



CITY OF PELLA

CITY COUNCIL OFFICIAL MINUTES

July 18, 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 (arrived at 6:14 p.m.). Absent: Dave Hopkins.

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

Ten staff members and thirty-three members of the general public attended in person.

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

B. MAYOR'S COMMENTS

1. Approval of Tentative Agenda.

Item J-1 was pulled from the agenda.

Branderhorst moved to approve the agenda as amended, seconded by Sporrer.

On roll call the vote was: AYES: 4, 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

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

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

The following items were approved:

1. Approval of Minutes
 - a. Official Council Minutes for July 5, 2023
2. Report of Committees
 - a. Policy and Planning Minutes for July 5, 2023

PRESENT: Mayor Don DeWaard, Mark De Jong, Liz Sporrer, Lynn Branderhorst, Calvin Bandstra, Dave Hopkins, Dr. Spencer Carlstone (from 8:11 p.m. to 8:32 p.m.)

ABSENT: None

OTHERS: City staff and visitors

The Policy and Planning meeting began at 7:23 p.m.

The first items on the agenda were updates related to Pella Ambulance and Pella Police Dispatch:

Pella Ambulance Service to Rural Entities

On May 2, 2023, Council directed staff to negotiate a two-year proposal to provide ambulance service to the City of Leighton, Lake Prairie and Summit Townships in Marion County, as well as Black Oak and Richland Townships in Mahaska County. City Administrator Mike Nardini informed Council that Lake Prairie Township (the representative for these entities) is holding a meeting tonight to discuss the city's proposal. Nardini anticipates discussing the outcome of that meeting with Council on July 18, 2023.

Council member Branderhorst stated she is concerned about ambulance service being withheld to the townships if they do not have the ability to contribute financially. Nardini responded that the cost to serve the townships is estimated at \$130,000 per year. The initial offer from the City of Pella was for the townships to pay \$36,000 to receive ambulance service in FY 22-23 and \$66,000 in FY 23-24.

Furthermore, Nardini stated he has requested capital expenditure details from the townships which have not been provided to date. Staff has only been able to review fund balances and annual revenues of the townships which leads staff to believe the townships have the financial ability to pay the amounts proposed. Nardini added that the philosophical question the City Council will need to address is the subsidization of township ambulance services by the citizens of Pella.

Pella Ambulance Staffing and Hospital Transfers

Pella Ambulance is currently experiencing staffing issues as several part-time employees have gained full-time employment with other agencies. Staffing options and potential modifications to meet service levels are being reviewed. Regarding staffing, Nardini stated that if modifications are deemed necessary that would exceed the budgetary allotment, Council direction will be sought before making any changes. Furthermore, staff intends to contact Pella Regional Hospital regarding hospital transport services that Pella Ambulance is currently providing. Transports create a staffing issue as several Pella Ambulance employees are dedicated to the transport for an extended period of time, requiring additional employees to cover 911 calls. Staff presented the following data which shows an increase in 911 calls over three calendar years:

Year	Hospital Transports	911 Calls	Total Runs
2020	501	1,238	1,739
2021	480	1,406	1,886
2022	462	1,711	2,173

Ambulance Chief Greg Higginbotham informed Council that Pella Ambulance has transported patients to a variety of locations including Des Moines, Cedar Rapids, Mason City, Iowa City, Waterloo, and Rochester, MN. When transferring a patient to Iowa City, it takes an ambulance out of service for a total of five hours which includes the round-trip travel time as well as loading/unloading the patient and cleaning the ambulance.

In response to a question from Branderhorst, Higginbotham stated that 40% of hospital transports were considered emergent. Higginbotham explained that the transport numbers have declined over the past three years because Pella Ambulance is no longer accepting non-emergent transfers between the hours of midnight and 6:00 a.m.

EMS Referendum

Nardini informed Council that State Code 422D allows boards of supervisors to conduct a county-wide referendum for the funding of EMS services. The referendum requirements include:

1. Board of Supervisors declares EMS an essential service.
2. Two funding mechanisms include a local option income surtax or not-to-exceed \$0.75/\$1,000 of assessed value on all taxable property in the county.
3. The referendum would require 60% approval from the voters of the county.

Council member Bandstra explained that the Marion County Board of Supervisors formed a committee of local government entities and EMS providers to conduct research before they consider whether to declare EMS an essential service. Bandstra asked Teri Van Kooten, EMS Local Service Area Coordinator, to provide an update about the committee. Van Kooten shared that a lot of activity is happening both in the committee and at the state level to review how EMS services currently function. Van Kooten invited City Managers to the next committee meeting which will focus heavily on data that has been gathered. Van Kooten encouraged Council to be cautious implementing changes to the existing EMS structure while the committee is still working as any changes to the EMS structure would create a ripple effect to multiple entities.

Nardini asked what the committee's timeline is for next steps. Bandstra responded that he hopes the committee would be able to have a recommendation on whether EMS should be declared an essential service later this year. Van Kooten agreed, adding that we must accept what we are doing now is not sustainable, and we need to develop a system that is efficient and effective for citizens.

Pella Police Department Dispatch Center Upgrade

The Pella Police Department staffs a center which dispatches emergency services for the City of Pella and rural townships in Mahaska County, Marion County, and the City of Leighton. Currently, the dispatch center operates on both VHF and Analog which is considered outdated by industry standards. Police Chief McSheehy informed Council that the system needs to be upgraded as it is currently unable to provide reliable coverage, redundancy, backup, or interoperability with outside agencies. The estimated cost to upgrade the system to P25 Digital 700/800 MHz ranges from \$590,000 to \$1,233,000.

The Marion County 911 Board, who receives funding through landline and cell phone user charges, had a fund balance of \$1.3 million as of April 2023. The Board considered project funding requests from Marion County entities recently, including a funding request from the Pella Police Department to assist with the Public Safety Dispatch Center upgrade. The Board authorized expending a total of \$947,418 towards projects for entities in Bussey, Indiana Township, Knoxville, Pella Rural Fire, Pleasantville, and the Marion County Sheriff's office. The only project submitted but ultimately not funded was the request from the Pella Police Department for the dispatch center upgrade. McSheehy informed Council that this project has been in the works for eight years, further expressing that he considers public safety communication a critical piece of infrastructure. Ambulance Chief Higginbotham stated that Pella Ambulance currently has trouble receiving radio signals not only in specific areas outside of city limits, but also within the Pella Regional Hospital facility. Fire Chief Bogaard informed Council that volunteer firefighters respond directly to scenes when necessary, explaining that these firefighters can provide critical information so others know how to respond; yet it is not uncommon to have signal issues that prevent communication in these cases.

Mayor DeWaard asked how the 911 Board funding process works. McSheehy responded that the Board received approximately \$125,000 of funds from user charges over a three-quarter period. The \$1.3 million in funds were derived from several years when not much spending occurred in anticipation of funding larger projects. When projects were asked to be brought to the 911 Board for funding consideration, most entities asked for radios. Pella's ask for the dispatch center upgrade was more of an infrastructure, tower, and dispatch console discussion rather than radios as the Pella Police Department has systematically upgraded their radios over the past four to five years.

Nardini sought Council direction regarding the following options:

1. Meet with Marion County to determine why Pella's funding request was denied by the Board. Nardini expressed that he personally prefers this option so he has a better understanding of why no funds were allocated for the upgrade project.
2. Proceed with the project, not seeking funding from Marion County. Nardini stated that in this case, the project would most likely involve a debt service levy increase.
3. Re-evaluate the project during the FY 24-25 budget.

Council member Hopkins inquired if we could resubmit the request for funding consideration. McSheehy confirmed we can resubmit the project at a later date; however, the Board's fund balance will not be sufficient for this project as it is McSheehy's understanding that the Board's desire is to use their funds more frequently. McSheehy explained that the Board has sixteen voting members. Everyone was asked to vote collectively, not individually on each project.

Bandstra mentioned that the fees are generated from all landlines and cell phones, in that case Pella most likely provided a third of the funding and received nothing.

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

In response to a question from Bandstra, McSheehy informed Council that the rest of Marion County is dispatched from a consolidated center in Knoxville. McSheehy explained the advantages to having a dispatch center in Pella including that our dispatchers know the local area well and can respond appropriately. If a dispatch center was not located in Pella, the roles dispatchers currently provide would still need to be staffed including records management and serving as the first point of contact for in-person assistance. McSheehy also noted that the only other tower in Marion County at this time is located in Knoxville. If Pella was dispatched from the tower in Knoxville right now, our communication quality issues would be much worse than they are currently, which would require construction of another communications tower.

At the end of this portion of the discussion, staff was directed to schedule a meeting with Marion County for the purpose of gaining a better understanding of why Pella's funding request was denied by the 911 Board and to assist with considering future options related to this project including potentially requesting funding from the Board at a later date. After the meeting with Marion County is held, staff will place this item on a Policy and Planning agenda for further Council discussion.

The next item on the agenda was a discussion regarding a request from US Cellular to place 5G wireless support structures adjacent to a city park and/or residential lots. As background, City Code Ch. 172, which was adopted by Council in 2022, provides the parameters for installation of small wireless facilities. Under Code, locations near city parks or residential lots must be approved by the City Council.

US Cellular has identified the following three locations near parks/residential lots that they believe are needed to support their network:

1. Node 7: in the 700 block of W. 2nd Street (east of West Market Park)
2. Node 8: in the 700 block of W. 3rd Street (west of West Market Park)
3. Node 14: in the 1100 block of Main Street (residentially zoned)

Erin Waitz, Network Zoning & Build Compliance Manager, stated that US Cellular's goal was to minimize placement of wireless support structures in the "least preferred" locations identified in City Code.

Bandstra commented that when the first structures were constructed, he received calls with health concerns. Waitz responded that these structures operate far below the Federal Communications Commission (FCC) limits and informed Council that a reliable resource

regarding wireless support structures can be found at <https://www.ctia.org/>. Waitz offered to speak directly with any citizens who have concerns with the structures so as not to create a burden on the city.

At the end of the discussion, staff was directed to proceed with placing the request from US Cellular, as presented, on a future agenda for formal consideration.

The last agenda item was a review of proposed Personnel Policy Manual updates, which are considered by the City Council on an annual basis. The following items were reviewed:

- Clarify that paychecks are mailed out or direct deposit, no longer handed out by department.
- Define workdays as primarily eight hours; however, departments such as Ambulance, Police, Telecom, and Electric have scheduled work in eight-, 12-, or 24-hour shifts.
- Employees may be allowed flexible time in scheduling, as long as it is during business hours and their time equals scheduled hours at the end of the pay period.
- Classification of new hires as some positions start at a designated step in the scale.
- Define holiday pay for hourly employees. Hourly employees will receive holiday pay for working the shift that begins on the designated holiday. Holiday pay will be paid for the full shift, even if the shift continues past midnight. Employees will no longer be allowed to flex their paid holiday to another day.
- Formally add the amended wage scale and job classification structure, which Council approved on June 20, 2023, to the manual.

Nardini stated that when Council adopted the amended wage scale and job classification structure on June 20, 2023, he mentioned there were policy items that would be discussed when Council adopted the Personnel Policy Manual updates; however, as staff is still in the process of working with the departments on these items, they will be brought before Council during a future Policy and Planning meeting. At the end of the presentation, staff was directed to proceed with placing the proposed updates to the Personnel Policy Manual, as presented, on a future agenda for formal consideration.

The meeting adjourned at 8:32 p.m.

Respectfully submitted:

Mandy Smith
City Clerk

b. Board of Adjustment Minutes for April 3, 2023

Chairperson Westra called the Board of Adjustment to order at 6:00 p.m. in the Public Safety Complex. Members present were: Kristi Kious, Vince Nossaman, Jaci Nunnikhoven, Susan Reiter, Lyle Vander Meiden, Mike Vander Wert, and Corey Westra; absent: none. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Two members of the public attended the meeting.

CHAIRPERSON'S COMMENTS: Approval of the Tentative Agenda. Motion by Vander Wert, second by Reiter to approve the tentative agenda. Motion carried 7-0.

APPROVAL OF MINUTES: Motion by J. Nunnikhoven, second by Reiter to approve the minutes from February 20, 2023. Motion carried 7-0. Work Session to Review the Impact of Abstentions

At the February 20, 2023 Board of Adjustment meeting, there were questions raised as to how abstentions impact the numbers needed for quorum or approval at Board of Adjustment meetings.

Upon consulting the City Attorney, staff was informed that under state law (362.6), "A measure voted upon is not invalid by reason of conflict of interest in an officer of a city, unless the vote of the officer was decisive to passage of the measure. If a specific majority or unanimous vote of a municipal body is required by statute, the majority or vote must be computed on the basis of the number of officers not disqualified by reason of conflict of interest. However, a majority of all members is required for a quorum. For the purposes of this section, the statement of an officer that the officer declines to vote by reason of conflict of interest is conclusive and must be entered of record."

For a quorum to exist, a majority of the entire board will need to be present. As the board has nine seats, regardless of whether they are filled or vacant, at least five members must be present. Members who will be abstaining on votes still count towards meeting the quorum requirement. Even if three are abstaining, if two other members are present, then a quorum exists.

Where abstentions affect the business of the board is on voting. If a member abstains for conflict of interest (and no other reason), they reduce the number of seats that are used to generate the majority. For example, should there be two abstentions for a conflict of interest, the board would utilize the majority required for a seven-member board, which would be four, instead of the full nine-member board, which requires a five-vote majority. It is critical to note that this only applies to abstentions based on a conflict of interest, as per the Board of Adjustment's procedures, abstaining without declaring a conflict of interest counts as a no vote. For example, if a vote had three abstentions, two with conflicts of interest and one without, the board would be treated as having seven members instead of six, and the majority needed to pass items would be four.

Should there be abstentions based on conflicts of interest, there is no change in the numbers for quorum, but the number of seats used to determine a majority vote for approval is adjusted accordingly.

Planning and Zoning Director Gerald Buydos explained that members must declare their abstention prior to discussion of the agenda item and must also declare their reason for abstaining. Then, those who have declared abstentions should move to the audience and can participate in the public hearing as a member of the public. Should both the chair and vice-chair declare conflicts of interest, a temporary chair would then be elected.

PUBLIC HEARINGS

Consider a Minor Modification Request from Tim Nunnikhoven to Reduce the Minimum Setbacks of the Rear Yard for the Property Located at 315 Jackson St.

Tim Nunnikhoven submitted a minor modification application to reduce the minimum setbacks of the rear yard at the property located at 315 Jackson St. to build an addition. The subject property is located within the Two-Family Residential (R2) zoning district. This request would reduce the rear yard setback of the R2 zone from the standard minimum of 35 feet to 30 feet. The purpose of this minor modification is to construct a new addition.

Under the City's zoning ordinances, the Board may hear and review applications for, and authorize requests for, minor modifications under seven different circumstances per Chapter 165.43.3.H of the City zoning ordinance. In this case, the applicant requested the following minor modification:

"Reduce the required minimum front and rear yard setbacks for principal structures in the residential districts by no more than five feet, based on the setback standards. (Sect.165.43.3.H.1.a).

Staff believes the requested minor modification will not have a negative impact on the subject property or neighboring properties and will not increase the amount of people or vehicles within the neighborhood. Staff also believes the proposal would maximize the owner's use of the property while still complying with City Code. Staff received no objections to the minor modification. For these reasons, staff believes the minor modification request should be granted and, therefore, recommended approval of the proposal.

Convened Public Hearing on the minor modification request. No written comments were received. The applicant, T. Nunnikhoven, was present to answer questions from the Board. He explained the pergola roof will be placed over an existing brick patio.

Motion by Nunnikhoven, second by Kious to close the Public Hearing as no further comments were received. Motion carried 7-0.

Motion by Vander Meiden, second by Kious to approve the minor modification request as submitted. Motion carried 7-0.
Consider a Variance Request from Jeff Dingeman to Reduce the Rear Yard Setbacks of the Property Located at 1301 W. 12th St. to Construct Business Suites

J. Nunnikhoven and Reiter stated they would be abstaining from voting on this item. J. Nunnikhoven declared a conflict of interest as she is employed by the law firm that represents the applicant. Reiter declared a conflict of interest as she is related to the applicant.

Jeff Dingeman submitted a variance application for his site located at located at 1301 W. 12th St., north of Recker Dental Care and east of DeVries Electric, Inc. The applicant requested a variance to change the required setback on the east side of Lot 1. The Limited/Light Industrial (M1) zoning regulations include the following mandatory setbacks:

Front yard: 25 feet; Street side yard: 25 feet; Interior side yard: 0 feet except where adjacent to residential uses or districts, then 25 feet; Rear yard: 25 feet.

The applicant requested a variance to change the rear setback of Lot 1 from 25 feet to 10 feet. This is a net reduction of 15 feet.

The property does not present any unique features that are not normally present in the nearby lots and staff does not believe the variance request meets any of the seven criteria listed above. In addition, granting a variance for the convenience of the developer is not an acceptable reason.

Finally, the process of going through a subdivision proceeding allows all interested parties to design the project accordingly before the plat is approved and recorded. Any design errors on the plat should have been modified by the developer. The same applies to the site plan process, as the developer is ultimately responsible for the design of the site and building layout for their needs.

Staff believes the request fails to meet the requirements and criteria to grant a variance. Staff recommended denial of the variance.

Convened Public Hearing on the variance request. No written comments were received. The applicant, Dingeman, was present to speak in favor of the variance request and answer questions from the Board.

Vander Meiden asked Dingeman to explain why he is requesting the variance. Dingeman said changing the rear yard setback will permit him to build a structure that is more attractive to tenants. The reduced rear yard setback would permit someone to pull a truck and trailer into one of the bays and shut the doors. Dingeman noted that he did look into applying for a minor modification but was told those are only possible for residential properties.

Nossaman questioned Dingeman on whether he had approached neighboring property owner Larry De Vries about purchasing some land, so that the variance would no longer be necessary. Dingeman said that De Vries had, in conversation with him, expressed support for the variance and told Dingeman that he thought the Board would approve the variance request, so purchasing additional land would not be necessary.

Motion by Kious, second by Nossman to close the Public Hearing as no further comments were received. Motion carried 5-0. (J. Nunnikhoven and Reiter abstained)

Vander Meiden stated that he had reservations about the 10-foot rear setback and wondered whether there might be a compromise that could be made somewhere between 25 feet and 10 feet.

Westra cautioned the Board that the decision made on this matter would set a precedent.

Motion by Nossaman, second by Vander Meiden to deny the variance request. On roll call the vote was: ayes: Nossaman, Vander Meiden, Vander Wert, and Westra; nays: Kious. Motion carried 4-1 (J. Nunnikhoven and Reiter abstained).

OTHER BUSINESS

Buydos reported that Larry Lautenbach has resigned from the Board of Adjustment. Staff will contact the Marion County Board of Supervisors to inform them of the vacancy.

Westra thanked the Board and staff for their diligence in finding a meeting date that worked for all parties involved.

Next Meeting Date: The next meeting is scheduled for May 15, 2023.

Adjourned at 6:49 p.m.

c. Historic Preservation Commission Minutes for April 17, 2023

Chairperson Kermode called the Historic Preservation Commission (HPC) to order in the Public Safety Complex at 5:04 p.m. Members present were: Don André, Bruce Boertje, Lorinda Bradley, Rhonda Kermode, and Lila Turnbull; absent: none. Staff present: Zoning Analyst Jared Parker, Local Programming Coordinator Monte Goodyk, and the Deputy City Clerk. Twenty-six members of the public attended the meeting.

APPROVAL OF TENTATIVE AGENDA: Motion by André, second by Boertje to approve the tentative agenda. Motion carried 5-0.

APPROVAL OF MINUTES: Motion by André, second by Boertje to approve the minutes from the March 13, 2023 meeting. Motion carried 5-0.

OLD BUSINESS

Consider a Demolition Permit Application for 906 Independence St., Located Within the Collegiate Neighborhood Historic District (Tabled at the March 13, 2023 Meeting)

Central College submitted an application to demolish the building at 906 Independence St. due to extensive damage, which is located within the Collegiate Neighborhood Historic District. The building would be considered a contributing structure and, as such, the building needs to be reviewed under the standards required by code. The application was tabled by the Commission at its March 13, 2023 meeting. Kermode and André met on March 14, 2023, to tour the building so that André and Kermode could see the extent of the damage firsthand and help determine whether approving the demolition permit would be appropriate or whether the structure could reasonably be salvaged.

As The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings do not have any guidance on demolishing a structure that has received significant interior damage, it does not provide a clear path for what would be acceptable or unacceptable. Therefore, staff had no recommendation.

Central College Director of Facilities Maintenance Craig Roose was present to speak in favor of the demolition permit and to answer questions from the Commission.

Kermode and André reported touring the home with Roose and noted that the damage is to the addition and that the original part of the structure is in good shape and appears to be structurally sound. They said their preference is for preservation and not demolition.

Kermode mentioned that City of Pella Mayor Don DeWaard offered to reach out to Central College administration on behalf of the Commission to facilitate dialogue regarding preservation.

Motion by Boertje, second by André to table the demolition permit for 906 Independence St. until after the Central College Board of Trustees has met and there has been dialogue between Central College and the Commission. Motion carried 5-0.

NEW BUSINESS

Consider a Motion Supporting the Potential Preservation Project Between Central College and the Pella Preservation Trust for the House at 906 Independence St.

Boertje asked the HPC to consider a motion supporting the potential preservation project between Central College and the Pella Preservation Trust for the house at 906 Independence St.

Motion by Boertje, second by André to support a potential preservation project between Central College and the Pella Preservation Trust to preserve the house at 906 Independence St. Motion carried 5-0.

PUBLIC HEARING

Consider an Application to Form the Scholte Garden Historic District

HPC members directed the Planning and Zoning Department to file an application to form a historic district. The name of the proposed district is the Scholte Garden Historic District, which generally includes properties along Main Street and Broadway Street as the east/west border and properties between Lincoln Street and the alley immediately north of Washington Street as the north/south border. Chapter 165.13.5 of the Pella City Code specifies the requirements to form a historic district. In order for the City to consider an application for a historic district, the application must contain the following:

1. 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.
2. Signatures of the owners of at least 50% of the total public street frontage area within the proposed district, excluding public street frontage abutting government property.
3. Supporting documentation so that the Commission can evaluate whether the application to form a historic district meets the ordinance criteria.

As currently submitted, the application includes the support of 30 of 47 (63.8%) property owners included in the proposed district, which consists of 1,546.5 feet of the 2,690.1 feet (57.5%) of the street frontage in the proposed district.

If the Scholte Garden Historic District is approved and formally established, the following activities would be subject to design review standards:

1. New construction of single or two-family homes or new accessory buildings for any single family or two-family homes in the historic districts.
2. Additions to existing structures in the historic districts which require a building permit.
3. Alterations to existing structures in the historic districts which require a building permit or demolition permit.
4. Alterations to existing structures in the historic districts which do not require a building permit or demolition permit but are visible from a public street or front of the structure do not require historic review; however, voluntary historic review is encouraged for such alterations. These types of alterations are also exempt from the certificate of appropriateness requirements. Other alterations not visible from the public street or front of the structure, and which do not otherwise need a building permit, shall be exempt from historic review. For properties with base zoning which permits multi-family, commercial, or other non-residential uses, design review would then be conducted by the Community Development Committee first and then these same properties would also be subject to design review under the proposed historic district overlay zone.

If approved, City Code requires the HPC to use the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" for structures within the historic district overlay zone. This differs from the standards in the Collegiate Neighborhood Historic District where non-contributing structures are reviewed using the "Dutch Residential Design Review District Guidelines". The reason for this change is to conform with Certified Local Government program requirements.

It is important to point out the City Code provides a process for appeal. Any person aggrieved by any decision of the HPC regarding an application for historic review in a historic district may appeal the action to the City Council.

If approved, City Code requires public hearings and review by the Planning and Zoning Commission and City Council. This process follows the same requirements as all zoning amendments. The proposed historic district is tentatively scheduled for public hearings and consideration at the May 27, 2023 Planning and Zoning meeting and the June 19, 2023 City Council meeting.

In summary, the City has received an application to form the Scholte Garden Historic District. The application meets the minimum application requirements for consideration and has been approved by the appropriate parties at the State of Iowa.

Convened Public Hearing on the local historic district application. No written comments were received. Wayne Stienstra, the owner of two properties in the proposed district, spoke in favor of the application and the protections that this district would provide. Scott De Penning questioned the requirement to use the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings." Boertje explained that the two apartment complexes in the proposed district are considered non-contributing structures.

Jade Dix said two home remodel projects, at 515 Broadway St. and 307 Main St. did not require building permits, so would not have been subject to HPC review. However, he is concerned that if the homes had been new builds, they may not have been approved by the Commission. He questioned whether the standards for homes in local historic districts will be too high. He said the owners have received many compliments on the two homes he mentioned. He asked whether there is a way to remove one's property from a historical district once it is included in one. He also asked whether there are any local contractors in Pella, aside from Stienstra, who specialize in historic preservation and could perform the necessary work on properties located within a historic district.

Kermode said if the homes at 515 Broadway St. and 307 Main St. burned down, they would likely get approval from the HPC to be rebuilt as they look today. However, she said retaining the original siding on those homes would save money and save waste from going to the landfill.

André said homeowners can learn how to perform some of the work on the historic homes themselves, such as restoring old windows. He said there are contractors in town who can perform this work. Boertje said the intent of the local historic district is to preserve the character of the neighborhood and is not meant to be an onerous process. Tax credits are also available to homeowners. Kermode said that the State Historic Preservation Office of Iowa can help homeowners if they have questions about the tax credit process. André noted that the Commission has considered two building permits for the Collegiate Neighborhood Historic District and both were approved by the Commission.

In response to a question, Zoning Analyst Jared Parker said staff would consult the City Attorney on the process to remove a local historic district overlay zone. Parker also explained that the Dutch Residential Design Guidelines apply to residential properties and anything else would follow the City's Architectural Design Guidelines.

Bill White, a property owner, asked about a hypothetical situation where he suffers a loss on his property and an insurance adjuster may disagree with the Commission on how to remedy it. Kermode said she would need to consult with the State Historic Preservation Office of Iowa. However, if a home burns down and needs to be replaced, the homeowner would not be required to rebuild the exact same product with historic materials; it would just need to fit in with the character of the neighborhood and be architecturally appropriate.

Dix asked how they prevent demolition by neglect of the homeowner. Parker said enforcement is primarily handled by City staff.

Rachel Tiskevics asked whether homes in the local historic district would be provided with plaques that indicate the local historic district status. Boertje informed her that street signs will be placed on the corners of the district to identify it has the Scholte Garden Historic District, but plaques for individual homes will not be provided. However, a homeowner is welcome to affix a plaque to their home if they so choose.

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

Motion by André, second by Boertje to approve the application for the Scholte Garden Historic District. Motion carried 5-0.

Parker explained that property owners will receive additional notification once public hearings are scheduled for the Planning and Zoning Commission and City Council meetings.

OTHER BUSINESS/WORK SESSION

Work Session to Discuss the Iowa State Historic Preservation Office's 2023 Preserve Iowa Summit

Kermode reported that the Iowa State Historic Preservation Office's 2023 Preserve Iowa Summit is scheduled for June 1 through June 3, 2023 in Sioux City, Iowa. She said she plans to attend. She said the City agreed to pay the registration fee for a couple of Commissioners to attend in 2022. Staff will check with Planning and Zoning Director Gerald Buydos to confirm what funds are available.

Work Session to Discuss the Certified Local Government Program

Kermode said she spoke with City Administrator Mike Nardini regarding removal of the Dutch Design Guidelines from the historic overlay zone ordinance so that the City could be eligible to join the Certified Local Government (CLG) program. She also spoke with Mayor DeWaard about it and it will hopefully be scheduled for discussion on a City Council agenda in the near future.

Work Session to Discuss the Historic Fire Station Hose Tower

André wanted to have further discussion on the historic fire station hose tower. As background, staff received the following information from Kim Mulch, the architect hired to evaluate the costs of renovating the hose tower. This would include the following activities:

1. Siding and sheathing demolition and haul-off
2. Sheathing, weatherproof building wrap, siding, and trim installation
3. Painting & caulking

For the activities above, in the opinion of the architect, it would cost approximately \$30,000; however, with bonding, insurance, and bidding costs, as well as other required costs due to regulatory requirements, the cost would likely be approximately \$75,000. It is worth noting that this does not include any structural work that should become apparent once the cladding is removed. It is also important to note that if this were to be combined with other work on site, this portion would probably be reduced.

Kermode reported she received a proposal from Jennifer Price regarding the cost to place the historic fire station on the National Register of Historic Places. She will forward the proposal to staff. André said Local Programming Coordinator Monte Goodyk was able to take photos of the hose tower which show increased deterioration.

Work Session to Discuss the Proposed McClatchey Mill Historic District

Boertje wanted to have further discussion on the formation of a future potential historic overlay zone called the McClatchey Mill Historic District. This proposed district is located between Lincoln Street and Columbus Street and East First Street and East Second Street and would include 39 properties. Boertje asked whether the Commission thought additional properties should be added to this district, as the informational flyers he created have not yet been mailed to homeowners. The Commission discussed possibly walking through the district either in pairs or by themselves to view homes in the proposed district. The Commission decided to have staff wait on mailing the flyers until the Commission has made a decision on whether to add additional properties to the proposed district.

Duane Rempe was present and suggested the Commission consider adding a historic district on Washington Street.

Next Meeting Date: The next HPC meeting is scheduled for May 8, 2023.

Adjourned at 6:59 p.m.

d. Planning and Zoning Commission Minutes for April 24, 2023

Chairperson Vos called the Planning and Zoning Commission to order at 6:09 p.m. in the Public Safety Complex. Members present were: Sarah Buchheit, Joe Canfield, Cathy Haustein (via telephone), Tom Johnson, Marc Vande Noord, and Teri Vos; absent: Julio Chiarella, Bob Smith, and Ann Visser. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, Local Programming Coordinator Monte Goodyk, and the Deputy City Clerk. Three members of the public were present.

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

APPROVAL OF MINUTES: Motion by Vande Noord, second by Johnson to approve the minutes of the March 27, 2023 meeting. Motion carried 6-0.

NEW BUSINESS PROPOSED

Consider a Preliminary Plat, Submitted by Larry and Lilla Terpstra, for 2023 Hwy 163

Larry and Lilla Terpstra submitted a preliminary plat to create three parcels along 210th Avenue and Highway 163. The 365.88-acre site is currently partially developed and is zoned Agricultural (A1). The applicant wishes to reorganize the existing 20 parcels into three separate parcels. Two parcels have been built upon and one parcel will be vacant.

Chapter 170.06.2 tasks the Planning and Zoning Commission to review the proposed preliminary plat for conformance with the City's Comprehensive Plan. The Comprehensive Plan's Future Land Use Map identifies this site as Agricultural and Urban Reserve. The existing use complies with this designation and the Comprehensive Plan.

The proposed preliminary plat satisfies pertinent City Code and is consistent with the Comprehensive Plan. Staff recommended approval of the preliminary plat as submitted.

Canfield inquired about the proposed irregular lot lines. Planning and Zoning Director Gerald Buydos explained that, in this case, the preliminary plat is to consolidate the parcels into three lots for estate planning purposes.

Motion by Vande Noord, second by Canfield to approve the preliminary plat as submitted. Motion carried 6-0.

OTHER BUSINESS / WORK SESSION

Next Meeting Date: The next regular Planning and Zoning Commission meeting is scheduled for May 22, 2023.

Other: Buydos reported that an update to the City of Pella's Comprehensive Plan and the Zoning Code will be forthcoming, and that these items will be discussed at future work sessions.

Buydos said that U.S. Cellular's 5G towers are currently being constructed downtown. He explained that U.S. Cellular will be designing a metal shell to disguise and conceal the flange at the bottom of the tower. The design will be similar to the bases of the existing traffic signals.

Buydos distributed elevations to the Commission for a proposed coffee shop site plan that will be reviewed by the Commission at a future meeting.

Adjourned at 6:20 p.m.

e. Historic Preservation Commission Minutes for May 8, 2023

Chairperson Kermode called the Historic Preservation Commission (HPC) to order in the Planning and Zoning Office at 5:00 p.m. Members present were: Don André, Bruce Boertje, Lorinda Bradley, Rhonda Kermode, and Lila Turnbull; absent: none. Staff present: Planning and Zoning Director Gerald Buydos, Local Programming Coordinator Monte Goodyk, 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 corrected minutes from the April 17, 2023 meeting. Motion carried 5-0.

OLD BUSINESS

Consider a Demolition Permit Application for 906 Independence St., Located Within the Collegiate Neighborhood Historic District (Tabled at the March 13, 2023 Meeting)

Central College submitted an application to demolish the building at 906 Independence St. due to extensive damage, which is located within the Collegiate Neighborhood Historic District. The building would be considered a contributing structure and, as such, the building needs to be reviewed under the standards required by code. The application was tabled by the Commission at its March 13, 2023 meeting. Kermode and André met on March 14, 2023, to tour the building so that André and Kermode could see the extent of the damage firsthand and help determine whether approving the demolition permit would be appropriate or whether the structure could reasonably be salvaged. At the April 17, 2023 meeting, the Commission tabled this item until the Central College Board of Trustees had an opportunity to consider the preservation proposal from the Pella Preservation Trust.

This item remained tabled by the Commission.

OTHER BUSINESS/WORK SESSION

Work Session to Discuss the Historic Fire Station

Kermode received a proposal from Jennifer Price, a Historic Preservation Consultant, to prepare an application to nominate the historic fire station to the National Register of Historic Places, which was shared with the Commission. The proposed cost would total \$5,100. Planning and Zoning Director Gerald Buydos explained that this cost is unbudgeted, so he would need to speak with the City Administrator to find out whether the City could allocate funds for this project. Boertje also suggested reaching out to the Peter H. and E. Lucille Gaass Kuyper Foundation to see whether this project might be eligible for a grant. Buydos asked Boertje to send him a link to the grant application in order to review the requirements.

The Commission directed staff to review the grant application and research whether there are any funds available for this project.

André reported having toured the historic fire station during Tulip Time.

Work Session to Discuss the Proposed McClatchey Mill Historic District

Boertje wanted to have further discussion on the formation of a future potential historic overlay zone called the McClatchey Mill Historic District. This proposed district is located between Lincoln Street and Columbus Street and East First Street and East Second Street and would include 39 properties.

Boertje suggested mailing the flyers he created to the property owners in the proposed historic district. Then, when a future public input meeting is held, the Commission can ask property owners whether they think additional properties should be included in the district.

Kermode will draft a letter to the property owners to be included with the flyers.

Other: Kermode mentioned that an amendment to the language of the Collegiate Neighborhood Historic District ordinance would be required, if the City were to become a Certified Local Government (CLG). She said she spoke with Mayor Don DeWaard about Pella becoming a CLG and that he did not express any issues with that. Buydos suggested Kermode email the City Administrator advising him that she spoke to the mayor about the City becoming a CLG and ask that the City proceed with the next step in that process.

Next Meeting Date: The next HPC meeting is scheduled for June 12, 2023.

Adjourned at 5:52 p.m.

f. Community Development Committee Minutes for May 10, 2023

Chairperson Cody called the Community Development Committee (CDC) to order in the Memorial Building at 5:30 p.m. Members present were: Jerry Brummel, Patsy Cody, Allissa Grandia, Shelly Riggen, Wayne Stienstra, Caryn Van Hemert, Dennis Vander Beek, and Christi Vander Voort; absent: Nancy Henry, Mike Kiser. Staff present: Planning and Zoning Director Gerald Buydos (arrived at 5:41 p.m.), Zoning Analyst Jared Parker, and the Deputy City Clerk. One member of the public was in attendance.

APPROVAL OF TENTATIVE AGENDA: Motion by Van Hemert, second by Brummel to approve the tentative agenda. Motion carried 8-0.

APPROVAL OF MINUTES: Motion by Stienstra, second by Vander Beek to approve the minutes from the December 14, 2022 meeting.

Motion carried 8-0.

NEW BUSINESS

Consider a Design Permit Application to Paint the Exterior of 1007 Washington St.

Van-Go Properties submitted a design permit application to paint the exterior of the building located at 1007 Washington St. The property is zoned Commercial Mixed-Use Urban (CUC). It is located within the Gateway Corridor (GC) overlay district and in the Historic Design District. A summary of the requested project is provided below.

The metal, as proposed, will be changed from blue gray to primarily white with a black roof and black wainscoting. The white color most closely matches the Pella Color Palette's Sherwin-Williams' Light French Gray (SW0055). The black color meets the Pella Color Palette requirement with either Benjamin Moore's Kendall Charcoal (HC-166) or Charcoal Slate (HC-178).

In evaluating this design application, staff confirmed the design contains colors from the Pella Color Palette and meets the requirements listed in the Architectural Design Guidelines. Therefore, staff recommended the design permit application be approved as submitted.

The property owner, Jon Van Woerkom, was present to speak in favor of the design permit and to answer questions from the Committee. Motion by Brummel to approve the design permit as submitted with the condition that black shutters are added. The motion died for lack of a second.

Motion by Brummel, second by Van Hemert to approve the design permit as submitted with the condition that black shutters are added to the windows and the guard rail is painted to match the building as well. Motion carried 8-0.

Van Woerkom stated he will be submitting a design permit application for painting the roof of the building at 1009 Washington St.

Annual Election of Community Development Committee Officers

On an annual basis, the CDC is required to select a Chairperson and Vice-Chairperson from its membership. Per 165.16.3 of the Zoning Ordinance, the Chairperson can be reelected each year provided no more than three consecutive years have been served. All members are eligible to serve in these roles. The primary role of the Chairperson is to conduct the CDC meetings. In the absence of the Chairperson, the Vice-Chairperson will serve as the Chairperson during the CDC meetings. In addition to the above responsibilities, both positions will serve in liaison roles for staff and be on both the Sign and Design Subcommittees.

The CDC is also required to select three members to serve on the Design Subcommittee. The primary role of the Design Subcommittee is to review minor projects including, but not limited to, building trim modifications, repainting, fencing, tables, or other outdoor fixtures. The Committee must also select three members to serve on the Sign Subcommittee. The primary role of the Sign Subcommittee is to review all sign permits submitted to the Planning and Zoning Department.

The current Chairperson is Cody (two years served). The current CDC Vice-Chairperson is Van Hemert. CDC Design Subcommittee members are Stienstra, Vander Beek, and Vander Voort. CDC Sign Subcommittee members are Brummel, Cody, and Henry. All positions are held for one year.

Following discussion, Cody agreed to continue serving as Chairperson and Van Hemert agreed to continue serving as Vice-Chairperson. Grandia will replace Cody on the Sign Subcommittee and all other members of the Sign and Design Subcommittees will remain the same.

Motion by Riggen, second by Vander Beek to elect Cody as Chairperson and Van Hemert as Vice-Chairperson, as well as to replace Cody with Grandia on the Sign Subcommittee. Motion carried 8-0.

OTHER BUSINESS / WORK SESSION

Cody reported that she had received many compliments regarding the look of Pella from visitors during Tulip Time.

Riggen shared that she learned that many of the buildings in downtown Pella were constructed of brick because several earlier buildings on the square were constructed of wood and were destroyed in fires.

Planning and Zoning Director Gerald Buydos distributed finalized copies of the City of Pella's Architectural Design Guidelines to members of the Committee. The Planning and Zoning Department will have a small number of hard copies on hand for members of the public who wish to purchase a copy; otherwise, it is also available on the City of Pella's website.

Vander Beek asked what the CDC would review, should a new business move into the former Burger King building located at 1500 Washington St. Buydos stated that an interior remodel would not require design review, but changes to the exterior, including windows, doors, and signage, would.

Buydos shared that the City has received a site plan application for a drive-through restaurant and retail space for the northwest corner of West Ninth Street and Washington Street. He also shared that the 5G wireless towers from U.S. Cellular that are being installed downtown will have decorative covers concealing the metal flanges at the base of the towers.

Next Meeting Date: The next regular meeting is scheduled for June 14, 2023.
Adjourned at 6:14 p.m.

g. Board of Adjustment Minutes for May 15, 2023

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, Lyle Vander Meiden, Mike Vander Wert, and Corey Westra; absent: none. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. One member of the public attended the meeting.

CHAIRPERSON'S COMMENTS: Approval of the Tentative Agenda: Motion by Reiter, second by Vander Meiden to approve the tentative agenda. Motion carried 6-0.

APPROVAL OF MINUTES: Motion by Kious, second by Nunnikhoven to approve the minutes from April 3, 2023. Motion carried 6-0.

PUBLIC HEARINGS

Consider a Variance Request from Mike Van Steenwyk to Reduce the Rear Yard Setbacks of the Property Located at 1509 Edgewood Dr. to Construct an Addition

Mike Van Steenwyk submitted a variance application for his property located at 1509 Edgewood Dr. The applicant has requested a variance to permit a 14' x 14' addition in the rear yard setback. City Code Table 165.12-2 indicates that all properties in the Low Density Single-Family Residential (R1) District have a 40-foot rear yard setback.

While staff understands the desire for the addition and the reasoning for it, staff does not believe the variance request meets all seven of the criteria required to approve the variance. Staff believes the request particularly fails to meet the requirements of criteria one, two, four, five, and seven; ergo, staff believes this request fails to justify a hardship and meet all seven criteria required in the City's zoning code and, therefore, recommended denial of the variance.

Convened Public Hearing on the variance request. No written comments were received. The applicant, Mike Van Steenwyk, was present to speak in favor of the variance and to answer questions from the Board. He explained that he and his wife would like to have a larger living space so that visitors have more space to sit inside.

Motion by Reiter, second by Kious to close the Public Hearing as no further comments were received. Motion carried 6-0.

Motion by Reiter, second by Vander Wert to approve the variance request with the condition that that the size of the addition permitted is no larger than 10' x 14' as it would just be replacing the current deck. Motion carried 6-0. Buydos stated the applicant could construct the addition along the entire length of the house to get the desired square footage, but it can only be 10 feet deep.

Next Meeting Date: The next meeting is scheduled for June 19, 2023.

Adjourned at 6:49 p.m.

h. Planning and Zoning Commission Minutes for May 22, 2023

Vice-Chairperson Joe Canfield called the Planning and Zoning Commission to order at 6:00 p.m. in the Public Safety Complex. Members present were: Sarah Buchheit, Joe Canfield, Julio Chiarella, Cathy Hausteine, Tom Johnson, Bob Smith, Marc Vande Noord, and Ann Visser; absent: Teri Vos. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, Local Programming Coordinator Monte Goodyk, and the Deputy City Clerk. Five members of the public attended the meeting in person and one attended via telephone.

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

APPROVAL OF MINUTES: Motion by Johnson, second by Chiarella to approve the minutes of the April 24, 2023 meeting. Motion carried 8-0.

NEW BUSINESS PROPOSED

Consider a Site Plan Submitted by Pella Retail Management LLC to Construct a Drive-Through Restaurant and a Retail Store on the Northwest Corner of Washington Street and West Ninth Street

Pella Retail Management, LLC submitted a site plan application for a new development project to construct a retail space and drive-through restaurant on the northwest corner of West Ninth Street and Washington Street. The property is located directly across West Ninth Street from Central Tire & Auto on Washington Street. The property is zoned Community Commercial (CC) and is located within the Gateway Corridor (GC) Overlay District. A summary of the requested project is provided below.

Proposed Project:

1. Construct a new 2,312-square-foot drive-through restaurant and an adjacent 1,819 square-foot retail suite.
2. The restaurant will have a single drive-through with a 15-car stack.
3. Project will provide 60 parking spaces (34 required by code).

Staff believes the proposed site plan 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 with Conditions of Approval. The Conditions of Approval are: Community Development Committee (CDC) architectural and sign approval as well as City Council acceptance of public infrastructure for streets and public sewer installation. All Conditions of Approval must be satisfied before the City of Pella will issue a Certificate of Occupancy for the building.

Vande Noord stated that the west Washington Street corridor is becoming quite busy and asked whether the City has considered installing a turn lane or an additional stop light in that area. Zoning Analyst Jared Parker replied that that was not considered as part of the site plan application, but that he would note Vande Noord's concern.

Parker explained that West Ninth Street would be reconstructed from the intersection of Washington Street to the north property line of parcel 1740200900, on which the proposed building will be constructed.

Stonefield Project Design Engineer Alejandro Fernandez was present via telephone on behalf of the applicant to speak in favor of the site plan and to answer questions from the Commission.

Motion by Vande Noord, second by Visser to approve the site plan as submitted on the condition that CDC architectural and design approval is received as well as City Council acceptance of public infrastructure for streets and public sewer installation. Motion carried 8-0.

Consider a Site Plan Submitted by Mike Langstraat to Construct a Building Addition to the Property Located at 2079 Old Hwy 163
Mike Langstraat submitted an application to construct an addition to his business at 2079 Old Highway 163. This property is located along the north side of the road.

A summary is provided below:

Proposed:

1. Building addition consisting of approximately 2,700 square feet to be added to the existing building, which is approximately 7,460 square feet.
2. New pavement consisting of approximately 5,263 square feet to be added.

Staff believes the proposed site plan meets the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. However, to incorporate the expanded paving requirements, staff recommended the site plan be approved with the condition of the paving being completed within 24 months of the building permit being approved. The project will also require a design permit from the CDC.

The applicant, Mike Langstraat, was present to speak in favor of the site plan and to answer questions from the Commission.

Motion by Johnson, second by Vande Noord to approve the site plan as submitted with the conditions that paving must be completed within 24 months of the building permit being approved and receive design approval from the CDC. Motion carried 8-0.
Consider a Site Plan Submitted by Faith Christian Reformed Church to Construct a Building Addition at 409 E. University St.
Faith Christian Reformed Church submitted an application to construct an addition to the church. This property is located immediately to the south of Pella Community High School. A summary is provided below:

Proposed:

1. Building addition consisting of approximately 9,600 square feet to be added to the existing building, which is approximately 10,228 square feet.
2. New pavement consisting of approximately 18,000 square feet to be added to the remaining impervious area of approximately 46,700 square feet.

Scott De Penning asked about the water detention for the site. Parker explained that the plan was reviewed by the City's engineering consultant.

Staff believes the proposed site plan 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 Visser, second by Smith to approve the site plan as submitted. Motion carried 8-0.

Next Meeting Date: The next regular Planning and Zoning Commission meeting is scheduled for June 26, 2023.

Adjourned at 6:24 p.m.

i. Airport Committee Minutes for May 26, 2023

Members Present: Matt Hutchinson, Rick Gritters, Jeff Bollard, Eric Recker, Ann Frost

Members Absent: Trevor Nikkel, Joel Weiler

Others Present: Abbey Drost, Carl Drost, Emily Hawk

Approval of Minutes: April 24, 2023 minutes reviewed. Motion to approve Recker, Support Gritters - Passed unanimously.

Motion to approve Pella United Methodist Church to provide the breakfast for Tulip Time 2024 Gritters, Support Bollard - Passed unanimously.

Discussion on SCRAA and Future ALP Planning.

Airport managers' report to the committee. As reported by Shane Vande Voort:

Equipment Update: We are mowing nonstop to keep up with spring growth. We mow and estimated 85 acres and reliable equipment is important. We are using a smaller rental riding mower since despite repeated requests a replacement mower was not put into the budget when needed. We have had two riding mowers since 2001 and we are down to one rental since manager and committee recommendations for budget haven't been followed and equipment failed well beyond its expected life. The broom will need major repair or replacement before winter. I have broom parts on backorder and will be looking into replacement options.

FBO operations: Classic Aviation remains busy and staffing is still an issue. We are excited to have added a parts specialist and two flight instructors recently and are gearing up for a busy flying summer. Two of our line personnel graduated high school last month, one passing his private pilot checkride days before graduation - we are proud of these young men. As we try to attract and retain mechanics in a competitive environment shop size becomes a major issue. As the airport manager I'm aware and concerned that we don't have nearly as much heated shop space as comparable airports. As the FBO owner I continue to struggle with a lack of additional heated hangar space that we were promised in 2021 and have been working on since 2008. We have seen up to a 40% increase in the cost of part time labor while operating on a fixed contract-I am preparing a request for a contract adjustment and will be looking for committee report. Pella remains and active facility and an attractive destination and we are working hard as an FBO to meet airport user's expectations.

Hangar and ramp space: The supreme court ruled the regional airport 28E agreement unconstitutional June 24, 2022. The hangar space issue at the airport is serious and needs to be done in accordance with a viable airport masterplan, on which work has not begun. As a reminder I am not asking for an FBO hangar due to FBO growth. I am asking for the same size hangar that Grinnell provided their FBO in 1988. If a long-requested 100'x100' hangar were built, Pella would still be providing less hangar space to their FBO than that provided at Newton, Grinnell, Marshalltown, and Oskaloosa.

Special Events: I was very happy with the Tulip Time Flight breakfast, and would be open to the committees input on what went well and areas for improvement. The Pella United Methodist Church has indicated that they are willing to serve again next year and I would recommend a motion to ask them to partner again on the event.

Project and focus on improvement: Again, the supreme court ruled the regional airport 28E agreement unconstitutional June 24, 2022 and this facility will have to serve Pella's aviation needs for at least the near future. I'm working on a list of urgently needed improvements including Terminal remodel (including carpet, windows, and restroom accessibility issues, shop hangar door replacement, t-hangar door repairs, concrete repair, and runway light retrofitting due to unavailable bulbs.

Adjourn: Motion by Recker, support Gritters. Passed unanimously.

Next regular meeting will take place on June 30th, 2023 7am

3. Petitions & Communications

a. Request to add a Catering Privilege to Class C Retail Alcohol License for In't Veld's Enterprises, Inc.

BACKGROUND: In't Veld's Enterprises, Inc., located at 820-822 Main Street, has applied through the Iowa Alcoholic Beverages Division (ABD) to add catering privileges to their current class C retail alcohol license which is set to expire on April 30, 2024. According to the Iowa ABD, a catering privilege on an alcohol license allows the licensee to provide and serve alcoholic beverages at private social gatherings that are held in private places. The licensee is required to serve food with the alcoholic beverages, and all food and alcoholic beverages must be served without cost to the guests. The application has been completed online with the state. Staff is recommending approval.

ATTACHMENTS: None

REPORT PREPARED BY: City Clerk

REVIEWED BY: City Administrator

RECOMMENDATION: Approve addition of catering privilege to the class C retail alcohol license

E. PUBLIC HEARINGS

1a. Public Hearing regarding a rezoning application for 112 East Third Street.

No written or oral comments were received.

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

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

BACKGROUND: Russ Van Wyk has submitted a rezoning application for 112 East Third Street to change the zoning from Heavy Industrial (M2) to Community Commercial (CC). The purpose of this request is to construct a single-family dwelling.

CURRENT ZONING: The subject property is currently zoned M2. This district is intended to accommodate a wide variety of industrial uses, some of which may have significant external effects. These uses may have operating characteristics that create conflicts with lower intensity surrounding land uses. The district provides the reservation of land for these activities and includes buffering requirements to reduce incompatibility.

PROPOSED ZONING: The proposed zoning for this property is CC. This district accommodates a variety of commercial uses, some of which have significant traffic or visual effect. These districts may include commercial uses which are oriented to services, including automotive services, rather than retail activities. These uses may create land use conflicts with adjacent residential areas, requiring provision of adequate buffering. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from residential districts. Property zones surrounding the site include Community Commercial (CC) and Heavy Industrial (M2), as shown on the attached map of current zoning for this property.

REZONING PETITION: City Code recommends that the applicant submit a rezoning petition "duly signed by the owners of 50 percent of the area of all real estate included within the boundaries of said tract as described in said petition and duly signed by the owners of 50 percent of the area of all real estate lying outside of said tract but within 300 feet of the boundaries of the said tract. Both of the foregoing percentage signature requirements are for advisory purposes only, and failure to obtain either or both of the required percentages shall not prevent continuance of the permit application." A rezoning petition was not received with this application.

COMPREHENSIVE PLAN: City Code section 165.04 notes that the City "intends [the] Zoning Ordinance and any amendments to it shall be consistent with the City's Comprehensive Plan." The Comprehensive Plan's Future Land Use Map identifies the subject site as Low-Density Residential. Surrounding the property on the Future Land Use Map includes a combination of Low-Density Residential and Commercial/Mixed Use.

Table 1.5 of the Comprehensive Plan, the Land Use Compatibility Matrix, assigns compatibility scores to different land use pairs. The matrix scores range from 1 (incompatible) to 5 (completely compatible).

North and West: Commercial/Mixed Use: 2

South and East: Low-Density Residential: 5

The proposed Low-Density Residential use is outlined in yellow on the attached Future Land Use Map. Any potential conflicts which can be resolved through project design, landscaping, buffering, and screening, can be addressed through the building permit process. The less compatible uses are buffered from the property by an alley and East Third Street.

It should also be noted, staff believes the proposed rezoning aligns with a key strategic priority of the Comprehensive Plan, which is housing. **SUMMARY AND STAFF RECOMMENDATION:** Staff believes that, while there may be some conflicts, the proposed rezoning is mostly in line with the Comprehensive Plan. As a result, staff is recommending approval of the rezoning request. Finally, it is important to note that the Planning and Zoning Commission unanimously approved this rezoning request on June 26, 2023.

ATTACHMENTS: Ordinance, Rezoning Application, Aerial Map, Current Zoning Map, Future Land Use Map

REPORT PREPARED BY: Zoning Analyst

REVIEWED BY: City Administrator, City Clerk, Planning and Zoning Director

RECOMMENDATION: Approve the ordinance

1b. Ordinance No. 1027 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY AMENDING THE BOUNDARIES OF THE CC DISTRICT TO INCLUDE THE PROPERTY GENERALLY LOCATED AT 112 EAST THIRD STREET AND DIRECTING THE PLANNING AND ZONING DIRECTOR TO NOTE THE ORDINANCE NUMBER AND DATE OF THIS CHANGE ON THE OFFICIAL ZONING MAP."

Branderhorst moved to place ordinance no. 1027 on its first reading, seconded by Sporrer.

On roll call the vote was:

AYES: 3 (Branderhorst, Sporrer, De Jong)

NAYS: None

ABSTAIN due to a conflict of interest: 1 (Bandstra)

Motion carried.

F. RESOLUTIONS

1. Resolution No. 6603 entitled, "RESOLUTION CONSENTING TO THE PLACEMENT OF WIRELESS SUPPORT STRUCTURES ADJACENT TO A MUNICIPAL PARK OR RESIDENTIAL LOTS."

De Jong moved to approve, seconded by Sporrer.

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

BACKGROUND: This resolution consents to the placement of three wireless support structures in locations that are either adjacent to a municipal park and/or residential lots. After discussing this item during the Policy and Planning meeting on July 5th, the City Council directed staff to place this resolution on a future agenda for formal consideration. As Council is aware, US Cellular is specifically requesting to construct three small wireless facilities in the following locations:

- Node 7 – 708 W. 2nd Street (across from West Market Park near First Christian Reformed Church)
- Node 8 – 715 W. 3rd Street (across from West Market Park in a residentially zoned area)
- Node 14 – 1120 Main Street (residentially zoned area)

US Cellular provides wireless services in and around Pella. US Cellular's original goal was to construct 15 small wireless facilities throughout the City of Pella prior to the 2023 Tulip Time Festival. Three sites were built in time for the festival. US Cellular is now working on installing the remaining sites.

City Code Requirements for Siting of Small Wireless Facilities

City Code Chapter 172, which was adopted by the City Council in March of 2022, provides the parameters for installation of small wireless facilities in the City of Pella. Specifically, section 172.05(4)(D) states:

In general, and to the extent technically feasible, Small Wireless Facilities shall be located in areas defined in the City’s zoning as follows (Most Preferred to Least Preferred):

1. Industrial areas if not adjacent to a municipal park or residential area.
2. Highway Rights-of-Way areas if not adjacent to a municipal park or residential area.
3. Retail and Commercial areas if not adjacent to a municipal park or residential area.
4. Residential Areas and Parks. A telecommunication service provider is prohibited from installing a wireless support structure in a ROW without written consent from the City Council if the ROW is located in or adjacent to a street or thoroughfare that is adjacent to a municipal park or single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.

The three locations referenced in the attached application must receive consent from the City Council by approval of a resolution as the locations are within a residentially zoned area and/or adjacent to a city park. The proposed designs in this request comply with City Code Chapter 172.

US Cellular Request for location approval of Small Wireless Facilities

Staff has already permitted US Cellular 5G facilities in our historic downtown and surrounding areas that meet the requirements of the ordinance adopted by the City Council. At this point, US Cellular has identified these three specific locations that are needed to support their network, as shown in the attached written request. US Cellular has also provided additional written justifications for the locations and a handout regarding radiofrequency (RF) energy and wireless devices.

Summary and Staff Recommendation: In summary, staff is recommending approval of this resolution which consents to the placement of wireless support structures adjacent to a municipal park or residential lots. Specifically, this resolution approves the placement of Node 7, Node 8, and Node 14, as shown on the attached map.

ATTACHMENTS: Resolution, US Cellular Request, Aerial Map, Photo Simulations, US Cellular Justification for this Request, Radiofrequency Energy Details, City Code Chapter 172

REPORT PREPARED BY: Planning and Zoning Director

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

2. Resolution No. 6604 entitled, “RESOLUTION ADOPTING REVISED PERSONNEL POLICY MANUAL.” Branderhorst moved to approve, seconded by De Jong.

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

BACKGROUND: This resolution adopts the revised Personnel Policy Manual, as shown on the attached red-lined document. After discussing this item during the Policy and Planning meeting on July 5th, the City Council directed staff to place this resolution on a future agenda for formal consideration. Listed below is a summary of the changes reflected in the revised manual:

- Clarify that paychecks are mailed out or direct deposit, no longer handed out by department.
- Define workdays as primarily eight hours; however, departments such as Ambulance, Police, Telecom, and Electric have scheduled work in eight-, 12-, or 24-hour shifts.
- Employees may be allowed flexible time in scheduling, as long as it is during business hours and their time equals scheduled hours at the end of the pay period.
- Classification of new hires as some positions start at a designated step in the scale that is not step 1.
- Pay on the holiday is defined for hourly employees. They will receive holiday pay for working the shift that begins on the designated holiday. They will be paid holiday pay for the full shift, even if the shift continues past 12:00 midnight. In addition, the city no longer allows employees to flex their paid holiday to another day.
- Formally add the amended wage scale and job classification structure, which Council approved on June 20, 2023, to the manual.

In summary, staff recommends approval of this resolution adopting the revised Personnel Policy Manual.

ATTACHMENTS: Resolution, Personnel Policy Manual Updates, Appendix A: Classification Structure

REPORT PREPARED BY: City Administration

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

3. Resolution No. 6605 entitled, “RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR THE 2022 SIDEWALK REPAIR PROJECT.”

De Jong moved to approve, seconded by Branderhorst.

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

BACKGROUND: This resolution approves change order no. 1 for the 2022 Sidewalk Repair project for the purpose of adding identified city-owned sidewalk panels in need of replacement. As background, Council awarded a contract for this project to Den Adel Concrete in April of 2023. When the contract was awarded, staff informed Council that the contract did not include city-owned panels, further noting that these panels would be added to the project through a change order at a later date.

Change Order No. 1: If approved, change order no. 1 increases the contract with Den Adel Concrete by a total of \$16,244 for the following items:

Location	Square Footage	Cost Per SF	Total Cost
Bos Landen	256	\$15.50	\$3,968
West Market Park	276	\$15.50	\$4,278
Huber/Broadway	32	\$15.50	\$496
Brinkhoff Park	24	\$15.50	\$372
Central Park	280	\$15.50	\$4,340
South Park	16	\$15.50	\$248
Library	164	\$15.50	\$2,542
Total	1,048	\$15.50	\$16,244

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

Original contract	\$95,480
Change order no. 1	<u>16,244</u>
Updated contract amount	<u>\$111,724</u>

Summary and Staff Recommendation: Staff recommends approval of change order no. 1 which increases the 2022 Sidewalk Repair project contract by \$16,244 for the purpose of adding city-owned sidewalk panels. It is important to note that this change order does not modify the project's substantial completion date of September 1, 2023.

ATTACHMENTS: Resolution, Change Order No. 1
REPORT PREPARED BY: Zoning Analyst
REVIEWED BY: City Administrator, City Clerk, Planning and Zoning Director
RECOMMENDATION: Approve resolution

4. Resolution No. 6606 entitled, "RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A REAL ESTATE GIFT AGREEMENT WITH RDP HOLDINGS, LLC."

De Jong moved to approve, seconded by Sporrer.

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

BACKGROUND: This resolution approves and authorizes the execution of a real estate gift agreement with RDP Holdings, LLC. As background, RDP Holdings is proposing to gift right-of-way located along the north side of Washington Street to the City of Pella. Specifically, this right-of-way begins just past Fifield Road and extends to the western city limits, as shown on the attached map. The current right-of-way in this area is held in an easement on RDP's property.

The City of Pella wishes to annex this right-of-way for ease of maintenance and control over utilities and infrastructure improvements. It is important to note that the jurisdiction for this area is currently Marion County. Once this gift agreement is accepted by the City Council, the process of formally annexing the entire Washington Street right-of-way from Prairie Ridge to the western city limits can move forward. In summary, staff believes the attached gift agreement is compatible with the Comprehensive Plan and does not adversely affect neighboring property owners or the general public; therefore, staff recommends acceptance of this gift agreement, which was prepared by Ahlers & Cooney, P.C. for the right-of-way along Washington Street.

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

Carlstone arrived at 6:14 p.m.

5. Resolution No. 6607 entitled, "RESOLUTION APPROVING PERMANENT AND TEMPORARY EASEMENTS AND A QUIT CLAIM DEED PAYMENT FOR THE MONROE STREET IMPROVEMENTS, PRAIRIE STREET IMPROVEMENTS, AND 218TH AVENUE & NEIL DRIVE RECONSTRUCTION PROJECTS."

Branderhorst moved to approve, seconded by Bandstra.

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

BACKGROUND: This resolution approves temporary and permanent easements and quit claim deed payment for the documents on three separate projects. As background, to complete specific projects including Monroe Street improvements, Prairie Street improvements, and the 218th Avenue/Neil Drive reconstruction project, the city needed to secure temporary and permanent easements from three property owners and one quit claim deed as outlined below:

Property Owner	Project	Type of Easement/Deed	Easement Payment
Daniel & Sheri DeNooy	Monroe Street	Temporary	\$250
		Permanent	\$500
Matthew & Krystal Bonnett	Monroe Street	Temporary	\$250
Dennis & Tena Roozeboom	218th/Neil Drive	Permanent/Temporary	\$250
Riverside Land LLC	Prairie Street	Quit Claim Deed	<u>\$1,000</u>
Total Easement Payments			<u>\$2,250</u>

The easement payments above were based on minimum payments for signing legal documents.

In summary, staff is recommending approval of this resolution and associated documents which release the permanent easements and the quit claim deed for recording and payments for all of the documents.

ATTACHMENTS: Resolution, Easement and Deed Documents
REPORT PREPARED BY: Public Works Department
REVIEWED BY: City Administrator, City Clerk
RECOMMENDATION: Approve resolution

G. CLAIMS

1. Abstract of Bills No. 2131.

Branderhorst moved to approve, seconded by Bandstra.

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

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

No comments were received.

I. POLICY AND PLANNING

From 6:17 p.m. to 7:33 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. State of Iowa Property Tax Legislation
2. Pella Ambulance Update
3. Community Center Renovation Project Update

I. CLOSED SESSION

1. This item was pulled from the agenda.

K. ADJOURNMENT

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

Meeting adjourned at 7:34 p.m.