

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

The Dubuque City Council met in Special Session at 5:00 P.M. on November 7, 2011 in the Historic Federal Building, 350 w. 6th Street.

Present: Mayor Buol, Council Members Braig, Connors, Jones, Lynch, Resnick, Sutton, City Manager Van Milligen; City Attorney Lindahl (joined at 5:10 p.m.)

Mayor Buol read the call and stated this is a special session of the City Council to conduct a work session on the Sustainable Dubuque Quarterly Update.

**WORK SESSION
QUARTERLY SUSTAINABLE DUBUQUE QUATERLY UPDATE**

Sustainability Coordinator Cori Burbach stated that the purpose of the update was to focus on sustainability programs that relate to the Economic Prosperity pillar of sustainability. Ms Burbach introduced members of the Sustainability Panel who updated the City Council on the following areas:

- Growing Sustainable Communities Conference – Tom Woodward
- Buyer/Supplier Network – Kelly McEleroy
- Destination for Opportunity Rick Dickinson
- Innovation Consortium – Dan Mc Donald
- Green Jobs and Industry – Wendy Knight
- Smarter Sustainable Dubuque – David Lyons

There being no further business, upon motion the City Council adjourned at 6:09 p.m.

/s/Kevin S. Firnstahl
City Clerk

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

The Dubuque City Council met in regular session at 6:30 pm on November 7, 2011 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol, Council Members Braig, Connors, Jones, Lynch, Resnick, Sutton, City Manager Van Milligen, City Attorney Lindahl

Pledge of Allegiance

Invocation was provided by Major Tom Mason of the Salvation Army.

PRESENTATIONS

Resource Management Coordinator Paul Schultz presented a gift from the Changsha Government of China / ICMA Fellowship Exchange to the City of Dubuque.

Convention and Visitors Bureau Event and Sports Director Katie Simmons presented the Iowa Tourism Outstanding Elected Official Award to City Council Member Joyce Connors and the Niche Marketing Award for Art Market to the City of Dubuque and the Dubuque Arts Center.

Dubuque Art Center Director Jordan DeGree presented the Arts Advocate of Distinction Award to Arts and Cultural Affairs Coordinator Jan Stoffel.

Dubuque Community Y Domestic Violence Program Director Sr. Charla Bulko recognized Dubuque Police Officer Lisa Latham for her outstanding support for victims of violence.

Dubuque Main Street Executive Director Dan LoBianco presented the Dubuque Main Street Awards for Best Public Improvement/Rehabilitation (Historic Shot Tower), Best New Construction (10th and Central Avenue Parking Ramp), and Best Partnership (Smarter Sustainable Dubuque/IBM).

PROCLAMATIONS

Philanthropy Day (November 15, 2011) was accepted by Dan McCarthy of the Association of Fundraising Professionals Greater Tri-State Chapter.

Hospice Month (November 2011) was accepted by Carole Carroll of Dubuque Hospice, 1670 John F. Kennedy Road.

CONSENT ITEMS

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Connors. Motion carried 7-0.

Minutes and Reports Submitted: Arts and Cultural Affairs Advisory Commission of 8/30 and 9/27, City Council Proceedings of 10/17, Civil Service Commission of 10/14, Carnegie-Stout Public Library of 6/30, 7/18, 8/25, 9/29, Dubuque County Emergency Management Commission of 8/2, Investment Oversight Commission of 10/26

Library Board of Trustees Update from Meeting of 9/29

Proofs of Publication for City Council Proceedings of October 3 and October 17, 2011; and List of Claims and Summary of Revenues for Month Ended September 30, 2011.

Upon motion the documents were received and filed.

Notice of Claims/Suits: Kenneth Miller for vehicle damage, Trisha Reck for property 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: Rahkee Norman for vehicle damage, Trisha Reck for property damage, Rose Schaepe for vehicle damage, Terryl Stewart for vehicle damage. Upon motion the documents were received, filed and concurred.

1000 Friends of Iowa – Roshek Building Recognition: City Manager transmitting correspondence from the 1000 Friends of Iowa informing the City that Dubuque Initiatives has received the Best Development Award in the Best Renovated Commercial/Civic Category for the adaptive re-use of the Roshek Building. Upon motion the document was received and filed.

National Trust for Historic Places – Roshek Building Recognition: City Manager submitting correspondence from the National Trust for Historic Places informing the City that the Roshek Building will receive one of 14 National Preservation Honor Awards for 2011. Upon motion the document was received and filed.

Government Finance Officer Association (GFOA) – Recognition: City Manager transmitting correspondence advising that the City of Dubuque and Budget Director Jenny Larson have been awarded the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA). Upon motion the document was received and filed.

Friends of the Mines of Spain – Recognition: City Manager transmitting a Certificate of Appreciation recognizing the City of Dubuque for supporting the Mines of Spain in the area of Partnership/Center and Land. Upon motion the document was received and filed.

Letter of Intent – 2012 All-America City Award: Letter of Intent to apply for the 2012 All-America City Award to the National Civic League on behalf of the Community Foundation of Greater Dubuque, Every Child / Every Promise and the City of Dubuque. Upon motion the documents were received and filed.

Environmental Stewardship Advisory Commission: Commissioner Edward Cawley submitting his resignation from the Environmental Stewardship Advisory Commission. Upon motion the documents were received, filed and the resignation accepted.

Human Rights Commission: Commissioner Megan Gloss submitting her resignation from the Human Rights Commission. Upon motion the document was received, filed and the resignation accepted.

Investment Oversight Advisory Commission: Commissioner Hiram Melendez submitting his resignation from the Investment Oversight Advisory Commission. Upon motion the document was received, filed and the resignation accepted.

American Society for Public Administration (ASPA): City Manager transmitting correspondence from Erik Bergrud, President of the American Society for Public Administration, informing the City Manager that he has been appointed to a three-year term on the Board of Editors for the ASPA's *Public Administration Review* journal. Upon motion the document was received and filed.

Mediacom Communications: Communication from Lee Grassley, Senior Manager for Government Relations for Mediacom Communications, informing the City of changes in programming. Upon motion the documents were received and filed.

Substance Abuse Services Center (SASC) – First Quarter Report: Substance Abuse Services Center (SASC) Executive Director Diane Thomas submitting the Center's First Quarter Report detailing the activities of the High Risk Youth Program. Upon motion the document was received and filed.

Iowa Department of Transportation (IDOT) – Bee Branch Creek Trail: City Manager submitting correspondence from the Iowa Department of Transportation (IDOT) informing the City that the Iowa Transportation Commission has approved the Bee Branch Creek Trail – MRT Route for funding assistance from the State Recreational Trails Program. Upon motion the document was received and filed.

Iowa Department of Transportation (IDOT) – Right-of-Way Lease Agreement: City Manager recommending approval of a lease agreement with the Iowa Department of Transportation (IDOT) for use of the right-of-way east of Elm Street for a surface parking lot to facilitate the increased parking needs in the Historic Millwork District. Upon motion the documents were received, filed, and approved.

AT&T – Lease Extension: City Manager submitting correspondence from William Armstrong, Cingular Wireless Project Manager / AT&T, informing the City of their intent to extend the lease term for Site DBQ284A (1525 West Third Street Water Tower) for five years. Upon motion the documents were received and filed.

Federal Emergency Management Agency (FEMA): City Manager transmitting correspondence from Louis Rodriguez of the Federal Emergency Management Agency (FEMA) revalidating the determinations for properties and/or structures as described in previously issued Letters of Map Change (LOMCs), subsequent revisions to the October 18, 2011 National Flood Insurance Program (NFIP) map and encouraging distribution of the information to the community. Upon motion the document was received, filed and referred to the City Manager.

State of Iowa Annual Financial Report: City Manager recommending approval to publish the cover page of the Fiscal Year 2011 Annual Financial Report and file the entire report with the State Auditor's Office by December 1, 2011 as required by Section 384.22 of the Code of Iowa. Upon motion the documents were received, filed, and approved.

Workers' Compensation Claims Administration Agreement: City Manager recommending approval of the agreement between the City of Dubuque and Alternative Services Concepts (ASC) for services related to the administration of the City's Workers' Compensation Program

effective October 1, 2011 through September 30, 2012. Upon motion the documents were received, filed, and approved.

Appeal of Claim by Chelsea Smith: Correspondence from Jo Ellen Reed and Chelsea Smith appealing a claim against the City of Dubuque denied by the Iowa Communities Assurance Pool (ICAP). Upon motion the document was received, filed and referred to the City Attorney.

AmeriCorps – 2012-2013 Grant Application: City Manager recommending the execution of the Iowa Commission on Volunteer Service City of Dubuque AmeriCorps Program grant application. Upon motion the documents were received, filed, and approved.

AmeriCorps – Agreement with Dubuque Community School District: City Manager recommending approval of an agreement between the Dubuque Community School District and AmeriCorps for the 2011-2012 school year for AmeriCorps members to serve in elementary, middle and high schools. Upon motion the documents were received, filed, and approved.

Hillcrest Family Services – Temporary Parking Agreement: City Manager recommending approval of a temporary parking license agreement in Flora Park for Hillcrest Family Services, Inc., during their construction process. Upon motion the documents were received, filed, and approved.

Iowa 32 Bike/Hike Trail Project – Phase 3 Acceptance: City Manager recommending acceptance of the Iowa 32 Bike/Hike Trail Phase 3 Project (between Plaza Drive and Payton Street), as completed by Drew Cook & Sons Excavating, in the final amount of \$136,946. Upon motion the documents were received and filed and Resolution No. 355-11 Accepting the Iowa 32 Bike/Hike Trail Phase 3 Project and authorizing the payment of the contract amount to the contractor was adopted.

Bee Branch Creek Restoration Project – 1517 Maple Street: City Manager recommending establishing the fair market value of 1517 Maple Street, owned by Tony Zenner, at the appraised value of \$66,950, and authorizing the City Manager to commence negotiations to acquire the property for the Bee Branch Creek Restoration Project and further authorization to acquire the property through eminent domain if negotiations fail. Upon motion the documents were received and filed and Resolution No. 356-11 Establishing the fair market value and authorizing the acquisition by eminent domain of certain real property owned by Tony Zenner in the City of Dubuque, Iowa, was adopted.

Bee Branch Creek Restoration Project – 508 E. 16th Street: City Manager recommending establishing the fair market value of 508 E. 16th Street owned by WP Investments, at the appraised value of \$300,000, and authorize the City Manager to commence negotiations to acquire the property for the Bee Branch Creek Restoration Project and further authorization to acquire the property through eminent domain if negotiations fail. Upon motion the documents were received and filed and Resolution No. 357-11 Establishing the fair market value and authorizing the acquisition by eminent domain of certain real property owned by WP Investments, LLC in the City of Dubuque, Iowa, was adopted.

Bee Branch Creek Restoration Project – 540 E 16th Street: City Manager recommending establishing the fair market value of 540 E. 16th Street owned by WP Investments, at the

appraised value of \$68,000, and authorize the City Manager to commence negotiations to acquire the property for the Bee Branch Creek Restoration Project and further authorization to acquire the property through eminent domain if negotiations fail. Upon motion the documents were received and filed and Resolution No. 358-11 Establishing the fair market value and authorizing the acquisition by eminent domain of certain real property owned by WP Investments, LLC in the City of Dubuque, Iowa, was adopted.

Bee Branch Creek Restoration Project – 2410 Washington Street: City Manager recommending approval to purchase a 4-plex rental property owned by Kim McDermott at 2410 Washington Street for \$119,000 as part of the acquisition program associated with the Bee Branch Creek Restoration Project. Upon motion the documents were received and filed and Resolution No. 359-11 Approving the acquisition of real estate owned by Kim McDermott in the City of Dubuque was adopted.

Bee Branch Subdivision – Plats of Survey: City Manager recommending approval of the Plats of Survey for Bee Branch Subdivision Nos. 3, 4, 5, and 6 in order to separate buildable areas from the area of the parcels needed for the Bee Branch Creek Restoration Project. Upon motion the documents were received and filed and Resolution No. 360-11 Approving Plat of Survey of Lots 1 and 2 of Bee Branch Subdivision No.3 in the City of Dubuque, Dubuque County, Iowa; Resolution No. 361-11 Approving Plat of Survey of Lots 1 and 2 of Bee Branch Subdivision No. 4 in the City of Dubuque, Dubuque County, Iowa; Resolution No. 362-11 Approving Plat of Survey of Lots 1 and 2 of Bee Branch Subdivision No. 5 in the City of Dubuque, Dubuque County, Iowa; and Resolution No. 363-11 Approving Plat of Survey of Lots 1 and 2 of Bee Branch Subdivision No. 6 in the City of Dubuque, Dubuque County, Iowa, were adopted.

Request for Proposal – Dubuque Marina Management: City Manager recommending approval to initiate the Request for Proposal process for Marina Facilities Management Services for the Port of Dubuque Marina Project. Upon motion the documents were received, filed, and approved.

Request for Proposal – The Jule Intelligent Technology Systems (ITS) Equipment: City Manager recommending approval to issue a Request for Proposals for the purchase and installation of Intelligent Technology Systems (ITS) equipment on The Jule's buses. Upon motion the documents were received, filed, and approved.

Project Update – 7th Street Retaining Wall Emergency Repair: City Manager recommending rejection of all bids for the 7th Street Retaining Wall Emergency Repairs Project and that the project be re-bid over the winter with a completion date of June 15, 2012 and that the rejection of bids be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

Project Update – Madison Street Retaining Wall Emergency Repair: City Manager recommending re-bid of the Madison Street Retaining Wall Emergency Repairs Project over the winter with a completion date of June 15, 2012 and that the project delay be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

Quarterly Investment Report: City Manager transmitting the Quarterly Investment Report for the period of July 1, 2011 through September 30, 2011. Upon motion the documents were received and filed.

40 Main, LLC – Fourth Amendment to Development Agreement: City Manager recommending approval of the Fourth Amendment to the Development Agreement with 40 Main, LLC. Upon motion the documents were received and filed and Resolution No. 364-11 Approving the Fourth Amendment to the 40 Main LLC Development Agreement was adopted.

Caradco Project – Housing Enterprise Zone Amendment: City Manager recommending approval of an amendment to the Housing Enterprise Zone Program Agreement for the Caradco Project approving the change of ownership from Caradco Building, LLLP to Caradco Landlord, LLC. Upon motion the documents were received and filed and Resolution No. 365-11 Approving an amendment to a Housing Enterprise Zone Program Agreement by and among the Iowa Department of Economic Development, the City of Dubuque and Caradco Building, LLP was adopted.

Dubuque Regional Airport – Small Community Air Service Development: City Manager recommending that the City provide the previously budgeted \$150,000 grant match for the \$500,000 Small Community Air Service Development Grant from the U.S. Department of Transportation. Upon motion the documents were received, filed, and approved.

Sustainable Dubuque – Monthly Report: City Manager submitting the Sustainable Dubuque Monthly Report for October 2011. Upon motion the documents were received and filed.

Vehicle Noise Memorandum Addendum: City Manager providing an update to the information provided on July 25, 2011 regarding the Dubuque Police Department Police Department's vehicle noise enforcement efforts, as well as addressing citizen concerns on the efforts and suggestions on setting decibel limits and using noise meters. Upon motion the documents were received and filed.

Historic Preservation Commission: Communication from the Historic Preservation Commission requesting the City Council make the West Locust and Bluff Street area a top priority during this year's goal setting session. Upon motion the documents were received and filed.

Dubuque Casino Hotel – Assignment of Lease Agreement: City Manager recommending approval of the Assignment of Lease Agreement for Dubuque Casino Hotel, LLC to DuPaco Community Credit Union as security for financing of Dubuque Casino Hotel, LLC's current indebtedness. This item was withdrawn from the agenda at the request of the property owner.

Stipulation of Settlement – Property Tax Appeal: City Attorney recommending approval of the Stipulation of Settlement for First Northwestern Trust & Nellis Management for property located at 1500 John F. Kennedy Road (Long John Silver's). Upon motion the documents were received, filed, and approved.

Iowa Economic Development Authority (IEDA): Correspondence from the Director of the Iowa Economic Development Authority (IEDA) Director Deborah Durham informing the City that it has approved the eligibility of Dubuque Convention & Visitors Bureau for Fiscal Year

2012 Regional Sports Authority District Certification. Upon motion the documents were received and filed.

Iowa Department of Natural Resources (IDNR): City Manager transmitting correspondence from the Iowa Department of Natural Resources (IDNR) informing the City it has placed the Water Pollution Control Plant Cogeneration Facilities Project on the Fundable List of the Intended Use Plan (IUP) for the Fiscal Year 2012 3rd Quarter IUP. Upon motion the documents were received and filed.

Regional Transit Authority (RTA) – Termination of Lease Agreement: City Manager recommending termination of the City’s lease with the Regional Transit Authority (RTA) for two light-duty Sprinter buses in the exchange for a payment to the City of \$24,181.18. Upon motion the documents were received, filed, and approved.

Signed Contracts: A) Dittmer Recycling Incorporated Amendment to Agreement; B) Strand Associates Water Pollution Control Plant Modifications Project Change Order No. 11 with Miron Construction Co., Inc.; C) Strand Associates Water Pollution Control Plant Modifications Project Change Order No. 12 with Miron Construction Co., Inc.; D) Strand Associates Water Pollution Control Plant Modifications Project Change Order No. 13 with Miron Construction Co., Inc.; E) Interstate Power & Light Soil Use Agreement for Excess Excavated Soil; F) Allender Butzke Engineers, Inc., Water Pollution Control Plant Modifications Project Amendment No. 2 for Geotechnical Engineering Services; G) Vendor Services Agreement with Environmental Management Services of Iowa, Inc. for asbestos removal related to the Fire Department Headquarters Roof Replacement Project; H) Indemnification Agreement between the City of Dubuque and Ronald and Sandy Conrad; I) Public Improvement Contract between the City of Dubuque and Vorwald Log & Lumber for the deconstruction of the commercial building at 501 Garfield Avenue. Upon motion the documents were received and filed.

Alcohol Compliance – Civil Penalties for Alcohol License Holders for HyVee Wine & Spirits: City Manager recommending approval of the Acknowledgement / Settlement Agreement for an alcohol compliance violation for HyVee Wine & Spirits at 3500 Dodge Street. Upon motion the documents were received, filed, and approved.

Alcohol Compliance – Civil Penalties for Alcohol License Holders for Kalmes Breaktime Bar & Grill: City Manager recommending approval of the Acknowledgement / Settlement Agreement for an alcohol compliance violation for Kalmes Breaktime Bar & Grill at 1097 Jackson Street. Upon motion the documents were received, filed, and approved.

Liquor License Refund: Café Mana Java West requesting a refund on Special Class “C” Liquor License No. BW0093112 in the amount of \$253.13. Upon motion the documents were received, filed, and approved.

Liquor License Applications: City Manager recommending approval of annual liquor license renewals as submitted. Upon motion the documents were received and filed and Resolution No. 366-11 Granting the issuance of a Class “B” (Hotel/Motel) Liquor License to Grand Harbor Resort & Water Park, Hotel Julien Dubuque; a Class “C” Beer/Liquor License to Yen Ching Restaurant, Aragon Tap; a Class “B” Wine Permit to Target Store T-0086, and a Class “WBN” Native Wine Permit to Kwik Stop; and Resolution No. 367-11 Granting the issuance of a Class

“B” Beer Permit to Jumpin’ Jane’s Indoor Party Center; a Class “C” Beer Permit to Big 10 Mart Car Wash, Kwik Stop, Target Store T-0086, and Kwik Stop Food Mart 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 Connors. Motion carried 7-0.

Grand River Center – Exhibit Hall Carpet Replacement: City Manager recommending setting a public hearing for November 21, 2011 and initiations of the public bidding process for the Grand River Center exhibit Hall Carpet Replacement Project. Upon motion the documents were received and filed and Resolution No. 368-11 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 November 21, 2011 in the Historic Federal Building.

Old Main Urban Revitalization Area Plan: City Manager recommending setting a public hearing for November 21, 2011 to consider an amendment to the Old Main Urban Revitalization Area Plan. Upon motion the documents were received and filed and Resolution No. 369-11 Acknowledging a proposed amendment to the Plan for the Old Main Urban Revitalization Area and providing for a public hearing was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 21, 2011 in the Historic Federal Building.

University of Dubuque Geothermal Line – Bennett Street Easement: City Manager recommending setting a public hearing for November 21, 2011 to consider granting an easement across Bennett Street to accommodate the geothermal system for the University of Dubuque Performing Arts Center. Upon motion the documents were received and filed and Resolution No. 370-11 Resolution of Intent to dispose of City interest by Grant of Easement for private utility to University of Dubuque for an underlying portion of Bennett Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 21, 2011 in the Historic Federal Building.

Lower Bee Branch Creek Enhancement – Floating Island: City Manager recommending setting a public hearing for December 5, 2011 and initiation of the public bidding process for the Bee Branch Creek Floating Island Project. Upon motion the documents were received and filed and Resolution No. 371-11 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 (Lower Bee Branch Creek Floating Island Project) was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on December 5, 2011 in the Historic Federal Building.

Lower Bee Branch Creek Enhancement – Overlooks: City Manager recommending setting a public hearing for December 5, 2011 and initiation of the public bidding process for the Overlooks enhancement related to the Lower Bee Branch Creek Restoration Project. Upon motion the documents were received and filed and Resolution No. 372-11 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 (Lower Bee Branch Creek Enhancement – Overlooks) was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on December 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:

Environmental Stewardship Advisory Commission: One 3-year term through October 1, 2014 (expired term of Cawley). Applicant: Wayne Klostermann, 2636 Queen Street.

Human Rights Commission: One 3-year term through January 1, 2014 (vacant term of Gloss). Applicants: Nickie Blume, 2523 Washington Street; Miquel Jackson, 631 University Avenue.

Zoning Advisory Commission: One 3-year term through July 1, 2013 (vacant term of Stiles). Applicant: Eugene Bird, Jr., 3357 Arrowwood Lane.

Appointments to the following Boards/Commissions:

Plumbing Code Board: One 3-year term through November 2, 2014 (Expiring term of Willenborg). Applicant: Harlan Willenborg, 3254 Lake Ridge Drive. Motion by Lynch to appoint Harlan Willenborg to the Plumbing Code Board for a 3-year term through November 2, 2014. Seconded by Resnick. Motion carried 7-0.

PUBLIC HEARINGS

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

Sale of Property – 2315 Jackson Street: Proof of publication of notice of public hearing to consider the sale of City-owned property located at 2315 Jackson Street to Raymond Pfeiffer for the purchase price of \$74,000 and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 373-11 Resolution of Intention to dispose of City-owned property, specifically, East ½ Of Lot 24A in L.H. Langworthy's Addition in the City of Dubuque, County of Dubuque, Iowa, according to the recorded plat thereof, 2315 Jackson Street. Seconded by Lynch. Motion carried 7-0.

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

ACTION ITEMS

Dubuque Main Street – Historic Millwork District: Dubuque Main Street Executive Director Dan LoBianco presented an update on the history and progress of projects in the Historic Millwork District, and Resource Development Director Ryan Dierks described how the projects relate to the Sustainability Principles Motion by Connors to receive and file the information. Seconded by Resnick. Motion carried 7-0.

Citizen Petition – Run Off on Kaufmann Avenue and Valeria Street: Residents of the Kaufmann Avenue and Valeria Street neighborhood submitting a petition regarding water runoff behind their homes west of Cushing Street. Motion by Connors to receive and file the documents and refer to staff with a recommendation to returned to Council. Seconded by

Braig. Valeta Brown, 433 Kaufmann Avenue, speaking on behalf of the area residents, described the referenced drainage and flooding issues, and distributed pictures. Motion carried 7-0.

Wild Rose Estates Final Plat – Intersection Visibility: City Manager recommending that the sight distance issue at Wild Rose Lane and Middle Road needs to be resolved by the developer prior to further processing of the Final Plat. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Jones. Motion carried 7-0.

Consent Decree – Request for Inflow and Infiltration Inspectors: City Manager recommending authorization to create two-full-time inflow and infiltration (I&I) inspectors and to purchase two new vehicles for the positions, which will increase the City's ability to conduct sanitary sewer inflow and infiltration inspections at businesses and homes in order to comply with the Environmental Protection Agency (EPA) Consent Decree. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Connors. Motion carried 7-0.

Shelter Plus Care Program – Funding Request: City Manager recommending approval to provide \$5,000 in support of continued administration of the Shelter Plus Care Program through the balance of Fiscal Year 2012. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Braig. Motion carried 7-0.

Code of Ordinances Amendment - Water Meters and Related Accessories: City Manager recommending approval of an Ordinance Amendment to Sections 13-1B-1 to 13-1B-11 to incorporate Unmeasured Flow Reducer (UFR) devices and clarify the property owner's responsibility for the care of the water meter assembly. 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 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 49-11 Amending City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 1 Water Use and Services, Article B Water Meters, Sections 13-1B-1 to 1301B-11 by incorporating the regulation of Unmeasured Flow Reducer Devices and clarifying the property owner's responsibility for the care of the water meter assembly. Seconded by Jones. Motion carried 7-0.

Jule Transit – Shopping Circulator Route Changes: City Manager recommending approval of the Shopping circulator route and the resulting changes in the Red, Green and Grey Lines. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Resnick. Transit Manager Barbara Morck gave a slide presentation on the change in routes. Motion carried 7-0.

Dubuque Racing Association (DRA): Correspondence from Jesus Aviles, President and CEO of the Dubuque Racing Association (DRA) requesting appointments of the required governmental representatives to its Board of Directors, currently Mayor Buol, Council Members Ric Jones, Kevin Lynch, and City Manager Michael Van Milligen. Motion Connors to receive and file the documents and re-appoint Mayor Buol, Council Members Jones and Lynch, and City Manager Van Milligen. Seconded by Braig. Motion carried 7-0.

Request for Work Session – Roundabouts: City Manager requesting setting a work session for Monday, December 19, 2011 to provide an overview of roundabout concepts and benefits in lieu of traditional intersection design and signalization. Motion by Braig to receive and file the documents and schedule the work session as recommended. Seconded by Connors. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Resnick recognized Veteran’s Day this coming Friday and encourage citizens to engage in local activities and events that support local veterans.

CLOSED SESSION

Motion by Jones to enter into closed session at 8:32 p.m. regarding pending litigation and property acquisition pursuant to Chapter 21.5(1)(c)(j) Code of Iowa. Seconded by Resnick. Motion carried 7-0.

Upon motion the City Council reconvened in open session at 9:40 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 9:41 p.m.

Kevin S. Firstahl
City Clerk

1t 11/16