



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

April 2, 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, Harold Van Stryland, Bruce Schiebout, Larry Peterson. Absent: Lynn Branderhorst. Acting City Administrator Corey Goodenow, City Attorney Kristine Stone, and City Clerk Mandy Smith were present. City Administrator Mike Nardini arrived at 7:20 p.m. One staff member and seven members of the general public signed the register.

B. MAYOR'S COMMENTS

1. Announce Policy and Planning meeting following the regular Council meeting to discuss:
 - a. Neil Drive/218th Avenue Annexation.
2. Approval of Tentative Agenda.
 Bokhoven moved to approve, seconded by Van Stryland.
 On roll call the vote was:
 AYES: Bokhoven, Van Stryland, Schiebout, Peterson, De Jong.
 NAYS: None.
 Motion carried.
3. Appointment of Bob Zylstra to the Community Development Committee.
 Schiebout moved to approve, seconded by De Jong.
 On roll call the vote was:
 AYES: Schiebout, De Jong, Bokhoven, Van Stryland, Peterson.
 NAYS: None.
 Motion carried.

BACKGROUND: Mayor Mueller would like to appoint Robert (Bob) Zylstra to serve on the Community Development Committee (CDC) to fill a vacant position that was formerly held by Phil Groenendyk. This is one of the two Marion County extraterritorial positions on the CDC. Bob grew up in Pella but lived elsewhere during most of his professional career, living in a variety of cities in the U.S. and overseas. Most recently he owned and operated Ring-O-Matic here in Pella and is now retired. Bob hopes to use his range of experiences to help Pella on its path to improve the quality of life for our residents and to make our town more business friendly. He has a particular interest in maintaining our historic Dutch charm for the benefit of our citizens and to enhance our appeal to tourists. Bob currently resides at 1047 198th Place in Pella. The Marion County Board of Supervisors approved this appointment at their meeting on March 12, 2019. If approved, Bob's term would expire on August 1, 2021.

ATTACHMENTS: None
 REPORT PREPARED BY: City Administration
 REVIEWED BY: CITY ADMINISTRATOR
 CITY CLERK
 RECOMMENDATION: Approve the appointment

4. 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

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

On roll call the vote was:
 AYES: De Jong, Van Stryland, Schiebout, Peterson, Bokhoven.
 NAYS: None.
 Motion carried.

The following items were approved:

1. Approval of Minutes

a. Official Council Minutes for March 19, 2019

2. Report of Committees

a. Library Board Minutes for February 12, 2019

I. Call To Order: President Praveen Mohan called the meeting to order at 3:59 p.m. Board members present were: Angela Adam, Verlan Den Adel, Jane Koogler, Praveen Mohan, Kenny Nedder, and Rachel Sparks. Library Director Wendy Street was present. Brenda Huisman 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 January 2019 minutes prior to the meeting. Angela moved to approve the January minutes as written. Jane seconded the motion. The minutes were unanimously approved.

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

VI. Unfinished Business: There was no unfinished business.

VII. New Business:

- a. City Facility Assessment – Wendy reviewed key highlights of the draft assessment and identified areas of next steps for future repairs and budgeting. A few specific space scenarios were discussed among the group. The next step is likely to be a cost estimate, however the timing of this step is unknown currently. Wendy will provide further information when it becomes available.
- b. Request for Meeting Room use on Sundays – Wendy reviewed the background she provided ahead of time on this request. After an in-depth discussion of the topic, it was determined to have Wendy review with the staff for possible solutions that could accommodate the use on Sundays while managing the risk to library staffing, etc. However, at this time the library will continue to not allow the use of the Meeting Room on Sundays.

VIII. President's Report and Announcements:

- a. Friends of the Library – Praveen and Wendy provided visibility to recent requests for exceptions to library policies from the Friends of the Library and an update to the status of those requests. The board agreed we need to continue to help The Friends and support their work within the policies.

IX. Director's Report:

- a. ILOC - If you missed the Innovative Libraries Online Conference, you can view the recordings at <https://www.statelibraryofiowa.org/ld/c-d/continuing-ed/iloc>.
- b. Learning Express Library replaced by Brainfuse - The State Library has ended their contract with Learning Express Library and signed a contract with Brainfuse. Like Learning Express Library, Brainfuse offers practice tests, but they also offer tools for job seekers and veterans, including live help. The State Library has not yet provided the link and other information so we can offer this product to our patrons, but we expect it next week.
- c. Winter Reading Programs: Smitten with Reading - We will have two winter reading programs during the month of February: one for families and one just for adults. For the family program, complete a log which will be entered into a drawing for a "family night" basket. Each child in the family will receive a small prize for completing the program. For the adult program, just fill out a review slip for each book you read or listen to. All reviews will be entered into the prize drawing. Both programs start February 1 and will end on February 28.
- d. Walking Tour - Library Assistant Carol Weihe developed a self-guided walking tour for users to learn about our library, its resources, and the items and artwork displayed throughout the building. You can find it next to the catalog computers or check it out online at <http://www.cityofpella.com/DocumentCenter/View/5185>.
- e. Statistics
 - FaxScan24: 6 faxes sent
 - Mobile print service: 11 users sent 38 jobs totaling 361 pages
 - Hoopla:
 - i. 472 total circs borrowed by 239 patrons
 - ii. Average of 2 circs per patron
 - iii. 89 patrons used all 3 checkouts
 - iv. Average price per circulation: \$2.16
 - v. 209 patrons were blocked by the budget caps
 - Adventure passes: 17 total (1 Zoo, 7 Science Center, 5 Botanical Garden, 4 Skating Plaza)
- f. Upcoming events
 - February 6, 13, & 20 from 3:00 to 5:00 p.m.: Whatchamacallit Wednesdays. Intended for kids in grades K to 5th. For more information please see Katie in the Children's Department.
 - February 12 at 6:30 p.m.: Coloring for Adults. Join other coloring enthusiasts for a relaxing night of coloring. In anticipation of spring, the library will provide spring-themed coloring pages and supplies, or you may bring your own. Hot tea and cocoa will also be provided.
 - February 18 at 10:30 a.m. -12:30 p.m. and 6:00-8:00 p.m.: Free Photo Digitizing. Do you have old photos and documents stored in boxes? Bring them to the library to be digitized and preserved for future generations. Registration is required. Held in the Heritage Room.
 - February 18 at 6:30 p.m.: Teen Chocolate Olympics! Teens (in grades 6 and up) join us for a night of chocolate. Registration is required, and we need at least 4 registrations to hold the program.
 - February 19 at 6:00 p.m.: American Sign Language classes. An 8 week course of introductory classes will be held in the Library Meeting Room on Tuesday nights from 6:00 to 8:00 p.m. from Feb. 19 to Apr. 9. For ages 14 and older. Registration is required.
 - February 21 at 10:15 a.m.: Genealogy Club will meet in the Meeting Room.
 - We'll talk about free websites. Everyone come prepared to share your favorite.
 - February 27 at 3:00 p.m.: Early Out Movie. Join us to watch a movie on the big screen in the Meeting Room. Remember children under the age of 5 need a mature person watching the movie with them and children under the age of 8 need a mature person in the library during the program.

- February 28 at 12:00 noon: The Brown Bag Book Club will discuss Before We Were Yours by Lisa Wingate. Bring your lunch and bring a friend.
 - February 28 at 6:00 p.m.: Parent/Child Book Club. Books available at the circulation desk. Suggested for K and up.
- g. Additional Information – Wendy provided an update on the City’s budgeting process and the changes to larger items in the CIP budget timeline. Wendy will provide another update after the budget approval meeting scheduled for March.
- X. Trustee training reports:
- a. Innovative Libraries Online Conference evening session January 17 – Wendy, Verlan, Jane, and Angela shared their learnings from the from the conference. After some general discussion, a focused discussion took place regarding population trends in Iowa, Marion County, and specifically Pella. Additional discussion took place regarding the upcoming census in 2020 and the potential impact to library funding.
- XI. Committee reports:
- a. Governance & Policy:
- i. Reviewed the Collection Development Policy – The policy was reviewed, no changes suggested.
- XII. Adjournment: President Praveen Mohan adjourned the meeting at 5:12 p.m. The next regularly scheduled Board Meeting is scheduled for March 12, 2019.

3. Petitions and Communications

a. Special Event Permit Request for Gene Van Wyk 5K Memorial Run

BACKGROUND: Pella Christian High School is requesting a special event permit for the annual Gene Van Wyk 5K memorial run on Saturday, April 20, 2019, from 8:00 to 11:00 a.m. The proposed race route remains the same as last year’s event; no road closures have been requested. 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

D. *PUBLIC HEARINGS – None

E. PETITIONS & COMMUNICATIONS

1a. Special Event Permit Request for Kiwanis Easter Egg Hunt.

De Jong moved to approve, seconded by Peterson.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: The Pella Kiwanis Club has requested a special event permit for the Kiwanis Easter Egg Hunt scheduled for Saturday, April 13, 2019 with a rain date of Saturday, April 20, 2019. The event is proposed to start at 10:30 a.m. with set-up beginning at 8:00 a.m. and take down ending at 11:00 a.m. In addition, the Kiwanis Club has requested the reservation of six parking spaces in front of the Tulip Toren.

The event will take place in the grassy areas on the south side of Central Park near the Tulip Toren. In past years, 300 to 400 children have participated.

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

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

1b. Resolution No. 5958 entitled, “RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS KIWANIS EASTER EGG HUNT.”

Bokhoven moved to approve, seconded by Van Stryland.

On roll call the vote was:

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

NAYS: None.

Motion carried.

2a. Special Event Permit Request for 2019 Tulip Time Festival.

Van Stryland moved to approve, seconded by De Jong.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: The Pella Historical Society is requesting a special event permit for the 2019 Tulip Time Festival scheduled for May 2 through May 4, 2019. Set-up is requested to begin on April 29, 2019 at 5:00 p.m. with take down complete by May 7, 2019 at noon.

A resolution requesting street closures for the event is included with this request and outlined below.

Streets/Alleys permanently closed during the event

- Broadway Street from Liberty Street north to Washington Street
- Main Street from University Street north to Washington Street
- East 1st Street from the alley south of Franklin north to the alley north of Franklin
- Franklin Street from East 3rd Street to W 2nd Street
- Alley from Main Street to East 1st Street between Franklin and Washington Street
- Alley from Main Street to East 1st Street between Franklin and Liberty Street
- Alley from East 1st to East 2nd Street between Franklin and Liberty Street
- West 2nd Street from Liberty Street north to Franklin Street
- Liberty Street from West 2nd to West 3rd
- Independence Street from East 3rd Street west to West 1st Street (for Parade staging area)
- East 1st Street from Independence Street north to Union Street (for Parade staging area)
- East 2nd Street from Independence Street north to Union Street (for Parade staging area)

Streets temporarily closed for parade or traffic congestion

- Washington Street from Main Street west to Broadway Street

Streets with controlled access for the parades

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

Closure of West Market Park between the hours of 9:00 p.m. and 6:00 a.m. starting Wednesday, May 1 through Sunday, May 5 as a security measure for vendor inventory.

The promoter is requesting the addition of a fireworks display on Friday, May 3, 2019 at 9:30 p.m., following the nighttime parade. The fireworks vendor, J & M Displays, is the same vendor the City of Pella uses for the 4th of July fireworks. The fireworks are proposed to be launched from a gravel road located near the Central College practice fields, as shown on the attached map. This location has been approved by Central College. Spectators will be advised to remain where they are seated for the parade to view the fireworks. In addition, the promoter is requesting a rain date of Saturday, May 4, 2019 for the fireworks portion of this event.

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, Maps, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve special event permit and resolution

2b. Resolution No. 5959 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS 2019 TULIP TIME FESTIVAL."

Schiebout moved to approve, seconded by Bokhoven.

On roll call the vote was:

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

NAYS: None.

Motion carried.

3. Special Event Permit Request for The Cellar Peanut Pub Tulip Time.

Bokhoven moved to approve, seconded by Peterson.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: The Cellar Peanut Pub, located at 629 Franklin Street, has requested a special event permit to provide outdoor seating during the 2019 Tulip Time. The applicant is requesting to have this outdoor area open between 10:00 a.m. and midnight beginning May 1, 2019 through May 4, 2019. Set-up is proposed to begin on Tuesday, April 30th with take down completed by Monday, May 6th.

As background, during the 2017 and 2018 Tulip Time, The Cellar Peanut Pub set-up an Iowa Craft Beer Tent and provided outdoor seating to their customers. This year's special event application request involves the same set-up as the previous years, which is also outlined below.

Outdoor Service Area

The proposed outdoor service area would extend from the applicant's garage south to the alleyway as shown on the attached map. It should be noted that the City owns the property from approximately 10 feet south of the applicant's garage to the alleyway. Therefore, in order to accommodate this request, Council will need to approve this special event permit request which authorizes the outdoor service area to be on City property.

Fencing

The Cellar Peanut Pub is proposing to utilize the same eight-foot tall temporary fencing as the previous two years to fully enclose the outdoor service area. A picture of this fencing and the overall layout is included as an attachment to this memo.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received. Additionally, the applicant has communicated with the Pella Historical Society and it is staff's understanding that the Historical Society is supportive of this request as shown on the attached letter. Finally, if Council decides to approve this special event permit, approval needs to be conditional upon the following:

1. Approval of a temporary outdoor liquor license privilege for the proposed service area. This request is included for Council consideration as agenda item E-4.

2. Extending the proposed craft beer tent to the alley could cause concerns with emergency vehicles needing access for Tulip Time. Therefore, staff recommends having the Police Department approve the geographical area for the outdoor service.

ATTACHMENTS: Application, Map, Picture of Temporary Fence, Letter from Historical Society, Department Comments
REPORT PREPARED BY: City Administration
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Conditional approval as listed above

4. Temporary Outdoor Service Privilege on a Class C Liquor License for The Cellar Peanut Pub for May 1, 2019 through May 4, 2019.

De Jong moved to approve, seconded by Bokhoven.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: The Cellar Peanut Pub, located at 629 Franklin Street, has applied for a temporary outdoor service privilege on their Class C Liquor License from Wednesday, May 1 through Saturday, May 4, 2019. As part of this request, The Cellar Peanut Pub is proposing to set-up an Iowa Craft Beer Tent and provide outdoor seating to their customers in conjunction with Tulip Time.

The proposed outdoor service area would extend from the applicant's garage to the alleyway. It should be noted that the City owns the property from approximately 10 feet south of the applicant's garage to the alleyway. Therefore, in order to accommodate this outdoor service area requested as part of the temporary outdoor service privilege, Council will need to approve a special event permit which authorizes the outdoor service area to be on City property. As noted in the special event permit request, an eight-foot tall temporary fence is proposed to enclose the area. Finally, the applicant has communicated with the Pella Historical Society and it is staff's understanding that the Historical Society is supportive of this request.

The application has been completed online with the state. If Council decides to approve this temporary outdoor service privilege, approval needs to be contingent upon approval of the special event permit which would allow the outdoor service area to be located on City property. The special event permit request is included for Council consideration as agenda item E-3.

ATTACHMENTS: Application, Map
REPORT PREPARED BY: City Administration
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Conditional approval as listed above

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

1. Resolution No. 5960 entitled, "RESOLUTION APPROVING PELLA FARMER'S MARKET EXEMPTION FROM THE REQUIRED PEDDLERS, SOLICITORS AND TRANSIENT MERCHANT LICENSE."

Schiebout moved to approve, seconded by Van Stryland.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: The Pella Farmer's Market is scheduled to begin operation on May 9, 2019, with their season continuing through October 17, 2019. This year the Farmer's Market will only operate from 3:00 to 6:00 p.m. on Thursdays. The Farmer's Market will continue to be located in the parking lot of First Reformed Church at 603 Broadway Street.

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

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

2. Resolution No. 5961 entitled, "RESOLUTION CERTIFYING THE POPULATION OF RECENTLY ANNEXED TERRITORY TO THE CITY OF PELLA."

Peterson moved to approve, seconded by Schiebout.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: This resolution certifies the population of recently annexed territory to the City of Pella. As background, Council approved the annexation of 167 acres of land located to the west of Pella on December 4, 2018. On February 5, 2019, the Secretary of State informed City Administration that the annexation was considered filed. The final step in the process, which is outlined in Iowa Code 312.3(4), requires the Mayor and City Council to certify the population of any annexed territory to the treasurer of the state for correct apportionment of street construction funds. This resolution completes that step by certifying that the population of the previously referenced annexed territory is zero.

ATTACHMENTS: Resolution, Letter from the Secretary of State

REPORT PREPARED BY: City Administration

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve resolution

3. Resolution No. 5962 entitled, "RESOLUTION APPROVING AMENDMENT NO. 3 TO THE ENGINEERING DESIGN PHASE SERVICES AND FEES WITH HR GREEN, INC. FOR THE REVERSE OSMOSIS TREATMENT SYSTEM, NEW JORDAN WELL, WATER TREATMENT PLANT IMPROVEMENTS, AND RAW WATER MAIN."

Peterson moved to approve, seconded by Van Stryland.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: This resolution approves Amendment No. 3 to the engineering services agreement with HR Green, Inc. for the Reverse Osmosis (RO) Treatment System, New Jordan Well, Water Treatment Plant Improvements, and Raw Water Main. The proposed amendment includes additional engineering administration for this project.

As background, this amendment is necessary because Eriksen Construction has not obtained final completion on this project and there are several outstanding items remaining to complete. It is important to note, Eriksen was contractually obligated to complete this project by August 3, 2017. Eriksen has requested a final completion date of October 1, 2018. Staff disagrees with this position and is withholding \$643,253.14 on their contract in order to complete this project. Unfortunately, Eriksen's delays and nonresponsive position have caused the need for additional engineering services. This proposed amendment is for the purpose of HR Green to conduct the following services to finalize this project:

- Assist the City with final confirmation of completion of punch list items
- Review and participate in discussions regarding potential liquidated damages and withholdings assessed to the Division 1 construction contract
- Review Division 1 Contractor payment applications
- Process Division 1 Substantial and Final Completion Certificates
- Review final Operation and Maintenance Manuals
- Receive, compile, and provide the City with final Division 1 set of Record Drawings
- Process and provide project documentation (Submittals, O&Ms, etc.) from Submittal Exchange and HRG electronic files to City
- Collect and provide final paperwork to Iowa DNR
- Assist the City with resolution of water quality/bacteria concerns with Jordan Well No. 2

The total amount of this proposed amendment is not to exceed \$30,000 based on actual hours worked.

Below is a summary of the City's contract with HR Green:

Original Engineering Design Contract	\$ 945,500
Amendment #1 for Additional Engineering Design	147,500
Amendment #1 for Construction Observation Services	894,000
Amendment #2 for Additional Construction Observation Services	171,934
Amendment #3 for Additional Administration Services	<u>30,000</u>
Total HR Green Contract	<u>\$2,188,934</u>

The contract with Eriksen Construction states that the Contractor shall reimburse the City for any additional engineering services made necessary by the Contractor's failure to complete the Work within the times specified in the contract. The City therefore intends to deduct these additional engineering fees from any final payment due to Eriksen. This will be reflected in the final change order for the project.

ATTACHMENTS: Resolution, HR Green Professional Services Agreement Amendment No. 3

REPORT PREPARED BY: City Administration

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

CITY ATTORNEY

RECOMMENDATION: Approve resolution

I. ORDINANCES

1. Ordinance No. 955 entitled, “AN ORDINANCE AMENDING SECTIONS 15.04 AND 17.06 OF THE CITY CODE OF THE CITY OF PELLA, IOWA, FOR THE PURPOSE OF INCREASING THE COMPENSATION OF THE MAYOR AND CITY COUNCIL MEMBERS.”

Schiebout moved to place ordinance no. 955 on its third reading, seconded by De Jong.

On roll call the vote was:

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

NAYS: None.

Motion carried.

Schiebout moved that ordinance no. 955 be adopted, seconded by Bokhoven.

On roll call the vote was:

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

NAYS: None.

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

BACKGROUND: The purpose of this proposed ordinance is to increase compensation for elected officials. As background, compensation amounts for elected officials in the City of Pella have not increased since 2008. Prior to that date, the compensation amounts had not been changed since 1986, as detailed below:

Year	Annual Mayor Compensation	Annual Council Compensation
1986 to 2007	\$2,500	\$600
2008 to 2019	\$7,200	\$2,400

To assist with determining the amount by which to increase compensation for elected officials, staff compiled research from other cities in Iowa. When comparing against 14 Iowa cities with annual budgets between \$45-99M, the City of Pella’s Mayor compensation ranked 5th lowest, with annual compensation ranging between \$3,600 and \$91,197. The City of Pella’s Council compensation ranked 3rd lowest, with annual compensation ranging between \$1,200 and \$7,400. This data is included as a memo attachment.

Furthermore, in considering compensation for elected officials, it is important to understand that most cities have separate boards that handle the operations of their utilities. However, for the City of Pella, the City Council is responsible for our utilities. This is important in analyzing compensation, as utilities such as our electric utility add complexity and require additional oversight by the City Council.

Elected officials estimate they currently spend between 5 and 30 hours per week on City business including interacting with citizens, attending Council meetings, and attending other meetings. The number of hours elected officials spend on City business is expected to increase in the near future if the City proceeds with the addition of a new municipal telecommunications utility. The City Council, not a separate utility board, would provide oversight for the new utility.

Recommended Changes

Effective Date	Annual Mayor Compensation	Annual Council Compensation
January 1, 2020	\$13,500	\$6,000
January 1, 2021	\$15,000	\$7,000
January 1, 2022	\$16,500	\$8,000
January 1, 2023	\$18,000	\$9,000
January 1, 2024 (and every January 1 st thereafter)	Annual increase using the average increase in prices for the Midwest region as established by the federal government via the consumer price index for the prior 12 months	

Staff is recommending approval of the proposed ordinance increasing elected official compensation. In accordance with Iowa Code Chapter 372.13(8), should this ordinance be adopted prior to November of 2019, the change in compensation would be effective as of January 1, 2020.

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

2. Ordinance No. 956 entitled, “AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA BY AMENDING THE ZONING ORDINANCE BY ADDING PROVISIONS FOR REGULATING AND DEFINING COMMERCIAL EVENT VENUE AS A LAND USE.”

Van Stryland moved to place ordinance no. 956 on its second reading, seconded by Schiebout.

On roll call the vote was:

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

NAYS: None.

Motion carried.

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

On roll call the vote was:

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

NAYS: None.

Motion carried.

Schiebout moved that ordinance no. 956 be adopted, seconded by Van Stryland.

On roll call the vote was:

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

NAYS: None.

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

BACKGROUND: The ordinance under consideration would amend the City's zoning ordinance relating to commercial event venue land uses. As background, this item was discussed during the Policy and Planning session on February 19, 2019. The following is an outline of the key changes associated with the proposed ordinance which creates a new land use classification of "Commercial Event Venue," establishes permitted zoning districts for the new land use classification, and revises the current classification of "Commercial Recreation" to "Amusement Recreation."

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), 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.

Staff is recommending approval of the proposed ordinance which would create a new land use classification of "Commercial Event Venue," establish permitted zoning districts for the new land use classification, and revise the current classification of "Commercial Recreation" to "Amusement Recreation." Finally, it is important to note that the Planning and Zoning Commission unanimously approved this ordinance at their meeting on February 25, 2019.

ATTACHMENTS: Ordinance
REPORT PREPARED BY: Zoning Administrator
REVIEWED BY: CITY ADMINISTRATOR
CITY CLERK
RECOMMENDATION: Approve ordinance

3. Ordinance No. 957 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 23 ACRES OF LAND LOCATED AT OR NEAR 2110 IDAHO DRIVE, MARION COUNTY, IOWA."

Peterson moved to place ordinance no. 957 on its second reading, seconded by Van Stryland.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: This proposed ordinance would change the base zoning classification for approximately 22.78-acres from Agricultural (A1) to a base zone of Community Commercial (CC) and Rural Residential (RR) with a Planned Unit Development (PUD) overlay zone. It is important to note this 7,000-square foot building is intended to be a private conferencing, dining, and recreational facility for Pella Corporation and Genlink. Under the City's Zoning Ordinance the proposed development is considered a social club use, which is a permitted land use in the CC zoning district. The overall estimated cost of the development is approximately \$5 million.

Current Zoning: The existing zoning for the property is Agricultural (A1) which provides for and preserves the agricultural and rural use of land, while accommodating very low-density residential development generally associated with agricultural uses. In addition, land included in the Urban Reserve in the Comprehensive Development Plan should be retained in the A1 District to prevent premature or inappropriate development. Proposed Zoning: The proposed zoning for this property is a base zone of Community Commercial (CC) and Rural Residential (RR) with a Planned Unit Development (PUD) overlay zone. The CC zoning district accommodates a variety of commercial uses, some of which have significant traffic or visual effect. These districts may include commercial uses which are oriented to services, including automotive services, rather than retail activities. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from residential districts. The RR zoning district provides for the rural residential use of land, accommodating low-density residential environments. The district's regulations assure that density is developed consistent with land use policies of the Pella Comprehensive Plan regarding rural subdivisions and levels of infrastructure.

Planned Unit Development: PUD overlay zones are designed to allow for comprehensively planned projects which provide for innovative and imaginative approaches to urban design and land development. A PUD is a negotiated contract for land development between the private developer and the public governmental entity. This differs from the traditional approach to land development wherein the developer develops land pursuant to minimum standards previously adopted by the government. A PUD permits flexible variation from established land regulations as contained in zoning districts and in platting and subdivision requirements. The developer, with City staff guidance, Planning and Zoning Commission review, and Council approval, may develop its own guidelines for the best development of the land in question. As a result, some

requirements of the PUD will be greater than the City's Zoning Code. In addition, there will also be some variations from the Zoning Code to accommodate the development. The overall intent of the PUD is to enhance land use compatibility with the existing neighborhood. A considerable amount of site planning work has taken place for this proposed PUD. The plan was reviewed by professional engineers and City staff. This review included public safety issues, traffic concerns, and an infrastructure analysis. Overall, the planning for the development was completed in a comprehensive manner and in accordance with City Code.

**Key Requirements of the Proposed Ordinance
Exhibit A-1 and A-2**

The proposed development site is required to be developed in accordance with Exhibit A-1 and A-2. This preliminary site plan has been reviewed and approved by the City's engineer and staff. Staff believes this preliminary plan meets the City's site plan requirements and will undergo further review during the consideration of a formal site plan.

Exhibit B-1 through B-4

The proposed development is required to be designed in accordance with the color renditions as identified in Exhibit B-1 through B-4. Staff believes the design is significantly above any requirements under the City Code.

Zoning District Modifications

The proposed ordinance requires the development to be in conformance with the base CC zoning district except for the following modifications:

Zoning Requirements Waived or Amended:

1. The requirements of Table 165.12-3, Front Yard, shall be reduced from 25 feet to 15 feet.
2. The requirements of Table 165.12-3, Floor Area Ratio, shall be reduced from 1.0 to zero.
3. The landscaping and screening requirements of Section 165.31 shall be waived upon the submission of a landscaping plan identifying all existing trees and those planned to be removed upon development. The plan shall be submitted at or before final site plan approval. This waiver shall not apply to the screening of dumpster enclosures.

Use Restrictions:

1. For the property identified as Lot A: the property shall be used for a private conferencing/dining and recreational facility only. This is considered a social club use under the Pella Zoning Ordinance.
2. For the property identified as Lots B & C: the property shall be used for single-family residential uses only.

Subdivision Ordinance Modifications

The proposed ordinance requires the development to be in conformance with the requirements of Chapter 170 of the City's municipal code except for the following modifications:

1. The access drive to Lot A will remain a private drive and does not require curb and gutter. It shall otherwise be constructed to City standards.
2. Lot C is intended to be combined with the adjacent Lot D for the development of a single-family residence. Building permits shall not be issued for any development on Lot C or D until a restrictive covenant has been filed permanently joining those lots.

Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan targets the proposed site for Agricultural and Low-Density Residential developments. Due to the commercial aspects of the proposed conference center, the Comprehensive Plan recommends a PUD to mitigate potential land use conflicts. In this particular case, the proposed PUD identifies the proposed conference center as the only use for Lot A. In addition, Lots B and C can only be used for single-family residential purposes. These restrictions will limit the density of the development and assist in mitigating any potential land use conflicts with neighboring properties. Furthermore, there is a significant distance of natural barriers (i.e. trees) between the conference center and the nearest residential property. Based on staff's analysis, we believe any potential land use conflicts have been addressed in the proposed PUD.

In addition, the proposed \$5 million conference center targets a priority goal of the Comprehensive Plan, which is economic strength. The conference center will play a key role in supporting Pella Corporation's presence in our community. Furthermore, the conference center will also strengthen the tax base and increase the economic vitality of the City. As a result, staff believes the proposed PUD is in conformance and aligns with the Comprehensive Plan.

Staff believes the proposed ordinance meets the requirements of the City's Zoning Code. In addition, staff also believes the proposed ordinance is consistent and in conformance with the City's Comprehensive Plan. Therefore, staff is recommending approval of the proposed ordinance which would formally change the zoning for this property to a base zoning district of CC and RR with a PUD overlay zone. Finally, it is important to note that the Planning and Zoning Commission unanimously approved this ordinance at their meeting on March 11, 2019.

ATTACHMENTS: Ordinance, Exhibit A-1 and A-2, Exhibit B-1 through B-4, Written Comment

REPORT PREPARED BY: Bryce C. Johnson, Zoning Administrator

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve ordinance

4. Ordinance No. 958 entitled, "AN ORDINANCE AMENDING WASTEWATER RATES IN THE CITY OF PELLA, IOWA."

De Jong moved to place ordinance no. 958 on its first reading, seconded by Schiebout.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: This ordinance increases the wastewater rates of the City of Pella by 8% effective for utility bills due July 20, 2019 for June usage. As background, the FY 19-20 budget included this increase which is necessary to fund improvements required by the Iowa Department of Natural Resources (IDNR). These mandated improvements total an estimated \$4.8 million and are necessary to comply with the stringent ammonia, E. coli, and dissolved oxygen limitations established by the IDNR. Overall, staff believes wastewater rates will need to increase by 25% to 30% over the next several years in order to meet the new mandates.

Proposed Wastewater Rate Structure

The proposed rate increase of 8% would be effective for utility bills due July 20, 2019 for June usage. At that time, the base fee for the wastewater rate would increase from \$18.36 to \$19.83 per month. In addition, the cost per 1,000 gallons of water used would increase from \$4.59 to \$4.96.

Impact of Wastewater Rate Increases

The proposed rate increase of 8% would be effective for all customer classes. The following chart represents the impact of the rate increase for different customer types inside the City limits. For the average residential customer using 7,000 gallons per month, the proposed increase is \$4.06 per month. For the average commercial customer using 35,000 gallons per month, the proposed increase is \$14.42 per month. For the average industrial customer using 100,000 gallons per month, the proposed increase is \$38.47 per month.

Typical Customer	Sewer Use in Gallons	Current Bill	Proposed Bill	\$ Increase	% Increase
Residential	7,000	50.49	54.55	4.06	8%
Commercial	35,000	179.01	193.43	14.42	8%
Industrial	100,000	477.36	515.83	38.47	8%

Comparable Cities

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

Wastewater Rate Comparison - In City Limits

	Minimum	7,000 Gallon Residential	35,000 Gallons Commercial	100,000 Gallons Industrial
Knoxville	\$ 22.44	\$ 70.81	\$ 264.29	\$ 713.44
Oskaloosa	\$ 13.10	\$ 71.68	\$ 305.99	\$ 849.94
Pella (Current)	\$ 18.36	\$ 50.49	\$ 179.01	\$ 477.36
Pella (Proposed)	\$ 19.83	\$ 54.55	\$ 193.43	\$ 515.83

As previously stated, an increase in the wastewater rates is necessary to help fund IDNR mandates put into effect for the City’s wastewater system. If Council approves this ordinance, the proposed rates would initiate the second of phased increases necessary to support the required improvements. The proposed 8% rate increase would be effective for utility bills due July 20, 2019 for June usage.

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

I. CLAIMS

1. Abstract of Bills No. 2028.

Schiebout moved to approve, seconded by Van Stryland.

On roll call the vote was:

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

NAYS: None.

Motion carried.

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

No comments were received.

L. CLOSED SESSION

1. At 7:52 p.m., Peterson 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: Peterson, Van Stryland, Schiebout, De Jong, Bokhoven.

NAYS: None.

Motion carried.

At 8:07 p.m., Bokhoven moved to reconvene to regular session, seconded by Schiebout.

On roll call the vote was:

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

NAYS: None.

Motion carried.

De Jong made a motion to authorize staff to proceed with the purchase agreement for real estate as discussed in closed session, seconded by Schiebout.

On roll call the vote was:

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

NAYS: None.

Motion carried.

M. ADJOURNMENT

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

On roll call the vote was:

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

NAYS: None.

Motion carried.

Meeting adjourned at 8:09 p.m.