

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

BONDURANT CITY COUNCIL

Minutes

March 15, 2021

Bondurant City Council

1. Roll Call

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

Absent: Council Member Doug Elrod

City Officials

Present: City Administrator Marketa Oliver, City Clerk Shelby Hagan, Administrative Specialist
Virtually: Fire Chief Aaron Kreuder, Public Works Director John Horton, City Engineer Bob Veenstra, Planning & Community Development Director Maggie Murray, Library Director Jill Sanders

2. Call to Order and Declaring a Quorum

Mayor Sullivan called the meeting to order at 6:01 p.m. and declared a quorum.

3. Abstentions Declared – None.

4. Perfecting and Approval of the Agenda

Motion by Cox, seconded by Enos, to amend the agenda by removing item 5p to 6a. Vote on Motion 4-0. Motion carried.

Motion by Enos, seconded by Peffer, to approve the agenda as amended. Vote on Motion 4-0. 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 the City Council Meeting Minutes of March 1, 2021
- b. Receive and File – Planning & Zoning Commission Meeting Minutes of February 25, 2021
- c. Receive and File – Library Board Meeting Minutes of February 3, 2021 & Librarian Report
- d. Claims List
- e. Tax Abatements
- f. Special Event Applications

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- g. **RESOLUTION NO. 210315-52** – Resolution approving Pay Request No. 5 to Multiple Vendors for the Bondurant Library Renovation and Expansion Project Managed by Story Construction in the amount of \$363,430.91
- h. **RESOLUTION NO. 210315-53** - Resolution approving Pay Request No. 6 to Story Construction for the Construction Management of the Library Renovation and Expansion Project in the amount of \$52,039.02
- i. **RESOLUTION NO. 210315-54** – Resolution approving Change Order No. 1 for Bid Package No. 6, R.H Grabau Construction Inc. in the amount of \$1,236.91
- j. **RESOLUTION NO. 210315-55** – Resolution approving Change Order No. 1 for Bid Package No. 4, Seedorff Masonry Inc. in the amount of \$4,200.00
- k. **RESOLUTION NO. 210315-56** – Resolution approving Change Requests CR007 and CR010 for the Library Expansion and Renovation Project totaling \$6,920.89
- l. **RESOLUTION NO. 210315-57** – Resolution approving Change Request Summary 005 for \$2,000.00 for Smart Concrete
- m. **RESOLUTION NO. 210315-58** – Resolution approving Request for Electrical Easement to Supply Electric Service to Bondurant Soccer Club Maintenance Shed and Restrooms at the BRSC
- n. **RESOLUTION NO. 210315-59** – Resolution approving Pay Application No. 2 to Absolute Infrastructure for the Northeast Storm Sewer Public Infrastructure Project in the amount of \$28,427.97
- o. **RESOLUTION NO. 210315-60** – Resolution approving the Northwest Trunk Sewer Second Amendment to Agreement

Motion by Enos, seconded by Pfeffer, to approve the Consent Agenda. Roll Call: Ayes: McKenzie, Enos, Pfeffer, Cox. Nays: None. Absent: Elrod. Motion carried 4-0.

6. Guests requesting to address City Council – None.

- a. 5p. **RESOLUTION NO. 210315-61** – Resolution approving the Site Plan at 3007 Oxbow Court, SW for Midland Credit Union

Motion by Enos, seconded by Pfeffer, to approve RESOLUTION NO. 210315-61. Roll Call: Ayes: McKenzie, Enos, Pfeffer, Cox. Nays: None. Absent: Elrod. Motion carried 4-0.

Mayor opened the public hearing at 6:10 p.m.

7. **PUBLIC HEARING** – Regarding Tobacco Violation

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City Administrator Oliver explained that the Polk County Sheriff's Department conducts compliance checks at businesses that have tobacco permits issued by the City. Founders Irish Pub failed the compliance check and sold to the underage youth.

Nicole Romare, Founders Irish Pub, explained that the employee did ID the individual who was twenty years and ten months old. Romare further explained that the employee was still under the impression that the legal age was eighteen years of age. She also presented the certificate ensuring that the employee went through the proper training. She is requesting the City waive the fine.

Mayor Sullivan closed the public hearing at 6:18 p.m.

8. **MOTION** – Accepting the Acknowledgment/ Settlement Agreement for Founders Irish Pub and the City of Bondurant

Motion by Enos, seconded by Pepper, to table this item until City Staff can consult with the City Attorney regarding forgiveness of the fine. Vote on Motion 4-0. Motion carried.

Mayor Sullivan opened the public hearing at 6:18 p.m.

9. **PUBLIC HEARING** – Regarding the City of Bondurant FY22 Budget

No public comment.

Mayor Sullivan explained the budget was presented last meeting, and the official adoption of the budget will be on the March 29th City Council Agenda.

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

10. **RESOLUTION NO. 210315-62** – Resolution approving the Professional Services Agreement with Veenstra & Kimm, Inc. for the 16th Street, NE Improvements

Motion by Enos, seconded by Pepper, to approve RESOLUTION NO. 210315-62. Roll Call: Ayes: McKenzie, Enos, Pepper, Cox. Nays: None. Absent: Elrod. Motion carried 4-0.

11. Discussion –

- a. 103 Railroad Street, SE Development – Planning & Community Development Director Murray explained the site and project to Council. The potential developer, Rich Powers, is seeking feedback from the City regarding the building design, parking, etc. A draft concept was submitted by the developer showing the potential

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look of the proposed building. Council discussed the project with the developer and City Staff.

12. Reports / Comments and appropriate action thereon:

- a. Mayor – Regionalization of water comments, Regional Water Trails update.
- b. Council Members
 - Peffer – Bondurant Community Foundation meeting is on the 23rd.
 - Enos – None.
 - McKenzie – WRA Board meeting tomorrow.
 - Cox – BDI, Chamber and EPIC update.
- c. Administrator – None.
- d. Directors
 - Horton – Regional Water discussion next meeting.
 - Sanders – Library Project update.
 - Kreuder – Storm sirens meeting tomorrow.
 - Murray – City Development Board meeting update, P&Z vacancy, Comprehensive Plan interviews.

Motion by Peffer, seconded by Cox to close the regular meeting and move into Closed Session at 7:01 p.m. Roll Call: Ayes: McKenzie, Enos, Peffer, Cox. Nays: None. Absent: Elrod. Motion carried 4-0.

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

Mayor Sullivan closed the Closed Session at 7:43 p.m.

10. Adjournment

Moved by Peffer, seconded by Cox, to adjourn the meeting at 7:43 p.m. Vote on Motion 4-0. Motion carried.

Shelby Hagan, City Clerk

ATTEST:

Curt Sullivan, Mayor

I, the understated Mayor of the City of Bondurant, Polk County, Iowa, hereby certify that the foregoing is a true and accurate copy of proceedings had and done by the City Council on March 15, 2021, that all the subjects included in the foregoing proceedings were

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contained in the agenda for the meeting kept continually current and readily available for the public inspection at the Office of the City Clerk; that such subject were contained in said agenda for at least twenty-four hours prior to said meeting and the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten business days and prior to the next convened meeting of said body.

Curt Sullivan, Mayor