

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

BONDURANT CITY COUNCIL

Minutes

December 6, 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 Pepper

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, Finance Director Jene Jess, City Engineer Bob Veenstra

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

5. **Public Hearing**

- a. Hold public hearing regarding the 16th Street NE, Grant Street North to Pleasant Street NE, Water Connection Fee District and establishing connection fees therein

Mayor Sullivan opened the public hearing at 06:02 PM.

City Administrator Oliver informed Council about comments from Robin McNichols regarding her concerns with her property within a connection fee district. City Engineer Veenstra discussed future water mains, migration to Bondurant water, and the city creating its own water utility. David Arellano of 1000 Pleasant Street, NE questioned what this means for his property. Brian Clayton of 120 5th Street, NE, questioned the properties currently with Des Moines Water Works or if they must migrate over to Bondurant, and questioned the timeline of Bondurant developing their own water utility.

Mayor Sullivan closed the public hearing at 06:19 PM.

- b. Hold public hearing regarding the 16th Street NE, Pleasant Street NE to NE Hubbell Avenue, Water Connection Fee District and establishing connection fees therein

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Mayor Sullivan opened the public hearing at 06:19 PM.

Council Member Elrod questioned if this would affect the stormwater utility.

Mayor Sullivan closed the public hearing at 06:20 PM.

- c. Hold public hearing regarding the Franklin Street - 2nd Street NW to the Former Railroad Right-of-Way Water Connection Fee District and establishing connection fees therein

Mayor Sullivan opened the public hearing at 06:20 PM.

Planning & Community Development Director Murray provided an overview of the district.

Mayor Sullivan closed the public hearing at 06:22 PM.

- d. Hold public hearing regarding the Franklin Street NE - 2nd Street NW North 1/2 Mile Water Connection Fee District and establishing connection fees therein

Mayor Sullivan opened the public hearing at 06:22 PM.

Planning & Community Development Director Murray provided an overview of the connection fee district.

Mayor Sullivan closed the public hearing at 06:23 PM.

- e. Hold public hearing regarding request for rezoning from Medium Industrial (M-2) to Central Business (C-4) on property adjacent to the C-4 District

Mayor Sullivan opened the public hearing at 06:24 PM.

Planning & Community Development Director Murray provided an overview of the rezoning locally known as Landus Cooperative.

Mayor Sullivan closed the public hearing at 06:27 PM.

- f. Hold Public Hearing on Luther Park Bond Issuance

Mayor Sullivan opened the public hearing at 06:27 PM.

City Administrator Oliver provided an overview of the Luther Park Bond Issuance.

Mayor Sullivan closed the public hearing at 06:28 PM.

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 City Council Meeting Minutes of November 15, 2021
- b. Receive and File - Parks & Recreation Board Meeting Minutes of August 19, 2021, and Library Board Meeting Minutes of November 3, 2021 & Director's Report
- c. Claims List & Treasurer's Report

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- d. Applications for Council Approval
- e. R-211207-312-Resolution designating the Official Newspapers of Record for 2022
- f. R-211207-313-Resolution approving Appointments for City Legal and Engineering Services
- g. R-211207-314-Resolution approving City Council Meeting Dates for Calendar Year 2022
- h. R-211207-315-Resolution designating the Official Depositories for Calendar Year 2022
- i. R-211207-316-Resolution approving Appointments to the Polk County Joint E911 Service Board
- j. R-211207-317-Resolution appointing Persons to Serve as Commissioner and Alternate for the Des Moines Regional Transit Authority (DART)
- k. R-211207-318-Resolution approving the acquisition of Certain Property Interests associated with the Highway 65 Utility Extension Project and authorizing associated payments
- l. R-211207-319-Resolution approving Pay Request No. 8 to Shive-Hattery for the Professional Services Agreement for Commerce Crossings Development Public Improvements Project in the amount of \$17,369.
- m. R-211207-320-Resolution approving Pay Request No. 9 for the Commerce Crossings Phase 2 Public Infrastructure Improvement Project to Concrete Technologies Inc. in the amount of \$123,205.27
- n. R-211207-321-Resolution approving Pay Request No. 10 for the Northeast Storm Sewer Public Infrastructure Project to Absolute Infrastructure in the amount of \$7,467
- o. R-211207-322-Resolution approving Pay Request No. 5 for the 2020 Washington Street Deceleration Lane Project to Alliance Construction Group in the amount of \$6,879.90

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- p. R-211207-323-Resolution approving Pay Request No. 6 for the 2020 Washington Street Deceleration Lane Project to Alliance Construction Group in the amount of \$16,597.10
- q. R-211207-324-Resolution approving Certificate of Completion for the 2020 Washington Street Deceleration Lane Project (Alliance Construction Group)
- r. R-211207-325- Resolution approving Shive-Hattery Professional Services Agreement in the amount of \$56,350 for work associated with Step 3 of the Myers Site Certification
- s. R-211207-326- Resolution approving Veenstra & Kimm Professional Services Agreement in the amount of \$271,000 for Construction Design Service Work Associated with the New Street and Realigned Intersection out to Highway 65 near Myers Certified Site Area
- t. R-211207-327-Resolution affixing a date for a public hearing on December 20th, 2021 to consider an ordinance amending Chapter 3 of the Bondurant Code of Ordinances, titled Municipal Boundaries and Precincts
- u. R-211207-328-Resolution approving the CDL Training Site Plan at 2408 Robinson Avenue, NE
- v. R-211207-329-Resolution approving the Midstates Precast Products Site Plan at 2340 Hubbell Avenue, SW
- w. R-211207-330-Resolution approving Pay Request No. 15 from Story Construction for the Construction Management of the Library Expansion & Renovation Project in the Amount of \$5,775.79
- y. R-211207-332-Resolution approving Pay Request No. 13 to Multiple Vendors for the Bondurant Library Expansion Project in the amount of \$24,755.63
- z. R-211207-333-Resolution Authorizing and Providing for the Issuance of Not to Exceed \$7,000,000 Aggregate Principal Amount of Senior Housing Revenue Refunding Bonds (Luther Park Apartments, Inc.

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Project), Series 2021 and Approving the Execution of Documents
Relating to the Bonds, and Related Matters

- aa. R-211207-334-Resolution supporting the Application to the International City/County Management Association for a Scholarship to the Harvard Kennedy School Senior Executives in Local Government Program
 - bb. R-211207-335-Resolution approving Appointments to WRA Board and Technical Committee for CY 2022
 - cc. R-211207-336-Resolution appointing a Representative to Eastern Polk Innovation Collaborative (EPIC)
 - dd. -(Second Reading) Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending the Zoning Classification of Certain Real Estates from Agricultural (A-1) to Medium Industrial (M-2), pending annexation, and amending the Future Land Use Map from Reserve Ag/Residential and Reserve Industrial to Industrial
 - ee. R-211207-343-Resolution approving Real Estate Purchase Agreement for parcels 230/00455-008-000; 230/00455-009-000; and 230/00455-000-000, authorizing Payment for the Acquisition of Property and authorizing the Taking of Necessary Steps for the Closing of the Property Acquisition Transaction
Motion by Pepper, seconded by Elrod, to remove item 6t. Vote on Motion 5-0. Motion carried.
Council Member Enos expressed that he is opposed to item 6x. Motion by Enos, seconded by Pepper to move item 6x to item 8h to vote on it separately. Vote on Motion 3-2. Motion carried.
Motion by Pepper, seconded by Elrod, to approve the consent agenda as amended. Vote on Motion 5-0. Motion carried.
7. Guests requesting to address the City Council
Captain Shawn Van Hoozer provided a Polk County Sheriff's report for the month of November.
8. Action Items
- a. O-211207-217 -(First Reading) Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending the Zoning Classification of Certain Real Estate from Medium Industrial (M-2) to Central Business (C-4)
Planning & Community Development Director Murray provided an overview, and mentioned that Landus Cooperation was fine with the

rezoning.

Motion by Pepper, seconded by Elrod, to Approve the first reading of O-211206-217. Roll Call: Ayes: Cox, Elrod, Enos, McKenzie, Pepper. Nays: None. Absent: None. Motion carried 5-0.

- b. O-211207-218 -(First Reading) Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 93 - Water Connection Fee Districts

Motion by Pepper, seconded by Elrod, to Approve the first reading of O-211206-218. Roll Call: Ayes: Cox, Elrod, Enos, McKenzie, Pepper. Nays: None. Absent: None. Motion carried 5-0.

- c. R-211207-337-Resolution approving Appointments to the BRAVO Board for CY 2021

Motion by Pepper, seconded by Elrod, to Approve R-211206-337. Roll Call: Ayes: Cox, Elrod, Enos, McKenzie, Pepper. Nays: None. Absent: None. Motion carried 5-0.

- d. R-211207-338-Resolution appointing Appointments to the Des Moines Convention and Visitors Bureau Board of Directors

Motion by Elrod, seconded by Pepper, to appoint Bob Pepper, and Approve R-211206-338. Roll Call: Ayes: Cox, Elrod, Enos, McKenzie. Nays: None. Absent: None. Motion carried 4-0.

- e. R-211207-339-Resolution approving Appointments to Des Moines Area MPO and Des Moines Area MPO's Transportation Technical Committee
Motion by Cox, seconded by Pepper, to appoint Doug Elrod, and Approve R-211206-339. Roll Call: Ayes: Cox, Enos, McKenzie, Pepper. Nays: None. Absent: None. Motion carried 4-0.

- f. R-211207-340-Resolution approving Appointments to MWA Board for CY 2022

Motion by Pepper, seconded by Elrod, to Table R-211206-340. Roll Call: Ayes: Cox, Elrod, Enos, McKenzie, Pepper. Nays: None. Absent: None. Motion carried 5-0.

- g. R-211207-341-Resolution appointing Representatives to the Polk County Emergency Management Commission

Motion by Pepper, seconded by McKenzie, to appoint Doug Elrod, and Approve R-211206-341. Roll Call: Ayes: Cox, Enos, McKenzie, Pepper. Nays: None. Absent: None. Motion carried 4-0.

- x. R-211207-331-Resolution determining to Fill Council Vacancy through Appointment

Council Member Elrod stated his opinion on calling for a special election for the vacancy. Council Member Cox agreed with Elrod. Council Member Enos stated that Bondurant had a record turnout of voters in the last election, and thinks a special election is more appropriate. City Administrator Oliver will confirm the correct number of signatures needed

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for the petition.

Motion by Peffer, seconded by Elrod, to Approve R-211206-331 . Roll Call:
Ayes: Cox, Elrod, Peffer. Nays: Enos. Abstain: McKenzie. Absent: None.

Motion carried 3-1.

Council Member Cox left at 06:57 PM.

9. Discussion Items -

a. City Precinct Boundaries Review

Council Member Cox left at 06:57 PM.

Planning & Community Development Director Murray provided an overview, and informed Council that the County requested some revisions to the proposed precincts.

Council Member Enos provided suggestions on precincts.

b. R-211207-342-Discussion and Possible Consideration of a Resolution approving an Agreement with ClearGov for Digital Budget Book, Transparency, and Capital Budgeting Software in the amount of \$20,100
City Administrator Oliver provided an overview of the software, and presented an award the city recently received.

Motion by Elrod, seconded by Peffer, to Approve R-211206-342. Roll Call:
Ayes: Elrod, Enos, McKenzie, Peffer. Nays: None. Absent: Cox. Motion carried 4-0.

10. Reports / Comments and appropriate action thereon:

a. Mayor

-Commended staff on the events this past weekend.

b. Council Members

Peffer - P&Z meeting update, Parks & Rec meeting update.

Elrod - DART update

Enos - None.

McKenzie - None.

c. Administrator

-Stormwater issue comments, golf cart ordinance update, Myers Certified Site meeting.

d. Directors

Horton - Paine Heights Project is complete.

Murray - Central Park Master Plan meeting tomorrow.

Jess - Requesting attendance plans for payroll.

Kreuder - None.

11. **Closed Session**- Pursuant to Iowa Code 21.5.1(j) to discuss property acquisition and 21.5.1(c) potential or pending litigation

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Deleted.

12. Adjournment

Motion by Peffer, seconded by Elrod, to adjourn at 07:19 PM. Vote on Motion 4-0. Motion carried.

Shelby Hagan, City Clerk

ATTEST:

Curt Sullivan, Mayor

I, the understated Mayor of the City of Bondurant, Polk County, Iowa, hereby certify that the foregoing is a true and accurate copy of proceedings had and done by the City Council on December 6, 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.

Curt Sullivan, Mayor