

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on November 18, 2013. A quorum was declared by Mayor Les Douma. The meeting was held in the Council Chambers, City Hall, 125 Central Ave SE, Orange City, Iowa.

Members Present: Council members Rod De Boer, Chad Oolman, Steve Roesner, Mick Snieder, and Earl Woudstra

Members Absent: None

Staff: Duane Feekes, Janet Brown, Brad De Jong, Jim Pottebaum, Mark Gaul, Bryan Gerritson, Arlan Scholten, Mitch Aalbers, Rachel Franklin, Gerry Bomgaars, and Ken Meendering

Guests: Doug Calsbeek, John Slegers, Deb De Haan, Jennifer Droog, Marty Guthmiller, and Tony Vande Brake

Agenda: A motion was made by Council member Earl Woudstra and duly seconded by Council member Rod De Boer approving the tentative agenda as the official agenda. On call of the roll motion carried. The vote was as follows: AYES: Earl Woudstra, Rod De Boer, Mick Snieder; NAYS: None.

Council member Steve Roesner entered the meeting at 4:31 o'clock P.M.

Approval of Minutes: The minutes of the November 4, 2013 council meeting were presented. A motion was made by Council member Mick Snieder and duly seconded by Council member Rod De Boer approving said minutes as published. On call of the roll motion carried. The vote was as follows: AYES: Mick Snieder, Rod De Boer, Steve Roesner, Earl Woudstra; NAYS: None.

Financial Report: The monthly financial report for October 2013, representing cash balances for all funds was presented, whereupon it was therefore moved by Council member Rod De Boer and duly seconded by Council member Steve Roesner approving the monthly financial report as published. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Steve Roesner, Mick Snieder, Earl Woudstra; NAYS: None.

Monthly Bills: A Summary of Warrants report listing bills from October 22, 2013 through November 18, 2013 was presented. A motion was made by Council member Steve Roesner and duly seconded by Council member Mick Snieder approving the monthly bills, subject to audit. On call of the roll motion carried. The vote was as follows: AYES: Steve Roesner, Mick Snieder, Rod De Boer, Earl Woudstra; NAYS: None.

Department Reports: This time was provided for Arlan Scholten representing the Electric Department, Gerry Bomgaars representing the Gas Department, and Mitch Aalbers and Rachel Franklin representing the Parks and Recreation Department to discuss with the Council accomplishments and priorities of their departments as the Council prepares for budget time.

Chad Oolman entered the meeting during the Puddle Jumper Trail 5th Addition Liquidated Damages discussion at 5:11 o'clock P.M.

Puddle Jumper Trail 5th Addition Liquidated Damages: Management presented parts of the Puddle Jumper Trail 5th Addition contract with Vander Pol Excavating that deal with assessing liquidated damages for work not substantially completed by the specified time. DGR provided information that the 14th Street SE and Lincoln Place work was not considered substantially complete until September 25, which means the City could collect liquidated damages for 30 days at \$200/day. The Council previously granted an extension from July 26, 2013 to August 26, 2013 at the request of the contractor. Council member Mick Snieder expressed that he felt the contractor should be charged the full 30 days of liquidated damages since the Council had already granted one extension and it is possible that home construction was lost due to the further delay. Council member Earl Woudstra would like to see something less than the 30 day charge since the City does not want to get into the development business. Council member Steve Roesner shared he would like to charge for part of the liquidated damages due to the quality of work and prices being good but the contractor is habitually late. Council member Rod De Boer thought that enforcing some of the damages would be appropriate in order for the City to keep contractors on track with projects. After some discussion, a motion was made by Council member Earl Woudstra and duly seconded by Council member Rod De Boer to

assess 30 days of liquidated damages at \$200/day for work on 14th Street SE and Lincoln Place not substantially complete by the August 26, 2013 deadline, but to abate half of the damages for cooperation that was shown from the contractor for a total amount of \$3,000. On call of the roll motion carried. The vote was as follows: AYES: Earl Woudstra, Rod De Boer, Chad Oolman, Steve Roesner; NAYS: Mick Snieder.

Set Public Hearing for a Community Development Block Grant Application: A motion was made by Council member Steve Roesner and duly seconded by Council member Chad Oolman setting 4:30 o'clock P.M. on December 2, 2013 as the time for a public hearing to consider the submission of a Community Development Block Grant application on behalf of the Orange City Area Daycare & Preschool, the grant subrecipient. The City intends to apply for \$450,000. The total project cost is estimated to be \$1,700,000. On call of the roll motion carried. The vote was as follows: AYES: Steve Roesner, Chad Oolman, Rod De Boer, Mick Snieder, Earl Woudstra; NAYS: None.

Storm Water Study: Management presented a Scope of Consultant Services from DGR for the storm water questions raised by Sioux Golf. This study would look at the quantity of storm water runoff from various drainage basins on the east side of the City, what has been done, and what could potentially be done at a cost of \$5,000. Council member Rod De Boer questioned if Sioux Golf was looking at things they could do, such as widen their creek. Management was not aware if they were or not. Council member Mick Snieder inquired if the City could just add a detention pond by Trinity Church and not spend the \$5,000 for the study. City Attorney Brad De Jong stated it would be helpful to have the report to show that the City responded in a reasonable way. Mick suggested tabling this item and to discuss further at strategic planning if need be. The Council agreed to not address the storm water study at this point.

Hotel/motel Tax Distribution: Due to the Hotel/motel tax increase being approved on the City election ballot the Council can determine how to distribute the tax monies. Marty Guthmiller, representing the Orange City Development Corporation, presented the concept that 4% of the 7% hotel/motel tax monies would go to the Community Betterment Advisory Board for distribution and the remaining 3% be returned to the local hotels/motels that generate this tax money in proportion to their generation of the tax. Council member Mick Snieder shared his concerns that he felt it is not philosophically correct to give tax revenue back to private businesses; tax revenue should be for the betterment of the entire community; that the Betterment Board is in place to distribute these monies; that it is misleading to charge a visitor a tax and then give some of that charge back to the business. Council member Steve Roesner responded that the hotel is a necessary development for the City and that the Hampton is going to hire someone to promote and sell Orange City; could they report the dollars used for marketing expenses incurred for accountability of tax monies received. Council member Earl Woudstra shared that the hotel will completely benefit the entire community and it is never going to be a money maker for the investors; it was strongly supported by the community as shown by the vote and feels most people are aware of the conversations on the distribution of the increased tax monies. After some discussion, a motion was made by Council member Earl Woudstra and duly seconded by Council member Steve Roesner approving the Community Betterment Advisory Board, established by the City Council on August 16, 2004, be authorized to recommend projects with 4% of the 7% hotel/motel tax monies and the other 3% be returned to the local hotels/motels that generate this tax money in proportion to their generation of the 3%, and that this 3% be considered as spent for promotion and encouragement of tourist and convention business in the City of Orange City. On call of the roll motion carried. The vote was as follows: AYES: Earl Woudstra, Steve Roesner; NAYS: Mick Snieder; ABSTAINED: Chad Oolman, Rod De Boer.

Electric Service Territory Agreement: Management provided an Electric Services Territory Agreement with North West Rural Electric Cooperative (NWREC) which allows the City to retain the hospital electric service territory north of the Puddle Jumper Trail and NWREC to obtain 12 of the west lots in the Puddle Jumper Trail 5th Addition. This change will allow the Excel Development lots to be under one electric utility. A motion was made by Council member Rod De Boer and duly seconded by Council member Chad Oolman approving the Electric Service Territory Agreement with North West Rural Electric Cooperative. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Chad Oolman, Steve Roesner, Mick Snieder, Earl Woudstra; NAYS: None.

Annual Urban Renewal Report for Fiscal Year 2012-13: A motion was made by Council member Mick Snieder and duly seconded by Council member Chad Oolman approving the Annual Urban Renewal Report for fiscal year 2012-13. On call of the roll motion carried. The vote was as follows: AYES: Mick Snieder, Chad Oolman, Rod De Boer, Steve Roesner, Earl Woudstra; NAYS: None.

Native Wine Permit Renewal Application: A motion was made by Council member Rod De Boer and duly seconded by Council member Steve Roesner approving the renewal application for a Class B Wine Permit as submitted Vanden Hul Fine Meats and Locker. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Steve Roesner, Chad Oolman, Mick Snieder, Earl Woudstra; NAYS: None.

Administrative Reports:

Scheduled Meetings:

December 2	Council Meeting, 4:30 P.M.
December 5	Strategic Planning Session, 9:00 A.M. to 3:00 P.M.
December 16	Council Meeting, 4:30 P.M.
December 18	Employee Recognition Dinner, PWEC, 6:30 P.M.

Oral reports: Duane is working on a location for the strategic planning session; reported the Iowa DOT will be doing an overlay on Highway 10 between Orange City and Alton next year. Chad Oolman questioned possible overlay on Highway 10 heading west out of Orange City. Mayor Douma responded he felt another meeting next year with the Iowa DOT would be good to discuss Highway 10 west, traffic counts, and stop lights. Duane shared that the trees causing issues for the airport have been identified, will be contacting property owners about trimming them and that the buildings in the way can be lighted. Duane asked for any topics for the strategic planning session to be forwarded on to him.

Council Comments: The Mayor called for comments from the Council and the following were heard. Steve Roesner shared he will be out of town on December 16. Earl Woudstra reported that a golf pro interview will be held on Monday.

Adjournment: No further business appearing it was therefore moved by Council member Rod De Boer and duly seconded by Council member Chad Oolman to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Chad Oolman, Steve Roesner, Mick Snieder, Earl Woudstra; NAYS: None. Adjournment time was 6:32 o'clock P.M.

Les Douma, Mayor

ATTEST: _____
Janet Brown, City Clerk