



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

March 1, 2022

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: Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Dr. Spencer Carlstone, Dave Hopkins. Absent: Mark De Jong.

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

Ten staff members and thirty-eight members of the general public attended in person.

Fourteen members of the general public attended via conference call.

B. MAYOR'S COMMENTS

1. Approval of Tentative Agenda.

Branderhorst moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

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

No comments were received.

D. APPROVAL OF CONSENT AGENDA

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

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for February 15, 2022
2. Report of Committees
 - a. Policy and Planning Minutes for February 15, 2022

PRESENT: Mayor Don DeWaard, Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Dr. Spencer Carlstone, Dave Hopkins

ABSENT: None

OTHERS: City staff and visitors

The Policy and Planning meeting began at 6:37 p.m. The first item was a discussion regarding the Pella Community Ambulance (PCA), a non-profit organization that has provided critical care paramedic emergency medical service within our community for 40 years. The organization is experiencing a financial hardship due to the following factors:

- Increasing call volume (from 1,382 calls in 2013 to 1,886 calls in 2021)
- Larger percentage of Medicaid or Medicare patients, generating a lower reimbursement rate
- Ineligibility as a non-profit entity to receive state grants to offset the lower Medicaid/Medicare reimbursement rates
- Decreasing volunteer/part-time labor pool resulting in the need to hire full-time staff

Council member Bandstra, City Administrator Mike Nardini, members of the PCA, and area township representatives have met several times to discuss this situation. Nardini informed Council that the PCA has approximately a \$300,000 annual operating deficit and will need to replace two ambulances in the next five years at the cost of approximately \$200,000 per ambulance.

Council reviewed a map reflecting PCA's service area that includes townships outside of city limits. PCA Director Greg Higginbotham informed Council that counties and townships currently do not have an obligation to provide funding for EMS services. Nardini stated that the City of Pella has had a very successful partnership with Lake Prairie Township to provide fire service for many years. A potential arrangement for EMS services would be different than the fire department because PCA has full-time staff. If the city proceeds with acquisition of PCA as a city department, the city would be the lead agency to coordinate agreements with outside areas including townships.

As this was an informational session, staff informed Council additional discussions will occur during the budget work sessions on February 23rd and 24th.

The next item on the agenda was an update regarding the Library Policy Committee. As background, on January 4th, Council discussed the expressions of concern submitted to the library related to the purchase of Gender Queer: A Memoir. Due to the large quantity of concerns received, Council requested that the Library Board of Trustees further review the Collection Development Policy specifically as it relates to access of mature content by minors. To facilitate discussions, Mayor DeWaard appointed Council Member Branderhorst and Council Member Sporrer to represent the City Council during this review. After considering input from the policy committee, and the appointed elected officials, the Library Board of Trustees has decided not to change the Collection Development Policy at this time.

Prior to discussion among Council, Mayor DeWaard opened the floor to receive public comments; twenty-four members of the public addressed Council.

Library Director Mara Strickler informed Council that her goal is to provide books and materials for all patrons. Recently, library staff reviewed all book/material requests made during Strickler's tenure with the City of Pella, finding that of the nearly 2,000 requests received, approximately 1,700 were filled by either purchasing the materials or obtaining through interlibrary loan.

In response to a question from Council, Strickler stated that the American Library Association (ALA) is a separate professional association that provides accreditation, support, guidance, and professional ethics. The ALA is not a governing body, does not have a formal relationship or agreement with libraries, and does not provide or receive funding from libraries.

Branderhorst stated that during the committee meeting, she presented options that could provide a potential compromise including placing the book behind the main library desk or allowing parents to place restrictions on their children's library card which would prevent checking out of mature content. Ultimately, these suggestions were not accepted by the Board. Sporrer stated that the committee vetted several

scenarios during their meeting and that she views the Board's decision to shelve the book in the adult graphic novel section as an accommodation that has already been made.

Mayor DeWaard inquired regarding the logistics necessary to allow a parent to restrict their child's ability to checkout mature content. Strickler responded that the greater issue is the difficulty of entering into a contract with parents to make that limitation as minors can still read these books while they are physically at the library or minors could borrow a friend or family member's card to check out the content. Mayor DeWaard asked Strickler if she was aware of any other libraries who allow parental restrictions on minor's library cards; Strickler stated she is unaware of any libraries offering this.

In response to a question from Carlstone, Strickler responded that Gender Queer: A Memoir is shelved in the adult graphic novel section which is a separate shelving area not adjacent to the juvenile or young adult sections. Strickler stated the library staff has been directed to not place graphic novels on display, on recently returned carts, or in areas that might be more readily browsed by youth.

At the end of the discussion, Mayor DeWaard summarized the following items that were presented:

1. To change any part of City Code Chapter 22, which assigns powers and duties for all library affairs to the Library Board of Trustees, it would take a successful referendum.
2. A referendum could be initiated at the City Council level with a majority vote.
3. A referendum could be citizen-initiated by presenting a petition containing signatures from at least 10% of the total votes cast in the last election (2,826 votes were cast in the 2021 election).
4. If City Code Chapter 22 is not changed, the City Council's only library oversight is appointment of members to the Library Board of Trustees and approving funding allocations to the library.

Nardini added that should Council decide to initiate a referendum, the item should be reviewed by legal counsel prior to placing it on an agenda for formal consideration.

Bandstra requested staff conducts further research regarding the potential of allowing parents to restrict checking out of mature content by their minors, stating that it would be beneficial to talk to other libraries that are currently doing this and review these details before deciding if a referendum should be initiated by the Council. De Jong expressed his agreement with Bandstra's request. Mayor DeWaard reminded Council that if they decide there are policy changes that should be made, the changes could only be done through a successful referendum that provided policy oversight to the City Council.

The meeting adjourned at 8:51 p.m.

Respectfully submitted:

Mandy Smith
City Clerk

b. Board of Adjustment Minutes for December 20, 2021

Chairperson Westra called the Board of Adjustment to order at 6:00 p.m. in the Public Safety Complex. Members present were: Vince Nossaman, Jaci Nunnikhoven, Susan Reiter (via telephone, joined call at 6:01 p.m.), Merlan Rolffs, Lyle Vander Meiden, and Corey Westra; absent: Kristi Kious and Mike Vander Wert. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Five members of the public attended the meeting in person and two members of the public attended via telephone. CHAIRPERSON'S COMMENTS: Approval of the Tentative Agenda. Motion by Vander Meiden, second by Nunnikhoven to approve the tentative agenda. Motion carried 5-0.

APPROVAL OF MINUTES: Motion by Rolffs, second by Nossaman to approve the November 15, 2021 minutes. Motion carried 5-0.

Reiter joined call at 6:01 p.m.

PUBLIC HEARINGS

Consider a Variance Request to Construct a Ground Solar Array Taller than Six Feet at 2123 Idaho Drive

1 Source Solar submitted a variance application to construct a solar panel taller than six feet at 2123 Idaho Drive. The applicant requested relief from the requirements of Section 165.26.5, which establishes a six-foot maximum height. The applicant sought to construct the solar panel in the rear yard of 2123 Idaho Drive. If approved, this would allow the structure to be built to a maximum height of nine feet.

At the November 15, 2021 meeting, the Board elected to table this item to gather more information on the feasibility of arranging the panels laterally and the current solar panels that exist in the City of Pella. Vermeer did receive a special use permit (SUP) for its solar array; a variance for the height was not required.

The below code section states why a height greater than six feet was permitted:

Pella City Code Section 165.25.5 (2.D)

(4) Height. Maximum height limit shall be six (6) feet for residential and fifteen (15) feet for non-residential uses as measured from the grade of the system at base to the highest peak, including the highest position of any adjustable system. Base design criteria for Solar Energy System (SES) - Minor qualification shall be limited to six (6) feet for maximum height limit.

The City's zoning code requires a variance request to meet all seven of the conditions required for approval. While staff finds that the proposed height increase could improve the project, staff does not believe the request meets all seven requirements, particularly criterion #1, which must, "deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter", criterion #4, which requires "...demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice", and criterion #7, which states, "...the owner has been deprived of all beneficial or productive use of the land." Staff does recognize that the height requested would provide the best way for the proposed project to work. However, it is the opinion of staff that this request fails to meet all seven criteria required in the City's zoning code and recommended denial of the variance.

Convened Public Hearing on the variance request. No written comments were received.

Charles Mack was present via phone to speak on behalf of the property owner in favor of the variance and answered questions from the Board. A neighbor, Mike Kooker, was present to share his concerns with the proposed height of the solar array as it will be viewable from his property. He said that he does not think the length of the array would be in issue for him, should the applicant be able to utilize a horizontal racking of six feet in height or shorter.

Motion by Vander Meiden, second by Nunnikhoven to close the Public Hearing as no further comments were received. Motion carried 6-0.

1 Source Solar Energy Specialist Ryan Knutson arrived and was present to answer questions from the Board and spoke in favor of the variance. He stated that he looked into a lower profile solar array option, as requested by the Board at the last meeting, but was unable to find a reputable company that offers such a product. As such, the height of the ground array would need to remain at the requested nine feet. He said he could also provide an alternative roof-mounted array option as well for the Board's consideration.

Motion by Nossaman, second by Vander Meiden to reopen the Public Hearing as further comments were received. Motion carried 6-0.

Knutson explained that the proposed racking system would be constructed out of steel. He further explained that 1 Source Solar only chooses to work with certain tier one manufacturers due to the 25-year product warranty that is offered to customers.

Planning and Zoning Director Gerald Buydos explained that, should the applicant wish to have the Board consider a different solar array configuration, such as a roof-mounted option, the applicant would need to submit a new application to the Board.

Motion by Rolffs, second by Nunnikhoven to close the Public Hearing as no further comments were received. Motion carried 6-0.

Rolffs said that while nine-foot ground solar arrays may not have a negative effect on some properties, it would on others, so he is concerned with setting a precedent, should this variance requested be approved.

Motion by Nossaman, second by Rolffs to deny the variance request. Motion carried 6-0.

Consider a Special Use Permit Request to Construct a Solar Array at 2123 Idaho Drive

Motion by Nunnikhoven, second by Vander Meiden to table the SUP request until the Board meeting scheduled for January 17, 2022. Motion carried 6-0.

Consider a Special Use Permit Request to Construct a Roof-Mounted Solar Array at 936 Main Street

SunPro Solar sought to construct a solar array on the roof of 936 Main St. Under Chapter 165.26.5 of the Zoning Code, all solar arrays over 100 square feet on residential lots require an SUP.

Staff believes the proposed use agrees with the zoning code and recommended approval of the SUP as submitted.

Convened Public Hearing on the SUP request. No written comments were received.

Andrea Van Waardhuizen, a neighbor to 936 Main St., asked how far off of the roof the solar panels would project. Buydos stated that the schematics show there are five inches of clearance from the bottom of the panels to the roof.

Motion by Vander Meiden, second by Nossaman to close the Public Hearing as no further comments were received. Motion carried 6-0.

Motion by Nunnikhoven, second by Nossaman to approve the SUP request as submitted. Motion carried 6-0.

Next Meeting Date: The next meeting is scheduled for January 17, 2022.

Adjourned at 6:47 p.m.

c. Historic Preservation Commission Minutes for January 10, 2022

Chairperson Kermode called the Historic Preservation Commission (HPC) to order in the Memorial Building at 5:00 p.m. Members present were: Don André, Bruce Boertje, Rhonda Kermode, and Lila Turnbull; absent: Lorinda Bradley. Staff present: Planning and Zoning Director Gerald Buydos and the Deputy City Clerk. Three members of the public attended the meeting.

APPROVAL OF TENTATIVE AGENDA: Motion by André, second by Boertje to approve the tentative agenda. Motion carried 4-0.

PUBLIC FORUM

Jena Sales, owner of 717 Main Street, which houses GROOM Barber Lounge, was present and introduced herself to the Commission. She explained that she and her husband are looking at doing some historic preservation work on the building. She spoke with the Commission regarding her family's goal to hopefully be permitted to live in an upstairs apartment in the building, but current City Code does not permit that without available on-site parking for the residence.

APPROVAL OF MINUTES: Motion by André, second by Boertje to approve the minutes from the November 8, 2021 meeting. Motion carried 4-0.

OTHER BUSINESS/WORK SESSION

Discussion of the Proposed Scholte Garden Historic District

The City of Pella Historic Preservation Commission recently held informational sessions with property owners in the proposed Scholte Garden Historic District. Signatures from owners of property on Broadway Street, as well as Main Street, have been received and calculated determining support of the proposed historic district. The rules to determine property and frontage support are as follows:

A. The process to rezone areas as a historic district shall follow the requirements of Chapter 165.38 of the City of Pella's zoning code. In addition to the requirements of this code section, the application to rezone property for a historic overlay district must contain signatures of the owners of at least 50% of the total number of parcels of real estate within the proposed district, excluding parcels owned by government bodies, provided that each parcel, within the meaning of this subsection, shall constitute a separate parcel for property tax assessment purposes, as shown in the records of the county assessor on the date of the filing of the petition. Furthermore, the application must also contain signatures of owners of at least 50% of the total public street frontage area within the proposed district, excluding public street frontage abutting governmental property. An application to rezone areas as a historic district can be submitted by the City of Pella, the Historic Preservation Commission, the Planning and Zoning Commission, or a property owner from the proposed district.

The Scholte Garden Historic District consist of 47 parcels. Of the 47 parcels, 30 property owners have signed as supporting the district, which equates to 63.8%. The 30 property owners also own 1,546.5 feet of frontage, which equates to 57.5%.

To date, staff has not received any further signatures and a completed Historic District Designation Application has not yet been submitted for consideration by the Commission.

Boertje provided staff with a flash drive of photographs and other information for the properties to be included in the proposed historic district. Several properties have been recently sold, so signatures from the new property owners may need to be acquired in order to meet the required signature and property frontage minimums. Kermode said she will reach out to Carol Loynachan and Ann Visser to see if there are any other signatures that they may have gathered from property owners in support of the district.

If the minimum threshold of signatures is met, the Commission would like to move forward by holding some work sessions to fill out the site inventory forms required for each property.

Certified Local Government Update from Staff

Buydos stated that it will be a goal for 2022 to determine whether the City of Pella is in favor of joining the Certified Local Government (CLG) program. Buydos will try to reach out to the State of Iowa again regarding the City's historic preservation ordinance and whether it fits the required CLG criteria. André said he was informed that the State has hired a new employee to run the CLG program.

Other: Kermode said she has not yet heard back from the State of Iowa regarding the historic fire station and hopes to hear something soon.

Work Session to Discuss a Third Potential Local Historic District

Kermode mentioned having had conversations with Jill Jansen and Lon Akerberg regarding the possible formation of a local historic district in their neighborhood, near West Market Park. The Commission answered Jansen and Akerberg's questions regarding the local historic district formation process. Following discussion, the Commission recommended Jansen and Akerberg reach out to property owners in their neighborhood to gauge interest in forming a local historic district. They would also need to determine the boundaries of the historic district and which properties would be included. If there is interest, the process could move forward and a proposal could be made to the Commission.

Work Session to Discuss the Iowa Economic Development Authority's Iowa Downtown Conference

Kermode mentioned that the Iowa Economic Development Authority's Iowa Downtown Conference will be held in Pella on August 2 and 3, 2022. If the Commission has ideas for content for the conference, they should bring those ideas back to the Commission at their meeting on February 14, 2022 for discussion. These ideas could include keynote speakers, tours of buildings (such as the Community Center), and other educational opportunities for the public. Buydos advised the Commission to make a formal motion at the next meeting indicating the Commission's intent to participate in the conference. He suggested reaching out to Mayor DeWaard or the City Council about potentially showing support for the Commission's participation in the conference through a resolution.

Kermode mentioned that the Preserve Iowa Summit will be held in Mason City, Iowa on June 2, 3, and 4, 2022.

Annual Elections for Chairperson and Vice-Chairperson

On an annual basis, the Historic Preservation Commission is required to select a Chairperson and Vice-Chairperson from its membership. All members of the Commission are eligible to serve in these roles. The primary role of the Chairperson is to conduct the Commission meetings. In the absence of the Chairperson, the Vice-Chairperson will serve as the Chairperson. Both positions will be held for one year.

Kermode was re-elected Chairperson and André was re-elected Vice-Chairperson for 2022.

Next Meeting Date: The next meeting is scheduled for February 14, 2022.

Adjourned at 6:27 p.m.

d. Community Development Committee Minutes for January 12, 2022

Chairperson Cody called the Community Development Committee (CDC) to order in the Memorial Building at 5:30 p.m. Members present were: Jerry Brummel, Patsy Cody, Linda Groenendyk (arrived at 5:32 p.m.), Nancy Henry (arrived at 5:33 p.m.), Mike Kiser, Shelly Rikken, Wayne Stienstra, Caryn Van Hemert, Dennis Vander Beek, and Christi Vander Voort; absent: none. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Three members of the public were in attendance.

APPROVAL OF TENTATIVE AGENDA: Motion by Van Hemert, second by Brummel to approve the tentative agenda. Motion carried 8-0.

APPROVAL OF MINUTES

Groenendyk arrived at 5:32 p.m.

Motion by Brummel, second by Van Hemert to approve the minutes from the November 10, 2021 meeting. Motion carried 9-0.

Henry arrived at 5:33 p.m.

NEW BUSINESS

Consider a Wall Sign Permit Application for Blackstone Salon at 836 Main St.

As the owner of 836 Main St., Rikken abstained from discussion as a member of the CDC for this agenda item.

Two identical wall signs were proposed for Blackstone Salon, located at 836 Main St., with one for the front of the building facing Main Street and one for the Washington Street side. The Sign Subcommittee had asked that this sign permit application be brought before the full CDC for consideration. After evaluating the permit application, staff found that the proposed signs comply with the regulations in the Zoning Ordinance.

Blackstone Salon Owner Tiffany Ballalatak was present to answer questions from the Committee. She explained that she would be in favor of moving the Main Street side sign to the left in order to center the sign over the second and third archways of the front of the building. She was also fine with spreading out the logo so that her sign takes up the left side of the existing sign raceway. It was mentioned that there are two suites in the building, so a second tenant could use the right half of the front sign raceway for their sign. Should the applicant wish to install a temporary sign, they can submit a temporary sign permit application for approval.

Motion by Van Hemert, second by Vander Voort to approve the sign permits, subject to final approval by the Sign Subcommittee. On roll call the vote was: ayes: Van Hemert, Vander Voort, Brummel, Cody, Groenendyk, Henry, Kiser, Stienstra, Vander Beek; nays: none; abstain: Rikken. Motion carried 9-0.

OTHER BUSINESS / WORK SESSION

Work Session with SHYFT Collective to Discuss Potential Design Manual Updates

On April 29, 2021, the CDC appointed four committee members (Kiser, Rikken, Vander Beek, and Van Hemert) to a subcommittee to review the Design Review District Design Manual for potential updates. The purpose of this work session was to hear from SHYFT Collective, which has been hired as a consultant to work with the Committee and staff to update the Design Manual. The City Council will need to approve proposed updates to the manual prior to implementation.

SHYFT Collective Senior Project Architect Kurt Hagge and SHYFT Collective Architectural Designer Emma Van Zante were present. Hagge discussed with the Committee the schedule for the next six months, with the plan that that he and the Committee, along with staff, would hold workshops once each month to discuss updates to the Design Manual. The plan is to also hold a workshop inviting the community to provide input on the Design Manual revisions. This workshop would be held once the Design Manual revision process is further along. Ultimately, the updated Design Manual would be presented to the City Council for approval.

Vander Beek left at 6:52 p.m.; he returned at 6:53 p.m.

The Commission spoke with Hagge about their initial thoughts on potential updates to the Design Manual as they looked through the existing manual. The Committee tentatively decided to schedule the next workshop as a special meeting on Wednesday, February 23, 2022 with the Design Manual as the sole meeting discussion item. Staff will send invitations to the Committee and Hagge to join a Design Manual Pinterest board, where the Committee can pin photos of architectural elements and design that they might like to see incorporated into the revised Design Manual.

OTHER BUSINESS / WORK SESSION

Work Session to Discuss Open/Closed Signs for Businesses

Planning and Zoning Director Gerald Buydos explained that staff would like to receive feedback from the Committee on creating a policy for open and closed signs for businesses. He showed the Committee several examples of potential signs that could possibly be administratively approved by staff. Members of the Committee mentioned the possibility of using a bright color for the open signs in order to help customers know at a glance that a business is open. Staff will bring back several options for the Committee to consider at the next meeting for their approval.

Annual Elections for Committee Officers

The Committee unanimously re-elected Cody as Chairperson and Van Hemert as Vice-Chairperson for 2022. The individuals serving on the Design Subcommittee for 2022 will be Stienstra, Vander Beek, and Vander Voort. The individuals serving on the Sign Subcommittee for 2022 will be Brummel, Cody, and Henry.

Next Meeting Date: The next regular meeting is scheduled for February 9, 2022.

Adjourned at 7:25 p.m.

3. Petitions and Communications

a. Special Event Permit Request for the Pella Opera House Light the Night Gala

BACKGROUND: The Pella Opera House has requested a special event permit to host a Light the Night Gala on June 4, 2022, from 5:00 to 10:30 p.m. Set-up is requested to begin at noon with take down completed by midnight. The event is requested to be held in a fenced location on the Klokkenspel Plaza, as shown on the attached map.

The applicant is requesting to host outdoor cocktails and appetizers within the Klokkenspel Plaza prior to the dinner which will be held inside the Opera House. The applicant is also requesting to return to the Klokkenspel after the dinner for music and dancing. These requests are in alignment with the Pella Opera House's gala held within the Klokkenspel Plaza in 2021.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received. The promoter has rented the Klokkenspel Plaza through the Community Services office. Staff is recommending conditional approval of this special event permit contingent upon the promoter applying for and the City Council approving a temporary liquor license for this event.

ATTACHMENTS: Application, Map, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Conditional approval of the special event permit as outlined

b. Renewal of Class C Liquor License with Outdoor Service and Sunday Sales for The Cellar Peanut Pub

BACKGROUND: The Cellar Peanut Pub, located at 629 Franklin Street, 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, if approved, would expire on March 3, 2023.

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 renewal

4. Requesting Council to set March 15th as the Public Hearing for Approval of the FY 22-23 Annual Budget

BACKGROUND: Staff requests permission to set March 15, 2022, as the public hearing date for approval of the FY 22-23 budget.

ATTACHMENTS: None
REPORT PREPARED BY: Finance Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve public hearing date as outlined above

5. Resolution No. 6400 entitled, "RESOLUTION APPROVING A LEASE AGREEMENT WITH LIBERTY STREET KITCHEN FOR THE RENTAL OF 1,179 SQUARE FEET OF THE MOLENGRACHT PLAZA FOR OUTDOOR DINING"

BACKGROUND: This resolution approves a lease agreement with Liberty Street Kitchen (LSK) for rental of a portion of the Molengracht Plaza for outdoor dining. As background, staff received a request from LSK, located in the Molengracht Plaza, to continue to lease 1,179 square feet outside of their establishment for two separate outdoor dining areas connected by a walkway. It is important to note, we have leased a portion of this space for this same purpose since 2011.

Below are highlights of the lease agreement:

- LSK will pay \$589.50 (\$0.50 per square foot for 1,179 square feet).
- The term of the lease is from April 1, 2022 to October 31, 2022.
- Hours of operation are limited to between 6:00 a.m. and midnight.
- LSK may play quiet music which does not disturb those utilizing adjoining publicly owned space. The purpose of playing the music is to add to the atmosphere, and the same music that is played inside the restaurant is played in the outdoor space. This arrangement was in place during previous leases in this location with no complaints reported since this item was added in 2012.
- The city has the authority to utilize the space for special events or other city functions during the contract period.

Finally, it is important to note that placement of temporary railings, furniture, and accessories are subject to the approval of the Community Development Committee. There are no changes to the layout, furniture or railings from the previous year. The previously approved seating plan, identifying the outdoor area layout, is summarized below:

- Patio Dining Area: approximately 8 ft. x 54 ft.
This is the same general area utilized from 2011 to 2018 under a previous lease agreement.
Fenced-in area with one main path of entry, 5 tables, and seating for 20.
- Patio Lounge Area: approximately 16 ft. x 26 ft.
Fenced-in area with two paths of entry, lounge couches/chairs, and seating for 12-14.
- Walkway: approximately 10 ft. x 26 ft.
This area will not be fenced, allowing public foot traffic from the north and south.

In summary, staff is recommending approval of this lease agreement with LSK for rental of a portion of the Molengracht Plaza for outdoor dining.

ATTACHMENTS: Resolution, Lease Agreement with Map
REPORT PREPARED BY: Community Services Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

E. PUBLIC HEARINGS

1a. Public Hearing regarding the transfer of real estate to the Pella Community School District.

No written or oral comments were received.

Bandstra moved to close the public hearing, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: Two resolutions are on the agenda relating to the proposal to transfer approximately 7.3 acres of the northern portion of Caldwell Park to the Pella Community School District (PCSD). As background, this portion of Caldwell Park mainly consists of existing tennis courts. The PCSD has informed staff that they would like to remove the existing courts for the purpose of building new tennis courts on this site. It is important to note that the general public would still be able to utilize the courts after they are constructed.

Agenda Item E-1-b: Resolution No. 6401 Terminating Shared Use Agreement

The City of Pella and the PCSD currently have a Shared Use/28E Agreement that details use of the Caldwell tennis courts by both parties. Due to the proposed property transfer to the PCSD, this agreement is no longer necessary. This resolution terminates the agreement effective on the date of the property transfer. It is important to note that, should the property transfer not occur, the Shared Use/28E Agreement would not be terminated.

Agenda Item E-1-c: Resolution No. 6402 Approving the Transfer of Real Property

This resolution approves the transfer of the northern portion of Caldwell Park, as shown on the attached map, to the PCSD. It is important to note that this transfer is considered a gift as the general public will still be able to utilize the tennis courts that the PCSD is proposing to construct on this property.

In summary, staff is recommending approval of both resolutions terminating the shared use agreement and approving the transfer of the northern 7.3 acres of Caldwell Park to the PCSD.

ATTACHMENTS: Resolution No. 6401, 28E Agreement, Resolution No. 6402 with Exhibit A (Map), Real Estate Gift Agreement
REPORT PREPARED BY: City Clerk
REPORT REVIEWED BY: City Administrator
RECOMMENDED ACTION: Approve resolutions

1b. Resolution No. 6401 entitled, "RESOLUTION TERMINATING SHARED USE AGREEMENT WITH PELLA COMMUNITY SCHOOL DISTRICT."

Branderhorst moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

1c. Resolution No. 6402 entitled, “RESOLUTION APPROVING THE TRANSFER OF REAL PROPERTY OWNED BY THE CITY OF PELLA, IOWA TO THE PELLA COMMUNITY SCHOOL DISTRICT.”

Branderhorst moved to approve, seconded by Hopkins.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

2a. Public Hearing regarding a rezoning application submitted by ATI Group for a 108.41-acre parcel of land at the Northern Terminus of Hazel Street and Country Club Drive.

Two written comments were received and included in the Council packet.
Eight oral comments were received.

Branderhorst moved to close the public hearing, seconded by Hopkins.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: ATI Group has submitted a rezoning application for a 108.41-acre parcel at the end of Hazel Street to change the zoning from Agricultural (A1) and Low-Density Single-Family Residential (R1) to Moderate-Density Single-Family Residential (R1A) for a new single-family residential neighborhood. The subject property is located at the northern terminus of Country Club Drive and Hazel Street and has an existing farmhouse and outbuildings on the property.

CURRENT ZONING: The subject property is currently zoned R1 and A1. The A1 district provides for and preserves the agricultural and rural use of land, while accommodating very low-density residential development generally associated with agricultural uses. R1 provides for single-family dwellings on large lots.

PROPOSED ZONING: The proposed zoning for this property is R1A. This district is intended for moderate density residential neighborhoods, characterized by single-family dwellings on moderately large lots with supporting community facilities and urban services. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with carrying capacity of infrastructure. Property zones surrounding the site include Low-Density Single-Family Residential (R1), Moderate-Density Single-Family Residential (R1A), Institutional (INS), and Agricultural (A1).

REZONING PETITION: City Code section 165.38.2.F recommends that the applicant submit a rezoning petition “duly signed by the owners of 50 percent of the area of all real estate included within the boundaries of said tract as described in said petition and duly signed by the owners of 50 percent of the area of all real estate lying outside of said tract but within 300 feet of the boundaries of the said tract. Both of the foregoing percentage signature requirements are for advisory purposes only, and failure to obtain either or both of the required percentages shall not prevent continuance of the permit application.” A rezoning petition was not received with this application.

COMPREHENSIVE PLAN: City Code section 165.04 notes that the city “intends [the] Zoning Ordinance and any amendments to it shall be consistent with the City’s Comprehensive Plan.” The Comprehensive Plan’s Future Land Use Map identifies the subject site as Low-Density Residential and Agriculture. Surrounding the property on the Future Land Use Map includes a combination of Medical & Assisted Living, Low-Density Residential, Agriculture, and Parks and Recreation.

Table 1.5 of the Comprehensive Plan, the Land Use Compatibility Matrix, assigns compatibility scores to different land use pairs. The matrix scores range from 1 (incompatible) to 5 (completely compatible).

PROJECT SITE	North	South	East	West
Proposed R1A Zone	Agriculture	Low Density/Medium Density Residential	Agriculture	Low Density/ Medical and Assisted Living
Compatibility	3	4 & 5	3	4 & 5

The proposed R1A use is identified in green on the Future Land Use Map. Any potential conflicts which can be resolved through project design, landscaping, buffering, and screening, will be addressed through the site planning process.

It should also be noted that, staff believes the proposed rezoning aligns with a key strategic priority of the Comprehensive Plan, which is economic development and additional housing units.

STAFF RECOMMENDATION: Staff believes the proposed rezoning aligns with aspects of the city’s Comprehensive Plan. In addition, staff believes the conditions associated with this rezoning request address potential land use compatibility issues. As a result, staff is recommending approval of the rezoning request. Finally, it is important to note that the Planning and Zoning Commission is scheduled to hold a public hearing regarding this item on February 28, 2022. During the Council public hearing, staff will provide an update on the Planning and Zoning Commission’s consideration of this item.

ATTACHMENTS: Ordinance, Aerial Images, Rezoning Application, Written Comment
REPORT PREPARED BY: Planning and Zoning Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve the ordinance

2b. Ordinance No. 1007 entitled, “AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY CONDITIONALLY AMENDING THE BOUNDARIES OF THE R1A DISTRICT TO INCLUDE THE PROPERTY GENERALLY LOCATED NORTH OF THE TERMINUS OF COUNTY CLUB DRIVE AND HAZEL STREET AND DIRECTING THE ZONING ADMINISTRATOR TO NOTE THE ORDINANCE NUMBER AND DATE OF THIS CHANGE ON THE OFFICIAL ZONING MAP.”

Bandstra moved to place ordinance no. 1007 on its first reading, seconded by Hopkins.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

3a. Public Hearing regarding Small Wireless Facility Antenna/Tower Right-of-Way Siting and Wireless Facility Design Guidelines.

No written comments were received.
Two oral comments were received.
Branderhorst moved to close the public hearing, seconded by Bandstra.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This ordinance and resolution adopt and approve regulations for small cell wireless facilities within the City of Pella. Council discussed this item during the Policy and Planning meeting on November 16, 2021; the terms and conditions in the proposed documents under consideration with this agenda item remain the same as discussed during that meeting. As background, small cell facilities are wireless antennas that assist with the rollout of 5G infrastructure that most wireless devices will be utilizing in the future. In Pella, our current providers, US Cellular and Verizon, have expressed interest in switching to this new technology as they believe these facilities will provide greater benefits to residents, businesses, and visitors. Small cell wireless facilities are low powered and located on streetlights, utility poles, buildings, and other structures. This technology helps deliver the wireless network needed for digital media and streaming.

It is important to note that if these agenda items are approved, telecom providers would need to follow the attached ordinance and design guidelines to construct small cell wireless facilities in the City of Pella.

Agenda Item E-3-b: Ordinance No. 1008 Adding Chapter 172 Small Wireless Facility Antennas

The ordinance under consideration includes the following requirements:

- **Pole Locations:** While small cell wireless facilities can be placed on existing streetlights, most existing poles do not meet the structural requirements to allow this. Instead, providers would place a new pole in the existing location of the previous streetlight. Small cell facilities cannot be located on traffic signal poles. In addition, small cell facilities cannot be located next to or adjacent to a municipal park or residential area unless approved by the City Council.
- **Ownership of Poles:** Small wireless facilities may be placed on city-owned poles, utility-owned poles, or on an applicant's own poles, depending on the circumstances. This is consistent with state law. The city's preference is that small wireless facilities are installed on non-city-owned infrastructure whenever possible. The only situation where a new pole would be owned by the city is if a wireless applicant replaces an existing city pole with a new pole that will better accommodate wireless facilities. Otherwise, new poles will be privately owned, unless the city agrees to accept them as city poles. The permit application will include a section which identifies where the facilities will be mounted, and whether those structures are city-owned or private.
- **Aesthetics:** New poles must follow the design guidelines established in the proposed ordinance. The criteria are based on the requirement that all new poles must match the aesthetics of existing poles in the area they are located in.
- **Spacing:** Poles must be placed at least 15 feet away from any residential or commercial building and at least 300 feet away from any existing small cell wireless facility pole.
- **Height:** The maximum pole height under this policy is 40 feet, or no more than 10 feet taller than other utility poles located within 500 feet of its placement.
- **Approval Process:** Providers wishing to construct a small cell wireless facility and pole must apply for and receive a permit from the Planning and Zoning Department.
- **Fees Paid to the City:**
 - Application: \$500 per application for the first five small wireless facilities and \$50 per application for six or more small wireless facilities.
 - New Pole: \$1,000 per new pole.
 - Annual Fee: \$270 per small wireless facility.
- **Program Oversight:** The applicant is responsible to purchase all materials necessary and complete installation of the poles. The Planning and Zoning Department is responsible to oversee this program.

Agenda Item E-3-c: Resolution No. 6403 Approving Design Guidelines

The resolution under consideration approves the attached design guidelines which include the following:

- **Executive Summary:** Explains the City of Pella's historic background and intent of the program.
- **General Information:** Explains the objectives and application process.
- **Pole Design Guidelines:** Reinforces the aesthetics that gives the City of Pella its uniqueness. New poles must follow the design criteria established in the ordinance. Additionally, these guidelines provide general size requirements of small wireless facilities.
- **Pole Siting:** Outlines the criteria to approve all proposed pole locations at the time of application and to modify those locations as necessary for future city needs, functional, and/or aesthetic reasons. This section states the city will work with the applicant to find a suitable location for both the city and the applicant. This section also provides examples of preferred pole style, type, and design.
- **Safety:** Discusses general safety practices when installing and maintaining small wireless facilities.

In summary, staff recommends approval of the attached ordinance establishing a City Code section for small wireless facilities and the attached resolution approving small wireless facility design guidelines. Staff believes that with the ordinance and guidelines, we can work with all forthcoming companies to ensure small cell infrastructure has proper placement and appropriate visual cues to fit in Pella.

ATTACHMENTS: Ordinance, Resolution, Design Guidelines
REPORT PREPARED BY: Planning and Zoning Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve ordinance and resolution

3b. Ordinance No. 1008 entitled, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PELLA, IOWA, BY ADDING CHAPTER 172 PERTAINING TO SMALL WIRELESS FACILITY ANTENNA/TOWER RIGHT-OF-WAY SITING."

Bandstra moved to place ordinance no. 1008 on its first reading, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

It was moved by Bandstra 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 Sporrer.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

Hopkins moved that ordinance no. 1008 be adopted, seconded by Bandstra.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

Mayor DeWaard declared the ordinance duly passed and adopted.

3c. Resolution No. 6403 entitled, "A RESOLUTION APPROVING THE CITY OF PELLA'S SMALL WIRELESS FACILITY DESIGN GUIDELINES."

Branderhorst moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

F. RESOLUTIONS

1. Resolution No. 6404 entitled, "RESOLUTION APPROVING COMMUNITY SERVICES FEES."

Branderhorst moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution approves Community Services fee adjustments including the addition of a ticket book program for the Pella Aquatic Center. As background, during the Community Services Board meeting in November 2021, staff presented options to the Board for changes to the aquatic center admission fees and passes. A summary of the recommended changes is included below. Minimal fee increases are being proposed to help off-set the cost of labor increases and for the Pella Aquatic Center to remain competitive with other facilities in Iowa with similar attractions. Daily Admission Prices: The new proposed daily fee for access to the outdoor aquatic center is \$9 per individual/adult.

No changes are being proposed for the youth or indoor daily fees.

Facility	Current Youth/Senior	Proposed Youth/Senior	Current Individual	Proposed Individual
Outdoor	\$6	\$6 (No Change)	\$7	\$9

Specialty Rate: The new fees include creation of a \$5 specialty rate to be used for individuals accessing the outdoor pool for the lap swim or river walk programs. Participants would be required to pay the full admission price if they wanted to remain at the facility during open swim.

Additionally, this rate would be used on weekdays after 5:00 p.m. to encourage patrons to visit the outdoor facility during this historically slow time. This rate would also be available to use at management's discretion when portions of the facility are closed due to maintenance or low staffing at the end of the season and to promote special events or programs such as 4th of July or family nights. The \$5 rate would apply to all patrons, regardless of age.

Aquatic Passes

The current fee for outdoor passes has remained the same since 2014. The proposed new summer pass fees are listed below. No changes to annual or three-month indoor passes are being proposed at this time.

Passes	Current Resident	Proposed Resident	Current Non-Res	Proposed Non-Res	Facility Use Allowed
Family Summer	\$199	\$250	\$239	\$350	Outdoor
Individual Summer	\$88	\$90	\$106	\$110	Outdoor
Youth/Senior Summer	\$75	\$75 (No change)	\$95	\$95 (No change)	Outdoor

Ticket Booklet Program: The new fees include the addition of a ticket booklet program. The proposed cost of the booklet would be \$70 for twelve passes good for a single season of the outdoor facility. Each ticket would grant admission for one child or adult for one day and must be surrendered at the gate. All ticket booklet sales are non-refundable including no refunds for lost or unused tickets. Per the Board's recommendation, staff proposes to limit the number of ticket booklets available each season to 250. The ticket booklet is geared towards those who have visiting guests or grandchildren.

In summary, this resolution approves revised Community Services fees, including the addition of a ticket booklet program, for the Pella Aquatic Center. If approved, the new fee schedule would be effective immediately.

ATTACHMENTS: Resolution, Rate Comparison Chart

REPORT PREPARED BY: Community Services Staff

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

2. Resolution No. 6405 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 UNIVERSITY STREET AND 8TH STREET RECONSTRUCTION PROJECT."

Branderhorst moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution establishes April 5, 2022, as the public hearing date and authorizes staff to seek bids for the University Street and 8th Street Reconstruction project. As background, this project includes the installation of new 8" water mains, 10' sidewalk trail, storm sewer, total reconstruction of University Street (Farmer to 8th) to 31 foot wide, and total reconstruction of 8th Street (University to Peace) to 27 foot wide. Additionally, this project includes realignment of University Street (Farmer to 8th).

The City's engineer on this project, Garden & Associates, will handle the bid process and provide construction phase services for the project. The engineer's opinion of probable costs is \$919,831.

If approved, the project's critical dates are listed below:

March 24, 2022	Bid letting
April 5, 2022	Public hearing to receive bids and award of contract
May 9, 2022	Notice to proceed (approximate)
Final Completion	90 working days from written Notice to Proceed

ATTACHMENTS: Resolution, Engineer's Opinion of Probable Costs, Notice of Hearing, Notice to Bidders, Project Map

REPORT PREPARED BY: Public Works Department

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

3. Resolution No. 6406 entitled, "RESOLUTION APPROVING CHANGE ORDER NO. 4 WITH WRH INC. FOR THE WASTEWATER TREATMENT PLANT 2019 UPGRADES."

Hopkins moved to approve, seconded by Sporrer.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution approves change order no. 4 to the construction contract with WRH Inc. for improvements to the Wastewater Treatment Plant. As background, Council awarded this contract to WRH on February 4, 2020. The improvements involved in this project are necessary to meet the new Iowa Department of Natural Resources permit and schedule.

Change Order No. 4

If approved, change order no. 4 decreases the contract by \$1,508.92 for the following items:

1. Update/replace physical switches, lights, and relays in the Process Building room associated with Final Clarifier RAS gates #1 and #2 (increase of \$3,073.03).

2. Steel repairs in Final Clarifiers #1 and #2 were less than anticipated (decrease of \$15,081.23).

3. Add door, lintel, and hardware for east side of the headworks building providing simpler removal of the wash press auger (increase of \$4,149.14).

4. Replace two additional windows in the Administration Building (increase of \$4,205.14).

5. Cost for drive rehabilitation of Final Clarifiers #1 and #2 was higher than anticipated, includes half of the additional cost as it was split with contractor (increase of \$2,145.00).

Contract Summary

If approved, listed below is the updated contract summary:

Original contract	\$ 5,998,000.00
Change order no. 1	49,930.57
Change order no. 2	21,594.17
Change order no. 3	(12,803.91)
Change order no. 4	<u>(1,508.92)</u>
Total revised contract	<u>\$ 6,055,211.91</u>

In summary, staff is recommending approval of change order no. 4 which reduces the contract price by \$1,508.92. Furthermore, this change order does not modify the project's substantial completion date of November 9, 2021.

ATTACHMENTS: Resolution, Change Order No. 4

REPORT PREPARED BY: Public Works Director

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

4. Resolution No. 6407 entitled, "RESOLUTION ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE PELLA MUNICIPAL AIRPORT AWOS REPLACEMENT PROJECT."

Bandstra moved to approve, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution accepts the public improvements for the Pella Municipal Airport Automated Weather Observing System (AWOS) Replacement project. As background, Council approved a contract for this project with Voltmer, Inc. on June 15, 2021. This project consisted of replacement of the current airport AWOS which was approximately 20 years old and routinely failing to function properly. Replacement parts were no longer available.

Funding for this project will be provided from fiscal year 2022 Federal Aviation Administration (FAA) AIP entitlement funds of \$150,000, subject to FAA concurrence. It is important to note that FAA projects require at least a 10% local match.

Contract Summary: If approved, the final contract amount will remain the same as the contract award of \$168,630. No change orders were necessary for this project.

Acceptance of Project: The project engineer, HDR, has recommended acceptance of the project and believes the project was completed in accordance with the approved plans and specifications. Staff is in agreement with the engineer's opinion; therefore, staff is recommending approval of this resolution accepting the Pella Municipal Airport AWOS public improvements constructed by Voltmer.

If approved, the retainage amount of \$8,431.50 will be held for 30 days.

ATTACHMENTS: Resolution, Engineer's Acceptance Letter

REPORT PREPARED BY: Public Works Department

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolution

5. Resolution No. 6408 entitled, "RESOLUTION APPROVING CHANGE ORDER NO. 1 (FINAL QUANTITY ADJUSTMENT AND MISCELLANEOUS ITEMS) AND ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE OOST POORT ALLEY SEWER, STORM, AND PAVING PROJECT."

Hopkins moved to approve, seconded by Sporrer.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution approves change order no. 1 (final quantity adjustment and miscellaneous items) and accepts the public improvements for the Oost Poort Alley Sewer, Storm, and Paving project. As background, Council approved a construction contract for this project with TK Concrete on April 6, 2021.

This project consisted of all labor, material and equipment for the following items:

- Sanitary sewer, storm sewer, underground storm water detention, and paving improvements in the Oost Poort Alley (concrete and brick surfacing) and adjacent city parking lots (concrete)
- Sanitary sewer and services replacement in the alley from East 1st Street to one-half block west
- Storm sewer intakes installed along the Oost Poort Alley and connecting to the existing storm sewer system at Washington and East 1st Street
- Underground storm water detention systems installed under the east half of the existing city parking lot and under the city-owned unpaved parking lot located in the center of the block

Change Order No. 1

If approved, change order no. 1 decreases the contract by \$15,963.95 for the following items:

1. Trench excavation to relocate electric utility for storm sewer construction (increase of \$1,200).

2. Final quantity adjustments (decrease of \$17,163.95).

Contract Summary

If approved, below is an updated contract summary:

Original contract	\$940,854.00
Change order no. 1	<u>(15,963.95)</u>
Final contract amount	<u>\$924,890.05</u>

Acceptance of Project: The project engineer, Garden & Associates, is recommending acceptance of the project and believes the project was completed in accordance with the approved plans and specifications. Staff is in agreement with the engineer's opinion; therefore, staff is recommending approval of this resolution approving change order no. 1 and accepting public improvements constructed by TK Concrete.

If approved, the retainage amount of \$46,244.50 will be held for 30 days.

ATTACHMENTS: Resolution, Engineer's Acceptance Letter, Change Order No. 1

REPORT PREPARED BY: Public Works Department

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolution

G. CLAIMS

1. Abstract of Bills No. 2098.
Branderhorst moved to approve, seconded by Hopkins.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

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

Comments were received and addressed.

I. POLICY AND PLANNING

From 8:00 p.m. to 8:17 p.m., Council adjourned to the Policy and Planning meeting to hold a discussion regarding the following item, with no formal Council action taken:

1. Convention and Visitors Bureau Contract

J. ADJOURNMENT

There being no further business claiming their attention, Hopkins moved to adjourn, seconded by Sporrer.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

Meeting adjourned at 8:18 p.m.