## NOTICE AND CALL OF COUNCIL MEETING

Governmental Body:

The City Council of

City of Orange City, Iowa

Date of Meeting:

October 7, 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. Cemetery Heritage Committee updates at West Lawn Cemetery
- 7. Livestock exemption request
  - Christy Reed
- 8. Set public hearing to consider vacation of easement
- 9. Set public hearing to consider rezoning of property
- 10. Consideration of Ordinance for the division of revenues under Section 403.19, Code of Iowa, for MOC-FV Elementary School Urban Renewal Plan
- 11. Community Betterment Board recommendation

Council Meeting October 7, 2024 Page 2

- 12. Community Betterment Board appointments
- 13. RAGBRAI application consideration
- 14. Alcohol license renewal application
- 15. Retail Encouragement Loan application
- 16. Administrative reports
- 17. Council comments
- 18. 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 7, 2024

- 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 16, 2024 council meeting are enclosed for your review. Exhibit 1
- 6. Ruth Roghair representing the Cemetery Heritage Committee will provide an update on the work they completed in 2024. Earl will present Ruth with a check for \$10,000 approved by the Council from Community Betterment funds for ongoing work at the Cemetery.
- 7. Council will consider a livestock exemption request from Christy Reed to keep chickens in R-1 Low Density Residential.
- 8. In order for the vacation of the utility easement located at 604 8<sup>th</sup> St. SE to be recorded at the Courthouse it must be vacated by resolution. The Council can consider the action to vacate after a public hearing at the October 21, 2024 Council meeting. This public hearing date needs to be set by Council. The public hearing notice will be publicized once prior to public hearing. Exhibit 2
- 9. In order to rezone any parcels, the City Council needs to set a public hearing for the proposed date of October 21, 2024. Request has been made by Madison Hofmeyer to re-zone all of the Dutch Colony Addition and adjacent properties of 1404 Albany Ave. NE, 1502 Albany Ave. NE, 1803 Albany Ave. NE, 1908 Albany Ave. NE, 2002 Albany Ave. NE, and 2010 Albany Ave. NE from R-1, Low Density Residential to RS-1, Suburban Residential. Planning and Zoning Commission is recommending to the City Council to approve the rezoning. Exhibit 3
- 10. Staff recommends creating a TIF district and adopting a TIF Ordinance for the R. Perry lots out in Gelderland Second Addition. This area is along 14<sup>th</sup> Street, just south of the MOC Elementary School. This district will be for just the fifteen doors/lots. This will be a ten-year window to collect TIF monies. If Council wishes, you can consider waving the second and third readings and then adopt the ordinance. Exhibit 4
- 11. The Community Betterment board met to discuss one application. They are bringing a recommendation to pay \$15,000 to the Joint Use Facilities Committee, which is comprised of Northwestern College, Unity Christian, MOC-FV and the City Park & Rec. The committee is looking to purchase a tiny mobile robot athletic field painter. This GPS guided robot can be programmed to stripe multiple fields, and parking lots. This product will make the fields and parking lots look better and more professional while decreasing the amount of time and work spent by employees. The cost of this robot is \$41,000. The City's share will pay the \$15,000, then the remainder will be split between the other three entities of the joint use committee. This application is being recommended for approval.

Agenda Notes October 7, 2024 Page 2

- 12. The Community Betterment board also met on September 30<sup>th</sup> to discuss replacing two of its five member board. Joy Tooker who has been on the board since March 2005 and Scott Kooiman who served since August 2007. Both of these individuals have given valuable time and effort to this board for many years. They will be missed greatly. We are bringing two names for recommendation. They are Brock Jensen and Jenny Bruxvoort both who live in Orange City. They will serve a 3-year term.
- 13. An application to serve as the beginning host city for RAGBRAI requires support from the City. The dates for RAGBRAI are July 19 to July 26 with the beginning overnight on Saturday, July 19.
- 14. We have received a renewal application for a Class C Retail Alcohol License from the Downtown Grille. Everything is in order.
- 15. We have received an application from Dutch Mart Foods located at 102 Albany Ave NE for the Retail Encouragement Loan Program. They have over 5,000 square feet of retail space and will qualify for the maximum allowed \$28,500. As a reminder, this is a three-year forgivable loan. Funds are distributed after receipts have been submitted for qualifying improvements. Exhibit 5
- 16. Administrative reports:

Scheduled Meetings/Important Dates:

October 21 Council Meeting, 4:30 P.M
November 4 Council Meeting, 4:30 P.M
November 18 Council Meeting, 4:30 P.M.
December 2 Council Meeting, 4:30 P.M.
December 10 Strategic Planning, 10:00 A.M.
December 16 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 16, 2024. A quorum was declared by Mayor Pro-Tempore Rod De Boer. 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, Daron De Jong, and Bret Walinga

Members Absent: Mayor Deb De Haan

Staff: Earl Woudstra, Janet Brown, Kurt Frederes, Jim Pottebaum, Kley De Jong, Ryan McEwen, and Kent Anderson

Guests: Doug Calsbeek, Allison Kamp, Sarah Weber, Dan Roghair, Jennie Droog, Esther Diekevers, Luther Hofmeyer, Barry and Grace De Boer Brown, Marilyn Mayberry, Glenda Grossman, Marlin Vollink, Dale Pluim, Christy Reed, Tony Vande Brake, Amaya Van Essen, Heidi Chavez, Alexa Schroeder, and Athena Zaysana

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

<u>Citizen Comments</u>: This time was provided for citizen comments. Sarah Weber requested the Council work together for the community, this is far beyond chickens, need to understand the value of their roles, open discussion at this table helps everyone understand, need to focus on the process, residents feel unheard or silenced, suggested that the City was pressuring the newspaper. Allison Kamp stated she didn't understand what was at risk the last time she spoke, asked why the City is choosing to enforce the livestock ordinance now, she will be present in the future to make sure the City does things properly, they no longer have chickens, her son has cried every day for three weeks. Luther Hofmeyer has removed his chickens from the City limits until the Council is able to give the citizens the opportunity to have chickens.

Approval of Minutes: The minutes of the September 3, 2024 council meeting were presented. A motion was made by Council member Olivia Chapman and duly seconded by Council member Daron De Jong approving said minutes 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.

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

Monthly Bills: A Summary of Warrants report listing bills from August 20, 2024 through September 16, 2024 was presented. A motion was made by Council member Bret Walinga 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: Bret Walinga, Daron De Jong, Olivia Chapman, Daryl Beltman, Rod De Boer; NAYS: None.

<u>Livestock Exemption Request</u>: Barry Brown at 518 Concord Ave NE appeared before the Council to ask for a livestock exemption to keep chickens at his residence. Barry read a poem called First They Came, shared concerns about City governance, and then left the meeting. A motion was made by Council member Daryl Beltman and duly seconded by Council member Bret Walinga to deny the request for a livestock exemption of Barry Brown at 518 Concord Ave NE. On call of the roll motion carried. The vote was as follows: AYES: Daryl Beltman, Bret Walinga, Rod De Boer; NAYS: Olivia Chapman, Daron De Jong.

North Weiland Third Addition: A motion was made by Council member Daryl Beltman and duly seconded by Council member Olivia Chapman adopting a resolution approving the final plat of North Weiland Third Addition. On call of the roll motion carried. The vote was as follows: AYES: Daryl Beltman, Olivia Chapman, Rod De Boer, Daron De Jong, Bret Walinga; NAYS: None. The resolution was assigned number 9-16-24-2115 and appears in the official resolution book.

Siouxland Travel Dutch Front Proposal: Upon recommendation of the Dutch Front Committee a motion was made by Council member Rod De Boer and duly seconded by Council member Bret Walinga approving the proposed Dutch front maintenance for Siouxland Travel at an estimated cost of \$2,129.61, with the City portion being \$1,064.80. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Bret Walinga, Daryl Beltman, Olivia Chapman, Daron De Jong; NAYS: None.

Street Crewman: A motion was made by Council member Daron De Jong and duly seconded by Council member Olivia Chapman approving the hiring of Wyatt Dagel as a Street Crewman. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Olivia Chapman, Daryl Beltman, Rod De Boer, Bret Walinga; NAYS: None.

Resolution Accepting the 14<sup>th</sup> Street SE Extension Project: A motion was made by Council member Daryl Beltman and duly seconded by Council member Olivia Chapman adopting a resolution accepting the 14<sup>th</sup> Street SE Extension Project. The final cost of the project was \$1,863,935.14. The City will be reimbursed \$35,000 each from OCAHS and Vision Builders for the shared bike path. On call of the roll motion carried. The vote was as follows: AYES: Daryl Beltman, Olivia Chapman, Rod De Boer, Daron De Jong, Bret Walinga; NAYS: None. The resolution was assigned number 9-16-24-2116 and appears in the official resolution book.

Resolution Approving the Official Street Finance Report of Actual and Accrued Expenditures and Receipts for All Funds for Street Purposes for the 2023-2024 Fiscal Year: A motion was made by Council member Bret Walinga and duly seconded by Council member Daron De Jong adopting a resolution approving the official Street Finance Report of actual and accrued expenditures and receipts for all funds for street purposes for the 2023-2024 fiscal year. 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. The resolution was assigned number 9-16-24-2117 and appears in the official resolution book.

Special Event Permit Application: A motion was made by Council member Olivia Chapman and duly seconded by Council member Bret Walinga approving the Special Event Permit Application from Crittenton Center for October 1st. On call of the roll motion carried. The vote was as follows: AYES: Olivia Chapman, Bret Walinga, Daryl Beltman, Rod De Boer, Daron De Jong; NAYS: None.

## Administrative Reports:

Scheduled Meetings/Important Dates:

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.
December 2	Council Meeting, 4:30 P.M.
December 16	Council Meeting, 4:30 P.M

Oral reports: Earl shared a thank you from Les Douma to the Parks Department for the flowers in the parks and downtown; disc golf has been well received; youth flag football started; auditors completed preliminary work; 7 residents now at Kanaal Huis; hospital started robot assisted surgeries; continued progress on the Landsmeer Next 25 project; hospital pharmacy project pretty much complete. Ryan reported that Crittenton Center took over the daycare management on September 1<sup>st</sup>, they have already opened spots and anticipate opening more this fall. Matt shared the Delaware and 2<sup>nd</sup> Street project is moving along; working on some street repair work on Albany Place by Industrial Way.

<u>Council Comments</u>: The Mayor Pro-Tempore called for comments from members of the Council and none were heard. Rod thanked the volunteers working at the cemetery on headstone repairs.

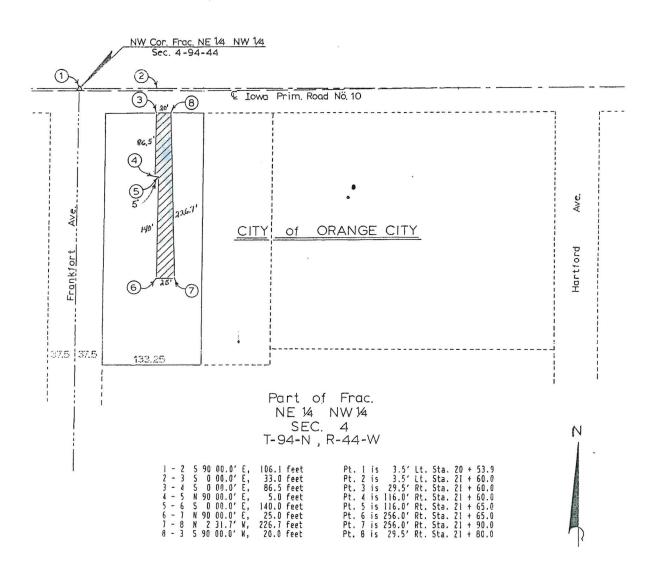
Adjournment: No further business appearing it was therefore moved by Council member Daryl Beltman and duly seconded by Council member Olivia Chapman to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Daryl Beltman, Olivia Chapman, Rod De Boer, Daron De Jong, Bret Walinga; NAYS: None. Adjournment time was 5:12 o'clock P.M.

	Rod De Boer, Mayor Pro-Tempore
ATTEST:	_
Janet Brown, City Clerk	



#### RIGHT OF WAY PLAT EXHIBIT "A"

COUNTY SIOUX		STATE CONTROL NO. 03-00
PROJECT NO. FN -10-1(42)	21-84	PARCEL NO.
SECTION4	TOWNSHIP 94N	RANCE 44W
ROW - FEE	AC, EASE 4962.5 Sq.1	ft. AC, EX CESS - FEE —————————————————————————————————
ACQUIRED FROM Sandra	Louise Motsch	

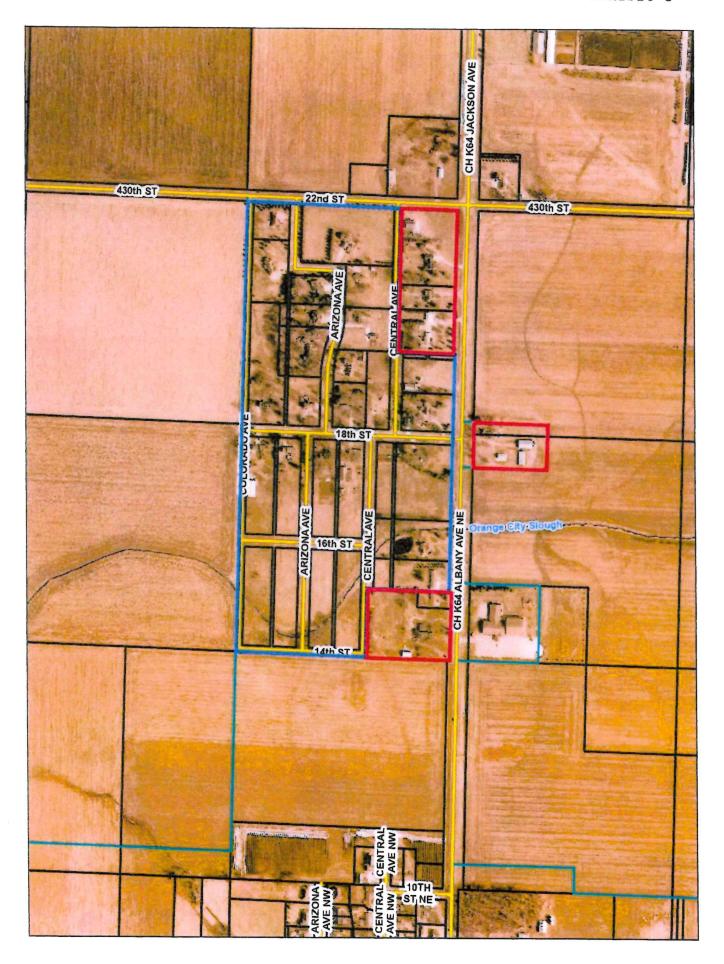


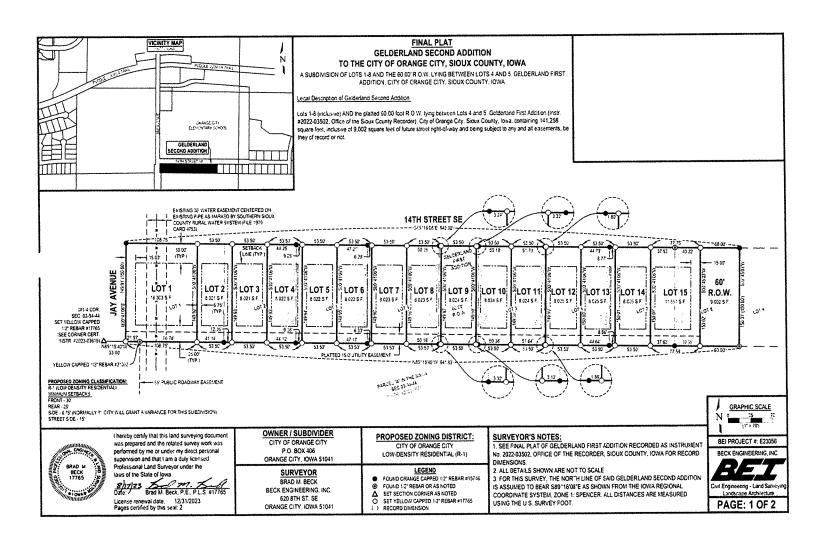


accurate representation of the land herein deseribed, made by me or under my direct supervision and that I am a duly registered Lead Surveyor unding the laws of the State of beauty

Willmer L. Relson Reg. No. 4313 Date

100° 1 1 03-21-89 GCJ SCALE 1" = 100°





## ORDINANCE NO. 854

AN ORDINANCE REPEALING ORDINANCE NO. 837 AND PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON CERTAIN PROPERTY LOCATED WITHIN THE MOC-FV ELEMENTARY SCHOOL URBAN RENEWAL AREA, IN THE CITY OF ORANGE CITY, COUNTY OF SIOUX, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF ORANGE CITY, COUNTY OF SIOUX, MOC-FLOYD VALLEY COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE MOC-FV ELEMENTARY SCHOOL URBAN RENEWAL AREA (GELDERLAND SECOND ADDITION PROPERTY)

WHEREAS, the City Council of the City of Orange City, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 4-18-22-2003, passed and approved on April 18, 2022, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the MOC-FV Elementary School Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, the Council subsequently adopted Ordinance No. 837 on May 2, 2024 to provide for a division of tax revenue on a portion of the Urban Renewal Area referred to as the "Phase 1 Property", pursuant to Iowa Code Section 403.19; and

WHEREAS, following the adoption of Ordinance No. 837, the City determined that it desired to initially provide for the division of tax revenue, pursuant to Iowa Code Section 403.19, on a smaller portion of the Urban Renewal Area, corresponding to the projects on the lots and parcels located within the area legally described as follows ("Gelderland Second Addition Property"):

Lots 1-15, Gelderland Second Addition to the City of Orange City, Sioux County, Iowa

WHEREAS, the City has not yet certified debt to the Auditor of Sioux County to initiate the division of tax revenue pursuant to Iowa Code Section 403.19 within the Urban Renewal Area; and

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Orange City, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Orange City, State of Iowa, desires to provide for the division of revenue from taxation on the Gelderland Second Addition Property of the

Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa, as amended. [Note: the **Gelderland Second Addition Property** is the only portion of the Urban Renewal Area that will be included in this TIF Ordinance. If other parcels in the Area develop (increase in value) in the future, the City may adopt a separate TIF ordinance(s) on other parcels/areas within the Urban Renewal Area. Therefore, the various TIF ordinances in this Urban Renewal Area will have different frozen bases and different expiration dates.]

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, STATE OF IOWA:

Section 1. Ordinance No. 837 is hereby repealed in its entirety and shall have no further effect. For the avoidance of doubt, following adoption and publication of this Ordinance, the **Gelderland Second Addition Property** of the Urban Renewal Area legally described in the preamble hereof is the only portion of the Urban Renewal Area that will be subject to the provisions of Iowa Code Section 403.19, unless and until a separate TIF ordinance is adopted for other parcels within the Urban Renewal Area.

Section 2. That the taxes levied on the taxable property in the **Gelderland Second Addition Property** of the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Orange City, County of Sioux, MOC-Floyd Valley Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 3. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the **Gelderland Second Addition Property** of the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Orange City, State of Iowa, certifies to the Auditor of Sioux County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 4. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Orange City, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by the City of Orange City, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings; and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all

taxable property within the **Gelderland Second Addition Property** of the Urban Renewal Area without any limitation as hereinabove provided.

Section 5. Unless or until the total assessed valuation of the taxable property in the Gelderland Second Addition Property of the Urban Renewal Area exceeds the total assessed value of the taxable property in the Gelderland Second Addition Property of the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Gelderland Second Addition Property of the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 6. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Orange City, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the **Gelderland Second Addition Property** of the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the **Gelderland Second Addition Property** of the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the **Gelderland Second Addition Property** of the Urban Renewal Area and the territory contained therein.

Section 8. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2024.

	Mayor	
ATTEST:		
City Clerk		

Read First Time:	, 2024
Read Second Time:	, 2024
Read Third Time:	, 2024
PASSED AND APPROVED:	, 2024.
certify that the above and foregoing is approved by the City Council of the City	Clerk of the City of Orange City, State of Iowa, hereby a true copy of Ordinance No passed and at a meeting held, 2024, signed, 2024, and published in the Capitol Democrat on
	City Clerk, City of Orange City, State of Iowa

(SEAL)

02409298\10969-260



# 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
OwnersJosh Van Es & Joe Clarey
Type of RetailGrocery Store
Physical Address102 Albany Av NE
Phone Number 712-737-4848
Financial Institution: Security National Bank
Grand Opening Date (approx.)_Purchase existing property
Retail Incentive program being applied for:
I. XXX 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.
<ul> <li>Provide a copy of all fixed assets (dollar amounts) pertaining to expanding or new retail space.</li> </ul>
c. Requested loan: # of sq. foot _5000_ x \$_5.70_ = \$_28,500
II. R l Utility Incentive Program
Orange City-City Council Approval
Mayor Date
Number of sq. foot x \$ = \$