

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

BONDURANT CITY COUNCIL
Minutes
May 18, 2020
Bondurant City Council

1. Roll Call

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

City Officials

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

2. Call to Order and Declaring a Quorum

Mayor Sullivan called the meeting to order at 6:05 p.m. and declared a quorum.

3. Abstentions Declared – None.

4. Perfecting and Approval of the Agenda

Motion made by Enos, seconded by Peffer, to amend the agenda by removing item #5f and moving item #23 to #4a. Vote on Motion 5-0. Motion carried.

Motion made by Enos, seconded by Peffer, to approve the agenda as amended. Vote on Motion 5-0. Motion carried.

a. **RESOLUTION NO. 200504-136**- Resolution approving the Preliminary Plat of I-80 Business Park

City Engineer Veenstra clarified that the stormwater projections meet the City's current requirements, discussed the traffic study's findings, and the impact of the potential development to the north.

Motion by Enos, seconded by Cox, to approve RESOLUTION NO. 200504-136. Roll Call: Ayes: McKenzie, Enos, Cox. Nays: Peffer, Elrod. Absent: None. Motion Carried 3-2.

5. Consent Agenda:

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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 May 4, 2020
- b. Receive and File – Planning & Zoning Commission Meeting Minutes of April 9, 2020
- c. Receive and File – Library Board Meeting Minutes of April 1, 2020 and Librarian’s Report
- d. Claims Report
- e. Tax Abatements
- f. **RESOLUTION NO. 200504-133** – Resolution awarding Private Placement Loan Proposal
- g. **RESOLUTION NO. 200518-139** – Resolution approving Changer Order #1 for the Northwest Trunk Sewer Public Improvement Project
- h. **RESOLUTION NO. 200518-140** – Resolution approving Changer Order #2 for the Northwest Trunk Sewer Public Improvement Project
- i. **RESOLUTION NO. 200518-141** – Resolution approving Pay Application #2 to McAninch Corporation for the 32nd Street/Grant Street/Shiloh Rose Parkway Improvements Project in the amount of \$3,161,724.99
- j. **RESOLUTION NO. 200518-142** – Resolution approving Pay Application #2 to Ryan Companies for the Project Bluejay Offsite Improvements in the amount of \$109,847.84
- k. **RESOLUTION NO. 200518-143** – Resolution approving Amendment #2 of the Shive-Hattery Contract for the Project Bluejay Public Improvements
- l. **RESOLUTION NO. 200518-144** – Resolution approving Pay Application #5 to Shive-Hattery for the Project Bluejay Public Improvement Project in the amount of \$365,400.00
- m. **RESOLUTION NO. 200518-145** – Resolution approving the Park Side Plat 2 Plat of Survey
- n. **RESOLUTION NO. 200518-146** – Resolution levying Assessment for Cost of Delinquent Water for 1112 Lincoln Street, Southeast, Bondurant, Polk County, Iowa
- o. **RESOLUTION NO. 200518-147** – Resolution approving the Faller, Kincheloe and Co., PLC for Audit Services for FY 2020, 2021, 2022
- p. **RESOLUTION NO. 200518-148** – Resolution approving Construction Estimate Provided by Lifetime Construction LLC for the Construction of Covered Park Shelter at Efnor Estates Park
- q. **RESOLUTION NO. 200518-149** – Resolution setting Date for Public Hearing on Designation of the Expanded Bondurant Urban Renewal Area and on Urban Renewal Plan Amendment

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

6. Guests requesting to address the City Council – None.

Motion by Enos, seconded by McKenzie, to close the regular City Council meeting and move into Public Hearing at 6:16 p.m. Roll Call: McKenzie, Pepper, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

7. **PUBLIC HEARING** – Regarding FY2020 Budget Amendment #2

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Mayor Sullivan explained the areas and reasons for the amendment.

No public comment.

Motion by Enos, seconded by Cox, to close the regular City Council meeting and move into Public Hearing at 6:18 p.m. Roll Call: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

8. **RESOLUTION NO. 200518-150** – Resolution approving the FY2020 Budget Amendment #2, Including Year-End Transfers

Motion by Enos, seconded by McKenzie, to approve RESOLUTION NO. 200518-150. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

Motion by Enos, seconded by McKenzie, to close the regular City Council meeting and move into Public Hearing at 6:19 p.m. Roll Call: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

9. **PUBLIC HEARING** – Regarding Zoning Code Text Amendments to Sections 178.08.4.B & 177.06

Planning & Community Development Director Murray explained the text amendments noting that Section 177.06 has been removed.

No public comment.

Motion by Enos, seconded by Cox, to close the regular City Council meeting and move into Public Hearing at 6:22 p.m. Roll Call: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

10. **ORDINANCE NO. 200518-214** – (First Reading) Ordinance amending the City Code of Bondurant, Iowa, by amending the following Section of the Zoning Ordinance, Sections 178.08.4.B & 177.06

Motion by Enos, seconded by Cox, to waive the first and second reading, and approve the third and final reading of ORDINANCE NO. 200518-214 with the removal of Section 177.06. Roll Call: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

Motion by Enos, seconded by McKenzie, to close the regular City Council meeting and move into Public Hearing at 6:23 p.m. Roll Call: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

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11. **PUBLIC HEARING** – Regarding the Proposed Plans, Specifications, Form of Contract and Estimate of Cost for the Construction of the 2nd Street, North and Grant Street Intersection Improvements

Public Works Director Horton explained the project. City Engineer Greg Roth presented the projected timeline of the project.

Motion by Elrod, seconded by Enos, to close the regular City Council meeting and move into Public Hearing at 6:27 p.m. Roll Call: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion Carried 5-0.

12. **RESOLUTION NO. 200518-151** – Resolution adopting the Proposed Plans, Specifications, Form of Contract and Estimate of Cost for the Construction of the 2nd Street and Grant Street Intersection Improvements

Motion by Elrod, seconded by Enos, to approve RESOLUTION NO. 200518-151. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

13. **RESOLUTION NO. 200518-152** – Resolution awarding the 2nd Street, Southeast Parking Lot Contract to All Star Concrete in the amount of \$99,924.18

Motion by Enos, seconded by Cox, to approve RESOLUTION NO. 200518-152. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

14. **RESOLUTION NO. 200518-153** – Resolution approving the Law Enforcement Services Agreement with the Polk County Sheriff

Motion by Elrod, seconded by Enos, to approve RESOLUTION NO. 200518-153. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

15. **ORDINANCE NO. 200504-213** – (Second Reading) Ordinance amending the City Code of Bondurant, Iowa, by amending the following Section of the Zoning Ordinance, Section 179.01.2.2.b.5.a

Motion by Cox, seconded by Enos, to waive the second reading, and approve the third and final reading of ORDINANCE NO. 200504-213. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

16. **RESOLUTION NO. 200504-135** – Resolution adopting the Bondurant Regional Commercial Master Plan

Motion by Elrod, seconded by Enos, to approve RESOLUTION NO. 200504-15. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

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17. **RESOLUTION NO. 200518-154** – Resolution approving the Site Plan for the Proposed Kum & Go Project at 3015 Oxbow Court, Southwest

Keith Weggen, Civil Design Advantage, explained the Site Plan to the Council. Council Member Elrod questioned signage, lighting, and truck routes. Planning & Community Development Director Murray reported that they have submitted a variance request for signage.

Motion by Enos, seconded by Elrod, to approve RESOLUTION NO. 200518-154. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

18. **RESOLUTION NO. 200518-155** – Resolution approving the Site Plan for the Proposed Kaleidohope Learning & Resource Center Project at 109 Main Street, Southeast

Darryl & Marci Bailey, 10591 NE 82nd Avenue, presented their project to Council and explained the three proposed phases.

Motion by Elrod, seconded by Enos, to approve RESOLUTION NO. 200518-155. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

19. **RESOLUTION NO. 200518-156** – Resolution of support for the City's Wellmark Grant Application Regarding the CVT Project

Motion by Enos, seconded by McKenzie, to approve RESOLUTION NO. 200518-156. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

20. **RESOLUTION NO. 200518-157** – Resolution approving Changes to the Employee Handbook Related to Holiday Pay for Part-Time Employees

Motion by Enos, seconded by Peffer, to approve RESOLUTION NO. 200518-157. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

21. **RESOLUTION NO. 200518-158** – Resolution approving the Acquisition of Certain Property Interests Associated with the NW Trunk Sewer Public Improvements, Authorizing Payment for the Acquisition of Property Interests and Authorizing the Taking of Necessary Steps for the Closing of the Property Acquisition Transactions

Motion by Enos, seconded by Peffer, to approve RESOLUTION NO. 200518-158. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

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22. **RESOLUTION NO. 200518-159** – Resolution approving the Development Agreement Between the City of Bondurant and Quail Run, LLC and Quail Run II, LLC

Motion by Enos, seconded by Cox, to approve RESOLUTION NO. 200518-159. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

24. **ORDINANCE NO. 200518-215** – (First Reading) Ordinance amending the City Code of Bondurant, Iowa, by amending Chapter 47, Park Regulations to Remove Night Fishing Permit Requirements

Motion by Elrod, seconded by Enos, to waive the first and second reading, and approve the third and final reading of ORDINANCE NO. 200518-215. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

25. Discussion Items –

- a. Actions related to COVID-19, including utility billing and facility plans

City Administrator Oliver explained the updates and plan for reopening City facilities. Each facility will be opening in phases. Council expressed concerns with the utility billing plan, and Mayor Sullivan noted that the reopening plan is flexible based on the State's regulations.

26. Reports / Comments and appropriate action thereon:

- a. Mayor – EPIC announced a grant from Facebook for local businesses.

- b. Council Members

Elrod – None.

Cox – Chamber update.

Enos – None.

Peffer – None.

McKenzie – None.

- c. Administrator – None.

- d. Directors

Horton – None.

Murray – None.

Kreuder – Postponing the Fun/Run with the Polk County Sheriff's Department.

Sanders – Tablet and hot spot update, Library Board update.

Motion by Enos, seconded by Cox, to close the regular City Council meeting and move into Closed Session at 7:15 p.m. Roll Call: Ayes: McKenzie, Peffer, Enos, Cox, Elrod. Nays: None. Absent: None. Motion carried 5-0.

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

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Mayor Closed the Closed Session and move back into the Regular City Council Meeting at 7:45 p.m.

28. Adjournment

Moved by Peffer, seconded by Cox, to adjourn the meeting at 7:46 p.m. Vote on Motion 5-0.
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 May 18, 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