

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

The Dubuque City Council met in special session at 5:30 p.m. on February 6, 2012 in the Historic Federal Building.

Present: Mayor Pro-Tem Jones, Mayor Buol (joined at 5:50 p.m.), Council Members Braig, Connors, Lynch, Resnick, Sutton; City Manager Van Milligen, City Attorney Lindahl

Mayor Pro-Tem Jones read the call and stated this is a special session of the City Council to conduct a work session on the Dubuque Convention and Visitors Bureau.

**WORK SESSION  
Dubuque Convention and Visitors Bureau**

Convention and Visitors Bureau Director Keith Rahe provided a slide presentation on how tourism is working in Dubuque. Topics included:

- Dubuque Area Chamber of Commerce Organizational Chart
- Six Elements of the CVB
  - individual/family
  - convention delegate
  - group tour clients
  - sports competitor
  - family & military reunion
  - event attendee
- Partners
- Dubuque visitors statistics for 2011
- Tourism awards
- Impact studies (local economy)
- Welcome Center & Hospitality
- Marketing
  - Collateral pieces
  - Visitors Guide
  - Meeting Planner Guide
  - Group Tour Manual
  - Web site and mobile site
  - Leisure Traveler
  - Markets
  - Billboards
  - Television
  - Radio
  - Print publications
  - e-Blasts

- Public relations coverage and collaboration
- Collaborative marketing
- Social media
- Convention & group sales
- Festivals & events
- Dubuque Regional Sports Commission
- National & state sporting events
- 2012 potential events
- Budget
- Introduction of staff

There being no further business, upon motion the City Council adjourned at 6:21 p.m.

/s/Kevin S. Firnstahl  
City Clerk

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

The Dubuque City Council met in regular session at 6:30 p.m. on February 6, 2012 in the Historic Federal Building.

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

Mayor Buol 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 Council.

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**PRESENTATION**

National Trust for Historic Preservation: Dubuque Main Street Executive Director Dan LoBianco presented the 2011 National Preservation Honor Award for the Roshek Building Redevelopment to Mayor Buol and the City Council.

**CONSENT ITEMS**

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

Minutes and Reports Submitted: Arts and Cultural Affairs Advisory Commission of 11/22/11, City Conference Board of 3/9/11 and 7/18/11, City Council proceedings of 1/17/12 and 1/30/12 , Civic Center Commission of 12/5/11, Community Development Advisory Commission of 11/30/11, 12/14/11 and 1/11/12, Dubuque County Emergency Management Commission of 11/8/11, Historic Preservation Commission of 1/19/12, Housing Commission of 11/22/11, Human Rights Commission of 8/15/11, 10/10/11 and 12/3/11, Investment Oversight Advisory Commission of 1/25/12, Library Board of Trustees of 12/14/11, Proof of Publication for City Council meetings of 1/3/12 and 1/17/12, Proof of Publication for List of Claims and Summary of Revenues for Month Ending 12/31/11. Upon motion the documents were received and filed.

Notice of Claims and Suits: Ira Dement for vehicle damage, Vern Eppler for vehicle damage, Michael and Betty Fishnick for property damage, Rene Rogerson/Dubuque Properties, LLC for property damage, Tony Rokusek for vehicle damage, William Taylor for vehicle damage, United Heartland for Rebecca Voss for personal injury. Upon motion the documents were received, filed and referred to the City Attorney.

Disposition of Claims and Suits: 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: Ira Dement for vehicle damage, Verne Eppler for vehicle damage, Michael & Betty Fishnick for property damage, Rene Rogerson/Dubuque Properties LLC, for property damage, Tony Rokusek for vehicle damage, William Taylor for vehicle damage. Upon motion the documents were received, filed, and concurred.

Delinquent Grass and Weed Cutting and Garbage Collection Accounts: City Manager recommending adopting of a resolution authorizing the City Clerk to certify the grass and weed cutting and garbage collection charges to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received and filed and Resolution No. 21-12 Authorizing the City to collect delinquent grass and weed cutting and garbage collection charges in accordance with Title 6-6- 3C2o; Title 6-6-4B3 & Title 6-6B of the Code of Ordinances of the City of Dubuque, Iowa, was adopted.

Vacant and Abandoned Building and Problem Property Assessments: City Manager recommending adoption of a resolution authorizing the City Clerk to certify the vacant and abandoned building and problem property charges to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received and filed and Resolution No. 22-12 Authorizing the City to collect delinquent vacant and abandoned building and problem property charges in accordance with Title 6-6-3B1h; Title 6-6-4B3 & Title 6-6B of the Code of Ordinances of the City of Dubuque, Iowa, was adopted.

State Consolidated Funding - Jule Transit Authorizing Resolution: City Manager recommending approval of the Consolidated Funding application and Authorizing Resolution that was submitted to the Iowa Department of Transportation for Fiscal Year 2012 funding for The Jule. Upon motion the documents were received, filed, and approved.

Hendricks Feed and Seed Co., Inc. - Easement Acceptance: City Manager recommending acceptance of an Easement from Hendricks Feed and Seed Co., Inc. for storm sewer, underground electric, fiber optic cable, traffic signals and other appurtenances at 880 Central Avenue. Upon motion the documents were received and filed and Resolution No. 23-12 Accepting the grant of an easement for storm sewer, underground electric, fiber optic cable, traffic signals and other appurtenances through, under and across a part of City Lot 328 in the City of Dubuque (880 Central Avenue) was adopted.

Collective Bargaining Agreement - Dubuque Police Protective Association: City Manager recommending approval of the Collective Bargaining Agreement between the City of Dubuque and the Dubuque Police Protective Association for a two year period beginning July 1, 2012. Upon motion the documents were received and filed and Resolution No. 24-12 Approving the agreement between the City of Dubuque, Iowa, and

the Dubuque Police Protective Association and authorizing the Mayor to sign the Agreement was adopted.

Improvement Contracts / Performance, Payment and Maintenance Bonds: Grand River Center Carpet Replacement Project. Upon motion the documents were received and filed.

Mines of Spain Master Plan Process - Bottoms Property: City Manager transmitting information on the Mines of Spain Master Plan process to be undertaken by the Iowa Department of Natural Resources for the Bottoms property, a planned expansion of the state park. Upon motion the documents were received and filed.

Green Alley Permeable Pavers (17th - 18th, Between Jackson and Washington Streets) - Project Award: City Manager recommending award of the contract for the Green Alley Permeable Pavers Project to the low bidder, McDermott Excavating, in the amount of \$148,847.05. Upon motion the documents were received and filed and Resolution No. 25-12 Awarding public improvement contract for the Green Alley Permeable Pavers Project (17th - 18th, Between Jackson and Washington Streets) was adopted.

National Register Historic District Update - Cathedral Historic District: City Manager recommending approval of an update and amendment of the existing National Register of Historic Places designation for the Cathedral Historic District. Upon motion the documents were received, filed, and approved.

7th Street Retaining Wall Reconstruction - Project Award: City Manager recommending that the award for the 7th Street Retaining Wall Emergency Repairs Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

Madison Street Retaining Wall Repair - Project Award: City Manager recommending that the award for the 7th Street Retaining Wall Emergency Repairs Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

PEG Capital Expenditure Request: City Manager recommending approval of the Cable TV Tele-Programming Commission recommendation for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities in the amount of \$15,500 for the City of Dubuque to replace the playback server in the CityChannel8 TV Control Room. Upon motion the documents were received, filed, and approved.

Request to Vacate - 2125 Kerper Blvd.: Correspondence from Thomas Giese of Giese Companies requesting that the City vacate a portion of a City street/alley abutting their property at 2125 Kerper Blvd. for use as additional parking and storage. Upon motion the documents were received, filed and refer to the City Manager.

Fiscal Year Ended June 30, 2011 Comprehensive Annual Financial Report (CAFR): City Manager submitting the Fiscal Year 2011 Comprehensive Financial Report (CAFR), Auditor's Communication with Those Charged with Governance Letter, along with the City Finance staff's response. Upon motion the documents were received and filed.

SW Arterial / Highway 20 Interchange - Competitive RISE Application: City Manager recommending approval of a resolution endorsing the support for the City's RISE Grant application for the development of the proposed Dubuque Industrial Center South - US Highway 20 Interchange. Upon motion the documents were received and filed and Resolution No. 26-12 Endorsing the Submission of a Revitalize Iowa's Sound Economy (RISE) Application to the Iowa Department of Transportation for the construction of the proposed US Highway 20 and Seippel Road Interchange was adopted.

Mines of Spain Lease - Temporary and Approval Agreement for Railroad Contract Work Area: City Manager recommending approval of two agreements with the Iowa Department of Natural Resources related to the Mines of Spain and construction work on the railroad bridge on Julien Dubuque Drive. Upon motion the documents were received, filed, and approved.

Master Consulting Services Agreement Second Amendment - The Iowa Institute and David Lyons: City Manager recommending approval of an extension of the Smarter Sustainable Dubuque Project Management contract through June 30, 2013. Upon motion the documents were received, filed, and approved.

Quarterly Investment Report: City Manager transmitting the Quarterly Investment Report for the quarter ending December 31, 2011. Upon motion the documents were received and filed.

Fiscal Year 2013 Budget Transmittal: City Manager submitting the Fiscal Year 2013 Budget Transmittal. Upon motion the documents were received and filed.

Crescent Ridge Open Space Name Recommendation: City Manager recommending naming the land donation of 12.93 acres of property located in the water way south of Target and Center Grove Drive as Center Grove Open Space. Upon motion the documents were received, filed, and approved.

Substance Abuse Services Center: City Manager transmitting the Second Quarter Report from the Substance Abuse Services Center. Upon motion the document was received and filed.

Signed Contracts: A) MSA Professional Services Agreement for Eagle Point Park Washout Repair, B) IIW Agreement for Engineering Services for Intermodal Transportation Center Project, C) Short Form Contract with Vorwald Log and Lumber for deconstruction of 2242 Washington Street, D) IIW Contract Oversight of the

Construction of ARC Transfer Center, E) Ted Stackis Construction Contract for Deconstruction of Properties on East 22nd Street Upon motion the documents were received and filed.

Tobacco Compliance - Civil Penalty for Tobacco License Holders: City Manager recommending approval of the Acknowledgement/Settlement Agreements for a first offense tobacco compliance violation for Let's Roll Tobacco, 3430 Dodge Street. Upon motion the documents were received, filed, and approved.

Alcohol Compliance - Civil Penalty for Alcohol License Holders: City Manager recommending approval of the Acknowledgement/Settlement Agreement for an alcohol compliance violation for Accessorize Me, 474 Bluff Street. Upon motion the documents were received, filed, and approved.

Alcohol and Tobacco License Applications: City Manager recommending approval of annual liquor, beer, wine and tobacco licenses as submitted. Upon motion the documents were received and filed and Resolution No. 27-12 Approving applications for beer, liquor, and/or wine permits, as required by City of Dubuque Code of Ordinances Title 4 Business and License Regulations, Chapter 2 Liquor Control, Article B Liquor, Beer and Wine Licenses and Permits; and Resolution No. 28-12 Approving a permit as a tobacco products retailer as provided by Iowa Code Section 453A.47A were adopted.

#### **ITEM TO BE SET FOR PUBLIC HEARING**

Motion by Connors 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 Lynch. Motion carried 7-0.

Theisen Supply- Development Agreement: City Manager recommending that a public hearing be set for February 20, 2012, to consider disposition of approximately 5.7 acres to Leo Theisen. Upon motion the documents were received and filed and Resolution No. 29-12 Resolution of Intent to dispose of an interest in City of Dubuque real estate and fixing the date for a public hearing of the City Council of the City of Dubuque, Iowa on the proposed issuance of Urban Renewal Tax Increment Revenue Obligations and the execution of a Development Agreement relating thereto with Leo A. Theisen and Theisen Supply, Inc., and providing for the publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on February 20, 2012 in the Historic Federal Building.

#### **BOARDS/COMMISSIONS**

Appointment to the following board/commission: Community Development Advisory Commission. Three 3-year terms: One low/moderate-income area term (vacant term of Stubben) through February 15, 2015; One low/moderate-income area term (vacant term of Craddieth) through February 15, 2014; One at-large term (expired term of Wainwright) through February 15, 2015. Applicants: Adam Rathje, 299 Main St., Apt.

#45 (Low/Moderate-Income Area) (Additional Applicant), Abigail Smith, 1780 Central Avenue 2A (Low/Moderate-Income Area) (Additional Applicant), Thomas Wainwright, 1788 Lori Street (At-Large). Motion by Jones to appoint Thomas Wainwright to the Community Development Advisory Commission to a 3-year term through February 15, 2015, Adam Rathje through February 15, 2015, and Abigail Smith through February 15, 2014. Seconded by Connors. Motion carried 7-0.

## **PUBLIC HEARINGS**

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

Caradco Landlord, LLC and Warehouse Development, LLC - Grant of Easement: Proof of publication on notice of public hearing to consider granting an easement across Washington Street to accommodate private service lines for fiber, television, power, telephone, cable, and future needs for the Caradco Landlord, LLC & Warehouse Development, LLC property, which is in the process of renovation at 900 Jackson Street and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 30-12 Granting easement for private utility to Caradco Landlord, LLC & Warehouse Development, LLC of Dubuque for an underlying portion of Washington Street; and Resolution No. 31-12 Disposing of City interest by Grant of Easement to Caradco Landlord, LLC & Warehouse Development, LLC of Dubuque for an underlying portion of Washington Street. Seconded by Braig. Motion carried 7-0.

Historic White Water Bridge: Proof of publication on notice of public hearing to consider the Historic White Water Creek Bridge landmark nomination and the Historic Preservation Commission recommending approval. Motion by Connors 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 Resnick. Planning Services Manager Laura Carstens provided a staff report. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 4-12 Amending Title 16 Chapter 10 (Historic Preservation) of The City of Dubuque Code of Ordinances, Unified Development Code, by adding a new Section 16-10-7(B)(10) Designating the White Water Creek Bridge as a Landmark. Seconded by Resnick. Motion carried 7-0.

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

## **ACTION ITEMS**

Greater Dubuque Development Corporation - Quarterly Report: Executive Director Rick Dickinson provided a verbal update and the activities of the Greater Dubuque Development Corporation. Responding to questions from the City Council regarding Dubuque's cooperative environment, Mr. Dickinson cited three things the city has done,



1) hired talent in public office, 2) Hired talent in the community, and 3) supported the talent hired. Motion by Jones to receive and file the information. Seconded by Braig. Motion carried 7-0.

Sale of General Obligation Urban Renewal Bonds Series 2012A and General Obligation Bonds Series 2012B: City Manager advising that the results of the sale of \$4,380,000 General Obligation Urban Renewal Bonds Series 2012A and \$7,495,000 General Obligation Bonds Series 2012B will be brought to the February 6, 2012 City Council meeting for approval. Motion by Braig to receive and file the documents and adopt Resolution No. 32-12 Directing the sale of General Obligation Urban Renewal Bonds Series 2012A; Resolution No. 33-12 Directing the sale of General Obligation Bonds Series 2012B; and Resolution No. 34-12 Authorizing the Redemption of outstanding General Obligation Capital Loan Notes Series 2010F dated September 20, 2010. Seconded by Connors. PFM Senior Managing Consultant Tionna Pooler provided a summary of the bond sale. Motion carried 7-0.

High Impact Service Plan - Cities of Service/AARP Recognition Grant: City Manager recommending approval of the High Impact Service Plan as part of the requirements of the Cities of Service/AARP Initiative and Recognition Grant. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Braig. Motion carried 7-0.

Pre-Annexation Agreement - 10924 Key West Drive: City Manager recommending approval of a pre-annexation agreement that provides for extension of City water to the property in exchange for the property to be annexed in the future. Motion by Lynch to receive and file the documents and approve the recommendation. Seconded by Jones. City Attorney Lindahl stated that the exchange transfers with the deed. Motion carried 7-0.

Green Dubuque - Community Climate Action Plan Proposal: City Manager is recommending staff be authorized to negotiate and execute a contract with Green Dubuque, Inc., as outlined in their proposal. Motion by Braig to receive and file the documents and approve the recommendation. Seconded by Jones. Motion carried 7-0.

Comprehensive Plan - Format Recommendation: City Manager transmitting two options for how the icons for the 11 Sustainability Principles can be incorporated in the Comprehensive Plan's Elements and requests City Council direction on the desired format for the Comprehensive Plan Update. Restated motion by Braig to receive and file the documents and select Option #2. Seconded by Connors. Motion carried 7-0.

Cable TV Commission Proposal: City Manager recommending retiring the Cable Tele-Programming Commission and the Cable Regulatory Commission and combining their duties in a single new entity, the Cable TV Commission. 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 Connors. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 5-12 Repealing City of Dubuque Code of Ordinances Title 11 Rights of Way, Chapter 3 Cable Television, Article B Community Regulatory Commission and Article C Cable Regulatory Commission and Adopting Title 2 Boards and Commissions, Article 11 Cable Television Commission Establishing the Cable Television Commission. Seconded by Braig. Motion carried 7-0.

Special Event Permit Process: City Manager recommending changes to the Special Event Permit application process. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Resnick. Responding to questions from City Council, Assistant City Manager Cindy Steinhauer stated that groups new to the permit process will learn through information sent to points of contact, the City's web site, phone inquiries, and word of mouth. Motion carried 7-0.

Iowa Department of Transportation - North Cascade Road Bridge Agreement: City Manager recommending authorization for the Mayor to execute the Iowa Department of Transportation (Iowa DOT) Federal Aid Funding Agreement for the North Cascade Road Bridge Replacement Project in Dubuque County. Motion by Connors to receive and file the documents and adopt Resolution No. 35-12 Approving the Iowa Department of Transportation Federal Aid Funding Agreement (Agreement No. 6-11-STPU-21) for the North Cascade Road Bridge Replacement Project, Iowa DOT Project No. STP-U-2100 (671)--70-31. Seconded by Braig. Motion carried 7-0.

Southwest Arterial - US 20 / US 151-61 Interchange Enhancements: City Manager recommending to proceeding with bridge enhancement Option No. 1 for the US 20 Interchange and the US 151-61 Interchange and support of the proposed bridge enhancement design elements to be incorporated into the final design phase of the Southwest Arterial project. Restated motion by Braig to receive and file the documents and select Option #1. Seconded by Connors. Assistant City Engineer Bob Schiesl provided a slide presentation illustrating the design concepts. Motion carried 7-0.

2012 National Citizens Survey: City Manager recommending approval to enroll the City of Dubuque in the 2012 National Citizen Survey. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Resnick. Motion carried 7-0.

## **COUNCIL MEMBER REPORTS**

Mayor Buol reported on his trip to Taiwan for the Smart City Mayors Summit in December, the U.S. Conference of Mayors meeting in January, and the Chamber of Commerce delegation to Washington, DC.

Connors also reported on the success of the Chamber of Commerce delegation.

## **PUBLIC INPUT**

Chip Piekenbrock, 1155 Pamela Court, requested that the City Council consider completing the street work on the north portion of Ramona Street from Adeline Street to Bryant Street as it has been delayed for several years. City Manager Van Milligen added that this project is included in the Fiscal Year 2013 Recommended budget and that Mr. Peikenbrock is welcome to attend the February 29 and March 7 budget hearings, which will relate to this item.

There being no further business, upon motion the City Council adjourned at 8:19 p.m.

/s/Kevin S. Firnstahl  
City Clerk

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