



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

July 5, 2023

A. CALL TO ORDER BY MAYOR AND ROLL CALL

The City Council of the City of Pella, Iowa, met in regular session at the Public Safety Complex (614 Main Street) at 6:00 p.m., Mayor Don DeWaard presiding. Council members present were: Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Dr. Spencer Carlstone (present from 6:00 p.m. to 7:02 p.m. and from 8:11 p.m. to 8:33 p.m.), Dave Hopkins. Absent: None.

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

Twelve staff members and twenty-six members of the general public attended in person.

Nine members of the general public attended via conference call.

B. MAYOR'S COMMENTS

1. Approval of Tentative Agenda.

Branderhorst moved to approve, seconded by De Jong.

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

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

No comments were received.

D. APPROVAL OF CONSENT AGENDA

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

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

The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for June 20, 2023
2. Report of Committees
 - a. Community Services Board Minutes for May 19, 2023

Present: Stephen Fyfe, Nathan Guess, Amanda Schwerdtfeger, Kayla Stehlik, Glenn Steimling, Arvin Van Zante

Absent: Mike Lyons

Staff: Jeanette Vaughan, Dyan Parker Brenda Ross, Kevin Vos

12:04pm Community Services Director Jeanette Vaughan called the meeting to order.

Minutes - Motion by Van Zante, seconded by Schwerdtfeger to approve the Community Services Board Meeting minutes of February 17, 2023. Motion carried 6-0.

Discussion Items

Outdoor Pool High Dive Safety Options – Vaughan reviewed the new suggested guidelines from the Iowa Department of Health to reduce injuries to patrons using high dive diving boards. Recommendations include installing padding below the ladder, establish age or height limits for using the high dive, provide direct supervision, maintain the ladder and diving board free of moisture, install stairway instead of a ladder. Staff recommendation is to institute a 14 years or older age limit. Board discussed the options and requested more information on current height and age regulations for using other features including slides and deep end. Vaughan said she will discuss with Meyers and provide additional information via email.

Update on Rec Center Project – Vaughan stated the group is working on the design development plans that includes types and location of equipment, outlets, supplies, office items, etc. Design Development phase is due from Shive on June 8th. Next step is for the city council to review these plans and provide direction on moving forward, currently scheduled for June 20th. If they approve, the next phase will be construction drawings, followed by bidding the project. If the timeline stays on track this could be in August. Schwerdtfeger asked about funding. Vaughan reported that the fundraising committee had two fundraising events held at Bos Landen the second week of May. Guess asked who would be operating the facility once it is open. Vaughan replied that the Mayor stated at the fundraising events that the City would be hiring a company to run the facility.

Update on Community Center Project – Vaughan asked ad hoc committee members Schwerdtfeger and Van Zante to provide updates. Schwerdtfeger said that after a brainstorming session two options were developed a base plan and a base plus plan. Van Zante further elaborated that the base plan includes the HVAC, electrical and plumbing needs and reorganizing rooms on the ground floor and changing the main entrance point of the building. The second plan includes a new elevator that goes to the lower level, better access to the gym, more efficient use of existing spaces, opening up flex spaces and new restrooms. Van Zante discussed how the \$5.5 million base plan addresses the basic needs of the building and that fundraising would be needed for option 2. An on-line survey has been released to the general public. The survey will be active until May 31. There is also a public input session scheduled for Wednesday, May 24. Data from these two events will be compiled and presented to council along with a recommendation from the ad hoc committee. Once direction is received from council, design work can begin for the project. Stehlik asked for a timeline on the project. Vaughan responded that design work would take place this year with construction taking place in late 2024.

4th of July Update: Vaughan reported that 4th of July events will be held on Saturday, July 1 this year. The American Legion has two military bands performing on Saturday, July 1. They made a request to the 4th of July committee to move all events typically held on July 4th to be moved to July 1. Fireworks shooting location has been moved to Central College this year.

Department Updates:

Aquatics/Jeanette Vaughan for Alex Meyers

- We currently have 40 lifeguards available to work this summer. With 9 finishing training and new hire paperwork. Would like to have 65 lifeguards on staff.
- Hired all concessions/admissions positions. Sports park shifts began April 24.
- Trying to hire a full-time custodian.
- Training lifeguards and concessions/admissions workers
- Park staff are helping with the startup of the outdoor pool. Opening day is planned for 5/29.
- Tubes Slides are getting painted.

Parks/ Jeanette Vaughan for Chandler Nunnikhoven

- Tulip Time went great.
- Planting annuals will begin next week.
- Mowing is going well.
- Still looking to fill an open full-time position.

Golf & Athletic Fields/Kevin Vos

- Daily athletic field preps for baseball/softball/soccer sports, field painting.
- Soccer irrigation – currently not operating due to low flow of water. Working with contractors and city staff to diagnose what the issue is.
- Soccer complex fields – worn areas have been seeded, extra fertilizer applied.
- Bos Landen irrigation – numerous pipe leaks and sprinkler heads breaking, rotating drives failing.
- Golf – men’s league starting, women’s league is offered – very good response.
- Golf college/high school season almost completed – Pella Christian (May 11) and Pella High (May 15) schools both hosted sectionals at Bos Landen.
- 70+ seasonal golf passes sold so far.
- Golf – usage has been increasing with warmer weather.
- Golf – aerifying greens May 22 & 23 – course closed.
- May 13 heavy rains caused erosion issues along pond banks and creeks throughout the golf course.
- Staff – Open positions are Sports Park summer seasonal, Golf course maintenance groundskeeper, Filled Sports Park part time 1200-hour Maintenance Worker position.
- Bos Conference Center project coming along, with a late summer/fall completion.

Art & Rec/Brenda Ross

- Gritters Electric will be replacing burned out lights in the Auditorium.
- Vander Linden Services has been contacted about AC on the 3rd floor not working.
- Union Street Players had 8 performances of Elephant & Piggie: There were 803 attendees.
- 762 attended the 4-day Quilt show at the Memorial Building during Tulip Time
- Art Center is done for the school year and summer classes will start next week.

Adjournment: Motion by Fyfe, seconded by Guess to adjourn the Community Services Board Meeting. Motion carried 6-0

The next meeting is scheduled for Friday, June 16, 2023, at noon in room 204, in the Community Center.

Meeting adjourned at 12:58 pm.

Respectfully submitted:

Dyan Parker

3. Petitions and Communications

a. Renewal of Class E Retail Alcohol License and Approval to Enroll in the Automatic Renewal Program for Hy-Vee

BACKGROUND: Hy-Vee, located at 118 SE 9th Street, has applied for renewal of their class E retail alcohol license. The term of the new license is 12 months and, if approved, would expire on August 28, 2024.

Additionally, the applicant is requesting to enroll in the automatic renewal program. As background, pursuant to Iowa Code sections 123.35(2), 123.35(3), and 123.35(4), the Iowa Alcoholic Beverages Division (ABD) began offering an automatic renewal program to class E retail alcohol license holders effective January 1, 2023. Class E retail alcohol licenses are most typically held by grocery, liquor, and convenience stores and allow for the sale of alcoholic liquor for off-premises consumption in original unopened containers. If an applicant chooses to enroll in this program, they can automatically renew their license annually without local authority approval. It is important to note that there are a variety of situations in which applicants would be unenrolled from the automatic renewal program including a suspended/revoked license, civil penalty, pending administrative proceeding, and if the local authority notifies the ABD that the automatic renewal should not occur as further review of the business or premises is warranted.

The application has been completed online with the state, and staff is recommending approval of both the renewal and enrollment in the automatic renewal program.

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve renewal of the alcohol license and enrollment in the automatic renewal program

b. Renewal of Class C Retail Alcohol License with Catering and Outdoor Service for Pella Golf and Country Club

BACKGROUND: Pella Golf and Country Club, at 600 Elm Street, has applied for renewal of their class C retail alcohol license with catering and outdoor service privileges. The term of the new license is 12 months and, if approved, would expire on July 7, 2024.

The application has been completed online with the state and, at the time of packet publication, is pending dram shop certification. Staff is recommending conditional approval pending the receipt of dram shop certification.

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve renewal pending receipt of dram shop certification

c. **Renewal of Class C Retail Alcohol License for Artisanal DBA Dekelder Speakeasy**

BACKGROUND: Artisanal, LLC, DBA Dekelder Speakeasy at 621 Franklin Street, has applied for renewal of their class C retail alcohol license. The term of the new license is 12 months. If approved, the new license would expire on July 14, 2024.

It is important to note that the applicant has communicated to staff that they intend to apply to add outdoor service privileges to this license; however, due to the business' location in the Central Business District, the applicant will need to obtain approval for the fencing structure that would be located in this area from the city's Community Development Committee (CDC). Staff has informed the applicant that their request to add outdoor service to their alcohol license will need to be considered separate from this renewal at a future City Council meeting after consideration by the CDC.

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

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

E. CLOSED SESSION

1. At 6:01 p.m., De Jong moved to enter into closed session pursuant to Iowa Code Chapter 21.5 1(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, seconded by Branderhorst.

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

Carlstone exited the meeting at 7:02 p.m.

Council reconvened to open session at 7:04 p.m. No action was taken regarding this closed session.

Council adjourned for a brief recess from 7:05 p.m. to 7:08 p.m.

F. RESOLUTIONS

1. Resolution No. 6602 entitled, "RESOLUTION APPROVING CHANGE ORDERS NO. 1 & 2 (FINAL QUANTITY ADJUSTMENT AND MISCELLANEOUS ITEMS) AND ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE PRAIRIE RIDGE WEST SANITARY SEWER PROJECT."

De Jong moved to approve, seconded by Hopkins.

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

BACKGROUND: This resolution approves change orders no. 1 & 2 (final quantity adjustment and miscellaneous items) and accepts the public improvements for the Prairie Ridge West Sanitary Sewer project. As background, Council approved a contract for this project with J&K Contracting on June 29, 2022. This project included all labor, material, and equipment to construct 5,112 linear feet of 12-inch diameter sanitary sewer in open cut installation, 17 manholes, excavation, backfill, manhole connection to existing sewer, and miscellaneous associated work, including cleanup.

Change Orders

The following change orders are under consideration with this resolution:

- Change order no. 1 increases the contract by \$1,190.20 to add a 48" riser section on manhole #1.
- Change order no. 2 increases the contract by \$4,078.70 for final quantity adjustments:
 1. Remove and replace culvert, increase of \$6,453.70
 2. Reduce quantity of field tile, decrease of \$2,375.00

Contract Summary: If approved, below is an updated contract summary:

Original contract	\$1,051,466.00
Change order no. 1	1,190.20
Change order no. 2	4,078.70
Final contract amount	\$1,056,734.90

In accordance with the previously approved Southwest Trunk Sewer Extension Cost Sharing Agreement with RDP Holdings, which was approved by the City Council on June 29, 2022, the parties agreed to split any project costs above \$900,000 equally; therefore, if this resolution is approved, the City of Pella's financial responsibility of the change orders under consideration totals \$2,634.45.

Acceptance of Project: The project engineer, Veenstra & Kimm, is recommending acceptance of the project and believes the project was completed in accordance with the approved plans and specifications. Staff is in agreement with the engineer's opinion; therefore, staff is recommending approval of this resolution approving change orders no. 1 & 2 and accepting the public improvements constructed by J&K Contracting. If approved, the retainage amount of \$52,836.75 will be held for 30 days.

ATTACHMENTS: Resolution, Engineer's Acceptance Letter, Change Order No. 1 & 2
REPORT PREPARED BY: Public Works Department
REPORT REVIEWED BY: City Administrator, City Clerk
RECOMMENDED ACTION: Approve resolution

G. CLAIMS

1. Abstract of Bills No. 2130.

De Jong moved to approve, seconded by Hopkins.

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

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

Four comments were received.

I. POLICY AND PLANNING

From 7:23 p.m. to 8:32 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. Pella Ambulance and Dispatch Update
2. US Cellular request to place Wireless Support Structures adjacent to a Municipal Park and/or Residential Lots
3. Annual Personnel Policy Manual Update

Carlstone re-entered the meeting at 8:11 p.m.

I. ADJOURNMENT

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

Meeting adjourned at 8:33 p.m.