

NOTE: AGENDA ORDER SUBJECT TO CHANGE

**LE MARS CITY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 1, 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 18, 2011 Regular Meeting and January 25, 2011 Special Meeting Minutes
2. List of Bills for Period Ending 1/31/11
3. Renewal of Liquor License/Beer Permit (Walmart, Willow Creek Bar & Grill, Le Mars Country Store)
4. Assignment for 2011

D. ACTION ITEMS

1. Franklin Elementary School Traffic Control – Pedestrian Safety
2. Building and Construction Regulations Update

E. DISCUSSION

1. Council/Mayor
2. City Administrator/Public Works Director
 - a. Annual Report - Le Mars Fire Dept.
 - b. Annual Report - Le Mars Water Dept.
3. Assistant City Administrator
 - a. Budget Discussion

F. CLOSED SESSION

1. Pending/Imminent Litigation
2. Collective Bargaining

G. ADJOURNMENT

Next Resolution No. 11-5
Next Ordinance No. 892

***** PATRIOT FLAG DISPLAY – SATURDAY, FEBRUARY 5, 2011, 2:30 P.M. *****

Le Mars City Council Meeting
Tuesday, January 18, 2011, 12:00 P.M.
Minutes

Mayor Kirchoff presided. Present: Ihrke, Rexwinkel, Leonard, Nelson, Knapp. Absent: 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 January 4, 2011.
- List of bills for period ending 1/14/11.
- Monthly Financial Statement for December 2010.
- Appoint Wayne Schipper to the Plymouth County Emergency Management Commission for 2011.
- Renewal of Class C Wine Permit to Archie's.
- Additional wage/pay rates for Ambulance Unit 2.

Nelson moved, Ihrke seconded Resolution No. 11-2 approving the Final Plat of Dirksen Ag, Plymouth County be adopted. On Roll Call: Ayes: Knapp, Leonard, Rexwinkel, Nelson, Ihrke. Nays: None.

Rexwinkel moved, Nelson seconded Resolution No. 11-3 establishing February 15, 2011 at 12:00 P.M. for public hearing regarding the proposals presented, including vacations of various streets to Wells' Dairy, Inc. be adopted, with additional information available to Council and Public by February 9th. On Roll Call: Ayes: Leonard, Ihrke, Knapp, Rexwinkel, Nelson. Nays: None.

Knapp moved, Ihrke seconded the application to Surface Transportation Program (STP) for the 2015-2020 street projects (Central Avenue – 3rd St. N. to 3rd St. S. and 4th Avenue E. – 2nd St. S. to 10th St. S.) be approved. On Roll Call: Ayes: All present. Nays: None.

Leonard moved, Nelson seconded the Street Light Policy be approved as amended. On Roll Call: Ayes: All present. Nays: None.

Nelson moved, Knapp seconded the Capital Improvement Program (CIP) - List of Projects be acknowledged with amendment. On Roll Call: Ayes: All present. 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: Leonard, Rexwinkel, Knapp, Ihrke, Nelson. Nays: None.

Ihrke moved Rexwinkel 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: Leonard, Rexwinkel, Knapp, Ihrke, Nelson. Nays: None.

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

Ihrke moved Rexwinkel seconded the meeting be adjourned at 3:25 P.M.

Beverly Langel, City Clerk

Dick Kirchoff, Mayor

Le Mars City Council Special Meeting
Tuesday, January 25, 2011, 4:00 P.M.
Minutes

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

Nelson moved, Rexwinkel seconded Resolution No. 11-4 approving Federal-Aid Agreement No. 3-10-STPU-032 for Lincoln/Lake Intersection Improvements be adopted. On Roll Call: Ayes: Ihrke, Leonard, Knapp, Nelson, Rexwinkel. Nays: None.

Knapp moved, Nelson seconded a Joint Urban Renewal expenditure of \$20,000 by Plymouth County for a forgivable loan to Northwest Electric be approved and if forgiven to be reimbursed through Joint T.I.F. Revenues. On Roll Call: Ayes: All present. Nays: None.

NOTE: The Council discussed Budget considerations for FY 2011-2012.

Rexwinkel moved, Nelson seconded to adjourn the meeting at 6:40 P.M. On Roll Call: Ayes: All present. Nays: None.

Beverly Langel, City Clerk

Dick Kirchoff, Mayor

LE MARS CONVENTION CENTER

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: February 1, 2011
	Description: List of Bills for Period Ending 1/31/11	Item No. C-2

Attached is the list of bills for the period ending 1/31/11.

COUNCIL ACTION REQUESTED

Approval of bills for the period
ending 1/31/11.

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: February 1, 2011
	Description: Renewal of Liquor License/Beer Permit (Walmart, Willow Creek Bar & Grill, Le Mars Country Store)	Item No. C-3

Applications have been received from Walmart for their Class E Liquor License, Willow Creek Bar and Grille for a Class C Liquor License and Outdoor Service Area, and Le Mars Country Store for their Class C Beer Permit. Papers are in order. Approved by the Police Department.

COUNCIL ACTION REQUESTED

Motion approving renewal of Class E Liquor License to Walmart, Class C Liquor License and Outdoor Service Area to Willow Creek Bar and Grille, and Class C Beer Permit Le Mars Country Store.

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: February 1, 2011
	Description: Assignment for 2011	Item No. C-4

Information:

Police Chief Stu Dekkenga has been serving as the City's representative on the Plymouth County E911 Board and it is recommended he be appointed to continue in that capacity for 2011 with Fire Chief David Schipper as Alternate.

Staff Recommendation:

Staff recommends said appointment.

COUNCIL ACTION REQUESTED

Motion appointing Stu Dekkenga to the
Plymouth County E911 Board for 2011 and
David Schipper as Alternate.

(No Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: February 1, 2011
	Description: Franklin Elementary School Traffic Control – Pedestrian Safety	Item No. D-1

Information:

City Staff has reviewed the safety concerns around Franklin Elementary School. (See attached email from Stuart Dekkenga, Police Chief)

Staff Recommendation:

City Administrator recommends as follows:

Authorize Public Works to paint an off-set center line on 4th Street South from 3rd Avenue East to 4th Avenue East, to the north by four (4) feet, creating two (2) eleven (11) foot traffic lanes and one (1) eight (8) foot bus loading/unloading zone lane on the south separated by the appropriate paint markings and signed accordingly. (See attached Resolution)

Financial Impact:

Cost of paint markings and signage – minimal. No additional pavement cost.

COUNCIL ACTION REQUESTED

Motion adopting Resolution No. _____
restricting parking along 4th Street South and
establishing loading/unloading zones.

(Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: February 1, 2011
	Description: Building and Construction Regulations Update	Item No. D-2

Information:

The State of Iowa had adopted new building codes within the last year and it has been City policy to mirror the State in its adoption of building standards to avoid discrepancies in enforcement. The Planning and Zoning Commission considered and approved the updates at their January 17, 2011 meeting.

Staff Recommendation:

Administration and Code Department recommend Council revise the City Code of Ordinance. The new code books are purchased and available in the Code Enforcement Office.

COUNCIL ACTION REQUESTED

Motion establishing March 1, 2011 at 12:00 P.M. as the date and time for public hearing regarding updates to building and construction regulations and amending Chapter 155.

(No Roll Call)

CITY OF LE MARS, IOWA

	REQUEST FOR COUNCIL ACTION	Date: February 1, 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: February 1, 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)

NOTE: Council may take possible action.