

Council Meeting
November 7, 2022

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on November 7, 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, and Tony Vande Brake

Members Absent: None

Staff: Earl Woudstra, Janet Brown, Brad De Jong, Jim Pottebaum, Kurt Frederes, Mitch Aalbers, and Matt Van Schouwen

Guests: Doug Calsbeek, John Slegers, Jenna Vreugdenhil, Denny Vander Wel, Monica Aalbers, Doug Phillips, Dale Pluim, Brian Kroeze, Merlin and Bev Zwart, Larry Vande Brake, Kent Wiersema, Michael Toering, Paul Kroeze, Mitch and Jill Van Otterloo, Dan Kroeze, and Mike Hofman

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, Aaron Beadner, Rod De Boer; NAYS: None.

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

Council Resignation and Appointment Process: Steve Roesner submitted his resignation as a member of the City Council. Mayor De Haan expressed appreciation for his 20 years of service. A motion was made by Council member Tony Vande Brake and duly seconded by Council member Rod De Boer that the vacancy created by Steve's resignation shall be filled by appointment for a temporary service until the November 2023 regular election. The appointment will be considered at the November 21, 2022 council meeting. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Rod De Boer, Aaron Beadner, Daron De Jong. NAYS: None.

Upon recommendation of Mayor De Haan, a motion was made by Council member Daron De Jong and duly seconded by Council member Aaron Beadner approving the appointment of Rod De Boer as Mayor Pro-Tempore. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Aaron Beadner, Rod De Boer, Tony Vande Brake; NAYS: None.

Approval of Minutes: The minutes of the October 17, 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; NAYS: None.

Public Hearing on the Disposal of City Property: This being the time and place as advertised a public hearing was held to consider the disposal of City property adjacent to Lot 9, Puddle Jumper Trail 10th Addition to J Schenzel Construction. 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 Aaron Beadner and duly seconded by Council member Tony Vande Brake adopting a resolution ratifying and authorizing the disposal of municipally owned property adjacent to Lot 9, Puddle Jumper Trail 10th Addition to J Schenzel Construction for \$13,028.00 for the construction of 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; NAYS: None. The resolution was assigned number 11-7-22-2047 and appears in the official resolution book.

Public Hearing on the Rezoning of Property: This being the time and place as advertised a public hearing was held to consider the rezoning of the property located at 505 7th Street SW and adjacent property from R-1/Low Density Residential to R-2/Medium to High Residential. The request was denied by Planning and Zoning with a vote of 3-2. Kurt reported on the steps that Mitch Van Otterloo with VO Living & Storage, LLC has taken. He also shared that the R-2,

Medium to High Residential request for this area is just an extension from the property located to the East. The Mayor called for comments from members of the audience. Rod De Boer questioned is the property still useable if the rezoning is not granted. Kurt shared he could build a personal garage or a home, anything that R-1 would allow. Kurt Wiersema, representing Northwestern College and resident of Orange City, shared the need for this type of housing for the new PA program which brings 60 to 90 graduate students for 27 months and for the Graduate Assistants the college is hiring. He also feels it is relative to the 2035 vision created by the City. Larry Vande Brake, Orange City, shared support for Mitch's proposal, commending him for his efforts to fulfill a need for housing. Merlin Zwart, Sioux Center, shared concern for bringing too many people into a little area; will decrease area house values; what will it look like in 5 to 10 years. Paul Kroeze, Orange City, shared concern for the number of vehicles, lack of storage, prefers it stays R-1. Mitch Van Otterloo, Orange City, shared the proposed building would have no rear exit or entrances so it would not bother the neighbors; meant for a very specific renter to study in a quiet place or for a professor who is only in town 3 days a week; he lives right next door. Dan Kroeze, Hull, stated there are places already zoned for that so this building should be put where it belongs. Aaron Beadner thanked everyone for their thoughts and can resonate with both sides. Mayor De Haan expressed appreciation for the Planning and Zoning Commission members. Kurt provided the written objection received from Michelle Eason. The Mayor then closed the time for the public hearing.

In order to call for a vote, a motion was made by Council member Daron De Jong and duly seconded by Council member Tony Vande Brake calling for the roll of the resolution approving the rezoning of the property located at 505 7th Street SW and adjacent property from R-1/Low Density Residential to R-2/Medium to High Residential. On call of the roll motion failed. The vote was as follows: AYES: None. NAYS: Daron De Jong, Rod De Boer, Tony Vande Brake, Aaron Beadner; NAYS: None. Failed resolution was assigned number 11-7-22-2048 and appears in the official resolution book.

Public Hearing on the Matter of Adoption of Plans, Specifications, Form of Contract and Estimate of Costs for the Construction of the Puddle Jumper Park: This being the time and place as advertised a public hearing was held to consider the adoption of plans, specifications, form of contract and estimate of costs for the construction of the Puddle Jumper Park. Mitch Aalbers reviewed the plans for the park. The Mayor called for comments from members of the audience and no one was heard speaking for or against the proposed park. The Mayor then closed the time for the public hearing.

The Council reviewed the bids which were opened on November 3. Beck Engineering is recommending the low base bid of \$536,083.95 and Alternate 2 at \$109,145.00 from Cleveringa Excavating. Alternate 2 includes the paving of the parking lot. Monica Aalbers, member of the committee, expressed that not having a paved parking lot is counterintuitive for handicap people. Jenna Vreugdenhil, member of the committee, shared that this park will be used by all ages, excited to have it in the neighborhood.

A motion was made by Council member Daron De Jong and duly seconded by Council member Rod De Boer awarding the bid to Cleveringa Excavating, base bid of \$536,083.95 and Alternate 2 bid of \$109,145.00. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Rod De Boer, Aaron Beadner, Tony Vande Brake; NAYS: None.

Mutual Aid Fire Protection with Alton: Denny Vander Wel shared the proposed contract for automatic mutual aid of fire protection between Orange City and Alton. Iowa Code Section 28E.31 provides for contracts for mutual aid of a fire department by another. This contract for mutual aid expands the mutual aid to any structure fire within the fire district which is party to the agreement. This agreement will also aid in improving the points allocated in the ISO rating. A motion was made by Council member Tony Vande Brake and duly seconded by Council member Rod De Boer approving the Contract for Automatic Mutual Aid in Fire Protection with the City of Alton. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Rod De Boer, Aaron Beadner, Daron De Jong; NAYS: None.

RIDES Contract Fiscal Year 2023-2024: A motion was made by Council member Daron De Jong and duly seconded by Council member Rod De Boer approving the RIDES contract for the 2023-2024 fiscal year at a yearly cost of \$15,000. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Rod De Boer, Aaron Beadner, Tony Vande Brake; NAYS: None.

Knight Center 28E 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 JoAnn Weber to the Knight Center 28E Board of Control to fill the vacancy created by the resignation of Mike Hofman. On call of the roll motion carried.

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

Beer Permit Renewal Application: A motion was made by Council member Rod De Boer and duly seconded by Council member Tony Vande Brake approving the renewal application for a Class B Beer Permit as submitted by CityView Golf. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Tony Vande Brake, Aaron Beadner, Daron De Jong; NAYS: None.

Resolution Proposing Vacation and Disposal of Alley: Lee Van Kley and Michael Toering are requesting the vacation of the alley lying between Lot 1 and 8, West 1st Addition. The alley would be divided between the noted adjacent property owners. The City will retain a 16' easement and due to retaining a 16' easement there will be no fees for the vacation. A motion was made by Council member Rod De Boer and duly seconded by Council member Aaron Beadner adopting a resolution proposing the vacation of the alley and setting a public hearing for November 21, 2022 at 4:30 o'clock P.M. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Aaron Beadner, Daron De Jong, Tony Vande Brake; NAYS: None. The resolution was assigned number 11-7-22-2049 and appears in the official resolution book.

Resolution Ordering SW Wellfield Generator and Installation: Matt reported that in order to provide additional reliability to the water supply, he has been working with DGR Engineering to install a generator at the existing SW Wellfield. The project is budgeted, plans and specs have been sent to bidders. A motion was made by Council member Daron De Jong and duly seconded by Council member Tony Vande Brake adopting a resolution ordering the SW Wellfield generator and installation and setting a public hearing for 4:30 o'clock P.M. on November 21, 2022. 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: None. The resolution was assigned number 11-7-22-2050 and appears in the official resolution book.

Administrative Reports:

Scheduled Meetings:

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 asked Council to get him any topics or items they need more information on for the November 30 strategic planning session; working on replacing concrete and rings around trees downtown; Christmas lights started going up; the utility billing conversion project has taken many hours and great teamwork; Brad is working on contracts for the land rental bids.

Council Comments: The Mayor called for comments from members of the Council and the following were heard. Aaron Beadner reminded everyone to vote tomorrow.

Closed Session Per Iowa Code Section 21.5c, Litigation: A motion was made by Council member Tony Vande Brake and duly seconded by Council member Rod De Boer to enter into a closed session per Iowa Code Section 21.5c, litigation at 5:19 o'clock P.M. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Rod De Boer, Aaron Beadner, Daron De Jong; NAYS: None.

A motion was made by Council member Tony Vande Brake and duly seconded by Council member Rod De Boer to exit the closed session at 6:14 o'clock P.M. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Rod De Boer, Aaron Beadner, Daron De Jong; NAYS: None.

No official action was taken.

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, Tony Vande Brake; NAYS: None. Adjournment time was 6:15 o'clock P.M.

Deb De Haan, Mayor

ATTEST: _____
Janet Brown, City Clerk