



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

May 16, 2023

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

The City Council of the City of Pella, Iowa, met in regular session at the Public Safety Complex (614 Main Street) at 6:00 p.m., Mayor Don DeWaard presiding. Council members present were: Mark De Jong, Calvin Bandstra, Dr. Spencer Carlstone, Dave Hopkins. Absent: Liz Sporrer, Lynn Branderhorst. City Administrator Mike Nardini and City Clerk Mandy Smith were present. Ten staff members and sixteen members of the general public attended in person. Seven members of the general public attended via conference call.

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

1. Approval of Tentative Agenda.

Bandstra moved to approve, seconded by De Jong.

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

2. Appointment of Ann Frost to the Airport Committee.

De Jong moved to approve, seconded by Hopkins.

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

BACKGROUND: Mayor DeWaard is recommending the appointment of Ann Frost to fill a vacancy on the Airport Committee. Ann grew up in Oskaloosa and lives at 502 South 1st Street in Knoxville. She has served as the Executive Director of Oskaloosa Chamber and Development, Director of Mahaska Health Foundation, and is now the Executive Director of Visit Pella (Pella CVB). Ann can provide a perspective of community involvement and a tourism connection to the airport. Ann is passionate about telling Pella's story to enhance the visitor experiences and promote, develop, and expand the tourism experience to benefit the local economy and community. Ann is interested in having Visit Pella be our area's leading tourism marketing organization to bring our guests the best experience when they are here; partnering with the Pella Municipal Airport will help us continue to build and tell our story. If approved, Ann's new six-year term would expire on January 1, 2029.

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator, Public Works Director

RECOMMENDATION: Approve the appointment

3. Reappointment of Teri Vos to the Planning and Zoning Commission.

Bandstra moved to approve, seconded by Hopkins.

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

BACKGROUND: Mayor DeWaard would like to reappoint Teri Vos to serve another term on the Planning and Zoning Commission. Teri has served on the Commission since December 16, 2008; she has attended 49 of the 63 meetings held during her term. This position is one of two Marion County members on the Commission. The Marion County Board of Supervisors approved this reappointment on May 9, 2023. If approved by the City Council, Teri's new five-year term would expire on May 1, 2028.

ATTACHMENTS: None

REPORT PREPARED BY: Planning and Zoning

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve the reappointment

4. Reappointment of Marc Vande Noord to the Planning and Zoning Commission.

Carlstone moved to approve, seconded by De Jong.

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

BACKGROUND: Mayor DeWaard would like to reappoint Marc Vande Noord to serve another term on the Planning and Zoning Commission. Marc has served on the Commission since July 19, 2022; he has attended seven of the nine meetings held during his term. This position is one of two Marion County members on the Commission. The Marion County Board of Supervisors approved this reappointment on May 9, 2023. If approved by the City Council, Marc's new five-year term would expire on May 1, 2028.

ATTACHMENTS: None

REPORT PREPARED BY: Planning and Zoning

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve the reappointment

5. Reappointment of Vince Nossaman to the Board of Adjustment.

Carlstone moved to approve, seconded by Hopkins.

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

BACKGROUND: Mayor DeWaard would like to reappoint Vince Nossaman to serve another term on the Board of Adjustment. Vince has served on the Board since May 20, 2008; he has attended 34 of the 39 meetings held during his term. This position is one of two Marion County members on the Board. The Marion County Board of Supervisors approved this reappointment on May 9, 2023. If approved by the City Council, Vince's new five-year term would expire on May 1, 2028.

ATTACHMENTS: None

REPORT PREPARED BY: Planning and Zoning

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve the reappointment

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

No comments were received.

**D. APPROVAL OF CONSENT AGENDA**

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

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

The following items were approved:

- 1. Approval of Minutes
  - a. Official Council Minutes for May 2, 2023
- 2. Report of Committees
  - a. Policy and Planning Minutes for May 2, 2023

PRESENT: Mayor Don DeWaard, Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Dr. Spencer Carlstone, Dave Hopkins  
ABSENT: None

OTHERS: City staff and visitors

The Policy and Planning meeting began at 6:16 p.m. The first agenda item was a discussion regarding a financial proposal from the City of Leighton and the following townships: Lake Prairie, Summit, Black Oak, and Richland. These combined entities have offered to pay the City of Pella \$36,000 per year for ambulance service over a three-year term (July 1, 2022 to June 30, 2025) while the entities pursue an essential services tax for future financial support of the ambulance.

Staff informed Council they believe these entities have the financial resources to contribute more than \$36,000 per year based on their projected fund balances and taxable valuations, as outlined below:

• The projected fire and emergency services fund balance for Lake Prairie and Summit townships is projected to be approximately \$354,000 as of June 30, 2024. While township representatives have stated this fund balance is reserved for future fire equipment purchases, staff has not received any capital schedules from the townships.

• Fiscal year 23-24 taxable valuations for these entities total \$370,903,127.

Adoption of an essential services tax involves the following steps:

- 1. Petition received with signatures from 25% of property owners who also comprise 25% of the total valuation within the proposed district.
- 2. County Supervisors declare EMS an essential service.
- 3. Ballot approval from 60% of the voters within the proposed district.

If an essential services tax is adopted, it could be authorized up to \$0.75 per \$1,000 of taxable valuation. Staff estimates this equates to a maximum levy amount of \$275,000 for the entities currently served by the City of Pella's ambulance service.

Staff believes the estimated annual subsidy to provide ambulance service to entities outside of the city limits is approximately \$133,069, as shown below:

	Mahaska County (Black Oak, Richland, Leighton)	Marion County (Lake Prairie, Summit)
Service Calls	77	220
Avg. Cost/Call	<u>\$661</u>	<u>\$661</u>
Total Cost	\$50,897	\$145,420
Patient Revenues	<u>\$14,036</u>	<u>\$49,212</u>
Estimated Subsidy	<u>\$(36,861)</u>	<u>\$(96,208)</u>

During the meeting, City Administrator Mike Nardini informed Council that staff's recommendation is to negotiate a two-year ambulance service agreement with the rural entities. Nardini stated that a two-year term would be sufficient to ensure a good faith effort is made to pursue the essential services tax and to fully evaluate the cost of providing ambulance service to the rural entities for FY 25 and beyond.

The agreement terms recommended by staff include:

- FY 22-23: rural entities would pay the City of Pella \$36,000.
- FY 23-24: rural entities would pay the City \$66,535 (50% of the projected subsidy of \$133,069).
- The agreement would be conditional upon the townships working towards adoption of an essential services tax.

Council member Bandstra is the City of Pella's representative on an EMS Advisory Board which was formed by the Marion County Board of Supervisors earlier this year. This advisory board was formed for the purpose of evaluating EMS operations, determining if current models are adequate, and making recommendations/offering potential solutions. Bandstra invited Teri Van Kooten, Marion County Public Health EMS Coordinator, to speak to Council. Van Kooten informed Council that eight Iowa counties have recently designated EMS as an essential service. These entities are sharing their learnings to assist other counties as they decide how to proceed. Furthermore, Van Kooten shared that state legislators are discussing the need to increase EMS reimbursements and looking at the potential of designating EMS as essential on a state-wide basis rather than county by county.

De Jong and Bandstra expressed agreement with staff's recommendation of a two-year agreement due to the fact that EMS is a work in progress. Mayor DeWaard clarified that if Council agreed with staff's recommendation, staff will re-enter negotiations with the rural entities. At the end of the discussion, staff was directed to begin re-negotiations with the City of Leighton and the following townships: Lake Prairie, Summit, Black Oak, and Richland. This item will be placed on a future agenda once negotiations are complete.

The next agenda item was a discussion regarding a proposal to amend the volunteer firefighter compensation plan. This plan has not been amended since it was originally adopted in 2012. As a result, the following changes are being proposed:

- Increase compensation paid for city accidents/fire call outs to \$20 per call.
- Increase compensation paid for training/work sessions to \$20 per session.
- Add the Lieutenant position with an annual stipend of \$750.
- Add the Treasurer position with an annual stipend of \$1,000.
- Increase the Secretary annual stipend to \$600 plus \$10 per call logged.
- Increase the Training Officer annual stipend to \$1,100.
- Increase the Captain annual stipend to \$1,500.
- Increase the Assistant Fire Chief annual stipend to \$2,500.
- Increase the Fire Chief annual stipend to \$4,000.

In 2022, \$51,740 was paid for volunteer firefighter compensation. Staff estimates the cost increase of these proposed changes totals approximately \$9,230.

De Jong expressed concern that the proposed increases are not substantial enough. In response, Fire Chief Randy Bogaard informed Council that the increases are in alignment with what staff felt was feasible, further stating that the volunteer firefighters do not serve in that

capacity to make money. Mayor DeWaard requested that volunteer firefighter compensation amounts are reviewed and amended on a more frequent basis than every ten years.

After discussion, Council directed staff to proceed with placing the proposed changes to the volunteer firefighter compensation plan, as presented, on a future agenda for formal consideration.

The next agenda item was a discussion regarding a proposal from Midwest Sanitation to extend their solid waste contract by one year, to July 31, 2024. As part of this extension, Midwest Sanitation has requested a 4.8% price increase, which would total approximately \$24,700. Staff informed Council that they believe this price increase is reasonable and will not necessitate an increase in rates.

De Jong and Branderhorst shared that they believe the service provided by Midwest Sanitation is exceptional. Hopkins asked if it was possible to negotiate a longer contract extension than one year. Nardini stated that when contracts of this size expire, they are generally rebid in alignment with the city's purchasing policy. This five-year contract was originally awarded in 2015 and has already been extended once; therefore, staff sought guidance from the City Attorney who has stated she believes the proposed extension term is acceptable. Furthermore, staff believes the proposed price increase of 4.8% is reasonable and that the extension will allow sufficient time to prepare for rebidding of a future contract.

At the end of the discussion, staff was directed to proceed with placing the proposed one year solid waste contract extension with Midwest Sanitation, including a 4.8% price increase, on a future agenda for formal consideration.

The last agenda item was a discussion regarding a proposal from Pella Corporation to name the Southside Beautification project in honor of Charles S. Farver. Pella Corp. is proposing to financially support this project through a \$100,000 grant. Additionally, Charlie is willing to donate his time to help design the park's final plans. As noted in the city's policy, renaming city-owned land and facilities should be subject to the most critical examination using specific criteria including:

- Geographic location. In this case, the park's location abuts the Pella Corporation campus. It will serve as a uniting space that draws members of the community and Pella Corporation together, a symbolic space to honor Charlie Farver and his vast contributions over the years to ensure joint prosperity of both the company and the town.
- Individual or group contributions to the community. Pella Corporation submitted the following in support of this request: "Charlie Farver's enduring contributions to the City of Pella stem from a deep love for both the community and the Company and a belief that the long-term prosperity of both is forever intertwined. At an early age, Charlie learned from his grandfather Pete and mother Joan that the Company must be more than a great window and door company; it must be a great window and door company to ensure the community of Pella and its citizens, many who work(ed) at the Company, could prosper for years to come. He learned that investing in the community was an investment in the Company and its team members and vice versa. And he learned that long-term prosperity required an ongoing investment in progress. Charlie's stewardship to the Pella community continues to be guided by his vision and boldness to see beyond today to ensure a strong tomorrow for the community and company he dearly loves. Over the past 43 years, this guiding philosophy has influenced his personal investments and the Company's investments in the community. As Chair Emeritus of Pella Corporation; as a board member of the charitable arm of the Company, the Rolscreen Foundation; and as board member of the Kuyper Foundation, Charlie's influence and personal contributions continue to have a profound impact on the City of Pella in a multitude of ways and include significant investments in, but not limited to, the following: Pella Historical Society; Pella Public & Christian Schools; Pella Regional Health; Pella Police, Ambulance & Fire Rescue; Pella Public Library; Pella Opera House; Pella Community Foundation; Various City Parks; Central College; The Well; Crossroads; Wesley Life; Fields of Our Future (Pella Sports Park); The Molengracht; Bos Landen; Prairie Ridge Housing Development; South Main Housing Development; and many more."

Council unanimously expressed support of this request from Pella Corporation to name the Southside Beautification project in honor of Charles S. Farver, in accordance with the Policy for Renaming City-Owned Land and Facilities. Charlie expressed his gratitude to the City Council, stating he believes this park will be a great asset for the community and Pella Corporation.

The meeting adjourned at 7:13 p.m.

Respectfully submitted:

Mandy Smith  
City Clerk

## b. Historic Preservation Commission Minutes for March 13, 2023

Chairperson Kermode called the Historic Preservation Commission (HPC) to order in the Planning and Zoning Office at 5:00 p.m. Members present were: Don André, Bruce Boertje, Rhonda Kermode, and Lila Turnbull; absent: Lorinda Bradley. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, Local Programming Coordinator Monte Goodyk, and the Deputy City Clerk. Three members of the public attended the meeting.

### APPROVAL OF TENTATIVE AGENDA

Motion by André, second by Turnbull to approve the tentative agenda. Motion carried 4-0.

### APPROVAL OF MINUTES

Motion by Boertje, second by André to approve the minutes from the February 13, 2023 meeting. Motion carried 4-0.

### NEW BUSINESS

Consider a Demolition Permit Application for 906 Independence St., Located Within the Collegiate Neighborhood Historic District  
Central College submitted an application to demolish the building at 906 Independence St. due to extensive damage, which is located within the Collegiate Neighborhood Historic District. The building would be considered a contributing structure and, as such, the building needs to be reviewed under the standards required by code.

As The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings do not have any guidance on demolishing a structure that has received significant interior damage, it does not provide a clear path for what would be acceptable or unacceptable. Therefore, staff had no recommendation.

Central College Director of Facilities Maintenance Craig Roose was present to speak in favor of the demolition permit and to answer questions from the Commission. He explained that a water pipe burst and the leak was discovered on December 26, 2022, when significant water damage had already occurred. This structure had once been a dormitory, but was currently only being used for furniture storage. Roose was asked by the Commission whether Central College would be interested in splitting the parcel so that the building could potentially be sold or given away to someone interested in rehabilitating it. Staff will look into the feasibility of the split and Roose stated that he would have to speak to his board about that proposal.

Following discussion, Roose, André, and Kermode planned to meet on March 14, 2023, to tour the building so that André and Kermode could see the extent of the damage firsthand and help determine whether approving the demolition permit would be appropriate or whether the structure could reasonably be salvaged.

Motion by André, second by Boertje to table the demolition permit for 906 Independence St. until the next meeting. Motion carried 4-0.

Consider Mailing a Letter and Flyer from the Commission to Property Owners Within the Proposed McClatchey Mill Historic District  
Members of the Commission wanted to vote on whether to send a letter and flyer to property owners to inform them that the Commission has identified their neighborhood as a potential historic overlay zone called the McClatchey Mill Historic District. This proposed district is located between Lincoln Street and Columbus Street and East First Street and East Second Street and would include 39 properties.

Motion by André, second by Boertje to approve mailing a letter and flyer to the property owners within the proposed McClatchey Mill Historic District. Motion carried 4-0.

Boertje mentioned he could look into getting the flyer printed in color, which the City of Pella would reimburse him for the cost.

#### OTHER BUSINESS/WORK SESSION

##### Work Session to Discuss U.S. Cellular's 5G Towers

As background, at the December 12, 2022 HPC meeting, staff informed the Commission of U.S. Cellular's intent to construct several 5G towers in downtown Pella. Planning and Zoning Director Gerald Buydos reported that the State of Iowa Historic Preservation Office has been in negotiations with U.S. Cellular about modifying the design of the towers, as well as possibly relocating some of the ones planned to be placed downtown, due to the potential adverse effects they may have on nearby historic properties.

##### Other

Kermode reported that, in conversation, an individual suggested housing an elevator in the hose tower next to the historic fire station in order to provide access to the top floor, which is currently vacant, and could potentially be utilized by local groups as a meeting space.

Buydos reported having been in touch with several municipalities that are Certified Local Governments (CLG) and that they all said that being part of the CLG program did not interfere in public works projects, which had been a concern of the City of Pella.

Buydos reported that he ordered street signs for the Collegiate Neighborhood Historic District.

Following discussion, the Commission decided to schedule the next meeting for April 17, 2023. A public hearing will be scheduled regarding the formation of the proposed Scholte Garden Historic District.

Adjourned at 5:51 p.m.

#### c. Airport Committee Minutes for March 24, 2023

Members Present: Matt Hutchinson, Rick Gritters, Jeff Bollard, Joel Weiler, Eric Recker, Trevor Nikkel

Members Absent: None

Others Present: Ann Frost

Approval of Minutes: February 24, 2023 minutes reviewed.

Motion to approve Gritters, Support Recker, Passed unanimously

Discussion on several topics –

Motion to recommend Ann Frost to the Mayor for selection to the Airport Committee.

Motion made by Nikkel, Support Bollard, Passed unanimously

Airport managers' report to the committee

As reported by Shane Vande Voort

Equipment Update: The equipment has been working well overall this winter. The rotary broom is working but will need back ordered parts to be effective next year. We are in urgent need for a riding mower (which is required to be provided by the airport management agreement).

FBO operations: Classic Aviation remains busy and staffing is still an issue. We are excited that a parts/facilities management specialist joined us this week. As we try to attract and retain mechanics in a competitive environment shop size becomes a major issue. Pella remains an active facility and an attractive destination and we are working hard as an FBO to meet airport user's expectations.

Hangar and ramp space: The new ramp is working wonderfully. It does take substantially more effort to plow and if we are eligible for FAA funding for an end loader I think it should be considered. Hangar space is still a major need and a viable plan for the future of the airport should include adding significant hangar space without losing airport tenants or capacity in the process.

Special Events: Planning should begin for the annual Tulip Time Flight breakfast with an emphasis on auto parking issues that occurred last year. I have applied for the special events permit.

Project and focus on improvement: Ongoing consideration of remodeling of the terminal including windows, carpet, and furniture is important.

Need for Certainty about the airport's future: We were promised to finally have some certainty on the future of the airport after the first of the year. There is a daily need to have this resolved and the airport users, aviation community, committee, manager, and FBO need to be able to make short and long term decisions with an idea of the future.

Adjourn: Motion by Nikkel, Support Gritters Passed unanimously

Next regular meeting will take place on April 28th, 2023 7am

#### d. Planning and Zoning Commission Minutes for March 27, 2023

Chairperson Vos called the Planning and Zoning Commission to order at 6:00 p.m. in the Public Safety Complex. Members present were: Sarah Buchheit, Joe Canfield, Julio Chiarella, Tom Johnson, Bob Smith, Marc Vande Noord, Ann Visser, and Teri Vos; absent: Cathy Hausteine. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Four members of the public were present.

New Commission member Bob Smith was introduced.

##### APPROVAL OF TENTATIVE AGENDA

Motion by Visser, second by Buchheit to approve the tentative agenda. Motion carried 8-0.

##### APPROVAL OF MINUTES

Motion by Visser, second by Vande Noord to approve the minutes of the February 27, 2023 meeting. Motion carried 8-0.

##### NEW BUSINESS PROPOSED

Consider a Site Plan, Submitted by Pella Community School District, to Construct an Addition at 801 E. 13th St.

Pella Community School District submitted an application to construct an addition to Jefferson Intermediate and Pella Middle Schools. The proposed building will total have a footprint of 19,734 square feet with a total square footage of 34,167 square feet with approximately 92,000 square feet of new pavement.

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 "School/Central" 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 requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. Therefore, staff recommended the site plan be approved as submitted.

Planning and Zoning Director Gerald Buydos explained the process by which site plans are reviewed by the City prior to consideration by the Commission. In response to a question by the Commission, Buydos explained that traffic studies are not usually conducted for projects like the one being considered.

Motion by Canfield, second by Vande Noord to approve the site plan as submitted. Motion carried 8-0.

Consider a Final Plat, Submitted by Artisanal LLC, for the Triangle Properties Subdivision, Located Along Washington Street

Artisanal, LLC submitted a final plat to create two parcels along Washington Street. The 2.5-acre site, located at 2610 Washington St., is currently developed and is zoned Community Commercial (CC). The applicant wishes to subdivide and create two separate parcels. One parcel has an existing structure on it and one parcel will be vacant. The Planning and Zoning Commission approved the preliminary plat on February 27, 2023.

Chapter 170.06.2 tasks the Planning and Zoning Commission to review the proposed final plat for conformance with the City's Comprehensive Plan. The Comprehensive Plan's Future Land Use Map identifies this site as Commercial/Mixed Use. The existing use complies with this designation and the Comprehensive Plan.

The developer is required to submit the required performance bonds prior to consideration by the Pella City Council for the public infrastructure which will be completed as a part of this final plat. Once the infrastructure is constructed, it will be dedicated to the City of Pella. A new sanitary sewer main will be required to be constructed across Washington Street.

Staff believes the final plat meets the minimum requirements of the zoning ordinance and subdivision ordinance, while also conforming to the City's Comprehensive Plan. Based upon the findings, staff recommended the final plat be approved as submitted.

Staff clarified for the Commission that property cannot be subdivided unless utilities are extended to the site.

Motion by Johnson, second by Canfield to approve the final plat as submitted. Motion carried 8-0.

OTHER BUSINESS / WORK SESSION

Next Meeting Date: The next regular Planning and Zoning Commission meeting is scheduled for April 24, 2023.

Adjourned at 6:29 p.m.

### 3. Petitions and Communications

#### a. Renewal of Cigarette/Tobacco/Nicotine/Vapor Permits for Casey's General Store #2598, Casey's General Store #2694, Casey's General Store #3566, Fareway Stores #995, Hy-Vee Food Store, Hy-Vee Wine & Spirits, Tobacco Vape & E-Cig, Wal-Mart Supercenter #751

BACKGROUND: Permits are required for the retail sale of all tobacco products. All current permits expire June 30, 2023 and renewals will be valid until June 30, 2024.

The following businesses have applied for renewal of their cigarette/tobacco/nicotine/vapor permits:

Casey's General Store #2598	414 S Clark Street
Casey's General Store #2694	2421 Washington Street
Casey's General Store #3566	509 Main Street
Fareway Stores #995	2010 Washington Street
Hy-Vee Food Store	118 SE Ninth
Hy-Vee Wine & Spirits	512 E Oskaloosa Street
Tobacco Vape & E-Cig	1530 Washington Street
Wal-Mart Supercenter #751	1650 Washington Street

Staff recommends approval as all applications and fees are in order.

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve renewal of cigarette/tobacco/nicotine/vapor permits

#### b. Renewal of Class B Retail Alcohol License for Git-N-Go Convenience Store #38

BACKGROUND: Git-N-Go Convenience Stores, Inc., DBA Git-N-Go Convenience Store #38 at 209 East Oskaloosa Street, has applied for renewal of their class B retail alcohol license. The term of the new license is 12 months and, if approved, would expire on June 1, 2024.

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

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve renewal

#### c. Renewal of Class C Retail Alcohol License with Ownership Updates for Cantaritos

BACKGROUND: Buenas Corporation, DBA Cantaritos at 1205 Washington Street, has applied for renewal of their class C retail alcohol license with catering privileges. In addition, the applicant has submitted ownership updates for their license. The term of the new license is 12 months and, if approved, would expire on June 3, 2024. The application has been completed online with the state. Staff is recommending approval.

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve renewal

#### d. Special Event Permit Request for Thursdays in Pella

##### i. Resolution No. 6582 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS THURSDAYS IN PELLA"

BACKGROUND: The Pella Area Community and Economic (PACE) Alliance has requested a special event permit for Thursdays in Pella on all Thursday evenings during the months of June and July. The events are scheduled to occur from 6:00 to 9:00 p.m. with set-up starting at 3:00 p.m. and take down completed by 9:30 p.m.

As background, Thursdays in Pella events are designed to provide a forum for awareness of community resources and opportunities while also promoting the PACE Alliance and its members. During the events, themed family-friendly activities are planned in and around Central Park including music and games. Consistent with prior year events, the food vendors are proposed to be located on the east side of the 800 block of Broadway Street, as shown on the attached map.

Included with this request is a resolution closing the following street segments during each event:

June 1	Broadway Street (Washington to Franklin) and Franklin Street (Broadway to Main)
June 8	Broadway Street (Washington extending south to alley north of Liberty) and Franklin Street (Main extending west to the alley west of Broadway)
June 15 & 22	Broadway Street (Washington to Franklin)
June 29	Broadway Street (Washington to Franklin), Franklin Street (Broadway to East 1st), and Main Street (Washington extending south to the alley north of Liberty)
July 6, 13, 20	Broadway Street (Washington to Franklin) and Franklin Street (Broadway to Main)
July 27	Broadway Street (Washington to Franklin)

All pertinent city departments have reviewed this application and comments are attached. The fee and insurance certificate have been received. Staff is recommending approval of this special event permit and associated resolution.

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

## **E. PUBLIC HEARINGS**

### **1a. Public Hearing regarding Budget Amendment #1 for the FY 22-23 Budget.**

No written or oral comments were received.

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

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

BACKGROUND: This resolution approves budget amendment #1 for the fiscal year (FY) 22-23 budget. It is important to note that there will be no increases in taxes or rates as a result of this amendment, as a majority of the items are a result of timing differences (i.e. projects budgeted in FY 21-22 but occurring in FY 22-23). Furthermore, all items in this amendment will either be covered by offsetting revenue sources or reserves. The overall amendment results in a net decrease of fund balance of \$2,791,272. An overview of this amendment is included below. In addition, included as a memo attachment is a summary sheet which itemizes the proposed amendment.

Timing Differences – Decrease of Fund Balance of \$2,102,072

This section of the amendment is comprised of projects that were budgeted in FY 21-22 but occurring in FY 22-23. The main items associated with the amendment are completion of the Pella Municipal Airport Apron Expansion project in the amount of \$845,000 and completion of the fiber optic system for the Electric and Telecom utilities in the amount of \$756,000.

Unbudgeted Items – Decrease of Fund Balance of \$689,200

This category of the amendment represents items which were not budgeted in the current fiscal year. The largest of these items is the net budget adjustment to establish the operating and capital budget for the Pella Ambulance in the amount of \$680,000.

In summary, please keep in mind that the intention of this amendment is to adjust the budget for significant projects which were not originally included in the FY 22-23 budget.

ATTACHMENTS: Resolution, Amendment Detail, Budget Notice  
REPORT PREPARED BY: City Administration  
REVIEWED BY: City Administrator, City Clerk, Accounting Manager  
RECOMMENDED ACTION: Approve resolution

### **1b. Resolution No. 6583 entitled, “RESOLUTION AMENDING THE FY 22-23 ANNUAL BUDGET BY ADOPTING BUDGET AMENDMENT #1.”**

Hopkins moved to approve, seconded by De Jong.

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

## **F. RESOLUTIONS**

### **1. Resolution No. 6584 entitled, “RESOLUTION AMENDING THE VOLUNTEER FIREFIGHTER COMPENSATION PLAN.”**

De Jong moved to approve, seconded by Carlstone.

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

BACKGROUND: This resolution amends the Volunteer Firefighter Compensation Plan. After discussing this item during the Policy and Planning meeting on May 2, 2023, Council directed staff to place this resolution on a future agenda for formal consideration. As background, this plan was originally adopted by the City Council on November 20, 2012. The purpose of the plan was to implement compensation that ensured the City of Pella could continue to attract volunteer firefighters as a result of additional training and standards that were imposed by the State of Iowa.

Compensation and Annual Stipend Proposed Increases

It is important to note that the plan has not been amended since it was originally adopted more than ten years ago. As a result, the following compensation increases are being proposed:

- Increase compensation paid for city accidents/fire call outs from \$15 per call to \$20 per call.
- Increase compensation paid for training/work sessions from \$15 per session to \$20 per session.

Additionally, the current plan provides annual stipends to offset out of pocket expenses, time spent for non-fire calls, all-day training events, and significant fire events which last longer than two hours. The following annual stipend changes are being proposed:

- Add the Lieutenant position with an annual stipend of \$750.
- Add the Treasurer position with an annual stipend of \$1,000.
- Increase the Secretary annual stipend from \$600 to \$600 plus \$10 per call logged.
- Increase the Training Officer annual stipend from \$1,000 to \$1,100.
- Increase the Captain annual stipend from \$1,100 to \$1,500.
- Increase the Assistant Fire Chief annual stipend from \$1,300 to \$2,500.
- Increase the Fire Chief annual stipend from \$2,500 to \$4,000.

Estimated Cost Impact

For calendar year 2022, a total of \$51,740 was paid to the volunteer firefighters; this compensation amount includes compensation per call/session and annual stipends. If the increases outlined above are approved, staff estimates the cost increase resulting from these changes will total approximately \$9,230.

In summary, staff recommends approval of this resolution which amends the Volunteer Firefighter Compensation Plan. It is important to note that volunteer firefighters are paid annually in December for the calls/sessions that occurred in that calendar year as well as the annual stipends; therefore, this resolution retroactively approves the amended plan as of January 1, 2023.

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

2. Resolution No. 6585 entitled, "RESOLUTION APPROVING PRELIMINARY PLAT FOR PUMPKIN PATCH FARM SUBDIVISION."

Hopkins moved to approve, seconded by Bandstra.

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

**BACKGROUND:** This resolution approves a preliminary plat for the Pumpkin Patch Farm Subdivision to reorganize 20 existing parcels along 210th Avenue and Highway 163 into three parcels. The 365.88-acre site is currently partially developed and is zoned Agricultural (A1). The primary purpose of this subdivision is for Agricultural transfer purposes and as a result, no public infrastructure is required for the subdivision. **City Code Requirements for Preliminary Plats:** The subdivision ordinance states that the City Council shall review the preliminary plat for conformance with the Comprehensive Plan, zoning ordinance, and subdivision ordinance. Preliminary plats are required whenever the subdivider of any tract or parcel of land within the platting jurisdiction of the city wishes to make a subdivision. The preliminary platting process allows the City Council the opportunity to review the overall layout of the lots and street pattern, as well as compliance with all applicable city infrastructure and code requirements.

**Zoning Classification:** The zoning for this property is A1. This district "provides for and preserves the agricultural and rural use of land, while accommodating very low-density residential development generally associated with agricultural uses. In addition, land included in the Urban Reserve in the Comprehensive Development Plan should be retained in the A1 District to prevent premature or inappropriate development."

**Proposed Development:** The site would consist of three agricultural lots. Two of these parcels have been built upon and one parcel will be vacant.

**Lot Requirements:** The proposed lots meet all A1 zoning district minimum requirements.

**Required Improvements:** The developer is required to make and install all public improvements identified in Chapter 170.13. The following is a review of those requirements:

**Streets:** The subdivider shall grade and improve all new streets between the property lines, within the subdivided area. The paving on such new streets shall be built according to the Design Standards.

**STAFF COMMENT:** The site would be served by 210th Avenue and Highway 163. No new streets are required.

**Storm Sewer and Drainage:** The subdivider shall construct all storm water management structures including, but not limited to, storm sewers, drains, inlets, manholes, and drainage conveyances, to provide for the adequate removal of all surface drainage according to the Design Standards and Standard Specifications. Engineering calculations, including references to support all assumptions and recommendations, shall accompany all storm water management systems designs.

**STAFF COMMENT:** The City's engineering consultant and Public Works Director have had the opportunity to review and approve the development's storm water management plan and drainage calculations. The City's engineering consultant deemed that no public improvements were required.

**Secondary Storm Sewer:** Subdividers must provide a secondary storm sewer system with access to the system from all lots in a subdivision. The City Engineer may grant a waiver to this requirement based on the zoning of the subdivision or the topography or other site characteristics of each lot. Proposed secondary storm sewer system designs, including locations of conduit, grading, drainageways, and outlets, must be shown on the preliminary plat.

**STAFF COMMENT:** The site consists of three lots. The City's engineering consultant deemed that no public improvements were required.

**Sanitary Sewer:** The subdivider shall construct sanitary sewers in conformance with the Design Standards and Standard Specifications, as they already exist. The subdivider shall provide a connection for each lot to the sanitary sewer and appropriate easements. The sanitary sewer shall be in operation prior to occupancy of any building.

**STAFF COMMENT:** The City's engineering consultant deemed that no public improvements were required.

**Water Mains and Fire Hydrants:** The subdivider shall install water mains and fire hydrants in the subdivided area. The installation of water mains and fire hydrants shall be made prior to the street pavement construction and shall be in conformance with the Design Standards and Standard Specifications.

**STAFF COMMENT:** The City's engineering consultant deemed that no public improvements were required.

**Sidewalks:** Sidewalks are normally required to be installed in accordance with the Design Standards and Standard Specifications.

**STAFF COMMENT:** Sidewalks will not be required for the site.

**Erosion Control Measures:** The subdivider shall construct and maintain erosion and sediment control measures in accordance with the Design Standards.

**STAFF COMMENT:** The City's engineering consultant and Public Works Director have reviewed the preliminary plat and expressed no concerns with the site's erosion control measures.

**Electric Service:** The applicant is required to make sure each property has its own service line and appropriate easements.

**STAFF COMMENT:** The City's engineering consultant deemed that no public improvements were required.

**Comprehensive Plan:** City Code requires the City Council to review the preliminary plat for conformance with the Comprehensive Plan. The Comprehensive Plan's Future Land Use Map identifies this site as Agricultural and Urban Reserve. The existing use complies with this designation and the Comprehensive Plan.

**Summary and Staff Recommendation:** Staff finds the preliminary plat satisfies pertinent City Code and is consistent with the Comprehensive Plan. Based upon the findings, staff recommends the preliminary plat be approved as submitted. Finally, it is important to note that the Planning and Zoning Commission approved this preliminary plat during their meeting on April 24, 2023.

**ATTACHMENTS:** Resolution, Application, Aerial Map, Preliminary Plat

**REPORT PREPARED BY:** Zoning Analyst

**REVIEWED BY:** City Administrator, City Clerk

**RECOMMENDATION:** Approve resolution

3. Resolution No. 6586 entitled, "RESOLUTION APPROVING A SECOND AMENDMENT TO THE AGREEMENT WITH KAL SERVICES, INC. DBA MIDWEST SANITATION."

De Jong moved to approve, seconded by Hopkins.

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

**BACKGROUND:** This resolution approves a second amendment to the solid waste agreement with KAL Services, Inc., DBA Midwest Sanitation. After discussing this proposed one-year contract extension on May 2, 2023, Council directed staff to place this item on a future agenda for formal consideration. As background, Council initially approved an agreement with Midwest Sanitation in 2015. In 2019, Council approved a three-year contract extension. The contract is now set to expire on July 31, 2023.

**Proposed Price Increase:** As part of the proposed one-year contract extension, Midwest Sanitation has requested a 4.8% price increase. The annual cost of the current contract totals approximately \$513,000; therefore, the proposed 4.8% price increase would total approximately \$24,700 over the duration of the one-year extension. If approved, this increase will be effective August 1, 2023 resulting in the City of Pella paying Midwest Sanitation \$9.95/month for small totes, \$12.43/month for medium totes, and \$15.54/month for large totes. It is important to note that staff believes this price increase will not necessitate an increase in rates.

Services: No changes are proposed to the services under the existing contract, which include:

- Weekly collection of household non-recyclable waste in totes provided by the city.
- Weekly “single-stream” collection of recyclable waste in totes provided by Midwest Sanitation.
- Two bulk solid waste clean-up weeks per year.
- Collection of bagged/bundled yard waste:
  - Weekly collection from March to November.
  - Collection on the 1st and 3rd Wednesdays from December to February.
- Regular collection of solid waste from city facilities.

Contract Terms: The following key terms are included in the existing contract:

- Liquidated Damages: if the contractor fails to remedy the cause of any service complaint which is found to be a breach of the contract, the contractor shall pay liquidated damages to the city. Examples include failure to clean up spilled solid waste, failure to collect waste from any eligible residence within 12 hours of the scheduled collection date, failure to maintain office and phone hours as per contract, and collection service delivered outside of the approved hours of collection as per contract.
- Default and Termination: the contract includes penalties and financial considerations in the event of default and/or termination.
- Fee Adjustments: the agreement continues the city’s current utilization of monthly fee adjustment based on landfill tipping fees and fuel prices.

Summary: In summary, this resolution approves a second amendment to the solid waste agreement with Midwest Sanitation. This amendment specifically extends the current contract by one year, to July 31, 2024, and implements a 4.8% price increase. Staff believes Midwest Sanitation provides a quality service to the citizens of Pella at a reasonable price.

ATTACHMENTS: Resolution, Second Amendment, Current Contract with First Amendment  
REPORT PREPARED BY: Public Works Department  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve resolution

4. Resolution No. 6587 entitled, “RESOLUTION AMENDING THE RESOLUTION ADOPTED MAY 12, 2020, AUTHORIZING THE ISSUANCE OF COMMUNICATIONS UTILITY REVENUE CAPITAL LOAN NOTES, SERIES 2020A, AND AUTHORIZING EXECUTION AND DELIVERY OF A REPLACEMENT NOTE.”

De Jong moved to approve, seconded by Hopkins.

On roll call the vote was:

AYES: 3 (De Jong, Hopkins, Carlstone)

NAYS: None

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

Motion carried.

BACKGROUND: These resolutions approve the proposed amendments for the Communications Utility Revenue Capital Loan Notes, Series 2020A and 2020G. These notes were originally issued on May 12, 2020, in the amount of not-to-exceed \$8,652,000 and are being used to finance the construction of the telecommunications utility. Specifically, these resolutions extend the draw period for notes from May 15, 2023, to January 31, 2024. All other terms of the respective notes remain the same. This amendment is necessary due to the construction of the IMU-Pella Fiber transport line which is expected to be completed by this fall. As a result, it is necessary to extend the draw period as these notes will be used to finance the City of Pella’s share of the transport line.

Summary: These amendments have been prepared by the city’s legal counsel and have been reviewed by our financial advisor, Michael Maloney of DA Davidson.

ATTACHMENTS: Resolution No. 6587 for 2020A, Staff Memo for 2020A dated May 12, 2020,  
Resolution No. 6588 for 2020G, Staff Memo for 2020G dated May 12, 2020  
REPORT PREPARED BY: City Administrator  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve resolutions

5. Resolution No. 6588 entitled, “RESOLUTION AMENDING THE RESOLUTION ADOPTED MAY 12, 2020, AUTHORIZING THE ISSUANCE OF COMMUNICATIONS UTILITY REVENUE CAPITAL LOAN NOTES, SERIES 2020G, AND AUTHORIZING EXECUTION AND DELIVERY OF A REPLACEMENT NOTE.”

Hopkins moved to approve, seconded by Carlstone.

On roll call the vote was:

AYES: 3 (Hopkins, Carlstone, De Jong)

NAYS: None

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

Motion carried.

## **G. CLAIMS**

1. Abstract of Bills No. 2127.

De Jong moved to approve, seconded by Hopkins.

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

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

One comment was received.



**I. POLICY AND PLANNING**

From 6:21 p.m. to 7:15 p.m., Council adjourned to the Policy and Planning meeting to hold a discussion regarding the following item, with no formal Council action taken:

1. Stormwater Review

Council adjourned for a brief recess from 7:16 p.m. to 7:18 p.m.

**J. EXEMPT SESSION**

1. At 7:19 p.m., Bandstra moved to enter into exempt session pursuant to Iowa Code Chapter 21.9 to discuss employment conditions of employees not covered by collective bargaining agreements, seconded by De Jong.

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

Council reconvened to open session at 7:46 p.m.

No action was taken regarding this exempt session.

**K. ADJOURNMENT**

There being no further business claiming their attention, Bandstra moved to adjourn, seconded by Hopkins. On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

Meeting adjourned at 7:47 p.m.