



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

May 21, 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. Three staff members and ten members of the general public signed the register.

B. MAYOR'S COMMENTS

1. Announce no Policy and Planning meeting will follow the regular Council meeting.

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, Branderhorst.

NAYS: None.

Motion carried.

3. Proclamation Commemorating June 2-8, 2019 as National Garden Week in the City of Pella.

BACKGROUND: This proclamation recognizes June 2-8, 2019 as National Garden Week in the City of Pella. As background, National Garden Week was originally founded by National Garden Clubs, Inc., of which our local Pella Garden Club is a member of.

ATTACHMENTS: Proclamation
REPORT PREPARED BY: City Administration
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Issue proclamation

4. Oath of Office for New Police Officer Elmer Pearson.

BACKGROUND: Elmer "JR" Pearson has accepted a position as a sworn full-time police officer with the City of Pella. JR recently concluded a 28-year career with the Iowa Department of Public Safety, retiring as an Iowa State Patrol staff sergeant assigned to the Osceola Detachment. JR comes from a law enforcement family as his father served a lengthy and honorable career with the Iowa State Patrol. At the time of his retirement, Pearson was the State Patrol's expert on state traffic laws, representing the Department of Public Safety before the State Legislature on emerging laws related to the State Traffic Code and publishing the annual traffic law compendium for law enforcement statewide.

ATTACHMENTS: Oath of Office
REPORT PREPARED BY: Robert A. Bokinsky, Chief of Police
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Administer Oath of Office

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

No comments were received.

C. APPROVAL OF CONSENT AGENDA

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

On roll call the vote was:

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

NAYS: None.

Motion carried.

The following items were approved:

1. Approval of Minutes

a. Official Council Minutes for May 7, 2019

b. Special Joint Council and Planning and Zoning Commission Work Session Minutes for May 14, 2019

2. Report of Committees

a. Policy and Planning Minutes for May 7, 2019

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

ABSENT: Larry Peterson

OTHERS: City staff and visitors

The Policy and Planning meeting began at 8:00 p.m.

The first item on the agenda was an informational update regarding proposed infrastructure improvements within the Central Business District (CBD). The following projects were discussed:

Oost Poort Alley Project; involves three phases as outlined below

2019 Project:

Installation of new 8" water main (replace existing 4" main) from Washington extending south to serve the businesses which abut Franklin Street.

Lining of the existing sanitary sewer main extending south from the Oost Port Alley to the businesses which abut Franklin Street.

Construction of new 8" sanitary sewer main just north of the existing businesses on Franklin. This will allow George's Pizza, Vander Beeks, and the former Boat's Home Furnishings to connect to the new main. Without this new segment of sanitary sewer, the City would need to install a new sanitary sewer line on Franklin, and each of these businesses would be required to replumb their buildings to drain to Franklin.

During the summer and fall of 2019, the public parking lot to the north of the Oost Poort Alley will be utilized as staging for contractor equipment.

This project is scheduled to be completed by October 31, 2019.

2020 Project:

Reconstruction of the Oost Poort Alley from Main Street to East 1st with brick (seeking an alternate bid for concrete).

Installation of storm sewers in the Oost Poort Alley; collection and rerouting of existing roof drains.

Installation of an underground storm water detention basin in the parking lot at the intersection of Washington and East 1st; tentatively planned to be located at the northeast corner of the parking lot.

Resurfacing the current parking lot at the intersection of Washington and East 1st.

Paving the current gravel parking lot located towards the north side of the block.

2021 Project (*included as part of the Franklin Street reconstruction*):

Installation of a 15" storm sewer pipe on Franklin and East 1st, ultimately connected to the new storm water detention basin at the corner of Washington and East 1st.

Once the new storm sewer pipe is installed, the City would be in a position to close the sanitary sewer line just north of Franklin and east of Main. The only remaining issue to address is the sanitary sewer connection for the Marion County Bank and Meyer properties on Main. Depending on the City Council's prerogative, these properties could install a private force main on Main Street, connecting to the Oost Poort Alley sanitary sewer, or they could install a new sanitary sewer main on Main Street to the existing sanitary sewer main, just south of the Main and Franklin intersection. Regardless of the option chosen by the City Council, these sanitary sewer connections would need to take place before the City could close and grout the existing sanitary sewer line just north of Franklin and east of Main.

Old City Hall Alley Project; completed by December 1, 2020

Replacement of the existing sanitary sewer line which extends from Main to Broadway in the Old City Hall alley. The project will also involve the installation of new storm sewer, placement of electric distribution lines underground, and resurfacing the alley with either a brick or concrete surface. This sanitary sewer line is over 100 years old and is in need of replacement, which is the driving force for this project. Parking on Broadway Street between the sidewalk and the back of the curb will be utilized as staging for contractor equipment during this project.

Franklin Street Reconstruction Project; completed by December 1, 2021

Due to the geographical scope of this project, and the financial significance, the City Council discussed the following options for Franklin Street extending from Main to East 2nd:

Full reconstruction with concrete or brick surface (estimated cost \$3,135,000)

- Reconstruction includes the sidewalks abutting the street.
- New 8" water main from Main to East 1st (replaces the 100-year old main).
- New 15" storm sewer main on Franklin and north on East 1st to connect to the storm water detention area at the intersection of Washington and East 1st.
- Replacement of a 100-year old sanitary sewer main from East 1st to East 2nd.
- New traffic signals at the intersection of Main and Franklin.

Partial repair with asphalt overlay (estimated cost \$550,000)

- *Staff is still exploring the feasibility of this option.*
- New 15" storm sewer main on Franklin and north on East 1st to connect to the storm water detention area at the intersection of Washington and East 1st.
- Lining of a 100-year old sanitary sewer main from East 1st to East 2nd.

Both of the above options have pros and cons. For instance, option 2 does not include replacing a 100-year old water main or account for private sanitary sewer line connections from East 1st to East 2nd. The key issue to consider is it is likely these private service lines are over 100 years old and when they fail, it will require digging in the public right-of-way on Franklin Street, which may cause some level of disruption. However, option 2 is significantly less costly than option 1 and would likely require less disruptions to the businesses on Franklin Street in 2021.

At the end of the discussion, staff summarized that we will be presenting the Oost Poort Alley water and sanitary sewer main project for formal Council consideration in the upcoming months. The other projects outlined above will be discussed during future work sessions. As we proceed with all projects, the Public Works Department will be communicating the impact and any mandates that will impact businesses to the business owners.

The next item on the agenda was an informational update regarding the Oskaloosa Street Corridor project in advance of the May 14, 2019 joint work session between Council and the Planning and Zoning Commission. During that work session, Snyder & Associates and the Strategic Economics Group will provide updates on the following items:

- Overview of the February public input session
- Oskaloosa Street Market Analysis and Development Options report
- Development options and recommended guidelines for various segments of the corridor
- Potential economic strategies
- Potential catalyst project
- Zoning district recommendations for the west end of the corridor
- Recommendations for next steps

As this was an informational update, no direction was given to staff.

The meeting adjourned at 8:49 p.m.
Respectfully submitted:
Mandy Smith
City Clerk

b. Community Development Committee Minutes for April 24, 2019

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

APPROVAL OF TENTATIVE AGENDA

Kiser announced that items D-1 and D-2 were pulled from the agenda for further discussion by the Design Subcommittee.

Motion by Van Berkum, second by Bokinsky to approve the amended agenda. Motion carried 7-0.

APPROVAL OF MINUTES

Motion by Van Berkum, second by Olivier-Shaw to approve the minutes from the April 10, 2019 meeting. Motion carried 7-0.

NEW BUSINESS

Consider a Design Permit Application for Exterior Alterations to the Structure Located at 620 Franklin Street (Case DSN19-04)

This item was pulled from the agenda for further discussion by the Design Subcommittee.

Consider a Design Permit Application for Exterior Color of the Building Located at 814 Main Street (Case DSN19-05)

This item was pulled from the agenda for further discussion by the Design Subcommittee.

Consider a Design Permit Application for Exterior Alterations to the Front Façade of the Building at 626 Franklin Street (Case DSN19-06).

Deb Apostolopoulos has submitted a design permit application to place an awning on the front of her businesses, The Brew and George's Pizza, located at 626 Franklin Street. It is important to note that the applicant is proposing an awning that matches the adjacent awnings above the former Boat's Furniture store. The project is considered a major project under the City's Design Review District Design Manual, which requires approval from the Community Development Committee (CDC).

Proposed Alterations:

1. Install an awning made with a square aluminum frame with Sunbrella fabric. The proposed color of the awning is slate.

In evaluating this design application, staff believes the alterations contain sufficient Dutch-themed architectural elements and meet the requirements listed in the Design Review District Design Manual. Therefore, staff recommends the design permit application be approved as submitted and presented.

Applicant Deb Apostolopoulos spoke in favor of the design permit application and answered questions from the Committee.

Motion by Van Berkum, second by Stienstra to approve the design permit as submitted. Motion carried 7-0.

Consider a Design Permit Application to Install Awnings on the Exterior Façade of the Building Located at 705 E. First Street, Known as the Royal Amsterdam Hotel (Case DSN19-07).

Dave Peterson has submitted a design permit application to redesign portions of the west and south facades on the first floor of the Molengracht's Royal Amsterdam Hotel. This property is currently located in the Central Business District (CBD) and Design Review (DR) overlay zone. It is important to note that the Design Manual requires the applicant to obtain a design permit before the City issues a building permit. It is also important to note that the work for this project has already begun without a design permit approved by the CDC.

Proposed Alterations to West Façade:

1. Redesign existing storefront by removing the white trimmed, twin double-hung windows and replace with several picture windows with black trim. Two doors will also be installed for access to the patio.
2. Install new steel I-Beam awnings with steel rod supports along portions of the wall. These awnings will be black.
3. Replace existing entrance single door, sidelite, and transom window. White trim will be continued.
4. Remove portions of brick foundation and replace with limestone.

Proposed Alterations to South Façade:

1. Replace first floor windows and transoms with new windows, which will not include the muntin bars like the existing windows. White trim will be continued.
2. Replace middle, twin double-hung window with new single door, sidelite, and transom.
3. Install steel I-Beam awning above proposed access door. This awning will be black.
4. Replace a portion of the brick foundation near the proposed access door with limestone.

The Design Manual identifies brick to be the primary acceptable exterior wall material. In addition, minor features like muntin bars and lintels are common features found in the Design Review District. Lastly, the proposed alterations fall short of the 360-degree review criteria. All this said, staff believes the proposed alterations could be modified to better comply with the Old-World Dutch architecture requirement. Therefore, staff recommends this design permit be approved with the following conditions:

1. The proposed limestone be replaced with brick, but permit the applicant to paint the brick similar to the color of the proposed limestone.
2. Install a type of muntin bars in all first-floor windows being replaced.
3. Change the color of the south window trim to black to match the proposed windows on the west façade.

After some discussion, the Committee agreed that the applicant's proposed alterations were acceptable.

Motion by Canfield, second by Stienstra to approve the design permit application as submitted. Motion carried 7-0.

OTHER BUSINESS / PUBLIC FORUM

Zoning Administrator Bryce Johnson said he will be contacting members of the Design Subcommittee in order to find a time to meet with Heather Slings to discuss items D-1 and D-2, which were pulled from this agenda. The next regular CDC meeting is scheduled for May 8, 2019.

Adjourned at 5:54 p.m.

c. Library Board Minutes for April 9, 2019

I. Call to Order: President Praveen Mohan called the meeting to order at 4:14 p.m. Board members present were: Verlan Den Adel, Brenda Huisman, Jane Koogler, Praveen Mohan, Kenny Nedder, and Rachel Sparks. Library Director Wendy Street was present. Angela Adam 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 March 2019 minutes prior to the meeting. Jane moved to approve the March minutes as written. Verlan seconded the motion. The minutes were unanimously approved.

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

VI. Unfinished Business: There was no unfinished business.

VII. New Business:

- a. Upcoming Board vacancies – Jane and Praveen both have completed two terms on the board and will create two openings on the board this year. Wendy has started the process to gather potential new board applicants. She has set a deadline of May 9th. This will allow the board to review the pool of applicants during the May board meeting.

VIII. President's Report and Announcements:

- a. Wendy's upcoming retirement – Wendy has announced her retirement and her last day will be July 1st. Praveen and the board passed along thanks to Wendy for her 17 years of service with the Pella Public Library. Praveen requested that Brenda, Rachel, and Kenny drive the process to find a new library director. They will plan to provide an update on the process during the May board meeting.

IX. Director's Report:

- a. National Library Week – We'll be having our Food for Fines drive during National Library Week. We will also offer "green screen pictures" on April 9, 10, 11.
- b. Appreciation meals for Parks and Public Works – On March 26, library staff provided lunch for the Parks and Public Works staffs. This has been a tradition for the past several years to thank those crews for the work they do caring for the library grounds and parking lot.
- c. Book Bike – Our Book Bike was delivered April 1. Its first official appearance will be in the Tulip Time afternoon parades. We plan to take the Book Bike to Thursdays in Pella and the summer sack lunch sites. We are also working on a way for organizations to request a visit from the book bike, using our meeting room reservation system. As you know, this has been a pet project of mine for a few years, so I am particularly excited to roll it out (pun intended). The Book Bike was funded by a grant from the Pella Community Foundation.
- d. Building and grounds –
 - The Collaboration Room has been updated to HDMI
 - We updated the library's wireless access points
- e. Statistics
 - Adventure passes: 29 total (9 Zoo, 10 Science Center, 9 Botanical Garden, 1 Skating)
 - FaxScan24: 11 faxes sent
 - Mobile print service: 14 users sent 54 jobs totaling 247 pages
 - Hoopla:
 - i. 241 total circs borrowed by 230 patrons
 - ii. 89 patrons used all 3 checkouts
 - iii. Average price per circulation: \$2.17
 - iv. 184 patrons were blocked by the budget caps
- f. Upcoming events – We have a lot of stuff going on in April!
 - April 3, 10, 17, and 24 from 3:00 to 5:00 p.m.: Whatchamacallit Wednesdays. Intended for kids in grades K to 5th. A movie will be shown on April 24.
 - April 4 at 7:00-8:00 p.m.: Megathon Preview Night! Join us for an introduction to the online game "Stall Catchers" that we will play together on Citizen Science Day.
 - April 7-13: Food for Fines.
 - April 8 at 7:00 p.m.: Culture Night: Puerto Rico featuring Yara and Leila Braulio. Learn about the culture of Puerto Rico from a native, sample authentic food and hear some lively music. Held in Room 206 at the Community Center.
 - April 9 and 11 from 3:30 to 5:00 p.m.: Green Screen Pictures! Come check out what adventures we have planned this year. We will also be taking pictures on Wednesday, April 10 from 2:00 to 5:00 p.m. Pictures will be taken in the Story Time Room. Remember not to wear green!
 - April 12-22: Friends of the Library Book Sale in the Meeting Room. Open all hours the library is open. Take what you like for the donation of your choice.
 - April 13 from 12:30-2:30 p.m.: Megathon: A Citizen Science Day Event: Join thousands of people around the world to play the online game "Stall Catchers" that helps scientists with Alzheimer's Disease research. Registration suggested for planning purposes.
 - April 18 at 10:15 a.m.: Genealogy Club in the Meeting Room. The topic is "What's Available at County Courthouses?"
 - April 19: Library closed for Good Friday.
 - April 21: Library closed. Happy Easter!
 - April 23 at 7:00 p.m.: Library Tales: The Story of Pella's First Free Public Library: Russell Buchanan, a graduate student at the University of Iowa's School of Library and Information Science, will share his journey to reconstruct a timeline of the Carnegie Viersen Public Library through photos and documents. Held in the Library Meeting Room.
 - April 25 at 12:00 noon: The Brown Bag Book Club will discuss Killers of the Flower Moon by David Grann.
 - April 27 10:00 a.m. – 12:00 noon: If You Plant It, They Will Come: Milkweed Seed Giveaway in the Library Meeting Room. Find out how you can help the iconic monarch butterfly and pick up your FREE milkweed seed.
 - Saturday story time is offered every Saturday at 10:30 a.m. Saturday story time is suggested for ages 3 and up with parents.

X. Trustee training reports: There were no Trustee training reports this month.

XI. Committee reports:

- a. Governance & Policy:
 - i. Unattended Children Policy – The policy was reviewed; no changes were recommended.
 - ii. Computer & Internet Use Policy – The policy was reviewed; no changes were recommended.

XII. Adjournment: President Praveen Mohan adjourned the meeting at 5:02 p.m. The next regularly scheduled Board Meeting is scheduled for May 14, 2019.

3. Petitions and Communications

- a. Renewal of Cigarette/Tobacco/Nicotine/Vapor Permits for Casey's General Store #2598, Casey's General Store #2694, Casey's General Store #3566, Git-N-Go Convenience Store #38, Hy-Vee Food Store, Hy-Vee Wine & Spirits, and Wal-Mart Supercenter #751

BACKGROUND: Permits are required for the retail sale of all tobacco products. All current permits expire June 30, 2019 and renewals will be valid until June 30, 2020.

The following businesses have applied for renewal of their cigarette/tobacco/nicotine/vapor permits. Staff is recommending approval as all applications and fees are in order.

Casey's General Store #2598 414 S Clark Street
Casey's General Store #2694 2421 Washington Street
Casey's General Store #3566 509 Main Street
Git-N-Go Convenience Store #38 209 E Oskaloosa Street
Hy-Vee Food Store 118 SE Ninth
Hy-Vee Wine & Spirits 512 E Oskaloosa Street
Wal-Mart Supercenter #751 1650 Washington Street

ATTACHMENTS: None
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve renewal of cigarette/tobacco/nicotine/vapor permits

- b. Renewal of Class C Liquor License with Outdoor Service and Sunday Sales for Bos Landen Golf

BACKGROUND: Warrior Golf Venture, LLC, DBA Bos Landen Golf located at 2411 Bos Landen Drive, has applied for renewal of their Class C Liquor License with outdoor service and Sunday sales privileges. The term of the new license is 12 months and would expire on June 3, 2020. The application has been completed online with the state and is pending dram shop certification. Staff is recommending approval pending dram shop certification.

ATTACHMENTS: Application
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve renewal pending dram shop certification

- c. Special Event Permit Request for Pella Middle School Band Concert

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 11:00 a.m. to noon on Friday, May 31, 2019. The promoter is requesting a rain date of Monday, June 3, 2019. Set-up would begin at 9:00 a.m. with take down completed by 12:30 p.m.

The promoter is proposing to conduct this concert, featuring 7th and 8th 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, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve special event permit

- d. Special Event Permit Request for Pella High School Jazz Band Concert

BACKGROUND: The Pella Community School District has requested a special event permit to host a Pella High School Jazz Band Concert on the back side of the Tulip Toren. The event is scheduled at 7:30 p.m. on Tuesday, May 28, 2019. Set-up would begin at 6:00 p.m. with take down completed by 9:00 p.m.

This concert, featuring jazz band students from the Pella High School, would consist of old swing dance tunes for attendees to enjoy.

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, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve special event permit

D. *PUBLIC HEARINGS

- 1a. Public Hearing on Budget Amendment #1 for the FY 18-19 Budget.

No written or oral comments were received.

Schiebout moved to close the public hearing, seconded by Bokhoven.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: This resolution approves budget amendment #1 for fiscal year 2019. No increases in taxes or rates will ensue as a result of this amendment as all items will either be covered by offsetting expenditure savings or reserves.

This amendment contains a net decrease in fund balance of \$480,000, comprised as follows:

| | |
|------------------------------------------------|---------------------|
| Funds budgeted in FY 18 but occurring in FY 19 | \$ (200,000) |
| Funds budgeted in FY 17 but occurring in FY 19 | (215,000) |
| Funds budgeted in FY 19 but occurring in FY 20 | 175,000 |
| <u>Other revenue/expenditure adjustments</u> | <u>(240,000)</u> |
| Net increase in fund balance | <u>\$ (480,000)</u> |

TIMING DIFFERENCES NET EXPENDITURE INCREASE \$200,000

Timing differences total \$200,000 and represent funds budgeted in FY 17-18 that will be expended in FY 18-19. This expenditure is primarily due to the timing associated with the painting of the North Water Tower.

TIMING DIFFERENCES NET EXPENDITURE INCREASE \$215,000

Timing differences total \$215,000 and represent funds budgeted in FY 16-17 that will be expended in FY 18-19. This expenditure is primarily due to the timing associated with the repairs made to the Sunken Garden Windmill.

TIMING DIFFERENCES NET EXPENDITURE DECREASE \$175,000

Timing differences total \$175,000 and represent funds budgeted in FY 18-19 that will be expended in FY 19-20. This decrease in expenditures is associated with the expected timing for repairs to the hose tower and additional tiedowns for the Pella Municipal Airport.

OTHER EXPENDITURE ADJUSTMENTS \$240,000

Other expenditure adjustments total \$240,000 and are highlighted below, and on the following page:

- *Expenditure increase of \$65,000 for Emergency Repairs.* This expense is a result of the public safety building requiring a new air conditioning unit after all repair options had been exhausted.
- *Expenditure increase of \$100,000 for Attorney Services.* This increase is mostly attributed to commercial and residential developments that occurred over the past year, necessitating the creation of two new urban renewal districts and associated legal fees.
- *Expenditure increase of \$35,000 for Engineering Expenses.* Again, this expense is largely due to the significant commercial and residential developments that occurred over the past year.
- *Expenditure increase of \$40,000 for Airport Engineering Services.* This expense is the result with engineering costs associated with the development of a 10-year transition plan for the Pella Municipal Airport.

ATTACHMENTS: Resolution, Budget Notice
 REPORT PREPARED BY: Finance
 REVIEWED BY: City Administrator, City Clerk
 RECOMMENDED ACTION: Approve resolution

1b. Resolution No. 5971 entitled, "A RESOLUTION AMENDING THE FY 18-19 ANNUAL BUDGET BY ADOPTING BUDGET AMENDMENT #1."

Van Stryland moved to approve, seconded by Schiebout.

On roll call the vote was:

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

NAYS: None.

Motion carried.

E. PETITIONS & COMMUNICATIONS – None

F. PLANNING & ZONING ITEMS – None

G. ADMINISTRATION REPORTS – None

H. RESOLUTIONS

1. Resolution No. 5972 entitled, "RESOLUTION APPROVING CHANGE ORDER #2 AND CHANGE ORDER #3 WITH JOINER CONSTRUCTION FOR THE PELLA SPORTS PARK PHASE II PROJECT."

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 change order #2 and #3, in the total amount of \$4,880, for the City's construction contract with Joiner Construction for Phase II of the Pella Sports Park project.

Change Order #2: Lower Electric Line, total of \$900

This change order lowers an existing electric line from 6" to 24" deep in order to accommodate the addition of the multi-purpose trail where it crosses near the batting cages.

Change Order #3: Remove Additional Soils, total of \$3,980

This change order provides over-excavation in two different areas of the project to correct the soils.

1. On a 135' section of the bike trail, on the west side behind the park's shop, the subbase remained very wet after excavation and was not suitable as a base for the concrete. An additional 8" of soil was removed and replaced with additional subbase to correct drainage.
2. The soil in the left field area of future field 6 had very high clay content which would have resulted in poor drainage and substandard turf. As a result, 4" of the high clay content soil was removed from a 3,000 square feet area of future field 6 and replaced with new topsoil.

In summary, staff is recommending approval of change order #2 and #3, in the total amount of \$4,880, thereby adjusting the total contract price to \$902,564. It is important to note that Fields for Our Future is in agreement and will be funding 50% of the change order per the previously approved 28E Agreement; therefore, the City's net expected share of the change order is \$2,440.

Listed below is the contract summary if Council approves change order #2 and #3:

| | |
|-------------------------------------------|---------------------|
| Original Construction Contract | \$894,219.00 |
| Change Order #1-Add'l plaza concrete | 3,465.00 |
| Change Order #2-Lower electric line | 900 |
| <u>Change Order #3-Remove add'l soils</u> | <u>3,980.00</u> |
| Total Revised Construction Contract | <u>\$902,564.00</u> |

ATTACHMENTS: Resolution, Change Order #2, Change Order #3
REPORT PREPARED BY: Community Services
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

2. Resolution No. 5973 entitled, "RESOLUTION APPROVING ORDERING THE PREPARATION OF PLANS AND SPECIFICATIONS, FORM OF CONTRACT, NOTICE OF HEARING AND NOTICE OF LETTING, SETTING DATE FOR PUBLIC HEARING, AUTHORIZING THE TAKING OF BIDS, AND AUTHORIZING BID OPENING FOR THE OOST POORT ALLEY WATER AND SANITARY SEWER PROJECT."

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 establishes July 2, 2019, as the public hearing date and authorizes staff to seek bids for the Oost Poort Alley Water and Sanitary Sewer Project.

The extent of the work for this project is generally described as follows:

Water Main: Installation of 430 LF of 8" new water main from the north side of Washington Street extending south and then west to serve the businesses which abut Main Street and Franklin Street, to include 14 - 1" water service stubs and 1 - 2" water service stub, 1 hydrant and 1 flushing device. This new water main will replace the existing 4"/6" water main which currently serves this area. As a result, fire flows in the Central Business District will be improved.

Sanitary Sewer: Installation of 77 LF of new 8" sanitary sewer main running east and west including 2 new manholes just north of the existing businesses on Franklin Street. This new segment of sanitary sewer will allow some of the businesses to connect to the new sanitary sewer main. Under a separate contract, the sanitary sewer from the alley south will be lined this year once the new manhole is in place at the south end where the new sewer turns and goes west.

Secondary Storm Sewer: Installation of 155 LF of 12" secondary storm sewer to accommodate future connections of roof drains with the construction of phase 2.

The City's engineer on this project, Garden & Associates, will handle the bid process and provide construction phase services for the project. It is important to note, the engineer's opinion of probable costs for this project is \$192,700.

Critical dates have been identified as:

| | |
|------------------|------------------------------------------------------|
| June 20, 2019 | Bid Letting |
| July 2, 2019 | Public Hearing to Receive Bids and Award of Contract |
| July 23, 2019 | Notice to Proceed |
| October 30, 2019 | Final Completion |

Contract documents are on file in the Public Works office.

ATTACHMENTS: Resolution, Notice of Hearing
REPORT PREPARED BY: Public Works Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

3. Resolution No. 5974 entitled, "RESOLUTION APPROVING ENGINEERING SERVICES AGREEMENT WITH HDR ENGINEERING, INC. FOR THE PELLA MUNICIPAL AIRPORT WILDLIFE FENCE PROJECT."

Bokhoven moved to approve, seconded by Van Stryland.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: This resolution approves an engineering services agreement with HDR Engineering, Inc. for the Pella Municipal Airport Wildlife Fence Project. As background, the deer population and activity has continued to increase at the Pella Municipal Airport. Currently, the airport is surrounded by an agricultural 52" fence that allows the deer to freely access the runway creating a major safety concern. FBO staff and airport users continue to monitor deer activity in close proximity to the airport runway/property. The current methods used consist of physically chasing the deer in pickups when their presence is known. Most recently, the use of propane powered cannons has been utilized with limited success. The City also maintains nuisance deer tags from the DNR allowing us to have the appropriate officials destroy problem deer; however, this method is extremely time consuming and has been utilized with limited success.

HDR Engineering, Inc. personnel have assisted the City of Pella with several other airport projects in the past. In addition, HDR is currently working on the Regional Airport project. The scope of their work on this project includes coordination with various project stakeholders, environmental determination, preliminary and final design plans and specifications, bidding and construction phase services.

The estimated breakdown of the not-to-exceed engineering fees is listed below:

| | |
|--------------------------------------|------------------|
| Task 1 – Project Management | \$ 2,901 |
| Task 2 – Stakeholder Coordination | 8,532 |
| Task 3 – NEPA Coordination | 5,508 |
| Task 4 – Preliminary Design | 12,384 |
| Task 5 – Final Design | 3,678 |
| Task 6 – Bidding Phase Services | 4,776 |
| Task 7 – Construction Phase Services | <u>10,821</u> |
| Total Engineering Services | <u>\$ 50,097</u> |

It is important to note, if approved, construction is estimated to begin in fall of 2019.

ATTACHMENTS: Resolution, Engineering Services Agreement
REPORT PREPARED BY: Public Works
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

4. Resolution No. 5975 entitled, “RESOLUTION APPROVING USE AGREEMENT WITH VAN VEEN-VAN HEMERT POST #89 AND THE PELLA MEMORIAL BUILDING COMMISSION FOR USE OF THE PELLA MEMORIAL BUILDING AT 829 BROADWAY STREET.”

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: This resolution approves a use agreement with the American Legion (Van Veen-Van Hemert Post #89) for their use of the Pella Memorial Building. As background, the Board of Supervisors has offered to convey the Pella Memorial Building to the City of Pella, subject to the approval of the Use Agreement with the Legion. The City has agreed to accept the building, but only if the Chapter 37 restrictions no longer apply to the building.

As further background, the Pella Memorial Building was originally constructed by the American Legion in 1919. Due to financial issues, the building was transferred by the American Legion to Marion County in 1923. After accepting the building from the American Legion, Marion County established the facility as a Memorial Hall under Chapter 37 of the Iowa Code. Since 1923, a Memorial Building Commission has operated and maintained this facility. These commissioners have been appointed by the County, but have been nominated by the American Legion.

Proposed Use Agreement

The Use Agreement includes the Memorial Building Commission as a party to the Agreement. Through the Agreement, the Commission agrees that the building shall no longer be operated as a Memorial Building under Chapter 37 of the Iowa Code and that the Commission shall further be dissolved. The Use Agreement shall instead identify the Legion’s rights to the use of the building. Management and control of the building shall be transferred to the City of Pella.

Listed below is a summary of the agreement:

Term:

The initial term of the agreement would be for 10 years. This agreement would automatically renew for successive 10-year periods. The American Legion would have the ability to cancel the agreement.

Exclusive Space:

The American Legion would be entitled to exclusive and unrestricted use of the following spaces:

1. Board Room
2. Museum Space, including adjacent storage areas
3. 600 square feet for additional museum display in the northeast corner of the Main Basement Room, including under stair storage space
4. The East Room in the basement

Use Fee:

The American Legion proposes to pay the City \$100 per year for use of the exclusive spaces.

Priority Use of Non-Exclusive Space:

The American Legion and Veterans of Foreign Wars would have first priority for scheduling the non- exclusive spaces of the facility for their respective monthly meetings.

Hours of Operation:

Establishing the facility’s hours of operation would be the right of the City, including the public restrooms.

Replacement Space:

The City would have the right to relocate the American Legion to a comparable space as long as the following conditions were met:

Exclusive Use Space:

- 570 square feet for the American Legion’s Board Meetings
- 1,200 square feet for the American Legion’s museum and weapons storage

Non-Exclusive Use Space:

- Assembly area with stage, adjacent kitchen/food preparation and serving area, and adjacent restroom facilities all with no less capacity than those in the Pella Memorial Building
- Adjacent parking of not less than 50 spaces

Public Restrooms:

The City reserves the right to make improvements to the facility’s restrooms.

Estimated Annual Operational Costs

City staff estimates the operating costs for the facility to be between \$10,000 to \$15,000 annually. This estimate includes utilities, cleaning and maintenance costs, and insurance. In addition, a portion of these costs may be offset by rental income of the facility.

Potential Improvements to the Pella Memorial Building

While the facility is in remarkably good shape for its age, the City will likely incur capital expenditures related to structural repairs. In addition, there will likely be other building code related expenditures needed to ensure safe access for the public. Please note, the facility assessment was previously provided to the City Council.

In summary, staff is recommending approval of the Use Agreement with the American Legion for their use of the Pella Memorial Building. Listed below are important items to consider in the potential acquisition of the Pella Memorial Building:

- The building abuts the current City Hall. Therefore, any significant facility issues associated with the Pella Memorial Building would likely impact City Hall. As a result, the City has an inherit interest in the Pella Memorial Building.
- The building could support City functions in the future. In addition, the Pella Memorial Building's parking lot could help support additional operations at City Hall. For instance, if the City would proceed with establishing a telecommunications utility, it would be beneficial to have additional areas for employee parking.

ATTACHMENTS: Resolution, Use Agreement
 REPORT PREPARED BY: City Administration
 REVIEWED BY: City Administration, City Clerk, City Attorney
 RECOMMENDATION: Approve resolution

5. Resolution No. 5976 entitled, "RESOLUTION AUTHORIZING CITY ADMINISTRATION TO PROCEED WITH THE ANNEXATION OF LAND ADJACENT TO 218TH AVENUE."

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: This resolution authorizes City Administration to proceed with the annexation of land adjacent to 218th Avenue. As background, in the fiscal year 19/20 budget, Council approved the asphalt overlay of 218th Avenue from Neil Drive to the Shady Brook subdivision. This project was originally requested by the property owners in the Shady Brook subdivision and has an estimated cost of \$463,000.

In order to proceed with the project, this segment of 218th Avenue either needs to be within the City of Pella's corporate limits or the City would need to have an agreement with Marion County in which they funded the portion of the project which is in the unincorporated area of the county. In considering this issue, approximately 24% of this segment of road is presently within the City's corporate limits. However, the City's soccer complex is adjacent to this roadway. In addition, two adjacent property owners have signed applications to voluntarily annex into the City limits. Iowa law does not allow a city to annex territory if, by doing so, it would create an island of land that is completely surrounded by the corporate boundaries of the city. Therefore, to annex the adjacent roadway into the city limits, the City would need to annex our soccer complex and four additional properties at the same time.

Below is a listing of the property that would need to be annexed, separated between consenting and non-consenting status:

| Property Owner | Consenting | Non-consenting |
|---------------------------------------|-------------|----------------|
| City of Pella (Soccer Complex) | 27.67 acres | |
| Roozeboom | 6.02 acres | |
| Dockter | 0.71 acres | |
| Rinsema | | 0.64 acres |
| Zhou | | 0.30 acres |
| % consenting (with soccer complex) | 97.34% | 2.66% |
| % consenting (without soccer complex) | 87.74% | 12.26% |

From staff's perspective, all of the above properties benefit from abutting the City of Pella. In addition, some of these property owners are currently receiving City utility services. Furthermore, if the City of Pella upgraded 218th Avenue, all of the above property owners would benefit. As a result, staff believes there is justification for annexing these properties.

If the City of Pella were to proceed with annexation of these properties it would be considered an 80/20 annexation as at least 80%, but not 100% of the above affected property owners are interested in voluntarily annexing their property. 80/20 annexations require approval of the City Development Board; however, no election is needed.

Due to the requirements involved with an 80/20 annexation, staff would like to hire the Ahlers Law Firm to perform these services for the City. The estimated legal fees for an 80/20 annexation range from \$5,000 to \$10,000.

In summary, staff is recommending approval of this resolution which authorizes City Administration to proceed with the annexation of land adjacent to 218th Avenue.

ATTACHMENTS: Resolution, Map
 REPORT PREPARED BY: City Administration
 REVIEWED BY: City Administrator, City Clerk
 RECOMMENDATION: Approve resolution

I. ORDINANCES

1. Ordinance No. 959 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA, IOWA CHAPTER 65.01, STOP INTERSECTIONS."

Peterson moved to place ordinance no. 959 on its first reading, seconded by Schiebout.

On roll call the vote was:

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

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, Branderhorst, Van Stryland, Peterson, De Jong.

NAYS: None.

Motion carried.

Schiebout moved that ordinance no. 959 be adopted, seconded by Bokhoven.

On roll call the vote was:

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

NAYS: None.

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

BACKGROUND: This proposed ordinance updates the City Code to reference a three-way stop at the intersection of 240th Place and University Street. As background, this intersection previously only had a stop sign for those traveling eastbound on University Street. During the May 15, 2018 Policy and Planning session, Council directed staff to add stop signs for northbound and southbound traffic on 240th Place for bicyclist and pedestrian safety due to the extension of the City's trail system to Vermeer Corporation. It is important to note, stop signs for northbound and southbound traffic on 240th Place were installed upon the completion of the new portion of the trail system this spring. Currently, staff is providing enforcement of these new stop signs under state code.

In summary, this proposed ordinance updates City Code to reference a three-way stop at the intersection of University Street and 240th Place.

| | |
|---------------------|--------------------------------|
| ATTACHMENTS: | Ordinance, Map |
| REPORT PREPARED BY: | Public Works Department |
| REVIEWED BY: | City Administrator, City Clerk |
| RECOMMENDATION: | Approve ordinance |

I. CLAIMS

1. Abstract of Bills No. 2031.

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 – None

M. ADJOURNMENT

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

On roll call the vote was:

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

NAYS: None.

Motion carried.

Meeting adjourned at 7:49 p.m.