



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

April 3, 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, Bruce Schiebout, Larry Peterson. Absent: None. City Administrator Mike Nardini and City Clerk Mandy Smith were present. Six staff members and twenty-seven 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. Microbrewery Request
 - b. Proposed Sidewalk Inspection Program
2. Approval of tentative agenda. Item B-4 was pulled from the agenda. Peterson moved to approve the tentative agenda as amended, seconded by Schiebout. On roll call the vote was: AYES: Peterson, Schiebout, De Jong, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.
3. Reappointment of David Barnes to the South Central Regional Airport Agency. Van Stryland moved to approve, seconded by Bokhoven. On roll call the vote was: AYES: Van Stryland, Bokhoven, Branderhorst, Schiebout, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: Mayor Mueller would like to reappoint David Barnes to the South Central Regional Airport Agency (SCRAA) board. As background, the SCRAA is a separate legal entity governed by a Board of Directors and comprised of three members appointed by the City of Pella, two members appointed by the City of Oskaloosa, and one member appointed by Mahaska County. David has served on the SCRAA board since 2012. He is an instrument-rated pilot and lives with his wife, Mary, at 2640 Bos Landen Drive. If reappointed, David's new three-year term would expire on April 1, 2021.

ATTACHMENTS:	None
REPORT PREPARED BY:	Administration
REPORT REVIEWED BY:	CITY ADMINISTRATOR CITY CLERK
RECOMMENDED ACTION:	Approve reappointment

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

Comments were received and addressed. Bokhoven moved to accept one written comment into the record, seconded by Schiebout. On roll call the vote was: AYES: Bokhoven, Schiebout, Peterson, De Jong, Branderhorst, Van Stryland. NAYS: None. Motion carried.

C. APPROVAL OF CONSENT AGENDA

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

1. Approval of Minutes
 - a. Official Council Minutes for March 20, 2018
2. Report of Committees
 - a. Policy and Planning Minutes for March 20, 2018

PRESENT:	Mayor Jim Mueller, Mark De Jong, Tony Bokhoven, Lynn Branderhorst, Harold Van Stryland,
ABSENT:	Bruce Schiebout, Larry Peterson
OTHERS:	City staff and visitors

The Policy and Planning meeting began at 7:24 p.m. The only item on the agenda was a discussion about a request from members of the PACE Alliance to add microbrewery as an allowable use under the City's zoning code. As background, the PACE Alliance had previously requested the addition of brewpub as an allowable use under the City's zoning code. By definition, a brewpub's primary use is a restaurant, with the manufacturing of alcohol as a secondary use. However, due to concerns regarding the potential brewpub's ability to generate a majority of their revenue from food sales, the PACE Alliance would like to modify their request from brewpub to microbrewery.

The primary use for the proposed microbrewery is the manufacturing of beer or alcohol, with consumption of beer and food sales as a secondary use. Even though food sales is listed as an accessory use, the proposed zoning definition for a microbrewery requires 30% of the establishment's gross income be attributed to food sales.

Listed below is the proposed zoning definition of a microbrewery:

Brewery, Micro: A business that brews beers, ales, and/or similar beverages on-site. This definition requires the manufacturing and packaging of beer, ales, and/or similar beverages to be the principal use and produces no more than ten thousand (10,000) barrels of beer or ale annually. The area used for brewing, including bottling and kegging, shall not exceed fifty percent (50%) of the commercial floor space. By definition, a microbrewery includes the preparation and retail sale of food and beverages as an accessory use. The on-site sale of food shall at a minimum constitute at least thirty percent (30%) of the establishment's gross income. No class C liquor license (LC) will be allowed in conjunction with the microbrewery; having such license will classify the establishment as a "cocktail lounge" for the purposes of this definition.

In addition, in order for persons under the age of 21 to be located on the premises, Council would need to make changes to City code section 120.05.11.

Karen Eischen, Executive Director with the PACE Alliance, presented their formal request to Council. In addition, Betsy Duffy and Mindi Vanden Bosch, owners of the proposed microbrewery, presented additional details regarding their proposed microbrewery to Council.

During the discussion, Council expressed that they are in favor of a microbrewery definition being added to the City's zoning code, however they are not in support of allowing a microbrewery to be located in the Central Business District (CBD).

At the end of the discussion, Council directed the Planning and Zoning Commission to review both the proposed microbrewery definition, and which zoning districts the proposed microbrewery would be allowed to operate in, during their next meeting on March 26th. The Planning and Zoning Commission will then make a recommendation to Council.

In addition, Council expressed an interest for the Planning and Zoning Commission to consider potential zoning code amendments which would require all cocktail lounges to obtain a special use permit, ensuring additional oversight by the Board of Adjustment. This topic will be addressed later in 2018.

The meeting adjourned at 8:23 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

b. Library Board Minutes for February 13, 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, Rachel Sparks, and Kenny Nedder. Library Director Wendy Street was present.

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 January 2018 minutes prior to the meeting. Kenny moved to approve the minutes as written. Rachel seconded the motion. The minutes were unanimously approved.

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

VI. Unfinished Business:

- a. Survey for service priorities – Wendy reviewed the latest revision of the survey. After some discussion, the survey was fine tuned and approved to be distributed starting March 1st.

VII. New Business:

- a. Innovative Libraries Online Conference discussion – Wendy attended the Innovative Library Online Conference. She led a discussion around her key take-aways regarding advocacy and county funding.
- b. Other trustee training options – Wendy reminded the board of the enhanced standards for trustee training this year. Several potential topics were considered for how to best obtain. It was suggested we have a demo of the Gale database subscription capabilities.

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

IX. Director's Report:

- a. Budget Update: I met with the City Manager on Jan. 25. He approved both of our supplemental requests, as well as our General fund and CIP budgets. The next step is approval by City Council. Budget hearings with the City Council are Feb. 12 and 13. The library presentation will be late on Monday night.
- b. Grant: I received notification from the Earth Day e-Cycling Grant Program that they will award us \$1,600 for a bottle-filling station to replace our indoor water fountain.
- c. Strategic Plan: Are you happy with the second draft of the survey or do we need to make additional changes? Thank you to those of you who sent suggestions for action items for the new strategic plan. I am combining the board and staff suggestions into one document that we can use to create action steps once the broader goals have been determined by the survey and the board. We are also seeking feedback from users through the "Love the Library" display in the lobby display case this month.
- d. Hoopla Clock: Based on customer feedback, hoopla reset their clocks to local time starting Feb. 1. This means our daily budget limit resets at midnight, which makes so much more sense.
- e. Custodian: Our custodian is unable to return to work. I am in the process of soliciting bids from cleaning services. In the meantime, library staff are cleaning the library.
- f. Letter to the Editor: Verlan shared a letter to the editor that was published in the Sully paper, although it is in regard to a situation in Orange City. I have included a copy in your packet so we can discuss it.
 - Verlan led the discussion along with Wendy. After much discussion, the board came to a consensus as to how we would treat a similar situation. We reviewed the desire to have a broad ranging collection that reflects diverse ideas.
- g. Complaint About Urns: I spoke to a library patron last week who felt the urns out front were not appropriate for children to see. I explained to her that the library board at the time they were donated (2005) reviewed them before accepting the donation and felt that they were suitable for the library.
 - After a general discussion on the complaint, the board affirmed the 2005 decision to accept the donation. No changes were recommended.
- h. Vacation: I am taking vacation Feb. 14-16 and Feb. 22-23.
- i. Statistics:
 - FaxScan24: 4 faxes sent
 - Mobile print service: 14 users sent 28 jobs totaling 45 pages
 - Hoopla:
 - i. 334 total circs borrowed by 159 patrons
 - ii. Average of 2.1 circs per patron

- iii. 72 patrons used all 3 checkouts
 - iv. Average price per circulation: \$2.13
 - v. 144 patrons were blocked by the budget caps
- j. Buildings and Grounds:
- Parts have been ordered to repair the relief fan on AHU1. The Halverson Trane bill in your packets is for troubleshooting.
 - The broken hardware on the front doors has been replaced.
 - We moved a desk from the staff lounge into the Heritage Room closet and set up die-cut machine in there. Staff have all been trained on the use of the machine and we are now offering it to the public.
- k. Upcoming Events:
- February 15 at 10:15 a.m.: Genealogy Club will meet in the Meeting Room.
 - February 16 from 6:30 to 8:30 p.m.: Laser Tag – for Families! Join us for an after-hours program. Doors will open at 6:15 p.m. Sign up is required and will start on Monday, February 5 at 10:00 a.m. Suggested for children 4 and up.
 - February 16 from 8:30 to 9:30 p.m.: Laser Tag – for Teens! Participants must be in the building by 8:30 p.m. and picked up before 9:45 p.m. For students in 6th to 12th grades.
 - February 19 at 6:30 to 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.
 - February 20 at 6:00 p.m.: Boys Book Club for boys in grades 2-5 with dad or other influential male in their lives. Sign up is suggested so the correct number of books can be ordered.
 - February 22 at 12:00 noon: The Brown Bag Book Club will discuss Bottomland by Michelle Hoover. Bring your lunch and bring a friend.
 - Beginning Genealogy Classes will be held at 7:00 p.m. at the library on Feb. 20, Feb. 27, and Mar. 6. The classes are free and open to the public, ages 12 and up. Registration is required.

X. Committee reports:

- a. Governance & Policy: Meeting Room policy revision – Wendy reviewed a suggested change regarding cleaning after events. Verlan moved to approve the changes as written. Jane seconded the motion. The revision was unanimously approved.

XI. Adjournment: President Praveen Mohan adjourned the meeting at 5:18 p.m. The next regularly scheduled Board Meeting is scheduled for March 13, 2018.

c. **Planning and Zoning Minutes for March 5, 2018**

Vice-Chairperson Vos called the Planning and Zoning Commission to order at 6:00 p.m. in the Public Safety Complex. Members present were: Craig Agan, Joe Canfield, Cathy Haustein, Robin Pfalzgraf, Gary Van Vark, Ervin Van Wyk, and Teri Vos. Absent: Julio Chiarella, Mark Groenendyk, David Landon, Ann Visser. Staff present: City Administrator Mike Nardini, Zoning Administrator Bryce Johnson, and City Clerk Mandy Smith. Others present: None.

APPROVAL OF TENTATIVE AGENDA

Motion by Pfalzgraf, second by Haustein, to approve the tentative agenda. Motion carried 7-0.

APPROVAL OF MINUTES

Motion by Canfield, second by Van Wyk, to approve the minutes of the February 26, 2018 meeting. Motion carried 7-0.

NEW BUSINESS

(Case PC18-07) Consider a preliminary plat for the subdivision known as Bos Ridge

Bos Ridge, LLC. has submitted a 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. This property is part of the recently adopted Southwest Urban Renewal Plan.

The preliminary plat has been revised to reflect City 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.I of the City code which amends the maximum length of the cul-de-sac located on Bos Ridge Road to 1,100 feet.

Canfield asked why City code limits cul-de-sac lengths to a maximum of 600 feet. Nardini explained that originally this was a density issue and the maximum length was calculated based on 0.3-acre residential lots. Residential lots now often exceed 0.3 acres therefore it's not uncommon, particularly in the western suburbs, to exceed the maximum 600-foot cul-de-sac length. Haustein inquired about City snow plow efficiency due to the number of cul-de-sacs in Bos Ridge. Nardini responded that there will be some incremental time for City snow plows initially, however as the development builds out, there will be sufficient property taxes to cover the maintenance requirements.

Van Vark asked where the storm water will be directed. Nardini stated that generally ponds will be retaining the storm water, and the county right of way will be utilized to direct the storm water. Additionally, the ponds within the Bos Ridge development will be tiled out to the storm water drainage system by Bos Landen Drive. Van Vark asked where storm water will be directed if a development is eventually built to the north of Bos Ridge. Nardini responded that if a development was built north of Bos Ridge, a separate storm water management plan would be developed.

Motion by Van Wyk, second by Pfalzgraf, to approve the site plan as submitted, including the waiver of 170.11.3.I of the City code which amends the maximum length of the cul-de-sac located on Bos Ridge Road to 1,100 feet. Motion carried 7-0.

OTHER BUSINESS/PUBLIC FORUM

None.

Adjourned at 6:13 p.m.

3. Petitions and Communications

a. Special Event Permit Request for Street Performers

BACKGROUND: The PACE Alliance has requested a special event permit to allow street performers in the Central Business District. The proposed performances would occur on Friday nights from 3:00 to 7:00 p.m. and on Saturdays from 11:00 a.m. to 6:00 p.m. between April 6, 2018 and December 22, 2018.

The proposed performance locations remain the same as prior last year's request which includes the Klokkenspel plaza, the area abutting the Information Windmill on the square, and in front of the stores located on the 600 and 700 blocks of Franklin Street.

As background, street performers were first allowed in 2014. The PACE Alliance believes the busker style performers enrich the atmosphere of the downtown area for both residents and visitors alike during the prime visitor season.

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

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

4. Administration Reports – None

D. *PUBLIC HEARINGS

1a. Public Hearing on North Water Tower Interior Painting Project Bids. No written comments were received. Oral comments were received and addressed. Van Stryland moved to close the public hearing, seconded by Peterson. On roll call the vote was: AYES: Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst, Schiebout. NAYS: None. Motion carried.

BACKGROUND: This resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the North Water Tower Interior Painting Project 2018.

As Council is aware, 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.

Four alternatives were involved with this bid: two schedule alternatives and two coating system alternatives. Alternates A1 and B1 involved the use of a high build paint system and alternates A2 and B2 involved the use of the more traditional two-coat epoxy system. In addition, the bids were requested for two separate time periods: spring, with work complete between May 7 and July 1, and fall, with work complete between September 1 and November 1.

The bid opening for the project was held at 10:00 a.m. on March 28, 2018. Nine bids were received and are summarized below.

Contractor	A1 High Build System; spring completion	A2 Two-Coat Epoxy System; spring completion	B1 High Build System; fall completion	B2 Two-Coat Epoxy System; fall completion
Engineer's Estimate	\$230,000	\$190,000	\$230,000	\$190,000
Pittsburg Tank & Tower	\$199,250	\$188,500	\$229,200	\$208,300
Seven Brothers Painting, Inc.	\$199,500	\$189,500	\$194,500	\$184,500
Utility Service Co, Inc.	\$223,600	\$201,500	\$239,400	\$216,600
TMI Coatings	\$231,600	\$215,200	\$238,000	\$220,000
Maguire Iron, Inc.	\$254,600	\$182,600	\$229,600	\$157,600
Champion Tank Services, LLC.	\$260,750	\$240,750	\$230,750	\$190,750
J.R. Stelzer Co.	\$290,900	\$251,450	\$240,900	\$191,450
Central Tank Coatings, Inc.	No bid	No bid	\$264,555	\$194,705
WW Sandblasting	No bid	No bid	Inadequate bid security	Inadequate bid security

After reviewing the bid proposals, Veenstra & Kimm, Inc., the project engineer, recommends awarding the contract to the low bidder of alternative A1, Pittsburg Tank & Tower Maintenance Co., Inc., as listed in the total amount of \$199,250. It is important to note, the engineer's estimate for alternative A1 was \$230,000. From a schedule perspective, the spring painting season is preferable as fall is when the heaviest water demand occurs with Central College in regular session. The fall painting season also involves more risk due to the uncertainty regarding weather conditions. In addition, based on the difference between the high build system and the two-coat epoxy system, the cost differential justifies the high build system as it increases the life of the coating system by eight to ten years.

Staff is requesting Council approve the contract listed above in the total amount of \$199,250. The resolution also gives the Public Works Director authorization to issue the notice to proceed once the contract, bonds, insurance certificates, and appropriate permits are in proper order and fully executed.

ATTACHMENTS: Resolution, Engineer's Recommendation, Bid Tabulation
 REPORT PREPARED BY: Public Works
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve resolution

1b. Resolution No. 5853 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE NORTH WATER TOWER INTERIOR PAINTING PROJECT 2018". Bokhoven moved to approve, seconded by Schiebout. On roll call the vote was: AYES: Bokhoven, Schiebout, Peterson, De Jong, Branderhorst, Van Stryland. NAYS: None. Motion carried.

E. PETITIONS & COMMUNICATIONS

1. Special Event Permit Request for Tent Revival and Outpouring. Schiebout moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: Schiebout, Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst. NAYS: None. Motion carried.

BACKGROUND: Union Liberty Church in Bussey, Iowa, has requested a special event permit for the Tent Revival and Outpouring scheduled Monday, April 16, 2018 through Saturday, April 21, 2018. As background, a special event permit is required when the general public is invited to attend an event held on public property owned by the City of Pella.

The proposed event would occur in the West Market Park shelter house, from 6:00 to 10:00 p.m. each evening. The promoter is expecting 50 to 100 members of the general public will attend this ministry event each evening to enjoy music, preaching, and teaching. Originally, the promoter requested to erect a 30' x 40' tent to the northwest of the shelter house, however has since decided to hold this event within the shelter house as opposed to setting up a tent.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and conditional approval is recommended subject to the following conditions:

- No amplified sound after 9:00 p.m. each evening.
- Full day rental of the West Market Park shelter required for each day of the event; shelter rental form must be submitted and paid for in advance at the Community Center office.
- Event coordinator is responsible for moving and replacing picnic tables as needed.

ATTACHMENTS: Application, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK

RECOMMENDATION: Conditional approval subject to the conditions outlined above

2a. Special Event Permit Request for 2018 Tulip Time Festival. Branderhorst moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: Branderhorst, Van Stryland, Schiebout, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: The Pella Historical Society is requesting a special event permit for the 2018 Tulip Time Festival. The event is scheduled for May 3-5, 2018. Set-up is scheduled to begin on April 30, 2018 at 5:00 p.m. with take down ending May 7, 2018, at noon. A resolution requesting street closures for the event is included with this request, and outlined below.

Streets/Alleys permanently closed

- Broadway Street from Liberty Street north to Washington Street
- Main Street from University Street north to Washington Street
- East 1st Street from the alley south of Franklin north to the alley north of Franklin
- Franklin Street from East 3rd Street to W 2nd Street
- Alley from Main Street to East 1st Street between Franklin and Washington Street
- Alley from Main Street to East 1st Street between Franklin and Liberty Street
- Alley from East 1st to East 2nd Street between Franklin and Liberty Street
- West 2nd Street from Liberty Street north to Franklin Street
- Liberty Street from West 2nd to West 3rd

Streets permanently closed for parade staging area

- Independence Street from East 3rd Street west to Main Street
- East 1st Street from Independence Street north to Union Street
- East 2nd Street from Independence Street north to Union Street

Streets temporarily closed for parade or traffic congestion

- Washington Street from Main Street west to Broadway Street

Streets with controlled access for the parades

- Washington Street from East 1st Street west to Main Street
- Washington Street from Broadway Street west to West 1st Street
- Main Street from Washington Street north to Columbus Street
- Broadway Street from Washington Street north to Columbus Street

All pertinent City departments have reviewed this application and comments are attached. The fee has been received, and the insurance certificate is pending. Approval pending receipt of the certificate of insurance is recommended.

ATTACHMENTS: Resolution, Application, Map, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK

RECOMMENDATION: Approve special event permit and resolution pending receipt of certificate of insurance

2b. Resolution No. 5854 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS 2018 TULIP TIME FESTIVAL". Schiebout moved to approve, seconded by De Jong. On roll call the vote was: AYES: Schiebout, De Jong, Bokhoven, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried.

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

1. Resolution No. 5855 entitled, "RESOLUTION APPROVING PELLA FARMER'S MARKET EXEMPTION FROM THE REQUIRED PEDDLERS, SOLICITORS AND TRANSIENT MERCHANT LICENSE". De Jong moved to approve, seconded by Bokhoven. On roll call the vote was: AYES: De Jong, Bokhoven, Branderhorst, Van Stryland, Schiebout, Peterson. NAYS: None. Motion carried.

BACKGROUND: The Pella Farmer's Market is scheduled to open on April 19, 2018, with their season continuing through October 20, 2018. Hours of operation are Thursdays from 3:00 to 6:00 p.m. and Saturdays, starting in May, from 9:00 a.m. to noon. The Farmer's Market will be located in the parking lot of First Reformed Church at 603 Broadway Street.

According to City Code, Farmer's Market participants are considered peddlers and as such are subject to obtaining peddler permits. City Council may, by resolution, exempt Farmer's Market participants from the required peddler permits if the event is declared to be of City-wide interest. This resolution would exempt the Pella Farmer's Market participants from obtaining peddler permits. If approved, this license exemption would be valid for one year from the date of resolution upon the condition that the Pella Farmer's Market complies with all other applicable City Code requirements including maintaining a list of vendor names, addresses, and current sales tax permit information.

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

2. Resolution No. 5856 entitled, "RESOLUTION AMENDING RESOLUTION #5848 CALLING A SPECIAL CITY ELECTION". Schiebout moved to approve, seconded by De Jong. On roll call the vote was: AYES: Schiebout, De Jong, Bokhoven, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried.

BACKGROUND: This resolution amends resolution #5848 which was approved during the March 12, 2018 special Council meeting. As background, resolution #5848 established May 1, 2018 as the referendum date for authorizing a municipal telecommunications utility. This resolution is intended to provide a better description of the potential municipal telecommunications utility for the May 1st referendum. Listed below is the revised ballot language with the new additions highlighted in red font.

PROPOSITION A

"Shall the City of Pella, in the County of Marion, State of Iowa, be authorized to establish a Municipally-Owned telecommunications system (including cable communications, television, video, voice, telephone, data, internet, broadband and all other forms of telecommunications and cable communications systems and services) Utility?"

As additional background, under Iowa law the citizens of Pella must authorize a municipal telecommunications utility. The referendum simply seeks authorization from our citizens to establish a telecommunications utility. Likewise, the referendum does not establish a time frame or deadline for proceeding with the operation or construction of a municipal telecommunications utility, but rather provides City Council with the discretion to proceed with the utility when it is feasible for the City of Pella. The need for a municipal telecommunications utility is being driven by concerns expressed by citizens and businesses regarding access to high-speed internet. Furthermore, a municipal telecommunications utility could help meet the long-term high-speed internet access needs of our citizens and businesses.

It is also important to note that many rural communities across Iowa have either formed municipal telecommunications utilities, or are in the process of forming the utility. The reasons these communities have authorized the formation of a municipal telecommunications utility are similar to the reasons the City of Pella is considering this issue.

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

3. Resolution No. 5857 entitled, "RESOLUTION APPOINTING KRISTINE STONE AS CITY ATTORNEY FOR THE CITY OF PELLA". Branderhorst moved to approve, seconded by De Jong. On roll call the vote was: AYES: Branderhorst, De Jong, Bokhoven, Van Stryland, Schiebout, Peterson. NAYS: None. Motion carried.

BACKGROUND: This resolution appoints Kristine Stone as City Attorney for the City of Pella. As background, the City of Pella recently solicited proposals for City Attorney Services. Three qualified legal firms submitted proposals. After a comprehensive evaluation process, the Council's subcommittee consisting of Mayor Mueller, Council Member De Jong, Council Member Bokhoven, and City Administrator Nardini, is recommending the appointment of Kristine Stone, with the Ahlers & Cooney law firm, as City Attorney.

With a background in municipal law, Ms. Stone joined Ahlers & Cooney in 2017 in the Government Law Practice Area. Her practice focuses on representing cities, counties, utilities, and other public entities in the exercise of their powers and in litigation. In her general municipal practice, she counsels clients in all aspects of their operations such as policy development, risk avoidance, public bidding, public records, open meetings, annexation, eminent domain, and more. She also reviews and prepares contracts, ordinances, agreements, and resolutions.

Prior to joining the Ahlers firm, Kristine served as the City Attorney for the City of Bettendorf from 2013 to 2017 and as an Assistant City Attorney for the City of Ames from 2009 to 2013. As an in-house municipal lawyer, she advised elected officials, department heads, and staff on legal matters, and represented the cities in administrative, district court, and appellate actions. Kristine is originally from the Burlington area and is a graduate of Iowa State University and Drake Law School.

It is also important to note that in the absence of Kristine Stone, the Ahlers law firm has qualified attorneys available to assist the City. Furthermore, the City of Pella already utilizes the Ahlers law firm for economic development and bond counsel services.

This appointment is for a two-year term, expiring in January of 2020.

ATTACHMENTS: Resolution, Engagement Letter
REPORT PREPARED BY: Administration
REPORT REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDED ACTION: Approve resolution

I. ORDINANCES

1. 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

Staff is recommending this ordinance continue to be tabled until Council completes its Policy and Planning discussion on the proposed microbrewery. 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

- Ordinance No. 937 entitled, "AN ORDINANCE AMENDING WATER RATES IN THE CITY OF PELLA, IOWA". Schiebout moved to place ordinance no. 937 on its first reading, seconded by Van Stryland. On roll call the vote was: AYES: Schiebout, Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst. NAYS: None. Motion carried.

BACKGROUND: This ordinance increases the water rates of the City of Pella by 7% effective for utility bills due July 20, 2018 for June usage. As background, the FY 18-19 Budget included this increase which is necessary to fund the long-term water supply plan. Listed below is background information on the proposed increase.

Long-term Water Supply Plan

The City's long-term water supply plan is intended to meet the community's supply and treatment needs through the year 2037. Overall, the plan includes a new 3.0 million gallon per day (MGD) reverse osmosis (RO) treatment process, an additional Jordan Well and new water main, and improvements to the existing lime softening treatment plant.

Proposed Water Rate Structure

The proposed rate increase of 7% would be effective for utility bills due July 20, 2018 for June usage. At that time, the base fee for inside the City limits would increase from \$17.77 to \$19.02 per month. In addition, the cost per 1,000 gallons would increase from \$4.29 to \$4.59.

Impact of Water Rate Increases

The proposed rate increase of 7% would be effective for all customer classes. The following chart represents the impact of the rate increase for different customer types inside the City limits. For the average residential customer using 7,000 gallons per month, the proposed increase is \$3.35 per month. For the average commercial customer using 35,000 gallons per month, the proposed increase is \$11.75 per month. For the average industrial customer using 100,000 gallons per month, the proposed increase is \$31.25 per month.

Customer Type	Water Usage in Gallons	Current Bill	Proposed Bill	\$ Increase	% Increase
Residential	7,000	\$ 47.80	\$ 51.15	\$ 3.35	7%
Commercial	35,000	\$ 167.92	\$ 179.67	\$ 11.75	7%
Industrial	100,000	\$ 446.77	\$ 478.02	\$ 31.25	7%

Comparable Cities

The chart below compares water rates of similar sized cities in our region. The average residential and commercial users in Pella would continue to pay slightly more than the City of Knoxville and significantly less than the City of Oskaloosa. For the industrial user, the City of Pella would continue to remain very competitive with the City of Knoxville and continue to be significantly less than the City of Oskaloosa.

It is important to note that when comparing our rates to others in the region, one must consider the service level provided by the utilities. For instance, there are utilities who perform minimal water treatment. In comparison, our water treatment process is a significant component of our rates. In order to compensate for the lack of water treatment, their customers will often need to install additional filtration systems to obtain a higher quality of water. Unfortunately, these costs are typically not included in water rate comparisons.

Water Rate Comparisons--In City Limits

City	Minimum No Usage	7,000 gal Residential	35,000 gal Commercial	100,000 gal Industrial
Knoxville	\$9.00	\$31.50	\$157.50	\$450.00
Oskaloosa	\$13.46	\$62.98	\$314.88	\$899.67
Pella	\$17.77	\$47.80	\$167.92	\$446.77
Pella Proposed	\$19.02	\$51.15	\$179.67	\$478.04

Average without Pella \$11.23 \$47.24 \$236.19 \$674.84

SUMMARY

This ordinance increases the water rates of the City of Pella by 7% effective for utility bills due July 20, 2018 for June usage. The proposed increase reflects the fourth and final increase necessary to fund the City's long-term water supply plan. By implementing rate increases incrementally, financial impacts to rate payers were potentially minimized while at the same time ensuring the utility has adequate cash flows to fund the plan.

ATTACHMENTS: Ordinance
 REPORT PREPARED BY: City Administration
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve ordinance

3. Ordinance No. 938 entitled, "AN ORDINANCE AMENDING WASTEWATER RATES IN THE CITY OF PELLA, IOWA". Peterson moved to place ordinance no. 938 on its first reading, seconded by De Jong. On roll call the vote was: AYES: Peterson, De Jong, Bokhoven, Branderhorst, Van Stryland, Schiebout. NAYS: None. Motion carried.

BACKGROUND: This ordinance increases the wastewater rates of the City of Pella by 8% effective for utility bills due July 20, 2018 for June usage. As background, the FY 18-19 Budget included this increase which is necessary to fund improvements required by the Iowa Department of Natural Resources (IDNR). These mandated improvements total an estimated \$4.8 million and are necessary to comply with the stringent ammonia, E. coli, and dissolved oxygen limitations established by the IDNR. Overall, staff believes wastewater rates will need to increase by 25% to 30% over the next several years in order to meet the new mandates.

Proposed Wastewater Rate Structure

The proposed rate increase of 8% would be effective for utility bills due July 20, 2018 for June usage. At that time, the base fee for the wastewater rate would increase from \$17.00 to \$18.36 per month. In addition, the cost per 1,000 gallons of water used would increase from \$4.25 to \$4.59.

Impact of Wastewater Rate Increases

The proposed rate increase of 8% would be effective for all customer classes. The following chart represents the impact of the rate increase for different customer types inside the City limits. For the average residential customer using 7,000 gallons per month, the proposed increase is \$3.74 per month. For the average commercial customer using 35,000 gallons per month, the proposed increase is \$13.26 per month. For the average industrial customer using 100,000 gallons per month, the proposed increase is \$35.36 per month.

Typical Customer	Sewer Use in Gallons	Current Bill	Proposed Bill	\$ Increase	% Increase
Residential	7,000	\$46.75	\$50.49	\$3.74	8%
Commercial	35,000	\$165.75	\$179.01	\$13.26	8%
Industrial	100,000	\$442.00	\$477.36	\$35.36	8%

Comparable Cities

The chart below compares the City of Pella's current and proposed wastewater rates against the surrounding cities of Knoxville and Oskaloosa. For all customer classes, even after the proposed increase, Pella's rates continue to be significantly lower than the neighboring communities.

Sewer Rate Comparisons--In City Limits

City	Minimum No Usage	7,000 gal Residential	35,000 gal Commercial	100,000 gal Industrial
Knoxville	\$22.00	\$69.39	\$258.95	\$699.00
Oskaloosa	\$13.10	\$71.68	\$305.99	\$849.94
Pella	\$17.00	\$46.75	\$165.75	\$442.00
Pella Proposed	\$18.36	\$50.49	\$179.01	\$477.36

Average without Pella \$17.55 \$70.54 \$282.47 \$774.47

SUMMARY

As previously stated, an increase in the wastewater rates is necessary to help fund IDNR mandates put into effect for the City's wastewater system. If Council approves this ordinance, the proposed rates would initiate the first of future phased increases necessary to support the required improvements. The proposed rate increase of 8% would be effective for utility bills due July 20, 2018 for June usage.

ATTACHMENTS: Ordinance
 REPORT PREPARED BY: City Administration
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve ordinance

I. CLAIMS

1. Abstract of bills No. 2004. Schiebout moved to approve, seconded by Bokhoven. On roll call the vote was:
AYES: Schiebout, Bokhoven, Branderhorst, Van Stryland, Peterson, De Jong. NAYS: None. Motion carried.

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

Comments were received and addressed.

L. CLOSED SESSION – None

M. ADJOURNMENT

There being no further business claiming their attention, Schiebout moved to adjourn, seconded by De Jong. On roll call the vote was: AYES: Schiebout, De Jong, Bokhoven, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried. Meeting adjourned at 7:40 p.m.