

**Due to the COVID-19 concerns and social distancing recommendations, a virtual meeting is being offered. Participants wishing to speak on a topic should message the meeting moderator. All participants are asked to mute their individual computers at times when they are not speaking to minimize background noise. Join: <https://us02web.zoom.us/j/85211663912>*

NOTICE OF A REGULAR MEETING BONDURANT CITY COUNCIL DECEMBER 5, 2022

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 PM on December 5, 2022, in the Bondurant City Center, 200 Second Street, Northeast, Bondurant, Polk County, Iowa. Said meeting is open and the public is encouraged to attend.

AGENDA

1. Roll Call
2. Call to Order and Declaring a Quorum
3. Abstentions declared
4. Perfecting and Approval of the Agenda
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 21, 2022
- b. Claims List
- c. Applications for City Council Approval
- d. - Resolution establishing Pawtocka as the name of the Dog Park located at Lake Petocka
- e. - Resolution approving a contract for services with Group Creative Services for water tower artist RFP design services in the amount of \$7,000
- f. O-221107-213 - (Third/Final Reading) Ordinance amending Sections 175.02, 177.09, and 178.13 of the Zoning Code regarding M-1 Uses and other related items
- g. - Resolution affixing a date for a public hearing for January 3, 2023 to consider a request for rezoning from the Agricultural (A-1) District to the Medium Industrial (M-2) District, pending annexation finalization, on Parcels 140/00062-000-000 and 140/00050-002-000
- h. - Resolution affixing a date for a public hearing for January 3, 2023 to consider a request for rezoning from the Agricultural (A-1) District to the Limited Industrial (M-1) District, pending annexation finalization, on Parcel 170/00002-000-000

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.

Any person with a disability who requires a modification or accommodation in order to participate in the meeting, or any person with limited English proficiency (LEP) who requires language assistance to communicate with the City Council during the meeting, should contact the City Clerk, (515) 967-2418 or shagan@cityofbondurant.com, no fewer than two business days prior to the meeting to enable the City of Bondurant to make reasonable arrangements to assure accessibility or language assistance for the meeting.

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- i. - Resolution affixing a date for a public hearing for January 3, 2023 to consider a request for rezoning from the Agricultural (A-1) District to the Medium Industrial (M-2) District, pending annexation finalization, on Parcels 140/00052-005-000, 140/00053-000,000, and 140/00054-001-000
 - j. - Resolution affixing a date for a public hearing for January 3, 2023 to consider a request for rezoning from the Agricultural (A-1) District to the Limited Industrial (M-1) District, pending annexation finalization, on Lots 1 and Outlot Z of the Timmins Acres Final Plat and on Parcels 140/00058-000-000 and 140/00057-001-000
 - k. - Resolution affixing a date for a public hearing for January 3, 2023 to consider a request for rezoning from the Agricultural (A-1) District to the Limited Industrial (M-1) District, pending annexation finalization, on the following Parcels 230/00463-000-000, 230/00464-002-003, 230/00466-003-000, 230/00466-004-000, and 230/00466-001-000
 - l. - Resolution approving Pay Request No. 7 from Jenco Construction Inc. for the Highway 65 Underpass Public Improvement Project TAP-T-0747(613)-8V-77 in the amount of \$94,953.66
 - m. - Resolution approving Job Grades and Wage Scales for FY24 pursuant to Compensation and Philosophy Policy
 - n. - Resolution approving Pay Request No. 4 from Synergy Contracting for the Eagle Park Restoration and Ditch #2 Bid Pack #2 in the amount of \$178,686.48
 - o. - Resolution approving invoice for 32nd Street, SE Asphalt Repair Project
 - p. O-221121-214 - (Second Reading) Ordinance Amending Chapter 75 regarding ATVs and UTVs
 - q. - Resolution approving Change Order No. 7 for the Underpass Project to replace Stormwater Culverts in the future Skate Park area
6. Guests requesting to address the City Council
- a. Presentation of Life Saving Awards
 - b. Polk County Sheriff's Report
7. **Public Hearing**
- a. Public Hearing regarding a request to rezone property from the Conservancy (U-1) District to the Light Industrial (M-1) - 1601 Garfield St SW

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.

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8. Action Items
 - a. - Resolution approving purchase of Two Triple Combination Fire Trucks in an amount not to exceed \$1,000,000
 - b. - Resolution adopting Public Charging Program Policy and establishing an hourly rate for Electric Vehicle Charging Stations
 - c. - Resolution establishing a Targeted Business/Industry Program
 - d. - (First Reading) Ordinance rezoning property from the Conservancy (U-1) District to the Limited Industrial (M-1) District on property at 1601 Garfield Street SW and at Parcel 231/00020-007-009
 - e. - (First Reading) Consideration of establishing regulations for Electric Vehicle Charging
 - f. O-221121-215 - (Second 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
 - g. O-221121-217 - (Third 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
9. Discussion Items -
 - a. Golf Cart Ordinance
 - b. Ballistic PPE Policy and Procedure SOG
10. Reports / Comments and appropriate action thereon:
 - a. Mayor
 - b. Council Members
 - c. Administrator
 - d. Directors
11. **Closed Session**- Pursuant to Iowa Code 21.5.1(j) to discuss property acquisition and 21.5.1(c) potential or pending litigation
12. Adjournment

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.

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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

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- 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.

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.

- 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

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



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.b.
For Meeting of 12/5/2022
Motion

TITLE: Claims List

CONTACT PERSON:

BRIEF HISTORY & ANALYSIS:

FUNDING SOURCE:

STAFF RECOMMENDATION:

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. Claims List



Check Register

Packet: APPKT00685 - 12/1/22 FOR MEETING ON 12/19/22

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank Code-AP Bank						
2342	A+ LAWN AND LANDSCAPE	12/01/2022	Regular	0.00	227.77	61275
2188	AMAZON	12/01/2022	Regular	0.00	1,249.87	61276
	Void	12/01/2022	Regular	0.00	0.00	61277
1303	MICHELE BAILEY	12/01/2022	Regular	0.00	500.00	61278
0048	BAKER & TAYLOR	12/01/2022	Regular	0.00	1,773.52	61279
1649	BELSON OUTDOORS	12/01/2022	Regular	0.00	2,229.81	61280
1003	BONDURANT CHAMBER OF COMMERCE	12/01/2022	Regular	0.00	100.00	61281
2454	BOOT BARN	12/01/2022	Regular	0.00	105.29	61282
1537	BOUND TREE MEDICAL LLC	12/01/2022	Regular	0.00	482.27	61283
2504	CAPITAL ONE	12/01/2022	Regular	0.00	78.93	61284
2585	CONFERENCE TECHNOLOGIES INC	12/01/2022	Regular	0.00	1,471.00	61285
1994	CONVERGINT TECHNOLOGIES LLC	12/01/2022	Regular	0.00	290.50	61286
2627	DES MOINES BREAKERZ	12/01/2022	Regular	0.00	756.00	61287
2326	EMBARK IT, INC	12/01/2022	Regular	0.00	209.01	61288
2137	JESTER INSURANCE SERVICE	12/01/2022	Regular	0.00	5,112.00	61289
2567	ENVIRONMENTAL SYSTEMS RESEARCH	12/01/2022	Regular	0.00	500.00	61290
1311	ENVISIONWARE INC.	12/01/2022	Regular	0.00	1,495.00	61291
2246	ETECH	12/01/2022	Regular	0.00	1,804.25	61292
2473	FINDAWAY WORLD LLC	12/01/2022	Regular	0.00	168.72	61293
0780	FIRE SERVICE TRAINING BUREAU	12/01/2022	Regular	0.00	50.00	61294
1069	FIRST NATIONAL BANK OMAHA	12/01/2022	Regular	0.00	928.57	61295
1069	FIRST NATIONAL BANK OMAHA	12/01/2022	Regular	0.00	1,509.57	61296
	Void	12/01/2022	Regular	0.00	0.00	61297
	Void	12/01/2022	Regular	0.00	0.00	61298
2100	MIDWEST TAPE	12/01/2022	Regular	0.00	468.04	61299
2223	IMAGE 360	12/01/2022	Regular	0.00	100.00	61300
2078	KADETH INC	12/01/2022	Regular	0.00	1,752.50	61301
1340	KONICA MINOLTA	12/01/2022	Regular	0.00	986.99	61302
2642	KONICA MINOLTA BUSINESS SOLUTIONS	12/01/2022	Regular	0.00	317.71	61303
2619	KONICA MINOLTA PREMIER FINANCE	12/01/2022	Regular	0.00	300.89	61304
2273	LARRY'S WINDOW SERVICES, INC	12/01/2022	Regular	0.00	565.00	61305
2659	LAWSON PRODUCTS, INC.	12/01/2022	Regular	0.00	138.00	61306
0040	MEDIACOM	12/01/2022	Regular	0.00	111.45	61307
0842	MENARDS	12/01/2022	Regular	0.00	11.96	61308
2409	MERCY NORTH PHARMACY	12/01/2022	Regular	0.00	30.92	61309
0599	MICROMARKETING LLC	12/01/2022	Regular	0.00	109.75	61310
2414	MID-IOWA SOLID WASTE EQUIPMENT	12/01/2022	Regular	0.00	1,162.07	61311
2650	MIDWEST CRITICAL POWER LLC	12/01/2022	Regular	0.00	2,620.46	61312
0308	MUNICIPAL SUPPLY	12/01/2022	Regular	0.00	11,056.00	61313
0979	NAPA AUTO PARTS	12/01/2022	Regular	0.00	17.49	61314
1457	O'REILLY AUTO PARTS	12/01/2022	Regular	0.00	8.18	61315
1858	OVERDRIVE INC	12/01/2022	Regular	0.00	114.02	61316
1134	PETTY CASH	12/01/2022	Regular	0.00	56.88	61317
1708	CITY OF PLEASANT HILL	12/01/2022	Regular	0.00	1,081.00	61318
0619	RACOM CORPORATION	12/01/2022	Regular	0.00	4,671.06	61319
1525	REGISTER MEDIA	12/01/2022	Regular	0.00	863.97	61320
2544	RICHARD TEDROW	12/01/2022	Regular	0.00	40.00	61321
2552	SMITHGROUP, INC	12/01/2022	Regular	0.00	5,869.49	61322
1336	SMITH'S SEWER SERVICE, INC.	12/01/2022	Regular	0.00	452.50	61323
1106	SPRAYER SPECIALTIES, INC.	12/01/2022	Regular	0.00	59.00	61324
1534	STRATUS BUILDING SOLUTIONS IOWA	12/01/2022	Regular	0.00	1,326.56	61325
2647	TEAM SERVICES, INC.	12/01/2022	Regular	0.00	3,613.64	61326
2673	THORPE CONTRACTING, LLC	12/01/2022	Regular	0.00	245,712.75	61327
2406	UNIQUE	12/01/2022	Regular	0.00	163.10	61328

Check Register

Packet: APPKT00685-12/1/22 FOR MEETING ON 12/19/22

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
2675	UNITED HEALTHCARE SHARED SERVICE	12/01/2022	Regular	0.00	178.10	61329
0525	US CELLULAR	12/01/2022	Regular	0.00	478.39	61330
1161	VEENSTRA & KIMM, INC.	12/01/2022	Regular	0.00	54,875.43	61331
	Void	12/01/2022	Regular	0.00	0.00	61332
2231	VERIZON WIRELESS	12/01/2022	Regular	0.00	2,492.61	61333
1522	SYNERGY CONTRACTING LLC	11/23/2022	Bank Draft	0.00	239,198.08	DFT0001951
2654	JENCO CONSTRUCTION INC.	11/23/2022	Bank Draft	0.00	225,236.00	DFT0001952
0050	UMB BANK	11/22/2022	Bank Draft	0.00	600.00	DFT0001953
0050	UMB BANK	11/29/2022	Bank Draft	0.00	8,846.25	DFT0001954
0050	UMB BANK	11/29/2022	Bank Draft	0.00	4,297.50	DFT0001955
0050	UMB BANK	11/29/2022	Bank Draft	0.00	10,607.50	DFT0001956
0050	UMB BANK	11/29/2022	Bank Draft	0.00	5,892.50	DFT0001957
0050	UMB BANK	11/29/2022	Bank Draft	0.00	33,295.00	DFT0001958
0050	UMB BANK	11/29/2022	Bank Draft	0.00	33,375.00	DFT0001959
0050	UMB BANK	11/29/2022	Bank Draft	0.00	101,650.00	DFT0001960
0050	UMB BANK	11/29/2022	Bank Draft	0.00	31,402.50	DFT0001961
0050	UMB BANK	11/29/2022	Bank Draft	0.00	41,612.50	DFT0001962
0050	UMB BANK	11/29/2022	Bank Draft	0.00	20,900.00	DFT0001963
0050	UMB BANK	11/29/2022	Bank Draft	0.00	72,350.00	DFT0001964
0050	UMB BANK	11/29/2022	Bank Draft	0.00	360,975.63	DFT0001965
2538	IOWA LAND RECORDS	11/17/2022	Bank Draft	0.00	45.00	DFT0001967

Bank Code AP Bank Code Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	106	55	0.00	362,847.99
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	0.00
Bank Drafts	16	16	0.00	1,190,283.46
EFT's	0	0	0.00	0.00
	122	75	0.00	1,553,131.45

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH	11/2022	1,190,283.46
999	POOLED CASH	12/2022	362,847.99
			1,553,131.45



Check Register

Packet: APPKT00684 - PYPKT00363 - 11/07-11/20/2022 PAID
11/25/2022

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank Code-AP Bank						
0106	COLLECTION SERVICES CENTER	11/22/2022	Regular	0.00	91.38	61232

Bank Code AP Bank Code Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	1	1	0.00	91.38
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	1	1	0.00	91.38

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH	11/2022	91.38
			91.38



Check Register

Packet: APPKT00681 - 11/28/22 FOR MEETING ON 12/5/22

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank Code-AP Bank						
1128	ACCURATE HYDRAULICS & MACH SRV	11/28/2022	Regular	0.00	398.00	61233
2135	ACME TOOLS DES MOINES	11/28/2022	Regular	0.00	307.91	61234
2600	AIRGAS USA, LLC	11/28/2022	Regular	0.00	70.04	61235
0011	ALTOONA FIRE DEPT	11/28/2022	Regular	0.00	300.00	61236
0020	ALTOONA ACE HARDWARE	11/28/2022	Regular	0.00	47.73	61237
2188	AMAZON	11/28/2022	Regular	0.00	5,477.04	61238
	Void	11/28/2022	Regular	0.00	0.00	61239
2671	AWARDS PROGRAM SERVICES, INC.	11/28/2022	Regular	0.00	29.70	61240
1003	BONDURANT CHAMBER OF COMMERCE	11/28/2022	Regular	0.00	1,000.00	61241
1537	BOUND TREE MEDICAL LLC	11/28/2022	Regular	0.00	403.29	61242
1228	CINTAS CORPORATION #762	11/28/2022	Regular	0.00	449.88	61243
	Void	11/28/2022	Regular	0.00	0.00	61244
0939	OCCUPATIONAL HEALTH CTR OF SW	11/28/2022	Regular	0.00	313.00	61245
2516	CONCRETE TECHNOLOGIES INC.	11/28/2022	Regular	0.00	94,532.15	61246
2245	CONSTANT CONTACT	11/28/2022	Regular	0.00	588.00	61247
2575	EMERGENCY SERVICES CONSULTING II	11/28/2022	Regular	0.00	5,500.00	61248
2246	ETECH	11/28/2022	Regular	0.00	3,386.08	61249
	Void	11/28/2022	Regular	0.00	0.00	61250
0780	FIRE SERVICE TRAINING BUREAU	11/28/2022	Regular	0.00	50.00	61251
2317	FP MAILING SOLUTIONS	11/28/2022	Regular	0.00	348.00	61252
0459	GALLS LLC	11/28/2022	Regular	0.00	389.03	61253
0193	HAWKEYE TRUCK EQUIPMENT	11/28/2022	Regular	0.00	113.58	61254
0224	IOWA DEPT OF TRANSPORTATION	11/28/2022	Regular	0.00	3,708.56	61255
0864	JETCO, INC.	11/28/2022	Regular	0.00	385.00	61256
0251	MICROBAC LABORATORIES, INC	11/28/2022	Regular	0.00	360.00	61257
2659	LAWSON PRODUCTS, INC.	11/28/2022	Regular	0.00	23.00	61258
0040	MEDIACOM	11/28/2022	Regular	0.00	1,368.02	61259
0842	MENARDS	11/28/2022	Regular	0.00	985.79	61260
	Void	11/28/2022	Regular	0.00	0.00	61261
2409	MERCY NORTH PHARMACY	11/28/2022	Regular	0.00	360.93	61262
2650	MIDWEST CRITICAL POWER LLC	11/28/2022	Regular	0.00	2,680.34	61263
	Void	11/28/2022	Regular	0.00	0.00	61264
0308	MUNICIPAL SUPPLY	11/28/2022	Regular	0.00	34.07	61265
0286	METRO WASTE AUTHORITY	11/28/2022	Regular	0.00	39,284.34	61266
1457	O'REILLY AUTO PARTS	11/28/2022	Regular	0.00	4.78	61267
2613	STREICHER'S	11/28/2022	Regular	0.00	1,300.00	61268
2661	THE REINALT - THOMAS CORPORATION	11/28/2022	Regular	0.00	1,136.76	61269
2531	TYLER BUSINESS FORMS	11/28/2022	Regular	0.00	249.07	61270
2672	UNITED STATES TREASURY	11/28/2022	Regular	0.00	20.11	61271
1813	UNITYPOINT CLINIC-OCCUPATI MED	11/28/2022	Regular	0.00	210.00	61272
2312	WITMER PUBLIC SAFETY GROUP	11/28/2022	Regular	0.00	298.80	61273
0991	ZIEGLER INC.	11/28/2022	Regular	0.00	51.95	61274
2654	JENCO CONSTRUCTION INC.	11/10/2022	Bank Draft	0.00	911,946.40	DFT0001921
1504	SHIVE-HATTERY INC	11/10/2022	Bank Draft	0.00	10,419.00	DFT0001922
1522	SYNERGY CONTRACTING LLC	11/10/2022	Bank Draft	0.00	97,566.90	DFT0001923
0291	MIDAMERICAN ENERGY	12/05/2022	Bank Draft	0.00	9,136.69	DFT0001924
0452	STAPLES CREDIT PLAN	11/22/2022	Bank Draft	0.00	36.99	DFT0001925
0452	STAPLES CREDIT PLAN	11/22/2022	Bank Draft	0.00	24.95	DFT0001926
0452	STAPLES CREDIT PLAN	11/22/2022	Bank Draft	0.00	132.50	DFT0001927
0452	STAPLES CREDIT PLAN	11/22/2022	Bank Draft	0.00	22.99	DFT0001928
0452	STAPLES CREDIT PLAN	11/22/2022	Bank Draft	0.00	266.94	DFT0001929
0772	FRANCOTYP-POSTALIA INC	11/18/2022	Bank Draft	0.00	500.00	DFT0001930
0387	TREASURER - STATE OF IOWA	11/16/2022	Bank Draft	0.00	10,038.66	DFT0001931
0387	TREASURER - STATE OF IOWA	11/16/2022	Bank Draft	0.00	2,335.12	DFT0001932

Check Register

Packet: APPKT00681-11/28/22 FOR MEETING ON 12/5/22

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1069	FIRST NATIONAL BANK OMAHA	11/15/2022	Bank Draft	0.00	1,987.98	DFT0001948
2254	TCM BANK NA	11/23/2022	Bank Draft	0.00	2,052.50	DFT0001949
2254	TCM BANK NA	11/23/2022	Bank Draft	0.00	3,686.36	DFT0001950

Bank Code AP Bank Code Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	78	37	0.00	166,164.95
Manual Checks	0	0	0.00	0.00
Voided Checks	0	5	0.00	0.00
Bank Drafts	15	15	0.00	1,050,153.98
EFT's	0	0	0.00	0.00
	93	57	0.00	1,216,318.93

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH	11/2022	1,207,182.24
999	POOLED CASH	12/2022	9,136.69
			1,216,318.93



Payroll Check Register

Checks

Pay Period: 11/7/2022-11/20/2022

Packet: PYPKT00363 - 11/07-11/20/2022 PAID 11/25/2022

Payroll Set: CITY OF BONDURANT, IA - 01

Employee	Employee #	Check Type	Date	Amount	Number
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*** No Checks Created In This Packet ***



Payroll Check Register

Direct Deposits

Packet: PYPKT00363 - 11/07-11/20/2022 PAID 11/25/2022
Payroll Set: CITY OF BONDURANT, IA - 01

Employee	Employee #	Date	Amount	Number
BAAS, JAMIE	4147	11/25/2022	325.30	103154
BAILEY, BOYCE E	7104	11/25/2022	1,289.09	103155
BAKER, TRENTON LEE	1577	11/25/2022	61.17	103156
BERGESON, JOHN W	7121	11/25/2022	1,770.40	103157
BRIGGS, ASHTON S	1511	11/25/2022	733.15	103158
BRUCE, EMMA	3141	11/25/2022	529.29	103159
BUCKLIN, JEFFERY D	1562	11/25/2022	612.05	103160
CARPENTER, JOHN C	5129	11/25/2022	1,574.51	103161
CHAPA, DAISY Y	1584	11/25/2022	450.16	103162
COLLISON, PATRICK F	5103	11/25/2022	2,037.22	103163
CORY, JOHN P	7120	11/25/2022	1,406.17	103164
CRITTENDEN, MATTHEW	1567	11/25/2022	883.43	103165
DOMINGUEZ, MATTHEW P	1513	11/25/2022	918.97	103166
EHLE, AANNA N	1575	11/25/2022	2,056.99	103167
GERDNER, RONALD L	7122	11/25/2022	1,499.90	103168
GILSON, DUSTY ALAN	7124	11/25/2022	1,379.60	103169
HAGAN, SHELBY L	5118	11/25/2022	2,398.18	103170
HARMISON, TROY G	1503	11/25/2022	1,667.85	103171
HIGGINS, DAVID P.	7105	11/25/2022	1,438.91	103172
HORTON, JOHN C	7112	11/25/2022	100.00	103173
HORTON, JOHN C	7112	11/25/2022	3,211.81	103173
HUFF, TIMOTHY J	1559	11/25/2022	1,790.22	103174
HURST, MORGHAN	1570	11/25/2022	420.38	103175
JESS, JENE' N	5123	11/25/2022	3,353.63	103176
JOHNSON, ANNASTASHA	5130	11/25/2022	1,330.00	103177
KING, CHRISTINA M	3143	11/25/2022	667.13	103178
KLINKER-FELD, MICHELL M	3135	11/25/2022	2,086.90	103179
KOOIKER, ASHTON BRENT	7123	11/25/2022	1,415.11	103180
KREUDER, AARON M	1441	11/25/2022	3,369.97	103181
LUING, TIFFANY A	5133	11/25/2022	1,861.31	103182
LUNDQUIST, BRADLEY D	1555	11/25/2022	632.95	103183
MANGUM, MEGAN SUSANNA	3142	11/25/2022	1,335.05	103184
MARSHMAN, CRAIG A	5125	11/25/2022	1,523.74	103185
MILLER, BRODY E	1582	11/25/2022	769.79	103186
MORRIS, REBECCA L	1504	11/25/2022	2,575.91	103187
MURRAY, MARGARET	5126	11/25/2022	3,166.10	103188
OLIVER, MARKETA S	8403	11/25/2022	300.00	103189
OLIVER, MARKETA S	8403	11/25/2022	3,314.84	103189
PEZLEY, ISAAC J	5132	11/25/2022	2,070.67	103190
PHIPPS-BUCKLIN, CHANTEL E	4145	11/25/2022	614.62	103191
REYNOLDS, RAY A	1537	11/25/2022	1,334.21	103192
SANDERS, JILL C	3128	11/25/2022	2,994.95	103193
SCHINCKE, MEGAN	3137	11/25/2022	1,098.59	103194
SCHINCKE, MEGAN	3137	11/25/2022	470.82	103194
SPOERRY, DANIELLE M	1527	11/25/2022	1,372.41	103195
SUMMERS, ALAN C	1534	11/25/2022	1,575.36	103196
VAN HOUTEN, NICOLE M	5121	11/25/2022	1,471.64	103197
WILIMEK, RACHEL R	1580	11/25/2022	351.73	103198



Payroll Check Register Report Summary

Packet: PYPKT00363 - 11/07-11/20/2022 PAID 11/25/2022
Payroll Set: CITY OF BONDURANT, IA - 01

Type	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	48	69,612.18
Total	48	69,612.18



Payable Register

Payable Detail by Vendor Name

Packet: APPKT00683 - PYPKT00363 - 11/07-11/20/2022 PAID
11/25/2022

Payable #	Payable Type	Post Date	Payable Date	Due Date	Discount Date	Amount	Tax	Shipping	Discount	Total
Payable Description	Bank Code				On Hold					
Vendor: 2304 - EBS										Vendor Total: 22,117.61
INV0002516	Invoice	11/25/2022	11/25/2022	12/1/2022	11/25/2022	1,490.73	0.00	0.00	0.00	1,490.73
DELTA DENTAL PAYMENT	AP Bank Code - AP Bank				No	Payment Date: 12/1/2022		Bank Draft:		DFT0001933
Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount		Total
DELTA DENTAL PAYMENT	Service		0.00	0.00	1,490.73	0.00	0.00	0.00		1,490.73
Distributions										
Account Number	Account Name		Project Account Key		Amount	Percent				
112-050-2125	DENTAL INSURANCE				1,490.73	0%				
INV0002521	Invoice	11/25/2022	11/25/2022	12/1/2022	11/25/2022	16,070.31	0.00	0.00	0.00	16,070.31
HEALTH INSURANCE WELLMARK	AP Bank Code - AP Bank				No	Payment Date: 12/1/2022		Bank Draft:		DFT0001938
Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount		Total
HEALTH INSURANCE WELLMARK	Service		0.00	0.00	16,070.31	0.00	0.00	0.00		16,070.31
Distributions										
Account Number	Account Name		Project Account Key		Amount	Percent				
112-050-2124	HEALTH INSURANCE WITHHOLDIN				16,070.31	0%				
INV0002522	Invoice	11/25/2022	11/25/2022	12/1/2022	11/25/2022	896.94	0.00	0.00	0.00	896.94
EBS ADMIN COST	AP Bank Code - AP Bank				No	Payment Date: 12/1/2022		Bank Draft:		DFT0001939
Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount		Total
EBS ADMIN COST	Service		0.00	0.00	896.94	0.00	0.00	0.00		896.94
Distributions										
Account Number	Account Name		Project Account Key		Amount	Percent				
112-050-2124	HEALTH INSURANCE WITHHOLDIN				896.94	0%				
INV0002524	Invoice	11/25/2022	11/25/2022	12/1/2022	11/25/2022	1,035.13	0.00	0.00	0.00	1,035.13
LIFE & DIS PRINCIPAL	AP Bank Code - AP Bank				No	Payment Date: 12/1/2022		Bank Draft:		DFT0001941
Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount		Total
LIFE & DIS PRINCIPAL	Service		0.00	0.00	1,035.13	0.00	0.00	0.00		1,035.13
Distributions										
Account Number	Account Name		Project Account Key		Amount	Percent				
112-050-2124	HEALTH INSURANCE WITHHOLDIN				1,035.13	0%				
INV0002525	Invoice	11/25/2022	11/25/2022	12/1/2022	11/25/2022	2,376.00	0.00	0.00	0.00	2,376.00
SELF FUNDED DEDUCTABLE INSURANCE	AP Bank Code - AP Bank				No	Payment Date: 12/1/2022		Bank Draft:		DFT0001942
Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount		Total
SELF FUNDED DEDUCTABLE INSURANCE	Service		0.00	0.00	2,376.00	0.00	0.00	0.00		2,376.00
Distributions										
Account Number	Account Name		Project Account Key		Amount	Percent				
112-050-2124	HEALTH INSURANCE WITHHOLDIN				2,376.00	0%				
INV0002526	Invoice	11/25/2022	11/25/2022	12/1/2022	11/25/2022	248.50	0.00	0.00	0.00	248.50
VISION ADVISES	AP Bank Code - AP Bank				No	Payment Date: 12/1/2022		Bank Draft:		DFT0001943

Payable Register

Packet: APPKT00683 - PYPKT00363 - 11/07-11/20/2022 PAID 11/25/2022

Payable #	Payable Type	Post Date	Payable Date	Due Date	Discount Date	Amount	Tax	Shipping	Discount	Total
Payable Description	Bank Code				On Hold					
Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
VISION AVISES	Service		0.00	0.00	248.50	0.00	0.00	0.00	248.50	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
112-050-2132	VISION WITHHOLDING				248.50	0%				

Vendor: [1274 - ICMA-RC SERVICES LLC](#)

Vendor Total: 801.98

INV0002519	Invoice	11/25/2022	11/25/2022	11/25/2022	11/25/2022	435.00	0.00	0.00	0.00	435.00
Payroll Deduction	AP Bank Code - AP Bank				No	Payment Date: 11/25/2022		Bank Draft:	DFT0001936	

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
Payroll Deduction	NA		0.00	0.00	435.00	0.00	0.00	0.00	435.00	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
001-050-2130	ICMA-RC				435.00	100.00%				

INV0002520	Invoice	11/25/2022	11/25/2022	11/25/2022	11/25/2022	366.98	0.00	0.00	0.00	366.98
DEFERRED COMPENSATION	AP Bank Code - AP Bank				No	Payment Date: 11/25/2022		Bank Draft:	DFT0001937	

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
DEFERRED COMPENSATION	Service		0.00	0.00	366.98	0.00	0.00	0.00	366.98	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
001-050-2130	ICMA-RC				366.98	100.00%				

Vendor: [0238 - IOWA WORKFORCE DEVELOPMENT](#)

Vendor Total: 164.73

INV0002530	Invoice	12/23/2022	12/23/2022	12/23/2022	12/23/2022	164.73	0.00	0.00	0.00	164.73
Unemployment Insurance	AP Bank Code - AP Bank				No	Payment Date: 12/23/2022		Bank Draft:	DFT0001947	

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
Unemployment Insurance	NA		0.00	0.00	164.73	0.00	0.00	0.00	164.73	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
112-050-2122	STATE WITHHOLDING				164.73	100.00%				

Vendor: [0239 - IPERS](#)

Vendor Total: 15,469.01

INV0002523	Invoice	11/25/2022	11/25/2022	11/25/2022	11/25/2022	580.01	0.00	0.00	0.00	580.01
Payroll Contribution	AP Bank Code - AP Bank				No	Payment Date: 11/25/2022		Bank Draft:	DFT0001940	

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
Payroll Contribution	NA		0.00	0.00	580.01	0.00	0.00	0.00	580.01	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
112-050-2123	IPERS WITHHOLDING				580.01	100.00%				

INV0002527	Invoice	11/25/2022	11/25/2022	11/25/2022	11/25/2022	14,889.00	0.00	0.00	0.00	14,889.00
Payroll Contribution	AP Bank Code - AP Bank				No	Payment Date: 11/25/2022		Bank Draft:	DFT0001944	

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
Payroll Contribution	NA		0.00	0.00	3,937.79	0.00	0.00	0.00	3,937.79	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
112-050-2123	IPERS WITHHOLDING				3,937.79	100.00%				

Payable Register

Packet: APPKT00683 - PYPKT00363 - 11/07-11/20/2022 PAID 11/25/2022

Payable #	Payable Type	Post Date	Payable Date	Due Date	Discount Date	Amount	Tax	Shipping	Discount	Total
Payable Description	Bank Code				On Hold					
Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
Payroll Contribution	NA		0.00	0.00	10,951.21	0.00	0.00	0.00	10,951.21	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
112-050-2123	IPERS WITHHOLDING				10,951.21	100.00%				

Vendor: [1512 - IRS USATAXPYMT](#)

Vendor Total: 22,187.12

INV0002529	Invoice	11/25/2022	11/25/2022	11/25/2022	11/25/2022	22,187.12	0.00	0.00	0.00	22,187.12
Federal Tax Withheld	AP Bank Code - AP Bank				No	Payment Date: 11/25/2022		Bank Draft:		DFT0001946

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
Social Security Withholding	NA		0.00	0.00	11,897.82	0.00	0.00	0.00	11,897.82	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
112-050-2121	FICA/MEDICARE WITHHOLDING				11,897.82	0%				

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
Medicare Withholding	NA		0.00	0.00	2,782.58	0.00	0.00	0.00	2,782.58	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
112-050-2121	FICA/MEDICARE WITHHOLDING				2,782.58	0%				

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
Federal Tax Withheld	NA		0.00	0.00	7,506.72	0.00	0.00	0.00	7,506.72	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
670-050-2120	FEDERAL WITHHOLDING				13.45	0%				
741-050-2120	FEDERAL WITHHOLDING				294.73	0%				
600-050-2120	FEDERAL WITHHOLDING				715.77	0%				
610-050-2120	FEDERAL WITHHOLDING				650.74	0%				
110-050-2120	FEDERAL WITHHOLDING				778.65	0%				
001-050-2120	FEDERAL WITHHOLDING				5,053.38	0%				

Vendor: [2249 - Kabel Business Industries](#)

Vendor Total: 1,993.12

INV0002517	Invoice	11/25/2022	11/25/2022	11/25/2022	11/25/2022	1,950.62	0.00	0.00	0.00	1,950.62
Payroll Deduction	AP Bank Code - AP Bank				No	Payment Date: 11/25/2022		Bank Draft:		DFT0001934

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
Payroll Deduction	NA		0.00	0.00	1,950.62	0.00	0.00	0.00	1,950.62	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
820-050-2131	SELF-FUNDED WITHHOLDING				1,950.62	0%				

INV0002518	Invoice	11/25/2022	11/25/2022	12/6/2022	11/25/2022	42.50	0.00	0.00	0.00	42.50
FSA ADMIN FEE	AP Bank Code - AP Bank				No	Payment Date: 12/6/2022		Bank Draft:		DFT0001935

Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
FLEX SPENDING ADMINISTRATION FEE	Service		0.00	0.00	42.50	0.00	0.00	0.00	42.50	
Distributions										
Account Number	Account Name		Project	Account Key	Amount	Percent				
820-050-2131	SELF-FUNDED WITHHOLDING				42.50	0%				

Vendor: [1832 - TREASURER - STATE OF IOWA](#)

Vendor Total: 4,058.84

INV0002528	Invoice	11/25/2022	11/25/2022	11/25/2022	11/25/2022	4,058.84	0.00	0.00	0.00	4,058.84
State Tax Withholding	AP Bank Code - AP Bank				No	Payment Date: 11/25/2022		Bank Draft:		DFT0001945

Payable Register

Packet: APPKT00683 - PYPKT00363 - 11/07-11/20/2022 PAID 11/25/2022

Payable #	Payable Type	Post Date	Payable Date	Due Date	Discount Date	Amount	Tax	Shipping	Discount	Total
Payable Description	Bank Code				On Hold					
Items										
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total	
State Tax Withholding	NA		0.00	0.00	4,058.84	0.00	0.00	0.00	4,058.84	
Distributions										
Account Number	Account Name	Project Account Key			Amount	Percent				
600-050-2122	STATE WITHHOLDING				369.16	9.10%				
001-050-2122	STATE WITHHOLDING				2,792.01	68.79%				
741-050-2122	STATE WITHHOLDING				149.84	3.69%				
610-050-2122	STATE WITHHOLDING				337.58	8.32%				
670-050-2122	STATE WITHHOLDING				13.69	0.34%				
110-050-2122	STATE WITHHOLDING				396.56	9.77%				

Payable Summary

Type	Count	Gross	Tax	Shipping	Discount	Total	Manual Payment	Balance
Invoice	15	66,792.41	0.00	0.00	0.00	66,792.41	66,792.41	0.00
Grand Total:		66,792.41	0.00	0.00	0.00	66,792.41	66,792.41	0.00

Account Summary

Account	Name	Amount
001-050-2120	FEDERAL WITHHOLDING	5,053.38
001-050-2122	STATE WITHHOLDING	2,792.01
001-050-2130	ICMA-RC	801.98
Total:		8,647.37

Account	Name	Amount
110-050-2120	FEDERAL WITHHOLDING	778.65
110-050-2122	STATE WITHHOLDING	396.56
Total:		1,175.21

Account	Name	Amount
112-050-2121	FICA/MEDICARE WITHHOLDING	14,680.40
112-050-2122	STATE WITHHOLDING	164.73
112-050-2123	IPERS WITHHOLDING	15,469.01
112-050-2124	HEALTH INSURANCE WITHHOLDING	20,378.38
112-050-2125	DENTAL INSURANCE	1,490.73
112-050-2132	VISION WITHHOLDING	248.50
Total:		52,431.75

Account	Name	Amount
600-050-2120	FEDERAL WITHHOLDING	715.77
600-050-2122	STATE WITHHOLDING	369.16
Total:		1,084.93

Account	Name	Amount
610-050-2120	FEDERAL WITHHOLDING	650.74
610-050-2122	STATE WITHHOLDING	337.58
Total:		988.32

Account	Name	Amount
670-050-2120	FEDERAL WITHHOLDING	13.45
670-050-2122	STATE WITHHOLDING	13.69
Total:		27.14

Account	Name	Amount
741-050-2120	FEDERAL WITHHOLDING	294.73
741-050-2122	STATE WITHHOLDING	149.84
Total:		444.57

Account	Name	Amount
820-050-2131	SELF-FUNDED WITHHOLDING	1,993.12
Total:		1,993.12

Tax Abatement Applications
December 5, 2022
City of Bondurant

Name	Address	Closing Date	Cost
James & Sharee Stover	1208 12 th Street, SE	11/4/2022	\$369,990.00
Gloria I. Fernandez	101 13 th Street, NW	10/31/2022	\$355,900.00
Mike Slain	717 Spruce Street, NW	11/23/2022	\$279,900.00
Lauryn Snyder & Noah Thompson	804 Cherry Street, NW	9/23/2022	\$243,400.00



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.d.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution establishing Pawtocka as the name of the Dog Park located at Lake Petocka

CONTACT PERSON:

Marketa Oliver, City Administrator

BRIEF HISTORY & ANALYSIS: The City has been planning a dog park for the past three years, with construction beginning earlier this year. The park currently has the fence and water fountain installed and some benches available. The City is currently working with the Bondurant-Farrar Community School District shop classes to manufacture obstacles/amenities that will be installed in the park, prior to its grand opening next Spring.

The Parks and Recreation Board had requested a public survey be conducted and recently reviewed survey results regarding options for the dog park's name. At their November 17 meeting, the Board made a formal recommendation that the dog park be named Pawtocka. The attached resolution officially names the dog park "Pawtocka".

FUNDING SOURCE: Dog Park Committee fundraising/Grants/LOSST

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-268

CITY OF BONDURANT
RESOLUTION NO. 221205-268

RESOLUTION ESTABLISHING PAWTOCKA AS THE NAME OF THE DOG PARK
LOCATED AT LAKE PETOCKA

WHEREAS The City has been planning a dog park for the past three years; AND

WHEREAS Construction began earlier this year with the park having the fence and water fountain installed and some benches available; AND

WHEREAS The. The City is currently working with the Bondurant-Farrar Community School District shop classes to manufacture obstacles/amenities that will be installed in the park, prior to its grand opening next Spring; AND

WHEREAS The Parks and Recreation Board requested a public survey be conducted and recently reviewed survey results regarding options for the dog park's name; AND

WHEREAS The Parks and Recreation Board made a formal recommendation that the dog park be named Pawtocka at their November 17, 2022, meeting.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the dog park located at Lake Petocka is hereby named "Pawtocka".

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.e.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution approving a contract for services with Group Creative Services for water tower artist RFP design services in the amount of \$7,000

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: This was a discussion item during the November 21, 2022 City Council meeting. The proposed water tower along NE 88th Street just north of Interstate 80 within the current SE Water Study Annexation Area will be highly visible from the Interstate 80 corridor, a corridor that sees approximately 34,100 vehicles per day per the Iowa DOT's 2016 Annual Average Daily Traffic (AADT) counts. This approximately 170'-tall proposed water tower structure presents the opportunity to establish creative community branding through a painted artist design on the water tower's bowl portion.

The attached professional services agreement from Group Creative Services proposes to solicit three artist designs for the water tower's bowl portion. The City's Parks & Recreation Board will meet in January 2023 to review the three artist designs to choose one artist design for the water tower. In soliciting artist designs, Group Creative Services will communicate that the three Bondurant-branded colors and the City's B and/or Bondurant name must be incorporated into the design of the water tower. The selected artist will not be the entity that paints the water tower. The selected water tower contractor will coordinate with a sign company to have a large stencil of the design created, where the water tower contractor will then paint the design. It is anticipated the City will go out for water tower construction bid in March 2023, with construction (and painting) occurring in 2023 and into 2024. In addition to painting the water tower as a public art piece, the City has also reached out to a water tower lighting design specialist for a proposal to design decorative lighting proposed for the water tower.

Installation of a water tower design is consistent with Policy 13E of the Building Bondurant Comprehensive Plan, which reads: *Celebrate Bondurant's history through events and creative pacemaking efforts*. Bondurant's branding takes into account the community's history. Here is an excerpt from the City's Branding Guide: *The Bondurant*

"B" design modernizes the traditional "B" maker from logos past. Incorporating both a block "B" and a handwritten, flowing version, the design represents the balance offered among the community to connect people and opportunities wherever they area. The City of Bondurant celebrates its robust history while welcoming diversity and growth. With subtle references to green leaves and yellow corn, the mark also gives a nod to the area's agricultural roots in Iowa. With a school system worthy of community pride, the Bondurant-Farrar School District blue is the anchor color symbolizing an intentional focus on raising future generations. Green represents opportunities for health and growth, while gold provides a feeling of warmth an optimism.

FUNDING SOURCE: Water Tower Capital Fund

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-269
2. Bondurant Concept Development Contract

CITY OF BONDURANT
RESOLUTION NO. 221205-269

RESOLUTION APPROVING CONTRACT FOR SERVICES WITH GROUP CREATIVE
SERVICES FOR WATER TOWER ARTIST RFP DESIGN SERVICES IN THE
AMOUNT OF \$7,000

WHEREAS the City will have constructed a water tower along NE 88th Street in an area north of Interstate 80; AND

WHEREAS the City desires to have a unique design painted on the water tower bowl where such artist design will creatively communicate Bondurant's branding to the public, including vehicles along the Interstate 80 corridor; AND

WHEREAS such public art installation is consistent with Policy 13E of the Building Bondurant Comprehensive Plan, which reads: Celebrate Bondurant's history through events and creative placemaking efforts; AND

WHEREAS the City has determined it necessary to hire the consultant group called Group Creative Services to seek artist designs for this water tower design project; AND

WHEREAS Group Creative Services will generate an artist design RFP that outlines project goals, scope, themes, timeline, budget, site considerations, and project constraints; AND

WHEREAS Group Creative Services will coordinate a call for interest in the project and will select three qualified artists to invite for a paid proposal; AND

WHEREAS Group Creative Services will coordinate the proposal development process, including facilitating a jury to review the three submissions and recommend next steps including selection of an artist concept.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa that the Contract for Services with Group Creative Services in the amount of \$7,000 is hereby approved.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Name	Yay	Nay	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				



Contract for Services: Bondurant Water Tower

This document serves as a contract between City of Bondurant (City) and Group Creative Services (Group). The City desires to engage consultants, Group, to facilitate concept designs site-specific installation on the new water tower. Group agrees to provide the City the following services:

- Generate a RFP that outlines project goals, scope, themes, timeline, budget, site considerations and project constraints. The City's designee will give the final approval on the language prior publishing the RFP.
- Group will coordinate a call for interest in the project and select three qualified artists to invite for a paid proposal.
- Group will coordinate the proposal development process including facilitating a jury to review the three submissions and recommend next steps including selection of an artist concept.

Deliverable: The City will receive three concepts by experienced artists that meet the vision and criteria including timeline, branding and site constraints as outlined in the RFP. The concepts will have images and note any recommended installation processes and/or vendors to ensure a smooth path in the implementation process.

The City agrees to pay Group Creative Services \$7000 on the following schedule. Group will invoice at the reference points in the project timeline.

- \$4000 upon signature of this contract
- \$3000 after concepts have been presented

The undersigned party hereby agrees to indemnify and save and hold harmless Group from and against any loss, liability, damage or cost it may incur, now and forever, arising out of or related to any services or information provided by Group.

The City agrees that first round of proposals and the unselected final proposals are for the purposes of City's consideration only. The City's right and title to any final selection it makes shall be fixed by contract at a later date; however, by signature hereto, the City expressly releases any claim of right, title, or interest to any unselected proposals.

In witness of this agreement to the terms above, the parties or their authorized agents hereby affix their signatures:

_____	_____	_____
(Printed name of City of Bondurant)	(Signature)	(Date)

_____	_____	_____
(Printed Name of Group Creative Services agent)	(Signature)	(Date)



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.f.
For Meeting of 12/5/2022
Ordinance

TITLE: - (Third/Final Reading) Ordinance amending Sections 175.02, 177.09, and 178.13 of the Zoning Code regarding M-1 Uses and other related items

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: On July 28, 2022 the Planning & Zoning Commission held a public hearing regarding proposed text amendments to the following sections of the Zoning Code: 175.02 - Definitions, 177.09 - Off-Street Parking Area Required, and 179.13 - Limited Industrial District. It should be clarified too that per Section 178.14.1.A of the Zoning Code, any use determined as permitted within the M-1 District is also considered permitted within the Medium Industrial (M-2) District. Following the public hearing, the Commission voted to table consideration of the corresponding resolution, noting that staff should further research parking requirements. The Commission also had a preliminary discussion on this text amendment topic during their meeting on May 12, 2022. This discussion stemmed from the fact that City Staff has received several recent inquiries regarding potentially locating a fitness center and dance studio within the M-1 District.

The proposed text amendment would add the following uses to the Limited Industrial (M-1) District: **Fitness center, or like business AND Dance Studio, or like business**. It should be noted that the previous P&Z agenda statement also included Music studio, or like business AND Photographic studio, or like business - these two additional uses are not currently included in the attached resolution, as it is anticipated these uses will be addressed at a later date as part of a larger, more comprehensive zoning code text amendment process.

The proposed text amendment would remove any reference to regulating the location of **Fireworks** structures/tents since the City can no longer regulate this per SF2285. The City Attorney provided guidance that the City should remove this fireworks language from the M-1 (and M-2) Districts.

The proposed text amendment would add the following definition: **"Fitness Center" means an establishment providing physical fitness facilities and services to the public**

for a fee, including but not limited to: game courts, exercise equipment, exercise areas, running tracks, swimming pools, physical fitness maintenance and weight control services and instructors, locker rooms, saunas, and associated retail shop intended for members of club only.

The proposed text amendment would add the following sections of the Off-Street Parking section of the Zoning Code.

- **Fitness Center:** one (1) space per 200 square feet of gross floor area. Typical parking stall count requirements for fitness centers generally range from 1 per 150 SF to 1 per 250 SF.
- **If a building contains two or more differing uses, the parking requirement shall be determined by the addition of the parking requirements for each use.** Several other metro communities also include this language. The previous P&Z agenda statement back in July also proposed establishing a parking stall count standard for industrial flex buildings - this is no longer proposed, as the code will now clearly state that if multiple uses are proposed within a building, the parking will be determined by the addition of the parking requirements for each use. For example, an industrial flex building having both warehousing uses and a fitness center use will need to meet requirements for both the warehousing use portions (1 per employee) and also the fitness center portion (1 per 200 SF).

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The Planning & Zoning Commission reviewed this text amendment topic during their meeting on October 13, 2022 and voted on recommended approval.

Staff recommends approval of the third/final ordinance reading.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. ORDINANCE NO. 221107-213

CITY OF BONDURANT
ORDINANCE NO. 221107-213

**AN ORDINANCE AMENDING THE CITY CODE OF BONDURANT, IOWA, BY
AMENDING THE FOLLOWING SECTIONS OF THE ZONING ORDINANCE: 175.02 –
DEFINITIONS, 177.09 – OFF-STREET PARKING AREA REQUIREMENTS, AND 178.13
– LIMITED INDUSTRIAL (M-1) DISTRICT**

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

Section 1. **SECTIONS AMENDED.** Section 175.02 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to include the following definition:

“Fitness Center” means an establishment providing physical fitness facilities and services to the public for a fee, including but not limited to: game courts, exercise equipment, exercise areas, running tracks, swimming pools, physical fitness maintenance and weight control services and instructors, locker rooms, saunas, and associated retail shop intended for members of club only.

Section 177.09 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to read as follows:

6. Dance halls, assembly halls: one (1) space for each ~~100~~ 200 square feet of floor area used for dancing or assembly.

27. Fitness Center: one (1) space per 200 square feet of gross floor area.

28. If a building contains two or more differing uses, the parking requirement shall be determined by the addition of the parking requirements for each use.

Section 178.13 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to read as follows:

1. **Principal Permitted Uses.** Only the uses of structures or land listed in this section shall be permitted in the “M-1” District, provided, however, that all manufacturing, assembling, compounding, processing, packaging or other comparable treatment, including storage of any and all materials and equipment shall take place within completely enclosed buildings, except those allowable outdoor use exclusions listed in the definition of Outdoor Storage ~~and except for Temporary Fireworks Sales Facilities~~. All open areas not used for off-street parking or loading shall be planted with grass, shrubs and trees, properly maintained, and kept free from refuse and debris

~~HH. Fireworks sales facilities, providing that they are located more than 500 feet from any residential areas, school, child care facility or elderly residential~~

~~facility. If the facility is a Temporary Fireworks Sales Facility, only one per lot is permitted.~~

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 _____, 2022

CITY OF BONDURANT, POLK COUNTY, IOWA

TARA COX, MAYOR PRO TEM

ATTEST:

SHELBY HAGAN, CITY CLERK

(SEAL)

FIRST CONSIDERATION: November 7, 2022

SECOND CONSIDERATION: November 21, 2022

THIRD CONSIDERATION: December 5, 2022



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.g.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution affixing a date for a public hearing for January 3, 2023 to consider a request for rezoning from the Agricultural (A-1) District to the Medium Industrial (M-2) District, pending annexation finalization, on Parcels 140/00062-000-000 and 140/00050-002-000

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

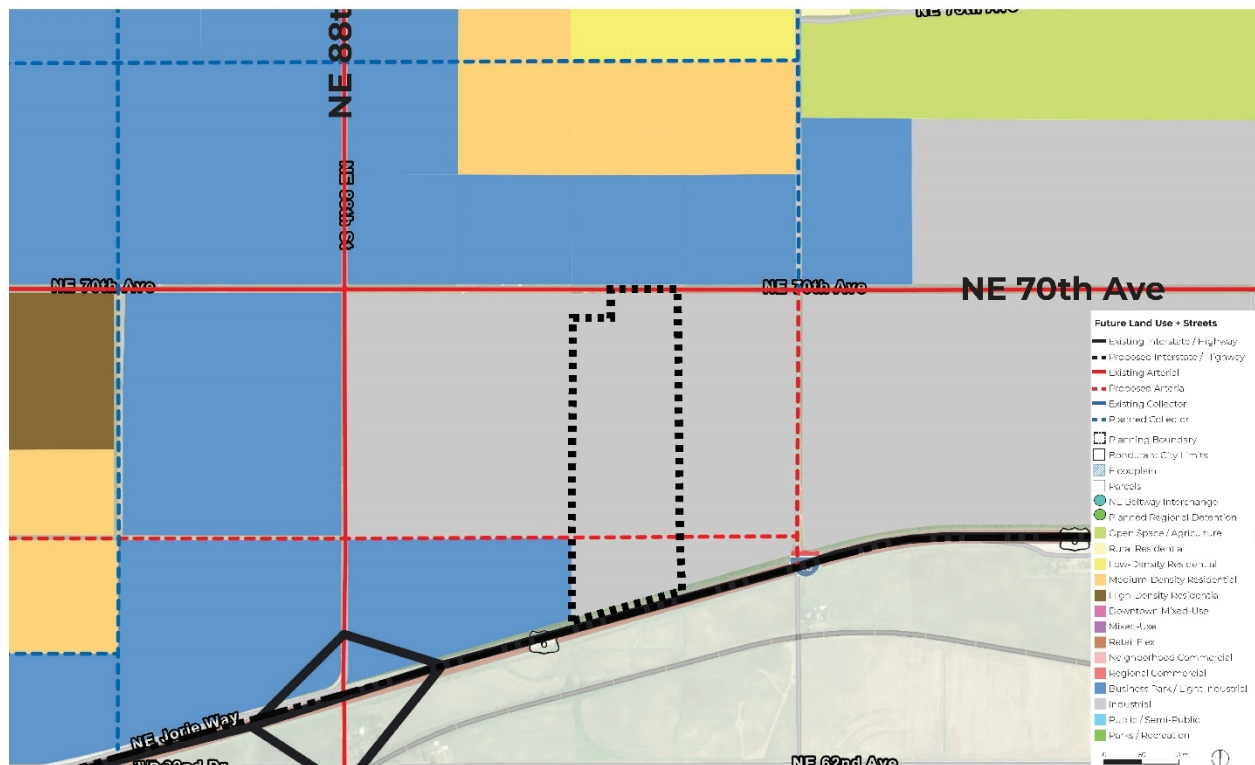
BRIEF HISTORY & ANALYSIS: The City has received a voluntary annexation request for the two parcels of land owned by David Ross, Stephen Ross and Jorene King shown in yellow below. These two parcels are [140/00062-000-000](#) and [140/00050-002-000](#).



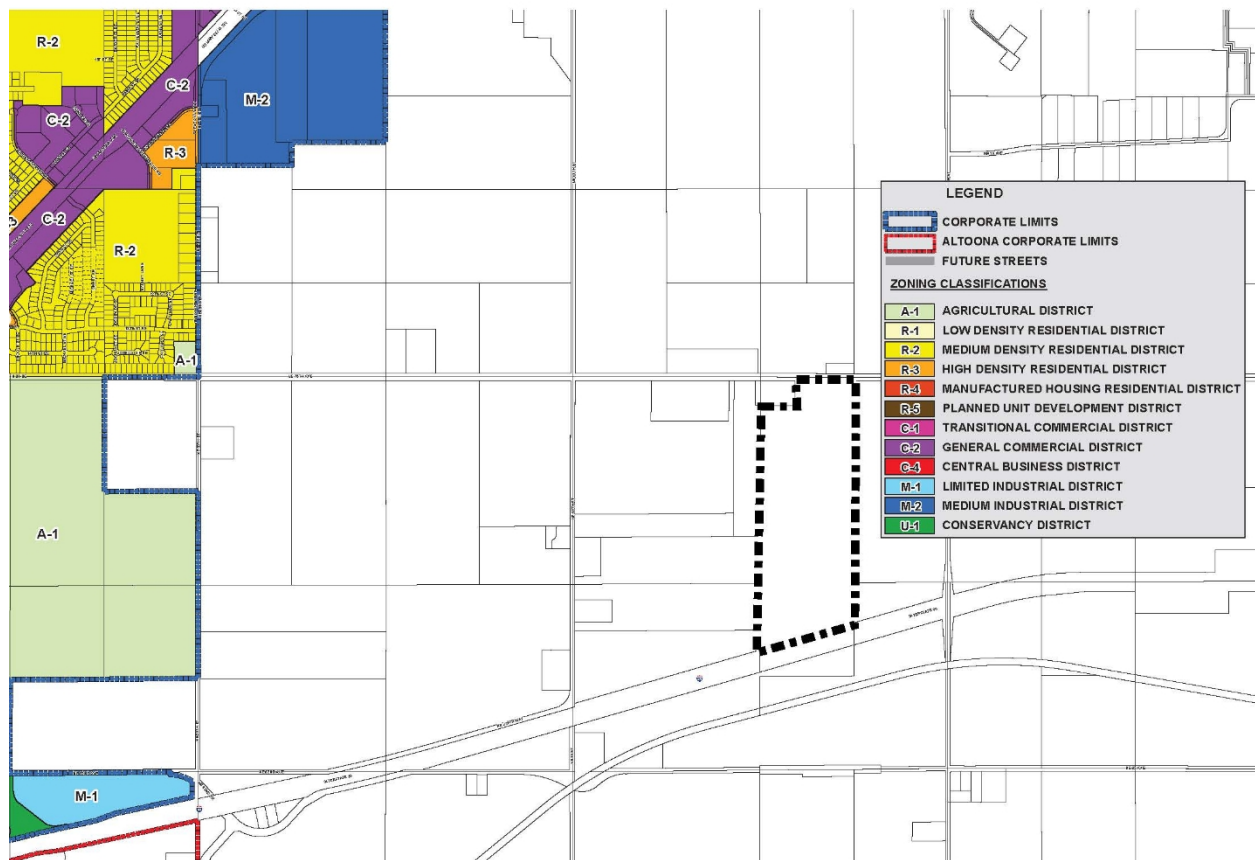
As conditions of the owner in signing the annexation petition, the following is noted on the annexation petition:

- The City agrees to initiate a rezoning of this property from Agricultural (A-1) to Limited Industrial (M-1).

The City's Future Land Use Map, which guides potential rezoning requests but is not the regulatory tool like the Zoning Ordinance/Map, currently guides this Ross-King parcel as Industrial. The Ross-King property is outlined in black below. There is Business Park/Light Industrial (blue shading) located north and southwest of the Ross-King property.



Per Section 177.07.7 of the Zoning Code, when land is considered for annexation, it is automatically zoned as being within the City's Agricultural (A-1) District unless a rezoning request is also being considered at the same time. The rezoning being considered is that the land be zoned Medium Industrial (M-2). The zoning designation of M-2 will not become effective until after the annexation has been finalized. The Ross-King property is outlined in black below.



Analysis:

When considering rezoning requests, the Planning & Zoning Commission should take into account the following: Comprehensive Plan, Consistency with the Zoning Code, Spot Zoning, and Public Input.

Comprehensive Plan

When a City considers a rezoning ordinance, it must find the rezoning is consistent with its Future Land Use Map. The Future Land Use Map shows the property to be zoned as Industrial. The properties located to the north and southwest have been designated as Business Park/Light Industrial.

Consistency with the Zoning Code

This item will be reviewed in detail if/when a site plan application is received for the portion requested for M-2 zoning.

Spot Zoning

To determine whether illegal spot zoning has occurred, the courts consider the rezoning takes into account the following:

1. The characteristics of surrounding property.
2. The community's comprehensive plan.
3. The protection and preservation of public health, justice, morals, order, safety and security, and welfare (police power)

Objectives of the Comprehensive Plan support industrial development along the Interstate 80 corridor, and the Future Land Use Map currently guides for industrial development along the interstate corridor east and west of the current area proposed for rezoning and Future Land Use Map updating. The rezoning request for the Ross-King property is consistent with the Future Land Use Map.

Public Input

As is required by the City's Zoning Code, letters were sent to property owners within 200' of the requested rezoning. The January 3, 2023 agenda statement will note any public comment received.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The Planning & Zoning Commission held a public hearing during their meeting on November 10, 2022 and voted on recommended rezoning approval, pending annexation finalization.

Staff recommends approval of the attached resolution setting the rezoning public hearing date for January 3, 2023.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-270

CITY OF BONDURANT
RESOLUTION NO. 221205-270

RESOLUTION AFFIXING A DATE FOR A PUBLIC HEARING FOR JANUARY 3, 2023,
TO CONSIDER A REQUEST FOR REZONING FROM THE AGRICULTURAL (A-1)
DISTRICT TO THE MEDIUM INDUSTRIAL (M-2) DISTRICT, PENDING ANNEXATION
FINALIZATION, ON PARCELS 140/00062-000-000 and 140/00050-002-000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONDURANT, IOWA:

That the City Council of the City of Bondurant, Iowa, hereby proposes to change the zoning from Agricultural (A-1) to Medium Industrial (M-2), pending annexation finalization, on property described as follows:

THE WEST FRACTIONAL HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA EXCEPT A PARCEL DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF THE WEST FRACTIONAL ONE-HALF OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M. THENCE EAST 494 FEET ALONG THE NORTH LINE OF SAID SECTION, THENCE SOUTH PARALLEL WITH THE SECTION LINE A DISTANCE OF 400 FEET, THENCE WEST PARALLEL WITH THE NORTH SECTION LINE 494 FEET, THENCE NORTH TO THE POINT OF BEGINNING; AND

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., IN POLK COUNTY, IOWA, LYING NORTH OF INTERSTATE HIGHWAY 80.

BE IT FURTHER RESOLVED THAT: A public hearing will be held on the 3rd day of January, 2023 at 6:00 p.m. at the Bondurant City Center at 200 2nd Street NE, Bondurant, Polk County, Iowa at which time the Council will hear public comments on the proposed change in rezoning of said property.

BE IT FINALLY RESOLVED THAT: The City Clerk is hereby directed to publish notice of said hearing, as required by law.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				

NOTICE OF PUBLIC HEARING

The City Council of the City of Bondurant will hold a public hearing at 6:00 p.m. on January 3, 2023 in the Bondurant City Center at 200 2nd Street NE, Bondurant, Polk County, Iowa, to hear a request to rezone property from the Agricultural (A-1) District to the Medium Industrial (M-2) District, pending annexation finalization, on property described as follows:

THE WEST FRACTIONAL HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA EXCEPT A PARCEL DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF THE WEST FRACTIONAL ONE-HALF OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M. THENCE EAST 494 FEET ALONG THE NORTH LINE OF SAID SECTION, THENCE SOUTH PARALLEL WITH THE SECTION LINE A DISTANCE OF 400 FEET, THENCE WEST PARALLEL WITH THE NORTH SECTION LINE 494 FEET, THENCE NORTH TO THE POINT OF BEGINNING; AND

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., IN POLK COUNTY, IOWA, LYING NORTH OF INTERSTATE HIGHWAY 80.

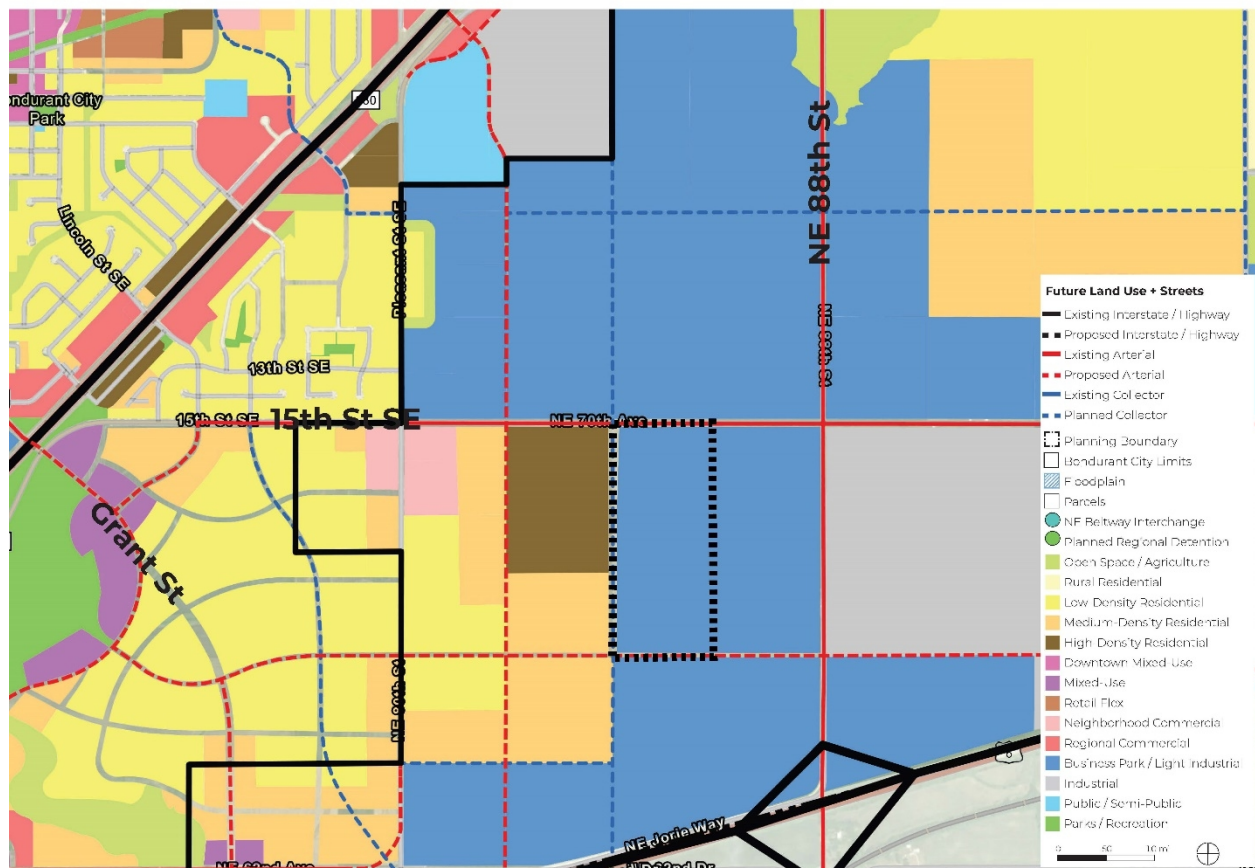
All interested parties are encouraged to attend.

SHELBY HAGAN,
CITY CLERK

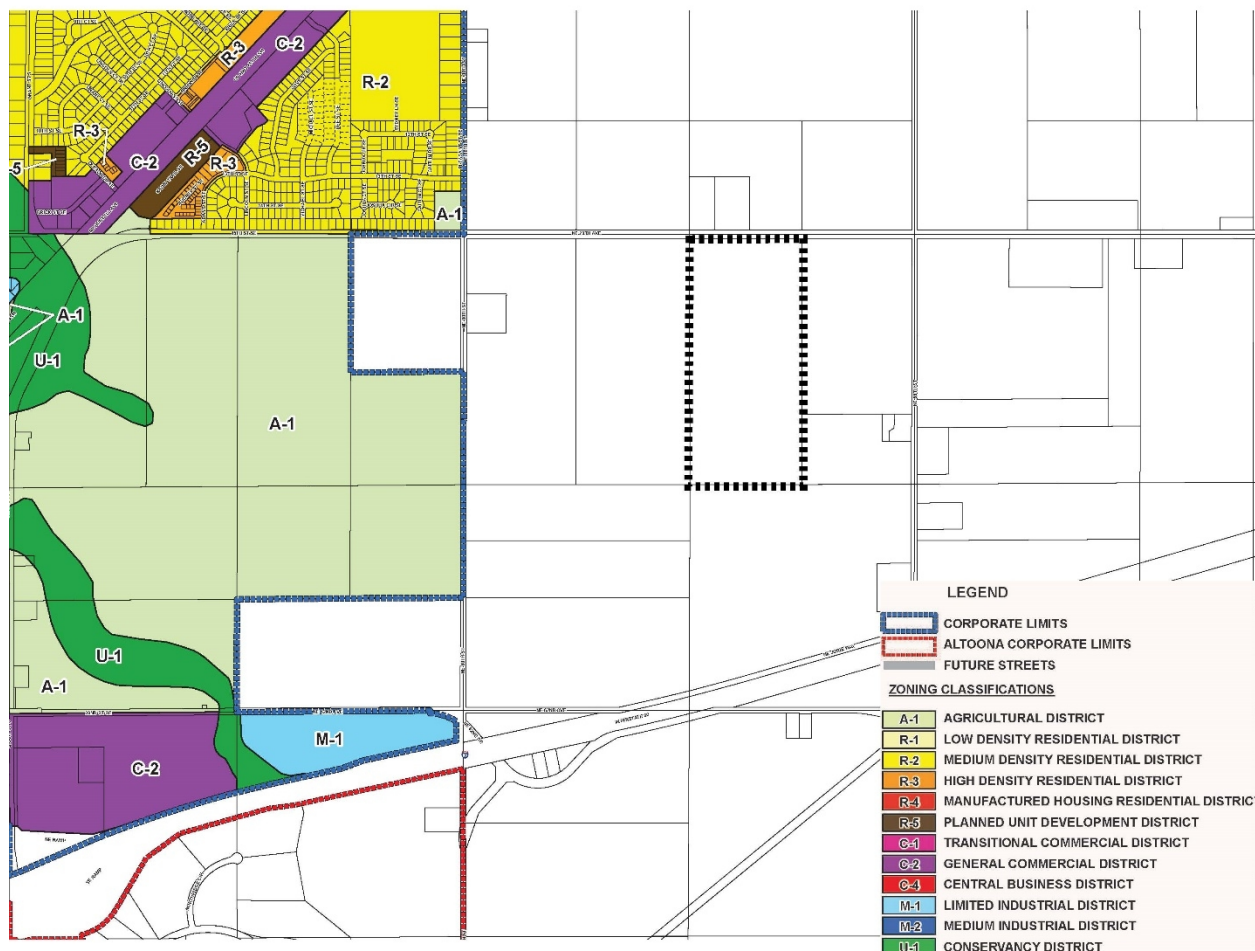
As a condition of the owner in signing the annexation petition, the following was noted on the annexation petition:

- The City agrees to initiate a rezoning of this property from Agricultural (A-1) to Limited Industrial (M-1).

The City's Future Land Use Map, which guides potential rezoning requests but is not the regulatory tool like the Zoning Ordinance/Map, currently guides this CEG Land LLC parcel as Business Park/Light Industrial. The CEG Land LLC property is outlined in black below. There is Business Park/Light Industrial located north, east and south of the CEG Land LLC property. West of the CEG Land LLC property the Future Land Use map has identified High Density Residential and Medium Density Residential uses.



Per Section 177.07.7 of the Zoning Code, when land is considered for annexation, it is automatically zoned as being within the City's Agricultural (A-1) District unless a rezoning request is also being considered at the same time. The rezoning being considered is that the land be zoned Light Industrial (M-1). The zoning designation of M-1 will not become effective until after the annexation has been finalized. The CEG Land LLC property is outlined in black below.



Analysis:

When considering rezoning requests, the Planning & Zoning Commission should take into account the following: Comprehensive Plan, Consistency with the Zoning Code, Spot Zoning, and Public Input.

Comprehensive Plan

When a City considers a rezoning ordinance, it must find the rezoning is consistent with its Future Land Use Map. The Future Land Use Map shows the property to be zoned as Business Park/Light Industrial. The properties located to the north, east and south have also been designated as Business Park/Light Industrial. High Density and Medium Density residential have been designated on the property directly to the west of the CEG Land LLC property.

Consistency with the Zoning Code

This item will be reviewed in detail if/when a site plan application is received for the portion requested for M-1 zoning.

Spot Zoning

To determine whether illegal spot zoning has occurred, the courts consider the rezoning takes into account the following:

1. The characteristics of surrounding property.
2. The community's comprehensive plan.
3. The protection and preservation of public health, justice, morals, order, safety and security, and welfare (police power)

Objectives of the Comprehensive Plan support industrial development along the Interstate 80 corridor, and the Future Land Use Map currently guides for industrial development along the interstate corridor and Business Park/Light Industrial for surrounding properties. The rezoning request for the CEG Land LLC property is consistent with the Future Land Use Map.

Public Input

As is required by the City's Zoning Code, letters were sent to property owners within 200' of the requested rezoning. A summary of any public comment received will be included as part of the January 3, 2023 agenda statement.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The Planning & Zoning Commission held a public hearing during their meeting on November 10, 2022 and voted on recommended rezoning approval, pending annexation finalization.

Staff recommends approval of the attached resolution setting the rezoning public hearing date for January 3, 2023.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-271

CITY OF BONDURANT
RESOLUTION NO. 221205-271

RESOLUTION AFFIXING A DATE FOR A PUBLIC HEARING FOR JANUARY 3, 2023,
TO CONSIDER A REQUEST FOR REZONING FROM THE AGRICULTURAL (A-1)
DISTRICT TO THE LIMITED INDUSTRIAL (M-1) DISTRICT, PENDING ANNEXATION
FINALIZATION, ON PARCEL 170/00002-000-000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONDURANT, IOWA:

That the City Council of the City of Bondurant, Iowa, hereby proposes to change the zoning from Agricultural (A-1) to Limited Industrial (M-1), pending annexation finalization, on property described as follows:

THE WEST ONE-HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTY-NINE (79) NORTH, RANGE TWENTY-TWO (22) WEST OF THE FIFTH P.M.

BE IT FURTHER RESOLVED THAT: A public hearing will be held on the 3rd day of January, 2023 at 6:00 p.m. at the Bondurant City Center at 200 2nd Street NE, Bondurant, Polk County, Iowa at which time the Council will hear public comments on the proposed change in rezoning of said property.

BE IT FINALLY RESOLVED THAT: The City Clerk is hereby directed to publish notice of said hearing, as required by law.

Passed and approved by the City Council of the City of Bondurant, Iowa, this 5th day of December, 2022.

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				

NOTICE OF PUBLIC HEARING

The City Council of the City of Bondurant will hold a public hearing at 6:00 p.m. on January 3, 2023 in the Bondurant City Center at 200 2nd Street NE, Bondurant, Polk County, Iowa, to hear a request to rezone property from the Agricultural (A-1) District to the Limited Industrial (M-1) District, pending annexation finalization, on property described as follows:

THE WEST ONE-HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTY-NINE (79) NORTH, RANGE TWENTY-TWO (22) WEST OF THE FIFTH P.M.

All interested parties are encouraged to attend.

SHELBY HAGAN,
CITY CLERK



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.i.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution affixing a date for a public hearing for January 3, 2023 to consider a request for rezoning from the Agricultural (A-1) District to the Medium Industrial (M-2) District, pending annexation finalization, on Parcels 140/00052-005-000, 140/00053-000,000, and 140/00054-001-000

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

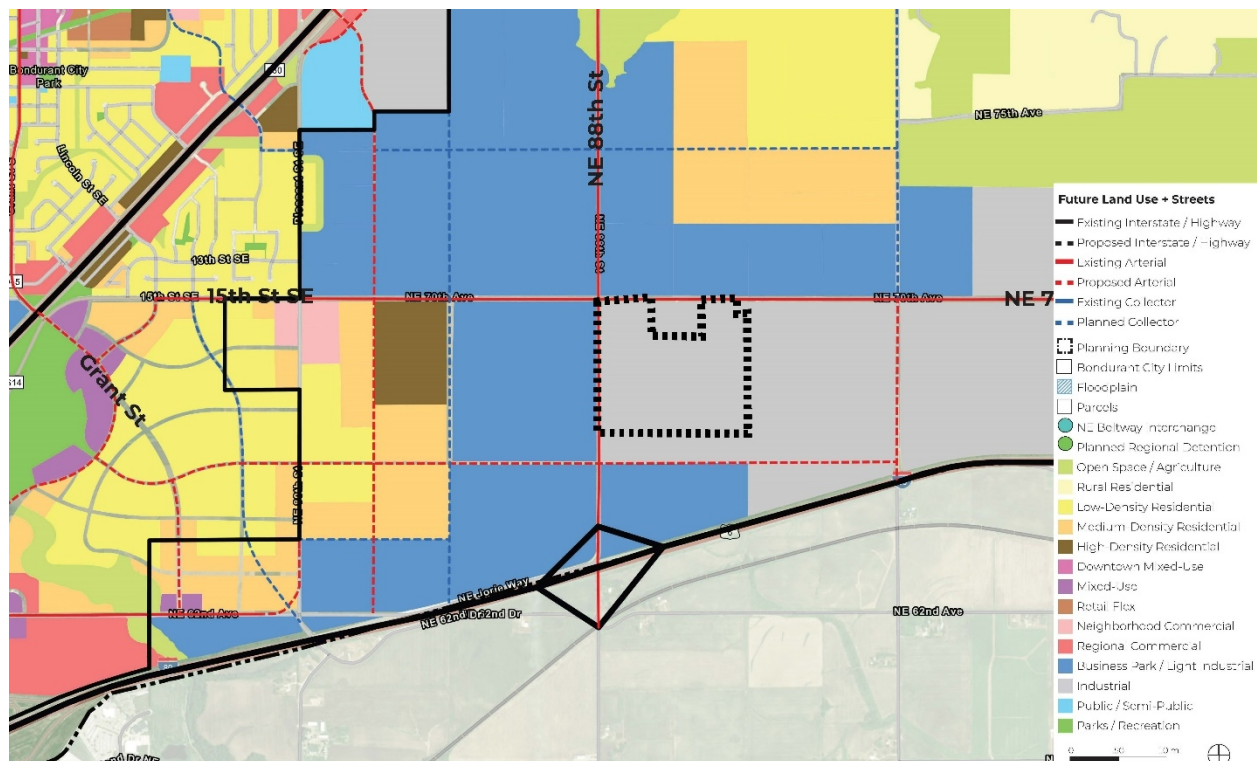
BRIEF HISTORY & ANALYSIS: The City has received a voluntary annexation request for the parcels of land owned by CEG Land LLC shown in yellow below. These are parcels [140/00052-005-000](#), 140/00053-000-000, and [140/00054-001-000](#).



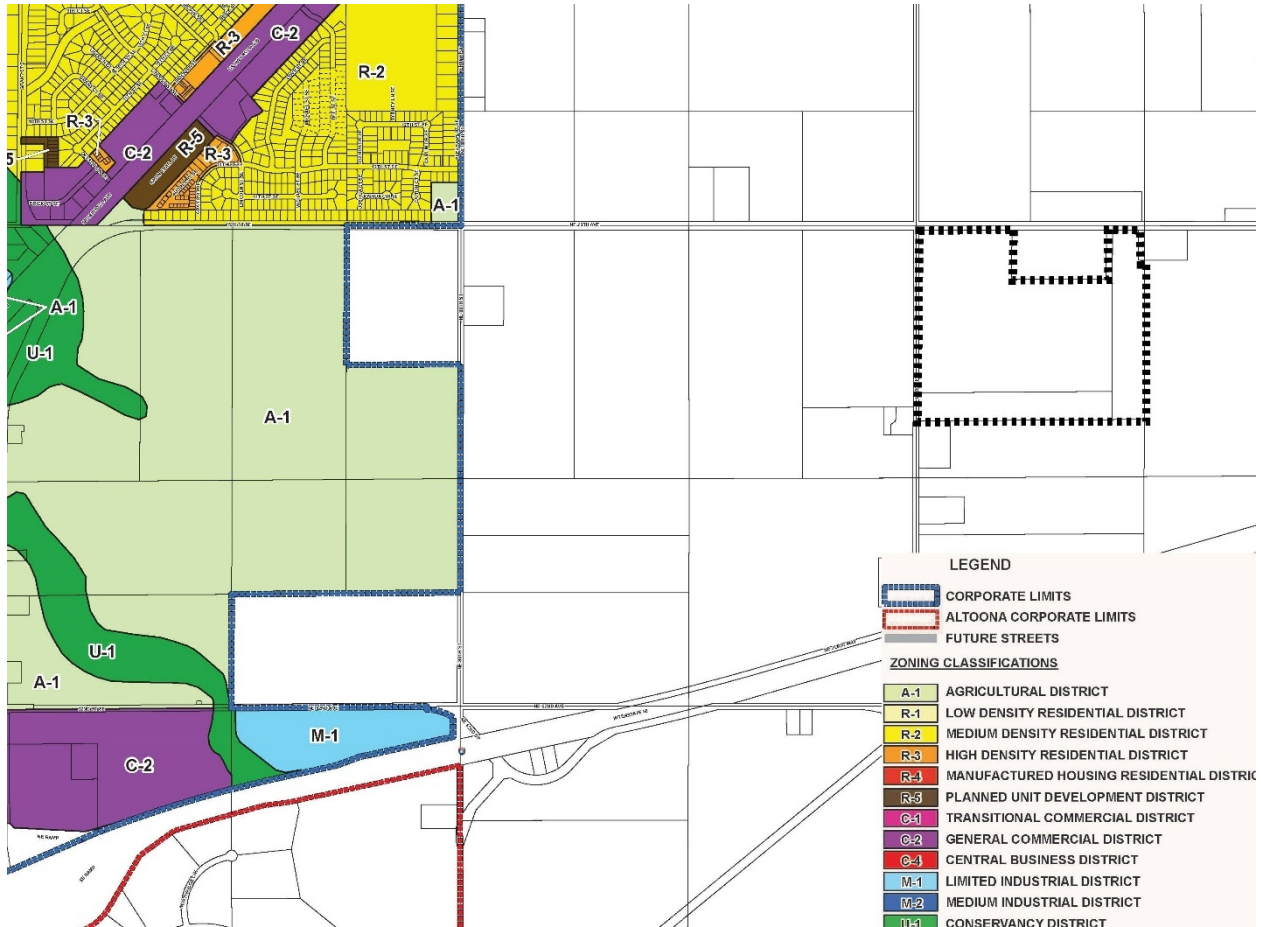
As a condition of the owner in signing the annexation petition, the following is noted on the annexation petition:

- The City agrees to initiate a rezoning of this property from Agricultural (A-1) to Medium Industrial (M-2).

The City's Future Land Use Map, which guides potential rezoning requests but is not the regulatory tool like the Zoning Ordinance/Map, currently guides this CEG Land LLC parcel as Industrial. The CEG Land LLC property is outlined in black below. There is Business Park/Light Industrial located north, west and south of the CEG Land LLC property. East of the CEG Land LLC property the Future Land Use map has identified additional Industrial properties.



Per Section 177.07.7 of the Zoning Code, when land is considered for annexation, it is automatically zoned as being within the City's Agricultural (A-1) District unless a rezoning request is also being considered at the same time. The rezoning being considered is that the land be zoned Medium Industrial (M-2). The zoning designation of M-2 will not become effective until after the annexation has been finalized. The CEG Land LLC property is outlined in black below.



Analysis:

When considering rezoning requests, the Planning & Zoning Commission should take into account the following: Comprehensive Plan, Consistency with the Zoning Code, Spot Zoning, and Public Input.

Comprehensive Plan

When a City considers a rezoning ordinance, it must find the rezoning is consistent with its Future Land Use Map. The Future Land Use Map shows the property to be zoned as Industrial. The properties to the east, have been designated as Industrial while the properties to the north, west and south have been designated as Business Park/Light Industrial.

Consistency with the Zoning Code

This item will be reviewed in detail if/when a site plan application is received for the portion requested for M-2 zoning.

Spot Zoning

To determine whether illegal spot zoning has occurred, the courts consider the rezoning takes into account the following:

1. The characteristics of surrounding property.
2. The community's comprehensive plan.
3. The protection and preservation of public health, justice, morals, order, safety and security, and welfare (police power)

Objectives of the Comprehensive Plan support industrial development along the Interstate 80 corridor, and the Future Land Use Map currently guides for industrial development along the interstate corridor and to the east of the CEG Land LLC property. The rezoning request for the CEG Land LLC property is consistent with the Future Land Use Map.

Public Input

As is required by the City's Zoning Code, letters were sent to property owners within 200' of the requested rezoning. A summary of any public comment received will be included as part of the January 3, 2023 agenda statement.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The Planning & Zoning Commission held a public hearing during their meeting on November 10, 2022 and voted on recommended rezoning approval, pending annexation finalization.

Staff recommends approval of the attached resolution setting the rezoning public hearing date for January 3, 2023.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-272

CITY OF BONDURANT
RESOLUTION NO. 221205-272

RESOLUTION AFFIXING A DATE FOR A PUBLIC HEARING FOR JANUARY 3, 2023,
TO CONSIDER A REQUEST FOR REZONING FROM THE AGRICULTURAL (A-1)
DISTRICT TO THE MEDIUM INDUSTRIAL (M-2) DISTRICT, PENDING ANNEXATION
FINALIZATION, ON PARCELS 140/00052-005-000, 140/00053-000,000, and
140/00054-001-000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONDURANT, IOWA:

That the City Council of the City of Bondurant, Iowa, hereby proposes to change the zoning from Agricultural (A-1) to Medium Industrial (M-2), pending annexation finalization, on property described as follows:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22, WEST OF THE 5TH P.M., THENCE SOUTH 1,937.3 FEET, THENCE EAST 2,272.3 FEET, THENCE SOUTH 325.8 FEET, THENCE WEST 2,272.6 FEET, THENCE NORTH 325.8 FEET, EXCEPT ALL ROADS AND HIGHWAYS, POLK COUNTY, IOWA. (THIS PARCEL IS ALSO KNOWN AS TRACT B OF THE SURVEY FILED FEBRUARY 13, 1947, AND RECORDED IN BOOK 2067, PAGE 194, IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA); AND

BEGINNING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22, WEST OF THE 5TH P.M., THENCE SOUTH 1,937.3 FEET, THENCE EAST 2,272.3 FEET, THENCE NORTH 1,918.2 FEET, THENCE WEST 2,270.4 FEET TO THE POINT OF BEGINNING. (THIS PARCEL IS ALSO DESCRIBED AS: TRACT C OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AS SHOWN BY SURVEY FILED FEBRUARY 13, 1947, AND RECORDED IN BOOK 2067 PAGE 194, IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA.) EXCEPT PARCEL "B" OF THE SURVEY FILED OCTOBER 28, 1998, AND RECORDED IN BOOK 8043 PAGE 898, AND FILED NOVEMBER 13, 1998, AND RECORDED IN BOOK 8049 PAGE 921 IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA. AND EXCEPT PARCEL 'D' OF THE SURVEY FILE JUNE 23, 2011 AND RECORDED IN BOOK 13885 PAGE 904-905 IN THE OFFICE OF THE RECORDER OF POLK COUNTY; AND

PARCEL "F" BEING ALL THAT PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22, WEST OF THE 5TH P.M., DESCRIBED ON PLAT OF SURVEY FILED JUNE 23, 2011, IN BOOK 13885 PAGE 906 IN THE OFFICE OF THE POLK COUNTY RECORDER.

BE IT FURTHER RESOLVED THAT: A public hearing will be held on the 3rd day of January, 2023 at 6:00 p.m. at the Bondurant City Center at 200 2nd Street NE, Bondurant, Polk County, Iowa at which time the Council will hear public comments on the proposed change in rezoning of said property.

BE IT FINALLY RESOLVED THAT: The City Clerk is hereby directed to publish notice of said hearing, as required by law.

Passed and approved by the City Council of the City of Bondurant, Iowa, this 5th day of December, 2022.

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				

NOTICE OF PUBLIC HEARING

The City Council of the City of Bondurant will hold a public hearing at 6:00 p.m. on January 3, 2023 in the Bondurant City Center at 200 2nd Street NE, Bondurant, Polk County, Iowa, to hear a request to rezone property from the Agricultural (A-1) District to the Medium Industrial (M-2) District, pending annexation finalization, on property described as follows:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22, WEST OF THE 5TH P.M., THENCE SOUTH 1,937.3 FEET, THENCE EAST 2,272.3 FEET, THENCE SOUTH 325.8 FEET, THENCE WEST 2,272.6 FEET, THENCE NORTH 325.8 FEET, EXCEPT ALL ROADS AND HIGHWAYS, POLK COUNTY, IOWA. (THIS PARCEL IS ALSO KNOWN AS TRACT B OF THE SURVEY FILED FEBRUARY 13, 1947, AND RECORDED IN BOOK 2067, PAGE 194, IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA); AND

BEGINNING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22, WEST OF THE 5TH P.M., THENCE SOUTH 1,937.3 FEET, THENCE EAST 2,272.3 FEET, THENCE NORTH 1,918.2 FEET, THENCE WEST 2,270.4 FEET TO THE POINT OF BEGINNING. (THIS PARCEL IS ALSO DESCRIBED AS: TRACT C OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AS SHOWN BY SURVEY FILED FEBRUARY 13, 1947, AND RECORDED IN BOOK 2067 PAGE 194, IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA.) EXCEPT PARCEL "B" OF THE SURVEY FILED OCTOBER 28, 1998, AND RECORDED IN BOOK 8043 PAGE 898, AND FILED NOVEMBER 13, 1998, AND RECORDED IN BOOK 8049 PAGE 921 IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA. AND EXCEPT PARCEL 'D' OF THE SURVEY FILE JUNE 23, 2011 AND RECORDED IN BOOK 13885 PAGE 904-905 IN THE OFFICE OF THE RECORDER OF POLK COUNTY; AND

PARCEL "F" BEING ALL THAT PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 4, TOWNSHIP 79 NORTH, RANGE 22, WEST OF THE 5TH P.M., DESCRIBED ON PLAT OF SURVEY FILED JUNE 23, 2011, IN BOOK 13885 PAGE 906 IN THE OFFICE OF THE POLK COUNTY RECORDER.

All interested parties are encouraged to attend.

SHELBY HAGAN,
CITY CLERK



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.j.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution affixing a date for a public hearing for January 3, 2023 to consider a request for rezoning from the Agricultural (A-1) District to the Limited Industrial (M-1) District, pending annexation finalization, on Lots 1 and Outlot Z of the Timmins Acres Final Plat and on Parcels 140/00058-000-000 and 140/00057-001-000

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: The City has received a voluntary annexation request for the parcel of land owned by Don Timmins and the City of Bondurant shown in yellow below. These are parcels [170/00010-003-000](#), [140/00058-000-000](#), and [140/00057-001-000](#).

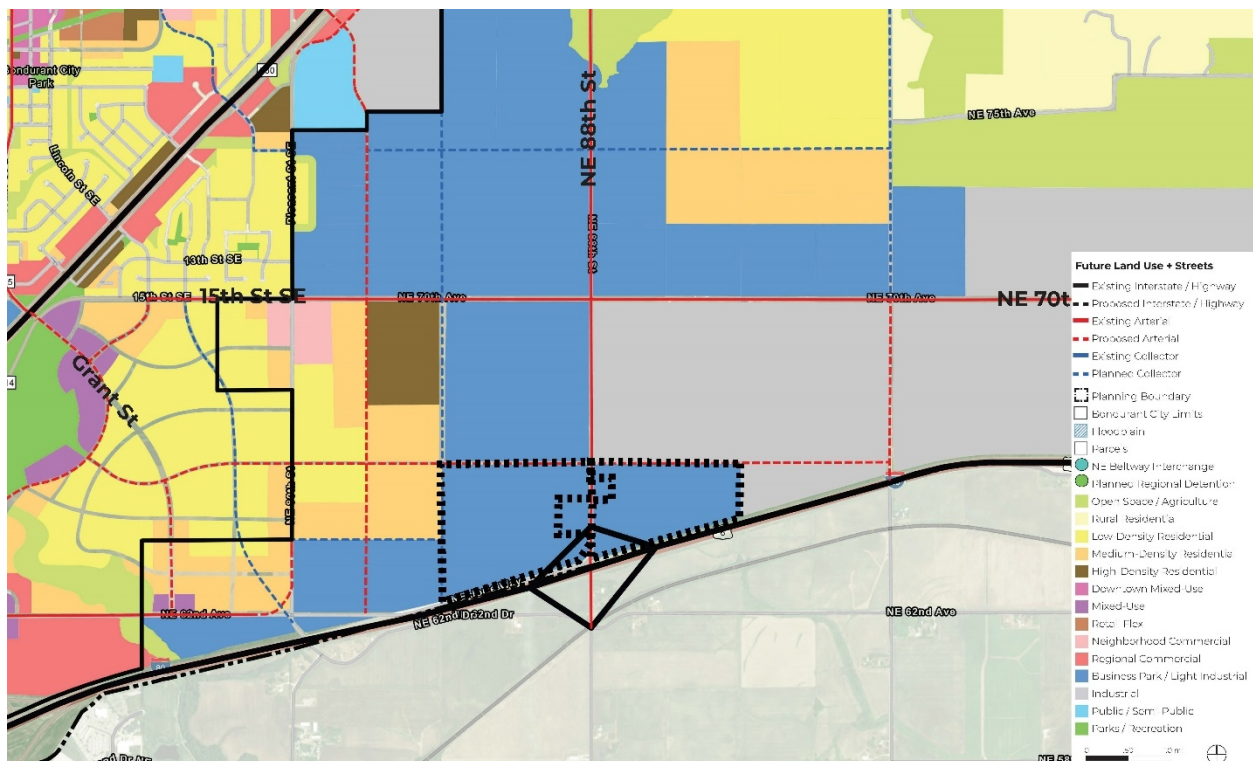


As conditions of the owners in signing the annexation petition, the following is noted on the annexation petition:

- The City agrees to initiate a rezoning of this property from Agricultural (A-1) to Limited Industrial (M-1).

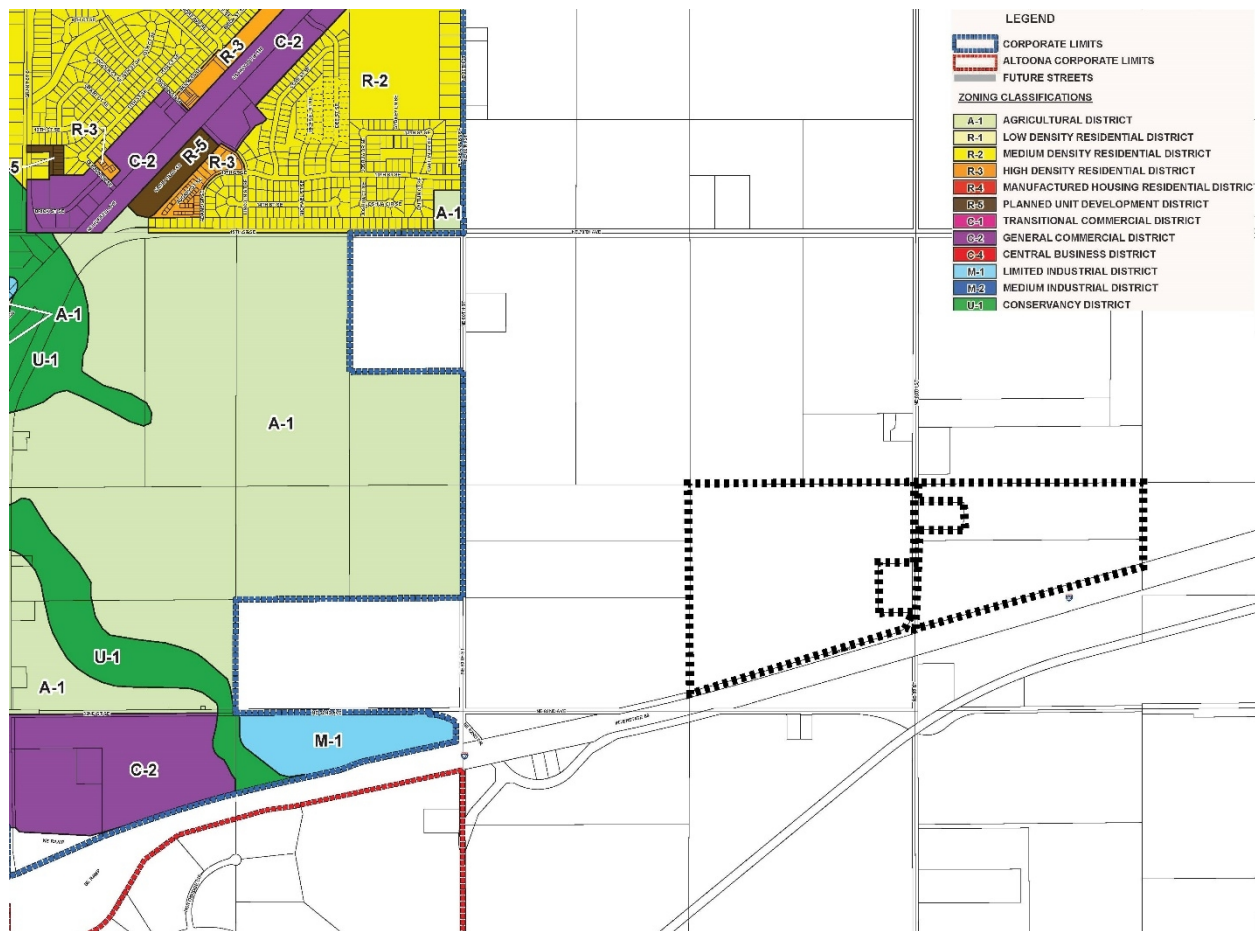
The City of Bondurant has recently purchased 2.27 acres from Timmins in the northeast corner of the property located on the west side of NE 88th Street. The City of Bondurant has plans of placing a new water tower on this property.

The City's Future Land Use Map, which guides potential rezoning requests but is not the regulatory tool like the Zoning Ordinance/Map, currently guides this Timmins/City of Bondurant parcels as Business Park/Light Industrial. The Timmins/City of Bondurant property is outlined in black below. There is Business Park/Light Industrial located west and north-northwest of the Timmins/City of Bondurant property. North-northeast and east of the Timmins/City of Bondurant property the Future Land Use map has identified Industrial uses.



Per Section 177.07.7 of the Zoning Code, when land is considered for annexation, it is automatically zoned as being within the City's Agricultural (A-1) District unless a rezoning request is also being considered at the same time. The rezoning being

considered is that the land be zoned Light Industrial (M-1). The zoning designation of M-1 will not become effective until after the annexation has been finalized. The Timmins/City of Bondurant property is outlined in black below.



Analysis:

When considering rezoning requests, the Planning & Zoning Commission should take into account the following: Comprehensive Plan, Consistency with the Zoning Code, Spot Zoning, and Public Input.

Comprehensive Plan

When a City considers a rezoning ordinance, it must find the rezoning is consistent with its Future Land Use Map. The Future Land Use Map shows the property to be zoned as Business Park/Light Industrial. The properties adjacent to the Timmins/City of Bondurant parcels are designated as either Industrial or Business Park/Light Industrial.

Consistency with the Zoning Code

This item will be reviewed in detail if/when a site plan application is received for the portion requested for M-1 zoning.

Spot Zoning

To determine whether illegal spot zoning has occurred, the courts consider the rezoning takes into account the following:

1. The characteristics of surrounding property.
2. The community's comprehensive plan.
3. The protection and preservation of public health, justice, morals, order, safety and security, and welfare (police power)

Objectives of the Comprehensive Plan support industrial development along the Interstate 80 corridor, and the Future Land Use Map currently guides for industrial development along the interstate corridor and Business Park/Light Industrial for surrounding properties. The rezoning request for the Timmins/City of Bondurant property is consistent with the Future Land Use Map.

Public Input

As is required by the City's Zoning Code, letters were sent to property owners within 200' of the requested rezoning. A summary of any public comment received will be included as part of the January 3, 2023 agenda statement.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The Planning & Zoning Commission held a public hearing during their meeting on November 10, 2022 and voted on recommended rezoning approval, pending annexation finalization.

Staff recommends approval of the attached resolution setting the rezoning public hearing date for January 3, 2023.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-273

CITY OF BONDURANT
RESOLUTION NO. 221205-273

RESOLUTION AFFIXING A DATE FOR A PUBLIC HEARING FOR JANUARY 3, 2023,
TO CONSIDER A REQUEST FOR REZONING FROM THE AGRICULTURAL (A-1)
DISTRICT TO THE LIMITED INDUSTRIAL (M-1) DISTRICT, PENDING ANNEXATION
FINALIZATION, ON LOTS 1 AND OUTLOT Z OF THE TIMMINS ACRES FINAL PLAT
AND ON PARCELS 140/00058-000-000 AND 140/00057-001-000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONDURANT, IOWA:

That the City Council of the City of Bondurant, Iowa, hereby proposes to change the
zoning from Agricultural (A-1) to Limited Industrial (M-1), pending annexation finalization,
on property described as follows:

THE SOUTH 120 ACRES OF THE SW ¼ LYING NORTH OF INTERSTATE HIGHWAY
80 LESS .92 ACRES OF ROAD IN SECTION 4, TOWNSHIP 79, RANGE 22 WEST OF
THE 5TH P.M., POLK COUNTY, IOWA AND THE NORTH 40 ACRES OF THE SW ¼
OF SECTION 4, TOWNSHIP 79, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY,
IOWA, EXCEPT THEREFROM THE SOUTH 311 FEET OF THE NORTH 530 FEET OF
THE WEST 561.66 FEET; AND

OUTLOT Z OF TIMMINS ACRES IN POLK COUNTY, IOWA; AND

LOT 1 OF TIMMINS ACRES IN POLK COUNTY, IOWA.

BE IT FURTHER RESOLVED THAT: A public hearing will be held on the 3rd day of
January, 2023 at 6:00 p.m. at the Bondurant City Center at 200 2nd Street NE, Bondurant,
Polk County, Iowa at which time the Council will hear public comments on the proposed
change in rezoning of said property.

BE IT FINALLY RESOLVED THAT: The City Clerk is hereby directed to publish notice of
said hearing, as required by law.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of
the City Council held on the above date, among other proceedings the above was
adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				

NOTICE OF PUBLIC HEARING

The City Council of the City of Bondurant will hold a public hearing at 6:00 p.m. on January 3, 2023 in the Bondurant City Center at 200 2nd Street NE, Bondurant, Polk County, Iowa, to hear a request to rezone property from the Agricultural (A-1) District to the Limited Industrial (M-1) District, pending annexation finalization, on property described as follows:

THE SOUTH 120 ACRES OF THE SW $\frac{1}{4}$ LYING NORTH OF INTERSTATE HIGHWAY 80 LESS .92 ACRES OF ROAD IN SECTION 4, TOWNSHIP 79, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND THE NORTH 40 ACRES OF THE SW $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 79, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, EXCEPT THEREFROM THE SOUTH 311 FEET OF THE NORTH 530 FEET OF THE WEST 561.66 FEET; AND

OUTLOT Z OF TIMMINS ACRES IN POLK COUNTY, IOWA; AND

LOT 1 OF TIMMINS ACRES IN POLK COUNTY, IOWA.

All interested parties are encouraged to attend.

SHELBY HAGAN,
CITY CLERK



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.k.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution affixing a date for a public hearing for January 3, 2023 to consider a request for rezoning from the Agricultural (A-1) District to the Limited Industrial (M-1) District, pending annexation finalization, on the following Parcels 230/00463-000-000, 230/00464-002-003, 230/00466-003-000, 230/00466-004-000, and 230/00466-001-000

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

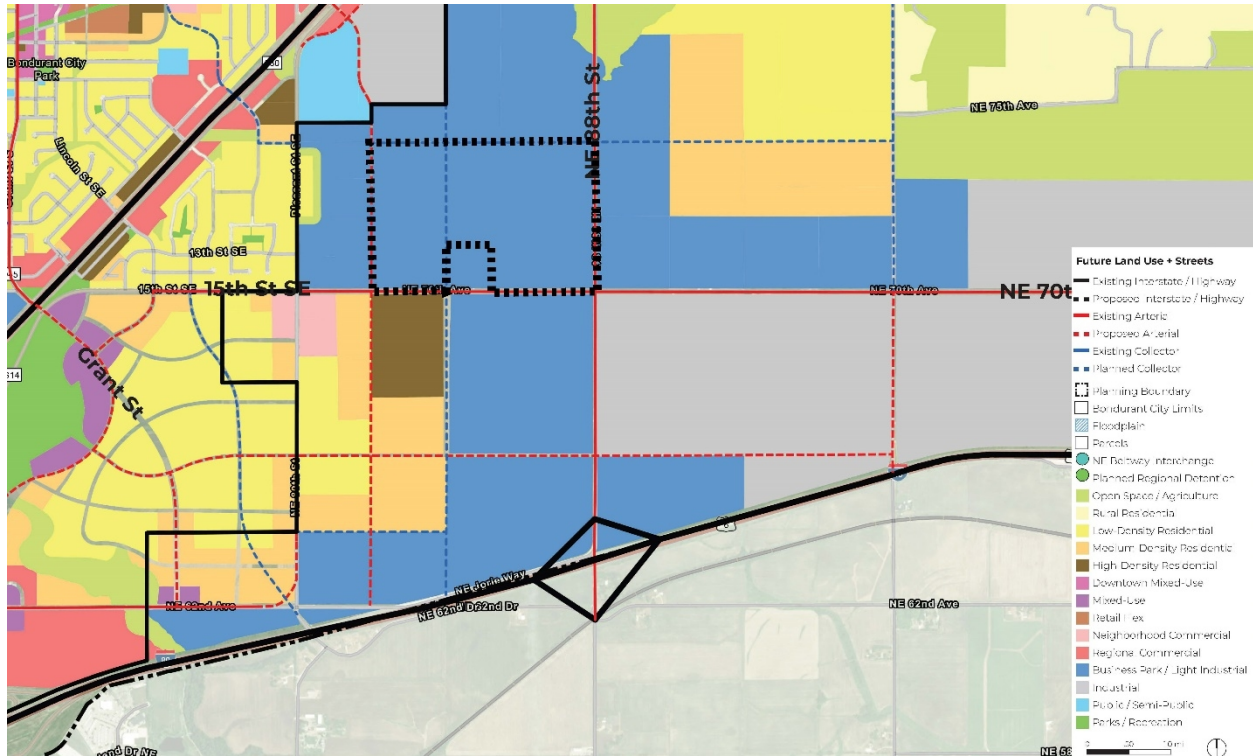
BRIEF HISTORY & ANALYSIS: The City has received a voluntary annexation request for the parcel of land owned by Netrix LLC shown in yellow below. This area includes the following parcels: [230/00463-000-000](#), [230/00464-002-003](#), [230/00466-004-000](#), [230/00466-003-000](#), and [230/00466-004-000](#).



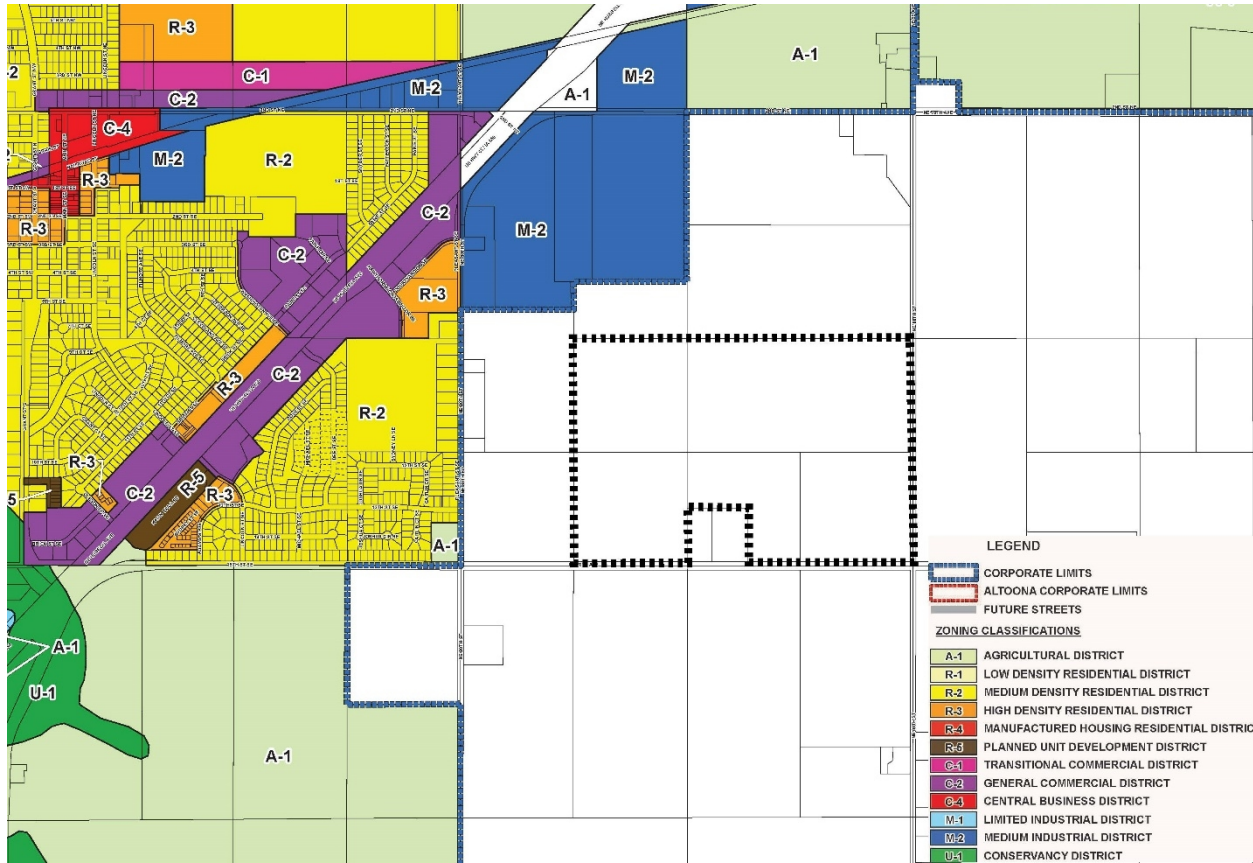
As conditions of the owner in signing the annexation petition, the following is noted on the annexation petition:

- The City agrees to initiate a rezoning of this property from Agricultural (A-1) to Limited Industrial (M-1).

The City's Future Land Use Map, which guides potential rezoning requests but is not the regulatory tool like the Zoning Ordinance/Map, currently guides these Netrix LLC parcels as Business Park/Light Industrial. The Netrix LLC property is outlined in black below. There is Business Park/Light Industrial located on all sides of the Netrix LLC property. South-southwest of the Netrix LLC property the Future Land Use map has identified High Density Residential use.



Per Section 177.07.7 of the Zoning Code, when land is considered for annexation, it is automatically zoned as being within the City's Agricultural (A-1) District unless a rezoning request is also being considered at the same time. The rezoning being considered is that the land be zoned Light Industrial (M-1). The zoning designation of M-1 will not become effective until after the annexation has been finalized. The Netrix LLC property is outlined in black below.



Analysis:

When considering rezoning requests, the Planning & Zoning Commission should take into account the following: Comprehensive Plan, Consistency with the Zoning Code, Spot Zoning, and Public Input.

Comprehensive Plan

When a City considers a rezoning ordinance, it must find the rezoning is consistent with its Future Land Use Map. The Future Land Use Map shows the property to be zoned as Business Park/Light Industrial. The properties located to the north, east, west and south have also been designated as Business Park/Light Industrial. High Density residential have been designated on the property to the south-southwest of the Netrix LLC property.

Consistency with the Zoning Code

This item will be reviewed in detail if/when a site plan application is received for the portion requested for M-1 zoning.

Spot Zoning

To determine whether illegal spot zoning has occurred, the courts consider the rezoning takes into account the following:

1. The characteristics of surrounding property.

2. The community's comprehensive plan.
3. The protection and preservation of public health, justice, morals, order, safety and security, and welfare (police power)

Objectives of the Comprehensive Plan support industrial development along the Interstate 80 corridor, and the Future Land Use Map currently guides for industrial development along the interstate corridor and Business Park/Light Industrial for surrounding properties. The rezoning request for the Netrix LLC property is consistent with the Future Land Use Map.

Public Input

As is required by the City's Zoning Code, letters were sent to property owners within 200' of the requested rezoning. A summary of any public comment received will be included as part of the January 3, 2023 agenda statement.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The Planning & Zoning Commission held a public hearing during their meeting on November 10, 2022 and voted on recommended rezoning approval, pending annexation finalization.

Staff recommends approval of the attached resolution setting the rezoning public hearing date for January 3, 2023.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-274

CITY OF BONDURANT
RESOLUTION NO. 221205-274

RESOLUTION AFFIXING A DATE FOR A PUBLIC HEARING FOR JANUARY 3, 2023, TO CONSIDER A REQUEST FOR REZONING FROM THE AGRICULTURAL (A-1) DISTRICT TO THE LIMITED INDUSTRIAL (M-1) DISTRICT, PENDING ANNEXATION FINALIZATION, ON THE FOLLOWING PARCELS: 230/00463-000-000, 230/00464-002-003, 230/00466-003-000, 230/00466-004-000, AND 230/00466-001-000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONDURANT, IOWA:

That the City Council of the City of Bondurant, Iowa, hereby proposes to change the zoning from Agricultural (A-1) to Limited Industrial (M-1), pending annexation finalization, on property described as follows:

THE NORTH ONE HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN; AND

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN; AND

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN, EXCEPT BEGINNING 50 FEET NORTH OF THE SOUTHWEST CORNER, THENCE NORTH 622.1 FEET, THENCE EAST 702 FEET, THENCE SOUTH 622.1 FEET, THENCE WEST 698.46 FEET TO THE POINT OF BEGINNING; AND

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN; AND

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN.

BE IT FURTHER RESOLVED THAT: A public hearing will be held on the 3rd day of January, 2023 at 6:00 p.m. at the Bondurant City Center at 200 2nd Street NE, Bondurant, Polk County, Iowa at which time the Council will hear public comments on the proposed change in rezoning of said property.

BE IT FINALLY RESOLVED THAT: The City Clerk is hereby directed to publish notice of said hearing, as required by law.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				

NOTICE OF PUBLIC HEARING

The City Council of the City of Bondurant will hold a public hearing at 6:00 p.m. on January 3, 2023 in the Bondurant City Center at 200 2nd Street NE, Bondurant, Polk County, Iowa, to hear a request to rezone property from the Agricultural (A-1) District to the Limited Industrial (M-1) District, pending annexation finalization, on property described as follows:

THE NORTH ONE HALF OF THE SOUTHEAST QUARTER OF SECTION 32,
TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN; AND

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32,
TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN; AND

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32,
TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN,
EXCEPT BEGINNING 50 FEET NORTH OF THE SOUTHWEST CORNER, THENCE
NORTH 622.1 FEET, THENCE EAST 702 FEET, THENCE SOUTH 622.1 FEET,
THENCE WEST 698.46 FEET TO THE POINT OF BEGINNING; AND

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN; AND

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN.

All interested parties are encouraged to attend.

SHELBY HAGAN,
CITY CLERK



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.I.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution approving Pay Request No. 7 from Jenco Construction Inc. for the Highway 65 Underpass Public Improvement Project TAP-T-0747(613)-8V-77 in the amount of \$94,953.66

CONTACT PERSON:

John Horton, Public Works Director

BRIEF HISTORY & ANALYSIS: Staff recommends the attached resolution to approve pay app #7 from Jenco in the amount of \$94,953.66 related to the Highway 65 Pedestrian Underpass Public Infrastructure Improvement Project.

This pay application has been reviewed by engineering staff at Veenstra & Kim and by City Staff for accuracy and is for work completed from November 13th thru November 28th, 2022. The project is approximately 79% completed.

FUNDING SOURCE: Bond Funding/Grant Funds

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-275
2. Pay Request No. 7

CITY OF BONDURANT
RESOLUTION NO. 221205-275

RESOLUTION APPROVING PAY REQUEST NO. 7 TO JENCO CONSTRUCTION INC.
FOR THE HIGHWAY 65 UNDERPASS PUBLIC IMPROVEMENT PROJECT TAP-T-
0747(613)-8V-77 IN THE AMOUNT OF \$94,953.66

WHEREAS the Highway 65 Underpass Public Improvements Project Pay Request No. 7 was submitted on November 29th, 2022; AND

WHEREAS the pay request no. 7 is for work completed on Highway 65 Underpass Public Improvement Project from November 13th thru November 28th, 2022; AND

WHEREAS Engineers from Veenstra & Kimm and City Staff have reviewed the pay application for accuracy.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the pay request no. 7 to Jenco Construction Inc. in the amount of \$94,953.66 hereby approved.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				

**ESTIMATE OF CONSTRUCTION COMPLETED****PARTIAL PAYMENT NO. 7****PROJECT TITLE: RCB Culvert New- Single Box, Pedestrian/Bicycle Underpass at US 65 by Oleson Dr North of Grant St****Contractor: JENCO CONSTRUCTION, INC.****Date: November 28, 2022****Original Contract Amount: \$3,563,486.21****Project Number: TAP-T-0747(613)-8V-77****Pay Period: November 13, 2022 to November 28, 2022****Contract ID: 77-0747-613****Accounting ID: 38554****BID ITEMS**

ITEM NO.	DESCRIPTION	UNIT	QUANTITY			UNIT PRICE	VALUE COMPLETED TO DATE
			ESTIMATED (ORIG. CONT.)	AUTHORIZED (INCL. C.O.'S)	COMPLETED TO DATE		
0010	CLEARING AND GRUBBING	UNIT	58.20	58.20	50.70	\$100.00	\$5,070.00
0020	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	7562.00	7562.00	5,000.00	\$18.00	\$90,000.00
0030	TOPSOIL, STRIP, SALVAGE AND SPREAD	CY	2985.00	2985.00	1,750.00	\$18.00	\$31,500.00
0040	COMPACTING BACKFILL ADJACENT TO BRIDGES, CULVERTS OR STRUCTURES	CY	145.00	145.00	145.00	\$35.00	\$5,075.00
0050	COMPACTION WITH MOISTURE AND DENSITY CONTROL	CY	1,570.00	1,570.00	0.00	\$54.00	\$0.00
0060	GRANULAR SHOULDERS, TYPE A	TON	175.00	175.00	171.25	\$45.00	\$7,706.25
0070	SHOULDER FINISHING, EARTH	STA	16.70	16.70	1.00	\$300.00	\$300.00
0080	DETOUR PAVEMENT (CO6)	SY	575.00	488.08	488.08	\$170.00	\$82,973.60
0090	FLOODED BACKFILL	CY	340.00	340.00	340.00	\$100.00	\$34,000.00
0100	COMPACTION WITH MOISTURE CONTROL (STRUCTURES)	CY	1,070.00	1,070.00	1,070.00	\$4.00	\$4,280.00
0110	EXCAVATION, CLASS 20, (CO2)	CY	5,300.00	5,478.00	4,693.00	\$15.00	\$70,395.00
0120	STRUCTURAL CONCRETE (MISCELLANEOUS)	CY	354.50	354.50	354.50	\$1,200.00	\$425,400.00
0130	STRUCTURAL CONCRETE (RCB CULVERT)	CY	337.90	337.90	337.90	\$1,100.00	\$371,690.00
0140	REINFORCING STEEL	LB	106,474.00	106,474.00	106,474.00	\$2.00	\$212,948.00
0150	APRONS, CONCRETE, 12 IN. DIA.	EACH	3.00	3.00	0.00	\$5,000.00	\$0.00
0160	APRONS, CONCRETE, 18 IN. DIA.	EACH	1.00	1.00	1.00	\$7,500.00	\$7,500.00
0170	APRONS, CONCRETE, 24 IN. DIA.	EACH	2.00	2.00	1.00	\$9,000.00	\$9,000.00
0180	APRONS, CONCRETE, 30 IN. DIA.	EACH	1.00	1.00	0.00	\$10,000.00	\$0.00
0190	APRONS, CONCRETE, 36 IN. DIA.	EACH	3.00	3.00	3.00	\$12,500.00	\$37,500.00
0200	APRONS, CONCRETE, 48 IN. DIA.	EACH	2.00	2.00	2.00	\$15,000.00	\$30,000.00
0210	BEVELED PIPE AND GUARD, 18INCH	EACH	1.00	1.00	0.00	\$10,000.00	\$0.00
0220	MANHOLE, STORM SEWER, SW-401, 48 IN.	EACH	2.00	2.00	0.00	\$8,500.00	\$0.00
0230	MANHOLE, STORM SEWER, SW-401, 60 IN.	EACH	3.00	3.00	3.00	\$11,500.00	\$34,500.00
0240	MANHOLE, STORM SEWER, SW-401, 72 IN.	EACH	2.00	2.00	2.00	\$13,500.00	\$27,000.00
0250	MANHOLE, STORM SEWER, SW-403 MODIFIED	EACH	1.00	1.00	0.00	\$10,000.00	\$0.00
0260	MANHOLE ADJUSTMENT, MINOR	EACH	1.00	1.00	0.00	\$2,500.00	\$0.00
0270	MANHOLE ADJUSTMENT, MAJOR	EACH	2.00	2.00	0.00	\$7,500.00	\$0.00
0280	TEMPORARY SHORING	LS	1.00	1.00	1.00	\$50,000.00	\$50,000.00
0290	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 12 IN.	LF	22.90	22.90	0.00	\$110.00	\$0.00
0300	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 18 IN.	LF	96.50	96.50	94.80	\$130.00	\$12,324.00
0310	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 24 IN.	LF	213.60	213.60	112.00	\$165.00	\$18,480.00
0320	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 30 IN.	LF	54.00	54.00	8.00	\$200.00	\$1,600.00
0330	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 36 IN.	LF	272.10	272.10	216.00	\$250.00	\$54,000.00
0340	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 48 IN.	LF	1,021.80	1,021.80	1,021.80	\$350.00	\$357,630.00
0350	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 3000D (CLASS IV), 30 IN.	LF	197.20	197.20	197.20	\$250.00	\$49,300.00
0360	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 3750D (CLASS V), 12 IN.	LF	60.30	60.30	0.00	\$150.00	\$0.00
0370	REMOVE STORM SEWER PIPE LESS THAN OR EQUAL TO 36 IN.	LF	346.00	346.00	208.00	\$55.00	\$11,440.00
0380	ENGINEERING FABRIC	SY	405.00	405.00	100.00	\$7.00	\$700.00
0390	REVTMENT, CLASS C	TON	120.00	120.00	0.00	\$73.50	\$0.00
0400	REVTMENT, CLASS E	TON	360.00	360.00	117.24	\$73.25	\$8,587.83
0410	REMOVAL OF RECREATIONAL TRAIL	SY	32.00	32.00	0.00	\$20.00	\$0.00
0420	RECREATIONAL TRAIL, PORTLAND CEMENT CONCRETE, 4 IN.	SY	312.00	312.00	0.00	\$93.00	\$0.00
0430	RECREATIONAL TRAIL, PORTLAND CEMENT CONCRETE, 6 IN.	SY	1,150.00	1,150.00	0.00	\$97.00	\$0.00

BID ITEMS							
ITEM NO.	DESCRIPTION	UNIT	QUANTITY			UNIT PRICE	VALUE COMPLETED TO DATE
			ESTIMATED (ORIG. CONT.)	AUTHORIZED (INCL. C.O.'S)	COMPLETED TO DATE		
0440	SPECIAL COMPACTION OF SUBGRADE FOR RECREATIONAL TRAIL	STA	10.00	10.00	0.00	\$550.00	\$0.00
0450	DETECTABLE WARNINGS	SF	20.00	20.00	0.00	\$72.00	\$0.00
0460	FENCE, SAFETY	LF	600.00	600.00	0.00	\$8.50	\$0.00
0470	CONSTRUCTION SURVEY	LS	1.00	1.00	0.80	\$14,000.00	\$11,200.00
0480	PAINTED PAVEMENT MARKING, WATERBORNE OR SOLVENT-BASED	STA	102.00	102.00	56.54	\$27.00	\$1,526.58
0490	PAINTED PAVEMENT MARKINGS, HIGH-BUILD WATERBORNE	STA	92.00	92.00	0.00	\$50.00	\$0.00
0500	WET RETROREFLECTIVE REMOVABLE TAPE MARKINGS	STA	3.00	3.00	0.00	\$350.00	\$0.00
0510	PAINTED SYMBOLS AND LEGENDS, WATERBORNE OR SOLVENT-BASED	EACH	16.00	16.00	8.00	\$200.00	\$1,600.00
0520	PAVEMENT MARKINGS REMOVED	STA	94.00	94.00	75.89	\$95.00	\$7,209.55
0530	SYMBOLS AND LEGENDS REMOVED	EACH	16.00	16.00	0.00	\$200.00	\$0.00
0540	SAFETY CLOSURE	EACH	24.00	24.00	11.00	\$125.00	\$1,375.00
0550	TEMPORARY BARRIER RAIL, CONCRETE	LF	200.00	200.00	200.00	\$25.00	\$5,000.00
0560	TEMPORARY FLOODLIGHTING LUMINAIRE	EACH	4.00	4.00	2.00	\$7,000.00	\$14,000.00
0570	TRAFFIC CONTROL	LS	1.00	1.00	0.80	\$25,000.00	\$20,000.00
0580	TEMPORARY LANE SEPARATOR SYSTEM	LF	6,770.00	6,770.00	5,209.00	\$6.00	\$31,254.00
0590	CD JOINT ASSEMBLY	EACH	4.00	4.00	4.00	\$3,200.00	\$12,800.00
0600	PATCHES, FULL-DEPTH FINISH, BY AREA	SY	313.00	313.00	347.00	\$145.00	\$50,315.00
0610	PATCHES, FULL-DEPTH FINISH, BY AREA (50 FEET OR GREATER IN LENGTH)	SY	833.00	833.00	841.30	\$190.00	\$159,847.00
0620	PATCHES, FULL-DEPTH FINISH, BY COUNT	EACH	6.00	6.00	6.00	\$3,250.00	\$19,500.00
0630	SUBBASE (PATCHES)	SY	1,146.00	1,146.00	1,185.60	\$16.00	\$18,969.60
0640	PATCH SUBDRAIN	EACH	6.00	6.00	2.00	\$2,000.00	\$4,000.00
0650	MOBILIZATION	LS	1.00	1.00	1.00	\$256,000.00	\$256,000.00
0660	TRAIL SIGNAGE	EACH	3.00	3.00	0.00	\$350.00	\$0.00
0670	ORNAMENTAL RAILING	LF	430.00	430.00	0.00	\$230.00	\$0.00
0680	FORM LINER MOCKUP	LS	1.00	1.00	1.00	\$5,000.00	\$5,000.00
0690	TRAFFIC SIGNAL HANDHOLE REPLACEMENT	LS	1.00	1.00	0.00	\$2,150.00	\$0.00
0700	UNDERPASS LIGHTING	LS	1.00	1.00	0.00	\$45,900.00	\$0.00
0710	ANTI-GRAFFITI COATING	SY	1,185.00	1,185.00	592.50	\$46.00	\$27,255.00
0720	FORM LINER	SY	465.00	465.00	465.00	\$200.00	\$93,000.00
0730	MULCHING, BONDED FIBER MATRIX	ACRE	3.70	3.70	0.00	\$3,385.16	\$0.00
0740	SEEDING AND FERTILIZING (RURAL)	ACRE	3.70	3.70	0.00	\$1,622.33	\$0.00
0750	STABILIZING CROP - SEEDING AND FERTILIZING	ACRE	3.70	3.70	0.00	\$625.00	\$0.00
0760	SILT FENCE	LF	2,200.00	2,200.00	250.00	\$2.75	\$687.50
0770	SILT FENCE FOR DITCH CHECKS	LF	300.00	300.00	300.00	\$5.11	\$1,533.00
0780	REMOVAL OF SILT FENCE OR SILT FENCE FOR DITCH CHECKS	LF	2,500.00	2,500.00	0.00	\$1.00	\$0.00
0790	MAINTENANCE OF SILT FENCE OR SILT FENCE FOR DITCH CHECK	LF	2,500.00	2,500.00	0.00	\$0.35	\$0.00
0800	PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 9 IN. DIA.	LF	1,000.00	1,000.00	650.00	\$3.50	\$2,275.00
0810	REMOVAL OF PERIMETER AND SLOPE OR DITCH CHECK SEDIMENT CONTROL DEVICE	LF	1,000.00	1,000.00	0.00	\$1.15	\$0.00
0820	MOBILIZATIONS, EROSION CONTROL	EACH	1.00	1.00	2.00	\$500.00	\$1,000.00
0830	MOBILIZATIONS, EMERGENCY EROSION CONTROL	EACH	1.00	1.00	0.00	\$1,000.00	\$0.00
8001	COVER TRAFFIC SIGNAL HEADS (CO1)	LS	1.00	1.00	1.00	\$2,600.97	\$2,600.97
8002	SPECIAL BACKFILL (CO2)	TON	335.00	335.00	167.50	\$80.00	\$13,400.00
8003	EAST DETOUR ROUTE SIGNING (CO3)	LS	1.00	1.00	1.00	\$2,500.00	\$2,500.00
8004	EMERGENCY DETOUR ROUTE TRAFFIC CONTROL (CO4)	LS	1.00	1.00	1.00	\$4,257.00	\$4,257.00
8005	INCREASE ELECTRICAL CONDUIT AND WIRE SIZE (CO5)	LS	1.00	1.00	0.00	\$1,619.19	\$0.00
8006	DETOUR PAVEMENT, EXTRA WORK (CO6)	LS	1.00	1.00	1.00	\$43,430.66	\$43,430.66
					</		

MATERIALS STORED SUMMARY					
Item No.	Description	Unit	Quantity	Unit Price	Extended Cost
1	Light Fixtures	LS	1	\$ 4,442.00	\$ 4,442.00
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
Total Materials Stored					\$4,442.00

SUMMARY		
	Original Contract	Value Completed
Bid Item Subtotal	\$3,563,486.21	\$2,862,435.54
APPROVED CHANGE ORDERS		
Change Order No.	Description/Notes	Total Approved
1	Temporary Covering of Signals	\$2,600.97
2	RCBC Special Backfill	\$29,470.00
3	East Detour Route Signing	\$2,500.00
4	Emergency detour route traffic control	\$4,257.00
5	Increase electrical conduit and wire size	\$1,619.19
6	Detour Pavement, Extra Work	\$28,654.26
7		\$0.00
8		\$0.00
9		\$0.00
10		\$0.00
Total Change Orders		\$69,101.42
		Total Approved
Revised Contract Price		\$3,632,587.63
		Value Completed
Total Materials Stored		\$4,442.00
Value Completed Plus Total Materials Stored		\$2,866,877.54
Less Retainage Percentage (3%); \$30,000 Max		\$30,000.00
Total Earned Less Retainage		\$2,836,877.54
PREVIOUSLY APPROVED PARTIAL PAYMENTS		
Partial Payment No.	Period	Total Approved
1	July 18, 2022 to August 26, 2022	\$667,420.76
2	August 27, 2022 to September 16, 2022	\$492,623.58
3	September 17, 2022 to September 23, 2022	\$98,255.65
4	September 24, 2022 to October 7, 2022	\$346,441.49
5	October 8, 2022 to October 30, 2022	\$911,946.40
6	October 31, 2022 to November 12, 2022	\$225,236.00
7		\$0.00
8		\$0.00
9		\$0.00
10		\$0.00
Less Total Previously Approved Partial Payments		\$2,741,923.88
Amount Due This Request		\$94,953.66
Note: The amount \$94,953.66 is recommended for approval for payment in accordance with the terms of the Contract.		
CONTRACT SUMMARY		
ORIGINAL CONTRACT AMOUNT		\$3,563,486.21
REVISED CONTRACT PRICE		\$3,632,587.63
AMOUNT DUE THIS REQUEST		\$94,953.66
VALUE COMPLETED		\$2,836,877.54
BALANCE		\$795,710.09
PERCENT COMPLETE		78.9%
Signatures applied through DocExpress		



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.m.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution approving Job Grades and Wage Scales for FY24 pursuant to Compensation and Philosophy Policy

CONTACT PERSON:

Marketa Oliver, City Administrator
Jene Jess, Finance Director

BRIEF HISTORY & ANALYSIS: Attached is a resolution approving job grades and wage scales for FY24 pursuant to Compensation and Philosophy Policy that was adopted by the City Council on July 5, 2022. The City's policy recognizes that wage ranges are important because they help set expectations for entry level and give staff a path for future compensation potential. Additionally, salary/wage ranges and job grades are important to creating equity among positions. Pay ranges provide a framework for personnel to know their position in the organization and ensures that managers administer pay increases impartially. Ranges also provide a yardstick by which individual employees can measure past and future advancement. Considering job functions, maximum wage ranges from eight of the metro cities, population size, city valuation and city growth, the City Council adopted a Compensation and Philosophy Policy on July 5, 2022, including wage ranges to right size Bondurant with the metro. The City's policy also indicates that salary studies should be conducted every three years and in between studies, the policy indicates that ranges would be adjusted by the Midwest CPI as published in the Iowa League of Cities Annual Special Budget Report.

The Iowa League of Cities recently issues its annual report. The attached resolution approves the updated job grades and wage scales. Doing this now is helpful as the City moves into budgeted for the upcoming fiscal year. Additionally, included in the job grades and wage scales are two new positions proposed for the FY24 budget. Those are a Parks & Recreation Director and Parks Operations Specialist. Please note that adoption of this resolution does not mean the creation and filling of those position are approved. That is a policy issue that will be discussed and voted on during budget deliberations. Including the salary ranges at this point, however, is helpful as staff prepares the proposed budget.

It should also be noted that these are ranges for wages and individual employee

salaries are established within this framework based on individual employee qualifications and performance.

FUNDING SOURCE: All operating funds

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-276

CITY OF BONDURANT
RESOLUTION NO. 221205-276

RESOLUTION APPROVING JOB GRADES AND WAGE SCALES FOR FY24
PURSUANT TO COMPENSATION PHILOSOPHY AND POLICY

WHEREAS the Mayor and City Council reviewed market research to determine what wage ranges should be established for each city position; AND

WHEREAS the Mayor and City Council determined the City should match current market wages for its employees; AND

WHEREAS on July 5, 2022, the Mayor and City Council created job grades and wage scales to help ensure pay equity among employees and communicate future compensation potential to employees; AND

WHEREAS, on July 5, 2022, the Mayor and City Council adopted the Compensation Philosophy and Policy, which states that, "Compensation rarely remains static. The rate of pay is constantly changing with external market and economic activity. Aging is the activity of increasing salary grades with the market without the cost of purchasing or soliciting new salary survey data each year. To do this, the City of Bondurant will use the Midwest CPI as published in the Iowa League of Cities Annual Special Budget Report. It measures changes in the cost of total compensation, which includes wages, salaries, and the employer's cost of employee benefits." AND

WHEREAS the Iowa League of Cities has issued its Budget Special Report for Fiscal Years (FY) 2023-24 in which it documents the Midwest Region CPI rose 8.1 percent; AND

WHEREAS City staff updated the attached wage scales with the CPI index and included ranges for proposed positions; AND

WHEREAS the Salary Ranges also denote which positions are eligible to receive a monthly mobile phone stipend.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the attached Job Grades (Job Family/Job Category/Job Title) and Salary Ranges for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024, and for the pay period beginning June 19, 2023, and the phone stipends for various positions effective July 1, 2022 are hereby approved.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				

Salary Ranges

Fiscal Year

2024

Ranges effective 6/19/2023; Phone Stipends effective July 1, 2022

	Min	Mid	Max
Position	A	B	C
Emergency Medical Technician	\$16.28	\$18.09	\$20.10
Crossing Guard Technician	\$16.28	\$18.09	\$20.10
Public Works Operations Technician - Seasonal	\$16.28	\$18.09	\$20.10
Administrative Specialist - Front Desk	\$44,758	\$53,709	\$59,678
Administrative Specialist - Utility Billing	\$47,840	\$57,408	\$63,787
Public Works Operations Specialist**	\$50,648	\$60,777	\$67,531
Parks & Recreation Operations Specialist	\$50,648	\$60,777	\$67,531
Administrative Specialist - Operations & Training	\$50,007	\$60,007	\$66,675
Events & Communication Specialist	\$52,244	\$62,693	\$69,657
Fire/Advanced EMT Specialist	\$58,073	\$69,688	\$77,755
Administrative Specialist - EMT	\$58,073	\$69,688	\$77,431
Administrative Services Coordinator*	\$52,416	\$62,870	\$69,887
Events & Communication Coordinator *	\$56,612	\$67,934	\$75,483
Water/Wastewater Coordinator	\$58,876	\$70,651	\$78,500
Associate Planner	\$62,097	\$74,515	\$82,796
Assistant Fire Chief – Inspection Coordinator	\$66,745	\$80,095	\$88,994
Assistant Fire Chief – EMS Coordinator	\$85,800	\$102,960	\$114,400
Public Works Operations Coordinator*	\$66,849	\$80,219	\$89,132
Economic Development Coordinator*	\$66,849	\$80,219	\$89,132
City Clerk*	\$75,337	\$90,404	\$100,449
Parks & Recreation Director*	\$104,815	\$125,778	\$138,673
Community Development Director*	\$114,137	\$136,965	\$152,183
Finance & Employee Services Director*	\$116,565	\$139,878	\$155,421
Public Works Director*	\$116,565	\$139,878	\$155,421
Emergency Services Director	\$117,753	\$141,304	\$157,004

*Position also receives monthly a \$50 mobile phone stipend.

**Public Works Operations Specialist who is handles Code Enforcement receives a stipend.

Library wage ranges are determined by the Library Board of Trustees.

Bondurant Emergency Services Paid-Per-Call personnel are set in separate resolution.

City Administrator salary is determined in a contract by City Council.



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.n.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution approving Pay Request No. 4 from Synergy Contracting for the Eagle Park Restoration and Ditch #2 Bid Pack #2 in the amount of \$178,686.48

CONTACT PERSON:

John Horton, Public Works Director

BRIEF HISTORY & ANALYSIS: Staff recommends the attached resolution to approve pay app #4 in the amount of \$178,686.48 related to the Eagle Park Restoration and Ditch #2 Seeding Project.

This pay application has been reviewed by engineering staff at EOR of Iowa and by City Staff for accuracy and is for work completed from November 12th, 2022, through November 30, 2022.

FUNDING SOURCE: Grant Funding/General Fund

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-277
2. Pay Request No. 4

CITY OF BONDURANT
RESOLUTION NO. 221205-277

RESOLUTION APPROVING PAY REQUEST NO. 4 TO SYNERGY CONTRACTING
FOR THE EAGLE PARK RESTORATION AND DITCH #2 BID PACK 2 PROJECT IN
THE AMOUNT OF \$178,686.48

WHEREAS the Eagle Park Restoration and Ditch #2 Seeding Project Pay Request No. 4 was submitted on November 30th, 2022; AND

WHEREAS the pay request no. 4 is for work completed on Eagle Park Restoration and Ditch #2 Improvement Project from November 12th, 2022, thru November 30th, 2022; AND

WHEREAS, Engineers from EOR of Iowa and City Staff have reviewed the pay application for accuracy.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the pay request no. 4 to Synergy Contracting in the amount of \$178,686.48 hereby approved.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				

TO (OWNER): General

PROJECT: Bondurant Ditch and Eagle Park

APPLICATION NO: 4
PERIOD TO: 11/30/2022DISTRIBUTION
TO:
☐ OWNER
☐ ARCHITECT
☐ CONTRACTOR
FROM (CONTRACTOR): Synergy Contracting
7481 US Highway 69
Des Moines, IA 50320

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO:

CONTRACT FOR:

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENTApplication is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Type Document is attached.

1. ORIGINAL CONTRACT SUM\$ 778,940.50

2. Net Change by Change Orders\$ -70,526.00

3. CONTRACT SUM TO DATE (Line 1 + 2)\$ 708,414.50

4. TOTAL COMPLETED AND STORED TO DATE\$ 585,730.50

5. RETAINAGE:

a. 5.00 % of Completed Work \$ 29,019.34

b. 5.00 % of Stored Material \$ 267.20

Total retainage (Line 5a + 5b)\$ 29,286.54

6. TOTAL EARNED LESS RETAINAGE\$ 556,443.96
(Line 4 less Line 5 Total)**7. LESS PREVIOUS CERTIFICATES FOR PAYMENT**

(Line 6 from prior Certificate)\$ 377,757.48

8. CURRENT PAYMENT DUE\$ 178,686.48

9. BALANCE TO FINISH, INCLUDING RETAINAGE

(Line 3 less Line 6) \$ 151,970.54

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	5,599.00	-76,125.00
Total approved this Month	0.00	0.00
TOTALS	5,599.00	-76,125.00
NET CHANGES by Change Order		-70,526.00

The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the owner, and that current payment shown herein is now due.

CONTRACTOR: Synergy Contracting
7481 US Highway 69 Des Moines, IA 50320



By:

Date:

11/30/22

State of:

Iowa

County of:

Polk

Subscribed and Sworn to before me this

30

Day of

Nov 20 2022

Notary Public:

Paige A. Naber

My Commission Expires:

June 30, 2025

ARCHITECT'S CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED\$

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

Leah Grant

By:

Date:

11/30/2022

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA Type Document
Application and Certification for Payment

Pg 2 of 4

TO (OWNER): General	PROJECT: Bondurant Ditch and Eagle Park	APPLICATION NO: 4	DISTRIBUTION
		PERIOD TO: 11/30/2022	TO:
			— OWNER
			— ARCHITECT
			— CONTRACTOR
FROM (CONTRACTOR): Synergy Contracting 7481 US Highway 69 Des Moines, IA 50320	VIA (ARCHITECT):	ARCHITECT'S PROJECT NO:	

CONTRACT FOR:													CONTRACT DATE:	
ITEM	DESCRIPTION	PLAN QTY	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMPLETED AND STORED	%	BALANCE		
1	General Cleaning and Grubbing		.0000	17,500.00	100.000%	17,500.00	.000%	0.00	0.00	17,500.00	100.00	.00		
2	On-site Topsoil	850.000	21.0000	17,850.00	.000	0.00	765.000	16,065.00	0.00	16,065.00	90.00	1,785.00		
3	Excavation Class 10	625.000	21.0000	13,125.00	625.000	13,125.00	.000	0.00	0.00	13,125.00	100.00	.00		
4	"Modified Subbase - 6"	256.000	17.5000	4,480.00	256.000	4,480.00	.000	0.00	0.00	4,480.00	100.00	.00		
5	Subgrade Preparation	256.000	7.0000	1,792.00	256.000	1,792.00	.000	0.00	0.00	1,792.00	100.00	.00		
6	Subgrade Stabilization - Geogr	3,496.000	5.0000	17,480.00	3,496.000	17,480.00	.000	0.00	5,344.00	22,824.00	130.57	-5,344.00		
7	"CMP Culvert - 30"	30.000	224.0000	6,720.00	30.000	6,720.00	.000	0.00	0.00	6,720.00	100.00	.00		
8	"CMP Apron 30"	2.000	2,730.0000	5,460.00	1.000	2,730.00	.000	0.00	0.00	2,730.00	50.00	2,730.00		
9	"6" PCC Pavement"	201.000	84.0000	16,884.00	.000	0.00	.000	0.00	0.00	0.00	.00	16,884.00		
10	"5" Sidewalk PCC"	124.000	72.0000	8,928.00	.000	0.00	124.000	8,928.00	0.00	8,928.00	100.00	.00		
11	Special Subgrade Prep Trail	4,365.000	7.0000	30,555.00	4,365.000	30,555.00	.000	0.00	0.00	30,555.00	100.00	.00		
12	Detectable Warning	3.000	700.0000	2,100.00	.000	0.00	.000	0.00	0.00	0.00	.00	2,100.00		
13	Painted Pavement Markings	.800	7,000.0000	5,600.00	.000	0.00	.000	0.00	0.00	0.00	.00	5,600.00		
14	Con seeding (Wetland Mixture)	2.000	1,631.0000	3,262.00	2.000	3,262.00	.000	0.00	0.00	3,262.00	100.00	.00		
15	Con seeding (Wetland Mixture)	.600	1,680.0000	1,008.00	.600	1,008.00	.000	0.00	0.00	1,008.00	100.00	.00		
16	Con seeding (Upland Native)	3.300	1,680.0000	5,544.00	3.300	5,544.00	.000	0.00	0.00	5,544.00	100.00	.00		
17	Con seeding (Upland Native) (E	4.200	1,680.0000	7,056.00	4.200	7,056.00	.000	0.00	0.00	7,056.00	100.00	.00		
18	Con seeding (Pollinator) (Eag	.110	2,100.0000	231.00	.110	231.00	.000	0.00	0.00	231.00	100.00	.00		
19	Con seeding: H Native (Sedge M	6.400	1,645.0000	10,528.00	6.400	10,528.00	.000	0.00	0.00	10,528.00	100.00	.00		
20	Hyd seed Fert and mulch Type 1	5.000	2,975.0000	14,875.00	4.070	12,108.25	.930	2,766.75	0.00	14,875.00	100.00	.00		
21	Hyd seed mulch type 4	9.000	2,975.0000	26,775.00	.000	0.00	9.000	26,775.00	0.00	26,775.00	100.00	.00		

AIA Type Document

Pg 3 of 4

TO (OWNER): General			PROJECT: Bondurant Ditch and Eagle Park			APPLICATION NO: 4		DISTRIBUTION				
						PERIOD TO: 11/30/2022		TO:				
								OWNER				
								ARCHITECT				
								CONTRACTOR				
FROM (CONTRACTOR): Synergy Contracting 7481 US Highway 69 Des Moines, IA 50320			VIA (ARCHITECT):			ARCHITECT'S PROJECT NO:						
CONTRACT FOR:			CONTRACT DATE:									
ITEM	DESCRIPTION	PLAN QTY	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMPLETED AND STORED	%	BALANCE
22	Three Year Vegetation Bond		.0000	60,000.00		0.00	.0000%	0.00	0.00	0.00	.00	60,000.00
23	Coniferous Tree (Including war	13.000	672.0000	8,736.00	13.000	8,736.00	.000	0.00	0.00	8,736.00	100.00	.00
24	Deciduous Tree (Including war	66.000	679.0000	44,814.00	66.000	44,814.00	.000	0.00	0.00	44,814.00	100.00	.00
25	Shrub (Including warranty)	143.000	91.0000	13,013.00	143.000	13,013.00	.000	0.00	0.00	13,013.00	100.00	.00
26	SWPPP Management		.0000	0.00		4,375.00	.0000%	0.00	0.00	4,375.00		-4,375.00
27	"Filter Sock 9"" Install"	350.000	4.9000	1,715.00	350.000	1,715.00	525.000	2,572.50	0.00	4,287.50	250.00	-2,572.50
28	"Filter Sock 9"" Removal"	350.000	1.7500	612.50	.000	0.00	350.000	612.50	0.00	612.50	100.00	.00
29	Silt Fence	350.000	6.6500	2,327.50	.000	0.00	.000	0.00	0.00	0.00	.00	2,327.50
30	Rock Check Dam	110.000	70.0000	7,700.00	.000	0.00	165.570	11,589.90	0.00	11,589.90	150.52	-3,889.90
31	"Aggregate 3/8"" Clean Limestone"	35.000	70.0000	2,450.00	.000	0.00	35.980	2,518.60	0.00	2,518.60	102.80	-68.60
32	Stabilized Construction Entra	1.000	8,400.0000	8,400.00	1.000	8,400.00	.000	0.00	0.00	8,400.00	100.00	.00
33	Construction Survey		.0000	14,000.00	75.000%	10,500.00	25.000%	3,500.00	0.00	14,000.00	100.00	.00
34	Mobilization		.0000	79,500.00	75.000%	59,625.00	15.000%	11,925.00	0.00	71,550.00	90.00	7,950.00
35	Concrete Washout	1.000	4,900.0000	4,900.00	.000	0.00	.250	1,225.00	0.00	1,225.00	25.00	3,675.00
36	Aggregate Trail 10' wide	3,496.000	42.0000	146,832.00	2,097.600	88,099.20	1,398.400	58,732.80	0.00	146,832.00	100.00	.00
37	Limestone Outcrop Slabs	13.000	3,010.0000	39,130.00	.000	0.00	13.000	39,130.00	0.00	39,130.00	100.00	.00
38	Herbicide Treatment	12.000	350.0000	4,200.00	12.000	4,200.00	.000	0.00	0.00	4,200.00	100.00	.00
39	Bollards	14.000	560.0000	7,840.00	.000	0.00	.000	0.00	0.00	0.00	.00	7,840.00
40	Dog Waste Station	1.000	840.0000	840.00	.000	0.00	.000	0.00	0.00	0.00	.00	840.00
41	Solar Charging Bench with Cano	3.000	14,735.0000	44,205.00	.000	0.00	.000	0.00	0.00	0.00	.00	44,205.00
42	Limestone Outcrop Blocks	11.000	1,680.0000	18,480.00	.000	0.00	.000	0.00	0.00	0.00	.00	18,480.00
43	Bike Rack	1.000	700.0000	700.00	.500	350.00	.000	0.00	0.00	350.00	50.00	350.00

AIA Type Document
Application and Certification for Payment

Pg 4 of 4

TO (OWNER): General	PROJECT: Bondurant Ditch and Eagle Park	APPLICATION NO: 4	DISTRIBUTION
		PERIOD TO: 11/30/2022	TO:
			☐ OWNER
			☐ ARCHITECT
			☐ CONTRACTOR
FROM (CONTRACTOR): Synergy Contracting 7481 US Highway 69 Des Moines, IA 50320	VIA (ARCHITECT):	ARCHITECT'S	
		PROJECT NO:	

CONTRACT FOR:		CONTRACT DATE:									
ITEM	DESCRIPTION	PLAN QTY	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMPLETED AND STORED	% BALANCE
44	"6" Modified Subbase"	855.000	17.5000	14,962.50	.000	0.00	.000	0.00	0.00	0.00	.00
45	"5" Shared Use Path PCC"	611.000	72.0000	43,992.00	.000	0.00	.000	0.00	0.00	0.00	.00
46	DEDUCT Aggregate Trail 10' wid	-611.000	42.0000	-25,662.00	.000	0.00	.000	0.00	0.00	0.00	.00
26	SWPPP Management		.0000	17,500.00	50.0000%	8,750.00	10.0000%	1,750.00	0.00	10,500.00	60.00
47	Items deleted from contract		.0000	-76,125.00		0.00	.0000%	0.00	0.00	0.00	.00
48	Debris removals		.0000	3,850.00	100.0000%	3,850.00	.0000%	0.00	0.00	3,850.00	100.00
49	Staking Pave and Side		.0000	1,749.00	100.0000%	1,749.00	.0000%	0.00	0.00	1,749.00	100.00
REPORT TOTALS				\$708,414.50		\$392,295.45		\$188,091.05		\$585,730.50	
									\$5,344.00		\$122,684.00



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.o.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution approving invoice for 32nd Street, SE Asphalt Repair Project

CONTACT PERSON:

John Horton, Public Works Director

BRIEF HISTORY & ANALYSIS: Staff recommends the attached resolution to approve the invoice for the asphalt repair project for the various areas on 32nd St. SE East of Grant St. South as well as 2 areas on 2nd St. NE. This invoice also includes repair of an edge rut along Grant St. S. from 15th ST. SE to just north of 32nd St. SW. as well as a portion of Franklin St. SW.

Public Works Staff submitted a resolution in July for repairs to be done along a stretch of 32nd St. SE just north of Interstate 80. The extent of the repairs that needed to be made exceeded what was originally planned. The increased amount of heavy truck traffic and daily commuter traffic have significantly damaged this old roadway. The patching work in this area to be done properly the size and amount of asphalt required nearly doubled in size. Staff is submitting the invoice for the repairs that were completed to get the roadway to an acceptable level to continue to allow traffic with our closing the road.

Staff is also working with Polk Co. to partner on an additional overlay project this coming fiscal year in hopes to extend the life cycle of this roadway until a time when a complete reconstruction can occur.

FUNDING SOURCE: RUT Fund

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-278
2. Des Moines Asphalt Invoice

CITY OF BONDURANT
RESOLUTION NO. 221205-278

RESOLUTION APPROVING INVOICE TO DES MOINES ASPHALT AND PAVING
FOR THE 32nd STREET SE REPAIR PROJECT IN THE AMOUNT OF \$107,554.95

WHEREAS the 32nd St. SE Repair Project Invoice was submitted on November 21st, 2022; AND

WHEREAS the invoice is for the Road Repair work to be done on 32nd St. SE, 2nd St. NE and Grant St. S. and Franklin St. SW; AND

WHEREAS repairs on 32nd St SE exceeded original estimates due to the extent of repairs that were required; AND

WHEREAS City Staff have reviewed the quote for accuracy; AND

WHEREAS the amount for repair work to be done is \$107,554.95.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the invoice for repair work to be done from Des Moines Asphalt & Paving for \$107,554.95 is hereby approved.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				



DES MOINES ASPHALT & PAVING
P.O. BOX 3365
DES MOINES, IA 50316-3365

Invoice No: 133978
Invoice Date: 11/18/2022
Contract: 222051
Customer No: 9756
Terms: Net 30 Days
Due Date: 12/18/2022
Application: 1
Invoiced Period: 11/11/2022 - 11/11/2022
Customer PO:

To: City of Bondurant
PO Box 37
Bondurant, IA 50035

Page 1 of 1

Job Name: Bondurant 2022 Patching Program

Item	Description	Contract				Completed to Date			Current Invoice	
		Units	U/M	Unit Price	Amount	Units	Amount	%	Units	Amount
1	32nd Street NE 62 Ave Patch 7 Areas, Approximately 281	280.00	SY	92.49	25,897.20	616.00	56,973.84	220.00	616.00	56,973.84
2	2nd NW Street Patch 12 SY Average Depth Of 4 Inches	12.00	SY	267.22	3,206.64	12.00	3,206.64	100.00	12.00	3,206.64
3	2nd NE And Hubbel Mill Off 3 Inches And Pave Back 3 In	400.00	SY	43.12	17,248.00	400.00	17,248.00	100.00	400.00	17,248.00
4	1' Wide Shoulder Placement With Millings Includes Flagg	100.00	TON	102.37	10,237.00	294.29	30,126.47	294.29	294.29	30,126.47

Remit to: DES MOINES ASPHALT AND PAVING
2350 S. 1900 W.
Ogden, UT 84401

Customer Name: City of Bondurant
Customer No: 9756
Invoice Number: 133978
Invoice Amount: 107,554.95
Contract No: 222051
Amount Remitted:



BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT

Item No. 5.v
For Meeting of 12/05/2022

TITLE: RESOLUTION - Text amendment to Bondurant City Code regarding ATV/UTV Regulations.

CONTACT PERSON:

Isaac Pezley, City Planner

BRIEF HISTORY & ANALYSIS: Chapter 321I of Iowa Code was amended to include the allowance of all-terrain vehicles (ATVs) and off-road utility vehicles (UTVs) on City Streets. The changes in Iowa Code allow for cities to designate streets where ATVs and UTVs may operate. The Iowa Code changes took effect July 1, 2022.

Staff researched various City Codes around the state concerning the regulation of ATVs and UTVs. The majority of the Des Moines metro communities have adopted city code mirroring State Code. On October 3, 2022 City Council discussed ATV/UTV code and indicated they would like to see code mirroring State Code with additions prohibiting UTVs from operating on and crossing specific streets and limiting the hours of use of ATVs/UTVs.

The proposed amendments to Chapter 875 prohibits the travel of UTVs on street as addressed in the proposed 75.05.2 and 75.05.3.. The proposed amendments to Chapter 75 also restricts the use of ATVs and UTVs to daylight hours.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: Staff recommends approval of the amendments to Chapter 75 regarding ATV and UTV regulations.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. Ordinance 221121-XXX

CITY OF BONDURANT
ORDINANCE NO. 221121-214

**AN ORDINANCE AMENDING THE CITY CODE OF BONDURANT, IOWA, BY
AMENDING THE FOLLOWING SECTION OF CITY CODE: CHAPTER 83 REGARDING
UTV AND ATV REGULATIONS**

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

Section 1. **SECTIONS AMENDED.** Sections 83, are amended to read as follows:

**CHAPTER 75
ALL-TERRAIN VEHICLES, SNOWMOBILES AND OFF-ROAD
UTILITY VEHICLES**

75.01 Purpose	75.05 Operation of All-Terrain Vehicles and Off-Road Utility Vehicles
75.02 Definitions	75.06 Negligence
75.03 General Regulations	75.07 Accident Reports
75.04 Operation of Snowmobiles	

75.01 PURPOSE. The purpose of this chapter is to regulate the operation of all-terrain vehicles and snowmobiles within the City.

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

1. “All-terrain vehicle” or “ATV” means ~~a motorized flotation tire vehicle with not less than three (3) low pressure tires, but not more than six (6) low pressure tires, or a two-wheeled, off-road motorcycle, that is limited in engine displacement to less than eight hundred (800) cubic centimeters and in total dry weight to less than seven hundred fifty (750) pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control. Two-wheeled, off-road motorcycles shall be considered all-terrain vehicles only for the purpose of titling and registration. An operator of a two-wheeled, off-road motorcycle is exempt from the safety instruction and certification program requirement of Sections 321I.24 and 321I.25 of the Code of Iowa.~~ a motorized vehicle with not less than three and not more than six nonhighway tires that is limited in engine displacement to less than one thousand (1,000) cubic centimeters and in total dry weight of less than one thousand two hundred pounds (1,200) and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.

~~(Code of Iowa, Sec. 321I.1[1])~~

~~(Ordinance-02-208)~~

2. “Off-road motorcycle” means a two-wheeled motor vehicle that has a seat or saddle designed to be straddled by the operator and handlebars for steering control and that is intended by the manufacturer for use on natural terrain. “Off-road motorcycle” includes a motorcycle that was originally issued a certificate of title and registered for highway use under Chapter 321 of the *Code of Iowa*, but the contains design features that enable operation over natural terrain. An operator of an off-road motorcycle is also subject to the provisions of this chapter governing the operation of all-terrain vehicles.

3. “Off-road utility vehicle” or “utility terrain vehicle” or “UTV” means a motorized vehicle with not less than four and not more than eight nonhighway tires or rubberized tracks that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. “Off-road utility vehicle” includes the following vehicles

- A. “Off-road utility vehicle – type 1” means an off-road utility vehicle with a total dry weight of one thousand two hundred (1,200) pounds or less and a width of fifty inches or less
- B. “Off-road utility vehicle – type 2” means an off-road utility vehicle, other than off-road utility vehicle – type 1, with a total dry weight of two thousand (2,000) pounds or less, and a width of sixty-five (65) inches or less.
- C. “Off-road utility vehicle – type 3) means an off-road utility vehicle with a total dry weight of more than two thousand (2,000) pounds or a width of more than sixty-five (65) inches, or both.

4. “Snowmobile” means a motorized vehicle weighing less than one thousand (1,000) pounds which uses sled-type runners or skis, endless belt-type tread, or any combination of runners, skis or tread, and is designed for travel on snow or ice.

(Code of Iowa, Sec. 321G.1 [18])

75.03 GENERAL REGULATIONS. No person shall operate an ATV, off-road motorcycle(s) or UTV within the City in violation of Chapter 321I of the Code of Iowa or a snowmobile within the City in violation of the provisions of Chapter 321G of the Code of Iowa or in violation of rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, numbering, equipment and manner of operation.

(Code of Iowa, Ch. 321G & Ch. 321I)

75.04 OPERATION OF SNOWMOBILES. The operators of snowmobiles shall comply with the following restrictions as to where snowmobiles may be operated within the City.

- 1. Streets. Snowmobiles shall be operated only upon streets, which have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council.

(Code of Iowa, Ch. 321G.9[4a])

- 2. Exceptions. Snowmobiles may be operated on prohibited streets only under the following circumstances:

- a. Emergencies. Snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.

(Code of Iowa, Sec. 321G.9[4c])

- b. Direct Crossing. Snowmobiles may make a direct crossing of a prohibited street provided all of the following occur:

- (1) The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
- (2) The snowmobile is brought to a complete stop before crossing the street;
- (3) The driver yields the right-of-way to all on-coming traffic, which constitutes an immediate hazard; and
- (4) In crossing a divided street, the crossing is made only at an intersection of such street with another street.

(Code of Iowa, Sec. 321G.9[2])

3. Railroad Right-of-way. Snowmobiles shall not be operated on an operating railroad right-of-way. A snowmobile may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.
(Code of Iowa, Sec. 321G.13[h])
4. Trails. Snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.
(Code of Iowa, Sec. 321G.9[4g])
5. Parks and Other City Land. Snowmobiles shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.
6. Sidewalk or Parking. Snowmobiles shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the “parking” except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

75.05 OPERATION OF ALL-TERRAIN VEHICLES AND OFF-ROAD UTILITY VEHICLES. The operators of ATVs and UTVs shall comply with the following restrictions as to where ATVs and UTVs may be operated within the City:

1. Streets. ATVs and UTVs may be operated on streets only in accordance with Section 321.234A of the Code of Iowa or on such streets as may be designated by resolution of the Council for the ~~sport of driving ATVs~~ operation of registered ATVs or registered UTVs. In designating such streets, the Council may authorize ATVs and UTVs to stop at service stations or convenience stores along a designated street.
(Code of Iowa, Sec. 321I.10[1 & 2A])

2. Primary road extensions where UTVs cannot travel on but shall be allowed to cross:

- a. NE 86th Avenue
- b. 2nd Street, NE/2nd Street, NW
- c. 15th Street, SE/NE 70th Avenue
- d. 23rd Street, SW
- e. 32rd Street, NW/32nd Street, SE/NE 62nd Avenue
- f. Franklin Street, NW/Franklin Street, SE/NE 64th Street
- g. Shiloh Rose Parkway, SW, south of 15th Street, SW
- h. Commerce Parkway, SW
- i. Grant Street, North, except in areas where crossing is prohibited in 75.05.3
- j. Grant Street, South, except in areas where crossing is prohibited in 75.05.3
- k. Pleasant Street, NE/Pleasant Street, SE/NE 80th Street

3. Primary road extension where UTVs cannot travel on AND cannot cross:

- a. Highway 65/Hubbell Avenue

- b. Garfield Street, SW, between 1st Street, SW, and the south edge of right-of-way
 - c. 13th Street, NE
 - d. Grant Street, between Aspen Drive, NE/NW and 13th Street, NE/NW
 - e. Grant Street, between 1st Street, SE/SW and 10th Street, SE/SW
- (Code of Iowa, Sec 321I.10[1 and 3])

- 4. Trails. ATVs and UTVs shall not be operated on snowmobile trails except where designated.
(Code of Iowa, Sec. 321I.10[3])
- 5. Railroad Right-of-way. ATVs and UTVs shall not be operated on an operating railroad right-of-way. An ATV or UTV may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.
(Code of Iowa, Sec. 321I.14[h])
- 6. Parks and Other City Land. ATVs and UTVs shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City.
- 7. Sidewalk or Parking. ATVs and UTVs shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the “parking.”
- 8. Hours of Operation. ATVs and UTVs may be operated on city streets and alleys as permitted by 75.05 only between sunrise and sunset, except during times when the snow ordinance is in effect, at which time UTV operation is prohibited.
- 9. Direct Cross. An ATV or UTV may make a direct crossing of a highway provided all of the following occur:
 - a. The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.
 - b. The ATV or UTV is brought to a complete stop before crossing the shoulder or main traveled way of the highway.
 - c. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard
 - d. In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway.
 - e. The crossing is made from a street, roadway, or highway designated as an ATV or UTV trail by a state agency, county, or city to a street, roadway, highway designated as an ATV or UTV trail by a state agency, county, or city.

(Code of Iowa, Sec 321I.10[5])

75.06 NEGLIGENCE. The owner and operator of an ATV, UTV or snowmobile are liable for any injury or damage occasioned by the negligent operation of the ATV, UTV or snowmobile. The owner of an ATV, UTV or snowmobile shall be liable for any such injury or damage only if the owner was the operator of the ATV, UTV or snowmobile at the time the injury or damage

occurred or if the operator had the owner's consent to operate the ATV, UTV or snowmobile at the time the injury or damage occurred.

(Code of Iowa, Sec. 321G.18 & 321I.19)

75.07 ACCIDENT REPORTS. Whenever an ATV, UTV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to one thousand five hundred dollars (\$1,500.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report, in accordance with State law.

(Code of Iowa, Sec. 321G.10 & 321I.11)

(Ordinance No. 04-211)

(Ordinance No. 14-200)

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 _____, 2022

CITY OF BONDURANT, POLK COUNTY, IOWA

DOUG ELROD, MAYOR

ATTEST:

SHELBY HAGAN, CITY CLERK

(SEAL)

FIRST CONSIDERATION: November 21, 2022

SECOND CONSIDERATION: December 5, 2022

THIRD CONSIDERATION:



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.q.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution approving Change Order No. 7 for the Underpass Project to replace Stormwater Culverts in the future Skate Park area

CONTACT PERSON:

John Horton, Public Works Director

BRIEF HISTORY & ANALYSIS: Information will be available at the Dais on Monday

FUNDING SOURCE: Capital Project Fund (Grants/TIF/GO Bond/Stormwater)

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS: None



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 6.b.
For Meeting of 12/5/2022
Presentation

TITLE: Polk County Sheriff's Report

CONTACT PERSON:

BRIEF HISTORY & ANALYSIS:

FUNDING SOURCE:

STAFF RECOMMENDATION:

APPROVED FOR SUBMITTAL:

ATTACHMENTS: None



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.h.
For Meeting of 12/05/2022
Public Hearing

TITLE: PUBLIC HEARING - Request for rezoning from the Conservancy (U-1) District to the Limited Industrial (M-1) District on land at 1601 Garfield Street SW and Parcel 231/00020-007-009

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

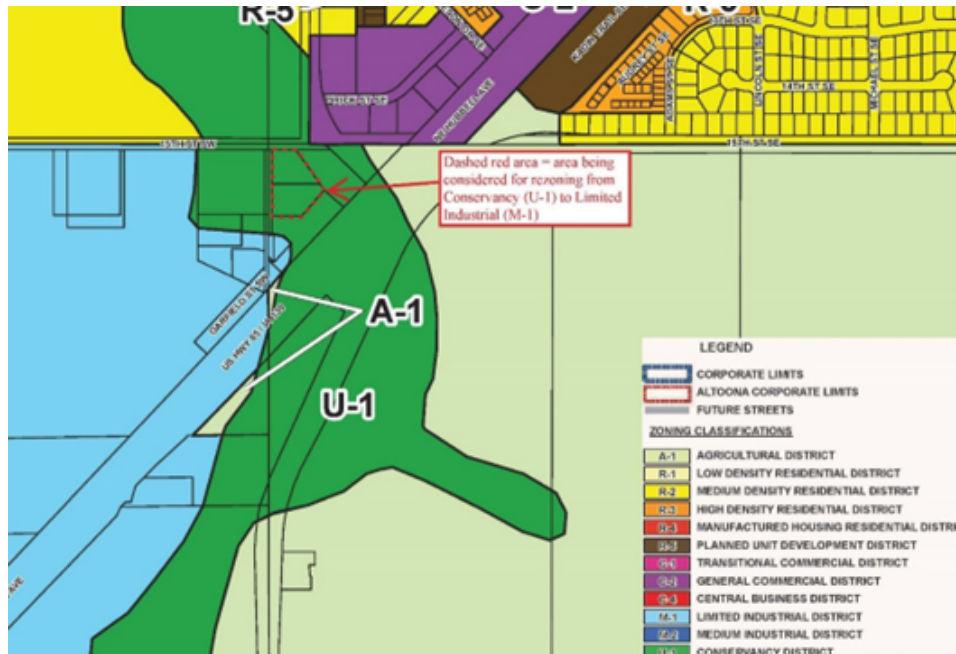
BRIEF HISTORY & ANALYSIS: The City of Bondurant is in receipt of a request to rezone property at 1601 Garfield Street SW (Parcel 231/00020-007-008) and the land immediately north at Parcel 231/00020-007-009 from the City's Conservancy (U-1) District to the Limited Industrial (M-1) District. These parcels are owned by the following titleholders: Alan Cooney, Betty Jo Cooney, and Alan's Seamless Gutters. The property owners are the rezoning applicant. Alan's Seamless Gutters is located at 1601 Garfield Street SW; the use of this property will remain the same as its current use. Parcel 231/00020-007-009 is currently undeveloped.

Area Map



Area Zoning Map

Below is an area Zoning Map which shows the requested U-1 to M-1 rezoning area in red.



The Alan's Seamless Gutters use at 1601 Garfield Street SW is currently a pre-existing, non-conforming use of the U-1 District, meaning that this use would not be allowed to locate new in the U-1 District today and that the use at this location existed at this location prior to when the City of Bondurant rezoned this property from M-1 to U-1 in 2002 as part of a comprehensive Zoning Map update process.

The owner of the property approached the City to expand the current building on the developed parcel at 1601 Garfield Street SW and it was discovered the zoning did not match the use of the property. Section 178.15 of the Zoning Code notes that, "it is further the intention of this section that no reclassification of any lands zoned "U-1" be undertaken, unless and until suitable measures have been taken to insure that the flood hazard no longer exists"; staff has offered the following for consideration relative to this topic:

1. The recently-adopted Building Bondurant Comprehensive Plan guides for Business Park/Light Industrial at this location.
2. The City has adopted a Stream Buffer Ordinance to protect the stream corridors throughout the community. The Stream Buffer Ordinance only applies to new improvements associated with all land development activity requiring a site plan, construction drawings, or subdivision; meaning the Stream Buffer Ordinance easement area has not yet been established on this land. The map excerpt below shows the portions of this property that would be subject to the Stream Buffer Ordinance in blue. The attached draft P&Z resolution factors in the need to establish the Stream Buffer Ordinance easement area prior to additional development occurring on this land.



3. The majority of the undeveloped parcel at 231/00020-007-009 calls within FEMA's 100-year floodplain. The P&Z could consider rezoning only those areas outside of FEMA's 100-year floodplain to the M-1 District.

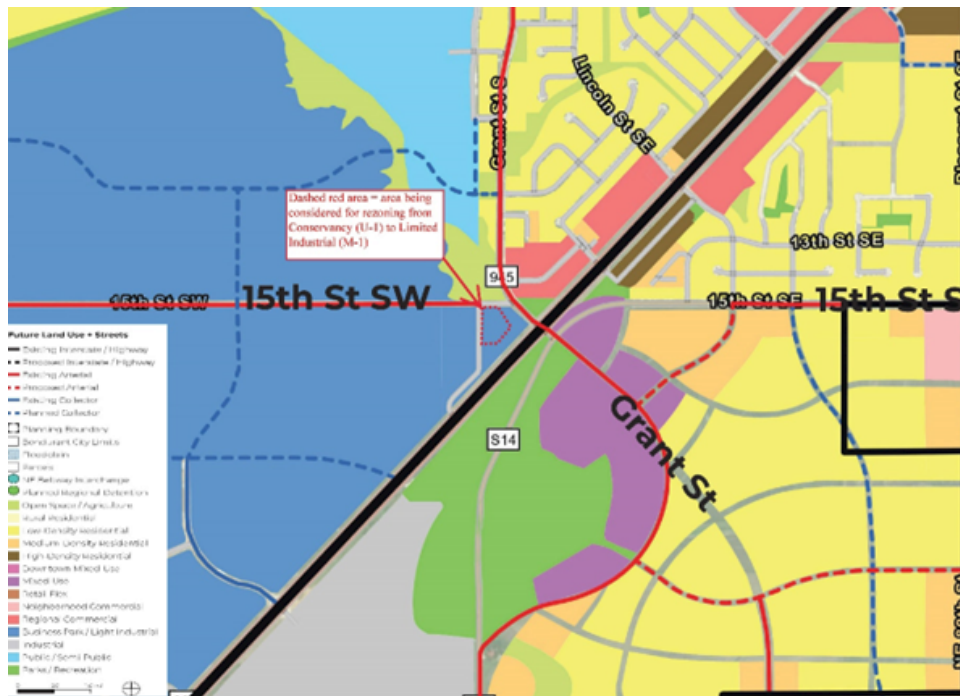


Analysis

When reviewing rezoning requests, the Planning & Zoning Commission should take into account the Comprehensive Plan, Consistency with the Zoning Code, Spot Zoning, and Public Input.

Comprehensive Plan

The existing Alan's Seamless Gutters use is consistent with the 2022 Future Land Use Map. Below is an excerpt from the draft 2022 Future Land Use Map. This map guides for Business Park/Light Industrial in blue.



Consistency with the Zoning Code

Below are Zoning Code consistency items for consideration by the Planning & Zoning Commission.

- The proposed contractor's office use is a permitted use of the M-1 District per Section 178.13.1.M of the Zoning Code.
- Any future construction at this location requires a site plan to be reviewed and approved by the Planning & Zoning Commission.

Spot Zoning

To determine whether illegal spot zoning has occurred, the courts consider the following:

1. The characteristics of surrounding property;
2. The community's comprehensive plan;
3. The protection and preservation of public health, justice, morals, order, safety and security, and welfare (police power)

Staff does not feel spot zoning will exist as a result of this rezoning request. The 2022 Future Land Use Map is supportive of M-1 Limited Industrial District at this location. There are existing properties zoned M-1 Limited Industrial in the general area to the west and southwest.

Public Input

As required by the City Code, property owners within 200 feet of the subject property for rezoning were notified of this request. A total of 6 property owners were notified.

Notification of the rezoning request was published in the Altoona Herald on October 19, 2022.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The following options exist for the City Council:

1. Recommended approval of RESOLUTION NO. PZ-221107-233.
2. Recommended approval of RESOLUTION NO. PZ-221107-233, subject to rezoning conditions as allowed by Chapter 414 of the Iowa Code.
3. Recommended denial of RESOLUTION NO. PZ-221107-233.
4. Table RESOLUTION NO. PZ-221107-233, pending additional information.

Staff recommends approval of the RESOLUTION NO. PZ221107-233 regarding recommended approval of the request for rezoning from Conservancy (U-1) to Limited Industrial (M-1) subject to the following rezoning conditions as authorized by Chapter 414 of the Iowa Code:

1. That a Stream Buffer Ordinance easement area be established prior to City Council's final approval for those portions of land that fall within the Stream Buffer Ordinance area.
2. That the area rezoned to the M-1 District shall only apply to those areas of land situated outside of FEMA's 100-year floodplain.

The Planning and Zoning Commission held their rezoning request public hearing on October 27, 2022 and voted 6-0 to recommend approval.

APPROVED FOR SUBMITTAL:

ATTACHMENTS: None



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 8.a.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution approving purchase of Two Triple Combination Fire Trucks in an amount not to exceed \$1,000,000

CONTACT PERSON:

Marketa Oliver, City Administrator

BRIEF HISTORY & ANALYSIS: As a part of the FY25 CIP staff have budgeted for the replacement of two current fire trucks being used currently. With the age and availability of parts for repair, these two units have exhausted their effectiveness in serving the community as Bondurant continues to grow. Staff sent a request to Danko Fire Apparatus, Reliant Fire Apparatus, Midwest Fire, and Rosenbaum Fire Apparatus to submit a quote for the replacement of unit R418 (1995 fire engine/rescue truck) and E416 (1993 fire engine/pumper) currently being used. Both units have significant mechanical repairs needed and it has been determined that the cost of repairs far outweighs the value of the units as they are currently. The resolution is for an amount not to exceed \$1,000,000. The amount originally projected in the FY25 capital plan was \$1,040,000.

As a part of the process, staff have evaluated what style of equipment will fit the city's needs now and into the future and have worked closely with builders and engineers to come up with a truly one-of-a-kind design. The trucks will each carry large amounts of water to serve as tenders when needed, each unit will have large pumps to support aerial operations in industrial settings and each unit will have an integrated UHP unit that is driven by the large pump already installed in the units.

The purpose of the early request for approval is due to the amount of lead time required for manufacturing and installation of this type of equipment. The lead time for this equipment is approximately 29 - 31 months. Which requires us to lock in a production spot to ensure we will have the equipment on the ground and ready to go as soon as possible, as the lead times are growing significantly. Staff would recommend approval of the purchase of two (twin) Pierce Freightliner 2000 Gallon Pumper/Tenders equipped with K3 Fire Ultra High Pressure system from Reliant Fire Apparatus, Inc.

Staff would also ask for approval to sell to the highest bidder the existing 1993 and

1995 fire trucks to get to the best possible pricing once the new units arrive and are placed in service.

FUNDING SOURCE: FY25 Capital Equipment Replacement Budget/Bond Funding

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-279

CITY OF BONDURANT
RESOLUTION NO. 221205-279

RESOLUTION APPROVING PURCHASE OF TWO CUSTOM BUILT FIRE TRUCKS
AND RELATED EQUIPMENT IN THE AMOUNT OF NOT TO EXCEED \$1,000,000.00
FROM RELIANT FIRE APPARATUS, INC.

WHEREAS the City of Bondurant solicited and received competitive quotes for fire apparatus and capital equipment replacement; AND

WHEREAS the City of Bondurant accepts the competitive quote for purchase of:

Twin Triple Combination Custom Pumper / Tender Fire Trucks and related equipment;
AND

WHEREAS the City Council also approves of the sale of existing 1993 and 1995 pumbers and equipment to the highest bidder; AND

WHEREAS the City Council approves the competitive quote for purchase; AND

WHEREAS payments are to be made to Reliant Fire Apparatus, Inc.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the 2 Pumper / Tender Fire Trucks and related equipment purchase is awarded to Reliant Fire Apparatus, Inc. in the amount of not to exceed \$1,000,000.00 and the purchase is hereby approved.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 8.b.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution adopting Public Charging Program Policy and establishing an hourly rate for Electric Vehicle Charging Stations

CONTACT PERSON:

Marketa Oliver, City Administrator
Jene Jess, Finance Director

BRIEF HISTORY & ANALYSIS: As part of its multi-pronged approach to sustainability, the City of Bondurant seeks to encourage increased use of electric vehicles and invest in an electric vehicle to address service needs. The attached resolution establishes regulations and fees for usage for electric vehicle charging stations on City owned property and in the public right-of-way by adopting a Public Charging Program.

The Council previously discussed the alternate methods for establishing fees related to electrical vehicle charging. City staff gathered information from other cities that have charging stations for public use. There were three cities that have this type of program: Ames, Decorah, and Des Moines. Staff also received guidance from the charging station manufacturer on how to calculate costs.

Ames has 4 public Level-2 charging locations, each with 2 charging spots, plus a Level-3 (DC Fast Charger location) with 2 charging spots. They charge \$0.10 per kWh for our level-2 chargers and \$0.15 per kWh for our Level-3 chargers.

Des Moines has charging stations in public parking garages throughout downtown. The only fee is paying to access the ramp. The ramps costs are approximately \$1.00 per hour.

Decorah has an active charging rate for electric vehicle charging stations be \$0.3135/kWh. With the inactive rate for electric vehicle charging stations being \$2.00/hour, beginning 30 minutes after charging is complete. The City of Decorah owns the municipal electric utility.

A rate analysis of the City of Bondurant's energy accounts shows the average rate of use is at \$0.25 per hour.

The electricity cost to the building per charging station will typically range from \$0.75 to \$2.30 per hour of battery charging time. The actual cost is driven by two main factors:

1. The electricity rate per kWh charged by the power utility to the building. For this example, we will assume the rate paid by the City of Bondurant is an estimated \$0.25 per kWh.

2. The max kWh output supported by the charging station. SemaConnect Level 2 charging stations can range in kWh output from 6.24 kWh up to 19.2 kWh. To calculate the cost of a vehicle charging to the building per hour, multiply the max charging rate of the charger by the electricity cost per kWh to the building.

The formula for finding the actual cost to the building increase for a public use charging station that is charging on the City's Series 7 at 7.2 kWh at the average rate of \$0.25 kWh would cost (7.2×0.25) is \$1.77 per hour.

There are two popular pricing categories that are based on Plug-In to Plug-Out time, Time-of-Day Pricing and Duration-Based Pricing. A third pricing category is kWh pricing where the station owner charges for the actual energy used by the driver.

Ultimately, the City Council gave direction to staff to charge per hour. The attached resolution adopts the policies and establishes

The attached resolution adopts the policy and establishes a rate of \$1.77 per hour.

FUNDING SOURCE: Electricity is paid from the City Hall budget in the General Fund and revenues from the Charging Station would be receipted into the General Fund.

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-280

CITY OF BONDURANT
RESOLUTION NO. 221205-280

RESOLUTION ADOPTING PUBLIC CHARGING PROGRAM POLICY AND
ESTABLISHING AN HOURLY RATE FOR ELECTRIC VEHICLE CHARGING STATION

WHEREAS as part of a multi-pronged approach to sustainability, the City of Bondurant seeks to encourage increased use of electric vehicles; AND

WHEREAS the City of Bondurant has budgeted to acquire an electric vehicle; AND

WHEREAS the City collaborated with area civic organizations to secure grant funding to help offset the costs of installing a public electric vehicle charging station; AND

WHEREAS City staff have drafted a Public Charing Program policy; AND

WHEREAS the City Council wishes to establish a fee to recoup the cost of electricity used by vehicles during charging.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the Public Charging Program Policy is approved.

BE IF FURTHER RESOLVED that an Electrical Vehicle Charging Station fee of \$1.77 per hour is hereby established.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
McKenzie				
Peffer				
Sillanpaa				

Public Charging Program

S.C.O.R.E

Mission

The City of Bondurant collaborates with citizens and community partners to deliver exemplary public services, diverse recreation activities, and opportunities to participate in shaping a vibrant, welcoming hometown.

Goals

As part of its multi-pronged approach to sustainability, the City of Bondurant seeks to encourage increased use of electric vehicles in the City of Bondurant and invest in an electric vehicle to address service needs.

City Council wishes to establish regulations and fees for usage for electric vehicle charging stations on City owned property and in the public right-of-way by adopting a Public Charging Program.

Performance Measure

Kilowatt hours used to charge non-City owned vehicles.

Cost of energy and infrastructure vs. fees for usage.

Estimate reduction in tail pipe emissions.

Data Analysis

At this relatively early stage of the industry there are no “market” prices yet established for providing EV charging station services. SemaConnect gives complete freedom to their customers to choose the pricing policy that best fits their application and goals for the program. In this situation, the typical price points charged by charging stations fall into three philosophies:

1. Maximize goodwill: Provide the service free-of-charge
2. Cover electricity cost to building: Charge approx. \$1-2 per hour
3. Charge a premium for providing a public service and for future capital investments: Charge approx. \$2-3 per hour

City staff gathered information from other cities that have charging stations for public use. There were three cities that have this type of program: Ames, Decorah, and Des Moines. Staff also received guidance from the charging station manufacturer on how to calculate costs.

Ames has 4 public Level-2 charging locations, each with 2 charging spots, plus a Level-3 (DC Fast Charger location) with 2 charging spots. They charge \$0.10 per kWh for our level-2 chargers and \$0.15 per kWh for our Level-3 chargers.

Des Moines has charging stations in public parking garages throughout downtown. The only fee is paying to access the ramp. The ramps costs are approximately \$1.00 per hour.

Decorah has an active charging rate for electric vehicle charging stations be \$0.3135/kWh. With the inactive rate for electric vehicle charging stations being \$2.00/hour, beginning 30 minutes after charging is complete. The City of Decorah owns the municipal electrical utility.

A rate analysis of the City of Bondurant's energy accounts shows the average rate of use is at \$0.25 per kWh.

The electricity cost to the building per charging station will typically range from \$0.75 to \$2.30 per hour of battery charging time. The actual cost is driven by two main factors:

1. The electricity rate per kWh charged by the power utility to the building. For this example, we will assume the rate paid by the City of Bondurant is the estimated \$0.25 per kWh.
2. The max kWh output supported by the charging station. SemaConnect Level 2 charging stations can range in kWh output from 6.24 kWh up to 19.2 kWh. To calculate the cost of a vehicle charging to the building per hour, multiply the max charging rate of the charger by the electricity cost per kWh to the building.

The formula for finding the actual cost to the building increase for a public use charging station that is charging on the City's Series 7 at 7.2 kWh at the average rate of \$0.25 kWh would cost (7.2×0.25) is \$1.77 per hour.

There are two popular pricing categories that are based on Plug-In to Plug-Out time, Time-of-Day Pricing and Duration-Based Pricing (see below). A third pricing category is kWh pricing where the station owner charges for the actual energy used by the driver (see below).

Time-of-Day Pricing: Pricing that varies by time-of-day and possibly also day-of-the-week. As an example, a provider may decide to charge \$2 per hour from 9AM to 6PM (during the day) but only \$1 per hour from 6PM to 9AM (at night).

Duration-Based Pricing: Pricing that may vary depending on how long the vehicle has been plugged in. This method has proven to be popular for providers that want to encourage turnover at their charging stations. For example, the Shidler Group for their program in Honolulu provides the service for free for the first two hours of use and then in the third hour increases the fee to \$5 per hour to enforce a 2 hour or less usage policy. As another example, American Real Estate Partners is charging \$0.55 per hour for the first 4 hours and then \$10 in the 5th hour and beyond to enforce a 4 hour or less usage policy.

kWh-Pricing: Pricing that is directly tied to the kWh's of electricity used by the driver during the session. The average electricity rate for the City is \$0.25 per kWh. So as an example, a station owner that has this average electricity rate would charge a fee of \$1.77 per hour.

Policy

Staff recommends the City Council adopt an ordinance establishing Chapter 69.16 – Electric Vehicle Charging Stations on Public Property, of the Municipal Code of the City of Bondurant, which contains various provisions requiring the payment of fees for the use of electric vehicle charging stations on public property.

The City will use the philosophy of the end user covering the cost of electricity used to charge their vehicle. The rate will be established by resolution using the average rate of kWh per hour of the combined city accounts at \$1.77 per hour.

The kWh-Pricing methodology will be used as the pricing category.

Vehicles must be removed within one hour upon the full charging. Violators will receive a simple traffic ticket issued by the City of \$15. After being ticketed, vehicles not removed from the charge station parking, may be towed, with expenses for towing payable by the vehicle owner.

No person shall park a vehicle in a city owned parking space, to include in the public right-of-way, developed as a parking space for an electric vehicle charging station without actively charging their vehicle (by conductive or inductive means). Violations will receive a simple traffic ticket issued by the City of \$15. After being ticketed, vehicles not removed from the charge station parking, may be towed, with expenses for towing payable by the vehicle owner.



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 8.c.
For Meeting of 12/5/2022
Resolution

TITLE: - Resolution establishing a Targeted Business/Industry Program

CONTACT PERSON:

Marketa Oliver, City Administrator
Maggie Murray, Planning & Community Development Director
Tiffany Luing, Economic Development Coordinator
Jene Jess, Finance Director

BRIEF HISTORY & ANALYSIS: The general strategy for the Targeted Business/Industry Program and the effort to be undertaken pursuant to Chapter 15A of the Code of Iowa and Chapter 6 of the Building Bondurant Comprehensive Plan, is to build on the community's strength, to promote businesses strategically, and to retain and create employment for the community. Additionally, the City adopted an Economic Development Incentive Program & Policy on August 1, 2022. The Economic Development Incentive Program & Policy provides the context for policies, programs, and capital investments that governments undertake to attract and retain business and residents, increase employment, promote private investment, and influence the type and location of development within a community. This policy currently guides how the City uses TIF for economic development and highlights the process used in mitigating risk and evaluating projects. Pursuant to Action item 9C of the Building Bondurant Plan which states, "Continue to incentivize business development and expansion in a strategic manner," staff is recommending the adoption of a program for target businesses/industries, that would operate under the Economic Development Incentive Program & Policy adopted earlier this year. Staff will present the framework for this prospective program at the Council meeting.

FUNDING SOURCE: TIF/Grant/LOSST

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. 221205-281

2. Draft Targeted Business/Industry Program

CITY OF BONDURANT
RESOLUTION NO. 221205-281

RESOLUTION ESTABLISHING A TARGETED BUSINESS/INDUSTRY PROGRAM

WHEREAS the general strategy for the Targeted Business/Industry Program and the effort to be undertaken pursuant to Chapter 15A of the Code of Iowa and Chapter 6 of the Building Bondurant Comprehensive Plan, is to build on the community's strength, to promote businesses strategically, and to retain and create employment for the community; AND

WHEREAS eligible types of businesses under this Targeted Business/Industry Program are limited to those listed in Section IV of the Targeted Business/Industry Program; AND

WHEREAS the Targeted Business/Industry Program will operate under the Economic Development Incentive & Policy Program that was adopted by City Council on August 1, 2022; AND

WHEREAS the Targeted Business/Industry Program is consistent with Action Item 9C of the Building Bondurant Comprehensive Plan, which reads: Continue to incentivize business development and expansion in a strategic manner."

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the City of Bondurant's Targeted Business/Industry Program is hereby established and approved as presented.

Passed this 5th day of December 2022,

By: _____
Tara Cox, Mayor Pro Tem

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Driscoll				
Mackenzie				
Peffer				
Sillanpaa				

TARGETED BUSINESS/INDUSTRY PROGRAM

SECTION I

GENERAL COMMUNITY AND ECONOMIC STRATEGY

The general strategy for the Targeted Business/Industry Program and the effort to be undertaken pursuant to Chapter 15A of the Code of Iowa and Chapter 6 of the Building Bondurant Comprehensive Plan, is to build on the community's strength, to promote businesses strategically, and to retain and create employment for the community. Action item 9C of the Building Bondurant Plan states, "Continue to incentivize business development and expansion in a strategic manner." The City's adopted Economic Development Incentive Program & Policy provides the context for policies, programs, and capital investments that the City undertakes to attract and retain business and residents, increase employment, promote private investment, and influence the type and location of development within a community.

The City strives to maintain a superior quality of life for its citizens, develop a strong workplace, develop the community's resources, attract new capital investment, broaden the City's taxbase and insure economic stability for the City of Bondurant. Bondurant desires to accomplish these goals with a stronger city involvement and leadership role for future development, and by the use of Federal, State, City, and private resources.

SECTION II

GENERAL INTENT OF BONDURANT TARGETED BUSINESS/INDUSTRY PROGRAM

Bondurant is faced with the challenges of being a quick-growth community whose residents are in need of certain services and amenities. Therefore, the City must focus on promoting growth of targeted businesses and industries that cater to the needs of residents. Bondurant must, therefore, meet the challenge of this economic situation to secure business opportunities within the community. Additional local dollars may be needed to compete with other sites available to industry and business and to garner financial participation of the State of Iowa and the Federal Economic Development Administration or to help attract certain industries/businesses to offset startup costs.

SECTION III

ELIGIBLE ACTIVITIES

This Targeted Business/Industry Program provides that monies may be used to fund any project or program providing direct or indirect financial assistance to a qualifying business/developer/activity, and the related costs and expenses as allowed by applicable City ordinances and State statutes. Eligible activities under this program must be value adding (routine maintenance work is excluded) and may include:

1. Incentives for targeted business and industry investment and job creation;
2. Direct grants to qualifying targeted business or industries providing essential services and amenities to Bondurant residents to help offset startup or relocation costs;
3. Investment in or incentives for public improvements essential to the location;
4. Purchase of real estate, or extension of such options;
5. Capital improvements to existing businesses; and
6. All other activities allowed by law and approved by the City Council.

The eligible activities described above are considered priority activities for the use of economic development funds. The City of Bondurant recognizes that the attraction of a new business or industry to a community or the expansion of an existing business takes place in a very competitive marketplace, and in the creation of jobs in the area, the City retains the right to include as eligible services, those additional activities allowable by law. To remain current with Iowa statutes, the City of Bondurant retains the right to amend the Targeted Business/Industry Program when such amendment pertains to change in statutes that affect the Program. Such amendments can only be made by a majority vote of the City Council.

SECTION IV

ELIGIBLE TYPES OF BUSINESSES

The City of Bondurant has a tax abatement program for which any business creating value qualifies. To qualify for a grant under this program, a project must be identified as a targeted business, industry, or activity, by the City. Any project granted funding under this program must be consistent with the Building Bondurant Comprehensive Plan.

Targeted business/industry/activities include: (Speculative buildings will not be considered for grants.)

- a. Development associated with Certified Sites, as qualifying through the Iowa Economic Development Authority Certified Site program that is deemed to create an adequate number of jobs as determined by the City Council;
- b. Healthcare Services;
- c. Redevelopment of properties in the downtown area;
- d. Redevelopment of Brownfield/Grayfield sites;
- e. Tourism-related or entertainment activities;
- f. Any other activity appropriate under State Law or deemed appropriate by the City Council.

SECTION V

PROJECT REVIEW COMMITTEE

The Project Review Committee will be the City Administrator, Planning and Community Development Director, Economic Development Coordinator, and the Finance and Employee Benefits Director. The Project Review Committee will recommend to the City Council that 1) the project be approved upon positive verification of applicant's information 2) the project be disapproved or 3) that the project be renegotiated and resubmitted for future consideration. The City Council may accept and follow the recommendation of the Project Review Committee.

The application process will be reviewed annually and updated as recommended by the Project Review Committee.

The Project Review Committee will be responsible for guarding the confidentiality of business information received from applicants for financial assistance. These will include a restriction on the number of people with access to the files with the responsibility for their safe keeping and requiring personnel involved in the Program review to sign statements of confidentiality regarding all personal and private submission of applicants.

To be considered for direct financial assistance under the Program an applicant must provide the following:

1. A detailed description of the proposed project.
2. A business plan, including employment and financial projections.
3. Current financial statements, financing requirements for the project, and total project cost.
4. A completed Economic Targeted Industry/Business Program Application for financial assistance.
5. Additional information, as necessary to determine the economic viability of all proposed project(s), may be requested by the Project Review Committee.

The Project Review Committee will review applications and requests for direct financial assistance in the order in which they are received. Applications received by the Project Review Committee will be reviewed based on project feasibility as determined by review of the applicant's plan and other requested information, and the potential future economic benefit to the community of Bondurant. Projects will be awarded assistance based on the availability of funds.

The Project Review Committee will be responsible for verification of information in the applications of those eligible businesses and industries that receive a recommendation for financial assistance. The City Council, based on the Project Review Committee's recommendation, has final say throughout the application process. A sample application form for prospective projects is attached hereto.

SECTION VI ADMINISTRATIVE SYSTEM

It is the intent of the City that the City Administrator will administer the Targeted Business/Industry Program.

The City Administrator will collaborate with the Project Review Committee to:

1. Secure necessary information and advise the Committee on issues related to the Program.
2. Review applications of qualifying business for direct financial assistance and making recommendations to the Project Review Committee.
3. Track employment figures or other community or economic impact for participating business or industry for two years as necessary or required by the agreement.
4. Conduct other activities as may be necessary to carry out the Program.

The City of Bondurant City Council retains final decision on all applications.

SECTION VII PROCESS APPLICABLE LAWS

The City of Bondurant is responsible for ensuring that all applicable laws, regulations and requirements are met by the City and by any qualified business or industry. This process will include:

1. The City Administrator will be responsible for the procedures to ensure that the City and the qualifying businesses receiving assistance meet all applicable laws, regulations, and requirements. These procedures will be subject to review and approval by the Project Review Committee.
2. The City will direct legal counsel to review all contracts, official documents, land transactions and other official actions related to the Targeted Business/ Industry Program to ensure compliance with existing laws and to monitor changes in the law to ensure future compliance.
3. The Project Review Committee will updates as needed to the City Council.

SECTION VIII
PURCHASE OF REAL ESTATE OR OPTION TO PURCHASE

If and when land is to be purchased or optioned under the Targeted Business/Industry Program, it should be properly zoned with no excessive easements, covenants, or encumbrances and/or must conform to the City's Comprehensive Plan.

SECTION IX
PROGRAM REQUIREMENTS

The City Administrator, along with the Project Review Committee will make recommendations to the City Council, to determine

1. The maximum amount of financial assistance that will be provided to any single qualifying applicant and specifying the criteria that will be used to determine the appropriate level of assistance; and
2. The criteria and procedures that will be used to determine the necessary appropriations of permitting a qualifying business to participate in the Targeted Business/Industry Program; and
3. The criteria for determining the time within which a qualifying business must meet the goals set for it under its participation agreement; and
4. The process with which the applicant must comply if goals and deadlines are not met.

SECTION X
SOURCE OF FUNDING

The Bondurant Targeted Business/Industry Program will be funded by available and appropriate sources as recommended by the Project Review Committee and determined by the City Council, within the parameters of the City's adopted Economic Development Incentive Program & Policy.

SECTION XI
AUDIT PROCEDURES

The City shall annually provide for an outside, independent audit of its Targeted Business/Industry Program by a qualified private auditing business to be conducted during the City's annual audit.

CITY OF BONDURANT

**TARGETED BUSINESS/INDUSTRY PROGRAM
GENERAL APPLICATION**

BUSINESS NAME: _____ TAX ID#: _____

BUSINESS REPRESENTATIVE: _____ SOC. SEC. #: _____

BUSINESS MAILING ADDRESS: _____ PHONE: _____

BUSINESS SITE/PHYSICAL LOCATION: _____

_____ NEW BUSINESS _____ EXISTING BUSINESS (How many years in operation?) _____

AMOUNT OF FUNDING REQUEST: _____

COMMUNITY/ECONOMIC IMPACT (#of local employees, community need, noise/odor/pollution, etc.): _____

ALL FUNDING SOURCES AND AMOUNT (including Applicant and City of Bondurant):

REFERENCES (Please include name, address, and phone number):

Financial Institution _____ Acct # _____

Previous Employer _____

Personal/Character _____

PLEASE ATTACH THE FOLLOWING INFORMATION:

- **Business Program (including business history, expected profit/loss statement, customer base, budget summary, etc.)
- **2 years of Federal Tax Records for Business and/or Applicant
- **2 years of up-to-date Financial/Cash Flow Statements for Existing Business
- **Signed Authorization for Credit History and Criminal Background Info.

Some match may be required for grants.

Please return this application to the following address:
Marketa George Oliver, City Administrator

City of Bondurant
200 Second Street NE, POB 37
Bondurant, Iowa 50035
515/967-2417 phone
Email: moliver@cityofbondurant.com



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 8.d.
For Meeting of 12/5/2022
Ordinance

TITLE: - (First Reading) Ordinance rezoning property from the Conservancy (U-1) District to the Limited Industrial (M-1) District on property at 1601 Garfield Street SW and at Parcel 231/00020-007-009

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director
Isaac Pezley, City Planner

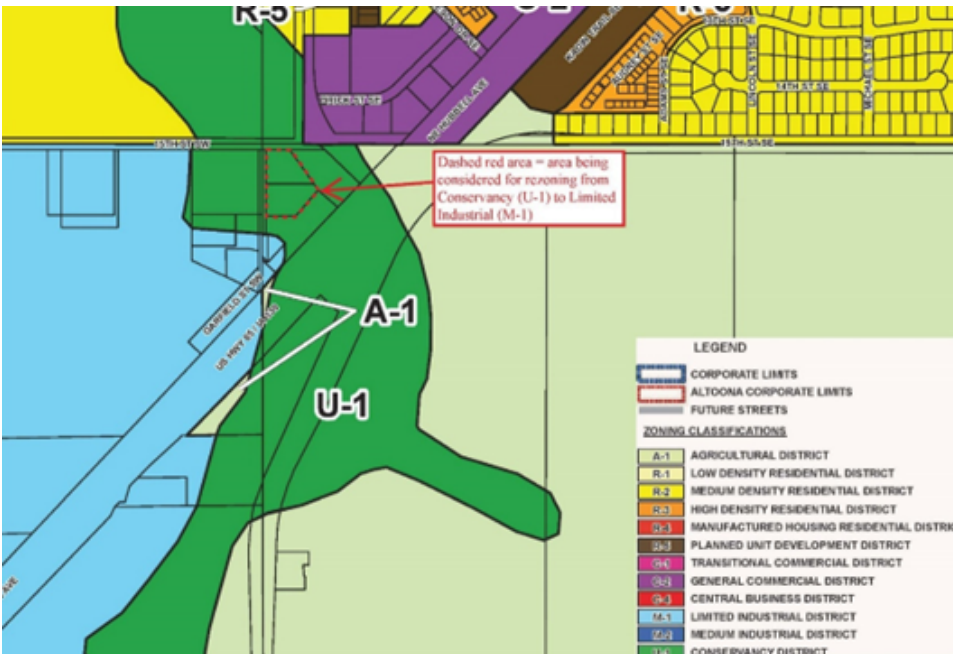
BRIEF HISTORY & ANALYSIS: The City of Bondurant is in receipt of a request to rezone property at 1601 Garfield Street SW (Parcel 231/00020-007-008) and the land immediately north at Parcel 231/00020-007-009 from the City's Conservancy (U-1) District to the Limited Industrial (M-1) District. These parcels are owned by the following titleholders: Alan Cooney, Betty Jo Cooney, and Alan's Seamless Gutters. The property owners are the rezoning applicant. Alan's Seamless Gutters is located at 1601 Garfield Street SW; the use of this property will remain the same as its current use. Parcel 231/00020-007-009 is currently undeveloped.

Area Map



Area Zoning Map

Below is an area Zoning Map which shows the requested U-1 to M-1 rezoning area in red.



The Alan's

Seamless Gutters use at 1601 Garfield Street SW is currently a pre-existing, non-conforming use of the U-1 District, meaning that this use would not be allowed to locate new in the U-1 District today and that the use at this location existed at this location prior to when the City of Bondurant rezoned this property from M-1 to U-1 in 2002 as part of a comprehensive Zoning Map update process.

The owner of the property approached the City to expand the current building on the developed parcel at 1601 Garfield Street SW and it was discovered the zoning did not match the use of the property. Section 178.15 of the Zoning Code notes that, "it is further the intention of this section that no reclassification of any lands zoned "U-1" be undertaken, unless and until suitable measures have been taken to insure that the flood hazard no longer exists"; staff has offered the following for consideration relative to this topic:

1. The recently-adopted Building Bondurant Comprehensive Plan guides for Business Park/Light Industrial at this location.
2. The City has adopted a Stream Buffer Ordinance to protect the stream corridors throughout the community. The Stream Buffer Ordinance only applies to new improvements associated with all land development activity requiring a site plan, construction drawings, or subdivision; meaning the Stream Buffer Ordinance easement area has not yet been established on this land. The map excerpt below shows the portions of this property that would be subject to the Stream Buffer Ordinance in blue. The attached draft P&Z resolution factors in the need to establish the Stream Buffer Ordinance easement area prior to additional development occurring on this land.



3. The majority of the undeveloped parcel at 231/00020-007-009 calls within FEMA's 100-year floodplain. The P&Z could consider rezoning only those areas outside of FEMA's 100-year floodplain to the M-1 District.

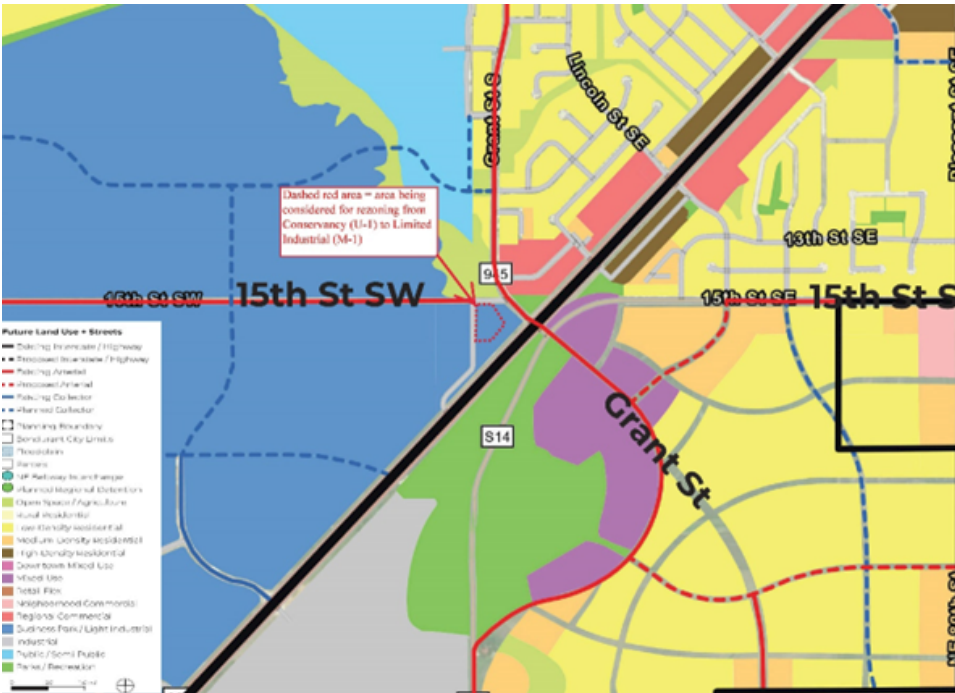


Analysis

When reviewing rezoning requests, the Planning & Zoning Commission should take into account the Comprehensive Plan, Consistency with the Zoning Code, Spot Zoning, and Public Input.

Comprehensive Plan

The existing Alan's Seamless Gutters use is consistent with the 2022 Future Land Use Map. Below is an excerpt from the draft 2022 Future Land Use Map. This map guides for Business Park/Light Industrial in blue.



Consistency with

the Zoning Code

Below are Zoning Code consistency items for consideration by the Planning & Zoning Commission.

- The proposed contractor's office use is a permitted use of the M-1 District per Section 178.13.1.M of the Zoning Code.
- Any future construction at this location requires a site plan to be reviewed and approved by the Planning & Zoning Commission.

Spot Zoning

To determine whether illegal spot zoning has occurred, the courts consider the following:

1. The characteristics of surrounding property;
2. The community's comprehensive plan;
3. The protection and preservation of public health, justice, morals, order, safety and security, and welfare (police power)

Staff does not feel spot zoning will exist as a result of this rezoning request. The 2022 Future Land Use Map is supportive of M-1 Limited Industrial District at this location. There are existing properties zoned M-1 Limited Industrial in the general area to the west and southwest.

Public Input

As required by the City Code, property owners within 200 feet of the subject property for rezoning were notified of this request. A total of 6 property owners were notified.

Notification of the rezoning request was published in the Altoona Herald on October 19, 2022.

FUNDING SOURCE: NA

STAFF RECOMMENDATION: Approve ordinance on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. ORDINANCE NO. 221205-218

CITY OF BONDURANT
ORDINANCE NO. 221205-218

ORDINANCE REZONING PROPERTY FROM THE CONSERVANCY (U-1) DISTRICT
TO THE LIMITED INDUSTRIAL (M-1) DISTRICT ON PROPERTY AT 1601 GARFIELD
STREET SW AND AT PARCEL 231/00020-007-009

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

Section 1. **PURPOSE.** The purpose of this ordinance is to change the zoning from Conservancy (U-1) to Limited Industrial (M-1), on the following property located in Bondurant, Polk County, Iowa as described as follows:

BEGINNING AT A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, SAID POINT BEING 226 FEET SOUTH OF THE NORTHWEST CORNER OF SAID ECTION 6; THENCE N 90°00' E 291.36 FEET; THENCE S 34°42'30" E 42.11 FEET; THENCE S 40°00' W 195 FEET;P THENCE N 90°00' W 190 FEET TO THE SECTION LINE; THENCE N 0°00' 184 FEET TO THE POINT OF BEGINNING, CONTAINING 1.11 ACRES MORE OR LESS AND SUBJECT TO EXISTING ROAD RIGHT OF WAY.

AND;

BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, THENCE SOUTH 0 DEGREES 00 MINUTES ALONG THE SECTION LINE 226 FEET; THENCE NORTH 90 DEGREES 00 MINUTES EAST 291.36 FEET; THENCE NORTH 34 DEGREES 42 MINUTES 30 SECONDS WEST 274.64 FEET TO THE SECTION LINE; THENCE NORTH 89 DEGREES 54 MINUTES 30 SECONDS WEST 135 FEET TO THE POINT OF BEGINNING, CONTAINING 1.10 ACRES MORE OR LESS AND SUBJECT TO ROAD RIGHT OF WAY.

Section 2. **FINDINGS.** The City Council of the City of Bondurant, hereby makes the following findings:

1. That the Planning & Zoning Commission held a public hearing on October 27, 2022, and voted on recommended approval.
2. That the zoning change will create consistency between the City's Future Land Use Map and Official Zoning Map
3. That the zoning change will maintain a consistency with adjacent land uses and provide a transition for adjacent zoning.
4. That the public notice of this intended change has been published as required by law.

5. That as allowed by Section 414.5 of the Iowa Code and as recommended by the Planning and Zoning Commission, that the following conditions of rezoning approval be included as part of this rezoning ordinance:
 - a. That a Stream Buffer Ordinance easement area be established prior to City Council's final approval for those portions of land that fall within the Stream Buffer Ordinance area.
 - b. That the area rezoned to the M-1 District shall only apply to those areas of land situated outside of FEMA's 100-year floodplain.

Section 3. **HEREBY REZONED.** The property, above described, is hereby rezoned to Limited Industrial (M-1).

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

Section 4. **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 5. **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 of the City of Bondurant, Iowa this ____ day of _____, 2022.

CITY OF BONDURANT, POLK COUNTY, IOWA

TARA COX, MAYOR PRO TEM

ATTEST:

SHELBY HAGAN, CITY CLERK

(SEAL)

FIRST CONSIDERATION: December 5, 2022

SECOND CONSIDERATION:

THIRD CONSIDERATION:



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 8.e.
For Meeting of 12/5/2022
Ordinance

TITLE: - (First Reading) Consideration of establishing regulations for Electric Vehicle Charging

CONTACT PERSON:

Marketa Oliver, City Administrator
Jene Jess, Finance Director

BRIEF HISTORY & ANALYSIS: The City recently installed an electric vehicle charging station. The attached ordinance provides regulations on how long a vehicle can be parked in a charging station. Violation of this ordinance would be a \$15 parking fine and is covered by existing language in the Municipal Code.

FUNDING SOURCE: NA

STAFF RECOMMENDATION: Approve one or more readings on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. ORDINANCE NO. 221205-219

CITY OF BONDURANT
ORDINANCE NO. 221205-219

ORDINANCE AMENDING THE CITY CODE OF THE CITY OF BONDURANT, IOWA,
BY ADDING A SECTION TO CHAPTER 69 – PARKING REGULATIONS TO
ESTABLISH PARKING REQUIREMENTS FOR ELECTRIC CHARGING STATIONS

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

Section 1. SECTION ADDED. Chapter 69 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is hereby amended to add the following section:

69.16 Electric Vehicle Charging Stations

1. All electric vehicles using city-owned charging stations must be removed within one hour upon being fully charged.
2. No person shall park a vehicle in a city-owned parking space, to include in the public right-of-way, developed as a parking space for an electric vehicle charging station without actively charging their vehicle (by conductive or inductive means).
3. No person shall park a vehicle in a city-owned parking space, to include the public right-of-way, developed as a parking space for an electric vehicle charging station that is specifically marked for city use only.

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 _____, 2022

CITY OF BONDURANT, POLK COUNTY, IOWA

DOUG ELROD, MAYOR

ATTEST:

SHELBY HAGAN, CITY CLERK

(SEAL)

FIRST CONSIDERATION: December 5, 2022

SECOND CONSIDERATION:

THIRD CONSIDERATION:



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 8.f.
For Meeting of 12/5/2022
Ordinance

TITLE: - (Second 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

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: On October 3, 2022 the Bondurant City Council approved a resolution establishing a moratorium on the approval of preliminary plats within the Low Density Residential (R-1) and Medium Density Residential (R-2) Districts where such moratorium is set to expire at 8:00 a.m. on Tuesday, December 20, 2022 or upon enactment of an ordinance amending the Zoning Code relative to basements within the R-1 and R-2 Zoning Districts. The moratorium was established to provide the time necessary to study and possibly bring forward text amendments regarding this topic of basements.

On September 26, 2022 the Bondurant City Council adopted the Building Bondurant Comprehensive Plan, after receiving a recommendation from the Planning & Zoning Commission for recommended approval. Chapter 5 of the Building Bondurant Comprehensive Plan addresses the topic of Housing + Neighborhoods. Throughout the public engagement process, the topic of safety of housing for owners and renters came up frequently and as such, the following key housing theme emerged from this engagement: the need to provide safety for homeowners and renters through the provision of basements and/or storm shelters. A Policy of the Housing + Neighborhoods Chapter reads as follows: Encourage all new single family development be constructed with basements and new multi-family residential to have hardened common areas that can serve as storm shelters.

The ordinance attached as part of the first ordinance reading agenda statement under Action Items includes the following proposed Zoning Code and Subdivision Code text amendments relative to this basement topic -

- **178.02 Low Density Residential (R-1), Bulk Regulations - 4.k. Basement Required:** A basement, containing the square footage of at least 60% of the dwelling's first story square footage at the time of original building permit

approval, is required in all single-family dwellings. This section applies to all R-1 District lots within preliminary plats approved after December 19, 2022.

- **178.03 Medium Density Residential (R-2), Bulk Regulations** - 4.k. basement, containing the square footage of at least 60% of the dwelling's first story square footage at the time of original building permit approval, is required in all single-family detached and single-family, semi-attached dwellings. This section applies to all R-2 District lots within preliminary plats approved after December 19, 2022.
- **178.06 Planned Unit Development (R-5), Bulk Regulations** - 4.S The provision of basements, tornado safe rooms, and/or other high wind safety measures may be required for dwelling units.
- **180.05 Subdivision Design Standards** - 4.E Water and Sewers. Shall meet the following:
 1. Water mains, sanitary sewer lines, and storm sewers and their appurtenances shall be constructed and installed in accordance with the Iowa Statewide Urban Design and Specifications (SUDAS) ~~"Urban Design Standards for Public Improvements" and the "Urban Standard Specifications for Public Improvements"~~ and the plans and specifications adopted by the Council.
 2. Water and sewer lines shall be made accessible to each lot and to the subdivision's outermost boundaries and extending across the adjacent arterial/collector road at the maximum depth possible, as deemed necessary by the City Engineer, to facilitate the service and development of adjoining and nearby properties within the city.
 3. At a minimum, water mains shall be eight (8) inches in size, sanitary sewers shall be eight (8) inches in size but may be required to be twelve (12) inches if deemed necessary by the City Engineer, hydrants shall not be farther apart than 350 feet, and storm sewer shall be designed for 5-year storms.

It is anticipated that the topic of basements and/or hardened common areas for multi-family uses of the High Density Residential (R-3) District will be considered at a later date once this multi-family topic has been researched in further detail.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The Planning & Zoning Commission reviewed this basements text amendment topic during their meeting on November 10, 2022 and voted on recommended City Council approval.

Staff recommends approval of the second ordinance reading. The first reading was approved at the November 21st Council meeting. It is anticipated the third ordinance reading will be considered at the December 19, 2022 City Council meeting. The R-1 and R-2 preliminary plat approval moratorium is set to expire at 8:00 a.m. on December 20, 2022.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. ORDINANCE NO. 221121-215

CITY OF BONDURANT
ORDINANCE NO. 221121-215

**AN ORDINANCE AMENDING THE CITY CODE OF BONDURANT, IOWA, BY
AMENDING THE FOLLOWING SECTIONS OF THE ZONING CODE AND
SUBDIVISION CODE: 178.02, 178.03, 178.06, AND 180.05**

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

Section 1. **SECTIONS AMENDED.** Section 178.02 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to include the following additional language:

4.k. Basement Required: A basement, containing the square footage of at least 60% of the dwelling's first story square footage at the time of original building permit approval, is required in all single-family dwellings. This section applies to all R-1 District lots within preliminary plats approved after December 19, 2022.

Summary of R-1 Bulk Regulations:

(K) Basements	A basement containing the square footage of at least 60% of the dwelling's first story square footage at the time of original building permit approval is required in single-family dwellings. This section applies to all R-1 District lots within preliminary plats approved after December 19, 2022.
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Section 178.03 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to include the following additional language:

4.k. Basement Required: A basement, containing the square footage of at least 60% of the dwelling's first story square footage at the time or original building permit approval, is required in all single-family detached and single-family, semi-attached dwellings. This section applies to all R-2 District lots within preliminary plats approved after December 19, 2022.

Summary of R-1 Bulk Regulations:

(K) Basements	A basement containing the square footage of at least 60% of the dwelling's first story square footage at the time of original building permit approval is required in all single-family detached and single-family, semi-attached dwellings. This section applies to all R-2 District lots within preliminary plats approved after December 19, 2022.
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Section 178.06 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to include the following additional language:

4.S. The provision of basements, tornado safe rooms, and/or other high wind safety measures may be required for dwelling units.

Section 180.05 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to read as follows:

4.E Water and Sewers. **Shall meet the following:**

1. Water mains, sanitary sewer lines, and storm sewers and their appurtenances shall be constructed and installed in accordance with ~~the Iowa~~ **Iowa Statewide Urban Design and Specifications (SUDAS)** ~~"Urban Design Standards for Public Improvements" and the "Urban Standard Specifications for Public Improvements"~~ and the plans and specifications adopted by the Council.
2. Water and sewer lines shall be made accessible to each lot **and to the subdivision's outermost boundaries and extending across the adjacent arterial/collector road at the maximum depth possible, as deemed necessary by the City Engineer, to facilitate the service and development of adjoining and nearby properties within the city.**
3. At a minimum, water mains shall be eight (8) inches in size, **sanitary sewers shall be eight (8) inches in size but may be required to be twelve (12) inches if deemed necessary by the City Engineer,** hydrants shall not be farther apart than 350 feet, and storm sewer shall be designed for 5-year storms.

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 _____, 2022

CITY OF BONDURANT, POLK COUNTY, IOWA

DOUG ELROD, MAYOR

ATTEST:

SHELBY HAGAN, CITY CLERK

(SEAL)

FIRST CONSIDERATION: November 21, 2022
SECOND CONSIDERATION: December 5, 2022
THIRD CONSIDERATION:



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 8.g.
For Meeting of 12/5/2022
Ordinance

TITLE: - (Third 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

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: On September 8, 2022 the Planning & Zoning Commission had an initial discussion on the topic of increasing the minimum R-2 District lot width requirement for single-family detached lots from 65' to 70' and increasing the minimum side yard setback requirements of the R-2 District from 7' if 2-story and 5' if ranch to a minimum 7.5' on each side, regardless of the number of stories. Uploaded as an attachment to this agenda statement is the September 8, 2022 P&Z agenda statement - this agenda statement includes research on other metro communities' R-2-equivalent lot width requirements. The Commission provided guidance to staff to initiate this text amendment. In addition to making the R-2 District lot width and side yard setback amendments, some other minor clean-up items are also proposed for inclusion as part of this current round of amendments.

During the November 21, 2022 City Council public hearing concerning this topic, the Mayor asked for staff to provide the history of the R-2 District lot width requirements in Bondurant. In 2014 City Council approved a text amendment decreasing the minimum R-2 District lot width requirement from 65' to 60'. In 2016 City Council approved another text amendment reversing the 2014 text amendment to increase the minimum R-2 District lot with requirement of 60' to 65'. This current 2022 amendment proposes to increase the minimum R-2 District lot width requirement from 65' to 70'.

Following the November 21, 2022 public hearing on this text amendment topic, staff received the following written comment: Cory Bloom, DR Horton noted: "I have talked to a lot of other developers on this. Going from 65' to 70' minimum width is going to severely impact future consideration on Bondurant projects. Minimum lot size will not drive the economics of a larger house. Installing a curb foot of development is upwards of \$1,350 today x 70' is \$94,500 for a lot. There are 100's (probably closer to 500) of these 70'-plus lots out in Urbandale, West Des Moines, Ankeny, and Waukee that as

soon as the market turned, builders walked away from them because they couldn't make them pencil. That means 2 things: the market is not there for these, and also, these will have to get absorbed first before anyone decides to build anything new. I would be cautious with this one."

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The Planning & Zoning Commission reviewed this text amendment during their meeting on November 10, 2022 and voted on recommended City Council approval.

During their meeting on November 21, 2022, the Bondurant City Council waived the first ordinance reading and approved the second ordinance reading. Staff recommends approval of the third ordinance reading.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. ORDINANCE NO. 221121-217

CITY OF BONDURANT
ORDINANCE NO. 221121-217

**AN ORDINANCE AMENDING THE CITY CODE OF BONDURANT, IOWA, BY
AMENDING THE FOLLOWING SECTIONS OF THE CITY CODE: 177.07.8, 178.02,
AND 178.03**

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

Section 1. **SECTIONS AMENDED.** Section 177.07.8 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to read as follows:

177.07 EXCEPTIONS, MODIFICATIONS AND INTERPRETATIONS.

8. Single-family, Semi-attached. Single-family, semi-attached dwellings are permitted only under the following terms and conditions:
 - A. A “single-family, semi-attached dwelling is a building designed for or occupied by one (1) family only and which is erected on a separate lot and is joined to another such residence on one (1) side only by a wall located on the lot line and has yards on the remaining sides.
 - B. Must have an “R-2” or “R-3” zoning.
 - C. ~~The lot width requirement where approved by plat approval by the Council shall be forty (40) feet.~~
 - D. Each unit must have its own water service, sewer service, and secondary storm sewer service.
 - E. The joining wall must be a party wall and must be a fire wall having a one-hour rating.
 - F. ~~Covenants must be submitted which address all legal implications associated with shared walls.~~
 - F. ~~The lot setback requirement shall be thirty-five (35) feet.~~

Section 178.02 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to read as follows (those sections of Section 178.02 not listed below are not proposed for amending, except that their numbering will automatically be updated based on any additions or deletions shown below):

2. Permitted Accessory Uses.

- C. Private swimming pools. ~~when enclosed by a fence at least six (6) feet in height.~~

4. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Section 177.07.

- D. Lot Width: 80 feet; 85 feet for corner lots; 100 feet where public sewer is not available. ~~Minimum lot width at right-of-way line of 40 feet.~~

Summary of R-1 Bulk Regulations:

(C) Lot Width	80 ft. 85 ft. for corner lots 100 ft. if sanitary sewer not available 40 ft., minimum lot width at ROW line
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Section 178.03 of the Code of Ordinances of the City of Bondurant, Iowa, 2002, is amended to read as follows (those sections of Section 178.03 not listed below are not proposed for amending, except that their numbering will automatically be updated based on any additions or deletions shown below):

1. Principal Permitted Uses. Only the uses of structures or land listed in this section shall be permitted in the “R-2” District.

- A. Single-family ~~detached~~ dwellings, to include manufactured homes and family homes. A manufactured home must be located and installed according to the same standards for a foundation system, setback, and minimum square footage which would apply to a site-built, single-family dwelling on the same lot.
- B. ~~Two-family dwellings~~ Single-family, semi-attached dwellings, as regulated by Section 177.07.8.
- ~~C. Alterations and conversions of single-family dwellings into two-family dwellings in accordance with the lot area, frontage and yard requirements as set forth in this section and the fire separation provisions of the Building Code.~~

2. Permitted Accessory Uses.

- C. Private swimming pools ~~when enclosed by a fence at least six (6) feet in height.~~
- ~~F. No exterior advertising signs or displays shall be permitted except an indirectly lighted name plate not to exceed two (2) square feet in area, attached flat against the building. Furthermore, Signs must be in accordance with Chapter 181 of the Codes of Ordinances.~~

3. Permitted Conditional Uses.

- ~~A. Home occupations. A conditional use permit must be applied for and received from the Board of Adjustment for a home occupation which does not meet the requirements set forth in Section 177.15 of the Zoning Code – General Regulations.~~

4. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Section 177.07.

- B. Lot Area: Single-family detached dwelling – 7,500 square feet; ~~two-family dwelling—10,000 square feet~~; Single-family, semi-attached – 5,000 square feet per lot (10,000 square feet combined) ~~each additional unit thereafter add 2,000 square feet.~~
- D. Lot Width: Single-family detached dwelling – ~~65~~ 70 feet for interior lot and 80 feet for corner lot; ~~two-family dwelling—85 feet~~ Single-family, semi-attached – 42.5 feet per lot (85 feet combined); ~~each additional unit add 20 feet; corner lot—75 feet.~~
- F. Side Yards: ~~One (1) and one and one half (1 ½) stories—15 feet side yard, 5 feet minimum on each side; two (2) and three (3) stories—(15) feet total side yard, 7 feet minimum on each side~~ Single-family detached dwelling - 7.5 feet minimum for both side yards unless a structure existing prior to December 19, 2022 has a pre-existing, non-conforming side yard setback of less than 7.5 feet where such structure may be extended to align with the pre-existing, non-conforming side yard setback only but shall not further encroach than what is existing; Single-family, semi-attached – 7.5 minimum for one side yard (where other size yard is the common wall at 0') ~~church or school—35 feet on each side~~; 3 feet for any accessory building. All other principal uses - 50 feet.

(A) Minimum Lot Area	7,500 sq. ft., single-family detached 10,000 sq. ft. for two family dwellings 5,000 square feet per lot (10,000 square feet combined), single-family, semi-attached Add 2,000 sq. ft. for each additional unit
(C) Lot Width	65 70 ft. interior lot and 80 feet corner lot, single family detached 85 ft., two-family 42.5 per lot (85 feet combined), single-family, semi-attached Add 20 ft. for every additional unit 75 ft. for corner lots
(E) Side Yard	15 ft. total side yard, 5 ft. minimum on each side, 1 and 1 ½ stories 15 ft. total side yard, 7 ft. minimum on each side, 2 and 3 stories 7.5 feet minimum for both side yards unless a structure existing prior to December 19, 2022 has a pre-existing, non-conforming side yard setback of less than 7.5 feet where such structure may be extended to align with the pre-existing, non-conforming side yard setback only but shall not further encroach than what is existing, single-family detached 7.5 minimum for one side yard (where other size yard is the common wall at 0'), single-family, semi-attached

	35 ft on each side, church or school 3 ft. accessory buildings 50 ft. for any permitted use other than dwellings
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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 _____, 2022

CITY OF BONDURANT, POLK COUNTY, IOWA

DOUG ELROD, MAYOR

ATTEST:

SHELBY HAGAN, CITY CLERK

(SEAL)

FIRST CONSIDERATION: November 21, 2022

SECOND CONSIDERATION: December 5, 2022

THIRD CONSIDERATION:



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 9.a.
For Meeting of 12/5/2022
Discussion Item

TITLE: Golf Cart Ordinance

CONTACT PERSON:

Marketa Oliver, City Administrator

BRIEF HISTORY & ANALYSIS: The current golf cart ordinance is set to expire on July 1, 2023. City staff has XXXX stickers left for golf carts and was planning to order stickers for 2023. In ordering the stickers, we will need to know if they should continue to expire on July 1, 2023 or if the stickers should be good for the entire 2023 calendar year.

FUNDING SOURCE:

STAFF RECOMMENDATION: Staff seeks council guidance on this issue.

APPROVED FOR SUBMITTAL:

ATTACHMENTS: None



**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 9.b.
For Meeting of 12/5/2022
Discussion Item

TITLE: Ballistic PPE Policy and Procedure SOG

CONTACT PERSON:

Aaron Kreduer

BRIEF HISTORY & ANALYSIS: Attached is the draft Ballistic PPE Policy and Procedure. This is the Standard Operating Guideline for use of the ballistic personal protective equipment purchased earlier this year. This is a discussion item on December 5 and planned for consideration of adoption on the December 19 agenda.

FUNDING SOURCE: Ballistic gear was purchased earlier this year with General Fund monies.

STAFF RECOMMENDATION: This is a discussion item.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. Ballistic SOG -Policy to be presented to council



From the Office of the Chief

Ballistic PPE Policy and Procedure / SOG

In place as of December 5, 2022

PURPOSE

To establish a procedure which defines certain unstable response environments where personnel shall use ballistic personal protective equipment (PPE) to provide added personal protection to maximize the strategic and tactical value of our resources while responding to victims of violent scenes.

POLICY

All personnel shall wear ballistic PPE as outlined in the Procedure section of this SOP. Personnel without access to ballistic PPE must stay in staging until the scene is secured. When ballistic PPE is required, personnel shall don the PPE prior to arriving on scene whenever possible.

SCOPE

Due to an increase in violence against 1st responders as well as our changing role at violent scenes (which may require personnel to enter hostile environments), ballistic PPE is provided by the department. It is still the department's intent to allow law enforcement to secure scenes prior to fire personnel arrival or entry into the warm zone.

DEFINITIONS

- Ballistic helmet: armor plated protection for the head. The minimum helmet standard shall be level IIIA.
- Ballistic vest: a vest capable of resisting the impact of a bullet, strike, slash or stab. The minimum standard for the ballistic vest shall be level IIIA protection and Level 1 spike protection.
- Clear and/or Secure – Term(s) often used by Law Enforcement (LE) to indicate a certain area has been searched and absent of immediately apparent threats. These terms do not mean the area is safe for fire department operations and shall be considered warm zones subject to appropriate active threat PPE use.



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From the Office of the Chief

• Rescue Task Force (RTF) - is a team (made up of both fire/EMS and LE personnel) deployed to provide wound care to victims in a warm zone and removing the injured in a rapid manner to the Casualty Collection Point (CCP) all while wearing Ballistic Protective Equipment (BPE) and under the protection of LE personnel.

PROCEDURE

A. Ballistic vests, helmets and chest plates shall be worn on the following types of incidents:

- a. When operating as part of an RTF
- b. Any other incident where a member is in a warm zone
- c. When directed to do so by the IC

B. Ballistic vests shall be worn on the following types of incidents:

- a. Any incident when “stage for police” is transmitted by dispatch or when directed to do so by police or the IC.
- b. Any situation that personnel deem necessary for their own protection.

C. Once ballistic PPE is donned, members shall continue to wear the equipment until the IC determines it is appropriate to remove it. This determination should only be made after communication from LE that assures the IC there is a complete level of comfort that the vest can be removed. This includes assuring a patient has been thoroughly searched for weapons. If there is any doubt as to if it's reasonable to doff the PPE, personnel will continue to wear the PPE until they clear the scene or transfer patient care to the hospital.

D. Any member responding direct to an incident when dispatch announces, “stage for Police”, must don all appropriate PPE for this situation before leaving the staging area(s) and only after being requested by the IC.



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From the Office of the Chief

E. Care, maintenance, cleaning, and replacement of department issued ballistic vests and helmets:

- a. Inspect ballistic PPE after each use.
- b. When the annual gear check is conducted, we will also inspect the ballistic PPE. This will be done by a member(s) who have been trained to do so.
- c. Ballistic PPE has an expiration date and shall be removed from service on that date. Expired ballistic PPE will be replaced on a scheduled basis per manufacturer's guidelines and as the department deems necessary.
- d. If ballistic PPE is compromised or destroyed by either penetrating or blunt force trauma, it will be evaluated per the manufacturer's guidelines and either repaired or replaced by the department.
- e. Ballistic vests must be cleaned after extended usage and or being contaminated
 - i. Do not machine wash or dry clean ballistic panel inserts.
 - ii. Remove ballistic panels from outer carrier.
 - iii. Wipe ballistic panels using a mild soap and water. Set aside to air dry.
 - iv. Close all Velcro fasteners on carrier.
 - v. Dry clean, hand wash, or machine wash carrier on a delicate cycle using medium water temperature. DO NOT BLEACH.
 - vi. Tumble dry on a low heat setting or air dry.



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From the Office of the Chief

vii. Reinsert ballistic panels. **BE SURE THE BALLISTIC PANELS AND OUTER CARRIER ARE DRIED COMPLETELY.**

F. Ballistic PPE shall be stored on the specialty hanger in the storage cabinet or in the supplied storage “go bag” in the preidentified apparatus (414, 423, 413, 410, 420, and 421) away from direct sunlight, liquids and chemicals.

REFERENCES

A. Polk County Fire Chiefs Association

- Standardized SOG

B. International Association of Fire Chiefs

- Best Practices Guidelines for Firefighter Scene Safety

C. Polk County Emergency Management

- Active Threat Working Groups (Rescue Task Force Plan)
- MCI plan

D. Polk County Sheriff's Office

- Civil Unrest Plan
- Large Gathering / Protest Response Guidelines
- Domestic Disturbance / Abuse Response Guidelines

Respectfully,

Aaron Kreuder, Chief of Emergency Services



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