

NOTICE AND CALL OF COUNCIL MEETING

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

Date of Meeting: **TUESDAY**, September 3, 2024

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

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

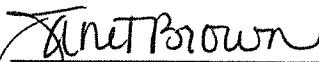
PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

1. Meeting called to order
2. Opening ceremonies
3. Approval of agenda
4. Citizen comments
5. Approval of minutes
6. Salem Avenue
 - Public hearing to consider vacation of public street right-of-way
 - Resolution approving vacation
 - Public hearing to consider dedication of City owned real estate as a street
 - Ordinance dedicating City owned real estate as Salem Avenue SE
7. Livestock exemption requests
 - Sarah Weber – 323 2nd Street NE
 - Kaleb Jensen – 102 Tallahassee Ave SE
 - Glenda Grossman – 905 7th Street NE

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8. Retail Utility Incentive Program application
9. Administrative reports
10. Council comments
11. 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
September 3, 2024

1. The meeting will be called to order by Mayor Pro-Tempore Rod De Boer 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 August 19, 2024 council meeting are enclosed for your review. Exhibit 1
6. Council will hold a public hearing to consider the vacation of a public street right-of-way and then a resolution approving the vacation. The Council will then hold a public hearing to consider the dedication of real estate as a street and an ordinance dedicating the real estate as Salem Avenue SE. Exhibit 2
7. Council will consider the livestock exemption requests to keep chickens in R-1 Low Density Residential. Exhibit 3
8. We have received an application from Dutch Mart Foods located at 102 Albany Ave NE for the Retail Utility Incentive Program. The program will assist Dutch Mart Foods with a utility credit for 4 years, beginning January 2025. Exhibit 4
9. Administrative reports:

Scheduled Meetings/Important Dates:

September 16	Council Meeting, 4:30 P.M.
October 7	Council Meeting, 4:30 P.M.
October 21	Council Meeting, 4:30 P.M.
November 4	Council Meeting, 4:30 P.M.
November 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**

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on August 19, 2024. 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 Daryl Beltman, Olivia Chapman, Rod De Boer, Daron De Jong, and Bret Walinga

Members Absent: None

Staff: Earl Woudstra, Janet Brown, Kurt Frederes, Jim Pottebaum, Luke Horkey, Breckin Bomgaars, Brad De Jong, Ryan McEwen, and Kent Anderson

Guests: Doug Calsbeek, Allison Kamp, Sarah Weber, Dan Roghair, Kevin Van Otterloo, Myron Van Ginkel, Jennie Droog, and Adam and Tammy Bonnema

Agenda: A motion was made by Council member Rod De Boer and duly seconded by Council member Bret Walinga approving the tentative agenda as the official agenda. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Bret Walinga, Daryl Beltman, Daron De Jong, Olivia Chapman; NAYS: None.

City of Rock Valley Mayor Kevin Van Otterloo: Mayor Kevin Van Otterloo and Myron Van Ginkel were present to express their appreciation for the help they received from public works, police, fire, and the street sweeper after the flood.

Citizen Comments: This time was provided for citizen comments. Sarah Weber was present to share an idea for an ordinance to regulate chickens, not to ban them.

Approval of Minutes: The minutes of the August 5, 2024 council meeting were presented. A motion was made by Council member Daryl Beltman 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: Daryl Beltman, Rod De Boer, Olivia Chapman, Daron De Jong, Bret Walinga; NAYS: None.

Financial Report: The monthly financial report for July 2024, representing cash balances for all funds was presented, whereupon it was therefore moved by Council member Olivia Chapman 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: Olivia Chapman, Daron De Jong, Daryl Beltman, Rod De Boer, Bret Walinga; NAYS: None.

Monthly Bills: A Summary of Warrants report listing bills from July 20, 2024 through August 19, 2024 was presented. A motion was made by Council member Rod De Boer and duly seconded by Council member Olivia Chapman approving the monthly bills, subject to audit. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Olivia Chapman, Daryl Beltman, Daron De Jong, Bret Walinga; NAYS: None.

Salem Avenue: A motion was made by Council member Daryl Beltman and duly seconded by Council member Bret Walinga adopting a resolution proposing the vacation of a public street right-of-way in the City property north of Dollar Fresh. On call of the roll motion carried. The vote was as follows: AYES: Daryl Beltman, Bret Walinga, Olivia Chapman, Rod De Boer, Daron De Jong; NAYS: None. The resolution was assigned number 8-19-24-2112 and appears in the official resolution book.

A motion was made by Council member Rod De Boer and duly seconded by Council member Daron De Jong adopting a resolution proposing the dedication of City owned real estate as a street to be known as Salem Avenue. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Daron De Jong, Daryl Beltman, Olivia Chapman, Bret Walinga; NAYS: None. The resolution was assigned number 8-19-24-2113 and appears in the official resolution book.

Strategic Plan Update: Earl updated the Council on progress of the strategic priorities identified at the November strategic planning session. No official action was taken.

Administrative Reports:

Scheduled Meetings/Important Dates:

August 20

Employee Picnic, 6:00 P.M.

September 3	TUESDAY , Council Meeting, 4:30 P.M.
September 16	Council Meeting, 4:30 P.M.
October 7	Council Meeting, 4:30 P.M.
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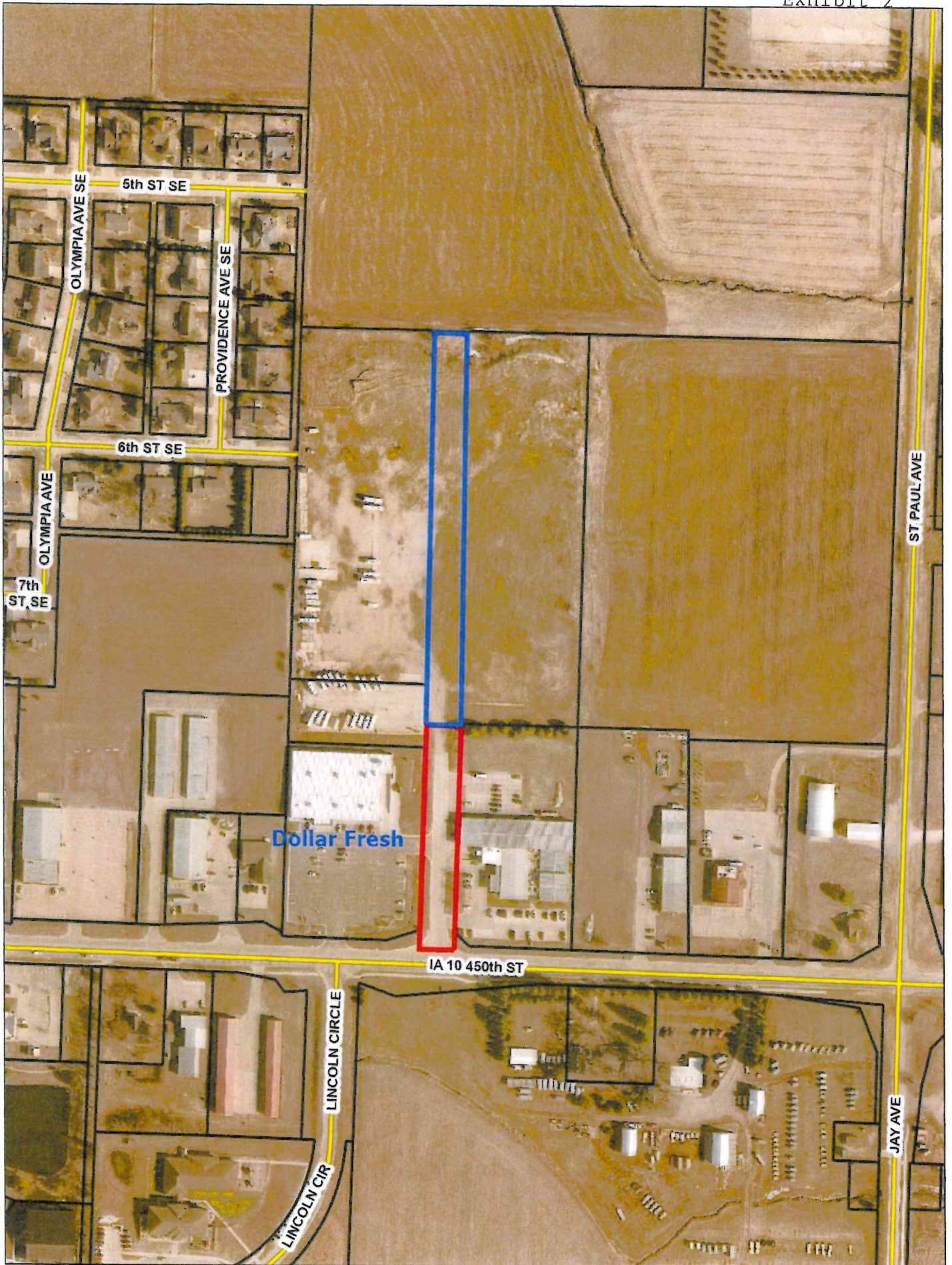
Oral reports: Earl mentioned the employee picnic tomorrow evening; Louis Vander Velde has started working in the gas department; reduced pool hours until Labor Day; working with MOC-FV on efficiencies with drop off and pick up at the new elementary school; auditors will be here Labor Day week; most trees have been removed by Schwebach; FEMA trailer parking on west side of Windmill Park; two spots in the Vet's Park camping area have been made available to FEMA for possible housing through October; new airport manager; people are working to bring KIWANIS back. Ryan shared he is working with Noah to get sponsors for the disc golf course and will have all signatures on the daycare agreement this week with a September 3 transition to Crittenton Center for the daycare management.

Council Comments: The Mayor called for comments from members of the Council and the following were heard. Rod would like to set a public hearing at the next meeting to remove the language from the City Code that would allow persons to seek written consent from Council to keep livestock in City limits outside of zoning regulations and enforce the current ban.

Adjournment: No further business appearing it was therefore moved by Council member Bret Walinga and duly seconded by Council member Daron De Jong to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Bret Walinga, Daron De Jong, Daryl Beltman, Olivia Chapman, Rod De Boer; NAYS: None. Adjournment time was 5:35 o'clock P.M.

Deb De Haan, Mayor

ATTEST: _____
Janet Brown, City Clerk



Dollar Fresh

IA 10 450th ST

OLYMPIA AVE SE

5th ST SE

PROVIDENCE AVE SE

6th ST SE

OLYMPIA AVE

7th ST SE

LINCOLN CIRCLE

LINCOLN CIR

ST PAUL AVE

JAY AVE

CITY OF ORANGE CITY, IOWA

ORDINANCE NO. 853 _____

**AN ORDINANCE DEDICATING CITY OWNED PROPERTY AS A STREET
IN THE INCORPORATED CITY OF ORANGE CITY, IOWA**

BE IT ENACTED by the City Council of the City of Orange City, Iowa:

SECTION 1. The following city owned property is hereby dedicated as a street:

The public street right of way as shown on Plat of Survey recorded at Book 1985-Card No. 3960 except the North 824 feet thereof, to be known as Salem Avenue SE.

SECTION 2. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. This Ordinance shall be in effect from and after its final passage, approval, and posting as provided by law.

Passed by the Council the _____ day of _____, 2024, and approved this _____ day of _____, 2024.

Deb De Haan, Mayor
City of Orange City, Iowa

ATTESTED TO:

Janet Brown, City Clerk
City of Orange City, Iowa

Dear Orange City City Council Members,

I am writing to formally request written consent to raise chickens on my property located at 102 Tallahassee Ave SE in Orange City as required by section 55.05 of the Code of Ordinance.

I believe residents should have the right to raise chickens in a responsible manner. Food security through fresh eggs, environmental benefits (we personally have one less trash bag each week by giving our chickens scraps), and even educational opportunities for kids are just a few of the ways raising backyard chickens can bring joy and vibrancy to our community. There are also economic benefits to the businesses in town that provide owners with feed & supplies. But let's be clear: chickens should never be a nuisance to neighbors. If there are instances of chickens wandering or causing problems, those issues should always be addressed.

I am committed to adhering to all necessary regulations and guidelines to ensure the well-being of my chickens and the safety/happiness of my neighbors. Below are the steps I have taken and proposal I offer to ensure my family can successfully raise chickens and be held accountable.

- Enclosure
 - No chicken is allowed to free range and must be kept securely in a fully enclosed structure, such as a coop and/or chicken run.
 - The enclosure is to remain in the backyard and must physically be closer to my dwelling than my neighbors'.
 - The enclosure shall be kept clean, odor-free, and neat always. This includes the proper disposal of all waste that isn't immediately being composted into a garden.
- Neighbor consent
 - All immediately adjacent neighbors must, and have already, agreed to support our desire for chickens in our yard.
- Quantity
 - Only 2 female chickens per member of a household, not to exceed 10 total, are allowed on one property.
 - Allows for best consistency in egg availability for the household as chickens don't lay eggs every day.
 - Prevents the ability to commercially raise chickens.
 - Theoretically helps scale the number of chickens more appropriately to the size of families and properties.
- Violations
 - If we violate any of the above, we have 48 hours upon notice to rectify. Upon a 3rd violation, we will rehome the chickens within 2 weeks and not be able to request consent to raise chickens again for a minimum of 18 months. The council can and should consider these prior violations when considering future requests.
 - I recommend concerns residents raise about chickens can be addressed via the process the city would use to address regarding dogs/cats, whether they wander or produce excessive noise and odors.

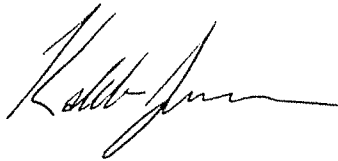
I understand that the topic of allowing chickens within city limits is a complex issue that has undoubtedly sparked passionate debate among Orange City City Council members and community

members. I recognize the challenges involved in balancing the interests of residents, property owners, and the broader community. I appreciate the time and effort you have invested in discussing this matter and the thoughtful consideration you have given to the potential implications of your decision.

As the Orange City City Council has deliberated on the issue of allowing chickens within city limits, it's important to acknowledge the complexities involved. These decisions must balance the desires of residents who seek to raise poultry with the potential concerns of others regarding noise, odor, and public health. The council members are tasked with crafting regulations that are fair, practical, and considerate of all community members. Their role in this process requires careful consideration of various perspectives and the potential impacts of their decisions on the overall quality of life in Orange City. I believe the 55.05 ordinance as is sufficiently does this and ensures the council can consider all future opportunities. The removal of council having the discretion to approve different livestock throughout the community would impact beyond the chicken community. There are other species of livestock within RS-1 that the city is aware of. It is my hope that the framework of my letter sets a foundation for you to evaluate and consider future consent for other residents.

Thank you for your time and consideration of this request. I would be happy to provide any additional information or answer any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Kaleb Jensen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kaleb Jensen

26 August 2024

To the Council of Orange City, IA

This is my written request to the City Council of Orange City to grant permission to keep livestock, in particular my chickens, within the City of Orange City.

I live at 905 7TH ST NE in Orange City, IA. My hens are not free-range but have a chicken coop and an electrical fence.

I received your Notice of Violation of Ordinance on 21st of August.

I will wait to hear your decision.

Glenda Grossmann

A handwritten signature in black ink, appearing to read 'Glenda Grossmann', is written over a long, thin, slightly curved horizontal line that spans across the page.



125 Central Ave. S.E. POB 406 Orange City, IA 51041 712-707-4885

ORANGE CITY RETAIL INCENTIVE APPLICATION

Name of Business Dutch Mart Foods

Owners Josh Van Es & Joe Clarey

Type of Retail Grocery

Physical Address 102 Albany Ave NE

Phone Number 712-737-4848

Financial Institution N/A

Grand Opening Date (approx.) 2024

Retail Incentive program being applied for:

I. Retail Encouragement Loan Program

a. Attach a drawing of the building showing the new or expanded retail space with a highlighter. Dimensions with square footage.

b. Provide a copy of all fixed assets (dollar amounts) pertaining to expanding or new retail space.

c. Requested loan: # of sq. foot _____ x \$ _____ = \$ _____

II. Retail Utility Incentive Program

Orange City-City Council Approval

Mayor _____ Date _____

Number of sq. foot _____ x \$ _____ = \$ _____



Orange City Retail Utility Incentive Program

Retail Utility Incentive Program:

This program is open to new retail businesses that would not otherwise qualify for the Orange City Retail Encouragement Loan program. Retail business is defined as a business engaged in the selling of tangible personal property and certain taxable service businesses as approved by the Retail Development Board.

Incentive Parameters:

1. Retailer must have a store front presence in Orange City. Home based businesses would not qualify for incentive program.
2. Must be open for the public a minimum of 40 hours per week.
3. Must be a member of the Orange City Chamber of Commerce.
4. Must be served by the OC Municipal Utilities.
5. As appropriate, preference to Energy Star or High Efficiency mechanical equipment must be given. Especially in new, remodel, or replacement construction activities.
6. Incentive Credit application must be submitted prior to public opening.

Utility Incentive Amount:

The qualifying business will receive a utility credit for each year up to 4 years that they are in business. With the following schedule applied:

- a. 3 months utilities credit for the 1st year of business applied to 2nd year
- b. 2 months utilities credit for the 2nd year of business applied to the 3rd year
- c. 1 month utility credit in the 3rd & 4th year of business applied to the 4th & 5th year

All utilities that are provided by Orange City Municipal Utilities will be included in this credit: Water, Sewer, Gas, and Electric.

The **Retail Development Board** will meet with each applicant to review the application, floor plans, and building improvements.

Phone: 352.371.4881
Fax: 352.371.4051

100 South Central Ave. Ste. 800
Orange City, FL 32763
http://www.occ.com





The **Retail Development Board** will forward a recommendation to the City Council for their consideration of the Utility Incentive program application. The City Council has final authority to approve or deny the application and reserves the right to make any program adjustments it may deem appropriate.

Application of Incentive Credits:

1. Utility Credits will be applied after the first 12 months cycle to determine an average credits for previous year.
2. Consecutive years will be calculated in the same manner.
3. Credit proceeds will be applied only to the retail business account, building owners do not qualify if utilities are included in the lease or rent rates.

City of Orange
11111 Orange Blvd
Orange, CA 92668

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