



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

May 5, 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, Lynn Branderhorst, Calvin Bandstra, Bruce Schiebout, Dave Hopkins. Absent: None. City Administrator Mike Nardini and City Clerk Mandy Smith were present. Three staff members and two members of the general public 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 twenty members of the general public attended the conference call.

B. MAYOR'S COMMENTS

1. Announce Policy and Planning meeting following the regular Council meeting to discuss:
 - a. Pella Fiber to the Home Network Project Outside Drop Installation Bid.
2. Approval of Tentative Agenda.
Items B-5/L-1 and B-6/L-2 were pulled from the agenda.
Schiebout moved to approve the tentative agenda as amended, seconded by Branderhorst.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.
3. Proclamation Declaring May 17, 2020 as Neurofibromatosis Awareness Day and May 2020 as Neurofibromatosis Awareness Month in the City of Pella.
4. Appointment of Jaci Nunnikhoven to the Board of Adjustment.
Bandstra moved to approve, seconded by Hopkins.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: Mayor DeWaard would like to appoint Jaci Nunnikhoven to the Board of Adjustment as a representative from the extraterritorial jurisdiction in Mahaska County. The Mahaska County Board of Supervisors approved her appointment on April 20, 2020. Jaci is a legal secretary for a local law firm and is familiar with land use regulations. Jaci currently resides in rural Pella, within Mahaska County. If approved, Jaci's new term would expire on January 1, 2022.

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

5. This item was pulled from the agenda.
6. This item was pulled from the agenda.

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

No comments were received.

C. APPROVAL OF CONSENT AGENDA

Branderhorst moved to approve the consent agenda, seconded by De Jong.

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 21, 2020
2. Report of Committees
 - a. Board of Adjustment Minutes for February 11, 2020

Chairperson Vander Meiden called the Board of Adjustment to order at 6:00 p.m. in the City Hall Conference Room. Members present were: Jim Corbett, Vince Nossaman, Susan Reiter, Lyle Vander Meiden, and Mike Vander Wert. Absent: Merlan Rolffs and Corey Westra. Staff present: Finance Director Corey Goodenow, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. Six members of the public were in attendance.

CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda

Motion by Reiter, second by Vander Wert to approve the tentative agenda. Motion carried 5-0.

APPROVAL OF MINUTES

Motion by Nossaman, second by Reiter to approve the January 28, 2020 minutes. Motion carried 5-0.

NEW BUSINESS/PUBLIC HEARINGS

Consider a Minor Modification Application to Reduce the Rear Yard Setback by No More Than Five Feet for the Property Located at 793 183rd Place

Russ Van Wyk has submitted a minor modification application to reduce the rear yard setback by five feet to facilitate the construction of a deck for the property located at 793 183rd Street. The subject property is within the Single-Family Residential (R1) zoning district. It is important to note that the zoning code currently requires properties in the R1 district to maintain 40-foot rear yard setback. If approved, the setback would be reduced to 35 feet.

Staff believes the requested minor modification will not have a negative impact to the subject property or neighboring properties and would not increase the amount of people or vehicles within the neighborhood. Staff also believes the proposal would maximize the owner's use of the property while still complying with City Code. For these reasons, staff believes the minor modification request should be granted and, therefore, is recommending approval of the proposal.

Convened Public Hearing on the minor modification request.

No written comments were received.

Russ Van Wyk, the applicant, spoke in favor of the minor modification and answered questions from the Board.

Ron Hoekstra expressed his support for the minor modification. He questioned whether Highway G 28 might one day have a turn lane added near the entrance to Hunter's Ridge, as the area has a lot of turning traffic from people entering the Hunter's Ridge development, as well as the area being used as a turnaround for those doing test drives with vehicles from Ulrich Ford Lincoln.

Motion by Vander Wert, second by Reiter to close the Public Hearing as no further comments were received. Motion carried 5-0.

Motion by Corbett, second by Reiter to approve the minor modification request as submitted. Motion carried 5-0.

Consider a Special Use Permit Application to Operate an Urban Garden at the Properties Located at 207 SE 14th Street and 300 SE 14th Street
Rebecca Helland, director of Sprigs 'n Sprouts, has submitted a Special Use Permit (SUP) application to operate an Urban Garden on the properties located at 207 SE 14th Street and 300 SE 14th Street. The adjoining properties are currently vacant and located in the Community Commercial (CC) and Limited/Light Industrial (M1) zoning districts.

It is important to note that the applicant is requesting a SUP to operate two urban gardens on adjoining properties. The garden located east of The Well is approximately 8,400-square feet while the other is approximately 25,200-square feet. Based on the business plan provided by the applicant, the gardens will be used for cultivation. As further background, Sprigs 'n Sprouts began in 2013 on an acreage southeast of Pella and is now looking to relocate in order to be more visible and accessible. Additionally, they partner with the Pella Food Shelf and would like to relocate near their location. The proposed hours of operation for the shareholders to pick up their produce are Thursday afternoons from 4:45 p.m. to 6:00 p.m.

Staff believes the proposed business will complement the general area and community by providing better access to fresh grown produce.

That said, to ensure compatibility with the surrounding properties, staff recommends the Board of Adjustment use its authority to place the following conditions on approval of the special use permit:

1. Use of mechanical farm equipment is limited to walk-behind equipment or small garden tractors. Larger machinery intended for industrial agriculture shall not be used as part of Urban Garden land uses.
2. Pesticides, insecticides, fertilizers, and other chemical products used in Urban Gardens must be designed for household use. Chemical products designed for commercial agriculture shall not be used.
3. All seed, chemicals, tools, and equipment stored on-site must be kept in a permitted primary or accessory structure.
4. Urban Gardens must comply with the minimum setbacks of the M1 zoning district.
5. The gardens and associated equipment must be situated, operated, and maintained to minimize any impacts on the surrounding area, including odor control, debris control, and rodent and pest control.
6. The size and location of each garden be restricted as proposed and shown in the Special Use Permit application submitted by the applicant.
7. The produce grown on-site should be limited to that identified on the application (fruits, herbs, melons, and vegetables). If the applicant desires more of a variety of plantings, staff recommends the Board place a condition that the produce grown on-site be limited to that commonly found at grocery stores.

Convened Public Hearing on the SUP request.

No written comments were received. Rebecca Helland, the applicant, spoke in favor of the SUP request and answered questions from the Board.

Motion by Vander Wert, second by Reiter to close the Public Hearing as no further comments were received. Motion carried 5-0.

Motion by Reiter, second by Corbett to approve the SUP request with the following conditions:

1. Use of mechanical farm equipment is limited to walk-behind equipment or small garden tractors. Larger machinery intended for industrial agriculture shall not be used as part of Urban Garden land uses.
2. Pesticides, insecticides, fertilizers, and other chemical products used in Urban Gardens must be designed for household use. Chemical products designed for commercial agriculture shall not be used.
3. All seed, chemicals, tools, and equipment stored on-site must be kept in a permitted primary or accessory structure.
4. Urban Gardens must comply with the minimum setbacks of the M1 zoning district.
5. The gardens and associated equipment must be situated, operated, and maintained to minimize any impacts on the surrounding area, including odor control, debris control, and rodent and pest control.
6. The size and location of each garden be restricted as proposed and shown in the Special Use Permit application submitted by the applicant.
7. The produce grown on-site should be limited to that identified on the application (fruits, herbs, melons, and vegetables). If the applicant desires more of a variety of plantings, staff recommends the Board place a condition that the produce grown on-site be limited to that commonly found at grocery stores.

Motion carried 5-0.

OTHER BUSINESS/PUBLIC FORUM

The next meeting is scheduled for March 16, 2020.

Adjourned at 6:50 p.m.

b. Planning and Zoning Commission Minutes for April 6, 2020

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), Mark Groenendyk, (via phone), Cathy Haustein (via phone), Julie Heerema Mueller (via phone), Kisha Jahner (via phone), Dave Landon (via phone), Robin Pfalzgraf (via phone), Gary Van Vark, Ann Visser (via phone), and Teri Vos (via phone); absent: None. Staff present: City Administrator Mike Nardini, Planning and Zoning Director Matthew Lepke (via phone), and Deputy City Clerk Cynthia Vaske. Due to heightened public health risks associated with the COVID-19 pandemic, accommodations were made to broadcast this meeting via conference call. Eleven members of the general public attended the conference call and two attended the meeting in person.

APPROVAL OF TENTATIVE AGENDA

Motion by Visser, second by Pfalzgraf to approve the tentative agenda. On roll call the vote was: ayes: Visser, Pfalzgraf, Canfield, Chiarella, Haustein, Heerema Mueller, Landon, Van Vark, Vos; nays: none; no response: Groenendyk and Jahner. Motion carried 9-0.

APPROVAL OF MINUTES

Motion by Van Vark, second by Chiarella to approve the minutes of the March 3, 2020 meeting. On roll call the vote was: ayes: Van Vark, Chiarella, Canfield, Haustein, Heerema Mueller, Landon, Pfalzgraf, Visser, Vos; nays: none; no response: Groenendyk and Jahner. Motion carried 9-0.

PUBLIC HEARINGS

Consider a Rezoning Application to Establish a Planned Unit Development Overlay Zone for the Project Known as the View Pointe Condominiums

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.

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 \$10.8 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.

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.

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.

Karie Ramsey, with Kading Properties, gave a brief overview of the company and the proposed development via phone Convened Public Hearing on the rezoning request. One written comment in opposition of the rezoning was received and included in the meeting packet.

Ramsey spoke in favor of the rezoning application and answered questions from the Planning and Zoning Commission.

Pfalzgraf expressed concern for people with businesses located near the proposed development who may not have anticipated residential development in this area. City Administrator Mike Nardini explained that even higher density residential development than what is being proposed would be allowed by right under the property's current CC zoning.

In response to concerns shared by Pfalzgraf about parking, Ramsey explained the number of parking spaces that will be available for each type of housing unit within the development and stated Kading Properties would be in favor of not allowing parking on West 16th Street.

Van Vark stated he did not think this is the right location for this housing development and that he would not be able to support the rezoning request. Nardini stated that this development would affect other residential property, including The Reserves at Mill Farm as well as the future Prairie Ridge development.

Vos questioned the occupancy rate for Kading Properties' developments in other communities. Ramsey replied that that of the 1,500 properties they own in Iowa, there are currently seven vacant properties available for lease.

Scott and Ernie Visser, with Pella Printing, were present and expressed concerns with the location of the development and how that might impact deliveries to their business on West 16th Street, as well as parking and traffic. S. Visser asked what monthly rent will be for the units. Ramsey replied it will likely range from \$950.00 to \$1,300.00 per month.

Motion by Van Vark, second by Jahner to close the public hearing as no further comments were received. On roll call the vote was: ayes: Van Vark, Jahner, Canfield, Chiarella, Landon, Heerema Mueller, Pfalzgraf, Visser, Vos; nays: none; no response: Groenendyk and Haustein. Motion carried 9-0.

In response to a question from Vos, Nardini explained that the City Council can review requests to change the parking restrictions on West 16th Street, should any be brought forward for their consideration.

Motion by Chiarella, second by Landon to approve the ordinance as submitted. On roll call the vote was: ayes: Chiarella, Landon, Canfield, Heerema Mueller, Visser, Vos; nays: Van Vark; no response: Groenendyk, Haustein, Jahner, and Pfalzgraf. Motion carried 6-1.

NEW BUSINESS PROPOSED

Consider a Master Site Plan Application to Facilitate the Development of a 92-Unit Residential Development Known as the View Pointe Condominiums

Kading Properties has submitted a master site plan to construct 92 residential dwelling units on the south side of the dead-end of West 16th Street. The development area consists of three vacant lots approximately 12.51 acres in size. As background, single-family and two-family dwelling units do not need to obtain site plan approval; however, because the proposed dwelling units are not on individual lots, the proposed development is considered a multiple-family residential development which does require site plan approval. It should be noted that the

developer has requested the Planning and Zoning Commission consider the proposed site plan contingent on the approval of the Planned Unit Development (PUD) rezoning by the Pella City Council.

Staff believes the proposed master site plan meets the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. Therefore, staff recommends conditional approval of the master site plan, in which the plan is approved, but issuance of Certificates of Occupancy is contingent upon the Pella City Council approving a plan for improving fire flows for this area. Additionally, staff recommends conditional approval of the site plan contingent on adoption of the proposed PUD by the Pella City Council.

At 8:15 p.m., the conference call lost connection and was reconnected at 8:16 p.m.

Motion by Landon, second by Chiarella to conditionally approve the site plan contingent upon City Council's approval of the PUD. On roll call the vote was: ayes: Landon, Chiarella, Canfield, Heerema Mueller, Jahner, Pfalzgraf, Visser, Vos; nays: Van Vark; no response: Groenendyk and Hausteine. Motion carried 8-1.

Consider a Site Plan Application Submitted by De Ruiter Lawn to Construct a Cold Storage Warehouse Building at 430 S.E. 14th Street De Ruiter Lawn Equipment has submitted a site plan to construct a 5,616-square foot cold storage warehouse at 430 SE 14th Street. The 0.90-acre subject property is currently undeveloped and located in the Limited/Light Industrial (M1) zoning district.

Chapter 165.36(F)(3) requires the proposed site plan to conform to the City's Comprehensive Plan. The *Future Land Use Map* of the Comprehensive Plan identifies this site for "General Industrial" land uses. Staff believes the proposal meets the community's goals listed in the Comprehensive Plan and complies with the *Future Land Use Map*. Staff believes the proposed site plan meets the minimum requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. Therefore, staff is recommending the site plan be approved as submitted.

Motion by Van Vark, second by Pfalzgraf to approve the site plan as submitted. On roll call the vote was: ayes: Van Vark, Pfalzgraf, Canfield, Chiarella, Heerema Mueller, Jahner, Landon, Visser, Vos; nays: None; no response: Groenendyk and Hausteine. Motion carried 9-0.

Consider a Site Plan Application Submitted by the City of Pella to Construct a Telecommunications Building Near the Corner of South Prairie and Truman Road

The City of Pella has submitted a site plan to construct a 16,500-square foot building to support the City's electric utility, as well as the proposed telecommunications utility. The facility will include a combination of office space and indoor storage space. The eight-acre parcel currently includes a roughly 14,000 square-foot existing building that serves as the City's Electric Distribution Office. The property is located in the Heavy Industrial (M2) zoning district.

Staff believes the proposed site plan meets the minimum requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. Therefore, staff is recommending the site plan be approved as submitted.

Motion by Landon, second by Visser to approve the site plan as submitted. On roll call the vote was: ayes: Landon, Visser, Canfield, Chiarella, Heerema Mueller, Jahner, Pfalzgraf, Van Vark, Vos; nays: None; no response: Groenendyk and Hausteine. Motion carried 9-0.

Consider a Site Plan Application Submitted by Bruxvoort's Decorating Center to Create a Truck Turnaround Area at 405 Truman Road Bruxvoort's Decorating Center has submitted a site plan application to pave over 2,000-square feet at the property located at 405 Truman Street. The purpose of this site plan is to facilitate two new loading docks and internal sidewalks to the new building entrance. It is important to note that this property was recently rezoned to facilitate their business operations.

Staff believes the proposed site plan meets the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. Therefore, staff is recommending the site plan be approved as submitted.

Motion by Chiarella, second by Jahner to approve the site plan as submitted. On roll call the vote was: ayes: Chiarella, Jahner, Canfield, Heerema Mueller, Jahner, Landon, Pfalzgraf, Van Vark, Visser, Vos; nays: none; no response: Groenendyk and Hausteine. Motion carried 9-0.

OTHER BUSINESS / PUBLIC FORUM

Regular Meeting Scheduled for April 27, 2020

The next regular Planning and Zoning Commission meeting is scheduled for April 27, 2020. The agenda for that meeting will include consideration of a preliminary plat for the Prairie Ridge development.

Adjourned at 8:36 p.m.

D. *PUBLIC HEARINGS – None

E. PETITIONS & COMMUNICATIONS

1a. Special Event Permit Request for Pella High School Graduation Parade.

Hopkins moved to conditionally approve as outlined within the staff memo, seconded by De Jong.

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

BACKGROUND: The Pella Community School District has requested a special event permit to hold a graduation parade for the class of 2020. The event is requested to be held on Friday, May 22, 2020, from 5:00 to 9:00 p.m., with set-up beginning at 2:00 p.m. and take down complete by 9:00 p.m.

Students graduating in the class of 2020 would participate in their individual vehicles. The parade would begin at the High School parking lot, following the attached map route. When students arrive at the Tulip Toren, they would individually receive their diploma from the school board president, take a picture in their cap and gown, then continue on the parade route which ends at the High School parking lot. The attached route has been designed with the assistance of the Police Department for the purpose of driving past several parking lots allowing for families to watch and cheer on the students at a socially safe distance.

Included with this request is a resolution closing the 700 block of Franklin Street, from Broadway to Main, from 2:00 to 9:00 p.m. the day of the event. All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received.

Currently, the Governor's orders prohibit mass gatherings, including parades, until 11:59 p.m. on May 15, 2020. Staff is recommending conditional approval of this special event permit with the understanding that if the Governor's orders are extended beyond the May 15, 2020 deadline, this event will not be able to occur. The Pella Community School District is aware of this recommendation and is in agreement with this approach.

ATTACHMENTS:	Resolution, Application, Map, Department Comments
REPORT PREPARED BY:	City Clerk
REVIEWED BY:	City Administrator
RECOMMENDATION:	Conditionally approve special event permit and resolution as outlined above

1b. Resolution No. 6117 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS PELLA HIGH SCHOOL GRADUATION PARADE."
Bandstra moved to conditionally approve as outlined within the staff memo, seconded by Sporrer.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

2. New Class C Liquor License with Outdoor Service and Sunday Sales Privileges for MK Golf Shops.
Schiebout moved to approve, seconded by De Jong.

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

BACKGROUND: MK Golf Shops, located at 2411 Bos Landen Drive, has applied for a new class C liquor license with outdoor service and Sunday sales privileges effective May 15, 2020. The term of the new license is 12 months and, if approved, would expire May 14, 2021.

The application has been completed online with the state. Staff is recommending approval.

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

3. New Commercial Garbage Hauler License for Country Trash.

Hopkins moved to conditionally approve pending receipt of certificate of insurance, seconded by Branderhorst.

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

BACKGROUND: Country Trash at 402 East Washington Street in Dallas, Iowa, has applied for a new commercial garbage hauler license. The company plans to haul home construction and remodeling materials within roll off dumpsters. Under the 28E Agreement with the Marion County landfill, all garbage/waste collected in Pella must be disposed of at the Marion County landfill except for items declared recyclable.

The term of the new license is 12 months and, if approved, would expire May 5, 2021.

The application and fee have been received. At the time of packet publication, the certificate of insurance is still pending. Staff is recommending conditional approval upon receipt of a certificate of insurance meeting the requirements of the commercial garbage hauler license.

ATTACHMENTS: Application
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Conditional approval pending receipt of certificate of insurance meeting the requirements of the commercial garbage hauler license

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

1. Resolution No. 6118 entitled, "RESOLUTION APPROVING TASK ORDER 2 TO THE ENGINEERING SERVICES AGREEMENT WITH HDR ENGINEERING, INC. FOR THE PELLA MUNICIPAL AIRPORT RUNWAY 16/34 REHABILITATION PROJECT FOR CONSTRUCTION PHASE SERVICES."

De Jong moved to approve, seconded by Schiebout.

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

BACKGROUND: This resolution approves task order 2 to the engineering services agreement with HDR Engineering, Inc. for the Pella Municipal Airport Runway 16/34 Rehabilitation Project. As background, Council approved an agreement with HDR for design and bidding phase services on February 18, 2020. Task order 2 includes on-site construction observation, construction staking, quality assurance testing, and general construction contract administration.

HDR has assisted the City of Pella with several airport projects in the past. In addition, HDR is currently working on the regional airport and airport wildlife fence projects.

The estimated breakdown of the not-to-exceed engineering fees for task order 2 are:

Project Administration/Grant	\$ 6,723
Construction Phase Admin	20,836
Inspection, Surveying & Geotech Services	<u>72,170</u>
Total Construction Phase Services (task order 2)	\$ 99,729

If approved, the total engineering fees for this project are:

Design and Bidding Phase Services	\$ 120,362
Construction Phase Services (task order 2)	<u>99,729</u>
Total Engineering Services	\$ 220,091

The base bid includes removal and replacement of concrete surfacing and replacement of concrete treated subgrade over approximately one-third of Runway 16/34 and the connecting taxiway at the Pella Municipal Airport. Under bid alternatives A, B, and C, the remaining two-thirds of the runway will receive concrete pavement repairs including spall repairs and crack and joint resealing. Runway markings will be removed and replaced including areas outside of the pavement replacement limits.

Total project costs are estimated as follows:

Construction (base bid)	\$1,160,000
Alternate A (concrete patching)	\$28,100
Alternate B (clean joint seal runway)	144,600
Alternate C (remark/paint runway)	81,400
Engineering – Design and Bidding Phase Services	120,362
Engineering – Construction Phase Services (task order 2)	<u>99,729</u>
Total with all alternates	\$1,634,191

In summary, staff is recommending approval of task order 2 to the agreement with HDR Engineering to provide construction phase services for this project. The project will be funded in part by the FAA Airport Improvement Program (AIP) at an approximate amount of \$1,197,000 for construction and engineering and, therefore, will be completed in accordance with FAA Order 5100.38D Airport Improvement Program Handbook and the FAA Central Region AIP Sponsor Guide.

Finally, FAA AIP dollars typically require a 10% match of City funds, however with the recent CARE Act, staff believes the 10% match may be waived thereby making the total grant potentially \$1,330,600 for construction and engineering.

ATTACHMENTS: Resolution, Task Order 2
REPORT PREPARED BY: Public Works Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

2. Resolution No. 6119 entitled, “RESOLUTION APPROVING BOND DISCLOSURE POLICY.”

Schiebout moved to approve, seconded by De Jong.

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

BACKGROUND: The City’s bond counsel has recommended the City adopt a bond disclosure policy. This policy will ensure that the City meets all the required disclosure requirements.

Key Responsibilities

The document identifies the Finance Director as the Disclosure Coordinator who is responsible for the following:

- Reviewing and approving preliminary and final official statement
- Monitoring financial activity for material events
- Reviewing and ensuring compliance with all current and future disclosure requirements
- Maintaining required records and documents

Additionally, the City has engaged DA Davidson to assist and verify the required continued disclosure information for timeliness and substance.

In summary, the City’s bond counsel recommends the adoption of a bond disclosure policy. The recommended policy sets forth the requirements and for disclosure and assigns responsibility to the City’s Finance Director.

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

3. Resolution No. 6120 entitled, “RESOLUTION APPROVING OFFICIAL STATEMENT.”

Schiebout moved to approve, seconded by Hopkins.

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

BACKGROUND: In order to utilize debt financing to construct the proposed fiber optic network within our community, the City is required to approve an Official Statement for the Electric Revenue Capital Loan Notes. This statement is a document prepared by the City and its advisors in connection with a new issue of municipal securities. An Official Statement describes the essential terms of the bonds. It typically provides the most detailed description of the terms and features of the bonds through maturity, unless and until these terms have been modified.

Additionally, the Official Statement is the offering document for municipal securities that includes financial disclosures and information about the City. It should be noted that this version of the document is the preliminary Official Statement and does not include pricing information. Pricing and rate information will be included in the final Official Statement presented to Council for approval at the May 12, 2020 City Council meeting.

ATTACHMENTS: Resolution, Preliminary Official Statement
REPORT PREPARED BY: Finance Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

4. Resolution No. 6121 entitled, “RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS.”

Bandstra moved to approve, seconded by Hopkins.

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

BACKGROUND: Over the past year, the City of Pella has been incurring planning, engineering, and operating costs associated with the implementation of a municipal telecommunications utility. In order to recover those costs through inclusion in the City’s pending debt issuance, legal counsel has recommended the City Council approve the attached reimbursement resolution.

Funding

This resolution declares the Council’s intent to utilize future debt financing to fund the total estimated project cost of approximately \$10,151,000 and allows for expenditure made from the City’s Electric Department Fund and Municipal Telecommunications Fund to be reimbursed by future debt financing. It should be noted that the resolution does not require the City Council to utilize debt financing for the project; it simply provides an avenue for reimbursement of associated costs if the Council chooses.

In summary, staff is recommending approval of the attached resolution authorizing the reimbursement of capital costs associated with the from a future debt issuance.

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

5. Resolution No. 6122 entitled, "RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS."

Schiebout moved to approve, seconded by Sporrer.

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

BACKGROUND: Over the past year, the City of Pella has been incurring planning and engineering costs associated with the construction of a new electric/telecom building as well as the implementation of fiber network. In order to recover those costs through inclusion in the City's pending debt issuance, legal counsel has recommended the City Council approve the attached reimbursement resolution.

Funding

This resolution declares the Council's intent to utilize future debt financing to fund the total estimated project cost of approximately \$11,685,000 and allows for expenditure made from the City's Electric Department Fund to be reimbursed by future debt financing. It should be noted that the resolution does not require the City Council to utilize debt financing for the project; it simply provides an avenue for reimbursement of associated costs if the Council chooses.

In summary, staff is recommending approval of the attached resolution authorizing the reimbursement of capital costs associated with the from a future debt issuance.

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

6. Resolution No. 6123 entitled, "RESOLUTION APPROVING AN AGREEMENT BETWEEN IMON COMMUNICATIONS, LLC AND THE CITY OF PELLA."

De Jong moved to approve, seconded by Hopkins.

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

BACKGROUND: The City intends to provide telephone service as part of the City's telecommunication service offerings. In order to provide this service, the City has identified a third-party contractor, ImOn Communications (ImOn), capable of serving as telephone service provider. ImOn is a local exchange carrier already engaged in the business of providing telephone service to many telecommunication utilities across the state of Iowa. ImOn, located in Cedar Rapids, owns a metaswitch cable of serving the telephone switching needs of the City in addition to their many other customers, which includes Cedar Falls Utilities, Waverly Municipal Utilities, Indianola Municipal Utilities, and Vinton Municipal Utilities.

Key Terms

The agreement for services is for seven years and includes the following services: Anonymous Call Rejection, Call Forward Busy, Call Forward Don't Answer, Call Forward Variable, Call Transfer, Call Waiting, Call Waiting ID, Caller ID Blocking, Caller ID Name & Number, Circular Hung, Collect Call Block, Speed Call 30, Three Way Calling, Toll Deny, Voicemail.

In addition to these services, ImOn will also provide all services listed in Schedule B of the agreement. Key items include regulatory support, establishment of interconnection agreements, database updates (E911, directory assistance, directory information, caller ID), as well as the porting of existing phone numbers.

For residential services, the cost is based on a per subscriber fee of \$5.00 per month with a long distance and international calling rate of \$0.015 per minute. Business subscribers would be based on a fee of \$6.00 per month per subscriber and a long distance and international calling rate of \$0.015 per minute. Additionally, ImOn will provide Session Initiated Protocol (SIP) for \$10.00 per session and block of direct inward dialing (DID) for \$2.00. Installs would occur during regular business hours or would experience a fee of \$150.00 per hour.

In addition to the use and customer service charges, ImOn will provide a standard billing file that will be used to input the data into the City of Pella's billing system which would generate individual customer service bills. The cost of this service is \$1,500.00 per month.

Billing

Understanding that the telecommunication utility is a start-up with increased customer growth throughout the first three years, ImOn developed a billing fee that minimizes the impact to the utility in the first few years and increases over time. Additionally, the fee structure has a minimum monthly fee, of which the utility would pay the higher of the minimum fee or actual cost of service as set out in the agreement.

Initiation/Activation

Given the substantial amount of work required to install and activate the required equipment and systems to provide phone service to customers, the agreement includes an initial \$84,605 fee which will be paid in six equal monthly payments once the City begins to provide services to customers.

Summary

The proposed seven-year agreement with ImOn would provide the City of Pella with telephone switching services. ImOn works with several municipal telecommunication utilities across the state and comes highly recommended. The cost of the service includes a one-time initiation/activation fee as well as an escalating monthly cost based on customer counts.

ATTACHMENTS: Resolution, Agreement
REPORT PREPARED BY: Finance Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

7. Resolution No. 6124 entitled, "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A MASTER LEASE AGREEMENT AND TURF EQUIPMENT SCHEDULE WITH TCF NATIONAL BANK."

Schiebout moved to approve, seconded by Hopkins.

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

BACKGROUND: This resolution authorizes a lease agreement for turf maintenance equipment for use at the Bos Landen Golf Course. As background, on April 21, 2020, City Council approved a Clubhouse Management Agreement with MK Golf Shops for operation of the Bos Landen Clubhouse. Under the terms of the agreement, the City of Pella is responsible for maintenance of the golf course grounds and facilities.

In order to provide course set-up and to maintain the greens, fairways, tee boxes, rough, bunkers, and landscaping, it is necessary to acquire the appropriate maintenance equipment which includes two greens mowers, two fairway mowers, two rough mowers, one tee mower, three all-purpose utility vehicles for course set-up, one debris blower, one course sprayer, one walk behind aerator, and one bunker rake.

Staff solicited quotes for the above equipment from the following suppliers:

1. MTI Distributing (Toro Equipment) quoted a 5-year lease with 10 payments of \$33,760.12
2. Turfwerks (Jacobsen Equipment) quoted a 5-year lease with 10 payments of \$34,752.38

Staff is recommending proceeding with the base equipment from MTI Distributing as outlined above. Staff is also requesting to include multiple attachments for the greens mowers that will allow for more versatility by converting a greens mower to a tee mower and also providing sand reels for an additional \$1,072.61 per payment. Converting a greens mower to a second tee mower on a weekly basis is a less expensive alternative to purchasing a second tee mower for \$33,169. Greens are routinely topdressed with sand to maintain smooth putting surfaces. To preserve the main precision greens cutting units, a second set is needed to mow greens during the sand topdressing timeframe. Additionally, the City would incur an additional maintenance cost of \$1,800 per year for sharpening the main greens cutting units if a second set was not obtained initially.

The agreement would be with TCF National Bank. The key terms of the proposed lease agreement include a term of 60 months with ten semi-annual payments of \$34,832.67 beginning in May 2020 extending through November 2024. If desired, the city would have the option of purchasing the equipment at the end of the lease for the fair market value. If approved, the tentative timeline for receiving equipment would be within one week of approval.

ATTACHMENTS: Resolution, Proposed Lease Agreement
REPORT PREPARED BY: Community Services Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

8. Resolution No. 6125 entitled, "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A MASTER EQUIPMENT LEASE AGREEMENT AND SCHEDULE WITH WELLS FARGO FINANCIAL LEASING, INC."

Branderhorst moved to approve, seconded by De Jong.

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

BACKGROUND: This resolution authorizes a lease agreement for golf carts for use at the Bos Landen Golf Course. As background, on April 21, 2020, City Council approved a Clubhouse Management Agreement with MK Golf Shops for the operation of the Bos Landen Clubhouse. Under the terms of the agreement the City of Pella is responsible for providing a fleet of golf carts for the course.

Quotes for 56 golf carts, one range picker cart, and two utility carts were received from three vendors. The annual 44-month lease cost for all carts, including annual service, is below:

Miller & Sons, EZGO	\$42,185.00
NB Golf, Club Car	\$43,057.88
Harris Golf Cars, Yamaha	\$49,816.04

Staff is recommending proceeding with NB Golf as they would utilize a local Pella business to provide the annual cart maintenance.

The agreement would be with Wells Fargo Equipment Finance. The key terms of the proposed lease agreement include a term of 44 months with eight semi-annual payments of \$21,527.95. If desired, the city would have the option of purchasing the carts at the end of the lease for the fair market value. If approved, the tentative timeline for receiving the carts would be within three weeks of approval.

ATTACHMENTS: Resolution, Proposed Lease Agreement
REPORT PREPARED BY: Community Services Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

I. ORDINANCES

1. Ordinance No. 975 entitled, "AN ORDINANCE ADOPTING A NEW CHAPTER 111A OF THE PELLA CITY CODE FOR THE PURPOSE OF ESTABLISHING THE OPERATION OF THE MUNICIPAL TELECOMMUNICATIONS UTILITY."

Schiebout moved to place ordinance no. 975 on its first reading, seconded by Sporrer.

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

It was moved by Schiebout 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 Bandstra.

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

Schiebout moved that ordinance no. 975 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 City Attorney has recommended the City Council establish the operation of Pella's municipal telecommunication utility by ordinance, which is consistent with the operation of the City's other municipal utilities.

This proposed ordinance creates a new chapter, 111A, and allows for the establishment of future service rules by resolution. Additionally, the proposed ordinance establishes Chapter 171 as the section of the City Code for establishing rates.

ATTACHMENTS: Ordinance
REPORT PREPARED BY: City Administration
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve ordinance

2. Ordinance No. 976 entitled, "AN ORDINANCE ESTABLISHING MUNICIPAL TELECOMMUNICATION UTILITY RATES IN THE CITY OF PELLA, IOWA."

Bandstra moved to place ordinance no. 976 on its first reading, seconded by Hopkins.

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 Schiebout.

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

Schiebout moved that ordinance no. 976 be adopted, seconded by Hopkins.

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

Mayor DeWaard declared the ordinance duly passed and adopted.

BACKGROUND: This ordinance establishes the preliminary rates for the City's municipal telecommunications utility, Pella Fiber. The proposed rates match the rates the City has been using to develop financial models and projections. Additionally, staff sought rates of other municipal telecommunication providers and other local providers and believes these rates are appropriately competitive.

The following are the proposed rates by service:

Monthly Internet Service Rates:

Description	Residential Fee	Commercial Fee
Internet 150	N/A	\$125.00
Internet 300	N/A	\$250.00
Internet 1 GIG	\$75.00	\$500.00
WiFi Mesh Extender	\$5.00	\$5.00

Monthly Television Service Rates:

Description	Fee
Basic	\$39.00
Expanded	\$85.00
Expanded Plus	\$95.00
Family Channels	\$10.00
Sports Channels	\$10.00
HBO	\$15.00
Cinemax	\$15.00
STARZ/Encore	\$15.00
Showtime	\$15.00
Set Top Box Rental	\$5.00
Whole Home DVR	\$10.00

Monthly Voice Service Rates:

Description	Residential Fee	Commercial Fee
Local Service	\$15.00	\$25.00
Long Distance	\$10.00	\$20.00
E911	\$1.00	\$1.00

It is important to note that these rates are preliminary and are subject to change as the City progresses towards completion of the project. Also, staff expects to identify and recommend additional fees/charges for service (i.e. returned check, custom install, tech fees) which will also provide an opportunity to amend fees if needed.

Summary

This proposed ordinance sets the initial rates for Pella Fiber. The rates included in the ordinance match the rates in the City's financial projections and current business plan. It should be noted that additional rates and fees will be established at a later date.

ATTACHMENTS: Ordinance
 REPORT PREPARED BY: City Administration
 REVIEWED BY: City Administrator, City Clerk
 RECOMMENDATION: Approve ordinance

I. CLAIMS

1. Abstract of Bills No. 2054.

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)

Comments were received and addressed.

L. CLOSED/EXEMPT SESSION

1. This item was pulled from the agenda.
2. This item was pulled from the agenda.

M. ADJOURNMENT

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

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

Meeting adjourned at 7:59 p.m.