



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

September 21, 2021

A. CALL TO ORDER BY MAYOR AND ROLL CALL

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

B. MAYOR'S COMMENTS

1. Approval of Tentative Agenda.
Bandstra moved to approve, seconded by Sporrer.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

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

No comments were received.

D. APPROVAL OF CONSENT AGENDA

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

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for September 7, 2021
2. Report of Committees
 - a. Policy and Planning Minutes for September 7, 2021

PRESENT: Mayor Don DeWaard, Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Bruce Schiebout, Dave Hopkins
ABSENT: None

OTHERS: City staff and visitors

The Policy and Planning meeting began at 6:36 p.m.

The first agenda item was a discussion about a request from Central College to repurpose the 18-disc golf baskets that are owned by the City of Pella. Currently, ten baskets are installed at Big Rock Park and eight are in storage. Central College is proposing to utilize the baskets to revitalize the current 18-hole disc golf course located on their campus.

The Community Services Board reviewed this request at their meeting on August 20, 2021. The Board recommends donating the baskets to Central College on the condition that the college provides written permission for the general public to utilize the course when it is not being used by the college.

At the end of the discussion, staff was directed to proceed with donating the 18-disc golf baskets to Central College as discussed. Staff will consult the City Attorney regarding the process to donate City-owned property. Furthermore, Council directed that the basket sleeves and pads within Big Rock Park remain in place until the third-party environmental study is complete.

The next item on the agenda was a discussion regarding residential off-street parking requirements in the Central Business District (CBD). As background, numerous discussions have recently occurred regarding a potential project to renovate 717 Main Street to a business with residential living on the 3rd floor. According to City Code, renovations to include living quarters in the CBD must include two parking spaces. As the site at 717 Main Street currently exists, there is no available property for parking spaces unless renovating to include an interior garage with access off the alley, which is a costly option.

At the end of the discussion, staff was directed to assign this issue to the Planning and Zoning Commission to review potential options, which could include the following:

1. Eliminate the code requirement for residential units in the CBD to provide parking.
2. Allow the acquisition/leasing of off-street parking spaces while the residential use exists.
3. Keep the code provision as is and not allow residential units unless on-site parking is provided.
4. Other options not listed above.

After this item has been reviewed by the Planning and Zoning Commission, staff will report their findings to the City Council for further discussion.

The last agenda item was a discussion regarding financing of the following projects:

1. Paving Prairie Street (Truman to South): est. cost \$927,100 including \$102,900 for engineering
2. Paving Monroe Street (W 3rd to Oakwood): est. cost \$276,000 including \$34,500 for engineering

Neither of these projects were budgeted in the current fiscal year; therefore, debt may need to be issued to fund them. Staff anticipates further discussing the fiscal impacts during the 2023 budget process.

At the end of the discussion, staff was directed to proceed with placing engineering contracts for the Prairie Street and Monroe Street projects on a future Council agenda for formal consideration.

The meeting adjourned at 7:11 p.m.

Respectfully submitted: Mandy Smith, City Clerk

b. Historic Preservation Commission Minutes for July 12, 2021

Chairperson Kermode called the Historic Preservation Commission to order in the Memorial Building at 5:00 p.m. Members present were: Don André, Bruce Boertje (arrived at 5:01 p.m.), Rhonda Kermode, and Lila Turnbull. Staff present: City Planner Gerald Buydos and the Deputy City Clerk. No members of the public attended the meeting.

APPROVAL OF TENTATIVE AGENDA: Motion by Turnbull, second by D. André to approve the tentative agenda. Motion carried 3-0.

APPROVAL OF MINUTES: Motion by D. André, second by Turnbull to approve the minutes from the June 7, 2021 meeting. Motion carried 3-0.

OTHER BUSINESS/WORK SESSION/PUBLIC FORUM

Boertje arrived at 5:01 p.m.

The Commission and staff indicated that they had only heard from one individual who was concerned about the potential formation of the Scholte Garden Historic District. City Planner Gerald Buydos will reach out to State Historical Society of Iowa Architectural Historians Sara André and Paula Mohr to see if they will be available to attend a future in-person meeting, possibly in September 2021, to answer questions for property owners about historic districts and the associated benefits. Buydos suggested presenting property owners with information about successful historic districts in Iowa.

Report from Chairperson Kermode Regarding the Certified Local Government (CLG) Program and Consulting on Historic Buildings
Kermode stated she had a conversation with a City of Pella councilmember about the Certified Local Government (CLG) program. The councilmember suggested having the State of Iowa give a presentation on CLGs at a future Council meeting, since it has been a while since the last presentation. Staff will check to see whether the State has had an opportunity to review the City's local historic district ordinance. The next meeting is scheduled for August 9, 2021. A couple of commissioners indicated they may not be able to attend. Staff will check the Commission's availability closer to the meeting date.

Adjourned at 5:44 p.m.

c. Library Board Minutes for July 13, 2021

I. Call to Order: President Brenda Huisman called the meeting to order at 4:03 p.m. Board members present were Suzy Card, Nathan Copeland, Darath Fisher, Dayrel Gates, Kristi Leonard and Matt Van Gelder. Library Director Mara Strickler was present. Meeting held in Room 206 of the Pella Community Center.

II. Recognition of Visitors and Visitor Comments: none present

III. Approval of Agenda: The July meeting agenda was received by all Board members prior to the meeting. There were no changes to the agenda. The agenda stood as presented.

IV. Disposition of Minutes: All Board members received the May 2021 meeting minutes prior to the meeting. Brenda H. moved to approve the June minutes with amendments for clarity. Suzy C. seconded the motion. The minutes were unanimously approved.

Clarity: July board meeting would determine next meeting location.

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

Discussion on: Amazon (Approved in batches), UV Sanitizer, Red Rock Sign Works (Mobile sign walk (different parks), Sandwich board for portable usage), Yearend financial report will be distributed when available.

VI. Unfinished Business:

There was no unfinished business.

Open discussion (followed)

Mara: Covid changes (hold off until next month)

Library capacity was adjusted to a new maximum last month and has gone well. Will monitor during fall. Q: Brenda – Study rooms opened (yes, 32 uses in June). Time between usage for sanitizing. UV sanitizer – Brenda: Wonderful improvement for workflow. Updates to HVAC – Suzy: None yet.

VII. New Business:

Election of officers (Maximum 3 years): President, VP, Secretary

Proposed slate of officers: President Nominee: Brenda Huisman, No additional trustees were presented for consideration. Brenda H. moved to approve nominee for office. Unanimous vote for approval. This will be Brenda's 2nd year as President.

Vice-President Nominee: Suzy Card. No additional trustees were presented for consideration. Brenda H. moved to approve nominee for office. Unanimous vote for approval. This will be Suzy's 2nd year as Vice President.

Secretary Nominee: Nathan Copeland. No additional trustees were presented for consideration. Brenda H. moved to approve nominee for office. Unanimous vote for approval. This will be Nathan's 1st year as Secretary.

Board ethics/Conflict of interest statements: Need signed documents delivered to Mara by end of the month.

FY20/21 statistics: Supporting documents provided by Mara, difficult to assess based on pandemic. DVD collections decreased by 10%, may consider decreasing purchasing. Increase of 25% for adult content. Q - Nathan is this across all materials, A - Mara yes, will break down and follow-up. Bridges 3% increase. Hoopla 10% increase, consider improving promotion. Canopy usage: 25 per month first month, higher last month, slow increase to date, Mara to follow-up, product (Canopy) was purchased by Bridges.

Summary: overall material usage is down 30%. Mara to discuss with Chris and Katie if the 2020 numbers should impact program planning. Outdoor activities have been well attended. Brenda – good location. Ms. Mary funding ART bike.

50% reduction in computer usage, 60% reduction in Wi-Fi usage. Brenda – did we reduce the number of computers on the floor? Yes.

Mara, no record of patrons waiting for computer use with reduced computers.

Initial discussion of revised Strategic Plan: Will be supported by community survey (last one 2018). Subsequent annual survey's planned but not followed. Board approved new survey. Mara reviewed with State Library. Data from state data (census), community surveys, focus groups. State program: planning for results. Hiring a consultant (risks, costs, not aware). State library consultant recommended alternate path: goal should be to get information from the community rather than existing patrons (only), ISU stats available (not pursued – awaiting Board direction), webinars for board and community leaders, provided revised draft.

Mara – REQUEST BOARD TO PROVIDE RECOMMENDATION. Kristi: What was the ultimate recommendation? Mara – Proceed with a focus group or utilize Planning for Results (PFA). Mara's recommendation: total of 3 hrs committed for focus group (1 hr pre, 1 hr meeting, 1 hr post). Discussion on Focus Group: Suzy – How would we determine focus group attendees? Mara – Focus group would be by invite only. Kristi – Do we have any budget for this? Mara – No. Q- Brenda – Would this need to be repeated annually? Mara – No, additionally the State Library consultant did not recommend annual information gathering. Kristi – likes the un-bias option and no cost with PFR. Suzy – Do we expect to hear, anything different than previous survey? Motion – Kristi PFR, 2nd – Nathan. Mara to contact state library (Mary Ann to proceed). Invite to august. This topic: Library Strategic planning PFR will be listed under unfinished business next month.

Proposed allocation of County funds for FY22/23. Supporting document. Marion county Directors met to distribute based on hardcopy materials. Considered new models (based on electronic usage). Base fee increase (4000/library). Funding based on library count. 94k split evenly. 50% based on hardcopy materials. Results in Pella library loss of 10k. Reason for discussion. County board of supervisors. Negative feelings for Pella vs. other libraries within the county. Funding request nov/dec. submitted in Jan. Kristi made motion to support new

model, motion seconded by Daryel. Vote: 5 – Aye(s) and 1 – Nye (Suzy). Discussion followed regarding future funding options through Mahaska County. Q – What drives the obligation for Mahaska. A – Mara, unknown will keep this under consideration.

VIII. President's Report and Announcements: Discussed – transcripts are easy to get and send to Mara. Used as annual accreditation: need to achieve 5hrs/yr per trusty. Consider providing: Why I am a board member... (statement per trusty). Used for public.

IX. Director's Report:
 RFID RFP: Open bids for RFID (4 submittals). Demonstrations next week.
 Summer Reading programs: Katie will have report next month.
 CIP updates: Approved for family restroom and restroom signage. Quotes coming. Nothing needed for board.
 Q: Darath nursing area? Considering other options.
 Statistics: 31 activity passes distributed (may be highest ever). Outreach: Summer meal program, Thursdays n Pella, Art and Storytime in park.
 Upcoming events: Q: Brenda will there be a finale program? Mara sees more involvement at program start-up, Katie is considering revising schedule (likely no finale, per se).
 X. Trustee training reports: There were no Trustee training reports this month. Mara reviewed upcoming training opportunities: webinars mentioned, Marion county (September), Brenda shared this is a great place for networking with other boards.
 XI. Committee reports: There were no committee reports. Personnel Committee: Nomination of Officers – complete. Policy Committee:
 XII. Adjournment: President Brenda H. adjourned the meeting at 5:31 p.m. The next regularly scheduled Board Meeting is scheduled for August 10, 2021.
 Decision for next meeting: Meeting will be in library next month.

d. Community Development Committee Minutes for August 11, 2021

Vice-Chairperson Van Hemert called the Community Development Committee (CDC) to order in the Public Safety Complex at 5:30 p.m. Members present were: Jerry Brummel, Linda Groenendyk, Shelly Rikken, Caryn Van Hemert, Dennis Vander Beek, and Christi Vander Voort; absent: Patsy Cody, Nancy Henry, Mike Kiser, and Wayne Stienstra. Staff present: Planning and Zoning Director Gerald Buydos, Code Enforcement Officer Jared Parker, and the Deputy City Clerk. Four members of the public were in attendance.

APPROVAL OF TENTATIVE AGENDA: Motion by Vander Beek, second by Rikken to approve the tentative agenda. Motion carried 6-0.
 APPROVAL OF MINUTES: Motion by Rikken, second by Vander Beek to approve the minutes from the July 14, 2021 meeting. Motion carried 6-0.

NEW BUSINESS

Consider a Design Permit Application to Paint the Exterior of Expressions by Design Located at 812 E. Oskaloosa St
 Jen Vos proposed new paint for her building at 812 E. Oskaloosa St. The building itself already meets the design requirements and the applicant requested to change the color of the siding. The rest of the structure meets the requirements. The reason for the paint change is due to logistical issues in acquiring the previously approved colors.
 The building is predominantly sided with a yellow-tan tone, with red-brown trim and unpainted brick as significant parts of the design. The applicant requested to install two shades of siding in the following Sherwin-Williams' colors: Intellectual Gray (SW7045) and Oak Leaf Brown (SW7054). The applicant provided color samples that are not on the Pella Color Palette but are similar to colors that are on the palette.
 The building's design already includes elements that comply with Pella's design requirements. In evaluating this design application, staff found the proposed application meets the requirements listed in the Design Review District Design Manual. Therefore, staff recommended the application be approved as presented.
 Dale Vos was present to speak in favor of the design permit and to answer questions from the Committee.
 Motion by Brummel, second by Vander Voort to approve the design permit as presented. Motion carried 6-0.
 Consider a Design Permit Application to Paint the Exterior of 833 and 835 Broadway St.
 Bob Zylstra proposed new paint for his building at 833 and 835 Broadway St. The building itself already meets the design requirements and the applicant only requested to change the color of the building. The rest of the structure meets the design requirements.
 The building is predominantly black and white. The applicant requested to use a variety of colors to enhance the visibility of the details in the cornice: Sherwin-Williams' Classic Light Buff (SW0050), Sherwin-Williams' Tricorn Black (SW6258), Sherwin-Williams' Restrained Gold (SW6129), Pella Windows Brick Red (PR0033), Sherwin-Williams' Light French Gray (SW0055), and Sherwin-Williams' Classic French Gray (SW0077). The colors are all either in the Pella Color Palette or have similarities to colors in the palette. Therefore, staff recommended the application be approved as submitted.
 Zylstra was present to speak in favor of the design permit and to answer questions from the Committee.
 Motion by Vander Beek, second by Groenendyk to approve the design permit as presented. Motion carried 6-0.
 Consider a Design Permit Application to Paint and Repair the Exterior of Iris Coffee Company Located at 631 Franklin St.
 Elizabeth Dierking proposed new paint for her building at 631 Franklin St. The building already meets the design requirements and the applicant only requested to change the color of the building and repair the exterior. The building is predominantly painted yellow, with red and green accents. The applicant requested to instead paint the building in Diamond Vogel's Bowman Blue (H0500) and Black Licorice (0529), along with Diamond Vogel's Permacryl White Satin.
 The building's design already includes features that comply with Pella's design requirements. In evaluating this design application, staff found the proposed application meets the requirements listed in the Design Review District Design Manual. However, there are some property maintenance issues. Therefore, staff recommended the application be approved with the condition that the exterior be brought into compliance with the property maintenance code.
 Motion by Vander Voort, second by Rikken to table discussion of this agenda item until later in the meeting so that a painted wood sample could be brought in for review by the Committee. Motion carried 6-0.
 Upon review of a provided painted wood sample, the Committee was satisfied with the proposed color choice. The applicant plans to submit another design permit application in 2022 if the decision is made to change out windows or make further changes to the building's design.
 Motion by Brummel, second by Rikken to approve the design permit on the condition that the exterior is brought into compliance with the property maintenance code and with the understanding that the applicant will submit another design permit application in 2022 for further changes to the building. Motion carried 6-0.
 Consider a Design Permit Application to Paint and Repair the Exterior of Digital Galleria Designs Located at 724 Main St.
 Michelle Gritters proposed new paint for her building at 724 Main St. The building itself already meets the design requirements and the applicant only requested to change the color of the building and repair the exterior trim.
 The building is predominantly unpainted red brick with a wood gable and shake roof, currently painted an off-white and green. The applicant requested to paint the building in Diamond Vogel's Felicity (0523) and Black Licorice (0529). The white/gray would be akin to several historic paint colors on the Pella Color Palette.
 The building's design already includes features that comply with Pella's design requirements. In evaluating this design application, staff found the proposed color application meets the requirements listed in the Design Review District Design Manual. Staff made the following

observations about the building: the existing brick appears to be in good condition, no existing buildings on that block have had the red brick facade painted, and noteworthy architectural red brick cornice detailing exists on the building. Painting the cornice black would obscure the detail.

However, at a minimum, there are some property maintenance issues, including rotten wood trim on the gable and fascia trim. In addition, wrought iron grates over the lower windows are rusted and would need to be painted. The applicant stated in their application that several of these issues would be fixed. Therefore, staff recommended the application be approved with the condition that the exterior be brought into compliance with the property maintenance code

Motion by Brummel, second by Vander Beek to deny the design permit. Motion carried 6-0.

Following discussion, the Committee decided to table the item.

Motion by Rigger, second by Vander Voort to reconsider the design permit application. Motion carried 6-0.

Motion by Brummel, second by Vander Beek to table the design permit application so that Van Hemert and Vander Beek can meet with the applicant to discuss the design permit application further. Motion carried 6-0.

Consider an Application for Outdoor Seating for the Bread Board located at 616 Franklin St., Ste. 101

Heidi Rozenboom submitted an outdoor seating permit application to add two tables and four chairs to the sidewalk in front of her business, The Bread Board, located at 616 Franklin St., Ste. 101. The City of Pella permits outdoor seating specifically in the form of tables and chairs in the front of businesses in the Central Business District (CBD) through an administrative permitting process.

The table and chairs by the storefront are in conformance with the City's guidelines. However, the table and chairs by the tree are not in conformance and must be moved back approximately 18 inches, as outdoor seating cannot be located within four feet from face of curb.

Accessibility issue arises with people exiting cars and stepping onto the sidewalk area.

The application appears to be in partial conformance with the CBD Outdoor Seating Guidelines. Therefore, staff recommended conditional approval of the outdoor seating permit application with imposed conditions from the Committee on the location of the furniture by the tree.

Rozenboom was present to speak in favor of the outdoor seating permit and to answer questions from the Committee.

Motion by Rigger, second by Vander Beek to approve the outdoor seating permit on the condition that the table and chairs are moved back from the curb in accordance with the City's Outdoor Seating Guidelines. Motion carried 6-0.

OTHER BUSINESS / PUBLIC FORUM

The next regular meeting is scheduled for September 8, 2021.

Other: Van Hemert stated that a Design Manual Subcommittee meeting will be scheduled following this meeting.

Adjourned at 6:22 p.m.

3. Petitions and Communications

a. Special Event Permit Request for the 5K Race to END AHC

BACKGROUND: The Alternating Hemiplegia of Childhood (AHC) Foundation is requesting a special event permit to host a 5K Race to END AHC on Sunday, October 3, 2021, from 1:00 to 3:00 p.m. The proposed route remains the same as the 2020 event which would begin and end at the Pella Christian High School, as outlined on the attached map.

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.

ATTACHMENTS: Application/Map, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve special event permit

b. Special Event Permit Request for Trunk or Treat at the Public Safety Complex

BACKGROUND: The Pella Community Ambulance is requesting a special event permit to host Trunk or Treat at the Public Safety Complex on Saturday, October 30, 2021, from 6:00 to 8:00 p.m. The promoter is requesting to park ambulance, fire, and police vehicles facing Main Street during the previously designated community Trick or Treat time. The promoter is proposing to have public safety team members dress up in costumes to hand out candy to participants. The event is requested to be held in the parking lot of Pella Community Ambulance and Pella Fire, at 604 Main Street, as shown on the attached map.

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.

ATTACHMENTS: Application/Map, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve special event permit

c. Special Event Permit Request for the Pella Fire Department Pancake Breakfast

BACKGROUND: The Pella Fire Department has requested a special event permit to host their annual pancake breakfast on Saturday, October 2, 2021, from 6:00 to 11:00 a.m. Set-up is requested to begin at 5:00 a.m. with take down complete by noon. As background, the Pella Fire Department is hosting this breakfast for the purpose of raising funds towards the Pella Police Department K-9 project as well as an automatic gurney lift for the Pella Community Ambulance.

All pertinent City departments have reviewed this application and comments are attached. Approval is recommended.

ATTACHMENTS: Application, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve special event permit

4. Conflict of Interest Waiver from Ahlers & Cooney, P.C. related to a School Resource Officer Agreement with the Pella Community School District

BACKGROUND: The Ahlers & Cooney law firm has been asked to represent the City of Pella and the Pella Community School District in the preparation of an agreement that would formalize the relationship between the two organizations and specify the terms of service for the School Resource Officer (SRO) position.

However, due to the fact that Ahlers & Cooney has existing relationships with both parties, a conflict of interest waiver would need to be approved before the firm could undertake the development of this agreement. It is important to note that the Pella Community School District approved this conflict of interest waiver on September 13.

The attached letter outlines specific steps that would be taken to ensure confidential information is not shared between the parties. In addition, the letter states that should disagreements or disputes arise, the law firm would withdraw from the representation of both parties.

In summary, the staff recommends approval of the attached letter waiving the conflict of interest for this specific situation.

ATTACHMENTS: Conflict of Interest Waiver
REPORT PREPARED BY: Finance Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve execution of the conflict of interest waiver

5. Resolution No. 6340 entitled, “RESOLUTION APPROVING THE DONATION OF 18 DISC GOLF BASKETS TO CENTRAL COLLEGE TO BE UTILIZED AT THE CENTRAL COLLEGE DISC GOLF COURSE”

BACKGROUND: This resolution approves the donation of 18-disc golf baskets to Central College. As background, Council discussed the attached request from Central College during the Policy and Planning meeting on September 7, 2021, directing staff to proceed with formal consideration of this donation. Currently, the City owns a total of 18-disc golf baskets, at an estimated value of \$6,400; ten are installed at Big Rock Park and eight are in storage. Central College is proposing to utilize the baskets to revitalize the current 18-hole disc golf course located on their campus. The Community Services Board reviewed this request at their meeting on August 20, 2021. The Board recommended proceeding with donating the baskets to Central College on the condition that the college provides written permission for the general public to utilize the course when it is not being used by the college. This letter has been provided and included as a memo attachment.

Finally, as discussed with Council on September 7, 2021, the Community Services Board recommends that the disc golf basket sleeves and pads remain in place within Big Rock Park until the third-party environmental study is complete; this direction is included in the attached resolution. Summary: In summary, staff is recommending approval of this resolution donating the 18-disc golf baskets to Central College for use within the current disc golf course that is located on their campus.

ATTACHMENTS: Resolution, Letter from Central College
REPORT PREPARED BY: Community Services Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

E. PETITIONS & COMMUNICATIONS

1. Temporary Outdoor Service Privileges on a Class C Liquor License for Dutch 200 Bowl & Grill.
Branderhorst moved to approve, seconded by Schiebout.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: Dutch 200 Bowl & Grill, located at 204 SE 9th Street, has applied for a temporary outdoor service privilege on their class C liquor license on Saturday, October 2, 2021. The purpose of this request is to serve alcohol during their end of summer block party. The applicant has informed staff that only beer will be sold in the outdoor service area. As background, Council approved temporary outdoor service privileges on Dutch 200's liquor license for bike nights/car shows on six dates from May to September of this year.

Outdoor Service Area: As background, the State of Iowa Alcoholic Beverages Division (ABD) requires that an outdoor service area must be a designated area adjacent to the licensed premises. The applicant is proposing the outdoor service area would extend from their building, encompassing their entire parking lot, as outlined on the attached map. This area would be enclosed with a temporary rope fence, which meets ABD requirements. The outdoor service area is located completely on private property.

Off-Street Parking Requirement: According to City Code, this business is required to provide 56 paved off-street parking spaces on their property. The requested outdoor service area would not allow customer parking within the entire parking lot; therefore, the business is requesting to offer off-street parking on two adjacent grass lots. Written permission for their property to be utilized for this purpose has been provided by Brumark; this item is included as a memo attachment.

The City Attorney believes the Zoning Administrator has the authority to authorize temporary off-site grass parking; however, staff recommends this authorization is conditional upon Council approving the temporary outdoor service privileges for the requested date. If Council approves the temporary outdoor service privilege, the Zoning Administrator would temporarily allow parking of customer vehicles on the adjacent grass lots owned by Brumark, in accordance with City Code section 165.29.1(E).

Summary: In summary, the application for temporary outdoor service for Dutch 200 Bowl & Grill's liquor license has been completed online with the state. The Zoning Administrator's authorization to allow temporary off-site grass parking for this event would be contingent upon Council's approval of the temporary outdoor service privilege. Finally, the promoter has informed staff that no outside vendors will be involved with this event. All items sold such as kettle corn, cotton candy, and food will be prepared and sold by the promoter; therefore, no peddler permits are required.

ATTACHMENTS: Map, Event Flyer, Permission from Brumark
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator, Planning and Zoning Director
RECOMMENDATION: Approve outdoor service privileges

F. RESOLUTIONS

1. Resolution No. 6341 entitled, “RESOLUTION ENTERING INTO A CONTRACT WITH THE GOVERNOR'S TRAFFIC SAFETY BUREAU FOR THE PURPOSE OF SPECIAL TRAFFIC ENFORCEMENT IN THE CITY OF PELLA.”

Schiebout moved to approve, seconded by Branderhorst.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution approves the Pella Police Department entering into a contract with the Governor's Traffic Safety Bureau (GTSB) starting October 1, 2021 through September 30, 2022.

As background, the purpose of this contract is to accomplish the provisions contained within the State and Community Highway Safety Grant and Impaired Driving Countermeasures Grant, official programs of the GTSB. The GTSB is an agency within the Iowa Department of Public Safety that allocates funding from the National Highway Traffic Safety Administration.

If this contract is approved by Council, the GTSB would provide the Pella Police Department with \$9,200 in funds to accomplish the following:

- Conduct 100 overtime hours of planned high visibility traffic enforcement with an effort directed at occupant restraint, impaired driving, and excessive speed violations during times and at locations identified as high-risk.
- Conduct two targeted traffic enforcement projects, one conducted at night and one multi-jurisdictional project.
- Conduct 12 public information/education activities aimed at improving driver safety behaviors.
- Conduct two observational occupant protection surveys.
- Purchase and distribute traffic safety educational materials approved by the GTSB.

• Purchase one in-car video camera and one preliminary breath tester to utilize for impaired driving-related traffic enforcement. It is important to note that no matching funds are required as part of this contract. Participation in this contract is beneficial to the Pella Police Department as it provides equipment that would otherwise need to be purchased.

ATTACHMENTS: Resolution, Contract
REPORT PREPARED BY: Shane S. McSheehy, Chief of Police
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

2. Resolution No. 6342 entitled, “RESOLUTION FIXING DATE FOR A PUBLIC HEARING TO CONSIDER A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH VERMEER CORPORATION.”

Hopkins moved to approve, seconded by Bandstra.

On roll call the vote was:

AYES: 4 (Hopkins, Bandstra, Schiebout, Branderhorst)

NAYS: None

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

Motion carried.

BACKGROUND: This resolution fixes the date of October 5, 2021 for a public hearing to consider a first amendment to the development agreement between the City of Pella and Vermeer Corporation. Council originally approved this development agreement in August of 2019. As background, in July of 2018 a tornado caused significant damage to Vermeer’s manufacturing facilities. Fortunately, Vermeer expressed a desire to not only rebuild their manufacturing facilities but to expand them in our community. To assist with this restoration/expansion, Vermeer was awarded financial incentives from the State of Iowa under the High Quality Jobs Program (HQJP). As part of this program, a local match is required which was addressed through consideration of the original development agreement.

Vermeer Corporation is now proposing to construct another building that was not included in the previously approved development agreement. This 310,000 square foot Parts Distribution Center is estimated to cost in excess of \$23,000,000 and add at least 75 new full-time positions meeting a qualifying wage threshold under the State of Iowa’s HQJP. Similar to the previously approved development agreement, a local match is required which will be addressed through a first amendment to the original development agreement.

In summary, staff is recommending approval of this resolution setting October 5, 2021 as the public hearing date to consider the first amendment to the development agreement with Vermeer Corporation.

ATTACHMENTS: Resolution, First Amendment to the Development Agreement
REPORT PREPARED BY: City Administration
REPORT REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

3. Resolution No. 6343 entitled, “RESOLUTION APPROVING ENGINEERING SERVICES AGREEMENT WITH GARDEN & ASSOCIATES FOR THE PRAIRIE STREET RECONSTRUCTION PROJECT.”

Branderhorst moved to approve, seconded by Schiebout.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution approves an engineering services agreement with Garden & Associates for the Prairie Street Reconstruction project. As background, this road segment begins at Truman Road, extending north approximately 1,100 LF to South Street. This roadway is currently a rural section gravel road with ditches. The reconstruction will include new storm sewer and intakes and the new pavement will be 31’ wide, 8” thick concrete curb and gutter with baskets.

Garden & Associates has worked with the City of Pella on many street projects including North Main, University, Hazel, Broadway, Washington, Jefferson, Oskaloosa, Elm, Lincoln, and Neil Drive/218th Avenue. Garden & Associates has been very competitive in price, professional in all aspects of their product delivery, and provides excellent service. In addition, staff believes their fees are reasonable in relation to the scale of the project.

The estimated breakdown of the not-to-exceed engineering fees is listed below:

Preliminary and Final Design	\$45,000
Construction Administration, Observation and Staking	<u>57,900</u>
Total Engineering Services	<u>\$102,900</u>

Staff estimates the preliminary construction cost estimate for the project is \$927,900; this figure will be revised and expanded in greater detail by the engineer. The funding source for the project will either be cash reserves or debt issue; this will be further discussed during the FY 22-23 budget process. If approved, construction is estimated to begin in spring of 2022.

In summary, staff recommends approval of this resolution and agreement as outlined above.

ATTACHMENTS: Resolution, Engineering Services Agreement, Map
REPORT PREPARED BY: Public Works Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

4. Resolution No. 6344 entitled, “RESOLUTION APPROVING ENGINEERING SERVICES AGREEMENT WITH GARDEN & ASSOCIATES FOR THE MONROE STREET RECONSTRUCTION PROJECT.”

Branderhorst moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution approves an engineering services agreement with Garden & Associates for the Monroe Street Reconstruction project. As background, this road segment begins at W 3rd Street, extending west approximately 340’ LF to Oakwood Dr. This roadway is currently a rural section gravel road with ditches. The reconstruction will include new storm sewer and intakes and the new pavement will be 27’ wide, 7” thick concrete curb and gutter.

Garden & Associates has worked with the City of Pella on many street projects including North Main, University, Hazel, Broadway, Washington, Jefferson, Oskaloosa, Elm, Lincoln, and Neil Drive/218th Avenue. Garden & Associates has been very competitive in price, professional in all aspects of their product delivery, and provides excellent service. In addition, staff believes their fees are reasonable in relation to the scale of the project.

The estimated breakdown of the not-to-exceed engineering fees is listed below:

Preliminary and Final Design	\$13,250
Construction Administration, Observation and Staking	16,700
Add Easement Services	<u>4,500</u>
Total Engineering Services	<u>\$34,450</u>

Staff estimates the preliminary construction cost estimate for the project is \$276,000; this figure will be revised and expanded in greater detail by the engineer. The funding source for the project will either be cash reserves or debt issue; this will be further discussed during the FY 22-23 budget process. If approved, construction is estimated to begin in spring of 2022.

In summary, staff recommends approval of this resolution and agreement as outlined above.

ATTACHMENTS: Resolution, Engineering Services Agreement, Map
REPORT PREPARED BY: Public Works Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

5. Resolution No. 6345 entitled, “RESOLUTION APPROVING THE COMMUNITY IMPROVEMENTS REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF PELLA AND SPIRIT OF PELLA FOR ADDITIONAL HOLIDAY DECORATIONS IN CENTRAL PARK.”

Bandstra moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: As background, Council reviewed a proposal from the Spirit of Pella to enhance holiday lighting and decorations in Central Park during the Policy and Planning meeting on August 17, 2021. The overall intent of the proposal is to increase tourism and visitors to our community during the holiday season by providing additional holiday lighting and decorations in Central Park. After discussion, Council directed staff to proceed with placing resolutions on a future Council agenda for formal consideration. These resolutions conditionally authorize the Mayor to sign a reimbursement agreement with the Spirit of Pella and a three-year contract with Wright Outdoor Solutions. It is important to note, the Mayor’s authorization to sign these agreements is subject to the Spirit of Pella securing the necessary financing/pledges to fund their share of the project.

Cost of Project: The three-year agreement with Wright Outdoor Solutions includes installation, removal, and storage of additional holiday lighting and decorations. The estimated cost is approximately \$70,000 for the lighting and decorations and \$18,500 per year to install, remove, and store the decorations. Over a three-year period of time, this equates to approximately \$125,500.

Reimbursement Agreement: The Spirit of Pella is proposing to reimburse the City for the acquisition cost of the lights and decorations and the annual costs of the installation, removal, and storage of the displays over a three-year period of time, which totals approximately \$125,500.

Responsibilities of the Parties:

If approved, the City of Pella would be responsible for the following items:

1. Installing 110v outlets on 18 lamp posts within Central Park and installing in-ground electrical connections for the larger holiday features. Please note, due to the timing of this request, staff has not had the chance to get a cost estimate for these items.
2. Administering the contract with Wright Outdoor Solutions.
3. Initial funding of the deposit for the first-year expenses, approximately \$35,500. While the City of Pella would initially pay for this expenditure, it would ultimately be reimbursed by the Spirit of Pella.
4. Should items not be available due to the timing of this agreement, the City retains the right to modify the agreement with Wright Outdoor Solutions to choose alternate items of the same or lesser value or to remove them from the agreement.
5. The City would be the owner of the holiday lights and decorations.

If approved, the Spirit of Pella would be responsible to reimburse the City for all costs associated with acquisition of the lights and decorations, installation, removal, storage, and maintenance over the three-year contract period.

This agreement will terminate at the end of three years at which time Council will determine whether or not to continue to display the items in future years.

Summary: The following resolutions are on the agenda for Council consideration related to this item:

- Resolution No. 6345: Agreement with the Spirit of Pella
- Resolution No. 6346: Agreement with Wright Outdoor Solutions

As previously stated, the resolutions authorize the Mayor to sign the respective agreements only after the Spirit of Pella has secured financing/pledges to fund their share of this project.

ATTACHMENTS: Resolution No. 6345, Spirit of Pella Reimbursement Agreement, Resolution No. 6346, Wright Outdoor Solutions Contract

REPORT PREPARED BY: Community Services Director
REVIEWED BY: City Administrator, City Clerk, City Attorney
RECOMMENDATION: As outlined above

6. Resolution No. 6346 entitled, “RESOLUTION APPROVING A CONTRACT WITH WRIGHT OUTDOOR SOLUTIONS FOR ADDITIONAL HOLIDAY DECORATIONS IN CENTRAL PARK.”

Bandstra moved to approve, seconded by Branderhorst.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: As background, Council reviewed a proposal from the Spirit of Pella to enhance holiday lighting and decorations in Central Park during the Policy and Planning meeting on August 17, 2021. The overall intent of the proposal is to increase tourism and visitors to our community during the holiday season by providing additional holiday lighting and decorations in Central Park. After discussion, Council directed staff to proceed with placing resolutions on a future Council agenda for formal consideration. These resolutions conditionally authorize the Mayor to sign a reimbursement agreement with the Spirit of Pella and a three-year contract with Wright Outdoor Solutions. It is important to note, the Mayor’s authorization to sign these agreements is subject to the Spirit of Pella securing the necessary financing/pledges to fund their share of the project.

Cost of Project: The three-year agreement with Wright Outdoor Solutions includes installation, removal, and storage of additional holiday lighting and decorations. The estimated cost is approximately \$70,000 for the lighting and decorations and \$18,500 per year to install, remove, and store the decorations. Over a three-year period of time, this equates to approximately \$125,500.

Reimbursement Agreement: The Spirit of Pella is proposing to reimburse the City for the acquisition cost of the lights and decorations and the annual costs of the installation, removal, and storage of the displays over a three-year period of time, which totals approximately \$125,500.

Responsibilities of the Parties:

If approved, the City of Pella would be responsible for the following items:

1. Installing 110v outlets on 18 lamp posts within Central Park and installing in-ground electrical connections for the larger holiday features. Please note, due to the timing of this request, staff has not had the chance to get a cost estimate for these items.
2. Administering the contract with Wright Outdoor Solutions.
3. Initial funding of the deposit for the first-year expenses, approximately \$35,500. While the City of Pella would initially pay for this expenditure, it would ultimately be reimbursed by the Spirit of Pella.
4. Should items not be available due to the timing of this agreement, the City retains the right to modify the agreement with Wright Outdoor Solutions to choose alternate items of the same or lesser value or to remove them from the agreement.
5. The City would be the owner of the holiday lights and decorations.

If approved, the Spirit of Pella would be responsible to reimburse the City for all costs associated with acquisition of the lights and decorations, installation, removal, storage, and maintenance over the three-year contract period.

This agreement will terminate at the end of three years at which time Council will determine whether or not to continue to display the items in future years.

Summary: The following resolutions are on the agenda for Council consideration related to this item:

- Resolution No. 6345: Agreement with the Spirit of Pella
- Resolution No. 6346: Agreement with Wright Outdoor Solutions

As previously stated, the resolutions authorize the Mayor to sign the respective agreements only after the Spirit of Pella has secured financing/pledges to fund their share of this project.

ATTACHMENTS: Resolution No. 6345, Spirit of Pella Reimbursement Agreement, Resolution No. 6346, Wright Outdoor Solutions Contract

REPORT PREPARED BY: Community Services Director

REVIEWED BY: City Administrator, City Clerk, City Attorney

RECOMMENDATION: As outlined above

G. ORDINANCES

1. Ordinance No. 998 entitled, "AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE PRAIRIE RIDGE COMMERCIAL URBAN RENEWAL AREA, IN CITY OF PELLA, COUNTY OF MARION STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF PELLA, COUNTY OF MARION, PELLA COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE PRAIRIE RIDGE COMMERCIAL URBAN RENEWAL AREA (THE PRAIRIE RIDGE COMMERCIAL URBAN RENEWAL PLAN)."

Schiebout moved to place ordinance no. 998 on its second reading, seconded by Hopkins.

On roll call the vote was: AYES: 5, 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: 5, NAYS: None. Motion carried.

Schiebout moved that ordinance no. 998 be adopted, seconded by Bandstra.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

Mayor DeWaard declared the ordinance duly passed and adopted.

BACKGROUND: On September 7, 2021, Council adopted the Prairie Ridge Commercial Urban Renewal Plan (URP) for the Prairie Ridge Commercial Urban Renewal Area (URA). The primary objective of the URP is to provide opportunities and incentives for new commercial development. Specifically, to stimulate private investment in new commercial development which enhances the economic vitality and will help to address the shortage of eating and drinking establishments in Pella. The location of the URA is northeast of the intersection of Fifield Road and Washington Street/Highway G28.

In addition, on September 7, 2021, Council approved a development agreement with RDP Holdings. Through this agreement, the developer is obligated to construct a Smash Park recreation center. This facility is intended to be a regional entertainment center with a variety of recreational amenities and activities including pickleball courts, sand volleyball, outdoor turf games, a restaurant, an indoor/outdoor bar and patio area, meeting rooms, and an area dedicated for miniature golf. This proposed building, which is approximately 22,000 square feet in size, is tentatively scheduled to open in the spring of 2022. In addition, the developer has committed to construction of a fast-casual restaurant by December 2024. This ordinance provides that the portion of general property taxes levied and collected each year in excess of the base period taxes for the property located within the URA be paid to a special fund established by the City to pay towards urban renewal projects undertaken within the URA. It is important to note that this ordinance is necessary for the City of Pella to fulfill its commitments under the development agreement with RDP Holdings.

Summary: In summary, the Prairie Ridge Commercial URP is expected to stimulate, through public involvement and commitment, private investment in new commercial development. The Prairie Ridge Commercial URP was approved by the City Council on September 7, 2021. Staff is now recommending approval of this ordinance as outlined.

ATTACHMENTS: Ordinance

REPORT PREPARED BY: City Administration

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve ordinance

H. CLAIMS

1. Abstract of Bills No. 2087.
Schiebout moved to approve, seconded by Branderhorst.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

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

No comments were received.

J. POLICY AND PLANNING

From 6:32 to 6:54 p.m., Council adjourned to the Policy and Planning meeting to hold a discussion regarding the following items, with no formal Council action taken:

1. Discussion regarding Neil Drive/218th Avenue Speed Limit and Stop Signage
2. Discussion regarding proposed update to the Design Review District Design Manual

K. CLOSED SESSION

1. At 6:55 p.m., Bandstra moved to enter into closed session pursuant to Iowa Code Chapter 388.9(1) to discuss marketing and pricing strategies or proprietary information of a city utility if its competitive position would be harmed by public disclosure not required of potential or actual competitors, and if no public purpose would be served by such disclosure, seconded by Branderhorst.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

Council reconvened to open session at 7:20 p.m.

No action was taken regarding this closed session.

L. ADJOURNMENT

There being no further business claiming their attention, Branderhorst moved to adjourn, seconded by Hopkins.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

Meeting adjourned at 7:20 p.m.