



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

April 21, 2020

A. CALL TO ORDER BY MAYOR AND ROLL CALL

The City Council of the City of Pella, Iowa, met in regular session at the Public Safety Complex (614 Main Street) at 7:00 p.m., Mayor Don DeWaard presiding. Council members present were: Mark De Jong, Liz Sporrer (via phone), Lynn Branderhorst, Calvin Bandstra, Bruce Schiebout, Dave Hopkins. Absent: None. City Administrator Mike Nardini and City Clerk Mandy Smith were present. Three staff members signed the register. Due to heightened public health risks associated with the COVID-19 pandemic, accommodations were made to broadcast this meeting via conference call. Four staff members and thirty-four members of the general public attended the conference call.

B. MAYOR'S COMMENTS

1. Announce no Policy and Planning meeting will follow the regular Council meeting.
2. Approval of Tentative Agenda.
Branderhorst moved to approve, seconded by De Jong.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.
3. Announce closed session pursuant to Iowa Code Chapter 388.9(1) to discuss marketing and pricing strategies or proprietary information of a city utility if its competitive position would be harmed by public disclosure not required of potential or actual competitors, and if no public purpose would be served by such disclosure.
4. Announce exempt session pursuant to Iowa Code Chapter 21.9 to discuss employment conditions of employees not covered by collective bargaining agreements.

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

No comments were received.

C. APPROVAL OF CONSENT AGENDA

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

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

The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for April 7, 2020
2. Report of Committees
 - a. Planning and Zoning Minutes for March 3, 2020

Chairperson Canfield called the Planning and Zoning Commission to order at 11:00 a.m. in the Public Safety Complex. Members present were: Joe Canfield, Julio Chiarella, Julie Heerema Mueller, Kisha Jahner, Robin Pfalzgraf, Ann Visser, and Teri Vos. Absent: Mark Groenendyk, Cathy Hausteine, Dave Landon, and Gary Van Vark. Staff present: City Administrator Mike Nardini, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. No members of the public were in attendance.

APPROVAL OF TENTATIVE AGENDA

Motion by Visser, second by Jahner to approve the tentative agenda. Motion carried 7-0.

APPROVAL OF MINUTES

Motion by Chiarella, second by Vos to approve the minutes of the February 24, 2020 meeting. Motion carried 7-0.

NEW BUSINESS PROPOSED

Consideration of a Recommendation to the Pella City Council that the Proposed City of Pella Prairie Ridge Urban Renewal Plan and the Marion County Prairie Ridge Urban Renewal Plan Align and Are in Conformance with the City's Comprehensive Plan

The Pella City Code requires the Planning and Zoning Commission to review all new urban renewal plans for conformance with the City's Comprehensive Plan. The proposed Prairie Ridge Urban Renewal Plan is intended to provide redevelopment opportunities for residential housing development in our community. It is important to note that because both the City of Pella and Marion County intend to support the development activities, the Commission must consider the urban renewal plan for both the City and the County. On February 24, 2020, the Planning and Zoning Commission held a work session to discuss this proposed plan.

The Prairie Ridge Urban Renewal area is located north of the west intersection of Fifield Road and Washington Street/Highway G28. Ninety-one single-family housing units and 45 condo/townhome housing units are proposed within the Urban Renewal Area. Construction of the housing units is anticipated to be completed over a number of years, with all housing units anticipated to be complete and fully assessed by January 1, 2030. In order to accomplish the project, the development requires infrastructure improvements at an estimated cost of \$4.3 to \$4.7 million. To support the continue development of Marion County, the County has indicated a desire to support the project through

financing the cost of the public infrastructure with repayment through the use of TIF. Additionally, the TIF is expected to cover the cost of low-and-moderate income housing withholding requirements.

In summary, the proposed Prairie Ridge Urban Renewal Plans are intended to promote new housing and residential development in the community. Staff believes the proposed plans align and are in conformance with the City's Comprehensive Plan. It is important to note, the Pella City Council is expected to formally consider these plans at their meeting on March 17, 2020.

In response to questions from the Commission, City Administrator Mike Nardini explained that the 45 townhomes will be located on the eastern side of the development, which will be priced around \$180,000.00 and built as eight plexes.

Motion by Chiarella, second by Jahner to approve a recommendation to the Pella City Council that the proposed City of Pella Prairie Ridge Urban Renewal Plan and Marion County Prairie Ridge Urban Renewal Plan align and are in conformance with the City's Comprehensive Plan. Motion carried 7-0.

OTHER BUSINESS / PUBLIC FORUM

Regular Meeting Scheduled for March 23, 2020

The next regular Commission meeting is scheduled for March 23, 2020. On the agenda for that meeting will be updates on potential upcoming development.

Adjourned at 11:10 a.m.

b. Community Development Committee Minutes for March 11, 2020

Chairperson Brummel called the Community Development Committee to order in the Public Safety Complex at 5:30 p.m. Members present were: Jerry Brummel, Susan Canfield, Patsy Cody, Mike Kiser, Jody Lautenbach, Lowell Olivier-Shaw, and Wayne Stienstra. Absent: Leah Bokinsky, Linda Groenendyk, and Bob Zylstra. Staff present: Zoning Administrator Bryce Johnson and Deputy City Clerk Cynthia Vaske. Two members of the public were present.

APPROVAL OF TENTATIVE AGENDA

Motion by Cody, second by Kiser to approve the tentative agenda. Motion carried 7-0.

APPROVAL OF MINUTES

Motion by Stienstra, second by Cody to approve the minutes from the February 12, 2020 meeting. Motion carried 7-0.

NEW BUSINESS

Consider a Design Permit Application to Alter the Exterior Facades of the Existing Structure Located at 408 Oskaloosa Street
PCD Property Management has submitted a design permit application to alter the building located at 408 Oskaloosa Street, known as the former Dairy Queen building. The application describes the proposed project as an "urban, contemporary design that uses earth tones with plenty of natural light." A summary of the requested alterations is provided below.

Proposed Alterations:

1. Repaint entire building using Dakota Woods Green.
2. Windows replaced on the south façade using Pella double-hung vinyl windows in brown. Windows on north, east, and west facades will be replaced using windows that are similar to those existing.
3. Exterior lighting upgrades as shown on the rendering.
4. Install garage door on east façade near the building's southeast corner.
5. Construct a canopy parallel to the east façade with same color as existing roof with cedar posts. Roofing will either be asphalt shingles (Weatherwood) or a steel roof (Pella Brown). Three individual overhangs similar in design and style are also proposed over the new windows along Oskaloosa Street.
6. Small areas of cedar highlights throughout structure.
7. Parking lot will be sealed and striped.

It is important to note that the existing structure was built on the property lines along South Clark Street and Oskaloosa Street, meaning that the proposed awnings will hang over the public right-of-way. Therefore, the applicant may need additional approval from the City's Public Works Department prior to installation. Also, please be advised that the signs and produce displays shown in the applicant's rendering are not part of this design permit review.

In evaluating this design application, staff believes the alterations meet the requirements listed in the Design Review District Design Manual.

Therefore, staff recommends the design permit application be approved as submitted

The Well Resource Center Executive Director Jayson Henry was present to speak in favor of the design permit and answer questions from the Community Development Committee (CDC).

After much discussion amongst the CDC members, the decision was made to table the design permit. The CDC requested the applicant provide an updated rendering of all four sides of the building for design review. Henry stated that the windows and lighting fixtures included with the design permit application were incorrect, so he will ensure that the CDC receives the correct ones along with the updated rendering.

Motion by Kiser, second by Stienstra to table the design permit. Motion carried 7-0.

OTHER BUSINESS / PUBLIC FORUM

Cody asked about the work being done at McDonald's. Zoning Administrator Bryce Johnson replied that no exterior work is being done, only interior.

Cody shared concerns with merchandise in front of a business downtown. Johnson stated that merchandise is not supposed to be placed in the right-of-way, however enforcement of this is on a complaint-driven basis.

Next Meeting Date

The next regular meeting is scheduled for April 8, 2020.

Adjourned at 6:24 p.m.

c. Library Board Minutes for March 11, 2020

I. Call to Order: President Verlan called the meeting to order at 4:02 p.m. Board members present were: Verlan Den Adel, Brenda Huisman, Kenny Nedder, and Rachel Sparks. Library Director Mara Strickler was present. Angela Adam, Suzy Card, and Dinakar Kesavapillai were excused.

II. Recognition of Visitors and Visitor Comments: Nate Spurgeon, Pella Electric Director, was present.

III. Approval of Agenda: The March meeting agenda was received by all Board members prior to the meeting. The agenda stood as presented.

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

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

VI. Unfinished Business:

- a. Inquiry re: contracted library services: Mara received a response from Pella City Attorney. Leighton retracted their proposed contract. At this point, Pleasantville has not submitted for formal quote request.

- b. Edge 2.0: Mara and Chris are working on new technology plan based on the updated Edge assessment. Hope to have a plan to the Board at April meeting.

VII. New Business:

- a. EV Charging Station
 - a. Presented by Pella Electric Director Nate Spurgeon.
 - i. Nate would like to use two spots in the Library parking lot for ev charging. He will take his proposal to the City Council.
 - ii. Kenny moved to approve Nate taking his proposal: recommendation of using two Library parking spaces. Brenda seconded the motion. The motion was unanimously approved.
- b. Summer Food Service Program Partnership: Pella Community Schools
 - a. Mara discussed a summer meal program administered by the FDA for the Pella Community. Representatives from the Pella Community Schools and Second Reformed Summer Sack lunch program are going to discuss with the FDA about the program. Library could possibly be a distribution site.
- c. Review Geri-Fit at the Library Report
 - a. Statistics report from library Geri-Fit programs across the country indicates participants have had positive experiences and results. Our library currently has 2 sessions a week, possibly considering adding an additional session.
- d. HEAL at the Library via shared use programming
 - a. Healthy Eating and Active Living: Dr. Noah Lenstra would like to visit the library to perform a case study on Let's Move in Libraries. June 2020 we should be receiving a response from his application.
- e. EBSCO Solar Now Grant
 - a. There are three \$100,000 grants. Mara spoke with Nate regarding the grant application. Mara is working on the application, deadline 5/1/2020.
- f. State funding: Board received spreadsheet of 2020 state funding received and expenses. Mara proposed suggestions for the remaining funds. Mara to provide information on what the remaining funds will be used for and present at April board meeting.
- g. Plans for National Library Week (Food for Fine & Volunteer for Fines): Mara presented a memo to Volunteer Your Fines Away and Food for Fines for National Library Week. Brenda moved to approve. Kenny seconded the motion. Motion to release memos for National Library Week was unanimously approved.
- h. Legislative update: Board Trustees receive a weekly email with updates. Discussion was held reminding Trustees to advocate for Enrich Iowa funding, teacher librarians, and to look for legislative updates coming to the Knoxville library.

VIII. President's Report and Announcements:

- a. President Verlan noted Ankeny has a new library and has received good feedback. West Des Moines library will have a remodel soon. Both Libraries are good examples to reference for potential updates in our future.
- b. Verlan will not be renewing for his 2nd term on the Board. Angela will also be rolling off the Board.
- c. Verlan inquired about the coronavirus. He recommends Mara to check in with the City on precautions to take. Additional signage has been posted. Verlan advised Mara to request a meeting with Mike to discuss.

IX. Director's Report:

- A. National Network of Libraries of Medicine: The mission of the network is to advance the progress of medicine and improve the public health by providing U.S. health professionals with equal access to biomedical information and improving individual's access to information to enable them to make informed decisions about their health. Benefits include funding opportunities to develop health projects at individual libraries.
- B. IMLS Grant Update: As of 3/3/20, 605 documents had been uploaded to the Pella Community Memory Database. We've been contacted by several organizations exploring the possibility of including their own digitized materials in the Database. Chris Brown will be presenting on the PCMD at this month's Genealogy Club on Thursday, 3/19 at 10:15 a.m. All are welcome!

Statistics

- Adventure passes: 20 passes checked out in February:
 - 2 to Blank Park Zoo
 - 6 to Botanical Gardens of Des Moines
 - 4 to the Brenton Skating Plaza
 - 8 to Science Center of Des Moines
- Fax24: 11 faxes sent in February.
- Hoopla:

519 total circulations borrowed by 254 unique patrons

95 patrons used all 3 checkouts

Average price per circulation: \$1.93

171 patrons were blocked by the budget caps (389 transactions)

C. Upcoming events:

Adults:

- Library January 14th – April 15th: Geri-Fit – Library Meeting Room
- March 19 at 10:15 a.m.: Genealogy Club – Library Meeting Room
- March 25 at 11:00 a.m.: Conversations in Spanish – Library Meeting Room
- March 26 at 12:00 p.m.: Brown Bag Book Club – Library Meeting Room
- March 26 at 7:00 p.m.: Making Sense of the U.S. Census – Library Meeting Room

Youth:

- March 12 at 6:30 p.m.: Home Reads Book Club – See Miss Katie for info
- March 14 at 10:00 a.m.: Dr. Seuss's Birthday – Registration Required
- March 11, 18, & 25 at 10:30 a.m.: Tot Time – Story Time Room
- March 11, 18, & 25 at 3 p.m.: Whatchamacallit Wednesday – Meeting Room
- March 13, 20, & 27 at 4:00 p.m.: Dungeons & Dragons
- March 14, 21, & 28 at 10:30 a.m.: Saturday Story Time – Story Time Room

X. Trustee training reports:

- a. There were no trustee training reports.

XI. Committee reports:

- a. Policy Review:
 - i. General policy statement: Policy was reviewed by the Board. No changes were presented.
 - ii. Displays policy: Mara to contact the City Attorney to review the policy for liability concerns.

XII. Adjournment: President Verlan Den Adel adjourned the meeting at 6:03 p.m. The next regularly scheduled Board Meeting is scheduled for Tuesday, April 14, 2020.

3. Petitions and Communications

a. Special Event Permit Request for Red Rock Threshers Tractor Pull

BACKGROUND: The Red Rock Threshers have requested a special event permit for their annual tractor pull. The event is requested to be held on Saturday, June 6, 2020, from 8:00 a.m. to 6:00 p.m., on City property located near the intersection of South Prairie Street and Truman Road. Set-up is requested to begin at 7:30 a.m. with take down complete by 6:30 p.m.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.

ATTACHMENTS: Application, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve special event permit

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

i. Resolution No. 6107 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 requested 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 15, 2020, from 5:00 to 7:00 p.m. A rain date of Friday, May 22, 2020 has also been requested. Set-up is proposed to begin at 3:00 p.m. with take down complete by 8:00 p.m. The purpose of this event is to raise funds to assist Marion County families who are struggling to pay for the cost of school lunches.

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 Oostpoort Alley to park the Marion County Cattlemen trailer during the event.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.

ATTACHMENTS: Resolution, Application, Map, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve special event permit and resolution

c. Renewal of Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales for Casey's General Store #2598

BACKGROUND: Casey's Marketing Company, DBA Casey's General Store #2598 located at 414 S Clark Street, has applied for renewal of their Class E liquor license with Class B wine permit, Class C beer permit (carryout beer), and Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on June 7, 2021.

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

d. Renewal of Class B Native Wine Permit with Living Quarters and Premise Transfer for Silver Lining Enterprises, LLC

BACKGROUND: Silver Lining Enterprises LLC has applied for renewal of their class B native wine permit with living quarters. The term of the new license is 12 months and, if approved, would expire on April 30, 2021.

In addition, the applicant has applied to transfer the premise for this permit from 733 Franklin Street to their new store location at 637 Franklin Street.

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

D. *PUBLIC HEARINGS

1a. Public Hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost of construction for the Pella Fiber to the Home Network Project.

No written or oral comments were received.

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

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

BACKGROUND: As background, the Fiber to the Home Network project generally consists of extending fiber optic network to all homes and businesses within the corporate limits. The proposed network will allow the City of Pella to provide telecommunications services to our citizens in accordance with the May 2018 referendum which was approved with a 92% support level. The proposed fiber optic network will also be utilized by the electric utility to provide Advanced Metering Infrastructure (AMI) to its customers. Utilization of AMI will allow automation of many of the manual processes currently used to support the City's utilities. This includes automatic and remote measuring of electric usage, connection and disconnection of service, detection of tampering, identifying and isolating outages, as well as monitor voltage.

The proposed project consists of all materials, equipment, transportation, and labor necessary to construct the network's outside plant infrastructure for a PON fiber to the home (FTTH) system. It is important to note, the material does not include any access equipment, which will be bid at a later date.

The bid opening for the project was held on April 13, 2020; bids were received from four contractors:

Bids for 100% build (full City limits):

Contractor	Outside Plant	Service Lines	Total
Excel Utility Contractors	\$7,402,579.68	\$1,397,581.70	\$8,800,161.38
Mears Group	\$8,132,135.00	\$1,815,907.44	\$9,948,042.44
ADB Companies	\$8,738,339.87	\$2,857,960.00	\$11,596,299.87
MP Nexlevel	\$9,443,858.50	\$2,636,174.77	\$12,080,033.27
Engineer's estimate	\$7,228,936.00	\$619,474.00	\$7,848,410.00

Bids for phase 1 build (approximately 75% of City limits):

Contractor	Outside Plant	Service Lines	Total
Excel Utility Contractors	\$5,484,954.83	\$1,397,581.70	\$6,882,536.53
Mears Group	\$6,016,819.81	\$1,815,907.44	\$7,832,727.25
ADB Companies	\$6,447,865.84	\$2,857,960.00	\$9,305,825.84
MP Nexlevel	\$6,975,590.37	\$2,636,174.77	\$9,611,765.14
Engineer's estimate	\$5,343,091.00	\$619,474.00	\$5,962,565.00

After reviewing the bid proposals and checking references, NewCom, the project engineer, recommends awarding the contract to the lowest responsive, responsible bidder, Excel Utility Contractors, to build 100% of the project for the full City limits. Excel's bid amount for this option is \$8,800,161.38. The engineer's opinion of probable costs for this project was \$7,848,410.

Pursuant to the contract language, the Engineer has the ability to authorize changes to the project as long as such changes do not result in an increase or decrease in the total contract amount of more than twenty percent (20%) of the original contract price and as long as such changes do not necessitate additional or different construction processes and equipment. The Engineer is evaluating whether any such changes are warranted for the service line portion of the work, since that bid item came in much higher than the Engineer's estimate. As a result, the Engineer is recommending not issuing a notice to proceed for the service line installations at this time. Staff will have a recommendation for Council on this portion of the project for the May 5, 2020 Council meeting.

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

Substantial completion December 31, 2020
 Final completion January 31, 2021

There are several agenda items, as outlined below, which need to be approved for this project:

Agenda Item D-1-b: Resolution No. 6108

This resolution approves the plans, specifications, form of contract, and estimate of cost of construction for this project; staff is recommending approval.

Agenda Item D-1-c: Consideration of Construction Bids

A motion is listed on the agenda which accepts the construction bids as shown on the bid tabulation; staff is recommending approval.

Agenda Item D-1-d: Resolution No. 6109

This resolution awards the construction contract to Excel Utility Contractors for the full build in the amount of \$8,800,161.38. Staff is recommending that a notice to proceed be issued for only the outside plant portion of the project, which is \$7,402,579.68. Staff will have a recommendation regarding the service line work for Council at the May 5, 2020 City Council meeting.

In summary, staff is recommending approval of agenda items D-1-a, D-1-b, D-1-c, and D-1-d approving the plans, specifications, form of contract, estimate of costs, accepting the bids, and award of contract for the above referenced project as outlined above.

ATTACHMENTS: Resolution 6108, Resolution 6109, Bid Tabulation
 REPORT PREPARED BY: City Administration
 REPORT REVIEWED BY: City Administrator, City Clerk
 RECOMMENDED ACTION: Approve resolution

1b. Resolution No. 6108 entitled, "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COSTS."

De Jong moved to approve, seconded by Schiebout.

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

1c. Pella Fiber to the Home Network Project – Consideration of Construction Bids.

Hopkins moved to approve, seconded by Bandstra.

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

1d. Resolution No. 6109 entitled, "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT."

Hopkins moved to approve, seconded by Branderhorst.

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

2a. Public Hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost of construction for the Telecommunications Building Project.

No written or oral comments were received.

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

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

BACKGROUND: As background, in November of 2019, Council approved an agreement for professional services with Short Elliott Hendrickson, Inc. (SEH) to provide building, site design, and engineering services for a new 16,500-square foot telecom and electric utility facility. The facility, which is proposed to include a combination of office space, data center, and indoor storage space, is located near the corner of South Prairie and Truman Road, south of the current electric utility facility.

The bid opening for the project was held on April 15, 2020; four bids were received:

Contractor	Bid
Edge Commercial	\$2,492,900
Jensen Builders	\$2,616,800
Koester Construction	\$2,675,000
Hansen Company	\$2,795,000

After reviewing the bid proposals and checking references, SEH, the project engineer, recommends awarding the contract to the lowest responsive, responsible bidder, Edge Commercial, as listed in the amount of \$2,492,900. The engineer's opinion of probable costs for this project was \$3,251,990.20. Staff is in agreement with the engineer's recommendation.

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

May 1, 2020	Estimated construction start
November 30, 2020	Substantial completion

There are several agenda items, as outlined below, which need to be approved for this project:

Agenda Item D-2-b: Resolution No. 6110

This resolution approves the plans, specifications, form of contract, and estimate of cost of construction for this project.

Agenda Item D-2-c: Consideration of Construction Bids

A motion is required to accept the construction bids which is the formal bid tabulation.

Agenda Item D-2-d: Resolution No. 6111

This resolution awards the construction contract to Edge Commercial in the amount of \$2,492,900.

Agenda Item D-2-e: Resolution No. 6112

This resolution approves the construction contract and bond for the project.

In summary, staff is recommending approval of these resolutions which approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the above referenced project as outlined above. The resolution also approves the construction contract and bond.

ATTACHMENTS: Resolution 6110, Resolution 6111, Resolution 6112, Engineer's Recommendation, Bid Tabulation, Contract

REPORT PREPARED BY: Telecommunications Department

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolutions

2b. Resolution No. 6110 entitled, "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE TELECOMMUNICATIONS BUILDING PROJECT."

De Jong moved to approve, seconded by Branderhorst.

On roll call the vote was:

AYES: 4 (De Jong, Branderhorst, Bandstra, Sporrer)

NAYS: None

ABSTAIN due to a conflict of interest: 2 (Schiebout, Hopkins)

Motion carried.

2c. Telecommunications Building Project – Consideration of Construction Bids.

Bandstra moved to approve, seconded by Hopkins.

On roll call the vote was:

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

NAYS: None

ABSTAIN due a conflict of interest: 1 (Schiebout)

Motion carried.

2d. Resolution No. 6111 entitled, "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT FOR THE TELECOMMUNICATIONS BUILDING PROJECT."

Bandstra moved to approve, seconded by De Jong.

On roll call the vote was:

AYES: 4 (Bandstra, De Jong, Branderhorst, Sporrer)

NAYS: None

ABSTAIN due to a conflict of interest: 2 (Schiebout, Hopkins)

Motion carried.

2e. Resolution No. 6112 entitled, "RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND FOR THE TELECOMMUNICATIONS BUILDING PROJECT."

Bandstra moved to approve, seconded by De Jong.

On roll call the vote was:

AYES: 4 (Bandstra, De Jong, Branderhorst, Sporrer)

NAYS: None

ABSTAIN due to a conflict of interest: 2 (Schiebout, Hopkins)

Motion carried.

E. PETITIONS & COMMUNICATIONS – None

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

1. Resolution No. 6113 entitled, “RESOLUTION APPROVING PELLA FARMER’S MARKET EXEMPTION FROM THE REQUIRED PEDDLERS, SOLICITORS AND TRANSIENT MERCHANT LICENSE.”

Schiebout moved to approve, seconded by Branderhorst.

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

BACKGROUND: The Pella Farmer’s Market is tentatively scheduled to begin operation on April 30, 2020, with their season continuing through October 15, 2020. This year the Farmer’s Market will continue to operate from 3:00 to 6:00 p.m. on Thursdays in the parking lot of First Reformed Church at 603 Broadway Street.

According to City Code, Farmer’s Market participants are considered peddlers and as such are subject to obtaining peddler permits. City Council may, by resolution, exempt Farmer’s Market participants from the required peddler permits if the event is declared to be of City-wide interest. This resolution would exempt the Pella Farmer’s Market participants from obtaining peddler permits. If approved, this license exemption would be valid for one year from the date of resolution upon the condition that the Pella Farmer’s Market complies with all other applicable City Code requirements including maintaining a list of vendor names, addresses, and current sales tax permit information.

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

2. Resolution No. 6114 entitled, “RESOLUTION APPROVING A DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM.”

Branderhorst moved to approve, seconded by Schiebout.

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

BACKGROUND: This resolution adopts a Disadvantaged Business Enterprise (DBE) Program for the City of Pella and authorizes staff to take the necessary action to ensure compliance with the program. As background, local governments are required to adopt DBE programs and set goals for the percentage of projects that should be performed by a DBE if federal funding of \$250,000 or more is received for the project. As part of the upcoming airport runway rehabilitation project, the federal funding is expected to exceed this threshold; therefore, staff is recommending approval of this resolution.

The purpose of the DBE program is to provide a vehicle for increasing participation by small business enterprises owned by women and individuals belonging to groups that have historically been socially and economically disadvantaged. Setting a goal involves estimating the amount of federal money that will be received over the course of the program and determining how much is expected to go to DBE workers.

By adoption of this program, the City of Pella is establishing its 3-year DBE goal at 5.0%. However, it should be noted, the overall DBE goal does not represent a quota for any project funded by the FAA. If the goal is not reached, a good faith effort to must be proven.

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

3. Resolution No. 6115 entitled, “RESOLUTION APPROVING ORDERING THE PREPARATION OF PLANS AND SPECIFICATIONS, FORM OF CONTRACT, NOTICE OF HEARING AND NOTICE OF LETTING, SETTING DATE FOR PUBLIC HEARING, AUTHORIZING THE TAKING OF BIDS, AND AUTHORIZING BID OPENING FOR THE PELLA MUNICIPAL AIRPORT RUNWAY 16/34 REHABILITATION.”

De Jong moved to approve, seconded by Hopkins.

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

BACKGROUND: This resolution establishes May 19, 2020 as the public hearing date and authorizes staff to seek bids for the Pella Municipal Airport Runway 16/34 Rehabilitation. As background, several areas of the airport runway have continued to deteriorate due to age and winter weather. A study was recently conducted to determine what projects need completed in an attempt to keep our runway safe and manageable during the next approximately eight years until the new regional airport is operational. As a result of the study, the City hired HDR Engineering, Inc. to provide design and bidding phase services for rehabilitation of Runway 16/34 at the Pella Municipal Airport.

This project specifically consists of the removal and replacement of concrete surfacing and cement treated subgrade over approximately one-third of Runway 16/34 and the connecting taxiway at the Pella Municipal Airport. The remaining two-thirds of the runway will receive concrete pavement repairs including spall repairs, crack seal, and joint re-sealing. Runway markings will also be removed and replaced including areas outside of the pavement replacement limits. No impacts to edge lighting or utilities are anticipated.

The City’s engineer on this project, HDR, will handle the bid process and provide construction phase services. The engineer’s opinion of probable costs for this project is \$1,421,900. This project will be funded by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP). It is staff’s understanding this project now qualifies under the CARE Act, which means the FAA will fund this project at 100% with no local match; however, the details are still being worked out at the federal level.

The project’s critical dates are:

May 13, 2020	Bid letting
May 19, 2020	Public hearing to receive bids and award of contract
June 1, 2020	Notice to proceed (approximate)
November 30, 2020	Final completion

It is important to note that the runway will be closed to aircraft traffic for approximately 60 calendar days while the work is performed. Contract documents are on file in the Public Works office.

ATTACHMENTS: Resolution, Notice of Hearing, Notice to Bidders, Engineer's Opinion of Probable Costs
REPORT PREPARED BY: Public Works Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

4. Resolution No. 6116 entitled, "RESOLUTION APPROVING GOLF COURSE CLUBHOUSE MANAGEMENT AGREEMENT WITH MK GOLF SHOPS INC."

De Jong moved to approve, seconded by Hopkins.

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

BACKGROUND: This resolution approves a Golf Course Clubhouse Management Agreement with MK Golf Shops Inc. for operation of the Bos Landen Clubhouse from April 22, 2020 to December 31, 2022. MK Golf Shops currently operates Edmundson and Harvest Point Golf Courses in Oskaloosa, Iowa.

As background, under this agreement, MK Golf is responsible for managing and overseeing the day-to-day operations of the clubhouse including all golf events, private parties, and facility rentals. In addition, MK Golf would be responsible for employing the staff necessary to operate the clubhouse and procure all clubhouse supplies including food and beverage items for basic concessions. Under the terms of this agreement, the City of Pella will be responsible for maintenance of the entire facility including the golf course, irrigation system, driving range, and clubhouse facilities. The following management fees apply to this agreement:

Initial one-time payment on May 1, 2020	\$11,666
May 1, 2020 to December 31, 2020	\$14,166 per month
January 1, 2021 to December 31, 2021	\$14,874 per month
January 1, 2022 to December 31, 2022	\$15,618 per month

In addition to the above management fees, MK Golf is entitled to 10% of gross revenues generated from green fees, cart rental fees, and facility rental fees. Finally, MK Golf is entitled to retain all revenues generated from food and beverage service as well as merchandise sales.

In summary, staff is recommending approval of this Golf Course Clubhouse Management Agreement with MK Golf. Finally, staff does not believe City employees could operate the clubhouse for less funding than the proposed agreement with MK Golf.

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

I. ORDINANCES

1. Ordinance No. 974 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY LOCATED NEAR THE WESTERN TERMINUS OF W. 16TH STREET, CITY OF PELLA, MARION COUNTY, IOWA."

De Jong moved to place ordinance no. 974 on its second 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 Hopkins.

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

Schiebout moved that ordinance no. 974 be adopted, seconded by De Jong.

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

Mayor DeWaard declared the ordinance duly passed and adopted.

BACKGROUND: The proposed ordinance would amend the zoning district of three properties located on the south side of the dead-end of West 16th Street by adding a Planned Unit Development (PUD) overlay zone to the original Community Commercial (CC) base zoning district. The developer, Kading Properties, is proposing a privately owned residential development that consists of a combination of duplexes and townhomes.

Proposed Development

The proposed development includes 92 residential units that are primarily duplexes with some townhomes. It is important to note that the proposed development will remain under single ownership with the intent of renting the properties. Included with this development is a large, interior greenspace area with a walking path and picnic tables for use by the residents. The developer estimates the construction cost of the overall project is approximately \$5.8 million.

In considering this project, it is important to note the development will be served by private drives which are being built to public infrastructure standards. For the Council's review, staff has enclosed color renditions (Exhibit B) of the proposed buildings as well as the proposed site plan (Exhibit A).

Planned Unit Development (PUD)

A PUD is designed to allow for comprehensively planned projects which provides 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 where the land is developed 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 Commission review, and Council approval, may develop its own guidelines for the best development of the land in question.

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. The City's engineer performed a traffic analysis and determined that the development should not impair traffic in the area to the degree that a traffic signal or four-way stop would be necessary. Overall, the planning for the development was completed in a comprehensive manner and in accordance with City Code.

Key Requirements of the Proposed Ordinance

Exhibit A – Master Site Plan: The proposed development is required to be developed in accordance with Exhibit A of the agreement. This master site plan has been reviewed and approved by City staff, the City’s engineer, and the City Attorney. Staff believes this master site plan meets the City’s site plan requirements.

Exhibit B – Color Renditions/Elevations: The proposed development is required to be designed in accordance with the color renditions/elevations as indicated in Exhibit B. Staff believes the proposed design will complement the existing neighborhood and provide a product that will increase the number of quality housing alternatives for the community.

Zoning District Modifications

The proposed ordinance requires the development to be in conformance with the applicable zoning district except for the following modifications:

Zoning Requirements:

1. The proposed development is required to be developed in accordance with the standard zoning provisions of the Community Commercial (CC) zoning district.
2. The required street infrastructure will be built to public infrastructure standards as found in the City’s subdivision code but will remain private.
3. Given that the development is required to comply with the site plan (Exhibit A) and the color renditions (Exhibit B), the ordinance waives any other design review.
4. All utilities, public and/or private, are required to be constructed to comply with Pella City Code and Standard Urban Design and Specifications.
5. To ensure proper use of the proposed development, the use is limited to duplex residential and multi-family residential.

Comprehensive Plan

Additional housing and various housing options are noted as key priority goals in the City’s Comprehensive Plan. The Future Land Use Map of the Comprehensive Plan targets the proposed site for Mixed Use land uses which includes higher density residential uses. Additionally, the Comprehensive Plan identified the goal of providing a mix of housing types, including townhomes and duplexes. Chapter 2 of the plan further states that “there is a need for workforce housing, both rental and owner-occupied.”

Staff believes the proposed development makes significant progress to meet the need for housing in the community as the development will offer affordable rental options to support workforce housing. Based on staff’s analysis, we believe this proposed PUD aligns with the Comprehensive Plan.

Staff Recommendation

Staff believes the proposed ordinance meets the requirements of the City’s zoning code. In addition, staff also believes the proposed ordinance is consistent and in conformance with the City’s Comprehensive Plan. Therefore, staff recommends approval of the proposed ordinance. Finally, it is important to note that the Planning and Zoning Commission is scheduled to review this proposed ordinance on April 6, 2020.

ATTACHMENTS: Ordinance with Exhibits, Aerial Map, Application, Written Comment

REPORT PREPARED BY: Planning and Zoning Director

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve ordinance

I. CLAIMS

1. Abstract of Bills No. 2053.

Schiebout moved to approve, seconded by Hopkins.

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

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

No comments were received.

L. CLOSED/EXEMPT SESSION

1. At 8:15 p.m., De Jong moved to enter into closed session pursuant to Iowa Code Chapter 388.9(1) to discuss marketing and pricing strategies or proprietary information of a city utility if its competitive position would be harmed by public disclosure not required of potential or actual competitors, and if no public purpose would be served by such disclosure, seconded by Schiebout.

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

At 10:09 p.m., Schiebout moved to reconvene to regular session, seconded by De Jong.

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

No action was taken regarding this closed session.

2. At 10:13 p.m., Schiebout moved to enter into exempt session pursuant to Iowa Code Chapter 21.9 to discuss employment conditions of employees not covered by collective bargaining agreements, seconded by Bandstra.

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

At 10:45 p.m., Bandstra moved to reconvene to regular session, seconded by Hopkins.

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

No action was taken regarding this exempt session.

M. ADJOURNMENT

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

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

Meeting adjourned at 10:47 p.m.