

NOTE: AGENDA ORDER SUBJECT TO CHANGE

**LE MARS CITY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 18, 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 January 4, 2011 Regular Meeting Minutes
2. List of Bills for Period Ending 1/14/11
3. Monthly Financial Statement for December 2010
4. Assignment for 2011
5. Renewal of Wine Permit (Archie’s)
6. Ambulance Wage/Pay Rates

D. ACTION ITEMS

1. Final Plat – Dirksen Ag, Plymouth County
2. Public Works Location and Wells’ Dairy’s Expansion
3. Surface Transportation Program (STP) Applications
4. Street Light Policy
5. Calendar 2011 Capital Improvement Program

E. DISCUSSION

1. Council/Mayor
2. City Administrator/Public Works Director
3. Assistant City Administrator
 - a. Budget Introduction

F. CLOSED SESSION

1. Pending/Imminent Litigation
2. Collective Bargaining

G. ADJOURNMENT

Le Mars City Council Meeting
Tuesday, January 4, 2010, 12:00 P.M.
Minutes

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

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

- Regular meeting minutes of December 21, 2010.
- List of bills for period ending 12/31/10.
- Permanent transfer of Class B Beer Permit for Pizza Hut, subject to final inspection.
- Le Mars Daily Sentinel as the official newspaper for 2011.
- 2011 Mayor/Council/Staff Assignments as amended.

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

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

Rexwinkel moved, Leonard seconded Ordinance No. 891 Amending Zoning Districts be adopted on its second reading. On Roll Call: Ayes: Knapp, Nelson, Ihrke, Rexwinkel, Leonard. Nays: None.

Nelson moved, Ihrke seconded Resolution No. 11-1 approving the List of Fess, Licenses and Charges for calendar year 2011 as amended be adopted. On Roll Call: Ayes: Leonard, Rexwinkel, Knapp, Nelson, Ihrke. Nays: None.

Ihrke moved, Knapp seconded the meeting be adjourned at 12:20 P.M.

Beverly Langel, City Clerk

Dick Kirchoff, Mayor

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: List of Bills for Period Ending 01/14/11	Item No. C-2

Attached is the list of bills for the period ending 01/14/11

COUNCIL ACTION REQUESTED

Approval of bills for the period
ending 01/14/11.

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Monthly Financial Statement for December 2010	Item No. C-3

Attached is the monthly Financial Statement for December 2010.

COUNCIL ACTION REQUESTED

Motion acknowledging receipt of monthly
Financial Statement for December 2010.

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Assignment for 2011	Item No. C-4

Information:

Former Fire Chief Wayne Schipper has been serving as the City's representative on the Plymouth County Emergency Management Commission and it is recommended he be appointed to continue in that capacity for 2011.

Staff Recommendation:

Staff recommends said appointment.

COUNCIL ACTION REQUESTED

Motion appointing Wayne Schipper to the
Plymouth County Emergency Management
Commission for 2011.

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Renewal of Wine Permit (Archie's)	Item No. C-5

Applications have been received from Archie's for renewal of their Class C Wine Permit. Papers are in order. Approved by the Police Department.

COUNCIL ACTION REQUESTED

Motion approving renewal of Class C Wine Permit to Archie's.
(No Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Ambulance Wage/Pay Rates	Item No. C-6

Information:

With the Le Mars Ambulance now operating Unit 2 (Rescue 9), additional wage/pay rates need to be approved as shown on the attached for a "B" qualified unit and with the intent to advance Unit 2 to Paramedic qualifications as soon as practical; however, not later than June 30, 2011. When at paramedic level the \$25.00 "on call" pay would continue; however, the "called out" pay would be identical to Unit No. 1.

COUNCIL ACTION REQUESTED

Motion approving the additional wage/pay rates
for Ambulance Unit 2.

(No Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Final Plat – Dirksen Ag, Plymouth County	Item No. D-1

Information:

On January 17, 2011 the Planning and Zoning Commission will review the Final Plat of Dirksen Ag, a minor Subdivision to Plymouth County at Iowa Hwy 3 and Nature Avenue. This plat consists of one (1) lot lying outside the Corporate Limits of the City, but within the two (2) mile jurisdiction, therefore, requires both City Council and Board of Supervisor approval. The County Board of Supervisors approved at their December 28, 2010 meeting.

A copy of the Final Plat is attached. No public infrastructure is required for this subdivision, except water extension by Rural Water. Private Septic Systems will be used.

Staff Recommendation:

Staff recommends approval of Final Plat. City Planning and Zoning Commission recommendation will be available at the meeting.

Financial Impact:

No financial impact at this time.

COUNCIL ACTION REQUESTED

Motion adopting Resolution No. _____
approving the Final Plat of Dirksen Ag,
Plymouth County.

(Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Public Works Location and Wells' Dairy's Expansion	Item No. D-2

Information:

Council previously contracted with Mc Clure Engineering to study and evaluate the potential to expand Public Works at its present location. That study is accomplished and results will be presented at the meeting.

Due to several conflicts and shortcomings of the present location, Staff and Public Works Committee investigated other locations to place a new facility.

Today, Staff and Public Works Committee are proposing a concept that appears to be the best overall solution, as follows:

- 1) City acquire ten (10) acres from Wells' Dairy in the southwest quadrant of 18th Street S. and 6th Avenue W. (see attached map).
- 2) In exchange for Wells' donation of the land the City would agree to the requests made in their October 1, 2010 letter (attached). Mr. David Smetter and Mr. David Lyons both of Wells' Dairy will be present at the meeting to discuss the proposal and the expansion of the North Ice Cream Plant (see attached map).
- 3) The current Public Works facility would be retained by the City for several reasons:
 - a. Police Impound
 - b. Seasonal Storage
 - c. Relocate all indoor storage from former DOT facility on North Business 75
 - d. Deed restrictions imposed by EPA
 - e. Goose Creek Box Culvert bisects the site
 - f. Storm Sewer along railroad property line
- 4) The recently acquired 100' wide parcel north of the railroad tracks (former Stover property) and cleared of all old concrete would be marketed for sale (exception of Goose Creek drainage ditch).
- 5) The former DOT facility located on North Business 75 would be partially cleared and marketed for sale (exception of recreation trail, west ingress easement and east 20 foot alley).

Staff Recommendation:

Staff and Committee are recommending, only, that Council consider the proposal for public hearing on February 15, 2011. Within the next month Staff would develop additional cost estimates and sort out additional details regarding each of the five (5) proposals.

Financial Impact:

To be determined.

COUNCIL ACTION REQUESTED

Motion adopting Resolution No. _____
establishing February 15, 2011 at 12:00 P.M. as
the date and time for Public Hearing regarding the
proposals presented, including vacations of various
streets to Wells' Dairy.
(Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Surface Transportation Program (STP) Applications	Item No. D-3

Information:

Administration has reviewed the past use of STP funding for roadway improvements and has projected the City's needs into the future, as follows:

2000-2005 (all constructed)	12 th Street SW – 6 th Avenue W. to Lincoln Street 4 th Street SW – Central Avenue W. to Business 75 4 th Street SE – Central Avenue to 4 th Avenue E.
2005-2010 (all constructed)	6 th Avenue West – 8 th Street S. to 12 th Street S. 7 th Avenue E. (K49) – Hillcrest Drive to 18 th Street S. Business 75 S. – Iowa 3 to 18 th Street S. Iowa 3 E. – 1 st Street N. to Park Lane Business 75 N. – Iowa 3 to 4 th Street N.
2010-2015 (all funded)	12 th Street S. – 7 th Avenue E. to 12 th Avenue E. Lincoln Street SW – 4 th Street S. to 24 th Street S. Iowa 3 W. – Business 75 to Bypass
2015-2020 (future funding)	Central Avenue – 3 rd Street N. to 3 rd Street S. 12 th Street S. – Central Avenue to 4 th Avenue E. 12 th Street S. – Central Avenue to 6 th Avenue W.
2020-2025 (future funding)	Central Avenue – 5 th Street S. to 12 th Street S. 4 th Avenue E. – 2 nd Street S. to 10 th Street S.

Staff Recommendation:

Applications for future funding through STP are due January 21st. City Administration intends to submit the three (3) projects listed for 2015-2020.

Financial Impact:

Historically, Surface Transportation Program (STP), is 80% Federal 20% local; however, can be as low as 50% Federal 50% local. Engineering is never considered eligible cost, only construction costs. Le Mars has received several million dollars over the last two decades and therefore has been able to accomplish many needed improvements over that time. Federal appropriations to FHWA is required each year for the STP to continue. Although funding varies from year to year it has been continuous for many decades.

Actual cost estimates would be prepared if Council approves application.

COUNCIL ACTION REQUESTED

Motion approving application to Surface Transportation Program (STP) for the 2015-2020 Street Projects as listed (or as amended).
(No Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Street Light Policy	Item No. D-4

Information:

A proposed Street Light Policy will be available at the meeting for discussion.

COUNCIL ACTION REQUESTED

As desired.

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Calendar 2011 Capital Improvement Program	Item No. D-5

Information:

Attached is a Calendar 2011 Capital Improvement Program (CIP) - List of Projects for purposes of discussion and acknowledgement by Council.

This is not necessarily Council approval; however, simply acknowledgement. Approval falls in three (3) categories:

- 1) Capital Improvements previously approved in the FY 2011 or prior budgets, Staff intends to proceed with implementation.
- 2) Capital Improvements yet to be approved in the FY 2012 budget will not proceed until after July 1st assuming Council adopts said budget.
- 3) Capital Improvements not in the budget will be developed by Staff; however, not implemented until prior approval by Council is obtained.

Staff Recommendation:

This list of Capital Improvement Program (CIP) - List of Projects is the recommendation to Council.

COUNCIL ACTION REQUESTED

Motion acknowledging the presented Capital Improvement Program (CIP) - List of Projects (with or without) amendment.

(Roll Call)

CITY OF LE MARS, IOWA

	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Closed Session - Pending/Imminent Litigation	Item No. F-1

It is recommended that the Council enter Closed Session to discuss Pending/Imminent Litigation.

COUNCIL ACTION REQUESTED

Motion 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.

(Roll Call)

Motion to move out of Closed Session.

(No Roll Call)

CITY OF LE MARS, IOWA

	REQUEST FOR COUNCIL ACTION	Date: January 18, 2011
	Description: Closed Session - Collective Bargaining	Item No. F-2

It is recommended that the Council enter Closed Session to discuss Collective Bargaining

COUNCIL ACTION REQUESTED

Motion 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.

(Roll Call)

Motion to move out of Closed Session.

(No Roll Call)