

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on October 17, 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, Tony Vande Brake

Members Absent: None

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

Guests: Mike Hofman, Doug Calsbeek, Mitch Van Otterloo, Dale Pluim, Ruth Roghair, Darrell Van Klompenburg, and Hannah Odell

Agenda: A motion was made by Council member Tony Vande Brake and duly seconded by Council member Aaron Beadner approving the tentative agenda, as the official agenda. 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.

Citizen Comments: This time was provided for citizen comments and the following were heard. Darrell Van Klompenburg and Ruth Roghair presented information and shared concerns about conditions and record keeping for portions of the cemetery. They suggested that a committee be established and contributions be collected to address these concerns.

Approval of Minutes: The minutes of the October 3, 2022 council meeting were presented. A motion was made by Council member Tony Vande Brake 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: Tony Vande Brake, Rod De Boer, Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None.

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

Monthly Bills: A Summary of Warrants report listing bills from September 20, 2022 through October 17, 2022 was presented. A motion was made by Council member Rod De Boer and duly seconded by Council member Aaron Beadner approving the monthly bills, subject to audit. 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.

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 disposal of City owned real estate known as the alley in Block 4, West First Addition at the request of Jim Clemens, who lives at 102 Iowa Ave SW. The Mayor called for comments from members of the audience and no one was heard speaking for or against the proposed disposal. Steve shared that he is opposed to giving the land to the property owners to the west of the alley that Jim Clemens is requesting to purchase, he feels those homeowners should be required to pay something. 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 Tony Vande Brake adopting a resolution vacating and authorizing the disposal of the alley in Block 4, West First Addition. The east 16'x123' to Jim Clemens for \$1,143.00; the remainder of the alley will be disposed to the surrounding property owners – Matt Van Schouwen, Carol Oolman, and Doug De Zeeuw while maintaining a 16 foot public easement. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Tony Vande Brake, Aaron Beadner, Rod De Boer; NAYS: Steve Roesner. The resolution was assigned number 10-17-22-2044 and appears in the official resolution book.

Resolution Proposing Disposal of City Property – Lot in Puddle Jumper 10<sup>th</sup> Addition:  
A motion was made by Council member Aaron Beadner and duly seconded by Council member Tony Vande Brake adopting a resolution proposing the disposal of City property

adjacent to Lot 9 Puddle Jumper Trail 10<sup>th</sup> Addition to J Schenzel Construction. The proposed lot would be sold for \$13,028.00, along with three adjoining lots for the construction of three multifamily residences. 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 10-17-22-2045 and appears in the official resolution book.

Explorer Trail 28E Agreement: A motion was made by Council member Tony Vande Brake and duly seconded by Council member Rod De Boer approving the Explorer Trail 28E Agreement with the City of Sioux Center and Sioux County. 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.

Retail Encouragement Loan Application for Jade & Co.: A motion was made by Council member Aaron Beadner and duly seconded by Council member Daron De Jong approving the Retail Encouragement Loan Application as submitted by Marie Hofmeyer for the new Jade & Co. building. The project will qualify for the maximum of \$8,550 for the 1500 square feet of retail. 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.

Consider Setting Public Hearing on the Rezoning of Property: A request was made to the Planning and Zoning Commission by VO Living & Storage, LLC (Mitch Van Otterloo) to rezone the property located at 505 7<sup>th</sup> St. SW and adjacent property from R-1/Low Density Residential to R-2, Medium to High Density Residential. The request was denied with a vote of 3-2 by Planning and Zoning. Mitch requested to bring the request to City Council without Planning and Zoning's recommendation. Mitch shared the surrounding area that already is R-2, the need for housing for grad students and professors. Dale Pluim, representing the Planning and Zoning Commission shared the perspective from the commission and not wanting to spot zone. After some discussion, a motion was made by Council member Daron De Jong and duly seconded by Council member Steve Roesner adopting a resolution setting a public hearing for 4:30 P.M. on November 17, 2022 to consider the rezoning of this property. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Steve Roesner, Aaron Beadner, Rod De Boer; NAYS: Tony Vande Brake. The resolution was assigned number 10-17-22-2046 and appears in the official resolution book.

Ordinance No. 840 Amending Chapter 75, All-Terrain Vehicles and Snowmobiles: This ordinance will bring the City Code up to date with the new laws of the State of Iowa for the permitting and usage of all-terrain vehicles. 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. 840, amending Chapter 75, All-Terrain Vehicles and Snowmobiles. 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.

A motion was made by Council member Daron De Jong and duly seconded by Council member Tony Vande Brake to waive the second and third readings of proposed Ordinance No. 840. 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.

A motion was made by Council member Rod De Boer and duly seconded by Council member Aaron Beadner adopting Ordinance No. 840, amending Chapter 75, All-Terrain Vehicles and Snowmobiles. 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.

Street Department Position: A motion was made by Council member Daron De Jong and duly seconded by Council member Aaron Beadner approving the hiring of Breckin Bomgaars as a Street Department Mechanic. 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.

Encroachment Agreement: NuStar Pipeline was requesting the Encroachment Agreement for the two places that the Southwest Wellfield water main will cross their pipeline. City Attorney Brad De Jong is still reviewing this agreement and is not recommending approval at this time. No official action was taken.

Employee Recognition Dinner: A motion was made by Council member Rod De Boer and duly seconded by Council member Tony Vande Brake that in recognition of efforts of employees of the City of Orange City the Council would like to hold an employee recognition dinner on December 8, 2022 and give a gift of appreciation. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Tony Vande Brake, Aaron Beadner, Daron De

Jong, Steve Roesner; NAYS: None.

Administrative Reports:

Scheduled Meetings:

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.

Oral reports: Earl reported on the award ISG received for the community development plan; holding interviews for the Community Development Director position this week; discussing 14<sup>th</sup> Street plans; will discuss cemetery at the upcoming planning session; tree replacements happening downtown; Center for Healthy Living Steering Committee meeting this week. Brad shared OC21 is the 501c3 for the Orange City Development Corporation, which could be used for a conduit for donations for the cemetery but not as a managing entity.

Council Comments: The Mayor called for comments from members of the Council and the following were heard. Tony thanked Mike for his work with the Woudstra's Meat Market smoking competition.

Adjournment: No further business appearing it was therefore moved by Council member Rod De Boer and duly seconded by Council member Tony Vande Brake to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Tony Vande Brake, Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None. Adjournment time was 5:42 o'clock P.M.

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Deb De Haan, Mayor

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