

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

BONDURANT CITY COUNCIL

Minutes

November 21, 2022

Bondurant City Council

1. Roll Call

Present: Mayor Doug Elrod, Council Member Tara Cox, Council Member Angela McKenzie, Council Member Bob Pepper, Council Member Matt Sillanpaa, Council Member Chad Driscoll

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 Planner Isaac Pezley

2. Call to Order and Declaring a Quorum

Mayor Elrod called the meeting to order at 06:02 PM and declared a quorum.

3. Abstentions declared

None.

4. Perfecting and Approval of the Agenda

Motion by Cox, seconded by Driscoll, to approve 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 City Council Meeting Minutes of November 7, 2022

b. Claims List and Treasurer's Report

c. Applications for City Council Approval

d. Receive and File - Library Board Meeting Minutes of October 4, 2022 & Director's Report

e. Receive and File - Annual Finance Report

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

- f. R-221121-245- Resolution approving Change Order No. 6 for the additional detour paving change needed for the Hwy 65 Underpass Project TAP-T-0747(613)—8V-77
- g. R-221121-246- Resolution approving Pay Request No. 6 to Jenco Construction Inc. for the Highway 65 Underpass Public Improvement Project TAP-T-0747(613)-8V-77 in the amount of \$225,236.00
- h. R-221121-247- Resolution approving Pay Request No. 3 to Synergy Contracting for the Eagle Park Restoration and Ditch #2 Bid Pack #2 in the amount of \$239,198.08
- i. R-221121-248- Resolution approving Appointments to Des Moines Area MPO and Des Moines Area MPO's Transportation Technical Committee for calendar year 2023
- j. R-221121-249- Resolution approving City Council Meeting Dates for Calendar Year 2023
- k. R-221121-250- Resolution appointing a primary and alternate Representative to the Eastern Polk Innovation Collaborative (EPIC) for calendar year 2023
- l. R-221121-251- Resolution designating the Official Newspapers of Record for 2023
- m. R-221121-252- Resolution approving Appointments for City Legal and Engineering Services for calendar year 2023
- n. R-221121-253- Resolution designating the Official Depositories for Calendar Year 2023
- o. R-221121-254- Resolution appointing Persons to Serve as Commissioner and Alternate for the Des Moines Regional Transit Authority (DART) for calendar year 2023
- p. R-221121-255- Resolution approving Appointments to the Polk County Joint E911 Service Board for calendar year 2023

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

- q. R-221121-256- Resolution approving Pay Request No. 15 (Final Pay App) for the Commerce Crossings Phase 2 Public Infrastructure Improvement Project to Concrete Technologies Inc in the amount of \$94,532.15
- r. R-221121-257- Resolution executing a Grant Agreement between the Iowa DNR and the City of Bondurant for funding through the Resource Enhancement and Protection (REAP) Program to implement the BRSC/Lake Petocka to Park Side Trail Connection
- s. R-221121-258- Resolution approving acceptance for the Commerce Crossing Phase 2 Public Improvements Project (Commerce Parkway)
- t. R-221121-259- Resolution affixing a date for a public hearing for December 19, 2022 to consider the SE Water Study Annexation Area, an 80/20 annexation within two miles of the City of Altoona's and the City of Mitchellville's city limits
- u. R-221121-260- Resolution approving Change Order No. 1 for additional bore in place footage needed for the Franklin Street Water Main Project in the amount of \$6,020.00
- v. R-221121-261- Resolution approving Pay Request No. 1 to Thorpe Contracting LLC. for the Franklin Street Water Main Project in the amount of \$245,712.75
- w. R-221121-267- Resolution certifying TIF report and TIF request for FY24
- x. O-221017-212 - (Third/Final Reading) Ordinance Amending Sections 175.02, 177.15 and 178 of the Zoning Code Regarding Home Occupations
- y. O-221107-213 - (Second Reading) Ordinance amending Sections 175.02, 177.09, and 178.13 of the Zoning Code regarding M-1 Uses and other related items
- z. O-221121-214 - (First Reading) Ordinance Amending Chapter 75 regarding ATVs and UTVs
Mayor Elrod questioned item #5f.

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

Motion by Pepper, seconded by Driscoll, to Approve the Consent Agenda. Roll Call: Ayes: Cox, McKenzie, Pepper, Sillanpaa, Driscoll. Nays: None. Absent: None. Motion carried 5-0.

6. Guests requesting to address the City Council

Taylor Eddy, 315 3rd Street, NW, addressed council on a few concerns regarding the Eagle Park Project near his house.

7. **Public Hearing**

a. Public Hearing regarding TEXT AMENDMENTS TO SECTIONS 178.02, 178.03, AND 178.06 OF THE ZONING CODE AND TO SECTION 180.05 OF THE SUBDIVISION CODE REGARDING THE TOPIC OF BASEMENTS

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

Planning & Community Development Director Murray explained the proposed amendments to the council and public.

Cory Bloom, DR Horton, questioned a few sections of the proposed amendments.

Mayor Elrod closed the public hearing at 06:34 PM.

b. Public hearing regarding AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BONDURANT, IOWA, 2002, BY AMENDING SECTIONS 177.07.8, 178.02, AND 178.03 THE ZONING CODE REGARDING THE TOPIC OF USE AND BULK REQUIREMENTS WITHIN THE LOW-DENSITY RESIDENTIAL (R-1) AND MEDIUM RESIDENTIAL (R-2) DISTRICTS

Mayor Elrod opened the public hearing at 06:34 PM.

Planning & Community Development Director Murray explained the proposed amendments to the council and public.

Mayor Elrod closed the public hearing at 06:40 PM.

c. Public Hearing on AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BONDURANT, IOWA, 2002, BY AMENDING THE FOLLOWING SECTIONS OF THE ZONING CODE: 177.10, 178.07, 178.08, 178.09, 178.10, 178.11, 178.13, 178.14, 179, AND TO CHAPTER 182 OF THE CITY CODE, TITLED OPEN SPACE & LANDSCAPING

Mayor Elrod opened the public hearing at 06:41 PM.

Planning & Community Development Director Murray explained the proposed amendments to the council and public.

Mayor Elrod closed the public hearing at 06:42 PM.

8. Action Items

- a. R-221121-262- Resolution approving Appointments to the BRAVO Board for CY 2023
Motion by Cox, seconded by Pepper, to appoint Chad Driscoll as the primary and Tara Cox as the secondary, and Approve R-221121-262.
Roll Call: Ayes: Cox, McKenzie, Pepper, Sillanpaa, Driscoll. Nays: None. Absent: None. Motion carried 5-0.
- b. R-221121-263- Resolution appointing representatives to the Polk County Emergency Management Commission for calendar year 2023
Motion by Pepper, seconded by McKenzie, to appoint Doug Elrod as primary and Matt Sillanpaa as secondary, and Approve R-221121-263.
Roll Call: Ayes: Cox, McKenzie, Pepper, Sillanpaa, Driscoll. Nays: None. Absent: None. Motion carried 5-0.
- c. R-221121-264- Resolution approving Appointments to MWA Board for CY 2023
Bob and Chad
Motion by Driscoll, seconded by Pepper, to appoint Bob Pepper as primary and Chad Driscoll as secondary, and Approve R-221121-264.
Roll Call: Ayes: Cox, McKenzie, Pepper, Sillanpaa, Driscoll. Nays: None. Absent: None. Motion carried 5-0.
- d. R-221121-265- Resolution approving Appointments to the Des Moines Convention and Visitors Bureau Board of Directors for calendar year 2023
Motion by Cox, seconded by McKenzie, to appoint Angela McKenzie as primary and Chad Driscoll as secondary, and Approve R-221121-265.
Roll Call: Ayes: Cox, McKenzie, Pepper, Sillanpaa, Driscoll. Nays: None. Absent: None. Motion carried 5-0.
- e. R-221121-266- Resolution approving Appointments to WRA Board and Technical Committee for CY 2023
Motion by Cox, seconded by Pepper, to appoint Chad Driscoll as primary and Doug Elrod as secondary, and Approve R-221121-266. Roll Call: Ayes: Cox, McKenzie, Pepper, Sillanpaa, Driscoll. Nays: None. Absent: None. Motion carried 5-0.
- f. O-221121-215 - (First Reading) Ordinance amending Sections 178.02, 178.03, and 178.06 of the Zoning Code and to Section 180.05 of the Subdivision Code regarding basements
Motion by Pepper, seconded by Sillanpaa, to Approve the first reading of O-221121-215. Roll Call: Ayes: Cox, Pepper, Sillanpaa, Driscoll. Nays: McKenzie. Absent: None. Motion carried 4-1.

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

- g. O-221121-216 -(First Reading) Ordinance amending Sections 177.10, 178.07, 178.08, 178.09, 178.10, 178.11, 178.13, 178.14, 179, and 182 of the Zoning Code/City Code regarding outdoor storage, screening, and landscaping

Motion by Pepper, seconded by Driscoll, to waive the first and second reading, and Approve the third and final reading of O-221121-216. Roll Call: Ayes: Cox, McKenzie, Pepper, Sillanpaa, Driscoll. Nays: None. Absent: None. Motion carried 5-0.

- h. O-221121-217 - (First Reading) Ordinance amending Sections 177.07.8, 178.02, and 178.03 of the Zoning Code regarding certain use and bulk requirements of the R-1 and R-2 Districts

Motion by Cox to approve the first reading of O-221121-217. Cox withdrew her motion.

Motion by Cox, seconded by McKenzie, to waive the first reading, and Approve the second reading of O-221121-217. Roll Call: Ayes: Cox, McKenzie, Pepper, Sillanpaa, Driscoll. Nays: None. Absent: None. Motion carried 5-0.

9. Discussion Items -

- a. Discussion of Targeted Business/Industry Program
City Administrator Oliver explained the general strategy to the council. The council agreed to move forward.
- b. Discussion regarding Water Tower Public Art/Lighting
Planning & Community Development Director Murray explained to the council the potential for public art on the water tower. The council discussed options, maintenance, cost, etc.

10. Reports / Comments and appropriate action thereon:

- a. Mayor
MPO and DART updates.
- b. Council Members
Cox - BDI, EPIC and Chamber updates.
Driscoll - Tree Board update.
Pepper - None.
McKenzie - Library and WRA updates.
Sillanpaa - P&Z update.
- c. Administrator
None.
- d. Directors

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

Horton - Project updates.
Murray - Civic Campus update.
Kreuder - Department update.
Jess - 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
Motion by Driscoll, seconded by McKenzie, to Move into closed session at 08:06 PM. Roll Call: Ayes: Cox, McKenzie, Pepper, Sillanpaa, Driscoll. Nays: None. Absent: . Motion carried 5-0.

Mayor Elrod closed the closed session at 08:33 PM.

12. **Adjournment**
Motion by Pepper, seconded by Cox, to adjourn at 08:33 PM. Vote on Motion 5-0. Motion carried.

Shelby Hagan, City Clerk

ATTEST:

Doug Elrod, 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 November 21, 2022, 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.

Doug Elrod, Mayor