



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

June 7, 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 (via phone from 6:00 p.m. to 7:25 p.m.), Dave Hopkins.

Absent: None.

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

Twelve staff members and thirty-five members of the general public attended in person.

Thirteen members of the general public attended via conference call.

B. MAYOR'S COMMENTS

1. Approval of Tentative Agenda.

Hopkins moved to approve, seconded by Branderhorst.

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

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

One comment was received and addressed.

D. APPROVAL OF CONSENT AGENDA

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

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

The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for May 17, 2022
2. Report of Committees
 - a. Policy and Planning Minutes for May 17, 2022

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

ABSENT: None

OTHERS: City staff and visitors

The Policy and Planning meeting began at 7:34 p.m.

The purpose of the meeting was to discuss the following city-owned properties:

1. Washington Street/Hazel Street

Staff has been contacted by a developer interested in the city-owned property located at the corner of Washington Street and Hazel Street. City Administrator Mike Nardini stated that if Council would like to develop this property, an RFP could be issued seeking proposals from developers. Planning and Zoning Director Gerald Buydos informed Council that this property is currently zoned R3, multi-family residential. Public Works Director Denny Buyert mentioned that access to this property is extremely restricted, and a sewer project would be involved as the nearest accessible sewer is to the east on Vermeer Road. Council expressed support for proceeding with seeking proposals from developers for this property.

2. 606 Union Street

Staff has received inquiries regarding moving the housing structure at 606 Union Street. The city acquired this property as part of the purchase of Second Christian Reformed Church. If Council were to seek bids to move this housing structure, staff recommends that the bid conditions include the requirement that several route options are provided to ensure that moving the house would not impact electric transmission lines. The house is currently empty as renting it is not an option. Council directed staff to determine if there is interest in moving the housing structure before proceeding with demolition.

3. 708 Monroe Street

The city-owned property located at 708 Monroe Street used to be a residential substation that has since been removed; however, this property still has some electrical utilities and easements that prevent this from being a buildable lot. Nardini informed Council that this property might be a good fit for a neighboring property owner to expand their yard.

At the end of the discussion, staff was directed to develop an action plan and timeline for each of the three city properties as discussed.

The meeting adjourned at 7:49 p.m.

Respectfully submitted:

Mandy Smith

City Clerk

- b. Historic Preservation Commission Minutes for April 11, 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, Lorinda Bradley, Rhonda Kermode, 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 André to approve the tentative agenda. Motion carried 5-0.

APPROVAL OF MINUTES: Motion by Turnbull, second by André to approve the minutes from the March 14, 2022 meeting. Motion carried 5-0.

NEW BUSINESS:

Consider a Resolution Approving Amendments to the Historic Preservation Commission Procedural Rules

The City of Pella Historic Preservation Commission's Procedural Rules govern the conduct of the Commission. As the rules have not been amended since their adoption in 2015, staff, at the March 14, 2022 meeting, asked the Commission to review them for familiarity and to determine if any changes should be made. Some minor changes were suggested by staff and the Commission and a resolution was brought back for the Commission's consideration.

Motion by Boertje, second by Bradley to approve a resolution making amendments to the Historic Preservation Commission Procedural Rules. Motion carried 5-0.

Consider Whether to Apply for a Historical Resource Development Program Grant for the Historic Fire Station

Kermode requested that the Commission consider applying for a Historical Resource Development Program grant for the historic fire station. After reviewing the application deadline for the grant, it was determined that the application would not be completed in time for this grant cycle. The Commission decided they would like to move forward with having a consultant from the State of Iowa evaluate the structural integrity of the historic fire station and hose tower. It was mentioned that the second floor of the historic fire station could possibly be used by the City of Pella if an elevator were installed.

Motion by Turnbull, second by André to have a consultant from the State of Iowa evaluate the structural integrity of the historic fire station, including the hose tower, as well as researching potential uses for the building's second floor. Motion carried 5-0.

OTHER BUSINESS/WORK SESSION

Work Session to Discuss the Proposed Scholte Garden Historic District

In 2021, the City of Pella HPC 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 HPC, 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 distributed a document listing the homes in the potential historic district, including photos and information about each property.

Boertje will send a copy of this document to staff so that staff can format the document. Boertje is continuing to work on the narrative for the application to the State.

Work Session to Discuss the Certified Local Government Program

Staff stated there was no update to report on this item. Planning and Zoning Director Gerald Buydos suggested that the Commission speak to City Council regarding their desire to have the City join the Certified Local Government (CLG) program. Kermode and Bradley volunteered to create talking points on the benefits of CLGs to bring back for review by the Commission at the next meeting.

Buydos said he will follow up with Iowa Prison Industries on making signage for the Collegiate Neighborhood Historic District.

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

Adjourned at 6:24 p.m.

c. Library Board Minutes for April 12, 2022

I. Call to Order: President Brenda Huisman called the meeting to order at 4:00 p.m. Board members present were Suzy Card, Nathan Copeland, Kristi Leonard, Dayrel Gates and Matt Van Gelder. Board members not present were Darath Fisher. Library Director Mara Strickler was present. Meeting held at the Library's Heritage Room.

II. Approval of Agenda: The April meeting agenda was received by all Board members prior to the meeting. There were no changes to the agenda. The agenda stood as presented. Kristi motioned for April's meeting agenda to be approved as presented, Dayrel seconded the motion. Motion was unanimously approved.

III. Disposition of Minutes: All Board members received the March 9, 2022 meeting minutes prior to the meeting. Brenda motioned for March's meeting minutes be approved as shared, Dayrel seconded the motion. Motion was unanimously approved.

IV. Approval of Bills: All Board members received the April list of bills prior to the meeting. After a brief discussion and questions regarding the bills, Brenda motioned for the April bills be approved as presented, Suzy seconded the motion. Motion was unanimously approved.

Discussion: Mara: standard expenses however, less expenses this month than average. LFI, LLC. - Expense for book return bin.

V. Recognition of Visitors and Visitor Comments: John Chrastka, Katie Dreyer (Youth Services Librarian), and Chris Brown (Assistant Library Director).

VI. Unfinished Business:

Library services, staffing, and COVID-19. Moving forward with services opening due to reduced COVID risks. Storytime room will likely open this month. Capacity is back to normal (no restrictions remain).

VII. New Business:

a. Continuing education presentation: John Chrastka (EveryLibrary), Established in 2012

b. Strategic Plan [tabled]

c. FY22/23 Board committee - discussion [tabled]

d. State funding [tabled]

VIII. President's Report and Announcements:

a. Action for Trustees: Request for duties and time the board invests in supporting board.

b. Brenda reviewed the City Council schedule: April 19th: Suzy, May 3rd: Nathan.

IX. Director's Report: Refer to written report

X. Trustee Training Reports: Set tentative date for Marion County Annual Board Meeting: Thursday, 9/8 at the Knoxville Public Library

XI. Committee Reports: Policy Review: [tabled] General Policy Statement, Unscheduled Closings Policy, Photo Release Policy, Displays Policy

XII. Adjournment: President, Brenda H. adjourned the meeting at 5:08 p.m. The next regularly scheduled Board Meeting is scheduled for May 10, 2022. Location: Library Heritage Room.

d. Board of Adjustment Minutes for April 18, 2022

Chairperson Westra called the Board of Adjustment to order at 6:00 p.m. in the Public Safety Complex. Members present were: Kristi Kious, Jaci Nunnikhoven, Susan Reiter, Merlan Rolffs, Lyle Vander Meiden, Mike Vander Wert, and Corey Westra; absent: Vince Nossaman. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. No members of the public attended the meeting.

CHAIRPERSON'S COMMENTS:

Approval of the Tentative Agenda: Motion by Reiter, second by Nunnikhoven to approve the tentative agenda. Motion carried 7-0.

APPROVAL OF MINUTES: Motion by Reiter, second by Kious to approve the March 21, 2022 minutes. Motion carried 7-0.

PUBLIC HEARINGS:

Consider a Special Use Permit (SUP) Request from 1 Source Solar to Construct a Roof-Mounted Solar Panel Array at 2123 Idaho Dr. 1 Source Solar sought to construct a solar array on the roof of 2123 Idaho Dr. Under Chapter 165.26.5 of the Zoning Code, all solar arrays over 100 square feet on residential lots require a Special Use Permit (SUP). Staff believes the proposed use agrees with the zoning code and recommended approval as submitted.

Convened Public Hearing on the SUP request. One written comment was received and included in the meeting packet.

Motion by Kious, second by Reiter to enter the written comment into the public record. Motion carried 7-0.

Motion by Vander Wert, second by Rolffs to close the Public Hearing as no comments were received. Motion carried 7-0.

Motion by Reiter, second by Vander Wert to approve the SUP request as submitted. Motion carried 7-0.

OLD BUSINESS:

Consider a Recommendation to Modify the City of Pella Municipal Code Regarding the Installation of Solar Energy Systems (Tabled at the Meeting on March 21, 2022)

The Board of Adjustment, at the February 21, 2022, meeting, requested that staff investigate the possibility of modifying the City of Pella Municipal Code to allow certain solar energy systems to be exempt from the SUP system currently in place. The Board, at the meeting on March 21, 2022, chose to table this item for consideration at a future meeting.

Current Pella Municipal Code, Section 165.26.5, requires all solar energy systems with arrays over 100 square feet on residential lots being constructed in the City to come before the Board for approval of an SUP. As the push for renewable energy increases, solar systems are becoming more prevalent in the area. The requirement for an SUP for each system can be very time intensive.

This modification of the Municipal Code was reviewed by the City Attorney. She has provided the following information:

"There is no specific solar panel siting statute under state law. In general, Iowa Code section 414.3(1) provides all zoning regulations "shall be made in accordance with a comprehensive plan and designed to: "promote reasonable access to solar energy." Allowing solar panels to be installed as a permitted use under a building permit rather than an SUP approved by the Board of Adjustment would generally seem to be consistent with the directive to "promote reasonable access to solar energy." Several other communities in Iowa allow solar panel installation under some form of a building permit process. Finally, there is no state law which would prohibit the City from amending its ordinance to change solar panel installation requests from a special use to a building permit application under its zoning code."

Currently, the code has two options to process solar energy systems:

1. Solar Energy System-Minor: For systems under 100 square feet, allows the Zoning Administrator and Building Official to approve.

2. Solar Energy System: For systems over 100 square feet, requires the Board to approve an SUP.

Listed below are the staff suggested modifications for the Pella Municipal Code, Section 165.26.5, regarding the installation of solar systems:

1. All residential roof mount solar energy systems, regardless of square foot size, are no longer required to have an SUP granted by the Board of Adjustment. Residential roof mount systems will be treated as a Solar Energy System – Minor. Exceptions are as follows:

a. Any roof mount residential solar energy system over 100 square feet in the Central Business District (CBD) will require an SUP.

b. Any residential (including multi-family) roof mount solar energy system over 100 square feet on properties fronting a Gateway Corridor will require an SUP.

c. Any residential ground mount solar energy system over 100 square feet will require an SUP.

2. Non-Residential Solar Energy Systems over 100 square feet will continue to require SUP approval by the Board of Adjustment.

Staff requested that the Board of Adjustment review the proposed code modifications and make a recommendation to City Council to modify Chapter 165.26.5 as described.

Staff noted that, in addition to getting an SUP from the Board of Adjustment, applicants must also acquire a solar energy system permit, an electrical permit, and complete an interconnection and purchase power agreement.

Motion by Reiter, second by Vander Meiden to make a recommendation to City Council that they approve the proposed code modifications with the additional requirement that any residential roof mount solar energy system in a Historic Preservation District will require SUP approval by the Board of Adjustment. Motion carried 7-0.

Staff will inform the Board when this item goes to City Council for discussion at a Policy and Planning work session.

OTHER BUSINESS

Next Meeting Date: The next meeting is scheduled for May 16, 2022. Planning and Zoning Director Gerald Buydos informed the Board that another SUP for a roof-mounted solar panel array, as well as a possible appeal of staff's decision, will be on the agenda for the next meeting. Adjourned at 6:34 p.m.

e. Planning and Zoning Commission Minutes for April 25, 2022

Vice-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, Julio Chiarella, Mark Groenendyk, Kisha Jahner, Tom Johnson, Robin Pfalzgraf, and Ann Visser; absent: Cathy Hausteine and Teri Vos. Staff present: City Administrator Mike Nardini, Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Nine members of the public were present.

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

APPROVAL OF MINUTES: Motion by Johnson, second by Chiarella to approve the minutes of the March 28, 2022 meeting. Motion carried 8-0.

PUBLIC HEARINGS:

Public Hearing to Consider a Vacation of Right-of-Way for a Portion of Orchard Drive

Pella Regional Health Center requested the vacation of the Orchard Drive right-of-way running north/south adjacent to their properties. This request is for the complete vacation of the street south of Monroe Street and dead ending at the Pella Regional Health Center property. The subject street is approximately 92 feet in length and is a remnant of the original Orchard Drive right-of-way. All City and private utilities were notified of the proposed easement vacation. The emergency siren and easement that was at the southern portion of the road right-of-way has been moved north to Monroe Street. No utilities indicated the presence of infrastructure in the affected right-of-way, nor did any utilities object to the right-of-way being vacated.

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

Convened Public Hearing on the proposed right-of-way vacation. One written comment was received.

Motion by Pfalzgraf, second by Johnson to close the public hearing as no further comments were received. Motion carried 8-0.

Motion by Jahner, second by Pfalzgraf to approve the right-of-way vacation request as submitted. Motion carried 8-0.

NEW BUSINESS PROPOSED:

Consider a Final Plat Application for Lely, Submitted by Chad Huyser

163 Properties Corporation, on behalf of Lely North America, submitted a final plat for the Lely North American headquarters at 775 250th Ave., located at the southwest corner of the Highway 163 and 250th Avenue interchange. The 60.73-acre site is partially developed and is zoned Heavy Industrial (M2).

The Planning and Zoning Commission approved the preliminary plat for this project on August 24, 2020, and the City Council approved it on September 15, 2020. The proposed final plat includes one lot and two outlots.

The proposed final plat has been submitted to reflect City of Pella staff and consultant comments. Staff finds the final plat meets the minimum requirements of the zoning ordinance, subdivision ordinance and conforms to the previously approved preliminary plat. Additionally, staff finds the development conforms to the City's Comprehensive Plan. Based upon the findings, staff recommended approval of the final plat. Motion by Johnson, second by Chiarella to approve the final plat. Motion carried 8-0.

Consider a Site Plan Application, Submitted by VB Pella, LLC, for a Warehouse at 921 Roosevelt Rd.

VB Pella, LLC submitted a site plan application to construct a warehouse 921 Roosevelt Rd. The proposed building will be approximately 5,769 square feet with approximately 4,700 square feet of paved parking.

According to the Zoning Ordinance, the proposed land use is classified as Warehousing (Enclosed), which is defined as "uses including storage, distribution and handling of goods and materials within enclosed structures. Typical uses include wholesale distributors, storage warehouses and van and storage companies." The proposed land use is permitted by right in the City's M1 zoning district.

Chapter 165.36(F)(3) requires the proposed site plan to conform to the City's Comprehensive Plan. The Future Land Use Map of the Comprehensive Plan identifies this site for "Civic and Public" land uses. Staff believes the proposal meets the community's goals listed in the Comprehensive Plan due to the area noted as being adjacent to a preferred industrial growth area, along with providing more industrial acres, which are noted as a need in the Comprehensive Plan.

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

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

Consider a Revised Preliminary Plat Application for West 12th Street, Submitted by Jeff Dingeman

Jeff Dingeman submitted a revised preliminary plat to subdivide two parcels (approximately 16.13 acres) into two developable lots. The proposed plat also includes two outlots, and a lot for dedication/reservation of street right-of-way. The subject property is located at the northern terminus of 12th Street. As background, a different preliminary plat was considered by the Commission for this property on February 28, 2022. That plat was recommended for approval with conditions, and it was presented to the City Council on April 5, 2022. The City Council tabled the item on April 5, 2022, directing that the item be brought back to the Planning and Zoning Commission because of stated discrepancies in the plat proposed by the applicant. Specifically, it was staff's understanding that the applicant did not agree with the conditions recommended by the Commission on February 28, 2022, and that the applicant desired to proceed with his original preliminary plat. However, during the Council meeting on April 5, 2022, the applicant stated he agreed with the Commission's recommendations and had submitted a revised plat which incorporated the recommendations. Due to the uncertainty regarding which plat the applicant was proposing, the City Council tabled the item.

The revised preliminary plat is the applicant's interpretation of the Commission's recommended changes for his original plat which was reviewed by the Commission on February 28, 2022. The revised plat only identifies the W. 12th Street right-of-way extension to the end of Lots 1 and 2. The plat does not propose to construct W. 12th Street, but only offers right-of-way for the extension of W. 12th Street. Staff is recommending denial of this plat because we do not believe the plat, as submitted, meets City Code requirements for extending W. 12th Street to the northern property 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), 170.11.5(E), and 170.13.1. The City Attorney reviewed the proposed plat and agreed 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.

Section 170.13(13) of the subdivision code allows for the deferral of public improvements for subdivisions that are located outside of the Urban Services Area of the City. However, that process allows deferral only upon the receipt of a petition and waiver from the subdivider, which would allow the City to assess for the future installation of the public improvements. The Urban Services Area is defined as the areas served by public sanitary sewer as shown on the City's latest version of the Urban Services Area Map. This property is located within the Urban Services Area.

The original preliminary plat submitted by the applicant proposed a public cul-de-sac which would be constructed at the southern boundary of his property in lieu of extending W. 12th Street to the northern property boundary. During their meeting on February 28, 2022, the Commission considered this proposal and voted unanimously to conditionally approve the 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 compromise solution to facilitate development, staff believes the above recommendation needs further refinement and clarification. For instance, the recommendation does not clearly identify when W. 12th Street would need to be extended and who is responsible for extending W. 12th Street. Second, the City of Pella's subdivision code requires the installation of public improvements, to the property boundary, at the time of platting. The only exception to this requirement is where the subdivision is located outside of the Urban Services Area. That exception is not applicable in this case. The recommendation to dedicate right-of-way without installing a public street is contrary to the City's subdivision code.

If the Commission's desire is to waive the City Code requirements for extending W. 12th Street to the property boundary, then the Commission should state the reasons for the waiver. This is important, because the City receives a number of development proposals on any given year which require public street extensions; therefore, unintended consequences for future developments could arise unless it is clearly understood why the Commission is recommending the waiver of the requirement for this applicant to extend W. 12th Street to their northern property line. Furthermore, any such waivers should be in accordance with City Code section 170.17, which is listed below:

170.17 VARIATIONS AND EXCEPTIONS FOR UNUSUAL CONDITIONS.

Whenever the tract proposed to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this chapter would result in substantial hardships or injustices, the City Council, upon written recommendation of the Commission, may modify or waive such requirements. Any variations and exceptions granted hereunder shall be in harmony with the intended spirit of this chapter, granted with a view toward protecting the public welfare and interest of the City and surrounding area, and not be in violation of the Zoning Ordinance.

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.

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.

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. Currently, W. 12th Street terminates at the southern boundary of this parcel. Staff believes City Code requires the preliminary plat to show the continuation of W. 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 utilities north of this parcel which will likely be needed for future development.

City Code section 170.06(2) requires the Planning and Zoning Commission 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 M1 zoning uses from the property because of their potential conflicts with future abutting and adjacent residential properties. Furthermore, Council 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 is a key strategic goal of the Comprehensive Plan. The applicant's original rezoning application, submitted in July 2020, included a concept plan that showed the extension of W. 12th Street. This emphasizes that the applicant was aware of the requirements to extend W. 12th Street before the property was rezoned. Staff finds the preliminary plat meets the minimum requirements of the zoning ordinance, but it does not conform to the requirements of the subdivision ordinance regarding infrastructure. Based on the findings, staff recommended the preliminary plat be denied as submitted. The City Attorney reviewed staff's recommendation and agreed with the assessment that the plat does not meet current subdivision code requirements related to the extension of streets and utilities to the property line.

The applicant, Jeff Dingeman, was present to speak in favor of the preliminary plat application and to answer questions from the Commission. He stated that he has received conflicting information from City staff since 2020 and has invested a significant amount of time and money in the preliminary plat process. Several Commissioners expressed concern with the conflicting information the applicant said was shared with him as well as the amount of time and money the applicant has invested in this process.

City Administrator Mike Nardini noted that the applicant was aware of the requirements to extend W. 12th Street before the property was rezoned and that the City only takes official action on submitted applications. He stated that allegations of miscommunication from staff to the applicant are not a standard for waiving City Code requirements.

Pfalzgraf stated that she has heard frustrations shared by local developers who are not given the same concessions as others, such as the concessions granted for the Prairie Ridge development. Nardini explained that the concessions for Prairie Ridge were developed as part of the Planned Unit Development process and workforce housing was identified as a need within the City of Pella.

Motion by Pfalzgraf, second by Groenendyk to recommend to City Council that they dead-end W. 12th Street and that the Commission is making this recommendation with the reasoning that Dingeman has been given the runaround, and the fact that he has gone to the City time after time and followed through, and he has documentation that he has done what staff has suggested he do.

Groenendyk stated that his understanding of Pfalzgraf's motion is that the cul-de-sac should end by Lot A, like it originally did, without Lot A extending to the north end of Outlot B. Pfalzgraf said that is correct, and dead-end the street and tell City Council that the reasoning for this is because it is what the Commission needs to do for Dingeman. Groenendyk stated that the motion made on February 28, 2022 is basically being restated.

Planning and Zoning Director Gerald Buydos stated that, in this case, Outlot B is forever unusable until W. 12th Street is extended. Johnson said making a determination on who will pay for the road is another matter the Commission will need to clarify. Dingeman said he would like to develop Lots 1 and 2 with just a cul-de-sac, if possible. Jahner said she thinks it would be fair to say that Dingeman can do Lot 1, but will have to finish the road to sell Lot 2.

Buydos said his understanding of Pfalzgraf's motion is that Dingeman can construct the cul-de-sac now in order to create Lot 1 on which to build his building. However, if the applicant ever wished to sell Lot 2, and make Lot 2 buildable, W. 12th Street would need to be extended through to Outlot B, which would then be a temporary cul-de-sac. Nardini stated that the City Attorney's opinion should be sought on this recommendation in order to make sure it is feasible.

Dingeman stated that he would be fine with Pfalzgraf's current motion, and to then let Council make the final determination, as he does not want to be delayed further.

Nardini said he understands the reasoning for Pfalzgraf's motion to put in a cul-de-sac is due to miscommunication at staff level, which he is not necessarily sure would qualify as a hardship under City Code.

Groenendyk asked why the City Council did not just deny the preliminary plat at their meeting instead of tabling the item. Councilmember Calvin Bandstra stated he was present for the February 28, 2022 Commission meeting, and that he thought there was agreement on the motion that had been made. At the April 5, 2022 Council meeting, it was presented that Dingeman was not in agreement with the Commission's recommendation and that staff recommended the preliminary plat be denied. However, at the Council meeting, Dingeman said he was in favor of the Commission's recommendation. At that point, the item was tabled, not because Council disagreed with anything, but because there were opposing viewpoints on what was being presented. Councilmember Lynn Branderhorst stated that there were also missing documents, and Council could not make a decision on the preliminary plat with missing information.

Canfield suggested tabling this item until the Commission can receive clear guidance from the City Attorney.

Motion by Jahner, second by Johnson to table the preliminary plat, with the intention of having the City Attorney be present at the next meeting to answer the Commission's questions and to determine whether it is feasible to phase in the project. Motion carried 8-0. Staff will arrange a special meeting with the City Attorney to be present.

OTHER BUSINESS / WORK SESSION

Next Meeting Date: The next regular Planning and Zoning Commission meeting is scheduled for May 23, 2022.

Adjourned at 8:47 p.m.

f. Airport Committee Minutes for April 29, 2022

Members Present: Matt Hutchinson, Rick Gritters, Eric Recker, Jeff Bollard, Ted Zylstra, Trevor Nikkel, Joel Weiler

Members Absent: None

Others Present: Shane Vande Voort

Approval of Minutes: March 25, 2022 minutes reviewed. Motion to approve Gritters, Support Weiler. Passed unanimously.

Regional Airport Update – No change, Iowa Supreme Court decision on 28E not expected until June

Discussion on condition of the terminal (furniture/windows) and the poor impression of the city it makes to visitors.

Airport Managers report to the committee-Shane Vande Voort:

Equipment Update: We are readying equipment for mowing season. The Grasshopper front mount mower is really showing its age and should be replaced soon.

FBO operations: Classic Aviation remains busy and is struggling to find help like never before. Staffing the airport 7 days a week with qualified help that can move airplanes on the small ramp has become a challenge.

Hangar and ramp space: We are still very short on hangar space. Supply chain issues complicate this even more as aircraft stay on site longer and need to be hangared since there is no outdoor parking. We are seeing a greater number of jets with greater than 70 foot wingspans. It is difficult to maneuver and park them with other aircraft on the ramp and it takes well trained help and expensive equipment to tow them

Special Events: Tulip Time Flight breakfast. Chairs, tables, and the pancake griddle have been reserved. The special events permit has been approved and advertising is in place. Help from the committee and other volunteers is appreciated. The Cirrus Owners and Pilots Association plans to hold a two-day Pilot Proficiency Program with an emphasis in aircraft ownership and maintenance at PEA August 20,

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.

Terminal building appearance and condition: Recent windy days have reminded us how leaky the windows have become. The unique style of the terminal building has always been appreciated by visitors but more and more we hear negative comments about the condition of the inside of the building. The furniture dates back to 1989-1990 and is stained, torn, and in some cases wobbly. The carpet is heavily faded and stained. It is definitely not a good first impression of the community and reflects very badly on our business. We have talked to local decorators for ideas and believe that the much needed update would cost \$37,000 (\$8000 for carpet, \$20,000 for furniture in the lobby, and \$9,000 for furniture in the pilot's lounge. We believe that the appearance is deteriorating so rapidly that something needs to be done in the next few months.

Adjourn: Motion by Recker, Support Nikkel. Passed unanimously.

Next regular meeting will take place on May 27th, 2022 7am

g. Planning and Zoning Commission Minutes for May 11, 2022

Vice-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 (via telephone), Joe Canfield, Cathy Haustein, Kisha Jahner, Tom Johnson, and Robin Pfalzgraf; absent: Julio Chiarella, Mark Groenendyk, Ann Visser, and Teri Vos. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, the Deputy City Clerk, and City Attorney Kristine Stone. Five members of the public were present.

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

APPROVAL OF MINUTES: Haustein stated that she would like an email she sent to Planning and Zoning Director Gerald Buydos regarding the Orchard Drive right-of-way vacation to be considered a written comment in the minutes from April 25, 2022. The minutes will be amended to reflect the receipt of one written comment for that agenda item.

Motion by Jahner, second by Johnson to approve the minutes of the April 25, 2022 meeting, as revised by Haustein. Motion carried 6-0.

NEW BUSINESS PROPOSED:

Consider a Revised Preliminary Plat Application for West 12th Street, Submitted by Jeff Dingeman

Jeff Dingeman submitted a revised preliminary plat to subdivide two parcels (approximately 16.13 acres) into two developable lots. The proposed plat also includes two outlots, and a lot for dedication/reservation of street right-of-way. The subject property is located at the northern terminus of 12th Street. As background, a different preliminary plat was considered by the Commission for this property on February 28, 2022. That plat was recommended for approval with conditions, and it was presented to the City Council on April 5, 2022. The City Council tabled the item on April 5, 2022, directing that the item be brought back to the Planning and Zoning Commission because of stated discrepancies in the plat proposed by the applicant. Specifically, it was staff's understanding that the applicant did not agree with the conditions recommended by the Commission on February 28, 2022, and that the applicant desired to proceed with his original preliminary plat. However, during the Council meeting on April 5, 2022, the applicant stated he agreed with the Commission's recommendations and had submitted a revised plat which incorporated the recommendations. Due to the uncertainty regarding which plat the applicant was proposing, the City Council tabled the item. At the meeting on April 25, 2022, the Commission chose to table this item so that the City Attorney could be present to answer questions at a future meeting.

The revised preliminary plat is the applicant's interpretation of the Commission's recommended changes for his original plat which was reviewed by the Commission on February 28, 2022. The revised plat only identifies the W. 12th Street right-of-way extension to the end of Lots 1 and 2. The plat does not propose to construct W. 12th Street, but only offers right-of-way for the extension of W. 12th Street. Staff is recommending denial of this plat because we do not believe the plat, as submitted, meets City Code requirements for extending W. 12th Street to the northern property 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), 170.11.5(E), and 170.13.1. The City Attorney reviewed the proposed plat and agreed 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.

Section 170.13(13) of the subdivision code allows for the deferral of public improvements for subdivisions that are located outside of the Urban Services Area of the City. However, that process allows deferral only upon the receipt of a petition and waiver from the subdivider, which would allow the City to assess for the future installation of the public improvements. The Urban Services Area is defined as the areas served by public sanitary sewer as shown on the City's latest version of the Urban Services Area Map. This property is located within the Urban Services Area.

The original preliminary plat submitted by the applicant proposed a public cul-de-sac which would be constructed at the southern boundary of his property in lieu of extending W. 12th Street to the northern property boundary. During their meeting on February 28, 2022, the Commission considered this proposal and voted unanimously to conditionally approve the 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 compromise solution to facilitate development, staff believes the above recommendation needs further refinement and clarification. For instance, the recommendation does not clearly identify when W. 12th Street would need to be extended and who is responsible for extending W. 12th Street. Second, the City of Pella's subdivision code requires the installation of public improvements, to the property boundary, at the time of platting. The only exception to this requirement is where the subdivision is located outside of the Urban Services Area. That exception is not applicable in this case. The recommendation to dedicate right-of-way without installing a public street is contrary to the City's subdivision code.

If the Commission's desire is to waive the City Code requirements for extending W. 12th Street to the property boundary, then the Commission should state the reasons for the waiver. This is important, because the City receives a number of development proposals on any given year which require public street extensions; therefore, unintended consequences for future developments could arise unless it is clearly understood why the Commission is recommending the waiver of the requirement for this applicant to extend W. 12th Street to their northern property line. Furthermore, any such waivers should be in accordance with City Code section 170.17, which is listed below:

170.17 VARIATIONS AND EXCEPTIONS FOR UNUSUAL CONDITIONS.

Whenever the tract proposed to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this chapter would result in substantial hardships or injustices, the City Council, upon written recommendation of the Commission, may modify or waive such requirements. Any variations and exceptions granted hereunder shall be in harmony with the intended spirit of this chapter, granted with a view toward protecting the public welfare and interest of the City and surrounding area, and not be in violation of the Zoning Ordinance.

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.

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.

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. Currently, W. 12th Street terminates at the southern boundary of this parcel. Staff believes City Code requires the preliminary plat to show the continuation of W. 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 utilities north of this parcel which will likely be needed for future development.

City Code section 170.06(2) requires the Planning and Zoning Commission 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 M1 zoning uses from the property because of their potential conflicts with future abutting and adjacent residential properties. Furthermore, Council 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 is a key strategic goal of the Comprehensive Plan. The applicant's original rezoning application, submitted in July 2020, included a concept plan that showed the extension of W. 12th Street. This emphasizes that the applicant was aware of the requirements to extend W. 12th Street before the property was rezoned. The City Attorney was consulted on this matter to review the City's options when a subdivider objects to the installation of street/sewer infrastructure to the property boundary. Three alternative options are listed below.

Waive/Modify Subdivision Requirements

Whenever the tract proposed to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this chapter would result in substantial hardships or injustices, the City Council, upon written recommendation of the Commission, may modify or waive such requirements. Any variations and exceptions granted hereunder shall be in harmony with the intended spirit of this chapter, granted with a view toward protecting the public welfare and interest of the City and surrounding area, and not be in violation of the Zoning Ordinance.

This provision makes it clear that the City Council may only waive or modify the requirements of the subdivision ordinance for a particular plat if the planning and zoning commission has recommended such action. Any such recommendation should only be made where the subdivider is able to demonstrate that a substantial hardship or injustice would result from the strict enforcement of the subdivision ordinance requirements. "Substantial hardship" and "injustice" are not defined terms within the City Code. However, it is reasonable to conclude that they require more than a showing of inconvenience or additional expense to the subdivider. The subdivider should be required to demonstrate that the unique characteristics of their property make the enforcement of one or more specific subdivision regulations inapplicable to their property. In that circumstance, the Commission can recommend a waiver or modification of a specific requirement of the subdivision ordinance. The City Council could then consider any such waiver or modification. The City Code also includes a provision which allows the City to waive certain public improvement requirements for projects that are included within an urban renewal area.

Negotiate an Alternative Acceptable Arrangement by Development Agreement

Some communities use the authority provided by Iowa Code sec. 354.821 to negotiate acceptable alternative arrangements related to the formal platting process. These negotiated development agreements cannot waive requirements that are otherwise required by code. However, the City may agree to a phased development concept which allows a subdivider to install public improvements over time, rather than all at once. Or, in some cases, the City may want to upsize the public infrastructure within a particular plat to accommodate future development in the vicinity. In that circumstance, the City may be willing to participate in the costs of the oversized improvements and an agreement should be documented which outlines each party's responsibilities. These types of agreements are normally negotiated at the time of preliminary plat submission/review. Because these are negotiated agreements, the City cannot force a subdivider to enter into a development agreement if they are unwilling to do so. Furthermore, enforcement of a development agreement would require litigation in the courts, and that can sometimes be a deterrent to the City choosing to enter into these types of agreements.

Defer the Installation of the Improvements by Petition and Waiver

The City Code allows for the deferral of the installation of required public improvements, in the City's discretion, upon the receipt of a petition and waiver from the subdivider. A petition and waiver can best be described as a voluntary special assessment, where the developer agrees that the city may install the improvements in the future and assess the subdivider or subsequent purchasers of the subdivided property, for the costs of installation of the improvements. The City would still need to complete the special assessment process to collect the costs of the public improvement from the future property owners, but the city is able to forego the published and mailed notice requirements, and the property owners may waive the 25% limitation on the special assessments. This procedure also requires the City to be the one to install the improvements, and that is certainly less appealing than having the subdivider install the improvements at the time of platting. In conjunction with the petition and waiver, the City should require the dedication of the necessary right-of-way or easements to accommodate the future improvements at the time of platting. Otherwise, the City may be forced to utilize eminent domain to acquire the necessary property interests in the future. Petitions and waivers are recorded, and they act as a lien on the property to which they apply. Staff finds the preliminary plat meets the minimum requirements of the zoning ordinance, but it does not conform to the requirements of the subdivision ordinance regarding infrastructure. Based on the findings, staff recommended the preliminary plat be denied as submitted. The City Attorney reviewed staff's recommendation and agreed with the assessment that the plat does not meet current subdivision code requirements related to the extension of streets and utilities to the property line.

The applicant, Jeff Dingeman, was in attendance to speak in favor of the preliminary plat and to answer questions from the Commission. Discussion amongst staff, the Commission, City Attorney Kristine Stone, and the applicant ensued. Pfalzgraf listed several building projects in Pella that she stated had code requirements waived by the City. She also expressed concern with the conflicting information the applicant said was shared with him, as well as the amount of time and money the applicant has invested in this process.

Motion by Jahner, second by Pfalzgraf to approve the preliminary plat with the condition that Outlots A and B and Lots 1 and 2 are not sold until all infrastructure is in place, citing Iowa Code Section 354.8. On roll call the vote was: ayes: Jahner, Pfalzgraf, Buchheit, and Haustein; nays: Canfield and Johnson. Motion carried 4-2.

OTHER BUSINESS / WORK SESSION

Next Meeting Date: The next Planning and Zoning Commission meeting is scheduled for May 23, 2022.

Adjourned at 7:53 p.m.

3. Petitions and Communications

a. Renewal of Cigarette/Tobacco/Nicotine/Vapor Permits for Fareway Stores, Inc. #995, Git-N-Go Convenience Store #38, Stierenhuis, Wal-Mart Supercenter #751

BACKGROUND: Permits are required for the retail sale of all tobacco products. All current permits expire June 30, 2022 and renewals will be valid until June 30, 2023.

The following businesses have applied for renewal of their cigarette/tobacco/nicotine/vapor permits:

Fareway Stores, Inc. #995	2010 Washington Street
Git-N-Go Convenience Store #38	209 E Oskaloosa Street
Stierenhuis	727 Main Street
Wal-Mart Supercenter #751	1650 Washington Street

Staff is recommending approval as all applications and fees are in order.

ATTACHMENTS: None
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator
RECOMMENDATION: Approve renewal of cigarette/tobacco/nicotine/vapor permits

b. Temporary Outdoor Service Privilege on a Class C Liquor License for Dutch 200 Bowl & Grill

BACKGROUND: Dutch 200 Bowl & Grill, at 204 SE 9th Street, has applied for a temporary outdoor service privilege on their class C liquor license to host bike night on Friday, June 10, 2022 from 6:30 to 10:00 p.m. This request is consistent with bike nights/car shows held at this same location in 2021 and 2022.

Outdoor Service Area: 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 applicant is proposing the outdoor service area would extend from their building, encompassing their entire parking lot, as outlined on the attached map. This area would be enclosed with a temporary rope fence, which meets the Iowa ABD requirements. The outdoor service area is located completely on private property.

Off-Street Parking Requirement: According to City Code, this business is required to provide 56 paved off-street parking spaces on their property. The requested outdoor service area would not allow customer parking within the entire parking lot; therefore, the business is requesting to offer off-street parking on two adjacent grass lots. Written permission for their property to be utilized for this purpose has been provided by the property owner; this item is included as a memo attachment.

Prior to approving this request in 2021, staff obtained guidance from the City Attorney regarding the uniqueness of providing customer parking on an adjacent grass lot. The City Attorney believes the Zoning Administrator has the authority to authorize temporary off-site grass parking; however, staff recommends this authorization is conditional upon Council approving the temporary outdoor service privilege on the liquor license. If Council approves the temporary outdoor service privilege on the applicant's liquor license for this event, the Zoning Administrator would temporarily allow parking of customer vehicles on the adjacent grass lots, in accordance with City Code section 165.29.1(E).

Summary: In summary, the application for a temporary outdoor service privilege on this liquor license has been completed online with the state and, at the time of packet publication, is pending dram shop certification. As a result, staff recommends conditional approval of this temporary outdoor service privilege pending receipt of dram shop certification. Furthermore, the Zoning Administrator's authorization to allow temporary off-site grass parking for the date of this event would be contingent upon Council's approval of the temporary outdoor service privileges for the same date.

ATTACHMENTS: Map, Event Flyer, Property Owner Permission
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator, Planning and Zoning Director, Police Chief
RECOMMENDATION: Conditional approval as outlined

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

BACKGROUND: Hy-Vee, Inc., DBA Hy-Vee Food Store at 118 SE 9th Street, has applied for renewal of their class C beer permit with class B wine permit and Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on July 22, 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. Special Event Permit Request for Pathways of Pella 5K Walk/Run for Life

BACKGROUND: Pathways of Pella has requested a special event permit for their 5K Walk/Run for Life on September 5, 2022 at 9:00 a.m. Set-up is requested to begin at 7:00 a.m. with take down ending by 11:00 a.m.

This event is proposed to begin and end at Federated Fellowship Church. The requested route remains the same as past years with no road closures. Approximately 100 participants are expected to take part in this annual event which raises financial support for the Pathways of Pella ministry.

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. New Commercial Garbage Hauler License for DeCarlo Demolition Company

BACKGROUND: DeCarlo Demolition Company at 260 NE 44th Avenue in Des Moines, Iowa, has applied for a new commercial garbage hauler license. It is important to note that this applicant previously held a license with the City of Pella that expired on October 20, 2021.

The company is applying for this license for the purpose of hauling construction and demolition debris on a per job basis. Under the 28E Agreement with the Marion County landfill, all garbage/waste collected in Pella must be disposed of at the Marion County landfill except for items declared recyclable, and the applicant has acknowledged this requirement.

The term of the new license is 12 months and, if approved, would expire June 7, 2023.

The application, fee, and certificate of insurance have been received from the applicant; therefore, staff is recommending approval of this commercial garbage hauler license.

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

f. Renewal of Class C Liquor License for Dutchfix

BACKGROUND: Artisanal, LLC, DBA Dutchfix at 621 Franklin Street, has applied for renewal of their class C liquor license. The term of the new license is 12 months and, if approved, would expire on July 14, 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

4. Resolution No. 6441 entitled, “RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND FOR THE FUEL OIL STORAGE TANK ENCLOSURE”

BACKGROUND: This resolution approves the construction contract and performance bond with Hooyer Construction for the Fuel Oil Storage Tank Enclosure project. As background, on May 3, 2022, Council awarded a contract for this project to Hooyer Construction in the amount of \$517,900. As further background, the city receives between \$855,924 and \$1,050,556 annually from Missouri River Energy Services (MRES) by simply having our diesel plant output available. The diesel plant was originally constructed as a summer peaking plant to cut the city’s demand during the hottest summer days; however, MRES has informed the city that they would like our plant to be 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 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.

In summary, the resolution under consideration approves the construction contract and performance bond with Hooyer Construction. It is important to note that the City Attorney has reviewed these documents and staff is recommending approval.

ATTACHMENTS: Resolution, Contract, Performance Bond
REPORT PREPARED BY: Electric Department
REPORT REVIEWED BY: City Administrator, City Clerk
RECOMMENDED ACTION: Approve resolution

5. Resolution No. 6442 entitled, “RESOLUTION ACCEPTING PETITION REQUESTING AN ORDINANCE REPEALING AND REPLACING CHAPTER 22 OF THE CITY CODE, LIBRARY BOARD OF TRUSTEES”

BACKGROUND: This resolution accepts a petition requesting a “Referendum for an Ordinance Repealing and Replacing Chapter 22 Library Board of Trustees” which was submitted to the City Clerk on May 25, 2022. A proposed ordinance amending Chapter 22 was attached to the petition. As background, Council discussed the attached ordinance during the Policy and Planning meeting on April 5, 2022. The ordinance is intended to modify the organizational structure of the Pella Public Library to align with other city department structures. As Council is aware, City Code Chapter 22 provides the Library Board of Trustees with the authority to direct and control all library affairs. The city’s other departments report to the City Administrator who subsequently reports to the City Council. As a result, the City Council retains the exclusive control and authority for all departments except for the library.

Pursuant to Iowa law, the city must determine whether the petition is valid. If it is, the petition shall be accepted for filing. If it is not, it shall be returned to the petitioner.

Iowa Code 362.4 – Petition Signatures

On May 25, 2022, a citizen petition containing 761 signatures was submitted to the City Clerk. Upon review, it was determined that 26 signatures were improper as the addresses were located outside of city limits. Iowa Code sec. 362.4 requires a petition to be signed by “eligible electors” of the city. Even with this reduction, the petition meets the minimum signature requirements of Iowa Code sec. 362.4.

Petitions are valid if signed by eligible electors equating to 10% of the persons who voted at the last preceding regular city election. During the city election on November 2, 2021, 2,826 total votes were cast; therefore, a valid petition would require 283 signatures by eligible electors. The submitted petition contains 735 signatures—452 signatures more than required.

Iowa Code 392.5 – Specificity

A proposal to alter the composition, manner of selection, or charge of a library board, or to replace it with an alternate form of administrative agency, is subject to the approval of the voters of the city. A proposal submitted to the voters must describe with reasonable detail the action proposed. The petition specifically requests a “Referendum for an Ordinance Repealing and Replacing Chapter 22 Library Board of Trustees.” A copy of the proposed ordinance was attached to the petition. Because ordinances are not adopted by referendum, it is assumed that all petitioners understood that they were seeking an election to request that the City Council amend Chapter 22 consistent with the terms included in the attached ordinance. The petition is therefore specific enough to be considered valid.

Public Referendum Timing

Iowa Code sec. 392.5(3)(b) provides that when the city receives a valid petition requesting that a proposal be submitted to the voters, the council shall submit the proposal at the next regular city election. Regular city elections occur in November of odd years; therefore, this ballot measure will be included in the election on November 7, 2023.

In summary, staff is recommending that the petition requesting a “Referendum for an Ordinance Repealing and Replacing Chapter 22 Library Board of Trustees” be accepted for filing, as required by Iowa Code sec. 362.4. Staff is further recommending the petition and corresponding ballot question be submitted to the county auditor. Finally, staff is requesting authorization to work with the county auditor to ensure that this measure is included in the next regular city election, as required by Iowa Code sec. 392.5.

ATTACHMENTS: Resolution, Petition Cover Letter, Petition Ordinance, Iowa Code 392.5
REPORT PREPARED BY: City Clerk
REVIEWED BY: City Administrator, City Attorney
RECOMMENDATION: Approve resolution accepting petition

E. PETITIONS & COMMUNICATIONS

1. Renewal of Local Option Sales and Services Tax (LOSST).

Bandstra moved to direct staff to deliver a drafted letter and LOSST resolution of support to the Marion County Board of Supervisors for consideration during their meeting on June 14, 2022, seconded by De Jong. On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

BACKGROUND: The purpose of this item is to discuss the potential renewal of the city’s current Local Option Sales and Services Tax (LOSST) which expires on December 31, 2023. The proposed referendum date for the LOSST renewal is September 13, 2022. Listed below is background information on this item:

Current Local Option Sales and Services Tax

The city’s current LOSST was approved by the citizens of Pella on March 1, 2011 with 85% support.

Listed below is a summary of the projects funded with the current LOSST:

LOSST revenue	\$14,600,000
Marion County redistribution	<u>3,600,000</u>
Total revenue	<u>\$18,200,000</u>
Indoor pool	\$3,700,000
Sports Park	3,450,000
Quality of life projects	2,000,000
Street projects/property tax relief	<u>9,050,000</u>
Total expenditures	<u>\$18,200,000</u>

Potential Projects for a New Local Option Sales and Services Tax

On April 19, 2022, Council instructed staff to proceed with the city's base facility plan, which included a new indoor recreation center and improvements to the existing Community Center. One of the plan's main funding sources was the LOSST. Based on this direction by Council, the city's legal counsel drafted the following proposed uses for a new LOSST:

- Indoor recreational facilities;
- Other recreational facilities;
- Community center facilities;
- Infrastructure improvements;
- Other community betterment projects designated by the City Council;
- Retirement of debt incurred for any such purposes; and
- Any other lawful purpose.

During the meeting on June 7th, staff would like to receive input on which projects should be considered for the city's LOSST renewal.

Property Tax Relief

In order to extend the LOSST collection, the city must hold a referendum imposing the LOSST and include a purpose statement stating the intended use. State law requires that any referendum on LOSST must consist of the percentage of LOSST that will be utilized for property tax relief, even if that amount is 0%.

For discussion purposes, the proposed ballot language is as follows:

A local sales and services tax shall be imposed in the City of Pella that will continue without repeal of the existing local sales and services tax at the rate of one percent (1%) to be effective on January 1, 2024.

Revenues from the local option sales and services tax are to be allocated as follows:

0% shall be used for property tax relief;

The specific purposes for which the revenues shall otherwise be expended are:

100% shall be used for any lawful purpose including but not limited to indoor recreational facilities, other recreational facilities, community center facilities, infrastructure improvements, other community betterment projects designated by the City Council, retirement of debt incurred for any such purposes, and any other lawful purpose.

The proposed language would allow the City Council to designate the LOSST collection beginning on January 1, 2024, for all specified uses. All financial plans for the proposed indoor recreational facility and Community Center improvements have included significant allocation from LOSST collection to offset the impact of debt services associated with those projects.

Resolution of Support

State law requires that for the city to hold a public LOSST referendum, the governing bodies, including the city, of 50% of the population must approve supporting resolutions. Staff is seeking approval through a City Council motion to send the attached letter and resolution to the Marion County Board of Supervisors for consideration at their meeting on June 14, 2022. If approved, the population of the City of Pella and the unincorporated areas of Marion County exceeds the required 50% of the population.

Redistribution Agreement

The City of Pella, City of Knoxville, and Marion County are currently operating under a redistribution agreement whereby Marion County redistributes 8% of the county-wide LOSST collection to the City of Pella and 4% of the county-wide collection to the City of Knoxville. The purpose of this redistribution agreement is to more closely align the payment of LOSST to the communities of collection. Currently, 60% of the county-wide LOSST results from sales of goods and services within the City of Pella, but based on the state formula for distribution, the city only receives 28%. The current redistribution agreement increases the collection percentage to roughly 37%.

The proposed LOSST extension will be contingent upon the extension of the redistribution agreement in a manner that continues to reflect the City of Pella's significant impact on overall county-wide collection.

In summary, staff is seeking Council direction on the attached items related to renewal of the LOSST through a public referendum held on September 13, 2022. If Council is in support of proceeding as discussed within this memo, staff recommends Council makes a motion to direct staff to deliver the attached letter and resolution of support to the Marion County Board of Supervisors for consideration during their meeting on June 14, 2022.

ATTACHMENTS:	Letter to Marion County with Marion County Resolution of Support, Draft City Council Resolution for June 21
REPORT PREPARED BY:	City Administration
REVIEWED BY:	City Administrator, City Clerk
RECOMMENDATION:	Seeking Council direction

F. RESOLUTIONS

1. Resolution No. 6443 entitled, "RESOLUTION APPROVING PRELIMINARY PLAT FOR TIMBERVIEW SUBDIVISION – PLAT 1."

Hopkins moved to approve, seconded by Sporrer.

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

BACKGROUND: This resolution approves a preliminary plat identified as Timberview Preliminary Plat 1, submitted by ATI Group, LLC, to subdivide one parcel (approximately 46.16 acres) into 95 buildable lots and one city park. The subject property is located at the terminus of Hazel Street and Country Club Drive. The City Council rezoned this property from Low-Density Single-Family Residential (R1) and Agricultural (A1) to Moderate-Density Single-Family Residential (R1A).

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, after review by the Planning and Zoning Commission.

ZONING CLASSIFICATION

Current Zoning Classification

The property is zoned R1A. This district is intended to provide 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 the carrying capacity of infrastructure.

ADJACENT ZONING DISTRICTS

North: Institutional (INS); South: Low-Density Single-Family Residential (R1); East: Agricultural (A1), Residential (R1) and Moderate-Density Single-Family Residential (R1A); West: Low-Density Single-Family Residential (R1).

PROPOSED DEVELOPMENT

The proposed development is intended to be a market rate residential development with single-family attached (SFA) and single-family detached (SFD) products. The development would consist of 58 SFA units and 37 SFD units in addition to a 1.25-acre parcel dedicated to a future park at the intersection of Hazel Street and E. Park Lane through 4 phases:

Phase 1: 21.46 acres including 10 SFA and 27 SFD units

Phase 2: 10.40 acres including 8 SFA and 6 SFD units

Phase 3: 8.11 acres including 24 SFA and 0 SFD units

Phase 4: 6.10 acres including 16 SFA and 4 SFD units

The SFA product identified for specific lots will be sold separately while the SFD product would consist of developer-built houses and for sale lots. In addition, the SFA development would contain houses that are akin to patio homes, with no basement and no steps, to be marketed to an audience that would find these features attractive. The product will not be age restricted.

LOT REQUIREMENTS

The developer has indicated an intent to subdivide the parcel into 95 individual lots and one city park site. Staff reviewed the proposed subdivision and confirmed that the proposed lots meet all minimum lot requirements for the R1A zone. The minimum lot width is 65 feet, and the minimum lot area is 8,500 square feet.

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 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 incorporate several new public streets. The proposed subdivision provides adequate circulation with the extension of Hazel Street and the continuation of Country Club Drive.

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: Storm sewer is required for this subdivision and draining will be into several proposed retention basins. 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 will connect to existing sewer and extend sewer where necessary to serve the development. It is important to note that these improvements will connect to the city's existing sanitary sewer. 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 will follow a similar route as the sanitary sewer system. The developer will also install required fire hydrants as determined by the City of Pella Fire Department. 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 code 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.

City Park Dedication: The subdivider shall dedicate an approximate 1.25-acre park at the northeast corner of Hazel Street and East Park Lane for future development. The park property shall be partially improved by grading and removal of vegetation. The street frontages shall have appropriate street improvements.

STAFF COMMENT: The city's engineering consultant, Public Works Director and Community Services Director have reviewed the preliminary plat and verified the park dedication is appropriate for the location.

COMPREHENSIVE PLAN

Additional housing is noted as a key priority goal in the Comprehensive Plan. The Comprehensive Plan identified a shortage of housing and housing types in the community. The Comprehensive Plan identified five residential growth areas: Far Northwest, Northwest, Airport area, Northeast, Southeast, East and Far East. Timberview is in the Northeast identified area.

The Future Land Use Map of the Comprehensive Plan targets the proposed area for Low-Density Residential. The Comprehensive Plan also identifies the need to provide a mix of housing types, which are identified as SFD, SFA, and multi-family. Timberview provides SFA and SFD products.

Staff believes the proposed Timberview development aligns strongly with the Comprehensive Plan. In addition, staff believes it will help address the shortage of residential housing in Pella.

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.

TRANSPORTATION

The transportation element of the Comprehensive Plan identifies future road connectivity as growth and development occurs in Pella. In the northern section of the city, a linkage that connects Hazel Street and Country Club Drive is shown to connect to Main Street and 240th Place for future circulation needs. The Timberview development provides the connections as required in the transportation element of the Comprehensive Plan. Hazel Street and Country Club Drive are connected to through streets. The Hazel Street extension will provide for future linkages to both Main Street and 240th Place.

SUMMARY AND STAFF RECOMMENDATION

In summary, staff finds that this preliminary plat meets the minimum requirements of the zoning and subdivision ordinances 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 that the Planning and Zoning Commission unanimously approved this preliminary plat on May 23, 2022.

ATTACHMENTS: Resolution, Application, Aerial Map, Preliminary Plat
REPORT PREPARED BY: Planning and Zoning Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

2. Resolution No. 6444 entitled, “RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR LELY INNOVATION PARK PLAT.”

Branderhorst moved to approve, seconded by De Jong.

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

BACKGROUND: This resolution accepts the public improvements for Lely Innovation Park Plat, which is being developed by 163 Properties Corporation (c/o Lely North America Inc.). As background, Garden & Associates has certified that the public improvements consisting of water mains and sanitary sewers have been completed and comply with the approved plans and the city’s standards for public infrastructure (SUDAS), as shown on the attached letter. The contractor has submitted four-year maintenance bonds for the water mains, sanitary sewers, and associated appurtenances.

If approved, the following improvements will be added to the city’s infrastructure assets:

- 535 LF of 8” sanitary sewer, three manholes, and seals
- 1,745 LF of 12” water main, two gate valves, and one hydrant

In summary, staff is recommending approval of this resolution accepting the public improvements consisting of water mains and sanitary sewers for Lely Innovation Park Plat.

ATTACHMENTS: Resolution, Engineer’s Letter of Certification, Final Plat
REPORT PREPARED BY: Public Works Director
REPORT REVIEWED BY: City Administration, City Clerk
RECOMMENDATION: Approve resolution

3. Resolution No. 6445 entitled, “RESOLUTION APPROVING AGREEMENT FOR SUBDIVISION IMPROVEMENTS WITH BBM PROPERTIES, LLC, AND VERMEER DEVELOPMENT, INC.”

Sporrer moved to approve, seconded by Hopkins.

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

BACKGROUND: This resolution approves an agreement for subdivision improvements at Fairway Meadows in Bos Landen. As background, in 2017, Vermeer Development submitted preliminary and final plats for the purpose of subdividing 2.37 acres located west of Bos Landen Golf Course into seven lots for residential development. When Council approved the final plat on November 21, 2017, the approval was subject to completion of a development agreement to address stormwater detention requirements. Since this time, Vermeer Development sold these properties to BBM Properties. Additionally, the necessary stormwater detention improvements have not been completed to-date.

Agreement for Subdivision Improvements

The attached agreement, which supersedes the original agreement, requires the developer to begin work on the stormwater detention improvements on November 1, 2022, or when the Bos Landen Golf Course closes for the season (whichever is sooner). The work, which specifically consists of the following items, is required to be completed by December 31, 2022:

1. Digging out the pond, grading the swale on Lot 1, installing reinforced erosion matt.
2. Removal of the silt down to 3 feet below the original pond level in the entire pond.
3. Installation of the pipe and erosion control as shown on the grading plan and seed all disturb areas.
4. Sodding the city row along Bos Landen Drive.
5. Boring the remaining private water and sanitary sewer services across the street and repair and damage to front yards, driveways, and sidewalks on the north side of Bos Landen Drive.

Under the terms of the agreement, the developer must provide a performance bond or security in the amount of the estimated cost of the improvements, which the city estimates to be \$40,000, in order for the city to issue a certificate of occupancy for residential structures within the Fairway Meadows subdivision.

Summary and Staff Recommendation

In summary, staff recommends approval of this resolution and agreement for subdivision improvements at Fairway Meadows in Bos Landen. The agreement requires the developer to complete the stormwater detention improvements by December 31, 2022.

ATTACHMENTS: Resolution, Agreement, Grading and Utility Plan, Staff Memo dated November 6, 2017 (Preliminary Plat), Staff Memo dated November 21, 2017 (Final Plat)
REPORT PREPARED BY: Planning and Zoning Director
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

G. ORDINANCES

1. Ordinance No. 1012 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA, IOWA, FOR THE PURPOSE OF ADDING A NEW CHAPTER 39, ESTABLISHING A CITY AMBULANCE SERVICE."
Branderhorst moved to place ordinance no. 1012 on its second reading, seconded by De Jong.
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

It was moved by Bandstra that the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, seconded by Sporrer.

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

Branderhorst moved that ordinance no. 1012 be adopted, seconded by Bandstra.

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

Mayor DeWaard declared the ordinance duly passed and adopted.

BACKGROUND: This ordinance amends City Code by adding a new chapter 39 establishing a city ambulance service. After discussing this ordinance during the Policy and Planning meeting on May 3, 2022, Council directed staff to place the ordinance on a future agenda for formal consideration.

As further background, on April 5, 2022, Council approved a conditional resolution of support that authorized staff to proceed with the transfer of Pella Community Ambulance assets and employees to a city service. Listed below is an overview of the items included in the attached ordinance:

- Organizational Structure. The Ambulance Service would be under the general supervision of the Ambulance Chief who subsequently reports to the City Administrator.
- Temporary Advisory Board. For the remainder of 2022, a temporary advisory board would be established to oversee the initial operations of the Ambulance Service. This board will consist of six members who will be appointed by the Mayor, subject to Council approval. This advisory board would automatically dissolve on January 1, 2023.
- Service Outside City Limits. Currently, the Pella Community Ambulance serves areas outside of the city limits of Pella. The attached ordinance authorizes the Ambulance Service to continue to serve areas outside of the corporate limits through December 31, 2022. After that date, any service provided by the Ambulance Service outside the city limits would be through agreements approved by the City Council.
- Fees. Ambulance Service fees will be established through a resolution adopted by the City Council. The fees established would be required to cover the operating costs of the Ambulance Service.

Summary: Staff recommends approval of the attached ordinance which adopts a new City Code Chapter establishing a city ambulance service.

ATTACHMENTS:	Ordinance
REPORT PREPARED BY:	City Administration
REVIEWED BY:	City Administrator, City Clerk
RECOMMENDATION:	Approve ordinance

H. CLAIMS

1. Abstract of Bills No. 2104.

Branderhorst moved to approve, seconded by Hopkins.

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

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

No comments were received.

J. POLICY AND PLANNING

From 6:47 to 7:42 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. Employee compensation review
2. Amended wage scale for FY 22-23
3. Health plan premiums for FY 22-23

Carlstone disconnected from the meeting via phone at 7:25 p.m.

4. Pella Community Ambulance transition
5. Reserve Peace Officer compensation rate

K. ADJOURNMENT

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

Meeting adjourned at 7:43 p.m.