

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

BONDURANT CITY COUNCIL

Minutes

February 6, 2023

Bondurant City Council

1. Roll Call

Present: Tara Cox (joined at 6:07 p.m.), Mayor Doug Elrod, Angela McKenzie, Bob Pepper, Matt Sillanpaa, Chad Driscoll

Absent:

City Officials Present: City Administrator Marketa Oliver, Planning & Community Development Director Maggie Murray, Fire Chief Aaron Kreuder, Public Works Director John Horton, Library Director Jill Sanders

2. Call to Order and Declaring a Quorum

Mayor Elrod called the meeting to order at 6:03 p.m. and declared a quorum.

3. Abstentions declared

None.

4. Perfecting and Approval of the Agenda

Motion by Pepper, seconded by Driscoll, to approve the agenda as is. Vote on Motion 4-0. Motion carried.

5. Guests requesting to address the City Council

Presentation of the Parks & Recreation 2023 Annual Report will be heard at a future Council meeting date.

Polk County Sheriff's Office - provided their update. In the month of January 2023, the Sheriff's Office received 649 calls in Bondurant. 257 building checks around town, 112 traffic stops, and the rest are considered miscellaneous.

6. Consent Agenda:

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

a. Approval of City Council Meeting Minutes of January 17, 2023 & January 30, 2023

b. Claims List

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

- c. Applications for City Council Approval
- d. Receive & File - Parks and Recreation's 2022 Annual Report
- e. R-230206-18- Resolution approving a Professional Engineering Services Agreement with Veenstra & Kimm, Inc. in the amount of \$9,700 for the Myers 1 Traffic Impact Study (2nd/Hubbell & 94th/Hubbell area)
- f. R-230206-19- Resolution approving Amended City Council Meeting Dates for Calendar Year 2023
- g. O-230103-200 - (Third Reading) Ordinance rezoning property 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. O-230103-201 - (Third Reading) Ordinance rezoning property from the Agricultural (A-1) District to the Limited Industrial (M-1) District, pending annexation finalization, on Parcel 170/00002-000-000
- i. O-230103-202 - (Third Reading) Ordinance rezoning property 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. O-230103-203 - (Third Reading) Ordinance rezoning property 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. O-230103-204 - (Third Reading) Ordinance rezoning property 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. O-230117-205 - (Second Reading) - Ordinance rezoning property from the Medium Industrial (M-2) District to the Central Business (C-4) District and the High Density Residential (R-3) District at Parcel 231/00220-017-000 (excluding the southern portions of this parcel that front 2nd Street SE and are currently zoned Medium Density Residential (R-2))

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

- m. O-230117-206 - (Second Reading) Ordinance amending the Code of Ordinance of Bondurant, Iowa by amending Chapter 23, Planning and Zoning Commission
- n. R-230206-20- Resolution approving Pay Request No. 3 to Thorpe Contracting LLC. for the Franklin Street Water Main Project in the amount of \$23,686.77
- o. R-230206-21- Resolution of endorsement for the City of Bondurant's grant application request to the Prairie Meadows Community Betterment Grant for the Park Side to Bondurant Recreational Sports Complex Trail Connection
- p. R-230206-22- Resolution of endorsement for the Bondurant Community Foundation's grant application request to the Polk County Community Betterment Program for funds to help install the water tower public art and decorative lighting project
- q. R-230206-23- Resolution of endorsement for the City of Bondurant's application to the University of Iowa's Iowa Initiatives for Sustainable Communities Program
- r. R-230206-25- Resolution of endorsement for the City of Bondurant's application to The Wellmark Foundation's Community Match Program for the Park Side to Bondurant Recreational Sports Complex Trail
- s. R-230206-26- Resolution appointing Amber Flinn to the Library Board of Trustees
- t. R-230206-28- Resolution adopting a revised Procurement Policy
Motion by Driscoll, seconded by Peffer, to Approve the Consent Agenda.
Roll Call: Cox, Sillanpaa, Peffer, McKenzie, Driscoll. Nays: None.
Absent: None. Motion carried 4-0.

7. **Public Hearing**

- a. Public hearing to review an application for a State Revolving Fund Loan for the Water Tower Project
Mayor Elrod opened the public hearing at 6:15 p.m.

Bob Veenstra, City Engineer, presented the State Revolving Fund Loan information. This is for the water tower on NE 88th Street and the associated water mains. The water tower is now on agricultural land that

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

will be taken out of agricultural production. There are no endangered species concerns. The viewshed must be considered by SHPO. As part of SHPO's review, they will look at nearby farmsteads. There are four within close proximity that are more than fifty years old. The water mains are proposed to be located within the right-of-way. No farmland would be impacted as a result of the water main projects. A few waterways will be crossed as part of the water main projects. These water mains will be directionally bored when crossing the waterways. The water tower site is a compact site close to the road. The City will need to sign an environmental impact document. After this, the DNR will issue a finding of no significant impact. This public hearing was required under federal NEPA requirements. The water mains will be 12" except for the portion near the tower that will be 16". No public comment has been received to-date on this topic. No one from the public was in attendance wanting to speak on this topic.

Mayor Elrod closed the public hearing at 6:20 p.m.

- b. Public Hearing regarding an Ordinance Amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending the following section: 178.13 - M-1 Limited Industrial
Mayor Elrod opened the public hearing at 6:20 p.m.

Planning & Community Development Director Maggie Murray presented the text amendment topic.

Mayor Elrod closed the public hearing at 6:21 p.m.

- c. Public Hearing regarding the Proposed Levy Rate (Max Levy)
Mayor Elrod opened the public hearing at 6:21 p.m.

City Administrator Marketa Oliver presented the proposed levy rate (max levy topic).

Mayor Elrod closed the public hearing at 6:32 p.m.

8. Action Items

- a. O-230206-207 - Discussion and possible Consideration of Ordinance Amending Chapter 92, Water Rates
Motion by McKenzie, seconded by Pepper, to Approve the first reading O-230117-207. Roll Call: Ayes: Sillanpaa, Pepper, McKenzie, Driscoll. Nays: None. Absent: Cox. Motion carried 4-0.
- b. O-230206-208 - Discussion and possible Consideration of Ordinance regarding Garbage and Recycling Rates

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

Motion by Peffer, seconded by Driscoll, to Approve the first reading O-230206-208. Roll Call: Ayes: Sillanpaa, Peffer, McKenzie, Driscoll. Nays: None. Absent: Cox. Motion carried 4-0.

- c. O-230206-209 - (First Reading) - Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending the following section: 178.13 - M-1 Limited Industrial

Motion by Peffer, seconded by Driscoll to waive the first and second readings and approve the Third and Final reading O-230206-209. Roll Call: Ayes: Sillanpaa, Peffer, McKenzie, Driscoll. Nays: None. Absent: Cox. Motion carried 4-0.

- d. R-230206-27- Resolution approving the Maximum Property Tax Dollars for Affected Tax Levies for FY24

Motion by Driscoll, seconded by McKenzie, to approve R-220207-43. Roll Call: Ayes: Sillanpaa, Peffer, McKenzie, Driscoll. Nays: None. Absent: Cox. Motion carried 4-0.

- e. R-230206-24- Resolution selecting Jennifer Leatherby's design for the public art to be installed on the water tower

Motion by McKenzie, seconded by Peffer, to approve R230206-24. Roll Call: Ayes: Sillanpaa, Peffer, McKenzie, Driscoll. Nays: None. Absent: Cox. Motion carried 4-0.

9. Reports / Comments and appropriate action thereon:

Cox rejoined the meeting at 6:53 p.m.

- a. Mayor
None.

- b. Council Members
Cox - DART budget meeting tomorrow. Chamber Dinner is March 3rd and the theme is Price is Right.

Sillanpaa - no P&Z meeting since last City Council meeting. Sat in on first Library Board meeting.

Peffer - provided Metro Waste Authority Board updates.

McKenzie - provided CVB Board updates. Provided ICON Board updates.

Driscoll - provided Bravo Board updates. Also an Iowa League of Cities webinar on Parks & Recreation Programming.

- c. Administrator

Attended the 1000 Friends event. Discussed the Greater Des Moines Paternership's sponsorship levels for the annual DC Trip. Council provided direction to reach out to BDI to see if they would be supportive of sharing the cost of a Bronze Sponsorship. Council also noted that if

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

BDI is not supportive of cost-sharing, the City should still pursue the Brzone Sponsorship but that the focus of Bondurant's materials should be centered around economic development.

d. Directors

Horton - staff is busy hearing up for Spring.

Kreuder - UHP update.

Murray - SE Water Study annexation status. Upcoming rezoning at February 9th P&Z meeting.

Sanders - programming update.

10. **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 Pepper, to close the regular meeting and center into closed session, pursuant to Iowa Code 21.5.1(j). Vote on Motion 5-0. Motion carried.

11. Adjournment

Motion by Pepper, seconded by Cox to close the closed session, enter back into the regular meeting, and adjourn the regular meeting at 7:45 p.m. 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 February 6, 2023, 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