



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

May 1, 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 four 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. Request to Evaluate Expansion of Design Review Districts
  - b. Oskaloosa Street Corridor Redevelopment Plan
2. Approval of tentative agenda. Item B-9 was pulled from the agenda. Van Stryland moved to approve the tentative agenda, seconded by Branderhorst. On roll call the vote was: AYES: Van Stryland, Branderhorst, Schiebout, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.
3. Reappointment of Vince Nossaman to the Board of Adjustment. 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.

BACKGROUND: Vince Nossaman has served on the Board of Adjustment since May 20, 2008 and is interested in serving another term. His position is one of two Marion County members on the Board of Adjustment. Vince is a building contractor and resides at 958 218<sup>th</sup> Avenue.

The Marion County Board of Supervisors is in support of this reappointment. Vince's new five-year term would expire on May 1, 2023.

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

4. Reappointment of Merlan Rolffs to the Board of Adjustment. Van Stryland moved to approve, seconded by Peterson. On roll call the vote was: AYES: Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst, Schiebout. NAYS: None. Motion carried.

BACKGROUND: Merlan Rolffs has served on the Board of Adjustment since September 16, 2003 and is interested in serving another term. His position is one of two Marion County members on the Board of Adjustment. Merlan is employed by Kinze Manufacturing and resides at 858 197<sup>th</sup> Place. The Marion County Board of Supervisors is in support of this reappointment. Merlan's new five-year term would expire on May 1, 2023.

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

5. Reappointment of Craig Agan to the Planning and Zoning Commission. 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: Craig Agan has served as the Marion County Board of Supervisor's representative on the Planning and Zoning Commission since January 18, 2011 and is interested in serving another term. The Board of Supervisors is in support of this reappointment. Craig's new five-year term would expire on May 1, 2023.

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

6. Reappointment of Mark Groenendyk to the Planning and Zoning Commission. Van Stryland moved to approve, seconded by Branderhorst. On roll call the vote was: AYES: Van Stryland, Branderhorst, Schiebout, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: Mark Groenendyk has served as the Mahaska County Board of Supervisor's representative on the Planning and Zoning Commission since February 6, 2013 and is interested in serving another term. The Board of Supervisors is in support of this reappointment. Mark's new five-year term would expire on May 1, 2023.

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

7. Reappointment of David Landon to the Planning and Zoning Commission. De Jong moved to approve, seconded by Schiebout. On roll call the vote was: AYES: De Jong, Schiebout, Peterson, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.

BACKGROUND: David Landon has served on the Planning and Zoning Commission since November 20, 2007 and is interested in serving another term. This position is one of two Mahaska County members on the Planning and Zoning Commission. David is employed by Vermeer Corporation and resides at 1867 Barrows Avenue. The Mahaska County Board of Supervisors is in support of this reappointment. David's new five-year term would expire on May 1, 2023.

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

8. Reappointment of Teri Vos to the Planning and Zoning Commission. 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: Teri Vos has served on the Planning and Zoning Commission since December 16, 2008 and is interested in serving another term. This position is one of two Marion County members on the Planning and Zoning Commission. Teri is employed by Vermeer Corporation and resides at 541 Highway T14. The Marion County Board of Supervisors is in support of this reappointment. Teri's new five-year term would expire on May 1, 2023.

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

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

No comments were received.

**C. APPROVAL OF CONSENT AGENDA**

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

1. Approval of Minutes
  - a. Official Council Minutes for April 17, 2018
2. Report of Committees
  - a. Policy and Planning Minutes for April 17, 2018

PRESENT: Mayor Jim Mueller, Mark De Jong, Tony Bokhoven, Lynn Branderhorst, Harold Van Stryland, Bruce Schiebout, Larry Peterson  
ABSENT: None

OTHERS: City staff and visitors

The Policy and Planning meeting began at 7:50 p.m. The first item on the agenda was a discussion about the proposed scope of services for the downtown streetscape plan. Staff has been working with RDG Planning & Design and Garden & Associates to develop this scope of services. The goal of the plan is to develop a unified and consistent streetscape design for the downtown area. The plan will provide the City with cost estimates for the improvements, a proposed phasing plan, a public wayfinding plan for the downtown area, and a proposed concept design for future restroom facilities in Central Park.

Pat Dunn with RDG was in attendance to discuss the proposed scope of services. Dunn mentioned that the process will focus on community involvement through a variety of methods including design workshops and focus groups with key stakeholders. In addition, RDG will work with City staff to communicate the process on the City's website and social media.

At the end of the discussion, staff was directed to proceed with placing the proposed streetscape plan on the May 1, 2018 Council agenda for formal consideration.

The next item was a discussion about a proposed dockless bike share program for the City of Pella. Brian Campbell, Director of Sustainability at Central College; Kristi Leonard, Assistant Dean of Students at Central College and Pella Wellness Consortium board member; and Kris Van Gent, owner of Iowa Bike and Fitness presented the program to Council. The proposed program with VeoRide would allow bikes to be parked within defined geo-fenced locations and rented via a smartphone app. Initially 50 bikes would be provided, with the ability to add more if needed. Iowa Bike and Fitness, through a contract with VeoRide, would provide any necessary bike maintenance and repair. The cost to rent a bike would be \$0.50 for 15 minutes. Daily, monthly, and yearly passes would also be available.

At the end of the discussion, staff was directed to proceed with the bike sharing program by presenting the proposed memorandum of understanding (MOU) for Council consideration during a future Council meeting. The program will launch four to six weeks after the MOU is signed.

The last item was a discussion about extending the City's trail system to Vermeer Corporation. After reviewing several options over the past few months, Council directed staff to review installing a 10-foot trail starting on the north side of University Street at Madison Elementary

to 240th Avenue. The bike trail would then continue north on 240th Avenue to Vermeer Corporation. The trail will be constructed within the public right-of-way with guardrails installed to separate the trail from the roadway.

The estimated total cost of the project is \$563,000. Vermeer Corporation's charitable foundation has pledged \$100,000 to support construction of the project, bringing the City's estimated net cost to \$463,000.

It was unanimous to have staff proceed with this project, placing the trail on the west side of 240th Avenue to avoid the need to have a trail crossing and stop signs installed at the intersection of University Street and 240th Avenue. Bid letting for the project is estimated to occur in late spring or early summer with the project completed by late fall 2018.

The meeting adjourned at 8:39 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

## b. Board of Adjustment Minutes for February 27, 2018

Vice-Chairperson Corbett called the Board of Adjustment to order at 6:00 p.m. in the City Hall Conference Room. 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 City Clerk Mandy Smith. Others present: Richard Sherman, Jerry Sherman, Carol Sherman, Brad Schippers, Shirley Schutte, Sonja Brom, Donna Frisby, Don Frisby, Derek Bradfield, Jerry Fynaardt, and Bruce Schiebout.

### CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda

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

### APPROVAL OF MINUTES

Motion by Vander Meiden, second by Reiter, to approve the February 15, 2018 minutes. Motion carried 5-0.

### PUBLIC HEARING CONCERNING A MINOR MODIFICATION APPLICATION FOR THE PROPERTY LOCATED AT 515 W 1<sup>ST</sup> STREET TO INCREASE THE MAXIMUM HEIGHT OF A DETACHED STRUCTURE NOT TO EXCEED 20-FEET

As background, the applicant is requesting a minor modification to increase the maximum height of an accessory structure, as required per Chapter 165.30.3(F), from 15-feet to 17.5-feet. Under code, the maximum height for accessory structures is limited to 15-feet. A home once sat at this location but has since been moved by Habitat for Humanity to another location in town. There is also an existing two-car garage on this property that used to serve both homes, however, this structure will be removed to construct the proposed garage.

Staff believes the proposed garage will not have a negative impact to the subject property or neighboring properties and would not increase the amount of people or vehicles within the neighborhood. Staff also believes the proposal would improve the curb appeal of the property, thereby maximizing the owner's use of the property while still complying with City Code and the Comprehensive Plan. For these reasons, staff believes the minor modification should be granted and, therefore, recommends approval.

Convened Public Hearing on the minor modification application for 515 W 1<sup>st</sup> Street.

Motion by Reiter, second by Vander Wert, to accept written comments into the record. Motion carried 5-0.

Brad Schippers, the builder of the garage, spoke in favor of the minor modification. Schippers stated that the owner has done an outstanding job designing the garage to fit the area and tie in with the existing house.

Vander Meiden asked what percentage this minor modification is. Goodenow responded that this circumstance has different criteria, and does not include percentages. In this case the structure should not exceed 20-feet, or the height of the principal structure, and the project meets the criteria.

As no other comments were received, Vander Meiden motioned to close the public hearing, seconded by Reiter. Motion carried 5-0.

Motion by Smith, second by Vander Wert, to approve the minor modification as submitted. Motion carried 5-0.

### PUBLIC HEARING CONCERNING A MINOR MODIFICATION APPLICATION FOR THE PROPERTY LOCATED AT 812 LINCOLN STREET TO REDUCE THE STREET AND SIDE YARD SETBACKS IN ORDER TO CONSTRUCT A NEW FAMILY HOME

As background, the applicant is requesting a minor modification to reduce the minimum interior and street side yard setbacks by two-feet and five-feet respectively for the construction of a new family home at 812 Lincoln Street. The proposed lot is currently vacant and within the R2 (two-family residential) zoning district, which permits the use of a family home by right.

Staff believes the proposed structure will not have a negative impact to the subject property or neighboring properties. Further, the footprint of the proposed structure is similar in size and scale of the homes in the area. Lastly, staff believes the proposed structure complies with City Code and the Comprehensive Plan. For these reasons, staff believes the minor modification should be granted and, therefore, recommends approval.

Convened Public Hearing on the minor modification application for 812 Lincoln Street.

Motion by Reiter, second by Smith, to accept written comments into the record. Motion carried 5-0.

Smith asked if the home is a business. Goodenow responded that it is categorized as a family home. Staff's understanding is four unrelated individuals with developmental disabilities will reside in the home. This is a permitted residential use in this zoning district.

Don Frisbee, a neighboring property owner, asked if their property values and taxes will be impacted. Goodenow responded that it's unlikely that a new structure in a neighborhood would cause an increase or decrease in neighboring property values.

Sonja Brom, a neighboring property owner, expressed concerns that more than four individuals may end up living in the home. Brom also expressed concerns with flooding impacts after the new home is built. Bruce Schiebout, Forward with Faith board member, confirmed that this will be a group home for handicapped young men, and it will be limited to four individuals. Schiebout confirmed that the alley that goes alongside of the home will be a green space. In addition, the home will be built as a residential property, and will not appear handicapped accessible from the exterior.

Shirley Schutte, a neighboring property owner, asked how close the home would be to her home at 816 Lincoln Street. Corbett confirmed that the wall of the home would be five feet away from her property line. Schutte expressed concerns with potential flooding at her home. Schiebout responded that drain tile could possibly be moved and might even enhance or help the current situation as the runoff water could be redirected to the street. In addition, Schiebout mentioned that Schutte's garage is on the lot line. Schutte confirmed that a variance was approved when the garage was built. Schiebout stated they designed the home so that no windows are interfering with Schutte's home. Schutte expressed concerns with traffic in the area. Corbett informed Schutte that City staff has assured the board that the project, as designed, will comply with sight triangle standards. Schiebout confirmed that the traffic to and from the home is not expected to be any different than a regular single-family home.

Vander Meiden asked Schiebout about the intended use of the garage. Schiebout confirmed that the garage will be handicapped accessible, and wide enough for a wheelchair to be loaded and unloaded. Staff members assisting those who live in the home would be able to park their vehicles in the garage or driveway. As no other comments were received, Reiter motioned to close the public hearing, seconded by Vander Meiden. Motion carried 5-0.

Vander Meiden asked staff what the allowance is for on-street parking in residential areas. Goodenow responded that the requirement for this zoning district is for off-street parking, and in this instance the requirement is to provide two off-street parking spaces. This home has four off-street parking spaces including the garage and the driveway.

Vander Meiden inquired if the board is able to conditionally approval this minor modification to require the tile to be upsized. Goodenow stated that is not a condition this board can place on this situation. Staff talked to the City engineer prior to the meeting to discuss the storm water concerns. In addition, the subdivision was designed to accommodate construction of a single-family home; the facilities in the area can accommodate that use.

Vander Meiden clarified that the home will not protrude further than the existing homes, and will actually be further setback than neighboring homes, helping with visibility concerns on the corner.

Motion by Reiter, second by Smith, to approve the minor modification as submitted. Motion carried 5-0.

#### OTHER BUSINESS/PUBLIC FORUM

Goodenow discussed adopting a policy that would set a 30-day submittal deadline on applications appealing staff decisions. As background, Iowa Code section 414.9 and Pella City Code section 165.42 grant the Board of Adjustment the right to adopt rules regarding its actions and procedures relating to appeals. Of concern lately is the time frame associated with appeals. Iowa Code section 414.10 dictates that appeals shall be considered within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. To ensure notices of appeals are heard within a reasonable time period, staff is recommending the following policy be considered by the board.

Notices of appeal to the Board of Adjustment where it is alleged there is error in any order, requirement, decisions or determination made by the Zoning Administrator in the enforcement of this Zoning Ordinance or any regulation relating to the location or soundness of structures shall be filed within thirty (30) days of the action or decision appealed from.

Motion by Reiter, second by Vander Wert, to adopt a policy that would set a 30-day submittal deadline on applications appealing staff decisions. Motion carried 5-0.

Adjourned at 6:47 p.m.

### c. Library Board Minutes for March 13, 2018

I. Call To Order: Vice President Angela Adam called the meeting to order at 3:59 p.m. Board members present were: Angela Adam, John Evenhouse, Verlan Den Adel, Jane Koogler, Rachel Sparks, and Kenny Nedder. Library Director Wendy Street was present. Praveen Mohan 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 February 2018 minutes prior to the meeting. Verlan moved to approve the February minutes as written. Rachel seconded the motion. The minutes were unanimously approved.

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

VI. Unfinished Business: There was no unfinished business.

VII. New Business:

- a. Food for Fines (April 8-14) – Wendy reviewed what has been done in prior years for the Food for Fines program to support the local food shelf. She suggested the week of April 8-14. Kenny moved to adopt the Food for Fines program again this year during the week of April 8-14 with the same guidelines as last year. Rachel seconded the motion. The motion to have Food for Fines this year was unanimously approved.
- b. State funding – Wendy reviewed the current allocation for the state funding and discussed how to proceed with the unallocated amount. There is about a \$2,000 reduction in funding over past due to state budget cuts. Wendy provided a reminder of the requirement to spend the funds by June 30<sup>th</sup>. Verlan moved to approve the Pella Chronicle digitization spending and defer the remaining allocation until the May meeting so we can understand the impact of changes to the Internet content filtering subscription. Jane seconded the motion. The state funding allocation plan was unanimously approved.
- c. Webinar report – Verlan provided an overview of his key learnings from the State Library’s February 27<sup>th</sup> boardroom webinar series “A Culture of Learning.” There was discussion by the group on his key findings as well as the suggestion to put a placeholder on the monthly agenda to cover learning topics.

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

IX. Director’s Report:

- a. Budget update - City Council approved the budget with no changes at their March 6 meeting.
- b. Strategic Plan
  - The “service priorities” survey went out March 1 and will close on March 15, or when we receive 1,000 responses. We received about 700 responses in the first week.
  - I compiled the comments from the “Love your Library” display and that document is included in your packets.
- c. Personnel
  - Elise Beukelman resigned her shelver position. We are advertising to fill it.
  - I solicited proposals from 8 cleaning services, but received no bids. We will proceed with advertising for a part-time position for custodial duties.
- d. Winter Reading Programs - We had 90 participants in the family reading program, with 20 families entered in the prize drawing. There were 44 entries in the adult winter reading program.
- e. Internet Content Filter - The license for our internet content filter has expired and the product is end-of-life, so we can’t renew it. RSM is looking for a replacement product. In the meantime, our internet access is unfiltered. After a general discussion, the group generally agreed we should investigate other services to provide filtering, especially for malicious sites.
- f. Libraries in the news
  - The story from the Orange City Public Library was picked up by national media. I haven’t heard if or how the situation has been resolved.
  - Net neutrality: the Senate and House both introduced Congressional Review Act resolutions which, if passed, would overturn the FCC’s ruling and reinstate the legal framework for basic net neutrality principles.
- g. Statistics
  - FaxScan24: 8 faxes sent
  - Mobile print service: 11 users sent 30 jobs totaling 98 pages

- Hoopla:  
325 total circs borrowed by 161 patrons  
Average of 2 circs per person  
65 patrons used all 3 checkouts  
Average price per circulation: \$2.15  
120 patrons were blocked by the budget cap
- h. Building and Grounds
  - Repairs were made to AHU1 on Feb. 21, but one of the parts was faulty and will have to be replaced. I have not received a bill.
  - During our recent winter weather, we had two different patrons who fell on the ice in front of the library.
- i. Upcoming events
  - March 15 at 10:15 p.m.: Genealogy Club in the Meeting Room.
  - March 15 at 1:00 p.m.: Paint Kindness Rocks. A joint program with the Pella Community Art Center, this program will be held at the Art Center. Open studio fees apply.
  - March 16 at 10:30 a.m.: Morning Movie *Wonder*. There is a limit of 50 people, so sign up at the Circulation Desk in advance.
  - March 17 at 10:00 a.m.: Egg Drop Contest! Join us from 10:00 -10:45 a.m. to package an egg at the library. We will move to the Fire Station for the drop. Participants can come with eggs protected, but must meet guidelines. For complete guidelines, please see Katie in the children's area. The library will provide eggs and packing material the day of program.
  - March 20 at 6:30 to 8:00 p.m.: Adult Coloring. Spring is almost here! Close out winter with a stress-free evening of coloring. The library will provide coloring supplies, or you may bring your own. Held in the Library Meeting Room.
  - March 29 at 12:00 noon: The Brown Bag Book Club will discuss *When Breath Becomes Air* by Paul Kalanithi.
  - The Library will be closed all day on Friday, March 30 and Sunday, April 1. Happy Easter!
  - April 9 at 7:00 p.m.: Culture Night: Japan featuring Tamiko Van Zante. Learn about the culture of Japan from a native, and sample authentic food. This program will be held in Room 206 at the Community Center.
  - The next Friends of the Library book sale will be April 13-22 in the Library Meeting Room.

X. Committee reports:

- a. Governance & Policy:
  - i. General Policy statement – The General Policy statement was reviewed, but no changes were made.
  - ii. Displays policy – Wendy presented changes to the Displays policy intended to make minor corrections to the policy and to better define the guidelines in displaying material outside the display case. Jane moved to approve the revised Displays policy as presented. John seconded the motion. The changes were unanimously approved.

XI. Demonstration of Learning Express: Wendy provided a demonstration of the Learning Express subscription to the board. Several questions were raised, and specific areas were shown to demonstrate the capabilities. Wendy explained this was a free subscription to the library provided by the Iowa Workforce Development program. There is very low usage of this platform, but there are some beneficial pieces of content. Of the training that has been used in the past, it is generally regarded as excellent quality.

XII. Adjournment: Vice President Angela Adam adjourned the meeting at 5:06 p.m. The next regularly scheduled Board Meeting is scheduled for April 10, 2018.

d. Community Development Committee Minutes for March 28, 2018

Chairperson Brummel called the Community Development Committee (CDC) to order in the Public Safety Complex at 5:30 p.m. Members present were: Leah Bokinsky, Jerry Brummel, Susan Canfield, Pasty Cody, Mike Kiser, Jody Lautenbach, Wayne Stienstra, and Dennis Vander Beek. Linda Groenendyk arrived at 5:33 p.m. Absent: Phil Groenendyk and Robyn Van Berkum. Staff present: Zoning Administrator Bryce Johnson and City Clerk Mandy Smith. Others present: BJ Stokesbary, Shawna Miller, Bri Buzick, and Jason Bandstra.

APPROVAL OF TENTATIVE AGENDA

Motion by Kiser, second by Vander Beek, to approve the tentative agenda. Motion carried 8-0.

APPROVAL OF MINUTES

Motion by Canfield, second by Kiser, to approve the minutes from the February 7, 2018 meeting. Motion carried 8-0.

L. Groenendyk enters at 5:33 p.m.

NEW BUSINESS

(Case DSN18-04) Consider a design permit application to alter the exterior appearance of the existing building located at 713 Franklin Street. BJ Stokesbary has submitted a design permit application to alter the front façade of the building located at 713 Franklin Street. The project is considered a major project under the City's Design Review District Design Manual, which requires approval from the CDC. The proposed alterations are outlined below:

- The vertical siding separating the first and second floor would be removed; brick behind the siding would now be visible.
- The first floor would include corner and rectangle style windows with black clad frame.
- The second floor would include two sets of double hung and picture windows with black clad frame.
- Installation of a new black and white vertical striped awning; the stripes would be 6-inches wide.
- The multi-colored brick would be painted white (601 TCX).
- Installation of new double doors (white with black frame).
- The west door would be a three-panel craftsman door.

The applicant, BJ Stokesbary, mentioned that he is requesting to paint the brick white because the brick is from the 70s era, and not original to the building. Cody mentioned that the proposal as presented is a contemporary look, and stated that the Committee would like to work with the applicant to add Dutch elements for the goal of blending in with the area.

Motion by Brummel, second by Canfield, to approve the design permit with the following revisions/modifications: leave the brick above the awning and stone at the bottom of the building as is. Roll call: AYE: Brummel, Canfield. NAY: Cody, L. Groenendyk, Kiser, Lautenbach, Stienstra, Vander Beek. ABSTAIN: Bokinsky. Motion failed.

Canfield exited at 6:10 p.m.

The Committee discussed the option to change the paint color for the brick at the top of the building as well as the stone at the bottom of the building from white to a gray option. The Committee proposed utilizing either 428C or 429C.

Motion by Cody, second by Stienstra, to approve the design permit with the following revisions/modifications:

1. Painting of the brick above the awning and stone at the bottom of the building with either 428C or 429C due to the fact that the existing brick is not original Dutch brick but rather brick that was used during the 1960s and 1970s after a fire destroyed the original building;
2. Painting of the west door black;
3. Entry double doors painted white;
4. Addition of mutton bars to the second story windows;
5. Remainder of the design is approved as submitted;
6. Motion is contingent upon a design to add architectural lintels above each second story window being approved by a CDC subcommittee by September 28, 2018; if this does not occur, the design permit would be void.

Roll call: AYE: Cody, Stienstra, Vander Beek, L. Groenendyk, Kiser, Lautenbach. NAY: Brummel. ABSTAIN: Bokinsky. Motion carried.

Cody clarified that when the applicant is ready, they should contact the Zoning Administrator to coordinate a meeting with the subcommittee. (Case SGN18-021) Consider a sign permit application proposing to install a shingle sign at 713 Franklin Street

Tim Sadler has submitted a sign permit application to install a 3½-square foot double-sided wood shingle sign under the proposed awning located at 713 Franklin Street. As further background, the CDC subcommittee reviewed this application, but decided to bring the application before the full committee for review in conjunction with the design permit application.

Stienstra mentioned he prefers to see the corners with an indentation rather than a rounded edge. Cody agreed, stating that the indentation on the corners gives additional character to the sign. Miller commented that the sign is her logo, including the rounded edges, and shared her concern that cutting the corners would affect her logo. Cody mentioned that the CDC's focus as a Committee is to ensure Dutch features are incorporated into signage. Johnson confirmed that there needs to be some type of Dutch architectural element which is a requirement of the Design Review Manual. Miller confirmed that Tim Sadler had informed her of this requirement.

Motion by Cody, second by Brummel, to approve the sign permit with the following revision/modification: the corners of the sign must be modified to have a beveled cut in the edges. Roll call: AYES: Cody, Brummel, L. Groenendyk, Kiser, Lautenbach, Stienstra, Vander Beek. NAYS: None. ABSTAIN: Bokinsky. Motion carried.

(Case DSN18-06) Consider a design permit application to place outdoor furniture at 2610 Washington Street for outdoor customer seating Jason Bandstra is requesting a design permit to allow outdoor furniture (four round picnic tables with attached seats) to be placed on the concrete patio of his business, Dutch Fix, for customer seating. It should be noted that this project is considered a minor project under the City's Design Review District Design Manual, but was deferred to the full Committee for review.

Brummel asked for clarification of what side of the building the tables would be located on. Bandstra stated that the tables are to the west of the building. Bokinsky asked the applicant if the tables will be attached to the ground. Bandstra replied that they were not originally planning to secure the tables to the ground, however they are now considering it due to the amount of wind in the location.

Motion by Cody, second by Kiser, to approve the design permit as submitted. Motion carried 8-0.

#### OTHER BUSINESS/PUBLIC FORUM

Johnson informed the Committee that the deadline for Central Business District (CBD) outdoor seating applications is April 1<sup>st</sup>, and no outdoor seating should be placed in the CBD prior to this date.

The next regular CDC meeting is scheduled for April 11<sup>th</sup>.

Cody inquired about the sign permit for PPI's "now hiring" banner on Washington Street, and questioned if it has exceeded the time allotment. Johnson responded that he will follow-up on this.

Brummel mentioned the importance of setting a precedence when making decisions. Cody reminded the Committee that they need to stay true to what they are directed to do by the City Council, which is to follow what the Design Review Manual states.

Adjourned at 6:41 p.m.

### e. Community Services Board Minutes for January 26, 2018

Present: Stephen Fyfe, Amanda Schwerdtfeger, Glenn Steimling, Teresa Thompson, Arvin Van Zante

Absent: Lauri Amelse, April Cutler, Mike Lyons

Staff: Jeanette Vaughan, Alex Meyers, Chandler Nunnikhoven, Dyan Parker, Brenda Ross

Others: None

12:05pm Community Services Director Jeanette Vaughan called the meeting to order

Minutes - Motion by Cutler, seconded by Van Zante to approve the Community Services Board Meeting minutes of November 17, 2017.

Motion carried 5-0

#### Discussion Items

Lease Agreements - Vaughan outlined the submitted user agreements citing no changes in fees for the third year. Pella Cricket team has submitted an agreement but is not certain if they will have enough participants to field a team this year.

Motion by Fyfe, second by Thompson to approve lease agreements from 7 USSSA Teams, Pella Soccer Club, Pella Tennis Association, Pella Cricket, Pella Youth Tackle Football and Pella Little League. Motion carried 5-0

Pickle Ball Courts at Caldwell - Vaughan reported that the pickle ball courts are expected to open the first part of June. Vaughan presented draft rules for the new courts. The Board discussed play rotation ideas such as time limits versus game limits while others were waiting. They also discussed having courts divided into beginner and intermediate play if participant numbers increase. Vaughan reported that she had spoken with the Iowa Pickle Ball Association ambassador, Steve Stone. Stone indicated that once the Pella's courts were finished he could see both local and outside entities wanting to use the facility for tournaments. The Board discussed current tennis court tournament rates and determined that \$200 for 6 pickle ball courts would be appropriate. Nunnikhoven commented that a nearby resident asked him if noise control measures were being considered for the courts. Steimling reported that the sound is a "popping" noise when the ball hits the paddle and it typically not loud enough to hear if windows are closed. Schwerdtfeger lives near Kiwanis and has had occasion to speak with residents near the

courts. She reported that the homeowners often cannot hear the play. General consensus was that the noise level would not be unexpected for a neighborhood park and will most likely be less noise than the skate park that was previously located there.

Signage at Soccer Complex - Jerry Ellis, president of the Pella Soccer Association has requested that they be allowed to have sponsorship signage at the Pella Soccer Complex. The current user agreement does provide for signage based upon city approval. Several options were discussed however the Board determined that advertising/sponsorship signage should be temporary in nature and only be installed/removed during actual tournament or game times and not be allowed to remain up throughout the season.

Budget Update - Vaughan presented a summary of the operations budget and Capital Improvement Budget submitted to City Administration. Council budget sessions will be held on February 12<sup>th</sup> and 13<sup>th</sup>.

Creek Bank Erosion in Big Rock Park - Nunnikhoven reported that he was contacted by the Public Works Department in regards to erosion of a bend in a creek bank that may at some point expose a city sewer main. Public Works has indicated that they wish to use concrete to shore up the bank. Vaughan opened up discussion to the Board but pointed out that the 2000 Big Rock Park master plan calls for the removal of existing concrete from the creek banks. The Board would prefer that natural materials be used and would like for staff to research costs and other options prior to making a recommendation.

Department Updates:

Art & Rec/Brenda

- Starting January 29<sup>th</sup> all gym users will be asked to sign in so that usage of the gym can be tracked.
- The Community Services January update contains additional information on department activities.

Parks/Chandler

- Ice Rink has been closed due to extreme warm weather. Once temperatures get back to below freezing staff will make a decision on whether to rebuild ice or to close for the 2017/18 season.
- 2018 Annual Flower Bid Packets have been sent out and are due back January 30<sup>th</sup>.
- There will be an information meeting for the general public on the new Tree Program Rebate on February 15<sup>th</sup> at 6:30pm in the Community Center.
- Several members of Parks staff attended Turf and Tree Conference, renewed chemical applicator licenses and attended CPR/First Aid classes
- Equipment maintenance is taking place.

Aquatics/Alex

- Pella Rec swim team is half way through their season. Typically 20-30 kids go to state from our team.
- Second session of swim lessons have started.
- The surge tank for the indoor pool has been causing additional issues with leakage. Staff is asking for the tank to be replaced in the upcoming budget. The tank would be replaced while the outdoor pool is open.
- Staff is working with a William Penn College sports marketing class on a marketing plan for the Mermaid/Princess/Pirate Party scheduled at the outdoor pool on July 21<sup>st</sup>. Each group will develop and present a plan to city staff. The winning project will be used to market the event to the general public.

Adjournment

The next meeting is scheduled for Friday, February 16, 2018 at noon in room 206, in the Community Center.

Meeting adjourned at 1:04 pm.

Respectfully submitted:

Dyan Parker

January 29, 2018

f. **Planning and Zoning Commission Minutes for March 26, 2018**

Chairperson Landon called the Planning and Zoning Commission to order at 7:00 p.m. in the Public Safety Complex. Members present were: Joe Canfield, Mark Groenendyk, Cathy Haustein, David Landon, Gary Van Vark, and Teri Vos. Absent: Craig Agan, Julio Chiarella, Robin Pflanzgraf, Ervin Van Wyk, and Ann Visser. Staff present: City Administrator Mike Nardini, Zoning Administrator Bryce Johnson, and City Clerk Mandy Smith. Others present: Doug Van Zee, Dennis Vander Beek, Brad Uitermarkt, and Timothy Pol.

**APPROVAL OF TENTATIVE AGENDA**

Motion by Vos, second by Canfield, to approve the tentative agenda. Motion carried 6-0.

**APPROVAL OF MINUTES**

Motion by Van Vark, second by Canfield, to approve the minutes of the March 5, 2018 meeting. Motion carried 6-0.

**NEW BUSINESS**

(Case PC18-09) Consider a site plan to construct a 39,200-square foot building addition to the warehouse located at 310 S. Clark Street. G.I. Warehouse Corporation has submitted a site plan to construct a 39,200-square foot building addition onto the warehouse located at 310 S. Clark Street. The proposed development will provide additional space for indoor equipment servicing and warehouse storage, which is the primary use of the existing structure. Staff believes the proposed site plan meets the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan, therefore, staff is recommending the site plan be approved as submitted.

Motion by Canfield, second by Van Vark, to approve the site plan as submitted. Motion carried 6-0.

(Case PC18-10) Consider a site plan to construct a parking lot and new access drive to the property located at 1400 Fifield Road. Ryle Smith has submitted a site plan to construct a new parking lot and vehicle access drive to his property located at 1400 Fifield Road. The proposed development will provide additional parking spaces for approximately 4,300-square feet of the existing building for retail sales. It is important to note that this property is located within the boundaries of the Washington Street Access Management Plan, however, the proposed the access point along Washington Street utilizes an existing access and is therefore deemed compliant. Staff believes the proposed site plan meets the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan, therefore, staff is recommending the site plan be approved as submitted.

Canfield inquired regarding storm water runoff. Nardini responded that the City's engineer, Snyder & Associates, performs storm water calculations as part of all site plan reviews.

Haustein inquired if the flowering crabapple trees were new. Johnson confirmed that the applicant is proposing to add ten flowering crabapple trees surrounding the parking lot to provide type B and type C screening. Nardini clarified that type B provides less screening than type A; type A screening would be required if the project abutted a residential use.

Motion by Canfield, second by Van Vark, to approve the site plan as submitted. Motion carried 6-0.

**OTHER BUSINESS/PUBLIC FORUM**

Work session to discuss proposed fireworks zoning ordinance

The purpose of this work session is to discuss a proposed ordinance which would limit fireworks sales to M-1, limited light industrial, and M-2, heavy industrial, zoning districts. The proposed ordinance also requires the sale of fireworks to be the primary use for the property where fireworks sales take place.

Pursuant to the 28E Agreement between the City of Pella and Marion County relating to planning and zoning authority and the Pella zoning ordinance, these zoning regulations will extend beyond the City's boundaries and will be applicable within portions of the City's two-mile zoning jurisdiction. For Marion County, the areas subject to this proposed ordinance are identified as 'Subarea A'. For Mahaska County, the ordinance would apply to all areas within the City's two-mile jurisdiction.

Van Vark asked why we are unable to totally restrict the sale of fireworks. Nardini clarified that we cannot pass legislation that is more restrictive than what the state allows; our only means of regulating fireworks sales is through the allowance of where the sales can take place. Groenendyk asked how other cities have handled this issue. Nardini responded that our proposed ordinance is very similar to the ordinance passed by the City of Des Moines. In addition, Des Moines was sued over this issue in 2017, and the ordinance stood up against litigation.

Van Vark inquired if fireworks sales could be restricted to M1 zoning districts only. Nardini informed the Commission that legal counsel recommends the City makes areas available for fireworks sales that are suited appropriately. Based on the current activities permitted in M1 and M2 zoning districts, fireworks sales would align. If the Commission were to recommend limiting fireworks sales to only M2, heavy

industrial, there would have to be valid reasons why the use is not acceptable in M1 zoning districts. In comparison, fireworks sales are deemed incompatible with commercial zoning districts due to the fact that these zoning districts are generally more heavily populated, resulting in an increase in public safety concerns with the sale of explosives.

According to the proposed zoning ordinance, the primary use must be the sale of fireworks. In the case of an empty lot, or a lot with a vacant parcel, a tent could be erected for the sale of fireworks. If a proposed tent exceeds 2,000 square feet, it would be subject to a site plan review by the Planning and Zoning Commission.

Landon inquired about the opportunity to require a site plan regardless of the size of the structure. Nardini will verify the feasibility of this request with legal counsel, and will inform the Commission regarding legal counsel's recommendation during the next Planning and Zoning Commission meeting.

The next meeting of the Planning and Zoning Commission is scheduled for April 23, 2018. Nardini mentioned that the following items are tentatively on the agenda:

- Proposed fireworks ordinance
- Site plan for the Franklin Street townhomes
- Work session on the proposed microbrewery definition
- Work session on requiring all bars/taverns/cocktail lounges to obtain a special use permit
- Work session on the Central Business District streetscape plan

Adjourned at 7:43 p.m.

### 3. Petitions and Communications – None

### 4. Administration Reports

#### a. Zoning Violation Settlement Agreement

**BACKGROUND:** The Lamppost Lounge, located at 813 ½ Washington Street, has been operating as a cocktail lounge, which is a prohibited use under the zoning ordinance of the City of Pella. The property owner, Migdalia Lopez-Sales, has agreed to remedy this situation through execution of the attached settlement agreement. The agreement requires Ms. Lopez-Sales to cease the illegal use of the property by July 15, 2018. In addition, any subsequent use of the property needs to conform with the City's zoning code. Furthermore, Ms. Lopez-Sales acknowledges that failure to comply with this agreement will result in the filing of municipal infractions against the property.

Legal counsel and staff have reviewed this agreement and are recommending approval.

**ATTACHMENTS:** Settlement Agreement

**REPORT PREPARED BY:** City Administration

**REVIEWED BY:** CITY ADMINISTRATOR  
CITY CLERK

**RECOMMENDATION:** Approve settlement agreement

## **D. \*PUBLIC HEARINGS**

### 1a. Public Hearing on Bos Landen Ground Lease Amendment with Warrior Golf Venture, LLC. No written comments were received. Oral comments were received and addressed. De Jong moved to close the public hearing, seconded by Schiebout. On roll call the vote was: AYES: De Jong, Schiebout, Peterson, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.

**BACKGROUND:** This resolution approves a third amendment to the Bos Landen Ground Lease with Warrior Golf Venture. As background, on June 3, 2014, the City Council approved a ground lease with Warrior Golf Venture for operation of the Bos Landen Golf Course. A first amendment was approved by Council in 2015 and a second amendment was approved by Council in 2017.

**Requested Amendment**

Since beginning operations in 2014, Warrior Golf has experienced annual operating losses at the Bos Landen Golf Course. As a result, Warrior Golf Venture is requesting to make an amendment to how financial assistance provided by the City for operation of the Bos Landen Golf Course is applied in 2018. Listed below is a summary of the major components of this amendment:

*Maximum Annual Reimbursement – Section 6.02*

This amendment decreases the maximum annual reimbursement to Warrior Golf for calendar year 2018 from \$95,000 to \$55,800, a reduction of \$39,200. These funds are intended to reimburse the golf course operator for the cost of chemicals, fertilizer, and sand applied to the Bos Landen Golf Course. In addition, building repairs are also eligible for the reimbursement. Staff would also like to mention that we have reviewed and found Warrior Golf's 2018 grounds maintenance plan for the Bos Landen to be satisfactory.

*Operating Subsidy – Section 6.04*

The proposed amendment includes a one-time operational subsidy to Warrior Golf for calendar year 2018. This credit is to be applied towards city utility account usage up to \$39,200, or actual usage, whichever is less.

*Unused Funds for Capital Improvements*

Finally, this resolution authorizes Warrior Golf to spend up to \$25,000 in unused funding reimbursement from calendar years 2016 and 2017 to complete the following items:

1. Drainage improvements on holes #15 and #18
2. Improvements to the staircase on hole #7

**Other Factors to Consider**

The Bos Landen Golf Course is a regional tourist attraction and is the community's only public golf course. In addition, there are a significant amount of taxable valuations associated with the Bos Landen Development, as it includes approximately 185 housing units and a hotel. If the Bos Landen Golf Course was not operational, staff believes there would be some impact to the property values in the Bos Landen Development. In addition, there would likely be an impact to the local tourism industry.

Staff also believes Warrior Golf is making a good faith effort to improve the end user experience at the course. Furthermore, staff does not believe we could operate the Bos Landen Golf Course in 2018 for less funding than what is currently being allocated to Warrior Golf.

**Summary**

Staff is recommending approval of this resolution.

**ATTACHMENTS:** Resolution, Third Amendment to the Ground Lease Agreement

**REPORT PREPARED BY:** City Administration

**REVIEWED BY:** CITY ADMINISTRATOR  
CITY CLERK

**RECOMMENDATION:** Approve resolution

- 1b. Resolution No. 5861 entitled, "RESOLUTION APPROVING A THIRD AMENDMENT TO THE GROUND LEASE AGREEMENT WITH WARRIOR GOLF VENTURE, LLC." De Jong moved to approve, seconded by Schiebout. On roll call the vote was: AYES: De Jong, Schiebout, Peterson, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.

## **E. PETITIONS & COMMUNICATIONS**

- 1a. Special Event Permit Request for Iowa History on the Move. Van Stryland moved to approve, seconded by De Jong. On roll call the vote was: AYES: Van Stryland, De Jong, Bokhoven, Branderhorst, Schiebout, Peterson. NAYS: None. Motion carried.

BACKGROUND: The Pella Historical Society has requested a special event permit for "Iowa History on the Move" scheduled for June 28, 2018 through July 1, 2018. As background, "Iowa History on the Move" is an RV sponsored by the State Historical Society of Iowa that travels from town to town. The RV is scheduled to be a part of the Thursdays in Pella special event on June 28. After this event concludes, the promoter is requesting to move the RV to the parking lot to the north of the library as outlined on the attached map. The promoter is proposing to have the RV open to the public during the library's regular hours on Friday, June 29 and Saturday, June 30. The RV would be removed by 8:00 a.m. on Sunday, July 1. All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.

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

- 1b. Resolution No. 5862 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS IOWA HISTORY ON THE MOVE." Van Stryland moved to approve, seconded by Peterson. On roll call the vote was: AYES: Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst, Schiebout. NAYS: None. Motion carried.

2. Special Event Permit Request for the Pella Middle School Band Concert. 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.

BACKGROUND: The Pella Community School District has requested a special event permit to host a Pella Middle School Band Concert on the Tulip Toren. The event is scheduled from 11:30 a.m. to noon on May 18, 2018. Set-up would begin at 9:00 a.m. with take down completed by noon. The promoter is proposing to conduct this concert, featuring 7<sup>th</sup> and 8<sup>th</sup> grade band students from the Pella Middle School, for the purpose of simulating a City Band Concert. 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

## **F. PLANNING & ZONING ITEMS** – None

## **G. ADMINISTRATION REPORTS** – None

## **H. RESOLUTIONS**

1. Resolution No. 5863 entitled, "RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH VEORIDE, INC. TO PROVIDE A DOCKLESS BIKE SHARE PROGRAM IN THE CITY OF PELLA." De Jong moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: De Jong, Van Stryland, Schiebout, Peterson, Bokhoven, Branderhorst. NAYS: None. Motion carried.

BACKGROUND: This resolution approves a Memorandum of Understanding with VeoRide to provide a dockless bike share program in the City of Pella. As background, during the April 17<sup>th</sup> Policy and Planning meeting Council directed staff to proceed with presenting this item for formal Council consideration.

The bike share program allows bikes to be parked within defined, geo-fenced locations within City parks or otherwise identified City property. The bikes can be located and unlocked using a smartphone app via a GPS unit located on the bike. This program will provide a convenient travel option for short trips or tours of the City. The bikes are great for tourism and promoting Dutch heritage.

There are no start-up costs or annual fees associated with the program. VeoRide, Inc. is fully responsible for bicycle maintenance and repairs, and they will provide detailed reporting on program usage. The City Attorney has reviewed the Memorandum of Understanding which would allow for a one-year trial program with the option to renew for up to an additional three years if desired.

Included in the Memorandum of Understanding are the following highlights:

- One-year trial period with option to renew for up to three additional years
- 30-day opt out at any time
- 50 bicycles provided initially, with the availability to add additional bicycles if needed
- Bike maintenance and repair provided by VeoRide
- Software, including an app for renting bikes, provided and maintained by VeoRide
- The City will be named as an additional insured under VeoRide's insurance policy

- VeoRide will promote and market the program locally
- Bike parking locations on City property will be approved by the City

Fees for using the program would be as follows:

General Use	\$0.50 per 15 minutes
Day Pass	\$6.99 for unlimited 2- hour rides
Monthly Package	\$25.99 for unlimited 30-minute rides
Yearly Package	\$99.99 for unlimited 30-minute rides

Geo-fenced parking locations may be adjusted easily at any time; however, initial City bike parking locations would include the following:

- Central Park
- Klokkenspel/Molengracht
- Library Trailhead
- Water Plant Trailhead
- Fountain Hills Park
- Caldwell Park Shelter House
- South Park
- West Market Park
- Pella Aquatic Center

Below is the anticipated timeline for implementation of the bike share program:

June 4, 2018	Bicycles delivered to Pella
June 20, 2018	Training for staff and local vendor completed
July 2, 2018	Bicycles available for public use

Staff is recommending approval of the Memorandum of Understanding with VeoRide.

ATTACHMENTS:	Resolution, Memorandum of Understanding
REPORT PREPARED BY:	Community Services Director
REVIEWED BY:	CITY ADMINISTRATOR CITY CLERK
RECOMMENDATION:	Approve resolution

2. Resolution No. 5864 entitled, “RESOLUTION APPROVING AN AGREEMENT WITH RDG PLANNING & DESIGN FOR A DOWNTOWN STREETScape MASTER PLAN.” 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.

BACKGROUND: This resolution approves an agreement with RDG Planning & Design for the City of Pella’s downtown streetscape master plan. As background, following the April 17, 2018 Policy and Planning meeting, Council directed staff to proceed with presenting this agreement for formal Council consideration.

Staff has been working with RDG Planning & Design and Garden & Associates to develop a scope of services for development of a downtown streetscape master plan. Listed below are key items included as part of the proposed master plan:

The goal of the proposed streetscape plan is to develop a unified and consistent streetscape design for the City’s downtown area. In addition, the plan will also provide the City with cost estimates for the improvements and a proposed phasing plan. Once completed, the proposed streetscape plan is intended to serve as a guide for the City as it makes street improvements and other enhancements to the downtown area in future years.

Time Period for Development of the Streetscape Plan

The study period is intended to last from late May 2018 through October 2018.

Geographical Area of the Streetscape Plan

Listed below are the proposed geographical boundaries for the plan:

- North: Washington Street
- West: West 1<sup>st</sup> Street
- East: East 2<sup>nd</sup> Street
- South: Liberty Street

Proposed Technical Committee

The City Council will need to appoint a Technical Committee to work with the consultants and staff on development of the plan. Staff would propose the committee consists of representatives from the Pella City Council, Planning and Zoning Commission, Community Development Committee, Pella Area Community and Economic (PACE) Alliance, Pella Convention and Visitors Bureau, Pella Historical Society, and the Pella Historic Downtown Retail Group.

The consultants will meet with the Technical Committee up to six times while developing the plan.

In addition to the Technical Committee meetings, the consultants will also conduct the following meetings:

- Initial public meeting
- Three focus group meetings
- Design workshop
- Public presentation of the proposed master plan
- Presentation to the Pella City Council

Staff believes the proposed meetings will allow a significant amount of public input which is critical in developing a downtown streetscape plan.

Other Components of the Streetscape Plan

The streetscape plan will also include a public wayfinding plan for the downtown area, as well as a proposed concept design for future restroom facilities in Central Park.

The proposed fee for development of the downtown streetscape plan is \$74,000.

Staff is recommending approval of this agreement.

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

3. Resolution No. 5865 entitled, "RESOLUTION APPROVING AN AMENDMENT TO THE ORIGINAL 28E PARTNERSHIP AGREEMENT BETWEEN THE CITY OF PELLA AND FIELDS FOR OUR FUTURE, INC. FOR THE PURPOSE OF CONSTRUCTING PHASE II OF THE PELLA SPORTS PARK." De Jong moved to approve, seconded by Peterson. On roll call the vote was: AYES: De Jong, Peterson, Bokhoven, Branderhorst, Van Stryland, Schiebout. NAYS: None. Motion carried.

BACKGROUND: This resolution approves a first amendment to the original 28E partnership agreement between the City of Pella and Fields for Our Future, Inc. for the construction of Phase II of the Pella Sports Park. This proposed amendment was reviewed by Council during the FY 18-19 budget process.

As background, Fields for Our Future (FOF) is a non-profit entity formed for the purpose of constructing a sports park for the Pella community. Phase I of the Pella Sports Park was completed and opened in the spring of 2016. Since that time, FOF has continued fundraising efforts to support future expansion and improvements of the sports park. As a result, FOF is now requesting that the City proceed with Phase II at the estimated total cost of \$860,000.

In general, Phase II of the Pella Sports Park includes the following improvements:

- Construction of two additional unlit baseball/softball fields
- Addition of a gravel parking area to accommodate approximately 108 cars
- Construction of a 10-foot wide multi-purpose trail, approximately 3,180 feet long
- Addition of a five-foot overhang for foul ball protection on all fields
- Addition of bull pens for the purpose of pre-game warm up and practice pitching
- Addition of restroom facilities at the south portion of the facility by the current green space area

This amendment to the original agreement outlines each party as being responsible for 50% of the cost of Phase II. Additional requirements are as follows:

- The City of Pella's contribution towards the project is a maximum of \$430,000, or 50% of the total cost of Phase II, whichever is less.
- The City of Pella's contribution is intended to be applied towards the additional baseball/softball fields, the parking lot expansion, and the south restroom facility enhancements.
- The parties agree to work in good faith to address any cost overruns for this phase of the project and to make any necessary adjustments to the size and scope of the project to be within the funding commitments stated in this amendment.
- The parties agree to split the cost on invoices for the project on a 50%-50% basis, until the City of Pella's funding limits are reached.

The parties also agree to work in good faith to meet the following timeline and to address any delays or unforeseen events which would cause the project not to meet the stated timeline.

Engineering contract approved by Council:	May 15, 2018
Begin construction on Phase II:	Fall 2018
Opening date for Phase II:	Fall 2019/Spring 2020

In summary, staff is recommending approval of the first amendment to the 28E agreement with Fields for Our Future, Inc. to construct Phase II of the Pella Sports Park.

ATTACHMENTS: Resolution, Amendment  
REPORT PREPARED BY: Community Services Director  
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 reason the ordinance was tabled was because Council is also considering amending the zoning code for a 'microbrewery' use, which is similar in many aspects to this proposed ordinance. The Planning and Zoning Commission will likely make a recommendation on the microbrewery zoning amendment late spring/early summer of this year. As a result, staff is recommending this proposed ordinance continues to be tabled until Council can consider microbrewery recommendation from the Planning and Zoning Commission.

Listed below is background information on this proposed ordinance, which 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 can consider the Planning and Zoning Commission's microbrewery recommendation.

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

2. Ordinance No. 939 entitled, "AN ORDINANCE REPEALING SECTION 136.02 OF THE PELLA CITY CODE AND ADOPTING A NEW SECTION 136.02 RELATING TO SIDEWALK REPAIRS." Van Stryland moved to place ordinance no. 939 on its first reading, seconded by Peterson. On roll call the vote was: AYES: Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst, Schiebout. NAYS: None. Motion carried.

BACKGROUND: As background, during the Policy and Planning meeting on April 3, 2018, staff discussed with Council a process by which the City would initiate repairs to existing sidewalks. As part of the process of reviewing the City's sidewalk program, staff reviewed programs from other area cities as well as cities surrounding the Des Moines metro area. After reviewing the information and taking into consideration the size and scope of the City's program, staff recommended inspecting existing City sidewalks in quadrants, or every fourth year.

If the City Council would like to have the option of assessing property owners for defective sidewalk panels, the City Attorney recommends the current code should be revised by removing the requirement for sidewalk inspections every two years.

In summary, this ordinance change simply aligns city code with the City's proposed four-year sidewalk inspection program.

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

#### **I. CLAIMS**

1. Abstract of bills No. 2006. 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 Bokhoven. On roll call the vote was: AYES: Schiebout, Bokhoven, Branderhorst, Van Stryland, Peterson, De Jong. NAYS: None. Motion carried. Meeting adjourned at 7:43 p.m.