



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

September 5, 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. Council members present were: Mark De Jong, Tony Bokhoven, Dan L. Vander Beek, Harold Van Stryland. Bruce Schiebout arrived at 7:04 p.m. Absent: Larry Peterson. City Administrator Mike Nardini and City Clerk Mandy Smith were present. Six staff members and two members of the general public signed the register.

B. MAYOR'S COMMENTS

1. Announce no Policy and Planning meeting will be held following the regular Council meeting.
2. Approval of tentative agenda. Vander Beek moved to approve the tentative agenda, seconded by Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, De Jong, Bokhoven. NAYS: None. Motion carried.
3. Reappointment of Jim Corbett to the Building Code Board of Appeals. Vander Beek moved to approve, seconded by Bokhoven. On roll call the vote was: AYES: Vander Beek, Bokhoven, Van Stryland, De Jong. NAYS: None. Motion carried.

BACKGROUND: Jim Corbett has served on the Building Code Board of Appeals since 2009 and is interested in serving another five-year term. He has attended both meetings that were held over the last two years. Jim is employed by Pella Regional Health Center as plant operations manager, safety officer, and security officer. He has a Bachelor of Science degree in Mechanical Engineering from Iowa State University. Jim currently lives at 605 E 15th Street in Pella. If approved, Jim's new term would expire September 5, 2022.

ATTACHMENTS: None
 REPORT PREPARED BY: Deputy City Clerk
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve reappointment

Schiebout enters at 7:04 p.m.

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

No comments were received.

C. APPROVAL OF CONSENT AGENDA

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

1. Approval of Minutes
 - a. Official Council Minutes for August 15, 2017
2. Report of Committees
 - a. Policy and Planning Minutes for August 15, 2017

PRESENT: Mayor Jim Mueller, Mark De Jong, Tony Bokhoven, Dan L. Vander Beek, Harold Van Stryland, Bruce Schiebout, Larry Peterson

ABSENT: None

OTHERS: City staff and visitors

The Policy and Planning meeting began at 7:09 p.m. The only item on the agenda was a discussion about the Convention and Visitors Bureau (CVB) contract renewal process. As background, in 2013, Council approved a Hotel/Motel Distribution Agreement with the Pella Chamber of Commerce. The Chamber reorganized to form the Pella Area Community and Economic (PACE) Alliance in 2016. After reorganization, the CVB continued to exist as a separate entity within the PACE Alliance.

Staff reviewed key components of the current agreement including:

- The term of the agreement is July 1, 2013 through June 30, 2018.
- The PACE Alliance's primary responsibility is to operate a CVB for the City of Pella.
- The City pays 60% of the hotel/motel tax received to the PACE Alliance for CVB operation.

Staff also outlined historical taxes collected and amounts distributed:

	FY 13/14	FY 14/15	FY 15/16	FY 16/17
Hotel/Motel Taxes Collected	\$289,500	\$339,244	\$362,451	\$387,801
Distributions to the Chamber/PACE	\$173,700	\$203,547	\$217,471	\$232,681

Staff requested Council direction on how to prepare for the upcoming renewal process. Staff also informed Council that they expect another organization will approach the City with a request to receive hotel/motel tax dollars.

Jill Vandervoort, Executive Director of the CVB, and Sherri Te Grootenhuis, Chair of the CVB, attended the meeting. Te Grootenhuis informed Council that the CVB Board voted to operate as a 501(c)(6), separate from the PACE Alliance. This is consistent with how the Greater Des Moines CVB and many other colleagues around the state operate.

Council expressed their willingness to consider a new agreement format during the renewal process. At the end of the discussion, Council advised the CVB to deliver a proposal to City staff by mid-November.

The meeting adjourned at 7:32 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

b. Board of Adjustment Minutes for April 25, 2017

Chairperson Corbett called the Board of Adjustment to order at 6:00 p.m. in the Public Safety Complex. Members present were: Jim Corbett, Karissa Hastings, Vince Nossaman, Susan Reiter, Jane Smith, Lyle Vander Meiden, and Mike Vander Wert. Absent: Merlan Rolffs and Glenn Van Wyk. Staff present: City Administrator Mike Nardini, Finance Director Corey Goodenow, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske.

Unless otherwise noted, all actions were taken unanimously.

CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda - Motion by Reiter, second by Smith, to approve the tentative agenda.

APPROVAL OF MINUTES - Motion by Reiter, second by Nossaman, to approve the November 22, 2016 minutes.

SPECIAL USE PERMIT (SUP) - PET SERVICES: 621 FRANKLIN STREET

Convened Public Hearing on a special use permit (SUP) for a pet services use (65.1.5.U) located at 621 Franklin Street for a proposed pet bakery and boutique service. Faux Paws Bakery intends to open and operate a pet bakery with the intent to provide a variety of pet treats and products, including some with a Dutch theme, at 621 Franklin Street in the City's Central Business District. Some treats will be baked on site. The owner has also indicated they will be selling dog food, apparel, toys, collars, leashes, beds, and other assorted accessories and dog-related items. Their intent is not to compete with box stores, but to supply unique, natural, and quality products for dogs. The owners, Tim and Christy Dykstra, were present to answer questions and to speak in favor of the SUP.

Staff recommended limiting the proposed business services to a pet bakery and retail goods associated with the pet bakery, including pet apparel items and food. Staff also recommended limiting operating hours to those listed on the applicant's application. In addition, staff recommends requiring that all pets entering the applicant's property be on a leash and that the proposed business be required to maintain the abutting public sidewalks and alleyways so they are free of pet waste. As such, staff recommended conditional approval of the SUP.

Members of the Board of Adjustment (Board) had questions about the applicant's desire to potentially add pet grooming services in the future. C. Dykstra explained that since pet grooming services are in high demand in this community, it would be a good addition to their business. However, C. Dykstra said that they are willing to go forward with strictly the retail and pet bakery services. She explained that pet grooming is not something they would do in their current space, 621 Franklin. City Administrator Mike Nardini explained that while the SUP is specific to this address, the applicant could apply for an amendment in the future to include pet grooming services.

As no other comments were received, the public hearing was closed.

Motion by Reiter and seconded by Hastings to conditionally approve the SUP, as recommended by staff. This limits the proposed business services to a pet bakery and retail goods associated with the pet bakery, including pet apparel items and food, and restricts the operating hours of the business to Monday through Friday from 9:00 a.m. to 5:30 p.m., occasionally until 8:00 p.m. on Thursday, and from 9:00 a.m. to 3:00 p.m. on Saturday. Additional operating restrictions include all pets being on a leash and keeping the abutting public sidewalks and alleyways free of pet waste.

OTHER BUSINESS/PUBLIC FORUM

Nardini mentioned that at the upcoming May 23, 2017 Board meeting that there is a variance request for a non-conforming structure. At that meeting, the Board will also have a work session covering minor modifications. The Board agreed to discuss pet grooming at the upcoming work session and may choose to develop criteria at that time that allows for its use.

Adjourned at 6:44 p.m.

c. Community Development Committee Minutes for June 30, 2017

Chairperson Cody called the Community Development Committee to order in the Public Safety Complex at 12:06 p.m. Members present were: Jerry Brummel, Patsy Cody, Wayne Stienstra, Robyn Van Berkum, and Dennis Vander Beek. Absent: Linda Groenendyk, Phil Groenendyk, Mike Kiser, and Jody Lautenbach. Staff present: City Administrator Mike Nardini, Zoning Administrator Bryce Johnson, City Clerk Mandy Smith, and Deputy City Clerk Cynthia Vaske.

Unless otherwise noted, all actions were taken unanimously.

APPROVAL OF MINUTES - Motion by Van Berkum, second by Stienstra to approve the minutes from the June 14, 2017 meeting.

ACTION ITEMS:

Requesting Approval of a Design Permit to Paint a Portion of the West Building Facade located at 836 Main Street

Shelly Rikken was present to answer questions from the CDC.

Motion by Vander Beek, second by Stienstra to approve the design permit with the revision to extend the proposed strip of orange color across the front facade.

Requesting Approval of a Sign Permit to Install a Wall Sign at 836 Main Street

Shelly Rikken was present to answer questions from the CDC.

Motion by Brummel, second by Stienstra to approve the sign permit as submitted.

Requesting Approval of a Design Permit to Operate a Temporary Mobile Concession Business at 616 Washington Street

Motion by Brummel, second by Van Berkum to approve the design permit as submitted. Yes: Brummel, Van Berkum, Cody, Stienstra. No: Vander Beek.

Requesting Approval of a Design Permit to Place a Temporary Fireworks Tent at 414 S. Clark Street

Motion by Van Berkum, second by Stienstra to deny the design permit as submitted. Yes: Van Berkum, Stienstra, Cody, Vander Beek. No: Brummel.

OTHER BUSINESS / PUBLIC FORUM

None.

Adjourned at 1:11 p.m.

3. Petitions and Communications

a. Renewal of Class C Liquor License with Sunday Sales for El Charro

BACKGROUND: Luchadores LLC, DBA El Charro, at 514 Main St, has applied for renewal of their Class C Liquor License with Sunday Sales. The term of the new license is 12-months and would expire on October 7, 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 renewal

b. Special Event Permit Request for Walk for Freedom

BACKGROUND: Central College has requested a special event permit for their Walk for Freedom scheduled on Saturday, October 14, 2017. The event would be held from 9:00 to 11:00 a.m. with set-up starting at 8:00 a.m. and take down ending by noon.

If approved, this would be the second annual Walk for Freedom event in Pella. During last year's walk, \$1,000 was raised to support human trafficking awareness. The promoter is expecting approximately 100 people to participate in this year's event. The proposed walk route remains the same as last year, starting and ending at the Tulip Toren, as outlined on the attached map. No street closures have been requested as participants would walk in a single file line on 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, Maps, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve special event permit

4. Administration Reports – None

D. *PUBLIC HEARINGS

1a. Public Hearing on W. Washington Street and IA 163 Eastbound Exit Ramp Intersection Improvement Project. No written or oral comments were received. Vander Beek moved to close the public hearing, seconded by De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Bokhoven, Van Stryland, Schiebout. 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 W. Washington Street and IA 163 Eastbound Exit Ramp Intersection Improvement project. As Council is aware, this project consists of installing traffic signals at this intersection along with the following geometric improvements:

- Dedicated left turn lanes on West Washington Street
- 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 bid opening for the project was held at 2:00 p.m. August 31, 2017. Four bids were received and are summarized below:

Contractor	Bid Amount
TK Concrete, Inc.	\$550,994.00
Iowa Civil Contracting, Inc.	\$638,868.06
MPS Engineers PC, DBA Kingston Services PC	\$652,485.50
Hawkeye Paving Corp	\$761,485.00

After reviewing the bid proposals, Snyder & Associates, the project engineer, recommends awarding the contract to the lowest responsible bidder, TK Concrete, Inc., as listed in the total amount of \$550,994. The engineer's estimate for the project was \$577,977. Funding, up to a maximum of \$200,000, will be provided by an Iowa Department of Transportation (IDOT) grant.

Staff is requesting Council approve the contract to TK Concrete, Inc., in the total amount of \$550,994. The resolution also gives the Public Works Director authorization to issue the notice to proceed once the contract, bonds, insurance certificates, IDOT concurrence of award, and appropriate permits are in proper order and fully executed. Finally, it is important to note, the substantial completion dates are expected to be:

- Roadway improvements – December 1, 2017
- Traffic signals – April 27, 2018

ATTACHMENTS: Resolution, Bid Summary, Engineer's Recommendation, Form of Contract
REPORT PREPARED BY: Public Works Department
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve resolution

1b. Resolution No. 5794, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE W. WASHINGTON STREET AND IA 163 EASTBOUND EXIT RAMP INTERSECTION IMPROVEMENT PROJECT". Vander Beek moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, De Jong, Bokhoven. NAYS: None. Motion carried.

E. PETITIONS & COMMUNICATIONS

1. Special Event Permit Request for Pella Christian High School Class Reunion Fun Run. Vander Beek moved to approve, seconded by De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Bokhoven, Van Stryland, Schiebout. NAYS: None. Motion carried.

BACKGROUND: Pella Christian High School has requested a special event permit for their Class Reunion Fun Run scheduled on Saturday, September 30, 2017. The event would be held from 8:00 to 8:45 a.m. with set-up starting at 7:30 a.m. and take down ending by 9:00 a.m. The promoter is proposing this run as part of their first all-school class reunion. Approximately 100 attendees are expected to participate in the run which would start and end at the Pella Christian High School. The proposed race route includes several streets on the southeast side of Pella, as outlined on the attached map. No street closures have been requested.

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

- 2a. Special Event Permit Request for Herfst Feest. Vander Beek moved to approve, seconded by De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Bokhoven, Van Stryland, Schiebout. NAYS: None. Motion carried.

BACKGROUND: The PACE Alliance has requested a special event permit for Herfst Feest scheduled for Saturday, September 23, 2017 from 7:00 a.m. to 10:00 p.m. As part of this event, a resolution has been requested that closes the following:

1. Parking spaces on the east side of the 800 block of Broadway between Franklin and Washington Street for hosting the Farmer's Market from 7:00 a.m. to noon.
2. Parking spaces on the north side of the 500 block of Franklin Street and the west side of the 700 block of E 1st Street for food vendors from 7:00 a.m. to 2:00 p.m.

In addition, the PACE Alliance is requesting to hold a band and serve food to attendees over the age of 21 from 5:00 to 9:00 p.m. within a fenced area on the Klokkenspel. The promoter is proposing to only allow access to this area through The Cellar Peanut Pub. Beverages would not be served in the Klokkenspel; however, patrons would be allowed to bring beer purchased from The Cellar Peanut Pub to the outdoor area for consumption. It is important to note that only beer, not liquor, can be consumed off premises. The promoter is proposing to secure the area using 40" tall white vinyl fencing at the north end of the perimeter and 50" tall plastic snow fencing at the south end.

If Council decides to approve this permit, staff believes the following conditions should be included as requirements for the permit:

1. The promoter must develop an evacuation plan with the Police Department to ensure first responders have direct access and patrons have a direct exit in the case of an emergency.
2. Rental of the Klokkenspel must be coordinated with the Community Services Department.
3. The Cellar Peanut Pub would need to ensure liquor is not consumed off premises.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received.

ATTACHMENTS: Resolution, Application, Maps, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: If Council decides to approve this special event permit request, staff recommends incorporating the conditions listed within this memo as requirements for this permit

- 2b. Resolution No. 5795 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS HERFST FEEST". Bokhoven moved to approve, seconded by Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, Van Stryland, Schiebout, De Jong. NAYS: None. Motion carried.

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

1. Resolution No. 5796 entitled, "RESOLUTION APPROVING THE STREET FINANCE REPORT FOR FISCAL YEAR ENDING JUNE 30, 2017". Van Stryland moved to approve, seconded by Vander Beek. On roll call the vote was: AYES: Van Stryland, Vander Beek, Schiebout, De Jong, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: Annually, the City is required by the Code of Iowa to file a street finance report with the Iowa Department of Transportation in order to receive road use tax funds.

The City's street finance report for the fiscal year ending on June 30, 2017 is presented for approval with this resolution. FY 16/17 revenues total \$3,238,681 and expenditures total \$3,089,691.

Listed below is a breakdown of the revenues and expenditures.

Revenues:

Road Use Tax	\$	1,285,135
Tax Increment Financing		866,153
Local Option Sales Tax		196,279
Federal High Funds		888,656
Other		2,458
Total Revenues	\$	3,238,681

Expenditures:

Road Way Maintenance	\$	803,440
Snow and Ice Removal		23,854
Engineering		177,550
Street Construction		1,895,693
Equipment		189,154
Total Expenditures	\$	3,089,691

ATTACHMENTS: Resolution, Street Finance Report
 REPORT PREPARED BY: Finance Director
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve resolution

- Resolution No. 5797 entitled, "RESOLUTION APPROVING THE INSURANCE POLICY BETWEEN METLIFE INSURANCE COMPANY AND THE CITY OF PELLA". Schiebout moved to approve, seconded by Bokhoven. On roll call the vote was: AYES: Schiebout, Bokhoven, Vander Beek, Van Stryland, De Jong. NAYS: None. Motion carried.

BACKGROUND: This resolution approves an agreement between MetLife Insurance Company and the City of Pella to provide life, accidental death and dismemberment (AD&D), and long term disability (LTD) insurance. As background, Lincoln Financial Group currently provides life, AD&D, and LTD insurance for full-time City of Pella employees. Due to increasing premiums, Cottingham and Butler, our insurance broker, requested and received three competitive quotes, summarized below, for the City of Pella to consider.

	Life and AD&D	LTD	Total Annual Premium
MetLife	\$0.172/\$1,000	\$0.284/\$100	\$20,497
Lincoln	\$0.217/\$1,000	\$0.295/\$100	\$23,364
CIGNA	\$0.200/\$1,000	\$0.410/\$100	\$28,235

MetLife's proposal was the low bid and is \$2,867 less per year than our current provider's proposal. Staff agrees with Cottingham and Butler's recommendation that changing to MetLife would be in the City's best interest; therefore, this resolution approves an agreement between MetLife Insurance Company and the City of Pella to provide Life, AD&D, and LTD insurance effective October 1, 2017.

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

I. ORDINANCES – None**J. CLAIMS**

- Abstract of bills No. 1990. Schiebout moved to approve, seconded by Vander Beek. On roll call the vote was: AYES: Schiebout, Vander Beek, Van Stryland, De Jong, Bokhoven. NAYS: None. Motion carried.

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

No comments were received.

L. CLOSED SESSION – None**M. ADJOURNMENT**

There being no further business claiming their attention, Vander Beek moved to adjourn, seconded by Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, De Jong Bokhoven. NAYS: None. Motion carried. Meeting adjourned at 7:20 p.m.