

## NOTICE AND CALL OF COUNCIL MEETING

Governmental Body: The City Council of the  
City of Orange City, Iowa

Date of Meeting: October 5, 2020

Time of Meeting: 4:30 o'clock P.M.

Place of Meeting: Council Chambers, City Hall,  
125 Central Ave SE  
Orange City, Iowa

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

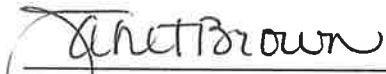
1. Meeting called to order
2. Opening ceremonies
3. Approval of agenda
4. Citizen comments
5. Approval of minutes
6. OC Arts Council
7. Ordinance extending the designation of Urban Revitalization Area Nos. 8-92, 9-92, and 10-92
8. Puddle Jumper Residential Urban Renewal Plan
  - Resolution Nunc Pro Tunc correcting scrivener's error in the legal description of the Amendment No. 6 Subarea included in Amendment No. 6 to the Puddle Jumper Residential Urban Renewal Plan
  - Consideration of TIF Ordinance for Amendment No. 6 Subarea
9. Resolution setting a public hearing for the sale of City owned property



Council Meeting  
October 5, 2020  
Page 2

10. Set date for public hearing for the approval of the Nassau Addition Plat
11. Dutch Front exemption
12. Library Board appointment
13. Administrative reports
14. Council comments
15. Adjournment

This notice is given at the direction of the Mayor pursuant to Chapter 28A, Iowa Code, as amended, and the local rules of said governmental body.

  
\_\_\_\_\_  
Janet Brown, City Clerk of the  
City of Orange City, Iowa



COUNCIL MEETING  
AGENDA NOTES  
October 5, 2020

1. The meeting will be called to order by Mayor Deb De Haan at 4:30 o'clock P.M.
2. Opening ceremonies. Pledge of Allegiance to our flag and a moment of silent prayer.
3. The agenda was prepared, posted and distributed in accordance with requirements of the Iowa Open Meeting Act.
4. This time is provided for citizen comments. It is suggested that if someone wishes to speak, we also ask for their residence. This time is intended for residents in the City limits.
5. The minutes of the September 21, 2020 council meeting are enclosed for your review. Exhibit 1
6. Representatives from the OC Arts Council will be present to update the Council on fall/winter programming.
7. We recently discovered that the two-year residential tax abatement expired on December 31, 2016. This was inadvertently missed to renew and extend the program, so at this time the Council should act on making the abatement retroactive to December 31, 2016 to cover the tax abatements that were previously approved by the Council since then. The Council will also need to determine a date to extend the program to. We are also adding language to make it clear that the City lots sold for R-1, low density residential are not eligible for the abatement since they are already subsidized lots. Exhibit 2
8. The City needs to pass a resolution to amend a legal description error done back in 2018 regarding our PJ 9<sup>th</sup> addition. There was a parcel that was accidentally left out of the amendment. We are recommending that you pass this resolution and consider taking action on the TIF ordinance, which starts the clock regarding collection of TIF dollars for this particular district.
9. OCDC is working to create a 3.6 acre commercial lot to be made available for sale. OCDC currently owns the property along Highway 10 which used to be the MOC/FV administration building. The City of Orange City owns the property where the MOC/FV bus facility is located and land where Vander Pol Excavating is located. OCDC would like to acquire the bus facility property and 1.5 acres of the former Vander Pol property in order to create the 3.6 acre lot. OCDC would like to purchase the property from the City of Orange City for \$359,385. OCDC would like to add the payment of the property to the City/OCDC MOU and would pay the City at the time of the sale of the property to a future developer. It is necessary to set a date and time for a public hearing for the sale of City owned property. The resolution would set the public hearing for 10/19/2020 City Council Meeting. Exhibit 3
10. This is the place to set the date of October 19, 2020 for the public hearing for approval of the Nassau Addition Plat, which is the new MOC-FV Elementary School and residential lots. Exhibit 4



11. City Council upon application of an owner can grant such exemption of construction of a Dutch Front. Iowa State bank is currently removing a Dutch Front from their building at 123 Albany Ave SE and replacing it with the attached drawings. This front is not considered a Dutch Front and would need the exemption to proceed. Exhibit 5
12. Mayor De Haan would like to appoint John Buntsma to the library board. John will replace Brent Phillipson, whose term expired July 1, 2020.
13. Administrative reports:

Scheduled Meetings:

October 19	Council Meeting, 4:30 P.M.
November 2	Council Meeting, 4:30 P.M.
November 16	Council Meeting, 4:30 P.M.
December 7	Council Meeting, 4:30 P.M.
December 21	Council Meeting, 4:30 P.M.

**If you would like additional information about an agenda item or another issue, that would help you or the council as a whole, please feel free to let me know so I can either get it to you by email or by report at the meeting.**

**Earl Woudstra**  
**City Office**      **712-707-4885**  
**Cell phone**     **712-737-7115**  
**Email**            **earlw@orangecityiowa.com**





Council Meeting  
September 21, 2020

The City Council met in special session pursuant to adjournment at 4:30 o'clock P.M. on September 21, 2020. A quorum was declared by Mayor Pro-Tempore Steve Roesner. The meeting was held in the Council Chambers, City Hall, 125 Central Ave SE, Orange City, Iowa.

Members Present: Council members Aaron Beadner, Daron De Jong, Steve Roesner, Tony Vande Brake, and Rod De Boer via telephonic conference.

Members Absent: Mayor De Haan

Staff: Earl Woudstra, Janet Brown, Mark Gaul, Jim Pottebaum, and Matt Van Schouwen

Guests: Mike Hofman and Doug Calsbeek

Agenda: A motion was made by Council member Daron De Jong and duly seconded by Council member Tony Vande Brake approving the tentative agenda, as the official agenda. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Tony Vande Brake, Rod De Boer, Aaron Beadner, Steve Roesner; NAYS: None.

Citizen Comments: This time was provided for citizen comments. Dan Drescher asked that the Council consider waiving the third reading of proposed Ordinance No. 821 at today's meeting so he can move forward with planning an addition to his house at 116 1<sup>st</sup> Street SW.

Approval of Minutes: The minutes of September 8, 2020 council meeting were presented. A motion was made by Council member Tony Vande Brake and duly seconded by Council member Daron De Jong approving said minutes as published. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Daron De Jong, Rod De Boer, Aaron Beadner, Steve Roesner; NAYS: None.

Financial Report: The monthly financial report for August 2020, representing cash balances for all funds was presented, whereupon it was therefore moved by Council member Aaron Beadner and duly seconded by Council member Tony Vande Brake approving the monthly financial report as published. On call of the roll motion carried. The vote was as follows: AYES: Aaron Beadner, Tony Vande Brake, Rod De Boer, Daron De Jong, Rod De Boer; NAYS: None.

Monthly Bills: A Summary of Warrants report listing bills from August 18, 2020 through September 21, 2020 was presented. A motion was made by Council member Aaron Beadner and duly seconded by Council member Daron De Jong approving the monthly bills, subject to audit. On call of the roll motion carried. The vote was as follows: AYES: Aaron Beadner, Daron De Jong, Rod De Boer, Steve Roesner, Tony Vande Brake; NAYS: None.

Sale of City Owned Property: This being the time and place as advertised a public hearing was held to consider the sale of 38 acres of farm ground to the MOC/FV School District for the new elementary school site at \$18,360/acre less the purchase price of \$135,000 for the current elementary building property. The Mayor Pro-Tempore called for comments from the audience. No one was heard speaking for or against the proposed sale. No written objections were filed. The Mayor Pro-Tempore then closed the time for the public hearing.

A motion was made by Council member Daron De Jong and duly seconded by Council member Tony Vande Brake adopting a resolution ratifying and authorizing disposal of municipally owned property to the MOC-Floyd Valley Community School District. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Tony Vande Brake, Aaron Beadner, Rod De Boer, Steve Roesner; NAYS: None.

Amend City Ordinances Article #17, Section 4, Non-conforming Structures: A motion was made by Council member Tony Vande Brake and duly seconded by Council member Aaron Beadner approving the second reading of proposed Ordinance No. 821, an ordinance that would allow existing non-conforming single family residential dwellings located in the commercial district to make alterations, construct additions as long as they meet R-1, Low-Density Residential District setback regulations and no additional dwelling units are constructed or created. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Aaron Beadner, Rod De Boer, Daron De Jong, Steve Roesner; NAYS: None.

A motion was made by Council member Daron De Jong and duly seconded by Council member Aaron Beadner to waive the third reading of proposed Ordinance No. 821. On call of the

roll motion carried. The vote was as follows: AYES: Daron De Jong, Aaron Beadner, Rod De Boer, Steve Roesner, Tony Vande Brake; NAYS: None.

A motion was made by Council member Tony Vande Brake and duly seconded by Council member Aaron Beadner to adopt Ordinance No. 821, an ordinance that would allow existing non-conforming single family residential dwellings located in the commercial district to make alterations, construct additions as long as they meet R-1, Low-Density Residential District setback regulations and no additional dwelling units are constructed or created. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Aaron Beadner, Rod De Boer, Daron De Jong, Steve Roesner; NAYS: None.

Consideration of Collective Bargaining Agreement: The Collective Bargaining Unit has proposed a one-year extension of the current agreement through June 30, 2022. The personnel committee has reviewed the recommendations from Labor Attorney Aaron Hilligas and recommend tentative approval and a 2.5% wage increase. This recommendation would then go back to the Collective Bargaining Unit for their consideration and approval. A motion was made by Council member Daron De Jong and duly seconded by Council member Tony Vande Brake approving the tentative Collective Bargaining Agreement. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Tony Vande Brake, Aaron Beadner, Rod De Boer, Steve Roesner; NAYS: None.

Employee Handbook: Management has reviewed and brought the Employee Handbook up to date with the current Collective Bargaining Agreement, along with some language changes due to positions that have changed. A motion was made by Council member Tony Vande Brake and duly seconded by Council member Daron De Jong approving the Employee Handbook. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Daron De Jong, Rod De Boer, Aaron Beadner, Steve Roesner; ANSY: None.

Resolution Approving the Official Street Finance Report of Actual and Accrued Expenditures and Receipts for All Funds for Street Purposes for the 2019-2020 Fiscal Year: A motion was made by Council member Aaron Beadner and duly seconded by Council member Tony Vande Brake adopting a resolution approving the official Street Finance Report of actual and accrued expenditures and receipts for all fund for street purposes for the 2019-2020 fiscal year. On call of the roll motion carried. The vote was as follows: AYES: Aaron Beadner, Tony Vande Brake, Rod De Boer, Daron De Jong, Steve Roesner; NAYS: None. The resolution was assigned number 9-21-20-1920 and appears in the official resolution book.

Water Service Territory: Management has reached a tentative agreement with Southern Sioux County Rural Water System for water rights to the 95 acres that would be home to the new elementary school and future housing. The agreement is for \$225,000 payable at a rate of \$22,500 per year for ten years. A motion was made by Council member Daron De Jong and duly seconded by Council member Tony Vande Brake approving the tentative agreement with Southern Sioux County Rural Water System. The agreement will be forwarded on to the USDA and CoBank for final approval for the rural water system to sell the territory. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Tony Vande Brake, Aaron Beadner, Rod De Boer, Steve Roesner; NAYS: None.

Vehicle Purchase: A motion was made by Council member Rod De Boer and duly seconded by Council member Aaron Beadner approving the purchase of a 2021 Chevrolet ½ ton, 4WD pickup for the water/wastewater department in the amount of \$31,239 from Total Motors. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Aaron Beadner, Daron De Jong, Steve Roesner, Tony Vande Brake; NAYS: None.

North Weiland Sanitary Sewer Extension: Management is working with the owners of a new home on Concord Ave NE to provide sanitary sewer service. The best alternative is to access through the North Weiland 2<sup>nd</sup> Addition. To do this, a new section of sewer main needs to be constructed. This section is planned to be installed as part of the 2<sup>nd</sup> Addition to service four new lots. Management is proposing to install the sewer main this fall/winter and is working on an agreement with the homeowner and developer on cost-sharing the sewer main construction. It was the consensus of the Council for management to proceed with this process and obtain competitive quotes for the sewer main installation. No official action was taken.

#### Administrative Reports:

##### Scheduled Meetings:

October 5	Council Meeting, 4:30 P.M.
October 19	Council Meeting, 4:30 P.M.
November 2	Council Meeting, 4:30 P.M.

Oral reports: Earl shared a Community Partnership Award from PM magazine for the Sioux County Regional Airport; pool sandblasting is happening this week; library has expanded their hours and are requiring masks due to the high COVID rates, along with curbside pickup; work has begun on the Dutch Museum, will be providing in-kind services by removing rock and soil from the parking area. Mark informed there would be planning meetings with ISG on November 11 and 12; school board has approved the bus barn sale; development corporation will have the 3.6 acre lot for sale on Highway 10 and will be constructing a new bus barn at Frankfort and 17<sup>th</sup> Street. Matt shared the tree dump area will be expanded.

Council Comments: The Mayor Pro-Tempore called for comments from members of the Council and the following were heard. Aaron reported on staff changes happening at the library and that they are looking for a male board member. Steve shared thoughts on the social media attack on community leaders due to COVID.

Adjournment: No further business appearing it was therefore moved by Council member Aaron Beadner and duly seconded by Council member Daron De Jong to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Aaron Beadner, Daron De Jong, Rod De Boer, Steve Roesner, Tony Vande Brake; NAYS: None. Adjournment time was 5:23 o'clock P.M.

\_\_\_\_\_  
Steve Roesner, Mayor Pro-Tempore

ATTEST: \_\_\_\_\_  
Janet Brown, City Clerk



ORDINANCE NO. 822

An Ordinance Amending Section 2 of Ordinance No. 669 Which Provides For The Designation of Urban Revitalization Areas In and For Orange City, Iowa, To Be Known As Urban Revitalization Area Nos. 8-92, 9-92, and 10-92 and Urban Revitalization Area No. 10-92.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, IOWA, AS FOLLOWS:

Section 1.c. Adding the italicized wording to: Property zoned residential in the entire incorporated City of Orange City, Iowa, *except lots purchased from the City of Orange City zoned as R-1, Low Density Residential.*

Section 2. That the areas previously described be hereafter designated as an Urban Revitalization Area retroactive to December 31, 2016 until *(insert date)*, unless, renewed, or until, by ordinance repealed, whichever comes first.

Dated this 5<sup>th</sup> day of October, 2020.

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Deb De Haan, Mayor

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Janet Brown, City Clerk

1<sup>st</sup> reading –  
2<sup>nd</sup> reading –  
3<sup>rd</sup> reading –



# PLAT OF SURVEY

**INDEX LEGEND:**

PART OF: SE1/4-SE1/4, SECTION 33-95-44

CURRENT PROPRIETOR:

SURVEY REQUESTED BY: CITY OF ORANGE CITY

PREPARED BY AND RETURN TO:  
 David A. Lamberton, DGR Engineering, 6115 Whispering Creek Dr.,  
 Sioux City, IA 51106 (712) 266-1554 dave.lamberton@dgr.com



**PARCEL DESCRIPTION:**

That portion of the southeast quarter of the southeast quarter (SE1/4-SE1/4) of Section 33, Township 95 North, Range 44 West of the 5th P.M., Orange City, Sioux County, Iowa, described as follows:

Commencing at the southwest corner of said SE1/4-SE1/4; thence North 00°47'48" East along the west line of said SE1/4-SE1/4 for a distance of 47.00 feet to the north line of the Highway 10 right-of-way; thence continuing North 00°47'48" East along said west line for a distance of 540.07 feet; thence South 89°12'12" East for a distance of 291.14 feet to the west line of the Salem Avenue right-of-way; thence South 00°39'09" West along said west line for a distance of 516.85 feet; to the north line of the Highway 10 right-of-way; thence South 71°55'26" West along said north line for a distance of 71.85 feet; thence North 89°11'58" West along said north line for a distance of 224.45 feet to the Point of Beginning, containing 3.600 acres, more or less, subject to easements, if any, of record or apparent.



**PRELIMINARY**  
 FOR REVIEW ONLY - DO NOT RECORD  
 08/14/2020

Drawn by: DAL
Checked by: DAL
Date of Field Survey: 08/11/2020
Project No. 270077
Sheet No. 1 of 1

Drawing # - P:\02270107\dwg\270077\p01.dwg



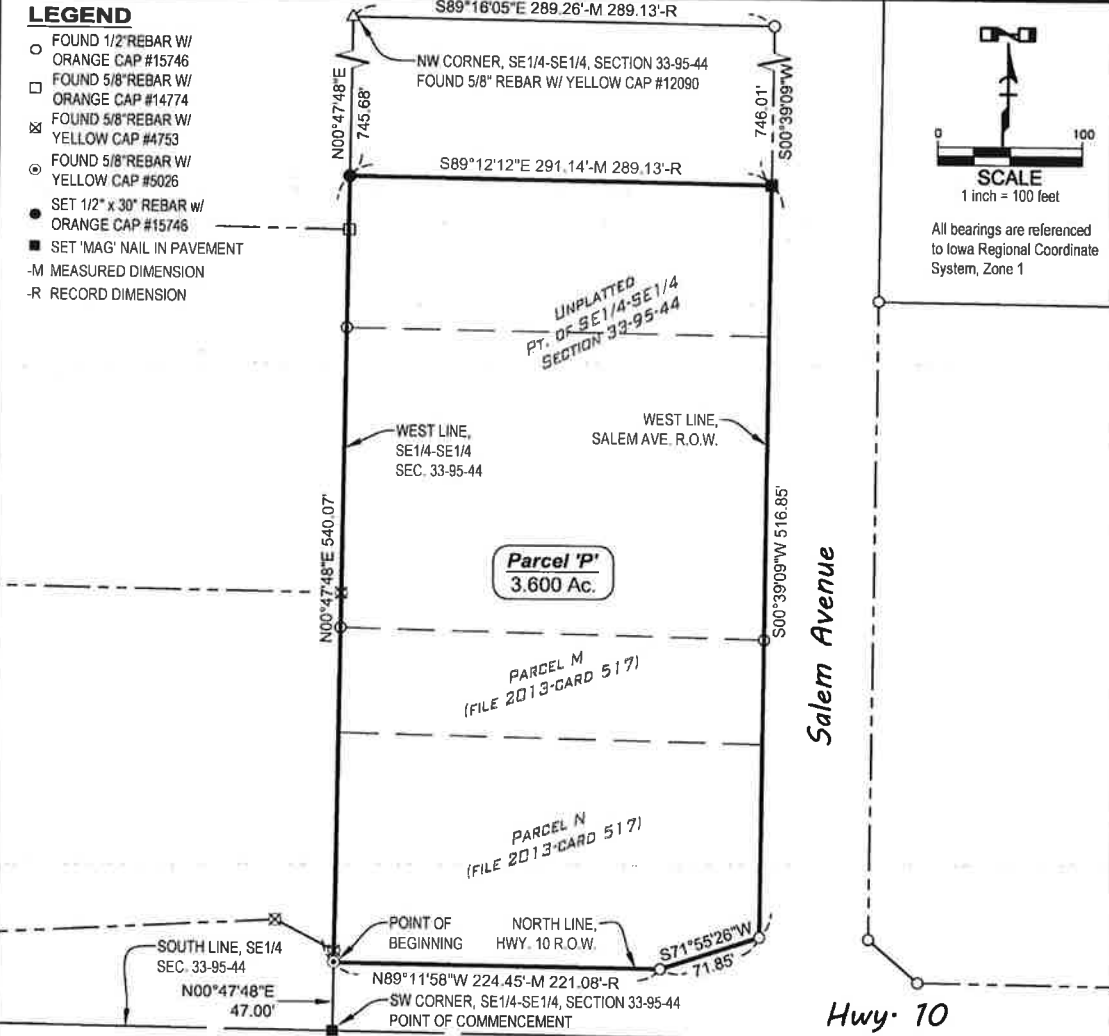


# PLAT OF SURVEY

## INDEX LEGEND:

PART OF: SE1/4-SE1/4, SECTION 33-95-44  
 CURRENT PROPRIETORS: CITY OF ORANGE CITY  
 MOC COMM. SCHOOL DIST.  
 OCDC, INC.  
 SURVEY REQUESTED BY: CITY OF ORANGE CITY

PREPARED BY AND RETURN TO:  
 David A. Lamberton, DGR Engineering, 6115 Whispering Creek Dr.,  
 Sioux City, IA 51106 (712) 266-1554 dave.lamberton@dgr.com



## DESCRIPTION OF PARCEL 'P':

Parcels M and N, and that portion of the southeast quarter of the southeast quarter (SE1/4-SE1/4) of Section 33, Township 95 North, Range 44 West of the 5th P.M., Orange City, Sioux County, Iowa, described as follows:

Commencing at the southwest corner of said SE1/4-SE1/4; thence North 00°47'48" East along the west line of said SE1/4-SE1/4 for a distance of 47.00 feet to the north line of the Highway 10 right-of-way; thence continuing North 00°47'48" East along said west line for a distance of 540.07 feet; thence South 89°12'12" East for a distance of 291.14 feet to the west line of the Salem Avenue right-of-way; thence South 00°39'09" West along said west line for a distance of 516.85 feet; to the north line of the Highway 10 right-of-way; thence South 71°55'26" West along said north line for a distance of 71.85 feet; thence North 89°11'58" West along said north line for a distance of 224.45 feet to the Point of Beginning, containing 3.600 acres, more or less, subject to easements, if any, of record or apparent.

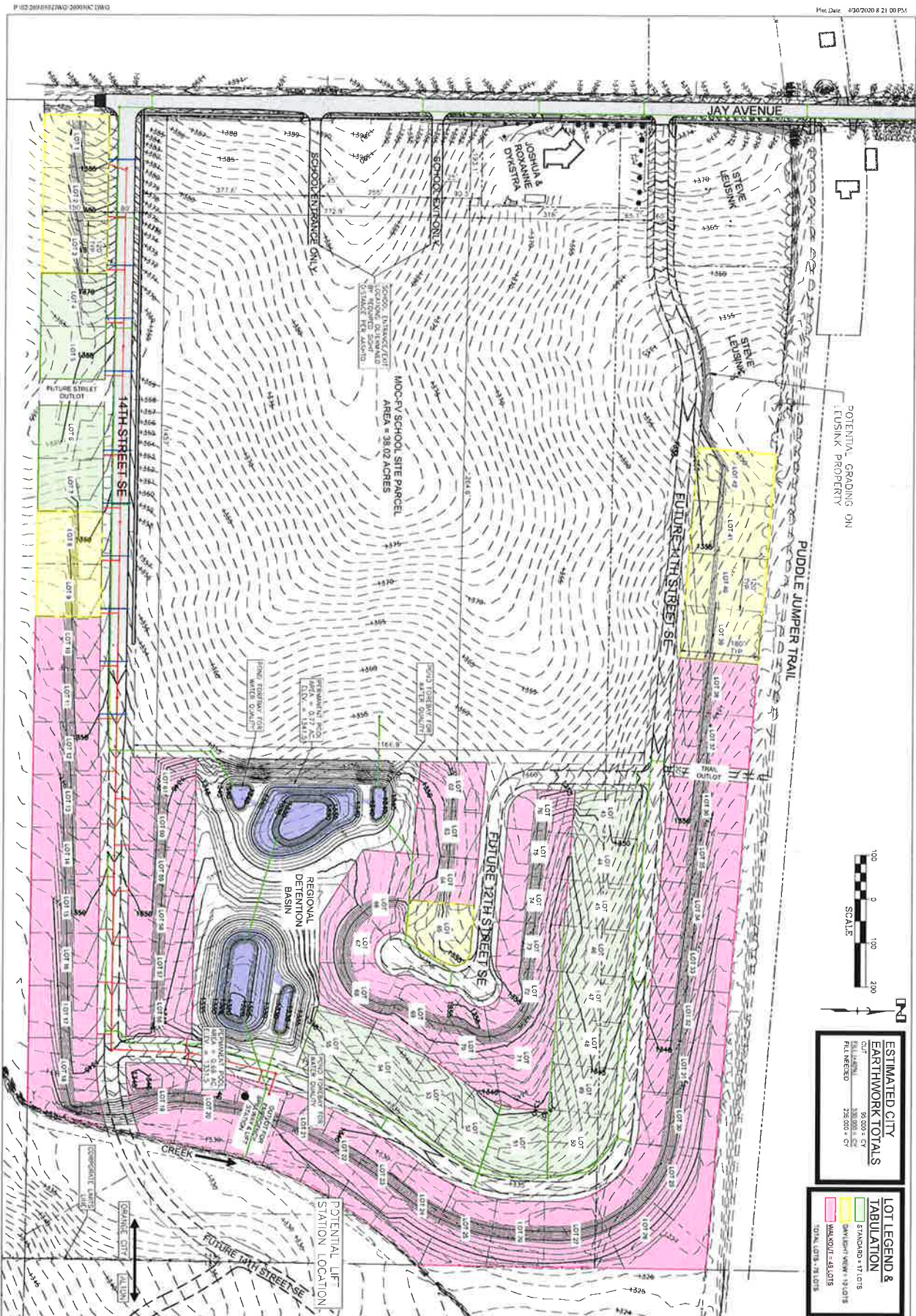


I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision, and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

*David A. Lamberton* 8/26/2020  
 DAVID A. LAMBERTON License No. 15746 DATE  
 My license renewal date is December 31, 2020  
 Pages or sheets covered by this seal: 1 of 1

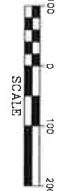
Drawn by: DAL  
 Checked by: DAL  
 Date of Field Survey: 08/11/2020  
 Project No. 270077  
 Sheet No. 1 of 1

Drawing # - P:02270077.dwg 270077.rpt01.dwg



Plot Date: 4/30/2020 8:21:00 PM

POTENTIAL GRADING ON FUSINK PROPERTY



ESTIMATED CITY EARTHWORK TOTALS	
CUT	56,000 ± CY
FILL	198,000 ± CY
FILL NECKED	28,000 ± CY

LOT LEGEND & TABULATION	
Green	STANDARD 11' LOTS
Yellow	DAVEY LIGHT VIEW 19' LOTS
Pink	WALKOUT 48' LOTS
Light Blue	10' WIDE LOTS - 18' LOTS

Project Manager: BNW  
 Designer: KMP  
 Project Number: 269050  
 Phone: (313) 268-1584

SITE CONCEPT

**PRELIMINARY**  
 FOR REVIEW ONLY  
 4/30/2020

ORANGE CITY, MOC-FV STREET IMPROVEMENTS  
 ORANGE CITY, IOWA

C.01  
 Sheet



3. Some project areas may be exempted by the Council upon application of the owner or developer and such grant of exemption shall constitute waiver of funding. This procedure shall apply to all construction, reconstruction, maintenance and decorating of new or existing structures. This Ordinance is intended to give owners and developers flexibility while strongly encouraging the policies contained within the Dutch Front Ordinance.

#### 2.10 FINANCIAL ASSISTANCE.

1. The Council, by separate action, may provide for financial assistance to owners or occupants of new or pre-existing structures within the Orange City Business District, which shall be available upon such terms, and conditions as may be developed thereunder in conjunction with the Dutch Front Committee.
2. All applications for funding of Dutch Front projects shall be submitted to the Committee and the City Council. Funding of any project will be dependent upon available funds and budget decisions by the Council, which considers said applications. The City Council may, at its discretion, provide matching funds in an amount appropriate with the size and scope of the entire project.
3. The Council shall pay no more than a 50% match of actual exterior costs for approved Dutch Theme treatments when completed with a maximum City contribution of \$75,000. (not 50% of all costs related to the total front treatments, only to the Dutch Themed treatments)
4. The Orange City business district Dutch Front Program shall be available to building owners until December 31, 2020.
5. The City Council may, at its discretion, also grant additional matching funds per project to offset a portion of the cost of architects/contractor design expenses. Any additional funds shall be limited to no more than 1% or less of the actual cost of the approved Dutch Front.
6. In the event that the previously constructed Dutch store front is in need of maintenance and/or repair (no change to color or style), the City Council may, at its discretion, provide matching funds in an amount appropriate with the size and scope of the project. The council shall pay no more than a 50% match of the actual cost of maintenance and repair with a maximum city funding of \$5,000 within a 5 year period. A storeowner must submit an application for this grant and provide the City with estimates of the cost of the maintenance and/or repair and the City Council must approve the grant before the maintenance/repair work is started.
7. In the event a store owner wishes to renovate his/her Dutch front to another Dutch style, the City Council may, at its discretion, provide matching funds in an amount appropriate with the size and scope of the project. Matching funds provided by the



**1 Joiner Bldg. Exterior 10A**

Scale: 1/2" = 1'-0"



**2 Joiner Bldg. Exterior 10B**

Scale: 1/2" = 1'-0"

<b>PRELIMINARY</b> NOT FOR CONSTRUCTION	
 <b>Iowa State Bank</b> Member FDIC 100 Adams Avenue, S.E. Grand Rapids, IA 51301	
<b>Exterior Perspectives</b>	
Copyright © 2018 This plan is copyrighted and may not be used for the building project without the express written consent of the architect.	
Project No.	19237
Date	08/17/2018
Drawn by	##/##
Checked by	##/##
<b>A3.0</b>	