

NOTICE AND CALL OF COUNCIL MEETING

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

Date of Meeting: October 3, 2022

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

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

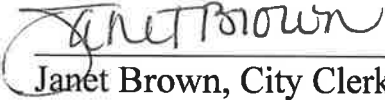
PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

1. Meeting called to order
2. Opening ceremonies
3. Approval of agenda
4. Citizen comments
5. Approval of minutes
6. Explorer Trail 28E Agreement
7. Resolution ordering the construction of Puddle Jumper Park and setting public hearing date
8. Resolution proposing vacation and disposal of alley
9. Axis Holdings Dutch front proposal
10. Fireworks display request
11. Joint resolution for annexation moratorium
12. Knight Center 28E 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 3, 2022

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 19, 2022 council meeting are enclosed for your review. Exhibit 1
6. Orange City, Sioux Center, Sioux County, and Sioux County trails need to finalize a 28E Agreement as part of our application for Destination Iowa Funds. Sioux Center is also considering the agreement on October 3, and Sioux County on October 11. Exhibit 2 email attached
7. Construction documents are prepared to distribute to potential contractors for the civil portion of the Puddle Jumper Park. Bids will be opened on November 3. Council needs to set a public hearing for November 7 to consider the bids and order construction of the park.
8. James Clemens is requesting the vacation of the alley south of his property with a suggested land price from City staff of \$1,143.00. In order for the Vacation of the Alley Platted in block 4 of the West First Addition to be recorded at the Courthouse the property must be vacated by resolution. Remaining alley will be divided between the adjacent property owners to eliminate any island within the block with no access and the City will retain a 16' easement to the remaining alley. Staff and legal counsel recommends no payment from remaining property owners. The council can consider the action to vacate after a Public Hearing at the October 17, 2022 Council Meeting. This public hearing date needs to be set by resolution. The public hearing notice will be publicized once prior to Public Hearing. Exhibit 3
9. The Dutch Front Committee met with Adam Howerzyl from Axis Holdings on September 23, 2022 for a proposed improvement to the front of the building located at 117 Central Ave. SE. Committee has recommended City Council to approve any allowable funds for the project as a Dutch front. The estimated cost for the Dutch front is roughly \$7,000.00 at this time.
10. The MOC-FV Band Board is again requesting a fireworks display permit for after the Pride of the Dutchmen Field Championship on October 8. Van Engelenhoven Agency has approved the insurance certificates.
11. Orange City and Alton management with the guidance of DGR Engineers and legal counsel have drafted an annexation moratorium. While Council has considered this agreement previously, we were waiting for formal approval until the final survey was completed and an easement agreement was finalized. The moratorium agreement and plat of survey is Exhibit 4. The final easement agreement will be distributed at the Council meeting.

12. Mike Hofman has resigned his position on the Knight Center 28E Board of Control. Mayor De Haan will be making a recommendation at the meeting to fill the vacancy.

13. Administrative reports:

Scheduled Meetings:

October 17	Council Meeting, 4:30 P.M.
November 7	Council Meeting, 4:30 P.M.
November 21	Council Meeting, 4:30 P.M.
November 30	Strategic Planning Session, 9:00 A.M. PWEC
December 5	Council Meeting, 4:30 P.M.
December 8	Employee Recognition Dinner, PWEC
December 19	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**

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on September 19, 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, Daron De Jong, and Steve Roesner

Members Absent: Council members Rod De Boer and Tony Vande Brake

Staff: Earl Woudstra, Janet Brown, Kurt Frederes, Jim Pottebaum, Kent Anderson, and Matt Van Schouwen

Guests: Mike Hofman, Doug Calsbeek, John Slegers, Deb Steffen, and Ryan Steffen

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

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

Approval of Minutes: The minutes of the September 6, 2022 council meeting were presented. A motion was made by Council member Daron De Jong 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: Daron De Jong, Steve Roesner, Aaron Beadner; NAYS: None.

Financial Report: The monthly financial report for August 2022, representing cash balances for all funds was presented, whereupon it was therefore moved by Council member Aaron Beadner 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: Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None.

Monthly Bills: A Summary of Warrants report listing bills from August 16, 2022 through September 19, 2022 was presented. A motion was made by Council member Steve Roesner 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: Steve Roesner, Daron De Jong, Aaron Beadner; NAYS: None.

Public Hearing on the Disposal of City Property – North Weiland 3rd Addition: This was the time and place as advertised to hold a public hearing to consider the disposal of City owned real estate known as the North Weiland 3rd Addition. The Mayor called for comments from members of the audience and no one was heard speaking for or against the proposed disposal. No written objections were filed. The Mayor then closed the time for the public hearing.

A motion was made by Council member Daron De Jong and duly seconded by Council member Aaron Beadner adopting a resolution ratifying and authorizing the disposal property known as the North Weiland 3rd Addition to the Schuiteman/Vollink Real Estate Development, LLC for \$22,500/acre. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Aaron Beadner, Steve Roesner; NAYS: None. The resolution was assigned number 9-19-22-2037 and appears in the official resolution book.

Public Hearing to Rezone Property – Gelderland First Addition: This was the time and place as advertised to hold a public hearing to consider the rezoning of Lot 8, Gelderland First Addition from R-1/Low Density Residential to R-2, Medium to Heavy Residential. The Mayor called for comments from members of the audience and no one was heard speaking for or against the proposed disposal. No written objections were filed. The Mayor then closed the time for the public hearing.

A motion was made by Council member Daron De Jong and duly seconded by Council member Aaron Beadner adopting a resolution approving the change of property zoning for Lot 8, Gelderland First Addition from R-1/Low Density Residential to R-2, Medium to Heavy Residential. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Aaron Beadner, Steve Roesner; NAYS: None. The resolution was assigned number 9-19-22-2038 and appears in the official resolution book.

Public Hearing on the Vacation and Disposal of City Property – Alley: This was the time and place as advertised to hold a public hearing to consider the vacation of the alley in Block 4, West First Addition and disposal to Jim Clemens, Doug De Zeeuw, Matt Van Schouwen, and Carol Oolman. The Mayor called for comments from members of the audience and no one was heard speaking for or against the proposed disposal. Steve Roesner inquired if the owner requesting the vacation and disposal is paying for the entire alley. Kurt responded that he is just paying for the portion next to his property. Earl shared that options were considered to have all property owners purchase the additional property, but the recommendation is to not charge for the alley next to the parties that are not requesting this vacation. No written objections were filed. The Mayor then closed the time for the public hearing.

A motion was made by Council member Daron De Jong and duly seconded by Council member Aaron Beadner adopting a resolution approving the vacation and disposal of the alley in Block 4, West First Addition for \$1,143. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Aaron Beadner; NAYS: Steve Roesner. The motion for the resolution failed without a majority vote of all members of the Council.

Gelderland First Addition Dedication Approval: A motion was made by Council member Daron De Jong and duly seconded by Council member Aaron Beadner approving the new Dedication and Plat Provisions and Restrictive Covenants for the Gelderland First Addition. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Aaron Beadner, Steve Roesner; NAYS: None.

Nuisance Abatement Appeal: After the rental housing inspection at 317 Central Ave NE was completed, Kurt Frederes, Code Enforcement Officer, deemed the property to be a nuisance and uninhabitable since it does not meet the 2015 International Property Maintenance Code. The property owners are asking for an extension to the October 15, 2022 deadline to have the renter moved out and property fixed. After some discussion, a motion was made by Council member Daron De Jong and duly seconded by Council member Steve Roesner to give the renter until October 30, 2022 to move out and June 1, 2023 for repair or sale of the property deadline. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Steve Roesner, Aaron Beadner, Tony Vande Brake; NAYS: None.

Official Street Finance Report of Actual and Accrued Expenditures and Receipts for All Funds for Street Purposes for the 2021-2022 Fiscal Year: A motion was made by Council member Aaron Beadner and duly seconded by Council member Steve Roesner adopting a resolution approving the official Street Finance Report of actual and accrued expenditures and receipts for all funds for street purposes for the 2021-2022 fiscal year. On call of the roll motion carried. The vote was as follows: AYES: Aaron Beadner, Steve Roesner, Daron De Jong; NAYS: None. The resolution was assigned number 9-19-22-2040 and appears in the official resolution book.

Library Board Appointment: Upon recommendation of Mayor De Haan, a motion was made by Council member Aaron Beadner and duly seconded by Council member Daron De Jong approving the appointment of Benjamin Langton to the Library Board to fill the vacancy created by the resignation of Micah Bilby. On call of the roll motion carried. The vote was as follows: AYES: Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None.

Nassau Lift Station Project Acceptance: A motion was made by Council member Daron De Jong and duly seconded by Council member Steve Roesner accepting the Nassau Lift Station Project. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Steve Roesner, Aaron Beadner; NAYS: None.

Administrative Reports:

Scheduled Meetings:

October 3	Council Meeting, 4:30 P.M.
October 17	Council Meeting, 4:30 P.M.
November 7	Council Meeting, 4:30 P.M.
November 21	Council Meeting, 4:30 P.M.
November 30	Council Meeting, 4:30 P.M.
December 5	Council Meeting, 4:30 P.M.
December 8	Employee Recognition Dinner, PWEC
December 19	Council Meeting, 4:30 P.M.

Oral reports: Earl provided an update with the Community Development Plan items currently happening and ideas that will be discussed at the strategic planning meeting; mentioned the progress with the new Tyler software; Trey Schiebout is currently at the Police Academy; have 3 applicants for the mechanic position.

Council Comments: The Mayor called for comments from members of the Council and none were heard.

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: A YES: Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None. Adjournment time was 5:28 o'clock P.M.

Deb De Haan, Mayor

ATTEST: _____
Janet Brown, City Clerk



JOINT RESOLUTION FOR ANNEXATION MORATORIUM

CITY OF ALTON, IOWA
RESOLUTION # 22-27

CITY OF ORANGE CITY
RESOLUTION # _____

WHEREAS, the area lying between the City of Alton, Iowa, and the City of Orange City, Iowa, is described in Chapter 368, Code of Iowa, as an urbanized area; and

WHEREAS, the City of Alton, Iowa, and the City of Orange City, Iowa, do hereby wish to establish by agreement a rough approximation of future boundaries between the cities; and

WHEREAS, Chapter 368, Code of Iowa, provides for annexation moratorium agreements between cities.

NOW THEREFORE, be it resolved by the City Council of the City of Alton, Iowa, and the City Council of the City of Orange City, Iowa, as follows:

1. The City of Alton, Iowa, hereby agrees to refrain from annexing any of the following-described territory for a term not to exceed ten (10) years from the final adoption of this Joint Resolution by both City Councils and approval of the City Development Board, if any, to-wit:
 - a. The W $\frac{1}{2}$ of Sections 3 and 10, Township 94 North (Nassau), Range 44 West of the 5th P.M., Sioux County, Iowa, except an approximate 4.5 acre parcel located in the Southeast corner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 3, Township 94 North, Range 44 West of the 5th P.M. (see attached Survey); and
 - b. Sections 34 and 27, Township 95 North (Holland), Range 44 West of the 5th P.M., Sioux County, Iowa; and
2. Nothing herein shall preclude the City of Orange City from annexing any property within the real property described in paragraphs 1(a) and (b) above during said annexation moratorium subject only to compliance with Chapter 368, Code of Iowa, or its successor statutes.
3. The City of Orange City, Iowa, hereby agrees to refrain from annexing any of the following-described territory for a term not to exceed ten (10) years from the final adoption of this Joint Resolution by both City Councils and approval of the City Development Board, if any, to-wit:
 - a. The E $\frac{1}{2}$ of Sections 3 and 10, Township 94 North (Nassau), Range 44 West of the 5th P.M., Sioux County, Iowa; and

I, Janet Brown, hereby certify that the foregoing Resolution No. _____ was passed and adopted by the City Council of the City of Orange City, Iowa, on the _____ day of _____, 2022, by a vote of _____ ayes, _____ nays, abstentions.


Janet Brown, City Clerk

I, Janet Brown, City Clerk of the City of Orange City, Iowa, do hereby certify that the above and foregoing Resolution is a true copy as shown by the records of the City of Orange City, Iowa.

Janet Brown, City Clerk

- b. An approximate 4.5 acre parcel located in the Southeast corner of the S½ NW¼ of Section 3, Township 94 North, Range 44 West of the 5th P.M. (see attached Survey).
4. Nothing herein shall preclude the City of Alton from annexing any property within the real property described in paragraphs 3(a) and (b) above during said annexation moratorium subject only to compliance with Chapter 368, Code of Iowa, or its successor statutes.
5. Attached hereto and hereby incorporated in this Resolution are the plat maps of Holland and Nassau Townships showing the respective properties above-described and the intended impact of this Joint Resolution upon said properties.

Passed by the City Council of City of Alton, Iowa, this 12th day of July, 2022.



Dan Vande Griend, Mayor

ATTEST:



Dale Oltmans, City Clerk/Administrator

I, Dale Oltmans, certify that the foregoing Resolution No. 22-27 was passed and adopted by the City Council of the City of Alton, Iowa, on the 12th day of July, 2022, by a vote of 4 yeas, 0 nays, abstentions.



Dale Oltmans, City Clerk/Administrator

Passed by the City Council of the City of Orange City, Iowa this _____ day of _____, 2022.

Deb De Haan, Mayor

ATTEST:

Janet Brown, City Clerk

PLAT OF SURVEY

INDEX LEGEND:

PART OF: SE1/4-NW1/4, SECTION 3-94-44

CURRENT PROPRIETOR: CITY OF ORANGE CITY

SURVEY REQUESTED BY: CITY OF ORANGE CITY

PREPARED BY AND RETURN TO:

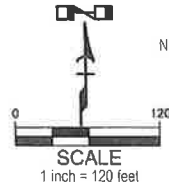
David A. Lamberton, DGR Engineering, 6115 Whispering Creek Dr.,
Sioux City, IA 51106 (712) 266-1554 dave.lamberton@dgr.com

PARCEL DESCRIPTION:

That portion of the Southeast Quarter of the Northwest Quarter (SE1/4-NW1/4) of Section 3, Township 94 North, Range 44 West of the 5th P.M., Sioux County, Iowa, described as follows:

Beginning at the southeast corner of said SE1/4-NW1/4; thence North 89°16'01" West along the south line of said SE1/4-NW1/4 for a distance of 352.13 feet; thence northeasterly 66.33 feet along a non-tangent curve, concave northwesterly, having a radius of 150.00 feet, the chord of which bears North 25°05'23" East a distance of 65.79 feet to the southerly extension of the east line of Gelderland First Addition to Orange City; thence North 12°25'20" East along said east line and the southerly extension thereof for a distance of 380.30 feet; thence northerly 469.05 feet along said east line and the northerly extension thereof and along a curve concave southeasterly, having a radius of 900.00 feet, through a central angle of 029°51'37", the chord of which bears North 27°21'09" East a distance of 463.75 feet; thence North 42°16'57" East for a distance of 62.24 feet to the east line of said SE1/4-NW1/4; thence South 00°48'18" West along said east line for a distance of 893.52 feet to the Point of Beginning, containing 4.531 acres more or less. Subject to easements, if any, of record or apparent.

All bearings are referenced to the Iowa Regional Coordinate System, Zone 1



NE CORNER, SE1/4-NW1/4, SEC. 3-94-44
FOUND 1/2" REBAR w/
YELLOW CAP #15082
(INST. #. 2018-01001)

UNPLATTED
SE 1/4-NW1/4
SEC. 3-94-44

N42°16'57"E 62.24'

L=469.05', R=900.00', Δ=029°51'37"
Chord = 463.75' - Brg. N27°21'09"E

Parcel 'H'
4.531 Ac.

LEGEND

- FOUND 1/2" REBAR w/ ORANGE CAP #15746
- △ FOUND GOV'T CORNER AS NOTED
- SET 1/2" x 30" REBAR w/ ORANGE CAP #15746



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 9/16/22
DAVID A. LAMBERTON License No. 15746 DATE

My license renewal date is December 31, 2022
Pages or sheets covered by this seal: 1 of 1

Drawn by: DAL
Checked by: DAL
Date of Field Survey: 06/29/2022
Project No. 272097
Sheet No. 1 of 1

Drawing # - P:02272097.dwg 272097.rpt01.dwg

PLAT OF SURVEY

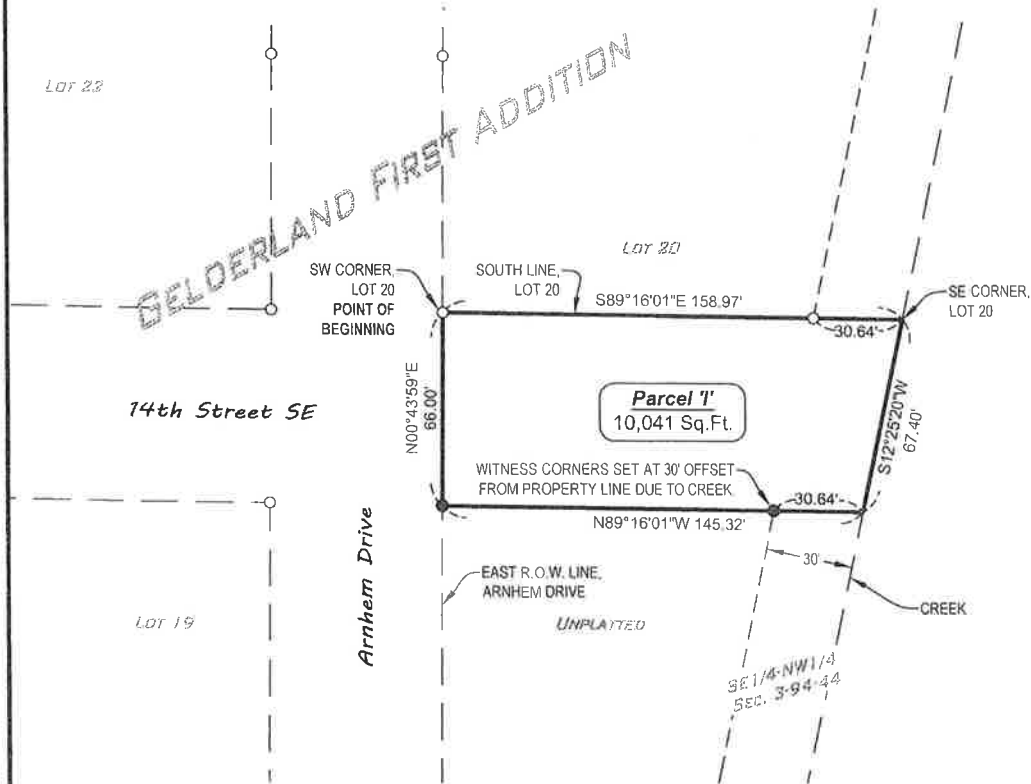
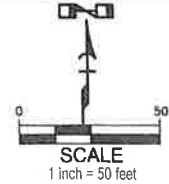
INDEX LEGEND:

PART OF: SE1/4-NW1/4, SECTION 3-94-44
 CURRENT PROPRIETOR: CITY OF ORANGE CITY
 SURVEY REQUESTED BY: CITY OF ORANGE CITY
 PREPARED BY AND RETURN TO:
 David A. Lambertson, DGR Engineering, 6115 Whispering Creek Dr.,
 Sioux City, IA 51106 (712) 266-1554 dave.lamberton@dgr.com

LEGEND

- FOUND 1/2" REBAR w/ ORANGE CAP #15746
- △ FOUND GOVT CORNER AS NOTED
- SET 1/2" x 30" REBAR w/ ORANGE CAP #15746

All bearings are referenced to the Iowa Regional Coordinate System, Zone 1



PARCEL DESCRIPTION:

That portion of the Southeast Quarter of the Northwest Quarter (SE1/4-NW1/4) of Section 3, Township 94 North, Range 44 West of the 5th P.M., Sioux County, Iowa, described as follows:

Beginning at the southwest corner of Lot 20 in Gelderland First Addition to the City of Orange City; thence South 89°16'01" East along the south line of said Lot 20 for a distance of 158.97 feet to the southeast corner of said Lot 20; thence South 12°25'20" West along the southerly extension of the east line of said Gelderland First Addition for a distance of 67.40 feet; thence North 89°16'01" West for a distance of 145.32 feet to the east right-of-way line of Arnhem Drive SE; thence North 00°43'59" East along said right-of-way line for a distance of 66.00 feet to the Point of Beginning, containing 10,041 square feet, 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. LAMBERTSON License No. 15746 DATE 06/29/2022
 My license renewal date is December 31, 2022
 Pages or sheets covered by this seal: 1 of 1

Drawn by: DAL
 Checked by: DAL
 Date of Field Survey: 06/29/2022
 Project No. 272097
 Sheet No. 1 of 1

Drawing # - P:\020272097.dwg\272097ip02.dwg