



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

February 5, 2019

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. Four staff members and ten members of the general public signed the register.

B. MAYOR'S COMMENTS

1. Announce that the Policy and Planning meeting that was scheduled following the regular Council meeting to discuss the Event Venue Drafted Ordinance will be postponed to a future meeting.

2. Approval of Tentative Agenda. Item B-1-a was pulled from the agenda.

Van Stryland moved to approve the tentative agenda as amended, seconded by Peterson.

On roll call the vote was:

AYES: Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst, Schiebout.

NAYS: None.

Motion carried.

3. Certified List of Police Officer Candidates.

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: On January 28 and 29, 2019, the Pella Civil Service Commission conducted oral interviews and performed a comprehensive review of all competitive testing of qualifying candidates for the position of police officer. The candidates passing all phases of the competitive process and satisfying the standards set by the Pella Police Department and the City of Pella Civil Service Commission are listed below. As required under Iowa Code Chapter 400, this roster constitutes the Pella Civil Service Commission's formal certified list of police officer candidates.

Alex Grafft	Urbandale, IA
Elmer Pearson	Pella, IA
Michael Pettersen	Rockford, IL
Peyton Reimer	Pella, IA

ATTACHMENTS:

None

REPORT PREPARED BY:

Marcia Slycord / Clerk / Pella Civil Service Commission

REVIEWED BY:

CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION:

Accept the certified list of candidates for the police officer position as required in Iowa Code 400.11

4. Appointment of Bruce Boertje to the Historic Preservation Commission.

Branderhorst moved to approve, seconded by Bokhoven.

On roll call the vote was:

AYES: Branderhorst, Bokhoven, Van Stryland, Schiebout, Peterson, De Jong.

NAYS: None.

Motion carried.

BACKGROUND: Mayor Mueller would like to appoint Bruce Boertje to serve on the Historic Preservation Commission. Mr. Boertje is a lifelong resident of Pella and graduate of Pella High School. Mr. Boertje holds a B. A. degree in Business Management from Central College and has been employed by Pella Corporation for the past 20 years; he currently works in the Design Assurance (Test) Lab. Prior to joining Pella Corporation, Mr. Boertje spent a dozen years as a businessman owning and operating The Record Collection, Ltd., a retailer of pre-recorded music.

Mr. Boertje currently serves as a board member on The Historic Pella Trust, Oakwood Cemetery, and Friends of the Pella Community Center and has served on the board of many other non-profit community organizations in the past.

Mr. Boertje has a passion for researching, compiling, and writing about Pella history. He lives with his wife, Cyndi, at 614 Monroe Street.

If approved, Bruce's term would expire on January 1, 2022.

ATTACHMENTS:

None

REPORT PREPARED BY:

Planning and Zoning Department

REVIEWED BY:

CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION:

Approve the appointment

5. Announce closed session pursuant to Iowa Code Chapter 388.9(1) to discuss marketing and pricing strategies or proprietary information of a city utility if its competitive position would be harmed by public disclosure not required of potential or actual competitors, and if no public purpose would be served by such disclosure.
6. Announce closed session pursuant to Iowa Code Chapter 21.5 1(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property.

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

No comments were received.

C. APPROVAL OF CONSENT AGENDA

Schiebout moved to approve the consent agenda, seconded by Van Stryland.

On roll call the vote was:

AYES: Schiebout, Van Stryland, Peterson, De Jong, Bokhoven, Branderhorst.

NAYS: None.

Motion carried.

The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for January 15, 2019
2. Report of Committees
 - a. Policy and Planning Minutes for January 15, 2019

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

ABSENT: Tony Bokhoven, Larry Peterson

OTHERS: City staff and visitors

The Policy and Planning meeting began at 8:45 p.m. The only item on the agenda was a discussion regarding parking in the Central Business District (CBD). There are currently 641 public parking spaces in the CBD. The proposed Downtown Streetscape Plan involves a net reduction of 24 parking spaces due to the following reasons:

1. Changing the orientation of parking spaces on Franklin Street, between Main and East 1st, from 60 to 45 degrees to make it easier for vehicles to back out of parking spaces when delivery trucks are parked on Franklin Street.
2. Enhancing crosswalk areas to make pedestrian traffic safer.
3. Eliminating parking spaces which are too small and do not meet standards.

Staff believes an analysis should be performed to determine if additional parking is warranted and, if so, quantify the number of spaces needed. At the end of the discussion, staff was directed to proceed with having a parking study included as part of the Comprehensive Plan update.

The meeting adjourned at 9:03 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

b. Community Development Committee Minutes for November 14, 2018

Chairperson Brummel called the Community Development Committee to order in the Public Safety Complex at 5:30 p.m. Members present were: Jerry Brummel, Susan Canfield, Patsy Cody, Linda Groenendyk, Mike Kiser, Jody Lautenbach, Wayne Stienstra, and Robyn Van Berkum. Absent: Leah Bokinsky and Lowell Olivier-Shaw. Staff present: Zoning Administrator Bryce Johnson and Deputy City Clerk Cynthia Vaske. Three members of the public were present.

APPROVAL OF TENTATIVE AGENDA

Motion by Cody, second by Canfield to approve the tentative agenda. Motion carried 8-0.

APPROVAL OF MINUTES

Motion by Van Berkum, second by Cody to approve the minutes from the October 11, 2018 meeting. Motion carried 8-0.

NEW BUSINESS

(Case SGN18-090) Consider a Sign Permit Application to Install a Plastic Wall Sign on the Building Located at 635 Franklin Street
Tim Beyer with Red Rock Signworks has submitted a sign permit application on behalf of Blush by Simple Treasures to install a 35 square-foot plastic wall sign with individual cut standoff letters above the awning of the building located at 635 Franklin Street. The City's Sign Subcommittee chose not to approve this application suggesting the sign material be wood or metal to be consistent with Old World design. The Community Development Committee (CDC) is tasked to review aspects of signage relating to the general design, arrangement, texture, materials, colors, lighting, and placement. Lastly, the City Code requires that the CDC review all proposed signs with respect to appropriateness of the sign in relation to other signs and other structures on the premises and in the nearby area.

After evaluating this permit application, staff finds that the proposed wall sign complies with the zoning requirements. However, the Design Review District Design Manual (Design Review Manual) specifically states "plastic signs are strongly discouraged" in the Central Business District (CBD). Given the subjective nature of reviewing applications based on design and qualitative information, staff believes the CDC shall make the final decision relating to the general design, arrangement, texture, materials, colors, and placement of the proposed sign.

Beyer was present to answer questions regarding the sign permit application and provided samples of the sign material. He explained that the plastic letters will have a matte finish. Stienstra suggested that the sign be mounted by drilling into the mortar of the building instead of the brick. Simple Treasures owner Shawna Miller explained that the building has brick veneer.

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

(Case SGN18-093) Consider a Sign Permit Application to Install a Dimensional Letter Wall Sign on the Building Located at 713 Franklin Street.

Tim Beyer with Red Rock Signworks has submitted a sign permit application on behalf of Simple Treasures to install an 18 square-foot plastic wall sign with individual cut standoff letters on the building located at 713 Franklin Street. The City's Sign Subcommittee chose to bring this application before full committee with a recommendation to use wood or metal material to be consistent with Old World design. The CDC is tasked to review aspects of signage relating to the general design, arrangement, texture, materials, colors, lighting, and placement. Further, the City Code requires that the CDC review all proposed signs with respect to appropriateness of the sign in relation to other signs and other structures on the premises and in the nearby area.

After evaluating this permit application, staff finds that the proposed wall sign complies with the zoning requirements. However, the Design Review Manual specifically states "plastic signs are strongly discouraged" in the CBD district. Given the subjective nature of reviewing applications based on design and qualitative information, staff believes the CDC shall make the final decision relating to the general design, arrangement, texture, materials, colors, and placement of the proposed sign.

Beyer provided a sample of the sign material. Cody asked that it be noted that the sign material for both 635 Franklin and 713 Franklin Street is low-density polyethylene (LDPE) and not what one might traditionally think of as plastic.

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

(Case DSN18-026) Consider a Design Permit to Repaint the Front Façade of the Building Located at 631 Franklin Street

Tiffany Ballalatak of Blackstone Salon has submitted a design permit application to repaint the front façade of the building located at 631 Franklin Street. This property is located in the CBD and Design Review (DR) overlay zone. This application is considered a major project in the Design Review Manual, which must be reviewed by the full CDC. The proposed colors listed on the application are gray (Cool Gray 5U), yellow (7499 U), and black (426 C). It is important to note that all three colors are found in the Dutch Color Palette.

Staff finds the design permit application meets the requirements of the Zoning Ordinance and Design Review Manual. It is important to note that the application does not include any alterations or changes to the architectural elements of the structure. Lastly, it should be reiterated that the proposed colors are found in the Dutch Color Palette, however, other color selections may be used upon approval of the CDC.

Tiffany Ballalatak's husband, Timothy, spoke in favor of the design permit and answered questions from the Committee. He expressed that the intent is to use an off-white color instead of color 7499 U as indicated on the design permit application.

Motion by Cody, second by Van Berkum to approve the design permit as submitted, with the condition that an off-white color be used instead of color 7499 U. Motion carried 8-0.

OTHER BUSINESS / PUBLIC FORUM

Stienstra asked whether work is being done to the sign at Thistles Flower Shop. Zoning Administrator Bryce Johnson replied that he will have to review the sign permit.

Johnson said a summary of design and sign permit applications that were received during the months of October and November 2018 was included in the meeting packet. He stated that work on Vander Ploeg Bakery has been completed and provided a photo of the shop's exterior.

Cody asked if it would be possible to have building owners on the square with buildings that are vacant or under construction to cover their windows. She said she has received comments from visitors regarding their appearance.

Adjourned at 5:54 p.m.

c. Community Services Board Minutes for November 16, 2018

Present: April Cutler, Stephen Fyfe, Mike Lyons, Amanda Schwerdtfeger, Arvin Van Zante

Absent: Lauri Amelse, Glenn Steimling, Teresa Thompson

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

12:04pm 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 from October 19, 2018.

Motion carried 5-0

Discussion Items

Code of Ethics Policy – Vaughan asked if there were any discussion points regarding the changes to the Code of Ethics Policy that was sent out in the meeting packet. Motion by Schwerdtfeger, seconded by Fyfe to proceed with the proposed Code of Ethics Policy. Motion carried 5-0

Capital Improvement Project List – Vaughan reviewed the provided list of upcoming CIP projects for the FY 2019-2023 budget.

The following newly proposed items were discussed:

- Vaughan opened up the discussion with a topic that was not on the list but has come up at several public meetings (Downtown Street Scope) and also in queries posted to the Community Services Facebook page, installing a Splash Pad at one of the parks. Currently Trevor, Asst Aquatic Manager, is researching Splash Pads projects in Grinnell and Knoxville. Van Zante asked what a splash pad would entail. Nunnikhoven explained that it is a cement area where water shoots up and kids run through them. Schwerdtfeger noted it would draw people of all ages. The board agreed this should be added to the proposed project list for FY 22-23.
- Purchase a used SUV with under 60,000 miles. This vehicle will be used for transportation to out of town swim meets, moving concession supplies, errands for Community Services staff. This will replace the old police car, 2007 Chev Impala, that has 145,672 miles and that has continued issues with steering, brake systems and tire sensors. Estimated \$18,000.
- Installation of an estimated 20 acres of Native Prairie areas at Pella Soccer complex and Pella Sports Park to reduce mowing and also provide habitat bees and butterflies. (\$8,000-\$10,000)
- Addition of a self-propelled blower to the equipment inventory. Staff has seen a large increase in request for the pickle ball courts getting blown off. With the addition of pickle ball courts at Kiwanis, staff feels these requests will only increase. This machine could also cut our time in half in blowing off the concrete areas at the Pella Sports Park, as well as, to blow off snow on the ice rink and mulch debris in the parking lot at the Pella Sports Park. (\$4,000-\$5,000) Nunnikhoven noted this would save an estimated 60 hours removing leaves in the summer.
- Miracle Park (all inclusive) at Kiwanis Park. Would include a poured in place surfacing to allow easy access to playground features by anyone with mobility issues. Playground features would include those geared for sensory play as well as physical play for use by all abilities. Proposal by local Kiwanis Club. Estimated \$300,000 project with Kiwanis proposing to donate \$150,000. Requested time line 2 years.
- Other Projects: Vaughan asked if the Board had any items to add or any other items for discussion.
 - Van Zante wondering about the Community Center Building renovation. Vaughan noted the facility study would be coming out soon and we are waiting for the information from it.

- Schwerdtfeger asked about the progress of the dog park. Vaughan replied the budget shows the project in FY 19-20 with 100% donation listed as funding. The dog park group still needs to work with City Administration and Council on financing options.
- No other adjustments were made to the proposed project list.

Volunteer for Art Gallery Committee – Vaughan reported that in order to increase usage of the Joan Kuyper Farver Art Gallery, staff would like to invite artists for smaller, limited run showings. At times organizing and providing the number of art pieces required for a full showing can be daunting. By offering an opportunity for local artists to display on a smaller scale we feel we will be more successful in finding artists willing to display their works. The submitted pieces would be reviewed by a small committee and several pieces would then be selected by a committee to be included. The committee would consist of our Lead Art Instructor, Mary Robertson, Brenda Ross, Jeanette Vaughan and one Community Services Board member. If a board member is interested in participating on this committee, they are to contact Director Vaughan.

Department Updates:

Aquatics

- 135 youth have signed up for swim team, approximately 75 participants attend each session.
- Re-posted the part-time custodian position for the pool - \$13.42 per hour. Management is continuing to cover janitorial duties until the position is filled.
- Aquatics Program Instructor position posted - \$10.50 per hour. This position is needed to lead the low impact aerobics classes during the winter months.
- Swim lessons are underway.

Art & Rec

- Staff ordered 51 adjustable-size youth ice skates with a \$1,800 donation from Crossroads and the children from Mrs. Dixon's 2017-18 3rd grade class. Skates will be available for rent at \$5 per day or \$10 per weekend with a \$30 deposit. Hopefully the skates will arrive earlier than the 6 week lead time quoted by Amazon!
- Union Street Players Little Mermaid play begins Tuesday, Nov 27.
- The first semester of youth Art Center classes are ending soon.
- Staff submitted a grant for a new kiln with Pella Community Foundation. We keep two kilns however one is inoperable at this time leaving us with only one kiln and no back up.
- Hopkins Roofing was contacted several weeks ago to give an estimate regarding roof leaks on the third floor. They have been called several times and have yet to conduct an on-site visit. Staff will continue to reach out to them.

Parks

- Tulip bulbs are 99% planted. A few small beds remain that will be planted early next week.
- The new concrete pads for Central Park benches have been installed by TK Concrete. They were very well done with minimal disturbance of area turf. Staff will be assembling the 44 new benches over the winter months.
- Staff is bagging leaves as time allows.
- Winterizing the parks is completed – water fountains and restrooms are closed for the season.
- Aquatic and Community Center boiler/heaters are up and running.
- Central Park and Molengracht holiday decorations – lighted garland and bows – have been installed by Wright Outdoor solutions. Funding for the decorations in the Molengracht was provided by the Molengracht Partners group and other anonymous individuals.
- Pella Garden Club donated new trees in Brinkhoff Park to be planted next week. 13 total trees will be added to this park including both shade and ornamental blooming trees.
- Installation of the portable backer board system at Caldwell Park will start the first week of December.

Director Vaughan

- Sunken Gardens Windmill project is underway. All new exterior siding has been completed. Leaded copper roofing installment is behind schedule and the interior siding still needs to be installed and painted. Substantial completion on the project is due December 19. A tulip bed has been added in front of the windmill which will create a great photo opportunity in the park next spring.

Other Discussion

Fyfe commented on the great updates that have been made to Big Rock Park trails. Noting the updated trail markings completed by the Eagle Scout project and the brush clearing and general clean up by the Disc Golf group, in conjunction with the Parks Department. He noted an increase in people enjoying the area while he was running in the park.

The next meeting is scheduled for Friday, December 21, 2018 at noon in room 206 of the Community Center.

Adjournment

Motion by Lyons, seconded by Van Zante to adjourn the meeting at 12:35 pm. Motion carried 5-0

Respectfully submitted:

Dyan Parker

November 19, 2018

d. Planning and Zoning Commission Minutes for January 7, 2019

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, Julio Chiarella, Cathy Haustein, Dave Landon, Robin Pfalzgraf, Gary Van Vark, Ervin Van Wyk, Ann Visser, and Teri Vos. Absent: Mark Groenendyk. Staff present: Zoning Administrator Bryce Johnson and Deputy City Clerk Cynthia Vaske. Four members of the public were in attendance.

CALL TO ORDER BY THE CHAIRPERSON AND ROLL CALL

Annual Elections for Planning and Zoning Commission Chair and Vice-Chair

Dave Landon was elected Chairperson and Teri Vos was elected Vice-Chairperson for 2019.

APPROVAL OF TENTATIVE AGENDA

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

APPROVAL OF MINUTES

Motion by Vos, second by Visser to approve the minutes of the November 26, 2018 meeting. Motion carried 9-0.

PUBLIC HEARINGS

Consider an Amendment to the Development Regulations for the Established Planned Unit Development at the Northwest Quadrant of the Intersection of Main Street and Peace Street

This proposed ordinance would amend the zoning regulations established by the Planned Unit Development (PUD) previously approved by the Planning and Zoning Commission on August 27, 2018, and subsequently adopted by the City Council. The PUD ordinance is being

amended at the request of the developer, RDP Holdings, to accommodate the proposed mixed-use development which is located on approximately 2.89 acres at 403 Main Street, 413 Main Street, and 400 Broadway Street, which is the former Webster School site. The proposed ordinance requires the development to be in conformance with the base CUC zoning district except for the modifications previously approved as part of the original PUD. Since the approval of the original PUD, the developer has chosen to subdivide the subject property, which creates rear yards. This is important to note because the original PUD agreement did not address rear yard setbacks. Therefore, staff is proposing to amend the previously approved PUD by reducing the rear yard setback from 20 feet to zero feet. Additionally, the PUD amendment includes a portion of the existing alley which is currently in the process of vacation.

Staff believes the proposed ordinance meets the requirements of the City's Zoning Code. In addition, staff also believes the proposed ordinance does not impact conformance with the City's Comprehensive Plan. Therefore, staff is recommending approval of the proposed ordinance which would formally amend the development regulations for the proposed development.

Convened Public Hearing on the rezoning request. Three written comments were received.

In response to a question about parking, Zoning Administrator Bryce Johnson pointed out the parking locations on the site plan.

As no further comments were received, the public hearing was closed.

Motion by Pfalzgraf, second by Chiarella to approve the ordinance as submitted. Motion carried 9-0.

OTHER BUSINESS/PUBLIC FORUM

Work Session Regarding a Text Amendment to Chapter 165 Relating to Establishing a Definition and Development Regulations for Commercial Event Venue Land Uses

The purpose of this work session is to review a draft ordinance relating to commercial event venue land uses. As background, on November 26, 2018, the Planning and Zoning Commission held a work session to discuss how other communities in Iowa have regulated event venue land uses. As a result of the work session, staff utilized recommendations received as well as the City of Fort Worth, Texas as its framework to construct a draft ordinance.

In evaluating commercial event venues, staff is seeking feedback from the Planning and Zoning Commission regarding the following amendments to City code:

1. New Land Use Classification/Definition of "Commercial Event Venue"
 - a. Definition added to Chapter 165.11.5.
 - i. "An establishment that is leased on a temporary basis before the event by individuals or groups who reserve the facility to accommodate private functions including, but not limited to, banquets, weddings, anniversaries, receptions, business organizational meetings, and other similar functions, to which the general public is not admitted. Such establishments may include kitchen facilities for the preparation of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions. A commercial event venue does not include amusement recreation, cocktail lounge, cultural service, or restaurant."
 - b. Permitted Zoning Districts added to Table 156.12.
 - i. By Right in Community Commercial (CC) and Commercial-Planned Development (CPD) and Mixed-Use Commercial (CUC).
 - ii. Special Use Permit in Central Business District (CBD).
 - c. Minimum Parking Requirements added to Table 165.32-1.
 - i. Parking. A commercial event venue shall provide parking at a ratio of one parking space for each two and one-half guests allowed on-site and one parking space for each permanent employee.
2. Amend "Commercial Recreation" to "Amusement Recreation"
 - a. Definition per 165.11.5(H)

Private businesses or other organizations which may or may not be commercial by structure or by nature, which are primarily engaged in the provision or sponsorship of sports, ~~entertainment~~, or recreation for participants or spectators. Typical uses include driving ranges, miniature golf, theaters, ~~private dance halls~~, billiard or bowling centers, game arcades, or private skating facilities.

Following a review of the proposed ordinance, staff will take into consideration recommended changes and prepare a final version for consideration at an upcoming meeting.

Pfalzgraf asked whether public parking is included in the minimum parking requirements for an event venue in the CBD. Johnson replied that the developments in the CBD are not required to have private parking. Landon asked whether there will be a limit on the number of event venues allowed in the CBD. Johnson said no.

Visser asked about the next steps for the ordinance process. Johnson said that staff could write up a final ordinance for the Commission's consideration at their next meeting, along with a public hearing, with the potential to be adopted by late February 2019. Visser said with the amount of interest in opening event venues in the CBD, it is important to address this in a timely manner. Hausteine asked about the exclusion of "entertainment" from the ordinance. Johnson replied that "entertainment" is so similar to some of the other uses listed in the definition that including it was redundant.

Landon said staff has direction from the Commission to bring forth a final ordinance for consideration by the Commission at their next meeting.

Chiarella expressed concerns about event venues being housed in older buildings and the occupants' safety. Landon said that is something that is outside the jurisdiction of the Commission.

Hausteine asked how a music festival would be classified. Johnson said that would likely fall under a special event permit, which is handled by the City Clerk.

Spencer Carlstone asked about minimum parking requirements for businesses in the CBD. Johnson explained that there are no parking requirements for businesses within the CBD; however, the Board of Adjustment has the authority to impose restrictions on a special use permit by limiting a business' hours of operation, for example, in order to not conflict with the parking needs of other businesses downtown. Van Wyk said that event venues should have the same right to public parking as any other business downtown.

Adjourned at 7:27 p.m.

3. Petitions and Communications

a. Renewal of Class E Liquor License with Class B Wine Permit and Class C Beer Permit (Carryout Beer) for Fareway Stores, Inc. #995

BACKGROUND: Fareway Stores, Inc. #995, located at 2010 Washington Street, has applied for renewal of their Class E Liquor License with Class B Wine Permit and Class C Beer Permit (Carryout Beer). The term of the new license is 12 months and would expire on March 21, 2020. The application has been completed online with the state, and staff is recommending approval.

ATTACHMENTS: Application
REPORT PREPARED BY: City Clerk
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve renewal

D. *PUBLIC HEARINGS – None

E. PETITIONS & COMMUNICATIONS

- 1. Fiscal Year 19-20 Funding Request Presentation from the Pella Area Community and Economic (PACE) Alliance. Karen Eischen with the PACE Alliance presented their funding request to Council. No formal Council action was taken.

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

- 1. Resolution No. 5946 entitled, “RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH KLINGNER & ASSOCIATES FOR ENGINEERING SERVICES ASSOCIATED WITH THE TUTTLE CABIN LEARNING WALKWAY PROJECT.”

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 a professional services agreement with Klingner & Associates for engineering services associated with the Tuttle Cabin Learning Walkway Project in the amount of \$24,900.

As background, the Pella City Council approved a partnership agreement with Historic Pella Trust (HPT) on November 20, 2018. The purpose of this agreement was to create a learning walk which would link two Pella landmarks, the Tuttle Cabin and Sunken Gardens Park, using an existing City owned vacated alleyway. The previously approved partnership agreement states that the walk will be constructed, owned, and maintained by the City and that HPT will fund 100% of the total cost of the design and construction of the walk.

Listed below are the major phases of the proposed agreement, and the estimated cost of each phase.

Survey	\$4,500
Includes topographical and boundary survey	
Design	\$17,900
Includes preliminary and final design as well as construction documents, including specifications, for the project manual	
Construction Observation	\$2,500
Includes oversight and inspection during construction	
Total Fees	\$24,900

The proposed timeline for the project is as follows:

February 11, 2019 Kick-off Meeting
March 4, 2019 Preliminary Design Submission and Review
March 22, 2019 Preliminary Final Design Document Submittal
April 15, 2019 Final Construction Documents

ATTACHMENTS: Resolution, Agreement
REPORT PREPARED BY: Community Services Director
REPORT REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDED ACTION: Approve resolution

2. Resolution No. 5947 entitled, “RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A CONSENT TO COLLATERAL ASSIGNMENT OF ECONOMIC DEVELOPMENT GRANTS FROM HARVEST INVESTMENTS, LLC TO CENTRAL STATE BANK.”

Peterson moved to approve, seconded by Bokhoven.

On roll call the vote was:

AYES: Peterson, Bokhoven, Branderhorst, Van Stryland, Schiebout, De Jong.

NAYS: None.

Motion carried.

BACKGROUND: This resolution approves and authorizes execution of a Consent to Collateral Assignment Agreement between the City of Pella, Harvest Investments, LLC., and Central State Bank. As background, in 2018 the City approved execution of a Development Agreement with Harvest Investments, LLC. to build a proposed development located approximately 1,200-feet south of the intersection of Bos Landen Drive and Utrecht Laan. The development includes a 41-unit housing cooperative as well as 10 single-family homes.

In order to construct the project, the City Council approved a tax increment finance (TIF) rebate of \$2,100,000 for the cost of its public infrastructure dedicated to the City of Pella. This rebate will be paid to the developer as property taxes are received from the new development. In addition, the development’s public infrastructure must be accepted by the City Council before the developer can receive any TIF rebates. The developer is now requesting to assign their rights to receive these economic development grants to their lender, Central State Bank. It is important to note, under the Development Agreement, the developer has the right to assign economic development grants.

The proposed collateral assignment agreement has been reviewed by the City’s legal counsel. In addition, the assignment is in accordance with the provisions of the City’s Development Agreement with Harvest Investments, LLC.

In summary, staff is recommending approval of this resolution which approves and authorizes execution of a Consent to Collateral Assignment Agreement between the City of Pella, Harvest Investments, LLC., and Central State Bank.

ATTACHMENTS: Resolution, Agreement

REPORT PREPARED BY: City Administration

REPORT REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDED ACTION: Approve resolution

3. Resolution No. 5948 entitled, “RESOLUTION OF PELLA CITY COUNCIL APPROVING FINAL PLAT OF BOS RIDGE SUBDIVISION – PLAT 1.”

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 approves a final plat for Bos Ridge Subdivision – Plat 1. As background, the subject subdivision is located approximately 700-feet north of the intersection of Highway T15 and Bos Landen Drive. On March 6, 2018, the City Council reviewed and approved the preliminary plat for this 43-lot subdivision. Please note that the final plat being considered is only phase 1, which is limited to lots 1 through 11.

The subdivision ordinance states that the City Council shall review the final plat for conformance with the Comprehensive Plan, zoning and subdivision ordinances, as well as considering the recommendations of reviewing parties.

The final plat is the legal document that is recorded with the Marion County Recorder’s Office. The sale of subdivided lots can only proceed after this recording. The primary purpose of the final plat is to delineate property boundaries and to describe and dedicate rights-of-way and easements.

The final plat must conform with the approved preliminary plat. Staff believes the final plat meets the requirements as shown in the approved preliminary plat. Any modifications or conditions approved during consideration of the preliminary plat should be continued to consideration of the final plat.

Chapter 170.08.2 requires the City Council to review the final plat for conformance with Comprehensive Plan, including the Future Land Use Map. The Future Land Use Map of the Comprehensive Plan identifies this site for “Low Density Residential” land uses, which can accommodate single-family residential projects.

The subdivision plat has been submitted to reflect City of Pella staff and consultant comments. Staff finds the final plat meets the minimum requirements of the zoning ordinance and subdivision ordinance. Additionally, staff finds the development conforms to the City’s Comprehensive Plan. Based upon the findings, staff recommends approval of the final plat. Finally, it should be noted, the Planning and Zoning Commission unanimously approved this final plat during their meeting on January 28, 2019.

ATTACHMENTS: Resolution, Aerial Map, Final Plat, Application

REPORT PREPARED BY: BRYCE C. JOHNSON, ZONING ADMINISTRATOR

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve resolution

I. ORDINANCES

1. Ordinance No. 954 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY AMENDING THE PUD PLAN FOR PROPERTY LOCATED AT 413 MAIN STREET, CITY OF PELLA, MARION COUNTY, IOWA."

De Jong moved to place ordinance no. 954 on its second reading, seconded by Schiebout.

On roll call the vote was:

AYES: De Jong, Schiebout, Peterson, Bokhoven, Branderhorst, Van Stryland.

NAYS: None.

Motion carried.

It was moved by Bokhoven that the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, seconded by Peterson.

On roll call the vote was:

AYES: Bokhoven, Peterson, De Jong, Branderhorst, Van Stryland, Schiebout.

NAYS: None.

Motion carried.

Bokhoven moved that ordinance no. 954 be adopted, seconded by Schiebout.

On roll call the vote was:

AYES: Bokhoven, Schiebout, Peterson, De Jong, Branderhorst, Van Stryland.

NAYS: None.

Mayor Mueller declared the motion carried and the ordinance duly passed and adopted.

BACKGROUND: This proposed ordinance would amend the zoning regulations established by the Planned Unit Development (PUD) previously adopted by the City Council. The PUD ordinance is being amended at the request of the developer, RDP Holdings, to accommodate the proposed mixed-use development which is located on approximately 2.89 acres at 403 Main Street, 413 Main Street, and 400 Broadway Street, also known as the former Webster School site.

Zoning District Modifications

The proposed ordinance requires the development to be in conformance with the base CUC zoning district except for the modifications previously approved as part of the original PUD. Since the approval of the original PUD, the developer has chosen to subdivide the subject property, which creates rear yards. This is important to note because the original PUD agreement did not address rear yard setbacks. Therefore, staff is proposing to amend the previously approved PUD by reducing the rear yard setback from 20 feet to zero feet, as shown within the attached ordinance. Additionally, the PUD amendment includes a portion of the existing alley which is currently in the process of vacation.

Staff Recommendation

Staff believes the proposed ordinance meets the requirements of the City's Zoning Code. In addition, staff also believes the proposed ordinance does not impact conformance with the City's Comprehensive Plan. Therefore, staff is recommending approval of the proposed ordinance which would formally amend the development regulations for the proposed development. Finally, it is important to note that the Planning and Zoning Commission unanimously approved this PUD amendment at their meeting on January 7, 2019.

ATTACHMENTS: Ordinance, Exhibit A, Exhibit B-1 and B-2, Location Map, Written Comments

REPORT PREPARED BY: CITY ADMINISTRATION

REPORT REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve ordinance

I. CLAIMS

1. Abstract of Bills No. 2024.

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.

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

Comments were received and addressed.

L. CLOSED SESSION

1. At 8:23 p.m., Bokhoven moved to enter into closed session pursuant to Iowa Code Chapter 388.9(1) to discuss marketing and pricing strategies or proprietary information of a city utility if its competitive position would be harmed by public disclosure not required of potential or actual competitors, and if no public purpose would be served by such disclosure, seconded by De Jong.

On roll call the vote was:

AYES: Bokhoven, De Jong, Branderhorst, Van Stryland, Schiebout, Peterson.

NAYS: None.

Motion carried.

At 9:18 p.m., Bokhoven moved to reconvene to regular session, seconded by De Jong.

On roll call the vote was:

AYES: Bokhoven, De Jong, Branderhorst, Van Stryland, Schiebout, Peterson.

NAYS: None.

Motion carried.

No action was taken regarding this closed session.

2. At 9:18 p.m., Branderhorst moved to enter into closed session pursuant to Iowa Code Chapter 21.5 1(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property, seconded by Van Stryland.

On roll call the vote was:

AYES: Branderhorst, Van Stryland, Schiebout, Peterson, De Jong, Bokhoven.

NAYS: None.

Motion carried.

At 9:31 p.m., Peterson moved to reconvene to regular session, seconded by Schiebout.

On roll call the vote was:

AYES: Peterson, Schiebout, De Jong, Bokhoven, Branderhorst, Van Stryland.

NAYS: None.

Motion carried.

No action was taken regarding this closed session.

M. ADJOURNMENT

There being no further business claiming their attention, Bokhoven moved to adjourn, seconded by Peterson.

On roll call the vote was:

AYES: Bokhoven, Peterson, De Jong, Branderhorst, Van Stryland, Schiebout.

NAYS: None.

Motion carried.

Meeting adjourned at 9:35 p.m.