



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

March 15, 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 Pro Tem Mark De Jong presiding. Council members present were: Mark De Jong, Lynn Branderhorst, Calvin Bandstra, Dr. Spencer Carlstone. Absent: Mayor DeWaard, Liz Sporrer, Dave Hopkins.

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

Ten staff members and twenty members of the general public attended in person.

Eight members of the general public attended via conference call.

B. MAYOR'S COMMENTS

1. Approval of Tentative Agenda.

Carlstone moved to approve, seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

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

Branderhorst moved to approve, seconded by Carlstone.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

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

Chase Poston (Pella, 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)

No comments were received.

D. APPROVAL OF CONSENT AGENDA

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

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for February 23, 2022
 - b. Official Council Minutes for February 24, 2022
 - c. Official Council Minutes for March 1, 2022
2. Report of Committees
 - a. Policy and Planning Minutes for March 1, 2022

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

ABSENT: Mark De Jong

OTHERS: City staff and visitors

The Policy and Planning meeting began at 8:00 p.m. The only item on the agenda was a discussion regarding the Convention and Visitors Bureau (CVB) contract which is set to expire on March 31, 2022.

In 2019, the City Council approved a three-year agreement with the CVB. This agreement allocated 57% of the city's collection of hotel/motel taxes to the CVB for the purpose of providing services to promote and develop visitor and convention business within Pella.

On August 3, 2021, as a result of the COVID-19 pandemic which significantly impacted hotel/motel tax collections, Council approved a one-time payment of \$40,000 to the CVB. The purpose of this payment was to provide the necessary resources to continue CVB operations.

Rob Bandstra, Board of Directors Vice Chair, and Ann Frost, Executive Director, presented the following request from the CVB to Council:

- New three-year agreement beginning on April 1, 2022, through March 31, 2025
- Increase hotel/motel tax funding by 3%, from 57% to 60%

During discussion, Council expressed support of increasing the CVB funding from 57% to 60% as part of the new three-year contract. At the end of the discussion, staff was directed to proceed with placing this item on a future agenda for formal consideration.

The meeting adjourned at 8:17 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

b. Airport Committee Minutes for December 17, 2021

Members Present: Matt Hutchinson, Rick Gritters, Eric Recker, Ted Zylstra

Members Absent: Jeff Bollard,

Others Present: Denny Buyert, Shane Vande Voort, Trevor Nikkel

Approval of Minutes: Motion: The Committee amended and approved the minutes from November 19, motion Ted Z and 2nd Rick G. Minutes unanimously approved

Discussion on filling open airport committee positions. Still discussion around submitting John Erickson's name, he is still unavailable for several months. Motion: to submit Joel Weiler to the City for membership to the airport committee, motion Eric R. and 2nd Rick G.

Motion unanimously passed.

Airport Managers report to the committee-Shane Vande Voort:

Equipment Update: The new pickup is in Des Moines for its snow plow installation. The old pickup is still here and the rest of the equipment is ready to go for winter.

FBO operations: Classic Aviation remains busy and is still looking for additional help

Project Updates: The new AWOS is installed, commissioned, and working well.

Hangar and ramp space: I'll leave the paragraphs following the same as last month. As we finish up another challenging year in the FBO business we are struggling with efficiency. Our biggest loss of efficiency is to paying staff and encountering risk in moving nearly every airplane that is on the ramp for more than one hour and daily shuffling of airplanes in the too-small shop.

In day-to-day operation of the airport our two biggest challenges continue to be lack of hangar space and lack of any designated parking area on the existing ramp. We are grateful that a new corporate hangar has been built and that we are able to lease heated hangar space for 3 small aircraft. We have driven as much shop business to the Oskaloosa airport as we can, but still have a need for more heated shop space at PEA. The challenges of a small ramp with no designated parking areas where an aircraft can be parked for any length of time are compounded by the activity that continues to grow. With help shortages it becomes harder for me to have someone who is capable to tow jets available 7 days a week.

Last week I completed the annual based aircraft update for the FAA. PEA currently has thirty-four based aircraft including five jets and two multi-engine twins. I have no doubt this number could be greater with more available T-hangars since the newest T-hangar on the field was built in 1996.

Corporate operators have notified the city of need for additional ramp space stating "we do need investment to our current airport with the most immediate need for additional ramp space to park local, transient, and overnight aircraft." I know the committee has stated this need before and is aware this would be a significant public investment. Keep in mind with the construction of a new corporate hangar and significant modifications to an existing hangar there is a substantial investment of private sector funds at the airport as well. Ramp space for overnight turbine aircraft would mean enough room to taxi into and away from a parking spot without the need to be towed.

Special Events: Please be thinking of the annual Tulip Time Flight breakfast and be ready to begin planning after the first of the year. The Cirrus Owners and Pilots Association planes to hold a two day Pilot Proficiency Program with an emphasis in aircraft ownership and maintenance at PEA in August 2022. Ground training will be available one day and flight training the next and the event is expected to draw up to 25 airplanes and 50 attendees.

Report from Denny Buyert:

The Motions from last month have been included in the local CIP for budgetary consideration. The Apron expansion and road paving have been submitted to the ACIP at the federal level. The response from FAA representative Jeff Detering is that the FAA will not be investing new federal funds into KPEA, since it is still slated for closure within five years. If and only if the new airport project is terminated will these projects be considered.

Budgetary numbers have been submitted to the city for the overlay of the road and apron expansion.

Further clarification of Infrastructure bill funding needs to be clarified with the FAA, but appears to be following the same path as existing entitlement funds that are directed toward SCRAA land acquisition.

New Business: The need for a pedestrian access gate has become apparent with the new automatic gate. Denny will look into possibilities with the existing fence.

Closing Remarks: While we wait on the Supreme Court decision on the 28-E lawsuit, we will continue to advocate for the municipal airport.

Adjourn: Motion by Zylstra, Support Gritters. Passed unanimously

Next regular meeting will take place on January 28, 2022 7am.

c. Planning and Zoning Commission Minutes for December 27, 2021

Chairperson Canfield called the Planning and Zoning Commission to order at 7:00 p.m. in the Public Safety Complex. Members present were: Sarah Buchheit, Joe Canfield, Mark Groenendyk, Kisha Jahner, Robin Pfalzgraf, Ann Visser; absent: Julio Chiarella, Cathy Haustein, Tom Johnson, and Teri Vos. Staff present: Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. One member of the public was present.

APPROVAL OF TENTATIVE AGENDA: Motion by Visser, second by Groenendyk to approve the tentative agenda. Motion carried 6-0.

PUBLIC FORUM: Dody Boat expressed disagreement with the City Attorney's decision that the RV located at 1358 Northwest Drive is permitted by City Code. She stated she had been unable to reach the City Attorney via telephone and requested that the City Attorney provide her with a letter explaining her decision. Staff will ensure that Boat is provided with the requested letter in a timely manner.

APPROVAL OF MINUTES: Motion by Pfalzgraf, second by Jahner to approve the minutes of the November 21, 2021 meeting. Motion carried 6-0.

PUBLIC HEARINGS:

Consider an Ordinance Amending City Code Chapter 165.33 Sign Regulations for the Purpose of Amending the Restrictions as They Apply to Highway 163 Monument Signs

Staff presented the new Highway 163 Monument Signage ordinance for discussion. The Planning and Zoning Commission held a workshop regarding this item on October 25, 2021. The City Council held a Policy and Planning session on this item at their November 11, 2021 meeting. The following are the highlights of the new Highway 163 Monument Sign Ordinance criteria.

This sign code also allows a maximum of one 10-foot-high monument sign for any parcel that has frontage on Highway 163 or Highway 163 off-ramp. Highway monument signs shall only be placed on occupied parcels in the Community Commercial (CC), Institutional (INS), Limited/Light Industrial (M1), and Heavy Industrial (M2) districts. Highway monument signs shall not be placed in the public right-of-way. The maximum height is broken down into 3 categories: maximum seven feet high for properties under 300 lineal feet; maximum eight feet high for properties 300 lineal feet to 750 lineal feet; properties over 750 lineal feet will be allowed a maximum of 10 feet in height.

The size of the sign is calculated by lineal frontage of property that touches Highway 163. The calculation is 0.2 square feet for every lineal foot of highway frontage, not to exceed 200 square feet in size. Signs must be orientated in the longitudinal direction.

Enhanced requirements for design of the supporting structure are required. Design of the sign and supporting structure needs to create visual interest and be integrated into, or at a minimum, complement the surroundings, incorporating architectural elements and unique design elements consistent with the materials, colors, and building elements of the site. The ordinance requires new Highway 163 Monument signs to follow these requirements.

Structure: The highway sign structure shall be uniform in design and horizontal in nature. No support poles visible and the structure shall be constructed with similar building materials and colors used on the principal building on the parcel.

Sign Face Design: All highway sign faces shall be composed of individual dimensional letters (channel letters, reverse channel letters, solid letters, or silhouettes), routed face or designed in a similar manner such that only the text, copy or graphic content of the sign is illuminated, and the background is opaque or open. Pylon, post, panel, and box signs with letters painted or adhered to the face of the sign, composed of wood material or signs with sheet metal as its primary material shall be prohibited.

Base Design and Standards: All sign bases and surrounds shall be designed and constructed with similar building materials as those used on the principal building. Sign bases and surrounds shall be dominated with materials of permanency and strength, such as brick, stone, block, other masonry or concrete materials, or architectural paneling and shall be compatible with other structures and signs in the development. Sign bases shall be at least twelve (12) inches in height, while all sign surrounds, when incorporated, shall be at least six (6) inches in thickness.

Sign Setbacks: The signs would be required to be setback from the freeway property line and minimum of 20 feet and a maximum of 50 feet. Please note Highway 163 has an average right-of-way of almost 375 feet.

Lighting: Lighting is to be internal or ground mount. No portion of the sign shall be change panel, digital, LED panel, or neon. No animated signs allowed.

Landscaping: Landscaping plans for the area within a fifteen (15) foot radius of the base of the sign shall be completed and reviewed as part of the sign permit approval process.

Distance from Other Signs: A highway monument sign must be at least three hundred (300) feet from any other such highway monument sign. For parcels with less than a minimum of three hundred (300) feet of frontage on the interstate, two or more adjoining parcels may be combined to satisfy such minimum frontage requirement and share a single interstate identification sign provided that they shall enter into a development agreement

Permits and Approvals: All applicable permits and regulatory approvals as required by law shall be obtained from the state and federal government prior to the issuance of a permit from the City. Highway monument sign approvals shall be granted through the full Community Development Committee of the City of Pella at an approved meeting date.

Staff recommended approval of the Highway 163 Monument Sign Ordinance.

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

Jahner explained that she does not want the sign code to become so restrictive that it would give businesses pause for opening a location in Pella. Planning and Zoning Director Gerald Buydos explained that the ordinance will allow another sign type to be permitted, in addition to those that are already permitted. The City of Pella currently does not allow freeway signs.

In response to a question from Pfalzgraf, Zoning Analyst Jared Parker explained that the City does have a sign maintenance code to ensure that signs are maintained. Buydos explained that the setback includes the sign structure and appurtenances.

Buydos stated that, in the future, the City may choose to place welcome signs for the City of Pella off of Highway 163 and would be exempt from this ordinance.

Motion by Groenendyk, second by Jahner to close the public hearing as no further comments were received. Motion carried 6-0.

Motion by Pfalzgraf, second by Groenendyk to approve the ordinance with the condition that the outline of letters in the sign face is included in the square footage of the sign. Motion carried 6-0.

OTHER BUSINESS / WORK SESSION: Work Session to Discuss Highway 163 Bypass Signs

On October 25, 2021, the Commission held a workshop to discuss freeway visible signs. At the meeting, the consensus of the Commission was to go forward with a new Highway 163 Monument sign ordinance and to remove the existing Highway 163 Bypass signage language from City code. Staff wanted to confirm this remains the Commission's preference.

The sign code for the City of Pella dictates the allowable size and number of signs permitted in the City that front or are viewed from the freeway. Currently, the sign code allows one freestanding externally lit ground sign to be a maximum of 45 square feet when located 100 feet from the right-of-way. This decreases to 22.5 square feet when the sign is internally lit.

The sign code also allows a maximum of one 60-foot-high pole sign (freestanding elevated sign) for food, fuel, and lodging uses located within a 1,600-foot radius of the Highway 163 interchanges at Washington Street, Clark Street, and the Mahaska County line.

For comparison purposes, staff inquired with comparable communities that abut Iowa interstates and highways.

Tall signs and very large signs have traditionally been viewed as contrary to the City's zoning ordinance and gateway zoning districts. The City of Pella has also placed underground the majority of the overhead power lines to reduce visual clutter. In addition, the Iowa Department of Transportation (DOT) provides "Services Available" signs before freeway exits. Businesses can sign up for this program at the Iowa DOT website.

In consideration of allowing additional square footage of freestanding ground signs visible from the freeway and the Iowa DOT Sign Program, staff recommended that elevated freeway signs be eliminated from the sign code.

Staff sought the Commission's affirmation to remove the Highway 163 Bypass Sign section from City Code.

The Commission was unanimously in favor of removing the Highway 163 Bypass Sign section from the City Code. The Commission expressly asked that it be noted that the existing tall pole signs will continue to be permitted and will be allowed to be maintained.

Work Session to Discuss Open/Closed Signs for Businesses: Buydos stated that Scooter's Coffee had to remove a neon open/closed sign, as they are prohibited in the sign code. The Commission was unanimous in their support of staff creating a policy for open/closed signs for businesses, to be reviewed by the Commission at a future meeting.

Next Meeting Date: The next regular Planning and Zoning Commission meeting is scheduled for January 24, 2022.

Adjourned at 8:20 p.m.

d. Civil Service Commission Minutes for January 17, 2022

Present: Marty Racheter, Commission Chair; Curtis Baugh, Commission Member; Keith Van Gent, Commission Member; Shane McSheehy, Chief of Police; Marcia Slycord, Secretary to the Commission and Police Administrative Services Manager; Stacey Bone, City of Pella Human Resources Director; Paul Haase, Police Captain; Calvin Bandstra, Pella City Council Member; Gene Vos, public.

The meeting was called to order at 5:27 p.m. by Commission Chair Racheter. Chair Racheter read the following:

"Will the meeting please come to order

"Before we start on this evening's business I want to read a statement to be entered as part of the minutes of this meeting, reflecting my current state of mind and opinion. It is mine alone, not having shared this with other Commission members, having been advised that any communication I have with the members could be seen as a meeting, when there are only 3 of us and any 2 is a quorum. I hope you already share some of the thoughts I relate here regarding the course this process has taken thus far, as this is an effort to inform you both of what I see, shared in a public meeting.

"I repeat that what I say here are my opinions.

"In all the years I have been part of the Civil Service Commission, this is the first time I have felt the need to be on the defensive. One is usually defensive when under attack, and it is my opinion that this Commission is under attack. The first not-very-subtle hint and the biggest red flag in my opinion was in the proposal for how the chief wishes to administer the process of hiring. The CSC had no part whatsoever in the process except to rubber stamp the list of candidates the Chief gave to the Commission. This is clearly not the intent of the Commission, in my opinion.

"But maybe I'm wrong, so I consulted the City Manager, the City's human resources department, who consulted with City's legal staff. I have been in touch with the legislative services agency in Des Moines, and have consulted another police chief. The information I received from each of these was the same, that the CSC was empowered by law to be in charge of the entire hiring process, or more recently any part of it, or hire an expert to do so, or do a combination, the key change being "shall" instead of "may" hire help.

"Let me interject here that I don't believe this Commission wants to run the entire process, but I have not consulted the other 2 on that. There are well established police protocols on how to handle the physical and mental testing aspects, for instance, and certainly the department's own staff interviews. Our police department's staff is well versed in these procedures, having used them multiple times in the past to great advantage.

"The same document that suggested turning the Commission into a rubber stamp suggests the CSC hire the Police Chief as the expert consultant, in my opinion another huge red flag and clearly a conflict of interest, as he admitted to me in a phone conversation that legal counsel had so informed him. Yet we have seen no proposal other than his original. I have assumed that we are here tonight to discuss the original proposal sent, as no subsequent one was provided when the second, revised, agenda was provided. If there is another proposal being presented tonight, it should have been shared with the Commission before the meeting, allowing time to read, digest, reflect, and decide a prudent response. An appropriate outside expert would be outside the police department, and as the Chief tells me he doesn't have money in the budget for an outside expert it is my opinion that the City's human resources officer, already with the appropriate training and credentials, would more than fill the bill. Should we "hire" her, she has already agreed to fulfill the position.

"I believe the Civil Service Commission was originally created to prevent cronyism, to have an oversight body so that the police department was not just a collection of good ol' boys chosen or cultivated by a Chief. The Pella City Council establishes boards and commissions to handle much of the work they clearly do not have enough time to do entirely by themselves. My opinion is that the CSC is an extension of the City Council and responsible directly to it, as well as to the citizens of Pella. While we are not professional police officers we do offer valuable input and insight precisely because we are outside their box. I believe that if the police chief wishes to eviscerate the CSC, he should do so by directly approaching City Council, not by trying to run over the Commission.

"Moreover, the police chief in our phone conversation said he was flexible, that he was fine, after all, with CSC doing whatever we wanted, including interviewing candidates, but he felt that Curtis might not want to or be available because of his job. In my opinion while that might be his opinion and desire, it was an inappropriate comment, another little red flag to me that the chief is using verbal persuasion to get his own way, even though he is "flexible and knows who's really in charge."

"For a month now there have been frequent messages that we have to get this done because we are on a time line, driven I believe by the need to get candidates into the police academy class if necessary. In my opinion, the pressure of time is an excuse to maneuver the process. Two instances: when it was apparent that there was a Covid case in the department and multiple likely exposures, I suggested to chief that if everyone in the room were appropriately masked we could proceed with the meeting. He was not willing to provide those assurances. So we moved the meeting to today, after the 5-day quarantine period for affected employees expired. But that change was made with the chief saying it was the last change, the last delay, that we had to move forward. I took a note of warning in his words, and I do not think this is the language of someone who is willing to let the Commission discharge its duties.

"Which brings me to the second instance of using time to gain advantage. I have suggested that if he wanted to expedite the process he use the process currently in place and work on tweaking the process more to his liking through future meetings with the Commission. His response was that he felt this could be done relatively easily at the meeting tonight. Again, in my opinion, this is the language of someone who primarily wants it his way, and only secondarily wants to rapidly move the process along, which makes one ask "What is the real motivation here?" Should it end up being the case that the Commission uses the protocols already in place, the Commission shall be asked for input and informed every step of the way, giving prior approval, not post approval, especially as it pertains to date, times, and duration of various stages of the process.

"I would like this to be a more congenial process. The Chief even said my emails were mean and that was not the intent. I will do what I can to facilitate a good working relationship, I am willing to learn, however I will not back down on doing what I feel is right.

"I will conclude with what I'm sure you have all heard before in some version or another and which in my opinion applies here: With all due respect, a lack of appropriate planning on your part does not constitute an emergency on mine."

With all due respect,

Marty Racheter, Chair

Pella Civil Service Commission

Chairperson Racheter asked if there were any comments or if she should proceed with the agenda. Commission Member VanGent said he did not have a comment and Commission Member Baugh said he would wait for comments during the meeting.

The January 17, 2022 agenda was presented. Commission Member Baugh made a motion to approve the agenda, seconded by Commission Member VanGent. Chairperson Racheter asked if there was any corrections or changes to the agenda. Commission Member Baugh said he needed more time to review information and inquired about making a motion to remain as we are until we have more information. Chief McSheehy asked for the Commission's patience as we proceed with the proposal presentation he has prepared for this evening, that the Commission will conclude this is a good process and we should move forward. Chief McSheehy said the proposal in front of them was not distributed because of his concern about violating procedural rules distributing the document after the agenda was distributed. Chairperson Racheter said the proposal should have been sent prior to the meeting. Chief McSheehy reiterated asking that the Commission wait for his presentation and decide how to proceed. Chairperson Racheter reiterated the motion on the table to approve the agenda. All members voted aye, motion to approve the agenda passed.

The July 26, 2021 minutes were presented. Pella Police ASM Slycord and Pella Council Member Bandstra explained that Pella City Council has asked that draft minutes of board and commission meetings be distributed to Council for informational purposes. Chairperson Racheter asked that before the draft minutes are forwarded to the Pella City Clerk, that Human Resources Director Stacey Bone and Chairperson Racheter review the minutes following Chief McSheehy's review. The July 26, 2021 minutes were approved at 5:50 p.m. with Commission Member VanGent making a motion to accept the minutes as presented and Commission Member Baugh seconding the motion and all members voted aye. Next on the agenda was Chief McSheehy addressing a change in Iowa Code 400.8 regarding Civil Service verbiage "may hire persons with expertise to prepare and administer the examinations approved by the commission." Chairperson Racheter said the Commission is not interested in administering the test but would entertain a motion to hire City of Pella Human Resources Director Stacey Bone to be the outside expert to administer the examination process. Chief McSheehy asked for the Commission to review the proposal as a whole since hiring an expert is part of the proposal. Chairperson Racheter instead made a motion to hire Stacey Bone, Human Resources, to be the outside expert to administer the process. Commission Member Baugh seconded the motion and all Commission members voted aye; motion approved.

Moving on to the 2022 Pella Police Officer Recruitment and Hiring proposal presentation by Chief McSheehy. Clarification that the process is to hire for two positions: one vacancy because of an upcoming retirement in October 2022 and one vacancy as a result of a recent resignation. There was lengthy discussion about the proposal including the aspects of each portion of the hiring process. Commission members asked about why change the process with Chief McSheehy and Captain Haase explaining that they were working at making the process more efficient for the police staff and Commission members. Chairperson Racheter and Commission Member Baugh commented that having the commission interview all the candidates was not an efficient use of time, that it was the job of the police department to whittle the number of candidates down to a reasonable number of qualified finalists, suggesting a rank ordering of six following staff interviews, from which the commission

would certify any number, to be listed alphabetically. Chief McSheehy discussed that he wanted to have a defensible process and one that could be published and proven as a recruiting policy in the accreditation process currently underway. There were some alterations to the proposal by Chief McSheehy and Commission members were in agreement of the revisions as indicated by the document "Police Officer Recruiting Schedule." There was a final review of the hiring timeline of which dates were confirmed by Commission members to participate in the interview process as indicated by the document "January 2022 Hiring Process Timeline." The completed document "2022 Police Officer Recruitment" becomes part of the minutes of this meeting. Commission Member Baugh made a motion to accept the proposal as amended, seconded by Commission Member Van Gent; all voted aye, motion approved.

Chairperson Racheter thanked everyone for their input and efforts.

There being no further business to come before the commission, the meeting adjourned at 7:31 p.m.

Respectfully submitted,

Marcia Slycord, Secretary to the Commission

e. Community Development Committee Minutes for February 9, 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, Nancy Henry, Mike Kiser, Shelly Riggen, Caryn Van Hemert, Dennis Vander Beek, and Christi Vander Voort (arrived at 5:34 p.m.); absent: Linda Groenendyk and Wayne Stienstra. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Four members of the public were in attendance.

APPROVAL OF TENTATIVE AGENDA: Motion by Vander Beek, second by Brummel to approve the tentative agenda. Motion carried 7-0.

APPROVAL OF MINUTES: Motion by Brummel, second by Van Hemert to approve the minutes from the January 12, 2022 meeting. Motion carried 7-0.

NEW BUSINESS: Consider a Design Permit Application for a New Flex Space Facility at 2004 Hempstead Drive
Vander Voort arrived at 5:34 p.m.

Marc Vande Noord submitted a design permit application to construct an 11,000-square-foot flex space facility at 2004 Hempstead Drive. The property is located near the Eagle Creek housing development and is zoned Community Commercial (CC). The building will have wainscoting, which is considered a minor design element, and will also have a saddle roof, which is considered a major design element.

The proposed dark gray/charcoal metal is similar to Diamond Vogel's Astoria Gray (H130). The proposed black metal is similar to Benjamin Moore's Black (HC-190). The property is nestled behind another private property and is screened from the right-of-way by other buildings. The proposed building would also be located in rural Marion County.

In evaluating this design application, staff confirmed the design contains Dutch-themed architectural elements and meets the requirements listed in the Design Review District Design Manual. Therefore, staff recommended the design permit application be approved as submitted. The applicant, Marc Vande Noord, was present to speak in favor of the design permit and to answer questions from the Committee.

Motion by Brummel, second by Kiser to approve the design permit as submitted. Motion carried 8-0.

Consider a Design Permit Application for a New Chick-fil-A Restaurant, Located in the Prairie Ridge Development on Goldenrod Court
HR Green, Inc. submitted a design permit application for a new development project to construct a Chick-fil-A drive-through restaurant in Prairie Ridge. The property is located directly across from Smash Park on Goldenrod Court. The property is zoned CC and is located within the Gateway Corridor (GC) overlay district.

The proposed drive-through restaurant will be 5,000 square feet with 92 indoor seats and 24 outdoor seats. The restaurant will have a double drive-through with a 39-car stack and will provide 86 parking spaces.

Prairie Ridge, the location for the proposed restaurant, is a new development on the west side of town. CDC, which oversees approving architectural designs in the City, noted that properties built on the outskirts of Pella should not be held to the same architectural design standards as buildings in the Central Business District (CBD). The Committee believes it should be a blend of historic and modern Dutch architecture, a Contemporary Historic (Modern Dutch) genre.

The rear and front facades shall be held to a high standard of aesthetic design. It is important to encourage and maintain proper design standards that reflect the Dutch heritage, because visitors entering Pella will view these buildings first. Major design elements are oriented to be visible from Washington Street in both travel directions.

The brick, as proposed, is dark grey and white in color. The white is more modern and the building materials do contrast. The brick colors meet the Dutch Color Palette requirements with Sherwin-William's Rookwood Clay (SW-2823) and Benjamin Moore's Lancaster Whitewash (HC-174), respectively.

In evaluating this design application, staff confirmed the design contains Dutch-themed architectural elements and meets the requirements listed in the Design Review District Design Manual. Therefore, staff recommended the design permit application be approved as submitted. HR Green, Inc. Midwest Regional Contact Joe Vavrina was present to speak in favor of the design permit and to answer questions from the Committee.

Riggen stated that the proposed design looks similar to the Chick-fil-A located on Merle Hay Road in Des Moines, Iowa. Vavrina noted that the proposed design's tower features are raised three feet higher than the standard Chick-fil-A restaurant design. The proposed color palette (white and slate gray) is also unique to the Pella location. Riggen said that while Chick-fil-A will be located on the outskirts of town, the building should not be completely without design elements that tie it to businesses located in the CBD. Planning and Zoning Director Gerald Buydos said that the design of the Chick-fil-A restaurant meets the design guidelines as currently written. Henry said she wants to be able to educate the community on why this design fits the current design guidelines. Cody explained that not every building must have a Dutch gable in order to fit the current design guidelines.

To answer a question from Vander Beek, Vavrina explained that the canopies are distanced several inches away from the building. The tops of the canopies are very close to being in line with the tops of the windows.

Vander Voort said it will be important that, once the updated Design Manual is adopted, the City of Pella will need to show support for CDC and the updated manual. Cody noted the Design Manual will ultimately need to be approved by the City Council.

Van Hemert said Dutch architecture often has intricate brickwork and she made the suggestion to incorporate that into Chick-fil-A's design.

Kiser said Chick-fil-A will complement Smash Park and will lead to other business and restaurants wanting to come to Pella. Brummel thanked the applicant for making an effort to blend into the community.

Motion by Brummel, second by Henry to approve the design permit as submitted. Motion carried 8-0.

In response to a question from the Committee, Stan Van Wyk explained that the plan is to start construction on the restaurant in May 2022, with the goal of an October 2022 opening.

OTHER BUSINESS / WORK SESSION

Brummel stated that he has been getting two to three negative comments each week about the design of the Pella Market, which was part of a Planned Unit Development that waived CDC design approval. He has directed those individuals to voice their concerns with the Mayor and City Council, as the building's design was approved by them.

Brummel left at 6:15 p.m.

Next Meeting Dates: A special meeting is scheduled for February 23, 2022 to discuss Design Manual updates. The next regular meeting is scheduled for March 9, 2022.

Adjourned at 6:28 p.m.

3. Petitions and Communications

a. Special Event Permit Request for Summer Library Programming

BACKGROUND: The Pella Public Library has requested a special event permit to host several summer programs at the West Market Park south shelter house from 9:00 a.m. to noon on the following dates:

1. Arts and Books with the Community Art Center
 - June 13, 20, 27
 - July 11, 18, 25
2. Neal Smith Wildlife Refuge Education Program on June 28
3. Camping Safety with Lake Red Rock Ranger on July 14

All pertinent city departments have reviewed this application and comments are attached. Staff is recommending approval of this special event permit.

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

b. Special Event Permit Request for Kiwanis Easter Egg Hunt

i. Resolution No. 6409 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS KIWANIS EASTER EGG HUNT"

BACKGROUND: The Kiwanis Club of Pella has requested a special event permit to host an easter egg hunt on Saturday, April 9, 2022, with a rain date of Saturday, April 16, 2022. The event is requested to start at 10:30 a.m. with set-up beginning at 9:30 a.m. and take down ending at 11:15 a.m. In addition, a resolution is included with this request closing four parking spaces in front of the Tulip Toren during the event, as shown on the attached map.

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

All pertinent city departments have reviewed this application and comments are attached. The fee and insurance certificate have been received. Staff is recommending approval of this special event permit and resolution as presented.

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

c. Special Event Permit Request for Southern Iowa Mustang Car Show

i. Resolution No. 6410 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS SOUTHERN IOWA MUSTANG CAR SHOW"

BACKGROUND: The Southern Iowa Mustang Club has applied for a special event permit for their annual car show. The event is scheduled on Saturday, June 18, 2022, from 8:00 a.m. to 4:00 p.m. If approved, set-up would begin at 7:00 a.m. with take down complete by 5:00 p.m. As background, the Southern Iowa Mustang Club promotes the appreciation of classic cars via car shows, picnics, cruises, tours, and other public activities. They are requesting to hold their 27th annual car show in Pella to allow their attendees the opportunity to attend a car show in a picturesque setting and enjoy shopping at area businesses. The promoter anticipates having 90 cars and at least 225 people attend the event.

As part of their application, the promoter has requested closure of the following street segments between 7:00 a.m. and 5:00 p.m. the day of the event:

- Broadway Street between Washington Street and Franklin Street
- Broadway Street between Franklin Street and Liberty Street

The promoter is recommending keeping the intersections (Broadway and Franklin as well as Broadway and Liberty) open during the event to minimize any traffic disruptions.

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

ATTACHMENTS: Resolution, Application, Map, Department Comments
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Conditional approval of the special event permit and resolution as outlined

d. Temporary Outdoor Service Privilege on a Class B Beer Permit for The Wijn House

BACKGROUND: The Wijn House, located at 615 Franklin Street, has applied for a temporary outdoor service privilege on their class B beer permit starting May 5, 2022, through May 7, 2022. The purpose of this request is to allow additional space to accommodate their customers during Tulip Time. It is important to note that this request is consistent with previously approved requests during the Tulip Time event.

As background, the State of Iowa Alcoholic Beverages Division (ABD) requires that an outdoor service area must be a designated area adjacent to the licensed premises. The Wijn House is proposing the outdoor service area would extend from their building south to the alleyway, as outlined on the attached map. This area would be enclosed with a temporary fence, which meets the Iowa ABD requirements. Patrons wishing to sit outside must walk through the business to access the outdoor service area, which is located completely on private property.

The application has been completed online with the state and, at the time of Council packet publication, is pending dram shop certification; therefore, staff recommends conditional approval of this temporary outdoor service privilege pending dram shop certification.

ATTACHMENTS: Map
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Conditional approval as outlined above

E. PUBLIC HEARINGS

1a. Public Hearing on Adoption of the Fiscal Year 22-23 Budget.

No written comments were received.

One oral comment was received.

Carlstone moved to close the public hearing, seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: This resolution approves the City of Pella's proposed budget for the fiscal year (FY) beginning July 1, 2022, through June 30, 2023. The FY 22-23 budget includes recommendations received during the work sessions held with Council in mid-February.

Listed below are highlights of the proposed budget:

The FY 22-23 budget is part of a long-term financial plan, which is three years of a balanced budget for the city's general funds and five years of balanced budgets for the city's utilities.

The FY 22-23 budget includes projected revenues of \$47,360,932 and expenses of \$46,709,533. The overall budget has a projected increase in reserves in the amount of \$651,399.

For the 21st consecutive year, the city's property tax rate will remain at \$10.20 per taxable \$1,000 valuation. For mid-sized cities, Pella has one of the lowest tax rates in the state.

The proposed budget maintains electric utility rates for FY 22-23. While the city continues to make significant capital investments, the city's rate competitiveness has improved. The City of Pella ranks in the top 21% in average kWh price in the State of Iowa in rate competitiveness, or number 37 out of 181 of all power providers.

The proposed budget maintains water utility rates for FY 22-23. Over the past several years, the city was required to increase water rates to support the major improvements to the water utility at the cost of nearly \$16 million. During that time, the city made significant efforts to minimize the impact to ratepayers in order to continue to meet the debt service coverage requirements as well as support additional long-term capital improvements associated with the utility.

The proposed budget maintains wastewater rates for FY 22-23. It should be noted that regulations related to wastewater discharge are subject to regulatory mandates by the state and federal government which have significant impact on the cost and ability to treat the city's wastewater. While the city efforts to mitigate and plan for these new regulations, unforeseen requirements are likely to have a significant impact on the city's ability to maintain the current rates.

The proposed budget includes \$300,000 of contingency funding for the Pella Community Ambulance. Recently, the ambulance has experienced financial difficulties due to several issues. As a result, the \$300,000 of contingency funding is for the purpose of supporting continued Pella Community Ambulance operations or for operations by the City of Pella.

The city is currently in the process of developing a long-term facilities plan; therefore, the proposed budget includes nearly \$800,000 for engineering and design services to support those efforts currently under consideration by the Council.

The proposed budget includes one additional full-time grounds maintenance position for the Community Services Department and one part-time dispatch position for the Police Department. The Community Services position is estimated to cost \$59,135 and is being added to address the additional maintenance hours associated with the Kiwanis Park improvements, the Tuttle Cabin Walkway, and the Bos Landen Golf Course. The part-time dispatcher position is estimated to cost \$37,117 and is needed to ensure the Police Department is able to provide continuous coverage for its dispatch center.

Over the past several years, the City Council has made a commitment to improve the city's residential street infrastructure. The proposed budget contains nearly \$3.9 million in street improvements, including the following projects slated for construction during the 2022 season:

University and 8th Street

250th Avenue from Vermeer Road extending north

Prairie Street from Truman to South Street

Monroe Street from Oakwood to W. 3rd

E. 3rd from Oskaloosa to Peace

The proposed FY 22-23 budget book is on file at the Public Library and City Hall for public review.

ATTACHMENTS: Resolution, Summary of FY 22-23 Budget, Budget Estimate

REPORT PREPARED BY: Finance Director

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

1b. Resolution No. 6411 entitled, "RESOLUTION ADOPTING THE FISCAL YEAR 2022-2023 ANNUAL BUDGET."

Branderhorst moved to approve, seconded by Carlstone.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

2a. Public Hearing regarding Bos Landen Drive Reconstruction Project Bids.

No written or oral comments were received.

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

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: This resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the Bos Landen Drive Reconstruction project. As background, this street segment begins at Highway T-15, extending east approximately 1,300 LF, as shown on the attached map. This roadway has serious undermining due to the steepness of the street causing premature failure and collapsing of the paving. This project will include several storm water cut off walls with an extensive tiling system to prevent future undermining of the subgrade. Once these improvements are completed, the entire 1,300 LF street segment will be repaved.

The bid opening for the project was held on March 3, 2022; two total bids were received:

Contractor	Location	Total
Blommers Construction, Inc.	Pella, IA	\$534,667.50
Hawkeye Paving Corp.	Davenport, IA	\$821,420.00

After reviewing the bid proposal and checking references, Garden & Associates, the project engineer, recommends awarding the contract to the lowest responsive, responsible bidder, Blommers Construction, in the total amount of \$534,667.50. The engineer's opinion of probable costs for this project was \$617,807. Staff is in agreement with the engineer's recommendation.

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

April 10, 2022	Approximate notice to proceed issued
July 15, 2022	Approximate final completion (40 working day contract)

In summary, staff is recommending approval of this resolution which approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the above referenced project to Blommers Construction in the total amount of \$534,667.50.

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

2b. Resolution No. 6412 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE BOS LANDEN DRIVE RECONSTRUCTION PROJECT."

Branderhorst moved to approve, seconded by Bandstra.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

3a. Public Hearing regarding 250th Avenue Reconstruction Project Bids.

No written comments were received.

One oral comment was received.

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

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: This resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the 250th Avenue Reconstruction project. As background, Vermeer Corporation paved 250th Avenue in the early 1980s with their own crews. Some of the pavement is only 4" thick and hasn't stood up well under heavy truck traffic. The new pavement involved as part of this reconstruction project will continue to be a rural section 24' wide 8" thick concrete with load transfer baskets, improved 4' gravel shoulders, and increased radiuses at the intersection.

The bid opening for the project was held on March 3, 2022; two total bids were received:

Contractor	Location	Total
Blommers Construction, Inc.	Pella, IA	\$384,880.50
Hawkeye Paving Corp.	Davenport, IA	\$531,855.00

After reviewing the bid proposal and checking references, Garden & Associates, the project engineer, recommends awarding the contract to the lowest responsive, responsible bidder, Blommers Construction, in the total amount of \$384,880.50. The engineer's opinion of probable costs for this project was \$429,776. Staff is in agreement with the engineer's recommendation.

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

April 10, 2022	Approximate notice to proceed issued
July 1, 2022	Approximate final completion (30 working day contract)

In summary, staff is recommending approval of this resolution which approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the above referenced project to Blommers Construction in the total amount of \$384,880.50.

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

3b. Resolution No. 6413 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE 250TH AVENUE RECONSTRUCTION PROJECT."

Branderhorst moved to approve, seconded by Carlstone.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

F. PETITIONS & COMMUNICATIONS

1. New Class C Liquor License with Outdoor Service, Catering, and Sunday Sales for Pella Entertainment Group, LLC (DBA Smash Park).

Branderhorst moved to approve, seconded by Carlstone.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: Pella Entertainment Group, LLC (DBA Smash Park) at 1000 Fifield Road has applied for a new class C liquor license with outdoor service, catering, and Sunday sales privileges effective April 1, 2022. The term of the new license is 12 months and, if approved, would expire March 31, 2023.

The application has been completed online with the state. At the time of Council packet publication, the application was pending dram shop certification; therefore, staff recommends conditional approval of this liquor license pending receipt of dram shop certification.

ATTACHMENTS: None
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Conditional approval pending receipt of dram shop certification

G. RESOLUTIONS

1. Resolution No. 6414 entitled, "RESOLUTION APPROVING A HOTEL/MOTEL DISTRIBUTION AGREEMENT WITH THE PELLA CONVENTION AND VISITORS BUREAU (CVB)."

Branderhorst moved to approve, seconded by Carlstone.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: This resolution approves a new three-year hotel/motel distribution agreement with the Pella Convention and Visitors Bureau (CVB). As background, Council discussed this proposed agreement during the Policy and Planning meeting on March 1st, directing staff to place the agreement on a future agenda for formal consideration.

Current CVB Agreement

In 2019, the City Council approved a three-year agreement with the CVB, which allocated 57% of the city's collection of hotel/motel taxes received from the Iowa Department of Revenue. The purpose of the agreement was to fund CVB operations which provides services to effectively promote and develop visitor and convention business to the City of Pella. This agreement expires on March 31, 2022.

Proposed Agreement

Listed below are the key terms of the agreement under consideration with this resolution:

- The term of the agreement is three-years: April 1, 2022, through March 31, 2025.
- The city will distribute 60% of the hotel/motel tax revenue received during the term of this agreement to the CVB. It is important to note that this is an increase of 3% from the current agreement; staff estimates this change to equate to an increase of approximately \$10,500 annually.
- The CVB Board of Directors will consist of 10 to 12 members, with 9 to 11 of the members being appointed by the current board as voting members. The city's Community Services Director will continue to serve on the board as a non-voting member.
- This agreement may be terminated by either party by giving written notice to the other party. The date of termination would be 30 days following the date of said notice.

Summary

In summary, staff is recommending approval of this resolution and three-year agreement with the CVB. Under this agreement, the allocation of hotel/motel taxes paid to the CVB increases by 3%, from the current amount of 57% to the new amount of 60%.

ATTACHMENTS: Resolution, Agreement, Current Contract with Amendment, CVB Presentation

REPORT PREPARED BY: City Administration

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

2. Resolution No. 6415 entitled, "RESOLUTION APPROVING PRELIMINARY PLAT FOR SOUTH MAIN SUBDIVISION – PLAT 2."

Branderhorst moved to approve, seconded by Carlstone.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: This resolution approves a preliminary plat for Outlot 'C' of the South Main Subdivision. The applicant, South Main I, LLC has submitted a preliminary plat to subdivide Outlot 'C' (approximately 0.99-acres) into six buildable lots with one outlot. The subject property is located at 412 Broadway Street, on the corner of Broadway and Peace. As further background, the City Council approved an amendment to the South Main Planned Unit Development in December of 2021. This amendment approved construction of four new single family attached homes in lieu of the originally proposed condominium building.

PELLA CITY CODE REQUIREMENTS FOR SUBDIVISION PLATS

The subdivision ordinance states that the City Council shall review the preliminary plat for conformance with the Comprehensive Plan, zoning ordinance, and subdivision ordinance. Preliminary plats are required whenever the subdivider of any tract or parcel of land within the platting jurisdiction of the city wishes to make a subdivision. The preliminary platting process allows the City Council the opportunity to review the overall layout of the lots and street pattern, as well as compliance with all applicable city infrastructure and code requirements.

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 that CUC zoning is directly to the north, east, and south of this development.

PROPOSED DEVELOPMENT

The proposed development is intended to be a signature mixed-use development by providing a unique, high-quality housing product. The specific product for these lots will be single-family attached units sold separately. Overall, the development contains a mix of housing units with price points allowing for a diverse buyer pool. In addition, the development will contain high-end housing finishes, a courtyard, and extensive landscaping.

LOT REQUIREMENTS

Where no zoning modification is made in the PUD, the development is required to comply with the bulk regulations of the CUC district. Staff has reviewed the proposed subdivision and confirmed that the proposed lots meet all minimum lot requirements of the PUD and CUC zoning districts.

REQUIRED IMPROVEMENTS

According to City Code Chapter 170.12, before the preliminary plat of any area shall be accepted and recorded, the subdivider is required to make and install all public improvements identified in City Code Chapter 170.13. The following is a review of those requirements:

Streets: The subdivider shall grade and improve all new streets between the property lines within the subdivide area. The paving on such new streets shall be built according to the Design Standards.

STAFF COMMENT: The proposed development will not incorporate any new public streets. The proposed subdivision provides adequate frontage to existing public rights-of-way, specifically along Main Street, Peace Street, Broadway Street, and Independence Street. It is important to note that Outlot E will be utilized for residential amenities and greenspace for the subdivision.

Storm Sewer and Drainage: The subdivider shall construct all storm water management structures including, but not limited to, storm sewers, drains, inlets, manholes, and drainage conveyances, to provide for the adequate removal of all surface drainage according to the Design Standards and Standard Specifications. Engineering calculations, including references to support all assumptions and recommendations, shall accompany all storm water management systems designs.

STAFF COMMENT: The majority of the site runoff will be collected by a site interior storm sewer collection system that will be connected to the underground detention area. The buildings' roof drains will connect to the new storm sewer system. This new storm sewer will also be utilized as storm water detention for larger storm events to provide additional site storm water detention. It is important to note that the storm water management plan was reviewed by the city's engineering consultant and Public Works Director during the site planning review process. That said, staff believes the storm water management system meets the city's requirements for preliminary plats.

Secondary Storm Sewer: Subdividers must provide a secondary storm sewer system with access to the system from all lots in a subdivision. The city's engineering consultant may grant a waiver to this requirement based on the zoning of the subdivision or the topography or other site characteristics of each lot. Proposed secondary storm sewer system designs, including locations of conduit, grading, drainageways, and outlets, must be shown on the preliminary plat.

STAFF COMMENT: Secondary storm sewer service lines will be required where appropriate. Appropriate locations and requirements will be determined during the review of the construction plans by the city's engineering consultant and Public Works Director.

Sanitary Sewer: The subdivider shall construct sanitary sewers in conformance with the Design Standards and Standard Specifications. The subdivider shall provide a connection for each lot to the sanitary sewer. The sanitary sewer shall be in operation prior to occupancy of any building.

STAFF COMMENT: The developer has installed two public sanitary sewer mains throughout the subdivision. The first runs parallel to Independence Street along the proposed private drive and continues eastward connecting to the city's existing eight-inch sanitary sewer on Main Street. The second sanitary sewer line is completed by extending the city's existing 10-inch sanitary sewer located at the intersection of Peace and Main. This extension is installed along Peace Street and is approximately 210 linear feet from the existing manhole. The sanitary sewer mains are located within a public utility easement for which the owner is responsible for all repair and replacement of the landscaping, driveways, and surfacing that may be disturbed by the city as part of its operation, maintenance, repair, or replacement of its public sanitary sewer. Staff believes this meets City Code requirements for development, and city staff and the city's engineering consultant believe adequate system capacity exists to serve the development.

Water Mains and Fire Hydrants: The subdivider shall install water mains and fire hydrants in the subdivided area. The installation of water mains and fire hydrants shall be made prior to the street pavement construction and shall be in conformance with the Design Standards and Standard Specifications.

STAFF COMMENT: The proposed public water lines follow a similar route as the sanitary sewer system. Using two main water lines, the developer will connect one to the city's existing four-inch line on Broadway Street. This proposed water line will run eastbound following the development's private drive then connect to the city's eight-inch water line on Independence Street. The developer also installed two additional fire hydrants. Four existing hydrants are located near each of the four intersections nearest to the subdivision. The two additional hydrants will be located along the proposed private drive, separated by approximately 300 feet. The water mains are located within a public utility easement for which the owner is responsible for all repair and replacement of the landscaping, driveways, and surfacing that may be disturbed by the city as part of its operation, maintenance, repair, or replacement of its water mains. The city's Fire Chief has reviewed and approved the location and accessibility of all fire hydrants for this subdivision. Staff believes this meets City Code requirements for development, and city staff and the city's engineering consultant believe adequate system capacity exists to serve the development.

Sidewalks: Property owners shall install a four-foot-wide concrete sidewalk along each lot frontage prior to the issuance of an occupancy permit for the structure on the lot. Sidewalks shall be installed in accordance with the Design Standards and Standard Specifications.

STAFF COMMENT: The preliminary plat indicates sidewalks are required by City Code. Staff believes the preliminary plat complies with this requirement.

Erosion Control Measures: The subdivider shall construct and maintain erosion and sediment control measures in accordance with the Design Standards.

STAFF COMMENT: The city's engineering consultant and Public Works Director have reviewed the preliminary plat and verified the erosion control measures are appropriate for the location.

COMPREHENSIVE PLAN

Additional housing is noted as a key priority goal in the city's 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.

SUMMARY AND STAFF RECOMMENDATION

Staff finds the preliminary plat meets the minimum requirements of the zoning ordinance and subdivision ordinance, while also conforming to the Comprehensive Plan. Based upon the findings, staff recommends the preliminary plat be approved as submitted. Finally, it is important to note, the Planning and Zoning Commission unanimously approved this preliminary plat at their meeting on February 28, 2022.

ATTACHMENTS: Resolution, Application, Preliminary Plat, Aerial Map, Previously approved Final Plat for Outlot 'C'
REPORT PREPARED BY: Planning and Zoning Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

3. Resolution No. 6416 entitled, "RESOLUTION APPROVING A 28E AGREEMENT WITH THE INDIANOLA MUNICIPAL UTILITIES FOR A JOINT PUBLIC IMPROVEMENT PROJECT FIBER TRANSPORT LINE, PELLA TO INDIANOLA."

Branderhorst moved to approve, seconded by Carlstone.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

BACKGROUND: This resolution approves a 28E Agreement with the Indianola Municipal Utilities (IMU) Board of Trustees for a joint fiber transport line. The intention of the transport project is to connect Pella Fiber to IMU which would provide both utilities with two connection points to our internet service provider (ISP), Cedar Falls Municipal Utilities (CFU). This transport line also has the potential to reduce transport charges and increase reliability for both utilities. Listed below is background information on the transport line.

Pella Fiber Transport Lines

The Pella Fiber system currently owns one transport line which connects to our ISP, CFU, in Grinnell. In addition, Pella Fiber leases a backup transport line which connects to our ISP in downtown Des Moines. It is important to note that two transport lines were included in the bond issue for Pella Fiber. The proposed connection with IMU would allow Pella Fiber to have joint ownership of a transport line which would ultimately connect to CFU in downtown Des Moines. This would provide the utility with two owned transport lines to our ISP resulting in increased reliability and capacity to serve the community.

Proposed 28E Agreement

Listed below are key items in the proposed 28E Agreement with IMU:

- Ownership: The proposed transport line would be owned jointly by the City of Pella and IMU. Each party would be responsible for maintaining its respective portion of the line up to the meet-point, which is anticipated to be the midway point of the lineal footage of the project.
- Cost: The expected cost of the transport line is \$2,866,000. The agreement states each party would be responsible for 50% of the total project cost, which is estimated to be \$1,433,000. The City of Pella has remaining bond proceeds dedicated for this project.

- Lead Agency: The City of Pella will serve as the lead agency, responsible for coordinating the project construction. Both parties will need to approve the construction contract for the project.

- Timeline: Both parties are required to use best efforts to complete the project in a timely manner.

It is also important to note that an operating agreement will likely need to be approved by both parties before the line is operational; staff anticipates this agreement will be considered before construction of the project is completed.

Summary

Staff is recommending approval of this 28E Agreement with IMU as we believe the proposed project will benefit our telecommunications utility through increased reliability and capacity. In addition, approval of this 28E Agreement would allow us to proceed with the project which is critical in constructing the joint transport line in a timely fashion.

ATTACHMENTS: Resolution, 28E Agreement
 REPORT PREPARED BY: City Administrator
 REVIEWED BY: City Attorney, Finance Director, City Clerk
 RECOMMENDATION: Approve resolution

H. ORDINANCES

1. Ordinance No. 1007 entitled, “AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY AMENDING THE BOUNDARIES OF THE R1A DISTRICT TO INCLUDE THE PROPERTY GENERALLY LOCATED NORTH OF THE TERMINUS OF COUNTRY 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.”

Carlstone moved to place ordinance no. 1007 on its second reading, seconded by Branderhorst.

On roll call the vote was: AYES: 4, 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 including economic development and additional housing units which are key strategic priorities within the plan. As a result, staff is recommending approval of the rezoning request as submitted. Finally, it is important to note that the Planning and Zoning Commission voted 4 to 3 to approve this rezoning during their meeting on February 28, 2022.

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

I. CLAIMS

1. Abstract of Bills No. 2099.

Carlstone moved to approve, seconded by Branderhorst.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

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

Comments were received and addressed.

K. ADJOURNMENT

There being no further business claiming their attention, Branderhorst moved to adjourn, seconded by Carlstone.

On roll call the vote was: AYES: 4, NAYS: None. Motion carried.

Meeting adjourned at 7:11 p.m.