

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on September 3, 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 De Haan

Staff: Janet Brown, Kurt Frederes, Jim Pottebaum, Matt Van Schouwen, Ryan McEwen, and Kent Anderson

Guests: Doug Calsbeek, Sarah Weber and kids, Mike Hofman, Tony Vande Brake, Jennie Droog, Kaleb Jensen, Dan Roghair, Joe Clarey, Christy Reed, and Luther Hofmeyer

Agenda: A motion was made by Council member Daron De Jong 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: Daron De Jong, Bret Walinga, Daryl Beltman, Olivia Chapman, Rod De Boer; NAYS: None.

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

Approval of Minutes: The minutes of the August 19, 2024 council meeting were presented. A motion was made by Council member Daryl Beltman and duly seconded by Council member Olivia Chapman approving said minutes as published. 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.

Salem Avenue:

This being the time and place as advertised, a public hearing was held to consider the vacation of the North 824 feet of the public street right-of-way in the City property north of Dollar Fresh. The Mayor Pro-Tempore called for comments from members of the audience and no one was heard speaking for or against the proposed vacation. No written objections were filed. The Mayor Pro-Tempore then closed the time for the public hearing.

A motion was made by Council member Daryl Beltman and duly seconded by Council member Bret Walinga adopting a resolution approving the vacation of the North 824 feet of the 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 9-3-24-2114 and appears in the official resolution book.

This being the time and place as advertised a public hearing was held to consider dedicating City owned property as a street to be known as Salem Avenue SE. The Mayor Pro-Tempore 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 Pro-Tempore then closed the time for the public hearing.

A motion was made by Council member Olivia Chapman and duly seconded by Council member Bret Walinga approving the first reading of proposed Ordinance No. 853, an ordinance dedicating 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. 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.

A motion was made by Council member Olivia Chapman and duly seconded by Council member Daron De Jong to waive the second and third readings of proposed Ordinance No. 853. 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.

A motion was made by Council member Daryl Beltman and duly seconded by Council member Olivia Chapman to adopt Ordinance No. 853, an ordinance dedicating 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. 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.

Livestock Exemption Requests: The Council discussed the livestock exemption requests. Brad explained these property owners are requesting to use their property in a noncompliant way, indefinite in nature unless a complaint would create a nuisance; the last update of the City Code included this change to ask for an exemption; there are no guidelines to follow; would be setting a precedent by granting an exemption; Council must be very clear why an exemption would be granted. Daryl expressed the guidelines considered by the Council a few weeks ago failed, doesn't feel exemptions should be granted without guidelines. Rod stated that some homeowners have begun to comply with removing their chickens from the City. Olivia would like code enforcement to come up with guidelines, to find a pathway to allow those that do it well to continue. Bret questioned the ability to enforce guidelines versus an ordinance. Daron asked if there would be power to revoke an exemption; could these requests be tabled until the next meeting. Rod is concerned about turning neighbor against neighbor. Kaleb Jensen expressed the complexity in the past proposed ordinance was too much, missed horses or any other livestock; could more time to keep chickens be granted so Council has time to go through the process. Rod would like to move forward to deny the requests and remove chickens by September 15 and enforce the code as written. Daryl is not in favor of granting an exemption without reason or a plan. Bret does not feel like exemptions are the way to handle this and really doesn't see a great way.

The Council then considered the livestock exemption requests.

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 Sarah Weber at 323 2nd Street 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.

A motion was made by Council member Rod De Boer and duly seconded by Council member Daryl Beltman to deny the request for a livestock exemption of Kaleb Jensen at 102 Tallahassee Ave SE. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Daryl Beltman, Bret Walinga; NAYS: Olivia Chapman, Daron De Jong.

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 Glenda Grossman at 905 7th Street 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.

Retail Utility Incentive Program Application: A motion was made by Council member Daron De Jong and duly seconded by Council member Bret Walinga approving the Retail Utility Incentive Program application from Dutchmart Foods. Daryl questioned if Craft Central ever received this incentive. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Bret Walinga, Daryl Beltman, Olivia Chapman, Bret Walinga; NAYS: None.

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.

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

Adjournment: No further business appearing it was therefore moved by Council member Daron De Jong and duly seconded by Council member Daryl Beltman to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Daryl Beltman, Rod De Boer, Olivia Chapman, Bret Walinga; NAYS: None. Adjournment time was 5:09 o'clock P.M.

Rod De Boer, Mayor Pro-Tempore

ATTEST: _____
Janet Brown, City Clerk