



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

March 16, 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 6:00 p.m., Mayor Pro Tem Mark De Jong presiding. Council members present were: Mark De Jong, Lynn Branderhorst, Calvin Bandstra, Bruce Schiebout. Mayor Don DeWaard attended the meeting via phone. Absent: Liz Sporrer, Dave Hopkins.

City Administrator Mike Nardini, City Clerk Mandy Smith, and five 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 four members of the general public attended the conference call.

B. MAYOR'S COMMENTS

1. Announce the Policy and Planning meeting will be held before the exempt and closed sessions to discuss:
 - a. Community Services Department Logo

2. Approval of Tentative Agenda.

Branderhorst moved to approve, seconded by Bandstra.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

3. Appointment of Shelly Rigger to the Community Development Committee.

Schiebout moved to approve, seconded by Bandstra.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: Mayor DeWaard would like to appoint Shelly Rigger to serve as one of the two Marion County extraterritorial positions on the Community Development Committee. As a lifelong Pella resident, Shelly has served on several local boards including Crossroads of Pella's Board of Directors. Shelly currently is involved with the Pella Area Community and Economic (PACE) Alliance's Downtown and Workforce Development Councils. Since 1985, Shelly has owned and operated several businesses in Pella including styling salons, retail stores, and rental properties. Shelly resides at 974 210th Place. The Marion County Board of Supervisors approved this appointment at their meeting on March 9. If also approved by Council, Shelly would complete the remainder of the term for this vacancy, which expires on August 1, 2021. At that time, Shelly would be eligible for re-election to a new three-year term.

ATTACHMENTS: None
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve the appointment

4. Appointment of Dave Corbin to the South Central Regional Airport Agency.

Branderhorst moved to approve, seconded by Schiebout.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: The South Central Regional Airport Agency (SCRAA) is a separate legal entity governed by a Board of Directors and comprised of three members appointed by the City of Pella, two members appointed by the City of Oskaloosa, and one member appointed by Mahaska County. Mayor DeWaard would like to appoint David Corbin to fill a vacancy on the SCRAA. David Corbin is Vice President and Chief Information Officer at Vermeer Corporation. His responsibilities include information technology, environmental health and safety, continuous improvement, and facilities management. David joined Vermeer in 1998 as a plant manager after starting his career at General Dynamics Corporation and Ford New Holland. Since joining Vermeer, he has held leadership positions in manufacturing, procurement, engineering, continuous improvement, and business segment management and has provided leadership to subsidiary organizations through board roles at Vermeer Freeman and Lely Vermeer Maschinenfabrik. David serves on Iowa State University's IMSE Industrial Advisory Council and has also been involved with the Iowa Advanced Manufacturing Council, Technology Association of Iowa, Rotary International, the Institute of Industrial Engineers. He is a native of Cherry Hill, New Jersey and graduated from Iowa State University with a bachelor of science degree in industrial engineering. David and his wife, Joan, have eight children and nine grandchildren. If approved, Dave's new three-year term would expire on April 1, 2024.

ATTACHMENTS: None
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve the appointment

5. Appointment of Doug Klahsen to the South Central Regional Airport Agency.

Branderhorst moved to approve, seconded by Schiebout.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: The South Central Regional Airport Agency (SCRAA) is a separate legal entity governed by a Board of Directors and comprised of three members appointed by the City of Pella, two members appointed by the City of Oskaloosa, and one member appointed by Mahaska County. Mayor DeWaard would like to appoint Doug Klahsen to fill a vacancy on the SCRAA. Doug joined Pella Corporation in 1995 and is currently in the role of Sr. Manager, Corporate Supply Management, for the organization. He has 19 years of supply management experience in many areas including commodity management, supplier selection, contract negotiation, and project implementation. Doug has a Certified Professional in Supply Management® designation from the Institute for Supply Management®. He holds a BA degree from the University of Northern Iowa and an MBA from Drake University. If approved, Doug's new three-year term would expire on April 1, 2024.

ATTACHMENTS: None
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve the appointment

6. Announce exempt session pursuant to Iowa Code Chapter 21.9 to discuss employment conditions of employees not covered by collective bargaining agreements.
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 Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for March 2, 2021
2. Report of Committees
 - a. Airport Committee Minutes for January 29, 2021

Members Present: Rick Gritters, Tom Vander Linden, Eric Recker, Ted Zylstra, Sid Pinney (late arrival), Matt Hutchinson

Members Absent: None

Others Present: Shane Vande Voort, Denny Buyert, Mike Nardini

Approval of Minutes: Previous minutes reviewed and amended as requested

Motion: Brought by Ted Zylstra to approve amended minutes, supported by Rick Gritters, motion passed unanimously

Update: Committee Members David Barnes, and David Erickson have both resigned, since the previous meeting. Eric Recker has replaced David Erickson, and David Barnes' seat is still at-large

Motion: Brought by Tom Vander Linden to recognize committee members Barnes and Erickson for their years of service, and to investigate if Marvin Tysseling and Warren Winkel had been previously recognized for past service to the city and airport as well.

Supported by Rick Gritters, Motion passed unanimously

Regional Airport Update:

Mike Nardini, Pella City manager, gave a brief synopsis on the history and current standing of the regional airport. Scope of the project is to combine the Pella Municipal and Oskaloosa Municipal airports into one new airport under the authority of the South Central Regional Airport Association. Ultimately the new airport will create a facility that can accommodate Class C aircraft. The new airport will be located 10 miles east of Pella, with an initial 5,500 ft. main runway, and include sufficient land to accommodate an ultimate length 6,700 ft. main runway and a 3,500 ft. cross runway. The overall financial scope of the project is a \$35 million dollar project. The estimated local match is approximately \$8 million, of which Pella is responsible for 50% or \$4 million dollars. The city of Oskaloosa will be responsible for the other 50%, and Mahaska County has no financial obligation to the project.

Currently in the land acquisition phase, to date 370 acres have been voluntarily acquired, for a cost \$4,582,000. The FAA has currently covered, 90 percent of this cost. The total land acquisition will be around 600 acres. They plan to be in the acquisition phase for another twelve months, and construction cannot begin until this phase is complete. Litigation has been filed against the regional airport, with Mahaska County trying to exit the 28-E agreement. Two district court judges have ruled that the agreement is valid, but Mahaska County has chosen to appeal that ruling to the Iowa Supreme Court. It is anticipated that the Supreme court will take up this case within the next twelve months.

The last regional meeting occurred on Wednesday the 27th of January, 2021. At this meeting, the committee approved making an offer the next available property, of roughly 36 acres. The fair market valuation, approved by the FAA, was \$446,000, roughly \$12,000/acre.

The Regional Airport board consists of 6 members; 3 appointed by the city of Pella, 2 appointed by the City of Oskaloosa, and 1 appointed by Mahaska County. The City of Pella, will be responsible for 60% of the operating costs once the airport is operational, the City of Oskaloosa will be responsible for the remaining 40%. Current city operational cost is around \$110,000 for the Pella Municipal airport.

The 370 acres already acquired is in land-lease with the current tenants, due March 1st, 2021 and this revenue goes back to SCRA, to cover operational expenses currently around \$23,000/yr. Until the regional airport is operational, any surplus rent revenue will be dispersed back to the cities at the 60/40 ratio to cover operational expenses of the existing airports.

The City of Oskaloosa was allowed to sell off 300 acres, around the existing airport by the FAA. This land was not required for Oskaloosa Municipal airport to function as a Class B airport. The revenue from this sale was used for the acquisition of the new airport land.

Airport Managers report to the committee: By Shane Vande Voort

COVID mitigation practices in place

Snow equipment is holding up well, other than the tires on the broom have needed to be replaced. Over 300 gallons of diesel have been burned for snow removal, indicating a busy season.

Flight instruction is very strong, Specialized HIMS recertification training has been picking up.

Pella shop is primarily doing Cirrus Service center work, they are one of the only shops in the region who can replace the Cirrus CAPS parachute system, which is required every 10 years.

Main entrance will have automated gate, installed to eliminate deer who are entering the facility.

AWOS is still being temperamental, and acting up replacement cannot happen soon enough

Activity at the airport still emphasizes the need for additional heated hangar space, along with more ramp space for safe operation of aircraft on the ground.

Parking in the lot is at capacity, as corporate activity picks up.

New Business:

A 39 year lease has been approved for a corporate partner to build a hangar valued at \$650,000 on ground released by Pella Corporation. If the airport is closed and the ground is not zoned as light industrial, the city will buy the hangar at the unamortized value remaining. This hangar should help with some of the shortage of heated hangar space.

Further discussion on the 2022 budget process and the role of the airport committee in making recommendations for the 5 year Capital Improvement Programs. Mr. Nardini explained the difference between the FAA ACIP, due in November to the FAA, with the regional airport pending, the FAA's position is only approving safety related items to keep the current airport functional.

The city of Pella budget process begins in December, at the department level. July 1st is the beginning of the city fiscal year. The airport falls within the Public Works department, there currently doesn't appear to be any recommendations from the committee on the 2022 budget request. The Committee would still like to see, what has been submitted to the city budget. The Airport Committee is still requesting the \$70,000 for heating and lighting of the large hangar be included for 2022. Mr. Nardini affirmed that we could see what has currently been submitted.

One additional item was discussed, pertaining to Chapter 166 of the City Code relating to airport municipal height limitations. A potential new water tower and construction equipment may violate the code. The Committee may be asked to rule on an application for a variance of this rule. The Airport Zoning board of adjustment needs to rule within 15 days of an application, based on permanence and hardship of the request.

Final Comments:

The Committee thanks Mr. Nardini for his time this morning. This committee needs to continue to maintain the viability of the existing airport. Chairman Vander Linden shared some thoughts, on how it takes a small rudder to turn a ship, the ship may not turn fast but it does turn. We are making a difference, and need to keep applying pressure when needed to for the good of the current airport.

Rick Gritters thanks Denny Buyert for his continued support.

Adjourn: Motion by Tom Vander Linden, support by Sid Pinney, passed unanimously.

Next regular meeting will take place on February 26, 2021

3. Petitions and Communications

a. Renewal of Class B Native Wine Permit with Living Quarters for Silver Lining Enterprises LLC

BACKGROUND: Silver Lining Enterprises LLC has applied for renewal of their class B native wine permit with living quarters. The term of the new license is 12 months and, if approved, would expire on April 30, 2022. The application has been completed online with the state, and staff is recommending approval.

ATTACHMENTS: Application
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve renewal

b. Special Event Permit Request for Central College's Hoo-Rah Day

i. Resolution No. 6258 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS CENTRAL COLLEGE HOO-RAH DAY"

BACKGROUND: Central College has requested a special event permit on April 13, 2021 to host Rob's Mini Donut truck as part of their annual Hoo-Rah Day festivities celebrating school spirit. The applicant is requesting closure of the parking area in front of the Maytag Student Center for this event, as outlined on the attached map. If approved, the parking spaces would be reserved for hosting this food truck from 8:00 a.m. to 5:00 p.m. This proposed location is consistent with prior years' activities sponsored by Central College, most recently involving a specialty cupcake truck.

A resolution is included with this request to close the parking spaces as outlined above.

All pertinent City departments have reviewed this application and comments are attached. The insurance certificate has been received. At the time of packet publication, the fee is still pending; therefore, staff is recommending conditional approval of this event upon receipt of the applicable special event permit fee and with the understanding that if the Centers for Disease Control, Iowa Department of Public Health, or Governor issues an order or guidelines prohibiting events like this due to the COVID-19 pandemic, this event will not be able to occur.

ATTACHMENTS: Resolution, Application, Map, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Conditional approval of the special event permit and resolution as outlined

c. Special Event Permit Request for Class 3A Iowa All State Jazz Concert

BACKGROUND: The Iowa Music Educators Association has requested a special event permit to host the Class 3A Iowa All State Jazz Concert on the back side of the Tulip Toren. The event is requested to occur on Saturday, June 12, 2021. If approved, set-up would begin at 4:00 p.m. with take down completed by 9:00 p.m.

This concert, which would feature 20 students chosen from across the state, is anticipated to last approximately 30 minutes.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received. Staff is recommending conditional approval of this event with the understanding that if the Centers for Disease Control, Iowa Department of Public Health, or Governor issues an order or guidelines prohibiting events like this due to the COVID-19 pandemic, this event will not be able to occur.

ATTACHMENTS: Application, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Conditional approval of the special event permit as outlined

D. PUBLIC HEARINGS

- 1a. Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.

No written or oral comments were received.

Schiebout moved to close the public hearing, seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: These resolutions institute the proceedings to take additional action for the authorization of a loan agreement and issuance of not-to-exceed \$2,300,000 of General Obligation Urban Renewal Capital Loan Notes, direct the advertisement for sale, approve electronic bidding procedures, and approve the preliminary official statement for the \$1,985,000 (dollar amount subject to change) General Obligation Urban Renewal Capital Loan Notes Bonds, Series 2021A. The purpose of this bond is for constructing the necessary infrastructure to support the Lely North American Headquarters development including improvements to 250th Avenue, water main improvements, construction of a lift station and force main.

It is important to note that the proceeds authorize up to \$2,300,000 although current project estimates are likely closer to \$2,100,000 as a result of grant funding through the Department of Transportation's Revitalize Iowa's Sound Economy (RISE) program.

In considering this potential bond issue, it is also important to note that the City entered into a development agreement with Lely North America for the purpose of constructing a 100,000 square-foot facility which would accommodate additional manufacturing, office, and training space. The estimated cost of the development is expected to be approximately \$22 million and will allow Lely to provide 15 new jobs within our community. As background, Lely North America is a subsidiary of Lely Industries (Maasluis, Netherlands) and is a world leader in robotic milking systems. Overall, the Lely corporate framework encompasses activity in more than 40 countries and employs 1,300 people worldwide, including 53 employees within our community.

As part of the agreement, the City agreed to construct the necessary public infrastructure to support the development which includes the following:

Lift station	\$ 819,310
Water main	774,148
Street improvements	420,000
Engineering	181,500
Issuance costs	<u>115,967</u>
Total	<u>\$ 2,310,925</u>

Projected sources of funding for the project are as follows:

Par amount	\$ 1,985,000
Premium	81,325
IDOT RISE grant	<u>244,600</u>
Total	<u>\$ 2,310,925</u>

In conjunction with our Financial Advisor, D.A. Davidson, the City has prepared a preliminary official statement outlining the details of the proposed sale of the bonds. Subject to revisions from bond counsel, Ahlers & Cooney, and D.A. Davidson, this preliminary official statement will be distributed in connection with the offering of the Bonds for sale.

The bid date for the bonds is scheduled for April 6, 2021. The terms of the sale include language to permit the use of electronic bidding. Per Iowa Code, Council needs to approve that the recommended procedure for bidding will provide reasonable security and maintain the integrity of the competitive bidding process and facilitate the delivery of bids by interested parties.

It should be noted, while the bond issue limit is listed as not-to-exceed \$2,300,000, the proposed notes will be for \$1,985,000 payable through June 2040. The annual debt service payments for this bond will be made through tax increment financing resulting from the Lely North American development. As a result, staff does not believe there will be an impact to the City's property tax rate due to this bond issue. However, because the proposed bond is a general obligation bond, the City Council could issue a debt service levy for the debt service payments if desired in the future.

Summary

The following items are on the agenda for consideration related to this item:

Agenda item D-1-a: Public hearing on the authorization of a loan agreement and note issuance

Agenda item D-1-b: Resolution No. 6259

Institutes proceedings to take action for the issuance of not-to-exceed \$2,300,000 General Obligation Urban Renewal Capital Loan Notes

Agenda item D-1-c: Resolution No. 6260

Directs the advertisement for sale of \$1,985,000 (dollar amount subject to change) General Obligation Urban Renewal Capital Loan Notes, Series 2021A

Approves electronic bidding procedures

Approves preliminary official statement

ATTACHMENTS: Resolution No. 6259, Resolution No. 6260, Preliminary Official Statement

REPORT PREPARED BY: Administration

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolution

- 1b. Resolution No. 6259 entitled, "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$2,300,000 GENERAL OBLIGATION URBAN RENEWAL CAPITAL LOAN NOTES."

Schiebout moved to approve, seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

- 1c. Resolution No. 6260 entitled, "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$1,985,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION URBAN RENEWAL CAPITAL LOAN NOTES, SERIES 2021A, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT."

Branderhorst moved to approve, seconded by Bandstra.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

2a. Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.

No written or oral comments were received.

Branderhorst moved to close the public hearing, seconded by Bandstra.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: These resolutions institute the proceedings to take additional action for the authorization of a loan agreement and issuance of not-to-exceed \$1,900,000 of General Obligation Capital Loan Notes related to planned street improvements to 218th Avenue/Neil Drive. The Council previously approved a not-to-exceed amount of \$500,000 for the construction of a wildlife fence at the Pella Municipal Airport, bringing the total not-to-exceed amount to \$2,400,000. Additionally, the resolutions approve electronic bidding procedures and approve the preliminary official statement for actual borrowing of just over \$2.2 million General Obligation Capital Loan Notes Bonds, Series 2021B. As mentioned above, the purpose of this item is for making improvements to 218th Avenue/Neil Drive and reimbursement of borrowed funds utilized to construct the wildlife fence at the Pella Municipal Airport.

As background, on March 17, 2020, the City Council authorized the issuance of General Obligation Capital Loan Notes in the amount of \$1,100,000. Since that time, the scope of the project has changed with the inclusion of additional improvements to 218th Avenue/Neil Drive. Given the cost increase associated with the new project scope, the Council must consider updated proceedings. It should be noted that the not-to-exceed amount approved on March 17, 2020, related to the airport wildlife fence, provides adequate funding and therefore does not require any updated proceedings.

In considering this item, it is essential to point out the proposed sources and uses of funds associated with the issuance:

218 th Ave/Neil Dr	\$ 1,710,000
Airport wildlife fence	422,000
Issuance costs	<u>70,670</u>
Total	<u>\$ 2,202,670</u>

Projected sources of funding for the project are as follows:

Par amount	\$ 2,130,000
Premium	<u>72,670</u>
Total	<u>\$ 2,202,670</u>

In conjunction with our Financial Advisor, D.A. Davidson, the City has prepared a preliminary official statement outlining the details of the proposed sale of the bonds. Subject to revisions from bond counsel, Ahlers & Cooney, and D.A. Davidson, this preliminary official statement will be distributed in connection with the offering of the bonds for sale.

The bid date for the bonds is scheduled for April 6, 2021. The terms of the sale include language to permit the use of electronic bidding. Per Iowa Code, Council needs to approve that the recommended procedure for bidding will provide reasonable security and maintain the integrity of the competitive bidding process and facilitate the delivery of bids by interested parties.

It should be noted, while the bond issue limit is listed as not-to-exceed \$500,000 for the airport wildlife fence and \$1,900,000 for the improvements associated with the 218th Avenue/Neil Drive project, the proposed General Obligation Capital Loan Notes, Series 2021B, will be for \$2,130,000 payable through June 2040. The annual debt service payments for this bond were incorporated into the City's fiscal year 21-22 budget and financial models; therefore, staff does not believe there will be an impact to the City's property tax rate due to this bond issue. However, because the proposed bond is a general obligation bond, the City Council could issue a debt service levy for the debt service payments if desired in the future.

Summary

The following items are on the agenda for consideration related to this item:

Agenda item D-2-a: Public hearing on the authorization of a loan agreement and note issuance

Agenda item D-2-b: Resolution No. 6261

Institutes proceedings to take action for the issuance of not-to-exceed \$1,900,000 General Obligation Capital Loan Notes

Agenda item D-2-c: Resolution No. 6262

Approves electronic bidding procedures

Approves preliminary official statement

ATTACHMENTS: Resolution No. 6261, Resolution No. 6262, Preliminary Official Statement

REPORT PREPARED BY: Administration

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolution

2b. Resolution No. 6261 entitled, "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$1,900,000 GENERAL OBLIGATION CAPITAL LOAN NOTES."

Bandstra moved to approve, seconded by Schiebout.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

2c. Resolution No. 6262 entitled, "RESOLUTION APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT."

Bandstra moved to approve, seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

E. PETITIONS & COMMUNICATIONS – None

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS

1. Schiebout moved to reschedule the Public Hearing for Approval of the FY 21-22 Annual Budget to March 25, 2021, seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: Staff requests permission to reschedule the public hearing date for approval of the FY 21-22 budget to March 25, 2021.

ATTACHMENTS: None
REPORT PREPARED BY: Finance
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve public hearing date as outlined above

H. RESOLUTIONS

1. Resolution No. 6263 entitled, "RESOLUTION APPROVING PELLA FARMER'S MARKET EXEMPTION FROM THE REQUIRED PEDDLERS, SOLICITORS AND TRANSIENT MERCHANT LICENSE."

Schiebout moved to approve, seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: This annual resolution exempts participants of the Pella Farmer's Market from the requirement to obtain a peddler, solicitor, or transient merchant license. The Farmer's Market is tentatively scheduled to begin operation on April 29, 2021, with their season continuing through October 28, 2021. This year, the Farmer's Market is proposing to continue operating on Thursdays, from 3:00 to 6:00 p.m., in the parking lot of First Reformed Church at 603 Broadway Street. It is staff's understanding that the Farmer's Market has plans to put additional safety measures into place including signage regarding social distancing and encouraging their patrons to wear masks.

According to City Code, Farmer's Market participants are considered peddlers and as such are subject to obtaining peddler permits. City Council may, by resolution, exempt Farmer's Market participants from the required peddler permits if the event is declared to be of City-wide interest.

This resolution would exempt the Pella Farmer's Market participants from obtaining peddler permits. If approved, this license exemption would be valid for one year from the date of resolution upon the condition that the Pella Farmer's Market complies with all other applicable City Code requirements including maintaining a list of vendor names, addresses, and current sales tax permit information.

Staff is recommending conditional approval of this resolution with the understanding that if the Centers for Disease Control, Iowa Department of Public Health, or Governor issues an order or guidelines prohibiting events like this due to the COVID-19 pandemic, this event will not be able to occur.

ATTACHMENTS: Resolution
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Conditional approval of resolution as outlined

2. Resolution No. 6264 entitled, "RESOLUTION APPROVING THE CITY OF PELLA'S MUNICIPAL TELECOMMUNICATIONS UTILITY SERVICE RULES AND POLICIES."

Branderhorst moved to approve, seconded by Bandstra.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: This resolution approves service rules and policies relating to operation of the City's municipal telecommunications utility, Pella Fiber. These policies must be established prior to connecting customers to ensure quality service as well as to comply with regulatory guidelines for telecommunications carriers. After Council approval, these policies will be accessible on Pella Fiber's website or upon written request to the Customer Service Department.

Below is an outline of the policies under consideration with this resolution:

Service Rules: General service rules for the telecom utility including guidelines related to facilities installation, customer service procedures, and billing and collection practices. The policy also establishes customer complaint procedures. The Service Rules are designed to promote consistency, equity, and quality service to all customers.

Customer Proprietary Network Information (CPNI) Policy: Outlines what is considered CPNI as well as how the telecom utility will use and protect it. The policy specifies what will happen if CPNI is breached as well as training and filing requirements. Also included is a sample form and notification piece that will be mailed to customers annually. These procedures are implemented in compliance with Part 64 of the code of Federal Regulations.

Acceptable Use Policy (AUP)/Privacy Policy: Policies that cover a customer's acceptable use of the City of Pella's network. The AUP stipulates constraints and practices that a user must agree to for access to the Internet. This includes procedures related to the Digital Millennium Copyright Act (DMCA). The Privacy Policy addresses Pella Fiber's collection of personal data and internal practices to maintain privacy of that data.

Network Management Practices Disclosure: As required by the FCC in the Open Internet Rules, Pella Fiber will publish this disclosure on our website. The Open Internet Rules, commonly referred to as net neutrality, require Pella Fiber's transparency around blocking, throttling, and prioritization of traffic. It designates the Telecommunications Director as the agent for any complaints and abuse notifications.

Battery Back-Up Disclosure: As required by FCC order, this disclosure explains that the equipment the City of Pella uses does not guarantee service during a power outage and offers the availability of a battery back-up to the customer for purchase.

In summary, staff is recommending approval of this resolution which approves Pella Fiber's service rules and policies as outlined above and included as memo attachments.

ATTACHMENTS: Resolution, Policies
REPORT PREPARED BY: Telecommunications Utility
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

3. Resolution No. 6265 entitled, "RESOLUTION APPROVING THREE-YEAR FARM LEASE AGREEMENT."
- Bandstra moved to approve, seconded by Schiebout.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: This resolution approves a three-year land rental agreement for the 70 tillable acres (in 2021), 62 tillable acres (in 2022), and 72 tillable acres (in 2023) of ground adjacent to the Pella Municipal Airport. This agreement also includes the supplying and planting of an additional 32 acres (in 2021), 40 acres (in 2022), and 30 acres (in 2023) of oats by the renter, which is used for the application of biosolids from

the Wastewater Treatment Plant. Historically, this activity has shown a deduction in the agreement amount; however, the high bidder did not have a deduction in the per acre rental cost this bid cycle.

Eight bids were received on March 3, 2021 as summarized below:

Bidder	Amount Bid (3-year lease)	Lease Amount (less oats)
Dan Terpstra	\$67,932.00	\$67,932.00
Brandon Kuiper	\$58,854.00	\$61,404.00
Lightning Creek Farms	\$55,488.00	\$55,488.00
Chad Beyer	\$52,530.00	\$56,100.00
Steve & Stan Dykstra	\$48,009.36	\$50,253.36
Ronald Steenhoek	\$29,988.00	\$33,456.00
Derek Pierce	\$18,156.00	\$26,520.00
Kent Thoreson	\$16,320.00	\$22,440.00

The per acre lease for crop year 2020 was \$253 per acre. The high bid received was from Dan Terpstra for \$333 per acre. It is important to note that the average per acre cash rent for Marion County in 2020 was \$217.

In summary, staff recommends awarding the three-year lease for crop years 2021, 2022, and 2023 to Dan Terpstra for a total contract price of \$67,932.

ATTACHMENTS: Resolution, Lease Agreement, Maps, Cash Rental Survey
REPORT PREPARED BY: Public Works Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

I. ORDINANCES – None

J. CLAIMS

1. Abstract of Bills No. 2075.
Branderhorst moved to approve, seconded by Bandstra.
On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

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

No comments were received.

At 6:32 p.m., Council went into the Policy and Planning meeting, ending at 6:37 p.m.

L. CLOSED/EXEMPT SESSION

1. At 6:38 p.m., Bandstra moved to enter into exempt session pursuant to Iowa Code Chapter 21.9 to discuss employment conditions of employees not covered by collective bargaining agreements, seconded by Schiebout.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

At 6:46 p.m., Schiebout moved to reconvene to regular session, seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

Schiebout moved to approve Resolution No. 6266 entitled, "RESOLUTION AMENDING INFECTIOUS DISEASE ACTION PLAN/POLICY RELATED TO THE COVID-19 PUBLIC HEALTH CRISIS," seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

2. At 6:48 p.m., Bandstra 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 Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

At 7:21 p.m., Bandstra moved to reconvene to regular session, seconded by Schiebout.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

No action was taken regarding this closed session.

M. ADJOURNMENT

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

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

Meeting adjourned at 7:22 p.m.