



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

July 6, 2021

### **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, Calvin Bandstra, Bruce Schiebout, Dave Hopkins. Absent: Lynn Branderhorst. City Administrator Mike Nardini and City Clerk Mandy Smith were present. Five staff members and sixty-nine members of the general public attended in person. Two staff members and sixty-one members of the general public attended via conference call.

### **B. MAYOR'S COMMENTS**

1. Announce no Policy and Planning meeting will be held following the regular Council meeting.
2. Approval of Tentative Agenda.  
Bandstra moved to approve, seconded by Hopkins.  
On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

### **PUBLIC FORUM (for anyone wishing to address Council regarding agenda items)**

No comments were received.

### **C. APPROVAL OF CONSENT AGENDA**

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

The following items were approved:

1. Approval of Minutes
  - a. Official Council Minutes for June 29, 2021
2. Report of Committees
  - a. Airport Committee Minutes for April 30, 2021  
Members Present: Rick Gritters, Tom Vander Linden, Eric Recker, Ted Zylstra, Matt Hutchinson; Members Absent: None  
Others Present: Shane Vande Voort, David Corbin  
Approval of Minutes: Previous minutes reviewed and amended as requested.  
Motion: Brought by Tom Vander Linden to approve amended minutes, supported by Rick Gritters, motion passed unanimously.  
Update: Jeff Bollard has been appointed to the committee as a new member, but was not able to attend.  
Regional Airport Update: With the departure of both committee members Pinney and Barnes, we no longer have an active member of the regional airport committee to give an update.  
Shane Vande Voort provided information that regional airport is in the process establishing value on the remain parcels of land to begin negotiations, and that information is being provided to the Iowa Supreme Court to determine a final ruling on the 28-E lawsuit.  
Airport Managers report to the committee: Cub Cadet mower has a bad hydraulic motor, which is beyond economic repair. A special emergency request has been made for a replacement to ensure the airport has two working mowers throughout the season. Denny Buyert is working on that request. A new pickup has been approved by the city, with an anticipated delivery for September, which will be helpful going into the fall and winter season. Flight instructing is busy, adding a full-time and part-time summer position. Shop is busy, transient traffic and fuel sales are picking up. AWOS is still failing. Signage still needed for automatic gate. Shane will investigate with Denny and determine if multiple quotes are needed to acquire. A new updated storm water prevention plan was required. Garden and Associates created new plan based on previous plan, so a good price was negotiated. With the completion of the new corporate hangar, congestion will become an even bigger issue on the south ramp. An additional 75' would alleviate the traffic issues.  
Tulip Time Flight Breakfast: Discussion on planning and responsibilities for May 8th Flight breakfast were discussed.  
New Business: Follow-up discussion on AIP requests on AWOS, and pending capital requests. Additional investigation into COVID relief funding is requested as fund are released.  
Introduction of new Regional Airport Committee member: David Corbin has been appointed to the regional airport committee and chose to attend our meeting to get some historical perspective on the current situation, as he tries to make the best decisions in regard to the aviation needs of the city and region. We appreciate his interest, and openly invite any other committee or council members to attend our meetings to understand the needs of the existing airport, or what would be required during the transition to ensure things flow smoothly.  
Final Comments: Tom Vander Linden will be resigning as he is moving to Fairfield, we will be working through this transition as a committee and establishing new leadership moving forward for the Pella Airport Committee.  
Adjourn: Motion by Tom Vander Linden, support by Ted Zylstra, passed unanimously.  
Next regular meeting will take place on June 25, 2021

## b. Planning and Zoning Commission Minutes for May 24, 2021

Vice-Chairperson Vos 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 (joined via phone at 7:03 p.m.), Julio Chiarella, Cathy Haustein, Kisha Jahner, Tom Johnson, Dave Landon, Robin Pfalzgraf, Ann Visser, and Teri Vos; absent: Mark Groenendyk. Staff present: City Administrator Mike Nardini, City Planner Gerald Buydos, Code Enforcement Officer Jared Parker, and the Deputy City Clerk. Due to heightened public health risks associated with the COVID-19 pandemic, accommodations were made to broadcast this meeting via conference call. Three members of the public attended the meeting in person and five individuals joined the conference call.

Commissioner Buchheit and City Planner Gerald Buydos were introduced to the Commission. Mayor Don DeWaard and Council member Bruce Schiebout were also in attendance and introduced.

APPROVAL OF TENTATIVE AGENDA: Motion by Pfalzgraf, second by Visser to approve the tentative agenda. Motion carried 9-0.

APPROVAL OF MINUTES: Motion by Landon, second by Pfalzgraf to approve the minutes of the April 26, 2021 meeting. Motion carried 9-0. Canfield joined the conference call at 7:03 p.m.

NEW BUSINESS PROPOSED: Consider a Site Plan for an Office Along 218th Place

Bruce Schiebout has submitted a site plan to construct an 8,000-square-foot structure on the property located at 218th Place. The overall site layout was approved as part of the conditional rezoning of the property to Limited/Light Industrial (M1). The proposed site plan satisfies pertinent City Code and is consistent with the Comprehensive Plan. Staff recommends approval of the site plan as submitted.

In response to a question from the Commission, City Administrator Mike Nardini explained building coverage for site plans. Buydos identified the location of the proposed driveway for the office.

Motion by Landon, second by Visser to approve the site plan as submitted. Motion carried 10-0.

OTHER BUSINESS / PUBLIC FORUM / WORK SESSION

Work Session to Discuss the Proposed Prairie Ridge Commercial Urban Renewal Plan

The purpose of this work session was to discuss the proposed Prairie Ridge Commercial Urban Renewal Plan (URP), which would include the commercial development that is located northeast of the Washington Street and Fifield Road intersection. The developer is proposing to construct a Smash Park recreation center, which is scheduled to open in 2022. In addition, the developer is willing to commit to construction of a fast-casual restaurant by December 2024.

To support the development, the developer will be required to construct on-site public infrastructure improvements including a new commercial roadway within the development of approximately 600 linear feet and an extension of the City's sanitary sewer system. The estimated cost of this public infrastructure is \$1,157,000.

The City's engineering consultant recommends that a right-turn lane on westbound Washington Street approaching Fifield Road be installed in 2022, as well as the installation of traffic signals at the intersection of Washington Street and Fifield Road prior to the fast-casual restaurant opening.

Staff believes the proposed development addresses a critical shortage in the community of eating and drinking establishments. Staff also believes the proposed URP aligns and is in conformance with the City's Comprehensive Plan.

Mayor DeWaard answered questions from the Commission about the 19-acre site. He explained that Smash Park and the fast-casual restaurant would be built on roughly six of the 19 acres.

Vos asked for guidance on how to approach items that come before the Commission for consideration that have already been promoted in the media. Nardini explained that the City has specific rules to follow under City Code when it comes to consideration of development projects, but that it is generally at the discretion of the developer to decide when they would like to release announcements to the media about upcoming projects.

Work Session to Discuss the Proposed Oskaloosa Street Corridor Redevelopment Plan

The purpose of this work session was to discuss the proposed Oskaloosa Street Corridor Redevelopment Plan. In 2018, Council approved an agreement with Snyder & Associates to develop guidelines for this corridor, which Council ultimately approved on December 17, 2019. The project was intended to identify needed commercial development within Pella and formalize a strategy for recruiting potential businesses. The geographical area of this corridor extends from the intersection of Main Street and Oskaloosa Street to the intersection of Oskaloosa Street and 240th Avenue. The plan focuses on the promotion of infill development to utilize existing infrastructure.

The development guidelines recommend zoning amendments for the segment of Oskaloosa Street between Main Street and Carson Street. Included in the regulations are allowing brewpubs, microbreweries, and cocktail lounges to operate by right in this area. Currently, these zoning uses require a special use permit. Recommendations have been made for limiting the allowable uses in this geographical area. The development regulations regarding setbacks, parking requirements, lot areas, etc. will need to be reviewed and updated with the new guidelines.

The City Council recently reviewed this plan and directed staff to proceed with the next phases of implementation, which involve potential zoning changes. Canfield mentioned there may be an opportunity for a small group of representatives from the Commission to work with a consultant and City Council members regarding the next steps for this project. An email will be sent to the Commission with an estimated time commitment for this work. If appointments have not been made to this group by the next Commission meeting, Nardini stated that there will likely be another work session to discuss this item at that time. Vos asked that the group's decisions be communicated to the full Commission.

Nardini stated that staff will check with the City Attorney for clarification on whether grandfathered zoning uses would continue to be allowed after a property was sold. He said, as he understands it, the use would be allowed to remain if it was continuous. However, if a grandfathered use lapses for longer than six months, it may no longer be allowed.

Work Session to Discuss Potential Future Zoning Amendments

During this work session, potential future zoning amendments were discussed with the Commission, including the voluntary rezoning petition, land use compatibility issues, signage, and parking requirements. Plans are being made to hold a joint City Council-Planning and Zoning Commission meeting later this year to discuss City priorities, economic development, zoning issues, and other concerns.

Vos asked Nardini to revisit the questions that she asked in an email she sent on April 6, 2021 and provide answers either through email or at the next Commission meeting. Nardini stated he will review that email and address those questions during a work session at the next Commission meeting.

Canfield stated that it is important that design review requirements for the proposed Oskaloosa Street Corridor Redevelopment Plan do not conflict with any other design review requirements that may already be in place.

The Commission agreed to move forward on making a decision regarding the voluntary rezoning petition. Future potential zoning amendments for land use compatibility issues, signage, and parking requirements will likely be discussed as part of the Oskaloosa Street Corridor Redevelopment Plan process.

Other: Canfield reported that Scott and Jena Sales, owners of GROOM Barber Lounge, had reached out to him. They are in the process of trying to purchase 717 Main St. with plans to move their barber shop into the building and live upstairs. There is a City Code requirement to provide two parking spaces on-site for the residence. However, due to the lot configuration, the Sales family cannot comply with the parking requirement. There are other residences located above businesses on the square which have been grandfathered in and are not

required to provide on-site parking, as the residential uses existed prior to the enactment of the parking requirement. Canfield has forwarded the Sales' email to staff, who will then send it out to the Commission. This item will be brought forward to the Commission for discussion during the June 28, 2021 work session.

Nardini estimated that upcoming meetings will likely take roughly 90 minutes and asked the Commission to plan accordingly. The next regular Planning and Zoning Commission meeting is scheduled for June 28, 2021. Adjourned at 8:24 p.m.

### 3. Petitions and Communications

#### a. Special Event Permit Request for Ridiculous Days

##### i. Resolution No. 6309 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS RIDICULOUS DAYS"

BACKGROUND: The Pella Historical Downtown Retail Group is requesting a special event permit for Ridiculous Days on Friday, July 30, 2021 and Saturday, July 31, 2021.

On Friday, July 30th, the event is requested to occur from 10:00 a.m. to 5:00 p.m. During this time, the promoter is requesting to display merchandise on tables and racks placed in front of businesses and on the sidewalk near the curbs, leaving the middle of the sidewalk open for foot traffic. No road closures are involved with this portion of the event.

On Saturday, July 31st, the event is requested to occur from 8:00 a.m. to 4:00 p.m. On this date, the promoter is requesting closure of Franklin Street (Broadway to E. 1st) and Main Street (Washington to Franklin), as outlined on the attached map. These closures are being requested for the purpose of allowing extra room for social distancing measures by placing tables and racks of merchandise in the parking areas of these streets. These road closures are consistent with the 2020 Ridiculous Days special event permit.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.

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

#### b. Special Event Permit Request for CROP Walk

BACKGROUND: Larry Happel has requested a special event permit for the Pella CROP Walk scheduled for Sunday, September 26, 2021 at 2:00 p.m. Set-up is requested to begin at 12:30 p.m. with take down complete by 4:00 p.m.

As background, this event involves a 5K walk for the purpose of raising funds and awareness in the fight against world hunger.

Approximately 75-100 attendees are expected to participate in this annual event. If approved, the walk would begin and end at the Tulip Toren, following the same route as the Klompen Classic in reverse direction. It is important to note, attendees would be walking on the sidewalks; therefore, no street closures are requested as part of this event.

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

#### c. Special Event Permit Amendment Request for Thursdays in Pella

##### i. Resolution No. 6310 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS THURSDAYS IN PELLA"

BACKGROUND: The Pella Area Community and Economic (PACE) Alliance has requested to amend their special event permit for Thursdays in Pella, which was originally approved by Council on May 18, 2021. As background, the Thursdays in Pella event on June 24 was canceled due to inclement weather. As a result, the promoter is requesting to reschedule the previously approved street closures.

If approved, the following street segments would be closed from 3:00 to 9:30 p.m. on July 29, 2021:

- Broadway Street (Washington to Franklin)
- Main Street (Washington to the alley between Franklin and Liberty)
- Franklin Street (Broadway to East 1st)

All pertinent City departments have reviewed this amendment request and comments are attached. No additional fee or insurance certificate is required for this amendment; therefore, approval is recommended.

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

#### d. Renewal of Class C Liquor License with Catering, Outdoor Service, and Sunday Sales Privileges for Pella Golf and Country Club

BACKGROUND: Pella Golf and Country Club, at 600 Elm Street, has applied for renewal of their class C liquor license with catering, outdoor service, and Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on July 7, 2022. 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

e. **Renewal of Class C Liquor License with Outdoor Service and Sunday Sales Privileges for Your Private Bartender**

BACKGROUND: Your Private Bartender, at 1981 Fifield Road, has applied for renewal of their class C liquor license with outdoor service and Sunday sales privileges. This location is the site of the Sun Valley Barn event venue. The term of the new license is 12 months and, if approved, would expire on July 8, 2022.

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

**D. PUBLIC HEARINGS** – None

**E. PETITIONS & COMMUNICATIONS**

1. **New Class C Liquor License with Sunday Sales Privileges for Artisanal, LLC, DBA Dutchfix.**  
Hopkins moved to approve, seconded by Sporrer.

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

BACKGROUND: Artisanal, LLC (DBA Dutchfix) at 621 Franklin Street has applied for a new class C liquor license with Sunday sales privileges effective July 15, 2021. The term of the new license is 12 months and, if approved, would expire July 14, 2022.

The application has been completed online with the state. Staff is recommending approval.

ATTACHMENTS: Request from Dutchfix  
REPORT PREPARED BY: City Clerk  
REVIEWED BY: City Administrator  
RECOMMENDATION: Approve license

**F. PLANNING & ZONING ITEMS** – None

**G. ADMINISTRATION REPORTS** – None

**H. RESOLUTIONS**

1. **Resolution No. 6311 entitled, “A RESOLUTION IN SUPPORT OF THE PROPOSED TERMS TO BE INCLUDED IN AN AGREEMENT FOR PRIVATE DEVELOPMENT BY AND BETWEEN THE CITY OF PELLA AND PELLA MAIN STREET MARKET, LLC.”**

Hopkins moved to approve, seconded by Sporrer.

On roll call the vote was:

AYES: 4 (Hopkins, Sporrer, De Jong, Bandstra)  
NAYS: 1 (Schiebout)

Motion carried.

BACKGROUND: This resolution is a conditional resolution of support for the Pella Main Street Market at 503 Main Street. As background, Council discussed this item on June 15, 2021, directing staff to place this resolution on a future agenda for formal consideration. The developer for this site is proposing the Pella Market, which is intended to be similar to the Gateway Market in Des Moines. According to the developer, the proposed Pella Market will offer fresh food and friendly service by providing produce essentials, freshly baked artisan breads, unique grocery, a collection of cheeses, distinctive wines, chef-crafted meals-to-go, and food and wine educational experiences for their customers. The Café will serve breakfast options, lunch, and dinner and will offer catering and boxed lunches of the same quality found in the market.

Comprehensive Plan: The City’s Comprehensive Plan identified a shortage of restaurants and drinking establishments in the community. The Comprehensive Plan identified this area as a ‘service gap’ where the local demand exceeds the retail supply. In addition, the Comprehensive Plan has identified this section of Main Street as a commercial corridor and economic development area for the City of Pella. Staff believes the proposed Pella Market strongly aligns with the Comprehensive Plan. In addition, staff believes it will help address the shortage of eating and drinking establishments in Pella and will be a nice compliment to the new South Main development. It is also important to note, the City Council rezoned this property in May of 2021 and, at the time, made a determination this commercially zoned area was in conformance with the Comprehensive Plan.

Webster Park Urban Renewal Plan: In October of 2018, the City Council adopted the Webster Park Urban Renewal Plan to establish the Webster Park Urban Renewal Area, which encompasses the location of this project. The primary objectives of the Plan are to provide opportunities and incentives for redevelopment that promote blight remediation, as well as to stimulate private investment in new residential development which enhances the economic vitality of the community.

As a part of the urban renewal adoption process, a consultant evaluated the property in the Webster Park Urban Renewal Area and found that 75% of the Area is considered ‘blighted’ under Iowa law. One of the blighted properties in the Area is the location of this project.

Financial Request by Developer: Due to the complexity of the project, which involves redevelopment of blighted property, the developer is requesting to receive economic development grants funded through tax increment financing (TIF) revenues generated by the development. The estimated cost of the project is \$5.0 million. Furthermore, operating a venture similar to the Gateway Market in a small demographic area is extremely challenging for the developer. As a result, the developer is requesting 15 years of TIF rebates for the project. Based on agreed upon assessment valuations, this equates to \$1,775,000 in potential TIF rebates to the developer over a 15-year time period.

Minimum Assessment Agreement: As a condition of a potential development agreement, the developer will be required to complete a minimum tax assessment agreement for the project. This agreement establishes the minimum taxable valuation for the project at \$4 million (gross valuation approximately \$5 million) and increases by 2% on an annual basis.

Financial Analysis: In analyzing this proposed financial arrangement, it is important to keep in mind that the developer is proposing to be reimbursed as property taxes are received from the development. This means the City of Pella would only pay the developer if incremental property taxes are collected from the development. Under this structure, most of the risk is transferred to the developer because the developer will only receive grants equal to the amount of increased property taxes actually generated by the project and collected as tax increment by the City. Furthermore, staff believes the City of Pella can provide services to this development without triggering significant increases in the City's workforce.

It is also important to understand that TIF revenues are only a portion of the total tax revenues paid to the local tax entities. Specifically, the local taxing entities will still receive their debt service levy from this property, and the school district will receive its PPEL and ISPL taxes as well. For example, listed below is a comparison of the property taxes generated by the three former houses which occupied this site versus the property taxes the governmental entities will receive if the Pella Market is constructed:

Projected non-TIF property taxes received from the proposed Pella Market:	\$15,600
Less property taxes received from the former residential properties: (706 Independence, 704 Independence, 503 Main Street)	<u>(2,600)</u>
Net annual increase in property taxes received	\$13,000

In the above example, the Pella Market would generate an additional \$13,000 annually in property taxes to support the Pella Community School District, Marion County, and the City of Pella. Furthermore, the Market has the potential to draw visitors to our community which will also produce a positive economic impact for the community.

Conditional Resolution of Support: The developer would like to begin construction of the proposed Pella Market this summer. As a result, the developer is requesting a conditional resolution of support from the City of Pella. The resolution of support is intended to clarify the items the City intends to include in a potential development agreement with Pella Main Street Market, LLC. It is important to note, this resolution does not create binding obligations for the City, but rather describes potential contributions toward the project. The contributions are conditioned on the developer meeting certain conditions including complying with all City requirements and the City Council approving a development agreement for the project.

Listed below are key aspects of the conditional resolution of support:

Responsibilities of the Developer

A. The developer will be required to construct the proposed Pella Market by December of 2022.

B. The developer will be required to construct the proposed Pella Market in accordance with all City standards including the recently approved PUD ordinance which established design standards for the Market.

C. The developer will be required to sign a minimum tax assessment of \$4 million for the proposed Pella Market and agree to a 2% increase annually on the assessment.

D. The developer will be required to operate the Pella Market six days a week for at least eight hours per day. The Market will also be required to provide fresh food and friendly service by providing produce essentials, freshly baked artisan breads, unique grocery, a collection of cheeses, distinctive wines, chef-crafted meals-to-go, and food and wine educational experiences for their customers.

Responsibilities of the City of Pella

The proposed conditional resolution of support includes 15 grants to the developer each in the amount of 100% of the tax increment produced by the project and received by the City under Iowa Code Section 403.19. The aggregate amount of the grant payments to the developer shall not exceed \$1,775,000.

Conditions of the Resolution of Support: The resolution of support is conditioned upon the City of Pella completing all legislative processes necessary for the project to be included in the Webster Park Urban Renewal Plan. In addition, the resolution of support is subject to the City Council approving a development agreement for the project.

Summary: Staff believes the proposed Pella Market development addresses a critical shortage within the community of eating and drinking establishments. In addition, this development aligns closely with the City's Comprehensive Plan. Furthermore, the project will meet a key goal of the Webster Park Urban Renewal Plan which was the elimination of blight through economic development.

From a financial standpoint, staff believes most of the risk is transferred to the developer, as they will only receive rebate payments if property taxes are paid on the development property. In addition, the local taxing entities will receive property taxes from this property for their tax levies that are excluded from TIF.

Finally, staff believes this project could lead to additional redevelopment in the southern portion of our community. As Council is aware, development is a key aspect of a strong local economy and vibrant community.

ATTACHMENTS: Resolution  
REPORT PREPARED BY: City Administration  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDED ACTION: Approve resolution

## 2. Resolution No. 6312 entitled, "RESOLUTION APPROVING AMENDMENT NO. 1 FOR ENGINEERING SERVICES WITH GARDEN & ASSOCIATES FOR THE OOST POORT ALLEY AND PARKING LOT RECONSTRUCTION PROJECTS."

Schiebout moved to approve, seconded by De Jong.

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

BACKGROUND: This resolution approves amendment no. 1 to the City's engineering contract with Garden & Associates for the Oost Poort Alley and Parking Lot Reconstruction projects. As background, the original engineering contract was approved by Council on November 6, 2017. Since that time, the project scope has changed from one complete project to two phases over different construction seasons. The purpose for this change was to reduce disruptions to impacted citizens and business owners. Phase one was completed in 2020. Since this time, Garden & Associates has been working under the amount set forth in the original contract. Splitting the project into phases caused the engineer to prepare two sets of plans/specifications and to manage two separate bid lettings and contracts.

Amendment No. 1: The amendment under consideration splits the project into two phases. It is important to note that the amount of this amendment is lower than expected as the same construction observation inspector is being utilized for both the Oost Poort Alley and Parking Lot Reconstruction project as well as the Neil Drive/218th Avenue reconstruction project.

If approved, listed below is an updated contract summary:

Original engineering contract	\$150,500
Amendment no. 1	<u>40,000</u>
Total revised engineering contract	\$190,500

It is important to note that the revised engineering fees of \$190,500 are approximately 15% of the total \$1,259,962 construction cost for both project phases, which staff believes is reasonable. As a result, staff is recommending approval of this resolution approving amendment no. 1 to the City's engineering contract with Garden & Associates for the Oost Poort Alley and Parking Lot Reconstruction projects.

ATTACHMENTS: Resolution, Original Agreement, Amendment No. 1, Engineer Letter  
REPORT PREPARED BY: Public Works Director  
REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve resolution

3. Resolution No. 6313 entitled, "RESOLUTION APPROVING AMENDMENT NO. 1 FOR ENGINEERING SERVICES WITH GARDEN & ASSOCIATES FOR THE 218<sup>TH</sup> AVENUE AND NEIL DRIVE RECONSTRUCTION PROJECT."

Bandstra moved to approve, seconded by Hopkins.

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

BACKGROUND: This resolution approves amendment no. 1 to the City's engineering contract with Garden & Associates for the 218th Avenue and Neil Drive Reconstruction project. As background, the original engineering contract was approved by Council on October 1, 2019. The original contract was for the purpose of constructing a 24-foot-wide asphalt rural cross section roadway with ditches. After approval, the project scope was expanded to construct a 31-foot-wide concrete urban cross section, additional storm sewer and intakes, a five-foot-wide sidewalk, and the east-west segment of Neil Drive to Idaho Drive.

Amendment No. 1: The project scope revisions outlined above increased the required design, construction observation, and staking effort of the project. As a result, this amendment adjusts the engineer's chargeable hours to finish the project.

If approved, listed below is an updated contract summary:

Original engineering contract	\$118,000
Amendment no. 1	<u>15,000</u>
Total revised engineering contract	\$133,000

It is important to note that the revised engineering fees of \$133,000 are approximately 10% of the \$1,282,721 construction cost, which staff believes is reasonable. As a result, staff is recommending approval of this resolution approving amendment no. 1 to the City's engineering contract with Garden & Associates for the 218th Avenue and Neil Drive Reconstruction project.

ATTACHMENTS: Resolution, Original Agreement, Amendment No. 1, Engineer Letter  
REPORT PREPARED BY: Public Works Director  
REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve resolution

4. Resolution No. 6314 entitled, "RESOLUTION APPROVING ENGINEERING SERVICES AGREEMENT WITH GARDEN & ASSOCIATES FOR THE BOS LANDEN DRIVE RECONSTRUCTION PROJECT."

Hopkins moved to approve, seconded by De Jong.

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

BACKGROUND: This resolution approves an engineering services agreement with Garden & Associates for the Bos Landen Drive Reconstruction project. As background, this street segment begins at Highway T-15, extending east approximately 1,300 LF. This roadway has serious undermining due to the steepness of the street causing premature failure and collapsing of the paving. The reconstruction project will include several storm water cut off walls with an extensive tiling system to prevent future undermining of the subgrade. Once storm water improvements are completed, the entire 1,300 LF street segment will be repaved.

Garden & Associates has worked with the City of Pella on many street projects including North Main, University, Hazel, Broadway, Washington, Jefferson, Oskaloosa, Elm, Lincoln, and Neil Dr./218th Ave. Garden & Associates has been very competitive in price, professional in all aspects of their product delivery, and provides excellent service. In addition, staff believes their fees are reasonable in relation to the scale of the project.

The estimated breakdown of the not-to-exceed engineering fees is listed below:

Preliminary & Final Design	\$30,000
Construction Administration, Observation & Staking	<u>51,500</u>
Total Engineering Services	\$81,500

Staff estimates the preliminary construction cost estimate for the project is \$675,000; this figure will be revised and expanded in greater detail by the engineer. The funding source for the project will be road use tax. If approved, construction is estimated to begin in spring of 2022.

ATTACHMENTS: Resolution, Map, Engineering Services Agreement  
REPORT PREPARED BY: Public Works  
REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve resolution

**I. ORDINANCES** – None

**I. CLAIMS**

1. Abstract of Bills No. 2082.

Hopkins moved to approve, seconded by Schiebout.

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

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

Comments relating to the City of Pella statement regarding the Pella Aquatic Center were received and addressed.

**L. CLOSED SESSION** – None

**M. ADJOURNMENT**

There being no further business claiming their attention, Bandstra moved to adjourn, seconded by Hopkins. On roll call the vote was: AYES: 5, NAYS: None. Motion carried.  
Meeting adjourned at 7:51 p.m.