

NOTICE AND CALL OF SPECIAL COUNCIL MEETING

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

Date of Meeting: January 27, 2025

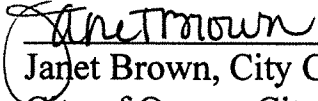
Time of Meeting: 4:30 o'clock P.M.

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. Fiscal year 2023-2024 Comprehensive Annual Report
5. Assistant Event Center Manager
6. Salem Avenue Development
 - Land Development Agreement with R. Perry Construction, Inc.
7. Closed session per Iowa Code Section 21.5.1(c), litigation
8. Fiscal year 2025-2026 budget discussions – general and utility funds
9. 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

SPECIAL COUNCIL MEETING
AGENDA NOTES
January 27, 2025

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. The Annual Financial Report for the year ending June 30, 2024 has been prepared by staff and audited by Williams and Company. We will review the report with Justin Jacobsma from Williams and Company.
5. We are recommending Madison Follett for the Assistant Manager position at our Prairie Winds Event Center. We are recommending her salary at \$45,000. She will be starting on February 10th.
6. The Land Development Agreement with R. Perry Construction, Inc. has been updated per the discussion at the last council meeting. Exhibit 1
7. We will enter into a closed session to discuss possible litigation.
8. We will discuss the Utility Funds budget. Copies of the budget will be emailed to you and hard copies will be available at the meeting.

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**

LAND DEVELOPMENT AGREEMENT

This Agreement is made by and between the City of Orange City, Iowa, an Iowa Municipal Corporation, hereinafter sometimes referred to as "Orange City", and R. Perry Construction, Inc., an Iowa Corporation, hereinafter sometimes referred to as "R. Perry".

WHEREAS, Orange City owns or will own the following described property:

Parcels 1 and 2 and the vacated street right-of-way lying between Parcels 1 and 2 as shown by Plat of Survey filed of record at Book 1985 Card No. 3960.
and

Parcel P as shown by Plat of Survey filed of record at Book 2020, Page 5927, except that part thereof designated as Parcel Q as shown by Corrective Plat of Survey filed of record at Book 2021, Page 2838; and

WHEREAS, Orange City is purchasing Parcel P as shown by Plat of Survey filed of record at Book 2020, Page 5927, except that part thereof designated as Parcel Q as shown by Corrective Plat of Survey filed of record at Book 2021, Page 2838, from the Orange City Development Corporation.

WHEREAS, the parties are desirous of entering into a development agreement for the above-described properties subject to certain terms and conditions as set out in more detail below.

IT IS THEREFORE mutually understood and agreed by and between the parties as follows:

1. Orange City will transfer by Warranty Deed the described property to R. Perry for \$1.00 and other good and valuable consideration on a date to be agreed upon by the parties which shall be no later than 10 days following updated abstracts of title to the described properties showing marketable title in Orange City in or conformity with this agreement, Iowa law and the Title Standards of the Iowa State Bar Association. In addition to providing an abstract of title showing clear title to the property, Orange City will pay any property taxes that may be due and owing concerning said properties prorated to date of possession.
2. R. Perry shall develop said property into rental houses and/or affordable rental single family homes or the sale of affordable single family homes. R. Perry's development of this property shall begin by no later than July 1, 2025. As additional consideration for this agreement, R. Perry shall pay an earnest money deposit of \$25,000.00 to Orange City. If R. Perry has not begun development of the above-described properties prior to that date, Orange City shall have the absolute right and option to retain the \$25,000.00 earnest money deposit and to terminate this agreement in which case R. Perry will transfer the above-described properties back to Orange City.
3. Orange City shall contribute up to \$200,000.00 towards infrastructure cost which includes the cost of construction of sanitary sewer, storm sewer, water and street for the

construction of Salem Avenue and up to \$300,000.00 towards infrastructure costs which includes the cost of construction of sanitary sewer, storm sewer, water, and street for Sixth Street construction.

- 4. Orange City will grant to R. Perry a tax increment financing rebate for the above-described properties. Said tax increment financing rebate shall be an amount equal to 100% of the City's portion of the property taxes generated from said property for a period of 10 years beginning with taxable year 2025.
- 5. If R. Perry has not developed the entirety of the above-described property by July 1, 2035, R. Perry shall transfer that portion of the described property not developed back to Orange City. This deadline may be extended by mutual agreement of the parties.

CITY OF ORANGE CITY, IOWA

R. PERRY CONSTRUCTION, INC.

_____ Date

_____ Date