



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

April 5, 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: Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Dr. Spencer Carlstone. Absent: Dave Hopkins.

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

Eleven staff members and fifty-seven members of the general public attended in person.

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

B. MAYOR'S COMMENTS

1. Approval of Tentative Agenda.

Branderhorst moved to approve, seconded by De Jong.

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

2. Appointment of Joel Weiler to the Airport Committee.

Bandstra moved to approve, seconded by De Jong.

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

BACKGROUND: Mayor DeWaard is recommending appointment of Joel Weiler to fill a vacancy on the Airport Committee. Joel grew up in Pella and currently lives at 210 Aspen Circle in Bos Ridge. He served the Pella community as a dentist for 5 ½ years prior to rejoining his family's manufacturing company in Knoxville where he currently works as an HR Operations Manager. Joel can provide firsthand perspective on corporate use of the Pella Municipal Airport as Weiler recently built a hangar on the airport property. Prior to building the hangar, Weiler also kept their company plane at the Pella Municipal Airport. Joel is interested in seeing aviation in Marion County thrive in a fiscally responsible way. If approved, Joel would assume the remainder of the vacant term which expires on January 1, 2023.

ATTACHMENTS: None
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve appointment

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

One comment was received.

D. APPROVAL OF CONSENT AGENDA

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

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 March 15, 2022
2. Report of Committees
 - a. Historic Preservation Commission Minutes for February 14, 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, and Rhonda Kermode; absent: Lorinda Bradley and Lila Turnbull. Staff present: Planning and Zoning Director Gerald Buydos and the Deputy City Clerk. No members of the public attended the meeting.

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

APPROVAL OF MINUTES: Motion by D. André, second by Boertje to approve the minutes from the January 10, 2022 meeting. Motion carried 3-0.

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 the Commission and staff with a spreadsheet of information about each property in the proposed historic district. This spreadsheet includes current owner information, as several properties have been recently sold. He questioned whether a site inventory form must be completed for each property in the proposed historic district or whether the entire district can be included on one site inventory form. Kermode will work with Boertje on completing some site inventory form work. D. André will check with State Historical Society of Iowa Architectural Historian Sarah André regarding some of the questions the Commission has about the site inventory form process.

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

Iowa Economic Development Authority's Iowa Downtown Conference will be held in Pella on August 2 and 3, 2022. Kermode mentioned she had reached out to Mayor DeWaard to let him know about the conference. Planning and Zoning Director Gerald Buydos asked whether members of the Commission would like to attend the conference. Kermode and Boertje said yes, but D. André will be unable to attend. Staff will reach out to the other two members of the Commission to see whether they want to attend the conference as well. The Commission is interested in the City being a supporting sponsor of the conference, which requires a financial commitment of \$500.00. Buydos will pass this request along to City administration and City Council. The Commission declined to be an exhibitor at the conference at this time. Kermode will reach out to Friends of the Pella Community Center to see if they would be interested in having an exhibit. Kermode mentioned that she reached out to a friend who restores historic windows and that they have applied to host a panel discussion to talk about sustainability through preservation at the conference.

Other: Kermode reported that she should receive a report on the historic fire station by the end of next week. The report may indicate whether the fire station is recommended for placement on the National Register of Historic Places. Kermode said there are also technical advisors that the City could choose to have check the structural integrity of the hose tower. The Commission questioned whether any money has been budgeted to repair the hose tower. The Commission would like staff to investigate whether mileage can be reimbursed for a future consultation on the hose tower. Staff will research those questions and report back to the Commission with those findings.

Buydos asked the Commission if they knew whether the City of Pella has a sister city. The Commission thought that, at one point, there may have been one, possibly in Romania. Buydos stated that he has been researching whether Pella has a sister city and, if not, possibly making a proposal to register the City of Pella to match with a city in the Netherlands.

D. André reported that he met with Jena Sales, owner of GROOM Barber Lounge. He said Sales and her husband plan to replace a large window in the building with another large window instead of replacing it with double-hung windows.

Buydos said that he has been told that the sidewalk in front of 813 Washington St., as well as the adjacent alley, should hopefully be reopened to the public by Friday, February 18, 2022. The sidewalk and entrance to the alley have been closed since a fire occurred on January 15, 2022. He explained that Allen & Neumann Family Dentistry will have the back portion of their building evaluated by a structural engineer to see if it can be saved, as it has suffered significant structural damage.

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

Adjourned at 6:08 p.m.

b. Board of Adjustment Minutes for February 21, 2022

Chairperson Westra called the Board of Adjustment to order at 6:07 p.m. in the Public Safety Complex. Members present were: Vince Nossaman, Susan Reiter (via telephone), Merlan Rolffs, Lyle Vander Meiden, and Corey Westra; absent: Kristi Kious, Jaci Nunnikhoven, and Mike Vander Wert. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Four members of the public attended the meeting in person.

CHAIRPERSON'S COMMENTS:

Approval of the Tentative Agenda: Motion by Vander Meiden, second by Nossaman to approve the tentative agenda. Motion carried 5-0.

APPROVAL OF MINUTES: Motion by Rolffs, second by Vander Meiden to approve the December 20, 2021 minutes. Motion carried 5-0.

PUBLIC HEARINGS:

Consider a Special Use Permit Request from Pella Regional Health Center to Operate an Urban Garden in the Institutional (INS) Zoning District, Located on Jefferson St.

Pella Regional Health Center requested a Special Use Permit (SUP) to allow for construction of an Urban Garden on their main campus on parcel 1544100515, which is located on Jefferson Street. The property is zoned Institutional (INS) and would require an SUP per Table 165.12-2.

Staff believes the proposed use agrees with the zoning code and recommended approval. Staff proposed the following restrictions:

- The garden, raised beds, and all crops must be kept within the setbacks for the property.
- The garden, all crops, and supplies must be within the fenced area.

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

Nossaman asked staff to explain the difference between an urban garden and garden that a homeowner may have in their backyard. Zoning Analyst Jared Parker explained that the main difference is scale. Planning and Zoning Director Gerald Buydos explained that a garden in someone's yard will likely not have the same impact on neighbors as a large garden located in a commercial or institutional zoning district. Pella Regional Health Center (PRHC) Director of Facilities Jim Corbett was present to answer questions from the Board and to speak in favor of the SUP. He explained that the intent of the garden is to allow employees to grow produce to take home as well as the potential for PRHC's Nutrition Services to use some of the produce grown in the hospital's cafeteria. He further explained that there will be a total of 18 raised beds that Central College students will help assemble. A six-foot-tall, black, chain-link fence will surround the garden.

Motion by Reiter, second by Nossaman to close the Public Hearing as no further comments were received. Motion carried 5-0.

Motion by Reiter, second by Rolffs to approve the SUP request with the conditions that the garden, raised beds, and all crops must be kept within the setbacks for the property and the garden, all crops, and supplies must be within the fenced area. Motion carried 5-0.

Consider a Special Use Permit Request to Construct a Roof-Mounted Solar Panel Array at 319 Jackson Street

SunPro Solar sought to construct a solar array on the roof of 319 Jackson 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 as submitted.

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

Nossaman asked staff about the possibility of changing SUP requirements for solar arrays, so that applicants would not have to keep coming before the Board of Adjustment for consideration. He noted that there have been several SUPs for solar arrays on the Board's agenda in recent months. Buydos explained that some states permit solar arrays by right. The Board directed staff to review the SUP requirements for solar arrays and to bring back a proposal for discussion by the Board at their next meeting, which could then be considered by the City Council. Staff will check with other cities in Iowa to see what their requirements are for solar arrays as well.

Motion by Vander Meiden, second by Reiter to close the Public Hearing as no further comments were received. Motion carried 5-0.

Motion by Reiter, second by Nossaman to approve the SUP request as submitted. Motion carried 5-0.

OTHER BUSINESS: Elect Board Chairperson and Vice-Chairperson for 2022

On an annual basis, the Board of Adjustment is required to select a Chair and Vice-Chair from its membership. All members are eligible to serve in these roles. The primary role of the Chair is to conduct the Board of Adjustment meetings in accordance with the Board of Adjustment's Procedural Rules. In the absence of the Chair, the Vice-Chair will serve as the Chair during the Board of Adjustment meetings. In addition to the above responsibilities, both positions will serve in a liaison role for staff.

Motion by Vander Meiden, second by Nossaman to elect Westra as Chairperson and Nunnikhoven as Vice-Chairperson for 2022. Motion carried 5-0.

Next Meeting Date: The next meeting is scheduled for March 21, 2022.

Adjourned at 6:38 p.m.

c. Community Development Committee Minutes for February 23, 2022

Acting Chair Riggen called the Community Development Committee (CDC) to order in the Memorial Building at 5:30 p.m. Members present were: Linda Groenendyk, Nancy Henry, Shelly Riggen, Caryn Van Hemert (arrived at 5:31 p.m.), Dennis Vander Beek, and Christi Vander Voort; absent: Jerry Brummel, Patsy Cody, Mike Kiser and Wayne Stienstra. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. One member of the public was in attendance.

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

APPROVAL OF MINUTES: Motion by Riggen, second by Vander Beek to approve the minutes from the February 9, 2022 meeting. Motion carried 6-0.

OTHER BUSINESS / WORK SESSION

Work Session to Discuss Potential Design Manual Updates

On April 29, 2021, the CDC appointed four committee members (Kiser, Riggen, 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 the Committee spent most of the meeting looking at maps of the City of Pella and discussing how to apply a potential design tier system to commercial properties in town. The Committee tentatively settled on a three-tier system, with the first tier encompassing the historic heart of downtown Pella. This tier could potentially require the design of commercial properties to require the most historical Dutch architectural elements, with the second tier blending the historical Dutch architecture with a more modern Dutch approach. The third tier, which would include the new Prairie Ridge development, might require even fewer historic Dutch elements, but would still need to blend into the community. There were some discussions on this tier requiring modern elements. Tier 3 would also extend to the jurisdictional limits of the City.

Hagge explained that he and his team will strategize and develop an approach to be reviewed at the next special meeting in March 2022.

Hagge said he will create a digital map with the tiers and will send it to staff so that it may be sent out to the Committee for review before the next meeting. He asked the Committee to review the map and make note of anything that does not make sense.

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

Adjourned at 7:08 p.m.

3. Petitions and Communications

a. Renewal of Special Class C Liquor License (Beer/Wine) with Sunday Sales for Ironside Axe Club

BACKGROUND: Ironside Axe Club at 1518 Washington Street has applied for renewal of their special class C liquor license (beer/wine) with Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on April 30, 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

b. Renewal of Class C Liquor License with Outdoor Service and Sunday Sales for MK Golf Shops, Inc.

BACKGROUND: MK Golf Shops, located at 2411 Bos Landen Drive, has applied for renewal of their class C liquor license with outdoor service and Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on May 14, 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

c. Renewal of Class C Beer Permit with Sunday Sales for Git-N-Go Convenience Stores, Inc.

BACKGROUND: Git-N-Go Convenience Stores, Inc., DBA Git-N-Go Convenience Stores #38 at 209 Oskaloosa Street, has applied for renewal of their class C beer permit with Sunday sales. The term of the new license is 12 months and, if approved, would expire on June 1, 2023.

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

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve renewal

d. Renewal of Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales for Casey's General Store #2598

BACKGROUND: Casey's Marketing Company, DBA Casey's General Store #2598 located at 414 S Clark Street, has applied for renewal of their class E liquor license with class B wine permit, class C beer permit (carryout beer), and Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on June 7, 2023.

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

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve renewal

- e. **Renewal of Class C Liquor License with Outdoor Service for In't Veld's Enterprises, Inc.**
 BACKGROUND: In't Veld's Enterprises, Inc., located at 820-822 Main Street, has applied for renewal of their class C liquor license with outdoor service. The term of the new license is 12 months and, if approved, would expire on April 30, 2023. The application has been completed online with the state and, at the time of packet publication, is pending dram shop certification. Staff is recommending conditional approval of the liquor license renewal pending receipt of dram shop certification.
 ATTACHMENTS: None
 REPORT PREPARED BY: City Clerk
 REVIEWED BY: City Administrator
 RECOMMENDATION: Conditional approval of renewal pending dram shop certification
- f. **Temporary Outdoor Service Extension on a Class C Liquor License for Nederlanders Tap & Golf**
 BACKGROUND: Nederlanders Tap & Golf, located at 514 ½ Main Street, has applied for a temporary outdoor service extension on their class C liquor license starting May 3, 2022 through May 9, 2022. The purpose of this request is to allow more outdoor space to accommodate an increase in customers during Tulip Time. 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. Nederlanders currently has an approved 31-foot by 16-foot outdoor service area that extends to the north of their property. The applicant is requesting to temporarily extend this outdoor service area to a 56-foot by 25-foot space, as shown on the attached map. It is important to note that this request is consistent with the applicant's request which was approved by the City Council during the 2021 Tulip Time. If approved, this area would be enclosed with the same fence that is currently used in the applicant's approved outdoor service area, meeting requirements of the ABD. The application for the temporary outdoor service extension starting May 3, 2022 through May 9, 2022 has been completed online with the state. Staff is recommending approval.
 ATTACHMENTS: Map of Current Outdoor Service Area, Map of Requested Extension
 REPORT PREPARED BY: City Clerk
 REVIEWED BY: City Administrator
 RECOMMENDATION: Approve outdoor service extension for May 3, 2022 through May 9, 2022
- g. **Special Event Permit Request for the Resurrected Tin Car Show**
 i. **Resolution No. 6417 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS RESURRECTED TIN CAR SHOW"**
 BACKGROUND: The Resurrected Tin Car Club has requested a special event permit for their 42nd annual car show. The event is requested to be held on Saturday, July 9, 2022 from 9:00 a.m. to 3:30 p.m. with set-up starting at 6:00 a.m. and take down ending at 4:00 p.m. As part of this event, the promoter has requested closure of the following street segments between 6:00 a.m. and 4:00 p.m. the day of the event:
 • Franklin Street from Broadway Street to East 1st Street
 • Main Street from Washington Street to Liberty Street
 All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.
 ATTACHMENTS: Resolution, Application, Map, Department Comments
 REPORT PREPARED BY: City Clerk
 REVIEWED BY: City Administrator
 RECOMMENDATION: Approve special event permit and resolution
- h. **Special Event Permit Request for the Red Rock Threshers Tractor Pull**
 BACKGROUND: The Red Rock Threshers have applied for a special event permit for their annual tractor pull. The event is scheduled to be held on Saturday, June 4, 2022, from 7:00 a.m. to 8:00 p.m. The event is requested to be held on city property located east of Geetings near the intersection of South Prairie Street and Truman Road, as shown on the attached map. Set-up is requested to begin on Friday, June 3, 2022 at 2:00 p.m., with take down complete by Saturday, June 4, 2022 at 10:00 p.m. All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.
 ATTACHMENTS: Application/Map, Department Comments
 REPORT PREPARED BY: City Clerk
 REVIEWED BY: City Administrator
 RECOMMENDATION: Approve special event permit

E. PUBLIC HEARINGS

1a. Public Hearing regarding University and 8th Street Reconstruction Project Bids.

No written or oral comments were received.

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

On roll call the vote was: **AYES: 5, 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 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 bid opening for the project was held on March 24, 2022; one bid was received from Blommers Construction in the amount of \$986,390. 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 \$986,390. This bid is roughly 7% higher than the engineer's opinion of probable costs of \$919,831; however, the engineer believes this reflects the current bid environment and represents the difficulty bidders are having locating materials and workers. The project engineer does not believe that rebidding the project would result in cost savings at this time. Staff is in agreement with the engineer's recommendation.

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

May 9, 2022	Approximate notice to proceed issued
August 15, 2022	8th Street back open to traffic, including intersections
October 15, 2022	Approximate final completion (90 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 \$986,390.

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

1b. Resolution No. 6418 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE UNIVERSITY STREET AND 8TH STREET RECONSTRUCTION PROJECT."

Branderhorst moved to approve, seconded by De Jong.

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

2a. Public Hearing regarding Furnishing of 15 kV Medium Voltage Power Cable Project Bids.

No written or oral comments were received.

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

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

BACKGROUND: These resolutions adopt the plans, specifications, form of contract, estimate of costs, and awards the contract for furnishing 15 kV medium voltage power cable. As background, this project is the first step of a larger initiative to drastically reduce faults, increase reliability, and increase the versatility of our electric distribution system. This project intends to remove the old 1960s era cable from service and replace three feeders with one modern cable system.

The bid opening for the project was held on March 22, 2022. The following bids were received:

Bidder	Total
Wesco Distribution	\$286,881.98
Border States	\$301,959.35
Resco	\$306,127.00

A fourth bid, received from Power Line Supply, was rejected as no bid bond was included.

After reviewing the bid proposals and checking references, staff recommends awarding the contract to the lowest responsive, responsible bidder, Wesco Distribution, in the amount of \$286,881.98. The budget for this project was \$280,000. Staff does not believe rebidding would result in a cost savings at this time due to supply chain escalations and the critical nature of this project.

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

April 19, 2022	City Council approval of contract and performance bond
November 21, 2022	Approximate delivery of project

In summary, staff is recommending approval of the following items on the agenda:

- Resolution No. 6419 adopting the plans, specifications, form of contract, and estimate of costs for this project
- Resolution No. 6420 awarding the contract for this project to Wesco Distribution in the total amount of \$286,881.98

ATTACHMENTS: Resolution No. 6419, Report of Opening of Bids, Resolution No. 6420
REPORT PREPARED BY: Electric Department
REPORT REVIEWED BY: City Administrator, City Clerk
RECOMMENDED ACTION: Approve resolutions

2b. Resolution No. 6419 entitled, "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE FURNISHING OF 15 KV MEDIUM VOLTAGE POWER CABLE."

De Jong moved to approve, seconded by Carlstone.

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

2c. Resolution No. 6420 entitled, "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT FOR THE FURNISHING OF 15 KV MEDIUM VOLTAGE POWER CABLE."

Following consideration of construction bids, Branderhorst moved to approve, seconded by Carlstone.

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

F. PETITIONS & COMMUNICATIONS

1. Special Event Permit Request for 2022 Tulip Time Festival.

De Jong moved to approve, seconded by Sporrer.

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

a. Resolution No. 6421 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS 2022 TULIP TIME FESTIVAL."

Branderhorst moved to approve, seconded by Sporrer.

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

BACKGROUND: The Pella Historical Society is requesting a special event permit for the 2022 Tulip Time Festival scheduled for May 5, 2022 through May 7, 2022. If approved, set-up is requested to begin on May 3, 2022 at 5:00 p.m. with take down complete by May 10, 2022 at noon.

A resolution outlining the street closures for the event is included with this request. It is important to note that the requested street closures, which are outlined below and shown on the attached map, are consistent with those approved for previous Tulip Time events prior to the pandemic.

Streets/Alleys permanently closed during the event include the following:

- Broadway Street from Washington to Liberty
- Main Street from Washington to Liberty
- East 1st Street from the alley north of Franklin to the alley south of Franklin
- East 2nd Street from the alley north of Franklin to Liberty
- Franklin Street from West 2nd to East 3rd
- Oost Poort Alley from Main to East 1st
- Alley between Franklin and Liberty extending from Main to East 2nd
- Alley west of the Pella Public Library (between Main and Broadway) from Liberty to Union
- Liberty Street from West 3rd to West 2nd
- West 2nd Street from Franklin to Liberty
- Independence Street from Main to East 3rd (parade staging area)
- East 1st Street from Union to Independence (parade staging area)
- East 2nd Street from Union to Independence (parade staging area)

Streets temporarily closed for parade or traffic congestion include the following:

- Washington Street from Broadway to Main
- Main Street from Liberty to University

West Market Park: Closure of West Market Park between the hours of 9:00 p.m. and 6:00 a.m. starting Wednesday, May 4 through Sunday, May 8 as a security measure for vendor inventory.

Fireworks: The promoter is requesting to hold a fireworks display on Friday, May 6th at approximately 9:00 p.m. The vendor, J & M Displays, is the same vendor used for the 4th of July fireworks. The fireworks are scheduled to be launched from a gravel road located near the Central College practice fields. This location has been approved by Central College and is consistent with the location of the fireworks show during previous Tulip Time Festivals. The promoter is also requesting a rain date of Saturday, May 7th for the fireworks portion of this 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.

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

2. Special Event Permit Request for 2022 Farmer's Market.

Branderhorst moved to approve, seconded by Sporrer.

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

a. Resolution No. 6422 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS 2022 FARMER'S MARKET."

De Jong moved to approve, seconded by Branderhorst.

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

BACKGROUND: The Pella Farmer's Market has requested a special event permit to operate their 2022 market on the east side of Central Park, consistent with their approved request in 2021. As background, the Farmer's Market is a weekly event that is requesting to operate every Thursday starting April 28th to October 27th, with the exception of May 5th due to Tulip Time. The market is scheduled to operate from 4:00 to 7:00 p.m. with set-up beginning at 3:00 p.m. and take down ending by 8:00 p.m.

Consistent with their approved event in 2021, the promoter is requesting to close all parking spaces on the west side of Main Street (Washington to Franklin) from 3:00 to 7:30 p.m. during each weekly event. The purpose for this request is to allow the vendors to park close to their stands for ease of unloading their food and products.

The following requests are new for the 2022 season:

- The promoter is requesting that the City Hall restrooms are kept open for each farmer's market event.
- The promoter is requesting to have access to electricity for vendors to be able to use coolers, make food samples, or conduct demonstrations. If approved, the promoter will work with the electric department to coordinate this portion of their application.

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.

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

3. Spirit of Pella Request for Improvements to the Klokkenspel Plaza.

Council discussed the request as presented. No formal Council action was taken.

BACKGROUND: The purpose of this item is to continue discussions with the Spirit of Pella regarding proposed improvements to the Klokkenspel Plaza. As background, on January 18, 2022, the Spirit of Pella presented a request to Council to replace the "S" benches in the Klokkenspel Plaza with tables and chairs. The intent of the proposal was to increase outdoor dining usage and functionality of the plaza. To facilitate the project, the Spirit of Pella stated they were willing to fund 100% of the project cost, which is estimated to be \$89,000. Since this time, the Spirit of Pella has met with city staff and the Pella Historical Society. As a result of these meetings, the Spirit of Pella is proposing the following:

1. Work in Partnership with the City of Pella. The city's current Capital Improvement Program contains \$100,000 for improvements to the Klokkenspel Plaza in fiscal year 26. This project involves repairing the brick walkway, improving the drainage sub-base, and constructing extensive improvements to the water fountain. The Spirit of Pella is requesting to combine their proposed project with the city's planned capital project, scheduling these improvements for the 2023 construction season. This timing would also allow the Spirit of Pella to arrange the proposed private improvements, such as the mural paintings, to occur while the plaza area is closed in 2023.
2. Engineering Design Services. The Spirit of Pella is proposing that the city hire an engineer in calendar year 2022 to perform design services for the project. This would allow the parties to develop a comprehensive plan as well as provide an opportunity to solicit public input.
3. Financial Contribution. The Spirit of Pella is proposing to contribute up to \$89,000 for the proposed improvements to the Klokkenspel Plaza area.

Staff believes the above plan will allow the parties to develop a comprehensive plan for improvements in the Klokkenspel Plaza. In addition, the process as outlined above would allow the parties to seek public input. In summary, staff is seeking Council direction regarding this request. During this meeting, Spirit of Pella committee members will be in attendance to present additional details to Council.

ATTACHMENTS: Map of Klokkenspel Plaza
REPORT PREPARED BY: City Administration
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Seeking Council direction

4. Pella Area Community and Economic Alliance Downtown Restroom Request.

Council discussed the request as presented. No formal Council action was taken.

BACKGROUND: The purpose of this item is to discuss a request from the Pella Area Community and Economic (PACE) Alliance which is intended to provide the public with additional restroom options in the Central Business District.

Listed below are the key terms of the PACE Alliance proposal:

1. The city would enter into an agreement with the PACE Alliance to oversee and administer a restroom program with two local businesses. Through this program, the businesses would agree to allow the general public to use their restrooms. In addition, the city would be removed from any liability associated with the proposed restroom program.
 2. The location of the two restroom facilities would be subject to approval of the City Council.
 3. The two restroom facilities would be required to have their restrooms open daily from 9:00 a.m. to 8:00 p.m. from April of 2022 to December of 2022.
 4. The City of Pella would provide \$600 per month to each business for allowing their restrooms to be used by the general public.
- Furthermore, the PACE Alliance is requesting that the restrooms at City Hall and the Pella Public Library are available until 8:00 p.m. daily from April 1 to December 31. It is important to note that additional security measures at each facility would need to be established and staff estimates the cost of these measures to be between \$25,000 and \$50,000. As Council is aware, the City Hall security measures are budgeted in the current fiscal year and will likely be completed by this fall. Additionally, the Library Board of Trustees would have to authorize extending the availability of the library's restroom facilities. Therefore, staff recommends that Council discuss extending the City Hall restroom hours once the necessary security enhancements have been completed.

In summary, staff is seeking Council direction on this request from the PACE Alliance.

ATTACHMENTS: None
REPORT PREPARED BY: City Administration
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Seeking Council direction

G. RESOLUTIONS

1. Resolution No. 6423 entitled, "RESOLUTION APPROVING MID-IOWA PLANNING ALLIANCE COMMITTEE REPRESENTATIVES FOR 2022."

Bandstra moved to approve, seconded by Sporrer.

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

BACKGROUND: This resolution approves representatives of the City of Pella to serve on the Mid-Iowa Planning Alliance (MIPA) committee for the remainder of 2022. As background, Council approved a resolution of support of the city joining the MIPA on February 15, 2022. The MIPA was recently formed as a new nonprofit organization that is dedicated to supporting communities in Boone, Dallas, Jasper, Marion, Polk, Story, and Warren Counties. By joining MIPA, the city gained access to the following:

- Professional planning and programming
- Grant writing and administration
- Regional planning including Comprehensive Economic Development Strategy
- Technical assistance, map making, and local planning
- The option to contract for local planning including comprehensive plans and zoning updates

Summary: Staff recommends approval of this resolution which appoints the following City of Pella representatives to serve on the MIPA committee for the remainder of 2022:

- Primary representative: Gerald Buydos, Planning and Zoning Director
- Alternate representative: Mike Nardini, City Administrator

ATTACHMENTS: Resolution, MIPA Board Representative Appointment Form
REPORT PREPARED BY: Planning and Zoning Director
REPORT REVIEWED BY: City Administrator, City Clerk
RECOMMENDED ACTION: Approve resolution

2. Resolution No. 6424 entitled, "A CONDITIONAL RESOLUTION OF SUPPORT AUTHORIZING CITY STAFF TO PROCEED WITH THE TRANSFER OF PELLA COMMUNITY AMBULANCE ASSETS AND EMPLOYEES TO A CITY SERVICE."

Branderhorst moved to approve, seconded by Sporrer.

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

BACKGROUND: This resolution authorizes city staff to proceed with the transfer of Pella Community Ambulance assets and employees to a city service. On February 15, 2022, the City Council discussed potential options for continuing the ambulance service due to the financial hardship the non-profit entity is experiencing. In addition, the city's fiscal year 22-23 budget allocated \$300,000 towards the Pella Community Ambulance. As of this date, staff believes the city's net cost to operate the Pella Community Ambulance would still be approximately \$300,000.

Pella Community Ambulance

As further background, the Pella Community Ambulance has provided critical care paramedic emergency medical service within our community for 40 years. The number of calls received by the entity has continued to increase over the past few years, reaching nearly 1,900 in the last year. The higher call volume coupled with a decreasing volunteer/part-time labor pool has resulted in the need for the Pella Community Ambulance to hire full-time staff. In addition to the increased call volume, a larger percentage of the service calls are Medicaid or Medicare patients which generates a lower reimbursement rate versus privately insured patients. The combination of these factors has created a financial hardship for the entity. Finally, it should be noted that as a non-profit entity, the Pella Community Ambulance is not eligible for state grant reimbursements which would help offset the lower reimbursement rates for Medicaid or Medicare patients.

Summary: Staff is recommending approval of this resolution which authorizes staff to proceed with the necessary preliminary actions to transfer the assets and employees of Pella Community Ambulance to the City of Pella. It should be noted that before authorizing the city to operate the Pella Community Ambulance, the City Council will need to approve the following:

1. An asset transfer agreement which transfers all assets of the Pella Community Ambulance to the City of Pella.
2. Offers of employment to the employees of the Pella Community Ambulance.
3. An ordinance establishing the Pella Community Ambulance as a municipal service.

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

3. Resolution No. 6425 entitled, "RESOLUTION APPROVING PRELIMINARY PLAT FOR DINGEMAN SUBDIVISION – PLAT 1."

De Jong moved to table the resolution to allow time for city staff to meet with the applicant to clarify potential amendments to the preliminary plat prior to consideration, seconded by Branderhorst.

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

BACKGROUND: Jeff Dingeman has submitted a preliminary plat to subdivide two parcels (approximately 16.13 acres) into two lots and one outlot for industrial uses. The subject property is located at the northern terminus of 12th Street as shown on the attached map. As background, Council adopted an ordinance conditionally rezoning this property to Limited/Light Industrial (M1) and Agricultural (A1) in 2020.

The preliminary plat was reviewed by the Planning and Zoning Commission on February 28, 2022. Since the applicant was not proposing to extend W. 12th Street to the northern boundary as recommended/ required by City Code sections 170.11, 170.11.1, 170.11.2, 170.11.3(F), 170.11.3(H), 170.11.5(C), and 170.11.5(E), the Planning and Zoning Commission conditionally approved the preliminary plat. The main condition imposed by the Commission was for the applicant to dedicate public right-of-way to the northern boundary of the property; however, the recommendation did not require the applicant to install the public street. It is important to note that the applicant has not agreed to this condition and is still proposing his original preliminary plat as submitted.

Staff is recommending denial of this plat because we do not believe the plat as submitted meets City Code requirements as it applies to extending W. 12th Street. In addition, while staff appreciates the efforts of the Planning and Zoning Commission in trying to find a compromised solution, staff does not believe the dedication of a future public right-of-way satisfies City Code requirements for public street extensions. Furthermore, staff also believes this approach could lead to unintended consequences in establishing precedents for other developments within our community.

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 as well as zoning and subdivision ordinances. 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.

Land Conditions and Characteristics

Current Zoning Classification

The property is currently zoned M1 and A1. The M1 zoning district is intended for establishments engaged in the manufacture or processing of finished products from previously prepared materials including processing, fabrication, assembly, treatment, and packaging of such products entirely within an enclosed structure, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects such as noise, odor, smoke, and vibrations across property lines and utilizing screening for storage areas as defined in Section 165.31. The A1 zoning district identifies agricultural use types that include the on-site production and harvesting and processing of plant and animal products.

Adjacent zoning districts surrounding the subject property are as follows:

North – Agricultural (A1); South – Community Commercial (CC); East – Agricultural (A1); West – Agricultural (A1) and Limited/Light Industrial (M1)

Proposed Land Use

The proposed land use is "Light Industrial" which is defined as the on-site extraction, storage, manufacture, assembly, processing, or production of goods by nonagricultural methods, and the storage and distribution of products.

Lot Requirements

The developer has indicated an intent to subdivide the parcels into two individual lots and one outlot. Staff reviewed the proposed subdivision and confirmed that the proposed lots meet all minimum lot requirements for the M1 zoning district.

Required Improvements

According to City Code section 170.12, before the final plat of any area shall be accepted, the subdivider is required to make and install all public improvements identified in City Code section 170.13.

Listed below is a summary of the required improvements for the proposed preliminary plat:

Public Streets

Currently W. 12th Street terminates at the southern boundary of this parcel. Based on staff's review we believe the city code requires the preliminary plat to show the continuation of 12th Street from the existing southerly property edge to the northerly property edge. The reason this extension is needed is to serve subsequent developments to the north. Improvements need to consist of a fully dedicated right-of-way to the northern property boundary and partially constructed street improvements to the northern end of Lot 2. Staff believes terminating W. 12th Street at the southern portion of this property would limit the extension of storm sewer, sanitary sewer, and water infrastructure to properties north of this parcel including potential future expansion. Furthermore, ending 12th Street in a cul-de-sac would leave 11th Street as the only other northerly extension of infrastructure in this area. Listed below are code provisions which directly address the requirements for the extension of W. 12th Street:

170.11 MINIMUM STANDARDS OF DESIGN. No subdivision plat shall be approved by either the Commission or by the City Council unless it can be demonstrated that it meets or exceeds the design standards and standard specifications.

1. Acre Subdivision. Whenever the area is divided into lots containing one or more acres and the land could eventually be re-subdivided into smaller building lots, consideration shall be given to the street and lot arrangement of the original subdivision so that additional minor streets shall be opened which will permit a logical arrangement of smaller lots.

2. Relation to Adjoining Street System. The arrangement of streets in new subdivisions shall make provision for the continuation of the streets in adjoining subdivisions, or for a proper intersection where said streets in the new subdivision shall connect therewith, or their proper projection where adjoining property is not subdivided insofar as they may be necessary for public requirements.

3. Streets. All streets shall conform as nearly as possible to the Comprehensive Plan and to the Design Standards and Standard Specifications

F. Dead-End Streets. Dead-end streets are prohibited.

H. Street System Connectivity. Streets shall be designed to extend to property lines where the adjacent property could be developed in the future.

I. Cul-de-sacs. Cul-de-sacs shall generally be discouraged. Maximum cul-de-sac length shall be 600 feet for the length of the street ending in a cul-de-sac.

5. Lots.

C. Direct access from a street shall be provided for all lots. Access driveways shall be positioned in accordance with the Design Standards.

E. Larger than normal lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate re-subdivision with provision for adequate utility connections for such resubdivision. Dedication of easements or public right-of-way for future openings and extensions of such streets may be required.

170.13 REQUIRED IMPROVEMENTS.

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

Staff comment: Staff believes City Code requires the extension of W. 12th Street to the northern property line of the plat. As a result, we do not believe the proposed cul-de-sac on the southern portion of this plat meets City Code requirements.

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: As stated previously, staff believes the applicant is required to extend W. 12th Street and the associated public utilities to the northern property line of the plat. Since the applicant is not proposing this extension, we do not believe they have satisfied the requirements under City Code. The proposed development includes the installation and utilization of both overland flowage easements and storm sewers. In addition, the proposed development includes the construction of one retention pond to support the retention and drainage for the subdivision. Based on the calculations provided by the developer and confirmed by the city's engineering consultant and Public Works department, staff believes the storm water management plan meets the city's requirements for the preliminary plat.

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 is required for this subdivision and draining into the retention basin (Outlot A). The city's engineering consultant and Public Works Department have both reviewed and found that the preliminary plat meets this requirement.

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 will connect and extend a 10-inch line to serve the end of the cul-de-sac. It is important to note that this line will connect to the city's existing sanitary sewer.

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: As stated previously, staff believes the applicant is required to extend W. 12th Street and the associated public utilities to the northern property line of the plat. Since the applicant is not proposing this extension, we do not believe they have satisfied the requirements under City Code. As it pertains to this plat, an eight-inch water main is to be installed by the developer along Lot 1 and will connect to an existing eight-inch water main located at the current terminus of 12th Street. A 20-foot water main easement on Lot 1 will extend water services 190' north of the cul-de-sac. The preliminary plat will include a fire hydrant at the northern terminus of the cul-de-sac to provide the subdivision with adequate fire protection.

Sidewalks: Property owners shall install a four-foot-wide concrete sidewalk along each lot frontage on a street or cul-de-sac 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 plat does not show the sidewalks; however, sidewalks are a condition of approval and will be installed in accordance with city standards at one foot from the property lines, in the right-of-way.

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

Staff comment: The subdivider has indicated that an overland flowage easement has been designed to meet the requirements by both the city's engineering consultant and Public Works Director.

Comprehensive Plan

City Code Section 170.06(2) requires the City Council to review the preliminary plat for conformance with the Comprehensive Plan, including the Future Land Use Map. The Future Land Use Map identifies this site for "Low-Density Residential" land uses, which is appropriate for projects with densities up to four units per acre. Because the site was identified for residential use, the City Council conditionally approved the applicant's rezoning request on July 21, 2020. Specifically, Council approved the removal of allowable M-1 zoning uses from the property because of their potential conflicts with future abutting and adjacent residential properties. Furthermore, Council also required design standards and additional screening requirements for the industrial properties to lessen the impact to potential new residential developments adjacent to and abutting this site. This also underscores why it is important that W. 12th Street be extended in the future, as it could help facilitate additional residential development for the city which was a key strategic goal of the Comprehensive Plan.

Planning and Zoning Commission Recommendation

During their meeting on February 28, 2022, the Planning and Zoning Commission voted unanimously to conditionally approve the preliminary plat as submitted with the following conditions:

1. Build the cul-de-sac now as shown on the plat.
2. Dedicate the appropriate width right-of-way to the northerly edge of the property (Outlot B) as depicted on the plat.
3. Construct a road to terminate in a temporary cul-de-sac at the northern edge of Lots 1 and 2 as development occurs on Lots 1 and 2.
4. Road from northerly edge of Lots 1 and 2 to northern property boundary will be constructed as development occurs in that area.

While staff appreciates the Commission's effort to find a compromised solution to facilitate development, we believe the above recommendation is problematic and could lead to additional issues in the future. For instance, the Commission recommendation does not clearly identify when W. 12th Street would need to be extended and who is responsible for extending W. 12th Street. Secondly, for liability reasons, the City of Pella's policy has not been to accept future right-of-way unless it includes a public street built to the city's public infrastructure design standards.

Summary and Staff Recommendation

The preliminary plat has been revised to reflect staff and consultant comments. Staff finds the preliminary plat meets the minimum requirements of the zoning ordinance but does not conform to the requirements of the subdivision ordinance regarding infrastructure. Based upon these findings, staff recommends the preliminary plat be denied as submitted. It is important to note that the city’s legal counsel has reviewed staff’s recommendation and agrees with staff’s assessment that the plat does not meet current subdivision code requirements related to the extension of streets and utilities to the property line.

Listed below are options Council has regarding the proposed preliminary plat:

1. Approve the preliminary plat as submitted.
2. Approve the preliminary plat with the conditions imposed by the Planning and Zoning Commission.
3. Approve the preliminary plat with other conditions the City Council believes are necessary for it to conform to City Code.
4. Deny the preliminary plat by voting no to the attached resolution (staff recommendation).

ATTACHMENTS: Resolution, Application, Preliminary Plat, 12th Street Photo, 12th Street Infrastructure, Aerial Map, Documents Submitted by Applicant

REPORT PREPARED BY: Planning and Zoning Director

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Deny the preliminary plat as submitted (option #4 above)

4. Resolution No. 6426 entitled, “RESOLUTION ORDERING CONSTRUCTION OF THE FUEL OIL STORAGE TANK ENCLOSURE, AND FIXING A DATE FOR HEARING THEREON AND TAKING OF BIDS THEREFOR.” Branderhorst moved to approve, seconded by Carlstone.

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

BACKGROUND: This resolution sets the public hearing date and authorizes staff to seek bids for the Fuel Oil Storage Tank Enclosure project. As background, the City of Pella receives between \$855,924 and \$1,050,556 annually from Missouri River Energy Services (MRES) due to our Reserve Capacity Agreement (RCA). Simply having our diesel plant output available makes the city eligible to receive this payment. The plant was originally constructed as a summer peaking plant to cut the city’s demand during the hottest summer days. However, now that our plant is registered with Mid-Continent Independent System Operator (MISO) as a Voltage and Local Reliability (VLR) asset, it is expected to be available all year round. The 2017-2018 North American Cold Wave was a three-week period of extreme cold temperatures, causing many generators to shut down across the MISO footprint. During this time, MISO called upon many reserve resources to operate, only to be met with several failures. Pella had planned ahead, knowing that our plant could not operate in extreme temperatures, and made our plant unavailable for this period.

Feedback received from MRES included a desire to make our plant available for future extreme cold weather events. The main weakness of our plant to the extreme cold is our outdoor fuel oil storage containment. Fuel oil tends to gel when introduced to extreme cold. It is then unable to pass through lines and filters, starving the generator, making it inoperable. After discussing options with an engineer, it was determined that building an enclosure around the city’s existing 25,000-gallon tanks would be the most effective method to heat the fuel oil. There are also some thermal improvements planned for inside the plant through this project.

Staff currently has \$600,000 budgeted for this project; however, the engineer’s opinion of probable costs is \$1,500,000. Staff will discuss options on how to proceed with this project during the Council meeting on May 3, 2022 when the actual bids are known. Staff is recommending approval of this resolution which authorizes staff to seek bids. If approved, the project timeline would be as follows:

Bid opening	April 19, 2022
Award contract	May 3, 2022
Notice to proceed	May 4, 2022
Start construction	May 9, 2022
Substantial completion	November 30, 2022
Final completion	December 31, 2022

Bid documents are on file with the Electric Director.

ATTACHMENTS: Resolution, Engineer’s Opinion, Notice to Bidders and Notice of Public Hearing

REPORT PREPARED BY: Electric Department

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: 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.”

De Jong moved to place ordinance no. 1007 on its third reading, seconded by Branderhorst.

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

Bandstra moved that ordinance no. 1007 be adopted, seconded by Branderhorst.

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

Mayor DeWaard declared the ordinance duly passed and adopted.

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. 2100.
Branderhorst moved to approve, seconded by De Jong.
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

Council adjourned for a brief recess from 7:56 p.m. to 8:01 p.m.

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

Comments were received and addressed.

K. POLICY AND PLANNING

From 8:40 p.m. to 9:27 p.m., Council adjourned to the Policy and Planning meeting to hold a discussion regarding the following items, with no formal Council action taken:

1. Library Board of Trustees Drafted Ordinance
2. Indecent Exposure Drafted Ordinance

L. ADJOURNMENT

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

Meeting adjourned at 9:28 p.m.