



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

March 12, 2018

### **A. CALL TO ORDER BY MAYOR AND ROLL CALL**

The City Council of the City of Pella, Iowa, met in special session at the Public Safety Complex meeting room at 7:00 p.m., Mayor Jim Mueller presiding. Council members present were: Mark De Jong, Tony Bokhoven, Harold Van Stryland, Larry Peterson. Absent: Bruce Schiebout, Lynn Branderhorst. City Administrator Mike Nardini and City Clerk Mandy Smith were present. No staff members or members of the general public were in attendance.

### **B. MAYOR'S COMMENTS**

1. Approval of tentative agenda. Van Stryland moved to approve the tentative agenda, seconded by Bokhoven. On roll call the vote was: AYES: Van Stryland, Bokhoven, Peterson, De Jong. NAYS: None. Motion carried.

### **\*PUBLIC FORUM (for anyone wishing to address Council regarding agenda items)**

No comments were received.

### **C. APPROVAL OF CONSENT AGENDA**

Peterson moved to approve the consent agenda, seconded by De Jong. On roll call the vote was: AYES: Peterson, De Jong, Bokhoven, Van Stryland. NAYS: None. Motion carried. The following items were approved:

1. Approval of Minutes
  - a. Official Council Minutes for March 6, 2018
2. Report of Committees
  - a. Policy and Planning Minutes for March 6, 2018

PRESENT: Mayor Jim Mueller, Tony Bokhoven, Lynn Branderhorst, Harold Van Stryland, Larry Peterson

ABSENT: Mark De Jong, Bruce Schiebout

OTHERS: City staff and visitors

The Policy and Planning meeting began at 9:08 p.m. The first item was a discussion about two proposed ordinances, outlined below, related to the use and sales of fireworks.

1. Ordinance regarding consumer fireworks use, which would:
  - Define consumer fireworks as identified under state code.
  - State that any violation of the code section would be subject to a \$250 fine.
  - Continue to prohibit the use of consumer fireworks within City limits.
2. Ordinance regarding the sale of consumer fireworks, which would:
  - Limit sales of consumer fireworks to industrial (M1/M2) zoning districts.
  - Require the sale of fireworks to be a primary use.
  - Apply to 'subarea A' within the City's two-mile jurisdiction in Marion County.
  - Apply to the areas within the City's two-mile jurisdiction in Mahaska County.

Council was in support of proceeding with the ordinance regarding consumer fireworks use, as drafted. Council also expressed support of the ordinance regarding the sale of consumer fireworks, however additional discussion ensued regarding the zoning ordinance provisions that apply to M1/M2 zoning districts that would prevent temporary structures, such as a tent. At the end of the discussion, staff was directed to draft a moratorium on issuing peddlers permits for temporary fireworks sales. The moratorium would be in effect until Council could take formal action on the proposed ordinances. As a next step, the Planning and Zoning Commission will review the ordinances and staff will work with legal counsel to obtain additional clarification regarding the requirements of a physical structure, or allowance of a temporary structure, in the M1/M2 zoning districts.

The next item was a discussion regarding a request from Central College for a change in on-street parking along the north side of the 900 block of Independence Street, across from Hoffman Hall. Central College is planning to relocate the facilities maintenance department to Hoffman Hall in March. As a result, Central College employees and service vehicles will utilize the parking lot on the north side of Independence Street across from Hoffman Hall far more frequently. Under existing conditions, sight lines at the parking lot exit are limited when vehicles are densely parked along the north side of Independence Street.

Staff is recommending prohibiting parking in the 25' (one parking space) to the east and to the west of the parking lot entrance, and placing no parking signs in the area. It was unanimous to have staff proceed with modifying on-street parking in the 900 block of Independence Street.

The meeting adjourned at 9:35 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

**D. \*PUBLIC HEARINGS** – None

**E. PETITIONS & COMMUNICATIONS** – None

**F. PLANNING & ZONING ITEMS** – None

**G. ADMINISTRATION REPORTS** – None

**H. RESOLUTIONS**

1. Resolution No. 5848 entitled, “RESOLUTION CALLING A SPECIAL CITY ELECTION”. Bokhoven moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: Bokhoven, Van Stryland, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: This resolution establishes May 1, 2018 as the referendum date for authorizing a municipal telecommunications utility. As background, under Iowa law, the citizens of Pella must authorize a municipal telecommunications utility. The referendum simply seeks authorization from our citizens to establish a telecommunications utility. Likewise, the referendum does not establish a time frame or deadline for proceeding with the operation or construction of a municipal telecommunications utility, but rather provides City Council with the discretion to proceed with the utility when it is feasible for the City of Pella. Listed below is background information on this topic.

Reasons for a Municipal Telecommunications Utility

The need for a municipal telecommunications utility is being driven by concerns expressed by citizens and businesses regarding access to high-speed internet. Furthermore, a municipal telecommunications utility could help meet the long-term high-speed internet access needs of our citizens and businesses.

It is also important to note that many rural communities across Iowa have either formed municipal telecommunications utilities, or are in the process of forming the utility. The reasons these communities have authorized the formation of a municipal telecommunications utility are similar to the reasons the City of Pella is considering this issue.

ATTACHMENTS:	Resolution, Proposed Referendum Language
REPORT PREPARED BY:	Administration
REVIEWED BY:	CITY ADMINISTRATOR CITY CLERK
RECOMMENDATION:	Approve resolution

**I. ORDINANCES** – None

**J. CLAIMS** – None

**K. OTHER BUSINESS / \*PUBLIC FORUM (any additional comments from the public)**

No comments were received.

**L. CLOSED SESSION** – None

**M. ADJOURNMENT**

There being no further business claiming their attention, Peterson moved to adjourn, seconded by De Jong. On roll call the vote was: AYES: Peterson, De Jong, Bokhoven, Van Stryland. NAYS: None. Motion carried. Meeting adjourned at 7:03 p.m.