



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

February 7, 2023

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 (614 Main Street) at 6:00 p.m., Mayor Don DeWaard presiding. Council members present were: Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Dr. Spencer Carlstone, Dave Hopkins. Absent: None.

City Administrator Mike Nardini and City Clerk Mandy Smith were present.

Thirteen staff members and twenty-eight members of the general public attended in person.

One staff member and eight members of the general public attended via conference call.

B. MAYOR'S COMMENTS

1. Approval of Tentative Agenda.

De Jong moved to approve, seconded by Branderhorst.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

2. Mayor DeWaard recognized the Ambulance Service Temporary Advisory Board Members.

BACKGROUND: Mayor DeWaard would like to recognize the six individuals who served on a temporary advisory board for the purpose of overseeing the initial operations of the city's ambulance service. Prior to serving in this capacity, these individuals served on the non-profit Pella Community Ambulance (PCA) Board.

The board members, and their years of service to the PCA Board, are as follows:

- Mike Vermeer – 27 years
- Dave Beukelman – 12 years
- Dr. Ryan Thoreson – 8 years
- Steve Van Wyk – 6 years
- Marty Racheter – 4 years
- Jonathan De Reus – 2 years

REPORT PREPARED BY: City Administration

REPORT REVIEWED BY: City Administrator, Ambulance Chief, City Clerk

3. Acceptance of Civil Service Commission Certified Police Officer List.

De Jong moved to approve, seconded by Sporrer.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: The Pella Civil Service Commission has certified the following candidates for the position of Police Officer:

Hunter Embray, Knoxville, IA

Victor Garcia Sanchez, Ankeny, IA

ATTACHMENTS: None

REPORT PREPARED BY: Marcia Slycord, Clerk of the Pella Civil Service Commission

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Accept the Pella Civil Service Commission's certified list

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

One comment was received.

D. APPROVAL OF CONSENT AGENDA

Hopkins moved to approve the consent agenda, seconded by Sporrer.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

The following items were approved:

1. Approval of Minutes

a. Official Council Minutes for January 17, 2023

2. Report of Committees

a. Civil Service Commission Minutes for October 27, 2022

Present: Marty Racheter, Commission Chair; Curtis Baugh, Commission Member via Microsoft Teams; Nathan Wolff, Commission Member; Stacey Bone, City of Pella Personnel Officer; Marcia Slycord, Secretary to the Commission and Police Administrative Services Manager; Shane McSheehy, Chief of Police, Pella Police Department

The meeting was called to order at 5:38 p.m. by Commission Chair Racheter.

Wolff moved to accept the October 27, 2022, agenda as presented, seconded by Baugh. All members voted aye; motion approved.

Wolff moved to accept the August 31, 2022, minutes as presented, seconded by Baugh. All members voted aye; motion approved.

At 5:40 p.m., Wolff moved to enter closed session pursuant to Iowa Code Chapter 21.5 1(j) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session, seconded by Baugh. All members voted aye; motion approved.

Commission reconvened to open session at 6:15 p.m.

No police officer candidates were certified.

Chief McSheehy presented information regarding a Critical Hire – profile as an additional resource in the police officer selection process. Even with the Critical Hire – profile, the polygraph is still an option. At 6:28 p.m. Wolff made a motion to use the Critical Hire – profile testing temporarily as a tool for the police officer selection process, seconded by Baugh. All members voted aye; motion approved.

There being no further business to come before the commission, the meeting adjourned at 6:34 p.m.

Respectfully submitted,

Marcia Slycord, Secretary to the Commission

b. Community Services Board Minutes for November 18, 2022

Present: Lauri Amelse, Nathan Guess, Amanda Schwerdtfeger, Arvin Van Zante

Absent: Stephen Fyfe, Mike Lyons, Glenn Steimling

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

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

Minutes - Motion by Van Zante, seconded by Schwerdtfeger to approve the Community Services Board Meeting minutes of September 16, 2022. Motion carried 4-0.

Discussion Items

Update on Indoor Rec Center Project – Vaughan discussed how the committee developed the “Cadillac” version of the rec center. They found the initial cost estimates far exceeded the available funding. Due largely to escalating construction costs – up 40% over pre-covid estimates according to the Engineer. The project was reduced to basic plan – rec pool, comp pool, 3 gyms and workout areas. The base plan exceeded available funding by \$6M. The committee met this week to review the plan. After much good discussion, the committee settled on potential cuts to conform to the currently available funding, reduction of comp pool and rec pool square footage and including gyms 3 & 4 as alternates. Mike Nardini reported that the Mayor is in the process of organizing a fundraising committee. We are still hoping to present a plan sometime this winter for public input.

Update on Community Center Project – Vaughan noted the Engineering RFP is out. Responses are due back December 7th. We have received much interest on this project and are hoping for competitive bids! The current plan is for the Mayor to appoint an ad hoc committee at the December 6th Council. Arvin and Amanda will represent the CS Board on this committee.

Bos Landen Golf Management Services – Vaughan reported the current clubhouse management contract with MK Golf expires at the end of this year. RFPs were sent out for golf management services for 2023. Two firms are showing interest. Proposals are due back November 30th. The scope of services is to be negotiated. It could include full management of the entire Bos Golf operations. The hope is to have a new contract signed by the end of the year.

Bos Landen Conference Center Repairs – Vaughan reported the RFPs are out for the renovation work of the water damaged areas of the conference center. The base bid for the project also includes improvements to bring the facility up to current codes standards. This includes ADA improvements to the restrooms and the addition of an elevator, both of these items are covered by insurance. Non-insurance covered alternates were also included as it would be cost effective to make the repairs while a contractor is already on site. This includes replacement of windows on the conference side, improvements to the kitchen flooring, walls, and ceiling, and converting a storage room to a family restroom on the main level. Bids are due back November 29th. Award of the construction contract is scheduled for the December 6th council agenda. The engineer has indicated that there are several contractors interested in the project. Provided favorable bids are received, the work could start as early as January 1.

Department Updates:

Aquatics/Alex Meyers

- Recreation swim team and high school boys swim team started Nov. 7. The participation numbers are very good. 102 members on swim team and 7 boys high school team.
- Recreation swim team is holding an introduction swim meet at the indoor pool Saturday, November 19. Approximately 2 hours for 45 kids to get the feel for the swim lanes during a meet.
- Having HVAC issues with multiple companies assisting with the issue.
- Hosting a session of private lessons that start at the end of the month thru the holidays.
- Still trying to hire lifeguards and instructors.
- Hosting multiple birthday parties and after hour rentals.
- Indoor pool remains busy with aerobics, lap swim and open swim very popular.

Art & Rec/Brenda Ross

- The final day of Little Tyke Flag Football was cancelled due to rain and will not be made up.
- The majority of the soccer and football equipment has been returned by the coaches.
- There are 4 parties scheduled for the Art Center for the month of November.
- Room 206 & the Memorial building are starting to fill up with rentals for the Holidays.
- Park staff is using the old Clothing Bank as a greenhouse to store plants over the winter.
- Work on the front doors is still ongoing but should be completed by December 1st.
- Ordered 10 skate helpers that will be used at the ice rink. They will be rented out like the skates and games. Delivery will be in January.
- Our department submitted 3 grants to the Pella Community Foundation for Washer/Dryer, Metal Garden Stakes & Floating Island for Sunken Garden.

Parks/Chandler Nunnikhoven

- Tulips are 99.98% done
- The Queen and her court planted their plots last Wednesday.
- We planted 128,000 tulips in 13 working days. This is a new record. It was accomplished by great teamwork and an amazing job by staff.
- Continuing to bag leaves
- Starting to plant trees next week.
- Getting snow equipment ready
- Christmas Lights being installed on 11.17.22 by multiple companies.
- Prepping the Molengracht before the Kerstmarkt group starts work on their site set up.
- Starting to work on annuals for 2023. Looking at how to improve efficiency and plant selection. Selecting plants that are more drought tolerant to help reduce manual watering.

Golf & Athletic Fields/Kevin Vos

- Sports Park & soccer complex closed, restrooms winterized, irrigation systems winterized, athletic fields aerified, working on ball field infield clay areas worn areas
- Soccer irrigation system – contractor worked on hydraulic water repairs and should work next spring. TBD
- Sports park irrigation repair – main line. The electric department helped with excavating.
- Staff helped plant tulips
- Bos Landen GC closed – work includes aerification, chemical applications for snow mold disease prevention, course cleanup
- Golf course irrigation system winterization
- Golf irrigation repairs

• Golf hole #2 pond – private contractor removing silt from the pond which came during construction of adjacent residential properties land
General Discussion Items:

Van Zante updated the group on the renovation progress on the south doors of the Community Center. The exit side of the west door will be completed by December 1. The exit side of the east door may not be completed before the Union Street Players performance starts. The extra repairs to the transom and changing out the transom glass extended the time needed. The light sconces by the doors outside of the building were also updated with new paint and cleaning.

Vaughan noted there will be no meeting in December, happy holidays! We have three terms expiring at the end of the year. Mike and Nathan are willing to continue onto another term. Lauri is not seeking re-appointment. We would like to thank Lauri for being a part of the Board for the past 15 years. A new Board member will be joining us in January.

Adjournment: 12:45pm, Motion to adjourn by Van Zante, seconded by Guess.

The next meeting is scheduled for Friday, January 20, 2023, at noon in Room 204 of the Community Center.

Respectfully submitted:

Dyan Parker

c. Historic Preservation Commission Minutes for December 12, 2022

Chairperson Kermode called the Historic Preservation Commission (HPC) to order in the Memorial Building at 5:03 p.m. Members present were: Bruce Boertje, Lorinda Bradley, and Rhonda Kermode; absent: Don André and Lila Turnbull. Staff present: Planning and Zoning Director Gerald Buydos and the Deputy City Clerk. No members of the public attended the meeting.

APPROVAL OF TENTATIVE AGENDA: Motion by Boertje, second by Bradley to approve the tentative agenda. Motion carried 3-0.

APPROVAL OF MINUTES: Motion by Boertje, second by Bradley to approve the minutes from the November 14, 2022 meeting. Motion carried 3-0.

OTHER BUSINESS/WORK SESSION

Work Session to Discuss the Proposed Scholte Garden Historic District

The Commission had requested an update from staff regarding the proposed Scholte Garden Historic District application that is being reviewed by the State of Iowa. Staff mailed a letter from the Commission with the booklet Boertje prepared about the district to property owners in the district. The present commissioners acknowledged having received copies of the booklet and letter in the mail. Planning and Zoning Director Gerald Buydos reported that there has been no news yet from the State of Iowa on the status of the application.

Work Session to Discuss the Certified Local Government Program and the Report from the State Historic Preservation Office to the City of Pella
Kermode had asked that the Commission have further discussion on the Certified Local Government (CLG) program and the report from the State Historic Preservation Office (SHPO) to the City of Pella. The response from the SHPO was that the City of Pella's current ordinance for historic districts would not be acceptable for the CLG program guidelines. One of the reasons the SHPO gave is that the City's Dutch Design Review Manual does not follow the Secretary of the Interior's Standards for the Treatment of Historic Properties. Kermode has contacted the SHPO asking for clarification on whether the City's Dutch Design Review Manual would prevent the City from becoming a CLG. She reported having not yet received a response.

Other: Kermode discussed with the Commission her experience serving on the ad hoc Community Center Improvements Committee.

Work Session to Discuss Future Potential Historic Overlay Zone Locations Within the City of Pella

At the meeting held on November 14, 2022, the Commission discussed potentially having a historic overlay zone located between Columbus and Lincoln Streets and between East First and East Second Streets. Boertje had distributed a handout with information about 39 properties between Lincoln and Columbus Streets and between East First and East Second Streets. He suggested that the Commission look at this area as a possible future local historic district. He proposed calling the district the McClatchey Mill Historic District as there was formerly a woolen mill located at 1008 E. 2nd St. The Commission further discussed this potential district. Boertje will continue to research the area.

Work Session to Discuss U.S. Cellular's Construction of Utility Poles in Pella

U.S. Cellular must comply with all Federal, State, and local regulations governing the proposed facility. Section 106 of the National Historic Preservation Act of 1966, as amended, requires U.S. Cellular to evaluate this project for any effect it may have on Historic Properties. As part of this evaluation, U.S. Cellular is required to publish public notice in an effort to gather comments on the potential effects of the proposed facility on Historic Properties.

Buydos explained to the Commission U.S. Cellular's plans to install 5G small-cell wireless poles around downtown Pella. He showed renderings of the poles to the Commission as well as a map of their proposed locations.

Other: Kermode mentioned that the Commission had talked about possibly hosting an educational event regarding historic preservation for Earth Day. She asked whether the Commission would be interested in holding such an event. Boertje said that it would be worthwhile.

Kermode proposed having an event in collaboration with the Pella Preservation Trust (Trust). Boertje said he will bring it up to the Trust at an upcoming meeting, as they may have a fundraising event coming up in April 2023.

Next Meeting Date: The next meeting date is scheduled for January 9, 2023.

Adjourned at 6:07 p.m.

d. Planning and Zoning Commission Minutes for December 13, 2022

Chairperson Vos called the Planning and Zoning Commission to order at 7:00 p.m. in the Memorial Building. Members present were: Sarah Buchheit, Julio Chiarella, Cathy Haustein, Tom Johnson, Robin Pfalzgraf, Marc Vande Noord, Ann Visser, and Teri Vos; absent: Joe Canfield.

Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, Local Programming Coordinator Monte Goodyk, and the Deputy City Clerk. Seven members of the public were present.

APPROVAL OF TENTATIVE AGENDA: Motion by Pfalzgraf, second by Visser to approve the tentative agenda. Motion carried 8-0.

APPROVAL OF MINUTES: Motion by Pfalzgraf, second by Chiarella to approve the minutes of the November 7, 2022 meeting. Motion carried 8-0.

PUBLIC HEARINGS

Public Hearing to Consider an Ordinance to Vacate the Hazel Street Right-of-Way North of East Park Lane

Timber View Development requested the vacation of the Hazel Street right-of-way (ROW) running north/south within the Timber View development project. This request was for the complete vacation of the street ROW north of East Park Lane within Phase 1 of the Timber View development. All City and private utilities were notified of the proposed easement vacation. No utilities have indicated the presence of infrastructure in the affected ROW, nor did any utilities object to the ROW being vacated. The old Hazel Street ROW will be replaced with the new Hazel Street ROW in the alignment approved in the Timber View Development.

In order to approve this request, the proposed vacation must be compatible with the City's Comprehensive Plan and not adversely affect neighboring property owners or the general public. In addition, the only property owners abutting the proposed alleyway vacation are the applicants. Finally, all property owners within 200 feet of the alley were notified of the requested ROW vacation.

Staff believes the vacation request is compatible with the City's Comprehensive Plan and does not adversely affect any neighboring property owners or the general public. Therefore, staff recommended the request to vacate this portion of alley ROW be approved as submitted.

Convened Public Hearing on the proposed rezoning. No written comments were received.

Planning and Zoning Director Gerald Buydos clarified for a member of the public the current plans for extending Hazel Street in the Timber View development.

Pfalzgraf and Hausteine shared that they had both been asked by recipients of the mailed public hearing notice whether they should have been given more notice of the meeting. Staff explained that the notices were prepared by the City Attorney and were mailed on December 8, 2022, as they had to be mailed by December 9, 2022. Staff further explained that they mail public hearing notices in advance of public hearings for rezonings at least 10 days prior to the public hearing. The notification requirements for this public hearing were different. Motion by Johnson, second by Visser to close the public hearing as no further comments were received. Motion carried 8-0. Motion by Johnson, second by Vande Noord to approve the vacation request as submitted. Motion carried 8-0.

NEW BUSINESS PROPOSED

Consider a Site Plan Submitted by Austin Steenhoek for Property Located at 2073 Old Highway 163

Austin Steenhoek submitted a site plan application to construct several buildings along Old Highway 163. The first building will be approximately 7,200 square feet, the second building will be approximately 7,200 square feet, the third will be approximately 7,425 square feet, the fourth will be approximately 10,395 square feet, and the fifth will be approximately 7,425 square feet. Approximately 50,762 square feet of pavement will be added.

Chapter 165.36(F)(3) requires the proposed site plan to conform to the City's Comprehensive Plan. The Future Land Use Map of the Comprehensive Plan identifies this site for "General Industrial" land uses. Staff believes the proposal meets this description in the Comprehensive Plan, along with providing more industrial acres, which is noted as a need in the Comprehensive Plan.

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 recommended the site plan be approved as submitted.

Steenhoek, the applicant, was present to answer questions from the Commission. He explained that the plan is to build buildings one and two first and build buildings three through five at a later date.

Motion by Visser, second by Buchheit to approve the site plan as submitted. Motion carried 8-0.

OTHER BUSINESS / WORK SESSION

Work Session to Discuss Meeting Protocols for Broadcast on Pella Fiber

The purpose of this work session was to discuss television etiquette for Planning and Zoning Commission meetings that are broadcast on Pella Fiber. Pella Fiber asked that staff implement certain rules to make for a better viewing experience for those watching the meeting at home.

The following are Pella Fiber's suggestions:

- Try and speak close to the microphone. The microphones work well but the speaker cannot be too far away from them for them to pick up everything that is said.
- For public comments, please be sure individuals come to the podium and use the microphone to speak and state their name for the record. The television viewers cannot hear or see the person if the conversation is being conducted from the audience.
- Speak clearly and concisely.
- If possible, repeat questions that are asked.
- Be aware that facial expressions and body language will be picked up by the camera.
- Please keep cell phones off or in silent/airplane mode. Phones ringing/vibrating can cause issues for the sound system, especially when they vibrate on the tables.

It should be noted that the meeting's audio is not recorded or broadcast until the moment the meeting begins and will stop being recorded/broadcast the moment the meeting ends. The cameras are located on top of the cabinets in the back of the room. The PowerPoint presentations are captured during the meeting and appear in a small window on the screen. Finally, the microphones are live when the red ring is illuminated under the top part. This information was shared with the Commission as requested by Pella Fiber.

Vos told the Commission that is important for them to be aware that the microphones can pick up whispered conversations from the commissioners.

Next Meeting Date: The next regular Planning and Zoning Commission meeting is scheduled for January 23, 2023.

Other: Pfalzgraf shared that this will be her last meeting as a member of the Planning and Zoning Commission. She explained that she has taken a new position and will be relocating out of state. She was thanked for her service on the Commission.

Adjourned at 7:27 p.m.

3. Petitions and Communications

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

BACKGROUND: The Gene Van Wyk family has requested a special event permit for the annual Gene Van Wyk 5K scheduled for Saturday, April 8, 2023, from 8:00 a.m. to noon. The proposed race route remains the same as prior year's events, as outlined on the attached map. No road closures have been requested.

All pertinent city departments have reviewed this application and comments are attached. The fee has been received. As of the time of Council packet publication, the certificate of insurance was still pending; therefore, staff recommends conditional approval of this special event permit upon receipt of the certificate of insurance.

ATTACHMENTS: Application/Map, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Conditional approval pending receipt of certificate of insurance

E. PETITIONS & COMMUNICATIONS

1. New Class C Retail Alcohol License with Outdoor Service and Catering for Pella Market, LLC. Branderhorst moved to approve, seconded by De Jong.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: Pella Market, LLC (DBA Main Street Markt) at 503 Main Street has applied for a new class C retail alcohol license with outdoor service and catering privileges effective February 10, 2023. The term of the new license is 12 months and, if approved, would expire February 9, 2024. The application has been completed online with the state. Staff is recommending approval.

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve alcohol license application

2. **New Cigarette/Tobacco/Nicotine/Vapor Permit for Tobacco, Vape & E-Cig.**
De Jong moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: Tobacco, Vape & E-Cig, located at 1530 Washington Street, has applied for a new cigarette/ tobacco/nicotine/vapor permit effective February 8, 2023 through June 30, 2023. The owner of the business, Mustafa Barborawi, has submitted an email in support of the application and explaining the products which will be available in the store; this email is included as a memo attachment.

It is important to note that Police Department staff members have reviewed the application and supporting documents. The applicant was contacted, advising he will be selling tobacco and vape products and those items commonly associated with tobacco and vape use. Furthermore, Pella Police Department staff members spoke with police staff members in both Newton and Spencer regarding the applicant's existing store locations with no concerns noted. The County Attorney and staff members were contacted to confirm the legality of retail sales of tobacco, vape, and associated tobacco and vape items.

The application and fees are in order according to the State of Iowa's guidelines; therefore, staff is recommending approval of this permit as submitted.

ATTACHMENTS: Application, Email from Applicant
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator, Chief of Police
RECOMMENDATION: Approve permit

F. RESOLUTIONS

1. **Resolution No. 6547 entitled, "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO CONVEY EASEMENT INTERESTS IN REAL PROPERTY, THROUGH OPTION AGREEMENTS, TO MIDAMERICAN ENERGY COMPANY, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF."**

Bandstra moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: This resolution establishes February 21, 2023, as the public hearing date regarding the proposal to convey two separate easement interests to MidAmerican Energy Company. As background, MidAmerican is in the process of upgrading and replacing/relocating their existing transmission infrastructure west of Pella. Through the process of planning for this project, MidAmerican discovered that it is necessary for them to obtain two easements from the City of Pella, as shown on the attached exhibits.

Summary: In summary, the City Attorney has reviewed the attached easement documents and provided the resolution to proceed with formal consideration of the easements. Staff recommends approval of this resolution which simply establishes February 21, 2023 as the public hearing date to formally consider the easements with MidAmerican Energy Company.

ATTACHMENTS: Resolution, MAR-020 Easement Documents, MAR-022 Easement Documents, Project Map
REPORT PREPARED BY: City Administration
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

2. **Resolution No. 6548 entitled, "RESOLUTION OF PELLA CITY COUNCIL APPROVING FINAL PLAT (SOUTH MAIN SUBDIVISION – PLAT 2)."**

Hopkins moved to approve, seconded by Sporrer.

On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: On December 6, 2022, the Pella City Council approved resolution no. 6530 approving a final plat for the South Main Subdivision; however, it was recently discovered that the incorrect resolution was provided and considered during that meeting. Specifically, the resolution approved at the meeting on December 6th referenced the incorrect legal description for the first South Main Subdivision rather than Plat 2. As a result, a corrected resolution, referencing a final plat for the South Main Subdivision – Plat 2, has been provided and included for Council's consideration. Below is the memo content that was included in the City Council packet on December 6, 2022:

This resolution approves a final plat for the South Main Subdivision – Phase 2 to subdivide one parcel (approximately 0.99-acres) into six buildable lots with one outlier. This plat also includes a public utility easement. The subject property is located on the corner of Broadway St. and Peace St., at 412 Broadway Street. This final plat is necessary to formally implement the product design and layout changes for Buildings 4 and 5 from condos to single-family attached townhomes. The City Council approved these design and layout changes on August 17, 2021.

City Code Requirements for Final Plats: City Code states that the City Council shall review the final plat for conformance with the Comprehensive Plan as well as zoning and subdivision ordinances and consider recommendations of reviewing parties.

Final Plat: The final plat is a legal document that is recorded with the county. The sale of subdivided lots can only proceed after this recording. The primary purpose of the final plat is to delineate property boundaries and to describe and dedicate rights-of-way and easements.

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

Zoning Classification: The zoning for this property is a Planned Unit Development (PUD) with a base district of Mixed-Use Urban Commercial Corridor (CUC). The CUC zoning district recognizes the mixed-use character of urban entry corridors into Pella's downtown, including Washington Street and Main Street, which contain a combination of residential, commercial, and office uses. These entry corridors include special aesthetic and sign design standards, which will help enhance their status as principal entrances and arterials into Pella's downtown and maintain their character as urban streets. It is important to note, CUC zoning is directly to the north, east, and south of this development.

Comprehensive Plan: City Code requires the City Council to review the final plat for conformance with the Comprehensive Plan, including the Future Land Use Map. Additional housing is noted as a key priority goal in the Comprehensive Plan. In addition, the Comprehensive Plan prefers infill development, or development that is built on vacant or under-utilized lots in existing neighborhoods. The reason for this recommendation includes making use of existing infrastructure as well as infill housing gaps by utilizing under used lots which detract from the neighborhood vitality. Furthermore, the Comprehensive Plan provided, as an example, an infill multi-family housing development within a block of this proposed site.

The Future Land Use Map of the Comprehensive Plan targets the proposed site for Commercial and Civic/Public use. This designation was attributed to the site formerly being used by Central College. In addition, the Land Use Compatibility Matrix of the Comprehensive Plan indicates the high-density residential development is "basically compatible" with the adjacent commercial and nearby residential land uses.

In determining conformance with the Comprehensive Plan, it is important to review the document as a whole, including the text, exhibits, and maps. Based on staff's analysis, we believe the proposed development is in conformance and aligns with the Comprehensive Plan.

Public Infrastructure: No new public infrastructure is required for this final plat.

Summary and Staff Recommendation: Staff finds the final plat meets the minimum requirements of the zoning and subdivision ordinances and conforms to the previously approved preliminary plat as well as the Comprehensive Plan. Based upon the findings, staff recommends the final plat be approved as submitted. All required legal documents for the final plat have been received, reviewed by the Planning and Zoning Department, and approved by the City Attorney. Based upon these facts and findings, staff recommends approval of the final plat as presented. Finally, it is important to note that the Planning and Zoning Commission unanimously approved this final plat during their meeting on November 7, 2022.

ATTACHMENTS: Resolution, Final Plat, Aerial Map, Application, Legal Documents
REPORT PREPARED BY: Zoning Analyst
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

G. CLAIMS

1. Abstract of Bills No. 2120.
Bandstra moved to approve, seconded by Sporrer.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

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

One comment was received.

I. POLICY AND PLANNING

From 6:21 p.m. to 6:59 p.m., Council adjourned to the Policy and Planning meeting to hold a discussion regarding the following items, with no formal Council action taken:

1. Bos Landen Golf Course Fees
2. Maximum Levy Rate Work Session

Council adjourned for a brief recess from 7:00 p.m. to 7:05 p.m.

J. CLOSED/EXEMPT SESSIONS

1. At 7:06 p.m., Branderhorst moved to enter into exempt session pursuant to Iowa Code Chapter 21.9 to discuss employment conditions of employees not covered by collective bargaining agreements, seconded by De Jong.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

Council reconvened to open session at 7:44 p.m.

No action was taken regarding this exempt session.
2. At 7:45 p.m., Branderhorst moved to enter into closed session pursuant to Iowa Code Chapter 21.5 1(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property, seconded by Sporrer.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

Council reconvened to open session at 7:59 p.m.

No action was taken regarding this closed session.

K. ADJOURNMENT

There being no further business claiming their attention, Bandstra moved to adjourn, seconded by Sporrer.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

Meeting adjourned at 8:00 p.m.