



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

June 4, 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. Five staff members and eight 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. Proposed Amended Wage Scale for FY 19/20
  - b. Proposed Health and Dental Plan Premiums for FY 19/20
  - c. Proposed Personnel Policy Manual Update

2. Approval of Tentative Agenda.

Van Stryland moved to approve, seconded by Bokhoven.

On roll call the vote was:

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

NAYS: None.

Motion carried.

3. Reappointment of Rachel Sparks to the Library Board of Trustees.

Branderhorst moved to approve, seconded by Peterson.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: Mayor Mueller would like to reappoint Rachel Sparks to serve on the Library Board of Trustees. Rachel was appointed to the Library Board on July 1, 2016 to serve a three-year term. She is eligible for and willing to serve a second term.

Rachel and her family live at 1300 North Prairie Street in Pella. She is a stay-at-home mom with two young children. Rachel attended 32 of the 35 board meetings held during her first term.

If approved, Rachel's second term would expire on June 30, 2022.

ATTACHMENTS: None  
REPORT PREPARED BY: Library Director  
REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve the reappointment

4. Appointment of Dinakar Kesavapillai to the Library Board of Trustees.

Schiebout moved to approve, seconded by Van Stryland.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: Mayor Mueller would like to appoint Dinakar Kesavapillai to serve on the Library Board of Trustees. Members of the Library Board are appointed to three-year terms and are eligible to serve two terms.

Dinakar works as an IT professional at Pella Corporation. He and his family live at 113 Hemlock in Pella.

If approved, his term will begin on July 1, 2019 and expire on June 30, 2022.

ATTACHMENTS: None  
REPORT PREPARED BY: Library Director  
REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve the appointment

5. Appointment of Suzy Card to the Library Board of Trustees.

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: Mayor Mueller would like to appoint Suzy Card to serve on the Library Board of Trustees. Members of the Library Board are appointed to three-year terms and are eligible to serve two terms.

Suzy is the UniServ Director for the Iowa State Education Association and a former teacher. She and her husband Jeff live at 1012 Franklin Street in Pella.

If approved, her term will begin on July 1, 2019 and expire on June 30, 2022.

ATTACHMENTS: None  
REPORT PREPARED BY: Library Director  
REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve the appointment

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

No comments were received.

**C. APPROVAL OF CONSENT AGENDA**

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

On roll call the vote was:

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

NAYS: None.

Motion carried.

The following items were approved:

1. Approval of Minutes
  - a. Official Council Minutes for May 21, 2019
2. Report of Committees
  - a. Planning and Zoning Commission Minutes for April 22, 2019

Chairperson Landon called the Planning and Zoning Commission to order at 7:00 p.m. in the Public Safety Complex. Members present were: Joe Canfield, Julio Chiarella, Cathy Hausteine, Kisha Jahner, Dave Landon, Robin Pfalzgraf, Gary Van Vark, Ervin Van Wyk, and Ann Visser. Absent: Mark Groenendyk and Teri Vos. Staff present: City Administrator Mike Nardini, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. Eight members of the public were in attendance.

APPROVAL OF TENTATIVE AGENDA

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

APPROVAL OF MINUTES

Motion by Chiarella, second by Canfield to approve the minutes of the April 8, 2019 meeting. Motion carried 9-0.

PUBLIC HEARINGS

None.

NEW BUSINESS PROPOSED

Consider a Site Plan by Russ Van Wyk to Construct a Mini-Storage Facility at 210 South Street

Russ Van Wyk has submitted a site plan proposing to construct a 3,540-square-foot mini warehouse/convenience storage facility at 210 South Street. The 0.15-acre subject property is currently vacant and is within the Light Industrial (M1) zoning district. It is important to note that the proposed development is similar to a previously approved storage facility directly adjacent to the proposed site and also owned and operated by the applicant.

Staff believes the proposed site plan meets the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. Therefore, staff is recommending the site plan be approved as submitted.

Motion by E. Van Wyk, second by Visser to approve the site plan as submitted. Motion carried 9-0.

Consider a Site Plan by PPI to Construct a 7,200 Square-Foot Warehousing Facility at 300 S.E. 14th Street

Garden & Associates has submitted a site plan on behalf of Precision Pulley Inc (PPI) proposing to construct a 7,200-square foot building addition to an existing storage facility at 300 S.E. 14th Street. The proposed structure is located in the southeast corner of the 4.34-acre property and is within the Light Industrial (M1) zoning district. It is important to note that the proposed development is an extension of the existing structure.

Staff believes the proposed site plan meets the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. Therefore, staff is recommending the site plan be approved as submitted.

Motion by Jahner, second by Van Vark to approve the site plan as submitted. Motion carried 9-0.

Consider a Preliminary Plat to Subdivide Approximately 22.78 Acres into Three Lots Located Near 2110 Idaho Drive

MAWAK LLC has submitted a preliminary plat to subdivide a property into three lots. The subject property is located at or near 2110 Idaho Drive. On April 16, 2019, the City Council approved an ordinance to rezone Lot 1 as Community Commercial (CC) and Lots 2 and 3 were rezoned to Rural Residential (RR). In addition to the change in base zoning, the ordinance also established a Planned Unit Development (PUD) overlay zone for this three-lot subdivision.

The preliminary plat has been revised to reflect City of Pella staff and engineering consultant comments. Staff finds the preliminary plat meets the minimum requirements of the zoning ordinance and subdivision ordinance while also conforming to the City's Comprehensive Plan. Based upon the findings, staff recommends the preliminary plat be approved as submitted.

Van Vark asked whether the City will maintain the private drive that provides access to the development. City Administrator Mike Nardini replied that the City will maintain the portion of the drive to the City's Jordan Well site, but the landowner will be responsible for maintaining the portion of the drive that is on their land.

Motion by Chiarella, second by Canfield to approve the preliminary plat as submitted. Motion carried 9-0.

Consider a Final Plat to Subdivide Approximately 22.78 Acres into Three Lots Located Near 2110 Idaho Drive

MAWAK LLC has submitted a final plat to subdivide a property into three lots. The subject property is located at or near 2110 Idaho Drive. On April 16, 2019, the City Council approved an ordinance to rezone Lot 1 as Community Commercial (CC) with Lots 2 and 3 were rezoned to Rural Residential (RR). In addition to the change in base zoning, the ordinance also established a Planned Unit Development (PUD) overlay zone for this three-lot subdivision.

The subdivision plat has been submitted to reflect City of Pella staff and engineering consultant comments. Staff finds the final plat meets the minimum requirements of the Zoning Ordinance, the Subdivision Ordinance, and the preliminary plat. Additionally, staff finds the development conforms to the City's Comprehensive Plan. Based upon the findings, staff recommends approval of the final plat.

Motion by E. Van Wyk, second by Chiarella to approve the final plat as submitted. Motion carried 9-0.

Consider a Site Plan to Construct a 7,000 Square-Foot Private Event Center on the Property Located at or Near 2110 Idaho Drive

MAWAK LLC is proposing a site plan to construct a 7,000-square foot private event space and activity center for the extended family associated with Pella Corporation. The primary purpose of this building is to provide a venue for the annual board meeting/family reunion. The facility will be used semi-regularly and will not be occupied full time by any staff and provides no residential sleeping quarters. It is important to note that staff is recommending conditional approval of this site plan pending approval of the preliminary and final plat.

Staff believes the proposed site plan meets the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. However, it is important to note that the City Council must approve the preliminary and final plat before the development can be constructed. Therefore, staff is recommending the site plan be conditionally approved, subject to formal approval of the preliminary and final plat.

Motion by Visser, second by Chiarella to conditionally approve the site plan, subject to formal approval of the preliminary and final plat by City Council. Motion carried 9-0.

Consider Waiver of the City's Subdivision Authority for the Subdivision Known as Dakota Ridge Acres

Scott Treft has submitted a preliminary and final plat to subdivide a property located at 2299 Dakota Drive. The proposed subdivision is located outside Pella's corporate limits; however, the subdivision is located within the City's two-mile jurisdiction. Specifically, the subject property is located within the Subarea C zone of the 28E Agreement, which provides joint platting control to the City of Pella and Marion County and exclusive zoning control to Marion County.

In evaluating the proposed subdivision, staff is recommending the City of Pella waive its right to review the proposed subdivision for the following reasons:

1. It is important to note that only a portion of the proposed subdivision is located within the City's two-mile jurisdiction. Furthermore, it is unlikely this proposed subdivision will be annexed into the City limits within the foreseeable future.
2. The proposed subdivision does not create any additional lots which are under the City's subdivision jurisdiction.
3. Marion County has already approved the proposed subdivision and has stated it meets all requirements for Marion County's zoning and subdivision ordinance.
4. The proposed subdivision would require nine waivers under the City's subdivision ordinance. From staff's perspective, it is unlikely all nine waivers would qualify as a 'hardship' and our recommendation would be to deny the proposed subdivision. While this position would be understandable if the entire subdivision was located within the City's subdivision jurisdiction, the fact is only a portion of the subdivision is in this area. Therefore, staff's position is to simply to defer to Marion County for review of this subdivision.

If the Commission is not in favor of waiving the City's right to review this proposed subdivision, a number of waivers would be required for the Dakota Ridge Acres subdivision to meet the City's subdivision code.

Staff is recommending the City waive its right to review the proposed subdivision. The reason for staff's position is the proximity of the proposed subdivision to Pella's corporate limits, the fact that only a portion of the subdivision is located within the City's jurisdiction, and Marion County has already approved the proposed subdivision. If the Commission does not wish to waive the City's right to review the proposed subdivision, then staff's recommendation would be to deny the proposed subdivision due to non-compliance with our subdivision ordinance.

Motion by Jahner, second by Pfalzgraf to waive the City's subdivision authority and defer to Marion County. Motion carried 9-0.

OTHER BUSINESS / PUBLIC FORUM

Prior to taking further action on the rezoning request that was tabled by the Commission at the April 8, 2019 Commission meeting, Nardini said staff plans to meet with the applicant and address concerns and questions they may have.

A joint work session between the City Council and the Commission is scheduled for May 14, 2019 to discuss the Oskaloosa Street Corridor Redevelopment Plan. The next regular Commission meeting is scheduled for May 20, 2019. This meeting was moved up a week due to the Memorial Day holiday.

Adjourned at 8:01 p.m.

## b. Community Development Committee Minutes for May 8, 2019

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

APPROVAL OF TENTATIVE AGENDA

Brummel announced that the order of the items on the agenda will be modified to D-1, D-4, D-2, and D-3.

Motion by Kiser, second by Canfield to approve the amended agenda. Motion carried 9-0.

APPROVAL OF MINUTES

Motion by Cody, second by Brummel to approve the minutes from the April 24, 2019 meeting. Motion carried 9-0.

NEW BUSINESS

Consider a Design Permit Application to Paint a Major Portion of the Existing Structure Located at 820 Main Street (Case DSN19-09)

Shaughn Roorda has submitted a design permit application to paint a mural on the south side façade of the building located at 820 Main Street. Given the scale of the proposed mural, the project is considered a major project, which requires review by the full Community Development Committee (CDC). A summary of the requested alterations is provided below. Please refer to the photographs in your meeting packet showing the current building facade.

Proposed Alterations:

1. Paint a mural on a portion of the south building façade.

It is important to note that the Design Manual identifies targeting colors that are in keeping with the character of the community. Most of the buildings in the immediate vicinity consist of red brick color, however, the applicant is proposing to paint on the building's existing white

façade. In evaluating this design application, staff finds the application does contain acceptable Dutch-themed color and furthers the objectives of the Design Manual. Therefore, staff recommends approval of the design permit as submitted.

Roorda spoke in favor of the design permit and answered questions from the Committee. She explained that the artist that will paint the mural is originally from Pella.

Motion by Cody, second by Groenendyk to approve the design permit as submitted. Motion carried 9-0.

Consider a Design Permit Application for Exterior Alterations to the Building Located at 637 Franklin Street (Case DSN19-12)

Dave and Lorie Melhus have submitted a design permit to alter the exterior facades of the building located at 637 Franklin Street. A summary of the requested alterations is provided below.

Proposed Alterations – North Façade:

1. Repaint cornice black.
2. Paint existing red brick white.
3. Remove minor horizontal building projection from first floor.
4. Replace all existing windows and doors, which will have black trim.
5. Repaint horizontal transition strip and side architectural features black.
6. Repaint current green areas above first floor windows white.
7. Repaint white features on first floor to black.
8. Install new windows and doors.

Proposed Alterations – South Façade:

1. Replace existing doors with new. Upstairs door will have a window.
2. Paint covered windows white.

In evaluating this design application, staff believes the alterations meet the requirements listed in the Design Manual. Therefore, staff recommends the design permit application be approved as submitted.

L. Melhus spoke in favor of the design permit and answered questions from the Committee. Stienstra recommended that the applicant not paint the existing red brick because it can cause moisture to collect behind the paint, thus causing the brick to deteriorate.

L. Melhus explained that she plans to install a second door on the front of the building. Zoning Administrator Bryce Johnson said that the creation of a second door will need to be handled as part of a separate design application as this revision was not included in the application that is being currently discussed.

Motion by Cody, second by Zylstra to approve the design permit application with the following conditions and revisions: the red brick on the second floor will not be painted, the windows on the second floor will be replaced with double-hung windows, and the proposed doors will be reviewed by the Design Subcommittee. Motion carried 9-0.

Consider a Design Permit Application to Construct Phase Two of The Reserves at Mill Farm Apartments Near 1135 West 16th Street (Case DSN19-10)

Jeffrey Gillam has submitted a design permit application for a multiple-family residential development project near 1135 West 16th Street. In 2013, the CDC voted to approve two similar apartments just north of the proposed location. It is important to note that the applicant has submitted building designs similar to those previously approved.

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

Gillam was present via FaceTime to answer questions from the Committee and to speak in favor of the design permit. He explained the Dutch elements that were included in the design of the buildings.

Motion by Canfield, second by Bokinsky to approve the design permit as submitted. Motion carried 9-0.

Consider a Design Permit Application to construct at Burger King at 1500 Washington Street (Case DSN19-11)

Roger Franz with Net Lease has submitted a design permit application for a new development project to construct a Burger King at 1500 Washington Street. The property is currently located in the Community Commercial (CC) zoning district and Gateway Corridor (GC) overlay district. A summary of the requested alterations is provided below.

Proposed Alterations:

1. Construct a new structure complimented by major Dutch elements such as brick facades and stepped gables.
2. Minor Dutch elements proposed include window mullions.
3. The project also includes other elements not listed in the Design Manual like quoins on the building corners.

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

Canfield left at 6:03 p.m.

Franz spoke in favor of the design permit and answered questions from the Committee. Stienstra shared his concerns with the inclusion of white brick in the design. Franz explained that the color of the brick is more of an off-white or light tan color. He said he will have samples of the brick and mortar sent to the City for review by the Design Subcommittee.

Motion by Kiser, second by Brummel to approve the design permit on the condition that the Design Subcommittee approve the colors of the brick and mortar. Motion carried 8-0.

OTHER BUSINESS / PUBLIC FORUM

Johnson said the next regular CDC meeting is scheduled for June 12, 2019.

Kiser mentioned that a joint meeting between the City Council and the Planning and Zoning Commission is scheduled for May 14, 2019 in the event any CDC members would like to attend.

Olivier-Shaw said that the stepped gable is starting to become a predominant feature of storefronts. Johnson explained that the CDC has the option to suggest alternative features to design permit applicants.

Cody asked whether the setbacks of new businesses along the main corridors in town is being taken into consideration. She said that at one point, the City had considered creating a tree-lined boulevard on Washington Street and is concerned that development might be happening too close to the road to make that a possibility in the future. Johnson said that plans for new developments are reviewed by City departments, which make recommendations based on the City's long-term plans.

Adjourned at 6:28 p.m.

3. Petitions and Communications

a. Renewal of Cigarette/Tobacco/Nicotine/Vapor Permit for Fareway Stores #995

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 business has applied for renewal of their cigarette/tobacco/nicotine/vapor permit. Staff is recommending approval as the application and fees are in order.

Fareway Stores #995 2010 Washington Street
ATTACHMENTS: None
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve renewal of cigarette/tobacco/nicotine/vapor permit

b. Renewal of Class C Beer Permit with Class B Wine Permit and Sunday Sales for Hy-Vee Food Store

BACKGROUND: Hy-Vee, Inc., DBA Hy-Vee Food Store at 118 SE 9th Street, has applied for renewal of their Class C Beer Permit with Class B Wine Permit and Sunday sales privileges. The term of the new license is 12 months and would expire on July 22, 2020.

The application has been completed online with the state, and staff is recommending approval.

ATTACHMENTS: Application
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve renewal

D. \*PUBLIC HEARINGS

1a. Public Hearing on Lift Station Repairs Project.

No written comments were received. Oral comments were received and addressed.

De Jong moved to close the public hearing, seconded by Schiebout.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: This resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the Lift Station Repairs Project. The extent of the work is generally described as: replacement of hardware on existing ladders and access hatches, installation or relocation of wet well level transducers, and other miscellaneous associated work at three lift stations.

The bid opening for the project was held at 11:00 a.m. on May 22, 2019. Two bids were received and are summarized below:

Table with 2 columns: Contractor, Bid. Rows: Synergy Contracting, LLC (\$63,000), Minturn, Inc. (\$88,500)

After reviewing the bid proposals and checking with multiple references, Fox Engineering, the project engineer, recommends awarding the contract to the lowest responsible bidder, Synergy Contracting, as listed in the total amount of \$63,000. It is important to note that the engineer's opinion of probable costs was \$45,000. Furthermore, the engineer does not believe rebidding the project would produce more favorable bid prices due to the size of the project.

Staff is in agreement with the engineer's recommendation. It is important to note that time is of the essence regarding these repairs as two of the pump stations have old technology transducers which are no longer supported with manufactured parts.

If approved, below is an overview of the timeline for this project:

Table with 2 columns: Event, Date. Rows: Notice to Proceed Issued (July 19, 2019), Substantial Completion Date (October 30, 2019)

In summary, this resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the above referenced project to Synergy Contracting in the total amount of \$63,000. The resolution also gives the Public Works Director authorization to issue the notice to proceed once the contract, bonds, insurance certificates, and appropriate permits are in proper order and fully executed.

ATTACHMENTS: Resolution, Engineer's Recommendation, Bid Tabulation
REPORT PREPARED BY: Public Works Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

1b. Resolution No. 5977 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE LIFT STATION REPAIRS PROJECT."

Bokhoven moved to approve, seconded by Peterson.

On roll call the vote was:

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

NAYS: None.

Motion carried.

**E. PETITIONS & COMMUNICATIONS**

1a. Special Event Permit Request for 4<sup>th</sup> of July Activities.

Van Stryland moved to approve, seconded by Branderhorst.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: The City of Pella is requesting a special event permit for this year’s 4th of July activities. Plans call for a celebration on Thursday, July 4, 2019 with a parade, fireworks, and other activities around the community including fishing at Caldwell Park, live music from the Pella City Band, and many games and activities in Central Park.

Historically, the timing of the 4th of July festivities occurred in the early afternoon hours; however, the volunteer committee is proposing to adjust the timing of this year’s festivities to avoid the heat of the day. The committee feels this change is a better option for families by having the activities scheduled closer together and not spanning the hot afternoon hours. The full schedule of events, and their proposed time frames, are included as a memo attachment.

Street closures are associated with the 4th of July activities and the appropriate resolution, along with maps of the areas, are included for Council review. Below is a summary of the requested street closures.

1. Parade Staging from 11:00 a.m. to 8:00 p.m.
  - Franklin Street from E 1st Street to E 3rd Street
  - Liberty Street from E 1st Street to E 3rd Street
  - E 2nd Street from Washington Street to Union Street
2. Parade Route from 5:00 to 8:00 p.m.
  - Franklin Street from W 3rd Street to E 1st Street
3. Other Activities from 6:00 a.m. to 9:30 p.m.
  - Franklin Street from Broadway Street to Main Street
  - Broadway Street from Washington Street to Franklin Street
4. Fireworks Display
  - From noon to midnight: East University Street from E 15th Street to 240th Place
  - From 8:00 to 10:00 p.m.: 240th Place from East Oskaloosa Street to E Vermeer Road

The rain date for fireworks only will be Friday, July 5, 2019.

All pertinent City departments have reviewed this application and comments are attached. Approval is recommended.

ATTACHMENTS: Resolution, Application, Maps, Department Comments  
 REPORT PREPARED BY: City Clerk  
 REVIEWED BY: City Administrator  
 RECOMMENDATION: Approve special event permit and resolution

1b. Resolution No. 5978 entitled, “RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS 4<sup>th</sup> OF JULY ACTIVITIES.”

Schiebout moved to approve, seconded by Peterson.

On roll call the vote was:

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

NAYS: None.

Motion carried.

2. New Class C Liquor License with Sunday Sales and Catering Privileges for Buenas Corporation DBA Cantaritos.

Branderhorst moved to approve, seconded by Bokhoven.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: Buenas Corporation, DBA Cantaritos at 1205 Washington Street, has applied for a new Class C Liquor License with Sunday sales and catering privileges. As background, a catering privilege allows the licensee to provide and serve alcoholic beverages at private social gatherings in a private place. The licensee must serve food with the alcoholic beverages and all food and beverages must be provided to the guests free of charge.

The term of the new license is 12 months and would expire June 3, 2020.

At the time of the Council packet publication, the dram shop insurance was still pending, therefore staff is recommending approval of the license pending receipt of dram shop insurance and approval from the Iowa Alcoholic Beverages Division.

ATTACHMENTS: Application  
 REPORT PREPARED BY: City Clerk  
 REVIEWED BY: City Administrator  
 RECOMMENDATION: Approve license pending receipt of dram shop insurance and ABD approval

**F. PLANNING & ZONING ITEMS** – None

**G. ADMINISTRATION REPORTS** – None

**H. RESOLUTIONS**

1. Resolution No. 5979 entitled, "RESOLUTION APPOINTING UMB BANK, N.A. OF KANSAS CITY, MISSOURI, TO SERVE AS SUBSTITUTE PAYING AGENT, REGISTRAR, AND TRANSFER AGENT."

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 appoints UMB Bank, n.a. as substitute paying agent, registrar, and transfer agent for the City of Pella. As background, the City historically used Bankers Trust of Des Moines, Iowa for the City's corporate trust needs which typically include paying agent, registrar, and transfer agent for the City's debt obligations. Recently, Bankers Trust notified the City of their acquisition by UMB Bank, n.a. of Kansas City, Missouri on or about July 12, 2019.

As a result of the acquisition, the City's bond counsel and financial advisors recommend the City Council appoint UMB Bank, n.a. as the City's new paying agent, registrar, and transfer agent. Representatives from Bankers Trust have indicated that UMB Bank, n.a. is currently in the process of opening an office in the Des Moines metro area and is likely to retain the current staff at Bankers Trust who handle the City's accounts.

As part of the transition, the City is required to post notice to the electronic municipal market access (EMMA) website as required by the City's continuing disclosure requirements. Additionally, the City is required to give notice to bond and note holders, typically done through the Depository Trust Company (DTC). If approved, staff will coordinate these notices to ensure compliance with all bond covenants.

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

2. Resolution No. 5980 entitled, "RESOLUTION APPROVING ENGINEERING SERVICES AGREEMENT WITH FOX ENGINEERING ASSOCIATES, INC. FOR WEST 3RD STREET SANITARY RELIEF SEWER IMPROVEMENTS."

Peterson moved to approve, seconded by Schiebout.

On roll call the vote was:

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

NAYS: None.

Motion carried.

BACKGROUND: This resolution approves an engineering services agreement with Fox Engineering Associates, Inc. for the West 3rd Street Sanitary Relief Sewer Improvements. The general purpose of this project is to remove and replace the existing undersized sanitary sewer on West 3rd Street from Liberty Street to Union Street.

This engineering agreement includes design, permitting, bidding, and construction phase services related to the installation of approximately 471 lineal feet of new 15-inch diameter sanitary sewer and 450 lineal feet of storm sewer. This project is the last of the 2009 Iowa Department of Natural Resources (IDNR) wastewater mandated projects.

Fox Engineering has worked for the City on other projects over the last several years. They have been very competitive in price, professional in all aspects of their product delivery, and provide excellent service. In addition, staff believes their fees are reasonable in relation to the scale of the project and the State Revolving Fund (SRF) funding and documentation required.

The following is a summary of the estimated engineering costs:

Design Phase	\$33,800
Topographic Survey	3,800
Bidding Phase	5,200
Construction Phase Admin/RPR	49,600
Construction Staking	4,900
<u>Post Construction Phase</u>	<u>2,500</u>
Total (not-to-exceed)	<u>\$99,800</u>

The above fees for design services, preparation of plans and specifications, bidding and construction services shall be on the basis of standard hourly rates, with a maximum not-to-exceed amount of \$99,800.

The preliminary construction cost estimate for this project is approximately \$400,000. In summary, staff is recommending approval of this engineering services agreement with Fox Engineering for the West 3rd Street Sanitary Relief Sewer Improvements Project. Finally, it is important to note, the City Attorney has reviewed the engineering services agreement.

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

**I. ORDINANCES** – None

**I. CLAIMS**

1. Abstract of Bills No. 2032.

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.

**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, Bokhoven moved to adjourn, seconded by Van Stryland.

On roll call the vote was:

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

NAYS: None.

Motion carried.

Meeting adjourned at 7:30 p.m.