

**CITY OF PELLA, IOWA
CITY COUNCIL
PRELIMINARY SUMMARY MINUTES
April 5, 2016**

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, Tony Bokhoven, Dan L. Vander Beek, Harold Van Stryland, Bruce Schiebout, Larry Peterson. Absent: None. City Administrator Mike Nardini, City Attorney Bob Stuyvesant, and City Clerk Ronda Brown were present. Eight staff members and eleven 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. Proposed Amendment #1 to the City's Power Supply Contract.
2. Approval of tentative agenda. Councilmember Bokhoven moved to approve the tentative agenda, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Bokhoven, Schiebout, Peterson, De Jong, Vander Beek, Van Stryland. NAYS: None. Motion carried.
3. Proclamation Declaring the Month of April 2016 as Sexual Assault Awareness Month.
4. 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, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried. The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for March 15, 2016.
2. Report of Committees
 - a. Policy and Planning Minutes for March 15, 2016.
3. Petitions and Communications
 - a. Renewal of Class B Native Wine Permit with Living Quarters for Silver Lining Enterprises.
 - b. Renewal of Class C Beer Permit with Sunday Sales for Git-N-Go Convenience Stores #38.
4. Administration Reports
 - a. None

D. *PUBLIC HEARINGS

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

1. a. Public Hearing on the Washington Street Reconstruction Project. No written comments were received. Oral comments were addressed. Councilmember Vander Beek moved to close the public hearing, seconded by Councilmember De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Bokhoven, Van Stryland, Schiebout, Peterson. NAYS: None. Motion carried.

1. b. Resolution No. 5674 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING BIDS AND MAKING AWARD OF CONSTRUCTION CONTRACT FOR THE WASHINGTON STREET RECONSTRUCTION PROJECT". Councilmember Schiebout moved to approve, seconded by Councilmember Bokhoven. On roll call the vote was: AYES: Schiebout, Bokhoven, Vander Beek, Van Stryland, Peterson, De Jong. NAYS: None. Motion carried.

E. PETITIONS & COMMUNICATIONS

1. a. Special Event-2016 Tulip Time Festival. Councilmember Vander Beek moved to approve, seconded by Councilmember Peterson. On roll call the vote was: AYES: Vander Beek, Peterson, De Jong, Bokhoven, Van Stryland, Schiebout. NAYS: None. Motion carried.

1. b. Resolution No. 5675 entitled, "A RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS FOR THE SPECIAL EVENT KNOWN AS "2016 TULIP TIME FESTIVAL". Councilmember Bokhoven moved to approve, seconded by Councilmember Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried.

F. PLANNING AND ZONING ITEMS

NONE

G. ADMINISTRATION REPORTS

1. Tobacco Enforcement: Casey's General Store #2598. Councilmember Vander Beek moved to approve, seconded by Councilmember Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

H. RESOLUTIONS

1. Resolution No. 5676 entitled, "RESOLUTION ADOPTING A SMALL POWER PRODUCTION AND CO-GENERATION POLICY THAT SETS RULES AND GUIDELINES TO FULFILL THE CITY'S OBLIGATION TO PURCHASE POWER FROM QUALIFYING FACILITIES UNDER THE PUBLIC POWER UTILITIES REGULATORY POLICY ACT OF 1978". Councilmember Schiebout moved to approve, seconded by Councilmember Peterson. On roll call the vote was: AYES: Schiebout, Peterson, De Jong, Bokhoven, Vander Beek, Van Stryland. NAYS: None. Motion carried.

2. Resolution No. 5677 entitled, "RESOLUTION ORDERING CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS, APPROVING PLANS, AND FIXING A DATE FOR HEARING THEREON AND TAKING OF BIDS THEREFORE IN CONNECTION WITH THE WEST SUBSTATION RING BUS IMPROVEMENTS FOR THE PELLA ELECTRIC DEPARTMENT." Councilmember Peterson moved to approve, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Peterson, Schiebout, De Jong, Bokhoven, Vander Beek, Van Stryland. NAYS: None. Motion carried.

3. Resolution 5678 entitled, "RESOLUTION APPROVING CHANGE ORDER #1 WITH ERIKSEN CONSTRUCTION COMPANY." Councilmember Vander Beek moved to approve, seconded by Councilmember De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Bokhoven, Van Stryland, Schiebout, Peterson. NAYS: None. Motion carried.

I. ORDINANCES

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

1. Ordinance No. 906 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA BY AMENDING CHAPTER 165, ZONING ORDINANCE, 165.33 BY AMENDING THE PROVISIONS PERTAINING TO HIGHWAY 163 BYPASS SIGNAGE." (This item was tabled on February 16, 2016.) Councilmember Schiebout moved to remove Ordinance No. 906 from the table, seconded by Councilmember Vander Beek. On roll call the vote was: AYES: Schiebout, Vander Beek, Van Stryland, Peterson, De Jong, Bokhoven. NAYS: None. The Mayor called for a motion and none was made. Ordinance No. 906 failed for a lack of a motion. The Highway 163 Bypass Signage item will be sent back to the Community Development Committee and Planning and Zoning Commission for further discussion.

2. Ordinance No. 908 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA, IOWA CHAPTER 171 SCHEDULE OF RATES AND FEES." Councilmember Schiebout moved to table Ordinance No. 908, seconded by Councilmember Bokhoven. On roll call the vote was: AYES: Schiebout, Bokhoven, Vander Beek, Van Stryland, Peterson, De Jong. NAYS: None. Motion carried. Staff was directed to provide more information on April 19, 2016.

3. Ordinance No. 909 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA, IOWA CHAPTER 69 PARKING REGULATIONS". Councilmember Vander Beek moved to place Ordinance No. 909 on its first reading, seconded by Councilmember Schiebout. On roll call the vote was: AYES: Vander Beek, Schiebout, Peterson, De Jong, Bokhoven, Van Stryland. NAYS: None. Motion carried.

J. CLAIMS

1. Abstract of bills No. 1956. Councilmember Schiebout moved to approve, seconded by Councilmember Vander Beek. On roll call the vote was: AYES: Schiebout, Vander Beek, Van Stryland, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

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

Comments were received and addressed.

L. CLOSED SESSION

1. At 8:15 p.m., Councilmember Vander Beek 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 Bokhoven. On roll call the vote was: AYES: Vander Beek, Bokhoven, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. At 8:43 p.m., Councilmember Peterson moved to reconvene to regular session, seconded by Councilmember De Jong. On roll call the vote was: AYES: Peterson, De Jong, Bokhoven, Vander Beek, Van Stryland, Schiebout. NAYS: None. Motion carried. No action was taken regarding this closed session.

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, Peterson, De Jong, Bokhoven, Van Stryland. NAYS: None. Motion carried. Meeting adjourned at 8:44 p.m.