

NOTE: AGENDA ORDER SUBJECT TO CHANGE

**LE MARS CITY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 4, 2011, 12:00 P.M.
AGENDA**

A. CALL TO ORDER – MAYOR

ROLL CALL – CITY CLERK

COUNCILMEMBERS: NELSON_____, KNAPP_____, REXWINKEL_____,
LEONARD_____, IHRKE_____

B. GENERAL DISCUSSION

1. Citizens
2. “Thumbs Up” Award

C. CONSENT ITEMS

All items listed under "Consent" Agenda will be enacted by one motion. There will be no separate discussion on those items unless a request is made prior to the time the Council votes on the motion.

1. Approval of December 21, 2010 Regular Meeting Minutes
2. List of Bills for Period Ending 12/31/10
3. Transfer of Beer Permit (Pizza Hut)
4. Designation of Official Newspaper for 2011
5. Mayor/Council/Staff Assignments for 2011

D. ACTION ITEMS

1. Rezoning – Can Farm
2. List of Fees, Charges and Licenses

E. DISCUSSION

1. Council/Mayor
2. City Administrator/Public Works Director
3. Assistant City Administrator

F. ADJOURNMENT

Le Mars City Council Meeting
Tuesday, December 21, 2010, 12:00 P.M.
Minutes

Mayor Kirchoff presided. Present: Ihrke, Rexwinkel, Leonard, Nelson, Knapp. Absent: None.

NOTE: A hearing was held to hear public comment regarding rezoning The Can Farm from I-2 (General Industrial District) to B-2 (General Business District) and no oral or written objections were received.

Nelson moved, Rexwinkel seconded the first reading of Ordinance No. 891 Amending Zoning Districts be approved. On Roll Call: Ayes: Ihrke, Leonard, Knapp, Nelson, Rexwinkel. Nays: None.

Nelson moved, Leonard seconded that the following items be approved under the "Consent Agenda." On Roll Call: Ayes: All present. Nays: None.

- Regular meeting minutes of December 7, 2010.
- List of bills for period ending 12/17/10.
- Acknowledge receipt of November 2010 Financial Statement.
- Commercial Solid Waste Collection Licenses for 2011 to Gill Hauling, Orange City Sanitation, Waste Management and Van's Sanitation.

Knapp moved, Ihrke seconded that up to \$20,000 of City funds be authorized for improvements to the current Arts Center building as determined by City Staff or to relocate and update an alternate building. On Roll Call: Ayes: All present. Nays: None.

Nelson moved, Leonard seconded the revised Phase I Contract with DGR & Associates for the Iowa 3 Recreation Trail Project in the amount of \$29,306 be approved. On Roll Call: Ayes: Rexwinkel, Leonard, Nelson. Nays: Ihrke, Knapp.

Knapp moved, Nelson seconded the replacement of audio equipment in the City Council Chambers at a cost not to exceed \$6,000 be authorized. On Roll Call: Ayes: All present. Nays: None.

Knapp moved, Nelson seconded Resolution No. 10-49 approving application for Airport Improvement Program Assistance be adopted. On Roll Call: Ayes: Rexwinkel, Ihrke, Leonard, Knapp, Nelson. Nays: None.

Rexwinkel moved, Ihrke seconded the second reading of Ordinance No. 890 Amending Chapter 124 be approved. On Roll Call: Ayes: Knapp, Leonard, Nelson, Rexwinkel, Ihrke. Nays: None.

Knapp moved, Ihrke seconded the third reading of Ordinance No. 890 Amending chapter 124 be waived. On Roll Call: Ayes: Nelson, Rexwinkel, Leonard, Knapp, Ihrke. Nays: None.

Ihrke moved, Nelson seconded Ordinance No. 890 Amending Chapter 124 be adopted on its second reading. On Roll Call: Ayes: Knapp, Rexwinkel, Leonard, Ihrke, Nelson. Nays: None.

Ihrke moved, Nelson seconded to enter Closed Session under Iowa Code 21.5c concerning a matter that is presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. On Roll Call: Ayes: Knapp, Rexwinkel, Leonard, Ihrke, Nelson. Nays: None.

Rexwinkel moved, Ihrke seconded to move out of Closed Session. On Roll Call: Ayes: All present. Nays: None.

Ihrke moved, Nelson seconded to enter Closed Session under Iowa Code Section 20.17 (3) concerning Collective Bargaining where negotiating sessions and strategy meetings of public employers shall be exempt from the provisions of Chapter 21, open meetings. On Roll Call: Ayes: Knapp, Rexwinkel, Leonard, Ihrke, Nelson. Nays: None.

Rexwinkel moved, Ihrke seconded to move out of Closed Session. On Roll Call: Ayes: All present. Nays: None.

Rexwinkel moved, Ihrke seconded the meeting be adjourned at 1:55 P.M.

Beverly Langel, City Clerk

Dick Kirchoff, Mayor

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: January 4, 2011
	Description: List of Bills for Period Ending 12/31/10	Item No. C-2

Attached is the list of bills for the period ending 12/31/10

COUNCIL ACTION REQUESTED

Approval of bills for the period
ending 12/31/10

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: January 4, 2011
	Description: Transfer of Beer Permit (Pizza Hut)	Item No. C-3

Application has been received from the Pizza Hut for Permanent Transfer of their Class B Beer Permit from 785 Hawkeye Ave S.W. to 1255 Silent Prairie Road effective January 15, 2011.

COUNCIL ACTION REQUESTED

Approval of Permanent Transfer of Class B Beer Permit for Pizza Hut, subject to final inspection.

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: January 4, 2011
	Description: Designation of Official Newspaper for 2011	Item No. C-4

Each year the Council establishes an official newspaper for legal publication and printing. The Le Mars Daily Sentinel has again proposed to furnish this for 2011. (Letter attached)

COUNCIL ACTION REQUESTED

Motion establishing the Le Mars Daily Sentinel as the official newspaper for the City of Le Mars for 2011.

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: January 4, 2011
	Description: Mayor/Council/Staff Assignments for 2011	Item No. C-5

Information:

Attached is an update of the Mayor/Council/Staff Assignments for 2011.

Staff Recommendation:

Staff recommends assignments to all Committees as shown on the attached.

COUNCIL ACTION REQUESTED

Motion approving the Mayor/Council/Staff Assignments for 2011 (or as amended).

(No Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: January 4, 2011
	Description: Rezoning – Can Farm	Item No. D-1

Information:

At its December 21, 2010 meeting, the Council held a public hearing and approved the first reading of an Ordinance regarding rezoning The Can Farm from I-2 (General Industrial District) to B-2 (General Business District). The Planning and Zoning Commission considered the rezoning at their November 30, 2010 meeting and the Commission is recommending the rezoning. A map is attached showing the area under consideration.

Staff Recommendation:

Approve the rezoning ordinance.

COUNCIL ACTION REQUESTED

Motion approving the second reading of Ordinance No. 891 Amending Zoning Districts.

(Roll Call)

(and, if desired)

Motion waiving the third reading of Ordinance No. 891 Amending Zoning Districts.

(Roll Call)

Motion adopting Ordinance No. 891 Amending Zoning Districts on its second reading.

(Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: January 4, 2011
	Description: List of Fees, Charges and Licenses	Item No. D-2

Attached is a list of various fees, charges, and licenses, which show charges as follows:

- 1) Current 2010 Fees, Charges and Licenses
- 2) Proposed 2011 Fees, Charges and Licenses

COUNCIL ACTION REQUESTED

Motion adopting Resolution No. _____
approving the recommended List of Fees,
Charges and Licenses for calendar year 2011,
(with or without) amendment.

(Roll Call)