

**NOTICE OF A REGULAR MEETING
BONDURANT CITY COUNCIL
AUGUST 17, 2015**

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 p.m. on Monday, August 17, 2015, 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. Call to Order
2. Roll Call 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 August 03, 2015
- b. Receive and File – Library Board Meeting Minutes of June 03, 2015 and Librarian Report
- c. Receive and File – Board of Adjustment Minutes of October 14, 2014
- d. Claims Report and July Financial Statements (emailed 8/10/15)
- e. Tax Abatement Applications

Keisha Hoeksema 1413 13th Street, SE
Brice Cong 1409 13th Street, SE
Jaishree Jalaram, Inc. 405 Evergreen Drive, NW

7. Presentation – Leo Kolo Appreciation of Service to Community
8. Polk County Sheriff's Report
9. Guests requesting to address the City Council
 - a. Bondurant Fire and Rescue Association – Life Flight Helicopter landing on corner of Grain Street and Main Street, September 12 for Annual BBQ
10. **MOTION** – Approve closing Grain Street from Grant Street and Main Street by Bondurant Fire and Rescue Association on September 12 from noon to 9 P.M. for Annual BBQ
11. **MOTION** – Approving the appointment of Council Member Wes Enos, to the Greater Des Moines Convention and Visitors Bureau Board
12. **RESOLUTION NO. 15- 112** – Resolution approving Construction Pay Estimate No. 7 from Howrey Construction for \$27,942.49
13. **RESOLUTION NO. 15-114**– Resolution authorizing additional Construction Engineering Services for Federal Aid Trail construction and the payment of Shive-Hattery engineering costs

14. **ORDINANCE NO. 15-210** (Second Reading) Ordinance Amending the City Code of the City of Bondurant, Iowa, by Adding a New Chapter 104 – Sanitary Sewer Connection Fee Districts
15. **ORDINANCE NO. 15-211** – (Second Reading) Ordinance amending the Bondurant Municipal Code Chapter 55 Animal Protection and Control
16. **ORDINANCE NO. 15-212** – For the Purpose of Adopting an Ordinance to Amend Chapter 123 Hotel and Motel Tax
17. **RESOLUTION NO. 15-117** – Resolution approving the amendment to the Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines Area
18. **RESOLUTION NO. 15-118** – Resolution approving the Plat of Survey for Parcel E of 5750 NE 78th Avenue, Bondurant
19. **RESOLUTION NO. 15-119** – Resolution approving payment of Pay Application #9 for the US 65/ NE 64th Street Construction Project in the amount of \$3,921.20
20. Discussion Items –
 - a. Tax Abatement Goals
 - b. Fence Maintenance
 - c. Tree Board – new member, meeting procedures, Council liaison
21. Reports / Comments and appropriate action thereon:
 - a. Mayor
 - b. City Administrator
 - c. Council Members
22. Adjourn

City Council Meetings:

- Tuesday, August 18, 2016 at 6 p.m. Special Meeting
- Tuesday, September 8, 2015 at 6 p.m.
- Monday, September 21, 2015 at 6 p.m.
- Monday, October 5, 2015 at 6 p.m.

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 REGULAR SESSION
AUGUST 03, 2015 6:00 P.M.
CITY CENTER, BONDURANT, IOWA**

MINUTES

1. Roll Call

Present: Mayor Curt Sullivan, Council Member Wes Enos, Council Member Brian Lohse, Council Member Robert Pepper, Council Member Jennifer Keeler

City Officials

Present: City Administrator Mark Arentsen, Assistant to City Administrator Mary Rork-Watson, Finance Director Lori Dunham, City Engineer Bob Veenstra, Library Director Jill Sanders

2. Call to Order and Declaring a Quorum

Mayor Sullivan called to order the meeting of the Bondurant City Council at 6:00 p.m. and declared a quorum.

3. Pledge of Allegiance

4. Abstentions declared – None

5. Perfecting and Approval of the Agenda

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

6. Consent Agenda

- a. Approval of the City Council Meeting Minutes of July 20, 2015
- b. Receive and File – Planning and Zoning Commission Meeting Minutes of June 11, 2015
- c. Receive and File – Parks and Recreation Board Meeting Minutes of May 21, 2015 & June 18, 2015
- d. Claims Report
- e. Tobacco Permit Renewal – Founder’s Irish Pub, 110 First Street, SE, Bondurant
- f. Liquor License for Outdoor Service – Founder’s Irish Pub, 110 First Street, SE, Bondurant
- g. Tax Abatement Applications

Caryn S. Albrecht 505 Cleveland Avenue, SE
Brian Haselhoff 419 Cleveland Avenue, SE
Sarah Rewoldt 1305 Caitlin Court, SE

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

7. Polk County Sheriff’s Report

Reported 320 service calls in Bondurant. New officers will begin training in August.

8. Guests requesting to address the City Council

Randy and Rhonda Ries, 507 10th Court SE, addressed the Council.

9. Legislative Update – Representative Zach Nunn

10. Moved by Lohse, seconded by Enos, to approve the appointment of Judi Mendenhall to City of Bondurant Board of Adjustment. Vote on Motion: 4-0. Motion declared carried unanimously.

11. Moved by Enos, seconded by Peffer, to approve the appointment of Ted Bzdega to City of Bondurant Tree Board. Vote on Motion: 4-0. Motion declared carried unanimously.

12. Moved by Enos, seconded by Keeler, to approve the appointment of Karen Hudson to City of Bondurant Planning and Zoning Commission. Vote on Motion: 4-0. Motion declared carried unanimously.

13. PUBLIC HEARING For the Purpose of Amending the Current Budget of the City of Bondurant for the Fiscal Year Ending June 30, 2016

The hearing was opened by Mayor Sullivan. There was no one wishing to speak, and the hearing was closed.

14. RESOLUTION NO. 15-109 – Resolution Amending the Current Budget of the City of Bondurant for the Fiscal Year Ending June 30, 2016

Moved by Enos, seconded by Peffer, to adopt RESOLUTION NO. 15-109. Roll Call Vote: Ayes: Lohse, Peffer, Enos, Keeler Nays: None Resolution Carried 4-0.

15. PUBLIC HEARING For the Purpose of Adopting an Ordinance to Establish Urban Service Area Connection Fee District and Connection Fees Therein

The hearing was opened by Mayor Sullivan.

City Engineer Veenstra explained the history of the 2005 agreement between Polk County and the City of Bondurant regarding the Urban Service Area Connection Fee District. Establishing the proposed Connection Fee District allows the City to recover costs to repay Polk County for the previously constructed sanitary sewer improvements. The former City Council at the time of the construction had not established fees.

Council members heard statements and questions from the public. City Engineer Veenstra stated the connection fees apply only when, and if, a property owner connects to the sanitary sewer system in the Urban Service Area.

Council Members had questions about the actual costs to property owners and the costs owed to Polk County. Further research will be completed before the next meeting to address these questions.

The hearing was closed by Mayor Sullivan.

16. ORDINANCE NO. 15-210 – (First Reading) Ordinance Amending the City Code of the City of Bondurant, Iowa, by Adding a New Chapter 104 – Sanitary Sewer Connection Fee Districts

Moved by Enos, seconded by Peffer, to recommend approval of first reading of Ordinance 15-210. Roll Call Vote: Ayes: Lohse, Peffer, Enos, Keeler Nays: None Resolution Carried 4-0.

17. RESOLUTION NO. 15-110 – Resolution approving the Plat of Survey of Parcel O Mallard Creek Plat 1

Moved by Peffer, seconded by Enos, to adopt RESOLUTION NO. 15-110. Roll Call Vote: Ayes: Lohse, Peffer, Enos, Keeler Nays: None Resolution Carried 4-0.

18. RESOLUTION NO. 15-111 – Resolution approving the Preliminary Plat for Renaud Heights Plat 3

Moved by Lohse, seconded by Enos, to adopt RESOLUTION NO. 15-111. Roll Call Vote: Ayes: Lohse, Peffer, Enos, Keeler Nays: None Resolution Carried 4-0.

19. RESOLUTION NO. 15-112 – Resolution approving Construction Pay Estimate No. 7 from Howrey Construction for \$27,942.49

City Administrator Arentsen explained this is the last payment to the contractor for work on the Chichaqua Valley Trail. Council members would like to discuss tile repair work with the project engineer.

Moved by Enos, seconded by Peffer, to table RESOLUTION NO. 15-112. Vote on Motion: 4-0. Motion declared carried unanimously.

20. RESOLUTION NO. 15-113 – Resolution authorizing and directing the City Administrator to Write Off Certain Emergency Services Accounts

Moved by Lohse, seconded by Enos, to adopt RESOLUTION NO. 15-113. Roll Call Vote: Ayes: Lohse, Peffer, Enos, Keeler Nays: None Resolution Carried 4-0.

21. RESOLUTION NO. 15-114 – Resolution authorizing additional Construction Engineering Services for Federal Aid Trail construction and the payment of Shive-Hattery engineering costs

Moved by Lohse, seconded by Enos, to table RESOLUTION NO. 15-114. Vote on Motion: 4-0. Motion declared carried unanimously.

22. RESOLUTION NO. 15-115 – Resolution approving Veenstra & Kimm Engineering, West Des Moines, to proceed with consulting and land acquisition services for the Gay Lea Wilson Trail extension

Moved by Enos, seconded by Lohse, to adopt RESOLUTION NO. 15-115. Roll Call Vote: Ayes: Lohse, Peffer, Enos, Keeler Nays: None Resolution Carried 4-0.

23. RESOLUTION NO. 15-116 – Resolution endorsing the REAP grant application for the Gay Lea Wilson Trail Extension

Moved by Peffer, seconded by Keeler, to adopt RESOLUTION NO. 15-116. Roll Call Vote: Ayes: Lohse, Peffer, Enos, Keeler Nays: None Resolution Carried 4-0.

24. ORDINANCE NO. 15-211 – (First Reading) Ordinance amending the Bondurant Municipal Code Chapter 55 Animal Protection and Control

Moved by Enos, seconded by Peffer, to recommend approval of first reading of Ordinance 15-211. Roll Call Vote: Ayes: Lohse, Peffer, Enos, Keeler Nays: None First Reading of Ordinance Carried 4-0.

25. DISCUSSION ITEM – Council discussed interviewing and appointing a qualified person to the vacant Council seat. A resume and letter of interest should be sent to City Administrator Arentsen by August 7. Interviews will be held August 16 and the appointee will be seated at the August 17 meeting.

26. Reports / Comments

- a. Mayor – attended BRAVO meeting and plans to attend MIALG. Will be absent August 17.
- b. City Administrator Report
 - Public Works – evaluating equipment for winter, installing street signs, adding mulch in parks, WRA sewer contractor contacted, City Park shelter completion end of August, next phase planned
 - BRSC – Tot T Ball ended, Slow pitch is scheduled
 - Recreation – Touch a Truck, Bags Tournament, Movie by the Lake, Petockathon and Battle of the Bands
 - City Hall – Auditors, lighting replacement, legion shelter and sign, special census, 305 11th Street exterior cleaned up
- c. Council Members
 - Lohse – Alley use and public ROW
 - Peffer – Increasing parking for downtown businesses
 - Enos – none
 - Keeler – none
- d. City Attorney – Shirley Lloyd has been served in regard to her property. Discussed possible uses of Self-Supported Municipal Improvement Districts.

27. ADJOURNMENT: Moved by Peffer to adjourn the meeting at 8:15 p.m.

Mary R. Rork-Watson, Asst. to City Administrator

Curt Sullivan, Mayor

I, the undersigned 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 August 03, 2015, that all the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for the public inspection at the Office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting and the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten business days and prior to the next convened meeting of said body.

Curt Sullivan, Mayor

Minutes of the Bondurant Community Library Board Meeting
On Wednesday June 3, 2015

MEMBERS PRESENT: Josh Bryant, Craig Campbell, Craig Kinrade, Michell Klinker-Feld, Amanda Pitts and Mary Thomas

1.) Meeting called to order at 7:00 PM

2.) Guests Present: Susan Ugolini

3.) Minutes of the May 6, 2015 meeting were reviewed. Motion by Bryant, second by Campbell to approve the minutes as presented. Motion carried unanimously.

4.) FINANCIAL REPORT: A.) The financial report was reviewed. B.) The Polk County contribution was estimated at \$23,757. The library actually received \$19,824.

5.) WARRANT LIST: A.) The expenditures were reviewed. B.) The check from the Facebook Grant will be deposited in the library account within a few days. C.) The mileage for the teen librarian included December through May. Motion by Kinrade, second by Campbell to approve the warrant list. Motion carried unanimously.

6.) STATISTICS: A.) The total circulation for May was 3783. B.) The door count for May was 2856. C.) The total electronic resource usage for May was 1062.

7.) STAFF: A.) The teen librarian and the children's librarian attended the Kids First Conference in Des Moines on May 4, 5, and 6. Early childhood literacy consultant, Saroj Ghoting, and the keynote speaker, Dr. Janice Del Negro, presented interesting and beneficial programs. B.) The assistant director turned in four weekly blogs and the monthly article for the Bondurant Living magazine. C.) School visits were done to promote the summer reading program. D.) The Facebook Grant money was officially received May 29, 2015. The charging stations are getting a lot of use. Separate mobile charging stations will be purchased with the remainder of the grant money. E.) Work has begun on the extra work space for the staff. F.) The book covering system has been working well. G.) May library programs included 9 story times, 7 outreach programs, 4 Monday early out programs, 2 open craft events and 2 adult programs.

8.) LIBRARIAN ITEMS: A.) Our library was chosen for one of the locations for the Iowa Small Library Association on-line continuing education and business meeting on May 1, 2015. The library director, assistant director and adult services librarian attended. B.) The library director has contacted Bruce Cordes regarding landscaping. C.) Construction has started on the staff work space. Motion by Kinrade, second by Bryant to pay Campbell Construction with Enrich Iowa moneys. Motion carried unanimously. D.) The summer reading program starts June 1st. Presently 263 patrons have signed up. E.) Facebook representative, Melissa Wilder, presented the check to the library. E.) The library will participate in the Summerfest parade on June 15, 2015.

9.) OLD BUSINESS: None

10.) NEW BUSINESS: A.) The Equipment Use Policy was reviewed. Motion by Kinrade, second by Pitts to approve the amended Equipment Use policy. The motion carried unanimously. B.) The Handicapped Access Policy was reviewed. Motion by Bryant, second by Kinrade to strike the policy. Motion carried unanimously. C.) The Inclement Weather Policy was reviewed. Motion by Campbell, second by Pitts to accept the amended Inclement Weather Policy. Motion carried unanimously. D.) The Patron Behavior Policy was reviewed. Motion by Campbell, second by Kinrade to approve the amended Patron Behavior Policy. Motion carried unanimously. E.) The Photography and Videotaping Policy was reviewed. Motion by Campbell, second by Pitts to accept the Photography and Videotaping Policy as presented. Motion carried unanimously. F.) A discussion was held on the Freegal Music renewal. Motion by Campbell, second by Kinrade to renew Freegal for another year. Motion carried unanimously. G.) A discussion was held on wages for the fiscal year 2015/2016. Motion by Kinrade, second by Campbell to accept the 3% salary increase proposed. Motion carried unanimously. H.) The Youth Services Librarian job description was reviewed. Motion by Kinrade, second by Campbell to accept the job description as presented. Motion carried unanimously. I.) The Adult Services Librarian job description was reviewed. Motion by Bryant, second by Campbell to approve the amended job description. Motion carried unanimously. J.) Motion by Kinrade, second by Bryant to cancel the July Board meeting. Motion carried unanimously. K.) An article on property tax was presented to the board members to read. L.) A discussion was held on the need to plan for the future of the library. M.) The library will consider using Twitter and Instagram. N.) The city now accepts payment by charge cards. Patrons may use charge cards to pay fines. O.) A discussion was held on the use of the meeting room. The discussion will continue at the August meeting.

11.) BOARD PRESIDENT ITEMS: None

12.) Motion by Kinrade, second by Campbell to adjourn. Motion carried unanimously.

Meeting adjourned 8:02 PM

Next meeting Wednesday August 5, 2015 7PM.

Respectfully submitted,
Mary Thomas
Secretary

Librarian Report- August 2015

- Since my last report in June it has been a wonderful summer filled with lots of activity. Sign up for the Summer Reading Program has topped 700 participants. Our program is open to all ages and includes keeping a reading log that is brought to the library each week to receive a small prize. Which this year included lots of Disney stuffed animals that were donated by Kohl's along with \$500 grant that the staff used to buy prizes for the adults and teens to win. Each Monday programs were presented that included Polk Co. Conservation, Blank Park Zoo, Dino O'Dell (musician), Jester Puppets, and much more. Eight weeks of Monday programs were presented this summer. All of these programs were made possible by the Bondurant's Men's Club. Other donations and budget paid for the weekly prizes and promotional materials.
- Library staff provided Summer Reading Outreach to the Bird's Nest and Kids Academy. On a weekly basis staff have gone to their facilities providing stories and activities.
- Other summer activities have included: Bingo, Open Craft Days, and Book Discussions, out-reach to Courtyard Estate and Courtyard Estates Memory Care Unit, Medicare SHIPP program, and program from Angela Roe a metro area author.
- The library has assisted several tutors this summer by providing a nice quiet space for them to work with children that needed a little extra help this summer. Our study rooms have worked very well for this purpose.
- The wired seating and charging stations purchased with the Facebook Grant have all been installed and are used every day. The seating is especially nice with plug in's on the side to charge and power devices.
- The library's weekly story times always grow in size from just preschoolers during the summer months to also include their older brothers and sisters. These story times are held three times a month for parent's convenience. In July Librarian Marilyn working with Parks and Rec's staff Shelby Hagan also held their first S.N.A.P. sensory story time. These story times will continue beginning in late August after school and continue throughout the school year.

Stats for June

- Total Circulation for the month 5999 up 1162 check outs from last year at this time.
- On-line usage (e-Books, Downloadable music, Tumblebooks, Freegal (music), Reference USA, EBSCO, Learning Express and Zinio (magazines) 1320, up 972 from the year before.
- Door Count 5181 up 1108 from last year.
- Assisting patrons by phone, with the catalog, computers, etc. 553 up 82 from last year.
- Story times 13 were held with 325 in attendance.
- Outreach to Daycare and preschools in community reached 301 children this month.
- Total programming attendance for adults, youth and children 1052.
- Website visits 672, this number was down from 877 last year.
- Internet usage in house 306, last year 304, 95 Wi-Fi users, 3 iPad users.
- Meeting room usage 10 (does not include library programs) last year 14.
- Issued 45 new library cards Last year we issued 74 cards during the month of June.
- The library did 27 requests for materials from other libraries and provided 11 to other libraries.
- 148 items were added to the collection and 287 were removed.

Stats for July

- Total circulation for the month was 5184 up 613 from check outs last year at this time.
- On-line usage (e-Books, downloadable music, Tumblebooks, Freegal (music), EBSCO, Learning Express and Zinio (magazines) 704 up from 238 last year.
- Door count 3994 pretty much the same as last July.
- Assisting patrons by phone, with the card catalog, computers, etc. 454, down 70 from the year before.
- Story times: 15 with 214 in attendance this was down 39 little ones.
- Outreach to daycare facilities such as Birds Nest and Kids Academy 231 down about 30 children.
- Total programming for adults, youth and children: 789 individuals.
- Website visits 572 this number is up from last year by 32 hits.
- Internet usage in house was 271 down about 43 patrons. But Wi-Fi users were 88 that was up by 29. And 4 iPad users.
- Meeting room usage was: 12 and 9 in July last year.
- We issued 34 new library cards.
- Library staff borrowed 31 items from other libraries and lent 11 to other libraries.
- 185 items were added to the collection and 389 were deleted.

**TWO VERY HAPPY TWEENS WITH THE
PRIZES THEY WON FROM THE SUMMER
READING PROGRAM**



BOARD OF ADJUSTMENT MEETING

October 14, 2014

Present: Board Chair Leo Kolo
Board Member Dave McGrath
Board Member Brian Wells

Absent: Board Member Greg Hanson
Board Member Kris Klinker

City Officials Present: City Administrator Mark Arentsen
Assistant to City Administrator Mary Rork-Watson
City Inspector Jason Van Ausdall

1. Call to Order

Board Chair Kolo called the meeting to order at 5:10 p.m.

2. Roll Call

Roll call was taken and a quorum was declared.

3. Perfecting and Approval of Agenda

Motion made by Board Member McGrath, seconded by Board Member Wells, to approve the agenda as presented. Roll Call: Ayes 3. Nays 0. Motion carried.

4. Approval of the Minutes of August 12, 2014

Motion made by Board Member McGrath, seconded by Board Chair Kolo, to approve the minutes as presented. Roll Call: Ayes 3. Nays 0. Motion carried.

5. Public Hearing – For consideration of a request for variances to Municipal Code – Chapter 178 of the Zoning Code, Section 178.03(4) for the property at 489 Lincoln Street, Southeast, Bondurant, Polk County, Iowa.

Chris Belzer, builder, explained the property at 489 Lincoln Street needs a variance of 30 feet for the lot width from the 60 feet required in the City Code because of an easement with a neighbor. He also requested a variance for the rear lot setback of 10 feet to situate the garage behind the house and to avoid the manhole located in the middle of the lot.

Board Member Wells asked if there is an easement on the manhole. Mr. Belzer said there is an easement and the sewer runs north/south. The house will be built at least 10 feet from the manhole.

Board Member Wells asked if a culvert will be built in the swale. Mr. Belzer said a tube culvert will be installed in the swale and the lot will be leveled off. He said the house will have a crawl space instead of a basement to account for any drainage or water issues.

Meeting No. BOA-14-04

City Administrator Arentsen asked if the driveway will be a solid surface. Mr. Belzer said the driveway will be concrete.

Board Member Wells asked if there is a minimum on the driveway approach. City Inspector Van Ausdall said there is a SUDAS code and there is enough room on the property to meet the code.

Jerry Pritchard, 502 11th Court, Southeast, addressed the Board Members regarding the county tile that goes through the property as part of the Drainage District.

Motion made by Board Member Wells, seconded by Board Member McGrath, to grant the variances for the lot width and rear yard setback as requested. Roll Call: Ayes 3. Nays 0. Motion carried.

6. Adjournment

Motion made by Board Chair Kolo, seconded by Board Member McGrath to adjourn the meeting at 5:25 p.m. Roll Call: Ayes 3. Nays 0. Motion carried.

Mary Rork-Watson, Asst. to City Administrator

ATTEST:

Leo Kolo, Board Chair

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ

A-25383	1	8/18/15	8/18/15	LEGACY BANK 1715 A KING'S THRONE KYBOS	218.00 218.00	001	001-430-6415	1
				INVOICE TOTAL	218.00			
				VENDOR TOTAL	218.00			
-01/117735	1	8/18/15	8/18/15	11 ALTOONA FIRE DEPT AMBULANCE DOS 7/27/15	225.00 225.00	001	001-160-6413	1
				INVOICE TOTAL	225.00			
				VENDOR TOTAL	225.00			
344995	1	8/18/15	8/18/15	1585 BIG GREEN UMBRELLA MEDIA INC JULY 2015 BOND LIVING MA	600.00	001	001-621-6402	1
	2			JULY 2015 BOND LIVING MA	100.00	741	741-865-6402	1
				INVOICE TOTAL	700.00			
				VENDOR TOTAL	700.00			
08102015	1	8/18/15	8/18/15	1452 BONDURANT AUTO BODY AUTO GLASS REPLACEMENT-J REAR SIDE WINDOW HIT BY	284.00 284.00	110	110-210-6580	1
				INVOICE TOTAL	284.00			
				VENDOR TOTAL	284.00			
08032015	1	8/18/15	8/18/15	1748 BONDURANT FAMILY DENTISTRY RETURN RENTAL DEPOSIT	1,000.00 1,000.00	001	001-650-6399	1
				INVOICE TOTAL	1,000.00			
				VENDOR TOTAL	1,000.00			
81860729	1	8/18/15	8/18/15	1537 BOUND TREE MEDICAL LLC SUPPLIES	169.76 169.76	001	001-160-6507	1
				INVOICE TOTAL	169.76			
81866538	1	8/18/15	8/18/15	SUPPLIES	253.99 253.99	001	001-160-6507	1
				INVOICE TOTAL	253.99			
81866539	1	8/18/15	8/18/15	SUPPLIES	241.40 241.40	001	001-160-6507	1
				INVOICE TOTAL	241.40			
				VENDOR TOTAL	665.15			
198636	1	8/18/15	8/18/15	73 BRICK GENTRY P.C. LEGAL FEES-ABANDONED PRO	1,225.00 1,225.00	001	001-640-6411	1
				INVOICE TOTAL	1,225.00			
198637	1	8/18/15	8/18/15	LEGAL FEES	330.00 330.00	001	001-640-6411	1
				INVOICE TOTAL	330.00			
				VENDOR TOTAL	1,555.00			

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ
				702 CASEYS GENERAL STORE				
22161 715	1	8/18/15	8/18/15	FUEL	37.73	600	600-811-6331	1
	2			FUEL	37.73	610	610-816-6331	1
	3			FUEL	21.58	110	110-210-6331	1
	4			FUEL	21.58	001	001-430-6331	1
				INVOICE TOTAL	118.62			
				VENDOR TOTAL	118.62			
				103 CLARKE MOSQUITO CONTROL PROD				
5067961	1	8/18/15	8/18/15	MOSQUITO CHEMICAL-2 DRM;	6,720.37	001	001-350-6507	1
				INVOICE TOTAL	6,720.37			
				VENDOR TOTAL	6,720.37			
				939 OCCUPATIONAL HEALTH CTR OF SW				
255353426	1	8/18/15	8/18/15	PRE-EMPLOY PHYSICAL-RM	252.50	001	001-150-6230	1
				INVOICE TOTAL	252.50			
				VENDOR TOTAL	252.50			
				144 DES MOINES WATER WORKS				
8602170815	1	8/18/15	8/18/15	BACTI SAMPLES	30.00	600	600-811-6389	1
				INVOICE TOTAL	30.00			
				VENDOR TOTAL	30.00			
				1665 LEONARD DRABEK				
08062015	1	8/18/15	8/18/15	SOFTBALL UMPIRE-2 GMS	50.00	001	001-430-6599	1
				INVOICE TOTAL	50.00			
				VENDOR TOTAL	50.00			
				150 EASTERN POLK REGIONAL DEVELOP				
1600	1	8/18/15	8/18/15	2015 DUES	13,510.00	001	001-520-6210	1
				INVOICE TOTAL	13,510.00			
				VENDOR TOTAL	13,510.00			
				769 FRASER AMBULANCE				
1507266	1	8/18/15	8/18/15	AMBULANCE-DOS 07282015	200.00	001	001-160-6499	1
				INVOICE TOTAL	200.00			
				VENDOR TOTAL	200.00			
				1363 GIT-N-GO CONVENIENCE STORES				
41004 715	1	8/18/15	8/18/15	FUEL	5.49	001	001-160-6331	1
	2			FUEL	55.45	110	110-210-6331	1
				INVOICE TOTAL	60.94			
				VENDOR TOTAL	60.94			
				1859 CRAIG GOHEEN				
08062015	1	8/18/15	8/18/15	SOFTBALL UMPIRE-2 GMS 8/	50.00	001	001-430-6599	1

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL ACCOUNT	CK SQ
				INVOICE TOTAL	50.00		
				VENDOR TOTAL	50.00		
106	1	8/18/15	8/18/15	1683 GREATER DES MOINES UMPIRE ASSC UMPIRE SCHEDULING	12.00	001 001-430-6599	1
				INVOICE TOTAL	12.00		
				VENDOR TOTAL	12.00		
3376887	1	8/18/15	8/18/15	1863 GYPSUM SUPPLY CO CEILING TILES	240.00	001 001-410-6310	1
				INVOICE TOTAL	240.00		
				VENDOR TOTAL	240.00		
2263	1	8/18/15	8/18/15	1247 HCI CONCRETE CONSTRUCTION CONCRETE-POST OFFC	650.00	001 001-650-6399	1
				INVOICE TOTAL	650.00		
				VENDOR TOTAL	650.00		
015-018-2	1	8/18/15	8/18/15	1486 HOISINGTON KOEGLER GROUP INC NORTH STREET STUDY	2,276.25	001 001-540-6490	1
				INVOICE TOTAL	2,276.25		
				VENDOR TOTAL	2,276.25		
173601	1	8/18/15	8/18/15	230 IOWA ONE CALL LOCATES	151.20	600 600-812-6490	1
				INVOICE TOTAL	151.20		
				VENDOR TOTAL	151.20		
07312015	1	8/18/15	8/18/15	784 IOWA PARKS & RECREATION ASSOC FY16 MEMBERSHIP-HAGAN	155.00	001 001-430-6210	1
				INVOICE TOTAL	155.00		
1680	1	8/18/15	8/18/15	FALL WORKSHOP REGIST-HAG	140.00	001 001-430-6230	1
				INVOICE TOTAL	140.00		
				VENDOR TOTAL	295.00		
108400726	1	8/18/15	8/18/15	1862 MORRISON KENNEDY EMS TEXTBOOKS	228.17	001 001-160-6250	1
				INVOICE TOTAL	228.17		
				VENDOR TOTAL	228.17		
08062015	1	8/18/15	8/18/15	999999999 2931 TRACI KENNEDY REFUND MEETING ROOM DEPO	35.00	001 001-430-6451	1
				INVOICE TOTAL	35.00		
				VENDOR TOTAL	35.00		

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ
				1167 KEY COOPERATIVE				
10315 715	1	8/18/15	8/18/15	FUEL	212.97	001	001-150-6331	1
	2			FUEL	212.97	001	001-160-6331	1
	3			FUEL	164.56	600	600-811-6331	1
	4			FUEL	164.56	610	610-816-6331	1
	5			FUEL	407.04	110	110-210-6331	1
	6			FUEL	411.18	001	001-430-6331	1
	7			FUEL	142.82	741	741-865-6331	1
	8			FUEL	193.07	001	001-440-6331	1
	9			FUEL	22.87	001	001-350-6507	1
				INVOICE TOTAL	1,932.04			
				VENDOR TOTAL	1,932.04			
				251 KEYSTONE LABORATORIES				
1Y05993	1	8/18/15	8/18/15	COLIFORM SAMPLES	44.00	600	600-811-6389	1
				INVOICE TOTAL	44.00			
				VENDOR TOTAL	44.00			
				999999999 2932 NICOLE MACDONALD				
GLWTE 13	1	8/18/15	8/18/15	GLWTE TEMP CONSTRUCT EAS 607 GRANT ST S	100.00	323	323-210-6405	1
				INVOICE TOTAL	100.00			
				VENDOR TOTAL	100.00			
				842 MENARDS				
85272	1	8/18/15	8/18/15	DRYWALL TSQ;LOCKS	47.86	001	001-430-6504	1
	2			GARBAGE BAGS	13.26	001	001-430-6507	1
				INVOICE TOTAL	61.12			
				85354				
	1	8/18/15	8/18/15	SOLAR LIGHTS 10PK-2;CUPS MOVIE IN THE PARK	71.90	001	001-430-6599	1
				INVOICE TOTAL	71.90			
				VENDOR TOTAL	133.02			
				1860 METHODIST OCCUPATIONAL HEALTH				
199253	1	8/18/15	8/18/15	DRUG TEST	21.25	001	001-430-6488	1
				INVOICE TOTAL	21.25			
				VENDOR TOTAL	21.25			
				308 MUNICIPAL SUPPLY				
0597150-IN	1	8/18/15	8/18/15	MXUS	248.00	600	600-811-6727	1
				INVOICE TOTAL	248.00			
				VENDOR TOTAL	248.00			
				1745 NAGLE SIGNS INC				
17349	1	8/18/15	8/18/15	BACKER PANELS;INSTALL-DE	1,308.81	001	001-430-6310	1
				INVOICE TOTAL	1,308.81			

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ
				VENDOR TOTAL	1,308.81			
6093	1	8/18/15	8/18/15	337 POLK COUNTY TREASURER JULY 2015 LAW ENFORCEMEN	38,373.00	001	001-110-6050	1
				INVOICE TOTAL	38,373.00			
				VENDOR TOTAL	38,373.00			
01-50720	1	8/18/15	8/18/15	967 PRAIRIE AG SUPPLY SCAG MOWER REPAIR-KEY SW	186.84	001	001-430-6350	1
				INVOICE TOTAL	186.84			
01-51044	1	8/18/15	8/18/15	MOWER TIRE	171.49	001	001-430-6350	1
				INVOICE TOTAL	171.49			
01-51135	1	8/18/15	8/18/15	BRUSH MOWER WHEEL	75.81	001	001-430-6350	1
				INVOICE TOTAL	75.81			
				VENDOR TOTAL	434.14			
53369087	1	8/18/15	8/18/15	348 PRAXAIR CYLINDER RENTAL	38.35	001	001-160-6507	1
				INVOICE TOTAL	38.35			
				VENDOR TOTAL	38.35			
2015	1	8/18/15	8/18/15	1375 R & B SERVICES, LLC MOW NUISANCE PROPERTY-30	390.00	001	001-210-6499	1
				INVOICE TOTAL	390.00			
				VENDOR TOTAL	390.00			
720159620	1	8/18/15	8/18/15	1246 RED WING SHOE STORE STEEL TOE BOOTS-BB	48.00	741	741-865-6181	1
	2			STEEL TOE BOOTS-BB	18.00	600	600-811-6181	1
	3			STEEL TOE BOOTS-BB	18.00	610	610-816-6181	1
	4			STEEL TOE BOOTS-BB	12.00	001	001-430-6181	1
	5			STEEL TOE BOOTS-BB	24.00	110	110-210-6181	1
				INVOICE TOTAL	120.00			
				VENDOR TOTAL	120.00			
08062015	1	8/18/15	8/18/15	1267 REES TREE SERVICE REMOVE STUMPS-CITY PARK	300.00	001	001-430-6310	1
				INVOICE TOTAL	300.00			
				VENDOR TOTAL	300.00			
8832544	1	8/18/15	8/18/15	1525 REGISTER MEDIA PUBLISH LIFT ST CONNECTI	33.26	610	610-817-6402	1
				INVOICE TOTAL	33.26			
8832851	1	8/18/15	8/18/15	PUBLISH CENSUS WORKER JO	41.55	001	001-622-6580	1
	2			PUBLISHING	863.39	001	001-621-6402	1

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ
				INVOICE TOTAL	904.94			
				VENDOR TOTAL	938.20			
1300272169	1	8/18/15	8/18/15	1677 MISTY RICHARDSON-KUGLER WALMART-FRAMES	33.92	001	001-650-6506	1
				INVOICE TOTAL	33.92			
				VENDOR TOTAL	33.92			
08112015	1	8/18/15	8/18/15	1758 MARY RORK-WATSON MILEAGE REIMB-REAP MTG	21.85	001	001-621-6240	1
				INVOICE TOTAL	21.85			
				VENDOR TOTAL	21.85			
0031381	1	8/18/15	8/18/15	1368 S V P A ARCHITECTS INC. SHELTER CONSTR ADMIN	282.50	335	335-430-6790	1
				INVOICE TOTAL	282.50			
				VENDOR TOTAL	282.50			
48492	1	8/18/15	8/18/15	1666 SANDRY FIRE SUPPLY LLC GEAR LOCKERS;HANGERS	1,448.46	001	001-150-6310	1
	2			GEAR LOCKERS;HANGERS	1,448.46	001	001-160-6310	1
				INVOICE TOTAL	2,896.92			
				VENDOR TOTAL	2,896.92			
21547	1	8/18/15	8/18/15	1395 SPINUTECH GOOGLE SEARCH TOOL	150.00	001	001-621-6419	1
				INVOICE TOTAL	150.00			
				VENDOR TOTAL	150.00			
184868	1	8/18/15	8/18/15	1813 UNITYPOINT CLINIC-OCCUPA MEDIC DRUG TEST	37.00	001	001-430-6488	1
				INVOICE TOTAL	37.00			
				VENDOR TOTAL	37.00			
08042015	1	8/18/15	8/18/15	1861 USED BUSINESS SOLUTIONS LLC FILE CABINETS-3 USED	470.00	001	001-622-6580	1
				INVOICE TOTAL	470.00			
				VENDOR TOTAL	470.00			
36657	1	8/18/15	8/18/15	433 WILLIAMSONS REPAIR TRANSMISSION;OIL CHANGE;	155.52	600	600-811-6332	1
	2			TRANSMISSION;OIL CHANGE;	155.51	610	610-816-6332	1
				INVOICE TOTAL	311.03			
36660	1	8/18/15	8/18/15	SCAG MOWER TIRE REPAIR 3	133.16	001	001-430-6350	1
				INVOICE TOTAL	133.16			

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL ACCOUNT	CK SQ
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				VENDOR TOTAL	444.19		
22624	1	8/18/15	8/18/15	957 CITY OF DES MOINES WRA EXPENSE	35,359.50	610 610-817-6413	1
				INVOICE TOTAL	35,359.50		
				VENDOR TOTAL	35,359.50		
				LEGACY BANK TOTAL	113,603.89		

TOTAL MANUAL CHECKS	.00
TOTAL E-PAYMENTS	.00
TOTAL PURCH CARDS	.00
TOTAL ACH PAYMENTS	.00
TOTAL OPEN PAYMENTS	113,603.89
GRAND TOTALS	113,603.89
Interim Warrant	8,160.31
Total	<u>\$121,767.20</u>

**CITY OF BONDURANT
INTERIM WARRANT LIST
August 17, 2015**

DATE	VENDOR - REFERENCE	ACCOUNT CODE	TOTALS
08/14/15	IRS USA tax payment - Federal/FICA		8,160.31
		Total	8,160.31

CHECK NO	DATE	EMP NO	PAY TO THE ORDER OF	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1			LEGACY BANK				
47704	8/14/2015	8402	MARK J ARENTSEN	2219.71			
47705	8/14/2015	5103	PATRICK COLLISON	1714.61			
47706	8/14/2015	3132	CASSANDRA M DAY	113.82			
47707	8/14/2015	3106	SHELLEY KESLING	264.33			
47708	8/14/2015	5109	MICHELLE WELLS	1287.41			

				5599.88			
			ACH TRANSACTIONS				
100501	8/14/2015	7104	BOYCE E BAILEY	1052.10			
100601	8/14/2015	4130	RONALD J BROWN	682.63			
100701	8/14/2015	3118	JENNIFER CAMPBELL	949.45			
100801	8/14/2015	5113	LORI DUNHAM	1407.25			
100901	8/14/2015	7101	KENNETH E GROVE	1288.44			
101001	8/14/2015	5118	SHELBY HAGAN	1050.05			
101101	8/14/2015	7105	DAVID HIGGINS	1013.54			
101201	8/14/2015	4135	JOSH D JONES	582.32			
101301	8/14/2015	1441	AARON M KREUDER	1699.19			
101401	8/14/2015	7106	JASON L MCGRANN	985.36			
101501	8/14/2015	3130	MARILYN M O'BRIEN	908.30			
101601	8/14/2015	5119	MISTY L RICHARDSON-KUGLER	200.00			
101602	8/14/2015	5119	MISTY L RICHARDSON-KUGLER	5.00			
101603	8/14/2015	5119	MISTY L RICHARDSON-KUGLER	757.48			
101701	8/14/2015	5120	MARY R RORK-WATSON	1024.15			
101801	8/14/2015	3128	JILL C SANDERS	1345.55			
101901	8/14/2015	1478	PATRICIA E SMITH	206.89			

				15157.70			
			BANK TOTAL	20757.58			
			REPORT TOTAL	20757.58			

**Tax Abatement Applications
August 17, 2015**

Name	Address	Completion Date	Construction Cost
Jaishree Jalaram, Inc.	405 Evergreen Drive, NW	8/13/2015	\$234,000
Brice Cong	1409 13th Street, SE	8/7/2015	\$247,900
Keisha Hoeksema	1413 13th Street, SE	8/7/2015	\$217,000

**RESOLUTION OF APPRECIATION FOR LEO KOLO FOR
HIS YEARS OF SERVICE TO THE COMMUNITY OF
BONDURANT**

WHEREAS, Leo was a valued member of the Bondurant community and was interested in and supportive of many City initiatives, **AND**,

WHEREAS, Leo Kolo served on the City of Bondurant Board of Adjustments from January, 2000 through July, 2015, **AND**,

WHEREAS, Leo Kolo served as Chairman of the Board of Adjustments from March 12, 2013 through July, 2015, **AND**,

WHEREAS, Leo's insight and direction on issues presented for the Board of Adjustments' consideration was appreciated and well reasoned,

WHEREAS, Leo's thoughtful consideration will be missed on the Board of Adjustments and by all who knew him as a trusted advisor and friend

NOW, THEREFORE, BE IT RESOLVED by the City of Bondurant City Council in session this 17th day of August, 2015 that it hereby expresses its deep appreciation for Leo Kolo's leadership on the City of Bondurant Board of Adjustments, **AND**,

FURTHERMORE, LET IT BE KNOWN that Leo Kolo's direction and participation in Bondurant community projects and activities will be sincerely missed.

Passed this 17th day of August, 2015,

Curt Sullivan, Mayor

**CITY OF BONDURANT
RESOLUTION NO. 15-112**

**APPROVAL OF CONSTRUCTION PAY ESTIMATE #7 FOR HOWREY CONSTRUCTION FOR CHICHAQUA
VALLEY TRAIL**

WHEREAS, Howrey Construction has contracted with the City of Bondurant for the construction of Chichaqua Valley Trail and has submitted Construction Pay Estimate #7 in the amount of \$27,942.49 for payment; AND

WHEREAS, the Project Engineer has approved payment of the attached pay request

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that Construction Pay Estimate #7 submitted by Howrey Construction for Chichaqua Valley Trail project in the amount of \$27,942.49, is hereby approved.

Passed this 17th day of August, 2015,

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



Construction Pay Estimate Report

Iowa Department of Transportation

7/24/2015 8:31 AM

FieldManager 5.0a

Contract: 002, Chichaqua Valley Trail

Estimate No. 7	Estimate Date 7/24/2015	Entered By Larry L. Storshoeker	Estimate Type SEMI-FINAL	Managing Office Shive-Hattery
All Contract Work Completed 10/20/2014	Construction Started Date	Prime Contractor HOWREY CONSTRUCTION, INC. 830 High St. Rockwell City IA 50579		
Comments Final Estimate - LD's resolved.				

Time Charges

Site Description	Units Method	Days Charged	Liq. Damages
00 Overall Contract Site	Working Days	0	(\$6,000)
Total Liquidated Damages:			(\$6,000)

Pre-Voucher Summary

Project	Voucher No.	Start Payment	Electricity Adjustment	Dollar Amount
77-07-57-603, Approx. 800'W of Grant St. along RR bed; Blaine St. NW spur;	0007	\$0.00	\$0.00	\$0.00
Voucher Total:				\$0.00

Summary

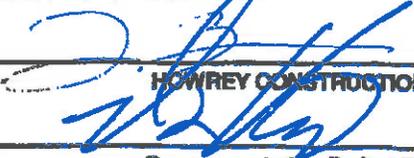
Current Voucher Total:	\$0.00	Earnings to date:	\$731,416.07
-Current Retainage:	(\$21,942.49)	- Retainage to date:	\$0.00
-Current Liquidated Damages:	(\$6,000.00)	- Liquidated Damages to date:	\$1,200.00
-Current Adjustments:	\$0.00	- Adjustments to date:	\$0.00
Total Estimated Payments:	\$27,942.49	Net Earnings to date:	\$730,273.58
		- Payments to date:	\$702,273.58
		Net Earnings this period:	\$27,942.49



Construction Pay Estimate Report

Estimate Certification

The work items shown herein are **just and unpaid**, and the requirements of the Iowa Department of Transportation specifications for this project, including all requirements as to maximum hours of labor and minimum wages have been complied with. For Final Estimates only - - Total number of working days charged to date for this contract is

 HOWREY CONSTRUCTION, INC.	7/25/15 (Date)
Recommended by Project Engineer	7/27/15 (Date)
Approved by District Construction Engineer or designee	(Date)

**CITY OF BONDURANT
RESOLUTION NO. 15-114**

**RESOLUTION AUTHORIZING ADDITIONAL CONSTRUCTION ENGINEERING SERVICES FOR
FEDERAL AID TRAIL CONSTRUCTION AND THE PAYMENT OF SHIVE-HATTERY ENGINEERING
COSTS**

WHEREAS, Shive-Hattery Engineering assisted the City of Bondurant with additional construction engineering services for the Chichaqua Valley Trail Project in the amount of \$14,500.00 to comply with federal aid construction reporting requirements; AND

WHEREAS, Shive-Hattery Engineering has submitted for payment invoice No. 4132000-6 in the amount of \$14,375.85 for payment of these additional services

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that authorization of payment to Shive-Hattery Engineering in the amount of \$14,500.00 is approved.

Passed this 17th day of August, 2015,

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

**AMENDMENT to the
PROFESSIONAL SERVICES AGREEMENT**

ATTN: Mark Arentsen
CLIENT: City of Bondurant, IA
200 Second Street NE
PO Box 37
Bondurant, IA 50035-0037

PROJECT: Bondurant - Federal Aid Trail Design
PROJECT LOCATION: Bondurant, IA
ORIGINAL DATE OF AGREEMENT: April 4, 2014

PROJECT DESCRIPTION

Assist the City of Bondurant with construction engineering services for the Chichaqua Valley Trail Project. Assistance will be partial scope of services as defined in this proposal for adherence to the Iowa DOT Federal Aid audit process.

SCOPE OF SERVICES

We will provide the following services for the project:
Construction Administration and Construction Observation

These services will consist of the following tasks:

1. On-site construction observation of all placement of concrete trail. Responsibilities include:
 - A. Review subgrade and subbase construction for conformance to the plans and Iowa DOT Standard Specifications.
 - B. On-grade testing of concrete air and slump per the requirements of the Iowa DOT Standard Specifications.
 - C. Collection of ready mix tickets and verification of trim water at grade, batch, delivery and placement times in accordance with the Iowa DOT Standard Specifications.
 - D. Periodic depth checks of the concrete, equipment and material inspection.
 - E. Coordination with Team Services on plant inspection and gradation monitoring.
2. Additional training and modifications to daily reports submitted by City of Bondurant staff.
3. Additional administration and observation associated with extra working day(s) added to the project.

CLIENT RESPONSIBILITIES

It will be your responsibility to provide the following:

1. Provide full-time resident observation of the Contractors workmanship and materials to review its compliance with the project plans and specifications *except for concrete trail paving*.



- A. Preparation of electronic Field Book entries of daily work, quantities, contractors present, equipment, etc.
- B. Documented quantities for all items.
- C. Method of Measurement and Basis of Payment specifications.

SCHEDULE

No Change

COMPENSATION

Description	Fee	Fee Type	Reimbursable Expenses
Additional Construction Engineering	\$14,500.00	Hourly To A Max	Included in Fee
TOTAL	\$14,500.00		Included in Fee

Fee Types:

- Hourly w/Max - We will provide the Scope of Services on an hourly rate basis at our Standard Hourly Fee Schedule in effect at the time that the services are performed. We will not exceed the amount(s) without your prior authorization.

OTHER TERMS

This Amendment is subject to all other terms and conditions of the Original Agreement.

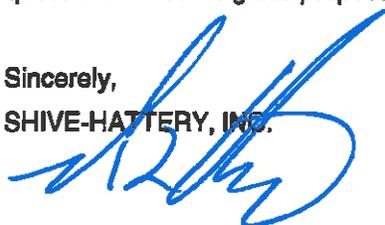
AGREEMENT

This proposal shall become the Agreement for Services when accepted by both parties. Original, facsimile, electronic signatures or other electronic acceptance by the parties (and returned to Shive-Hattery) are deemed acceptable for binding the parties to the Agreement. The Client representative signing this Agreement warrants that he or she is authorized to enter into this Agreement on behalf of the Client.

To return a hardcopy of this proposal to us, please return a signed copy to us in the enclosed envelope.

Thank you for considering this proposal. We look forward to working with you. If you have any questions concerning this proposal, please contact us.

Sincerely,
SHIVE-HATTERY, INC.



Michael Anthony, Civil Engineer-Project Manager
manthony@shive-hattery.com

AGREEMENT ACCEPTED AND SERVICES AUTHORIZED TO PROCEED

CLIENT: City of Bondurant, IA

BY: _____ TITLE: _____
(signature)

PRINTED NAME: _____ DATE ACCEPTED: _____

**STANDARD HOURLY and
REIMBURSABLE EXPENSE FEES SCHEDULES**
Effective January 1, 2014 to December 31, 2014

STANDARD HOURLY FEES:

PROFESSIONAL STAFF:

Grade 1	\$ 79.00
Grade 2	\$ 93.00
Grade 3	\$ 105.00
Grade 4	\$ 117.00
Grade 5	\$ 127.00
Grade 6	\$ 139.00
Grade 7	\$ 153.00
Grade 8	\$ 167.00
Grade 9	\$ 186.00

TECHNICAL STAFF:

Grade 1	\$ 55.00
Grade 2	\$ 66.00
Grade 3	\$ 73.00
Grade 4	\$ 83.00
Grade 5	\$ 92.00
Grade 6	\$ 104.00
Grade 7	\$ 115.00

ADMIN STAFF: \$ 55.00

SURVEY STAFF:

One Person	\$ 106.00
Two Person	\$ 165.00
Scanning Surveyor	\$ 128.00

REIMBURSABLE EXPENSE FEES:

TRAVEL

Mileage- Car/Truck	\$0.56/ Mile
Mileage- Survey Trucks	\$0.66/ Mile
Lodging, Meals	Cost + 10%
Airfare	Cost + 10%
Car Rental	Cost + 10%

OUTSIDE SERVICES

Computer Services	Cost + 10%
Aerial Photogrammetry	Cost + 10%
Professional Services	Cost + 10%
Prints/Plots/Photos	Cost + 10%
Deliveries	Cost + 10%

IN-HOUSE SERVICES

Drawings/Prints/Plots:

Bond	\$.30/ Sq.Ft.
Mylar	\$.75/ Sq.Ft.
Photogloss	\$.90/ Sq.Ft.
Color Bond	\$.60/ Sq.Ft.
Foam Core Mounting	\$13.00

Color Prints:

Letter Size	\$ 1.00
Legal and 11x17 Size	\$ 2.00

December 30, 2014
Invoice No: 4132000 - 6

Mark Arentsen
City of Bondurant, IA
200 Second Street NE
PO Box 37
Bondurant, IA 50035-0037

Federal Aid Trail Design - Construction

Services provided through December 26, 2014:

Phase	60	Construction				
			Hours	Rate	Total	
			Grade 1 Professional Staff	9.80	79.00	774.20
			Grade 5 Professional Staff	12.50	127.00	1,587.50
			Grade 4 Technician	1.30	83.00	107.90
			Grade 5 Technician	128.50	92.00	11,822.00
			Grade 6 Technician	.50	104.00	52.00
			Administrative Support	.10	55.00	5.50
			Totals	152.70		14,349.10
			Total Labor			14,349.10
				Total this Phase		\$14,349.10

Billings to Date

		Current	Prior	Total
Labor		14,349.10	24,992.00	39,341.10
Totals		14,349.10	24,992.00	39,341.10

Phase	99	Expenses		
Reimbursable Expenses				
			Other Direct Expense	26.75
			Total Reimbursables	26.75
			Total this Phase	\$26.75

Billings to Date

		Current	Prior	Total
Expense		26.75	304.02	330.77
Totals		26.75	304.02	330.77

AMOUNT DUE THIS INVOICE \$14,375.85

MLA

ORDINANCE NO. 15-210

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF BONDURANT, IOWA BY ADDING A NEW CHAPTER 104 - SANITARY SEWER CONNECTION FEE DISTRICTS

WHEREAS, upon due notice and hearing the City Council finds the general health and welfare of the community will be benefitted by establishment of a sanitary sewer connection fee district located in and adjacent to the northeast part of the City of Bondurant and generally bounded by Pleasant Street NE (NE 80th Street) on the west, NE 70th Avenue on the south, NE 96th Street on the east and NE 86th Street on the north., referred to as the Urban Service Area Connection Fee District,

THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BONDURANT, POLK COUNTY, IOWA AS FOLLOWS:

Section 1 Sanitary Sewer Connection Fee District. The Code of Ordinances is amended by adding the following:

CHAPTER 104 – CONNECTION FEE DISTRICTS

104.2 Urban Service Area Connection Fee District

104.2.1 Connection Fee District. The Urban Service Area Connection Fee District is hereby established consisting of a tract of land located in Sections 20, 28, 29, 32 and 33, Township 80 North, Range 22 West of the 5th Principal Meridian, Polk County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of Section 32, Township 80 North, Range 22 West, thence north along the west line of said Section 32 to the Northwest Corner of said Section 32, thence north along the west line of Section 29, Township 80 North, Range 22 West to the Northwest Corner of said Section 29, thence north along the west line of the southwest quarter of Section 20, Township 80 North, Range 22 West to the northwest corner of the south one-half of the southwest quarter of said Section 20, thence east along the north line of the south one-half of the southwest quarter of said Section 20 to the Northeast Corner of the south one-half of the southwest quarter of said Section 20, thence east along the north line of the south one-half of the southeast quarter of said Section 20 to the Northeast Corner of the south one-half of the southeast quarter of said Section 20, thence south along the east line of the southeast quarter of said Section 20 to the Southeast Corner of said Section 20, thence east along the north line of the northwest quarter of Section 28, Township 80 North, Range 22 West to the northeast corner of the west one-half of the northwest quarter of said Section 28, thence south along the east line of the west one-half of the northwest quarter of said Section 28 to the Southeast Corner of the west one-half of the northwest quarter of said Section 28, thence south along the east line

of the west one-half of the southwest quarter of said Section 28 to the Southeast Corner of the west one-half of the southwest quarter of said Section 28, thence east along the north line of Section 33, Township 80 North, Range 22 West to the Northeast Corner of said Section 33, thence south along the east line of said Section 33 to the Southeast Corner of said Section 33, thence west along the south line of said Section 33 to the Southwest Corner of said Section 33, thence west along the south line of said Section 32 to the Point of Beginning.

104.2.2 Fee Schedule. From the effective date hereof through June 30, 2016 a connection fee of \$ 3,500 per acre to the sewer system shall be imposed. The connection fee shall be adjusted on July 1, 2016 and each calendar year thereafter based on the change in the ENR construction cost index for the one year period ending in April of the calendar year in which the adjustment is made. The connection fee shall be rounded to the nearest whole dollar. The City Administrator shall determine the applicable connection fee and shall maintain on file the connection fee effective July 1 of each calendar year.

104.2.3 Payment of the Connection Fee. The connection fee shall be paid prior to the physical connection to the sanitary sewer system located in the Urban Service Area Connection Fee District.

104.2.4 Property Outside District. Any property outside of the described connection fee district may connect to the sewer serving the district with the approval of the City Administrator and payment of the appropriate fee.

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, clauses, 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 _____, 2015.

CITY OF BONDURANT, POLK COUNTY, IOWA

ATTEST:

CURT SULLIVAN, MAYOR

MARK J. ARENSTSEN, CITY CLERK

FIRST CONSIDERATION: AUGUST 3, 2015

SECOND CONSIDERATION:

URBAN SERVICE AREA SEWER ISSUES/QUESTIONS

AUGUST 13, 2015

PREPARED BY MARK ARENTSEN, CITY ADMINISTRATOR

1. Connection Fees Authorized - Connection Fees are authorized and even encouraged in the 2005 Agreement. Five sections of the Agreement and seven sections of the supporting Water/Sewer Policy mention connection fees. The Water/Sewer Policy also references Special Assessments and Frontage Fees as payment alternatives, so it's clear that the intent of the Agreement and Policy is that benefitting property owners are ultimately expected to pay for the cost of the sewer line. Section 7.2 of the Agreement states, "The Owner/Developer is responsible for fees associated with their site . . ."

2. Connection Fee Amount Established - Section 7.1 of the Policy lists a fee of \$1,750 per gross acre for sewer service. Polk County has been contacted about potentially increasing this fee to \$3,500/A and has no objection to increasing the fee. The \$1,750 amount was established with the expectation that projects would be developed that would generate revenue to help fund the sewer cost. To date no projects have been started, so it's reasonable to increase the amount to what a "normal" connection fee amount is today. Polk County, which has slightly larger lots, has established a connection fee amount of \$9,800/A for projects which use County utilities. Section 7.0 of the Policy states that, "As costs increase, acreage fees shall be subject to adjustments by the mutual agreement of the parties."

3. Connection Fee Sunset Date - Neither the Agreement or Policy state a point at which fees to connecting parties should cease. It's impossible to know the amount that will be collected from connection fees or the date that collections will occur. Because there is no way to project future collections, the City should not make a commitment to stop collections at some future point. If it's clear in the future that all of the costs the City incurred or will incur as a result of the Urban Service Area sewer have been paid by connection fees or other fees, the City could agree at that time to cease collections.

4. City of Bondurant Payments to Date - The City has paid Polk County \$292,935 to date in five payments which began on 6/1/11. Each of these payments is 75% of the principal amount due on the debt that year. The City has not paid any interest on the debt and there has been no request to pay on the annual interest due. Payments up to now have been funded with TIF revenues. Sewer Utility revenues will be used starting 6/1/16. The Sewer Fund has seen lower operating costs due to the removal of the lagoons and some lift stations.

5. No Prior Notice to Property Owners - The City is following the statutorily prescribed procedure for notifying property owners about a proposed Connection Fee District. This was not done previously because no projects were anticipated which would require payments for the sewer. This issue would have been taken up sooner had specific projects been proposed. Several projects have been discussed with the City this year which is now resulting in establishing the connection fees described in the Agreement and Policy.

Typically connection fee districts are established prior to construction. This was done by the City with the pressure sewer line that was installed on Pleasant St. several years ago. For reasons unknown to me the Urban Service Area Sewer connection fee district was not established prior to construction. The Project Engineer, Polk County staff person responsible for the project and City Administrator all left their places of employment before, during or shortly after construction of this project. When I began with the City in January, 2006 no mention was made of the need to establish a connection fee district. Polk County was responsible for funding and design of the project and I did not question how the reimbursement process was set. Given what appeared to be the high probability of 84 Lumber and Jerry's Homes completing their projects, I didn't see any need to challenge how things were being done.

6. Benefitting Parties can Request Extended Payment Period - Persons subject to the connection fee can request to pay their amount due over a number of years. Section 9.2 of the Policy states, "A developer/owner may request that their assessment, or acreage and frontage/service fees be paid over a period of time, not to exceed 10 years, and they will be required to execute an Agreement with the County . . ." An interest rate of up to 9% annually can be charged on the outstanding amount due.



AFFIDAVIT OF PUBLICATION

State of Iowa

County of Polk, ss.:

The undersigned, being first duly sworn on oath, states that The Des Moines Register and Tribune Company, a corporation duly organized and existing under the laws of the State of Iowa, with its principal place of business in Des Moines, Iowa, the publisher of

THE DES MOINES REGISTER

newspaper of general circulation printed and published in the City of Des Moines, Polk County, Iowa, and that an advertisement, a printed copy of which is attached as Exhibit "A" and made part of this affidavit, was printed and published in The Des Moines Register on the following dates:

Ad No.	Start Date:	Run Dates:	Cost:
0000566136	07/13/15	07/13/15	\$33.26

Copy of Advertisement
Exhibit "A"

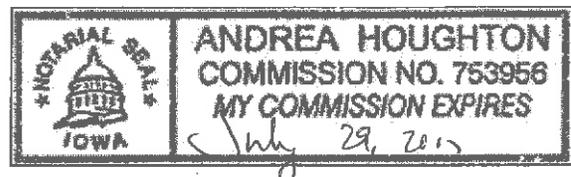

VP/Register/Weekly Newspapers

Subscribed and sworn to before me by said affiant this

15th day of July, 2015



Notary Public in and for Polk County, Iowa



**NOTICE OF PUBLIC HEARING
ON PROPOSED ADOPTION OF
ORDINANCE TO ESTABLISH
URBAN SERVICE AREA
CONNECTION FEE DISTRICT
AND CONNECTION FEES
THEREIN**

The City Council of the City of Bondurant, Iowa, will hold a public hearing on the proposed ordinance at 6:00 P.M. on the 3rd day of August 2015, in the City Center, 200 2nd Street, NE, Bondurant, Iowa.

The Urban Service Area Connection Fee District consists of an area located in Sections 20, 28, 32 and 33 of Township 80 N, Range 22 West and is generally bounded on the south by NE 70th Avenue and bounded on the west by Pleasant Street NE/NE 80th Street. The northern boundary extends 1/4 mile north of NE 86th Street and the easterly boundary extends as far east as NE 96th Street.

The sanitary sewer facilities within the Urban Service Area consist of a pump station and trunk sewer previously constructed by the City of Bondurant under the Urban Service Area agreement with Polk County.

The connection fee for the property owners within the benefitted district that connect to the proposed facilities shall be \$3,500 per acre for the period through June 30, 2016. The fees shall increase each July 1 starting on July 1, 2016.

The proposed connection fee ordinance and a plat of the area to be served are available in the office of the City Administrator.

By Mark Arentsen, City Administrator



June 15, 2015

Mark Arentsen
City Administrator
City of Bondurant
200 Second Street NE
P.O. Box 37
Bondurant, Iowa 50035

CITY OF BONDURANT, IOWA
AMENDMENT TO URBAN SERVICE AREA AGREEMENT

Enclosed is a copy of a proposed amendment to the May 2, 2005 Urban Service Area Agreement. The Amendment to the agreement is intended to incorporate the financing plan for the previously constructed sanitary sewer improvements in the Urban Service Area.

The 2005 Urban Service Area agreement was written as an agreement that could apply to a number of projects. That agreement attempted to establish a unified financing plan for each of the projects that might be constructed.

In crafting the proposed amendment the writer has approached the amendment with the concept of incorporating the financing for this particular project without attempting to redraft the entire agreement. The major changes incorporated in the amendment are as follows:

1. The current agreement requires the City and County to adopt the current building codes within one year after issuance. As a practical matter most cities lag farther behind in adopting updated building codes. The writer proposed amending the agreement to allow four years of adoption, meaning the City could be about one code cycle behind the most recently issued code. This four year lag is more consistent with the practice of many cities in the Des Moines Metropolitan area.
2. The writer added language indicating even if a petition with more than 60% of the property owner's requesting a project is received, the City has the discretion not to move forward with any particular project.

3. The specific language regarding the monies to be deposited in the joint trust fund have been removed from the agreement and replaced with a provision that a specific financing plan would be developed for each project. This change includes eliminating from the policy portion of the agreement the specific dollar amounts regarding frontage fees and area fees. These sections have been replaced with language indicating the frontage fees area or connection fees for any particular project would be developed as part of the financing plan for that project.

In addition to the three modifications to the existing agreement, a new Section 10.0 has been added to the policy setting forth the financing plan for the already constructed Urban Service Area improvements. Under the financing plan the City would continue to be obligated to pay 75% of the principal payments through the retirement of the County bonds in 2026. The financing section provides as of July 1, 2015 the City will deposit a connection fee of \$3,000 per acre for any property that utilizes the previously constructed facilities. That fee can automatically increase annually be the ENR Construction Cost Index. This section indicates the City has the discretion to establish a higher connection fee district and would not be obligated to pay any amount to the joint trust fund beyond the minimum set forth in the agreement.

The new financing section indicates no assessments or frontage fees would be applicable for the project. The amendment does not include any language regarding the payment of fees collected outside of the corporate limits. That language is not included for the purpose of eliminating any implication the City would be obligated to provide service outside of its corporate limits.

In reviewing the Agreement the writer noted a number of other areas that might not be appropriate or applicable for future projects constructed under the Urban Service Area Agreement. Because no other projects are contemplated at this time the writer elected not to address those issues and to leave those issues to be addressed at a future date if another project is proposed under the Agreement.

Mark Arentsen
June 15, 2015
Page 3

If you have any questions or comments concerning the project, please contact the writer at 225-8000.

VEENSTRA & KIMM, INC.

A handwritten signature in black ink, appearing to read "H. R. Veenstra Jr.", written in a cursive style.

H. R. Veenstra Jr.

HRVjr:pjh
4284
Enclosure

AMENDMENT TO
JOINT CITY AND COUNTY URBAN SERVICE AREA AGREEMENT
BETWEEN POLK COUNTY AND THE CITY OF BONDURANT

WHEREAS, the City of Bondurant, hereafter referred to as the **City**, and Polk County, hereinafter referred to as the **County**, entered into an Agreement dated May 2, 2005 titled, "Joint City and County Urban Service Area Agreement between Polk County and the City of Bondurant", or the "Agreement" and

WHEREAS, subsequent to the approval of the Agreement on May 2, 2005 a project involving the construction of sanitary sewer, lift station and force main was constructed within the Urban Service Area under the provisions of the Agreement, and

WHEREAS, in 2009 the City and County agreed to an "amendment" to the financing of the Urban Service Area Improvements project, and

WHEREAS, the City and County have further determined it would be in the best interest in both the City of Bondurant and Polk County to further amend the Agreement regarding the financing of the previously constructed Urban Service Area Improvements, and

WHEREAS, the City and County determined the financing plan set forth in the May 2, 2005 Agreement is too restrictive to be applied on a wide scale basis and the financing plan of any future projects within the Urban Service Area should be developed on a project by project basis.

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions contained herein, the Agreement dated May 2, 2005 made pursuant to the authority of Chapter 28E of the Iowa Code by and between the City of Bondurant and Polk County, is amended as follows:

1. Under Article 4.0, in Section 4.1 the last sentence is amended to read as follows:

"The City and County further agree that the effective date of an edition shall be no more than four (4) years from the date of issuance."

2. Under Article 5.0, delete paragraph 5.3 in its entirety and insert the following:

"5.3 For each project developed under this Agreement the parties shall establish for each specific project the method of financing and the obligations for remitting funds to the Joint Water and Sewer Trust Fund for that project."

3. Under the Joint City-County Water/Sewer Policy, under 2.0 PROJECTS BY PETITION AND JOINT AGREEMENT, under paragraph 2.3 add the following:
 - "2.3.1 The City Council shall not be obligated to continue with a project even if the minimum 60% approval of property owner's outlined in 2.1 is satisfied."
4. Under the Joint City-County Water/Sewer Policy, under 6.0 FRONTAGE FEES, delete 6.1 and substitute the following:
 - "6.1 If frontage fees are utilized for any project the frontage fees will be established as part of the financing plan for that project."
5. Under Joint City-County Water/Sewer Policy, under 7.0 change the title of the section to read:
 - "7.0 Acreage Fees or Connection Fees"
6. Under Joint City-County Water/Sewer Policy, under 7.0 ACREAGE FEES delete 7.1 and substitute the following:
 - "7.1 For any project for which acreage fees or connection fees are used as part of the financing the acreage fees or connection fees shall be established as part of the financing plan for that project. If acreage fees or connection fees are used for any project the fees are due at the time of approval of the final plat, at the time of building permit application or at the time of water or sewer service application, whichever occurs earlier. Any acreage fee or connection fees established for the financing of any project may increase annually based on an adjustment not greater than the annual increase in the ENR Construction Cost Index. Any greater adjustment shall be subject to mutual agreement of the parties."
7. Under Joint City-County Water/Sewer Policy, following SECTION 9.0 PAYMENT OF FEES add the following:
 - "10.0 Urban Service Area Sanitary Sewer Improvements Financing Plan
 - 10.1 This section shall be applicable to the financing of the Urban Service Areas sanitary sewer improvements constructed by the City under the provisions of the Agreement illustrated on Attachment 10.1.

- 10.2 Effective with the fiscal year ending June 30, 2011 and continuing through the fiscal year ending June 30, 2026, the City shall pay to the Joint Water and Sewer Trust Fund an amount equal to 75% of the principal payment on the Polk County Bonds as set forth in Attachment 10.2.
- 10.3 Effective on July 1, 2015 the City shall pay to the Joint Water and Sewer Trust Fund a connection fee equal to \$3,000 per acre. The connection fee amount shall be adjusted on July 1, 2016 and each year thereafter by the annual increase in the ENR Construction Cost Index for the 12 months ending in April of that year. Nothing in this Agreement shall restrict the City of Bondurant from establishing and collecting a connection fee in excess of the amount due under this financing plan and the City's obligation to deposit funds in the Joint Water and Sewer Trust Fund is limited to the amount set forth in the financing plan.
 - 10.3.1 This provision shall apply only to those properties that physically use the improvements constructed under the Agreement and shall not apply to any area within the Urban Service Area for which the City is not entitled to collect the connection fee as that property does not physically utilize the facilities.
- 10.4 No special assessments or frontage fees are established for the project financing."

IN WITNESS WHEREOF, the parties have executed this Amendment to be effective on July 1, 2015.

CITY OF BONDURANT, IOWA

POLK COUNTY, IOWA

By _____
Mayor

By _____
Chairperson
Board of Supervisors

Date: _____

Date: _____

ATTEST:

ATTEST:

By _____
City Clerk

By _____
County Auditor

July 13, 2015

property owner
.....
.....
.....

BONDURANT, IOWA
URBAN SERVICE AREA
CONNECTION FEE DISTRICT

Dear Property Owner:

Enclosed is the Notice of a Public Hearing for establishing a sanitary sewer connection fee district. The district is referred to as the Urban Service Area Connection Fee District. Enclosed is a map generally showing the boundary of the proposed district. Records obtained from the Polk County Auditor's office show you own property within the proposed district.

The City of Bondurant previously constructed a pump station located on the north along 2nd Street NE and a trunk sewer extending northwesterly from the sanitary sewer to the west side of NE Hubbell Avenue. The establishment of the district includes setting fees for connecting properties to the sewer system. The connection fees will be used by the City to fulfill its financing obligation to Polk County for the previously constructed facilities.

The connection fees apply only when, and if, you connect to the sanitary sewer system in the Urban Service Area. These fees include only the cost of the sewer identified as the City constructed sewers. Additional facilities may be necessary to serve individual property owners. The cost for these additional facilities is not included in the connection fee.

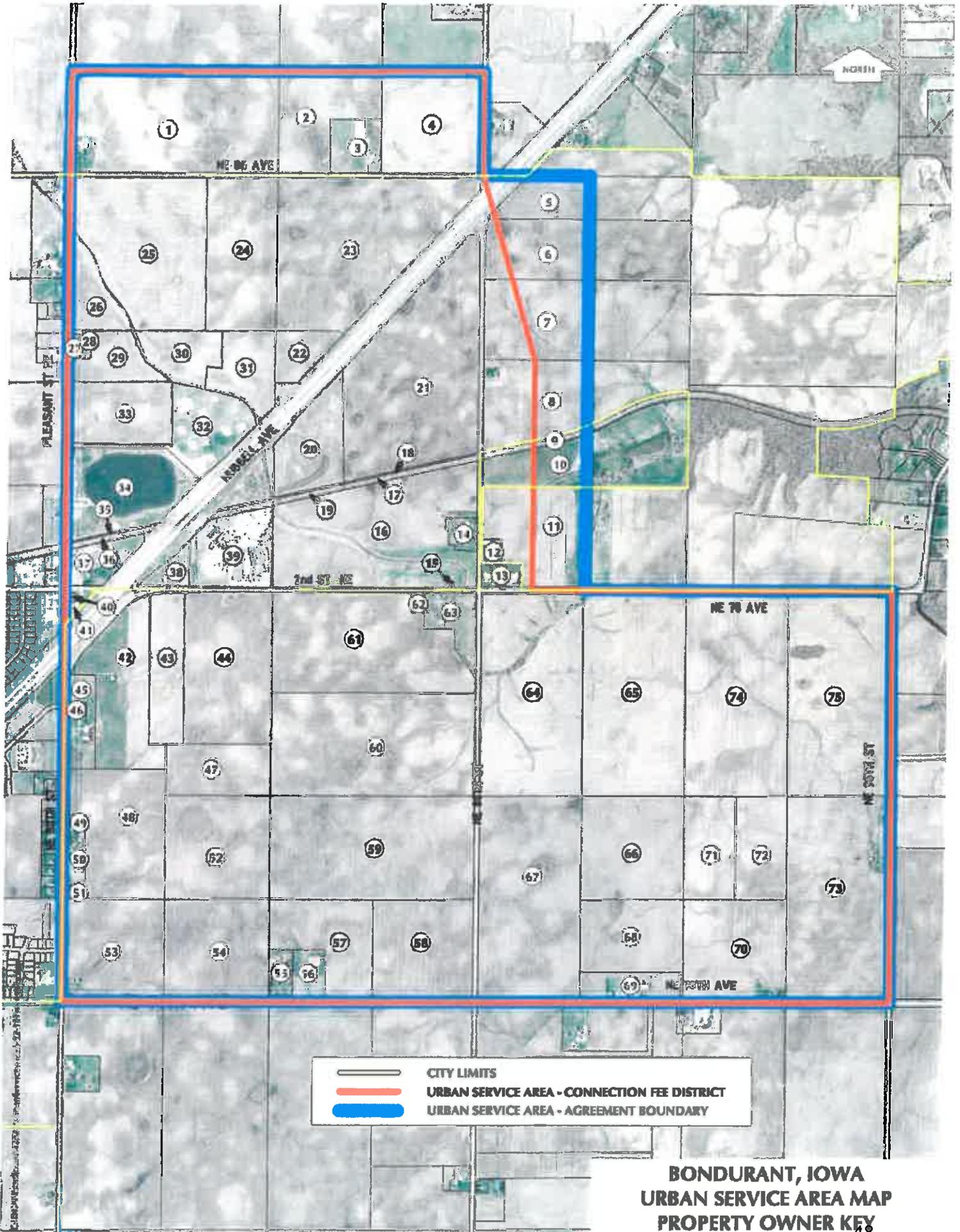
The public hearing is for the establishment of the new connection fee district. As indicated, the fees are only applicable if and when a property physically connects to the sewer system.

July 13, 2015
Page 2

If you have any questions concerning this notice or the connection fee district you may contact me at 515-967-2418 or marentsen@cityofbondurant.com.

Mark Arentsen
City Administrator
City of Bondurant

Enclosures



**BONDURANT, IOWA
URBAN SERVICE AREA MAP
PROPERTY OWNER KEY**

Bondurant - Project Number 42822

Property Owner Key Map

Parcel Number	Title Holder #1	Title Holder #2	Title Holder #3	Title Holder #4	Title Holder #5	Mailing Address
1	SPEAS FARMS INC					13353 NE 29TH ST
2	PRAY, D. JEAN					2900 VINE ST
3	WHIMSEY FARMS LLC				SALLY PRAY	2900 VINE ST
4	WINEGARDEN, STEVEN					1063 SILVERTIP WAY
5, 6	SHIRLEY J OLESON LIVING TRUST					2483 W COUNTY ROAD 52
7	ROSS, STEPHEN P					6414 NE 88TH ST
8	LAMB, LINDA S					BONDURANT, IA 50035-1055
9, 18, 35	POLK COUNTY	CONSERVATION BOARD				SOUTH HAVEN, MI 49090-1019
10	HUINKER, DUANE J	HUINKER, TAMARA A				GRANGER, IA 50109-9675
11	VON STEIN, LEON M	VON STEIN, JOANI I				BONDURANT, IA 50035-1327
12	GRAU, STEVEN E	GRAU, SHERI R				2785 1ST AVE S APT 225
13	JONITZ, JEFFREY O	JONITZ, CHRISTINE M				ALTOONA, IA 50009-8823
14, 16	ROSS, DAVID J	ROSS, LORI A				7901 NE 88TH ST
19, 39	FARMERS ELEVATOR CO				BARB GEISLER	7908 NE 88TH ST
20	PIERCE HARDY LIMITED PARTNERSHIP					POB 35
21, 23, 26	TOP FARMS LLC					1019 ROUTE 519 BLDG 5
22, 29, 30, 31, 33	ENGLAND, STEVEN	ENGLAND, DENAE L				250 GOLFVIEW DR
24	EMERALD ACRES LLC					24R560 ST CHARLES RD
25	WINEGARDEN, STEVEN P	MEHRING, NANCY L				10861 NE 80TH ST
27	BAIR, JONATHAN T					BONDURANT, IA 50035-1282
28	WEAVER, MAYME					SUNNYVALE, CA 94086-8239
34	STATE OF IOWA					950 PLEASANT ST SE
37	DIAMOND CRYSTL SPEC FDS INC C/O WESTON, JAMES R					BONDURANT, IA 50035-5503
40, 41	THE OLD WOODEN NICKEL PROPERTIES LLC					BONDURANT, IA 50035-5512
42, 45, 46	KNUTH, DEBBIE J					POB 37
43	NELSON, JAMES L					1 HORMEL PL
44	ZIMMER, KATHRYN M					1920 2ND ST NE
47, 60, 61	WING L C WEBB FOUNDATION				DAVID CUMMINS	BONDURANT, IA 50035
48, 53	ROSS, STEPHEN P					BONDURANT, IA 50035-1221
49	KILLMER, RONALD G					MITCHELLVILLE, IA 50169-9613
50	HAYES, MICHAEL					ANKENY, IA 50023-2339
51	MOORE, TIMOTHY A					ALTOONA, IA 50009-9564
52, 54, 57, 58, 59	NEALE SMITH REV TRUST					BONDURANT, IA 50035-1251
55	WHEELER, VANCE M					BONDURANT, IA 50035-1219
56	HAVENER, LYLE D					URBANDALE, IA 50322
62	SMITH, MERYL					BONDURANT, IA 50035-1218
63	ENGLE, CHAD M					DES MOINES, IA 50309-2241
64, 65, 66, 68	LIENEMANN FAMILY RE LP					PLEASANTVILLE, IA 50225-9790
67	JOAN FREDERICK TRUST II					BONDURANT, IA 50035-1270
69	CRAIG, TERRANCE J					BONDURANT, IA 50035-1271
70, 71, 74	SNELLER, MARILYN					SPRINGFIELD, IL 62711-8033
72, 73	MAUCH, EVERETT					MILFORD, MA 01757
75	HILLS (TRUSTEE), JARED S					BONDURANT, IA 50035-1248
						DES MOINES, IA 50321-1532
						BONDURANT, IA 50035-1202
						NEVADA, IA 50201-0500

**NOTICE OF PUBLIC HEARING
ON
PROPOSED ADOPTION OF ORDINANCE
TO
ESTABLISH URBAN SERVICE AREA CONNECTION FEE DISTRICT
AND
CONNECTION FEES THEREIN**

The City Council of the City of Bondurant, Iowa will hold a public hearing on the proposed ordinance at 6:00 P.M. on the 3rd day of August, 2015 in the City Council Chambers, City Hall, 200 2nd Street NE, Bondurant, Iowa.

The Urban Service Area Connection Fee District consists of an area located in Sections 20, 28, 32 and 33 of Township 80 N, Range 22 West and is generally bounded on the south by NE 70th Avenue and bounded on the west by Pleasant Street NE/NE 80th Street. The northern boundary extends ¼ mile north of NE 86th Street and the easterly boundary extends as far east as NE 96th Street.

The sanitary sewer facilities within the Urban Service Area consist of a pump station and trunk sewer previously constructed by the City of Bondurant under the Urban Service Area agreement with Polk County.

The connection fee for the property owners within the benefitted district that connect to the proposed facilities will be \$_____ per acre for the period through June 30, 2016. The fees shall increase each July 1 starting on July 1, 2016.

The proposed connection fee ordinance and a plat of the area to be served are available in the office of the City Administrator.

By _____
Mark Arentsen, City Administrator

Bondurant - Project Number 42822

Property Owner Key Map

Parcel Number	Title Holder #1	Title Holder #2	Title Holder #3	Title Holder #4	Title Holder #5	Mailing Address
1	PEAS FARMS INC					13353 NE 29TH ST ELKHART, IA 50073-9191
2	PRAY, D. JEAN					2900 VINE ST WEST DES MOINES, IA 50265-3243
3	THIMSEY FARMS LLC					2900 VINE ST WEST DES MOINES, IA 50265-3243
4	WINGEGARDEN, STEVEN	NEHRING, NANCY				1063 SILVERTIP WAY SUNNYVALE, CA 94086-8239
5, 6	SPURLEY J OLESON LIVING TRUST					2483 W COUNTY ROAD 52 TIFFIN, OH 44883-8818
7	ROSS, STEPHEN P					6414 NE 88TH ST BONDURANT, IA 50035-1055
8	GAMB, LINDA S					740 N SHORE DR SOUTH HAVEN, MI 49090-1019
9, 18, 35	FOLK COUNTY	CONSERVATION BOARD				11407 NW JESTER PARK DR GRANGER, IA 50109-9675
10	HUINKER, DUANE J					8003 NE 88TH ST BONDURANT, IA 50035-1327
11	JOHN STEIN, LEON M					2785 1ST AVE S APT 225 ALTOONA, IA 50009-8823
12	GRAU, STEVEN E					7901 NE 88TH ST BONDURANT, IA 50035
13	JONTZ, JEFFREY O					8825 NE 78TH AVE BONDURANT, IA 50035-1272
14, 16	ROSS, DAVID J	ROSS, LORI A				7908 NE 88TH ST BONDURANT, IA 50035-1230
19, 39	FARMERS ELEVATOR CO					POB 35 FARHAMVILLE, IA 50538-0035
20	PIERCE HARDY LIMITED PARTNERSHIP					1019 ROUTE 513 BLDG 5 EGLETTA, PA 15530-2811
21, 23, 26	TOP FARMS LLC					250 GOULFVIEW DR DURANT, IA 52747-9501
22, 29, 30, 31, 33	ENGLAND, STEVEN	ENGLAND, DENAE L				248660 ST CHARLES RD WINTERSSET, IA 50273
24	EMERALD ACRES LLC					10861 NE 80TH ST BONDURANT, IA 50035-1282
25	WINGEGARDEN, STEVEN P	NEHRING, NANCY I				1063 SILVERTIP WAY SUNNYVALE, CA 94086-8239
27	BAIR, KATHRYN T					950 PLEASANT ST SE BONDURANT, IA 50035-5503
28	WEAVER, MAYME					954 PLEASANT ST NE BONDURANT, IA 50035-5512
34	STATE OF IOWA	IOWA CONSERVATION COMM				POB 37 BONDURANT, IA 50035-0037
37	DIAMOND CRYSTL SPEC FDS INC C/O	HORMEL FOODS CORP.				1 HORMEL PL AUSTIN, MN 55912-3673
38	WESTON, JAMES R	WESTON, SHERYL J				1920 2ND ST NE BONDURANT, IA 50035-5508
40, 41	THE OLD WOODEN NICKEL PROPERTIES LLC					POB 374 BONDURANT, IA 50035
42, 45, 46	KNUTH, ALAN C					7525 NE 80TH ST BONDURANT, IA 50035-1221
43	NELSON, JAMES L					7464 NE 106TH ST MITCHELLVILLE, IA 50169-9613
44	ZIMMER, KATHRYN M					110 NW KLINE ST ANKENY, IA 50023-2339
47, 60, 61	VIRGIL C WEBB FOUNDATION	WILLIAM GARBER FOUNDATION	ROBERT M JOHNSON (TRUST)			5360 NE 70TH AVE ALTOONA, IA 50009-9564
48, 53	ROSS, STEPHEN P	KING, JORENE K	FLORA WEBB GARBER FOUNDATION			8564 NE SANTIAGO DR BONDURANT, IA 50035-1251
49	KILLMER, RONALD G	KILLMER, PAMELA J	ROSS, DAVID			7343 NE 80TH ST BONDURANT, IA 50035-1219
50	HAYES, MICHAEL	BYRNES, BRIAN	BYRNES, CINDI			8102 WILDEN DR URBANDALE, IA 50322
51	MOORE, TIMOTHY A	MOORE, JILL E		CLARK, SHYANNE		7231 NE 80TH ST BONDURANT, IA 50035-1218
52, 54, 57, 58, 59	NEAL E SMITH REV TRUST	BEATRIX H SMITH REV TRUST				300 WALNUT ST UNIT 90 DES MOINES, IA 50309-2241
55	WHEELER, VANCE M	WHEELER, PANGE A				8426 NE 70TH AVE BONDURANT, IA 50035-1061
56	HAVENER, LYLE D	HAVENER, TERRY				405 W CLARK ST PLEASANTVILLE, IA 50225-9790
62	SMITH, MERYL					8691 NE 78TH AVE BONDURANT, IA 50035-1270
63	ENGLE, CHAD M	ENGLE, WENDI S				8763 NE 78TH AVE BONDURANT, IA 50035-1271
64, 65, 66, 68	LIENEMANN FAMILY RE LP					9 PINE RIDGE DR SPRINGFIELD, IL 62711-8033
67	JOHN FREDRICK TRUST II	COUTURE (TRUSTEE), SUSAN V	SUSAN V D COUTURE 2010 REVOCABLE TRUST			15 WALDEN WAY WILFORD, MA 01757
69	CRAIG, TERRANCE J	CRAIG, SALLY J				9056 NE 70TH AVE BONDURANT, IA 50035-1248
70, 71, 74	SNELLER, MARILYN	MURROW (TRUSTEE), JEAN S	DUDLEY (TRUSTEE), CYNTHIA M	JEAN S MURROW REVOCABLE LIVING TRUST		2321 VIRGINIA AVE DES MOINES, IA 50321-1552
72, 73	MAUCH, EVERETT	HILLS (TRUSTEE), CAROL T	HILLS (TRUSTEE), HOWARD K			7398 NE 96TH ST BONDURANT, IA 50035-1202
75	HILLS (TRUSTEE), JARED S	HILLS (TRUSTEE), MARILYN S	JARED S HILLS REVOCABLE TRUST			PO BOX 500 NEVADA, IA 50201-0500

ORDINANCE NO. 15-211

**ORDINANCE AMENDING THE CITY CODE OF THE CITY OF BONDURANT, IOWA, BY AMENDING
CHAPTER 55 – ANIMAL PROTECTION AND CONTROL**

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

Section 1. **SECTION MODIFIED.** Chapter 55, Section(s) 55.13 RABIES VACCINATION. of the Code of Ordinances of the City of Bondurant, Iowa, 2002, are hereby repealed and the following adopted in lieu thereof:

55.13 RABIES VACCINATION. Every owner of a dog or cat shall obtain a rabies vaccination for such animal. It is unlawful for any person to own or have a dog or cat in said person's possession, six months of age or over, which has not been vaccinated against rabies. ~~Dogs kept in kennels and not allowed to run at large are not subject to these vaccination requirements.~~

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 __, 2015.

CITY OF BONDURANT, POLK COUNTY, IOWA

CURT SULLIVAN, MAYOR

ATTEST:

MARK J. ARENTSEN, CITY CLERK

(SEAL)

FIRST CONSIDERATION: August 3, 2015

SECOND CONSIDERATION:

THIRD CONSIDERATION:

as to prevent digging under the sides of the pen or kennel by the confined potentially dangerous animal or dangerous animal; and

C. All pens, kennels or structures erected to house a potentially dangerous animal or dangerous animal must comply with all zoning and building regulations in their jurisdictions. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.

D. All pens or kennels designed, constructed or used to confine potentially dangerous and dangerous animals must be locked with a key or combination lock when such animals are within the structure.

E. No potentially dangerous or dangerous animal may be kept on a porch, patio or in any part of a house or structure that would allow the potentially dangerous or dangerous animal to exit such building on its own volition.

F. No potentially dangerous animal or dangerous animal may be tied or leashed to an inanimate object, such as trees, posts, buildings or any other object or structure.

55.12 LEASHING. All person owning dogs shall confine the same from running at large. It is the duty of every person owning a dog to:

1. **Confinement Required.** Confine said dog by good and sufficient means.
2. **Control.** Cause said dog to be under the control of a person competent to restrain and control the dog, either by leash, cord, chain or other similar restraint of sufficient strength, and not more than six (6) feet in length.
3. **Restraint.** Properly restrain in a motor vehicle, or house said dog in a veterinary hospital or registered kennel;
4. **Obedience.** Maintain control by obedience beside or "at heel," unless the above conditions are also met.

55.13 RABIES VACCINATION. Every owner of a dog or cat shall obtain a rabies vaccination for such animal. It is unlawful for any person to own or have a dog or cat in said person's possession, six months of age or over, which has not been vaccinated against rabies. **Dogs kept in kennels and not allowed to run at large are not subject to these vaccination requirements.**

(Code of Iowa, Sec. 351.33)

55.14 OWNER'S DUTY. It is the duty of the owner of any dog, cat or other animal which has bitten or attacked a person or any person having knowledge of such bite or attack to report this act to a local health or law enforcement official. It is the duty of physicians and veterinarians to

sufficient quantity of food or water, or to fail to provide a confined dog or cat with adequate shelter, or to torture, deprive of necessary sustenance, mutilate, beat, or kill such animal by any means which causes unjustified pain, distress or suffering.

(Code of Iowa, Sec. 717B.3)

55.03 LIVESTOCK NEGLECT. It is unlawful for a person who impounds or confines livestock in any place to fail to provide the livestock with care consistent with customary animal husbandry practices or to deprive the livestock of necessary sustenance or to injure or destroy livestock by any means which causes pain or suffering in a manner inconsistent with customary animal husbandry practices.

(Code of Iowa, Sec. 717.2)

55.04 ABANDONMENT OF CATS AND DOGS. A person who has ownership or custody of a cat or dog shall not abandon the cat or dog, except the person may deliver the cat or dog to another person who will accept ownership and custody or the person may deliver the cat or dog to an animal shelter or pound.

(Code of Iowa, Sec. 717B.8)

55.05 LIVESTOCK. It is unlawful for a person to keep livestock within the City except by written consent of the Council or except in compliance with the City's zoning regulations.

55.06 AT LARGE PROHIBITED. It is unlawful for any owner to allow an animal to run at large within the corporate limits of the City.

55.07 DAMAGE OR INTERFERENCE. It is unlawful for the owner of an animal to allow or permit such animal to pass upon the premises of another, thereby causing damage to, or interference with the premises.

55.08 ANNOYANCE OR DISTURBANCE. It is unlawful for the owner of a dog to allow or permit such dog to cause serious annoyance or disturbance to any person or persons by frequent and habitual howling, yelping, barking, or otherwise; or, by running after or chasing persons, bicycles, automobiles or other vehicles.

55.09 BARKING DOGS. All complaints concerning barking dogs shall be referred to the Polk County Animal Control (PCAC). The PCAC shall make a written report of each complaint and shall notify the owner of the dog of the registration of the complaint. Any dog having three (3) complaints lodged against it within fourteen (14) days may be ordered permanently removed from the City by the PCAC following hearing after appropriate notice and opportunity to be heard is given to the dog's owner.

ORDINANCE NO. 15-212

**ORDINANCE AMENDING THE CITY CODE OF THE CITY OF BONDURANT, IOWA,
BY AMENDING CHAPTER 123 – HOTEL AND MOTEL TAX**

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

Section 1. **SECTION MODIFIED.** Chapter 123, Section 123.05 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, are hereby repealed and the following adopted in lieu thereof:

123.05 USE OF PROCEEDS The use of such tax imposed by this chapter shall be used for the following purposes:

3. Pay the Greater Des Moines Convention and Visitors Bureau 2/7ths of the Hotel and Motel Tax Revenues, once this tax is collected.

4. Pay the Greater Des Moines Convention and Visitors Bureau the greater of 2/7ths of the Hotel and Motel Tax Revenues or \$1,500.00.

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 xx day of xx, 2015.

CITY OF BONDURANT, POLK COUNTY, IOWA

MARK J. ARENTSEN, CITY CLERK

CURT SULLIVAN, MAYOR

FIRST CONSIDERATION:

SECOND CONSIDERATION:

THIRD CONSIDERATION:

CHAPTER 123
HOTEL AND MOTEL TAX

123.01 Purpose	123.04 Payment of Tax
123.02 Definitions	123.05 Use of Proceeds
123.03 Tax Imposed	

123.01 PURPOSE. The purpose of this Ordinance is to provide for the imposition of a hotel and motel tax pursuant to Iowa Code Chapter 423.4.

123.02 DEFINITIONS. For use in this chapter, the following terms are defined:

1. **“Hotel”** and **“motel”** mean any hotel, motel, inn, public lodging house, rooming house or tourist court, or any place where sleeping accommodations are furnished to transient guests for rent, whether with or without meals within the corporate boundaries of the City of Bondurant.
2. **“Renting”** and **“rent”** include any kind of direct or indirect charge for any room, apartment, lodging or sleeping quarter in a hotel or motel, as defined in this chapter.
3. **“Gross receipts”** shall mean the entire cost directly or indirectly related to the renting. If a person is charged for items other than “rent” in connection with the renting of lodging (e.g., food, telephone, laundry or recreation facility use), such charges must be stated separately or the entire charge will be considered “rent.”

123.03 TAX IMPOSED. A tax is hereby imposed upon the gross receipts from the renting of any and all rooms, apartments or sleeping quarters in any hotel or motel, as defined in this chapter, at the rate of seven percent (7%) of such gross receipts received by any hotel or motel, as defined in this chapter.

123.04 PAYMENT OF TAX. Such tax shall be paid as is provided in Chapter 423A of the Code of Iowa.

123.05 USE OF PROCEEDS. The proceeds of such tax imposed by this chapter shall be used for the following purposes:

(Code of Iowa, Sec. 422A.2[4])

1. At least fifty (50%) of the revenues derived from such tax shall be used for the acquisition of sites for, or constructing, improving, enlarging, equipping, repairing, operating, or maintaining of recreation, convention, cultural, or entertainment facilities including but not limited to memorial buildings, halls and monuments, civic center convention buildings, auditoriums, coliseums, and parking areas or facilities located at those recreation, convention, cultural, or entertainment facilities or the payment of principal and interest, when due, on bonds or other evidence of indebtedness issued by the county or city

for those recreation, convention, cultural, or entertainment facilities; or for the promotion and encouragement of tourist and convention business in the city or county and surrounding areas.

2. The remaining revenues may be spent for any City operations authorized by law as a proper purpose for the expenditure within statutory limitations of City revenues derived from ad valorem taxes.

123.05 EXEMPTIONS. The tax imposed herein shall not apply:

1. When lodging is furnished to a person, if that person rents a location for more than 31 consecutive days,
2. To the renting of rooms in dormitories and in memorial unions at all universities and colleges located in the state,
3. To contracts made directly with the federal government, or
4. To the renting to the guest of a religious institution upon real property exempt from tax as the property of a religious institution, if the reason for renting the room is to provide a place for a religious retreat or function and not a place for transient guests generally.

CITY OF BONDURANT
RESOLUTION NO. 15-117

RESOLUTION APPROVING THE AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
FOR THE PROMOTION OF TOURISM AND CONVENTION ACTIVITIES IN THE GREATER DES
MOINES AREA

WHEREAS, the City of Bondurant has approved and enacted legislation that enables the City to collect Hotel and Motel Tax, whether or not the City has hotels within its city limits; AND

WHEREAS, Bondurant wants to enter into the 28E Agreement for Promotion of Tourism

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the City approves the Amendment to the Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines Area.

Passed this 17th day of August, 2015,

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

AMENDMENT TO INTERGOVERNMENTAL
AGREEMENT FOR THE PROMOTION OF
TOURISM AND CONVENTION ACTIVITIES
IN THE GREATER DES MOINES AREA

This Amendment to Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines, Iowa Area (Amendment) is made and entered into this _____ day of _____, 2015, by and among the City of Altoona, Iowa, the City of Ankeny, Iowa, the City of Clive, Iowa, The City of Des Moines, Iowa, the City of Grimes, Iowa the City of Indianola, Iowa, the City of Johnston, Iowa, the City of Perry, Iowa, the City of Pleasant Hill, Iowa, the City of Polk City, Iowa, the City of Urbandale, Iowa, the City of West Des Moines, Iowa, the City of Windsor Heights, Iowa, and the County of Polk, Iowa (collectively, the “Existing Parties”) and the City of Bondurant, Iowa.

WHEREAS, each of the Existing Parties is a party to that certain Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines, Iowa Area entered into pursuant to the provisions of Chapter 28E of the Code of Iowa, and filed for record in Polk County, Iowa on May 13, 1985 at Book 5452, Page 479 (the “Agreement”); and

WHEREAS, pursuant to Article V(G) of the Agreement, the Existing Parties desire to amend the Agreement to admit, as a new party to the Agreement, the City of Bondurant; and

WHEREAS, the City of Bondurant desires to enter into this Amendment for the purpose of becoming a party to the Agreement.

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements contained herein, the parties to this First Amendment agree as follows:

1. The City of Bondurant, Iowa is hereby admitted as a party to the Agreement, effective XXX, and such municipality shall abide by all of the terms and conditions of the Agreement.
2. Except as specifically amended hereby, the Agreement shall continue in full force and effect.
3. The Existing Parties hereby represent that pursuant to Article V(G) of the Agreement, the admission of the City of Bondurant to the Agreement has been approved by Board members holding 2/3rds of the votes under the Agreement and is evidenced by the Board resolution attached hereto as Exhibit A and incorporated herein by reference.

4. This Amendment is entered into pursuant to the provisions of Chapter 28E of the Code of Iowa. The parties hereto shall cause this Agreement to be filed with the Secretary of State of Iowa and recorded with the Polk County Recorder.

In witness whereof, the undersigned Joint Board for the Promotion of the Greater Des Moines, Iowa Area, on behalf of the Municipalities and the County, and the City of Bondurant have executed this Amendment.

JOINT BOARD FOR THE PROMOTION OF
THE GREATER DES MOINES, IOWA AREA

By: _____
Its: _____

CITY OF BONDURANT, IOWA

ATTEST:

Mayor

City Clerk

CITY OF BONDURANT
RESOLUTION NO. 15-118

RESOLUTION APPROVING THE PLAT OF SURVEY FOR PARCEL E,
5750 NE 78TH AVENUE, BONDURANT

WHEREAS, Susan Ugulini has submitted a Plat of Survey for Parcel E, NE 78th Avenue, Bondurant, all that part of the South one-half (S1/2) of the southwest one-quarter (SW1/4) of Section 26, Township 80 North, Range 23 West of the 5th PM, Polk County, Iowa and also being a part of Parcel C as recorded in Book 9234 Page 729 in the Polk County Recorder's Office, being more particularly described as follows: Commencing at the southwest corner of said section 26, thence north 89° 56'07" east along the south line of said S1/2 of the SW 1/4 , a distance of 862.93 feet to the point of beginning, thence north 00°03'55" west, a distance of 525.00 feet, thence north 89°56'07" east, a distance of 240.00 feet; thence south 00° 03'53" east, a distance of 525.00 feet to said south line, thence south 89°56'07" west along said line a distance of 240.00 feet to the point of beginning, contain 2.89 acres, more or less, including 0.33 acres of road right of way, and subject to any other easements or restrictions or record; AND

WHEREAS, the Planning and Zoning Commission of the City of Bondurant, Iowa, approved the Site Plan and forwarded it to the City Council with a recommendation for approval

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the Plat of Survey for Parcel E, 5750 NE 78th Avenue, Bondurant, is hereby approved.

Passed this 17th day of August, 2015,

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

**PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-15-11**

**RESOLUTION RECOMMENDING THE APPROVAL OF A PLAT OF SURVEY FOR
PARCEL E, 5750 NE 78TH AVENUE, BONDURANT**

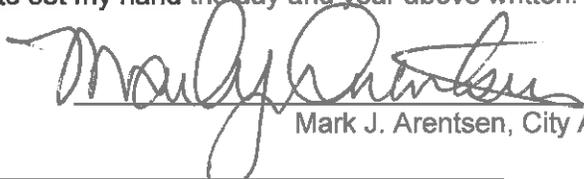
WHEREAS, Susan Ugulini has submitted a Plat of Survey for Parcel E, NE 78th Avenue, Bondurant, all that part of the South one-half (S1/2) of the southwest one-quarter (SW1/4) of Section 26, Township 80 North, Range 23 West of the 5th PM, Polk County, Iowa and also being a part of Parcel C as recorded in Book 9234 Page 729 in the Polk County Recorder's Office

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Bondurant, Iowa, that the Plat of Survey for Parcel E, 5750 NE 78th Avenue, Bondurant, Polk County, Iowa, is approved and forwarded to the City Council with a recommendation for approval of same.

Moved by Clayton Seconded by McCleary to adopt.

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



Mark J. Arentsen, City Administrator

Action	Yea	Nay	Abstain	Absent
Clayton	✓			
Higgins	✓			
Kromrie	✓			
McCleary	✓			
Russell	✓			
Wood				✓
_____ Dave Higgins, Chair				

200/00343-004-000

RETURN TO: ASSOCIATED ENGINEERING COMPANY OF IOWA INC 2917 MLK JR PKWY DES MOINES, IA 50310 (515)255-3157

PLAT OF SURVEY

SURVEY REQUESTED BY:

SUSAN UGULINI

OWNER OF RECORD:

DONNA J FRAKES

ADDRESS OF SURVEY:

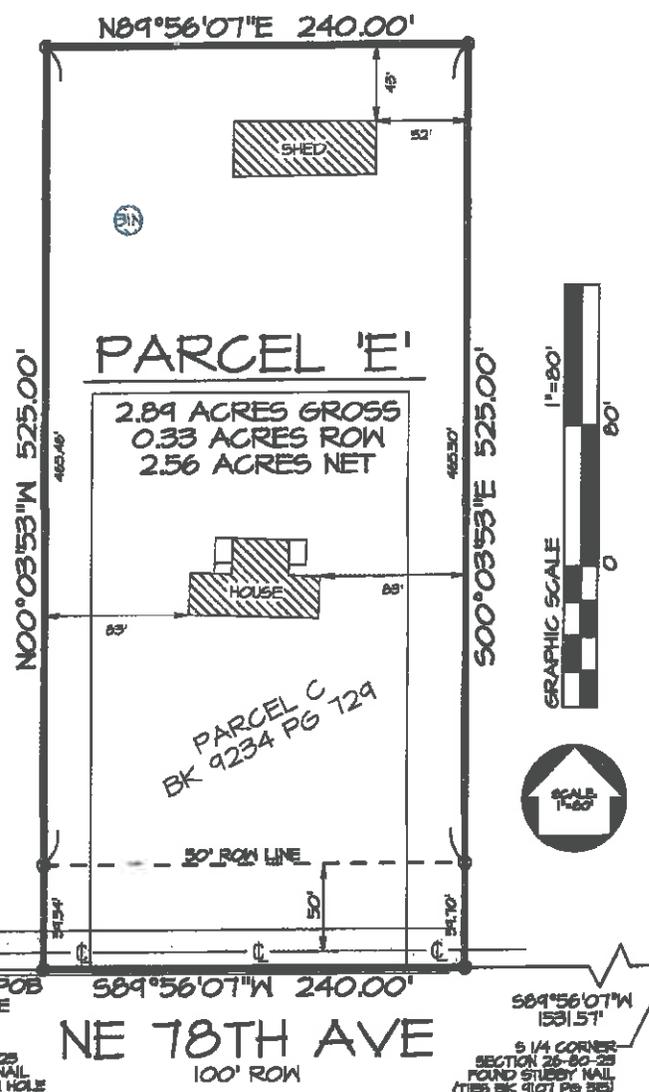
5150 NE 78TH AVE. BONDURANT

- SURVEY MARKER FOUND
- SET 1/2" IR NYC#5228
- ▲ CUT 1/2"
- ▲ SECTION CORNER
- NYC WITH YELLOW CAP
- IP IRON PIPE
- IR IRON ROD
- M AS MEASURED DISTANCE
- R AS RECORDED
- C AS COMPUTED

LEGAL DESCRIPTION - PARCEL 'E':

ALL THAT PART OF THE SOUTH ONE-HALF (S1/2) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION 26, TOWNSHIP 80 NORTH, RANGE 28 WEST OF THE 5TH PM, POLK COUNTY, IOWA, AND ALSO BEING A PART OF PARCEL C AS RECORDED IN BOOK 9234 PAGE 129 IN THE POLK COUNTY RECORDERS OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 26; THENCE NORTH 84°56'07" EAST ALONG THE SOUTH LINE OF SAID S1/2 OF THE SW 1/4, A DISTANCE OF 862.93 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°03'53" WEST, A DISTANCE OF 525.00 FEET; THENCE NORTH 84°56'07" EAST, A DISTANCE OF 240.00 FEET; THENCE SOUTH 00°03'53" EAST, A DISTANCE OF 522.00 FEET TO SAID SOUTH LINE; THENCE SOUTH 84°56'07" WEST ALONG SAID LINE, A DISTANCE OF 240.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.89 ACRES, MORE OR LESS, INCLUDING 0.33 ACRES OF ROAD RIGHT OF WAY, AND SUBJECT TO ANY OTHER EASEMENTS OR RESTRICTIONS OF RECORD.



AEC ASSOCIATED ENGINEERING COMPANY OF IOWA
 2917 Martin Luther King Jr. Pkwy Des Moines, IA 50310
 Phone: (515) 255-3156 Fax: (515) 255-3157

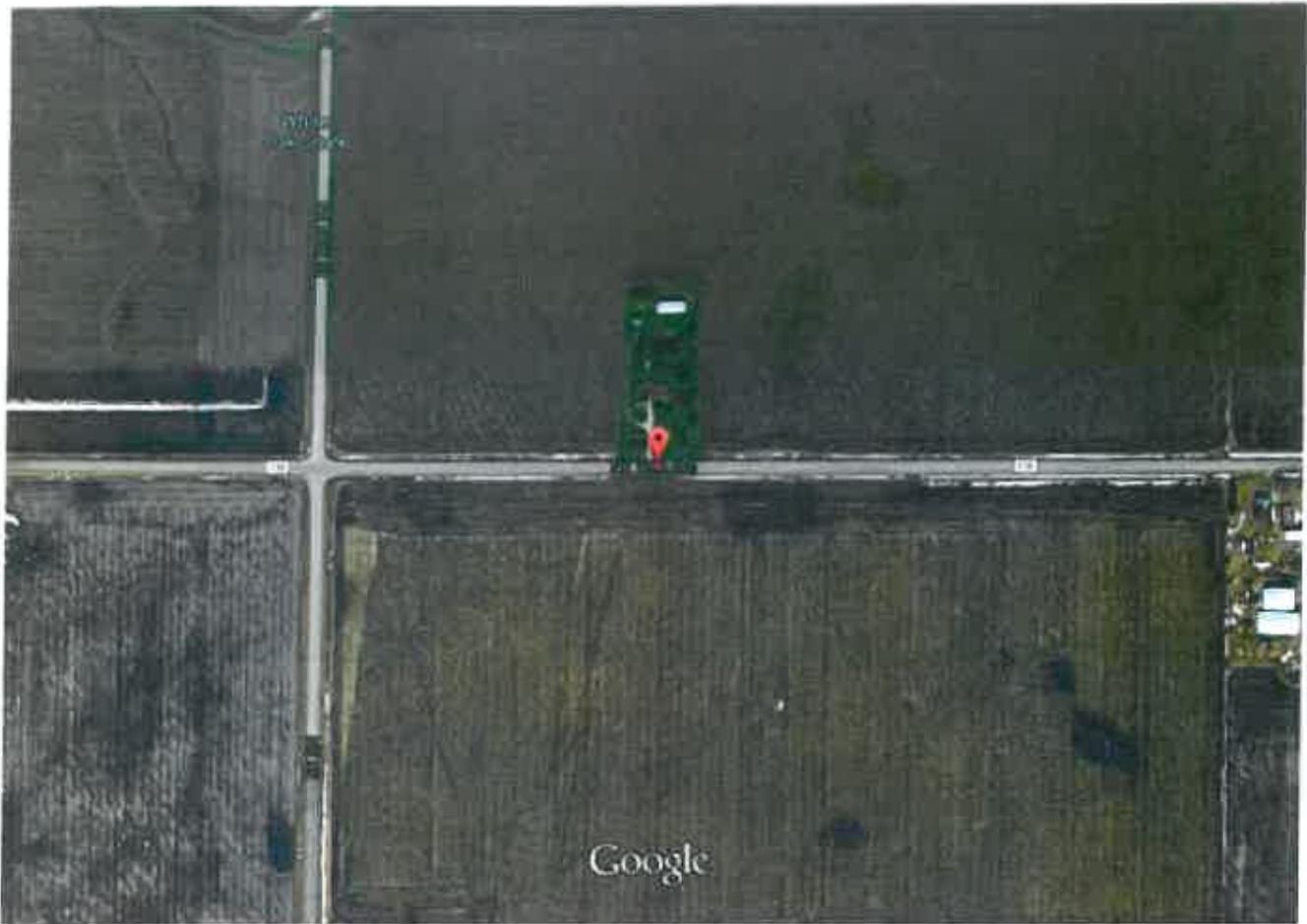
7/14/15

FIELD WORK COMPLETED ON:
07/14/2015

PROJECT #:
206008

My Registration Expires December 31, 2018

 Google 5750 NE 78th Ave



NE 56th St.

5750 NE 78th Ave
Bondurant, IA 50035

Imagery ©2015 Google, Map data ©2015 Google 200 ft

**CITY OF BONDURANT
RESOLUTION NO. 15-119**

APPLICATION FOR PARTIAL PAYMENT #9 FROM ABSOLUTE CONCRETE FOR U.S. HIGHWAY 65 & NORTHEAST 64TH STREET / 32ND STREET, SOUTHWEST, PAVEMENT WIDENING AND TRAFFIC SIGNALS

WHEREAS, the City of Bondurant has decided to widen the Highway 65 & Northeast 64th Street / 32nd Street, Southwest, intersection and add traffic signals; AND

WHEREAS, the City of Bondurant employed Absolute Concrete to perform this work; AND

WHEREAS, Absolute Concrete has submitted an Application for Partial Payment #9 for work completed on this project for the amount of \$3,921.20; AND

WHEREAS, the Project Engineer has approved payment of the attached pay request

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the Application for Partial Payment #9 submitted by Absolute Concrete for its work on U.S. Highway 65 & Northeast 64th Street / 32nd Street, Southwest, intersection in the amount of \$3,921.20, is hereby approved.

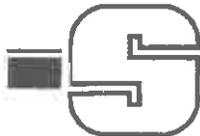
Passed this 17th day of August, 2015,

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



August 17, 2015

Mr. Mark Arentsen
City of Bondurant
200 2nd Street NE
Bondurant, IA 50035

RE: PARTIAL PAYMENT APPLICATION NO. 9
US HIGHWAY 65 & NE 64th STREET / 32ND STREET SW PCC WIDENING AND
TRAFFIC SIGNALS
IOWA DOT PROJECT NO. STP-U-0747(607)—70-77
SNYDER PROJECT NO. 113.0851

Dear Mr. Arentsen:

Partial Payment Application No. 9 includes work completed between April 1, 2015 and July 27, 2015. The contractor has completed the seeding and mulching and erosion control removal work. The seeding and shoulders have been reviewed. The seeding has successfully established and the shoulders are in good condition. Quantities will be finalized with this pay application and paid in full with the exception of retainage.

We recommend payment of \$3,921.20 to Absolute Concrete, for work completed through July 31, 2015. Approximately 97% of the total contract has been completed.

Please contact me should you have any questions on this pay application.

Sincerely,

SNYDER & ASSOCIATES, INC.

Lee Gourley E.I.
Project Engineer

APPLICATION FOR PARTIAL PAYMENT NO. 9

PROJECT: US Highway 65 & NE 64th Street/32nd Street SW PCC Pavement Widening and Traffic Signals
OWNER: City of Bondurant
CONTRACTOR: Absolute Concrete
ADDRESS: 505 1st Avenue
Slater, IA 50244
DATE: August 17, 2015

IOWA DOT PROJECT NO.: STP-U-0747(607)--70-77
S&A PROJECT NO.: 113.0851

PAYMENT PERIOD: April 1, 2015 to July 27, 2015

1. CONTRACT SUMMARY:

Original Contract Amount: \$898,573.72
Net Change by Change Order: \$ 12,672.52
Contract Amount to Date: \$911,246.24

CONTRACT PERIOD: WORKING DAYS
Original Contract Date: March 13, 2014
Original Contract Period: 55 Working Days
Extension by Change Order: none to date

2. WORK SUMMARY:

Total Work Performed to Date: \$ 883,891.00
Retainage: 3% \$26,516.73
Total Earned Less Retainage: \$857,374.27
Total Previous Payments \$853,453.07
AMOUNT DUE THIS APPLICATION: \$3,921.20

3. CONTRACTOR'S CERTIFICATION:

The undersigned CONTRACTOR certifies that:

(1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with the Work covered by prior Applications for Payment.

(2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this application for Payment are free and clear of all liens, claims, security interests and encumbrances.

Absolute Concrete
CONTRACTOR

By [Signature] DATE: 7/27/15

4. ENGINEER'S APPROVAL:

Payment of the above AMOUNT DUE THIS APPLICATION is recommended:

Snyder & Associates, Inc.
ENGINEER

By [Signature] DATE: 7/28/15

5. OWNER'S APPROVAL

City of Bondurant
OWNER

By _____ DATE: _____

6. DETAILED ESTIMATE OF WORK COMPLETED:

ITEM NO.	ITEM CODE	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		TOTAL \$ TO DATE
			QUANTITY	UNIT	UNIT COST	TOTAL COST	PREVIOUS TOTAL	TOTAL QUANTITY	
1	2102-2625000	EMBANKMENT-IN-PLACE	689	CY	\$ 20.00	\$13,780.00	689.00	689.00	\$13,780.00
2	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	2035	CY	\$ 2.75	\$5,596.25	2,035.00	2,035.00	\$5,596.25
3	2105-8426015	TOPSOIL STRIP SALVAGE AND SPREAD	1768	CY	\$ 4.50	\$8,037.00	1,768.00	1,768.00	\$8,037.00
4	2107-0875100	COMPACTION WITH MOISTURE CONTROL	2724	CY	\$ 4.00	\$10,896.00	2,724.00	2,724.00	\$10,896.00
5	2115-0100000	MODIFIED SUBBASE	2230	CY	\$ 33.00	\$73,980.00	1,708.82	1,689.81	\$95,087.13
6	2121-7425070	GRANULAR SHOULDER, TYPE A	1806	TON	\$ 20.00	\$37,920.00	1,466.54	1,230.50	\$24,610.00
7	2123-7450000	SHOULDER CONSTRUCTION, EARTH	31.1	STA	\$ 250.00	\$7,775.00	28.51	30.30	\$7,575.00
8	2301-1033100	STANDARD OR SLIP FORM PCC PAVEMENT, CLASS C, CL	8665	SY	\$ 65.00	\$397,575.00	5,705.36	5,705.36	\$370,848.40
9	2301-6811722	PCC PAVEMENT SAMPLE	1	LS	\$ 2,500.00	\$2,500.00	1.00	1.00	\$2,500.00
10	2315-6275025	SURFACE, DRIVEWAY, CLASS A, CRUSHED STONE	20	TON	\$ 35.00	\$700.00	17.05	0.00	\$0.00
11	2401-6745810	REMOVAL OF SIGN	5	EACH	\$ 180.00	\$900.00	5.00	0.00	\$1,440.00
12	2402-0425040	FLOODED BACKFILL	8.6	CY	\$ 110.00	\$946.00	5.00	5.00	\$550.00
13	2402-0720000	EXCAVATION, CLASS 20	45.8	CY	\$ 11.00	\$503.80	45.80	45.80	\$503.80
14	2416-0100024	APRON, CONCRETE, 24 IN. DIA.	2	EACH	\$ 1,850.00	\$3,700.00	2.00	2.00	\$3,700.00
15	2416-0100030	APRON, CONCRETE, 30 IN. DIA.	1	EACH	\$ 1,850.00	\$1,850.00	1.00	1.00	\$1,850.00
16	2416-1180024	CULVERT, CONCRETE ROADWAY PIPE, 24 IN. DIA.	14	LF	\$ 140.00	\$1,960.00	14.00	14.00	\$1,960.00
17	2416-1180030	CULVERT, CONCRETE ROADWAY PIPE, 30 IN. DIA.	16	LF	\$ 155.00	\$2,480.00	16.00	18.00	\$2,790.00
18	2417-0225024	APRON, CORRUGATED METAL, 24 IN. DIA.	2	EACH	\$ 700.00	\$1,400.00	2.00	2.00	\$1,400.00
19	2417-0225024	CULVERT, CORRUGATED METAL ROADWAY PIPE, 24 IN. DIA.	38	LF	\$ 90.00	\$3,420.00	35.00	38.00	\$3,420.00
20	2502-8212084	SUBDRAIN, LONGITUDINAL, (SHOULDER) 4 IN. DIA.	3278	LF	\$ 12.00	\$39,336.00	3,359.20	3,418.20	\$40,298.40
21	2502-8220195	SUBDRAIN OUTLET (RF-19C)	8	EACH	\$ 500.00	\$4,000.00	8.00	2.00	\$940.00
22	2502-8220197	SUBDRAIN OUTLET (RF-19F)	2	EACH	\$ 380.00	\$760.00	5.00	5.00	\$1,900.00
23	2503-0200036	REMOVAL STORM SEWER PIPE LESS THAN OR EQUAL TO	38	LF	\$ 15.00	\$570.00	38.00	38.00	\$570.00
24	2503-0200036	REMOVAL STORM SEWER PIPE LESS THAN OR EQUAL TO	27.6	LF	\$ 20.00	\$552.00	27.80	0.00	\$0.00
25	2507-3250005	ENGINEERING FABRIC	14.4	TON	\$ 60.00	\$864.00	2,048.25	0.00	\$0.00
26	2507-5029000	EROSION STONE	2010	SY	\$ 10.00	\$20,100.00	2,048.25	0.00	\$0.00
27	2510-6745850	REMOVAL OF PAVEMENT	1	EACH	\$ 200.00	\$200.00	1.00	1.00	\$200.00
28	2514-8610000	SAFETY CLOSURE	5	EACH	\$ 175.00	\$875.00	4.00	5.00	\$875.00
29	2514-8765010	REMOVE AND REINSTALL SIGN	1	EACH	\$ 175.00	\$175.00	1.00	1.00	\$175.00
30	2525-0000100	TRAFFIC SIGNALIZATION	1	LS	\$ 175,000.00	\$175,000.00	1.00	1.00	\$175,000.00
31	2527-5238109	PAINTED PAVEMENT MARKINGS, WATERBORNE/SOLVEN	175.16	STA	\$ 42.00	\$7,368.72	175.16	177.54	\$7,446.28
32	2527-5238137	PAINTED SYMBOL AND LEGEND, WATERBORNE/SOLVEN	6	EACH	\$ 110.00	\$660.00	6.00	6.00	\$660.00
33	2527-5238180	PAVEMENT MARKINGS REMOVED	43.65	STA	\$ 31.00	\$1,353.15	34.08	41.37	\$1,282.47
34	2528-8445110	TRAFFIC CONTROL	20	LS	\$ 355.00	\$7,100.00	16.00	18.00	\$5,360.00
35	2533-4980005	MOBILIZATION	1	LS	\$ 60,000.00	\$60,000.00	1.00	1.00	\$60,000.00
36	2598-9999005	STORM WATER POLLUTION PREVENTION PLAN INSPECT	25	EACH	\$ 100.00	\$2,500.00	8.00	49.00	\$4,900.00
37	2598-9999010	METER FIT TOP ADJUSTMENT	1	LS	\$ 12,500.00	\$12,500.00	1.00	1.00	\$12,500.00
38	2599-9999010	STORM WATER POLLUTION PREVENTION PLAN MANAGE	1	LS	\$ 2,500.00	\$2,500.00	1.00	1.00	\$2,500.00
39	2601-2554100	MULCHING	2.21	ACRE	\$ 700.00	\$1,547.00	1.70	1.70	\$1,190.00
40	2601-2636041	SEEDING AND FERTILIZING	2.21	ACRE	\$ 1,100.00	\$2,431.00	1.70	1.70	\$1,870.00
41	2602-0000020	SILT FENCE	1084	LF	\$ 1.75	\$1,914.50	195.00	155.00	\$271.25
42	2602-0000030	SILT FENCE	389	LF	\$ 2.50	\$967.50	388.00	388.00	\$960.00
43	2602-0000071	REMOVAL OF SILT FENCE OR SILT FENCE-DITCH CHECK	1493	LF	\$ 0.10	\$149.30	645.00	0.00	\$0.00
44	2602-0000101	MAINTENANCE OF SILT FENCE OR SILT FENCE-DITCH CH	150	LF	\$ 5.00	\$750.00	645.00	645.00	\$3,225.00
45	2602-0000309	PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE #	217.5	LF	\$ 1.00	\$217.50	645.00	645.00	\$645.00
46	2602-0000310	REMOVAL OF FENCE/NET AND SLOPE BEDDIMENT CONTR	217.5	LF	\$ 1.00	\$217.50	3.00	3.00	\$1,500.00
47	2602-0010010	MOBILIZATION, EMERGENCY EROSION CONTROL	1	EACH	\$ 500.00	\$500.00	0.00	0.00	\$0.00
48	2602-0010020	MOBILIZATION, EMERGENCY EROSION CONTROL	1	EACH	\$ 1,000.00	\$1,000.00	0.00	0.00	\$0.00

TOTAL ORIGINAL CONTRACT: \$898,573.72

CHANGE ORDER SUMMARY

50	2599-9999010	SAW CUTTING	190	LF	\$ 18.80	\$3,572.00	190.00	190.00	\$3,762.00
51	2599-9999010	Ditch Grading	1	LS	\$ 1,650.00	\$1,650.00	1.00	1.00	\$1,650.00
52	2599-9999009	12' CMP Extension	20	LF	\$ 82.50	\$1,650.00	20.00	20.00	\$1,650.00
53	2599-9999010	Inlets Relocation and Reconstruction	1	LS	\$ 1,100.00	\$1,100.00	1.00	1.00	\$1,100.00
54	2599-9999005	8-18" 4"x6" Wood Posts	8	EA	\$ 182.44	\$1,459.52	8.00	8.00	\$1,459.52
55	2599-9999005	Apron Guards	3	EA	\$ 715.00	\$2,145.00	3.00	3.00	\$2,145.00
56	2599-9999010	Ladder Rungs	1	LS	\$ 290.00	\$290.00	1.00	1.00	\$290.00
57	2599-9999004	Changeable Message Boards	7	DAY	\$ 88.00	\$616.00	14.00	14.00	\$1,232.00

TOTAL CHANGE ORDER CONTRACT: \$ 12,672.52

TOTAL ORIGINAL CONTRACT & CHANGE ORDERS \$911,246.24

TOTAL ORIGINAL CONTRACT: \$870,602.48

TAX ABATEMENT COMMITTEE

Minutes

June 15, 2015 6:00 P.M.

Bondurant City Center

1. Attendees:

Brian Lohse, Bondurant City Council, Committee Chair
Mark Arentsen, City Administrator
Rich Colgrove, Polk County Assessor's Office
Travis Sisson, Peak Development Corporation
Rich Powers, Bondurant-Farrar Community School District
Jason Lozano, Iowa Realty Commercial
Mike McNichols, Bondurant Development, Inc.
Alex Lynch, East Polk Regional Development
Dave Harmeyer, VISTA Real Estate and Investment Corporation
Todd Odmunson, Re/Max Real Estate Group

2. Introduction of Committee Members

3. Review City of Bondurant current tax abatement program

Committee Chair Lohse said the goals that he would like addressed by the Committee were:

- What should Bondurant's goals be for residential and commercial development?
- Can tax abatement be used to achieve those goals?
- Is tax abatement an appropriate tool to encourage commercial growth?

City Administrator Arentsen explained the current Tax Abatement guidelines.

4. Review of tax abatement legal parameters

Rich Colgrove discussed the parameters the Committee must consider for Tax Abatement changes. He said the Code of Iowa requires that if a particular Classification subset is offered abatement, then that needs to be clearly stated in the plan. As an example, Des Moines offers abatement in certain geographic areas.

Committee members discussed ways the City could encourage developers to offer the next level of home value. Mr. Colgrove said his office administers whatever policy is set by the Council but doesn't police market value or land values.

Mr. Colgrove answered the following questions:

- (1) Is the City allowed to have more than one Residential Tax Abatement Plan?
Yes. As long as objectives are clearly stated. Could include revitalization, remodeling, geographic areas.
- (2) Can the City establish a Residential Tax Abatement Plan based on valuation?
Mr. Colgrove was not comfortable with this idea. Should avoid dollar amount. Could use square footage. Need to be guided by City's objectives.
- (3) Can the City "direct" growth to certain areas of Bondurant?
Yes. As long as the objective is spelled out specifically. Can use the program to encourage economic growth.

- (4) If the City decreases residential tax abatement, can it later decide to reverse direction?
Yes. Program can be amended by City Council.
- (5) If the City eliminates the program entirely, can it be reestablished?
Yes. It would have to go through the same process as when it was first initiated.
- (6) Different incentives to different residential products?
Mr. Colgrove explained that State Code identifies five classes of taxable property.
Mr. Colgrove suggested keeping the abatement plan simple.
- (7) Could City retain abatement for single-family home remodeling?
Yes.

5. Discussion

Mr. Powers discussed how valuation impacts the School District's bonding goals. He cited the incentives offered to FaceBook that may prevent that development being included in the School District bonding process. Other members suggested the City needs to consider the impact of abatement on City services and its ability to provide infrastructure for continued development.

Committee members said retail development in Bondurant is hampered by its proximity to Des Moines, Ankeny and Altoona. Also, developers have had a difficult time getting current land owners to sell land at reasonable prices.

6. Actions

- Mr. Powers will survey recent move-ins to find out why residents move to Bondurant: Is it the tax abatement, smaller schools, other reasons? The City will provide names of the new homeowners.
- City will provide information regarding the impact abatement has on the City's finances.
- City Council will provide clear objectives for residential and commercial growth.

7. Next Meeting Date

Wednesday, July 15, 2015 at 6 p.m.

Mary Rork-Watson, Asst. to City Administrator



Fence Design and Installation Handout

It shall be unlawful for any person to construct, alter, or relocate any fence within the City without first obtaining the appropriate permits, as required by City Code, from the Building Inspection Division and making payment of all required permit fees.

Confirming property lines, buried utilities, easements, restrictive covenants, or association requirements are strictly the responsibility of the owner and/or contractor.

State Law requires that you notify Iowa One Call before digging.
1-800-292-8989 or www.iowaonecall.com

Note It is advised that the affected neighbor(s) be consulted if the fence will be placed right on the property line; or if two or more fences will be joined structurally.

A. General Information

The following standards shall apply to all fences, walls built for landscaping or screening purposes, and other similar structures, except for retaining walls, in any zoning district:

MATERIALS AND MAINTENANCE

1. Allowed Materials:

a. Fences are to be constructed of customarily used materials such as chainlink, welded wire mesh, wrought iron, aluminum, wood, polyvinyl chloride (PVC), ornamental woven wire and other similar materials, unless specified otherwise herein. Any fence considered by the development planning and inspection manager, or his/her designee, to not be a standard or customarily styled or constructed fence is prohibited.

The use of materials such as sheet metal, chicken wire, temporary construction fencing, snow fencing, woven wire commonly used for the penning of livestock or other animals or similar materials shall not be permitted for permanent fencing. A fence shall not be constructed or covered with: paper sheets or strips; cloth or fabric tarps, sheets, or strips; plastic or vinyl tarps, sheets, mesh, or strips; bamboo; reed; or plywood sheeting. Chainlink or woven wire type fences shall not include plastic or wood slats or strips, bamboo, or reed. Wood fences shall be constructed of treated lumber, cedar, redwood, or similar types of wood that are resistant to decay. All fences must be of an earth tone, neutral, or natural color such as white, black, gray (silver), tan, brown, green. Bright or fluorescent colors are not permitted. Pictures, images, lettering, logos, graphics, or artwork are not permitted on fences.

An exception may be approved by the development planning and inspection manager, or his/her designee, for sun and/or wind screen material applied to fences directly associated with a sports or recreation facility such as tennis court fences,

baseball field fences, or basketball courts, subject to the provisions of subsection E3 of this section. An exception also may be approved by the development planning and inspection manager, or his/her designee, for mesh screen material associated with a commercial or industrial site.

b. Walls are to be constructed of brick, stone, textured concrete, precast concrete, tile block, etc. Walls constructed of weather resistant wood or manufactured substitutes may be used if brick or stone columns are incorporated and spaced no more than twenty feet (20') on center.

2. **Prohibited Materials:** A fence or wall may not be designed to cause pain or injury to humans or animals. Therefore, the use of spikes, broken glass, barbed wire, razor wire, nails, electrical charge or other similar materials shall be prohibited, unless specified otherwise herein.
3. **Construction and Maintenance:** All fences shall be constructed in a sound and sturdy manner and shall be maintained in a good state of repair, including the replacement of defective parts, painting, and other acts required for maintenance. The Director of Development Services, after ten (10) days' notice to the owner of the fence, may order the removal of any fence that is not maintained in accordance with the provisions of City Code and the cost assessed against the property where said fence is located. An extension of time may be granted, upon filing a verified statement that the delay is not a result of any act of the owner.
4. **Single Faced Fences:** Single faced fences shall have their unfinished side (side with exposed posts) facing towards the property on which the fence is erected.

B. MEASURING FENCE OR WALL HEIGHT

Fences and walls not exceeding six (6) feet in height are allowed within the limits of rear yard and side yards (up to the front yard setback). A fence or wall, not exceeding four (4) feet in height is allowed up to the property line, in all yards, (provided the visual clearance is maintained), unless otherwise specified.

1. The height of a fence shall be determined by a measurement from the ground beneath the fence as follows:
 - a. In a yard abutting a street, the total fence height above the finished grade shall be measured on the side nearest the street.
 - b. In any other required yard the total effective fence height above the finished grade shall be measured on the side nearest the adjacent property.
 - c. On a property line, the fence height shall be measured from the finished grade of the side of the adjacent property. (Ord. 1354, 3-22-1999)
 - d. No single wall face shall be greater than six feet (6') in height without terraces to break up the wall expanse. A minimum one foot (1') of terrace shall be used for each two feet (2') of wall height. Each terrace shall contain vegetation. (Ord. 1839, 9-21-2009)



FENCES AND WALLS CHAPTER 166.04

CHAPTER 166

ZONING ORDINANCE GENERAL REGULATIONS & NONCONFORMING USES

166.04 FENCES AND WALLS:

1. **Residential Districts:** In any residential zoning district, fences not exceeding six (6) feet in height are permitted within the limits of side and rear yards. Fences are permitted in the front yard with a maximum height of forty-eight (48) inches. All fences and retaining walls within a front yard shall be a minimum of two (2) feet from any property line abutting frontage to a public street. All fences located between the front property line and the front yard building setback, shall be designed with a minimum open space of thirty percent (30%). Retaining walls shall be the only type of wall allowed within a residential front yard.
2. **Residential Corner Lots:** Any yard abutting a public street shall be considered a front yard. Residential corner lots contain two (2) front yards, and any fence extending into either front yard shall be a maximum of forty-eight (48) inches in height and shall be subject to all other requirements for front yard fences.
3. **Industrial and Commercial Districts:** In industrial districts, fences and walls not exceeding eight (8) feet in height are permitted within the limits of the side and rear yard. Fences within a commercial district, within the front yard of an industrial district, or exceeding eight (8) feet in height in industrial districts, may be permitted by special exception of the Board of Adjustment.
4. **Decorative Features:** In all districts, decorative features such as Individual posts, brick or stone columns, and similar features constructed as part of a fence or wall shall be allowed to exceed the maximum fence height by no more than twelve (12) inches.
5. **Swimming Pool Enclosures:** Barriers constructed for the purpose of enclosing a swimming pool, shall also be subject to the requirements of Chapter 152 of this code of ordinances.
6. **Fence Frames:** The frame of a fence, including posts, rails, and supports shall be placed on the inside of the fence.
7. **Retaining Walls:** All retaining walls (8) eight feet high and above shall be designed by an Iowa licensed design professional.
8. **Vision Clearance:** On a corner lot, nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between the height of two and one-half (2½) feet and ten (10) feet above the centerline grades of the area described as follows:

That area bounded by the street right-of-way lines of a corner lot and a straight line joining points on said right-of-way lines twenty-five (25) feet from the point of intersection of said right-of-way lines.

9. Materials and Maintenance:

A. **Allowed Materials:** Fences are to be constructed of customarily used materials such as chain link, wrought iron, aluminum, wood, polyvinyl chloride (PVC), and other similar materials, unless specified otherwise herein. Wood fences should be constructed of treated lumber, cedar, redwood, or similar types of wood that are resistant to decay.

B. **Prohibited Materials:** The use of materials such as corrugated or sheet metal, chicken wire, woven wire, temporary construction fencing, snow fencing, or similar materials shall not be permitted for permanent fencing. A fence or wall may not be designed to cause pain or injury to humans or animals. Therefore, the use of spikes, broken glass, barbed wire, razor wire, nails, electrical charge or other similar materials shall be prohibited. Chain link fences located in a residential front yard shall not be of a galvanized finish.

C. **Construction and Maintenance:** All fences shall be constructed in a sound and sturdy manner and shall be maintained in a good state of repair, including the replacement of defective parts, painting, and other acts required for maintenance. The Zoning Administrator after ten (10) days' notice to the owner of the fence, may order the removal of any fence that is not maintained in accordance with the provisions of this Code, and the cost assessed against the property where said fence is located. An extension of time may be granted, upon filing a verified statement that the delay is not a result of any act of the owner.

10. **Screening and Buffer Walls:** In any zoning district where a fence or wall is required by the zoning or subdivision regulations or any other provisions of this Code of Ordinances, to serve as a screening wall, buffer wall or other separating or protective wall, the restrictions of Section 166.04 shall yield to the requirements of such other specific provision.

11. Overland Flowage Easements:

A. Fences may encroach into an overland flowage easement providing measures are taken to make certain that the fence does not cause siltation buildup or restrict the water flow.

B. Permitted fence material includes chain link, wrought iron fencing, picket style fencing that is at least thirty percent (30%) open, or other fencing styles that are at least thirty percent (30%) open.

C. All fencing shall be elevated a minimum of three (3) inches through the swale part of the easement to allow water flowage.

12. Exceptions to Fence Requirements:

A. Agricultural Purposes:

1. In agriculture districts, barbed wire and woven wire fencing may be allowed, subject to a minimum setback of ten (10) feet, provided it is used to contain livestock or to protect crops and plantings.

2. In agriculture districts, an electrified fence may be allowed subject to a minimum setback of ten (10) feet for the purpose of containing livestock.

B. Industrial Districts: In industrial districts, fences topped with barbed wire may be allowed by special exception of the board of adjustment, provided the barbed wire is not less than six (6) feet above the ground.

C. Recreational Purposes: Fences associated with the uses of a sports or recreational facility or other similar area, shall not be subject to the height restrictions specified elsewhere in this section, provided that such fence is constructed to maintain a consistency of at least seventy five percent (75%) open space for the full length of the fence and does not impede the required vision clearance. Any such fence is subject to design review and approval of the Zoning Administrator.

D. Temporary Fences: Temporary or seasonal fences, e.g. snow fence, garden fence, are exempt from permitting requirements providing they are not more than four (4) feet in height. Snow fence shall be allowed to be placed from the first day of November through the first day of April of the following year. Snow fence shall not be allowed at any other time of the year, unless it is being placed as safety or construction fencing in accordance with the Temporary Construction Fence requirements of this chapter.

E. Temporary Construction Fence: Temporary construction fences, barricades, railings, or other similar fences installed to provide temporary site security and/or safety in conjunction with construction work may be allowed in any district during periods of construction. Any such temporary fences shall be removed upon completion of the construction work.

F. Repair of existing fences shall not be subject to the setback or height regulations, if the repair or replacement coincides with the location and height of the existing fence. Complete replacement of an existing fence requires compliance with the terms of this ordinance. Complete replacement shall be defined as the removal or replacement of forty (40) percent or more of the existing fence.

166.05 CORNER LOTS. For corner lots, the front yard regulation shall apply to each street side of the corner lot. The Zoning Administrator shall designate the rear yard of a lot which shall generally be that portion of yard opposite the narrow street side

166.06 THROUGH LOTS. The Zoning Administrator shall designate the front yard of a through lot which shall generally be the yard adjacent to the local street or lower street hierarchy classification designation. The front yard regulations shall apply to each street side of a through lot with an exception to allow a privacy type fence not exceeding six (6) feet in height in the designated rear yard, provided it is a minimum of ten (10) feet from the property line abutting street frontage.

166.07 FRONT YARD. In all residential districts, there shall be a minimum front yard required as stated in the yard requirement of that particular district.

CHAPTER 163

PROPERTY MAINTENANCE CODE

163.01 Title	163.07 Building Maintenance
163.02 Purpose	163.08 Refuse and Inoperable Vehicles
163.03 Interpretation	163.09 Residing and Reconstruction
163.04 Abrogation and Greater Restrictions	163.10 Violations
163.05 Definitions	163.11 Board of Appeals
163.06 Maintenance Standards	

163.01 TITLE. This chapter may be referred to as the “Property Maintenance Code”, and is herein referred to as “this Code”.

163.02 PURPOSE. The purpose of this Code is to protect the public health, safety, and welfare, esthetics and property values, by establishing minimum standards for maintenance, appearance, condition, and occupancy, and for essential utilities, facilities, and other physical components and conditions to make residential premises fit for human habitation, and to make nonresidential premises fit for use according to the purpose for which they were developed; by fixing certain responsibilities and duties upon the owners and managers, and distinct and separate responsibilities and duties upon the occupants; by authorizing and establishing procedures for inspection of premises, and enforcement of this Code; establishing penalties for violations; and providing for proper repair, demolition, or vacation of premises which do not comply with this Code.

163.03 INTERPRETATION. The provisions of this Code shall be interpreted and applied as minimum requirements, and shall not be deemed a limitation or repeal of any other power granted by the Code of Iowa. Nothing in this Code shall be construed to abrogate the Federal or State Constitutions, nor to grant powers to the City that are otherwise reserved by and for Federal and State Government.

163.04 ABROGATION AND GREATER RESTRICTIONS. It is not the intent of this Code to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. Where two or more provisions apply the higher standard shall prevail.

163.05 DEFINITIONS. Words used in this Code shall have the same meaning as that defined by the Zoning Ordinance, unless otherwise defined by this Code.

or buildings on adjoining premises; any vegetation located on private property which overhangs and is less than 14 feet above the traveled portion of any public street, or less than 8 feet vertically, or which protrudes into any public sidewalk.

N. Loose, overhanging objects or accumulations of ice or snow, which by reason of location above ground level constitute a danger of falling on persons in the vicinity thereof.

163.07 BUILDING MAINTENANCE. Every building shall be maintained to be weather and water tight, and free from excessively peeling paint or other conditions suggestive of deterioration or inadequate maintenance. Exterior surfaces shall not have any holes or broken glass; loose, cracked, or damaged shingles or siding; or other defects in the exterior finish which admit rain, cold air, dampness, rodents, insects, or vermin. Basements, cellars, and crawl spaces shall be free of standing water and hazards. All wood, including floorboards, subfloors, joists, bridging, roof rafters and sheathing, and all other wood in any interior or exterior floor, wall, roof, or other part of the structure, shall be maintained to be free of cracks affecting structural integrity, termite damage, infestation, or rot. Any and all damaged or deteriorating materials shall be replaced. If infestation exists in any basement, cellar, or crawl space, such infestation shall be remedied in accordance with industry standards.

163.08 REFUSE AND INOPERABLE VEHICLES. Inoperable vehicles shall be stored within a fully enclosed building or other location not exposed to public view, or shall be removed from the premises. All refuse shall be contained in suitable collection containers; kept free from infestation; and shall be removed weekly.

163.09 RESIDING AND RECONSTRUCTION. Materials and practices used in reconstruction and residing shall be of standard quality and appearance commensurate with the character of other properties in the vicinity of the premises. Their appearance, as judged under prevailing appraisal practices and standards, shall not depreciate the value of adjoining premises or the neighborhood.

163.10 VIOLATIONS.

1. Enforcement. The creation or maintenance of a violation of this chapter is prohibited and shall constitute a misdemeanor. Each day that a violation is permitted to continue constitutes a separate offense.

A. All inspections, enforcement actions, and hearings on violations, unless expressly stated to the contrary, shall be under the direction and supervision of an Enforcement Officer, who

cause pollution, obstruction, or siltation of drainage systems, or to violate solid waste disposal regulations.

F. Failure to establish a permanent cover of perennial grasses or ornamental ground cover on any property as soon as practical after any construction, and to thereafter maintain same in such condition as to substantially bind the surface of the soil and prevent erosion, whether by sheet or gullying, or by wind or water. Exceptions shall be permitted for densely shaded areas, landscape beds, and gardens, provided that vegetable gardens and agricultural crops shall not be placed in the front yard of a non-farm property, unless it can be demonstrated that no other viable location exists on the premises because of topography, natural vegetation, or similar circumstances out of the resident's control.

G. Any nuisance as defined herein or described as such by Chapter 657 of the Code of Iowa, 2008.

H. Any alteration, modification, or obstruction which prevents, obstructs or impedes the normal flow of runoff from adjacent lands, or any alteration or modification which substantially concentrates or increases the flow of water onto an adjoining premises to the extent of damaging or saturating such premises.

I. Conditions which are conducive to the harborage or breeding of vermin.

J. Facilities for the storage or processing of sewage, such as privies, vaults, sewers, private drains, septic tanks, cesspools, and drain fields, which have failed or do not function properly, as may be evidenced by overflow, leakage, seepage, or emanation of odors, or which do not comply with the Polk County Department of Health regulations, as applicable. Septic tanks, cisterns, and cesspools that are no longer in use shall be removed, or emptied and filled with clean dirt or sand.

K. Vehicles parked on the lawn or other unpaved surface in the yard exposed to public view.

L. Fences or retaining walls that are not structurally sound or which are deteriorating, as may be evidenced by leaning or loose elements.

M. Dead or diseased trees or other woody vegetation which may lead to the spread of the disease to other specimens or pose a threat to safety or buildings; major parts thereof, such as a limb, which may be dead or broken or otherwise pose a threat to safety