



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

April 6, 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 Don DeWaard presiding. Council members present were: Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Bruce Schiebout, Dave Hopkins (via phone). Absent: None.

City Administrator Mike Nardini and City Clerk Mandy Smith were present.

Five staff members and sixteen members of the general public signed the register.

Due to heightened public health risks associated with the COVID-19 pandemic, this meeting was also broadcast via conference call. One staff member and thirty-six members of the general public attended the conference call.

B. MAYOR'S COMMENTS

1. Announce Policy and Planning meeting will be held after the regular Council meeting to discuss:
 - a. Presentation from the Pella Area Community and Economic Alliance regarding proposed project ideas
 - b. Request from the Pella Disc Golf Club
 - c. Request from the Friends of Big Rock Park to conduct an environmental study
2. Approval of Tentative Agenda.
Branderhorst moved to approve, seconded by Sporrer.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

C. CLOSED SESSION

1. At 6:02 p.m., De Jong moved to enter into closed session pursuant to Iowa Code Chapter 21.5 1(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, seconded by Bandstra.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

At 6:26 p.m., De Jong moved to reconvene to regular session, seconded by Sporrer.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

Bandstra moved to approve a Memorandum of Understanding with Iowa Regional Utilities Association as discussed during closed session, seconded by De Jong.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

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

No comments were received.

D. APPROVAL OF CONSENT AGENDA

Branderhorst moved to approve the consent agenda, seconded by Sporrer.

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 March 16, 2021
 - b. Official Council Minutes for March 25, 2021
2. Report of Committees
 - a. Policy and Planning Minutes for March 16, 2021
PRESENT: Mayor Pro Tem Mark De Jong, Lynn Branderhorst, Calvin Bandstra, Bruce Schiebout, Mayor Don DeWaard attended via phone
ABSENT: Liz Sporrer, Dave Hopkins
OTHERS: City staff and visitors
The Policy and Planning meeting began at 6:32 p.m. The only item on the agenda was the unveiling of the Community Services Department logo. This logo was designed to establish a recognizable brand which embodies the services provided by their department. The logo is also intended to further promote the department's mission of enhancing the quality of life in Pella.

The logo was developed by a subcommittee working with Kate Hoksbergen of Clay Township Design. The subcommittee included representatives from the Community Services Department, Community Services Board, and a local graphic design student. After working through a series of options, three logo variations were presented to the Community Services Board for selection of the final logo. As one of the most identifiable features in Central Park, the sun dial was chosen to represent the overall department. In addition, there are variations of this overall logo for each division of the department.

Council expressed their support of the new logo. The Community Services Department will proceed with implementation of the new logo in all printed materials, social media and marketing activities, and on staff uniforms.

The meeting adjourned at 6:37 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

b. Policy and Planning Minutes for March 25, 2021

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 6:27 p.m. The only item on the agenda was a discussion regarding a request from Wonder Spelen to make changes to the Kiwanis Park Improvements Phase I project. In 2019, Council approved a 28E partnership agreement with Wonder Spelen to construct an all-inclusive playground, off-street parking, restroom facilities, and sidewalks at Kiwanis Park. The agreement states that the improvements will be constructed, owned, and maintained by the City with the City contributing \$320,000 to the project and Wonder Spelen funding the remaining cost.

Phase I of the project, which was awarded to Hooyer Construction on March 2, 2021, consists of all labor, material, and equipment to construct an all-inclusive playground with phase I playground equipment, off-street parking, restroom facilities, fencing, sanitary sewer, water service, electrical service, storm sewer, planting beds, earthwork, sidewalks, and site restoration at Kiwanis Park.

Wonder Spelen is now requesting that the City consider changing the project scope to include additional playground equipment previously identified for phase II, alter equipment included in phase I, and add two shade structures. The project engineer, Snyder & Associates, has reviewed the proposed requested changes and submitted a preliminary change order as outlined below:

Additional equipment	\$208,052.72
Deduction for fence substitution	(73,628.60)
Additional engineering	<u>2,500</u>
Total project increase	<u>\$136,924.12</u>

Per the approved 28E partnership agreement, the City of Pella's financial responsibility would remain at \$320,000; however, Wonder Spelen is requesting that the City increase their financial contribution by \$26,626.37 to assist in funding the proposed changes. Hooyer Construction has informed staff that if these changes are approved, the project would remain on track for the original completion date of October 31, 2021.

At the end of the discussion, staff was directed to proceed with formal consideration of the items outlined below at the April 6th Council meeting:

- Resolution amending the 28E partnership agreement with Wonder Spelen
- Resolution amending the engineering contract with Snyder and Associates
- Resolution approving a change order to add the additional amenities to the project

The meeting adjourned at 6:36 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

c. Community Development Committee Minutes for October 14, 2020

Vice-Chairperson Kiser called the Community Development Committee (CDC) to order in the Public Safety Complex at 5:30 p.m. Members present were: Patsy Cody, Linda Groenendyk, Nancy Henry, Mike Kiser, Wayne Stienstra, Caryn Van Hemert, and Bob Zylstra; absent: Jerry Brummel and Lowell Olivier-Shaw. Staff present: City Administrator Mike Nardini, Code Enforcement Officer Jared Parker, and the Deputy City Clerk. Due to heightened public health risks associated with the COVID-19 pandemic, accommodations were made to broadcast this meeting via conference call. Four members of the general public attended the conference call and three members of the public attended the meeting in person.

APPROVAL OF TENTATIVE AGENDA: Kiser announced that agenda items D-2 and D-3, to consider wall sign applications for the property located at 204 SE 9th St., were pulled from the agenda, as they were approved by the Sign Subcommittee. He also announced that item D-1 to consider amendments to the CDC Procedural Rules will be discussed as the last item of new business. Additionally, a CDC member will need to be assigned to fill a vacancy on the Design Subcommittee. Motion by Zylstra, second by Cody to approve the revised agenda. Motion carried 7-0.

APPROVAL OF MINUTES: Motion by Cody, second by Stienstra to approve the minutes from the August 12, 2020 meeting. Motion carried 7-0.

NEW BUSINESS

Consider a Design Permit Application to Paint the Exterior of the Structure Located at 816 Main Street
BJ Stokesbary has submitted a design permit application to alter the front façade of his building located at 816 Main Street. Proposed Alterations: Paint all of the gray-black portions Wrought Iron (black), Paint all red portions of the front of the building Edamame (olive green) In evaluating this design application, staff finds the proposed application contains sufficient Dutch-themed colors meeting the requirements listed in the Design Review District Design Manual. Therefore, staff recommends the application be approved as submitted.

In response to a question from Cody, Code Enforcement Officer Jared Parker stated that the upstairs shutters will be painted to match the proposed color scheme on the first floor. He also confirmed that the black and white checkered design on the ground in front of the front windows will remain. Motion by Van Hemert, second by Cody to approve the design permit as submitted. Motion carried 7-0.

Consider Sign Permit Applications for a Shingle Sign and a Wall Sign for the Property Located at 816 Main Street. The CDC decided to consider both agenda items D-5 and D-6 together.

Earthwise Pet, currently based out of Newton, Iowa, will be beginning operations at 816 Main Street, which is currently known as the site of Faux Paws. The applicant is proposing a two-square-foot shingle sign running perpendicular to Main Street and a 20-square-foot wall sign facing Main Street. The Sign Subcommittee reviewed the signs and had no substantial issues, but wanted to see how they fit with the design. After evaluating these permit applications, staff finds that the proposed signs comply with the regulations in the Zoning Ordinance and recommends approval of the sign permits as submitted. Motion by Cody, second by Van Hemert to approve both the shingle and wall sign permits as submitted. Motion carried 7-0.

Consider a Design Permit Application for the Expansion of the Structure Located at 414 Main Street. Marion County Bank has submitted a design permit application to expand the building located at 414 Main Street. Proposed Alterations: Add an extension to the drive lanes, add another wing to the building. It is important to note that this will be a continuation of the current building's color scheme. In evaluating this design application, staff finds the proposed application contains sufficient Dutch-themed colors meeting the requirements listed in the Design Review District Design Manual. Therefore, staff recommends the application be approved as submitted. Zylstra asked if there are any setback issues with the proposed expansion. City Administrator Mike Nardini replied that setbacks would be evaluated during a site plan process. Parker stated that a site plan will be required if the proposed expansion exceeds 2,000 square feet. Motion by Zylstra, second by Van Hemert to approve the design permit as submitted. Motion carried 7-0.

Consider a Design Permit Application for Painting the Exterior of the Structure Located at 719 Broadway Street. Prairie Pointe of Pella has submitted a design permit application to alter exterior of the building located at 719 Broadway Street. Proposed Alterations: Paint all of the white portions Peace Yellow (yellow), paint the trim Classical White or Lancaster Whitewash (off-white), paint shutters Grantsburg Gray (dark gray) or Black, adding shutters, adding light fixtures (see application). It is important to note that all of the proposed colors (Sherwin-Williams' Peace Yellow SW 2857, Sherwin-Williams' Classical White SW 2829, Benjamin Moore's Lancaster Whitewash HC-174, Diamond Vogel's Grantsburg Gray H101, and Benjamin Moore's Black HC-190 are part of the Pella Color Palette. In evaluating this design application, staff finds the proposed application contains sufficient Dutch-themed colors meeting the requirements listed in the Design Review District Design Manual. Therefore, staff recommends the application be approved as submitted. The applicants, Lori Lourens and Darwin Lourens were present via phone to answer questions from the CDC. L. Lourens explained that the location of the front windows and door have changed from what was provided in the sketch included with her application. The front door will be centered on the porch with a 36"x50" window on either side. The door will move three feet to the south from its current location to accommodate a new interior stairwell. Cody asked L. Lourens what color the trim will be. L. Lourens replied that she provided two options, Classical White or Lancaster Whitewash, as she is unsure which one to use. She said she has provided two options for lights as well. Kiser stated that the CDC is fine with either white color and either light option. L. Lourens said they may choose to add additional shutters to other windows, including on the north side facing the alley. Cody and Kiser said they are confident that L. Lourens will make design decisions that would be supported by the CDC. Motion by Van Hemert, second by Henry to approve the design permit as submitted. Motion carried 7-0.

Consider a Design Permit Application for the Expansion of the Structure Located at 2525 Old Highway 163. Davidson and Goodyk have submitted a design permit application to expand the building located at 2525 Old Highway 163. Proposed Alterations: Add an extension to the building with a second floor, it will have the same color siding, doors, and roof, stone facades will be added. It is important to note that this will be a continuation of the current building's color scheme. In evaluating this design application, staff finds the proposed application contains sufficient Dutch-themed colors meeting the requirements listed in the Design Review District Design Manual. Therefore, staff recommends the application be approved as submitted. The applicant, Chris Davidson, was present to answer questions from the Committee and to explain the proposed alterations. He explained that the current main entrance will remain the main entrance. Nardini explained that since the addition is under 2,000 square feet, it will not be subject to site plan review. Motion by Zylstra, second by Stienstra to approve the design permit as submitted. Motion carried 7-0.

Assign CDC Member to Fill Vacancy on the Design Subcommittee. Due to Susan Canfield's resignation from the CDC, there is a vacancy on the Design Subcommittee that needs filled. Motion by Cody, second by Henry to assign Van Hemert to the Design Subcommittee. Motion carried 7-0. Consider Amendments to the Community Development Committee Procedural Rules. Staff would like to discuss potential changes to the Committee's Procedural Rules. Specifically, rather than requiring a majority of the entire Committee to vote on an item for passage, the change would make a simple majority of the Committee members present sufficient to vote on an item for passage. Additionally, the City Council proposed a modified procedure for minor design modifications. This requires an amendment to the CDC's Procedural Rules.

The passage below is excerpted from the current Committee Procedural Rules:

Rule 19: Votes Necessary for Passage: The concurring vote of the majority of the entire membership of the Committee shall be necessary to decide on any matter upon which it is required to pass under the Zoning Ordinance.

This is how the rule would read, should the Committee approve the amendment:

Rule 19: Votes Necessary for Passage: The concurring vote of the majority of the Committee members present, in person or via electronic means, shall be necessary to decide on any matter upon which it is required to pass under the Zoning Ordinance.

This amendment would prevent a situation where the Committee body is reduced, due to absences, and a 5-1 vote would not be sufficient to pass an item.

This is the current procedure for application review by the subcommittees:

- Application submitted to City staff
- Application sent to a three- member CDC subcommittee
- If two members have a concern with the application, and the item does not receive approval, it is sent to the full CDC for review

This would be the modified procedure for application review by the subcommittees, should the Committee approve the amendment:

- Application submitted to City staff
- Should the initial submittal not appear to meet the City's design requirements, Staff will make suggestions to the applicant for a proposal that meets them
- Application is sent to the appropriate three-member CDC subcommittee for a vote; if two (or all three) members approve or have no objection, the item is approved
- If two (or all three) subcommittee members have concerns with the application, they will provide feedback to staff on what design elements/alterations are necessary for the application to gain approval
- Staff will correspond with the applicant to share the necessary adjustments to the application
- Applicant may choose to appropriately amend the application to implement the recommended alterations
- CDC subcommittee votes on the amended application
- If the applicant does not agree with the subcommittee members' recommendations, he or she may appeal to the full CDC

The City Council has proposed a revision to the review process for items eligible for CDC Sign or Design Subcommittee review. The goal is to approve minor items at the subcommittee level.

The passage below is excerpted from the current Committee Procedural Rules:

Rule 22: Sign Subcommittee: The Sign Subcommittee shall be composed of two regular members and one alternate member appointed by the Chair with approval of the Committee at the first regular meeting of each year. The Sign Subcommittee shall review all sign permits in accordance with the Zoning Ordinance and the Design Review District Design Manual. The alternate member shall serve in review and approval capacity in the event that one of the two regular members is unavailable.

The Sign Subcommittee may defer action on any sign permit to the vote of the entire Committee in any of the following instances:

- a) If there is a question as to whether the proposed sign is context sensitive for its location with respect to the Design Review District Design Manual.
- b) Either of the Subcommittee regular members is unavailable and the alternate member is also unavailable to review the sign permit application for the period within 10 days of the date of application submittal.
- c) Either of the Subcommittee regular members wishes to defer review of a sign permit to the entire Committee.

Rule 23: Other Subcommittees: The Committee may form other subcommittees as necessary in accordance with the Zoning Ordinance or Design Review District Design Manual after consultation with the City Attorney. Any new subcommittees shall require a corresponding amendment to these procedural rules.

This is the proposed Rule 22, should the Committee approve the amendment:

Rule 22: Sign Subcommittee: The Sign Subcommittee shall be composed of three members as appointed by the Chair with approval of the Committee at the first regular meeting of each year, or any time when appointment is necessary to have full subcommittee membership (e.g., to fill a vacancy caused by a member's resignation or the conclusion of a member's term). The Sign Subcommittee shall review all sign permit applications in accordance with the Zoning Ordinance and the Design Review District Design Manual.

Staff shall present the application to the Subcommittee for a vote. If multiple Subcommittee members have concerns with an application and do not recommend it for approval, they shall provide feedback to staff on what design elements/alterations are necessary for the application to gain approval. These will be shared with the applicant. The applicant may then choose to implement the recommended alterations for another vote, or, if the applicant does not agree with the Subcommittee members' recommendations, he or she may appeal to the full CDC. Currently, Rule 23 states that the Procedural Rules must be amended to reflect formation of other subcommittees. Because there is no rule discussing the Design Subcommittee, this amendment creates the necessary language as a new Rule 23; subsequent rules would be renumbered, becoming Rules 24-40.

This is the proposed new Rule 23, formally establishing the Design Subcommittee, should the Committee approve the amendment. Note that its language is the same as that of the Sign Subcommittee, save for appropriate references to design:

Rule 23: Design Subcommittee: The Design Subcommittee shall be composed of three members as appointed by the Chair with approval of the Committee at the first regular meeting of each year, or any time when appointment is necessary to have full subcommittee membership (e.g., to fill a vacancy caused by a member's resignation or the conclusion of a member's term). The Design Subcommittee shall review all design permit applications in accordance with the Zoning Ordinance and the Design Review District Design Manual.

Staff shall present the application to the Subcommittee for a vote. If multiple Subcommittee members have concerns with an application and do not recommend it for approval, they shall provide feedback to staff on what design elements/alterations are necessary for the application to gain approval. These will be shared with the applicant. The applicant may then choose to implement the recommended alterations for another vote, or, if the applicant does not agree with the Subcommittee members' recommendations, he or she may appeal to the full CDC.

This is the proposed Rule 24 (note the new rule number if the preceding is approved; this item is currently Rule 23 in the Rules), should the Committee approve the amendment:

Rule 24: Other Subcommittees: The Committee may form other subcommittees as necessary in accordance with the Zoning Ordinance or Design Review District Design Manual after consultation with the City Attorney. Any new subcommittees shall require a corresponding amendment to these procedural rules.

The voting amendment would make a simple majority of the members participating in a meeting sufficient to vote on the passage of an item, rather than requiring a majority of the entire Committee. A quorum would remain required to conduct business.

The Sign Subcommittee's rules would largely be unchanged, but the procedural emphasis is on attaining approval without sending applications to the full CDC.

The Design Subcommittee would be formally codified in the Procedural Rules and uses the same procedures as the Sign Subcommittee for reviewing applications.

Subsequent rules (currently, Rules 23-39) would be renumbered in the Procedural Rules as Rules 24-40.

Staff recommends approval of the proposed amendments to the CDC Procedural Rules

Stienstra asked that all subcommittee members' names are listed in emails sent to Design and Sign Subcommittee members so that it is obvious who he is "replying all" to. Parker said he can make that change. Kiser asked whether subcommittee members can be texted that an email has been sent out to them for design or sign review. Parker said he would look into that.

Cody said she thinks these are positive changes to the Procedural Rules.

Motion by Henry, second by Van Hemert to approve the proposed amendments to the CDC Procedural Rules as submitted. Motion carried 7-0.

OTHER BUSINESS / PUBLIC FORUM

Cody said she has noticed an increase in temporary banner signs and asked whether the ones at Culver's and Burger King had been approved. Parker confirmed that both those signs were approved.

Kiser said he has seen several signs on Oskaloosa Street and Main Street recently advertising a meat packing plant located in Ottumwa, Iowa. Parker said those signs have not had approval and illegal signs are generally pulled if found to be in the right-of-way.

Nardini reported that Dennis Vander Beek's appointment to the CDC is scheduled to be considered by the City Council on October 20, 2020. Nardini stated that the City Council is working with Marion County to revise the 28E Agreement that is in place. The goal is to make it easier for the two entities to work together. As part of the proposed changes, the City of Pella would like to decrease the size of the City's extraterritorial zoning jurisdiction from two miles to one mile. The Pella City Council is scheduled to consider this item in November 2020. Staff is reviewing board and commission appointments to see if these proposed changes would impact any individuals' eligibility to serve.

Next Meeting Date

The next regular meeting is scheduled for November 16, 2020.

Adjourned at 6:22 p.m.

d. Board of Adjustment Minutes for October 19, 2020

Chairperson Vander Meiden called the Board of Adjustment to order at 6:00 p.m. in the Public Safety Complex. Members present were: Vince Nossaman (via phone), Jaci Nunnikhoven, Susan Reiter (via phone), Merlan Rolffs (via phone), Lyle Vander Meiden, and Mike Vander Wert; absent: Jim Corbett and Corey Westra. Staff present: City Administrator Mike Nardini and the Deputy City Clerk. Due to heightened public health risks associated with the COVID-19 pandemic, accommodations were made to broadcast this meeting via conference call. Two members of the public were in attendance in person and no members of the public joined the conference call.

CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda: Motion by Reiter, second by Vander Wert to approve the tentative agenda. Motion carried 6-0.

APPROVAL OF MINUTES: Motion by Reiter, second by Nunnikhoven to approve the September 21, 2020 minutes. Motion carried 6-0.

PUBLIC HEARINGS

Consider a Special Use Permit Request to Operate a Commercial Event Venue at 616 Franklin Street

Spencer Carlstone has submitted a Special Use Permit (SUP) application to extend the Commercial Event Venue at 616 Franklin Street to the lower floor of the building. In addition, Mr. Carlstone is requesting to increase his current capacity limitation during normal business hours from 100 to 200. As background, the Board of Adjustment approved a SUP for the applicant's current event venue in the second floor of this building. Therefore, the purpose of this request is to allow the same use in the rest of the building. The lower floor is currently slated to house an art gallery and the proposed SUP would allow for this space to be used for events.

The proposed land use is defined as a "Commercial Event Venue." This use is defined as "an establishment that is leased on a temporary basis before the event by individuals or groups who reserve the facility to accommodate private functions including, but not limited to, banquets, weddings, anniversaries, receptions, business organizational meetings, and other similar functions, to which the general public is not admitted. Such establishments may include kitchen facilities for the preparation of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions. A commercial event venue does not include amusement recreation, cocktail lounge, cultural service, or restaurant." It is important to note that "Commercial Event Venue" land uses are permitted by right in the Commercial-Mixed Use Urban (CUC), Community Commercial (CC), and Commercial-Planned Development (CPD) zoning districts. However, a SUP is required for this use in the Central Business District (CBD) zone.

Staff believes the proposed business complements the existing retail businesses in the CBD. However, in an effort to mitigate parking concerns in the CBD, staff recommends the current special use permit be amended as follows (proposed amendments/adjustments are highlighted in bold below):

Current Special Use Conditions

1. Operating Hours: 8:00 a.m. to 12:00 a.m.
2. Occupancy Limits: Monday through Friday from 8:00 a.m. to 5:00 p.m., 100-person limit.
3. The applicants' employees and contractors will be required to park in non three-hour parking areas in the CBD.
4. The applicant is responsible for maintaining the abutting public sidewalk and alleyways so they are free of any waste, trash, or other associated items.
5. Commercial Event Venues Uses permitted only on the second floor of the building.

Proposed Special Use Conditions

1. Operating Hours: 8:00 a.m. to 12:00 a.m.
2. Occupancy Limits: Monday through Friday from 8:00 a.m. to 5:00 p.m., 200-person limit.
3. The applicants' employees and contractors will be required to park in non three-hour parking areas in the CBD.
4. The applicant is responsible for maintaining the abutting public sidewalk and alleyways so they are free of any waste, trash, or other associated items.
5. Commercial Event Venues Uses permitted on the first and second floor of the building.

Convened Public Hearing on the SUP request. No written comments were received.

The applicant, Spencer Carlstone, was present to speak in favor of the SUP request and to answer questions from the Board.

In response to a question from Chris Meyers, City Administrator Mike Nardini stated that the transaction between Second Christian Reformed Church and the City on the purchase of the property at 608 E. First Street in Pella will be complete in June 2021. At that time, the remaining parking lots on the property will become City property and will add approximately 40 additional public parking spaces, in addition to the north parking lot, which was already acquired by the City.

In response to a question from Nossaman, Nardini explained that staff plans to review parking in the CBD, but a formal parking study has not yet been initiated.

Motion by Reiter, second by Vander Wert to close the Public Hearing as no further comments were received. Motion carried 6-0.

Vander Meiden asked Nardini how many complaints from the public about a business would trigger review of a SUP. Nardini replied that, overall, compliance with a SUP has rarely been an issue. However, it depends, as the more serious the offense is, the more likely a SUP would come back before the Board for review.

Motion by Reiter, second by Nunnikhoven to approve the SUP request by amending the previously approved SUP to have an occupancy limit of 200 people Monday through Friday from 8:00 a.m. to 5:00 p.m. and to permit Commercial Event Venues Uses on the first and second floor of the building. Motion carried 6-0.

The next meeting is scheduled for November 16, 2020.

Adjourned at 6:25 p.m.

e. Historic Preservation Commission Minutes for February 8, 2021

Chairperson Kermode called the Historic Preservation Commission to order in the Public Safety Complex at 5:07 p.m. Members present were: Don André, Bruce Boertje, Rhonda Kermode, and Lila Turnbull. Staff present: Assistant City Administrator Corey Goodenow and the Deputy City Clerk. Due to heightened public health risks associated with the COVID-19 pandemic, accommodations were made to broadcast this meeting via conference call. No members of the public joined the conference call.

APPROVAL OF TENTATIVE AGENDA: Motion by Boertje, second by D. André to approve the tentative agenda. Motion carried 4-0.

APPROVAL OF MINUTES: Motion by D. André, second by Turnbull to approve the minutes from the January 20, 2021 meeting. Motion carried 4-0.

NEW BUSINESS

Consideration of a Resolution Recognizing and Supporting Friends of the Pella Community Center's Initiative and Efforts Related to the Preservation of the Pella Community Center

The City of Pella's Historic Preservation Commission wishes to recognize and support the efforts to preserve and renovate Pella's historic Community Center building, located at 712 Union Street, and constructed in 1916.

Further, this commission wishes to acknowledge and commend the efforts of the non-profit organization Friends of the Pella Community Center for taking the initiative and providing funding to place the building on the National Register of Historic Places, for hiring an architect to provide potential renovation concepts, and for laying the groundwork for fundraising in support of an eventual building renovation.

Motion by Boertje, second by D. André to adopt the resolution as presented. Motion carried 4-0.

OTHER BUSINESS/WORK SESSION

Pella Fire Station Update: Kermode shared that if the Pella Fire Station is eligible for placement on the National Register of Historic Places, then the Commission could request a field services consultation by an architect in order to formulate a plan for the Pella Fire Station rehabilitation. She said she will update the Commission as she learns more about this process.

Discussion of Future Potential Historic Overlay Zone Locations with the City of Pella: The Commission discussed potential areas that could be considered for another historic district. Several areas that were brought up for further review included East and West Washington Street, sections of East First, East Second, and East Third Streets, sections of East Franklin Street, sections of Liberty Street, areas near West Market Park, Downtown Pella, North Main Street, and West Columbus Street. Assistant City Administrator Corey Goodenow stated that staff had

created a map of historic homes within the City of Pella and that he would bring it to the next Commission meeting. Turnbull suggested focusing on areas with properties that are the most likely to be threatened and need the protection of a historic district. Kermode stated that reviewing a home's abstract would be a good way to gather information for site inventory forms. D. André stated he would reach out to State Historical Society of Iowa Architectural Historian Sara André to get clarification regarding the requirements for the creation of a historical district.

D. André asked about signage for the City's historic districts. Goodenow said he would review what the Commission had discussed at previous meetings. D. André suggested plywood as an option for budget-friendly sign material.

D. André said he will check with Candace De Penning as a potential individual to fill the Commission's vacancy. The application for appointment to City of Pella's boards and commissions is available on the City of Pella website.

Kermode said that due to the current COVID-19 pandemic, it is unlikely that plans for an Earth Day historic preservation event will proceed this year.

Boertje asked about the status of the City pursuing designation as a Certified Local Government (CLG). Goodenow stated that he would research whether there is an application deadline and what the timeline is for the application process. Boertje agreed to compile some information on potential historic district areas and will send it to Goodenow for distribution to the Commission.

Adjourned at 6:00 p.m.

f. Planning and Zoning Commission Minutes for February 22, 2021

Chairperson Canfield called the Planning and Zoning Commission to order at 7:00 p.m. in the Public Safety Complex. Members present were: Joe Canfield, Julio Chiarella (via phone), Cathy Haustein (via phone), Julie Heerema Mueller (arrived at 7:02 p.m.), Kisha Jahner (via phone), Tom Johnson (via phone), Dave Landon (via phone), Robin Pfalzgraf, Ann Visser (via phone), and Teri Vos (via phone); absent: Mark Groenendyk. Staff present: City Administrator Mike Nardini, Code Enforcement Officer Jared Parker, and the Deputy City Clerk. Due to heightened public health risks associated with the COVID-19 pandemic, accommodations were made to broadcast this meeting via conference call. Seventeen members of the public joined the conference call.

APPROVAL OF TENTATIVE AGENDA: Motion by Pfalzgraf, second by Landon to approve the tentative agenda. Motion carried 10-0.

APPROVAL OF MINUTES: Motion by Pfalzgraf, second by Johnson to approve the minutes of the January 25, 2021 meeting. Motion carried 10-0.

PUBLIC HEARINGS

Consider a Rezoning Application for Land Along 218th Place, to Change the Zoning from A1 (Agricultural) and CC (Community Commercial) to M1 (Limited/Light Industrial)

Bruce Schiebout has submitted a conditional rezoning application for a 9.66-acre parcel along 218th Place to change the zoning from A1 (Agricultural) and CC (Community Commercial) to M1 (Limited/Light Industrial). The subject property is currently utilized for agricultural purposes.

To address land compatibility issues, the applicant has agreed to the following conditions:

1. Conditional Uses: The applicant proposes conditions on the M1 district for the site, removing several intensive uses that would otherwise be permitted in M1. These uses to be disallowed include: Cocktail Lounge, Kennels, Restricted Business (Adult Entertainment), Recycling Collection, Recycling Processing, Recycling Processing Limited, and Tattoo Parlor.

2. The applicant has agreed to Type 'A' screening requirements for the development.

3. The applicant has agreed to design standards for any buildings constructed on-site.

Staff believes the proposed rezoning aligns with aspects of the City's Comprehensive Plan. In addition, staff also believes the conditions associated with this rezoning request address potential land use compatibility issues. As a result, staff is recommending approval of the rezoning request.

Convened Public Hearing on the proposed ordinance. No written comments were received.

Pfalzgraf said she is concerned that the property's use may end up being different from what is being proposed.

Applicant Bruce Schiebout was on the call to answer questions from the Commission and spoke in favor of the rezoning request. He explained that his intent is to build a brick structure for an office, approximately 4,800 square feet, and to expand his company's warehousing. He also mentioned that he has interest from another business owner to possibly relocate to this property as well. There have been difficulties with vehicles accessing his current business, which is an additional reason he would like to relocate to the top of the hill.

In response to a question from Landon, City Administrator Mike Nardini explained that any approved conditions on the rezoning would run with the land.

Attorney Brad Skinner was present on the call with Dr. Kenneth Van Wyk to ask questions about the rezoning request, as Van Wyk's property is located across 218th Place from the property proposed to be rezoned. He asked what type of screening would be required. Code Enforcement Officer Jared Parker explained that Type A screening would be required, which is primarily opaque screening. This can include a fence and any kind of dense foliage, such as large trees, to break up the visual effect. Nardini stated that the screening and the access location to the site would be approved as part of a site plan by the Commission.

Schiebout stated that the plan is for the existing driveway to be the entrance to the site and the office building will be located south of the entrance. He estimated it would be located approximately 100 feet north of Van Wyk's driveway.

Skinner stated that Van Wyk is concerned about the traffic on 218th Place. Nardini explained that traffic impact analysis can be evaluated during the site planning process. Schiebout stated that he does not anticipate there will be a significant increase in traffic.

Nardini explained to Skinner that the City Council is currently scheduled to hold a public hearing at their meeting on March 2, 2021 and the ordinance will require three readings to be approved. Skinner asked whether the Comprehensive Plan will be amended. Nardini replied that the Future Land Use Map would be updated if the property is rezoned by the City Council. Nardini gave an overview of the site planning process.

Motion by Landon, second by Johnson to close the public hearing as no further comments were received. Motion carried 10-0.

Pfalzgraf stated that Van Wyk can also attend the City Council's public hearing on this matter to express any concerns he may have about the rezoning. Nardini agreed.

Landon noted that since this is a rezoning matter, that the Commission should be careful to not discuss this matter outside of a Commission meeting. Nardini agreed and explained that Landon is referring to ex parte communication and it is important that if Commissioners have discussions with the applicant or others about this rezoning, those discussions and the information exchanged between parties should be disclosed to the Commission.

Motion by Jahner, second by Pfalzgraf to table the rezoning request to be reviewed at a future meeting. Motion carried 10-0.

NEW BUSINESS PROPOSED

Consider Final Plat for the Subdivision Known as Prairie Ridge Plat 2

RDP Holdings, LLC and ATI Group have submitted a final plat for phase three of their development known as the Prairie Ridge subdivision. The subject property is located north of Washington Street/Highway G28, north of the Fifield Road intersection. On July 16, 2019, the City Council approved an ordinance to rezone this property to Planned Unit Development (PUD). The Planning and Zoning Commission approved the

preliminary plat for this project on June 22, 2020 and the City Council approved it on July 7, 2020. Please note that the proposed final plat includes 74 lots and various outlots.

Chapter 170.08.2 requires the Planning and Zoning Commission to review the final plat for conformance with the Comprehensive Plan, including the Future Land Use Map.

Housing options are noted as a priority goal in the City's Comprehensive Plan, with the aim to "provide a range of housing types at a variety of prices, to accommodate workers and residents at all stages of life." The Comprehensive Plan's text and Future Land Use Map are to be construed as a cohesive whole when determining a proposed project's conformity. As the impetus for additional and various housing options features prominently in the plan, and because the area's focus has been shifted from industrial to medium-density and multiple-family residential, the proposed development conforms with the Comprehensive Plan's goals. The City Council also determined this during its consideration of the rezoning to PUD, which was approved on July 16, 2019.

The developer has submitted the necessary performance bonds for the public infrastructure which will be completed as a part of this final plat. Once the infrastructure is constructed, it will be dedicated to the City of Pella. Listed below is a summary of the public infrastructure for this plat: Roadways: ~3,360 linear feet, Sanitary Sewer: ~3,096 linear feet, Storm Sewer: ~2,856 linear feet, Electric: ~3,336 linear feet.

The proposed final plat has been submitted to reflect City of Pella staff and consultant comments. Staff finds the final plat meets the minimum requirements of the zoning ordinance and subdivision ordinance. Additionally, staff finds the development conforms to the City's Comprehensive Plan. Based upon the findings, staff recommends approval of the final plat as submitted.

Motion by Landon, second by Heerema Mueller to approve the final plat as submitted. Motion carried 10-0.

Consider a Site Plan for Indoor Storage at 431 SE 14th Street

Brad Uitermarkt has proposed building a structure on the property located at 431 SE 14th Street. The main structure proposed shall be 14,256 square feet. The Comprehensive Plan's Future Land Use Map identifies this site as General Industrial. The proposed use aligns with this designation. The proposed site plan satisfies pertinent City Code and is consistent with the Comprehensive Plan. Staff recommends approval of the site plan as submitted. Motion by Johnson to approve the site plan as submitted. Motion carried 10-0.

OTHER BUSINESS / PUBLIC FORUM

Work Session to Review Information Regarding a Proposed Planned Unit Development for the Proposed Pella Market

This work session is intended to discuss a proposed Planned Unit Development (PUD) on the three vacant lots located at or near 503 Main Street. The developer for this site is proposing the Pella Market, which is intended to be similar to the Gateway Market in Des Moines.

According to the developer, the proposed Pella Market will offer the very best fresh food and exceptional service by providing produce essentials, freshly baked artisan breads, world-class grocery, a collection of the finest cheeses, unique wines, chef-crafted meals-to-go, and educational food and wine experiences for their customers. The Café will serve breakfast, lunch, and dinner offering catering and boxed lunches of the same great quality found in the market.

A considerable amount of site planning work has taken place for this proposed PUD. The plan was reviewed by professional engineers and City staff. This review included public safety issues, traffic concerns, and an infrastructure analysis. Overall, the planning for the development was completed in a comprehensive manner and in accordance with City Code.

The existing zoning for the property is Commercial - Mixed Use Urban Center (CUC). The CUC zoning district recognizes the mixed-use character of urban entry corridors into Pella's downtown, including Washington Street and Main Street, which contain a combination of residential, commercial, and office uses. These entry corridors include special aesthetic and sign design standards, which will help enhance their status as principal entrances and arterials into Pella's downtown, and to maintain their character as urban streets. The proposed Pella Market is an allowed use under the current zoning for the district.

The base zoning for the PUD will remain CUC. However, as the Commission may be aware, the location of this site is within the Webster School Urban Renewal Plan (URP). As background, the primary objectives of this URP were to provide opportunities and incentives that promote blight remediation. Furthermore, this area was previously declared as a 'blighted area' by the City Council. This is important as when redevelopment occurs in blighted areas, zoning requirements are often relaxed. In this case, the developer is proposing an enhanced building design in exchange for flexibility in minimum lot areas and setbacks.

In addition to the item noted above, the proposed PUD ordinance allows the developer to satisfy their 38 on-site parking space requirements with the off-site parking lot directly south of Independence Street. Through an agreement, the Pella Market will have access to 21 non-exclusive parking spaces, which are currently owned by South Main and the First Baptist Church. It is important to note that this parking proposal was reviewed by the City's engineer, Veenstra & Kimm, in terms of capacity and pedestrian safety/access to the site. According to Veenstra & Kimm, several recent studies that evaluated parking in 'downtown' areas have concluded that actual parking utilization is less than traditional standards. Overall, Veenstra & Kimm concluded that for most periods of the day, the 14 on-site parking spaces would be adequate for the Pella Market. In addition, there will likely be some occasions when customers will park on the southside of Independence Street.

Finally, it is important to note, the only use allowed on this site is the Pella Market, which is also an allowable use under the City's zoning code. Staff believes the proposed Pella Market aligns closely with a key strategic goal of the Comprehensive Plan, which is economic development. Specifically, the Comprehensive Plan noted a 'gap' exists for food and beverage establishments. Staff believes the proposed Pella Market will help address this shortage in the community and will be a nice compliment to the new South Main development. Furthermore, the Comprehensive Plan has identified this section of Main Street as a commercial corridor and economic development area for the City.

Once again, the purpose of this work session is to discuss and address any concerns with the proposed PUD ordinance. This proposed ordinance is scheduled to be presented for formal consideration by the Planning and Zoning Commission during the March 22, 2021 meeting. Heerema Mueller asked what the number of required parking spaces would be for this development. Nardini replied that 38 parking spaces would be required and 14 have been designated on site. Heerema Mueller expressed concern with the limited parking on site. Nardini explained that Pella Market's parking agreement with First Baptist Church across the street will allow for an additional 21 spaces for use by Pella Market to help satisfy parking demands. Heerema Mueller stated that this still falls short of the number of parking spaces required for the business.

Pfalzgraf asked whether the parking agreement between Pella Market and First Baptist Church is in writing. Nardini replied yes, it is a formal agreement. Landon asked about Pella Market's proposed hours of operation, as there could be overlap on when both entities need use of the parking lot. Nardini said he understands that First Baptist Church has exclusive use of the parking lot on Wednesday evenings and Sunday mornings. A copy of the parking agreement is included in the Commission's packet with more details.

Jade Dix was present via phone to speak on behalf of the applicant. He stated that the proposed hours are 7:00 a.m. to 9:00 p.m., but he is unsure what the proposed hours for Sundays are. Pfalzgraf asked whether there will be signage placed in the parking lots noting restricted parking times. Dix stated that signage will be placed on site if there are issues with parking.

Jahner asked whether property owners in the South Main development will use First Baptist Church's parking lot as overflow parking for their residences. Nardini stated that there are two parking spaces provided per dwelling unit in the South Main development. Parker added that there is also excess parking provided, per the requirements of South Main's PUD. Nardini explained that Pella Market's truck traffic would use the entrance located to the east of the alley. Heerema Mueller stated that she thinks Pella Market is a great project for the City of Pella, but she has concerns with the lack of on-site parking. She noted that other local businesses have had to abide by the parking requirements set forth in City Code. Nardini explained that Veenstra & Kimm evaluated the parking situation and, based on those evaluations, the proposal is to allow

off-site parking across the street at the church. Pflzgraf said she is surprised the developers were able to find space for 14 parking spaces on site. She stated that the parking situation is not ideal, but she likes what Pella Market has proposed. She stated that businesses around the square all utilize public parking and do not offer off-street parking for customers. Landon said he thinks that if designated parking is located across the street from Pella Market, it is important that a mid-block pedestrian crossing on Independence Street be installed to protect those crossing the street. He asked whether Pella Market would have to undergo design review by the Community Development Committee (CDC). Nardini replied that Pella Market would be exempt from design review and the structure would be built as shown in the ordinance's exhibits. Johnson stated that Pella Market would be well-received by Central College's student body and that he is in support of the project. Haustein stated she is also in support of the project. She commented that the developer should consider placing bicycle racks on site. Chiarella commented that the development will be a good addition to that area of Pella. Pflzgraf stated that the current site is located on a hill. She asked Dix if the site will be leveled off. Dix replied yes, and there will be a retaining wall installed alongside the alley. Canfield stated that he is disappointed that this project will not have to undergo design review to incorporate design elements to match the existing aesthetics of Pella. Nardini stated that design review was one of the concessions made by the City in order to develop a blighted area of the community. Canfield stated that when the Molengracht area was designed, it was done in a way to blend into the town. While the proposed Pella Market design is beautiful, Canfield stated that he is unsure that it fits in Pella. Jahner asked whether Heerema Mueller is concerned with the City setting a precedence by approving this project. Heerema Mueller said she is in favor of Pella moving forward by working together with developers, but the City must be mindful of certain things that made Pella what it is. Chiarella stated that there may be difficulty in building the proposed Pella Market according to Pella's design standards. He said that markets generally have a lot of natural light, so the proposed design with many windows is functional. Nardini said that the developer has stated the design of the building is very important to the business' operational model, which is a reason the developer has asked to have the design approved by City Council instead of the CDC. In response to a question from Landon, Dix stated that Orchestrate Hospitality, which operates Liberty Street Kitchen, will operate Pella Market. Nardini told the Commission that staff will speak with Veenstra & Kimm regarding the Commission's comments on installing a mid-block pedestrian crossing on Independence Street.

Annual Elections for Chairperson and Vice-Chairperson: Motion by Landon, second by Heerema Mueller to elect Canfield as Chairperson and Teri Vos as Vice-Chairperson for 2021. On roll call the vote was: ayes: Landon, Heerema Mueller, Chiarella, Haustein, Jahner, Johnson, Pflzgraf, and Visser; nays: none; abstain: Canfield and Vos. Motion carried 8-0.

The next Planning and Zoning Commission meeting is scheduled for March 22, 2021.

Adjourned at 8:57 p.m.

3. Petitions and Communications

a. Special Event Permit Request for Marion County Cattlemen Promotional Grilling for May Beef Month

i. Resolution No. 6269 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS MARION COUNTY CATTLEMEN PROMOTIONAL GRILLING FOR MAY BEEF MONTH"

BACKGROUND: The Marion County Cattlemen's Association has applied for a special event permit to hold a grilling event in celebration of May Beef Month. The event is requested to be held on Friday, May 14, 2021, from 3:00 to 8:00 p.m. A rain date of Friday, May 21, 2021 has also been requested. Included with this request is a resolution closing four parking spaces on the east side of Main Street, in front of the In't Veld Meat Market, as outlined on the attached map. In addition, the resolution closes a portion of the Oost Poort Alley to park the Marion County Cattlemen trailer during the event. It is important to note that the Oost Poort Alley construction project is scheduled to begin the week of May 10; therefore, the Alley may be unavailable for use during this event.

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. Furthermore, staff requests that the event coordinator contacts the Public Works Director the week prior to this event to discuss the availability of the Oost Poort Alley at that time.

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

b. Special Event Permit Request for the Southern Iowa Mustang Club Car Show

i. Resolution No. 6270 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS SOUTHERN IOWA MUSTANG CLUB CAR SHOW"

BACKGROUND: The Southern Iowa Mustang Club has applied for a special event permit for their annual car show. The event is scheduled on Saturday, June 19, 2021 from 8:00 a.m. to 4:00 p.m. with set-up starting at 7:00 a.m. and take down ending at 5:00 p.m. As background, the Southern Iowa Mustang Club promotes the appreciation of classic cars via car shows, picnics, cruises, tours, and other public activities. They are requesting to hold their 25th annual car show in Pella to allow their attendees the opportunity to attend a car show in a picturesque setting and enjoy shopping at area businesses. The promoter anticipates having 80 cars and 200 people attend the event. As part of their application, the promoter has requested closure of the following street segments between 7:00 a.m. and 5:00 p.m. the day of the event:

- Broadway Street between Washington Street and Franklin Street
- Broadway Street between Franklin Street and Liberty Street

The promoter is recommending keeping the intersections (Broadway and Franklin as well as Broadway and Liberty) open during the event to minimize any traffic disruptions.

All pertinent City departments have reviewed this application and comments are attached. At the time of packet publication, the fee and insurance certificate were still pending; therefore, staff is recommending conditional approval of this event upon receipt of the applicable special event permit fee and certificate of insurance 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 the Red Rock Threshers Tractor Pull**

BACKGROUND: The Red Rock Threshers have applied for a special event permit for their annual tractor pull. The event is scheduled to be held on Saturday, June 5, 2021, from 7:00 a.m. to 7:00 p.m. The event is requested to be held on City property located east of Geetings near the intersection of South Prairie Street and Truman Road, as shown on the attached map. Set-up is requested to begin on Friday, June 4, 2021 at 5:00 p.m., with take down complete by Saturday, June 5, 2021 at 8:00 p.m.

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

d. **Special Event Permit Request for the Prairie Ridge Open House**

BACKGROUND: Home Realty has applied for a special event permit to host Tacos Jalisco’s food truck as part of their open house in the Prairie Ridge development. If approved, the event would be held from 11:00 a.m. to 2:00 p.m. on May 1, 2021. The applicant is requesting to locate the food truck near the intersection of Fifield Road and Indigo Lane, as outlined on the attached map. No road closures have been requested.

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

e. **Renewal of Class C Liquor License with Outdoor Service and Sunday Sales for In’t Veld’s Enterprises**

BACKGROUND: In’t Veld’s Enterprises, Inc., located at 820-822 Main Street, has applied for renewal of their class C liquor license with outdoor service and Sunday sales privileges. 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

f. **Renewal of Class C Liquor License with Outdoor Service and Sunday Sales for MK Golf Shops**

BACKGROUND: MK Golf Shops, located at 2411 Bos Landen Drive, has applied for renewal of their class C liquor license with outdoor service and Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on May 14, 2022. The application has been completed online with the state and, at the time of packet publication, is pending dram shop certification. Staff is recommending approval pending dram shop certification.

ATTACHMENTS: Application
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve renewal pending dram shop certification

4. **Administration Reports**

a. **Resolution No. 6271 entitled, “RESOLUTION APPROVING AN APPLICATION AND AGREEMENT FOR FEDERAL ASSISTANCE GRANT NO. 3-19-0112-014-2021”**

BACKGROUND: On February 12, 2021, the Secretary of Transportation announced additional funding related to the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA). As part of the act, a formula allocated \$23,000 to the Pella Municipal Airport, subject to a grant application and award. The attached resolution formally approves the grant application and agreement and authorizes the Finance Director to administer the grant. Additionally, the resolution authorizes the Finance Director to sign any documents related to the grant on behalf of the City of Pella.

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

E. PUBLIC HEARINGS

1a. **Public Hearing regarding a rezoning application to change the zoning classification of land located at or near 503 Main Street to a proposed Planned Unit Development.**

One written comment was received and included in the Council packet. Ten oral comments were received.

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

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

BACKGROUND: This proposed ordinance would amend the zoning district of three vacant properties located at or near 503 Main Street to a Planned Unit Development (PUD). If approved, the base zoning district would remain Commercial – Mixed Use Urban Center (CUC). The developer for this site is proposing the Pella Market, which is intended to be similar to the Gateway Market in Des Moines. According to the developer, the proposed Pella Market will offer the very best fresh food and exceptional service by providing produce essentials, freshly baked artisan breads, world-class grocery, a collection of the finest cheeses, unique wines, chef-crafted meals-to-go, and educational food and wine experiences for their customers. The Café will serve breakfast, lunch, and dinner offering catering and boxed lunches of the same great quality found in the market.

Listed below is background information on the proposed PUD ordinance:

Planned Unit Developments: Planned Unit Developments are designed to allow for comprehensively planned projects which provide for innovative and imaginative approaches to urban design and land development. A PUD is a negotiated contract for land development between the private developer and the public governmental entity. This differs from the traditional approach to land development wherein the developer develops land pursuant to minimum standards previously adopted by the government. A PUD permits flexible variation from established land regulations as contained in zoning districts and in platting and subdivision requirements. The developer, with City staff guidance, Planning and Zoning (P&Z) Commission review, and Council approval, may develop its own guidelines for the best development of the land in question. As a result, some requirements of the PUD will be greater than the City's zoning code. In addition, there will be some variations from the zoning code to accommodate the development. The overall intent of the PUD is to enhance land use compatibility with the existing neighborhood. A considerable amount of site planning work has taken place for this proposed PUD. The plan was reviewed by professional engineers and City staff. This review included public safety issues, traffic concerns, and an infrastructure analysis. Overall, the planning for the development was completed in a comprehensive manner and in accordance with City Code.

Current Zoning: The existing zoning for the property is CUC. The CUC zoning district recognizes the mixed-use character of urban entry corridors into Pella's downtown, including Washington Street and Main Street, which contain a combination of residential, commercial, and office uses. These entry corridors include special aesthetic and sign design standards, which will help enhance their status as principal entrances and arterials into Pella's downtown, and to maintain their character as urban streets. The proposed Pella Market is an allowed use under the current zoning for the district.

Proposed Zoning: The base zoning for the PUD will remain CUC. However, as Council may be aware, the location of this site is within the Webster Park Urban Renewal Plan (URP). As background, the primary objectives of this URP were to provide opportunities and incentives that promote blight remediation. Furthermore, this area was previously declared as a 'blighted area' by the City Council. This is important as when redevelopment occurs in blighted areas, zoning requirements are often relaxed. In this case, the developer is proposing an enhanced building design in exchange for flexibility in minimum lot areas and setbacks. Finally, it is important to note, the only use allowed on this site is the Pella Market as described on the previous page, which is also an allowable use under the City's zoning code.

Traffic and Parking Review: In addition to the item noted above, the proposed PUD ordinance allows the developer to satisfy their 38 on-site parking space requirements with the off-site parking lot directly south of Independence Street. Through an agreement, the Pella Market will have access to non-exclusive parking spaces which are currently owned by South Main and the First Baptist Church (see Ordinance Exhibit E - Parking Agreement). It is important to note that this parking proposal was reviewed by our engineer, Veenstra & Kimm (V&K), in terms of capacity and pedestrian safety/access to the site. According to V&K, several recent studies that evaluated parking in 'downtown' areas have concluded that actual parking utilization is less than traditional standards. Overall, V&K concluded that for most periods of the day, the 14 on-site parking spaces would be adequate for the Pella Market. In addition, V&K reviewed and determined this proposal satisfactory as it applies to pedestrian traffic. As outlined in the attached letter, V&K recommends that the City monitors the amount of pedestrian traffic from the non-exclusive parking spaces after the Pella Market opens. A future determination regarding the need for a potential mid-block pedestrian crossing would be made based on the amount of actual traffic.

Comprehensive Plan: Staff believes the proposed Pella Market aligns closely with a key strategic goal of the Comprehensive Plan, which is economic development. Specifically, the Comprehensive Plan noted a 'gap' exists for food and beverage establishments. Staff believes the proposed Pella Market will help address this shortage in the community and will be a nice compliment to the new South Main development. Furthermore, the Comprehensive Plan has identified this section of Main Street as a commercial corridor and economic development area for the City.

Planning and Zoning Commission Review: At their meeting on March 22, 2021, the P&Z Commission stated the proposed PUD was in alignment with the City's Comprehensive Plan; however, the Commission recommended, on a 7-2 vote, to strike section 3(A) of the ordinance, design review standards, meaning the developer would be required to comply with design review standards in Pella City Code Section 165.16, 165.17, and 165.18. These code sections require review and issuance of a design permit by the Community Development Committee. The reason for the amendment was the Commission was concerned about the precedence of waiving design standards. It is important to note that the waiver of design review standards, as written in this proposed ordinance, is consistent with the Webster Park PUD ordinance. The Webster Park PUD ordinance, for the South Main development, was considered and approved by the P&Z Commission and City Council in 2018. The South Main development is located directly south of the properties under consideration for this proposed Pella Market PUD ordinance. Specifically, the Webster Park PUD ordinance waived design standards for the residential uses in the development. In addition, commercial uses are allowed in building 4 of the development, and those standards were also waived in the Webster Park PUD ordinance. While staff recognizes the importance of the design review process noted by the P&Z Commission, the developer has indicated they have spent a significant amount of funds on the design of the building and they would like to proceed with the construction phase of the development. As a result, they have requested to proceed with the proposed PUD ordinance, including section 3(A) waiving design review standards for the development. In addition, it is important to keep in mind that through the City's design review process, applicants can appeal Community Development Committee decisions to the City Council; therefore, this matter could still be presented to the City Council even if the proposed building was subject to design review standards. Listed below is the applicable section of City Code:

Pella City Code Section 165.16(5) states that "Any person denied a building/design permit by the Building Official pursuant to the recommendations of the Committee (CDC) may appeal the denial within thirty (30) days after notification of the denial to the City Council."

Taking into consideration the appeal process for design permits, the City's zoning code ultimately defers matters of design consideration to the City Council for the final decision, which staff believes is accomplished through the inclusion of Exhibit B-1 through Exhibit B-8 of the proposed ordinance.

Staff Recommendation: According to the City Attorney, the P&Z Commission must make one of the following recommendations to the City Council on Planned Unit Developments: Pella City Code Section 165.14(3)(d) states that "The Commission shall recommend either: approval as filed; approval subject to specific conditions as listed; or denial." In addition, the City Attorney stated that the City Code provides final authority regarding Planned Unit Developments to the City Council. Furthermore, since the P&Z Commission did not deny the proposed ordinance, the City Attorney does not believe a super majority of Council is required to pass the ordinance with section 3(A) included. In summary, since it appears questionable if the development will proceed if there are significant changes proposed to the design of the building, staff is recommending proceeding with the ordinance which includes section 3(A).

As a result, Council has the following options:

1. Approve ordinance as submitted (staff recommendation)
2. Approve the ordinance with section 3(A) removed (P&Z Commission recommendation)
3. Approve the ordinance with other modifications not listed above
4. Table the ordinance
5. Deny the ordinance

Staff believes the proposed ordinance meets the requirements of the City's zoning code. In addition, staff believes the proposed ordinance is consistent and in conformance with the City's Comprehensive Plan, as detailed above. Therefore, staff recommends approval of the proposed ordinance.

ATTACHMENTS: Ordinance with Exhibits, Engineer's Letter, Aerial Map, Written Comment

REPORT PREPARED BY: City Administration

REVIEWED BY: City Clerk

RECOMMENDATION: Approve ordinance as submitted (option 1)

1b. Ordinance No. 990 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY GENERALLY LOCATED AT 503 MAIN STREET, CITY OF PELLA, MARION COUNTY, IOWA."

De Jong moved to place ordinance no. 990 on its first reading, seconded by Branderhorst.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

It was moved by Bandstra that the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, seconded by Sporrer.

On roll call the vote was:

AYES: 3 (Bandstra, Sporrer, Hopkins)

NAYS: 3 (De Jong, Branderhorst, Schiebout)

Motion failed.

2a. Public Hearing regarding the Oost Poort Alley Sewer, Storm, and Paving Project Bids.

No written or oral comments were received.

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

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

BACKGROUND: This resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the Oost Poort Alley Sewer, Storm, and Paving project. As background, this project consists of the following items:

- Sanitary sewer, storm sewer, underground storm water detention, and paving improvements in the Oost Poort Alley and adjacent City parking lots
- The parking lots will be paved with concrete
- The alley pavement will be bid with concrete and include a bid alternate for brick surfacing
- Sanitary sewer and services replacement in the alley from East 1st Street to one-half block west
- Storm sewer and intakes installed along the Oost Poort Alley and connecting to the existing storm sewer system at Washington and East 1st Street
- The new storm sewer will connect to the downspout drains installed as part of the Oost Poort Phase 1 project in 2019
- Underground storm water detention systems will be installed under the east half of the existing City parking lot and under the City-owned unpaved parking lot located in the center of the block

The bid opening for the project was held on March 25, 2021; one bid was received from TK Concrete in the amount of \$880,934 for the base bid and \$940,854 for the alternate bid (finishing the Oost Poort Alley with a brick surface). The engineer's opinion of probable costs for this project was \$900,405 for the base bid and \$951,670 for the alternate bid.

After reviewing the bid proposal and checking references, Garden & Associates, the project engineer, recommends awarding the contract to the lowest responsive, responsible bidder, TK Concrete. The engineer does not believe rebidding the project would result in additional interest.

In accordance with previous downtown streetscape plans which identified finishing the Oost Poort Alley with a brick surface, staff is recommending awarding the contract for this project to TK Concrete for the alternate bid, which includes finishing the alley with a brick in-lay, in the amount of \$940,854.

If approved, below is an overview of the timeline for this project:

May 10, 2021 Notice to proceed (approximate)

Late fall 2021 Final completion (175 working days)

In summary, staff is recommending approval of this resolution which approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the above referenced project to TK Concrete for the alternate bid, which includes finishing the Oost Poort Alley with a brick surface, in the total amount of \$940,854. Should Council wish to consider the base bid, which includes finishing the Oost Poort Alley with a concrete surface, staff recommends deferring the award of this contract to the next regular Council meeting on April 20, 2021, to allow additional time for discussion.

The resolution also gives the Public Works Director authorization to issue the notice to proceed once the contract, bonds, insurance certificates, and appropriate permits are in proper order and fully executed.

ATTACHMENTS: Resolution, Map, Engineer's Recommendation, Bid Tabulation

REPORT PREPARED BY: Public Works Department

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

2b. Resolution No. 6272 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE OOST POORT ALLEY SEWER, STORM, AND PAVING PROJECT."

De Jong moved to approve, seconded by Sporrer.

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

3a. Public Hearing regarding the 218th Avenue and Neil Drive Reconstruction Project Bids.

No written or oral comments were received.

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

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

BACKGROUND: This resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the 218th Avenue and Neil Drive Reconstruction project. As background, this project consists of all labor, material, and equipment to construct a 31-foot (back of curb to back of curb) 8" concrete road with load transfer baskets. The project also includes grading, storm sewer, culverts, subdrains, intakes, sidewalks, and associated improvements. This project starts at Idaho Drive and continues approximately 2,300 LF ending 200 LF south of Shady Brook Lane, as shown on the attached map.

The bid opening for the project was held on March 26, 2021. Six total bids were received as outlined below:

Contractor	Location	Bid
Wicks Construction, Inc.	Decorah, IA	\$1,282,721.00
JB Holland Construction, Inc.	Decorah, IA	\$1,319,716.00
Elder Corporation	Des Moines, IA	\$1,367,875.00
Cornerstone Excavating, Inc.	Washington, IA	\$1,399,253.50
TK Concrete, Inc.	Pella, IA	\$1,430,002.00
KLC Construction, LLC	Corydon, IA	\$1,466,041.70

After reviewing the bid proposals and checking references, Garden & Associates, the project engineer, recommends awarding the contract to the lowest responsive, responsible bidder, Wicks Construction, in the total amount of \$1,282,721. The engineer's opinion of probable costs for this project was \$1,515,186.50. Staff is in agreement with the engineer's recommendation.

If approved, below is an overview of the timeline for this project:

May 3, 2021	Notice to proceed issued
November 1, 2021	Final completion (80 working days)

In summary, staff is recommending approval of this resolution which approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the above referenced project to Wicks Construction in the total amount of \$1,282,721. The resolution also gives the Public Works Director authorization to issue the notice to proceed once the contract, bonds, insurance certificates, and appropriate permits are in proper order and fully executed.

ATTACHMENTS: Resolution, Map, Engineer's Recommendation, Bid Tabulation
REPORT PREPARED BY: Public Works Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

3b. Resolution No. 6273 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE 218TH AVENUE AND NEIL DRIVE RECONSTRUCTION PROJECT."

Bandstra moved to approve, seconded by De Jong.

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

F. PETITIONS & COMMUNICATIONS

1a. Special Event Permit Request for 2021 Tulip Time Festival.

Branderhorst moved to approve, seconded by De Jong.

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

BACKGROUND: The Pella Historical Society is requesting a special event permit for the 2021 Tulip Time Festival scheduled for May 6, 2021 through May 8, 2021. If approved, set-up is requested to begin on May 4, 2021 at 5:00 p.m. with take down complete by May 11, 2021 at noon.

A resolution requesting street closures for the event is included with this request and outlined below.

Streets and Alley Closures

The following street and alley segments are requested to be closed during the event:

- Broadway Street from Washington to Liberty
- Main Street from Washington to Liberty
- East 1st Street from the alley north of Franklin to the alley south of Franklin
- Franklin Street from West 2nd to East 2nd
- Oost Poort Alley from Main to East 1st
- Alley between Franklin and Liberty extending from Main to East 2nd
- West 2nd Street from Franklin to Liberty
- Liberty Street from West 3rd to West 2nd

Tulip Time Queen and Court Processional

The event promoter is requesting to hold a Tulip Time queen and court processional each day of the event at approximately 2:30 p.m., 4:30 p.m., and 8:30 p.m. During these times, the following streets will either be closed or have controlled access, as noted below:

- Closed: Main Street from Liberty to Union
- Closed: Washington Street from Broadway to Main
- Controlled access: Washington Street from West 1st to Broadway and Main to East 1st
- Controlled access: Broadway Street from Columbus to Washington
- Controlled access: Main Street from Columbus to Washington

Dutch Market at West Market Park

Closure of the West 2nd and Franklin Street intersection is requested to occur on Wednesday, May 5th to assist with set-up of the Dutch Market. In addition, the promoter is requesting to close the park completely between the hours of 9:00 p.m. and 6:00 a.m. starting May 5th through May 9th to assist with security for vendor inventory.

Fireworks: The promoter is requesting to hold a fireworks display on Friday, May 7th at approximately 9:00 p.m. The vendor, J & M Displays, is the same vendor used for the 4th of July fireworks. The fireworks are scheduled to be launched from a gravel road located near the Central College practice fields. This location has been approved by Central College and is consistent with the location of the fireworks show during the 2019 Tulip Time Festival. In addition, the promoter is requesting a rain date of Saturday, May 8th for the fireworks portion of this event.

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

1b. Resolution No. 6274 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS 2021 TULIP TIME FESTIVAL."

Sporrer moved to approve, seconded by Branderhorst.

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

2. Special Event Permit Request for The Cellar Peanut Pub Tulip Time.

Bandstra moved to approve, seconded by Branderhorst.

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

BACKGROUND: The Cellar Peanut Pub, located at 629 Franklin Street, has applied for a special event permit to extend their outdoor service area during the 2021 Tulip Time, consistent with previous years. The applicant is requesting to have this outdoor area open between 10:00 a.m. and midnight beginning May 5, 2021 through May 8, 2021. Set-up is requested to begin on Monday, May 3rd with take down completed by Monday, May 10th.

Extension of the Outdoor Service Area: The Cellar Peanut Pub currently has an approved outdoor service area that extends from their garage south approximately 10 feet. The applicant is requesting to temporarily extend this outdoor service area further south to the alleyway, as shown on the attached map, during this event. It should be noted that this location is City-owned property; therefore, this special event permit would need to be approved in order to accommodate the request.

Fencing: During 2017, 2018, and 2019 Tulip Time events, the promoter utilized an eight-foot-tall temporary fence to enclose their outdoor service area. The Cellar Peanut Pub is proposing to utilize a new portable PVC fence this year. The new fence, which is included as a memo attachment, is three-foot-tall and would fully enclose the outdoor service area, meeting requirements of the Iowa Alcoholic Beverages Division.

Summary: All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received. Additionally, the applicant has communicated with the Pella Historical Society and it is staff's understanding that the Historical Society is supportive of this request as shown on the attached letter. 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. In addition, approval of this event needs to be conditional upon approval of a temporary outdoor service extension for the establishment's liquor license (agenda item E-3).

ATTACHMENTS: Application, Map, Letter from Historical Society, Picture of Temporary Fence, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Conditional approval of the special event permit as outlined

3. Temporary Outdoor Service Extension on a Class C Liquor License for The Cellar Peanut Pub.

Branderhorst moved to approve, seconded by Sporrer.

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

BACKGROUND: The Cellar Peanut Pub, located at 629 Franklin Street, has applied for a temporary outdoor service extension on their class C liquor license starting May 5, 2021 through May 8, 2021. The purpose of this request is to allow more social distancing space to safely accommodate their customers during Tulip Time.

As background, the State of Iowa Alcoholic Beverages Division (ABD) requires that an outdoor service area must be a designated area adjacent to the licensed premises. The Cellar Peanut Pub currently has an approved outdoor service area that extends from their garage south approximately 10 feet. The applicant is requesting to temporarily extend this outdoor service area further south to the alleyway, as shown on the attached map. This area would be enclosed with a temporary three-foot-fence, which meets the Iowa ABD requirements. Patrons wishing to sit outside must walk through already established and staffed entrances in order to access the outdoor service area. It should be noted that this temporary outdoor service extension is located on City-owned property; therefore, a special event permit would also need to be approved in order to accommodate the request.

The application has been completed online with the state. Staff is recommending conditional approval of this temporary outdoor service extension 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. In addition, approval of this temporary outdoor service extension needs to be conditional upon approval of a special event permit (agenda item E-2).

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

4. Temporary Outdoor Service Privilege on a Class B Beer Permit for The Wijn House.

Branderhorst moved to approve, seconded by De Jong.

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

BACKGROUND: The Wijn House, located at 615 Franklin Street, has applied for a temporary outdoor service privilege on their class B beer permit starting May 6, 2021 through May 8, 2021. The purpose of this request is to allow additional social distancing space to safely accommodate their customers during Tulip Time. Furthermore, this request is consistent with previously approved requests from The Wijn House to provide additional outdoor seating to accommodate social distancing.

As background, the State of Iowa Alcoholic Beverages Division (ABD) requires that an outdoor service area must be a designated area adjacent to the licensed premises. The Wijn House is proposing the outdoor service area would extend from their building south to the alleyway, as outlined on the attached map. This area would be enclosed with a temporary fence, which meets the Iowa ABD requirements. Patrons wishing to sit outside must walk through the business in order to access the outdoor service area, which is located completely on private property.

The application has been completed online with the state. Staff is recommending conditional approval of this temporary outdoor service privilege 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, Map
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Conditional approval as outlined above

G. PLANNING & ZONING ITEMS – None

H. ADMINISTRATION REPORTS – None

I. RESOLUTIONS

1. Resolution No. 6275 entitled, “RESOLUTION APPROVING A FIRST AMENDMENT TO THE ORIGINAL PARTNERSHIP AGREEMENT BETWEEN THE CITY OF PELLA AND WONDER SPELEN FOR THE PURPOSE OF CONSTRUCTING PHASE II PLAYGROUND EQUIPMENT FOR THE KIWANIS PARK IMPROVEMENT PROJECT.”
Bandstra moved to approve, seconded by Sporrer.

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

BACKGROUND: These resolutions approve amendments to previously approved agreements and contracts for the purpose of adjusting the Kiwanis Park Improvements Phase I project size and scope as requested by Wonder Spelen. Council discussed this request during the March 25th Policy and Planning meeting, directing staff to place these items on a future Council agenda for formal consideration.

As background, Wonder Spelen is a non-profit entity formed for the purpose of constructing an all-inclusive playground and associated amenities at Kiwanis Park. Council approved a partnership agreement with Wonder Spelen in 2019 which states that the improvements will be constructed, owned, and maintained by the City with the City contributing \$320,000 to the project and Wonder Spelen funding the remaining cost of the project. Phase I of the project was awarded to Hooyer Construction on March 2nd. Since this time, Wonder Spelen has continued fundraising efforts to support future expansion. As a result, Wonder Spelen is now requesting that the City proceed with expanding the project scope to include additional playground equipment that was previously identified for phase II.

In general, phase II includes construction of additional play equipment to include surfacing with PCC subgrade and subdrain, additional earthwork, staking, poured in place surfacing, and engineering fees. Additional playground equipment includes a we-swing, double oodle swing, double we-saw, three playhouse structures, and two shade structures.

The following resolutions are included on the agenda for Council consideration:

Resolution No. 6275 Amending the Partnership Agreement with Wonder Spelen

This resolution approves a first amendment to the original partnership agreement between the City of Pella and Wonder Spelen for construction of phase II playground equipment. In order to assist in funding phase II, staff is requesting to amend the original partnership agreement to increase the City’s financial contribution from \$320,000 to \$350,000.

Resolution No. 6276 Amending the Engineering Agreement with Snyder & Associates

This resolution approves a first amendment to the engineering agreement with Snyder & Associates for additional engineering including design services and construction administration for phase II. If approved, the original engineering agreement will be increased by a lump sum of \$2,500 as follows:

Original agreement	\$ 74,900
Amendment for phase II	<u>2,500</u>
Total revised agreement	<u>\$ 77,400</u>

Resolution No. 6277 Approving Change Order No. 1 with Hooyer Construction

This resolution approves change order no. 1 with Hooyer Construction for the following items:

Phase II equipment	\$ 208,052.72
Fence substitution	<u>(73,626.00)</u>
Change order no. 1	<u>\$ 134,426.72</u>

As shown above, this change order includes a fence substitution deduction. During the bid review process, it was discovered that the fence costs on all submitted bids were substantially higher than the engineer’s estimate. As a result, the engineer worked with Hooyer Construction to select an alternate fence option, providing a reduction in the amount of \$73,626.

If approved, listed below is the updated contract summary:

Original contract	\$ 1,182,072.25
Change order no. 1	<u>134,426.72</u>
Total revised contract	<u>\$ 1,316,498.97</u>

In summary, staff is recommending approval of the three resolutions on the agenda for Council consideration. These resolutions approve amendments to previously approved agreements and contracts for the purpose of adjusting the Kiwanis Park Improvements Phase I project size and scope as requested by Wonder Spelen.

ATTACHMENTS: Resolution No. 6275, Partnership Agreement Amendment, Wonder Spelen Letter of Support, Resolution No. 6276, Engineering Agreement Amendment, Resolution No. 6277, Engineer Letter, Change Order No. 1

REPORT PREPARED BY: Community Services Director

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolutions

2. Resolution No. 6276 entitled, “RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SNYDER & ASSOCIATES FOR ENGINEERING SERVICES ASSOCIATED WITH THE KIWANIS PARK IMPROVEMENTS PROJECT.”

Branderhorst moved to approve, seconded by Sporrer.

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

3. Resolution No. 6277 entitled, “RESOLUTION APPROVING CHANGE ORDER NO. 1 WITH HOOYER CONSTRUCTION FOR THE KIWANIS PARK IMPROVEMENTS PROJECT.”

De Jong moved to approve, seconded by Branderhorst.

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

4. Resolution No. 6278 entitled, "RESOLUTION APPROVING CHANGE ORDER NO. 4 WITH SYNERGY CONTRACTING FOR THE FIFIELD ROAD WATER MAIN IMPROVEMENTS 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. 4 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 West 9th Street to the 2600 block and extending north to West Washington Street.

Change order no. 4 is for the removal of the existing interconnecting manhole at the connection to Iowa Regional Utilities Association's (IRUA) water main located on the south side of Washington Street. The removal of the existing interconnecting manhole was a condition to the connection to IRUA's water main. This change order upsizes the 8" main out of the new interconnecting manhole to a 10" main to connect to IRUA's existing 10" main for a total of \$12,297.80 "as-built" quantities.

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	10,795.20
Change order no. 4	<u>12,297.80</u>
Revised contract amount	<u>\$ 864,391.00</u>

In addition, change order no. 4 establishes an extended completion date of March 26, 2021 to complete the connection to IRUA.

In summary, staff is recommending approval of change order no. 4 as outlined above.

ATTACHMENTS: Resolution, Change Order No. 4, Letter from IRUA

REPORT PREPARED BY: Public Works Department

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolution

5. Receipt of Bids followed by Resolution No. 6279 entitled, "RESOLUTION DIRECTING SALE OF \$1,985,000 (Amount subject to Adjustment per Terms of Offering) GENERAL OBLIGATION URBAN RENEWAL CAPITAL LOAN NOTES, SERIES 2021A."

Bandstra moved to approve, seconded by Sporrer.

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

BACKGROUND: On March 16, 2021, Council approved taking additional action for the authorization of a loan agreement and the issuance of not to exceed \$1,985,000 General Obligation Urban Renewal Capital Loan Notes, approval of the electronic bidding procedures, and approval of the official statement. The proceeds from the Notes will be used for constructing the necessary infrastructure to support the Lely North American Headquarters development including improvements to 250th Avenue, water main improvements, and construction of a lift station and force main. Moody's Investor Services has assigned a credit rating of Aa3 to the City's General Obligation Bond Issuance as noted in their report issued March 24, 2021. Also noted in the report is the City's consistently solid financial performance with strong reserves and a low debt burden. The report makes note of the continued growth of the City's tax base and strong fiscal management through the coronavirus pandemic as rationale for such a strong credit rating.

On April 6, 2021, staff will receive bids for the General Obligation Urban Renewal Capital Loan Notes prior to the Council meeting with the results of the bids being disclosed to Council during the meeting. This resolution awards the Bonds to the bidder with the lowest true interest cost to the City of Pella. In addition, it authorizes the Mayor and City Clerk to sign the statement of contract for the Bonds on behalf of the City of Pella. The notes will be payable through June 1, 2040.

It is important to note that our Financial Advisor, D.A. Davidson, and Bond Counsel, Ahlers & Cooney, have reviewed and approved the attached resolution and sale notice.

The proposed General Obligation Urban Renewal Capital Loan Notes will be for \$1,985,000 to assist in funding 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>

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.

ATTACHMENTS: Resolution

REPORT PREPARED BY: Finance Director

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolution

6. Receipt of Bids followed by Resolution No. 6280 entitled, "RESOLUTION DIRECTING SALE OF \$2,130,000 (Amount subject to Adjustment per Terms of Offering) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2021B."

De Jong moved to approve, seconded by Bandstra.

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

BACKGROUND: On March 16, 2021, Council approved taking additional action for the authorization of a loan agreement and the issuance of not-to-exceed \$2,130,000 General Obligation Capital Loan Notes, approval of the electronic bidding procedures, and approval of the official statement.

The proceeds from the Notes will be used for the purpose of making improvements to 218th Avenue/Neil Drive and reimbursement of borrowed funds utilized to construct the wildlife fence at the Pella Municipal Airport. Moody's Investor Services has assigned a credit rating of Aa3 to the City's General Obligation Bond Issuance as noted in their report issued March 24, 2021. Also noted in the report is the City's consistently solid financial performance with strong reserves and a low debt burden. The report makes note of the continued growth of the City's tax base and strong fiscal management through the coronavirus pandemic as rationale for such a strong credit rating.

On April 6, 2021, staff will receive bids for the General Obligation Capital Loan Notes prior to the Council meeting with the results of the bids being disclosed to Council during the meeting. This resolution awards the Bonds to the bidder with the lowest true interest cost to the City of Pella. In addition, it authorizes the Mayor and City Clerk to sign the statement of contract for the Bonds on behalf of the City of Pella. The notes will be payable through June 1, 2040.

It is important to note that our Financial Advisor, D.A. Davidson, and Bond Counsel, Ahlers & Cooney, have reviewed and approved the attached resolution and sale notice.

The proposed General Obligation Capital Loan Notes will be for \$2,130,000 to assist in funding the following:

218th Avenue/Neil Drive	\$ 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>

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.

ATTACHMENTS: Resolution
REPORT PREPARED BY: Finance Director
REPORT REVIEWED BY: City Administrator, City Clerk
RECOMMENDED ACTION: Approve resolution

7. Resolution No. 6281 entitled, "RESOLUTION APPROVING TASK ORDER 4 TO THE ENGINEERING SERVICES AGREEMENT WITH HDR ENGINEERING FOR THE PELLA MUNICIPAL AIRPORT AUTOMATED WEATHER OBSERVING SYSTEM REPLACEMENT PROJECT."

Branderhorst moved to approve, seconded by Sporrer.

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

BACKGROUND: This resolution approves Task Order 4 to the engineering services agreement with HDR Engineering for the Pella Municipal Airport Automated Weather Observing System (AWOS) Design, Bidding and Construction Phase Services. Council originally approved an engineering services agreement with HDR on February 18, 2020.

As background, the current AWOS at the Pella Municipal Airport is approximately 20 years old and routinely failing to function properly. Replacement parts are no longer available.

HDR has assisted the City of Pella with several airport projects in the past including construction of the wildlife fence and runway rehabilitation projects. Currently, HDR is working on the regional airport.

The estimated breakdown of the not-to-exceed \$18,000 in engineering fees for task order 4 are: project administration \$1,687; design phase \$4,682; bidding phase \$2,078; construction phase \$7,263; reimbursable expenses and subconsultant \$2,290.

In summary, staff is recommending approval of task order 4 to the agreement with HDR Engineering to provide engineering services for the AWOS replacement project. The estimated cost to replace the AWOS is approximately \$150,000 plus engineering fees of \$18,000 for a total of \$168,000. Funding for this project will be provided from FY 2022 Federal Aviation Administration (FAA) AIP entitlement funds of \$150,000. FAA projects require at least a 10% local match.

ATTACHMENTS: Resolution, Task Order 4
REPORT PREPARED BY: Public Works Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

I. ORDINANCES – None

K. CLAIMS

1. Abstract of Bills No. 2076.

Branderhorst moved to approve, seconded by De Jong.

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

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

Comments were received and addressed.

L. ADJOURNMENT

There being no further business claiming their attention, De Jong moved to adjourn, seconded by Sporrer.

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

Meeting adjourned at 8:36 p.m.