

**CITY OF DUBUQUE, IOWA
CITY COUNCIL PROCEEDINGS**

The Dubuque City Council met in regular session at 6:30 p.m. on June 20, 2011 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Pro-Tem Sutton, Council Members, Braig, Connors, Jones, Lynch, Resnick, Assistant City Manager Steinhauser, City Attorney Lindahl

Absent: Mayor Roy Buol, City Manager Van Milligen

Mayor Pro-Tem Sutton read the call and stated this is a regular session of the City Council to act upon such business that may properly come before the City Council.

Pledge of Allegiance

Invocation was provided by Pastor Rex Rains of New Life Church.

CONSENT ITEMS

Motion by Jones to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Braig. Motion carried 6-0.

Minutes and Reports Submitted: Cable Community Teleprogramming Commission of 5/3; City Council Proceedings of 6/6; Civil Service Commission of 5/5; Historic Preservation Commission Education Task Force of 6/1; Park and Recreation Advisory Commission of 5/10; Safe Community Advisory Committee of 5/11 and 6/8; Sister City Relationships Advisory Commission of 6/8; Zoning Advisory Commission of 6/1; Zoning Board of Adjustment of 5/26

Carnegie-Stout Public Library Board of Trustees Update from Meeting of May 26, 2011

Proof of Publication for City Council Proceedings of May 16, 2011

Upon motion the documents were received and filed.

Notice of Claims/Suits: Larry McDonough for vehicle damage; Wanda Schaller for personal injury; Kelly Jo Smith for vehicle damage. Upon motion the documents were received, filed and referred to the City Attorney.

City Attorney advising that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: Larry McDonough for vehicle damage; Tricia Mergen for vehicle damage; Kelly Jo Smith for vehicle damage. Upon motion the documents were received, filed and concurred.

Dubuque County Attorney: Communication from Assistant County Attorney Christine Corken thanking the City of Dubuque Police Department for their work related to the prosecution of Eddie Chest and Eddie Adams. Upon motion the document was received and filed.

PEG Capital Grant Expenditure Request: City Manager recommending approval of a request from the Cable TV Tele-Programming Commission for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities in the amount of \$15,000 for a 64-bit, Windows 7-based non-linear editing system for the TV control

room at the City Hall Annex, and \$12,500 for a set of portable efficient LED lights for remote production. Upon motion the documents were received, filed, and approved.

Specific and Aggregate Stop-Loss Renewal – Health and Prescription Drug: City Manager recommending approval of the renewal rates as submitted by HM Life for the City’s Specific and Aggregate Stop Loss Insurance – Health and Prescription Drug Plans. Upon motion the documents were received, filed, and approved.

Park and Recreation Commission: Communication from Mark Noble submitting his resignation from the Park and Recreation Commission due to a change in residency. Upon motion the document was received and filed and the resignation accepted.

Investment Oversight Advisory Commission: Communication from Virgil Blocker submitting his resignation from the Investment Oversight Advisory Commission. Upon motion the document was received and filed and the resignation accepted.

Sustainable Dubuque Project Status Report – May 2011: City Manager transmitting the Sustainable Dubuque Project Status Report for May 2011. Upon motion the documents were received and filed.

Civil Service Commission: The Civil Service Commission submitting the certified list for the position of Serviceworker. Upon motion the document was received and filed and made a Matter of Record.

Purchase of Service Agreement – America’s River Corporation: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with the America’s River Corporation in the amount of \$10,000. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Dubuque Area Chamber of Commerce Convention and Visitors Bureau: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with the Convention and Visitors Bureau in the amount of \$823,109. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Dubuque Area Labor Management Council: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with the Dubuque Area Labor Management Council in the amount of \$30,000. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Dubuque Main Street: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with Dubuque Main Street in the amount of \$74,276. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Greater Dubuque Development Corporation: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with the Greater Dubuque Development Corporation in the amount of \$501,613. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Helping Services of Northeast Iowa: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with Helping Services of Northeast Iowa in the amount of \$2,147. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Operation: New View Community Action Agency: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with Operation: New View Community Action Agency in the amount of \$18,805. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement - Opening Doors for Emergency and Transitional Housing: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with Opening Doors for emergency and transitional housing in the amount of \$5,000. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Project Concern Foster Grandparent Program: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with Project Concern in the amount of \$6,113 for the Foster Grandparent Program. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Proudly Accessible Dubuque: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with Proudly Accessible Dubuque in the amount of \$10,000. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Retired and Senior Volunteer Program: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with Retired and Senior Volunteer Program in the amount of \$7,341. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – St. Mark Community Center: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with St. Mark Community Center in the amount of \$15,000. Upon motion the documents were received, filed, and approved.

Purchase of Service Agreement – Substance Abuse Services Center: City Manager submitting the Fiscal Year 2012 Purchase of Service Agreement with the Substance Abuse Services Center in the amount of \$14,013. Upon motion the documents were received, filed, and approved.

Carnegie-Stout Public Library Renovation Project – Contract No. 9: City Manager recommending acceptance of the construction contract for the Carnegie-Stout Public Library Renovation Project – Contract No. 9, Plumbing & Fire Protection Systems, as completed by Modern Piping, Inc., in the final contract amount of \$241,328.00. Upon motion the documents were received and filed and Resolution No. 193-11 Accepting the Carnegie-Stout Public Library Renovation Project – Contract No. 9, Plumbing & Fire Protection Systems, and authorizing the payment of the contract amount to the contractor was adopted.

2011 Manhole Replacement Project: City Manager recommending award of the 2011 Manhole Replacement Project to Drew Cook & Sons Excavating in the amount of \$35,858.00. Upon motion the documents were received, filed, and approved.

2011 Storm Sewer Intake Replacement: City Manager recommending award of the 2011 Storm Sewer Intake Replacement Project to McDermott Excavating in the amount of \$29,916.00. Upon motion the documents were received, filed, and approved.

Bicycle Friendly Community: City Manager recommending that the City Council support Tri-State Trail Vision's initiative and approve the Bicycle Friendly Community Application to the League of American bicyclists for the City of Dubuque. Upon motion the documents were received, filed, and approved.

National Scenic Byways: City Manager recommending approval of a National Scenic Byway grant application for the Bee Branch Creek Trail. Upon motion the documents were received, filed, and approved.

State Recreation Trails: City Manager recommending approval of a grant application to the State Recreation Trails (SRT) for the Bee Branch Creek Trail as part of the National Mississippi River Trail (MRT) Route. Upon motion the documents were received and filed and Resolution No. 194-11 Approving an application for State Recreational Trails funding to the IDOT for the Bee Branch Trail – MRT Route was adopted.

Smart Planning Consortium: City Manager transmitting an update from the May 17 and June 8, 2011 Smart Planning Consortium meetings for City Council review and comment to the Consortium. Upon motion the documents were received and filed.

Dubuque Community School District – Professional Services Contract: City Manager recommending approval of a Professional Services Contract with the Dubuque Community School District for the 21st Century Community Learning Center After School Programs. Upon motion the documents were received, filed, and approved.

Iowa Risk Management Agreement: City Manager recommending approval of the Iowa Risk Management Agreement for the Iowa Communities Assurance Pool. Upon motion the documents were received, filed, and approved.

Government Accounting Standards Board (GASB): City Manager recommending that the City Council delegate authority to the City Manager, or the City's Manager's designee, to assign general fund balance for intended purposes under GASB Pronouncement 54. Upon motion the documents were received and filed and Resolution No. 195-11 Approval of Delegation of Authority to City Manager, Budget Director or Finance Director to assign general fund balance for intended purposes under the new guidelines of Governmental Standards Accounting Board (GASB) Pronouncement 54 was adopted.

Eide Bailly Audit Engagement Agreement: City Manager advising that the annual audit engagement letter to Eide Bailly has been signed and transmitting information contained in the audit engagement letter for Fiscal Year ending June 30, 2011. Upon motion the documents were received and filed.

Environmental Stewardship Advisory Commission: Communication from the Environmental Stewardship Advisory Commission expressing support for reducing Dubuque's greenhouse

gas emissions 50 percent from 2003 levels by 2030. Upon motion the documents were received and filed.

Walter Development, LLC and TM, Inc.: City Manager recommending approval of an Assignment of Right to Purchase Property Under Development Agreement with Walter Development, LLC / TM, Inc., and Epic Construction. Upon motion the documents were received, filed, and approved.

Lower Bee Branch Creek Restoration Project: City Manager recommending approval of the execution of two change orders amending the construction contract with Tschiggfrie Construction for the Lower Bee Branch Creek Restoration Project to include the construction of a hike/bike trail rest area and lighting along the hike/bike trail. Upon motion the documents were received, filed, and approved.

University of Wisconsin / Platteville – Internship Opportunity: City Manager recommending the addition of a grant-funded, paid internship position to the Dubuque Police Department. Upon motion the documents were received, filed, and approved.

Signed Contracts: 1) City Hall Cooling Upgrade Design Firm Recommendation; 2) Second Amendment to the Lease Agreement between the City of Dubuque and the Dubuque County Elections Commission; 3) Professional Services Agreement with WHKS & Co. for the public water main along Bies Drive; 4) Tenth and Central Parking Ramp Change Order No. 007-PS; 5) Short Form Improvement Contract between the City of Dubuque and Mickey Bahr to provide landscape maintenance for the Indiana Court Detention Basin. Upon motion the documents were received and filed.

Cigarette and Liquor License Applications: City Manager recommending approval of cigarette and liquor license applications and renewals as submitted. Upon motion the documents were received and filed and Resolution No. 196-11 Granting the issuance of 17 Cigarette License Renewals to Cedar Cross Amoco BP, Diamond Jo Casino, Hartig Drug, Kohinoor Grocers, Kwik Stop, Let's Roll Tobacco, McCann's Service and the Riviera Lounge; Resolution No. 197-11 Granting the issuance of a Class "B" Beer Permit (5-Day License) to the Dubuque Jaycees; a Class "B" Beer Permit to Legionnaires Drum & Bugle Corps; a Class "C" Beer Permit to TFM Co.; Pioneers Rest Stop, LLC; and LB Metcalf, Inc.; and Resolution No. 198-11 Granting the issuance of a Class "C" Beer/Liquor License (5-Day License) to Dubuque Area Labor Management Council; a Class "C" Beer/Liquor License to Vinny Vanucchi's, National Mississippi River Museum and Aquarium, American Legion Post #6, Paul's Tavern, Mason Dixon Saloon, Creslanes Bowling, Five Flags Center, Murph's South End tap, and Dubuque Bowling Lanes; a Special Class "C" Liquor License to the Rotary Club of Dubuque; and a Class "B" (WBN) Native Wine License to the National Mississippi River Museum and Aquarium and I Luv Food were adopted.

ITEMS TO BE SET FOR PUBLIC HEARING

Motion by Lynch to receive and file the documents, adopt the resolutions, set the public hearings as indicated, and direct the City Clerk to publish notice as prescribed by law. Seconded by Resnick. Motion carried 6-0.

Port of Dubuque Marina – Bid Package No 2 Amenities Building: City Manager recommending the initiation of the public bidding process for the Port of Dubuque Marina Bid Package No. 2 – Amenities Building and that a public hearing be set for July 5, 2011. Upon motion the documents were received and filed and Resolution No. 199-11 Preliminary approval of plans, specifications, form of contract, and estimated cost; setting date of public hearing on plans, specifications, form of contract, and estimated cost; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on July 5, 2011 in the Historic Federal Building.

Lake Ridge Economic Development District: City Manager recommending approval of a Resolution of Necessity finding that the creation of a new Lake Ridge Economic Development District is both necessary and appropriate and that a public hearing be set for August 1, 2011. Upon motion the documents were received and filed and Resolution No. 200-11 Resolution of Necessity finding that certain property along Lake Ridge Drive is an economic development area and that the development of said area is necessary in the interest of the residents of the City of Dubuque, Iowa, was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on August 1, 2011 in the Historic Federal Building.

General Obligation Urban Renewal Bonds: City Manager recommending a public hearing be set for July 5, 2011 to consider the issuance of not to exceed \$1,265,000 General Obligation Urban Renewal Bonds for Dubuque Industrial Center West Improvements and Downtown Improvements. Upon motion the documents were received and filed and Resolution No. 201-11 Fixing date for a meeting on the proposition of the issuance of not to exceed \$1,265,000 General Obligation Bonds (for urban renewal purposes) of the City of Dubuque, Iowa, and providing for publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on July 5, 2011 in the Historic Federal Building.

General Obligation Bonds – for Essential Corporate Purposes: City Manager recommending that a public hearing be set for July 5, 2011 to consider the issuance of not to exceed \$7,035,000 General Obligation Bonds for Essential Corporate Purposes. Upon motion the documents were received and filed and Resolution No. 202-11 Fixing date for a meeting on the proposition of the issuance of not to exceed \$7,035,000 General Obligation Bonds (for Essential Corporate Purposes) of the City of Dubuque, State of Iowa, and providing for publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on July 5, 2011 in the Historic Federal Building.

General Obligation Bonds: City Manager recommending a public hearing be set for July 5, 2011 to consider the issuance of not to exceed \$700,000 General Obligation Bonds for various City projects. Upon motion the documents were received and filed and Resolution No. 203-11 Fixing date for a meeting on the proposition of the issuance of not to exceed \$700,000 of General Obligation Bonds and providing for publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on July 5, 2011 in the Historic Federal Building.

BOARDS/COMMISSIONS

Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions:

Historic Preservation Commission: Two 3-year terms through July 1, 2014: At-

Large/Architect, Langworthy and Cathedral Historic Preservation Districts requirements (Expiring terms of Klavitter and Wand; vacant term of Stover). Applicants: David Klavitter, 1090 West Third Street (Langworthy District resident); Mitzi Krey, 423 W. 3rd Street (Cathedral District resident); and Christopher Wand, 942 Mt. Pleasant Street (At-Large/Architect). Mr. Klavitter and Ms. Krey both spoke in support of their respective appointments.

Investment Oversight Advisory Commission: One 3-year term through July 1, 2014 (Expiring term of Blocker). Applicant: Paul Lassance, 4846 Embassy Court.

Library Board of Trustees: Two 4-year re-staggered terms through July 1, 2012 and July 1, 2015 (Expiring terms of Connors and Hammer). Applicants: Paula Connors, 818 S. Grandview Avenue (Recommended term of 7/1/12); David Hammer, 720 Laurel Street (Recommended term of 7/1/15). Ms. Connors and Mr. Hammer spoke in support of their respective appointments.

Long Range Planning Advisory Commission: Two 3-year terms through July 1, 2014 (Expiring terms of Van Iten and Vincent). Applicants: Richard Van Iten, 3273 Bittersweet Lane; and Alan Vincent, 1010 Dunham Drive. Mr. Van Iten spoke in support of his appointment.

Park and Recreation Advisory Commission: Three 3-year term through June 30, 2014 (Expiring term of Nadeau, vacant terms of Blocklinger and Noble). Applicants: Chuck Harris, 2473 Jackson Street; Kenneth Klinge, 2267 Carter Road; and Evelyn Nadeau, 663 Fenelon Place. Mr. Harris, Mr. Klinge and Ms. Nadeau spoke in support of their respective appointments.

TV Cable Regulatory Commission: One 3-year term through June 30, 2014 (Expiring term of Webster). Applicant: Walt Webster, 3509 Asbury Road.

TV Cable Community Teleprogramming Commission: Two 3-year terms through June 30, 2014 (Expiring terms of Maloney and Herrig). Applicants: George Herrig, 2395 W. 32nd Street; and Pauline Maloney, 506 St. George Street.

Zoning Advisory Commission: Two 3-year terms through July 1, 2014 (Expiring Terms of Christ and Henschel). Applicants: Thomas Henschel, 6630 Wellington Lane; and Martha Christ, 88 Princeton Place. Mr. Henschel and Ms. Christ spoke in support of their respective appointments.

Appointments to the following commission:

Human Rights Commission: Two 3-year terms through January 1, 2013 (vacant terms of Apel and Sutton). Applicants: Regine Ronek, 2282 White Street; and Judie Root, 364 Hill Street. Motion by Lynch to appoint Regine Ronek and Judie Root to 3-year terms on the Human Rights Commission through January 1, 2013.

PUBLIC HEARINGS

Upon motion the rules were suspended allowing anyone present to address the City Council.

Request to Rezone – 3051 Brunskill Road; Proof of publication on notice of public hearing to consider a request from Darlene Leibold Trust / Tom Rauen, Rauen Properties, to rezone property located at 3051 Brunskill Road from R-1 Single-Family Residential District to C-3 General Commercial District and the Zoning Advisory Commission recommending denial.

Communication from co-applicant Tom Rauen withdrawing the request.

Communications and petition from William Herrig, 2855 Brunskill Road, in opposition to the request.

Motion by Jones to receive and file the documents and concur with the denial. Seconded by Braig. Dave Sheehan, Sheehan Real Estate, 455 Oxford Street, East Dubuque, spoke in

support of the rezoning on behalf of co-applicant Thomas Leibold and for going forward on the project. Brunskill Road property owners Kay Wagner, Joan Herrig, and Larry Kretz spoke in opposition to the rezoning. Planning Services Manager Laura Carstens provided a staff report. Motion to concur with the denial carried 6-0.

Request to Rezone – 1987 Washington Street: Proof of Publication on notice of public hearing to consider a request from Dan Wolff to rezone property located at 1987 Washington Street from C-2 Neighborhood Shopping Center District to C-4 downtown Commercial District and the Zoning Advisory Commission recommending approval. Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Braig. Developer Dan Wolf, 3234 Arrowwood Lane, spoke in support of the rezoning. Planning Services Manager Laura Carstens provided a staff report. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 34-11 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 1987 Washington Street from C-2 Neighborhood Shopping Center District to C-4 Downtown Commercial District. Seconded by Braig. Motion carried 6-0.

Request to Rezone – 3087 Central Avenue: Proof of Publication on notice of public hearing to consider a request from Jeff and Mindy Stiles to rezone property at 3087 Central Avenue from R-3 Moderate Density Multi-Family Residential District to R-4 Multi-Family Residential District and the Zoning Advisory Commission recommending approval.

Communication from Planning Services Manager Laura Carstens advising that 59.8% of the adjacent property owners within 200 feet of the rezoning are in opposition; therefore, a super-majority vote of the City Council is necessary to approve the rezoning request.

Citizen communications and petitions from Ervin and Linda Auderer and Michael Brennan in opposition to the proposed rezoning.

Citizen communications and petitions from Suzanne Morales and Jim Schwalb in support of the proposed rezoning.

City Manager transmitting information concerning an inspection regarding the number of dwelling units at 3087 Central Avenue.

Motion by Braig to receive and file the documents and consider the first reading of a proposed ordinance amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 3087 Central Avenue from R-3 Moderate Density Multi-Family Residential District to R-4 Multi-Family Residential District. Seconded by Lynch. Applicant Jeff Stiles spoke in support of the rezoning. Planning Services Manager Laura Carstens provided a staff report. Greater Dubuque Development Executive Director Rick Dickinson, 300 Main Street; property owner John Herrig, 13750 Surrey Lane; and Don Lochner, 1473 Central Avenue, spoke in support of the rezoning. Property owners Craig Hartzell, 3030 Central Avenue; Erv Auderer, 3117 Central Avenue; Dorothy Eisbach, 3084 Central Avenue; and Jim Barton, 3044 11th Street, spoke in opposition to the request. Motion for first reading carried 6-0.

Planned Residential District Amendment – 2763 University Avenue: Proof of publication on notice of public hearing to consider a request by Tom Kluck to amend the Planned Residential District to permit a two-story common building with three apartments on the second story at property located at 2763 University Avenue and the Zoning Advisory Commission

recommending approval.

Communications from Gus Hammer and Bruce and Annabelle Schaal in opposition to the proposed amendment.

After conclusion of the Commission meeting, the applicant contacted the Planning Services Department regarding a request to reduce the setback from 25 feet to 20 feet on the north side property line. A super majority is needed for the City Council to approve the 20-foot setback.

Restated motion by Connors receive and file the documents and remand the request to the Zoning Advisory Commission for review of new information and for resubmission to the public hearing process. Seconded by Braig. Planning Services Manager Laura Carstens provided a staff report. Developer Tom Kluck, 2499 LaVista Court spoke in support of the amendment and provided new plan information. Property owners Jeff Hammer, 2759 Beverly Street; and Bruce Schaal, 2765 Beverly Street, spoke in opposition to the amendment. Motion to remand carried 6-0.

Vacating Petition – University of Dubuque: Proof of publication on notice of public hearing to consider a request from the University of Dubuque to vacate a portion of unimproved public alley west of Algona Street between West Third Street and Bennett Street and the City Manager recommending approval. Motion by Braig to receive and file the documents and adopt Resolution No. 204-11 Approving plat of proposed vacated portion of a public alley west of Algona Street between West Third Street and Bennett Street in the City of Dubuque, Iowa; and Resolution No. 205-11 Disposing of City interest in lot 3A of Bennett Street Subdivision, in the City of Dubuque, Iowa. Director of Construction Management for the University of Dubuque Keith Wipperfurth spoke in support of the request. Motion carried 6-0.

Upon motion the rules were reinstated limiting discussion to the City Council.

ACTION ITEMS

Central Avenue Reconstruction Update: City Manager to provide an update on the City's activities to assist the Central Avenue businesses during the street reconstruction. City Engineer Gus Psihoyos provided an oral report on the City's efforts to alleviate issues raised by business owners within the construction zone. Motion by Jones to receive and file the information. Seconded by Braig. Psihoyos stated that additional detour and specialty signs have been placed on Central Avenue and side streets that indicate directions to businesses, appropriate travel routes and allowable parking. Regular meetings are scheduled with City staff and affected property owners each Wednesday at 3:00 p.m. at the Comiskey Park Recreational Center. Psihoyos indicated which portions of Central Avenue are being opened and when and that he is meeting with the contractors to discuss ways to expedite the project. Public Information Officer Randy Gehl presented a public service video that is being played on City Channel 8 regarding the project and businesses within the construction zone. Additionally, he stated that public service announcements are being played on local radio stations and a flyer is being distributed with the utility bills beginning in June. Motion carried 6-0.

Land Donation – Timber-Hyrst Subdivision: City Manager recommending acceptance of Lot 2 of Timber-Hyrst Estates Subdivision for a mini park as donated by Marty McNamer. Motion by Braig to receive and file the documents and approve the recommendation. Seconded by Lynch. Motion carried 6-0.

Fiscal Year 2012 Solid Waste Collection Monthly Based Fee: City Manager recommending that the monthly refuse collection rate be reduced from \$11.09 per month to \$10.72 per month beginning July 1, 2011. Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Braig. Motion carried 6-0. No motion for final consideration was offered.

PUBLIC INPUT

Ken Nelson, 1625 Rhomberg; Bruce Krolick, 3110 Jackson Street; Sam Stumpf, 5165 Valley Forge, Asbury; Joel Halpert, 706 Lincoln Avenue; Pat Nelson, 2412 Central Avenue; Walter Anthony Patrick Scott, 607 W. 8th Street; and John LuGrain, 1414 ½ Lincoln Avenue, all spoke in opposition to the increased enforcement of the City's noise ordinance by Dubuque police with regard to motorcycle mufflers stating that they believe the Police Department is singling out motorcycles for citations and profiling bikers. Police Chief Mark Dalsing provided information on the styles of motorcycle mufflers and the department's training and enforcement practices.

There being no further business, upon motion the City Council adjourned at 9:05 p.m.

/s/Kevin S. Firmstahl
Acting City Clerk

1t 6/29