



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

July 3, 2017

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 Jim 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 Mandy Smith were present. Six staff members and five 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 Phase II Improvements at the Pella Sports Park
 - b. Proposed Tree Rebate Program
2. Approval of Tentative Agenda. Council Member Bokhoven moved to approve the tentative agenda, seconded by Council Member Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried.
3. Announce Closed Session pursuant to Iowa Code Chapter 21.5 1 (j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property.
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)**

One comment was received.

C. APPROVAL OF CONSENT AGENDA

Council Member Vander Beek moved to approve the consent agenda, seconded by Council Member 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 June 19, 2017
2. Report of Committees
 - a. Policy and Planning Minutes for June 19, 2017

PRESENT: Mayor Jim Mueller, Dan L. Vander Beek, Harold Van Stryland, Bruce Schiebout, Larry Peterson

ABSENT: Mark De Jong, Tony Bokhoven

OTHERS: City Staff and Visitors

The Policy and Planning meeting began at 7:33 p.m.

The first item was a discussion about gravel road improvements. Staff has received two requests to hard surface gravel roads which are partially located within City limits. The requests are for 218th Ave from Neil Dr. to Shady Brook Subdivision and 218th Pl from Washington Street to St. Mary's Church. Staff is recommending the formulation of a policy that would address annexation requirements and assessment of costs before financial commitments are made for any project.

Council expressed an interest to require all affected property to be annexed within City limits if the City is the sole funding provider of any road improvements. Additionally, Council was in agreement that the road must be constructed to meet City standards. Council requested staff research what other cities currently have in place for policies regarding assessment of costs in these types of situations.

The next item on the agenda was a discussion about a proposed ordinance amending the City of Pella's water rates. The increase is necessary to fund the City's long-term water supply plan. The proposed ordinance represents a water rate increase of 7% for all customer classes and would be effective for utility bills due August 20, 2017 for July usage. At that time, the base fee for inside City limits would increase from \$16.61 per month to \$17.77 per month. In addition to the increase in base fee, the ordinance would amend the cost per 1,000 gallons from \$4.01 to \$4.29.

After a brief discussion, staff was directed to proceed with the water rate increase. The first reading of the ordinance will be presented for formal Council consideration on July 3, 2017.

The last item on the agenda, the proposed tree rebate program, was postponed to a future meeting.

The meeting adjourned at 8:38 p.m.

Respectfully submitted:
Mandy Smith, City Clerk

b. Library Board Minutes for May 9, 2017

I. Call To Order: President Rebecca Manifold called the meeting to order at 4:03 p.m. Board members present were: Angela Adam, John Evenhouse, Rebecca Manifold, Praveen Mohan, Jane Koogler, and Rachel Sparks. Library Director Wendy Street was present. Kenny Nedder was excused.

II. Recognition of Visitors and Visitor Comments: There were no visitors present.

III. Approval of Agenda: There were no changes to the agenda. The agenda stood as approved.

IV. Disposition of Minutes: All Board members received the April 2017 minutes prior to the meeting. Praveen moved to approve the minutes as is. Jane seconded the motion. The minutes were unanimously approved.

V. Approval of Bills: All Board members received the May list of bills prior to the meeting. After some general discussion and questions regarding the bills, Rachel moved to approve the May bills. Rebecca seconded the motion. The bills were unanimously approved.

VI. Unfinished Business: There was no unfinished business.

VII. New Business:

a. Thank you to Friends of the Library – John suggested that the Library Board send a thank you card to the Friends of the Library for all they do to support the Library. It was unanimously agreed to do so. Jane volunteered to send a card on behalf of the Board.

b. Applications for Board vacancy – All Board members received the submitted trustee applications for the vacant position prior to the meeting. After tallying each members top three and general discussion, John moved that we nominate Verlan Den Adel to be on the Board. Angela seconded the motion. The nomination was unanimously approved. Wendy will contact Verlan and pass our nomination along to the Mayor for City Council's approval. Kayla Flanders was approved to be a backup nomination.

VIII. President's Report and Announcements: The president did not have a report.

IX. Director's Report:

a. FaxScan24 – Three faxes were sent in April.

b. Mobile printing – We are ready to launch our new mobile print service! With this service, patrons can print remotely or within the library from smartphones, tablets, and computers and pick up their printouts at the library. To print, patrons simply select one of the following options:

a. Email documents to the unique email address of the library.

b. Use one of the mobile printing apps for iOS, Android, Blackberry, and Nook devices.

c. Upload documents to a customized web printing portal.

The printing was tested on computers from both schools and Wendy did an interview on the radio.

c. Food for Fines – Our "Food for Fines" drive collected quite a bit more food than we have the past few years. We didn't count the individual items, but we waived \$276.90 in fines (\$100 more than last year). We received a "thank you" from the Food Shelf.

d. Friends of the Library – The Friends of the Library book sale netted \$1,867, which is almost \$200 higher than last year. Jennifer Smart was elected as Vice President at the April Friends meeting.

e. Building & grounds –

a. The shifting project started on Central's service day is being completed by library staff. The nonfiction has all been moved, although we will have to make a few adjustments. We are now shifting the adult fiction to make space for that collection to grow.

b. The Pella Garden Club will plant our urns again this year as a service project.

f. Staff activities

i. Youth Services: In April, the One to Grow on class from the Pella Christian Grade School came for a visit and tour. Katie has also been working on finishing up plans for summer reading program and scheduling visits to the schools.

ii. Assistant Director: Chris tested and finalized the new Mobile Print System, cataloged two new digital projectors and two adult-level Launchpad tablets, and finished the roll down of staff and public computers. He ensured staff was trained on the new SILO interlibrary loan system that went live on May 1.

iii. Director: This month, I planned the Adult Summer Reading Program, and also gave a presentation to AAUW. I finished weeding the Science fiction, weeded the cake pans, and started weeding the Mysteries.

g. Upcoming events

- The library will be closed on Sunday, May 14th for Mother's Day.

- May 15 at 7:00 p.m.: Culture Night: Russia featuring Elena Vishnevskaya. Learn about Russia culture from a native. This program will be held in Room 206 at the Community Center.

- May 18 at 10:15 a.m.: Genealogy Club will meet in the Library Meeting Room.

- May 22 at 1:00 p.m.: Meet the author Darlene Hoven Klein Miller. Miller will read from her books and offer books for sale. This program will be held in the Library Meeting Room.

- May 25 at 12:00 noon: Brown Bag Book Club will make their selections for the coming year. Bring your suggestions!

- For Memorial Day, the Library will be closed on Sunday, May 28th and Monday, May 29th.

- Logs for the Summer Reading Program will be available on Monday, May 22nd.

X. Media Plan: A brief discussion took place regarding the Media Plan. Katie has been doing school visits. PCS is sending email home with flyer as link in email rather than printing flyers to send home with kids promoting the summer reading program.

XI. Committee reports:

a. Governance & Policy Committee:

i. Gifts Policy – After discussion of the proposed changes to this policy, John moved to approve the changes as amended. Rachel seconded the motion and the motion carried.

XII. Adjournment: President Rebecca Manifold adjourned the meeting at 4:38 p.m. The next regularly scheduled Board Meeting is scheduled for June 13, 2017.

c. Planning and Zoning Commission Minutes for May 22, 2017

Vice-Chairperson Vos called the Planning and Zoning Commission to order in the Public Safety Complex at 7:00 p.m. Members present were: Craig Agan, Joe Canfield, Julio Chiarella, Mark Groenendyk, Cathy Haustein, Robin Pfalzgraf, Gary Van Vark, Ann Visser, and Teri Vos. Absent: Dave Landon and Ervin Van Wyk. Staff present: City Administrator Mike Nardini, Finance Director Corey Goodenow, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. The following individuals signed the visitor attendance sheet: Jim Mansueto and Rhonda Kermod.

Unless otherwise noted, all actions were taken unanimously.

APPROVAL OF TENTATIVE AGENDA: Motion by Visser, second by Van Vark to approve the tentative agenda.

APPROVAL OF MINUTES: Motion by Canfield, second by Agan to approve the minutes of the April 24, 2017 meeting.

NEW BUSINESS:

Work Session to Discuss Criteria for Establishing Historic Overlay Districts and Landmark Designations

A presentation was given by staff on historic overlay districts and landmark designations. Historic Preservation Commissioners Rhonda Kermod and Jim Mansueto were present to answer questions from the Planning and Zoning Commission (Commission). City Administrator

Mike Nardini mentioned that the formal ordinance for establishing a historic overlay district and the designation of landmarks is scheduled for consideration at the June 26, 2017 Commission meeting. A public hearing will be held at that time as well.

Review of Requirements and Administrative Procedures for Rezoning Applications

A presentation was given by staff as an overview of rezoning requirements and procedures. The Commission directed staff to add to the rezoning notification letters information regarding the option for citizens that disagree with the rezoning to file a protest signed by at least 20% of the property owners within 300 feet of the subject site. This would then require a supermajority, five of the six City Councilmembers, to approve the rezoning.

Vos said it was mentioned that the primary purpose of the petition is for the City's compatibility information and not necessarily for the Commission to imply that they should vote in favor of or against a rezoning. This is something she said could be clarified for people. She said she thinks many people believe that whether they sign a petition will have a significant impact on the approval of the rezoning. Nardini said the City uses the petition as just one piece of information in determining land use compatibility. He said the City is happy to make modifications to rezoning notification letters to increase the awareness of options citizens have if they disagree with a proposed rezoning.

Vos also requested an increase in the font size of the public hearing notification sign that is posted on site of a property to be rezoned to increase visibility. Canfield suggested placing in the notices a direct link to the applicable City Code section regarding rezoning procedures for viewing online.

Vos asked about Landon's suggestion to change the wording of the rezoning petition from "in support of the proposed rezoning" to "is not opposed to the proposed rezoning." Finance Director Corey Goodenow said that he does not believe there is anything in the City Code that would prevent the change in the petition's verbiage. Vos asked when the Commission might see that change as a future agenda item. Nardini said it could be placed on the agenda for a work session at the Commission's regular meeting, which is scheduled for June 26, 2017. He said the Commission will be considering Thistles' site plan at a special meeting, which will be scheduled for early June 2017. Nardini welcomed additional input from Commissioners via email.

OTHER BUSINESS / PUBLIC FORUM: Introductions were made among commissioners, as this was Canfield's first meeting.

Adjourned at 8:08 p.m.

d. Community Development Committee Minutes for May 17, 2017

Chairperson Cody called the Community Development Committee (Committee) to order in the Public Safety Complex at 5:40 p.m. Members present were: Jerry Brummel, Patsy Cody, Linda Groenendyk, Mike Kiser, and Dennis Vander Beek. Absent: Phil Groenendyk, Jody Lautenbach, Wayne Stienstra, and Robyn Van Berkum. Staff present: Building Official Jerry Byers, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. The following individuals signed the visitor attendance sheet: Kevin Fouch, Wally Pelds, and Caleb Woods.

Unless otherwise noted, all actions were taken unanimously.

APPROVAL OF MINUTES: Motion by Brummel, second by Vander Beek to approve the minutes from the May 1, 2017 meeting.

ACTION ITEMS:

Design Permit for Exterior Alterations to the Existing Structure Located at 514 Main St.

Heather Slings and Brad Schippers, contractors for this project, were present to answer questions from the Committee members.

Motion by Brummel, second by Kiser to approve the following aspects of the design permit: removal of the dormers and installation of new siding. The Committee also approved matching the color of the new siding to the existing gray portion of the roof and to paint the existing white louvers on the side of the roof the color of the new siding too. The Committee agreed to hold a Special Meeting on May 24, 2017 at 5:30 p.m. on site at 514 Main St. to review the proposed color scheme for the project.

Motion by Brummel, second by Kiser to approve the light fixtures as submitted.

Design Permit to Develop and Expand the Structure at 832 Main St.

The applicant, Bob Zandi, was present to answer questions from the Committee.

Motion by Kiser, second by Brummel to approve the design permit with modifications as submitted in the revised supplemental drawings. Cody thanked the applicants for the improvements they will be making to the property.

Design Permit to Accept Outdoor Architectural Features on the New Casey's Located at 509 Main St.

Wally Pelds and Kevin Fouch were present as representatives of the project to answer questions from the Committee.

Motion by Kiser, Second by Brummel to accept outdoor architectural features on the new Casey's located at 509 Main Street. Cody passed along the positive comments she received from the public about the structure during Tulip Time to Fouch and Pelds.

RE-ELECTION OF CDC PRESIDENT: Motion by Kiser and second by L. Groenendyk to elect Cody as Chairperson and Brummel as Vice-Chairperson. A new election was necessary, due to Lori Parisee's recent vacancy on the Committee.

OTHER BUSINESS / PUBLIC FORUM: None.

Adjourned at 6:20 p.m.

e. Community Development Committee Minutes for May 24, 2017

Chairperson Cody called the Community Development Committee to order on site at 514 Main Street at 5:30 p.m. Members present were: Jerry Brummel, Patsy Cody, Linda Groenendyk, Mike Kiser, Wayne Stienstra, and Dennis Vander Beek. Absent: Phil Groenendyk, Jody Lautenbach, Robyn Van Berkum. Staff present: Zoning Administrator Bryce Johnson and Deputy City Clerk Cynthia Vaske.

Unless otherwise noted, all actions were taken unanimously.

APPROVAL OF MINUTES: Motion by Brummel, second by Kiser to approve the minutes from the May 17, 2017 meeting.

ACTION ITEMS

Design Permit for Remaining Requested Exterior Alterations to the Existing Structure Located at 514 Main St.

Heather Slings and Brad Schippers, contractors for this project, were present to answer questions from the Community Development Committee members.

Motion by Stienstra, second by Brummel to approve painting the exterior walls behind the pillars of the current El Charro Mexican Grill the proposed tan color and the pillars the proposed bright white color; to paint the exterior wall behind the pillars of the vacant portion of the building (the former Billy Jak's Saloon) the proposed bright white color and the pillars the proposed tan color; remove the dormer above the exterior door to the vacant portion of the building and replace it with like-style siding to match the silver-gray tone of the existing roof.

Cody mentioned that if there are further minor changes to the painting, the Design Subcommittee could meet to review those alterations.

OTHER BUSINESS / PUBLIC FORUM: None.

Adjourned at 5:54 p.m.

3. Petitions and Communications

a. Special Event Permit Request for CROP Walk

BACKGROUND: Larry Happel has requested a special event permit for the Pella CROP Walk scheduled for Sunday, September 24, 2017 from 2:00 to 4:00 p.m. with set-up beginning at Noon and tear down ending by 4:00 p.m.

As background, the CROP Walk is a 5K walk to raise funds and awareness in the fight against world hunger. 25% of the event proceeds will be donated to the Pella Food Shelf with the remaining 75% donated to the Church World Service hunger relief programs. Approximately 50 to 100

attendees are expected to participate in this annual event. The 5K walk begins and ends at the Tulip Toren and follows the same route as the Klompen Classic, using the sidewalks.

All pertinent City Departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.

ATTACHMENTS: Application, Map, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK

RECOMMENDATION: Approve Special Event Permit

b. Renewal of Class A Liquor License with Outdoor Service and Sunday Sales for Pella Golf & Country Club

BACKGROUND: Pella Golf & Country Club at 600 Elm Street, has applied for renewal of their Class A Liquor License with Outdoor Service and Sunday Sales. The term of the new license is 12-months and would expire on July 23, 2018.

The application has been completed online with the state and is pending dram shop certification. Staff is recommending approval pending dram shop certification.

ATTACHMENTS: Application

REPORT PREPARED BY: City Clerk

REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK

RECOMMENDATION: Approve renewal pending dram shop certification

4. Administration Reports – None

D. *PUBLIC HEARINGS

1a. Public Hearing on Runway and Taxiway Rehabilitation Project 2017 at the Pella Municipal Airport. No written or oral comments were received. Council Member Bokhoven moved to close the public hearing, seconded by Council Member Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: This resolution approves the plans, specifications, form of contract, receiving of bids, and awarding the contract for the Runway and Taxiway Rehabilitation Project 2017 at the Pella Municipal Airport. As Council is aware, this project consists of replacing multiple full and partial panels and joint sealing on the apron and runway areas.

The bid opening for the project was held at 11:00 a.m. on June 26, 2017. Five bids were received and are summarized below:

Contractor	Bid Amount
TK Concrete, Inc.	\$188,850.00
Iowa Civil Contracting, Inc.	\$207,223.50
Jasper Construction Services	\$283,451.00
American Pavement Solutions	\$308,600.00
Absolute Concrete Construction, Inc.	\$309,825.00

After reviewing the bid proposals, Garden & Associates, the project engineer, recommends awarding the contract to the low bidder, TK Concrete, as listed in the total amount of \$188,850. The engineer's estimate for the project was \$300,650. If approved, 90% of the contract is expected to be funded by the Federal Aviation Administration. It is important to note; the project is subject to FAA final approval.

Staff is requesting Council approve the contract to TK Concrete in the total amount of \$188,850. The resolution also gives the Public Works Director authorization to sign the grant application, grant agreement, and issue the notice to proceed once the contract, bonds, insurance certificates, and appropriate permits are in proper order and fully executed and Federal Aviation Administration approval is received. The notice to proceed will be issued in August or September, based on the airport schedule and final FAA funding. Finally, it is important to note; the actual airport closure will be for a period of no longer than 20 calendar days, and will be coordinated with our major airport users.

ATTACHMENTS: Resolution, Bid Summary, Engineer's Recommendation, Contract Agreement

REPORT PREPARED BY: Public Works

REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK

RECOMMENDATION: Approve Resolution

1b. Resolution No. 5778 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, RECEIVING OF BIDS, MAKING AWARD OF CONTRACT, ISSUING NOTICE TO PROCEED, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN GRANT DOCUMENTS FOR THE RUNWAY AND TAXIWAY REHABILITATION PROJECT 2017 AT THE PELLA MUNICIPAL AIRPORT". Council Member Vander Beek moved to approve, seconded by Council Member Bokhoven. On roll call the vote was: AYES: Vander Beek, Bokhoven, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried.

2a. Public Hearing on Ordinance Creating a Historic District Overlay Zone and Landmarks. No written or oral comments were received. Council Member Vander Beek moved to close the public hearing, seconded by Council Member De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Bokhoven, Van Stryland, Schiebout, Peterson. NAYS: None. Motion carried.

BACKGROUND: The purpose of this public hearing is to discuss a proposed ordinance which would establish guidelines for creating a historic district overlay zone and designating historic landmarks within the City of Pella. As additional background, the Planning and Zoning Commission unanimously approved the ordinance during a public hearing held June 26, 2017. Listed below is background information on this proposed ordinance:

Historic Preservation Commission Responsibilities

The Historic Preservation Commission was established by the Pella City Council on November 18, 2014. The main purpose of the Commission as stated in Section 33.01 (1) of the Pella City Code is as follows: "Promote the educational, cultural, economic and general welfare of the public through the recognition, enhancement, and perpetuation of sites and districts of historical and cultural significance." Furthermore, Section 33.07 of the city code outlines the responsibilities of the Commission which are as follows:

Pella City Code Section 33.07 Duties and Responsibilities

1. The Commission may conduct studies for the identification and designation of historic districts and landmarks meeting the definitions established by this ordinance. The Commission may proceed at its own initiative or upon a petition from any person, group, or association. The Commission shall maintain records of all studies and inventories for public use.
2. The Commission may make a recommendation to the State Historic Preservation Office for the listing of a historic district or landmark in the National Register of Historic Places and may conduct a public hearing thereon.
3. The Commission may investigate and recommend to the Planning and Zoning Commission and City Council the adoption of ordinances designating historic landmarks and historic districts if they qualify as per established Historic District ordinance; and
4. Provide information for the purpose of historic preservation to the governing body.
5. Promote and conduct an educational and interpretive program on historic properties within its jurisdiction.
6. Historic review and issuance of certificates of appropriateness pursuant to Chapter 165.13.5 Historic District Overlay Zone for the following:

As Council is aware, items #3 and #6 above relate to the formation of historic overlay zones and historic landmarks. While the Historic Preservation Commission has the authority under the city code to make recommendations on these items, the code also requires the adoption of an ordinance which establishes guidelines for historic overlay zones and landmarks. The proposed ordinance is intended to provide the necessary guidelines under the city code to establish historic overlay zones and landmarks.

Criteria for Historic District Overlay Zones and Landmarks – Section 3

This section of the proposed ordinance defines a historic district overlay zone and a historic landmark. Listed below is a summary definition for each of these components:

Historic District Overlay Zones

Historic district overlay zones are geographically cohesive areas with significant concentrations of buildings and other resources that possess a high degree of historic integrity and convey a district sense of time and place and that have been designated as a historic district by the City Council pursuant to this ordinance. To qualify for designation as a historic district, the subject area must contain abutting pieces of property under diverse ownership that meet the following approval criteria:

- (1) Are significant in American history, architecture, archaeology, and culture; and
- (2) Possess integrity of location, design, setting, materials, workmanship, feeling, and association; and
- (3) Are associated with events that have been a significant contribution to the patterns of our history; or
- (4) Are associated with the lives of persons significant in our past; or
- (5) Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction;
- (6) Have yielded or may be likely to yield information important in prehistory or history.

Historic Landmarks

The proposed ordinance defines a historic landmark as follows: A historic landmark is any building, structure, object, area of land, or element of landscape architecture with significance, importance, or value, consistent with the approval criteria listed above for historic districts and that has been designated as a local historic landmark by the City Council pursuant to the applicable procedures outlined herein.

It should be noted; a historic landmark can be located anywhere within the City's corporate limits and does not have to reside within a historic district overlay zone.

Requirements for Establishing a Historic District Overlay Zone – Section 2

This proposed ordinance establishes the requirements for creating a historic district overlay zone. In addition, the ordinance also establishes the parameters for regulating the design review component of a historic overlay zone. Finally, this ordinance also regulates the procedures for demolition of properties within a historic overlay zone. Listed below is additional detail.

Requirements for Establishing a Historic Overlay Zone – Section 2(a)

The proposed ordinance authorizes the Pella City Council to designate areas of the City as historic overlay zones. The process to establish a historic district requires the City Council to utilize the same procedure for rezoning property in Pella and is established under Chapter 165.38 of the City of Pella's zoning code. In addition to the requirements of this code section, the application to rezone property for a historic overlay district must contain signatures of the owners of at least 50% of the total number of parcels of real estate within the proposed district, excluding parcels owned by government bodies, provided that each parcel, within the meaning of this subsection, shall constitute a separate parcel for property tax assessment purposes, as shown in the records of the county assessor on the date the petition is filed.

Requirements for Establishing a Historic District Overlay Zone – Section 2 (continued)

Furthermore, the application must also contain signatures of owners of at least 50% of the total public street frontage area within the proposed district, excluding public street frontage abutting governmental property.

From staff's perspective, a very high threshold is established by requiring 50% of the property owners within a proposed historic overlay district to support the established district. This also ensures there is communication among the property owners within a proposed district. Furthermore, the requirement of 50% of public street frontage ensures a group of property owners does not conspire to involve property owners of large tracts of land that do not wish to be included in the proposed district. In essence, the proposed ordinance requires support from a majority of the property owners within a proposed historic district, which was a concern of the Planning and Zoning Commission and Pella City Council.

Information to be Included in a Historic Overlay District's Application – Section 2(b)

To form a historic overlay zone, the applicant will be required to submit supporting documentation so that the Historic Preservation Commission can evaluate whether it meets the criteria of this ordinance. Supporting documentation may include, but not be limited to, history, narrative, photos, maps, and a list of addresses with age of structures.

Review and Approval by the State of Iowa's Historical Division – Section 2(c)

If the Historical Preservation Commission determines the application is eligible to form a historic overlay zone, then the Commission is required to recommend the proposed district to the State of Iowa's Historical Division for review. If Iowa's Historical Division determines the proposed district does not meet the requirements of state law for designation as a historic district, no further action shall be taken toward designation of the proposed district. Likewise, if Iowa's Historical Division determines the proposed district does meet the state's requirements, the application can proceed.

From staff's perspective, this requirement ensures that only legitimate proposals will be considered for historic overlay zones. This was previously a concern of the Planning and Zoning Commission.

Public Hearing Requirements – Sections 2(d) and 2(e)

In order for a historic overlay district to be formed, the Historic Preservation Commission, Planning and Zoning Commission, and Pella City Council must hold public hearings for the proposed district. For each public hearing, notifications will be mailed to all property owners within the district and within two hundred feet of the proposed district. In addition, the City of Pella will be required to place notification in the Pella Chronicle not less than 10 days nor more than 20 days before each public hearing.

Finally, it is important to note, for a historic overlay district to be adopted, it will be in the form of an ordinance. This will require the Pella City Council to review and approve the proposed district at three separate meetings.

In summary, establishment of a historic overlay zone will require property owner support within the district, approval from the Historical Division of the State of Iowa, and approval of the Pella City Council. Furthermore, the process will also involve extensive public input.

Design Review Requirements for a Historic District Overlay Zone – Section 5

Properties Subject to Design Review Standards – Section 5(b)

The proposed ordinance requires the following properties within a historic overlay district to be subject to design review standards:

- (1) New construction of single or two family homes or new accessory buildings for any single family or two family homes in the historic districts.
- (2) Additions to existing structures in the historic districts which require a building permit.
- (3) Alterations to existing structures in the historic districts which require a building permit or demolition permit.
- (4) Alterations to existing structures in the historic districts which do not require a building permit or demolition permit but are visible from a public street or front of the structure do not require historic review; however voluntary historic review is encouraged for such alterations. These types of alterations are also exempt from the certificate of appropriateness requirements. Other alterations not visible from the public street or front of the structure, and which do not otherwise need a building permit, shall be exempt from historic review.

Design Review Standards – Section 5(c)

The proposed ordinance requires the Historic Preservation Commission to use the “Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings” for contributing structures within the historic district overlay zone. For non-contributing structures, the Historic Preservation Commission will utilize the “Dutch Residential Design Review District Guidelines”. These guidelines are currently used for new single and two family homes constructed within the City’s commercial corridors. Furthermore, these guidelines place a heavy emphasis on requiring the new structure to “fit in with the existing neighborhood”. In addition, they provide a good deal of flexibility for developers constructing new homes.

Finally, this section of the ordinance requires the Historic Preservation Commission to be reasonable in judgment.

Commercial Properties – Section 5(d)

For properties with base zoning which permits multi-family, commercial, or other non-residential uses, design review shall be conducted by the Community Development Committee if said properties are in the Design Review Overlay District pursuant to City Code 165.16, prior to review by the Historic Preservation Commission. Otherwise, any said properties not subject to Community Development Committee review, and located within the historic district, shall be subject to Historic Preservation Commission review as per this ordinance.

Compliance with Certificate of Appropriateness – Section 6

This section of the ordinance assigns responsibility for enforcing approved design permits issued by the Historic Preservation Commission to the Building Official.

Certificate of Economic Hardship – Section 7

This section of the ordinance outlines the procedures for a property owner to obtain a certificate of economic hardship. In essence, the property owner must prove to the Historic Preservation Commission the following items:

- A. The property in question cannot yield a reasonable return if required to comply with the requirements and standards specified in this article. It is not sufficient to show that the potential return will be reduced as a result of these regulations, but rather it must be demonstrated that the resulting reduction would be near confiscation.
- B. The owner’s situation is unique or peculiar to the property in question, and the situation is not shared with the other landowners in the area, nor due to the general conditions in the neighborhood.
- C. The hardship is not of the property owner’s or applicant’s own making.

Historical Landmarks – Section 8

A historic landmark designation may be approved by the Pella City Council after receiving a recommendation from the Historic Preservation Commission and a review by the Planning and Zoning Commission. It is important to note, a historic landmark can be located outside of a historic district overlay zone.

Remedy of Dangerous Conditions – Section 9

This section of the proposed ordinance involves the procedures City staff will utilize in dealing with property maintenance code violations which may impact the exterior of structures located within a historic district overlay zone or a property designated as a historic landmark.

Prevention of Demolition by Neglect – Section 10

All buildings which contribute to a historic district overlay zone, or that have received a historic landmark designation, must be maintained.

SUMMARY:

Staff has reviewed and discussed this proposed ordinance with the Historic Preservation Commission. Additionally, the Planning and Zoning Commission unanimously approved the ordinance during a public hearing held June 26, 2017. Staff is recommending approval of the ordinance.

ATTACHMENTS: Ordinance, Chapter 33 of Pella City Code, Dutch Residential Design Guidelines
 REPORT PREPARED BY: City Administration
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve Ordinance

2b. Ordinance No. 927 entitled, “AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA BY ADDING NEW PROVISIONS TO CHAPTER 165 ZONING ORDINANCE FOR HISTORIC DISTRICT OVERLAY ZONE”. Council Member Peterson moved to place Ordinance No. 927 on its first reading, seconded by Council Member Schiebout. On roll call the vote was: AYES: Peterson, Schiebout, De Jong, Bokhoven, Vander Beek, Van Stryland. NAYS: None. Motion carried.

E. PETITIONS & COMMUNICATIONS – None

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

1. Resolution No. 5779 entitled, "RESOLUTION APPROVING DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PELLA, IOWA AND CENTRAL UNIVERSITY OF IOWA (CENTRAL COLLEGE)". Council Member Van Stryland moved to approve, seconded by Council Member Schiebout. On roll call the vote was: AYES: Van Stryland, Schiebout, Peterson, De Jong, Bokhoven, Vander Beek. NAYS: None. Motion carried.

BACKGROUND: This resolution approves a development agreement between the City of Pella and Central College to address access issues for 503 and 505 W. 2nd Street. As Central College prepares to sell the properties, they have identified the need to provide access to the west side of 503 W. 2nd Street which now accesses the property through a shared driveway that runs north from Independence Street, through Central College's property located at 1000 Independence Street. Without any action by Central College, following the sale of the properties there would be no way to access the west side of 503 W. 2nd Street, where the parking is located.

To avoid the access issue discussed above, Central College intends to transfer a small quadrant, 3,200 sq. ft., of their 11,546 sq. ft. lot from 505 W. 2nd Street to 503 W. 2nd Street. This new quadrant near the west side of the property will be used as the new access to the property off the east/west alleyway, thereby eliminating the need for access across Central College's property located at 1000 Independence Street.

Development Agreement

Given that the transfer of property is unique and, if done independently would create a non-conforming lot, staff recommends the use of a development agreement. This agreement will prevent future development to the property and ensure continued use as single-family residential.

The City Attorney has reviewed the proposal and believes since the intent of the City Code is being met, a plat of survey would be acceptable with a development agreement that requires the new parcels of the 505 W. 2nd Street to be conveyed to 503 W. 2nd Street with the existing lots of records.

Summary

The Planning and Zoning Commission approved the development agreement on a 7 to 1 vote during their meeting held June 26, 2017. Staff is recommending approval of the resolution.

ATTACHMENTS: Resolution, Development Agreement, Plat of Survey

REPORT PREPARED BY: Planning and Zoning

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve Resolution

2. Resolution No. 5780 entitled, "RESOLUTION APPROVING CHANGE ORDER #1 (FINAL QUANTITY ADJUSTMENT) AND ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE DIVISION 3: RO WASTE AND RAW WATER MAIN PROJECT". Council Member Schiebout moved to approve, seconded by Council Member Van Stryland. On roll call the vote was: AYES: Schiebout, Van Stryland, Peterson, De Jong, Vander Beek. NAYS: Bokhoven. Motion carried.

BACKGROUND: This resolution approves change order #1 and accepts the public improvements for the Division 3: RO Waste and Raw Water Main Project. As background, the project consisted of the installation of approximately 4,700 linear feet of 12-inch waste line and 8,800 linear feet of 12-inch water main. The new water main connects the new Jordan Well on Idaho Drive to the Water Treatment Plant and the new RO waste line runs from the old Howell pump station at the bottom of the hill on 198th Pl to the new outlet at the Des Moines River.

Change Order #1 - Add \$38,022.20

This change order increases the construction contract of Dave Schmitt Construction by \$38,022.20 and contains a final quantities adjustment. Listed below are the significant items included in this change order:

1. Repair of approximately 300 feet of existing 8-inch longitudinal tile and 400 feet of 4-inch longitudinal tile that ran parallel to the new 12-inch water main. These tile lines were unknown prior to construction and unmarked. As background, it has traditionally been the policy of the City to repair lines located in the right of way when damaged by our crews or contractors. In this particular case, staff was unsure when these lines were placed in the right of way and it was unclear if the City could have legally required the property owner to repair the lines. Furthermore, this would have likely delayed construction of the project. Increase of \$12,332.
2. Additional traffic control signage and flaggers for work near Bos Landen, which was required due to an existing fiber line that ran parallel to the new 12-inch water main for approximately 2,000 feet. Increase of \$16,688.43.
3. Repair of approximately 100 feet of an unmarked existing septic tank leech line that was uncovered and damaged during construction. As background, it has traditionally been the policy of the City to repair lines located in the right of way when damaged by our crews or contractors. In this particular case, staff was unsure when this line was placed in the right of way and it was unclear if the City could have legally required the property owner to repair the line. Furthermore, this would have likely delayed construction of the project. Increase of \$1,477.22.
4. Final quantities adjustment increase of \$7,524.55.

Listed below is a summary of the proposed change order:

Original Contract	\$1,244,502.45
Change Order #1 (Final Quantity Adjustment)	38,022.20
Revised Contract Amount	\$1,282,524.65

Acceptance of Project

The engineer for the project, Howard R. Green, is recommending acceptance of the project and believes the project was completed in accordance with the approved plans and specifications. In addition, Howard R. Green is also recommending approval of Change Order #1.

ATTACHMENTS: Resolution, Change Order #1, Engineer's Statement of Final Completion

REPORT PREPARED BY: Public Works Department

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve Resolution

3. Resolution No. 5781 entitled, "RESOLUTION DENYING THE ATTEMPT BY MAHASKA COUNTY TO REMOVE ALL REFERENCES OF MAHASKA COUNTY IN THE CURRENT 28E AGREEMENT BETWEEN MAHASKA COUNTY, THE CITY OF OSKALOOSA, AND THE CITY OF PELLA FOR THE PROPOSED REGIONAL AIRPORT". Council Member Schiebout moved to approve, seconded by Council Member Vander Beek. On roll call the vote was: AYES: Schiebout, Vander Beek, Van Stryland, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: This resolution denies the recent attempt by Mahaska County to remove references to Mahaska County from our regional airport agreement. In addition, the resolution states the City of Pella's position in regards to Article XI 'Amendments and Termination' of the City's 28E Agreement for the regional airport.

As background, Article XI of the 28E Agreement for the regional airport requires each party to approve amendments to the agreement. Furthermore, each party to the agreement is also required to approve termination of the agreement. Listed below is Article XI of the 28E Agreement:

ARTICLE XI. AMENDMENTS AND TERMINATION

Section 1. **Amendments:** This Agreement may be amended for any purpose upon the approval of the governing Boards of each Party.

Section 2. **Termination:** This Agreement may only be terminated upon the approval of the governing Boards of each Party.

The issue at hand is Mahaska County recently passed a resolution which removed themselves from the 28E Agreement for the proposed regional airport project. The City's legal counsel and staff do not believe Mahaska County has the ability to unilaterally change the 28E Agreement. Therefore, this resolution denies Mahaska County's attempt to remove all references to Mahaska County in the 28E Agreement for the regional airport. In addition, it reiterates the fundamental requirements of the 28E Agreement which requires all parties to approve any amendments or changes to the agreement. A copy of the Mahaska County resolution is attached for Council's review. Listed below is background information on this item.

Background Information on the Proposed Regional Airport Project

For the City of Pella, the concept of a new regional airport initially began in response to the Federal Aviation Administration's (FAA) concerns over the required ground-based infrastructure at our current airport to support our Category C approach. As background, the Pella Municipal Airport is a Category B-II Airport with published approaches allowing larger Category C aircraft to land. These types of aircraft are advantageous for businesses to operate due to their ability to offer longer range travel in a safe, convenient, cost-effective manner.

It is important to note, other Category B airports across the nation also have published Category C approaches; however, these airports typically deal with Category C flights on a very limited basis. In comparison, Category C flights routinely take place at the Pella Municipal Airport. These flights are not only made by our local industries but include many flights by suppliers and customers as well. Due to the high number of Category C flights, the FAA has encouraged the City to have the ground-based infrastructure in place to support its published approaches. Although the FAA publishes Category C approaches for use at the Pella Municipal Airport, they are not guaranteed and the FAA could revoke them at any time.

Unfortunately, due to significant site constraints at the current Pella Municipal Airport, previous studies have concluded it is not economically feasible to upgrade the current airport to a Category C level. Therefore, in March 2012, after carefully evaluating our options, the City of Pella approved a partnership agreement with Mahaska County and the City of Oskaloosa for the purpose of constructing a regional airport which would be able to meet the current and future aeronautical needs of businesses and industries in the area. Listed on the following pages is a summary of the significant provisions of the current 28E Agreement.

Major Provisions of the 28E Agreement for the Regional Airport

Good Faith Requirement

Article XII of the current 28E Agreement requires Mahaska County, the City of Oskaloosa, and the City of Pella to work in good faith and use best efforts to carry out the provisions of the agreement.

Financial Responsibilities

The estimated construction costs for the regional airport are approximately \$30 million. Based on the FAA's current funding formula, staff believes the local match for the project will be in the range of \$6.8 million. According to the terms of the 28E Agreement, the local match would be split equally between the City of Pella and the City of Oskaloosa, which means the City's estimated share would be approximately \$3.4 million. However, it is important to note, the FAA has not yet made any decisions on funding for the project.

The operation costs for the new airport are allocated based on the number of board seats assigned to each city. This equates to 60% to the City of Pella and 40% to the City of Oskaloosa. It is important to note; Mahaska County is not financially responsible for the project.

Duration of the Agreement

The current agreement does not have a termination date and is for the life of the regional airport.

Amending or Terminating the Agreement

Due to the potential for significant financial investment by the cities of Oskaloosa and Pella, the current agreement cannot be terminated or amended without unanimous support of the governing bodies of the member entities.

Detrimental Legislative Actions

As stated earlier, the current agreement requires the parties to work in good faith to expedite construction and operation of the regional airport. In the event one of the parties exercises their legislative authority to deny or significantly delay the project, that party is liable to the other parties for liquidated damages in the amount of \$250,000 per occurrence.

Status of the Proposed Regional Airport

The Federal Aviation Administration has recently approved the environmental assessment for the proposed regional airport. Furthermore, the South Central Regional Airport Agency is currently in the process of procuring engineering services for the design and construction of the regional airport.

Legal Opinion

City Attorney, Mr. Bob Stuyvesant, and Mr. Jason Palmer of the Bradshaw Law Firm have reviewed the recent Mahaska County resolution. In summary, our legal counsel does not believe Mahaska County has the ability to make unilateral changes the current 28E Agreement for the proposed regional airport. In addition, legal counsel has advised that Mahaska County's recent attempt to remove themselves from the agreement without seeking consent from the City of Oskaloosa and the City of Pella, is likely a breach of the agreement.

SUMMARY

The proposed regional airport is an important transportation project for businesses and industries in our area. In addition, from the City of Pella's perspective, this project is also driven by safety concerns at the current Pella Municipal Airport. It is also important to note, it takes a significant amount of time and effort to plan for and potentially construct a regional airport. As a result, the current agreement requires all parties to approve any amendments to the original agreement. This was included in the agreement in order to protect the financial interests of the respective parties and to prevent any one party from jeopardizing the project.

This resolution denies the Mahaska County attempt to remove all references to Mahaska County in the 28E Agreement for the regional airport. In addition, it also reiterates the fundamental requirement of the current 28E Agreement, which requires the governing body of each member entity to approve any amendments to the agreement.

Finally, staff would like for Council to be aware that we will continue to work on a collaborative basis and utilize our best efforts to address any concerns our partners may have with this project.

ATTACHMENTS: Resolution, 28E Agreement for the Regional Airport, E-mail communication from Mahaska County Board Chairman Mark Doland dated June 20, 2017, Mahaska County Resolution 2017-12

REPORT PREPARED BY: City Administration

REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK

RECOMMENDATION: Approve resolution denying Mahaska County's attempt to remove all references of Mahaska County in the 28E Agreement for the proposed regional airport

I. ORDINANCES

1. Ordinance No. 925 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA, IOWA CHAPTER 65.01, STOP INTERSECTIONS". Council Member Vander Beek moved to place Ordinance No. 925 on its second reading, seconded by Council Member Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, Peterson, De Jong. NAYS: Bokhoven. Motion carried.

BACKGROUND: This proposed ordinance establishes a three-way stop at the intersection of E. 8th Street and University Street. As background, during the June 6, 2017 Policy and Planning meeting, Mr. Greg Ebeling, Superintendent of the Pella Community School District, shared two traffic related public safety concerns. Both involve intersections in the vicinity of the Pella Community High School with the intersection at E. 8th Street and University Street being among them. It was Mr. Ebeling's position that both pedestrians (primarily students) and vehicles were at risk at this intersection due in part to the traffic control methodology.

Listed below is a summary of the current traffic conditions at the E. 8th Street and University Street intersection:

1. University is a two lane east-west roadway that is used as one of the primary routes to access the Pella Community High School parking lot, Madison Elementary School, and residential properties on the city's east side.
2. E. 8th Street is a two lane north-south roadway that enters said intersection from the north. Traveling north along this portion of street, one finds it is not a thru road, and creates a "T" intersection at Vermeer Road. Similarly, at its intersection with University Street, E. 8th Street is offset by approximately 160 feet, and again creates a "T" intersection.
3. The only traffic control present at this time is:
 - a. A stop sign on E. 8th Street, at the north entrance to the intersection.
 - b. A pedestrian crosswalk on the east side of the intersection crossing University Street.

It should be noted that the intersection draws a good deal of pedestrian traffic from high school students in the morning and mid-afternoon of school days. Further, the driving environment during those times is over represented by vehicles operated by inexperienced drivers. Police department staff has noted that excessive speed along University Street is a great concern, and accordingly engages in the daily practice of a school patrol detail to increase our presence around the community schools, especially the University Street corridor.

Proposed Solution

Due to concerns for pedestrian safety, and the need for a vehicular speed calming solution on University Street near Pella Community High School, it is the recommendation of staff to create a three-way stop at the west intersection at E. 8th Street and University Street. This proposed ordinance will install stop signs for east and west bound traffic on University Street at the E. 8th Street intersection.

ATTACHMENTS: Ordinance

REPORT PREPARED BY: Chief of Police

REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK

RECOMMENDATION: Approve Ordinance

2. Ordinance No. 926 entitled, "AN ORDINANCE AMENDING WATER RATES IN THE CITY OF PELLA, IOWA". Council Member Peterson moved to place Ordinance No. 926 on its first reading, seconded by Council Member Schiebout. On roll call the vote was: AYES: Peterson, Schiebout, De Jong, Bokhoven, Vander Beek, Van Stryland. NAYS: None. Motion carried.

BACKGROUND: The FY 17-18 Budget includes a 7% increase in the City's water rates which is needed to fund the long-term water supply plan. Listed below is background information on the proposed increase.

Long-term Water Supply Plan

The City's long-term water supply plan is intended to meet the community's supply and treatment needs through the year 2037. Overall, the plan includes a new 3.0 million gallon per day (MGD) reverse osmosis (RO) treatment process, an additional Jordan Well and new water main, and improvements to the existing lime softening treatment plant. The estimated cost of the plan is \$16 million, and the tentative completion date for the plan is the fall of 2017.

Proposed Rate Structure

The proposed rate increase of 7% would be effective for utility bills due September 20, 2017 for August usage. At that time, the base fee for inside the City limits would increase from \$16.61 per month to \$17.77 per month. In addition to the increase in base fee, the ordinance would amend the cost per 1,000 gallons from \$4.01 to \$4.29.

Impact of Water Rate Increases

The proposed ordinance represents a water rate increase of 7% for all customer classes. The following chart represents the impact of the water rate increase in both dollar amount and percentage of increase for different customer types inside the City limits. As you can see, for the average residential customer using 7,000 gallons per month, the proposed increase is \$3.12 per month. For the average commercial customer using 35,000 gallons per month, the proposed increase is \$10.96 per month. For the average industrial customer using 100,000 gallons per month, the proposed increase is \$29.16 per month.

Customer Type	Water Usage in Gallons	Current Bill	Proposed Bill	\$ Increases	% Increase
Residential	7,000	\$44.68	\$47.80	\$3.12	7%
Commercial	35,000	\$156.96	\$167.92	\$10.96	7%
Industrial	100,000	\$417.61	\$446.77	\$29.16	7%

Comparable Cities

The chart below compares water rates of similar sized cities in our region. The average residential and commercial users in Pella would continue to pay slightly more than the City of Knoxville and significantly less than the City of Oskaloosa. For the industrial user, the City of Pella would continue to remain very competitive with the City of Knoxville and continue to be significantly less than the City of Oskaloosa.

It is important to note that when comparing our rates to others in the region, one must consider the service level provided by the utilities. For instance, there are utilities who perform minimal water treatment. In comparison, our water treatment process is a significant component of our rates. In order to compensate for the lack of water treatment, their customers will often need to install additional filtration systems to obtain a higher quality of water. Unfortunately, these costs are typically not included in water rate comparisons.

Water Rate Comparisons--In City Limits

City	Minimum No Usage	7,000 gal Residential	35,000 gal Commercial	100,000 gal Industrial
Knoxville	\$8.00	\$31.50	\$157.50	\$450.00
Oskaloosa	\$12.82	\$72.80	\$312.73	\$869.71
Pella	\$16.61	\$44.68	\$156.96	\$417.61
Pella Proposed	\$17.77	\$47.80	\$167.92	\$446.77

SUMMARY

As stated previously, the proposed 7% rate increase is needed to fund the City's long-term water supply plan. This proposed rate increase reflects the third of four projected rate increases. Once fully implemented, the rate increases are expected to result in an overall rate increase of approximately 30%. By implementing rate increases incrementally, financial impacts to rate payers were potentially minimized while at the same time ensuring the utility has adequate cash flows to fund the plan.

ATTACHMENTS: Ordinance
 REPORT PREPARED BY: City Administration
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve Ordinance

J. CLAIMS

1. Abstract of bills No. 1986. Council Member Schiebout moved to approve, seconded by Council Member Van Stryland. On roll call the vote was: AYES: Schiebout, Van Stryland, Peterson, De Jong, Bokhoven, Vander Beek. NAYS: None. Motion carried.

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

One comment was received.

At 8:09 p.m., Council went into the Policy and Planning meeting, ending at 8:58 p.m.

L. CLOSED SESSION

1. At 8:58 p.m., Council Member Vander Beek moved to enter into closed session pursuant to Iowa Code Chapter 21.5 1 (j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property, seconded by Council Member Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried. At 9:16 p.m., Council Member Bokhoven moved to reconvene to regular session, seconded by Council Member Van Stryland. On roll call the vote was: AYES: Bokhoven, Van Stryland, Schiebout, Peterson, De Jong, Vander Beek. NAYS: None. Motion carried. No action was taken regarding this closed session.
2. At 9:17 p.m., Council Member Bokhoven 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 Council Member De Jong. On roll call the vote was: AYES: Bokhoven, De Jong, Vander Beek, Van Stryland, Schiebout, Peterson. NAYS: None. Motion carried. At 9:33 p.m., Council Member Vander Beek moved to reconvene to regular session, seconded by Council Member Bokhoven. On roll call the vote was: AYES: Vander Beek, Bokhoven, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried. No action was taken regarding this closed session.

M. ADJOURNMENT

There being no further business claiming their attention, Council Member Vander Beek moved to adjourn, seconded by Council Member Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried. Meeting adjourned at 9:34 p.m.