



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

October 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. Council members present were: Mark De Jong, Dan L. Vander Beek, Harold Van Stryland, and Larry Peterson via phone. Absent: Tony Bokhoven, Bruce Schiebout. City Administrator Mike Nardini, City Attorney Bob Stuyvesant, and City Clerk Mandy Smith were present. Twelve staff members and eight 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 Compensation Pay Plan and Job Classification
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, Peterson, De Jong. NAYS: None. Motion carried.
3. Appointment of Susan Canfield to the Community Development Committee. De Jong moved to approve, seconded by Peterson. On roll call the vote was: AYES: De Jong, Peterson, Vander Beek, Van Stryland. NAYS: None. Motion carried.

BACKGROUND: Mayor Mueller would like to appoint Susan Canfield to serve on the Community Development Committee. Susan moved to Pella in 1998. She has worked at Central College since that time and currently serves as the Director of Conferences and Events. In the past, Susan served on the Tulip Time Steering Committee and has volunteered with Pella's RAGBRAI Committee, the Pella Opera House, and various events within the Pella Community School District. Currently, she directs a handbell choir at First Baptist Church and serves as an at-large commissioner on the Marion County Development Commission. Susan and her husband, Joe, live in Fountain Hills and have three daughters. If approved, Susan's term would begin on October 3, 2017 and expire on October 3, 2020.

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

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.
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***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, Peterson, De Jong. NAYS: None. Motion carried. The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for September 19, 2017
2. Report of Committees
 - a. Policy and Planning Minutes for September 19, 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 7:18 p.m. The only item on the agenda was a discussion about residential sidewalk replacement. A recent inspection of residential sidewalks within the City's corporate limits identified approximately 5,000 sidewalk panels, affecting 1,500 property owners, requiring repair or replacement.

Listed below is criteria from city code section 136.01, which staff utilized to identify defective panels:

- A. Any crack extending the full width of the sidewalk with an open gap of ½ inch or larger.
- B. Any crack running parallel with the sidewalk with a gap of ½ inch or larger.
- C. Any two pieces of sidewalk section with a difference in elevation of ½ inch or larger.
- D. Any sidewalk that has an unreasonable uneven surface such as:
 - 1) cracked with part of walk missing forming holes;
 - 2) cracked into more than three pieces per 4' by 4' square.

Under city code, residential property owners are required to maintain the public sidewalks abutting their property, including any necessary repairs or replacement. Additionally, our city code allows property owners 90 days to repair/replace identified panels before the City would hire a contractor to complete the work, assessing the costs to the property owner.

At the end of the discussion, staff was directed to move forward with developing an informational packet that would inform property owners of timeline requirements, options for repair/replacement, design guidelines, and the inspection process. In addition, staff will re-inspect the identified panels in the spring of 2018, ensuring no changes from the current inspection findings, with completion of all repairs by the fall of 2018.

The meeting adjourned at 7:44 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

b. Community Services Board Minutes for January 20, 2017

Present: April Cutler, Teresa Thompson, Arvin Van Zante and Glenn Steimling by phone.

Absent: Stephen Fyfe, Lauri Amelse, Amanda Schwerdtfeger

Staff: Jeanette Vaughan, Chandler Nunnikhoven, Ben Hedrick & Brenda Ross

Community Services Director Jeanette Vaughan called the meeting to order at 12:10 p.m.

Minutes

Motion by Arvin Van Zante, second by April Cutler to approve the Community Services Board (Board) Meeting minutes of September 15 and December 21, 2016.

Lease Agreement

Jeanette outlined the changes made to the agreements. Most changes were minimal and with the exception of the Cricket agreement the rates remained unchanged from the previous year. The Cricket group is no longer requesting the use of a lighted ball field so their agreement was reduced accordingly. The USSSA agreements remained unchanged from the previous year. The most significant change to the Little League agreement included requiring Little League to have a representative on site whenever they have games scheduled to provide customer service to their program participants and spectators. Steimling asked how we planned to enforce this new requirement and what actions would be taken should a representative not be present during games. Vaughan responded that the City would address issues if and when they arise during the season and make adjustments to the agreement for the following season if needed.

Motion by, Arvin Van Zante, second by Teresa Thompson to approve Lease Agreements with Patrick Lyle (2 teams), Seth Howard, Jamie Dunsbergen, Jay Rhoten who all have USSSA Teams, Pella Soccer Club, Pella Tennis Association, Pella Warrior Cricket, Pella Youth Tackle Football and Pella Little League. All board members voted aye.

Late Registration

Staff is recommending cutting off all registrations 7 calendar days prior to the start of the program. This will help keep team sizes reasonable and also eliminate the need for volunteer coaches to re-adjust their training plans once the season is already underway. We also clarify that this relates to team programs not assembly type programs like Little Tyke Soccer or Little Tyke Basketball. The proposed policy would be:

Late registrations will not be accepted if the program is already at capacity.

All registrations received after the deadline will be assessed a late penalty fee of \$25.00.

Late registrations will be accepted up until 7 calendar days prior to the start of the program for team sports. No registrations will take place after this date.

Exceptions for payment of the late registration fee will be made only for new residents who move to the community after the registration deadline and but before the 7 calendar day limit.

Motion by, April Cutler, second by Glenn Steimling to approve the proposed policy. All board members voted aye.

Adding Additional Board Member

Lauri Amelse had someone approach her that is interested in joining the board. The City Code states that the board shall consist of between seven (7) and thirteen (13) members, who are all citizens of the City of Pella or reside within the boundaries of the Pella Community School District. There are currently seven (7) members on the board. The current members were all in agreement with adding another member.

Ice Skating Formal Complaint

A citizen of Pella had filed a formal complaint with the Community Services Director about not allowing ice skating on the Sunken Gardens Pond. The board all agreed that we should continue to prohibit skating on storm detention ponds and to do more to educate the citizens on why recreational activities are not allowed on these types of ponds. Suggestions were to use local newspapers, on-site signage, and the City newsletter.

Adjournment

Motion by Thompson, second by Cutler to adjourn at 12:52 p.m.

Respectfully submitted:

Brenda Ross

January 20, 2017

3. Petitions and Communications

a. Renewal of Class B Beer Permit with Sunday Sales for Happy Joe's Pizza & Ice Cream Parlor

BACKGROUND: Happy Joe's Pizza & Ice Cream Parlor, at 718 Broadway Street, has applied for renewal of their Class B Beer Permit with Sunday Sales. The term of the new license is 12 months and would expire on November 16, 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. **Renewal of Special Class C Liquor License for AmericInn Hotel & Suites**

BACKGROUND: Bapa Hospitality LLC, DBA AmericInn Hotel & Suites, at 910 W 16th Street, has applied for renewal of their Special Class C Liquor License. The term of the new license is 12 months and would expire on November 17, 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

4. Administration Reports – None

D. *PUBLIC HEARINGS – None

E. PETITIONS & COMMUNICATIONS

1. Temporary Class B Beer Permit with Outdoor Service for The Cellar Peanut Pub. Vander Beek moved to approve, seconded by De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Van Stryland, Peterson. NAYS: None. Motion carried.

BACKGROUND: The Cellar Peanut Pub has applied for a Temporary Class B Beer Permit with Outdoor Service. As part of this request, The Cellar Peanut Pub is proposing to serve alcoholic beverages on Saturday, October 7, 2017, from 5:00 to 9:00 p.m., within an enclosed and clearly marked location on the Molengracht.

As Council is aware, this request is in conjunction with a special event permit for October in Pella. During the September 19, 2017, meeting, Council conditionally approved the October in Pella special event contingent upon obtaining the appropriate license.

Staff is recommending approval as all requirements have been completed online with the state.

ATTACHMENTS: Application, Map
REPORT PREPARED BY: City Clerk
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve permit

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS

1. Reschedule the Regular Council Meeting on November 7, 2017 to November 6, 2017. Van Stryland moved to approve, seconded by Vander Beek. On roll call the vote was: AYES: Van Stryland, Vander Beek, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: In order to avoid a conflict with the upcoming election, staff would like to request that the regular Council meeting scheduled for Tuesday, November 7, 2017, be rescheduled to Monday, November 6, 2017, at 7:00 p.m.

ATTACHMENTS: None
REPORT PREPARED BY: City Administration
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Reschedule Council meeting to November 6, 2017 at 7:00 p.m.

H. RESOLUTIONS

1. Resolution No. 5802 entitled, “RESOLUTION APPROVING CHANGE ORDER #1 (FINAL QUANTITY ADJUSTMENT) AND ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE ELM STREET RECONSTRUCTION PROJECT 2017”. Vander Beek moved to approve, seconded by De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Van Stryland, Peterson. NAYS: None. Motion carried.

BACKGROUND: This resolution approves change order #1 and accepts the public improvements for the Elm Street Reconstruction Project 2017. As background, the project consisted of total reconstruction of Elm Street from Broadway Street to West 3rd Street including pavement replacement, replacing existing 6” water mains with new 8” mains, new hydrants, water services, storm sewers, associated intakes, secondary storm sewers, subdrains, and associated work.

Change Order #1 – Decrease of \$7,435.20. This change order decreases the construction contract of Blommers Construction by \$7,435.20 due to final quantity adjustments. Listed below is a summary of the contract.

Original Contract	\$445,510.00
Change Order #1	<u>(7,435.20)</u>
Revised Contract Amount	<u>\$438,074.80</u>

Acceptance of Project

The engineer for the project, Garden & Associates, is recommending acceptance of the project and believes the project was completed in accordance with the approved plans and specifications.

ATTACHMENTS: Resolution, Engineer’s Acceptance Letter, Change Order #1
REPORT PREPARED BY: Public Works Department
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve resolution

2. Resolution No. 5803 entitled, "RESOLUTION APPROVING DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PELLA, IOWA, ASSOCIATION FOR CHRISTIAN EDUCATION (PELLA CHRISTIAN GRADE SCHOOL), AND RAYMOND KLYN TRUST". De Jong moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: De Jong, Van Stryland, Peterson, Vander Beek. NAYS: None. Motion carried.

BACKGROUND: This resolution approves a proposed development agreement between the City of Pella, Association for Christian Education (Pella Christian Grade School), and Raymond Klyn Trust. As background, Pella Christian Grade School (PCGS) intends to acquire 0.383 acres from the property located at 201 Franklin Street to guide future development of their property. This proposed transfer of property would create a non-conforming lot, which is not allowed under the City's subdivision ordinance. To remedy this issue, the proposed development agreement requires this newly created parcel to be combined with the existing PCGS property located at 216 Liberty Street. The City Attorney has reviewed the proposed development agreement and believes the intent of the City's subdivision ordinance is being met.

The Planning and Zoning Commission unanimously approved the development agreement during their meeting held September 25, 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

I. ORDINANCES – None

J. CLAIMS

1. Abstract of bills No. 1992. De Jong moved to approve, seconded by Vander Beek. On roll call the vote was: AYES: De Jong, Vander Beek, Van Stryland, Peterson. NAYS: None. Motion carried.

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

No comments were received.

At 7:11 p.m., Council went into the Policy and Planning meeting, ending at 7:35 p.m.

L. CLOSED SESSION

1. At 7:36 p.m., 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 De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Van Stryland, Peterson. NAYS: None. Motion carried. At 8:07 p.m., Vander Beek moved to reconvene to regular session, seconded by De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Van Stryland, Peterson. NAYS: None. Motion carried. No action was taken regarding this closed session.
2. At 8:08 p.m., 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 De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Van Stryland, Peterson. NAYS: None. Motion carried. At 8:45 p.m., Vander Beek moved to reconvene to regular session, seconded by Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, 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, Vander Beek moved to adjourn, seconded by De Jong. On roll call the vote was: AYES: Vander Beek, De Jong, Van Stryland, Peterson. NAYS: None. Motion carried. Meeting adjourned at 8:48 p.m.