**Due to the COVID-19 concerns and social distancing recommendations, a virtual meeting was offered.*

BONDURANT CITY COUNCIL
Minutes
October 18, 2021
Bondurant City Council

1. Roll Call

Present:	Mayor Curt Sullivan, Council Member Tara Cox, Council Member Doug Elrod, Council Member Wes Enos, Council Member Angela McKenzie, Council Member Bob Peffer
City Officials Present:	City Administrator Marketa Oliver, City Clerk Shelby Hagan, Public Works Director John Horton, Fire Chief Aaron Kreuder, Planning & Community Development Director Maggie Murray

2. Call to Order and Declaring a Quorum

   Mayor Sullivan called the meeting to order at 06:01 PM and declared a quorum.

3. Abstentions declared

   None.

4. Perfecting and Approval of the Agenda

   Motion by Enos, seconded by Elrod, to the agenda. Vote on Motion 5-0. Motion carried.

5. Consent Agenda:

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

   a. Approval of the City Council Meeting Minutes of September 13, 2021; September 20, 2021; September 25, 2021; September 27, 2021; and October 11, 2021

   b. Receive and File - Planning & Zoning Commission Meeting Minutes of July 22, 2021; August 26, 2021; and September 9, 2021

   c. Applications for Council Approval

   d. Claims List

   e. R-211018-273Resolution approving Change Order No. 2 to Ryan Companies US, Inc. for Shiloh Rose Parkway/ 23rd St. SW Public Infrastructure Improvement Project (Project Omega)

f. R-211018-274-Consideration of Resolution approving Pay Request No. 11 with Ryan Companies for the Project Omega Phases 2 & 3 Offsite Improvements Construction Management Fee in the amount of $3,815.64

g. R-211018-275-Resolution approving Pay Request No. 9 for the Northeast Storm Sewer Public Infrastructure Project to Absolute Infrastructure

h. R-211018-276-Resolution Rescinding Resolution No. 210907-240 for Pay Request No. 6 for Professional Services Agreement for Commerce Crossings Public Improvement Project to Shive-Hattery in the amount of $78,600.00

i. R-211018-277-Resolution approving Pay Request No. 6 to Shive-Hattery for the Construction Services Agreement for Project Omega Phases 2 and 3 Public Improvements Project (Project Omega) in the amount of $78,600

j. R-211018-278-Resolution approving Pay Request No. 6 to Shive-Hattery for the Professional Services Agreement for Commerce Crossings Development Public Improvements Project in the amount of $41,484

k. R-211018-279-Resolution adopting FY2020-2021 Street Finance Report

l. R-211018-280-Resolution authorizing the Early Redemption of the City's Allocable Share of the Water Revenue Bonds, Series 2012B

m. R-211018-281-Resolution affixing a date for a Public Hearing for November 15th, 2021 on the Proposed Annexation of Territory into the City of Bondurant

n. R-211018-282Resolution affixing a date for a Public Hearing for November 15th, 2021 to consider the Myers rezoning request from Agricultural (A-1) to Medium Industrial (M-2) pending Annexation and Future Land Use Map update from Reserve Ag/Residential and Reserve Industrial to Industrial

o. R-211018-283-Resolution approving Pay Request No. 6 for the Commerce Crossings Phase 2 Public Infrastructure Improvement Project to Concrete Technologies Inc. in the amount of $403,901.64

p. R-211018-285-Resolution approving Change Orders Totaling $10,279.22 for the 2021 Bondurant Community Library Expansion Project

Motion by Enos, seconded by Cox, to approve the Consent Agenda. Roll Call: Ayes: Cox, Elrod, Enos, McKenzie, Peffer. Nays: None. Absent: None. Motion carried 5-0.

6. Guests requesting to address the City Council

Lisa Simpson, 3310 Linden Drive, SW, requested Council to consider amending the No Parking Ordinance to move the "no parking" side to the other side of the street. Public Works Director Horton informed the Council that normal practice is the opposite side of the water main. The Council instructed Horton to reevaluate the area, and report back.

City Administrator Oliver presented Mayor Sullivan with the 2021 Planning Advocate award by the American Planning Association-Iowa. The City of Bondurant and RDG Planning & Design won the Urban Design Award for the City Park Master Plan as well.

a. -Elizabeth Presutti, Executive Director, DART

Elizabeth Presutti, DART Executive Director, presented a DART update. The update included new partnerships, continuous refinement of service, fleet diversification, property tax formula development and implementation, Transit Optimization study, and innovation and mobility pilots.

7. Action Items

a. R-211018-284-Resolution approving Professional Services Agreement with RDG for City Park Schematic Design in the amount of $42,000 plus Reimbursable Expenses

Council Member Elrod questioned the total cost of the project.

b. -(Second Reading) Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 69, Parking Regulations

Motion by Cox, seconded by Enos, to waive the second reading, and approve the third and final reading of O-211011-214. Roll Call: Ayes: Cox, Elrod, Enos, McKenzie, Peffer. Nays: None. Absent: None. Motion carried 5-0.

c. -(Third Reading) Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending the Zoning Classification of

Certain Real Estate from Agricultural (A-1) to Planned Unit Development (R-5) and amending the Future Land Use Map from Single-Family Residential to Multi-family and Commercial in areas shown on the Conceptual Plan

Steve Moseley, Hubbell Realty, presented the unchanged concept plan to the Council. After further review of the property, Hubbell kept the side-yard setbacks for the 65-foot-wide lots at 10-foot combined rather than the 15-foot combined because that would decrease the allowable number of units that can be built within those lots, and they wanted to preserve the diversity of the project. They also determined that the connection to the sanitary sewer at the south end of the site is shallow. As they move the sanitary sewer through the development, they are barely making basement elevations in the northern part of the site.

Emily Harding, Civil Design Advantage, reported that 30% of the lots are the 65-foot-wide lots, 27% are the 60-foot-wide lots, and 43% are the 50-foot-wide lots.

Council Member Cox questioned the basements in the multi-family units. Moseley reported that due to the shallowness of the sanitary sewer on the property, they would need to import more soil into the site than expected or expand the wet bottom pond in the park area to get more fill material.

This raises concerns for the council since Hubbell is still evaluating if the northern part of the site will have basements due to the shallowness of the sanitary sewer. Specifically, the northern portion of Area A, and Areas B and C are shallow in the current concept plan. They stated that they are doing everything they can to get basements into all the single-family lots, including running the sanitary sewer flatter than the minimum slope, which Bob Veenstra, Veenstra & Kimm, Inc., has approved. Moseley informed the Council that dirt will have to be imported to make it work because the site does not balance initially.

Veenstra stated that the issue is that this area is serviced by the Urban Service Area Trunk Sewer that was installed several years ago. Due to the shallowness of this line, the city allowed Parkside to get flatter. He reported that the city would be fighting that shallowness all the way up to 16th, and regardless of what is developed in this area, the shallowness of the sanitary sewer will be a factor. Hubbell is still meeting the DNR requirement with this conceptual plan.

Council Member Elrod expressed his disappointment with the plan, and does not support the plan as presented.

Council Member Cox asked for clarification that all single-family homes and townhomes will have basements.

Joe Pietruszynski, of Hubbell Realty, confirmed that they are planning on building basements for the townhomes and single-family lots. He claimed that basements are essential for those units. They realize there are engineering challenges to make that happen, but it is important for Hubbell Realty to have those options. He stated that families are going

to require basements for storm protection and storage. The engineering team from Hubbell sought out solutions to have basements, which resulted in flatter sanitary sewers after working with Veenstra & Kimm, Inc. Otherwise, Hubbell would have walked away from this site if it was not feasible. Hubbell understands that that means more imports, and more creative design in the multi-family area, but it is important for Pietruszynski to have basements.
Council Member Peffer commented on the challenges in the area and supports the plan as it is presented.
Council Member Enos commented on the PUD plan, the challenges in the area, and Hubbell's commitment to installing basements and supports the plan as it is presented.
Council Member McKenzie commented that the concept plan is a good plan for the area, and supports the plan as presented.
Council Member Elrod commented on the density of the plan.
The council discussed the percentage of lot types as well as the overall density of lots per acre.
Pietruszynski believes that Hubbell is in alignment with the Council on achieving the basement condition because the market requires it.

Motion by Enos, seconded by Peffer, to Approve the third and final reading of O-210907-210. Roll Call: Ayes: Cox, Enos, McKenzie, Peffer. Nays: Elrod. Absent: None. Motion carried 4-1.

8. Reports / Comments and appropriate action thereon:

   a. Mayor
      Award comments.
   b. Council Members
      Peffer - Tree Sale comments, public input meeting comments.
      Enos - New legislative maps are out, and upcoming MWA meeting.
      Cox - BDI update, Chamber update and EPIC update.
      McKenzie - WRA meeting tomorrow.
   c. Administrator
      None.
   d. Directors
      Horton - Tree update, project updates.
      Kreuder - Fleet update, a new program that is based off the GPS system when dispatched.
      Murray - Public engagement portion of the Comprehensive Plan is now live on the website.

9. **<u>Closed Session</u>**- Pursuant to Iowa Code 21.5.1(j) to discuss property acquisition and 21.5.1(c) potential or pending litigation

Motion by Enos, seconded by Peffer, to close the regular meeting at 07:37 PM and move into closed session. Roll Call: Ayes: Cox, Elrod, Enos, McKenzie, Peffer. Nays: None. Absent: None. Motion carried 5-0. Mayor Sullivan closed the Closed Session at 08:04 PM.

10. Adjournment

Motion by Peffer, seconded by Elrod, to adjourn at 08:04 PM. Vote on Motion 5-0. Motion carried.

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Shelby Hagan, City Clerk

ATTEST:

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Curt Sullivan, Mayor

I, the understated Mayor of the City of Bondurant, Polk County, Iowa, hereby certify that the foregoing is a true and accurate copy of proceedings had and done by the City Council on October 18, 2021, 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 subject were contained in said agenda for at least twenty-four hours prior to said meeting and the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten business days and prior to the next convened meeting of said body.

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Curt Sullivan, Mayor