

NOTICE AND CALL OF COUNCIL MEETING

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

Date of Meeting: June 6, 2022

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. Public hearing to consider utility easement vacation
 - Resolution ratifying and authorizing disposal of easement
7. Puddle Jumper Playground Project
8. Water rate ordinance
9. Engagement Agreement with Ahlers & Cooney for Water Revenue Capital Loan Notes
10. Not to Exceed \$12,900,000 Water Revenue Capital Loan Notes
 - Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder


Council Meeting

June 6, 2022

Page 2

11. Resolution in support of a Workforce Housing Tax Incentive Program Application
12. Option to purchase real estate
13. Resolution in support of a Workforce Housing Tax Incentive Program Application
14. Resolution in support of a Workforce Housing Tax Incentive Program Application
15. Lease Extension with Orange City Area Health System for Adult Activity Center
16. Alton Annexation Agreement
17. Cigarette permit applications
18. Liquor license renewal application
19. Administrative reports
20. Council comments
21. 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

June 6, 2022

1. The meeting will be called to order by Mayor Pro-Tempore Steve Roesner 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 May 16, 2022 council meeting are enclosed for your review. Exhibit 1
6. In order for the vacation of the utility easement on Lot 4, Beterschaap Addition to be recorded at the Courthouse it must be vacated by resolution. The Council can consider the action to vacate after the public hearing. Exhibit 2
7. After consultation with Beck Engineering management is recommending that we reject the bid received from Vander Pol Construction for \$1,553,599 as well as the alternate bids of \$122,596 for a granular trail, and shade structures for \$65,800. We would like to separate the playground equipment and surface and rebid this portion later this summer. We will then rebid the site development portion and alternates of the project later this year as well. There will be adjustments to the project to attempt to reduce the overall development cost. We will likely delay the completion of the project until sometime in 2023.
8. This will be the second reading of proposed Ordinance No. 838, which amends the water rates beginning in July and then again in January 2023. The Council can consider waiving the third reading.
9. The Engagement Agreement is for the work being done by Ahlers & Cooney, P.C. as Bond Counsel and Disclosure Counsel for the not to exceed \$12,900,000 Water Revenue Capital Loan Notes, Series 2022B. The cost of this work is expected to be around \$60,000.
10. This resolution will direct staff to publish notice of the sale of Water Revenue Bonds for the Southwest Well Field & Water Main Project, and some refinancing of existing Water Revenue Bonds. We will be asking to hold the public hearing on June 20, 2022. This is the first step in issuing the bonds.
11. Adam Howerzyl and Tyler Spaans own the apartment complex at 703 Iowa Avenue SW. They would like to construct another apartment building with 12 to 16 units. They are applying for Iowa Workforce Housing tax credits. As a part of the application, it is necessary to provide a resolution of support for the project and to identify the local match. Orange City has a ten-year abatement for the construction of multi-family housing of more than three units which will serve as the local match. The name of their organization applying for the tax credits is OC Apartments, LLC.

12. Adam Howerzyl and Tyler Spaans are proposing a tiny house development in Puddle Jumper #10 on lots 9 through 13. They are proposing 24 – 36 units and will be patterned after Executive Estates in Yankton S.D. - <https://executiveestatesd.com/>. They would like to apply for Iowa Workforce Housing Tax Credits. As a part of the application, it is necessary to identify the location of the development and to demonstrate the ability to secure the location. They are asking for an option to purchase lots 9 through 13 in Puddle Jumper #10 until 12/31/22. The name of their organization applying for the option to purchase is Dutch Cottages, LLC. Exhibit 2
13. Adam Howerzyl and Tyler Spaans are proposing a tiny house development in Puddle Jumper #10 on lots 9 through 13. They are proposing 24 – 36 units and will be patterned after Executive Estates in Yankton S.D. - <https://executiveestatesd.com/>. They would like to apply for Iowa Workforce Housing Tax Credits. As a part of the application, it is necessary to provide a resolution of support for the project and to identify the local match. Orange City has a ten-year abatement for the construction of multi-family housing of more than three units which will serve as the local match. The name of their organization applying for the tax credits is Dutch Cottages, LLC.
14. Vision Builders would like to construct Bluestem 8-plex apartment #2. They would like to construct another apartment building with 8 units. They are applying for Iowa Workforce Housing tax credits. As a part of the application, it is necessary to provide a resolution of support for the project and to identify the local match. The name of their organization applying for the tax credits is Vision Builders, Inc.
15. The City has a lease with Orange City Area Health System for the use of the Adult Activity Center. That lease expires the end of June and OCAHS is willing to extend the lease for 3 years at the same rate we are currently paying. The rate is \$8 per square foot with an annual cost of \$27,200 and a monthly cost of \$2,266.67. Management recommends approving this lease extension.
16. Brad De Jong has prepared an annexation agreement for Orange City and Alton. The agreement reflects the transfer of ~4.5 acres in the southeast corner of the Gelderland Addition to Alton in exchange for moving the annexation boundary north of Highway 10 one quarter of a mile east. Orange City will also leave 13,000 cubic yards of soil on site, and all development costs for Alton connecting to Orange City's 14th street will be at Alton's expense. Each City Council will need to approve of the agreement. Exhibit 3
17. We have received seven cigarette permit applications (Don's Food Center, Dollar Fresh, Dollar General, Conoco, Casey's, Fareway, and Dutch Mart). The state requires cigarette permit applications to be approved on an annual basis and assesses a fee of \$75 per application.
18. We have received a renewal application from Nederlander's Grill for a Class C Liquor License. Everything is in order.

19. Administrative reports:

Scheduled Meetings:

June 20	Council Meeting, 4:30 P.M.
July 5	TUESDAY , Council Meeting, 4:30 P.M.
July 11	Mayor's Cup
July 13	Customer Appreciation Picnic
July 18	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
May 16, 2022

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on May 16, 2022. 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 Aaron Beadner, Rod De Boer, Daron De Jong, Steve Roesner, and Tony Vande Brake

Members Absent: None

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

Guests: Doug Calsbeek

Agenda: A motion was made by Council member Daron De Jong 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: Daron De Jong, Rod De Boer, Aaron Beadner, Steve Roesner, Tony Vande Brake; NAYS: None.

Citizen Comments: This time was provided for citizen comments and none were heard.

Approval of Minutes: The minutes of May 2, 2022 council meeting were presented. A motion was made by Council member Aaron Beadner and duly seconded by Council member Tony Vande Brake approving said minutes 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, Steve Roesner; NAYS: None.

Financial Report: The monthly financial report for April 2022, representing cash balances for all funds was presented, whereupon it was therefore moved by Council member Tony Vande Brake and duly seconded by Council member Daron De Jong approving the monthly financial report as published. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Daron De Jong, Aaron Beadner, Rod De Boer, Steve Roesner; NAYS: None.

Monthly Bills: A Summary of Warrants report listing bills from April 19, 2022 through May 16, 2022 was presented. A motion was made by Council member Tony Vande Brake 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: Tony Vande Brake, Daron De Jong, Aaron Beadner, Rod De Boer, Steve Roesner; NAYS: None.

Public Hearing on the Fiscal Year 2021-2022 Budget Amendment: This being the time and place as advertised a public hearing was held to consider the proposed fiscal year 2021-2022 budget amendment. The Mayor opened the time for the public hearing. No one was heard speaking for or against the proposed plan. No written objections were filed. The Mayor then closed the time for the public hearing.

A motion was made by Council member Aaron Beadner and duly seconded by Council member Rod De Boer adopting a resolution approving the fiscal year 2021-2022 budget amendment. On call of the roll motion carried. The vote was as follows: AYES: Aaron Beadner, Rod De Boer, Daron De Jong, Steve Roesner, Tony Vande Brake; NAYS: None. The resolution was assigned number 5-16-22-2009 and appears in the official resolution book.

Puddle Jumper Playground Project: This being the time and place as advertised a public hearing was held to consider the proposed Puddle Jumper Playground Project. The Mayor opened the time for the public hearing. Earl shared one bid was received from Vander Pol Excavating for \$1,553,559. The Engineer's estimate was \$1,341,610 for the base bid and \$73,220 for Alternate #1 and \$56,683 for Alternate #2. No one else was heard speaking for or against the proposed project. No written objections were filed. The Mayor then closed the time for the public hearing.

Per Beck Engineering, the City has 60 days to act on the bid. Beck Engineering and management will be reviewing options and hope to know more by the next meeting. No official action was taken on awarding the contract.

RIDES Contract: A motion was made by Council member Tony Vande Brake and duly seconded by Council member Steve Roesner approving the RIDES contract for the 2022-2023

fiscal year at a yearly cost of \$15,000. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Steve Roesner, Rod De Boer, Aaron Beadner, Daron De Jong; NAYS: None.

Water Rate Ordinance: A motion was made by Council member Tony Vande Brake and duly seconded by Council member Rod De Boer approving the first reading of proposed Ordinance No. 838, an ordinance amending the water rates. The average increase beginning July 2022 would be 20%, with an additional 15% increase in January of 2023. The increase will address costs for improvements that will allow for future growth and address the peak usage during summer months. Earl reported on the power outage last week that led to a brief water emergency for a few hours, which demonstrates the need for these improvements. Matt also shared that due to the water situation with the wells not improving since last fall the City will be moving to the Water Warning level soon. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Rod De Boer, Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None.

Resolution of Support for the Destination Iowa Grant Application for Sioux County Trails: A motion was made by Council member Daron De Jong and duly seconded by Council member Rod De Boer adopting a resolution of support for the Destination Iowa Grant Application for Sioux County Trails. The proposal includes the completion of trails between Orange City and Sandy Hollow as well as completion of connecting trails for Orange City and Sioux Center. The total project has a preliminary estimate of \$5,000,000, with \$3,000,000 for the Orange City to Sandy Hollow portion and \$1,000,000 each for Orange City and Sioux Center connections. Orange City, Sioux Center, Alton, Sioux County, and Sioux County Conservation will be parties to this project application. The grant would provide 40% of the project cost and requires a 60% contribution from the supporting agencies. Projects would need to be approved and bid by 2024 and completed by 2026. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Rod De Boer, Aaron Beadner, Steve Roesner, Tony Vande Brake; NAYS: None. The resolution was assigned number 5-16-22-2010 and appears in the official resolution book.

Resolution Proposing Vacation of Easement in Beterschaap Addition and Setting Public Hearing: A motion was made by Council member Tony Vande Brake and duly seconded by Council member Rod De Boer adopting a resolution proposing the vacation of a utility easement on Lot 4, Beterschaap Addition and setting 4:30 P.M. on June 6, 2022 as the time for a public hearing to consider the vacation. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Rod De Boer, Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None. The resolution was assigned number 5-16-22-2011 and appears in the official resolution book.

Liquor License Renewal Application: A motion was made by Council member Aaron Beadner and duly seconded by Council member Tony Vande Brake approving the renewal application for a Class C Liquor License as submitted by Prairie Winds Event Center. 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.

Police Officer Position: A motion was made by Council member Daron De Jong and duly seconded by Council member Rod De Boer approving the hiring of Trey Schiebout as a Police Officer. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Rod De Boer, Aaron Beadner, Steve Roesner, Tony Vande Brake; NAYS: None.

Administrative Reports:

Scheduled Meetings:

May 16	Council Meeting, 4:30 P.M.
May 19-21	Tulip Festival
June 6	Council Meeting, 4:30 P.M.
June 20	Council Meeting, 4:30 P.M.
July 5	TUESDAY , Council Meeting, 4:30 P.M.
July 18	Council Meeting, 4:30 P.M.

Oral reports: Earl commented on all the work being done getting ready for Tulip Festival; working on weed issues on some City properties; received a tree replacement plan for the downtown area from Greenworld; Shawn Lancaster started last week and is doing well; thank you from the Dutch Heritage Boosters for monies received; anonymous thank you note to City workers.

Council Comments: The Mayor called for comments from members of the Council and the following were heard. Aaron mentioned the wasps at Kinderspeeland. Tony thanked the

MOC-FV FFA for helping with Tulip Festival set up.

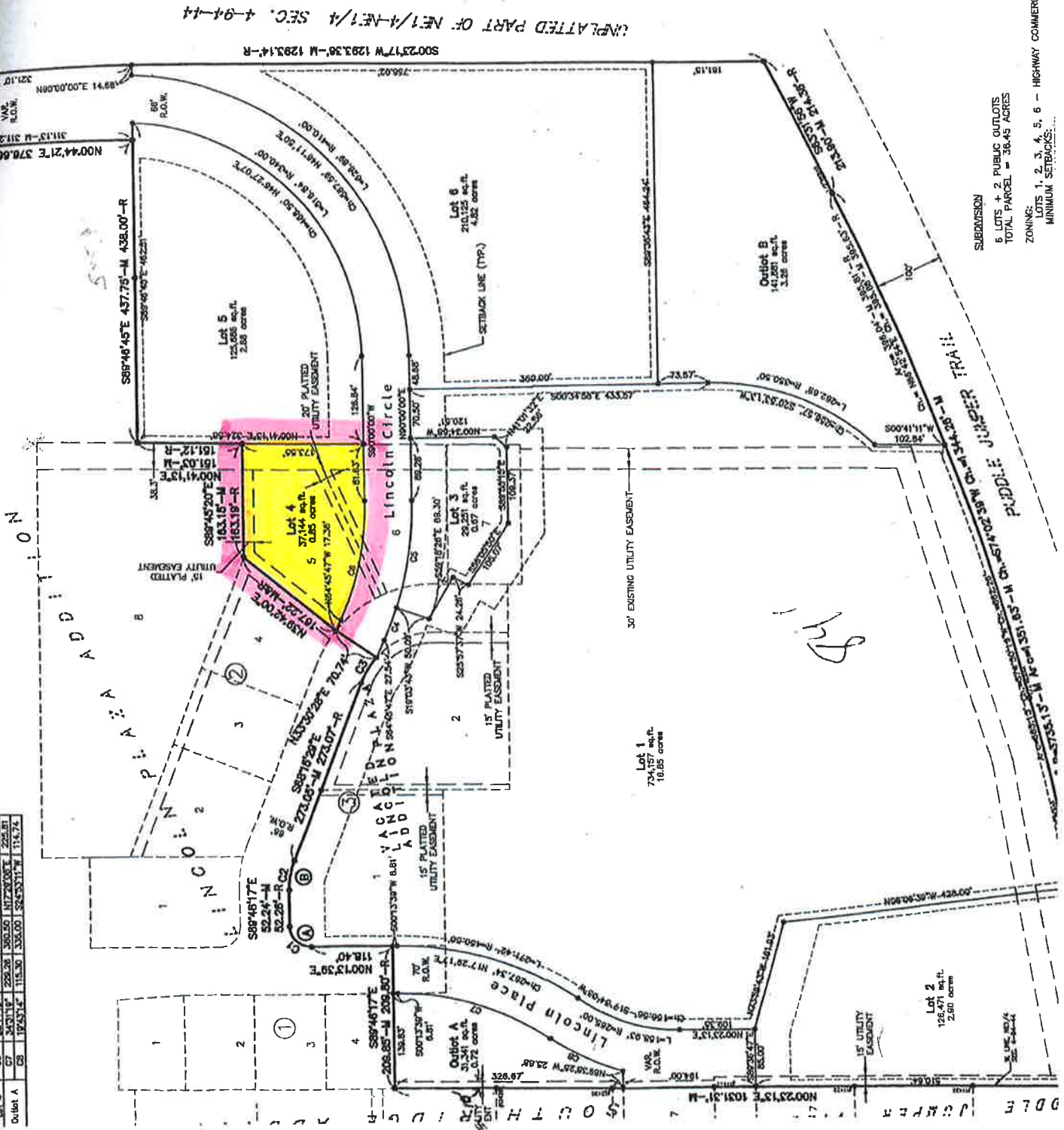
Adjournment: No further business appearing it was therefore moved by Council member Tony Vande Brake and duly seconded by Council member Aaron Beadner to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Aaron Beadner, Rod De Boer, Daron De Jong, Steve Roesner; NAYS: None. Adjournment time was 5:17 o'clock P.M.

Deb De Haan, Mayor

ATTEST: _____
Janet Brown, City Clerk

SIoux COUNTY, IOWA

Location	Delta	Length	Radius	Chord	Bearing	Chord
Subdivision	88°25'47"	47.13	30.00	54.51	S45°13'55"W	42.43
Border	21°25'38"	43.17	114.59	179.02	S27°02'57"W	42.92
Lot 1	21°45'45"	43.62	113.29	182.71	S27°02'57"W	43.56
Lot 2	81°03'30"	50.05	470.00	507.73	S35°13'56"E	50.65
Lot 3	183°03'45"	156.37	470.00	587.28	S87°28'05"E	156.65
Lot 4	23°43'13"	178.19	400.00	577.22	S77°22'54"E	174.77
Outlet A	54°31'19"	229.28	300.00	187.28	S38°03'11"E	229.28
Outlet B	19°25'34"	115.30	135.00	182.53	S45°33'11"W	114.24



UNPLATTED PART OF NE1/4-NE1/4 SEC. 4-94-14

SUBDIVISION
 6 LOTS + 2 PUBLIC OUTLOTS
 TOTAL PARCEL = 36.45 ACRES
 ZONING: LOTS 1, 2, 3, 4, 5, 6 - HIGHWAY COMMERCIAL
 MINIMUM SETBACKS:

Handwritten initials: "JH"

AGREEMENT

This Agreement is made and entered into by and between the City of Orange City, Iowa, an Iowa Municipal Corporation hereinafter sometimes referred to as "Orange City", and the City of Alton, Iowa, an Iowa Municipal Corporation, hereinafter sometimes referred to as "Alton".

WHEREAS, Orange City is the owner of an approximate 4.5 acre parcel located in the SE corner of the S1/2 NW1/4 of Section 3, Township 94 North, Range 44 West of the 5th P.M., in Sioux County, Iowa (see Exhibit "A"); and

WHEREAS, Alton desires to acquire same along with some fill dirt located on the above-described property; and

WHEREAS, Alton and Orange City approved a Joint Resolution for Annexation Moratorium in October 2011 (see Exhibit "B"); and

WHEREAS, the parties are desirous of amending said Joint Resolution for Annexation Moratorium to allow Orange City and Alton to annex additional properties to their City limits; and

WHEREAS, the parties are desirous of entering into agreements for the exchange of real estate, annexed territories, provision and use of top soils to be removed from real estate and payment of costs and expenses concerning infrastructure improvements to the real estate and for the preparation and effectuation of this agreement.

IT IS THEREFORE mutually understood and agreed by and

1. Orange City will deed to Alton an approximate 4.5 acre parcel located in the SE corner of the S1/2 NW1/4 of Section 3, Township 94 North, Range 44 West of the 5th P.M., in Sioux County, Iowa. An exact metes and bounds description of the property shall be determined by survey, the cost for which shall be split equally between the parties. Upon completion of the survey, Orange City will deed said parcel to Alton Economic Development Corporation.
2. Orange City will allow for approximately 13,000 cubic yards of soil currently located on the above-described property to remain on the site. Any soil in excess of 13,000 cubic yards that Orange City desires to retain shall be removed from the above-described property by Orange City no later than December 31, 2023.
3. The Joint Resolution Annexation Moratorium will be updated to allow for Orange City to annex the following described property: The E1/2 of Sections 34 and 27, Township 95 North (Holland Township), Range 44 West of the 5th P.M., Sioux County, Iowa. The Joint Resolution Annexation Moratorium will also be modified to allow Alton to annex the approximate 4.5 acre parcel referred to in paragraph 1 above.

4. The parties understand and agree that it is Alton's intent to connect all Alton City streets in the Fairview Meadows Addition to 14th Street in the Gelderland Addition. Any expenses incurred to connect said streets including, but not limited to, expenses for street, bridge, culverts and engineering, will be Alton's expense.
5. Any legal fees and/or other costs to effectuate this agreement shall be split equally between the parties.
6. The parties agree and understand that Klay Law Firm is representing Orange City and Alton in this transaction; and, in the event of conflict, Klay Law Firm will cease representation of both parties.

CITY OF ORANGE CITY, IOWA

CITY OF ALTON, IOWA

By: Deb De Haan, Its Mayor Date

By: Dan Vande Griend, Its Mayor Date

By: Janet Brown, Its City Clerk Date

By: Dale Oltmans, Its City Clerk Date



Orange City Permitted
Alton Prohibited



Alton Permitted
Orange City Prohibited

