

NOTE: AGENDA ORDER SUBJECT TO CHANGE

**LE MARS CITY COUNCIL REGULAR MEETING
TUESDAY, MARCH 15, 2011, 12:00 P.M.
AGENDA**

**A. CALL TO ORDER – MAYOR
ROLL CALL – CITY CLERK**

COUNCILMEMBERS: NELSON_____, KNAPP_____ REXWINKEL_____,
LEONARD_____, IHRKE_____

B. HEARINGS

1. 12th Street SE Reconstruction - STP Project - 12:00 P.M.
2. Lincoln/Lake Widening Improvements - STP Project - 12:00 P.M.

C. GENERAL DISCUSSION

1. Citizens
2. “Thumbs Up” Award

D. 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 March 1, 2011 Regular Meeting Minutes
2. List of Bills for Period Ending 3/11/11
3. Monthly Financial Statement for February 2011
4. City Real Estate – Sales Agreement

E. ACTION ITEMS

1. Main Street Façade Program – Local Option Sales
2. Building & Construction Regulations Update
3. Building Demolition

F. DISCUSSION

1. Council/Mayor
2. City Administrator/Public Works Director
 - a. Annual Report – Public Works Department
 - b. Iowa Aviation Conference – April 20 and 21
 - c. St. Joseph Church Groundbreaking Ceremony – April 3rd at 12:30 PM
3. Assistant City Administrator
 - a. Spring Cleanup Days – June 2, 3, 4 & 18
 - b. Recycletronics

G.. ADJOURNMENT

Next Resolution No. 11-8
Next Ordinance No. 893

CITY OF LE MARS, IOWA

Hearing	REQUEST FOR COUNCIL ACTION	Date: March 15, 2011
	Description: 12th Street SE Reconstruction - STP Project - 12:00 P.M.	Item No. B-1

Information:

At its March 1, 2011 meeting, the Council set this as the date and time to hear public comment on the plans, specifications, form of contract and estimate of costs for the 12th Street SE Reconstruction STP Project from 7th Avenue E to 14th Avenue E as prepared by DGR.

Bids will be received by the IDOT Office of Contracts in Ames on the Project on March 15, 2011 at 10:00 A.M.

Cost Estimate is \$350,000 (with \$250,000 STP and \$100,000 City)

Staff Recommendation:

The Mayor opens the hearing and asks for written or oral objections or comments to the project or to adopting plans, specifications, form of contract and estimate of costs. After hearing all comments, the Mayor announces the time for receiving objections is closed.

Remaining Schedule:

Public Hearing	March 15, 2011 (12:00 PM) Reg Mtg
Bid Letting by IDOT	March 15, 2011 (10:00 AM @ IDOT)
Award Construction Contract	April 5 (or April 19, 2011 Mtg)
Begin Construction	August 15, 2011 – Late Start Date
End Construction	30 working days

Financial Impact:

Maximum Federal = \$250,000 (80/20 split)
Estimated City Cost \$100,000 + Engineering Costs
Road Use Tax fund is eligible for local funding and is recommended

COUNCIL ACTION REQUESTED

Motion adopting Resolution No. _____ to adopt plans, specifications, form of contract and estimate of costs for the 12th Street SE Reconstruction STP Project.

(Roll Call)

CITY OF LE MARS, IOWA

Hearing	REQUEST FOR COUNCIL ACTION	Date: March 15, 2011
	Description: Lincoln/Lake Widening Improvements - STP Project - 12:00 P.M.	Item No. B-2

Information:

At its March 1, 2011 meeting, the Council set this as the date and time to hear public comment on the plans, specifications, form of contract and estimate of costs for the Lincoln/Lake Widening Improvements STP Project from 4th Street SW to 24th Street SW as prepared by DGR.

Bids will be received by the IDOT Office of Contracts in Ames on the Project on April 19, 2011 at 10:00 A.M.

Cost Estimate is \$300,000 (with \$240,000 STP and \$60,000 City)

Staff Recommendation:

The Mayor opens the hearing and asks for written or oral objections or comments to the project or to adopting plans, specifications, form of contract and estimate of costs. After hearing all comments, the Mayor announces the time for receiving objections is closed.

Remaining Schedule:

Public Hearing	March 15, 2011 (12:00 PM) Reg Mtg
Bid Letting by IDOT	April 19, 2011 (10:00 AM @ IDOT)
Award Construction Contract	April 19 (or May 3, 2011 Mtg)
Begin Construction	Unknown at this time
End Construction	Unknown at this time

Financial Impact:

Maximum Federal = \$240,000 (80/20 split)
Estimated City Cost \$60,000 + Engineering Costs
Le Mars Urban Renewal or Joint Urban Renewal are both eligible for local funding.
Le Mars Urban Renewal is recommended.

COUNCIL ACTION REQUESTED

Motion adopting Resolution No._____ to adopt plans, specifications, form of contract and estimate of costs for the Lincoln/Lake Widening Improvements STP Project.

(Roll Call)

Le Mars City Council Meeting
Tuesday, March 1, 2011, 12:00 P.M.
Minutes

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

NOTE: A hearing was held regarding the proposed FY 2011-2012 Budget and no oral or written objections were received.

Ihrke moved, Nelson seconded Resolution No. 11-7 adopting the Annual Budget for the fiscal year ending June 30, 2012 be adopted. On Roll Call: Ayes: Leonard, Rexwinkel, Knapp, Ihrke, Nelson. Nays: None.

NOTE: A hearing was held regarding a proposed Ordinance amending Chapter 155 – Building and Construction Regulations and no oral or written objections were received.

Nelson moved, Leonard seconded the first reading of Ordinance No. 892 Amending Chapter 155 - Building and Construction Regulations be approved. On Roll Call: Ayes: Ihrke, Rexwinkel, Knapp, Nelson, Leonard. Nays: 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 February 15, 2011.
- List of bills for period ending 2/28/11.

Nelson moved, Ihrke seconded the City of Le Mars Comprehensive Annual Financial Report for the year ended June 30, 2010 be accepted. On Roll Call: Ayes: All present. Nays: None.

Knapp moved, Rexwinkel seconded the Convention and Visitor Bureau Advisory Board’s recommendations for FY ’12 project funding in the amount of \$93,668.75 be approved. On Roll Call: Ayes: All present. Nays: None.

Nelson moved, Leonard seconded March 15, 2011 at 12:00 P.M. be established for a public hearing on plans, specifications, form of contract and estimate of cost for the 12th Street SE Reconstruction STP Project. On Roll Call: Ayes: All present. Nays: None.

Nelson moved, Ihrke seconded March 15, 2011 at 12:00 P.M. be established for a public hearing on plans, specifications, form of contract and estimate of cost for the Lincoln/Lake Intersection Improvements STP Project. On Roll Call: Ayes: All present. Nays: None.

NOTE: Annual Report was presented by the Code Department.

Ihrke moved, Nelson seconded the meeting be adjourned at 1:13 P.M. On Roll Call: Ayes: All present. Nays: None.

Beverly Langel, City Clerk

Dick Kirchoff, Mayor

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: March 15, 2011
	Description: List of Bills for Period Ending 3/11/11	Item No. D-2

Attached is the list of bills for the period ending 3/11/11

COUNCIL ACTION REQUESTED

Approval of bills for the period
ending 3/11/11

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: March 15, 2011
	Description: Monthly Financial Statement for February 2011	Item No. D-3

Attached is the monthly Financial Statement for February 2011.

COUNCIL ACTION REQUESTED

Motion acknowledging receipt of monthly
Financial Statement for February 2011.

(No Roll Call)

CITY OF LE MARS, IOWA

Consent	REQUEST FOR COUNCIL ACTION	Date: March 15, 2011
	Description: City Real Estate – Sales Agreement	Item No. D-4

Information:

Attached is the Exclusive Right to Sell Listing Agreement with Roger G. Athens, Broker, for a fee of 6%. Also attached is a list of the asking prices for the City properties. The current Agreement expires April 1, 2011.

Staff Recommendation:

Staff recommends continuing with Athens Real Estate, subject to inclusion on MLS.

Financial Impact:

Additional revenues from sale of assets.

COUNCIL ACTION REQUESTED

Motion approving the Listing Agreement with Athens Real Estate for City properties and requiring inclusion on MLS.

(No Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: March 15, 2011
	Description: Main Street Façade Program – Local Option Sales	Item No. E-1

Information:

Attached is a summary of the Main Street Façade Program since it's inception in 2003. It shows that the Council has awarded \$135,000 in Local Option Sales Tax funds to this program since 2003. To date Main Street has paid out \$107,085 of these funds leaving a balance as of February 28, 2011 of \$27,914.63. Main Street is now requesting an additional \$5,000 in funding for the balance of FY '11 and an additional \$30,000 in funding for FY '12. Mary Reynolds will be at the Council meeting to explain the need. In addition to the funds described above, on November 2, 2010 Council also approved façade funding in the amount of \$25,000 for the Royal 3 Theatre. These funds have not been drawn down yet but will be in the very near future.

Financial Impact:

This action would realign the expenditure of Local Option Sales Tax Receipts. It would extend the period of time needed to retire all the debt issued to fund previous LOST projects.

COUNCIL ACTION REQUESTED

Motion (approving / denying) the proposed additional use of Local Option Sale Tax funds and re-allocate the future funds as necessary to facilitate this action.

(No Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: March 15, 2011
	Description: Building & Construction Regulations Update	Item No. E-2

Information:

At its March 1, 2011 meeting the Council held a public hearing on a proposed ordinance amending Chapter 155 – Building and Construction Regulations. The Ordinance will update said Chapter to mirror the State of Iowa’s adoption of building standards

The proposed Ordinance was included in the March 1, 2011 agenda packet.

Staff Recommendation:

Administration, Fire and Code Departments recommend Council proceed with the second reading of the Ordinance, as follows:

Public Hearing and First Reading	March 1, 2011
Continue Public Comment and Second Reading	March 15, 2011
Continue Public Comment and Third Reading/Adopt	April 5, 2011

Staff has received no comments.

COUNCIL ACTION REQUESTED

Motion approving the second reading of Ordinance No.892 Amending Building and Construction Regulations and amending Chapter 155.

(Roll Call)
(and, if desired)

Motion waiving the third reading of Ordinance No.892 Amending Building and Construction Regulations and amending Chapter 155.

(Roll Call)

Motion adopting Ordinance No.892 Amending Building and Construction Regulations and amending Chapter 155 on its second reading.

(Roll Call)

CITY OF LE MARS, IOWA

Action	REQUEST FOR COUNCIL ACTION	Date: March 15, 2011
	Description: Building Demolition	Item No. E-3

Information:

Council previously approved the following demolition schedule for the former Westmar Campus buildings:

2009 Physical Plant Building
2010 Centennial Dormitory
2011 KIME Science Center
2012 Charles Mock Library

Salvage of personal property; relocation of utilities and asbestos removal were coordinated and accomplished in 2009 for the Physical Plant; however; demolition occurred in the Spring of 2010 and site restoration followed thereafter, which included tunnel closure at four (4) locations, straightening of the asphalt parking lot to the north, straightening of the concrete parking to the west and top soiling/seeding.

Staff Recommendation:

Staff recommends Council adjust the previously approved schedule, as follows:

Centennial Dormitory Salvage and Preparation in 2011
Demolition and Restoration in 2012
KIME Science Center Salvage and Preparation in 2013
Demolition and Restoration in 2014
Charles Mock Library Salvage and Preparation in 2015
Demolition and Restoration in 2016

Staff also recommends Council schedule a walk-through of the Centennial Dorm to get a first hand look at the building.

Finally, Staff recommends the City place a "Last Time" notice to prospective buyers and the public at large of the City's intent to remove the building if it is not SOLD.

Financial Impact:

Cost of salvage, preparation, demolition and restoration would be founded through Westmar Urban Renewal/TIF.

If sold, these costs are avoided.

COUNCIL ACTION REQUESTED

Motion (approving) (denying) the Staff recommendation regrading the remaining three (3) Westmar buildings (with or without amendment).

(No Roll Call)