

BONDURANT CITY COUNCIL
Minutes
February 3, 2020
Bondurant City Council

1. Roll Call

Present: Mayor Curt Sullivan, Council Member Bob Pepper, Council Member Angela McKenzie, Council Member Doug Elrod, Council Member Tara Cox

City Officials

Present: City Administrator Marketa Oliver, Interim City Clerk Craig Marshman, City Clerk Shelby Hagan, Public Works Director John Horton, Library Director Jill Sanders, City Attorney David Brick, Captain Shawn VanHoozer, Fire Chief Aaron Kreuder, Planning and Community Development Director Maggie Murray, City Engineer Bob Veenstra, Planning and Zoning Commission Member Bryan Clayton

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. Pledge of Allegiance

4. Abstentions Declared – None.

5. Perfecting and Approval of the Agenda

Motion made by Cox, seconded by Elrod, to add Des Moines Water Works to the discussion items. Vote on Motion 4-0. Motion carried.

Motion made by Cox, seconded by Pepper, to approve the agenda as amended. Vote on Motion 4-0. Motion carried.

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 the City Council Meeting Minutes of January 21, 2020
- b. Claims Report
- c. Tax Abatements
- d. **RESOLUTION NO. 200203-29** – Resolution affixing a public hearing for March 2nd, 2020 on proposed Future Land Use Map update from Multi-Family Residential to Low-Density Residential and a rezoning from the General Commercial (C-2) District and Multi-Family Residential (R-3) District to the Medium

Density Residential (R-2) District on the single-family detached development land within the Prairie Point View Preliminary Plat development area

- e. **RESOLUTION NO. 200203-30** – Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with MPP Partners, LLC, Including Annual Appropriation Tax Increment Payments
- f. **RESOLUTION NO. 200203-31** – Resolution approving the MidAmerican proposed gas main extension
- g. **RESOLUTION NO. 200203-32** – Resolution approving the updated Ball Field Lease
- h. **RESOLUTION NO. 200203-33** – Resolution affixing a public hearing date for March 2nd to hear comments on the proposed Sankey 80-20 annexation.
- i. **RESOLUTION NO. 200203-34** – Resolution approving City Hall furniture purchase
- j. **RESOLUTION NO. 200203-35** – Resolution approving audio visual hardware and services agreement with Embark in the amount of \$53,671.00
- k. **RESOLUTION NO. 200203-36** – Resolution approving the IT agreement with Etech Solutions LLC in the amount of \$18,180
- l. Confirming reappointment of Wes Enos as Mayor Pro Tem
- m. **RESOLUTION NO. 200203-37** – Resolution approving the pay application No. 2 for the contract with Eick and Day Construction in the amount of \$192,340.61

Motion by Pfeffer, seconded by McKenzie, to remove 87 Paine St SE from the tax abatement table. Roll Call: Ayes: McKenzie, Cox, Elrod, Pfeffer. Nays: None. Absent: Enos. Motion carried 4-0.

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

- 7. Guests requesting to address the City Council – None.
- 8. Polk County Sheriff's Report – Captain VanHoozer reported 483 calls of service, 180 business checks, 56 traffic stops, 5 arrests
- 9. **PROCLAMATION** – 19th Amendment Centennial Commemoration

Motion by Pfeffer, seconded by Elrod, to close the regular meeting and move into public hearing at 6:11 p.m. Roll Call: Ayes: Keeler, Pfeffer, Cox, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

- 10. **PUBLIC HEARING** – Regarding Proposed Max Levy Rate

City Administrator Marketa Oliver explained the Max Levy Rate and there was no public comment

Motion by Pfeffer, seconded by Elrod, to close the public hearing and move back to the regular meeting at 6:15 p.m. Roll Call: Ayes: McKenzie, Cox, Elrod, Pfeffer. Nays: None. Absent: Enos. Motion carried 4-0.

11. **RESOLUTION NO. 200203-38** – approving the Maximum Property Tax Dollars for Affected Tax Levies for FY21

Motion by Pfeffer, seconded by Cox, to approve Resolution No. 200203-38. Roll Call: Ayes: McKenzie, Cox, Elrod, Pfeffer. Nays: None. Absent: Enos. Motion carried 4-0.

Motion by Pfeffer, seconded by Elrod, to close the regular meeting and move into public hearing at 6:16 p.m. Roll Call: Ayes: Keeler, Pfeffer, Cox, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

12. **PUBLIC HEARING** – Regarding Sankey 100% Voluntary

No public comment

Motion by Pfeffer, seconded by Elrod, to close the public hearing and move back to the regular meeting at 6:17 p.m. Roll Call: Ayes: McKenzie, Cox, Elrod, Pfeffer. Nays: None. Absent: Enos. Motion carried 4-0.

13. **RESOLUTION NO. 200203-39** – Resolution considering Sankey 100% voluntary annexation approval

Motion made by Elrod, seconded by Cox, to approve RESOLUTION NO. 200203-39. Roll Call: Ayes: McKenzie, Cox, Pfeffer, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

Motion by Pfeffer, seconded by Elrod, to close the regular meeting and move into public hearing at 6:18 p.m. Roll Call: Ayes: Keeler, Pfeffer, Cox, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

14. **PUBLIC HEARING** – Regarding Sankey 100% Voluntary

No public comment

Motion by Pfeffer, seconded by Elrod, to close the public hearing and move back to the regular meeting at 6:19 p.m. Roll Call: Ayes: McKenzie, Cox, Elrod, Pfeffer. Nays: None. Absent: Enos. Motion carried 4-0.

15. **RESOLUTION NO. 200203-40**– Resolution considering Webb annexation approval

Motion made by Elrod, seconded by Pfeffer, to approve RESOLUTION NO. 200203-40. Roll Call: Ayes: McKenzie, Cox, Pfeffer, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

Motion by Pepper, seconded by Elrod, to close the regular meeting and move into public hearing at 6:20 p.m. Roll Call: Ayes: Keeler, Pepper, Cox, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

16. **PUBLIC HEARING** – Regarding Sankey W Rezoning

Motion by Pepper, seconded by Cox, to close the public hearing and move back to the regular meeting at 6:39 p.m. Roll Call: Ayes: McKenzie, Cox, Elrod, Pepper. Nays: None. Absent: Enos. Motion carried 4-0.

17. **ORDINANCE NO. 200203-200** – (First 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 Medium Density Residential (R-2)

Motion made by Elrod, seconded by McKenzie, to approve the first reading of ORDINANCE NO. 200203-200. Roll Call: Ayes: McKenzie, Cox, Pepper, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

Motion by Pepper, seconded by McKenzie, to close the regular meeting and move into public hearing at 6:40 p.m. Roll Call: Ayes: Keeler, Pepper, Cox, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

18. **PUBLIC HEARING** – Regarding Sankey E Rezoning

No public comment

Motion by Pepper, seconded by Elrod, to close the public hearing and move back to the regular meeting at 6:41 p.m. Roll Call: Ayes: McKenzie, Cox, Elrod, Pepper. Nays: None. Absent: Enos. Motion carried 4-0.

19. **ORDINANCE NO. 200203-201** – (First 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 Medium Density Residential (R-2)

Motion made by Elrod, seconded by Cox, to approve the first reading of ORDINANCE NO. 200203-201. Roll Call: Ayes: McKenzie, Cox, Pepper, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

Motion by Pepper, seconded by McKenzie, to close the regular meeting and move into public hearing at 6:42 p.m. Roll Call: Ayes: Keeler, Pepper, Cox, Elrod. Nays: None. Absent: Enos. Motion carried 4-0.

20. **PUBLIC HEARING** – Regarding Webb Rezoning

Motion by Cox, seconded by Elrod, to close the public hearing and move back to the regular meeting at 6:58 p.m. Roll Call: Ayes: McKenzie, Cox, Elrod. Nays: None. Absent: Enos, Peffer. Motion carried 3-0.

21. **ORDINANCE NO. 200203-202** – (First 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 Planned Unity Development (R-5)

Motion made by Cox, seconded by McKenzie, to approve the first reading of ORDINANCE NO. 200203-202. Roll Call: Ayes: McKenzie, Cox, Elrod. Nays: None. Absent: Enos, Peffer. Motion carried 3-0.

Motion by Elrod, seconded by McKenzie, to close the regular meeting and move into public hearing at 6:59 p.m. Roll Call: Ayes: Keeler, Cox, Elrod. Nays: None. Absent: Enos, Peffer. Motion carried 3-0.

22. **PUBLIC HEARING** – Regarding Quail Run Plat 1 5-5 Modification

Motion by Elrod, seconded by Cox, to close the public hearing and move back to the regular meeting at 7:03 p.m. Roll Call: Ayes: McKenzie, Cox, Elrod. Nays: None. Absent: Enos, Peffer. Motion carried 3-0.

23. **ORDINANCE NO. 200203-203** – (First Reading) Ordinance amending the Code of Ordinances of the City of Bondurant, Iowa, 2002, by modifying the zoning classification of an existing Planned Unit Development (R-5) designation

Motion made by McKenzie, seconded by Cox, to approve the first reading of ORDINANCE NO. 200203-203. Roll Call: Ayes: McKenzie, Cox, Elrod. Nays: None. Absent: Enos, Peffer. Motion carried 3-0.

24. Discussion Items –

- a. City Hall Lobby Work – Council has approved staff to proceed with the Lobby alternate bid
- b. Des Moines Water Works – Council has guided staff to stay involved with the water discussions

25. Reports / Comments and appropriate action thereon:

- a. Mayor – MPO update, EPIC update
- b. Council Members
 - Elrod – DART levy update
 - Cox – BDI update, Chamber update, Prairie Vision Center open house on Leap Day
 - Enos – Absent.
 - McKenzie – Lib Board update, Women in Government update
 - Peffer – Absent.
- c. City Administrator – Email from McCool, BlueJay company announcement Thursday at 7am
- d. Directors
 - Horton – Public Improvements update

- Sanders – Accreditation report update, Library Architect contract
- Murray – Truck traffic ordinance update
- Kreuder – MCM fire update, commended John Horton and City Staff for working together better than ever before
- e. City Attorney – Commended Council for their teamwork and transparency

Motion by Elrod, seconded by Cox, to close the Regular Meeting and move into Closed Session at 7:48 p.m. Roll Call: Ayes: McKenzie, Cox, Elrod. Nays: None. Absent: Enos, Pfeffer. Motion Carried 3-0.

26. **CLOSED SESSION** – Pursuant to Iowa Code 21.5.1(j) to discuss property acquisition/disposition and Iowa Code 21.5.1(c) to discuss potential litigation

Mayor Sullivan closed the Closed Session and moved back to the Regular Meeting at 8:23 p.m.

27. Adjournment

Moved by Elrod, seconded by Cox, to adjourn the meeting at 8:24 p.m. Vote on Motion 3-0. Motion carried.

Craig Marshman, Interim 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 February 3, 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 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