



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

January 5, 2021

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

The City Council of the City of Pella, Iowa, met in regular session at the Public Safety Complex (614 Main Street) at 7:00 p.m., Mayor Don DeWaard presiding. Council members present were: Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Bruce Schiebout, Dave Hopkins. Absent: None.

City Administrator Mike Nardini, City Clerk Mandy Smith, and four additional staff members were present in person. Due to heightened public health risks associated with the COVID-19 pandemic, this meeting was broadcast via conference call. Two staff members and two members of the general public attended the conference call.

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

1. Announce no Policy and Planning meeting will follow the regular Council meeting.

2. Approval of Tentative Agenda.

Branderhorst moved to approve, seconded by Bandstra.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

3. Reappointment of Susan Reiter to the Board of Adjustment.

De Jong moved to approve, seconded by Sporrer.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: Mayor DeWaard would like to reappoint Susan Reiter to the Board of Adjustment. Susan has served on this Board since 2016 and has attended seven of the eight meetings held in the last year. She is retired, but previously worked as a legal clerk for San Diego County, California as well as for Pella Corporation in International Sales. Susan has resided in Pella for over 20 years. If approved, Susan's new five-year term would expire on January 1, 2026.

ATTACHMENTS: None

REPORT PREPARED BY: Deputy City Clerk

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve the reappointment

4. Reappointment of Sid Pinney to the Airport Committee.

Schiebout moved to approve, seconded by De Jong.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: Mayor DeWaard would like to reappoint Sid Pinney to the Airport Committee. Sid is a resident of Pella and has served on this committee since 2017. He also serves on the South Central Regional Airport Agency. If approved, Sid's new six-year term would expire on January 1, 2027.

ATTACHMENTS: None

REPORT PREPARED BY: Public Works Department

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve the reappointment

5. Reappointment of Rhonda Kermode to the Historic Preservation Commission.

Branderhorst moved to approve, seconded by De Jong.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: Mayor DeWaard would like to reappoint Rhonda Kermode to serve another term on the Historic Preservation Commission. Rhonda has served on this Commission since 2015, and she attended all six meetings that were held over the past year. She previously served on the Ad Hoc Historic Preservation Committee in 2014 and has experience with window restoration and other preservation issues, along with knowledge of historic tax credits and grants. Rhonda lives at 510 Broadway Street. If approved, Rhonda's new three-year term would expire on January 1, 2024.

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REPORT REVIEWED BY: City Administrator

RECOMMENDED ACTION: Approve the reappointment

6. Reappointment of Lila Turnbull to the Historic Preservation Commission.

Bandstra moved to approve, seconded by Branderhorst.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: Mayor DeWaard would like to reappoint Lila Turnbull to serve another term on the Historic Preservation Commission. Lila has served on this commission since 2018, and she attended all six meetings that were held over the past year. She has attended several conferences and training sessions regarding historic preservation and restored the prominent Victorian home located at 1261 185th Street. She is currently retired and has experience as an interior designer. Lila lives at 401 Union Street. If approved, Lila's new three-year term would expire on January 1, 2024.

ATTACHMENTS: None  
REPORT PREPARED BY: City Clerk  
REPORT REVIEWED BY: City Administrator  
RECOMMENDED ACTION: Approve the reappointment

7. Announce closed session pursuant to Iowa Code Chapter 388.9(1) to discuss marketing and pricing strategies or proprietary information of a city utility if its competitive position would be harmed by public disclosure not required of potential or actual competitors, and if no public purpose would be served by such disclosure.

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

No comments were received.

**C. APPROVAL OF CONSENT AGENDA**

Schiebout moved to approve the consent agenda, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

The following items were approved:

1. Approval of Minutes
  - a. Official Council Minutes for December 15, 2020
2. Report of Committees
  - a. Policy and Planning Minutes for December 15, 2020

PRESENT: Mayor Don DeWaard, Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Bruce Schiebout, Dave Hopkins

ABSENT: None

OTHERS: City staff and visitors

The Policy and Planning meeting began at 7:59 p.m. The first item on the agenda was a review of the budget impacts due to COVID-19. In addition, staff reviewed significant projects expected during fiscal year 21-22 including Central Business District infrastructure upgrades, Community Center renovations, and improvements at the old Power Plant site on Oskaloosa Street. As this agenda item was an informational update, no formal direction was given to staff. The significant projects previously mentioned will be discussed in more detail during the upcoming budget work sessions in early 2021.

The next item on the agenda was a discussion regarding the City of Pella's official newspaper for 2021. Iowa Code requires cities to designate an official newspaper for legal publications on an annual basis. In January of 2020, the City Council designated the Pella Chronicle as the official newspaper for 2020 legal publications. After the Pella Chronicle ceased operations in May, Council designated the Des Moines Register as the official newspaper for the remainder of 2020.

Iowa Code Section 618.3 outlines four requirements that must be met in order to be designated as an official newspaper for legal publications. Those requirements include:

1. Is a newspaper of general circulation that has been published at least once a week for at least 50 weeks per year within the area and regularly mailed through the post office of entry for at least two years.
2. Has a list of subscribers who have paid, or promised to pay, at more than a nominal rate, for copies to be received during a stated period.
3. Devotes at least 25% of its total column space in more than one-half of its issues during any 12-month period to information of a public character other than advertising.
4. Is paid for by at least 50% of the persons or subscribers to whom it is distributed.

Both the Des Moines Register and the Oskaloosa Herald have requested to be the City of Pella's official newspaper for 2021. Staff consulted with the City Attorney who has determined that the Oskaloosa Herald does not currently meet the first requirement outlined above as they have been in circulation for less than one year within the City of Pella. Council expressed a desire to designate the Oskaloosa Herald as the official newspaper. At the end of the discussion, staff was directed to follow-up with the City Attorney regarding the options for choosing to designate the Oskaloosa Herald as the City of Pella's official newspaper for 2021.

The meeting adjourned at 8:33 p.m.

Respectfully submitted:

Mandy Smith, City Clerk

- b. Airport Committee Minutes for September 25, 2020

Members Present: Rick Gritters, David Barnes, Dave Erickson, Ted Zylstra, Matt Hutchinson

Members Absent: Tom Vander Linden, Sid Pinney

Others Present: Shane Vande Voort, Calvin Bandstra

Approval of Minutes: Previous minutes reviewed and amended (as) requested Motion: Brought by Ted Zylstra to approve amended minutes Supported by Dave Barnes Motion passed unanimously

Update:

Discussion on the update of recommendation to City Council Policy and Planning Committee.

The City council will vote on Oct. 6th, on releasing the \$69,000 in CARES funding, to compensate Classic Aviation. The requested updates to the large east hangar will be brought up in the 2021 budgeting process.

New Business:

Continued discussion on the roles and responsibilities of the Airport Committee, and the ability to bring forth recommendations to Council, to allow them to determine if there is justification for improvements and funding based on need, priority, and cost, before jumping straight to a staff decision based on lack of funding.

Due to the prolonged timeframe to transition to the Regional Airport, the Airport Committee chairman and Airport manager need to be present for future Public Works Department budgeting meetings, because the current policy to only address safety issues is not maintaining the Airport at a proper operational level. The inability of the City to provide adequate hangar space, is greatly impacting the ability of the FBO to meet customer needs. The airport, which is a gateway to the city, suffers when the City decides it does not want to be in the airport business, prior to closure of the facility.

As part of the ongoing need for heated and transient hangar space, the committee does not believe the Council is aware of the request of a private enterprise to build a new hangar at the current airport and lease space back to the FBO. This is an opportunity for taxable commercial development, that would help alleviate some of the hangar space needs on the City without requiring major investment. Based on the discussion with Councilman Bandstra, the committee decided to bring forth a motion that the City Council be engaged in this decision to be made aware of current lease issues delaying the forward progress of this hangar construction.

Motion: Brought by Ted Zylstra

Supported by Dave Barnes and Dave Erickson

The Committee requests that the City Council be engaged in the discussion to allow a private enterprise to build a new hangar on the existing Municipal Airport grounds, which will help alleviate current hangar needs.

Motion passed unanimously

Regional Airport: Update by David Barnes

Lawsuit against the Regional airport agency, by Mahaska county to extract itself from

28E agreement has been throw out.

One additional suit is still pending regarding the cities making accommodations for the road closure.

The outlook looks favorable in terms of the airport moving forward

Airport Managers report to the committee: By Shane Vande Voort COVID mitigation practices in place

\$60,400 impact due to runway closure has been presented to the city, and \$37,000 due to COVID for other measures being taken.

Agreed to receive the \$69,000 in CARES funds for operational needs

Contractors are making good progress on the runway, while some additional closures may be needed for painting after Oct 3rd. City is pushing back against this delay.

Garden and Associates has done a great job and should be considered more heavily in the future. HDR has been very distant.

The current FBO shop at Pella is receiving emergency repairs on the ceiling and floor, while the airport is closed, for a total of \$34,000. Metal has been placed on the ceiling and professionals have re-coated the floors.

Public works is replacing sections of the ramp, while the airport is closed.

The leased crop ground inside the wildlife fence, needs to be harvested and reseeded as grass.

The FAA funded and State maintained AWOS, is acting up. It is a European system no longer manufactured, so it is a retro-fit to repair, the cost to repair is prohibitive and the unit needs to be replaced This is a good item for FAA entitlement budgeting, as part of the CIP process, the new AWOS could be mobile and moved to the new airport in the future.

Final Comments: The Committee needs to continue working towards being part of the budget process and have a proposed budget ready to be presented for 2021 funding.

Adjourn: Motion by Rick Gritters Support by Ted Z. and David Barnes Passed unanimously

Next regular meeting will take place on October 30, 2020.

### c. Library Board Minutes for November 10, 2020

I. Call to Order: President Brenda Huisman called the meeting to order at 4:01 p.m. Due to heightened public health risks associated with the COVID-19 pandemic, accommodations were made to broadcast this meeting via Zoom for those who were unable to attend in person. Board member physically present was: Brenda Huisman. Board members present via Zoom were: Suzy Card, Nathan Copeland, Darath Fisher, Dayrel Gates, Kristi Leonard (joined meeting at 4:30 pm), and Kenny Nedder. Library Director Mara Strickler was physically present.

II. Recognition of Visitors and Visitor Comments: Calvin Bandstra, Pella City Council member was physically present.

III. Approval of Agenda: The November meeting agenda was received by all Board members prior to the meeting. There were no changes to the agenda. The agenda stood as presented.

IV. Disposition of Minutes: All Board members received the October 2020 minutes prior to the meeting. Kenny moved to approve the October minutes as amended. Suzy seconded the motion. The amended minutes were unanimously approved.

V. Approval of Bills: All Board members received the November list of bills prior to the meeting. After a brief discussion and questions regarding the bills, Nathan moved to approve the November bills. Suzy seconded the motion. The bills were unanimously approved.

VI. Unfinished Business:

Review of service models and COVID-19 –

Mara provided an update on the Governor’s state emergency proclamation. Libraries were not covered specifically in this proclamation. Based on Mara and Staff review there are no concerns regarding group sizes in the library breaking the current guidelines. No action is needed at this time.

Mara provided an update on the study room reopening process. She has been working with facilities to address ventilation. Pending further actions, she would like to review in January any potential reopening.

Mara has been in conversation with multiple district library directors regarding reduced services and closures. She does not recommend changes currently. The board reviewed the stance on the use of face masks. Suzy moved to request the Pella City Council allow the library to move forward with a mask mandate. Kenny seconded the motion. On roll call, the vote was: AYES: 5 (Suzy Card, Nathan Copeland, Darath Fisher, Dayrel Gates, and Kenny Nedder), NAYS: 1 (Brenda Huisman). The motion was approved.

VII. New Business:

Review of ADA checklist priorities 3&4 – Mara provided an update with recent changes made. She also recommended looking into providing a unisex restroom to better accommodate care givers administering aid to those of the opposite gender. After a review of potential options, Mara agreed to look further into the options including a capital improvement.

Review subscription cards and statistics – Mara reviewed the current subscription card service and usage. This service began out of a need to help support the residents of Pleasantville. There are currently 2 subscribers. There are currently no recommended changes.

Budget priorities – Mara reviewed the list of potential capital improvement projects and supplemental budget requests. The board provided feedback on priority of the projects. Mara will follow-up with additional information regarding the “Redbox” type service. This was the number one capital project priority identified.

VIII. President’s Report and Announcements:

Brenda provided reminder to sign-up with the new platform to attend events with the Iowa Library Association.

IX. Director’s Report:

Audiobook Collection – In reviewing circulation statistics for FY19/20, it was noted that circulation of audio books has dropped to approximately 3%, a significant reduction. As cds have become an outdated resource, we will no longer be purchasing books on cd, unless specifically requested by a patron. We will be transitioning to Playaways, mp3 players with preloaded titles. This format is successful at other regional libraries and local patrons have expressed an interest in Playaways. We are pleased to provide this resource to the local community.

Facilities Update – This summer staff noted peeling of the wallpaper and discoloration of the east wall of the Youth Department. Public Works staff are currently removing the wallpaper, scraping/sanding, and painting the wall. We are taking the opportunity to create a feature wall that will be appealing to children and families; this may become any interactive activity wall for young children.

Statistics

Fax24: 8 faxes sent in October

Adventure Passes: 7 passes checked out in October (5 to the Blank Park Zoo, 0 to the Botanical Gardens of Des Moines, 2 to the Pella Historical Society)

Hoopla: 593 total circulations borrowed by 288 unique patrons, 120 patrons used all 3 checkouts, Average price per circulation: \$1.93, Total monthly cost: \$1,142.29

ILL Agreement with Central College – After receiving input from City administration, the Library has recommended a flat fee of \$100 - \$250 for an anticipated increase in interlibrary loan requests from Central College faculty in June and July due the summer closure of the Geisler Library. This fee is intended to cover staff time and shipping costs. If incurred, printing fees and borrowing fees would be additional.

Upcoming events

Adults: Brown Bag Book Club via Zoom – *The German Girl*: Thursday, 11/19 at 12 pm

Youth:

Virtual Storytime via Zoom, see our Facebook page: M – Th at 10:30 am

Family Storytelling via Zoom – All ages: Tuesday, 11/10 at 6:30 pm – 7:30 pm

Update on complaint regarding the urns (planters) – Mara provided an update regarding a complaint she received with the planters in the front of the building. The board acknowledged the complaint and supported Mara in her actions taken.

X. Trustee training reports:

Upcoming November 12: Boardroom 2020 Series – Online: Who are you looking for – Mara reminded the board of the upcoming online event from 6:00-7:30 pm on November 12<sup>th</sup>

Upcoming January 12: Online library conference: Diversity inclusion – Mara recommended signing-up for this event via the Iowa Learn platform.

Marion County Trustee Training 2021 – Mara reviewed tentative plans to schedule Thursday, September 21<sup>st</sup> 2021 for the next Marion County Trustee Training. It will be from 6:00-8:00 pm at the Knoxville Public Library.

XI. Committee reports:

Personnel Committee - There was no committee report.

Policy Committee: Photo Release Policy (Table): This is still in review with the Law Librarian. Mara will follow-up again to see when examples can be made available. The Policy Committee will meet after these are available.

XII. Adjournment: President Brenda Huisman adjourned the meeting at 5:53 p.m. The next regularly scheduled Board Meeting is scheduled for December 8, 2020.

**D. \*PUBLIC HEARINGS**

1a. Public Hearing on the matter of the adoption of plans, specifications, form of contract, and estimate of cost for the construction of the Outside Drop Service Equipment and Installation.

No written or oral comments were received.

De Jong moved to close the public hearing, seconded by Schiebout.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: These resolutions adopt the plans, specifications, form of contract, estimate of costs, and award the construction contract for the for the Pella Fiber to the Premise (FTTP) Network Outside Drop Service Equipment and Installation project. As background, this project generally consists of the installation of a conduit from the public right of way and installation of a service drop inside the conduit from a subscriber terminal to the customer premises. Staff anticipates there will be approximately 2,000 service drop installations which will be completed by October 31, 2021.

As further background, Council awarded a construction contract for the FTTP project to Excel Utility Contractors on April 21, 2020. This contract initially included the outside drop service work; however, this item was removed from the contract as NewCom, the project engineer, recommended rebidding to allow focused invitations to a bidding audience whose core businesses are concentric to drop installations, potentially resulting in lower bid prices. The second bid opening for the project was held in June with only one bid received from MP Nexlevel in the amount of \$2,047,186.57. After review, NewCom recommended rejecting the bid as the price per foot for labor seemed unusually high.

The project was rebid on December 16, 2020; the following three bids were received:

Bidder Name	Total Bid Price
Excel Utility Contractors	\$1,273,075.56
Communication Data Link	\$1,759,294.69
MP Nexlevel	\$1,809,066.87

The engineer’s opinion of probable costs for this project was \$1,413,589.

Two resolutions, as outlined below, are on the agenda for consideration:

1. Resolution No. 6226: This resolution adopts the plans, specifications, form of contract, and estimate of costs for the outside drop service equipment and installation; staff is recommending approval.

2. Resolution No. 6227: This resolution awards the construction contract for this project to Excel Utility Contractors in the amount of \$1,273,075.56; staff is recommending approval.

In summary, staff is recommending approval of both resolutions as outlined above.

ATTACHMENTS: Resolution 6226, Bid Tab, Resolution 6227, Engineer Recommendation, Contract

REPORT PREPARED BY: City Administration

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolutions

1b. Resolution No. 6226 entitled, “RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE OUTSIDE DROP SERVICE EQUIPMENT AND INSTALLATION.”

Schiebout moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

1c. Consideration of Construction Bids.

1d. Resolution No. 6227 entitled, "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT FOR THE OUTSIDE DROP SERVICE EQUIPMENT AND INSTALLATION."

De Jong moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

2a. Public Hearing on the Pella Corporation Hangar Lease Amendment.

No written or oral comments were received.

Bandstra moved to close the public hearing, seconded by De Jong.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: This resolution approves a third amendment to the Hangar Lease Agreement with Pella Corporation as discussed with Council during the Policy and Planning meeting on October 6, 2020. As background, in 1990 the City and Rolscreen Company entered into a lease for property at the Pella Municipal Airport. This agreement was amended in 1993 to update the lessee's name to Pella Corporation and to allow subletting of a portion of the leased property to Heritage Imports. Subsequently, in 2018, a second amendment to the lease was approved which extended the term of the agreement through December 31, 2027 and adjusted the annual rent.

Third Amendment

As discussed with Council in December, Weiler Transportation has requested to lease ground at the Pella Municipal Airport to construct an aircraft hangar. The proposed location, which is currently leased by Pella Corporation, is the last buildable lot available with the airport's current infrastructure. Pella Corporation is willing to remove this property from their lease under the condition that if the South Central Regional Airport is not constructed, the City would provide Pella Corporation with a buildable site at the current airport.

Below is a summary of the key terms involved with this amendment:

Lease Area: The lease area is reduced as shown in the attached Exhibit A. This reduction removes the ground that Weiler Transportation will be leasing to construct an aircraft hangar.

Future Hangar Site: Should the South Central Regional Airport not be completed for any reason, the City agrees to provide Pella Corporation with a buildable site at the Pella Municipal Airport. The potential location for this option is shown in the attached Exhibit A-1. The estimated cost to install infrastructure for a buildable site is approximately \$160,000.

Summary

Staff is recommending approval of this amendment. It is important to note that this amendment has been reviewed by the City Attorney.

ATTACHMENTS: Resolution, Third Amendment to Hangar Lease Agreement

REPORT PREPARED BY: City Administration

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

2b. Resolution No. 6228 entitled, "RESOLUTION APPROVING A THIRD AMENDMENT TO THE PELLA De Jong CORPORATION HANGAR LEASE."

Schiebout moved to approve, seconded by De Jong.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

**E. PETITIONS & COMMUNICATIONS** – None

**F. PLANNING & ZONING ITEMS** – None

**G. ADMINISTRATION REPORTS** – None

**H. RESOLUTIONS**

1. Resolution No. 6229 entitled, "RESOLUTION NAMING DEPOSITORIES."

Branderhorst moved to approve, seconded by Sporrer.

On roll call the vote was:

AYES: 5 (Branderhorst, Sporrer, De Jong, Schiebout, Hopkins)

NAYS: None

ABSTAIN due to a conflict of interest: 1 (Bandstra)

Motion carried.

BACKGROUND: Iowa Code Chapter 12C requires cities to approve financial institutions where public funds are deposited. This resolution approves the following list of financial institutions to be depositories of the City of Pella funds and also maintains their authorized deposit levels of \$30 million.

Depository Name Approved Maximum Balance

US Bank \$30,000,000

Marion County Bank \$30,000,000

MidWestOne \$30,000,000

Leighton State Bank \$30,000,000

Bank Iowa \$30,000,000

ATTACHMENTS: Resolution

REPORT PREPARED BY: Finance Department

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolution

2. Resolution No. 6230 entitled, "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO THE AGREEMENT FOR PRIVATE DEVELOPMENT BY AND BETWEEN THE CITY OF PELLA AND SOUTH MAIN, LLC."

Branderhorst moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: This resolution approves and authorizes execution of a second amendment to the agreement for private development with South Main I, LLC. As background, in December of 2018, Council approved this development agreement which included 42 housing units with price points allowing for a diverse buyer pool. In addition, the development will contain high-end housing finishes, a courtyard, extensive landscaping, and a community building. The location of the project is the former Webster School site on south Main Street and is approximately three acres in size. The overall estimated cost of the development is approximately \$16.5 million.

First Amendment

In February of 2020, Council approved a first amendment to the development agreement to extend the deadlines for both the first phase and second phase of the improvements due to construction delays.

Second Amendment

The first phase of the development, which includes buildings one through three, is nearing the end of construction. As a result, this proposed second amendment is for the purpose of specifically identifying the first phase and second phase parcels within the development agreement.

In summary, staff is recommending approval of this resolution approving and authorizing execution of a second amendment to the agreement for private development with South Main I, LLC.

ATTACHMENTS: Resolution, Second Amendment to the Development Agreement, Map  
REPORT PREPARED BY: City Administration  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDED ACTION: Approve resolution

3. Resolution No. 6231 entitled, "RESOLUTION APPROVING CHANGE ORDER NO. 3 WITH SYNERGY CONTRACTING FOR THE FIFIELD ROAD WATER MAIN IMPROVEMENTS PROJECT."

Schiebout moved to approve, seconded by De Jong.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: This resolution approves change order no. 3 with Synergy Contracting for the Fifield Road Water Main Improvements project. As background, this project consists of all labor, material, and equipment to construct a 16" water main located along Fifield Road from W. 9th Street to the 2600 block and extending north to W. Washington Street.

Change Order No. 3

During construction, the contractor discovered that the existing water main connections at W. 9th Street were not found as expected; this necessitated the following changes:

Deduct a 12" x 12" tapping sleeve and valve	(\$9,100.00)
Add 8" x 8" tapping sleeve and valve	6,440.00
Add 10" water main connection	<u>13,455.20</u>
Total for change order no. 3	<u>\$10,795.20</u>

If approved, listed below is an updated contract summary:

Original contract	\$ 736,898.00
Change order no. 1	0.00
Change order no. 2	104,400.00
Change order no. 3	<u>10,795.20</u>
Revised contract amount	<u>\$ 852,093.20</u>

In addition, change order no. 3 adds two days to the original contract completion date which revises the contract completion date to December 2, 2020. In summary, staff is recommending approval of change order no. 3 as outlined above.

ATTACHMENTS: Resolution, Change Order No. 3  
REPORT PREPARED BY: Public Works Department  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDED ACTION: Approve resolution

4. Resolution No. 6232 entitled, "RESOLUTION APPROVING CHANGE ORDER #1 (FINAL QUANTITY ADJUSTMENT) AND ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE PELLA MUNICIPAL AIRPORT WILDLIFE FENCE PROJECT."

Branderhorst moved to approve, seconded by Sporrer.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: This resolution approves change order no. 1 adjusting final quantities and accepts the public improvements for the Pella Municipal Airport Wildlife Fence project. As background, on February 18, 2020, Council approved a contract with Midwest Fence & Gate Company for this project which included removal of the existing agricultural fence and construction of an 8' deer fence with gates and a cattle guard.

Change Order (Final Quantity Adjustment)

Change order no. 1, in the amount of \$2,443.25, includes several minor final quantity adjustments:

- Additional 8' fence length (as-built)
- Additional 8' fence in lieu of cattle guard wings

If approved, listed below is a summary of the final contract:

Original contract	\$ 378,232.64
Change order no. 1	<u>2,443.25</u>
Revised contract amount	<u>\$ 380,675.89</u>

The engineer for the project, HDR Engineering, is recommending acceptance of the project and believes the project was completed in accordance with the approved plans and specifications. Staff is in agreement with the engineer's opinion; therefore, staff is recommending approval of this resolution approving change order no. 1 adjusting final quantities and accepting the public improvements constructed by Midwest Fence & Gate Company.

ATTACHMENTS: Resolution, Engineer's Certification of Substantial Completion, Change Order No. 1 (Final Quantity Adjustment)  
REPORT PREPARED BY: Public Works Department  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDED ACTION: Approve resolution

5. Resolution No. 6233 entitled, "RESOLUTION ENDORSING ROADWAY IMPROVEMENTS TO 250<sup>TH</sup> AVENUE IN CONNECTION WITH THE LELY NORTH AMERICAN HEADQUARTERS PROJECT AND AUTHORIZING SUBMISSION OF APPLICATION FOR GRANT FUNDING THROUGH THE REVITALIZE IOWA'S SOUND ECONOMY (RISE) PROGRAM."

Branderhorst moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: This resolution endorses the 250th Avenue roadway improvements project in connection with the Lely North American Headquarters project and authorizes staff to submit a grant application through the Revitalize Iowa's Sound Economy (RISE) program.

Lely North American Headquarters

As background, Lely North America, a world leader in robotic milking systems, is a subsidiary of Lely Industries (Maasluis, Netherlands). Overall, the Lely corporate framework encompasses activity in more than 40 countries and employs 1,300 people worldwide, including 55 employees within our community. In 2019, Council approved an Urban Renewal Plan and development agreement to encourage Lely to build its North American headquarters in Pella; this expansion would result in 15 new jobs. The location of the proposed headquarters is at the southwest corner of the Highway 163 and 250th Avenue interchange.

Paving of 250th Avenue Project

In support of the Lely North American Headquarters project, the City hired Veenstra & Kimm to plan, design, advertise for bidding, administer, and inspect the construction project paving 250th Avenue from the end of the existing pavement to the south property line of the Lely site, as outlined on the attached map. The project consists of approximately 879 linear feet of 24-foot-wide, eight-inch thick rural cross section roadway with six-foot gravel shoulders, including grading and drainage improvements.

Iowa Department of Transportation's RISE Program

The Iowa Department of Transportation's RISE program offers funding towards promoting economic development through the establishment, construction, and improvement of roads and streets. The program is targeted toward value-adding activities that feed new dollars into the economy and provide maximum economic impact to the state on primary or secondary roads, and city streets open for public use. While all counties and incorporated cities in Iowa are eligible to apply, funding is generally limited to industrial, manufacturing, warehousing, distribution, and professional office developments, with few exceptions.

Summary

In summary, staff is recommending approval of this resolution endorsing the 250th Avenue roadway improvements project in connection with the Lely North American Headquarters project and authorizes staff to submit a grant application through the RISE program, as outlined above.

ATTACHMENTS: Resolution, Map of 250th Avenue Project  
REPORT PREPARED BY: City Administration  
REVIEWED BY: City Administrator, City Clerk, Public Works Director  
RECOMMENDATION: Approve resolution

6. Resolution No. 6234 entitled, "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO CONVEY AN ACCESS EASEMENT, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF."

De Jong moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: This resolution establishes February 2, 2021 as the public hearing date for consideration of an access easement. As background, in 2014 the City purchased land for construction of the Jordan Well, as shown on the attached map. Within the purchase agreement for this property, the City was responsible to provide paved access through the Jordan Well site to serve the property located behind the well. The access was agreed to be constructed to public street standards in the event a subdivision was built in this area. Since that time, the site in question was purchased by Genlink. Furthermore, in 2019, Council approved an ordinance rezoning this land to a Planned Unit Development to allow construction of a 7,000 square-foot private conference, dining, and recreational facility.

Now that the recreational facility has been constructed, an access easement is necessary to provide the property owner with unrestricted access to their facility utilizing City-owned property. It is important to note that maintenance of the easement property will continue to be the City of Pella's responsibility.

In summary, staff is recommending approval of this resolution which establishes February 2, 2021 as the public hearing date for consideration of the proposed access easement.

ATTACHMENTS: Resolution, Map  
REPORT PREPARED BY: City Administration  
REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve resolution

## **I. ORDINANCES** – None

## **I. CLAIMS**

1. Abstract of Bills No. 2070.

Schiebout moved to approve, seconded by De Jong.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

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

No comments were received.

**L. CLOSED SESSION**

1. At 7:42 p.m., Branderhorst moved to enter into closed session pursuant to Iowa Code Chapter 388.9(1) to discuss marketing and pricing strategies or proprietary information of a city utility if its competitive position would be harmed by public disclosure not required of potential or actual competitors, and if no public purpose would be served by such disclosure, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

At 8:07 p.m., De Jong moved to reconvene to regular session, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

No action was taken regarding this closed session.

**M. ADJOURNMENT**

There being no further business claiming their attention, Bandstra moved to adjourn, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

Meeting adjourned at 8:08 p.m.