
  - (2) The mobile vendor shall pay the transfer fee in the amount set forth in the schedule of fees adopted by the city council by resolution.
- (c) The city administrator or the city administrator's designee shall, upon satisfaction that the information provided in the amended application for a mobile vendor license is true and correct,

and that the requirements of this article for issuance of the amended license have been satisfied, issue the new license.

#### **124.11 – SUSPENSION OR REVOCATION OF LICENSE**

- (a) Upon complaint or reasonable suspicion that a licensee or the licensee's employees or agents has furnished any false information required under this article or has violated or failed to comply with any of the requirements of this article or any other chapter of this Code, the city administrator or the city administrator's designee may cause the matter to be investigated. If the city administrator or the city administrator's designee finds that the licensee or the licensee's employees or agents has furnished any false information required under this article or has violated or failed to comply with any of the requirements of this article or any other chapter of this Code, the city administrator or the city administrator's designee may give notice to the licensee of the city's intent to suspend or revoke the license, or to deny its renewal.
- (b) Notice of the city's intent to suspend, revoke, or deny the renewal of a license and a brief summary of the factual basis for such remedial action shall be served upon the licensee. Such notice shall inform the licensee of the time, date and place of a meeting where the licensee may meet with the city administrator or the city administrator's designee for the purpose of presenting additional information regarding the intended remedial action and the factual basis therefore, and that a final decision on appropriate remedial action will be made after the scheduled time for such meeting. Such notice shall be served upon the licensee by personal service or by service upon a cashier for the business at a licensed premises, or by regular mail addressed to the licensee at the licensee's business address as shown on the application a minimum of five business days prior to the date set for the meeting.
- (c) If, after the scheduled meeting and after consideration of all the available information including any information provided at the meeting by the licensee, the city administrator or the city administrator's designee makes a finding based on substantial evidence that a violation of this article or another chapter of this Code did in fact take place as alleged, the city administrator or the city administrator's designee may suspend or revoke the license or deny its renewal; the determination of whether to so suspend or revoke the license or deny its renewal shall be in the discretion of the city administrator or the city administrator's designee and shall be dependent upon the circumstances surrounding the violation and its severity. The decision to suspend, revoke or deny renewal of a license shall be in writing and shall identify the basis for such action. The decision shall be promptly served in the same manner as required for the service of the notice required under subsection (b), and shall not be effective until ten days after so served. The decision shall also give notice that it may be appealed to an administrative hearing officer by filing a notice of appeal with the city administrator within ten business days of the date of the decision.
- (d) The decision of the city administrator or the city administrator's designee to suspend, revoke or deny renewal of a license pursuant to this section may be appealed pursuant to the administrative appeal process set forth in chapter 122 of this Code.
- (e) A licensee whose license has been revoked or denied for renewal shall not be eligible for another such license for a period of 180 days after such revocation or denial of renewal.

#### **124.12. – GENERAL REGULATIONS**

- (a) Hours of operation. Between 11:59 p.m. and 6:30 a.m., no mobile vendor vehicle shall be open for business, and no mobile vendor shall be parked within a mobile vendor zone.
- (b) Allowed locations.

- (1) No mobile vendor shall conduct any sale from a mobile vendor vehicle which is not lawfully parked in a parallel parking space in a mobile vendor zone.
  - (2) No mobile vendor shall conduct any sale from a parking space which is designated as a handicap parking space with a blue meter, or designated as restricted for residential permit parking only.
  - (3) No mobile vendor shall conduct any sale from a mobile vendor vehicle located within 100 feet of any public entrance into the waiting or service area of any street level restaurant then open for business.
  - (4) During the time that any part of a street is closed for an event for which a street use permit has been issued, and except as allowed within the event area by the party holding the street use permit, no mobile vendor shall conduct any sale within the affected blocks or within one block of the affected block(s). For purposes of this section:
    - a. A "block" is the entire right-of-way of a public street extending from the centerline of an intersecting street or the lateral centerline of any river bridge, to the centerline of the next intersecting street or the lateral centerline of any river bridge, whichever is closer; and,
    - b. The "affected blocks" are any blocks containing any portion of the street closure for which the street use event has been issued.
- (c) Mobile vendor vehicle.
- (1) Any motorized vehicle used as a mobile vendor vehicle shall be no larger than 25 feet long, 10½ feet tall and eight and one-half feet wide. Any trailer used as a mobile vendor vehicle together with the tow vehicle shall be no larger than 35 feet long, 10½ feet tall and eight and one-half feet wide.
  - (2) Except for the storage and preparation of food and beverages at a separate kitchen or commissary kitchen, all storage and preparation of food and beverages offered for sale by a mobile vendor shall occur within a fully enclosed space within the mobile vendor vehicle.
  - (3) A trailer used as a mobile vendor vehicle must remain attached to the tow vehicle at all times while parked in a mobile vendor zone.
- (d) Display of license. The license required by this article and a valid sales tax permit for such business shall be displayed within the mobile vendor vehicle a manner such that it is readily visible to all persons seeking to conduct business with the mobile vendor.
- (e) Sale of merchandise. No mobile vendor shall offer any merchandise or wares for sale other than food and beverages for immediate consumption.
- (f) Food safety. Any mobile vendor who offers food or beverages for sale, other than prepackaged items that do not require hot or cold handling procedures, shall be subject to the following additional requirements:
- (1) A valid mobile food unit license for the mobile vendor vehicle shall be displayed within the mobile vendor vehicle in a location that is readily visible to all customers.
  - (2) Any such mobile vendor who is not a certified food protection manager shall employ at least one certified food protection manager; shall maintain a copy of their certification(s) as a certified food protection manager in the mobile vending vehicle; and shall produce the certification documents for inspection upon request by any police officer or community development department inspector.

- (3) No mobile vendor shall operate the business in a manner that violates any applicable food and sanitation laws.
- (g) Noise. No mobile vendor shall operate the business in a manner that violates the Noise Control Ordinance of the City of Bondurant set forth in Chapter 53 of this Code. No person shall offer for sale or sell anything from a mobile vending vehicle by shouting.
- (h) Use of street and sidewalk. No mobile vendor shall place any tables, chairs, furniture, equipment, signage or other material on the ground, streets or sidewalks. No mobile vendor shall place any food, materials or equipment on the ground or on tables, chairs, or shelves that are not incorporated into the mobile vending vehicle.
- (i) Trash receptacles. A mobile vendor shall provide one or more trash receptacles readily accessible to its customers either in or attached to the mobile vendor vehicle. All such trash receptacles and all accumulations of trash and litter shall be removed from the site by the mobile vendor before departing.
- (j) All sales from sidewalk side. No mobile food vendor shall conduct any sales from outside the mobile vendor vehicle. All sales activities and the transfer of food and beverages to the customer shall occur only on the sidewalk side of the mobile vendor vehicle. No mobile vendor shall sell to any person situated in a motor vehicle. However, nothing in this paragraph shall be interpreted to prohibit such reasonable accommodation as may be needed to serve a customer with a disability
- (k) Grease disposal.
  - (1) All fat, oil and grease generated in the operation of a mobile vendor business shall be disposed of at the business or facility identified in the mobile vendor's application for a license. Any change in the businesses or facilities used for the disposal of such fat, oil and grease shall be reported to the city administrator in writing by the mobile vendor within three business days of the first use of a the new business or facility.
  - (2) All fat, oil and grease generated in the operation of a mobile vendor business shall be disposed of in compliance with the requirements of division 5, of chapter 100 regarding the discharge of fat, oil and grease by food service establishments.

**124.13 – MUNICIPAL INFRACTIONS**

- (a) Any person who violates this article shall be guilty of a municipal infraction punishable pursuant to City Code section 1.14. Any person who violates a section of this article after having previously been found guilty of violating the same section of this article shall be guilty of a repeat offense.
- (b) Relief under this section shall be in addition to the remedies set forth above in section 124.11.

## ORDINANCE NO. 16-203

### AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF BONDURANT, IOWA, BY AMENDING PROVISIONS PERTAINING TO THE CITY CLERK

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

**Section 1. SECTION AMENDED.** Chapter 18, Section 18.01 of the Code of Ordinances of the City of Bondurant, Iowa, is hereby amended to read as follows:

**18.01 APPOINTMENT AND COMPENSATION.** The Council shall appoint by majority vote a City Clerk (hereafter referred to as the "Clerk"). The Clerk shall receive such compensation as established by resolution by the Council.

**Section 2. SECTION AMENDED.** Chapter 18, Section 18.02 of the Code of Ordinances of the City of Bondurant, Iowa, is hereby amended to read as follows:

**18.02 POWERS AND DUTIES: GENERAL.** The City Clerk, or in the Clerk's absence or inability to act, the City Administrator, has the powers and duties as provided in this chapter, this Code of Ordinances, and the law.

**Section 3. SECTION AMENDED.** Chapter 18, of the Code of Ordinances of the City of Bondurant, Iowa, is hereby amended by adding the following subsection 18.14:

**18.14 OTHER DUTIES.** The Clerk shall perform such other duties as specified in the position description or by the Council or the City Administrator.

**Section 4. REPEALER.** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 5. SEVERABILITY CLAUSE.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**Section 6. WHEN EFFECTIVE.** This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

**PASSED AND APPROVED** by the City Council this 16th day of February, 2016.

**CITY OF BONDURANT  
POLK COUNTY, IOWA**

BY: \_\_\_\_\_  
Curt Sullivan, Mayor

**ATTEST:**

\_\_\_\_\_  
Shelby Hagan  
City Clerk

(SEAL)

First Consideration:  
Second Consideration:  
Final Consideration:

**CLERK'S CERTIFICATE**

I, Shelby Hagan, hereby certify that the foregoing Ordinance No. 16-203, was published as required by law on the 16th day of February, 2016.

---

Shelby Hagan  
City Clerk

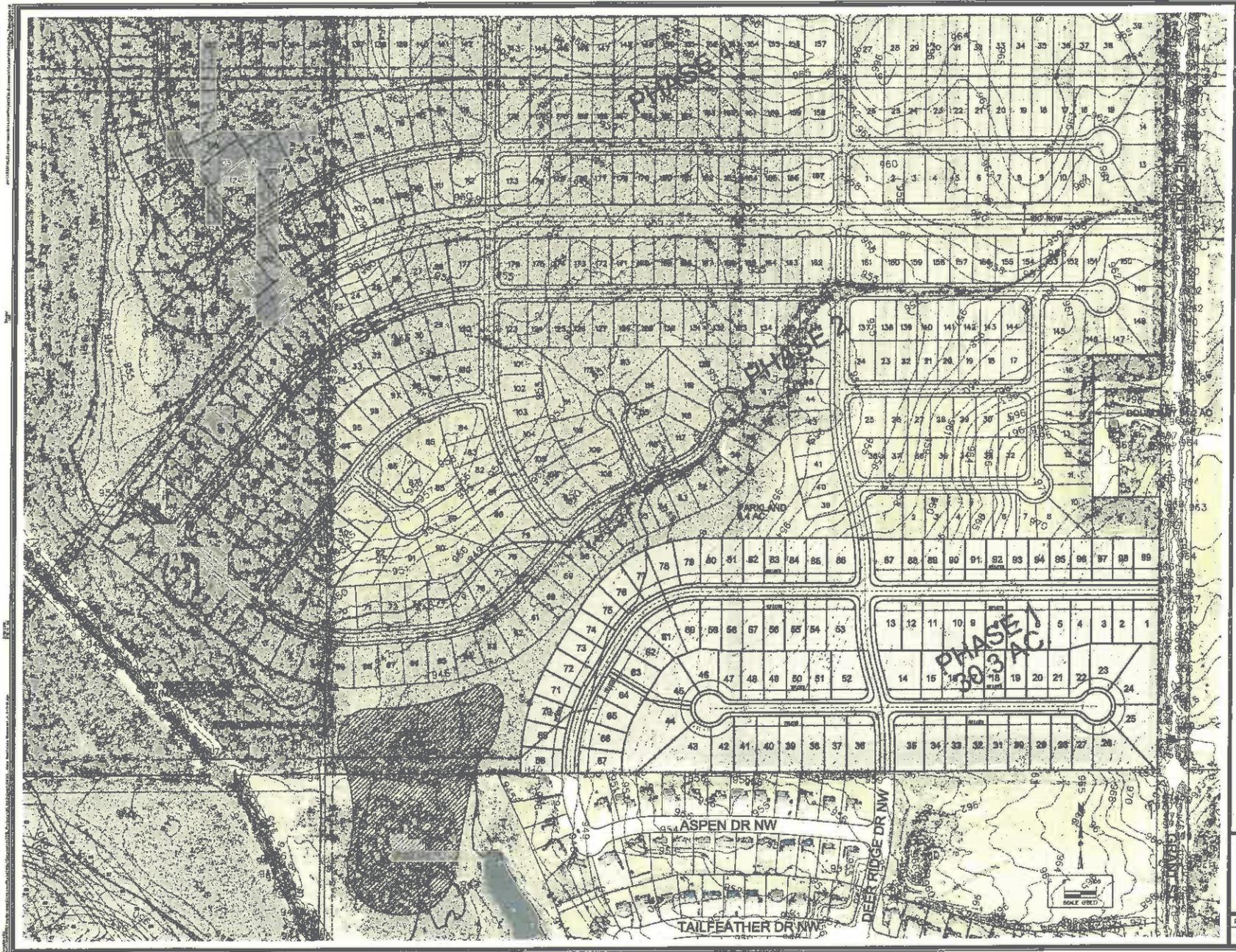
## **NOTICE OF ANNEXATION**

**FEBRUARY 1, 2016**

The City of Bondurant has received an annexation petition from Sandra Miller for property adjacent to the City of Bondurant described as;

**The South 735 Feet of the Northeast 1/4 of Section 25, Township 80 North, Range 23 West of the 5th P.M. Polk County, Iowa.**

The City Council will consider a Resolution approving this annexation at its March 7, 2016 meeting at 6PM at the Bondurant City Center, 200 2nd St. NE, Bondurant, IA 50035. Persons interested in this issue will be given an opportunity to speak. The property is intended for single family residential development.

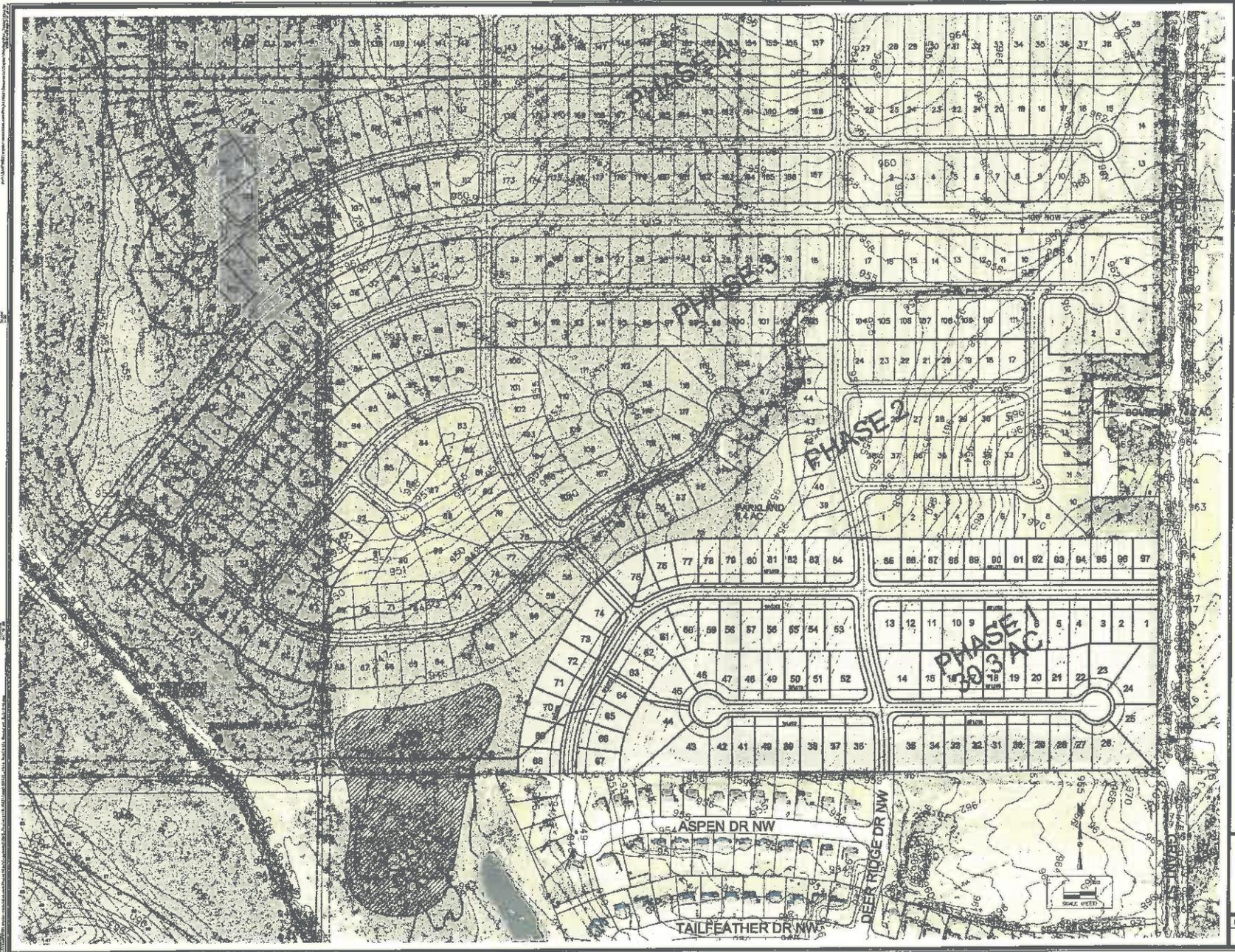


**SANKEY SUMMIT DEVELOPMENT**  
**CONCEPT PLAN "A" 02-11-16**  
**SNYDER & ASSOCIATES, INC.**



Project No: 151063  
 Sheet 1 of 1

DATE:	11/10/15
SCALE:	1" = 100'
PROJECT:	Sankey Summit Development
CLIENT:	Snyder & Associates, Inc.
PROJECT NO.:	151063
SHEET NO.:	1 of 1



<b>SANKEY SUMMIT DEVELOPMENT</b> <b>CONCEPT PLAN "B" 02-11-16</b> <b>SNYDER &amp; ASSOCIATES, INC.</b>	
	
Project No: 151003 Sheet 1 of 1	BONDURANT, IA 2201 N. UNIVERSITY BLVD. ANKENY, IOWA 50021 515-281-4200   www.snyderandassociates.com



# ARBOR RIDGE VILLAS

BONDURANT, IOWA



CONTACT  
**TRAVIS M. SISSON**  
 515-453-8502

