

The City Council met in regular monthly session pursuant to adjournment at 4:30 o'clock P.M. on September 8, 2015. 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 Rod De Boer, Chad Oolman, Mick Snieder, and Earl Woudstra

Members Absent: Council member Steve Roesner

Staff: Janet Brown, Duane Feekes, Mark Gaul, Jim Pottebaum, Kent Anderson, Ken Meendering, and Bryan Gerritson

Guests: Doug Calsbeek, John Heller, Mike Hofman, and Dick Miske

Agenda: A motion was made by Council member Rod De Boer and duly seconded by Council member Chad Oolman approving the tentative agenda as the official agenda. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Chad Oolman, Mick Snieder, Earl Woudstra; NAYS: None.

Approval of Minutes: The minutes of the August 17, 2015 council meeting were presented. A motion was made by Council member Rod De Boer and duly seconded by Council member Mick Snieder approving said minutes as published. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Mick Snieder, Chad Oolman, Earl Woudstra; NAYS: None.

Hazard Mitigation Plan for Sioux County:

This being the time and place as advertised a public hearing was held to consider the proposed Hazard Mitigation Plan for Sioux County. The Mayor called for comments from members of the audience and no one was heard speaking for or against the proposed plan. The City Administrator reported that no written objections had been filed. The Mayor then closed the time for the public hearing.

A motion was made by Council member Earl Woudstra and duly seconded by Council member Rod De Boer adopting a resolution approving the Hazard Mitigation Plan for Sioux County. On call of the roll motion carried. The vote was as follows: AYES: Earl Woudstra, Rod De Boer, Chad Oolman, Mick Snieder; NAYS: None. The resolution was assigned number 9-8-15-1699 and appears in the official resolution book.

Resolution Accepting the 2015 Tank Painting Project: A motion was made by Council member Chad Oolman and duly seconded by Council member Mick Snieder adopting a resolution accepting the 2015 Tank Painting Project. On call of the roll motion carried. The vote was as follows: AYES: Chad Oolman, Mick Snieder, Rod De Boer, Earl Woudstra; NAYS: None. The resolution was assigned number 9-8-15-1700 and appears in the official resolution book.

Orange City Development Corporation – Memorandum of Understanding: Mark Gaul reviewed the updated Memorandum of Understanding with the Orange City Development Corporation. A motion was made by Council member Earl Woudstra and duly seconded by Council member Rod De Boer approving the Memorandum of Understanding. On call of the roll motion carried. The vote was as follows: AYES: Earl Woudstra, Rod De Boer, Chad Oolman, Mick Snieder; NAYS: None.

Resolution Designating Northwestern Bank, Iowa State Bank, and American State Bank as Depositories: A motion was made by Council member Rod De Boer and duly seconded by Council member Chad Oolman adopting a resolution designating Northwestern Bank, Iowa State Bank, and American State Bank as depositories for public funds belonging to the City of Orange City up to \$10,000,000 for each bank. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Chad Oolman, Mick Snieder, Earl Woudstra; NAYS: None. The resolution was assigned number 9-8-15-1701 and appears in the official resolution book.

Request to Allow Residential Usage in the C-1 Commercial District: The Council again discussed the request of Dick Miske, that his property at 127 Albany Avenue SE be grandfathered back to nonconforming residential in the downtown commercial district. Ken Meendering proposed the rezoning of the property to R-1, Low Density Residential District from

the present C-1, Commercial District since the property abuts Residential R-1 on two sides. Ken feels that after reviewing different portions of the Zoning Ordinance it does not appear possible to change wording to allow the property to revert back to the former Nonconforming Residential usage without directly contradicting other wording in the Ordinance that refers to nonconforming uses eventually ceasing. Ken shared that there are additional Nonconforming Residential used properties zoned C-1 Commercial that may also apply to be rezoned to Residential in the future. City Attorney Brad De Jong proposed expanding the Special Exemption Use to let property go back to Residential if the business is not operating anymore. Ken expressed again that other wording in the Ordinance would need to be changed to not conflict with a property reverting back to Residential. Earl Woudstra questioned if all these downtown properties still need to be zoned C-1, Commercial District; should Planning and Zoning go back and look at request and bring recommendation back to Council. Ken responded that he feels Planning and Zoning's position will not have changed since they took action on this request in 2010. Mick Snieder also questioned if the zoning downtown needed to stay that way and shared that he is not in favor of changing just certain properties zoning. Earl Woudstra shared that he feels the Council should respect Planning and Zoning's decision, wishes he could help but feels the property needs to stay as is. Rod De Boer agrees with Earl. Chad Oolman questioned if Brad's suggestion of adding a Special Exemption Use would work. Mick Snieder expressed that he is not comfortable changing the wording, Rod De Boer expressed that he is leaning Mick's way. After more discussion, Earl Woudstra and Chad Oolman would like to have Brad De Jong work with Ken Meendering to develop wording to add a Special Exemption Use that would allow a property to go back to Residential use if they are no longer operating a business anymore, then take that wording proposal to Planning and Zoning for their approval or disapproval, if the answer is no from Planning and Zoning then the request is denied. No official action was taken.

2015 Street Improvements: A motion was made by Council member Earl Woudstra and duly seconded by Council member Rod De Boer approving Change Order No. 1 in the amount of \$3,600 for the re-laying of sanitary sewer main by 3<sup>rd</sup> and Delaware Avenue NW and providing for a 3 day extension to the Contractor's completion date. On call of the roll motion carried. The vote was as follows: AYES: Earl Woudstra, Rod De Boer, Chad Oolman, Mick Snieder; NAYS: None.

Resolution Calling for Election to Set Terms at Four Years: A motion was made by Council member Rod De Boer and duly seconded by Council member Mick Snieder adopting a resolution calling for a city election to establish four year terms for the Library Board of Trustees. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Mick Snieder, Chad Oolman, Earl Woudstra; NAYS: None. The resolution was assigned number 9-8-15-1702 and appears in the official resolution book.

Administrative Reports:

We have prepared a notice of lot for sale for 407 Iowa Ave. SW. We think this is what was generally agreed to by the Council responses. If this is Ok, we will begin the process at our next Council meeting to dispose of public property. Consensus of the Council was to proceed with sealed bid process with the requirement of a \$20,000 minimum bid.

Scheduled Meetings:

September 21	Council Meeting, 4:30 P.M.
September 28	MRES Policymakers Dinner, The Ridge, 5:30 P.M.
October 5	Council Meeting, 4:30 P.M.
October 19	Council Meeting, 4:30 P.M.

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

Adjournment: No further business appearing it was therefore moved by Council member Rod De Boer and duly seconded by Council member Mick Snieder to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Mick Snieder, Chad Oolman, Earl Woudstra; NAYS: None. Adjournment time was 5:38 o'clock P.M.

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Deb De Haan, Mayor

ATTEST: \_\_\_\_\_  
Janet Brown, City Clerk