

The City Council met in regular monthly session pursuant to adjournment at 4:30 o'clock P.M. on October 1, 2018. A quorum was declared by Mayor Deb De Haan. 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, and Earl Woudstra

Members Absent: Council member Tony Vande Brake

Staff: Duane Feekes, Janet Brown, Kurt Frederes, Bryan Gerritson, Mark Gaul, and Jim Pottebaum

Guests: Mike Hofman, Doug Calsbeek, Marlene Tullar, Jay Schuiteman, Marlin Vollink, Lauren Bylsma, Dennis and Sherry Den Hartog, Jon De Koster, Dan Harskamp, Justin Moreau, and John Slegers

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

Citizen Comments: This time was provided for citizen comments. Loren Bylsma, who lives at 612 Delaware Ave SW, addressed the Council about the sewer water he has gotten in his basement 4 times in the last 12 years (2006, two times in 2013, and last week). He hired a ground water expert who says that there is a broken underground water pipe somewhere from Blake Bengaard's building on Highway 10 to 7th Street. He can't get water/sewer insurance coverage because of what happens. Bryan responded that he doesn't know what happened in 2006 since he wasn't here, but in March 2013 there was a 2x4 in the sewer line, May 2013 was the 10 1/2" of rain over Memorial Day, and then the 8.4" of rain last week. The City guys started pumping in the City storm sewer mains around 4:30 that morning. Bryan shared that the sewer main on Delaware was relined in 2013 and that sound checks on all pipes for a leak were done but nothing showed up. Brad De Jong stated that the City can be held responsible for damage only in an event that the City was grossly negligent in the design of sewer lines and system; so the City would be immune due to the State Code. Earl would like to see a door to door check to make sure sump pumps are being pump outside during the summer months. Chad suggested doing random checks. The City Code charges a \$200/day fine. Bryan stated that some houses go directly to the storm sewer and that is fine. Rod questioned if the alarms could be set to go off at a lower level. Bryan responded that in 2013 the alarms were lowered and then they were going off all the time. Steve asked what steps can be taken to help the homeowners. Justin Moreau shared that some local plumbers are plumbing sump pumps directly into the sanitary sewer, so maybe the plumbers should be held responsible. Management will review options.

Approval of Minutes: The minutes of the September 17, 2018 council meeting were presented. A motion was made by Council member Chad Oolman and duly seconded by Council member Steve Roesner approving said minutes as published. On call of the roll motion carried. The vote was as follows: AYES: Chad Oolman, Steve Roesner, Rod De Boer, Earl Woudstra; NAYS: None.

North Weiland First Addition: This being the time and place as advertised a public hearing was held to consider the North Weiland First Addition and rezoning. The Mayor called for comments from members of the audience. Marlene Tullar questioned where the road would be from her house, she is concerned about the street lights shining directly into her house at 714 Albany Ave NE. The City Administrator reported that no written objections had been filed. The Mayor then closed the time for the public hearing.

A motion was made by Council member Rod De Boer and duly seconded by Council member Earl Woudstra adopting a resolution accepting the final plat of North Weiland First Addition. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Earl Woudstra, Chad Oolman, Steve Roesner; NAYS: None. The resolution was assigned number 10-1-18-1848 and appears in the official resolution book.

A motion was made by Council member Earl Woudstra and duly seconded by Council member Steve Roesner approving the rezoning of North Weiland First Addition Lots 1 to 5 from A-1, Agriculture to R-1, Low Density Residential. Lots 6 to 10 are already zoned R-1, Low

Density Residential. On call of the roll motion carried. The vote was as follows: AYES: Earl Woudstra, Steve Roesner, Rod De Boer, Chad Oolman; NAYS: None.

Wastewater Treatment Facilities Improvements: Management is recommending the approval of Change Order No. 4, which includes some added valves and hoists to make operation easier, in the amount of \$27,336.00 and a 30 day extension for substantial completion due to all the rain over the construction season. Parts of the project could not be worked on since the wells were pumping so much rain water. A motion was made by Council member Chad Oolman and duly seconded by Council member Rod De Boer approving Change Order No. 4 in the amount of \$27,336.00 and extending the substantial completion date to November 1, 2018. On call of the roll motion carried. The vote was as follows: AYES: Chad Oolman, Rod De Boer, Steve Roesner, Earl Woudstra; NAYS: None.

2018 Street Improvements Project: Change Order No. 2 has to do with the contaminated soils on Delaware Avenue. The DNR required these soils to be removed after the project was bid. This change order will be submitted to the DNR for a grant that could help cover these expenses. A motion was made by Council member Rod De Boer and duly seconded by Council member Chad Oolman approving Change Order No. 2 for the 2018 Street Improvements Project in the amount of \$38,210.92. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Chad Oolman, Steve Roesner, Earl Woudstra; NAYS: None.

Puddle Jumper Trail 9th Addition – Pay Request No. 4: Rens Concrete is asking for a midterm payment for grading that had not been taken into account on the last pay request and was underestimated by the inspector. A motion was made by Council member Rod De Boer and duly seconded by Council member Chad Oolman approving Pay Request No. 4 for the Puddle Jumper Trail 9th Addition. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Chad Oolman, Steve Roesner, Earl Woudstra; NAYS: None.

Amend Puddle Jumper Trail 9th Addition Covenants: Lots 1 to 7 in the Puddle Jumper Trail 9th Addition are zoned R-2 multi-family housing. The low density residential covenants that were put in place for the Puddle Jumper Trail 9th Addition included lots 1 to 33, so it is necessary to amend the covenants so the low density requirements do not apply to lots 1 to 7 to allow for multi-family housing development. A motion was made by Council member Earl Woudstra and duly seconded by Council member Chad Oolman amending the Covenants and Plat Provisions for Puddle Jumper Trail 9th Addition to allow for multi-family housing on Lots 1 to 7. On call of the roll motion carried. The vote was as follows: AYES: Earl Woudstra, Chad Oolman, Rod De Boer, Steve Roesner; NAYS: None.

Administrative Reports:

Scheduled Meetings:

October 15	Council Meeting, 4:30 P.M.
November 5	Council Meeting, 4:30 P.M.
November 19	Council Meeting, 4:30 P.M.
December 3	Council Meeting, 4:30 P.M.
December 17	Council Meeting, 4:30 P.M.

Oral reports: Bryan provided updates on projects: wastewater treatment facility given 30 day extension per change order; 2018 Street Project – 11 days no one on site, 10 days of ½” rain or more and 5 additional days it was too wet; November 16 is completion date; estimate 4 to 6 weeks behind; may not let them start on phase 3, which is between 5th and 3rd Street, don’t want it to be tore up all winter; Puddle Jumper Trail 9th Addition – 4 days didn’t work, 10 days of ½” rain or more, 5 additional days it was too wet, October 29 is completion date, 6 to 7 weeks behind.

Council Comments: The Mayor called for comments from members of the Council and the following were heard. Rod asked if there will be more costs to fix up Dunlop Wildlife Area due to the flooding last week. Bryan responded he saved the scada system this time but there will be about \$3,000 to pump out contaminated water. Rod thanked City staff for all their work with the rain/water issues. Steve inquired about a strategic planning date and succession plans for any 2019 retirees to prepare for budget time. Steve also thanked the City staff for their work.

Adjournment: No further business appearing it was therefore moved by Council member Chad Oolman and duly seconded by Council member Rod De Boer to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Chad Oolman, Rod De Boer, Steve Roesner, Earl Woudstra; NAYS: None. Adjournment time was 5:52 o’clock P.M.

Deb De Haan, Mayor

ATTEST: _____
Janet Brown, City Clerk