



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

November 6, 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, Larry Peterson. Absent: None. City Administrator Mike Nardini, City Attorney Bob Stuyvesant, and City Clerk Mandy Smith were present. Six 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. Special Use Permits for Cocktail Lounges in the Central Business District
2. Approval of tentative agenda. Bokhoven moved to approve the tentative agenda, seconded by 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 (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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5. 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)**

No comments were received.

C. APPROVAL OF CONSENT AGENDA

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

1. Approval of Minutes
 - a. Official Council Minutes for October 17, 2017
2. Report of Committees
 - a. Policy and Planning Minutes for October 17, 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 7:34 p.m. The first item was a discussion about a potential brewpub zoning ordinance. Currently, the City of Pella's zoning code does not permit the production or manufacturing of alcoholic beverages in any zoning district. Staff is proposing to allow brewpubs, as defined below, by right in the Community Commercial Zoning Districts. In addition, staff is recommending allowing brewpubs in the Central Business District subject to obtaining a special use permit from the Board of Adjustment. Staff recommends limiting the number of special use permits for brewpubs in the Central Business District to one.

Below is the proposed definition for a brewpub:

Brewpub: A restaurant which includes the brewing of beer as an accessory use. The brewing operation processes water, malt, hops, and yeast into beer or ale. By definition, said establishments produce no more than ten thousand (10,000) barrels of beer or ale annually. The area, by definition, used for brewing, including bottling and kegging, shall not exceed twenty five percent (25%) of the total floor area of the commercial space.

At the end of the discussion, staff was directed to proceed with scheduling a work session with the Planning and Zoning Commission for the purpose of discussing the proposed zoning ordinance. Staff anticipates having a formal ordinance ready for Council consideration in December. The next item was a discussion about the proposed renovation of the Sunken Gardens windmill. During an assessment of the windmill earlier this year, Klingner & Associates noted several deficiencies. Subsequently, the City solicited bids for repairs to the windmill with only one bid received in the amount of \$263,000. Staff rejected this bid and began plans to renovate the windmill during the summer of 2018. The proposed

renovation is intended to restore the windmill to a weathertight condition utilizing high-quality materials that are expected to perform well over the next 25 to 50 years with minimal maintenance. During this meeting, staff overviewed the scope of the project which includes complete renovations to the windmill's exterior and interior. Klingner & Associates' estimate for this project is \$150,000. In addition, staff is also proposing to seek an alternate bid narrowing the scope to only involve repairs to the structural items, roofing, and siding of the windmill, potentially reducing renovation costs significantly.

At the end of the discussion, staff was directed to proceed with rebidding the project.

The final item on the agenda was a discussion about the proposed Oost Poort alley reconstruction project. The estimated project costs, including engineering, total \$1,018,500 and involve the following items:

- Reconstruction of Oost Poort alley with a brick surface (and an alternate concrete surface)
- Resurfacing of the public parking lot, including current gravel lot
- Installation of storm sewers and underground storm water detention basin
- Rerouting of existing roof drains
- Replacement of public water main
- Replacement and rerouting of existing sanitary sewer main
- Design and accommodations in preparation for a future restroom facility in Central Park

Staff is tentatively planning to begin construction of this project in May of 2018, after Tulip Time. Council was in support of staff proceeding with the next step of this process which involves presenting an Engineering Services Agreement for Council approval.

The meeting adjourned at 8:37 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

b. Airport Committee Minutes for August 31, 2017

Members Present: Rick Gritters, Dave Erickson, Marv Tysseling, Warren Winkle, Randy Borgerding

Members Absent: Dave Barnes, Tom Vander Linden

Others Present: Shane Vande Voort, Denny Buyert

Old Business: Motion: The Committee approved the minutes from June 30, 2017.

New Business:

Randy Borgerding was welcomed as a new member of the committee.

Project updates: The concrete repair project will begin on October 9. The contractor will have 20 calendar days to complete. The new bat wing mower has arrived and is in use.

Regional Airport: Randy Borgerding reported that a legal team and engineering firm have been selected by the SCRAA board. Randy attended the FAA four states conference in Kansas City.

Discussion of needs at the Pella Municipal Airport and transitional budget to a replacement airport. No update.

50th anniversary of the airport: Rick has been talking to Mel Dop to get information about the beginning of the airport. The anniversary will be celebrated at the Tulip Time Flight Breakfast and Shane suggested that a newspaper insert be published. Megan Vande Voort will help with some historical research.

Airport Managers report to the committee: Shane reported the following: Classic Aviation hosted a kids tour for the Yellow Iron Academy. Classic Aviation was awarded a bronze Lindy at Oshkosh for its freshly restored Aeronca Champ. The tractor has had some maintenance issues and is showing its age. The hangars continue to be full and the ramp has been crowded on a regular basis.

Next regular meeting will take place on September 29, 2017.

3. Petitions and Communications

a. Renewal of Special Class C Liquor License with Class B Native Wine Permit, Outdoor Service, and Sunday Sales for George's Pizza Steakhouse

BACKGROUND: George's Inc., DBA George's Pizza Steakhouse, at 626 Franklin Street, has applied for renewal of their Special Class C Liquor License with Class B Native Wine Permit, Outdoor Service, and Sunday Sales. The term of the new license is 12 months and would expire on November 30, 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

a. Urban Renewal Report for Fiscal Year 2017

BACKGROUND: Annually, the City is required to file an Urban Renewal Report with the State of Iowa. The purpose of the report is to increase the transparency of local government reporting of tax increment financing (TIF) districts. The report provides a snapshot of each TIF district for the fiscal year showing such elements as valuations by class, the total increment collected, projects within each TIF district, and the debt associated with each urban renewal area.

The enclosed Urban Renewal Report is for the fiscal year ended June 30, 2017, and includes the following TIF districts: Bos Landen, High Point, Mill Farm, and the Pella Business Corridor.

The report identifies a TIF fund balance of \$0 as of June 30, 2017. In addition, the report also identifies total outstanding net TIF debt of \$1,018,424.

ATTACHMENTS: Urban Renewal Report

REPORT PREPARED BY: Finance

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve Urban Renewal Report

D. *PUBLIC HEARINGS – None

E. PETITIONS & COMMUNICATIONS

1a. Special Event Permit Request for Holiday Season in Pella. Bokhoven moved to approve, seconded by Schiebout. On roll call the vote was: AYES: Bokhoven, Schiebout, Peterson, De Jong, Vander Beek, Van Stryland. NAYS: None. Motion carried.

BACKGROUND: The PACE Alliance has requested a special event permit for “Holiday Season in Pella” on eight separate dates between November 20 and December 23, 2017. This request involves a variety of activities designed to bring residents and visitors to Pella during the holiday season. Below is a summary of the proposed activities:

- November 20: Tree lighting ceremony with the Children’s Community Choir at 6:00 p.m.; roaming street entertainers; Santa at the Information Windmill from 6:00 to 8:00 p.m.; horse-drawn carriage rides from 6:00 to 9:00 p.m.
- November 25: Horse-drawn carriage rides from 10:00 a.m. to 4:00 p.m.; free hot cocoa bar in front of Boat’s Home Furnishings; roaming street entertainers.
- December 1: Horse-drawn carriage rides from 1:00 to 8:00 p.m.; roaming street entertainers.
- December 2: Horse-drawn carriage rides from 10:00 a.m. to 2:00 p.m.; Santa at the Information Windmill from 11:00 a.m. to 1:00 p.m.; free hot cocoa bar in front of Boat’s Home Furnishings; roaming street entertainers.
- December 9: Horse-drawn carriage rides from 11:00 a.m. to 4:00 p.m. and 5:30 to 8:00 p.m.; Santa at the Information Windmill from 11:00 a.m. to 1:00 p.m.; free hot cocoa bar in front of Boat’s Home Furnishings; roaming street entertainers.
- December 16: Horse-drawn carriage rides from 11:00 a.m. to 4:00 p.m.; Santa at the Information Windmill from 11:00 a.m. to 1:00 p.m.; free hot cocoa bar in front of Boat’s Home Furnishings; roaming street entertainers.
- December 21: Santa at the Information Windmill from 5:00 to 7:00 p.m.
- December 23: Horse-drawn carriage rides from 11:00 a.m. to 4:00 p.m.; free hot cocoa bar in front of Boat’s Home Furnishings.

A resolution is included with this request to close six parking spaces on Franklin Street south of the Information Windmill to load/unload passengers for carriage rides on November 20 and 25 as well as December 1, 2, 9, 16, and 23. The carriage route remains the same as last year’s event, also outlined on the attached map.

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: Resolution, Application, Map, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve special event permit and resolution

1b. Resolution No. 5806 entitled, “RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS HOLIDAY SEASON IN PELLA”. Bokhoven moved to approve, seconded by Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried.

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

BACKGROUND: The Pella Historical Society has requested a special event permit for the Sinterklaas Parade scheduled on Saturday, December 2, 2017 from 9:00 to 11:00 a.m. No additional time has been requested for set-up or take down. This proposed event celebrates the community’s Dutch heritage and consists of a strolling Volks parade and brief program on the Tulip Toren. This is the 41st year of the event.

A resolution is included with this request to close Franklin Street from Broadway Street to E 1st Street from 9:00 to 11:00 a.m.

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: Resolution, Application, Map, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve special event permit and resolution

2b. Resolution No. 5807 entitled, “RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS SINTERKLAAS PARADE”. Vander Beek moved to approve, seconded by Bokhoven. On roll call the vote was: AYES: Vander Beek, Bokhoven, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried.

- 3a. Special Event Permit Request for Light Up a Life. Schiebout moved to approve, seconded by Vander Beek. On roll call the vote was: AYES: Schiebout, Vander Beek, Van Stryland, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: Pella Regional Health Center has requested a special event permit for "Light Up a Life" scheduled on Tuesday, December 5, 2017 at 6:30 p.m. Set-up would begin at 5:30 p.m. with take down ending by 9:00 p.m. The promoter is requesting a snow date of Tuesday, December 12, 2017 in case of inclement weather.

As background, Pella Regional Health Center hosts an annual memorial service for families and friends of those who have passed away while in hospice care. Historically, this event has been held on the patio of the Comfort House, however due to increasing attendance over the past few years, the promoter is requesting to utilize Union Street in front of the Comfort House for this year's event. Lit trees would be placed on the Comfort House's front porch with speakers and singers located on the front sidewalk. The promoter is requesting to place chairs and heaters in the street to allow sufficient space and an easily accessible location for the event's attendees.

A resolution is included with this request to close Union Street from the alley west of the Comfort House to E 2nd Street from 5:30 to 9:00 p.m.

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: Resolution, Application, Map, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve special event permit and resolution

- 3b. Resolution No. 5808 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS LIGHT UP A LIFE". Vander Beek moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: Vander Beek, Van Stryland, Schiebout, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

4. New Class E Liquor License with Class B Wine Permit, Class C Beer Permit, and Sunday Sales Privileges for Casey's General Store #3566. Bokhoven moved to approve, seconded by De Jong. On roll call the vote was: AYES: Bokhoven, De Jong, Vander Beek, Van Stryland, Schiebout, Peterson. NAYS: None. Motion carried.

BACKGROUND: Casey's Marketing, DBA Casey's General Store #3566, located at 509 Main St, currently has a Class C Beer Permit with Class B Wine Permit and Sunday Sales privileges. Casey's Marketing has applied for a new Class E Liquor License with Class B Wine Permit, Class C Beer Permit, and Sunday Sales privileges. The Class E Liquor License allows commercial establishments to sell liquor for off-premises consumption in original unopened containers.

The term of the new license is twelve months and would begin on December 1, 2017, expiring on November 30, 2018. Staff is recommending approval as all requirements have been completed online with the state.

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. 5809 entitled, "RESOLUTION APPROVING ENGINEERING SERVICES AGREEMENT WITH GARDEN & ASSOCIATES FOR THE OOST POORT ALLEY AND PARKING LOT RECONSTRUCTION PROJECT". Schiebout moved to approve, seconded by 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 engineering services agreement with Garden & Associates for the Oost Poort alley and parking lot reconstruction project. Listed below is a summary of the project:

- Reconstruction of the Oost Poort alley from Main Street to E. 1st Street.
- Resurfacing the Oost Poort alley with a brick surface. In addition, the City will also seek an alternate bid for installing a concrete surface for the alley.
- Installation of storm sewers in the Oost Poort alley. This will also involve the collecting and rerouting of existing roof drains in this area.
- Installation of an underground storm-water detention basin for the public parking lot located at the intersection of Washington Street and E. 1st Street. The underground detention basin is tentatively planned to be located at the northeast corner of the existing parking lot.
- Resurfacing the current public parking lot located at the intersection of Washington Street and E. 1st Street. In addition, we will also be paving the current gravel public parking lot.
- Replacement of the public water main in the alley. This will also likely involve replacing individual water service connections.
- Replacing and rerouting the existing sanitary sewer main which serves the businesses in this area.
- Design and accommodations to extend the sanitary sewer system to Central Park in order to provide future restroom facilities in the park.

Garden & Associates has worked with the City of Pella on many street projects including North Main, University, Hazel, Broadway, Washington, Jefferson, Oskaloosa, Elm, and Lincoln Street. They have been very competitive in price, professional in all aspects of their product delivery, and provide excellent service. In addition, staff believes their fees are reasonable in relation to the scale of the project. The estimated breakdown of the not-to-exceed engineering fees is listed below:

Preliminary & Final Design	\$44,500
Construction Administration, Observation & Staking	92,000
Additional Services	<u>14,000</u>
Total Engineering Services	<u>\$150,500</u>

Construction is estimated to begin in May of 2018, shortly after Tulip Time.

ATTACHMENTS: Resolution, Map, Engineering Services Agreement
 REPORT PREPARED BY: Public Works
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve resolution

2. Resolution No. 5810 entitled, "RESOLUTION APPROVING PRELIMINARY PLAT FOR FAIRWAY MEADOWS AT BOS LANDEN". Schiebout moved to approve, seconded by 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 a preliminary plat for Fairway Meadows at Bos Landen. As background, Vermeer Development is requesting to subdivide two lots consisting of 2.37 acres into seven lots for residential development via preliminary plat to construct single-family attached residential homes. The subject properties are located on Bos Landen Drive approximately 700 feet east of Highway T15. If approved, the subdivider has indicated a desire to utilize the City of Pella's plat of survey process to create fourteen individual lots, which would accommodate single-family homes with a zero lot line, resulting in two units utilizing a shared wall, as permitted by code. The properties combined are 2.37 acres and are currently vacant.

Pella City Code Requirements for Subdivision Plats

The subdivision ordinance states that the Council shall review the preliminary plat for conformance with the Comprehensive Plan, Zoning Ordinance, and City Code Chapter 170. Preliminary plats are required whenever the subdivider of any tract or parcel of land within the platting jurisdiction of the City wishes to make a subdivision. The preliminary platting process allows Council the opportunity to review the overall layout of the lots, street pattern, as well as compliance with all applicable city infrastructure and code requirements.

Land Conditions and Characteristics

Current Zoning Classification

The property is zoned Multiple-Family Residential (R3). The R3 zoning district is intended to provide locations primarily for multiple-family housing with supporting and appropriate community facilities. It also permits some non-residential uses to allow for the development of mixed-use neighborhoods.

ADJACENT ZONING DISTRICTS

<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
Multiple-Family Residential (R3)	Agricultural (A1)	Multiple-Family Residential (R3)	Agricultural (A1)

Proposed Land Use

The proposed structure is classified as "Single-Family Residential [Attached]" which is defined as "a single-family residential use in which one dwelling unit is located on a single lot and is attached by a party wall to only one other adjacent dwelling unit on another single lot. Said party wall shall meet the requirements of the City's Building Code." Single-family residential attached structures are permitted by right in the R3 zoning district.

Lot Requirements

The developer has indicated an intent to subdivide the parcel into seven individual parcels. Upon construction of the single-family attached homes, the developer would then utilize the City's Plat of Survey process to divide each one of the seven parcels in half, eventually creating fourteen single-family attached homes. The purpose of this process is to allow for a more accurate location and definition of the shared wall. Staff has reviewed the proposed subdivision and confirmed that proposed lots meet all minimum lot requirements for the R3 zoning districts.

Required Improvements

According to City Code Chapter 170.12, before the preliminary plat of any area shall be accepted and recorded, the subdivider is required to make and install all public improvements located in Chapter 170.13. The following is a review of those requirements:

Streets: The subdivider shall grade and improve all new streets between the property lines, within the subdivide area. The paving on such new streets shall be built according to the Design Standards.

Staff Comment: The proposed subdivision does not necessitate any new street construction or reconstruction.

Storm Sewer and Drainage: The subdivider shall contract all storm water management structures including, but not limited to, storm sewers, drains, inlets, manholes, and drainage conveyances to provide for the adequate removal of all surface drainage according to the design standards and specifications. Engineering calculations, including references to support all assumptions and recommendations, shall accompany all storm water management system designs.

Staff Comment: The proposed subdivision is expected to utilize the existing storm system which runs parallel to Bos Landen Drive for storm water drainage to the north. The rear of the property includes a 35 foot wide overland flowage easement, which will contain and direct storm water to the rear of the property towards the detention pond located on the Bos Landen Golf Course, directly to the west of the proposed development. Based on the calculations provided by the developer and confirmed by the City's engineer, the detention pond will require improvements to accommodate the anticipated storm water. Given that the detention pond is currently owned by the City and leased to Warrior Golf, the required documents associated with the final plat will include a development agreement stipulating the required improvements, which meet the requirement.

Secondary Storm Sewer: Subdividers must provide a secondary storm sewer system with access to the system from all lots in a subdivision. The City Engineer may grant a waiver to this requirement based on the zoning of the subdivision or the topography or other site characteristics of each lot. Proposed secondary storm sewer system designs, including locations of conduit, grading, drainageways, and outlets, must be shown on the preliminary plat.

Staff Comment: The subdivider has indicated that the single-family homes will not be constructed with basements, therefore a secondary storm sewer is not required. That said, an existing secondary storm sewer is located on the south side of Bos Landen Drive.

Sanitary Sewer: The subdivider shall construct sanitary sewers in conformance with the Design Standards and Standard Specifications. The subdivider shall provide a connection for each lot to the sanitary sewer. The sanitary sewer shall be in operation prior to occupancy of any building.

Staff Comment: The proposed subdivision is expected to utilize the existing sanitary sewer system which runs parallel to Bos Landen Drive. Given that the system lies on the north side of the street, the subdivider will be required to directional bore individual service lines to the south side of the street to serve the proposed development. Additionally, the subdivider proposes to remove and replace the sidewalk on the north side of the street at eleven locations to allow for service installation.

Water Mains and Fire Hydrants: The subdivider shall install water mains and fire hydrants in the subdivided area. The installation of water mains and fire hydrants shall be made prior to the street pavement construction and shall be in conformance with the Design Standards and Standard Specifications.

Staff Comment: The proposed subdivision is expected to utilize the existing water system which runs parallel to Bos Landen Drive. Given that the system lies on the north side of the street, the subdivider will be required to directional bore individual service lines to the south side of the street to serve the proposed development at all fourteen locations. No sidewalk removal is anticipated for this requirement. Additionally, the subdivider will utilize three existing fire hydrants, located on the north side of the street, which meets the required coverage requirements for fire protection.

Sidewalks: Property owners shall install a four-foot wide concrete sidewalk along each lot frontage prior to the issuance of an occupancy permit for the structure on the lot. Sidewalks shall be installed in accordance with the Design Standards and Standard Specifications.

Staff Comment: The subdivider will install a four-foot wide concrete sidewalk along each lot frontage, as required.

Erosion Control Measures: The subdivider shall construct and maintain erosion and sediment control measures in accordance with the Design Standards.

Staff Comment: The subdivider has indicated that a retaining wall will be installed in the rear yard of Lots seven, six and five to accommodate topographical difficulties. This measure, as well as the rear yard overland flowage easement, meet the requirements by both the City Engineer and Public Works Director.

Comprehensive Plan

City Code Chapter 170.06(2) requires the Council to review the preliminary plat for conformance with Comprehensive Development Plan, including the Future Land Use Map. The Future Land Use Map of the Comprehensive Plan identifies this site for "Low Density Residential" land uses, which can accommodate single-family attached projects with densities up to six units per acre. This equates to approximately 14 units which is the number of housing units the developer is proposing. Staff believes the proposal meets the community's goals listed in the Comprehensive Plan and complies with the Future Land Use Map.

Summary and Staff Recommendation

The preliminary plat has been revised to reflect City of Pella staff and consultant comments. Staff finds the preliminary plat meets the minimum requirements of the zoning ordinance with the exception of the required improvements associated with the storm water requirements on the south side of the proposed parcels, which will be addressed in a development agreement as part of the final plat. Additionally, staff finds the development conforms to the City's Comprehensive Plan.

It should be noted that at their October 23rd meeting, the Planning and Zoning Commission unanimously approved the preliminary plat subject to completion of the aforementioned development agreement associated with the detention pond improvement, as mentioned above.

Staff recommends approval of the preliminary plat subject to Council approval of a development agreement for the subdivision storm water detention requirements.

ATTACHMENTS: Resolution, Map, Preliminary Plat

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. 1994. Schiebout moved to approve, seconded by 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)

No comments were received.

At 7:36 p.m., Council went into the Policy and Planning meeting, ending at 8:13 p.m.

L. CLOSED SESSION

1. At 8:14 p.m., 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 Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried. At 8:47 p.m., Bokhoven moved to reconvene to regular session, seconded by Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried. No action was taken regarding this closed session.
2. At 8:48 p.m., 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 De Jong. On roll call the vote was: AYES: Bokhoven, De Jong, Vander Beek, Van Stryland, Schiebout, Peterson. NAYS: None. Motion carried. At 8:55 p.m., Bokhoven moved to reconvene to regular session, seconded by Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried. No action was taken regarding this closed session.

3. At 8:56 p.m., 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 Bokhoven. On roll call the vote was: AYES: Vander Beek, Bokhoven, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried. At 9:27 p.m., Bokhoven moved to reconvene to regular session, seconded by Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, 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, Bokhoven moved to adjourn, seconded by Vander Beek. On roll call the vote was: AYES: Bokhoven, Vander Beek, Van Stryland, Schiebout, Peterson, De Jong. NAYS: None. Motion carried. Meeting adjourned at 9:29 p.m.