



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

August 1, 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. Eight staff members and four members of the general public signed the register.

B. MAYOR'S COMMENTS

1. No Policy and Planning meeting was held following the regular Council meeting.
2. Approval of Tentative Agenda. Council Member Vander Beek moved to approve the tentative agenda, 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.
3. Reappointment of Jerry Brummel to the Community Development Committee. 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: Jerry Brummel has served on the Community Development Committee (CDC) since August of 2004 and is interested in serving another three-year term. During his current term, Jerry attended 8 of the 20 CDC meetings. He also serves on the CDC Sign Subcommittee, which reviews over 100 sign permits each year, on average. Jerry currently resides at 1404 Hazel Street and is self-employed as a painting contractor. His new term would expire August 1, 2020.

ATTACHMENTS: None
REPORT PREPARED BY: Planning and Zoning
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve Reappointment

4. Reappointment of Robyn Van Berkum to the Community Development Committee. Council Member Peterson moved to approve, seconded by Council Member Bokhoven. On roll call the vote was: AYES: Peterson, Bokhoven, Vander Beek, Van Stryland, Schiebout, De Jong. NAYS: None. Motion carried.

BACKGROUND: Robyn Van Berkum has served on the Community Development Committee (CDC) since August of 2004 and is interested in serving another three-year term. During her current term, Robyn attended 14 of the 20 CDC meetings. She also serves on the CDC Sign Subcommittee, which reviews over 100 sign permits each year, on average. Robyn and her husband Chris own and operate Van Berkum Appliance and reside at 1427 West 2nd Street. Her new term would expire August 1, 2020.

ATTACHMENTS: None
REPORT PREPARED BY: Planning and Zoning
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve Reappointment

5. Appointment of Leah Bokinsky to the Community Development Committee. Council Member Vander Beek moved to approve, 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.

BACKGROUND: Mayor Mueller would like to appoint Leah Bokinsky to serve on the Community Development Committee (CDC). Leah has served as a volunteer in the Pella community on various committees including Thursdays in Pella, the 4th of July celebration, and the Tour of Homes. Her experience includes working with special needs children through public school systems for more than 20 years. Leah and her husband reside on Edgewater Drive in Pella. If approved, Leah's term would begin on August 1, 2017 and expire August 1, 2020.

ATTACHMENTS: None
REPORT PREPARED BY: Administration
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve Appointment

6. Proclamation Recognizing Dick Redman.

BACKGROUND: The City would like to recognize Dick Redman for his years of service to the Municipal Band. Dick faithfully served for 36 years.

ATTACHMENTS: Proclamation
REPORT PREPARED BY: City Administration
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: None

7. 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.
8. 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.

***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 July 18, 2017
2. Report of Committees
 - a. Policy and Planning Minutes for July 18, 2017

PRESENT: Mark De Jong, Tony Bokhoven, Dan L. Vander Beek, Harold Van Stryland, Bruce Schiebout, Larry Peterson
 ABSENT: Mayor Jim Mueller
 OTHERS: City Staff and Visitors

The Policy and Planning meeting began at 7:58 p.m. The only item on the agenda was a presentation by the Pella Area Community and Economic Alliance (PACE) regarding the Downtown Development Council's survey results. PACE Executive Director Karen Eischen, Downtown Development Council Chairperson Mindi Vanden Bosch, and Downtown Development Councilmember Bryan Gaylor presented the survey results to Council. Specific recommendations that were mentioned included increased downtown parking and public restroom access, a zoning change to allow for a brewery in the Central Business District (CBD), use of the Klokkenspel as an outdoor music and beverage area during Herfst Feest and other events, and a dog park.

Eischen told the Council that the Downtown Development Council is willing to implement a signage plan for public restroom in the CBD, of which the Council was supportive. City Administrator Mike Nardini said parking and restrooms in the CBD have been ongoing issues and City staff plans to continue working on solutions.

The meeting adjourned at 8:13 p.m.

Respectfully submitted:
 Cynthia Vaske
 Deputy City Clerk

b. Library Board Minutes for June 13, 2017

PELLA PUBLIC LIBRARY, Board of Trustees Meeting, June 13, 2017

I. Call To Order: President Rebecca Manifold called the meeting to order at 4:01 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 May 2017 minutes prior to the meeting. Angela moved to approve the minutes as is. Praveen seconded the motion. The minutes were unanimously approved.

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

VI. Unfinished Business: Jane sent the thank you to the Friends of the Library for all their support on behalf of the Board.

VII. New Business:

a. Recognition of service: Rebecca Manifold – Rebecca was recognized for her years on service on the Board and service as President. She thanked the Board for their support and said it was a lot of fun and she learned a lot over the years.

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

IX. Director's Report:

a. Summer Reading Program – We started handing out reading logs on May 22nd. Approximately 1,335 logs have gone out so far. We have already awarded 150 prizes, including several top level prizes.

b. FaxScan24 – Eleven faxes were sent in May.

c. Mobile printing services – In May, 19 different users tried our new mobile print service. They sent 65 jobs totaling 105 pages.

d. Building & grounds – One of the four compressors on AHU1 failed in May and will have to be replaced. Estimated cost is \$16,000. This will have to come out of this year's budget, so we will have to be very conservative for the remainder of the year. Also, the Pella Garden Club planted the urns at the Library entrance. They have done this as a service project for the past 3 years.

e. My Vacation – I will be on vacation June 14-23. I will check my email and can be reached by cell phone in an emergency. Chris Brown and Katie Dreyer are very capable of handling day to day issues in the library in my absence.

f. Upcoming events

- June 15 at 10:15 a.m.: Genealogy Club meeting in the Heritage Room.

- June 20 at 7:00 p.m.: Family Fun Night. Join us for outdoor games and fun. We will start in the Meeting Room. All ages are welcome. The program will be held rain or shine.

- June 21 at 10:30 a.m.: Build with Art weekly program for school age children (finished K to 5th grade). No sign up is needed. The program will be held in the Meeting Room.
- June 28 at 10:30 a.m.: Build with Bricks weekly program for school age children (finished K to 5th grade). No sign up is needed. The program will be held in the Meeting Room.
- June 29 at 12:00 noon: Brown Bag Book Club will discuss Road Trip by Jim Paulsen.
- The Library will be closed Tuesday, July 4th.
- July 6, 13, & 20 at 12:00 p.m.: Theater Thursday. Kids and parents are welcome to bring a sack lunch at noon to eat in the Meeting Room. The movie will start at 12:30 p.m.

g. Verlan Den Adel was approved as a trustee of the Board and will begin his term at the July meeting.

X. Advocacy Plan: Summer reading programs for kids and adults is continuing to be advertised and promoted.

XI. Committee reports:

a. Personnel/Nominating Committee:

i. Proposal of slate of officers:

1. President – Praveen
2. Vice President – Angela
3. Secretary – Kenny

The proposed slate of officers was discussed and will be voted on at the July meeting.

ii. Director's evaluation:

1. Nominating Committee will meet with Wendy on the 27th and send report to City Manager.

b. Governance & Policy Committee:

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

ii. Fines Policy – After discussion of the proposed changes to this policy, Jane moved to approve the changes as amended. Angela seconded the motion and the motion carried.

XII. Adjournment: President Rebecca Manifold adjourned the meeting at 4:26 p.m. The next regularly scheduled Board Meeting is scheduled for July 11, 2017.

c. Community Development Committee Minutes for June 14, 2017

MINUTES OF THE CITY OF PELLA COMMUNITY DEVELOPMENT COMMITTEE JUNE 14, 2017

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

Unless otherwise noted, all actions were taken unanimously.

APPROVAL OF MINUTES: Motion by Stienstra, second by Van Berkum to approve the minutes from the May 24, 2017 meeting.

ACTION ITEMS:

Requesting Approval of a Design Permit to Sell Produce and Other Goods from a Picnic Table as a "Peddler" at 916 Washington Street

Lauri Amelse was present to answer questions from the Community Development Committee (CDC) members

Motion by Van Berkum, second by L. Groenendyk to approve the design permit as submitted. It was the consensus of the CDC to make any decisions about proposed temporary signage at the Sign Subcommittee level.

Requesting Approval of a Sign Permit for transformation, INC at 836 Main Street

Shelly Riggen was present to answer questions from the CDC.

Motion by Kiser, second by Van Berkum to table the sign permit. The CDC decided to hold a special meeting regarding this sign permit on site at 836 Main Street, tentatively scheduled for June 21, 2017 at 5:30 p.m.

OTHER BUSINESS / PUBLIC FORUM: Design Permit Certificate of Approval Example. Zoning Administrator Bryce Johnson displayed an example of the Design Permit Certificate of Approval that is given to applicants upon approval of their application.

Adjourned at 6:12 p.m.

d. Planning and Zoning Commission Minutes for June 12, 2017

MINUTES OF THE CITY OF PELLA PLANNING AND ZONING COMMISSION JUNE 12, 2017

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

Unless otherwise noted, all actions were taken unanimously.

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

APPROVAL OF MINUTES: Motion by Haustein, second by Van Vark to approve the minutes of the May 22, 2017 meeting.

NEW BUSINESS: Consideration of a Site Plan for Thistles for Demolition and Reconstruction of the Property Located at 832 Main Street

Bob Zandi and Lois and Bob Vermeer were present to answer questions from the Planning and Zoning Commission.

Motion by Van Vark, second by Visser to approve the site plan for 832 Main Street as submitted.

OTHER BUSINESS / PUBLIC FORUM: None.

Adjourned at 7:13 p.m.

e. Planning and Zoning Commission Minutes for June 26, 2017

MINUTES OF THE CITY OF PELLA PLANNING AND ZONING COMMISSION JUNE 26, 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, Robin Pfalzgraf, Gary Van Vark, Ann Visser and Teri Vos. Absent: Cathy Haustein, Dave Landon, and Ervin Van Wyk. Staff present: City Administrator Mike Nardini, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. Others present: Rhonda Kermode and Mike Lubberden.

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 Agan, second by Canfield to approve the minutes of the June 12, 2017 meeting.

NEW BUSINESS:

Consideration of a Development Agreement Between the City of Pella and Central College for the Properties Located at 503 and 505 W 2nd Street

Central College Facilities Planning and Management Director Mike Lubberden was present to answer questions.

Motion by Canfield, second by Chiarella to approve the development agreement for 503 and 505 W 2nd Street as submitted. Yes: Canfield, Chiarella, Agan, Pfalzgraf, Visser, Vos. No: Van Vark.

Public Hearing on Ordinance Establishing Historic Overlay Districts and Landmark Designations

Historic Preservation Commissioner Rhonda Kermod was present to answer questions. The public hearing was then closed.

Ordinance Establishing Historic Overlay Districts and Landmark Designations

Motion by Visser, second by Pfalzgraf to approve the ordinance as submitted.

OTHER BUSINESS / PUBLIC FORUM

City Administrator Mike Nardini mentioned the possibility of a special Planning and Zoning Commission meeting on July 10, 2017 to discuss a site plan. He also stated that staff is planning to address zoning concerns with the Planning and Zoning Commission this fall.

Adjourned at 7:44 p.m.

3. Petitions and Communications – None

4. Administration Reports – None

D. *PUBLIC HEARINGS

1a. Public Hearing on Caldwell Park Improvements Project 2017. 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: This resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the Caldwell Park Improvements Project 2017. As background, the project consists of significant upgrades to the existing shelter house including an ice skating rink, a new skate park, six new pickleball courts, and landscaping improvements.

A bid letting for the project was held on July 19, 2017 and one bid was received from Hooyer Construction of Pella, Iowa. Their base bid of \$620,000 was less than the engineer's estimate of \$673,290 to complete the following renovations:

- Replacement of the existing concrete for the shelter house
- Replacing lighting and electrical upgrades throughout the shelter house
- New plumbing and fixtures, insulation and siding for the restrooms and concessions area
- Replace translucent roof panels, paint roof, repair and repaint purlins, paint columns and trusses
- Demolish existing skate park features and construct new features in the area of the 'Old Swimming Pool' location
- Six new pickle ball courts
- Remove and relocate a portion of the 5' wide sidewalk along University Street
- Improve site drainage and landscaping

Additionally, Hooyer Construction submitted eight bid alternatives. Staff is recommending selection of three of the submitted bid alternatives totaling \$149,000. Recommended bid alternatives include a 50' by 120' portable ice skating rink, relocating the flag pole, and additional landscaping and sidewalks for the area surrounding the relocated flag pole.

The following alternatives were also included with Hooyer's bid submittal:

Two additional pickleball courts	\$40,000
Portable ice rink chiller system including associated equipment, electrical upgrades and secured storage area	\$296,000
Upgraded metal siding for restroom and concessions area	\$18,000
Bird netting for the interior roof area of the shelter house	\$20,000
Expansion of skate park area including additional features	\$30,000

After reviewing the bid proposal, Klingner & Associates, the project engineer, recommends awarding the contract to Hooyer Construction for the base bid and recommended alternates for a total contract price of \$769,000. It is important to note; the engineer's estimate for the base bid and recommended alternatives was \$836,017.

Staff is requesting Council approve the contract to Hooyer Construction in the total amount of \$769,000. The resolution also gives the Community Services Director authorization to issue the notice to proceed once the contract, bonds, insurance certificates, and appropriate permits are in proper order and fully executed. Finally, it is important to note; this is a 60-day working contract, therefore the substantial completion date for the project is expected to be mid-November, 2017.

ATTACHMENTS: Resolution, Bid Summary, Engineer's Recommendation, Form of Contract

REPORT PREPARED BY: Community Services

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve Resolution

1b. Resolution No. 5788 entitled, "RESOLUTION SETTING DATE FOR PUBLIC HEARING AND APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE CALDWELL PARK IMPROVEMENTS PROJECT 2017". Council Member Vander Beek moved to approve, 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.

2a. Public Hearing on the Disposal of Property for the Use and Benefit of Central College. 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: This resolution allows the disposal of property previously vacated for the use and benefit of Central College. The property in question is located under the Vermeer Science Center. As background, staff recently discovered that the property was vacated but no quit claim deed was executed completing the proper procedure for selling public property.

Below is an outline of the property and previous actions taken:

June 5, 1928 – Ordinance No. 172 vacated the following portions of public property:

W 2nd Street between University and Peace Street

100' of the alley bisecting original block 80 from W 2nd Street to the west line of lots 1 and 8

August 6, 1940 – Ordinance No. 85 vacated the following portions of public property:

300' of the alley bisecting original block 80 from W 3rd Street to the west line of lots 1 and 8

This resolution authorizes the Mayor to sign the quit claim deed to sell the above referenced property to Central College.

ATTACHMENTS: Resolution, Quit Claim Deed, Map

REPORT PREPARED BY: City Administration

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve Resolution

2b. Resolution No. 5789 entitled, "RESOLUTION DIRECTING THE SALE OF AN INTEREST IN REAL PROPERTY FOLLOWING THE PUBLIC HEARING". 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.

E. PETITIONS & COMMUNICATIONS

1. New Class B Beer Permit with Class C Native Wine Permit for The Wijn House. Council Member Vander Beek moved to approve, seconded by Council Member De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Bokhoven, Van Stryland, Peterson. NAYS: Schiebout. Motion carried.

BACKGROUND: The Wijn House, located at 615 Franklin Street, has applied for a new Class B Beer Permit with Class C Native Wine Permit. As background, The Wijn House currently has a Class C Native Wine Permit which expires on August 31, 2017. This request would renew their Class C Native Wine Permit in addition to adding a new Class B Beer Permit. Class B Beer Permits allow commercial establishments to sell beer and wine coolers for on-premises consumption as well as allowing carry-out sales of beer and wine coolers in original unopened containers.

The term of the new license is 12-months and would expire on August 31, 2018. The application has been completed online with the State, and staff is recommending approval.

ATTACHMENTS: Application

REPORT PREPARED BY: City Clerk

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve License

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

1. Resolution No. 5790 entitled, "RESOLUTION APPROVING IOWA DEPARTMENT OF TRANSPORTATION AGREEMENT FOR THE IA 163 EASTBOUND ON/OFF-RAMP/WEST WASHINGTON STREET INTERSECTION PROJECT, PROJECT NO: UST-5947(616)--4A-63, IDOT AGREEMENT NO: 05-17-USTEP-031". 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 approves an agreement with the Iowa Department of Transportation (IDOT) for traffic signals to be installed at the intersection of Iowa Highway 163 and West Washington Street. The agreement is necessary to receive funding from IDOT for the project. Currently, the project is eligible to receive 55% of the project up to a maximum of \$200,000 from IDOT's grant programs.

As background on this project, Snyder & Associates recently completed a traffic analysis for the IA 163 Eastbound On/Off-Ramp/West Washington Street Intersection. As a result of the analysis, Snyder & Associates is recommending installing traffic signals at this intersection along with the proposed geometric improvements as outlined below:

- New dedicated left turn lanes on West Washington Street
- New dedicated right turn lane on IA Highway 163 eastbound off-ramp
- Traffic signals to include protected/permissive left turn phasing for east and westbound West Washington Street via flashing yellow arrow operation

The final construction plans for the project have been submitted to the Iowa Department of Transportation (IDOT) for review and approval. At this time, staff believes there is a possibility the traffic signals could be constructed yet this fall. However, this schedule is dependent on the IDOT.

It is important to note, the Engineer's estimate for the project is \$541,000. Staff believes the local match will be approximately \$341,000, with the remaining funding being provided by IDOT through this grant agreement.

As stated above, in order to receive funds from IDOT for this project, the attached agreement is required to be executed between the City of Pella and the IDOT. This agreement also establishes the regulations which must be met to use state funding for this project.

ATTACHMENTS: Resolution, IDOT Agreement
REPORT PREPARED BY: Public Works
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve Resolution

2. Resolution No. 5791 entitled, "RESOLUTION APPROVING CHANGE ORDER NO. 1 AND AUTHORIZING FINAL PAYMENT TO ANDERSON UNDERGROUND, INC. FOR WORK ASSOCIATED WITH THE PROJECT KNOWN AS THE WEST CENTRAL UNDERGROUND CONVERSION PROJECT". Council Member Schiebout moved to approve, seconded by Council Member Peterson. On roll call the vote was: AYES: Schiebout, Peterson, De Jong, Bokhoven, Vander Beek, Van Stryland. NAYS: None. Motion carried.

BACKGROUND: This resolution approves change order #1, final payment, and accepts the contract construction and final completion of the West Central Underground Conversion Project. As background, on July 19, 2016, Council awarded the project's construction contract to Anderson Underground, Inc. This project consisted of installation of underground conduit and secondary cable for the electric distribution system, including installing all below grade equipment such as box pads and pull boxes.

Change Order #1 - Add \$2,017.05

This final change order is a quantities adjustment for the necessary materials to complete the project.

The City's engineer, DGR, believes the project was completed in accordance with the approved plans and specifications. In addition, DGR is recommending acceptance of the capital improvements.

Listed below is a summary of the revised construction contract:

Original Contract	\$221,398.35
Change Order #1 - Revised Quantities	2,017.05
Total Project Construction Cost	\$223,415.40

ATTACHMENTS: Resolution, Change Order #1, Final Documents
REPORT PREPARED BY: Electric Department
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve Resolution

3. Resolution No. 5792 entitled, "RESOLUTION ADOPTING THE MARION COUNTY MULTI-JURISDICTIONAL MULTI-HAZARD MITIGATION PLAN OF 2016". Council Member Vander Beek moved to approve, 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.

BACKGROUND: This resolution adopts the 2016 Marion County Hazard Mitigation Plan. A hazard mitigation plan identifies the hazards a community or region faces, assesses its vulnerability to the hazards, and identifies specific actions that can be taken to reduce risk. The Federal Disaster Mitigation Act of 2000 (DMA 2000) outlines a process which cities, counties, and special districts may follow to develop a local hazard mitigation plan. Under DMA 2000, development of this plan is a requirement for certain benefits from the Federal Emergency Management Agency (FEMA). The Marion County Emergency Management Commission hired JEO Consulting Group Incorporated to assist in the planning process and composition of the mitigation plan. FEMA has adopted the comprehensive plan.

The following jurisdictions are formally a part of this plan: Marion County, City of Bussey, City of Hamilton, City of Harvey, City of Knoxville, City of Marysville, City of Melcher-Dallas, City of Pella (including Pella Ambulance), City of Pleasantville, City of Swan, Central College, Knoxville Community School District (CSD), Melcher-Dallas CSD, Pella CSD, Pella Christian Schools, Pleasantville CSD, Twin Cedars CSD, Knoxville Hospital and Clinics, and Pella Regional Health Center. With a mitigation plan in place, participating jurisdictions become eligible for FEMA grants.

Highlights of the completed Marion County Hazard Mitigation Plan include:

- Provides a comprehensive hazard analysis/risk assessment that best defines the hazards most likely to impact Marion County, Iowa and its municipalities.
- Identifies a proactive strategy for the implementation of hazard mitigation projects that would allay the effects of a natural or manmade disaster.

The Marion County Hazard Mitigation Plan is a collection of each represented agency's jurisdiction specific hazard mitigation plan. By adoption of the proposed document, the City of Pella is not under obligation to perform under another jurisdiction's plan, or as part of an overarching strategy. Simply stated, the hazard mitigation program is tailored to encourage local jurisdictions to intelligently plan to lessen disaster damage. It is hoped that FEMA's support of local pre-disaster planning will lead to greatly reduced post disaster claims.

In preparing the plan, JEO retrieved statistical data from varied resources, the intention being to provide both background and supporting information within the report. The accuracy or validity of the information is not guaranteed and is dependent on the data sources. The information represents only what was reported, as opposed to what actually happened.

Plans should be revisited every year by local jurisdictions and at a minimum every five years by the plan participants as a body.

ATTACHMENTS: Resolution, Pella's Section of Mitigation Plan (full plan on file at City Hall)
REPORT PREPARED BY: Robert A. Bokinsky, Chief of Police
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve Resolution

I. ORDINANCES

1. 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 Schiebout moved to place Ordinance No. 927 on its third reading, 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. Council Member Schiebout moved that Ordinance No. 927 be adopted, seconded by Council Member Bokhoven. On roll call the vote was: AYES: Schiebout, Bokhoven, Vander Beek, Van Stryland, Peterson, De Jong. NAYS: None. Mayor Mueller declared the motion carried and the ordinance duly passed and adopted.

BACKGROUND: This 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.

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

I. CLAIMS

1. Abstract of bills No. 1988. 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.

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

One comment was received and addressed.

L. CLOSED SESSION

1. At 7:49 p.m., Council Member 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 Council Member Bokhoven. On roll call the vote was: AYES: Vander Beek, Bokhoven, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried. At 8:07 p.m., Council Member Vander Beek moved to reconvene to regular session, 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. No action was taken regarding this closed session.
2. At 8:07 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 8:29 p.m., Council Member Vander Beek moved to reconvene to regular session, 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. No action was taken regarding this closed session.

M. ADJOURNMENT

There being no further business claiming their attention, Council Member Bokhoven moved to adjourn, seconded by Council Member Schiebout. On roll call the vote was: AYES: Bokhoven, Schiebout, Peterson, De Jong, Vander Beek, Van Stryland. NAYS: None. Motion carried. Meeting adjourned at 8:31 p.m.