



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

September 6, 2022

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

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

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

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

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

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

1. Approval of Tentative Agenda.

Bandstra moved to approve, seconded by Hopkins.

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

2. Acceptance of Civil Service Commission Certified Police Officer List.

De Jong moved to approve, seconded by Branderhorst.

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

BACKGROUND: The Pella Civil Service Commission has certified the following candidates (in rank order) for the position of Police Officer:

Mya Irlmeier	Manning, IA
Shawn Mason	Oskaloosa, IA
Jacob Mikluscak	Uniontown, PA

ATTACHMENTS:

None

REPORT PREPARED BY:

Marcia Slycord, Clerk of the Pella Civil Service Commission

REVIEWED BY:

City Administrator, City Clerk

RECOMMENDATION:

Accept the Pella Civil Service Commission's certified list

### **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: 6, NAYS: None. Motion carried.

The following items were approved:

1. Approval of Minutes

- a. Official Council Minutes for August 16, 2022

2. Report of Committees

- a. Community Services Board Minutes for June 17, 2022

Present: Nathan Guess, Mike Lyons, Glenn Steimling, Amanda Schwerdtfeger

Absent: Lauri Amelse, Stephen Fyfe, Arvin Van Zante

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

12:03pm Community Services Director Jeanette Vaughan called the meeting to order

Minutes - Motion by Guess, seconded by Lyons to approve the Community Services Board Meeting minutes of April 14, 2022. Motion carried 4-0

Discussion Items  
Indoor Recreation Center – Architect Selection Process Update – Vaughan updated the board on progress regarding the Indoor Recreation Center. The city received 10 architect proposals that were reviewed by the Ad Hoc Indoor Recreation committee. The top 4 firms were selected to present to a sub-committee comprised of three members of the Ad Hoc committee, the Public Works Director and Vaughan. Guess, member of the ad hoc committee and sub-committee that took part in the presentations, was asked to report on the process. Guess shared that the presentations went well with three of the four firms standing out. The sub-committee made the recommendation for the firm that had a large pool of employees to pull from and a lead architect that has sport architecture as his specialty. Guess feels that the recommended firm will work well guiding the Ad Hoc committee through the design process. Vaughan said the next step is for city administration to work through the contract process with the selected firm and hopefully approve the contract on the July 5th council agenda. Vaughan also asked the Board to share any ideas or input they have with her. Guess said Board members could reach out to him as well. Schwerdtfeger asked if the Board could receive information on ideas already suggested by the ad hoc committee.

Department Updates:

Golf & Athletic Fields/ Kevin Vos

- Pella Sports Park

Regular spring baseball/softball season will be finished by the end of June.

Tournaments – Southern Iowa Summer Classic June 11 & 12 with 42 teams; June 18 Kettler USSSA with 22 teams, June 25 PCHS softball with 8 high school teams.

EAB Community Forest Grant Tree planting project on June 1 with volunteers from Pella Corporation to assist with planting 11 trees. Coordinated through the IDNR.

Will be completing extensive field repairs after spring season/tournaments.

Fully staffed for Sports Park and Soccer Complex

- Pella Soccer complex

Spring season is complete, fields will be aerified, seeded and fertilized.

Completed irrigation pump repairs by contractor.

- Bos Landen Golf course

June 3 Dordt College, June 10 COC events.

Completing daily regular maintenance.

Starting to work on detail work, weeding, trimming with summer staff.

Still have 1 part time 1200-hour position not filled.

Contractor completed installation of new sidewalk along the driving range area.

Electric golf cart acquisition for use by special needs golfers.

Irrigation pump computer board & electric line filter repairs by contractors.

FY23 CIP – rotary mower purchase approved. Mower to be used for native area, trim areas and snow blowing. Arrival date of the unit is expected in January 2023.

Aquatics/ Alex Meyers

- Memorial Day was warm and busy with 500+ people at the Aquatic Center

- The pool is averaging 400 admissions daily.

- Staffing currently have approximately 45 lifeguards. Would like to have 15 more. The number of lifeguards determine how many pool stations can be open.

- The reduction to \$5 rate for after 5pm has been highly successful.

- Swimming lessons filled quickly include all group lessons and 15 private lesson spots.

- Concessions are busy especially at sports park with little league and tournaments.

Art & Rec/ Brenda Ross

- The fan motor mount broke in Auditorium landing on the fan. This caused a loud clanking sound which has been fixed and is now working correctly.

- Summer art programs have started and about ½ of the kid’s classes are full. The adult classes still have space available.

- The Art Bike arrived and has been wrapped by Pella Engraving. It looks great! You will see Art2Go on Wednesdays at various parks and on Thursday nights on the square along with the Library Book Bike.

- Mary received a grant for \$4500 for the Learning & Dyeing Garden. 32 square garden beds were purchased from Theisen’s. Mary and her helpers assembled them and filled them with dirt and peat moss. They were ready for the summer class to plant the vegetables and flowers. Through a partnership with Central College, the garden beds are in Central College’s garden area.

- Little League games will be finishing the week of June 27th.

- We have sent out notices reminding everyone of the early bird deadline for soccer & football registrations. They save \$25 if they registered on or before July 10th. We will send out one more reminder on July 1st. The final day to register for both programs is July 31st.

Parks/Jeanette Vaughan for Chandler Nunnikhoven

- Planting annual flower beds, around 35,000 annuals being planted this year.

- Mulching Flower Beds.

- Volunteers are helping at Rotary Ball Field.

- Keeping up on all fountain and pool maintenance.

- Staff assisting at the Sports Park Tournaments.

Open Discussion:

Vaughan discussed the aliens that have started to land through out the city. Several can be seen in Central Park and more should be landing any day. Later in the month, we will be promoting a scavenger hunt with participants locating 10 aliens in town and turning in their “alien sightings” sheet to receive an alien vinyl decal.

Guess asked how the golf course usage has been this year. Vos noted usage seems to be down a little compared to last year. Spring weather has affected usage and special event bookings have been down this year.

Guess received a question from a coworker regarding when the Kiwanis pickleball courts. They wanted to know when the courts would be repaired or if there was a budget to replace the courts. Steimling noted all the pickleball courts have been very busy, but several Kiwanis courts are cracked and now shifting to cause larger issues. Vaughan replied that there is around \$50,000 for patching of the Kiwanis courts in a future fiscal year but is only a band aid and cracks will re-appear in 2-3 years. Due to their age the courts really need to be replaced however that is a \$250,000 project. Guess asked what it would take to change it from patch to replace. Schwerdtfeger suggested that residents also contact their council members about these concerns to better communicate the need. Steimling stated Caldwell courts are starting to show wear also.

1:03 Guess departs.

Adjournment: 1:15pm, no motion due to lack of quorum at meetings end.

The next meeting is scheduled for Friday, July 15, 2022, at noon in room 206, in the Community Center.

Respectfully submitted: Dyan Parker

## b. Civil Service Commission Minutes for July 7, 2022

Present: Marty Racheter, Commission Chair; Curtis Baugh, Commission Member via Microsoft Teams; Nathan Wolff, Commission Member Stacey Bone, City of Pella Personnel Office via Microsoft Teams; Marcia Slycord, Secretary to the Commission and Police Administrative Services Manager; Paul Haase, Captain, Pella Police Department.

The meeting was called to order at 10:07 a.m. by Commission Chair Racheter.

Wolff moved to accept the July 7, 2022 agenda as presented, seconded by Baugh. All members voted aye; motion approved.

Wolff moved to accept the June 29, 2022 minutes as presented, seconded by Baugh. All members voted aye; motion approved.

At 10:09 a.m., Wolff moved to enter closed session pursuant to Iowa Code Chapter 21.5 1(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual’s reputation and that individual requests a closed session, seconded by Baugh. All members voted aye; motion approved.

Commission reconvened to open session at 10:57 a.m.

Wolff moved to certify one candidate for the police officer position, seconded by Baugh. All members voted aye; motion approved.

The following candidate, was certified:

Mitchell Monarchino Newton, IA

The list will be placed on the July 19, 2022 City Council agenda for acceptance.

There being no further business to come before the commission, the meeting adjourned at 11:01 a.m.

Respectfully submitted,

Marcia Slycord, Secretary to the Commission

### c. Planning and Zoning Commission Minutes for July 25, 2022

Chairperson Vos called the Planning and Zoning Commission to order at 7:00 p.m. in the Public Safety Complex. Before the roll, Chairperson Vos noted the presence of a new member, Commissioner Marc Vande Noord, who was given a few moments to introduce himself. Members present were: Sarah Buchheit, Joe Canfield, Julio Chiarella, Cathy Hausteine, Tom Johnson, Robin Pflanzgraf, Marc Vande Noord, Ann Visser, and Teri Vos; Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and Local Programming Coordinator Monte Goodyk. Twenty-two members of the public were present. Chairperson Vos also noted that the meeting was being recorded for Pella TV and for everyone to keep FCC regulations in mind when speaking.

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

APPROVAL OF MINUTES: Motion by Johnson, second by Canfield to approve the minutes of the June 27, 2022 meeting. On roll call the vote was: ayes: 6 (Johnson, Canfield, Visser, Buchheit, Chiarella, Vos); nays: none; abstain due to not being in attendance at the June 27, 2022 meeting: 3 (Hausteine, Pflanzgraf, Vande Noord). Motion carried.

#### PUBLIC HEARINGS

Consider a Rezoning Request for 414 Liberty

The Estate of Tim Sadler submitted a rezoning application for a 414 Liberty Street to change the zoning from Institutional (INS) to Neotraditional Single-Family Residential (R1C).

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).

Any potential conflicts which can be resolved through project design, landscaping, buffering, and screening will be addressed through the site planning process.

Staff believes the proposed rezoning aligns with the Future Land Use Map and a key strategic priority of the Comprehensive Plan, which is housing units. 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.

Convened Public Hearing on the proposed rezoning.

One written comment was received and distributed to the Commission.

Motion by Pflanzgraf, second by Visser to enter the written comment that was not included in the packet into the public record. Motion carried 9-0.

Motion by Canfield, second by Johnson to close the public hearing as no further comments were received. Motion carried 9-0.

Motion by Pflanzgraf, second by Visser to approve the rezoning application as submitted. Motion carried 9-0.

Consider a Rezoning Request for 615, 611, 607, 603, 517, 511 Monroe Street, and vacated Orchard Dr.

Pella Regional Hospital submitted a rezoning application for the properties at 615, 611, 607, 603, 517, 511 Monroe Street, and the vacated portion of Orchard Drive change the zoning from Medium Density Single-Family Residential (R1B) to Institutional (INS).

The proposed zoning for this property is INS. This district accommodates a variety of institutional uses. 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. Property zones surrounding the site include Moderate-Density Single-Family Residential (R1B), Two Family Residential (R2), and Institutional (INS).

Any potential conflicts which can be resolved through project design, landscaping, buffering, and screening will be addressed through the site planning process.

Staff believes the proposed rezoning aligns with the Future Land Use Map and a key strategic priority of the Comprehensive Plan, which is economic development. 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.

Convened Public Hearing on the proposed rezoning.

Two written comments were received and included in the meeting packet. Three other written comments were received and distributed to the Commission.

Motion by Visser, second by Johnson to enter the written comments that were not included in the packet into the public record. Motion carried 9-0.

Pflanzgraf inquired as to which residents Pella Regional approached; Director Buydos deferred the answer to the representative of the hospital; Jim Corbett; Pflanzgraf elected to save the question for later. She also inquired as to the attachment in the packet if it was the hospital's plans. Director Buydos indicated it was just part of Jim Mansueto's letter to the Commission.

Hausteine questioned the economic development potential of the rezoning without plans. Director Buydos noted that by changing the zoning it increases the potential for economic development. Hausteine noted the hospital does not pay taxes, which Director Buydos clarified that increasing jobs and other forms of economic development could occur.

Julie Eilers, of 1306 Main, noted that no one from the hospital approached them.

Jim Mansueto, of 1304 Main, wanted to reiterate the points made in his letter, and gave context regarding the history of the properties and expressed displeasure with rezoning the property without plans being submitted. He noted specifically Iowa Ortho and DaVita as issues in the past that he had with hospital property.

Chuck Keuning, of 1221 Main, noted that he also had not been contacted by the hospital. He talked about the previous plans for a pharmacy. He noted the traffic being an issue and had concerns about retail uses being placed in a residential area and no plans being put forward at this time.

Merlin Van Vark, of 310 East Second, noted that a lot of houses have recently been removed. He noted that houses need to be retained. He objected to the hospital being involved in selling real estate.

Bruce Boertje, of 614 Monroe, noted the need to keep residents on the interior of the town in the Comprehensive Plan. He had concerns about the removal of homes with the need for housing in the town. He inquired on the for-profit status of Iowa Ortho and Davita, to which Hausteine noted that Davita was for-profit, and Bruce Boertje noted that he believed Iowa Ortho was private, and that these should be located on the edge of town.

Jody Mansueto, of 1304 Main Street, expressed concern that expanding institutional would hurt property values. She expressed concern about what happened on Jefferson Street with the ranch houses being turned into rentals. Another concern expressed was regarding hospitals being acquired by outside entities.

Pati Van Zante, of 1117 Big Rock Road, noted that the hospital expansions have not covered up any of the removed homes, that only parking lots have been built over them. She expressed concern over Iowa Ortho and Davita not being under the control of the hospital. She asked the commission to wait until there is more information or that the hospital has plans for the property.

Cindy Boertje, of 614 Monroe, stated that she does not believe it fits the spirit of the zoning is flipping property for profit. She also stated that traffic is already an issue.

Christy Van Zee, of 504 Monroe, she stated that she believes the hospital is a good neighbor and had no issue with the current parking lots or the zoning change. She would prefer more medical facilities, specifically specialty clinics, in Pella. She noted there are vacant ballparks in town that could be used to build houses.

Jim Corbett, of 605 E Fifteenth, was present representing the hospital. He noted that he made attempts to visit some properties adjacent to the hospital property. He noted that there were no other plans than to keep the homes on the property for the time being, with no immediate plans to develop the property. He pointed out that during the site plan process that there would be a chance for scrutiny for everything that would be developed on the site. It was noted that the concerns expressed by Jim Mansueto were brought forward to the hospital's architect to keep them in mind for any future developments. He stated that he was instructed to bring this forward to make everything under one, uniform, zoning district and consistent with the comprehensive plan.

Jim Mansueto spoke again and expressed concerns regarding other local hospitals being picked up by other external medical organizations and compared this change to the Casey's on Main Street.

Scott De Penning, of 1009 Broadway, expressed some concern with the zone change. He mentioned that the loss of value in properties adjacent to the hospital. He requested that the Commission and City Council take more time to consider this and to make sure that there is a plan. He requested that the item be tabled.

Another member of the public noted that if it is not rezoned that it would not be taking away from opportunities for medical facilities that they would be able to build elsewhere.

Christy Van Zee spoke again and said that she had never seen her property values go down despite being next to the hospital.

Dawn Owens, of 309 Franklin, spoke against the zoning change because she believed that commercial buildings could be built elsewhere. She wanted to keep the beautification efforts going.

Motion by Pfalzgraf, second by Haustein to close the public hearing as no further comments were received. Motion carried 9-0.

Canfield inquired if there was a traffic study on Monroe or Jefferson Streets in regard to the hospital. Director Buydos stated that he was not aware of any traffic study.

Chiarella inquired on the intentions of the hospital.

Haustein noted that she enjoyed living next to the hospital but believes that the INS zone is too loose in what is permitted on the property. She believes the for-profit medical facilities is not in the spirit of the zoning and that the item should be tabled, and a future discussion held on what is permitted in the INS district.

Vos inquired how for-profit and non-profit uses are involved into uses on INS property. Director Buydos noted that zoning does not elaborate on who owns the profit, regardless of whether or not it is a for-profit entity. Vos noted that rezoning and site plans have been submitted for other proposals in the past. She inquired if there was any downside in having them submitted jointly. Director Buydos noted that there is nothing against it in code, and that if both are available, an applicant can submit both for review. He noted that there is no requirement for both to be submitted simultaneously.

Pfalzgraf inquired if the houses on the site were occupied. Jim Corbett noted that they are currently occupied, one by students, another by a physician at the hospital, and another is rented to a retired CRNA. Pfalzgraf stated that she believes the rezoning is premature. She believes the hospital should have plans in mind for it since the hospital can come back when they do have plans.

Motion by Pfalzgraf, second by Chiarella to deny the rezoning application as submitted.

Haustein inquired if Chiarella was around when Iowa Ortho was approved, she apologized to the room for the building's appearance, as she did not know it was going to look that way.

On roll call the vote was: ayes: 7 (Pfalzgraf, Chiarella, Buchheit, Haustein, Vande Noord, Visser, Vos); nays: 2 (Canfield, Johnson). Motion carried.

#### NEW BUSINESS PROPOSED

Consider a Site Plan for 413 Jefferson St., Submitted by Mid-North Properties, to Construct a Parking Lot

Mid-North Properties submitted a site plan application for 413 Jefferson and 1108 East Second to remodel the previous assisted living facility to create 24 apartment units and the required parking. The existing structure to be remodeled is approximately 19,600 square feet in area.

There will also be approximately 16,500 square feet of paved parking.

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 "Medical and Assisted Living" land uses. However, the Comprehensive Plan also calls for an increase in not just housing, but diverse housing options, including multifamily housing. As such, while it does not match the Future Land Use Map, Staff does believe that it meets the recommendation for more diverse housing options. Staff also would like to note that it would bring the facility into conformity with its zoning.

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.

Vande Noord asked what the required parking was for the site and received an answer of 48.

Pfalzgraf inquired about where overflow parking would go. Staff indicated that there is some on-street nearby.

Jim Mansueto asked if landscaping was provided. The commission noted that there was landscaping on the site plan.

Motion by Pfalzgraf, second by Canfield to approve the site plan as submitted. Motion carried 9-0.

Consider a Revised Site Plan for Parcel 1725807500 on Truman Road submitted by Pella Building Systems to Construct Office and Warehouse space.

Pella Building Systems submitted a site plan for Southgate Business Park Plat 1, Lot 11. The proposed use is a 11,450 square foot office and warehouse facility with the required parking. The proposed paved area is approximately 20,600 square feet.

Chapter 165.36(F)(3) requires the proposed site plan to conform to the City's Comprehensive Plan. The Comprehensive Plan's Future Land Use Map identifies this site as General Industrial. The proposed use aligns with this designation.

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

Motion by Johnson, second by Visser to approve the site plan with the condition that easements be resolved at the City Council level. Motion carried 9-0.

#### OTHER BUSINESS / WORK SESSION

Work Session to Discuss the Draft City of Pella Architectural Design Guidelines

Director Buydos gave a presentation on the proposed changes to the City's Architectural Design Guidelines. He asked if there were any comments and if any commissioners had comments to bring them to him.

Vos asked if staff would like comments by the end of August to which Director Buydos responded that he would prefer having them as soon as possible due to the Community Development having a public meeting in August.

Chiarella asked if the historic organizations in town were consulted. Director Buydos noted that historic preservation regulations are strictly limited to the Collegiate Historic District. He further clarified that this was a commercial document only.

Canfield noted page 13 calling out the Gateway Corridors. He inquired on the limitation of the length of the Gateway Corridor districts. Director Buydos noted the point made and was indicating that the plan is meant to be future-proofed.

Johnson inquired on the relationship between the Community Development Committee and City Council, to which Director Buydos noted that the City Council delegated authority to the committee and also has the power to overrule the committee on appeals. Director Buydos also noted that the language in the document will be cleaned up.

Work Session to Discuss Update on Downtown Parking

Director Buydos gave an update on the proposal to change residential parking in the Central Business District. He noted that City Council was in favor of removing the parking requirement on converted buildings, not new construction.

Vos inquired regarding the owner-occupied aspect and how it was struck down; she asked for documentation regarding the City Attorney's opinion. Director Buydos will make a note to include the City Attorney's comment.

Canfield noted support for the plan to remove the requirement for converted housing units.

Chiarella asked if it could be restricted to the original owner who built it. Canfield noted it might run into the same issue as the owner-occupied proposal.

Vande Noord asked if it was restricted to the square, to which he was informed by staff it would be the Central Business District. His next question was regarding how the residential parking would be handled. Director Buydos noted that the Police Department has the authority to issue tickets for illegal parking and would be responsible for enforcement. He also noted that there are other parking options available.

Pfalzgraf inquired what a new construction would be defined as. Director Buydos noted that any building built prior to a particular point would be eligible for the conversion to apartments without providing parking. Her next question was if the building burned down if it would have to have the parking if rebuilt, which Director Buydos confirmed.

Vos asked what steps are next. Director Buydos noted at the next meeting the ordinance would be brought for the commission to debate and vote on and then it would follow the usual ordinance process.

Canfield noted the parking deficit downtown, which Director Buydos confirmed. Director Buydos noted that this might be addressed in the future if there are other problems.

Vos suggested that the commission review the previous meeting packets to reacquaint themselves with the topic.

Join Study Session with City Council on September 13, 2022 at 6:00 PM

Director Buydos noted that everyone, sans Commissioner Vande Noord, should have received an invitation for the Joint Study Session.

Next Meeting Date

The next Planning and Zoning Commission meeting is scheduled for August 22, 2022.

Adjourned at 8:35 p.m.

#### d. Civil Service Commission Minutes for August 17, 2022

Present: Marty Racheter, Commission Chair; Curtis Baugh, Commission Member; Nathan Wolff, Commission Member  
 Marcia Slycord, Secretary to the Commission and Police Administrative Services Manager; Paul Haase, Captain, Pella Police Department

The meeting was called to order at 6:33 p.m. by Commission Chair Racheter.

Wolff moved to accept the August 17, 2022, agenda as presented, seconded by Baugh. All members voted aye; motion approved.

Wolff moved to accept the July 7, 2022, minutes as presented, seconded by Baugh. All members voted aye; motion approved.

Wolff moved to approve the questions as presented for the police officer process, seconded by Baugh. All members voted aye; motion approved.

At 6:35 p.m., Wolff moved to enter closed session pursuant to Iowa Code Chapter 21.5 1(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session, seconded by Baugh. All members voted aye; motion approved.

Commission reconvened to open session at 8:49 p.m.

There being no further business to come before the commission, the meeting adjourned at 9:19 p.m.

Respectfully submitted,  
 Marcia Slycord, Secretary to the Commission

#### e. Civil Service Commission Minutes for August 18, 2022

Present: Marty Racheter, Commission Chair; Curtis Baugh, Commission Member via Microsoft Teams  
 Stacey Bone, City of Pella Personnel Officer; Marcia Slycord, Secretary to the Commission and Police Administrative Services Manager; Paul Haase, Captain, Pella Police Department

Absent: Nathan Wolff, Commission Member

The meeting was called to order at 7:30 p.m. by Commission Chair Racheter.

Baugh made a motion to amend tonight's agenda by removing "#4. Discussion and evaluation of the process under the recently adopted Rules and Regulations document," seconded by Racheter. All members in attendance voted aye; motion approved.

At 7:31 p.m., Baugh moved to enter closed session pursuant to Iowa Code Chapter 21.5 1(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session, seconded by Racheter. All members in attendance voted aye; motion approved.

Commission reconvened to open session at 9:18 p.m.

The following candidates in rank order, were certified:

Mya Irlmeier	Manning, IA
Shawn Mason	Oskaloosa, IA
Jacob Mikluscak	Uniontown, PA

The list will be placed on the September 6, 2022, City Council agenda for acceptance.

There being no further business to come before the commission, the meeting adjourned at 9:19 p.m.

Respectfully submitted,  
 Marcia Slycord, Secretary to the Commission

### 3. Petitions and Communications

#### a. Special Event Permit Request for the Pella Public Library Sensory Program

BACKGROUND: The Pella Public Library has requested a special event permit to host a "Bee Kind" themed sensory program at the Kiwanis Park Shelter House. If approved, this event will be held from 10:00 to 11:30 a.m. on Saturday, September 17, 2022. Set-up is requested to begin at 8:30 a.m. with take down complete by noon.

All pertinent city departments have reviewed this application and comments are attached. Staff is recommending approval of this special event permit.

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

**b. Special Event Permit Request for Trunk or Treat**

BACKGROUND: The Pella Community Ambulance is requesting a special event permit to host Trunk or Treat at the Public Safety Complex on Monday, October 31, 2022, from 6:00 to 8:00 p.m. The promoter is requesting to park ambulance, fire, and police vehicles facing Main Street during the previously designated community Trick or Treat time. The promoter is proposing to have public safety team members dress up in costumes to hand out candy to participants. The event is requested to be held in the parking lot of Pella Community Ambulance and Pella Fire, at 604 Main Street, as shown on the attached map.

All pertinent city departments have reviewed this application and comments are attached. Staff recommends approval of this special event permit.

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

**c. Amendment Request to the Special Event Permit for the Pella Wine Walk**

BACKGROUND: The Pella Downtown Retail Group has requested to amend their special event permit for the Pella Wine Walk, which was approved by the City Council on August 2nd. As background, this annual event, which is scheduled for Friday, October 7, 2022, provides an evening of extended shopping hours and wine tasting opportunities in downtown Pella. Participants are required to check-in at a table placed near the Information Windmill to obtain tickets and wristbands for the purpose of ensuring participants are age 21 or older. Throughout the evening, participants will have the opportunity to stop at different wine tasting stations set-up inside a variety of downtown storefronts. The promoter is requesting to amend the previously approved permit to add one balloon archway by the Information Windmill and six balloon displays on light poles to highlight the shopping areas on Main Street and Franklin Street, as shown on the attached map. If approved, set-up would occur the morning of Friday, October 7th with take down completed by the evening of Saturday, October 8th.

All pertinent city departments have reviewed this amendment request, with no concerns voiced. At the time of Council packet publication, the insurance certificate was pending; therefore, staff recommends conditional approval of this amendment pending receipt of the insurance certificate.

ATTACHMENTS: Application/Map, Amendment Request/Map, Department Comments  
REPORT PREPARED BY: City Clerk  
REVIEWED BY: City Administrator  
RECOMMENDATION: Conditional approval pending receipt of the insurance certificate

**E. PUBLIC HEARINGS**

**1a. Resolution No. 6481 entitled, "RESOLUTION RATIFYING, CONFIRMING, AND APPROVING THE CHANGE IN DEADLINE FOR SUBMISSION OF BIDS AND POSTING OF REVISED NOTICE TO BIDDERS FOR THE MATERIALS FOR THE FIBER TRANSPORT-WEST CONSTRUCTION."**

De Jong moved to approve, seconded by Bandstra.

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

BACKGROUND: This project involves procurement of the necessary materials to construct a fiber optic network to connect Pella to a Point of Presence (POP) site located at Indianola Municipal Utilities' Central Office. The total length of the new construction is 41.6 miles which includes 75 feet of building entrance conduit.

The bid opening for this project was held on August 22, 2022. Three bids were received; however, none of the bids included the mandatory bid security in order to be formally considered. As a result, staff and Newcom, the project engineer, are recommending rejection of the bids. The project will be modified to require materials and labor to be performed by the same contractor rather than procuring the materials under a separate contract. In summary, staff is recommending approval of the following resolutions associated with this item:

1. Resolution No. 6481: this resolution approves a change in deadline for bids. This is necessary as the notice to bidders was not timely posted by the project engineer resulting in rescheduling of the bid letting date to meet state code requirements.
2. Resolution No. 6482: this resolution adopts the project's plans, specifications, form of contract, and estimate of costs.
3. Resolution No. 6483: this resolution rejects all bids as they did not include required bid securities.

ATTACHMENTS: Resolution No. 6481, Resolution No. 6482, Report of Opening of Bids, Resolution No. 6483, Engineer's Recommendation  
REPORT PREPARED BY: City Administration  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDED ACTION: Approve resolutions as outlined

**1b. Public Hearing on the matter of the adoption of plans, specifications, form of contract, and estimate of cost for the Fiber Transport-West Material bids.**

No written or oral comments were received.

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

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

**1c. Resolution No. 6482 entitled, "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE MATERIALS FOR THE FIBER TRANSPORT-WEST CONSTRUCTION."**

De Jong moved to approve, seconded by Branderhorst.

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

**1d. Consideration of construction bids.**

1e. Resolution No. 6483 entitled, "RESOLUTION REJECTING BIDS FOR THE MATERIALS FOR THE FIBER TRANSPORT-WEST CONSTRUCTION."

Bandstra moved to approve, seconded by Sporrer.

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

2a. Public Hearing to consider a Zoning Code Amendment for Residential Parking in the Central Business District.

No written comments were received. One oral comment was received.

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

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

BACKGROUND: This ordinance amends City Code to exempt converted residential units from the requirement to provide off-street parking in the Central Business District (CBD). As background, on July 5, 2022, Council directed this item be presented to the Planning and Zoning Commission for review and recommendations. After holding three workshops, the Commission voted to recommend approval of the attached ordinance during their meeting on August 22, 2022.

Current City Code Requirements

The following requirements are currently in place regarding residential parking in the CBD:

- Off-street parking shall be provided for any new building constructed, for new uses or conversions of existing buildings, or for enlargements of existing structures.
- Any use within the CBD, other than residential, is exempt from the requirement to provide off-street parking.
- Single-family residential units must provide two spaces per dwelling unit on site.
- Residential uses are not allowed in the basement or ground floor, only on the second level or above.

Ordinance Amendment

Below is the text which would be adopted as part of City Code Section 165.32, Off-Street Parking, should this ordinance be adopted:

Any use within the CBD Central Business District, other than new build residential units, is exempt from the requirement to provide off-street parking. This exemption includes residential conversions within existing buildings on the second or third floors. However, any commercial or residential off-street parking facilities constructed in the CBD District after the effective date of this Zoning Ordinance must comply with the design standards set forth in this section.

Summary

In summary, staff is recommending approval of this ordinance amending City Code to exempt converted residential units from the requirement to provide off-street parking in the CBD. It is important to note that the Planning and Zoning Commission voted unanimously to approve this ordinance on August 22nd.

ATTACHMENTS: Ordinance  
REPORT PREPARED BY: Planning and Zoning Director  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve ordinance

2b. Ordinance No. 1016 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY AMENDING SEC. 165.32, OFF-STREET PARKING, FOR THE PURPOSE OF EXEMPTING CONVERTED RESIDENTIAL UNITS FROM BEING REQUIRED TO PROVIDE OFF-STREET PARKING IN THE CBD DISTRICT."

Bandstra moved to place ordinance no. 1016 on its first reading, seconded by Hopkins.

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

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

On roll call the vote was:

AYES: 3 (Bandstra, Hopkins, Sporrer)

NAYS: 3 (De Jong, Branderhorst, Carlstone)

Motion failed.

3a. Public Hearing regarding issuance of a Moratorium in the Oskaloosa Street Corridor.

No written or oral comments were received.

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

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

BACKGROUND: This ordinance approves the Oskaloosa Street Corridor moratorium. Specifically, this moratorium applies to the issuance of building permits for single family and two-family residential homes within commercially zoned districts on Oskaloosa Street, from Main Street to 240th Place. The language in the attached ordinance is consistent with previous moratoriums adopted by Council in 2018 and 2019.

As background, on August 2, 2022, Council discussed redevelopment of the Oskaloosa Street Corridor. During that meeting, Council directed staff to proceed with placing this moratorium on a future agenda for formal consideration. If approved, the moratorium will remain in place until December 31, 2023, or until Council adopts the necessary zoning changes to implement an economic development plan for the Oskaloosa Street Corridor, whichever would occur first.

It is important to note that the moratorium does not apply to existing single family and two-family homes which are being rebuilt due to catastrophic events such as a fire or a tornado.

In summary, staff is recommending approval of this ordinance adopting the Oskaloosa Street Corridor moratorium.

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

3b. Ordinance No. 1017 entitled, "ORDINANCE APPROVING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS FOR SINGLE FAMILY AND TWO-FAMILY RESIDENTIAL HOMES WITHIN COMMERCIAL ZONED DISTRICTS IN THE OSKALOOSA STREET CORRIDOR."

Bandstra moved to place ordinance no. 1017 on its first reading, seconded by Sporrer.

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

**F. RESOLUTIONS**

1. Resolution No. 6484 entitled, "RESOLUTION APPROVING THE FIRST AMENDMENT TO THE COMMUNITY IMPROVEMENTS REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF PELLA AND SPIRIT OF PELLA FOR ADDITIONAL HOLIDAY DECORATIONS IN CENTRAL PARK AND THE CENTRAL BUSINESS DISTRICT."

De Jong moved to approve, seconded by Sporrer.

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

BACKGROUND: During the Policy and Planning meeting on July 19, 2022, Council reviewed a proposal from the Spirit of Pella to enhance downtown holiday lighting and decorations. The overall intent of the proposal is to increase tourism and visitors to our community during the holiday season by providing additional holiday lighting and decorations in Central Park and the Central Business District (CBD). After discussion, Council directed staff to proceed with placing resolutions on a future Council agenda for formal consideration. As a result, the resolutions included on the agenda approve a first amendment to the reimbursement agreement with the Spirit of Pella, a three-year agreement with Wright Outdoor Solutions, and a three-year agreement with Janssen Custom Fabrication.

**Holiday Light Expenditures**

The total cost of the proposed holiday lighting and decorations for fiscal years 2023 through 2025 is \$155,388 and outlined below:

**Wright Outdoor Solutions**

This agreement includes installation, removal, and storage of additional holiday lighting:

FY 22-23	\$36,039
FY 23-24	29,814
FY 24-25	<u>30,035</u>
Total	<u>\$95,888</u>

**Janssen Custom Fabrication**

This agreement includes the installation, removal, and storage of the 60' lighted tunnel:

One-time tunnel purchase	\$34,900
FY 22-23	8,200
FY 23-24	8,200
FY 24-25	<u>8,200</u>
Total	<u>\$59,500</u>

**Spirit of Pella Reimbursement Agreement**

The Spirit of Pella is proposing to reimburse the city for the costs to acquire the additional items (lighted garland and lighted tunnel), modify light posts with outlets, and the costs to install, remove, and store the displays over a three-year period of time, totaling approximately \$108,184.

This leaves the City of Pella with an estimated cost of \$47,204, as outlined on the following page.

**Spirit of Pella Reimbursements**

FY 22-23	\$69,240
FY 23-24	19,423
FY 24-25	<u>19,521</u>
Total	<u>\$108,184</u>

**City of Pella**

Total cost of holiday light program FY 23-25	\$155,388
Total Spirit of Pella reimbursements FY 23-25	<u>108,184</u>
Estimated City of Pella share	<u>\$47,204</u>

It is important to note that the city's share of the holiday lighting and decoration program is \$47,204; this represents the Council approved lighting program prior to our agreement with the Spirit of Pella. Therefore, the cost allocated to the Spirit of Pella would be for new items or enhancements over the amount that the city has traditionally budgeted for holiday lighting.

**Responsibilities of the Parties**

If approved, the City of Pella would be responsible for the following items:

1. Installing 110v outlets on 49 lamp posts within the CBD.
2. Administering the contract with Wright Outdoor Solutions.
3. Administering the contract with Janssen Custom Fabrication.
4. Initial funding of the deposits required for the 22/23 season's expenses which totals approximately \$29,000. While the City of Pella would initially pay for this expenditure, it would ultimately be reimbursed by the Spirit of Pella.
5. The City of Pella would be the owner of the holiday lights and decorations.

If approved, the Spirit of Pella would be responsible to reimburse the city for all costs associated with acquisition of the lights and decorations as well as the cost to install, remove, store, and maintain these items over the three-year contract period.

This agreement will terminate at the end of three years at which time Council will determine whether or not to continue to display the items in future years.

**Summary**

Staff recommends approval of the following resolutions related to this item:

- Resolution No. 6484 approving an amendment to the agreement with Spirit of Pella
- Resolution No. 6485 approving a three-year agreement with Wright Outdoor Solutions
- Resolution No. 6486 approving a three-year agreement with Janssen Custom Fabrication

ATTACHMENTS: Resolution No. 6484, Current SOP Agreement, SOP First Amendment, Resolution No. 6485, Wright Outdoor Solutions Contracts, Resolution No. 6486, Janssen Custom Fabrication Contract.

REPORT PREPARED BY: Community Services Director  
REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve resolutions



2. Resolution No. 6485 entitled, "RESOLUTION APPROVING CONTRACTS WITH WRIGHT OUTDOOR SOLUTIONS FOR HOLIDAY DECORATIONS IN CENTRAL PARK AND THE CENTRAL BUSINESS DISTRICT." De Jong moved to approve, seconded by Hopkins. On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

3. Resolution No. 6486 entitled, "RESOLUTION APPROVING A CONTRACT WITH JANSSEN CUSTOM FABRICATION FOR A 60' LIGHTED TUNNEL IN CENTRAL PARK." Hopkins moved to approve, seconded by De Jong. On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

4. Resolution No. 6487 entitled, "RESOLUTION APPROVING ENGAGEMENT AGREEMENT WITH AHLERS AND COONEY, P.C. TO ACT AS BOND COUNSEL FOR THE CITY OF PELLA IN CONNECTION WITH GENERAL OBLIGATION CAPITAL LOAN NOTES."

Bandstra moved to approve, seconded by Hopkins.

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

BACKGROUND: This resolution approves an engagement agreement with Ahlers and Cooney to act as Bond Counsel in connection with General Obligation Urban Renewal Capital Loan Notes and General Obligation Capital Loan Notes. A description of the projects that the legal services would cover is listed below:

• Prairie Street and Monroe Street Improvements

\$1,600,000 in General Obligation Urban Renewal Capital Loan Notes

Prairie Street beginning at Truman Road and extending north approximately 1,100 LF to South Street. The reconstruction will include new storm sewer and intakes and the new pavement will be 31' wide, 8" thick concrete curb and gutter with baskets and is estimated to cost \$1,050,000.

Additionally, the issuance will include \$300,000 for improvements to Monroe Street, beginning at Oakwood Drive and extending to W. 3rd Street.

These improvements include the construction of Monroe Street beginning at W 3rd Street, extending west approximately 340' LF to Oakwood Drive. Proceeds also include funding necessary to cover associated issuance fees.

• Prairie Ridge Commercial Development

\$2,200,000 in General Obligation Capital Loan Notes

These funds will pay the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects in the Prairie Ridge Commercial Urban Renewal Plan under the authority of chapter 403, and which have been previously approved by the City Council.

Summary

To finance these projects, staff recommends issuing general obligation capital loan notes. In order to utilize capital loan notes, the city must comply with all public finance-related rules and regulations. Ahlers and Cooney has long served as the city's Bond Counsel; therefore, staff recommends approval of this resolution which approves an engagement agreement for legal services in the amount of \$38,500 fixed fee for both series of bonds.

ATTACHMENTS: Resolution, Engagement Agreement

REPORT PREPARED BY: City Administration

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

5. Resolution No. 6488 entitled, "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$1,600,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF PELLA, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF."

Branderhorst moved to approve, seconded by De Jong.

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

BACKGROUND: This resolution sets September 20, 2022, as the public hearing date for the authorization of a loan agreement and the issuance of a maximum not-to-exceed \$1,600,000 in Tax Exempt General Obligation Capital Loan Notes for the purpose of making road improvements to Prairie Street (from Truman to South Street) and Monroe Street (from Oakwood to W. 3rd Street). It is important to note that the proceeds include \$321,000 in proceeds for Monroe Street and \$1,123,500 in proceeds for Prairie Street, as well as approximately \$155,500 in capitalized interest, issuance costs, and contingency.

In summary, staff is recommending approval of this resolution which sets September 20, 2022, as the public hearing date for this item.

ATTACHMENTS: Resolution

REPORT PREPARED BY: City Administration

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolution

6. Resolution No. 6489 entitled, "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$2,200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF PELLA, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF."

Hopkins moved to approve, seconded by De Jong.

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

BACKGROUND: This resolution sets September 20, 2022, as the public hearing date for the authorization of a loan agreement and the issuance of a maximum not-to-exceed \$2,200,000 in Taxable General Obligation Capital Loan Notes for the purpose of fulfilling the city's financial obligation for the Prairie Ridge Commercial Development Area.

In summary, staff is recommending approval of this resolution which sets September 20, 2022, as the public hearing date for this item.

ATTACHMENTS: Resolution

REPORT PREPARED BY: City Administration

REPORT REVIEWED BY: City Administrator, City Clerk

RECOMMENDED ACTION: Approve resolution

## **G. CLAIMS**

1. Abstract of Bills No. 2110.  
Branderhorst moved to approve, seconded by Hopkins.  
On roll call the vote was: AYES: 6, NAYS: None. Motion carried.

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

Comments were received and addressed.

## **I. POLICY AND PLANNING**

From 8:01 p.m. to 8:16 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. Bos Landen Conference Center Repairs

## **I. ADJOURNMENT**

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

Meeting adjourned at 8:17 p.m.