



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

March 6, 2018

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, Lynn Branderhorst, Harold Van Stryland, Larry Peterson. Absent: Bruce Schiebout. City Administrator Mike Nardini and City Clerk Mandy Smith were present. Eight staff members and nine 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. Parking Change for the 900 Block of Independence Street
 - b. Proposed Fireworks Ordinances
2. Approval of tentative agenda. Bokhoven moved to approve the tentative agenda, seconded by Van Stryland. On roll call the vote was: AYES: Bokhoven, Van Stryland, Peterson, De Jong, Branderhorst. NAYS: None. Motion carried.
3. Oath of Office for New Police Officer Hunter Boertje.
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.
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 Peterson. On roll call the vote was: AYES: Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst. NAYS: None. Motion carried. The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for February 6, 2018
 - b. Official Council Budget Work Session #1 Minutes for February 12, 2018
 - c. Official Council Budget Work Session #2 Minutes for February 13, 2018

2. Report of Committees

- a. Policy and Planning Minutes for February 6, 2018

PRESENT: Mayor Jim Mueller, Mark De Jong, Tony Bokhoven, Lynn Branderhorst, Harold Van Stryland, Bruce Schiebout

ABSENT: Larry Peterson

OTHERS: City staff and visitors

The Policy and Planning meeting began at 8:17 p.m. The first item on the agenda was a presentation regarding annexation strategies. Bob Veenstra with Veenstra & Kimm provided an overview of the types of annexations available in the state of Iowa, and the process involved with each of them. Mr. Veenstra explained that most cities proceed with non-consenting voluntary annexation. This is also commonly referred to as an 80/20 annexation due to the fact that the City must have applications from owners of at least 80% of the property to be annexed. As this was an informational presentation only, no Council direction was provided to staff.

The next item on the agenda was a discussion about the Convention and Visitors Bureau (CVB) contract renewal. The current CVB contract expires on June 30, 2018, concluding a term of five years. Under the current contract, the City redistributes 60% of hotel/motel taxes generated in our community to the CVB, which is currently operated by the Pella Area Community and Economic (PACE) Alliance.

The CVB is separating from the PACE Alliance, therefore this will be their first year of operations as a new entity. They proposed a five-year contract (April 1, 2018 to March 31, 2023) and funding of 60% of the hotel/motel taxes received by the City of Pella. For fiscal year 18-19, this is estimated to be \$248,000.

At the end of the discussion, staff was directed to proceed with presenting the proposed CVB contract for Council consideration during their next meeting with the following changes:

- One-year contract term (April 1, 2018 to March 31, 2019)
- Funding of 55% of the hotel/motel taxes received by the City of Pella

The meeting adjourned at 9:52 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

b. Board of Adjustment Minutes for October 10, 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, Vince Nossaman, Susan Reiter, Jane Smith, Lyle Vander Meiden, and Mike Vander Wert. Absent: Karissa Hastings, Merlan Rolffs, and Glenn Van Wyk. Staff present: Finance Director Corey Goodenow, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. Others present: Tom and Tina DeYoung.

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. Motion carried 6-0.

APPROVAL OF MINUTES

Motion by Reiter, second by Vander Meiden, to approve the September 26, 2017 minutes. Motion carried 6-0.

PUBLIC HEARING CONCERNING A SPECIAL USE PERMIT FOR 202 MAIN STREET TO OPERATE UNDER THE CODE'S LAND USE CLASSIFICATION "VEHICLE RENTAL AND SALES"

The applicant is requesting a Special Use Permit to operate under the code's land use classification "Vehicle Rental and Sales." The applicant will utilize the existing structure and parking lot on the 6,063 square-foot lot. The proposed land use is defined as "[the] sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships; motorcycle dealerships; and boat, trailer, and recreational vehicle dealerships."

Staff finds that the proposed use is in compliance with the standards and regulations of the zoning code and the Comprehensive Plan indicates the use to be compatible with surrounding properties. That said, given the size of the site and the required sight triangles and parking requirements, staff recommends approving the special use permit, but limiting the display area to the area identified on the site plan, as well as limiting the number of vehicles displayed in this area to eight.

Convened Public Hearing on the Special Use Permit request for 202 Main Street.

Applicants Mark and Sherri Jorgensen spoke in favor of the Special Use Permit. The Board questioned staff about the revocation of a Special Use permit, should the required conditions not be met. Finance Director Corey Goodenow explained that if there was an issue, staff could revoke the Special Use Permit or issue a municipal infraction.

Motion by Reiter, second by Smith to close the hearing as no further comments were received. Motion carried 6-0.

Motion by Reiter, Second by Smith to accept four written comments, all in favor of the proposed Special Use Permit, into the public record. Motion carried 6-0.

Motion by Reiter, second by Nossaman to conditionally approve the Special Use Permit, which limits the display area to that which is identified on the site plan and limits the number of vehicles displayed in this area to eight. Motion carried 6-0.

PUBLIC HEARING CONCERNING A VARIANCE REQUEST FOR 1311 HAZEL STREET TO REDUCE THE REAR YARD SETBACK REQUIREMENT FROM 35 FEET TO APPROXIMATELY 12 FEET IN ORDER TO CONSTRUCT AN ADDITION TO THE EXISTING GARAGE

The applicant is requesting a variance to reduce the rear yard setback in the R1A zoning district from 35 feet (minimum requirement under Table 165.12-3) to approximately 12 feet. If approved, the request would allow the applicant to construct an addition to the existing garage. The Planning and Zoning Department has received six written comments in favor of approving the variance request.

Staff agrees with the applicant that the property is unique in shape. However, staff also believes that the applicant could consider additional alternatives, including a detached accessory structure. Additionally, staff believes that the request does not meet the requirement to show that the value of the land could not yield a reasonable return with approval of the variance. For these reasons, staff recommends denial of the variance.

Convened Public Hearing on the variance request for 1311 Hazel Street.

Applicant Tom DeYoung explained that since submitting his variance request, he has looked into locating a shed in his rear yard, should this variance request be denied.

Motion by Smith, second by Reiter to close the public hearing as no further comments were received. Motion carried 6-0.

In response to questions from the Board, staff explained that an accessory structure permit for a shed would not require a variance or minor modification, as staff would ensure that the structure is located appropriately on the property. Nossaman asked Tom DeYoung if his preference is to add onto his existing garage or build the accessory structure in his rear yard. Tom DeYoung said he would prefer to build the accessory structure.

Motion by Reiter, second by Vander Meiden to deny the variance request. Motion carried 6-0.

OTHER BUSINESS/PUBLIC FORUM

Nossaman asked about his term. Goodenow said since Nossman serves as a representative of Marion County, the understanding is that he will continue to serve until he would like to resign or Marion County chooses to appoint someone else to the Board. He said that since there are a couple members who have not been able to attend a majority of the meetings, staff will look into whether they would like to continue to serve on the Board. Corbett asked when the Board will vote on chairperson and vice-chairperson. Goodenow responded that will take place during the first meeting of 2018.

Adjourned at 6:46 p.m.

c. Community Development Committee Minutes for November 8, 2017

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

Unless otherwise noted, all actions were taken unanimously.

INTRODUCTIONS

New member, Canfield, introduced herself to the Community Development Committee (CDC).

APPROVAL OF MINUTES

Motion by Van Berkum, second by Vander Beek to approve the minutes from the August 9, 2017 meeting. Motion carried 9-0.

ACTION ITEMS:

Requesting Approval of a Wall Sign for Bubba-Q's restaurant located in the Bos Landen Golf Course Clubhouse

The applicant is proposing to install a 7½-square-foot wall sign at the Bos Landen Golf Course clubhouse. Please be advised that the CDC Sign Subcommittee approved the existing Bubba-Q's wall sign on October 12, 2017. However, the applicant wants this replaced with the proposed sign. Please also note, the sign "Grille on the Green" has since been removed to comply with the dimensional requirements of the City Code.

In evaluating this design application, staff finds the proposed wall sign meets the dimensional, locational, and numerical requirements under Chapter 165.33 of the City Code. Furthermore, staff believes the sign as proposed contains sufficient Dutch-themed architectural elements and design requirements listed in the Design Review District Design Manual.

The maker of the sign, Dan Spotten, spoke in favor of the sign and answered questions from the Committee.

Motion by Stienstra, second by Kiser to approve the wall sign with the conditions that the phone number be removed, the wording is centered, the addition of a half-inch red pinstripe as a border of the sign located a half-inch from the edge, and the reduction of the font size so that the wording does not extend past the clipped corners. Roll call: aye: Stienstra, Kiser, Bokinsky, Canfield, P. Groenendyk, Lautenbach, Van Berkum, Vander Beek; nay: Brummel. Motion carried 8-1.

OTHER BUSINESS / PUBLIC FORUM

None.

Adjourned at 5:53 p.m.

d. Planning and Zoning Commission Minutes for November 27, 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, Joe Canfield, Julio Chiarella, Mark Groenendyk, Cathy Haustein, Dave Landon, Robin Pfalzgraf, Gary Van Vark, Ervin Van Wyk, Ann Visser, and Teri Vos. Absent: None. Staff present: City Administrator Mike Nardini, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. Others present: Dustin Browne, Karen Mifflin, Doug Van Zee, Angie Paxton, Ron Paxton, and Brad Uitermarkt.

Unless otherwise noted, all actions were taken unanimously.

APPROVAL OF TENTATIVE AGENDA

Motion by Visser, second by Vos to approve the tentative agenda. Motion carried 11-0.

APPROVAL OF MINUTES

Motion by Agan, second by Visser to approve the minutes of the November 13, 2017 meeting. Motion carried 11-0.

NEW BUSINESS:

Consideration of a Preliminary Plat for a Subdivision at 2075 Old Highway 163

The applicant is proposing to subdivide one parcel into two lots to sell an existing home on the property. This home is located on proposed Lot 2 of the preliminary plat. Lot 1 will be used as it is today for agricultural purposes. Please note, the applicant has submitted a preliminary and final plat of subdivision for the Commission's review. The City Council will review this case in December 2017.

The subdivision plat has been revised to reflect City of Pella staff and consultant comments. Staff finds the preliminary plat meets the minimum requirements of the subdivision ordinance. Additionally, staff finds the development conforms to the City's Comprehensive Plan. Based upon the findings, staff recommends approval of the preliminary plat.

Motion by Chiarella, second by Van Wyk to approve the preliminary plat as submitted. Motion carried 11-0.

Consideration of a Final Plat for a Subdivision at 2075 Old Highway 163

The applicant is proposing to subdivide one parcel into two lots to sell an existing home on the property. This home is located on proposed Lot 2 of the preliminary plat. Lot 1 will be used as it is today for agricultural purposes. Please note, the applicant has submitted a preliminary and final plat of subdivision for the Commission's review. The City Council will review this case in December 2017.

The subdivision plat has been revised to reflect City of Pella staff and consultant comments. Staff finds the final plat meets the minimum requirements of the zoning ordinance. Additionally, staff finds the development conforms to the City's Comprehensive Plan. Based upon the findings, staff recommends approval of the final plat.

Motion by Van Wyk, second by Chiarella to approve the preliminary plat as submitted. Motion carried 11-0.

Consideration of a Site Plan for a 6,144 Square Foot Building at 2001 Fifield Road to Be Used for Indoor Recreation Events

The applicant is proposing to construct a 6,144-square-foot, one-story building on approximately seven acres to be used for indoor recreation events. The plan includes 54 parking spaces, Type C landscaping, and sufficient drainage. The existing building on this property will be removed to complement the development. The site will be accessed from Fifield Road and adequate utilities to serve the proposed development will be installed.

The current plans have been revised to reflect City of Pella staff and consultant comments. Staff finds the development meets the minimum requirements of the zoning ordinance. Additionally, staff finds the development conforms to the City's Comprehensive Plan. Based upon the findings, staff recommends approval of the site plan.

Motion by Visser, second by Chiarella to approve the site plan as submitted. Motion carried 11-0.

OTHER BUSINESS / PUBLIC FORUM

Work Session to Discuss an Ordinance Amending the Pella Zoning Code by Adding a Definition of Brewpub and Amending the Permitted Uses by Zoning District Table 165.12-2

City Administrator Mike Nardini said what is being considered by the Commission is to add a text amendment for a brewpub, which is a combination of a brewery and a restaurant. He said the Commission had previously identified concerns with the proposed brewpub relating to flammable liquids, ventilation, spill control, traffic impact, utilities, dust control, odor, and pest control. At the City Council level, there was concern with the number of businesses selling alcohol in the Central Business District (CBD), so the suggestion was to not allow brewpubs to be permitted by right in the CBD, but rather require a special use permit. In that case, a special use permit for a brewpub would have to be issued by the Board of Adjustment (BOA), which would be able to limit the number of special use permits for brewpubs in the CBD to one and could address issues such as traffic, parking, and other issues on a site-specific basis. For Community Commercial zoning districts, the thought was that if the City's infrastructure could handle it, there was discussion about permitting brewpubs by right.

Nardini said traffic impact and utilities are specifically mentioned under the City Code, so a potential brewpub would need to have these items addressed before a special use permit could be issued. Other issues, such as dust control, odor, or pest control, are items that would typically be addressed during the special use permit process with the BOA. Also, if there were issues with dust control, odor, or pest control, the BOA would have the authority to revoke the special use permit.

Nardini said in considering items such as flammable liquids, ventilation, and spill control, it is important to note that since the City has not adopted a local fire code, they fall back on the State Fire Code provisions. The thought is that if brewpubs are allowed, regardless of their location, prior to receiving a special use permit, the City would require a State fire inspection to be performed and fire inspections would also happen at any point thereafter, at the City's request. He said as soon as staff has guidance from legal counsel, a work session will be held with the Commission to discuss a proposed ordinance for brewpubs.

Van Vark asked if more is needed to be known about the specific site of the proposed brewpub before they can proceed with the process. Nardini said that for the Commission, they need to first sign off on a definition of a brewpub, identify which zoning districts they can be operated in, and determine whether brewpubs should be determined by right or allowed via a special use permit, which requires additional oversight by the BOA.

Work Session to Discuss Urban Renewal and Economic Development

Nardini said there is a proposed urban renewal area in the Bos Landen area, which will be presented to the Commission for their consideration at the meeting scheduled for December 18, 2017. As background, Nardini gave an overview of housing needs in the City of Pella. The proposed subdivision in the Bos Landen area is made up of 45 residential lots on 31 acres.

Nardini said the number one impediment to building a new residential subdivision is the cost of building public infrastructure. The approximate cost for public infrastructure for this particular project is \$2,000,000. Thus, the developer is requesting tax increment financing (TIF) rebates from the City in the amount \$1,450,000, to be paid over the course of 15 years. The City would capture the new valuation and 85% of the property taxes of the new development and over 15 years would rebate that back to the developer to the maximum amount of \$1,450,000, which is approximately 77% of the cost of the public infrastructure.

Nardini explained that due to low and moderate income housing requirements, the City will be required to set aside 36% of the developer's award, which equates to \$522,000 to benefit low and moderate income families in the City of Pella. In order to offer the developer the TIF rebate, under Iowa law the City must establish an urban renewal area. Staff believes the urban renewal area closely aligns with the City's Comprehensive Plan. If the Commission approves the urban renewal area at their December 18, 2017 meeting, the City Council will likely review it at a meeting in January 2018.

Van Vark asked if the homes that will be built in the proposed urban renewal area will be of comparable value to the existing homes in the area. Nardini replied that staff has been told by the developer that the properties will complement the existing homes and fit into the area. Van Wyk said developers of future developments in other areas will likely want the same opportunity for TIF rebates. Nardini explained that development in the City of Pella is based on need and as long as there is a need for additional single-family residential housing, it is likely that there will be similar infrastructure needs offered to that developer, assuming there is an additional cost born by the City. He said the City prefers development where the necessary infrastructure is already in place and the investment has been made by the City and it is based on need.

In response to Canfield's question about the TIF rebate process, Nardini said as soon as the houses are built and begin generating property taxes, that is when the City will start the process of rebating funds back to the developer, which is the safest process for the City. Landon thanked staff for their work.

Other

Visser said there have been concerns expressed recently on social media by citizens about the appearance of the Iowa Ortho building next to Pella Regional Health Center. Nardini said when discussing Dutch architecture design requirements, they are only required in commercial zoning districts and along the City's main corridors, including Washington, Oskaloosa, and South Main Streets. In the case of Iowa Ortho, the building is located in an institutional zoning district not on a major corridor and does not fall under the City's Dutch architecture design review. Thus, Iowa Ortho building is permitted by right. Nardini suggested that those with concerns contact City staff.

Haustein asked about Iowa Ortho paying property taxes. Nardini said his understanding is that Pella Regional Health Center is leasing space from Iowa Ortho, but Iowa Ortho will pay property taxes on the building. Nardini said that if the Commission wishes to discuss expanding design review districts, staff can schedule a work session on the matter.

Adjourned at 8:01 p.m.

e. Airport Committee Minutes for December 8, 2017

Members Present: Warren Winkle, Marv Tysseling, Dave Barnes, Randy Borgerding

Members Absent: Dave Erickson, Rick Gritters, Tom Vander Linden

Others Present: Shane Vande Voort, Denny Buyert

Old Business: Motion: The Committee approved the minutes from September 29, 2017.

New Business:

Project updates: The runway painting will require a 2-3 day closure this spring after the temperatures are in the 50's. \$100,000 has been put in the budget for a paved tie-down area.

Regional Airport: Dave Barnes reported that he attended a meeting of the mayors, council members, and city managers regarding next steps for the regional airport. Dave also reported that the district court will be considering Mahaska County's motion to dismiss this afternoon. The PR firm will be meeting with PACE and the Mahaska County development group.

Discussion of needs at the Pella Municipal Airport and transitional budget to a replacement airport. Shane reported that hangar and tiedown discussions are ongoing. Randy noted the importance of the list of projects previously recommended by the committee which will be reviewed at the next meeting. Shane will contact the USDA regarding additional deer hunting on the airport.

50th anniversary of the airport Shane made some suggestions for ways to celebrate the occasion and will make his list available to the committee.

Airport Managers report to the committee: Shane reported there continues to be lots of activity at the airport and that the snow removal equipment is ready for winter.

Marv will not be renewing for another term as a committee member.

Randy Borgerding made a motion regarding meeting attendance. This motion was tabled and will be provided in writing to the members.

Next regular meeting will take place on January 26, 2018.

f. Community Development Committee Minutes for December 13, 2017

Chairperson Cody called the Community Development Committee to order in the Public Safety Complex at 5:30 p.m. Members present were: Leah Bokinsky, Jerry Brummel (arrived at 5:32 p.m.), Patsy Cody, Linda Groenendyk, Phil Groenendyk, Mike Kiser, Jody Lautenbach, Wayne Stienstra, and Dennis Vander Beek. Absent: Susan Canfield and Robyn Van Berkum. Staff present: Zoning Administrator Bryce Johnson and Deputy City Clerk Cynthia Vaske. Others present: Pedro Vargas.

Unless otherwise noted, all actions were taken unanimously.

APPROVAL OF MINUTES

Motion by Stienstra, second by Vander Beek to approve the minutes from the November 8, 2017 meeting. Motion carried 8-0.

ACTION ITEMS:

Requesting Approval of a Wall Sign for the East Side of DaVita Kidney Care Located at 1717 Hazel Street

The applicant is proposing to install a 36.5-square foot institutional wall sign at the newly constructed DaVita Kidney Care facility. Please be advised that the Community Development Committee (CDC) Sign Subcommittee reviewed this application, but voted to bring the sign to full committee. Please note this sign will be illuminated. Institutional wall signs may be illuminated by code, but are limited to a maximum of

one illuminated sign per institution. In evaluating this sign application, staff finds the proposed internal illuminated institutional wall sign meets the dimensional, locational, and numerical requirements under Chapter 165.33 of the City Code.

Pedro Vargas with Omaha Neon Sign Company spoke in favor of the sign and answered questions from the CDC.

Motion by P. Groenendyk, second by Kiser to approve the wall sign as submitted. Roll call: aye: P. Groenendyk, Kiser, Lautenbach, Stienstra, Vander Beek, Bokinsky, Brummel, Cody, L. Groenendyk. Motion carried 9-0.

The CDC expressed the desire to have conversations with the City Council and the Planning and Zoning Commission on building design.

Requesting Approval of a Wall Sign for the North Side of DaVita Kidney Care Located at 1717 Hazel Street

The applicant is proposing to install a 47-square foot institutional wall sign at the newly constructed DaVita Kidney Care facility. Please be advised that CDC Sign Subcommittee reviewed this application, but voted to bring the sign to full committee. Please note this sign will not be illuminated. Institutional wall signs may be illuminated by code, but are limited to a maximum of one illuminated sign per institution. In evaluating this sign application, staff finds the proposed institutional wall sign meets the dimensional, locational, and numerical requirements under Chapter 165.33 of the City Code.

Motion by Kiser, second by P. Groenendyk to approve the wall sign as submitted. Roll call: aye: Kiser, P. Groenendyk, Lautenbach, Stienstra, Vander Beek, Bokinsky, Brummel, Cody, L. Groenendyk. Motion carried 9-0.

OTHER BUSINESS / PUBLIC FORUM

2018 Meeting Schedule

Zoning Administrator Bryce Johnson explained that the 2018 meeting schedule will be emailed to CDC members.

Discussion of Upcoming Chairperson and Vice-Chairperson Votes

Johnson asked CDC members to consider serving as Chairperson or Vice-Chairperson of the CDC. He said that Cody has reached the maximum limit of three consecutive years to serve as Chairperson. At the first CDC meeting in 2018, members will vote on those positions.

Discussion of Subcommittees

Cody suggested that newer members of the CDC work alongside members of the Sign and Design Subcommittee members.

Discussion of Meeting Times

The CDC decided to keep their regular meeting time as 5:30 p.m.

Adjourned at 6:13 p.m.

g. Planning and Zoning Commission Minutes for December 18, 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, Julio Chiarella, Mark Groenendyk (arrived at 7:02 p.m.), Cathy Haustein, Dave Landon, Robin Pfalzgraf, Gary Van Vark, Ann Visser, and Teri Vos. Absent: Joe Canfield and Ervin Van Wyk. Staff present: City Administrator Mike Nardini, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. Others present: Perry Klein, Doug Van Zee, Brad Uitermarkt, and Karen Eischen.

Unless otherwise noted, all actions were taken unanimously.

APPROVAL OF TENTATIVE AGENDA

Motion by Van Vark, second by Visser to approve the tentative agenda. Motion carried 8-0.

APPROVAL OF MINUTES

Motion by Agan, second by Vos to approve the minutes of the November 27, 2017 meeting. Motion carried 8-0.

NEW BUSINESS:

Consideration of a Request to Rezone Three Parcels from Agricultural (A1) to Single-Family Residential (R1) for Bos Ridge, LLC

Groenendyk arrived at 7:02 p.m.

Bos Ridge, LLC has submitted a request to rezone three parcels which total approximately 33.47 acres. The existing zoning is Agricultural (A1) and the applicant is requesting the parcels to be rezoned to Single-Family Residential (R1). The purpose of the rezoning request is to support the development of a single-family residential subdivision. It is important to note that these parcels are currently vacant.

Staff believes this rezoning request aligns with the City's Comprehensive Plan. In addition, staff believes the proposed land use is compatible with the neighboring properties, therefore staff is recommending approval of this request. Zoning Administrator Bryce Johnson noted that staff received two written comments in favor of the rezoning.

The public hearing was opened. Katherine Harris of 2924 Bos Landen Drive voiced concerns about the rezoning request including the City's definition of low-density housing and the speed limit on Highway T-15. Rob Harris of 2924 Bos Landen Drive also asked what the City's definition of low-density housing is and said he has concerns about preserving his neighborhood. Chad Vande Lune said he currently owns a vacant lot on Bos Landen Drive that he would like to develop in the future. He asked what the reason is to change the current zoning instead of leaving it as is.

City Administrator Mike Nardini said the request is to build single-family housing and R1 zoning limits the amount of single-family homes to four units per acre. Nardini said through the City's subdivision process, the City's Engineer has looked at the access points off of Highway T-15 and it has passed the initial review. If the subdivision process proceeds, there will be a more in-depth review. Nardini explained that later in the current meeting, the differences between R1 and R3 (multi-family housing) will be explained. Haustein said she hopes the City Engineer looked at the traffic patterns associated with the rezoning because there are not many through streets in Pella. Van Vark explained that duplexes are not allowed in R1 zoning districts. K. Harris asked why duplexes were allowed across the street from her house. Nardini said the property K. Harris is referring to was already zoned R3, which allows up to 21 units per acre. The public hearing was then closed. Haustein asked about the differences between Agricultural zoning and R1. Nardini explained that residential uses are permitted as a secondary use in Agricultural zoning districts, but the primary use is agriculture. Also, the minimum lot size is 10 acres per parcel for Agricultural zoning districts.

Motion by Chiarella, second by Visser to approve the rezoning request as submitted. Motion carried 9-0.

Visser asked if the Commission is allowed to know who makes up Bos Ridge, LLC. Nardini said the principal owner is Megan Green, an attorney for Weiler.

Consideration of the Southwest Urban Renewal Plan

The proposed Southwest Urban Renewal Plan is intended to help facilitate additional housing in our community. As background, the City's 2014 Comprehensive Plan estimated that the City would need approximately 480 new housing units by 2035 to match population projections. In addition, the Comprehensive Plan also established goals and suggested strategies for new housing developments within our corporate limits. Included with these strategies was the use of Tax Increment Financing (TIF) to provide economic development incentives to developers for new housing.

In order for the City of Pella to offer economic development incentives for new housing, the City must first approve an urban renewal plan. In addition, the urban renewal plan needs to be in conformity with the City's Comprehensive Plan. As part of the approval process, the Planning and Zoning Commission must provide a recommendation to the City Council as to whether the proposed urban renewal plan is "in conformance with the Comprehensive Plan."

Staff believes the proposed Southwest Urban Renewal Plan conforms to the City's Comprehensive Plan. The projects included in the proposed plan will provide diverse forms of housing, which will likely appeal to many different demographics and expand housing options

within the community. Additionally, the low and moderate-income funds set aside will allow the City to continue to support housing through the development of additional programs.

K. Harris asked whether a proposed retirement community would be classified as low-density or if it will be classified as high-density or have rental units. Nardini said the intent would be for approximately 30 to 40 units on approximately 29 acres. Van Vark asked what the zoning would need to be. Nardini said the City is still working with the developer on the zoning. Haustein asked what the property is currently zoned. Nardini replied it is Agricultural, so if the project proceeds, a rezoning request will be required to be made.

K. Harris said she heard that the City made an oversight that needs corrected in her neighborhood in regards to sidewalks and driveways that need replaced. She asked whether the proposed new developments will have better planning. Nardini said most likely the sidewalks K. Harris referred to are located in the public right-of-way and modifications were being made to the water main and sanitary sewer for further development. K. Harris said she is concerned with the promise to reseed the properties that are disturbed by the work on the sidewalks. Nardini said staff will look into that and he will speak with her after the meeting.

Groenendyk asked whether the City has received feedback from the Marion County Board of Supervisors or the Pella Community School Board regarding the City's request for a five-year extension to the proposed TIF. Agan said that he believes it was well-received by the Marion County Board of Supervisors and was seen as a sensible approach to financing these projects. As such, the Board of Supervisors has not made a formal decision on this matter. Nardini said he has met with the Pella School Board a couple of times in work sessions to discuss the proposed TIF extension and there were favorable comments from the School Board.

Van Vark asked for clarification on the extension of the TIF to 15 years. Nardini explained that Iowa State law allows for 10 years, but with approval from the Board of Supervisors and the Pella School Board, the TIF can be extended five additional years, for a total of 15 years. Van Vark asked if the City has received pushback from previous developers who were not offered the extended TIF. Nardini said that to date the City has not.

Motion by Chiarella, second by Haustein to recommend to the Pella City Council that the proposed Southwest Urban Renewal Plan conforms to the City's Comprehensive Plan. Motion carried 9-0.

OTHER BUSINESS / PUBLIC FORUM

Work Session to Discuss an Ordinance Amending the Pella Zoning Code by Adding a Definition of Brewpub and Amending the Permitted Uses by Zoning District Table 165.12-2

The purpose of this work session is to review a proposed ordinance which would define Brewpubs as a use type under the City's zoning code. In addition, the proposed ordinance would permit Brewpubs to operate in the Community Commercial (CC) and Central Business District (CBD) zoning districts, by obtaining a special use permit.

The proposed zoning definition of a Brewpub is listed below:

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 10,000 barrels of beer or ale annually. The area, by definition, used for brewing, including bottling and kegging, shall not exceed 25% of the total floor area of the commercial space.

The proposed ordinance requires Brewpubs to obtain a special use permit to operate in the Community Commercial (CC) and Central Business District (CBD) zoning districts. In addition, the maximum number of permits allowed in the CBD would be limited to one.

It is important to note, these zoning districts are the only zoning districts in which a Brewpub could operate in. By utilizing the special use permit process, the Board of Adjustment would be able to provide additional oversight for any proposed Brewpub.

Staff believes the additional oversight is necessary to address previously expressed public safety and infrastructure related concerns. In addition, the additional oversight will be beneficial in ensuring the Brewpub fits in or compliments its proposed location.

Previously, the Planning and Zoning Commission expressed concerns related to public safety and the necessary infrastructure to serve Brewpubs. Staff believes the proposed special use requirements for Brewpubs will address the Planning and Zoning Commission concerns.

Listed below is a summary of the concerns expressed by the Planning and Zoning:

Special Use Permit	State Fire Code
Dust Control	Flammable Liquids
Odor	Ventilation
Pest Control	Spill Control
Traffic Impact	
Necessary Infrastructure	

Most of the concerns stated above are already regulated and reviewed through the special use permit process. In addition, it is important to note that all buildings in the community are regulated under the State Fire Code. Therefore, as a condition to issuing a special use permit staff will recommend to the Board of Adjustment that a fire inspection occur before the Brewpub is allowed to operate.

Staff believe the proposed ordinance addresses all of the previously stated concerns of the Planning and Zoning Commission. However, before presenting this ordinance for official consideration, staff would like to make sure there are no additional concerns of the Planning and Zoning Commission.

Landon said staff has addressed the concerns he initially shared about a potential brewpub and thanked staff for their work in addressing the Commission's concerns and developing a good definition for brewpubs. He said the Commission is ready for the ordinance to be on the agenda of their next meeting for official adoption

Hand Out 2018 Meeting Schedule

A copy of the 2018 Meeting Schedule for upcoming Commission meetings was distributed to Commissioners in their packets.

Adjourned at 7:52 p.m.

h. Planning and Zoning Commission Minutes for January 22, 2018

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

Unless otherwise noted, all actions were taken unanimously.

ANNUAL ELECTIONS FOR PLANNING AND ZONING COMMISSION CHAIRPERSON AND VICE-CHAIRPERSON

Van Vark nominated Canfield for Chairperson and Haustein nominated Landon for Chairperson. Van Wyk nominated Vos for Vice-Chairperson. Those present marked their choices on a ballot and at the conclusion of the meeting votes were tallied and Landon was re-elected Chairperson and Vos was re-elected Vice-Chairperson for 2018.

APPROVAL OF TENTATIVE AGENDA

Motion by Visser, second by Canfield to approve the tentative agenda. Motion carried 9-0.

APPROVAL OF MINUTES

Motion by Canfield, second by Visser to approve the minutes of the December 18, 2017 meeting. Motion carried 9-0.

NEW BUSINESS:

Consideration of a Preliminary Plat for a Subdivision Located at 210 Jefferson Street

The subject property is located near the intersection of E. 7th Street and Jefferson Street. The applicant is proposing to subdivide the property into two lots. The applicant has indicated that the purpose of the division is to allow for the future sale of the new parcel, Lot 1. The property consists of approximately 5.7 acres and is currently used for high-density residential apartments. It should be noted that in February of 2000, the Pella Planning and Zoning Commission (Commission) approved the preliminary plat, but it was never recorded by the applicant. Given the period of time that has passed since these actions, the applicant is again required to proceed with the subdivision requirements in order to divide the parcel.

The subdivision plat has been revised to reflect City of Pella staff and consultant comments. Staff finds the preliminary plat meets the minimum requirements of the City's zoning ordinance and subdivision ordinance. Additionally, staff finds the development conforms to the City's Comprehensive Plan. Based upon the findings, staff recommends approval of the preliminary plat.

Motion by Canfield, second by Van Vark to approve the preliminary plat as submitted. Motion carried 9-0.

Consideration of a Final Plat for a Subdivision Located at 210 Jefferson Street

The subject property is located near the intersection of E. 7th Street and Jefferson Street. The applicant is proposing to subdivide the property into two lots. The applicant has indicated that the purpose for the division is to allow for the future sale of the new parcel, Lot 1. The property consists of approximately 5.7 acres and is currently used for high-density residential apartments. As noted in the staff memo accompanying the preliminary plat, in February of 2000, the Commission reviewed and approved the final plat, but it was never recorded by the applicant. Given the period of time that has passed since these actions, the applicant is again required to proceed with the subdivision requirements in order to divide the parcel.

The subdivision plat has been revised to reflect City of Pella staff and consultant comments. Staff finds the final plat meets the minimum requirements of the zoning ordinance and subdivision ordinance. Additionally, staff finds the development conforms to the City's Comprehensive Plan. Based upon the findings, staff recommends approval of the final plat.

Motion by Van Vark, second by Chiarella to approve the final plat as submitted. Motion carried 9-0.

Consideration to Amend the Zoning Ordinance by Adding the Definition of Brewpub and Including this Land Use to Operate in the Central Business District and Community Commercial Zoning District with an Approved Special Use Permit

This proposed ordinance is intended to amend the City's zoning code by creating a definition for Brewpubs as a use type under the City's zoning code. In addition, the proposed ordinance would permit Brewpubs to operate in the Community Commercial (CC) and Central Business District (CBD) zoning districts, by obtaining a Special Use Permit. The zoning definition of a brewpub is as follows:

Brewpubs: 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 10,000 barrels of beer or ale annually. The area, by definition, used for brewing, including bottling and kegging, shall not exceed 25% of the total floor area of the commercial space.

As background on this request, at the October 17, 2017 Policy and Planning session, the City Council heard a request from the Pella Area Community & Economic (PACE) Alliance regarding a desire to allow permitting of brewpubs under the City's zoning code. Following the discussion, Council directed the Commission to review allowing brewpubs in the CC and CBD zoning districts subject to obtaining a Special Use Permit from the Board of Adjustment. Please note, the Commission held a work session on this item at their December 18, 2017 meeting. Staff is recommending approval of the proposed ordinance which would allow brewpubs to operate in the CC and CBD zoning districts subject to obtaining a Special Use Permit. Staff believes this will provide the property owners with additional options for utilizing their property in the CC and CBD zoning districts.

Convened Public Hearing. As no written or oral comments were received, the public hearing was closed.

Van Vark expressed concerns about allowing brewpubs in the CBD. Van Wyk asked how the City will ensure that a brewpub does not exceed the production of 10,000 barrels of beer or ale per year and the area used for brewing does not exceed 25% of the commercial space. City Administrator Mike Nardini said the compliance of special use permits are usually monitored on a complaint-basis and special use permit holders have historically been compliant because they know the Board of Adjustment could revoke their permit.

Motion by Haustein, second by Visser to approve the ordinance as submitted. Aye: Haustein, Visser, Canfield, Chiarella, Groenendyk, Landon, Pfalzgraf, Van Wyk. Nay: Van Vark. Motion carried 8-1.

Consideration to Rezone the Property Located at 1111 Peace Street from R2, Two-Family Residential to INS, Institutional

Central College has submitted a request to rezone one parcel totaling approximately 0.30 acres. The existing zoning is Two-Family Residential (R2) and the applicant is requesting the parcels be rezoned to Institutional (INS). The purpose of the rezoning request is to support the conversion of the existing home into a classroom to support the abutting garden. The Planning and Zoning Department sent notification letters to 31 property owners. Three written comments were received of which one was in favor and two had no comment.

Staff believes this rezoning request aligns with the City's Comprehensive Plan. In addition, staff believes the proposed land use is compatible with the neighboring properties, therefore staff is recommending approval of this request

Convened Public Hearing. Craig Meyer asked whether there are any proposed changes to the parking at 1111 Peace Street to allow for the increase in traffic volume once the property is converted to a classroom. Tom Johnson with Central College said Central College will probably not take any action to change the parking in front of 1111 Peace Street and would direct students to park in other designated areas instead of in front of the house. Haustein agreed that the parking in the area is quite congested and asked that Central College look in to ways to alleviate that congestion. Canfield suggested an increase in parking patrols in that area. Nardini said parking will be reviewed as part of the site plan approval process. As no further comments were received, the public hearing was closed.

Haustein asked if there will be any lighting that might cause issue with the neighbors. Nardini explained that lighting is reviewed as part of site plan approval process. T. Johnson said he does not think Central College will use this property significantly outside of daytime hours. He mentioned that Central College will build a fence between 1111 Peace Street and the property to the east and will provide an ADA entrance on the front of the building.

Motion by Chiarella, second by Canfield to approve the rezoning request as submitted. Motion carried 9-0.

Consideration to Amend Chapter 165.15 of the Zoning Ordinance and Revise the Flood Plain Maps

The City of Pella has participated in the National Flood Insurance Program (NFIP) since it was approved by the City Council in October 2006. This program was developed to protect communities and their citizens from the financial and physical burdens associated with flood events, especially smaller floods that do not warrant federal disaster aid. Currently, there are only two flood insurance policies covering structures within the City. On January 7, 2017, the City of Pella was notified of the proposed modifications to the flood hazard determinations (FHDs) affecting the Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) report.

The Federal Emergency Management Agency (FEMA) has advised the City to adopt the revised Flood Insurance Rate Maps (FIRMs) by February 16, 2018, to correctly identify the applicable map panel numbers as well as acknowledging compliance with Federal rules and regulations and additional stipulations required by the Federal Government to receive full enrollment in the National Flood Insurance Program (NFIP). When comparing the flood hazard information from the current maps to the new maps, there are a few properties that will see a decrease in their flood risk. Specifically, there are three properties along Brook Circle south of Highway 163 that will no longer be

located within the FEMA mapped 1% annual chance floodplain. Furthermore, there are also a few properties located on the west side of W. 4th Street that the new maps indicate a reduction in the extent of the 1% annual chance floodplain on their properties. In summary, the amendment to the floodplain ordinance will allow the City to continue to participate in the National Flood Insurance Program. If the City does not adopt the necessary amendments prior to February 16, 2018, the policyholders may receive a surcharge on their annual premiums. The new maps illustrate a reduction in flood risk associated with the 1% annual chance (i.e. 100 year) floodplain in much of the incorporated limits of Pella.

Convened Public Hearing. As no written or oral comments were received, the public hearing was closed.

Canfield asked if the floodplain maps were generated by the federal government. Jason Cann with the Iowa Department of Natural Resources (IDNR) replied that technically the maps were generated by the IDNR, which contracted with a national company to produce the maps for Marion County using FEMA guidelines.

Motion by Van Vark, second by Visser to approve the text amendment as submitted. Motion carried 9-0.

OTHER BUSINESS / PUBLIC FORUM

Work Session to Discuss Future Housing Developments

Nardini presented a couple of future housing developments that will be considered by the Commission. The first development presented was a Dutch row housing development that would be located across from Trinity Reformed Church. A conceptual design of the units was then shown to the Commission. Nardini explained that a planned unit development (PUD) would be considered for this development, which would be a conditional rezoning request. The zoning for this area is currently R1C. However, the development that is being proposed would not fit within that zoning due to the proposed development having multiple common walls in the units. Thus, the development would better fit the definition of a townhome residential development, which is allowed in R3. The PUD would identify the base district for this area as R3 with a few modifications. The PUD would also limit the density to six lots and require that the housing units that are constructed be similar to those that are currently being proposed in the concept plan. Nardini let the Commission know that this item will be on the agenda for their February 5, 2018 special meeting.

Van Vark asked about parking for this development. Nardini explained that access to the development will be behind the units. Haustein asked if the units will be individually owned. Nardini said yes, they will be owner occupied.

Nardini presented another future housing development near the Bos Landen Golf Club that may be a retirement housing cooperative. The overall estimated cost of the housing cooperative would be \$13.5 million. On January 23, 2018, the City Council will consider whether to reimburse the developer for the cost of the public street, which is approximately \$950,000. The reimbursement for the cost of the public street would be provided to the developer with a tax increment financing (TIF) rebate, utilizing taxes generated from the development. This project is also likely to be a PUD. Currently, the property is zoned A1 (Agriculture) and the Comprehensive Plan targets this area for low-density residential, which is up to six units per acre. The cooperative will have 39 housing units and will require R3 zoning, which allows up to 21 units per acre. The PUD would identify the base zoning district as R3 and outline what is allowed to be built. The PUD would also address height requirements as well as making sure the developer builds what they have proposed in their concept plan. This item may be on the agenda for the Commission's review in late February 2018.

Pfalzgraf asked about the total number of units being built. Nardini said the units will vary in size, but there will be 39 total units. He explained that the developer has also submitted a financial plan to the City for the development and the developer's plan is to have these units occupied by March 2020.

Adjourned at 8:14 p.m.

i. Board of Adjustment Minutes for October 24, 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, Susan Reiter, Jane Smith, Lyle Vander Meiden, and Mike Vander Wert. Absent: Karissa Hastings, Vince Nossaman, Merlan Rolffs, and Glenn Van Wyk. Staff present: Finance Director Corey Goodenow, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. Others present: Josh Visser.

Unless otherwise noted, all actions were taken unanimously.

CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda

Motion by Vander Wert, second by Reiter to approve the tentative agenda. Motion carried 5-0.

APPROVAL OF MINUTES

Motion by Reiter, second by Vander Wert, to approve the October 10, 2017 minutes. Motion carried 5-0.

PUBLIC HEARING CONCERNING A SPECIAL USE PERMIT FOR 308 SE 9TH STREET TO OPERATE AND ESTABLISH "DAY CARE SERVICES (GENERAL)" AS A SECONDARY USE

The applicant is requesting a Special Use Permit to open De Kinderen Huis, which is classified as "Day Care Services (General)" in the City's zoning code. The applicant will utilize the existing structure and parking lot, known as the PRC Health & Fitness Fieldhouse (PRC). The proposed land use is defined in code as "[the] classifications of day care facilities regulated by the State of Iowa that operate providing care for more than six children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses, but excludes public and private primary and secondary educational facilities."

Staff finds that the proposed use is in compliance with the standards and regulations of the zoning code and the Comprehensive Plan indicates the use to be compatible with surrounding properties. That said, staff recommends approving the Special Use Permit as submitted. Convened Public Hearing on the Special Use Permit request for 308 SE 9th Street.

Motion by Reiter, second by Vander Meiden to accept two written comments (one in favor of the proposed Special Use Permit and one had no comment) into the public record. Motion carried 5-0.

Applicant Josh Visser spoke in favor of the Special Use Permit. Vander Meiden voiced concerns about traffic in the area and asked Visser if he will have a route that keeps school buses off of SE 9th Street. Visser said he has spoken with Pella Community Schools Transportation Director Harlan DenAdel several times over the past few years to request pick up and drop off of schoolchildren at PRC, but the request has been denied because that location is not on the bus route. Visser said once De Kinderen Huis has children enrolled, he plans to approach DenAdel with evidence of the need to be on a bus route.

Vander Meiden asked about time limitations for a Special Use Permit. Finance Director Corey Goodenow explained that Special Use Permits are typically ongoing unless they are revoked. Corbett said the Board does have the ability to revoke Special Use Permits if there are issues.

Motion by Reiter, second by Vander Wert to close the public hearing as no further comments were received. Motion carried 5-0.

Motion by Vander Meiden, second by Reiter approve the Special Use Permit as presented. Motion carried 5-0.

OTHER BUSINESS/PUBLIC FORUM

None.

Adjourned at 6:21 p.m.

j. Library Board Minutes for January 9, 2018

I. Call To Order: President Praveen Mohan called the meeting to order at 4:00 p.m. Board members present were: Angela Adam, John Evenhouse, Verlan Den Adel, Jane Koogler, Praveen Mohan, and Kenny Nedder. Library Director Wendy Street was present. Rachel Sparks 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 presented.

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

V. Approval of Bills: All Board members received the January list of bills prior to the meeting. After a brief discussion and questions regarding the bills, Kenny moved to approve the January bills. Jane seconded the motion. The bills were unanimously approved.

VI. Unfinished Business:

- a. Feedback from Pleasantville users – Wendy reported that she has received limited feedback regarding this situation. To date, she is aware of one person that has purchased a Pella library card. She reported that this person was well informed on the situation.
- b. New Plan for Service – After much discussion, the Board agreed to move forward with creating a new 2-3-year plan for service utilizing a survey to allow broad feedback. In addition to the new survey, each board member will review the prior survey results and provide specific suggestions on items to focus on.

VII. New Business:

- a. Progress report on current Plan for Service – Wendy highlighted some recent updates to the plan. After general discussion on the progress, it was agreed there has been significant progress from the beginning of the plan. Wendy reported that she will provide a complete version with all updates in July.
- b. 2017 Public Library Data Service Report – Wendy highlighted some comparisons to the Pella Public Library with the nationwide trends. A general discussion took place focusing on where we were aligned with the trends and where we differed from the trends. All agreed it was a good way to see how we compare in a larger scale.

VIII. President's Report and Announcements:

- a. Net Neutrality – Praveen inquired on information Wendy provided to the board. There was some general discussion on the anticipated positive and negative consequences of the latest legislative changes to internet access rules.

IX. Director's Report:

- a. Custodian – Extended Leave – Wendy provided an update that the regular custodian continues to be on an extended leave. The library staff has been putting in extra hours to fill-in to ensure the cleaning gets done.
- b. Essential Oil Class – Wendy provided an update on the recent essential oils class. She also discussed a request to provide additional classes. A discussion took place regarding the library's meeting room policy. The board will continue to support Wendy's discretion in determining appropriate use of the library meeting rooms.
- c. Grant Received – The Library was recently awarded a \$1,000 grant from Wal-Mart for die-cuts. We received a free die-cut machine from the Newton Public Library, and this grant will purchase die-cuts to use with it. We plan to put this in the closet in the Heritage Room and make it available to the public as well as staff use.
- d. Winter Reading Program – We are offering a Family Winter Reading Program and an Adult Winter Reading Challenge. Both start January 15 and end March 2.
- e. Meeting Room Table – The new meeting room table arrived in December. The Friends of the Library purchased the table for the library. New chairs will be purchased in 2018, also by the Friends.
- f. Statistics
 - FaxScan24: 8 faxes were sent in December
 - Mobile print service: 12 users printed 39 jobs totaling 91 pages.
 - Hoopla:
 - i. 346 total circs borrowed by 163 patrons
 - ii. Average of 2.1 circs per patron
 - iii. 73 individuals used all 3 checkouts
 - iv. \$2.13 average cost per circ
 - v. 21 patrons were blocked by the budget cap
- g. Tax Forms – The library will once again offer a limited selection of federal tax forms. We also have a "tax forms kiosk" set up so people can print the forms they need.
- h. Buildings and Grounds – Trane performed work on the relief fan on AHU1 on 12/14/17. They believe we need to replace a transformer, fan contact and auxiliary switch. Their estimate is \$5,000. We are seeking alternate bids.

We have had trouble locking the west set of front doors. A replacement part has been ordered. Until it arrives, we are keeping that set of doors locked and asking patrons to use the other set of doors.

i. Upcoming Events

- January 16 from 6:30-8:00 p.m.: Adult Coloring. Bring some friends, or just yourself, and join us for a stress-free evening of coloring. The library will provide coloring supplies, or you may bring your own. Held in the Library Meeting Room.
- January 18 at 10:15 a.m.: Genealogy Club in the Library Meeting Room.
- January 19 from 4:00 to 6:00 p.m.: Stuffed Animal Sleepover. Ever wonder what stuffed animals do at night while you are sleeping? Bring your favorite stuffed animal to a special sleepover at the library! Check-in on January 19 from 4:00 to 6:00 p.m. You can pick your special friend up on Saturday morning at 10:00 a.m. Super-secret cameras will catch them as they check out all the fun things to do at the library. Stay for a movie at 10:30 a.m. about what toys do when we aren't looking.
- January 20 at 10:30 a.m.: Join us for a special Saturday morning movie.
- January 25 at 12:00 noon: Brown Bag Book Club will discuss *The Baker's Secret* by Stephen Kiernan in the Library Meeting Room. Bring your lunch and bring a friend.
- January 29 at 6:30 p.m.: Lessons of the Holocaust. Brad Wilkening, member of the Iowa Commission on Holocaust Education, will discuss the Holocaust and challenge the audience to be up standers rather than bystanders in the face of bullying and indifference. Geared to adults, but also appropriate for middle school and high school students. Held in the Library Meeting Room.
- January 30 at 7 p.m.: LEMMINGS Teen Program. Teens in grades 6 and up are welcome to join us for the program.

X. Committee reports:

- a. Governance & Policy: The Personnel Policy was reviewed, but no changes were made.

XI. Adjournment: President Praveen Mohan adjourned the meeting at 5:05 p.m. The next regularly scheduled Board Meeting is scheduled for February 13, 2018.

3. Petitions and Communications

a. Renewal of Class C Beer Permit with Class B Native Wine Permit and Sunday Sales for Casey's General Store #2694

BACKGROUND: Casey's Marketing Company, DBA Casey's General Store #2694 located at 2421 Washington Street, has applied for renewal of their Class C Beer Permit with Class B Native Wine Permit and Sunday Sales privileges. The term of the new license is 12 months and would expire on April 14, 2019.

In addition to the renewal application, Casey's has also submitted a premises update. The store is currently closed through April 19, 2018, to complete their remodel. As such, Casey's has provided an updated floor plan to comply with the liquor license requirements.

The application has been completed online with the state and staff is recommending approval.

ATTACHMENTS: Application, Updated Floor Plan

REPORT PREPARED BY: City Clerk

REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK

RECOMMENDATION: Approve renewal

D. *PUBLIC HEARINGS

1a. Public Hearing on Adopting the Fiscal Year 2018-2019 Budget. No written comments were received. One oral comment was received and addressed. Bokhoven moved to close the public hearing, seconded by De Jong. On roll call the vote was: AYES: Bokhoven, De Jong, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried.

BACKGROUND: This resolution approves the City of Pella's proposed budget for the fiscal year beginning July 1, 2018 through June 30, 2019. The FY 18-19 Budget includes recommendations received during two work sessions held with Council in mid-February.

Listed below are highlights of the proposed budget.

- The FY 18-19 Budget includes projected revenues of \$38,729,881 and expenses of \$38,723,509. The overall budget has a projected increase in reserves in the amount of \$6,372.
- For the seventeenth consecutive year, the City's property tax rate will remain at \$10.20 per taxable \$1,000 valuation. For mid-sized cities, Pella has one of the lowest tax rates in the state.
- The FY 18-19 Budget maintains the City's existing electric rates while proposing a 7% increase in water rates to fund the City's long-term water supply plan and an 8% increase in wastewater rates to support large scale state mandated capital improvements over the next several years. This equates to an increase of approximately \$7 per month for the typical City resident.
- The FY 18-19 Budget and associated five-year capital improvement plan contains nearly \$500,000 per year over the next five years to make improvements to residential streets. Annually staff reviews the overall condition index of each street and performs visual inspections to identify residential streets in need of reconstruction or overlay. A commitment of roughly \$2.5 million over the next five years will ensure the continued maintenance of the City's moderately traveled but aging infrastructure.
- The FY 18-19 Budget includes \$315,000 for improvements to Broadway Street. This project includes an asphalt overlay from Washington Street to Adams Street. The timing of this project coincides with the plan to undertake a mill and asphalt overlay of several other sections of residential streets.
- As mentioned above, the proposed budget includes funding for residential asphalt overlays. The total estimated project cost of \$315,750 is expected to allow for the overlay of:
 - Washington Street from W 5th Street to W 6th Street
 - Country Club Street from Elm Street to the northern dead end
 - Jefferson Street from Main Street to E 2nd Street
 - E. 8th Street from Oskaloosa Street to University Street
 - Bruce Lane from W 4th Street to the east cul-de-sac
 - Edgewood Drive from Bruce Lane to the north 600 linear feet

This project will encompass roughly 4,600-linear feet and significantly improve the road surfaces for residents in those neighborhoods.

- The FY 18-19 Budget includes funding to begin the Back to Brick program in the Central Business District. The tentative plan involves allocating \$890,000 for construction associated with the Oostpoort Alley. Undertaking the Oostpoort Alley as the initial phase of the project will address the many utility challenges prior to undertaking the significant initiative of implementing the City's Back to Brick program as part of the City's proposed overall streetscape.
- The FY 18-19 Budget provides funding for phase II of the Pella Sports Park. This project consists of two youth baseball/softball fields, additional restroom facilities for the south restroom, a 4,600-linear foot pedestrian trail within the park, two new bull pens, and additional gravel parking. The overall project cost is estimated at \$860,000. The City's contribution for the project is \$430,000 and is intended to provide funding specifically for the two new ball fields and additional gravel parking.
- The FY 18-19 Budget contains \$450,000 for connection of the City's trail system to Vermeer Corporation. Vermeer Corporation has committed \$100,000 to assist in the development of this important recreational and transportation project, bringing the City's contribution to \$350,000.
- The FY 18-19 Budget contains \$50,000 for the development of a long-term facilities plan for the City of Pella. The intention of the plan is to determine a course of action for the City's Community Center. In addition, the plan will also address the future needs of the City's Public Safety Complex and Library. Furthermore, the plan will evaluate City property which is currently not being utilized and recommend if it should continue to be held by the City of Pella or if it should be available for future development.

The FY 18-19 proposed budget book is on file at the Public Library and City Hall for public review.

ATTACHMENTS: Resolution, Summary of FY 18-19 Budget, Budget Estimate

REPORT PREPARED BY: Finance Director

REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK

RECOMMENDATION: Approve resolution

1b. Resolution No. 5839 entitled, "RESOLUTION ADOPTING THE FISCAL YEAR 2018-2019 ANNUAL BUDGET". Bokhoven moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: Bokhoven, Van Stryland, Peterson, De Jong, Branderhorst. NAYS: None. Motion carried.

E. PETITIONS & COMMUNICATIONS

1a. Special Event Permit Request for Kiwanis Easter Egg Hunt. De Jong moved to approve, seconded by Bokhoven. On roll call the vote was: AYES: De Jong, Bokhoven, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried.

BACKGROUND: The Pella Kiwanis Club has requested a special event permit for the Kiwanis Easter Egg Hunt scheduled for Saturday, March 24, 2018 with a rain date of Saturday, March 31, 2018. The event is proposed to start at 10:30 a.m. with set-up beginning at 8:00 a.m. and take down ending at 11:00 a.m. In addition, the Kiwanis Club has requested the reservation of four parking spaces in front of the Tulip Toren. The event will take place in the grassy areas on the south side of Central Park near the Tulip Toren. In past years, 300 to 400 children have participated.

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: Administration
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve special event permit and resolution

1b. Resolution No. 5840 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS KIWANIS EASTER EGG HUNT". Branderhorst moved to approve, seconded by Peterson. On roll call the vote was: AYES: Branderhorst, Peterson, De Jong, Bokhoven, Van Stryland. NAYS: None. Motion carried.

2a. Special Event Permit Request for 25th Annual Klompen Classic 5K. Van Stryland moved to approve, seconded by Bokhoven. On roll call the vote was: AYES: Van Stryland, Bokhoven, Branderhorst, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: Crossroads of Pella has requested a special event permit for the 25th Annual Klompen Classic 5K scheduled for Wednesday, May 2, 2018, from 4:00 to 9:00 p.m. In recent years, more than 2,000 runners and walkers participated in this annual event generating funds to support Crossroads programs. These programs serve thousands of local children and families year-round.

As part of this request, Crossroads of Pella has requested temporary closure of the following streets:

5:00 to 9:00 p.m. Franklin Street from Broadway to E. 2nd
5:15 to 8:00 p.m. Main Street from Liberty to Washington
5:15 to 8:00 p.m. Broadway Street from Franklin to Washington
6:45 to 8:00 p.m. Main Street from Washington to Elm
6:45 to 8:00 p.m. Broadway Street from Washington to the alley north of Bruxvoorts

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: Administration
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve special event permit and resolution

2b. Resolution No. 5841 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS 25TH ANNUAL KLOMPEN CLASSIC 5K". De Jong moved to approve, seconded by Peterson. On roll call the vote was: AYES: De Jong, Peterson, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.

3a. Special Event Permit Request for Resurrected Tin's 39th Annual Car Show. Bokhoven moved to approve, seconded by Branderhorst. On roll call the vote was: AYES: Bokhoven, Branderhorst, Van Stryland, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: The Resurrected Tin Car Club has requested a special event permit for their 39th Annual Car Show. The event is scheduled on Saturday, July 14, 2018 from 9:00 a.m. to 3:30 p.m. with set-up starting at 6:00 a.m. and take down ending at 4:30 p.m.

As part of this event, the Resurrected Tin Car Club has requested closure of the following streets from 6:00 a.m. to 4:30 p.m. on July 14th:

- Franklin Street between Broadway Street and E 1st Street
- Main Street between Washington Street and Liberty Street

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: Administration
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve special event permit and resolution

3b. Resolution No. 5842 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS RESURRECTED TIN'S 39TH ANNUAL CAR SHOW". De Jong moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: De Jong, Van Stryland, Peterson, Bokhoven, Branderhorst. NAYS: None. Motion carried.

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

1. Resolution No. 5843 entitled, "RESOLUTION APPROVING A HOTEL/MOTEL DISTRIBUTION AGREEMENT WITH THE CONVENTION AND VISITORS BUREAU (CVB)". Bokhoven moved to approve, seconded by Branderhorst. On roll call the vote was: AYES: Bokhoven, Branderhorst, Van Stryland, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: At the Policy and Planning meeting on February 6, 2018, Council directed staff to prepare a resolution for consideration that would approve a one-year hotel/motel distribution agreement with the Convention and Visitors Bureau (CVB). Under the terms of the proposed agreement, the CVB would receive 55% of the revenue from the hotel/motel tax.

Listed below is a summary of hotel/motel taxes collected over the last five years:

	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18*
Hotel/Motel Taxes Coll.	\$289,500	\$339,244	\$362,451	\$387,801	\$405,000
Distributions to CVB	\$173,700	\$203,547	\$217,471	\$232,681	\$243,000

**Estimated Collections*

Listed below are the key terms of the proposed contract:

- The term of the agreement is April 1, 2018 through March 31, 2019.
- The City will pay the CVB 55% of the hotel/motel tax revenue received by the City from the Iowa Department of Revenue during the term of this agreement. For fiscal year 18-19, this is estimated to be \$226,000.
- The CVB Board of Directors will consist of 10 to 12 members, with 9 to 11 of the members being appointed by the current board as voting members. The City's Community Services Director will continue to serve on the board as a non-voting member.
- This agreement may be terminated by either party by giving written notice to the other party. The date of termination will be 30 days following the date of said notice. In the event of termination, the City would reimburse the CVB for the amount of outstanding liabilities as of the date of the notice.

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

2. Resolution No. 5844 entitled, "RESOLUTION APPROVING ORDERING THE PREPARATION OF PLANS AND SPECIFICATIONS, FORM OF CONTRACT, NOTICE OF HEARING AND NOTICE OF LETTING, SETTING DATE FOR PUBLIC HEARING, AUTHORIZING THE TAKING OF BIDS, AND AUTHORIZING BID OPENING FOR THE NORTH WATER TOWER INTERIOR PAINTING PROJECT 2018". Peterson moved to approve, seconded by De Jong. On roll call the vote was: AYES: Peterson, De Jong, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.

BACKGROUND: This resolution establishes April 3, 2018 as the public hearing date and authorizes staff to seek bids for the North Water Tower Interior Painting Project. As background, this project includes removal of all existing wet interior coating including roof, platforms, hatches, and piping; surface preparation; application of new coating to all surfaces where coating was removed; structural and related work; welding and grinding; waste disposal; grading; ground surface restoration; and miscellaneous associated work for the 750,000-gallon North Elevated Storage Tank, including clean-up.

The City's engineer on this project, Veenstra & Kimm, Inc., will handle the bid process and provide construction phase services for the project. It is important to note, the engineer's opinion of probable costs for this project is \$225,000.

Critical dates have been identified as:

March 28, 2018	Bid Letting
April 3, 2018	Public Hearing to Receive Bids and Award of Contract
May 7 to July 1, 2018	Work completed for alternatives A1 and A2
Sept. 1 to Nov. 1, 2018	Work completed for alternatives B1 and B2

Contract documents are on file in the Public Works office.

ATTACHMENTS: Resolution
 REPORT PREPARED BY: Public Works Department
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve resolution

3. Resolution No. 5845 entitled, "RESOLUTION ADOPTING WAGE SCALE". Branderhorst moved to approve, seconded by De Jong. On roll call the vote was: AYES: Branderhorst, De Jong, Bokhoven, Van Stryland, Peterson. NAYS: None. Motion carried.

BACKGROUND: This resolution adopts the wage scale and classification structure prepared by Condrey and Associates, effective March 11, 2018. As background, Council approved the Condrey and Associates' job classification and compensation plan during the December 19, 2017 Council meeting.

The amended wage scale includes a range of pay grades from 7 to 22. Each pay grade contains 14 steps; each step increase is approximately 2.5%. The intention of the step system is to award employees for superior performance during their annual review. In order to keep the pay scale current, Condrey and Associates is recommending an annual market adjustment linked to the Employment Cost Index published by the United States Bureau of Labor Statistics.

The estimated cost to adopt the proposed wage scale is approximately \$200,000. Since the City has already awarded a 2.5% cost of living wage adjustment for all full-time employees in FY 17-18, staff is proposing to utilize funds allocated for the FY 18-19 cost of living adjustment to fund the plan's adoption on March 11, 2018. If Council adopts this proposed wage scale, all full-time employees who are not at the top of their proposed pay scale will receive at least a 2% increase in compensation; approximately the same percentage as the Employment Cost Index from June 2016 to June 2017.

The attached pay matrix (Appendix B) shows the new wage rates for each grade. Included in the pay matrix is the A8 pay band for various seasonal and varied hour positions. Also attached is the updated classification structure (Appendix A) indicating the position classification for employees who are not covered by the Executive Pay Plan (Appendix C).

ATTACHMENTS: Resolution, Appendix A, Appendix B, Appendix C

REPORT PREPARED BY: City Administration

REPORT REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve resolution

4. Resolution No. 5846 entitled, "RESOLUTION APPROVING AGREEMENT FOR THE KNOXVILLE AREA TRANSPORTATION LOCATION STUDY FUNDING AGREEMENT". Van Stryland moved to approve, seconded by Peterson. On roll call the vote was: AYES: Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst. NAYS: None. Motion carried.

BACKGROUND: This resolution approves the City entering into a Knoxville Area Transportation Location Study 28E funding agreement with the City of Knoxville and Marion County. As background, a general corridor was identified as the most feasible during the Knoxville Area Transportation Feasibility Study completed in 2015. The overall goal of this new study is to consider alternatives for the ultimate construction of a roadway transportation corridor, including interchanges or modifications to interchanges, from the City of Knoxville, northeasterly to the City of Pella. The study will identify the best road alignment, capacity, and safety enhancement solutions for the regional road network. Additionally, a possible connecting point near Pella was identified as part of the Red Rock to I-80 Location Study completed in 2009. However, location and termini alternatives for the corridor connecting these two communities will be determined as part of this new study, as well as potential improvements to local transportation systems. Request for qualifications to seek proposals from qualified engineering firms is currently in process.

Approval of this agreement pursuant to the provisions of Chapter 28E between Marion County, the City of Knoxville, and the City of Pella, specifies the responsibility for the local funding share of the study. The total engineering agreement for the study is estimated at \$139,590. The funding is anticipated to be as follows:

CIRTPA Planning Funds	\$100,000 (71.6%)
Marion County	est. \$29,692 (75% of remaining balance up to \$50,000 max.)
City of Pella	est. \$4,948.75 (12.5% of remaining balance up to \$8,333.33 max.)
City of Knoxville	est. \$4,948.75 (12.5% of remaining balance up to \$8,333.33 max.)

The Central Iowa Regional Transportation Planning Alliance (CIRTPA) planning funds are available on a competitive basis. This study was finally selected for this type of special funding after a three-year wait.

Staff is recommending approval of the funding agreement.

ATTACHMENTS: Resolution, Request for Qualifications (RFQ), 28E Agreement

REPORT PREPARED BY: Public Works Department

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve resolution

5. Resolution No. 5847 entitled, "RESOLUTION APPROVING PRELIMINARY PLAT FOR BOS RIDGE". Bokhoven moved to approve, seconded by Branderhorst. On roll call the vote was: AYES: Bokhoven, Branderhorst, Van Stryland, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: This resolution approves a preliminary plat for Bos Ridge. The applicant, Bos Ridge, LLC., has submitted the preliminary plat to subdivide one parcel (approximately 33.27 acres) into 43 lots for residential uses. The subject property is located on Highway T-15 roughly 600-feet north of Bos Landen Drive. On January 16, 2018, Council adopted an ordinance to rezone this property to R1, Low-Density Single-Family Residential. As further background, this property is part of the recently adopted Southwest Urban Renewal Plan.

Pella City Code Requirements for Subdivision Plats

The subdivision ordinance states that the City Council shall review the preliminary plat for conformance with the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance. 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 City Council the opportunity to review the overall layout of the lots and 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 R1, Low-Density Single-Family Residential. The R1 zoning district is intended to provide for low-density residential neighborhoods, characterized by single-family dwellings on relatively large lots with supporting community facilities and urban services. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.

ADJACENT ZONING DISTRICTS			
North	South	East	West
A1, Agricultural	A1, Agricultural	A1, Agricultural	A1, Agricultural

Proposed Land Use

The proposed land use will be "Single-Family Residential [Detached]" which is defined as a use in which "one dwelling unit is located on a single lot, with no physical or structural connection to any other dwelling unit." Single-Family Residential [Detached] structures are permitted by right in the R1 zoning district.

Lot Requirements

The developer has indicated an intent to subdivide the parcel into 43 individual lots. Staff has reviewed the proposed subdivision and confirmed that the proposed lots meet all minimum lot requirements for the R1 zoning district.

Required Improvements

According to 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 development will incorporate four new streets: Bos Ridge Road, Willow Drive, Hickory Circle, and Aspen Circle. The proposed infrastructure, which complies with all City requirements and Statewide Urban Design Standards (SUDAS), include 27 feet wide concrete streets constructed with 7-inch portland cement concrete (PCC).

It should be noted that the applicant has requested a waiver of City code section 170.11.3.1 which limits the maximum length of cul-de-sac to 600 feet. The requested waiver would apply to Bos Ridge Road which extends 1,083 feet from the nearest intersection. Given the topography of the proposed subdivision, as well as the existing land uses surrounding the proposed development, staff recommends approval of the requested waiver.

Storm Sewer and Drainage: The subdivider shall construct 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 Standard Specifications. Engineering calculations, including references to support all assumptions and recommendations, shall accompany all storm water management systems designs.

Staff comment: The proposed development includes the installation and utilization of both overland flowage easements and storm sewers. In addition, the proposed development includes the reconstruction of two existing retention pods to support the retention and drainage for the subdivision. Based on the calculations provided by the developer and confirmed by the City's engineer and Public Works department, staff believes the storm water management plan meets the City's requirements for the preliminary plat.

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: Secondary storm sewer is required for this subdivision through the use of sump collectors. The City engineer and Public Works department have both reviewed and approved the preliminary plat meets this requirement.

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 developer will connect an eight-inch line to serve Willow Lane, Hickory Circle, and the south half of Bos Ridge Road. The lots along Aspen Circle and the north half of Bos Ridge Road will be served through an eight-inch line installed by the developer. It is important to note that both of these lines will connect to the City's existing 15-inch sanitary sewer.

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: An eight-inch water main is to be installed by the developer along Lot 13 and will connect to an existing ten-inch water main located near the northeast corner of the proposed subdivision. A 20-foot water main easement between Lots 12 and 13 will extend water services to Bos Ridge Road and throughout the rest of the subdivision. The preliminary plat will include eight hydrants to provide the subdivision with adequate 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 plat notes that the sidewalks are not shown on the preliminary plat, but will be installed in accordance with City standards at one-foot from the property lines, in the right of way.

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 an overland flowage easement has been designed to meet the requirements by both the City engineer and Public Works Director.

Comprehensive Plan

Chapter 170.06(2) requires the City Council to review the preliminary plat for conformance with the Comprehensive 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 is appropriate for projects with densities up to four units per acre. 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 and conforms to the City's Comprehensive Plan. Based upon the findings, staff recommends the preliminary plat be approved as submitted, including the waiver of 170.11.3.1 of the City code which amends the maximum length of the cul-de-sac located on Bos Ridge Road to 1,100 feet. Finally, it should be noted, the Planning and Zoning Commission is scheduled to review this preliminary plat at their March 5, 2018 meeting.

ATTACHMENTS: Resolution, Map, Application, Preliminary Plat, Cul-De-Sac Requirement Waiver Request
 REPORT PREPARED BY: Planning and Zoning
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve resolution

I. ORDINANCES

1. Ordinance No. 930 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY AMENDING THE BOUNDARIES OF THE INS DISTRICT TO INCLUDE THE PROPERTIES LEGALLY DESCRIBED IN "EXHIBIT A" AND DIRECTING THE ZONING ADMINISTRATOR TO NOTE THE ORDINANCE NUMBER AND DATE OF THIS CHANGE ON THE OFFICIAL ZONING MAP". Van Stryland moved to place ordinance no. 930 on its second reading, seconded by De Jong. On roll call the vote was: AYES: Van Stryland, De Jong, Bokhoven, Branderhorst, Peterson. NAYS: None. Motion carried.

BACKGROUND: Central College has submitted a request to rezone one parcel totaling approximately 0.30 acres. The existing zoning is Two-Family Residential (R2) and the applicant is requesting the parcels be rezoned to Institutional (INS). The purpose of the rezoning request is to support the conversion of the existing home into a classroom to support the abutting garden. The Planning and Zoning Department sent notification letters to 31 property owners. Five written comments were received of which three were in favor and two had no comment.

Current Zoning

Existing zoning for the parcel is R2, Two-Family Residential. The R2 District is intended to provide locations for medium-density residential areas for single-family and two-family use with supporting and appropriate community facilities. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.

Proposed Zoning

The requested zoning classification for this property is INS, Institutional, which accommodates a variety of institutional uses. This includes college campus environments, schools, churches, hospitals, medical campus and elder care facilities. The district is designed to provide appropriate space regulations and assure that facilities are served with adequate parking.

The INS zoning district permits Education (University) uses, which is defined as "educational institutions of higher learning which offer a course of study designed to culminate in the issuance of a degree certified by a generally recognized accrediting organization." Please note, Education (University) land uses are only permitted in the institutional zoning district.

Rezoning Petition

Chapter 165.38 of the City Code requires 50% of property owners within 300 feet of the proposed rezoning to sign the rezoning petition for advisory purposes only. However, failure to obtain the threshold level shall not prevent continuance of the rezoning application. A rezoning petition was received with this application with owners of 25 properties in support of this rezoning request. It is important to note, Central College owns 16 of the 31 properties within 300 feet of the proposed rezoning.

Spot Zoning Concerns

Staff does not believe spot zoning concerns are associated with this request since these properties are adjacent and in close proximity to an existing institutional use.

Comprehensive Plan

Chapter 165.04 of the City Code requires the proposed rezoning to conform to the City's Comprehensive Plan. A component of the Comprehensive Plan is the Future Land Use Map. The Future Land Use Map identifies the parcels as "Central College" land uses. Furthermore, the Plan's Compatibility Matrix gives Civic/Public and Medium Density Residential land uses a rating of 4, which means basically compatible. Traffic from higher intensity uses should be directed away from lower intensity uses. Building elements and scale should be consistent with surrounding development.

Summary

Staff believes this rezoning request aligns with the City's Comprehensive Plan. In addition, staff believes the proposed land use is compatible with the neighboring properties, therefore staff is recommending approval of this request. Finally, it should be noted, the Planning and Zoning Commission unanimously approved this rezoning at the January 22, 2018 meeting.

ATTACHMENTS: Ordinance, Existing Zoning Map, Application, Written Comments

REPORT PREPARED BY: Planning and Zoning Department

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve ordinance

2. Ordinance No. 933 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 402 - 410 FRANKLIN STREET, CITY OF PELLA, MARION COUNTY, IOWA". Bokhoven moved to place ordinance no. 933 on its second reading, seconded by De Jong. On roll call the vote was: AYES: Bokhoven, De Jong, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried. It was moved by De Jong that the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, seconded by Bokhoven. On roll call the vote was: AYES: De Jong, Bokhoven, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried. Van Stryland moved that ordinance no. 933 be adopted, seconded by Bokhoven. On roll call the vote was: AYES: Van Stryland, Bokhoven, Branderhorst, Peterson, De Jong. NAYS: None. Mayor Mueller declared the motion carried and the ordinance duly passed and adopted.

BACKGROUND: This proposed ordinance would change the base zoning classification for the properties located at 402, 404, 406, 408, and 410 Franklin Street from Neotraditional Single-Family Residential (R1C) to a Planned Unit Development (PUD) which utilizes the R3 multifamily zoning district as the base zoning district. As background, the developer is proposing to construct six new townhomes ranging from 2,700-square feet up to 3,049-square feet on this 1.03-acre site.

Under the City Code, the proposed development is identified as "Townhouse Residential". Townhouse Residential is not permitted in the existing R1C zoning district and thus the reason for this rezoning request. The proposed PUD ordinance permits Townhouse Residential uses; however, it also limits the allowable number of units to no more than six units which closely aligns with the existing neighborhood.

Planned Unit Development (PUD)

A Planned Unit Development (hereinafter "PUD") is designed to allow for comprehensively planned projects which provide for innovative and imaginative approaches to urban design and land development. A PUD is a negotiated contract for land development between the private developer and the public governmental entity. This differs from the traditional approach to land development wherein the developer develops land pursuant to minimum standards previously adopted by the government. A PUD permits flexible variation from established land regulations

as contained in zoning districts and in platting and subdivision requirements. The developer, with City staff guidance, Planning and Zoning Commission review, and Council approval, may develop its own guidelines for the best development of the land in question.

Key Requirements of the Proposed Ordinance

Exhibit 1 - The properties are required to be developed in accordance with Exhibit 1 of the proposed ordinance. This preliminary site plan has been reviewed and approved by the City's engineer and staff. Furthermore, this exhibit limits the number of units for the development to six, which closely aligns with the existing neighborhood.

Exhibit 2 - The developer is required to design the housing units in accordance with the color rendition as stated in Exhibit 2. Staff believes this proposed design aligns with the City's Dutch Architecture requirements in the nearby Central Business District. In addition, staff believes the design will complement the existing neighborhood.

Zoning District Modifications

The proposed ordinance requires the development to be in conformance with the R3 zoning district site development requirements except for the following modifications:

Zoning requirements waived:

1. The requirements of Table 165.12-3 (R3) front yard setback shall be reduced from 25 feet to 20 feet.
2. The requirements of Table 165.12-3 (R3) minimum lot area shall be modified from 8,000 square feet to 6,000 square feet.
3. The requirements of Table §165.31-2, 165.31.5A and 165.31.9(A) requiring an opaque screen of a minimum of six feet shall be changed to acceptable plantings as approved by the City of Pella's Planning and Zoning Commission.

Performance greater than the minimum requirements of the zoning ordinance:

4. The requirements of Table 165.12.3 (Minimum Site Area per Housing Unit) shall be increased from 2,000 square feet to 6,000 square feet.
5. Design of residential units shall be in accordance and like the color renditions submitted and attached to the PUD ordinance as Exhibit 2.

Comprehensive Plan

The Future Land Use Map of the Comprehensive Plan targets the proposed site for Low Density Residential. As stated earlier, the proposed PUD ordinance limits the number of housing units to six which meets the requirements of low density residential in the City's Comprehensive Plan. In addition, the Comprehensive Plan also target additional housing, along with 'infill' housing, as priority goals for the City. Based on staff's review, we believe the proposed PUD ordinance conforms with the City's Comprehensive Plan.

Spot Zoning Concerns

Staff does not believe there are any spot zoning concerns associated with this request.

Petition

Chapter 165.38 of the City Code requires 50% of property owners within 300 feet of the proposed rezoning to sign the rezoning petition for advisory purposes only. However, failure to obtain the threshold level shall not prevent continuance of the rezoning application. Staff did not receive a petition with this request.

Staff Recommendation

Staff believes the proposed ordinance meets the requirements of the City's zoning code. In addition, staff also believes the proposed ordinance is consistent and in conformance with the City's Comprehensive Plan. Therefore, staff is recommending approval of the proposed ordinance which would formally establish a Planned Unit Development with an R3 base zoning district.

ATTACHMENTS:	Ordinance, Exhibit 1, Exhibit 2, Location Map, Zoning Map, Future Land Use Map, Written Comments
REPORT PREPARED BY:	Planning and Zoning
REVIEWED BY:	CITY ADMINISTRATOR CITY CLERK
RECOMMENDATION:	Approve ordinance

3. Ordinance No. 934 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA BY REPEALING CHAPTER 157, RESIDENTIAL CODE AND IN LIEU THEREOF ADOPTING THE 2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING CONSTRUCTION, ALTERATION, RELOCATION, ENLARGEMENT, REPLACEMENT, REPAIR EQUIPMENT, USE AND OCCUPANCY, HEIGHT AND AREA, LOCATION, MAINTENANCE, REMOVAL AND DEMOLITION OF BUILDING AND STRUCTURES IN THE CITY OF PELLA, IOWA". Peterson moved to place ordinance no. 934 on its second reading, seconded by Bokhoven. On roll call the vote was: AYES: Peterson, Bokhoven, Branderhorst, Van Stryland, De Jong. NAYS: None. Motion carried. It was moved by Bokhoven that the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, seconded by Peterson. On roll call the vote was: AYES: Bokhoven, Peterson, De Jong, Branderhorst, Van Stryland. NAYS: None. Motion carried. De Jong moved that ordinance no. 934 be adopted, seconded by Bokhoven. On roll call the vote was: AYES: De Jong, Bokhoven, Branderhorst, Van Stryland, Peterson. NAYS: None. Mayor Mueller declared the motion carried and the ordinance duly passed and adopted.

BACKGROUND: The City's Building Department is currently utilizing the 2003 residential code and the 2009 commercial code to ensure compliance with building regulations. In order to keep up with industry standards as well as surrounding communities, staff is recommending Council adopts the 2015 versions of the International Residential Code (IRC), International Building Code (IBC), and International Property Maintenance Code. As background, Council discussed adoption of the 2015 building codes with Council during the Policy and Planning meeting on December 5, 2017. At that time, Council directed staff to proceed with presenting the information to the Building Board of Appeals for consideration. The Building Board of Appeals has reviewed the proposed ordinances and is also recommending adoption.

These versions of the building code are recommended by the Central Iowa Code Consortium, a collaborative effort of the Des Moines metro communities to adopt consistent building codes in each community. This continuity provides for more consistent building rules and regulations for contractors who work throughout the area. The Consortium meets regularly to identify issues and concerns with the existing building code and to make recommendations regarding the adoption of updated building codes. The proposed ordinances includes the Consortium's recommendations.

The following are key changes in adoption of the 2015 versions of the IRC and IBC, including amendments:

IBC 2015 Table 1006.2.1 Egress Based on Occupant Load and Common Path of Egress Travel Distance. Two exits or exit access doorways from any space shall be provided where the design occupant load or the common path of egress travel distance exceeds the values listed in Table 1006.2.1

TABLE 1006.2.1
SPACES WITH ONE EXIT OR EXIT ACCESS DOORWAY

OCCUPANCY	MAXIMUM OCCUPANT LOAD OF SPACE	MAXIMUM COMMON PATH OF EGRESS TRAVEL DISTANCE (feet)		
		Without Sprinkler System (feet)		With Sprinkler System (feet)
		Occupant Load		
		OL ≤ 30	OL > 30	
A ⁵ , E, M	49	75	75	75 ^a
B	49	100	75	100 ^a
F	49	75	75	100 ^a
H-1, H-2, H-3	3	NP	NP	25 ^b
H-4, H-5	10	NP	NP	75 ^b
I-1, I-2 ^c , I-4	10	NP	NP	75 ^a
I-3	10	NP	NP	100 ^a
R-1	10	NP	NP	75 ^a
R-2	10	NP	NP	125 ^a
R-3 ^a	10	NP	NP	125 ^a
R-4 ^a	10	75	75	125 ^a
S ^f	29	100	75	100 ^a
U	49	100	75	75 ^a

Change summary: The means of egress requirements for rooms and spaces, along with those for stories, have been consolidated in Chapter 10 Means of Egress.

IBC 2015 1103.2.8 Areas in Places of Religious Worship. Raised or lowered areas, or portions of areas, in places of religious worship that are less than 300 square feet in area and located seven (7) inches or more above or below the finished floor and used primarily for the performance of religious ceremonies are not required to comply with this chapter.

Change summary: Small areas used for religious ceremonies are now exempt from the access requirements in Chapter 11 Accessibility.

IRC 2015 R302.2.4 Structural Independence. Each individual townhouse shall be structurally independent.

Exceptions:

1. Foundations supporting exterior walls or common walls.
2. Structural roof and wall sheathing from each unit fastened the common wall framing.
3. Nonstructural wall and roof coverings.
4. Flashing at termination of roof covering over common wall.
5. Townhouses separated by a common wall as provided in R302.2, item 1 or 2

Change summary: The provisions for separating townhouses with structurally independent fire-resistant rated walls in accordance with Section R302.1 have been removed in favor of common wall provisions of Section R302.2. Common walls separating townhouses must now be rated for 2 hours when automatic fire sprinkler systems are not installed in the townhouse dwelling units.

IRC 2015 R303.7 Interior Stairway Illumination. Interior stairways shall be provided with an artificial light source to illuminate the landings and treads. The light source shall be capable of illuminating treads and landings to levels of not less than 1-foot candle as measured at the center of treads and landings. There shall be a wall switch at each floor level to control the light source where the stairway has six or more risers. Exception: A switch is not required where remote, central, or automatic control of lighting is provided.

IRC 2015 R303.8 Exterior Stairway Illumination. Exterior stairways shall be provided with an artificial light source located at the top landing of the stairway. Exterior stairways proving access to a basement from the outdoor grade level shall be provided with an artificial light source located at the bottom landing of the stairway.

Change summary: Interior and exterior stairway illumination provisions have been placed in separate sections. Conflicting language has been removed to clarify the requirements.

IRC 2015 R304.1 Minimum Habitable Room Area. Habitable rooms shall have a floor area of not less than 70 square feet.

Change summary: The requirement for one habitable room with a minimum floor area of 120 square feet has been removed from the code.

IRC 2015 R308.4.5 Glazing and Wet Surfaces. Glazing in walls, enclosures, or fences containing tubs, spas, whirlpools, sinks, steam rooms, bathtubs, showers, and indoor or outdoor swimming pools where the bottom exposed edge of the glazing is less than 60 inches measured vertically above any standing or walking surface shall be considered to be a hazardous location. This shall apply to single glazing and all panes in multiple glazing.

Exception: Glazing that is more than 60 inches, measured horizontally and in a straight line, from the water's edge of a bathtub, hot tub, spa, whirlpool, swimming pool or from the edge of a shower, sauna, or steam room.

Change summary: Exception from the safety glazing requirement for glazing that is 60 inches or greater from the water's edge of a bathtub, hot tub, spa, whirlpool, swimming pool has been expanded to include glazing that is the equivalent distance from the edge of a shower, sauna, or steam room.

IRC 2015 R310.1 Emergency Escape and Rescue Opening Required. Basements, habitable attics, and every sleeping room shall have not less than one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency escape and rescue openings shall be required in each sleeping room. Emergency escape and rescue opening shall open directly into a public way, or to a yard or court that opens to a public way.

Exception: Storm shelters in basements used only to house mechanical equipment not exceeding the total floor area of 200 ft.

Change summary: Emergency escape and rescue opening provisions have been reorganized. Separate provisions spell out the requirements for windows and doors used for emergency escape and rescue.

IRC 2015 R312.1.2 Guard Height. Required guards at open sided walking surfaces including stairs, porches, balconies, or landings shall be not less than 36 inches in height as measured vertically above the adjacent walking surface or the line connecting the leading edges of the treads.

Exceptions:

1. Guards on the open sides of stairs shall have a height not less than 34 inches measured vertically connecting the leading edges of the treads.
2. Where the top of the guard also serves as a handrail on the open sides of the stairs, the top of the guard shall be not less than 34 inches and not more than 38 inches as measured vertically from a line connecting the leading edges of the treads.

Change summary: The provisions requiring that the guard height be measured from the surface of adjacent fixed seating has been removed from the code.

IRC 2015 R314.3 Smoke Alarms Location. Smoke alarms shall be installed in the following locations:

1. In each sleeping room.
2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
3. On each additional story of the dwelling, including basements and habitable attics and not including crawl space and inhabited attics. In dwellings or dwelling units with a split level and without an intervening door between the adjacent levels, the smoke alarm installed on upper level shall suffice for the adjacent lower-level provided that the lower level is less than one full story below the upper level.
4. Smoke alarms shall be installed not less than 3 feet horizontally from the door opening of the bathroom that contains the bathtub or shower unless this would prevent placement of the smoke alarm required by section R514.3.

Change summary: Battery operated smoke alarms are permitted for satisfying the smoke alarm power requirements when alterations, repairs, and additions occur. Household fire alarm systems no longer require monitoring by an approved supervising station. New provisions address smoke alarms installed near bathrooms and cooking appliances.

Summary

Staff recommends approval of these ordinances updating the City's residential, commercial, and property maintenance codes. These versions of the building codes are also recommended for adoption by building departments who participate in the Central Iowa Code Consortium. Finally, it should be noted, the Building Board of Appeals has reviewed the proposed ordinances and recommends approval.

ATTACHMENTS: Ordinance 934, Ordinance 935, Ordinance 936

REPORT PREPARED BY: Planning and Zoning Department

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve ordinances

4. Ordinance No. 935 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA BY REPEALING CHAPTER 158, BUILDING CODE AND IN LIEU THEREOF ADOPTING THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE REGULATING CONSTRUCTION, ALTERATION, RELOCATION, ENLARGEMENT, REPLACEMENT, REPAIR EQUIPMENT, USE AND OCCUPANCY, HEIGHT AND AREA, LOCATION, MAINTENANCE, REMOVAL AND DEMOLITION OF BUILDING AND STRUCTURES IN THE CITY OF PELLA, IOWA". Van Stryland moved to place ordinance no. 935 on its second reading, seconded by Branderhorst. On roll call the vote was: AYES: Van Stryland, Branderhorst, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried. It was moved by Van Stryland that the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, seconded by Bokhoven. On roll call the vote was: AYES: Van Stryland, Bokhoven, Branderhorst, Peterson, De Jong. NAYS: None. Motion carried. Van Stryland moved that ordinance no. 935 be adopted, seconded by Peterson. On roll call the vote was: AYES: Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst. NAYS: None. Mayor Mueller declared the motion carried and the ordinance duly passed and adopted.
5. Ordinance No. 936 entitled, "AN ORDINANCE OF THE CITY OF PELLA ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES WITHIN THE ZONING AND BUILDING JURISDICTION OF THE CITY". Branderhorst moved to place ordinance no. 936 on its second reading, seconded by Van Stryland. On roll call the vote was: AYES: Branderhorst, Van Stryland, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried. It was moved by Peterson that the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, seconded by Bokhoven. On roll call the vote was: AYES: Peterson, Bokhoven, Branderhorst, Van Stryland, De Jong. NAYS: None. Motion carried. Bokhoven moved that ordinance no. 936 be adopted, seconded by Branderhorst. On roll call the vote was: AYES: Bokhoven, Branderhorst, Van Stryland, Peterson, De Jong. NAYS: None. Mayor Mueller declared the motion carried and the ordinance duly passed and adopted.
6. Ordinance No. 931 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA BY AMENDING THE ZONING ORDINANCE, 165.11 CLASSIFICATION OF USES AND TABLE 165.12-2 PERMITTED USES BY ZONING DISTRICTS BY ADDING PROVISIONS DEFINING BREWPUB AS A USE AND PERMITTING BREWPUBS IN THE CBD CENTRAL BUSINESS DISTRICT AND CC COMMUNITY COMMERCIAL ZONING DISTRICTS". This ordinance was tabled at the February 6, 2018 Council meeting, and due to a lack of motion, it remained tabled.

BACKGROUND: This proposed ordinance was tabled at the February 6, 2018 Council meeting. The proposed ordinance is intended to amend the City's zoning code by creating a definition for Brewpub as a use type under the City's zoning code. In addition, the proposed ordinance would permit Brewpubs to operate in the Central Business District (CBD) and Community Commercial (CC) zoning districts by obtaining a special use permit.

Listed below is the zoning definition of 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.

As background on this request, at the October 17, 2017, Policy and Planning session, the City Council heard a request from the Pella Area Community & Economic (PACE) Alliance regarding a desire to allow permitting of brewpubs under the City's zoning code. Following the discussion, Council directed the Planning and Zoning Commission to review allowing brewpubs in the CC and CBD zoning districts subject to obtaining a special use permit from the Board of Adjustment. Please note, the Planning and Zoning Commission held a work session on this item at their December 18, 2017 meeting.

Special Use Permit

If the proposed text amendment is approved, brewpubs would be able to operate in the CC and CBD zoning districts subject to obtaining a special use permit. The special use permit would allow the Board of Adjustment to evaluate the request for public safety concerns including dust/pest control, odor, traffic impact, and necessary infrastructure. In addition, all buildings in our community are regulated under the State Fire Code which permits the City to perform fire inspections to ensure compliance with the State of Iowa Fire Code for flammable liquids, ventilation, and spill control.

As mentioned above, the Board of Adjustment has the authority to approve special use permits. Prior to approval, the Board of Adjustment is required to hold a public hearing and notify neighboring property owners of the application. This process provides a forum for any adjacent property owners who may have concerns with the proposed business. Furthermore, the Board of Adjustment has wide authority in granting special use permits including, but not limited to, any use or operating hour restrictions.

Recommendation

On February 5, 2018, members from the PACE Alliance provided a request to Council to modify this ordinance with regards to the 'restaurant' requirements. Staff is recommending this ordinance continue to be tabled until Council can address the PACE Alliance request. Finally, the Planning and Zoning Commission approved this ordinance on an 8 to 1 vote at their meeting on January 22, 2018.

ATTACHMENTS: Ordinance, Written Comment
REPORT PREPARED BY: Planning and Zoning Department
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Continue to table ordinance

I. CLAIMS

1. Abstract of bills No. 2002. Bokhoven moved to approve, seconded by De Jong. On roll call the vote was: AYES: Bokhoven, De Jong, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried.

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

Comments were received and addressed.

L. CLOSED SESSION

1. At 8:17 p.m., Peterson 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: Peterson, De Jong, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried. At 8:48 p.m., Van Stryland moved to reconvene to regular session, seconded by De Jong. On roll call the vote was: AYES: Van Stryland, De Jong, Bokhoven, Branderhorst, Peterson. NAYS: None. Motion carried. No action was taken regarding this closed session.
2. At 8:49 p.m., Van Stryland 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 De Jong. On roll call the vote was: AYES: Van Stryland, De Jong, Bokhoven, Branderhorst, Peterson. NAYS: None. Motion carried. At 9:04 p.m., Bokhoven moved to reconvene to regular session, seconded by De Jong. On roll call the vote was: AYES: Bokhoven, De Jong, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried. No action was taken regarding this closed session.

De Jong exited at 9:04 p.m.

M. ADJOURNMENT

There being no further business claiming their attention, Bokhoven moved to adjourn, seconded by Van Stryland. On roll call the vote was: AYES: Bokhoven, Van Stryland, Peterson, Branderhorst. NAYS: None. Motion carried. Meeting adjourned at 9:07 p.m.