

**CITY OF PELLA, IOWA
CITY COUNCIL
PRELIMINARY SUMMARY MINUTES
CITY OF PELLA, IOWA
May 5, 2015**

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 meeting room at 7:00 p.m., Mayor James Mueller presiding. Members present were: Mark De Jong, Dave Vander Horst, Dan L. Vander Beek, Harold Van Stryland, Bruce Schiebout. Absent: Larry Peterson. Administrator Mike Nardini, City Attorney Bob Stuyvesant, and City Clerk Ronda Brown were present. Ten staff members and four members of the general public signed the register.

B. MAYOR'S COMMENTS

1. Announce Policy and Planning Meeting following the regular Council meeting to discuss:
 - a. Department Updates—Community Services.
2. Approval of tentative agenda. Councilmember Vander Beek moved to approve the tentative agenda, seconded by Councilmember Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, De Jong, Vander Horst. NAYS: None. Motion carried.
3. Reappointment of John Evenhouse to the Library Board of Trustees. Councilmember Vander Beek moved to approve, seconded by Councilmember Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, De Jong, Vander Horst. NAYS: None. Motion carried.
4. Appointment of Kenny Nedder to the Library Board of Trustees. Councilmember Vander Horst moved to approve, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Vander Horst, Schiebout, De Jong, Vander Beek, Van Stryland. NAYS: None. Motion carried.
5. Appointment of Cathy Haustein to the Planning and Zoning Commission. Councilmember Schiebout moved to approve, seconded by Councilmember Van Stryland. On roll call the vote was: AYES: Schiebout, Van Stryland, De Jong, Vander Horst, Vander Beek. NAYS: None. Motion carried.
6. Reappointment of Nelson Bogaard to the Planning and Zoning Commission. Councilmember Vander Beek moved to approve, seconded by Councilmember Vander Horst. On roll call the vote was: AYES: Vander Beek, Vander Horst, Van Stryland, Schiebout, De Jong. NAYS: None. Motion carried.
7. Appointment of Kathy Bruxvoort to the Historic Preservation Commission. Councilmember Vander Horst moved to approve, seconded by Councilmember Van Stryland. On roll call the vote was: AYES: Vander Horst, Van Stryland, Schiebout, De Jong, Vander Beek. NAYS: None. Motion carried.
8. Appointment of Julie Heerema Mueller to the Historic Preservation Commission. Councilmember Vander Beek moved to approve, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Vander Beek, Schiebout, De Jong, Vander Horst, Van Stryland. NAYS: None. Motion carried.
9. Appointments to the Ad Hoc Community Center Assessment Committee. Councilmember Vander Beek moved to approve, seconded by Councilmember Vander Horst. On roll call the vote was: AYES: Vander Beek, Vander Horst, Van Stryland, Schiebout, De Jong. NAYS: None. Motion carried.
10. Announce Closed Session pursuant to Iowa Code Chapter 21.5 1 (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
11. Announce Closed Session pursuant to Iowa Code Chapter 21.5 1 (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

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

NONE

C. APPROVAL OF CONSENT AGENDA

Councilmember Vander Beek moved to approve the consent agenda, seconded by Councilmember Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, De Jong, Vander Horst. NAYS: None. Motion carried. The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for April 21, 2015.
2. Report of Committees
 - a. Policy and Planning Minutes for April 21, 2015.
 - b. Library Board of Trustees Minutes for March 10, 2015.
 - c. Southgate Business Park Design and Development Review Committee July 22, 2013.
3. Petitions and Communications
 - a. Special Event—Red Rock Threshers Tractor Pull.
4. Administration Reports
None

D. *PUBLIC HEARINGS

(Statutory rule may be waived and ordinance passed without further readings.)

1. a. Public Hearing on the Budget Amendment for FY 14-15. No written or oral comments were received. Councilmember Vander Horst moved to close the public hearing, seconded by Councilmember Vander Beek. On roll call the vote was: AYES: Vander Horst, Vander Beek, Van Stryland, Schiebout, De Jong. NAYS: None. Motion carried.

1. b. Resolution No. 5564 entitled, "A RESOLUTION AMENDING THE FY 14-15 ANNUAL BUDGET BY ADOPTING BUDGET AMENDMENT #1". Councilmember Schiebout moved to approve, seconded by Councilmember Van Stryland. On roll call the vote was: AYES: Schiebout, Van Stryland, De Jong, Vander Horst, Vander Beek. NAYS: None. Motion carried.

2. a. Public Hearing for Furnishing Materials for the East Washington Conversion Project. No written comments were received. Oral comments were received and addressed. Councilmember Vander Beek moved to close the public hearing, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Vander Beek, Schiebout, De Jong, Vander Horst, Van Stryland. NAYS: None. Motion carried.

2. b. Resolution No. 5565 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING BIDS AND MAKING AWARD OF CONTRACT FOR MATERIALS FOR THE EAST WASHINGTON UNDERGROUND CONVERSION PROJECT". Councilmember Schiebout moved to approve, seconded by Councilmember Vander Horst. On roll call the vote was: AYES: Schiebout, Vander Horst, Vander Beek, Van Stryland, De Jong. NAYS: None. Motion carried.

E. PETITIONS & COMMUNICATIONS

NONE

F. PLANNING AND ZONING ITEMS

NONE

G. ADMINISTRATION REPORTS

NONE

H. RESOLUTIONS

1. Resolution No. 5566 entitled, "RESOLUTION ACCEPTING AMENDMENT NO. 1 IN CONNECTION WITH THE PROFESSIONAL SERVICES AGREEMENT TERMS AND CONDITIONS BETWEEN THE CITY OF PELLA AND DGR ENGINEERING IN CONNECTION WITH THE EAST WASHINGTON UNDERGROUND CONVERSION PROJECT". Councilmember Vander Beek moved to approve, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Vander Beek, Schiebout, De Jong, Vander Horst, Van Stryland. NAYS: None. Motion carried.

I. ORDINANCES

(Statutory rule may be waived and ordinance passed without further readings.)

1. Ordinance No. 895 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA BY AMENDING CHAPTER 165, ZONING ORDINANCE, 165.31 BY ADDING PROVISIONS PERTAINING TO TREE PLANTING REQUIREMENTS FOR SINGLE AND TWO FAMILY RESIDENTIAL USES". (Tabled 4/21/15)
Councilmember Vander Horst moved to remove the item from the table. There was no second. Ordinance No. 895 will remain on the table.

J. CLAIMS

1. Abstract of bills No. 1934. Councilmember Vander Horst moved to approve, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Vander Horst, Schiebout, De Jong, Vander Beek, Van Stryland. NAYS: None. Motion carried.

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

NONE

L. CLOSED SESSION

1. At 7:33 p.m., Councilmember Schiebout moved to enter into closed session pursuant to Iowa Code Chapter 21.5 1 (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, seconded by Councilmember Vander Beek. On roll call the vote was: AYES: Schiebout, Vander Beek, Van Stryland, De Jong, Vander Horst. NAYS: None. At 7:55 p.m., Councilmember Vander Beek moved to reconvene to regular session, seconded by Councilmember Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, De Jong, Vander Horst. NAYS: None. Motion carried. Councilmember De Jong made a motion to accept the terms of the settlement agreement with Midcontinent Independent System Operator (MISO) and MidAmerican Energy Company (MEC), seconded by Councilmember Schiebout. On roll call the vote was: AYES: De Jong, Schiebout, Vander Horst, Vander Beek, Van Stryland. NAYS: None. Motion carried.

2. At 7:58 p.m., Councilmember De Jong moved to enter into closed session pursuant to Iowa Code Chapter 21.5 1 (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, seconded by Councilmember Vander Beek. On roll call the vote was: AYES: De Jong, Vander Beek, Van Stryland, Schiebout, Vander Horst. NAYS: None. At 8:11 p.m., Councilmember Vander Beek moved to reconvene to regular session, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Vander Beek, Schiebout, De Jong, Vander Horst, Van Stryland. NAYS: None. Motion carried. Councilmember Schiebout made a motion to enter into an agreement with Garling Construction to pay the sum of \$7,803.31 in consideration of their withdrawal of change order claims in the amount of \$12,696, seconded by Councilmember Vander Horst. On roll call the vote was: AYES: Schiebout, Vander Horst, Vander Beek, Van Stryland, De Jong. NAYS: None. Motion carried.

M. ADJOURNMENT

There being no further business claiming their attention, Councilmember Vander Beek moved to adjourn, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Vander Beek, Schiebout, De Jong, Vander Horst, Van Stryland. NAYS: None. Motion carried. Meeting adjourned at 8:17 p.m.