



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

August 16, 2022

### **A. CALL TO ORDER BY MAYOR AND ROLL CALL**

The City Council of the City of Pella, Iowa, met in regular session at the Public Safety Complex (614 Main Street) at 6:00 p.m., Mayor Pro Tem Mark De Jong presiding. Council members present were: Mark De Jong, Liz Sporrer, Calvin Bandstra, Dr. Spencer Carlstone, Dave Hopkins. Absent: Mayor Don DeWaard, Lynn Branderhorst.

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

Thirteen staff members and twenty-four members of the general public attended in person.

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

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

1. Approval of Tentative Agenda.

Carlstone moved to approve, seconded by Sporrer.

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

2. Appointment of Allissa Grandia to the Community Development Committee.

Bandstra moved to approve, seconded by Sporrer.

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

BACKGROUND: Mayor DeWaard would like to appoint Allissa Grandia to serve on the Community Development Committee (CDC). Allissa currently serves as the Registrar for the Pella Community School District. Her background in design, training, and experience in Interior Design will be an asset for the CDC. Allissa has a deep passion for Pella's beauty and progress. She has exposure and experience with government policies that will allow her to collaborate with the current CDC members.

If approved, Allissa's new three-year term would expire on August 1, 2025.

ATTACHMENTS: None

REPORT PREPARED BY: Planning and Zoning Department

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve the appointment

3. Oath of Office for New Police Officer Mitchell Monarchino.

BACKGROUND: Mitchell Monarchino has accepted a position as a sworn full-time police officer with the City of Pella. Mr. Monarchino consistently excelled in the competitive police officer testing process at the Pella Police Department.

Mr. Monarchino was raised in Florida before attending college and running track at Central. He earned a B.A. in Exercise Science at Central College in 2010. He worked in the Pella Community School District for 10 years as an IT professional. He was hired as a Des Moines Police Officer in September 2021 and is a Certified Peace Officer in the State of Iowa.

ATTACHMENTS: Oath of Office

REPORT PREPARED BY: Shane McSheehy, Chief of Police

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Administer Oath of Office

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

No comments were received.

### **D. APPROVAL OF CONSENT AGENDA**

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

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 August 2, 2022
2. Report of Committees
  - a. Policy and Planning Minutes for August 2, 2022

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

ABSENT: None

OTHERS: City staff and visitors

The Policy and Planning meeting began at 6:32 p.m.

The first item was a discussion regarding the Police Department's request to remove on-street parking in the 700 block of Peace Street. City Code currently allows three-hour parking on the north side of this block. Residents of South Main have voiced safety concerns due to vehicles parking very close to their driveways, at times blocking access. Central College does not believe this proposed on-street parking restriction would negatively affect their students. At the end of the discussion, staff was directed to proceed with placing an ordinance removing on-street parking in the 700 block of Peace Street on a future agenda for formal consideration.

The next item was discussion regarding redevelopment of the Oskaloosa Street corridor, which extends on Oskaloosa Street from Main to 240th. In 2019, Council adopted guidelines for this corridor which were developed by Snyder & Associates. During this agenda item, Council discussed the following:

1. Establish a new Urban Renewal Plan (URP) to extend from Oskaloosa/Main to Oskaloosa/240th, including all commercial property abutting Oskaloosa Street and the Pella Corporation campus. An URP must be established for the city to offer economic development incentives within the geographic area covered as part of the plan. Council was in support of staff proceeding with the necessary steps to establish this URP.
2. Prioritize the zoning recommendations included in the development guidelines, focusing on:
  - Consider allowing microbreweries, brewpubs, and cocktail lounges to operate in all Community Commercial (CC) zoning districts by right rather than by special use permit.
  - Consider disallowing new single- and two-family residential uses in CC zoning districts due to the potential for land use conflicts. City Administrator Nardini informed Council that existing housing structures would be grandfathered in to allow rebuilding in the case of catastrophic events such as a fire or a tornado.

Council directed staff to place the above zoning change recommendations on a future Planning and Zoning Commission work session agenda for their consideration.

Additionally, staff discussed the potential of creating a redevelopment plan in a specific geographic area, such as Huber Street, which would focus on detailed goals such as promoting infill development, using existing public infrastructure, and eliminating blight. Redevelopment plans allow smaller scale economic development incentives such as tax abatement for new development.

In 2018, Council initially approved a moratorium on the issuance of building permits for new single- or two-family homes in the Oskaloosa Street corridor. This moratorium expired on December 31, 2020. Council member Branderhorst requested that a moratorium again be considered by Council to prevent new residential dwellings from being built on vacant properties while Council is analyzing options for redevelopment.

The next item was discussion regarding the city-owned property abutting the Washington Street and Hazel Street intersection. Recently, Council discussed seeking development proposals for this property as well as the possibility of installing enhanced traffic controls at this intersection. After consulting with the city engineer, it was determined that additional public right-of-way (ROW) would need to be acquired to proceed with enhanced traffic controls. Due to the findings, Council directed staff to delay the seeking of development proposals for the city-owned property until staff works with the city engineer to determine exactly how much city-owned property would be impacted by the installation of enhanced traffic controls.

The last item on the agenda was a review of several Council approved projects for which funding sources have not been finalized. At the end of the discussion, staff was directed to proceed with the following funding sources for each project:

- Utilize debt issuances to support the Prairie Street and Monroe Street reconstruction projects.
- Utilize ARPA funds to support the University Street reconstruction project cost overrun, the Prairie Ridge Sanitary Sewer project, and the Pella Municipal Airport Apron Expansion project.
- Allocate approx. \$334,000 in contingency funds for future cost overruns, other unbudgeted projects identified by Council, and inflationary pressures.

The meeting adjourned at 7:30 p.m.

Respectfully submitted:

Mandy Smith  
City Clerk

## b. Historic Preservation Commission Minutes for June 13, 2022

Chairperson Kermode called the Historic Preservation Commission (HPC) to order in the Memorial Building at 5:00 p.m. Members present were: Don André, Bruce Boertje, Lorinda Bradley, Rhonda Kermode, and Lila Turnbull. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Three 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 Boertje, second by André to approve the minutes from the May 9, 2022 meeting. Motion carried 5-0.

### NEW BUSINESS

Consider an Addition Permit Application for 508 W. 1st St., Located Within the Collegiate Neighborhood Historic District

The applicant, Jane Smith, submitted an application to construct an addition at 508 W. First St., 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 proposed addition is going to have siding that matches the existing structure. The addition is being added to a newer addition on the house, which is located behind the more historical brick portion. Additionally, it is also clear where the demarcation is between the new and the old structures. The only feature that would stand out is the floor-to-ceiling glass on the west side facing West First Street, though this would serve as a clear indicator of where the addition begins. The rest of the added windows appear to maintain a similar massing on the west side, which is the character-defining elevation for the property.

As the addition matches the newer portions of the existing structure, while maintaining the distinctiveness, this satisfies every part of the 10-part test under the requirements under The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Therefore, staff recommended that the addition be approved as submitted.

The applicant, Jane Smith, was present to speak in favor of the addition permit application and to answer questions from the Commission. She stated that the addition's large glass window will be a nine-light window.

Motion by André, second by Bradley to approve the addition permit as submitted.

Motion by André, second by Bradley to amend the previous motion with the requirement that the proposed picture window is a nine-light window. Motion carried 5-0.

### OTHER BUSINESS/WORK SESSION

Work Session to Discuss the Proposed Scholte Garden Historic District

In 2021, the City of Pella HPC held informational sessions with property owners in the proposed Scholte Garden Historic District. Signatures from owners of property on Broadway Street, as well as Main Street, have been received and calculated determining support of the proposed historic district. The rules to determine property and frontage support are as follows:

A. The process to rezone areas as a historic district shall follow the requirements of Chapter 165.38 of the City of Pella's zoning code. In addition to the requirements of this code section, the application to rezone property for a historic overlay district must contain signatures of the owners of at least 50% of the total number of parcels of real estate within the proposed district, excluding parcels owned by government bodies, provided that each parcel, within the meaning of this subsection, shall constitute a separate parcel for property tax assessment purposes, as shown in the records of the county assessor on the date of the filing of the petition. Furthermore, the application must also contain signatures of owners of at least 50% of the total public street frontage area within the proposed district, excluding public street frontage abutting governmental property. An application to rezone areas as a historic district can be submitted by the City of Pella, the HPC, the Planning and Zoning Commission, or a property owner from the proposed district.

The Scholte Garden Historic District consist of 47 parcels. Of the 47 parcels, 30 property owners have signed as supporting the district, which equates to 63.8%. The 30 property owners also own 1,546.5 feet of frontage, which equates to 57.5%. To date, staff has not received any further signatures and a completed Historic District Designation Application has not yet been submitted for consideration by the Commission.

Boertje sent staff a digital copy of the booklet he created that is comprised of information about property in the proposed historic district that he researched and compiled. The booklet could be passed along to the City Council and the property owners in the district. Staff will look into getting quotes to print and bind the booklet for distribution. The booklet could then be submitted to the State of Iowa with the completed application. Photos of other substantial structures on the properties in the proposed district still need to be gathered. Boertje continues to work on the submittal to the State of Iowa. Photos of the properties will need be printed and identified with addresses and parcel identification numbers.

Work Session to Discuss the Certified Local Government Program

Kermode and Bradley met to create talking points on the benefits of Certified Local Governments (CLG). Kermode and Bradley explained that, as part of a CLG, the City would be eligible for grants and technical assistance, networking with other CLGs, and be eligible to receive training for the Commission. Grant matches can be monetary or through volunteer hours. Being a CLG can provide cities with funds for educational materials. There is no cost to join the program and no known disadvantages.

Bob Zylstra said it might be beneficial for the Commission to speak to the Pella Area Community and Economic Alliance's Downtown Development Council about CLG benefits and the Main Street Iowa program. Klingner & Associates, P.C. Architect and Pella Branch Manager Kim Mulch said the Spirit of Pella might be another group for the Commission to talk with too.

Kermode said she will reach out to Councilmember Liz Sporrer and Mayor Don DeWaard, Bradley will reach out to Councilmember Dave Hopkins, and Boertje will reach out to either Councilmember Lynn Branderhorst or Councilmember Calvin Bandstra to discuss CLG benefits. Kermode will forward the list of talking points to staff.

Work Session to Discuss Historic District Signage

Buydos showed the Commission proposed street signage for the Collegiate Neighborhood Historic District, which Iowa Prison Industries has provided him with. Each sign was quoted a cost of \$121.40. The Commission indicated their support for the proposed design and suggested that the wording on the top of the sign be changed from Local Historic District to Pella Historic District.

Kermode announced the Commission would take a scheduled recess at 5:57 p.m. and reconvene at the historic fire station and hose tower site. The meeting reconvened at 6:08 p.m.

Work Session to Discuss the Historic Fire Station and Hose Tower

At the Historic Preservation Commission meeting on May 9, 2022, the Commission expressed interest in touring the historic fire station and hose tower site. Arrangements were made to allow the Commission access to the structures for inspection. An estimate of repair costs is needed. Mulch was present to tour the site with the Commission. The outside of the hose tower needs significant repair. Mulch will look into getting some cost estimates for potential repairs to the siding. The Commission also noted that the upstairs of the historic fire station is in need of repairs as well.

Next Meeting Date: The next meeting is scheduled for July 11, 2022.

Adjourned at 6:45 p.m.

### c. Community Development Committee Minutes for June 22, 2022

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

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

APPROVAL OF MINUTES: Motion by Vander Beek, second by Riggen to approve the minutes from the June 8, 2022 meeting. Motion carried 6-0.

OTHER BUSINESS / WORK SESSION

Work Session to Discuss Proposed Design Review District Design Manual Updates and Review Draft Architectural Design Guidelines

On April 29, 2021, the CDC appointed four committee members (Kiser, Riggen, Vander Beek, and Van Hemert) to a subcommittee to review the Design Review District Design Manual for potential updates. The purpose of this work session with SHYFT Collective was to discuss potential updates to the Design Manual. The City Council will need to approve proposed updates to the manual prior to implementation.

SHYFT Collective Senior Project Architect Kurt Hagge and the Committee discussed the draft Architectural Design Guidelines that were prepared for the Committee's review. Several pages in the new document will include precedent images of structures that exist in Pella. The font size, per the recommendation of staff and the Committee, was increased by two points. Additionally, major and minor will now refer to architectural elements and primary and secondary will refer to materials. The glossary was also expanded to assist the public in making design decisions. Planning and Zoning Director Gerald Buydos will work on re-writing the peddler section of the manual.

Hagge and the Committee discussed the meeting schedule. August 10, 2022 was suggested as a potential public hearing date for the Committee to receive feedback from the public on the draft guidelines. The Historic Preservation Commission could discuss the guidelines during a work session at their meeting scheduled for July 11, 2022 and the Planning and Zoning Commission could hold a work session to review the guidelines at their meeting scheduled for July 25, 2022. City Council could then potentially review the guidelines at their meeting scheduled for September 6, 2022.

Following discussion of the document, Hagge stated that SHYFT will prepare a revised draft of the guidelines.

Work Session to Discuss the Installed Lely Freestanding Ground Sign

The Highway 163 freestanding ground sign for Lely that was approved by the Committee has been installed. Staff shared photos of the recently installed sign for those who have not yet had an opportunity to view it. It was noted that the sign is only partially visible heading east on Highway 163. Staff verified that it was constructed in accordance with the issued sign permit.

Next Meeting Date: The next regular meeting is scheduled for July 13, 2022.

Adjourned at 6:43 p.m.

### d. Planning and Zoning Commission Minutes for June 27, 2022

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, Julio Chiarella, Kisha Jahner, Tom Johnson, Ann Visser, and Teri Vos; absent: Cathy Haustein, Mark Groenendyk, and Robin Pfalzgraf. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, Local Programming Coordinator Monte Goodyk, and the Deputy City Clerk. Six members of the public were present.

APPROVAL OF TENTATIVE AGENDA: Motion by Visser, second by Jahner to approve the tentative agenda. Motion carried 7-0.

APPROVAL OF MINUTES: Motion by Johnson, second by Chiarella to approve the minutes of the May 23, 2022 meeting. Motion carried 7-0.

## PUBLIC HEARINGS

Public Hearing to Consider a Rezoning Application for 2073 Old Highway 163, Submitted by Pella Building Systems – Weibe Goodyk  
Pella Building Systems submitted a rezoning application for 2073 Old Highway 163 to change the zoning from Community Commercial (CC) to Limited/Light Industrial (M1) for a new storage and warehousing facility. The subject property is located along Old Highway 163 and is currently vacant.

The proposed zoning for this property is M1. This district is intended to reserve sites appropriate for the location of industrial uses with relatively limited environmental effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development, while assuring that facilities are served with adequate parking and loading facilities. Property zones surrounding the site include CC and Agricultural (A1). A rezoning petition was received with this application that covered approximately 47.65% of the 300-foot area around the property.

Staff proposed the following conditional zoning restrictions: Enhanced landscape screening abutting residential uses and Community Development Committee architectural review for buildings fronting Old Hwy 163.

Commercial Uses: Business Support Services, Construction Sales/Service

Trade Services: Outside Vehicle Storage (Long-term) Vehicle Storage (Short-term) for personal vehicles, recreational vehicles, and boats.

Industrial Uses: Mini Storage, Warehousing (Enclosed, contractors' equipment and heavy machines).

Staff believes the proposed rezoning aligns with a key strategic priority of the Comprehensive Plan, which is economic development and increased industrial acres. In addition, staff also believes the conditions associated with this rezoning request address potential land use compatibility issues. As a result, staff recommended approval of the rezoning request with the condition of enhanced screening, limited uses, and restricting vehicle storage to personal vehicles, recreational vehicles, and boats.

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

Chris and Amy Bogaards, residents of Old Highway 163, shared concerns they have with the proposed rezoning. Specifically, they shared concerns with the potential for increased traffic on their dead-end road, vehicles blocking access to their home as a public safety issue, and drainage overwhelming their culvert. Planning and Zoning Director Gerald Buydos explained that traffic and drainage will be looked at as part of the site plan process. He encouraged the Bogaards to contact the Pella Police Department via their non-emergency number if access to their road is blocked. Staff will contact the Public Works Department to ask whether additional dead-end signage could be installed to prevent vehicles inadvertently driving down Old Highway 163 and getting stuck trying to turn around.

Vos closed the public hearing, as no further comments were received.

There was a question whether conditional rezonings are recorded with the Marion County Recorder's Office in property abstracts. Jahner said she will look into that. Buydos stated that when property is conditionally rezoned, it will be noted on the City's GIS zoning map.

Motion by Canfield, second by Johnson to approve the rezoning request with the conditions as listed in the proposed ordinance. Motion carried 7-0.

Buydos noted that this item will be considered by the City Council at the meeting scheduled for July 5, 2022.

## NEW BUSINESS PROPOSED

Consider a Site Plan for 213 SE 14th St., Submitted by Gary Kuiper, to Construct a Warehouse Expansion and Additional Paving  
Kelly Supply submitted a site plan application to construct an approximately 10,000 square-foot addition at 213 SE 14th St. There will also be approximately 18,900 square feet of paved parking.

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

Chapter 165.36(F)(3) requires the proposed site plan to conform to the City's Comprehensive Plan. The Future Land Use Map of the Comprehensive Plan identifies this site for "General Industrial" land uses. Staff believes this use fully complies with the Future Land Use Map and the Comprehensive Plan.

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 Canfield, second by Visser to approve the site plan as submitted. Motion carried 7-0.

Consider a Site Plan Application for 2119 Fifield Rd., Submitted by Pella Corporation, to Construct an Airport Hangar Addition and Associated Improvements

Pella Corporation proposed building addition to their hangar on the property located at 2119 Fifield Rd. along with additional parking. The proposed addition shall be approximately 2,800 square feet and the proposed paving is approximately 4,700 square feet.

Chapter 165.36(F)(3) requires the proposed site plan to conform to the City's Comprehensive Plan. Staff believes the proposed hangar is consistent with the Comprehensive Plan. When analyzing compliance with the plan, it is important to consider the document as a whole.

While the Future Land Use Map identifies the parcels as residential, one of the priority goals of the plan is to "continue to foster an economic environment that supports and attracts quality business, industry and tourism." Given the proposed site plan will not alter the current or future use of the facility, and given the plan's focus on economic vitality as whole, staff believes the proposed site plan is in conformance with the Comprehensive Plan.

The proposed site plan meets the minimum zoning requirements. Additionally, staff believes that the proposed site plan complies with the Comprehensive Plan by fostering an economic environment that supports and attracts quality business, industry, and tourism. Therefore, staff recommended approval of the site plan as submitted.

Motion by Jahner, second by Canfield to approve the site plan as submitted. Motion carried 7-0.

## OTHER BUSINESS / WORK SESSION

Next Meeting Date: The next Planning and Zoning Commission meeting is scheduled for July 25, 2022.

Other: Buydos shared that staff recently received a proposed draft of the updated Architectural Guidelines that will be sent to the Commission so that members can provide comments to staff prior to holding a work session at the next meeting to discuss them.

There was a question whether conditional rezonings are recorded with the Marion County Recorder's Office in property abstracts. Jahner said she will look into that.

Adjourned at 7:59 p.m.

## e. Board of Adjustment Minutes for July 6, 2022

Chairperson Westra called the Board of Adjustment to order at 6:03 p.m. in the Public Safety Complex. Members present were: Jaci Nunnikhoven, Susan Reiter, Lyle Vander Meiden, Mike Vander Wert, and Corey Westra; absent: Kristi Kious and Vince Nossaman. Staff present: Planning and Zoning Director Gerald Buydos and Zoning Analyst Jared Parker. One member of the public attended the meeting.

### CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda: Motion by Reiter, second by Nunnikhoven to approve the tentative agenda. Motion carried unanimously by voice vote.

APPROVAL OF MINUTES: Motion by Vander Wert, second by Vander Meiden to approve the June 20, 2022 minutes. Motion carried unanimously by voice vote.

**PUBLIC HEARINGS**

Consider a Special Use Permit for Simple Solar to Construct a Solar Array at 2130 Idaho Drive.

Simple Solar submitted a Special Use Permit application for property located at 2130 Idaho Drive. The applicant requested a Special Use Permit to construct solar panels on a roof on the property in excess of 100 square feet.

Convened Public Hearing on the Special Use Permit request. No written comments were received.

Patti Kloosterman spoke briefly in favor of the application as the resident of 2130 Idaho.

Motion by Nunnikhoven, second by Reiter to close the Public Hearing as no further comments were received. Motion carried unanimously on voice vote.

Motion by Nunnikhoven, second by Reiter to approve the Special Use Permit as submitted. On roll call, the vote was: ayes: Nunnikhoven, Reiter, Vander Meiden, Vander Wert, Westra; nays: none. Motion carried 5-0.

**OTHER BUSINESS**

Next Meeting Date: The next meeting is scheduled for July 18, 2022. Planning and Zoning Director Gerald Buydos informed the Board that a variance will be on the agenda for the next meeting. Planning and Zoning Director Gerald Buydos also noted that City Council approved the drafting of a new ordinance to amend the zoning ordinances regarding solar panels in line with the Board of Adjustment's recommendations. Motion to adjourn made by Reiter, seconded by Nunnikhoven. Motion carried unanimously on voice vote.

Adjourned at 6:15 p.m.

**3. Petitions and Communications**

**a. Renewal of Class C Liquor License with Sunday Sales for El Charro Mexican Grill**

**BACKGROUND:** Ramirez MX Food Inc, DBA El Charro Mexican Grill at 514 Main Street, has applied for renewal of their class C liquor license with Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on September 3, 2023.

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

**ATTACHMENTS:** None

**REPORT PREPARED BY:** City Clerk

**REVIEWED BY:** City Administrator

**RECOMMENDATION:** Conditional approval of renewal pending receipt of dram shop certification

**b. Renewal of Class C Liquor License with Sunday Sales for Dutch 200 Bowl & Grill**

**BACKGROUND:** Dutch 200 Bowl & Grill LLC at 204 SE 9th Street has applied for renewal of their class C liquor license with Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire August 31, 2023.

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

**ATTACHMENTS:** None

**REPORT PREPARED BY:** City Clerk

**REVIEWED BY:** City Administrator

**RECOMMENDATION:** Approve renewal

**c. New Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales for Hy-Vee Food Store**

**BACKGROUND:** Hy-Vee, Inc., DBA Hy-Vee Food Store at 118 SE 9th Street, has applied to change their current beer/wine license to a new class E liquor license with class B wine permit, class C beer permit (carryout beer), and Sunday sales privileges. The purpose of this request is to begin selling liquor for off-premises consumption in addition to the off-premises beer/wine sales that the applicant currently offers. If approved, this change would be effective on August 29, 2022. The term of the license is 12 months.

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

**ATTACHMENTS:** None

**REPORT PREPARED BY:** City Clerk

**REVIEWED BY:** City Administrator

**RECOMMENDATION:** Approve license change

**d. Special Event Permit Request for PPI Family Day**

**i. Resolution No. 6478 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS PPI FAMILY DAY"**

**BACKGROUND:** PPI is requesting a special event permit from 7:00 a.m. to 4:00 p.m. on Saturday, September 17, 2022, to close S.E. 14th Street, from the PPI Training Center to the PPI Plant 2 South entrance, as shown on the attached map. The purpose of this request is to utilize this street segment to host activities related to the PPI Family Day. It is important to note that while the event is not open for members of the public to attend, a special event permit is still needed in order to close a public street segment.

All pertinent city departments have reviewed this application and comments are attached. The fee and insurance certificate have been received. The promoter has communicated this requested street closure to all affected businesses. As a result of these items, approval of this special event permit and associated street closure resolution is recommended.

**ATTACHMENTS:** Resolution, Application, Map, Department Comments

**REPORT PREPARED BY:** City Clerk

**REVIEWED BY:** City Administrator

**RECOMMENDATION:** Approve special event permit and associated resolution

**e. Special Event Permit Request for the Pella Fire Department Pancake Breakfast**

**BACKGROUND:** The Pella Fire Department has requested a special event permit to host their annual pancake breakfast on Saturday, October 8, 2022, from 6:00 to 11:00 a.m. Set-up is requested to begin at 5:00 a.m. with take down complete by noon. As background, the Pella Fire Department is hosting this breakfast for the purpose of raising funds for use in equipping their new fire truck.

All pertinent city departments have reviewed this application and comments are attached. Approval is recommended.

**ATTACHMENTS:** Application, Department Comments

**REPORT PREPARED BY:** City Clerk

**REVIEWED BY:** City Administrator

**RECOMMENDATION:** Approve special event permit

4. Resolution No. 6479 entitled, “RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS”

BACKGROUND: On June 21, 2022, Council awarded a contract for construction of the Prairie Street Improvement Project in the amount of \$914,587. The notice to proceed was approved on or around July 1, 2022, with a final completion date of July 31, 2023.

Funding: On August 2, 2022, Council directed staff to proceed with issuing debt to fund this project. Given the timing for expenditures related to project construction, staff engaged legal counsel to prepare this reimbursement resolution.

This resolution declares the Council’s intent to utilize future debt financing to fund the total estimated project cost of \$1,050,000 and allows for expenditure made from the city’s Capital Facility Fund to be reimbursed by future debt financing. The total estimated amount includes \$914,587 for construction, \$102,900 for engineering, and roughly \$32,513 for contingency and cost overruns. It should be noted that the resolution does not require the City Council to utilize debt financing for the project; it simply provides an avenue for reimbursement of associated costs if the Council chooses.

In summary, staff is recommending approval of the attached resolution authorizing the reimbursement of capital costs associated with the Prairie Street Improvement Project from a future debt issuance.

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

**E. PUBLIC HEARING**

1a. Public Hearing on rezoning application for 414 Liberty Street.

Two written comments were received and included in the Council packet.

No oral comments were received.

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

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

BACKGROUND: The Estate of Tim Sadler has submitted a rezoning application for 414 Liberty to change the zoning from Institutional (INS) to Neotraditional Single-Family Residential (R1C). The subject property is located on the northeast corner of E. 2nd Street and Liberty Street.

CURRENT ZONING: The subject property is currently zoned INS. This district accommodates a variety of institutional uses including college campus environments, schools, churches, hospitals, medical campus, and elder care facilities. The district is designed to provide appropriate space regulations and assure facilities are served with adequate parking.

PROPOSED ZONING: The proposed zoning for this property is R1C. This district is intended to provide for medium density residential neighborhoods, characterized by single-family dwellings on moderate to small lots with supporting community facilities and urban services. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure. This district allows for smaller, single-family lots that are more traditional of “Old Pella” and could be applied to a new traditional (neotraditional) development. Alleys are a requirement for this district. Garages shall front on the alley. Property zones surrounding the site include Central Business District (CBD), Neotraditional Single-Family Residential (R1C), Two Family Residential (R2), and Institutional (INS).

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 and Medical and Assisted Living.

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

PROJECT SITE	North	South	East	West
Proposed Low Density Residential	Low Density Residential	Medical/Assisted Living	Low Density Residential	Low Density Residential
Compatibility	5	3	5	5

Any potential conflicts which can be resolved through project design, landscaping, buffering, and screening, can be addressed through the building permit process. It should also be noted, staff believes the proposed rezoning aligns with a key strategic priority of the Comprehensive Plan, which is housing. Finally, by rezoning the property, it will be bringing the zoning of the property to conform with the use of the property.

Staff believes the proposed rezoning aligns with aspects of the city’s 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 July 25, 2022.

ATTACHMENTS: Ordinance, Rezoning Application, Written Comments  
REPORT PREPARED BY: Zoning Analyst  
REVIEWED BY: Planning and Zoning Director, City Administrator, City Clerk  
RECOMMENDATION: Approve the ordinance

1b. Ordinance No. 1014 entitled, “AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY AMENDING THE BOUNDARIES OF THE NEOTRADITIONAL SINGLE-FAMILY RESIDENTIAL DISTRICT TO INCLUDE THE PROPERTY LEGALLY DESCRIBED IN “EXHIBIT A” AND DIRECTING THE PLANNING AND ZONING DIRECTOR TO NOTE THE ORDINANCE NUMBER AND DATE OF THIS CHANGE ON THE OFFICIAL ZONING MAP.”

Bandstra moved to amend Section 1 of the ordinance to change the ownership from “Timothy Sadler” to “the estate of Timothy Sadler,” seconded by Hopkins.

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

Hopkins moved to place ordinance no. 1014, as amended, on its first reading, seconded by Sporrer.

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

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

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

Sporrer moved that ordinance no. 1014, as amended, be adopted, seconded by Hopkins.

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

Mayor Pro Tem De Jong declared the ordinance duly passed and adopted.

## **F. PETITIONS & COMMUNICATIONS**

1. Hopkins moved to proclaim Monday, October 31, 2022 as Beggar's Night in Pella, seconded by Sporrer.

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

BACKGROUND: Historically, the City of Pella has designated one evening around Halloween as Beggar's Night. It is the city's intent to continue this tradition by designating Monday, October 31, 2022 as Beggar's Night. The hours identified for this activity are from 6:00 to 8:00 p.m.

The following organizations were solicited for input regarding Beggar's Night events:

- City of Knoxville and City of Oskaloosa – not designated as of this publication.
- PACE Alliance – no significant sponsored events scheduled on October 31.
- Pella Christian Schools and Pella Community Schools – no conflicts.

ATTACHMENTS: None

REPORT PREPARED BY: Shane McSheehy, Chief of Police

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Proclaim Monday, October 31, 2022 as Beggar's Night for the City of Pella from 6:00 to 8:00 p.m.

2. Joni Livingston, Vice President of Member Services and Communications with Missouri River Energy Services, provided a brief presentation to Council. No formal Council action was taken.

BACKGROUND: During this meeting, Joni Livingston, Vice President of Member Services and Communications with Missouri River Energy Services (MRES), will provide a brief presentation about the following items:

- Background information about MRES
- Red Rock Hydroelectric project update
- MRES's plans for time and use metering in 2023

ATTACHMENTS: None

REPORT PREPARED BY: City Administration

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Informational item only

## **G. RESOLUTIONS**

1. Resolution No. 6480 entitled, "RESOLUTION MAKING AWARD OF CONTRACT FOR THE APRON EXPANSION PROJECT AT THE PELLA MUNICIPAL AIRPORT."

Bandstra moved to approve, seconded by Hopkins.

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

BACKGROUND: This resolution awards the contract for the Apron Expansion project at the Pella Municipal Airport. As background, on August 2, 2022, Council accepted this project's plans, specifications, form of contract, estimate of costs, bids, and deferred the award of contract by two weeks to allow time for Council to discuss potential funding sources for the project.

The project includes a base bid for 100' wide by 530' long six-inch thick PCC pavement. The project also includes a bid alternate to add 50' in width (for a total of 150') extending the full 530' length.

The bid opening for the project was held on July 26, 2022 with six total bids received:

Bidder	Base Bid	Alternate Bid	Total Bid
Pella Concrete Contractors	\$565,543.00	\$213,339.75	\$778,882.75
Concrete Professionals	\$588,172.00	\$221,066.55	\$809,238.55
TK Concrete	\$596,723.00	\$236,588.00	\$833,311.00
Jensen Builders	\$643,613.00	\$228,962.00	\$872,575.00
Elder Corporation	\$753,331.05	\$238,568.95	\$991,900.00
Choice Concrete	\$733,510.00	\$263,606.00	\$997,116.00

The engineer's opinion of probable costs are as follows:

Base Bid \$630,292

Alternate \$233,382

Total Bid \$863,674

After reviewing the bid proposals and checking references, Garden & Associates, the project engineer, recommends awarding the contract to the lowest responsive, responsible bidder, Pella Concrete.

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

- Notice to proceed issued (approximate): September 1, 2022
- Final completion: 45 working days (base and alternate bids)

In summary, staff is recommending approval of this resolution which awards the contract for the above referenced project to Pella Concrete Contractors in the total amount of \$778,882.75 for the base and alternate bids.

ATTACHMENTS: Resolution, Engineer's Recommendation, Bid Tabulation, Project Map

REPORT PREPARED BY: Public Works Department

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

## **H. ORDINANCE**

1. Ordinance No. 1015 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PELLA, IOWA CHAPTER 69 PARKING REGULATIONS."

Hopkins moved to place ordinance no. 1015 on its first reading, seconded by Sporrer.

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

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

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

Hopkins moved that ordinance no. 1015 be adopted, seconded by Sporrer.

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

Mayor Pro Tem De Jong declared the ordinance duly passed and adopted.

BACKGROUND: This ordinance amends City Code to remove on-street parking in the 700 block of Peace Street, as discussed with Council during the Policy and Planning meeting on August 2nd. Currently, City Code reflects three-hour parking in a portion of the north side of the 700 block of Peace Street; however, this restriction dates to when Webster School occupied the area. Since this time, the South Main project has been constructed including several driveways which ingress/egress in the 700 block of Peace Street. Residents of the 700 block of Peace Street have voiced safety concerns to the Police Department due to vehicles parking very close to their driveways, sometimes blocking driveway access.

Proposed City Code Changes

The Police Department recommends removing parking on the north side of Peace Street. Listed below is the proposed ordinance amendment:

Delete the following from City Code Chapter 69.12 Parking Limited:

Parking on the following streets in designated spaces shall be limited to three (3) hours from nine o'clock (9:00) a.m. to six o'clock (6:00) p.m., Monday through Saturday:

STREET	FROM	TO	SIDE
Peace Street	123' west of Main Street	214' west of Main Street	north

Add the following to City Code Chapter 69.08 No Parking Zones:

No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal:

STREET	FROM	TO	SIDE
Peace Street	Main Street	Broadway Street	north

Central College students who reside in nearby dorms often utilize on-street parking. As a result, the Police Department discussed the above proposed changes with Central College administration. Central College believes there is adequate student parking available in designated lots and removal of on-street parking in the 700 block of Peace Street would not negatively affect their students.

Summary: In summary, staff recommends approval of the attached ordinance which removes on-street parking in the 700 block of Peace Street, as shown on the attached map.

ATTACHMENTS: Ordinance, Map  
REPORT PREPARED BY: Police Department  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve ordinance

## **I. CLAIMS**

1. Abstract of Bills No. 2109.

Hopkins moved to approve, seconded by Sporrer.

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

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

No comments were received.

## **K. CLOSED SESSION**

1. At 7:01 p.m., Hopkins moved to enter into closed session pursuant to Iowa Code Chapter 21.5 1(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, seconded by Sporrer.

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

Council reconvened to open session at 8:06 p.m.

No action was taken regarding this closed session.

## **L. 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 8:07 p.m.