

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

BONDURANT CITY COUNCIL
Minutes
April 6, 2020
Bondurant City Council

1. Roll Call

Present: Mayor Curt Sullivan, Council Member Wes Enos
Virtually: Council Member Bob Peffer, Council Member Angela McKenzie,
Council Member Doug Elrod, Council Member Tara Cox

City Officials

Present: City Administrator Marketa Oliver, City Clerk Shelby Hagan, Administrative
Specialist Craig Marshman
Virtually: Library Director Jill Sanders, Planning and Community
Development Director Maggie Murray, Public Works Director John Horton,
Fire Chief Aaron Kreuder, City Engineer Bob Veenstra, City Attorney David
Brick, Communication and Events Specialist Nicole VanHouten

2. Call to Order and Declaring a Quorum

Mayor Sullivan called the meeting to order at 6:02 p.m. and declared a quorum.

3. Abstentions Declared – None.

4. Perfecting and Approval of the Agenda

Motion made by Enos, seconded by Elrod, to approve the agenda. Vote on Motion 4-0. Motion carried.

Council Member Peffer arrived at 6:04 p.m.

5. Consent Agenda:

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

- a. Approval of the City Council Meeting Minutes of March 23, 2020
- b. Receive and File – Planning & Zoning Commission Meeting Minutes of February 13, 2020
- c. Claims Report
- d. Tax Abatements
- e. Liquor/Beer License
- f. **RESOLUTION NO. 200406-91** – Resolution approving the Lease Agreement with the Bondurant Little League and the Bondurant-Farrar Community School District

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- g. **RESOLUTION NO. 200406-92** – Resolution approving the Amendment to the Professional Services Agreement with FEH Design for the Bondurant Community Library Expansion and Remodel
- h. **RESOLUTION NO. 200406-93** – Resolution approving the Terracon Proposal for Geotechnical Engineering Services for the Bondurant Public Library Additions
- i. **RESOLUTION NO. 200406-94** – Resolution to fix a date for a public hearing on proposal to enter into a Sewer Revenue Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,750,000
- j. **RESOLUTION NO. 200406-95** – Resolution approving Purchase Agreement of 3 Pickup Trucks in the amount of \$68,343.70 from Stew Hansen’s Dodge City
- k. **RESOLUTION NO. 200406-96** – Resolution approving Purchase Agreement of Pickup Truck Dump Body in the amount of \$11,120.00 from Hawkeye Truck Equipment
- l. **RESOLUTION NO. 200406-97** – Resolution approving Scope of Service Contract Provided by Emmons & Oliver Resources Inc. for a Concept Design and Cost Estimates for a Section of Mud Creek and Ditch #2
- m. **RESOLUTION NO. 200406-98** – Resolution adopting the 2020-2021 City of Bondurant Goal Setting Session Report
- n. **RESOLUTION NO. 200406-99** – Resolution approving Purchase Mosquito Spraying Unit in the amount of \$11,617.89 from Clarke Mosquito Control
- o. **RESOLUTION NO. 200406-100** – Resolution approving Pay Application No. 1 to McAninch Corporation for the 32nd St. SW/Grant St. S./Shiloh Rose Parkway SW Public Infrastructure Improvement Project in the amount of \$2,919,951.06
- p. **RESOLUTION NO. 200406-101** – Resolution accepting Public Water and Sanitary Easement on Land Owned by Moore Investments, Inc. North of the Proposed Wisteria Heights Plat 6 Subdivision
- q. **RESOLUTION NO. 200406-102** – Resolution approving Action to Order Construction and Set Date of Hearing and Letting for the 2nd Street, Southeast Parking Lot
- r. **RESOLUTION NO. 200406-103** – Resolution approving the Development Agreement with Vista Development for Sewer Fees
- s. **RESOLUTION NO. 200406-104** – Resolution accepting the CDBG Grant

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

- 6. Guests requesting to address the City Council – None.
- 7. Polk County Sheriff’s Report – Mayor Curt Sullivan reported that the City is requesting a mobile speed trailer for 2nd Street to monitor the traffic speeds.

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Motion by Enos, seconded by Elrod, to close the regular City Council meeting and move into Public Hearing at 6:08 p.m. Roll Call: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

8. **PUBLIC HEARING** – Regarding the Northwest Trunk Sewer Contract

City Engineer Bob Veenstra explained the project. No public comment.

Motion by Enos, seconded by Peffer, to close the Public Hearing and move back to the regular City Council meeting at 6:11 p.m. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

9. **RESOLUTION NO. 200406-105** – Resolution adopting the Plans, Specifications, Form of Contract, and Estimate of Cost for the Northwest Trunk Sewer Project

Motion by Enos, seconded by Elrod, to approve RESOLUTION NO. 200406-105. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

10. **RESOLUTION NO. 200406-106** – Resolution awarding the Northwest Trunk Sewer Contract to Rognes Corporation in the amount of \$2,122,326.00

Motion by Enos, seconded by Elrod, to approve RESOLUTION NO. 200406-106. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

Motion by Enos, seconded by Peffer, to close the regular City Council meeting and move into Public Hearing at 6:13 p.m. Roll Call: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

11. **PUBLIC HEARING** – Regarding Zoning Code Text Amendments

Planning & Community Development Director Maggie Murray explained the text amendments and the proposals from the Zoning Commission. No public comment.

Motion by Enos, seconded by Cox, to close the Public Hearing and move back to the regular City Council meeting at 6:17 p.m. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

12. **ORDINANCE NO. 200406-211** – (First Reading) Ordinance amending the City of Bondurant, Iowa, by Amending the Following Sections of the Zoning Ordinance: Section 175.02, Definitions; Section 177.10.9, Development and Maintenance of Parking Areas; and Section 178.13, M-1 Limited Industrial

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Motion by Enos, seconded by Cox, to approve the first reading of ORDINANCE NO. 200406-211. Roll Call: Ayes: McKenzie, Enos, Cox. Nays: None. Abstain: Peffer, Elrod. Absent: None. Motion carried 3-0.

13. **ORDINANCE NO. 200406-212** – (First Reading) Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending Chapter 63, Speed Regulations (UPDATED)

Motion by Enos, seconded by Elrod, to waive the first and second reading, and approve the third and final reading of ORDINANCE NO. 200406-212. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

14. **ORDINANCE NO. 200302-205** – (Second Reading) Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by amending the Zoning Classification of Certain Real Estate from Agricultural (A-1) to Limited Industrial (M-1)

Motion by Enos, seconded by Cox, to approve the second reading of ORDINANCE NO. 200302-205. Roll Call: Ayes: McKenzie, Enos, Cox. Nays: Peffer, Elrod. Absent: None. Motion carried 3-2.

15. Discussion Items –

- a. **RESOLUTION NO. 200406-105** – Resolution of support for an upcoming Minor Text Amendment to Section 179.01.2.2.b.5.a of the City’s Zoning Code Regarding Eliminating the Minimum Roof Slope Requirement for Multi-Family & Townhome Structures

Council discussed the text amendments with Planning and Community Development Director Maggie Murray. The Planning and Zoning Commission will discuss on Thursday and will consider them at their April 23, 2020 meeting.

- b. **RESOLUTION NO. 200406-106b** – Resolution suspending Garage Sales in Bondurant until Further Notice

Motion by Enos, seconded by Cox, to amend RESOLUTION NO. 200406-106b to strike “further notice” and replace it with “until the State has lifted the restrictions for retail sale.” Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

Motion by Enos, seconded by Peffer, to approve RESOLUTION NO. 200406-106b as amended. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

- c. **RESOLUTION NO. 200406-107** – Resolution approving Measures to Prevent the Spread of COVID-19 and Protect Essential Services

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Motion by Enos, seconded by Peffer, to amend RESOLUTION NO. 200406-107 to strike “June 2020” for the City-side garage sale and replace it with “until the State has lifted the restrictions for retail sale.” Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

Motion by Enos, seconded by Peffer, to approve RESOLUTION NO. 200406-107 as amended. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

- d. Staging Plan Amendment for the SW Corridor Project – Public Works Director John Horton reported that the paving will be completed tomorrow, and they will begin the paving of the trail system on Thursday. McAninch Corporation is proposing to move forward with Phase 6 due to the decrease in traffic during this time. This means that Grant Street will be closed for approximately another month, but they want to take advantage of the situation. Council agreed with the proposal.
- e. Shovel Ready Projects – City Administrator Oliver presented shovel ready projects to the Council in case the funding becomes available from the estimated \$2 trillion stimulus package the President is proposing.
- f. Community Garden – An informal Bondurant Garden Committee has formed in the light of the nation’s COVID-19 pandemic. Council discussed location, access, liability, water source, etc.

Pam Dearden, 501 Lincoln Street, Southeast, proposed to use a portion of her property due to the timing of the planting season. She inquired about water usage and waiving the water fees for the water used for the garden.

Denyse Darr, 605 Colbie Blossom Lane, Northwest, presented her background with community gardens, problems with certain proposed locations, and how crucial the timing is for planting.

Public Works Director John Horton explained that it would cost \$2,200.00 upfront for the meter and backflow installation on the fire hydrant near Dearden’s property.

Council Member McKenzie proposed to utilize rain barrels.

Staff is directed to monitor the meter for the Garden throughout the year to ensure the water usage remains relatively reasonable.

Motion by Cox, seconded by Enos, to approve the temporary location of the Community Garden at 501 Lincoln Street, Southeast. Vote on Motion 5-0. Motion carried.

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16. Reports / Comments and appropriate action thereon:

- a. Mayor – Pandemic comments, Easter parade comments, comments regarding P.O. boxes.
- b. Council Members
 - Elrod – DART update.
 - Cox – BDI cancelled, Member Breakfast cancelled.
 - Enos – MWA update, no MAC meeting, League of Cities Legislative committee is suspended due to current events.
 - Peffer – Mural progress and update, Community Foundation update.
 - McKenzie – Library update, offered to be the Community Garden liaison.
- c. Administrator – Cardboard collection has moved to the City Hall parking lot, lobby update, food bank library during COVID-19.
- d. Directors
 - Sanders – Library recently closed completely to the public, May preparations, virtual story times will be held from their homes.
 - Horton – SW Corridor update, update on the new developments.
 - Murray – Planning & Zoning Commission meeting this Thursday, BOA next Tuesday.
 - Kreuder – Easter parade comments, birthday parties, apartment fire in Pleasant Hill, seeking donations for PPE.
- e. City Attorney – Operation update, lead on someone with hand sanitizer.

Motion by Enos, seconded by Peffer, to close the regular City Council meeting and move into Closed Session at 8:07 p.m. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

17. **CLOSED SESSION** – Pursuant to Iowa Code 21.5.1(j) to discuss property acquisition and 21.5.1(c) potential or pending litigation

Mayor closed the Closed Session at 8:47 p.m.

18. Adjournment

Moved by Peffer, seconded by Cox, to adjourn the meeting at 8:47 p.m. Vote on Motion 5-0. Motion carried.

Shelby Hagan, City Clerk

ATTEST:

Curt Sullivan, Mayor

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I, the undersigned 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 April 6, 2020, 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 subjects were contained in said agenda for at least twenty-four hours prior to said meeting and the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten business days and prior to the next convened meeting of said body.

Curt Sullivan, Mayor