

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

The Dubuque City Council met in special session at 5:00 p.m. on February 20, 2012 in the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

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 special session of the City Council to conduct the quarterly work session on Sustainable Dubuque.

**WORK SESSION  
Sustainable Dubuque Quarterly Update**

Sustainable Dubuque Coordinator Cori Burbach provided an overview of the work session and stated that Sustainable Dubuque activities apply cross all pillars of sustainability, this session will focus more closely to the Environmental Integrity principle. Highlighted topics included:

- Identification of Core Network and Advisory Network members and the Sustainable Dubuque Community
- Sustainable Dubuque Indicators, committee members and project partners
- Overview: vision, project goals, methodology, sample indicator, looking forward
- Vision: awareness of Dubuque's Sustainability Principles, Assess Dubuque's sustainability, strategically improve sustainability, Dubuque as a sustainability leader
- Project Goals: 1) develop a comprehensive understanding of sustainability, 2) select indicators, 3) measure and establish baselines, 3) compare Dubuque to other cities, 4) write indicator reports
- Methodology: 1) Preliminary investigation, 2) Indicator database, 3) Established indicators for consideration, 4) Indicator refinement phase, 5) Public engagement, 6) Reviewed and finalized indicators, 7) Collect data
- Public Engagement: Focus groups with Dubuque Performance Metris Committee, City Council work session, focus Group with Sustainable Dubuque Collaboration Committee and city staff, community open house
- Data Contacts

- Sustainable Dubuque Indicators: 59 indicators for the principles of Economy, Social Equity, Environment
- Comparison Cities and Criteria
- Indicator Example: Principle: Green Buildings; Theme: Housing Affordability; Indicator: percent of households living in affordable housing
- Affordable Housing in Dubuque: owner-occupied and renter-occupied, comparison of housing affordability
- Looking ahead: focus group session and community open house March 20, 2012, short-term and long-term reports April/May 2012, City Council update in May 2012
- City Savings: energy efficiency projects and successful state/federal grant funding
- Green Iowa Americorps: Marketing Coordinator Brandon Gibbons presented the mission statement and information relative to residential weatherization, efficiency improvements, education, community outreach, and volunteer-generating projects
- Media Outlets
- Jule Fleet Replacements Statistics
- Impact to Local Businesses and Residents
- Clean Air Attainment Strategy: Rick Dickinson, Executive Director of Greater Dubuque Development Corporation, provided information on the cause and effect of air particulates, clean air attainment and the impact on the local economy
- Smarter Sustainable Dubuque: David Lyons presented updated information on the Smarter Water, Electrical, Travel, and Health programs.
- Review of the Sustainable Dubuque Task Force, Dubuque 2.0 and Community Engagement Phase II

There being no further business, upon motion the City Council adjourned at 6:27 p.m.

/s/Kevin S. Firnstahl  
City Clerk

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

The Dubuque City Council met in regular session at 6:30 p.m. on February 20, 2012 in the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

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 called for the purpose of conducting such matters which may properly come before the City Council.

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**PROCLAMATION(S)**

Problem Gambling Awareness Week was accepted by Allison Schwab of the Substance Abuse Services Center; Strong Healthy Students Week was accepted by U.S. Army SFC Thomas Dow.

**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: Airport Commission of 11/14/11, City Council Proceedings of 2/6/12 and 2/9/12, Civil Service Commission of 12/12/11 and 2/2/12, Safe Community Advisory Committee of 12/14/11, Zoning Advisory Commission of 2/1/12, Zoning Board of Adjustment of 1/26/12, Proof of Publication for City Council Proceedings of 1/30/12. Upon motion the documents were received and filed.

Claims and Suits: Milton Foulks for vehicle damage, Gerald Hingtgen for personal injury, Christina Houselog for vehicle damage, Gary and Shirley Jameson for property damage, Judge Real Estate for property damage, Duane Koppes for vehicle damage, Mark and Lisa Krieg for property damage, Stephen and Renee Schreiner for property damage, Jeremy and Sabrina Vandal for property damage. 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: Milton Foulks for vehicle damage, Christina Houselog for vehicle damage, Lisa Krieg for property damage, Sabrina Vandal for property damage. Upon motion the documents were received, filed and concurred.

Plat of Survey - Catfish Creek Place (1500 Miller Road): Zoning Advisory Commission recommending approval of the Plat of Survey for Catfish Creek Place (1500 Miller Road) subject to waiving the lot frontage requirement for Lot 1. Upon motion the documents were received and filed and Resolution No. 37-12 Approving the Plat of Survey for Catfish Creek in the City of Dubuque was adopted.

Urban Revitalization Program Applications - Calendar Year 2011: City Manager recommending approval of 20 applications for residential property tax exemption. Upon motion the documents were received and filed and Resolution No. 38-12 Approving property tax abatement applications submitted by property owners in recognized Urban Revitalization Areas and authorizing the transmittal of the approved applications to the City Tax Assessor was adopted.

Bee Branch Creek Restoration Project - Acquisition of 1517 Maple Street: City Manager recommending approval to purchase residential property located at 1517 Maple Street owned by Anthony and Debra Zenner for \$68,950. Upon motion the documents were received and filed and Resolution No. 39-12 Approving the acquisition of real estate owned by Anthony C. (Tony) and Debra Zenner in the City of Dubuque was adopted.

Catfish Creek Pumping Station Generator Project: City Manager recommending acceptance of the construction contract for the Catfish Creek Generator Project, as completed by A&G Electric, in the final contract amount of \$92,100, and recommends authorization of the final payment in the amount of \$4,605. Upon motion the documents were received and filed and Resolution No. 40-12 Accepting the Catfish Creek Pumping Station Generator Project and authorizing the payment of the contract amount to the contractor was adopted.

Urban Youth Corps Grant: City Manager recommending approval of the Urban Youth Corps Grant application to the Iowa Department of Transportation. Upon motion the documents were received, filed and approved.

Dubuque by Carriage - Lease Amendment: City Manager recommending approval of a Ninth Amendment to the Lease Agreement with Colleen B. Lindstrom d/b/a Dubuque by Carriage to extend the original lease of the former Dock Board building located at the terminus of Commercial Street for a two-year period. Upon motion the documents were received, filed, and approved.

Homelessness Prevention and Rapid Re-Housing Grant: Correspondence from the U.S. Department of Housing and Urban Development reminding the City of the grant expenditure deadlines for the Homelessness Prevention and Rapid Re-Housing Program Grant. Upon motion the document was received, filed and referred to the City Manager.

Kaufmann Avenue Utility Project – Acceptance: City Manager recommending

acceptance of the construction contract for the Kaufmann Avenue Utility Project (John F. Kennedy Road to Chaney Road), as completed by McDermott Excavating, in the final contract amount of \$225,338.91. Upon motion the documents were received and filed and Resolution No. 41-12 Accepting the Kaufmann Avenue Utility Project (John F. Kennedy Road to Chaney Road) and authorizing the payment of the contract amount to the contractor was adopted.

Helping Services for Northeast Iowa - Subcontract Approval: City Manager recommending approval of the Helping Services of Northeast Iowa subcontract agreement allowing reimbursement of funds associated with underage alcohol sales compliance and monitoring checks by the Police Department. Upon motion the documents were received, filed, and approved.

Hillcrest Family Services - Storm Sewer Easement Acceptance: City Manager recommending acceptance of a storm sewer easement from Hillcrest Family Services for storm sewer modifications between Wilbricht Lane and Hillcrest Road. Upon motion the documents were received and filed and Resolution No. 42-12 Accepting the grant of an easement for storm sewer under and across a part of Lot 1 and Lot 2-2 of Peterson Subdivision No. 2 in the City of Dubuque, Dubuque County, Iowa, was adopted.

Iowa Department of Transportation - US 52 Catfish Creek Bridge Agreement: City Manager recommending approval for the Mayor to execute the Iowa Department of Transportation Funding Agreement for Improvements to US Highway 52, between US 151/61 to Grandview Avenue. Upon motion the documents were received and filed and Resolution No. 43-12 Approving the Iowa Department of Transportation Funding Agreement (Agreement No. 2012-12-023) for the improvements to US Highway 52 (From US 151/61 to Grandview Avenue) was adopted.

Innovation Drive - Green Industrial Acquisition: City Manager recommending acquisition of Lot A of Lot 3 from Green Industrial for a purchase price of \$1,356.54 to be combined with City property to the north for final platting of the extension of Innovation Drive. Upon motion the documents were received and filed and Resolution No. 44-12 Approving the Acquisition Plat of Lot A of Lot 3 of Dubuque Industrial Center North First Addition in the City of Dubuque, Dubuque County, Iowa, was adopted.

Iowa Department of Transportation - Primary Roads in Municipalities: City Manager recommending approval of the Five-Year Agreement for Maintenance and Repair of Primary Roads in Municipalities between the Iowa Department of Transportation and the City of Dubuque. Upon motion the documents were received, filed, and approved.

Landfill Equipment Operator Position: City Manager recommending approval to eliminate one Equipment Operator II position in the Public Works department and create one additional Landfill Equipment Operator position. Upon motion the documents were received, filed, and approved.

Engine House #1 - Purchase of Service Agreements: City Manager recommending

approval of Purchase of Service Agreements with Crescent Community Health Center and Operation: New View to provide services to the community in the soon-to-be-renovated Engine House #1 building (18th Street) which formerly housed the City's Housing Department offices. Upon motion the documents were received and filed and Resolution No. 45-12 Approving a purchase of services agreement with the Crescent Community Health Center and Operation: New View to provide services in the Engine House #1 Building was adopted.

Riverfront Multimodal Freight Study - AECOM Agreement: City Manager recommending approval of an agreement between the City of Dubuque and AECOM Technical Services, Inc., for a Riverfront Multimodal Freight Study at an estimated cost of \$25,000. Upon motion the documents were received, filed, and approved.

Smart Planning Consortium Update: City Manager transmitting the Annual Progress Report for the Dubuque County Regional Smart Plan. Upon motion the documents were received and filed.

State Revolving Fund (SRF)-Sponsored Project Proposal Summary: City Manager recommending City Council support to submit a proposal summary to the Iowa Department of Natural Resources for State Revolving Loan Fund Secondary Funding for the Bee Branch Watershed Green Infrastructure Project. Upon motion the documents were received and filed and Resolution No. 36-12 Approving an Application for State Revolving Loan Fund Secondary Funding for the Bee Branch Watershed Green Infrastructure Project was adopted.

Civil Service Commission: Civil Service Commission submitting the Certified Lists for the positions of Foreman, Infiltration and Inflow (I&I) Inspector, Landfill Equipment Operator, and Transit Dispatcher/Scheduler. Upon motion the documents were received, filed and made a Matter of Record.

Trees Forever Power of Trees - Grant Agreement: City Manager recommending approval of the Power of Trees Grant Agreement. Upon motion the documents were received, filed, and approved.

Improvement Contracts / Performance, Payment and Maintenance Bonds: Green Alley Permeable Pavers Project (17th-18th Between Jackson and Washington Streets). Upon motion the documents were received and filed.

Alcohol Compliance - Civil Penalty for Alcohol License Holders: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for HuHot Mongolian Grill. Upon motion the documents were received, filed, and approved.

Alcohol License Applications: City Manager recommending approval of annual liquor, beer, and wine licenses as submitted. Upon motion the documents were received and filed and Resolution No. 46-12 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 was adopted.

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

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

Fiscal Year 2013 Budget: City Manager recommending that a public hearing be set for March 7, 2012, on the Fiscal Year 2013 City Budget, Operating and Capital Improvement Program, for the City of Dubuque. Upon motion the documents were received and filed and Resolution No. 47-12 Setting the date for the public hearing on the Fiscal Year 2013 Budget for the City of Dubuque; and Resolution No. 48-12 Setting the date for the public hearing on the Five-Year Capital Improvement Program for Fiscal Years 2013 through 2017 for the City of Dubuque was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 7, 2012 in the Historic Federal Building.

Flint Hills Resources Pine Bend, LLC - Riverfront Lease: City Manager recommending that a public hearing be set for March 5, 2012 to consider a proposed riverfront lease with Flint Hills Resources Pine Bend, LLC. Upon motion the documents were received and filed and Resolution No. 49-12 Resolution Intent to dispose of an interest in real property owned by the City of Dubuque by lease between the City of Dubuque, Iowa and Flint Hills Resources Pine Bend, LLC, a Delaware Limited Liability Company was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 5, 2012 in the Historic Federal Building.

Vacating Petition - Portion of Innovation Drive: City Manager recommending approval of the request to vacate Innovation Drive at its northerly terminus, that the vacated portion of Innovation Drive (Lot 2-B) be combined with City property to the east for final platting, and that easements for utilities be reserved over the entire vacated area. It is further recommended that a public hearing be set for March 5, 2012 on the vacation of this area. Upon motion the documents were received and filed and Resolution No. 50-12 Approving Plat of Lot 1-B and 2-B of Dubuque Industrial Center North First Addition in the City of Dubuque, Dubuque County, Iowa; and Resolution No. 51-12 Resolution of intent to vacate a portion of Innovation Drive in the City of Dubuque, Dubuque County, Iowa, were adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 5, 2012 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:

Cable TV Commission (New Commission): 7 Three-Year staggered terms (To be determined at the March 5, 2012 meeting.) Applicants: George Herrig, 2395 W. 32nd

Street; Sr. Carol Hoverman, 1555 White Street (Additional Applicant); Pauline Maloney, 506 St. George Street; Kevin Stevens, 2016 Golden Eagle Drive; Jennifer Tigges, 4927 Wild Flower Drive; and Alan Vincent, 1010 Dunham Drive.

Mechanical Board: 2 three-year terms through March 16, 2015 (Expiring terms of Grothe and Valaskey). Applicants: David Grothe, 2544 Elm Street; and Corey Valaskey, 1385 Alta Vista Street.

## **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 to rezone property located at 3051 Brunskill Road from R-1 Single-Family Residential District to R-3 Moderate Density Multi-Family District as submitted by Dan McDermott/Darlene Leibold Trust and the Zoning Advisory Commission recommending approval. Motion by Lynch 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 Jones. Planning Services Manager Laura Carstens provide a staff report. Kay Wagner, 2711 Brunskill Road, spoke in opposition to the request on behalf of herself and adjacent property owners. Motion carried 7-0.

Motion by Lynch for final consideration and passage of Ordinance No. 12-12 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 3051 Brunskill Road from R-1 Single-Family Residential District to R-3 Moderate Density Multi-Family District. Seconded by Jones. Motion carried 7-0.

Request to Rezone - Lot 3 Holliday Addition: Proof of publication on notice of public hearing to consider a request to rezone Lot 3 Holliday Addition (south of Aldi's on Holliday Drive) from PC Planned Commercial District to C-3 General Commercial District as submitted by Gomer Holliday Development, LLC, and the Zoning Advisory 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 Lynch. Developer Steve Smith, 2150 Tuscan Ridge Drive, spoke in support of the request. Planning Services Manager Laura Carstens provided a staff report. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 13-12 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located near the northeast corner of Holliday and Payton Drives from PC Planned Commercial District to C-3 General Commercial District. Seconded by Jones. Motion carried 7-0.

Theisen Supply, Inc. - Dubuque Industrial Center West Expansion: Proof of publication on notice of public hearing to consider approval of a Development



Agreement, which includes the sale of approximately 5.7 acres to Leo Theisen for the purpose of constructing an 80,000 sq. ft. warehouse expansion for Theisen's Supply, Inc., and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 52-12 Approving a development agreement providing for the sale of 5.7 acres in the Dubuque Industrial Center West to Leo A. Theisen and Theisen Supply, Inc. Seconded by Connors. Motion carried 7-0.

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

### **ACTION ITEMS**

Proceedings to Complete Action on Issuance of \$4,380,000 General Obligation Urban Renewal Bonds, Series 2012A and \$7,495,000 General Obligation Bonds, Series 2012B: City Manager recommending approval of the suggested proceedings to complete the action required on the recent Series 2012A and 2012B bond issuance. Motion by Braig to receive and file the documents and adopt Resolution No. 53-12 Authorizing and Providing for the issuance of \$4,380,000 General Obligation Urban Renewal Bonds, Series 2012A, and levying a tax to pay said bonds; Resolution No. 54-12 Appointing Wells Fargo Bank, National Association of Minneapolis, Minnesota, to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement; Resolution No. 55-12 Authorizing and providing for the issuance of \$7,495,000 General Obligation Bonds, Series 2012B, and levying a tax to pay said bonds; and Resolution No. 56-12 Appointing Wells Fargo Bank, National Association of Minneapolis, Minnesota, to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement. Seconded by Connors. Motion carried 7-0.

Cable Television Commission Ordinance Amendment: City Manager recommending an amendment to Ordinance 5-12, removing the publication requirement, and providing for the subsequent appointment of commissioners on a staggered basis, appointing three commissioners one year and four commissioners the following year. 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 Jones. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 14-12 Amending Ordinance No. 5-12 Establishing the Cable Television Commission by Removing the Thirty (30) Day Publication Requirement in Section 2-11-5 and Providing for Staggered Terms for Commission Members in Section 2-11-7. Seconded by Braig. Motion carried 7-0.

Acquisition of Property at 1716 S. Grandview Avenue: City Manager recommending approval of the purchase of the property at 1716 South Grandview Avenue allowing for future improvements to the entry of Murphy Park. Motion by Braig to receive and file the documents and adopt Resolution No. 57-12 Approving the purchase of real estate from

Janet C. Scott. Seconded by Connors. Responding to questions from City Council, City Manager Van Milligen and Leisure Services Manager Marie Ware stated that there is not an immediate plan for the space and that selling and moving the current structure is the preferable first option followed by deconstruction, which would save the City landfill costs. Motion carried 7-0.

Code of Ordinances Amendment - Removing No Parking Area on 9th Street: City Manager recommending an amendment to City of Dubuque Code of Ordinance 9-14-321.602 to remove a section of no parking on 9th Street just east of Iowa to the alley east. 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 Braig. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 15-12 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 14 Parking, Section 9-14-321.602 Parking Prohibited on Designated Streets or Portions Thereof by Removing Prohibited Parking on 9th Street Due to the New Intersection Pedestrian Area. Seconded by Braig. Motion carried 7-0.

Code of Ordinances Amendment - Amending Parking Meter District on 9th Street: City Manager recommending approval of an amendment to the Code of Ordinances to allow placement of the additional parking meters in the area of 9th and Iowa Streets to 9th Street and Central Avenue. 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 Jones. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 16-12 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 14 Parking, Section 9-14-321.666 Municipal Parking Meter District Established by Adding Parking on 9th Street Due to the New Intersection Pedestrian Area. Seconded by Braig. Motion carried 7-0.

Code of Ordinance Amendment - Prohibited Parking: City Manager recommending an amendment to the City of Dubuque Code of Ordinances to bring the City Code into compliance with the State Code. 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 Resnick. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 17-12 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 14 Parking, Section 9-14-321.600 Prohibited in Specified Places by Adding the Traveled Portion of the Roadway as a Prohibited Place. Seconded by Resnick. Motion carried 7-0.

Code of Ordinances Amendment - Disabled Parking Fine: City Manager recommending approval of an amendment to the City of Dubuque Code of Ordinances

adjusting the fine for violation of disabled parking regulations from \$100 to \$200. Motion by Lynch 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 Connors for final consideration and passage of Ordinance No. 18-12 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 14 Parking, Section 9-14-321.705 Prohibited Use of Parking Places or Identification Devices by Increasing the Fine for Disabled Parking Violations from \$100.00 to \$200.00. Seconded by Braig. Motion carried 7-0.

Consultant Selection - 9th & 11th Street One- to Two-Way Conversion: City Manager recommending authorization to contract with IIW Engineers, P.C. to provide professional services for the 9th Street & 11th Street one-way to two-way conversion study and the comprehensive analysis of existing traffic signal timings in the Downtown Central Business District. Motion by Lynch to receive and file the documents and approve the recommendation. Seconded by Connors. Responding to questions from City Council, Julie Neeble of IIW Engineers & Surveyors provided information about what consultant services are provided the in conversion study. Motion carried 7-0.

East-West Corridor Study – Adoption: (At the City Manager’s request, this item was addressed prior to the East-West Corridor Study – Development Moratorium.) City Manager recommending formal adoption of the East-West Corridor Connectivity Study in support of the Engineering Department's continuing effort to implement the report recommendations. Motion by Jones to receive and file the documents and adopt Resolution No. 58-12 Adopting the East-West Corridor Connectivity Study Final Report (September 2010). Seconded by Connors. Motion carried 7-0.

East-West Corridor Study - Development Moratorium: City Manager recommending establishment of a construction and development moratorium for commercial and residential properties located within the East-West Corridor Connectivity Study area. 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 Jones. Responding to questions from City Council, City Manager Van Milligen stated that this is a short-term moratorium that will stay current development plans that could impact and complicate the project. Motion carried 6-1 with Resnick voting nay.

Motion by Connors for final consideration and passage of Ordinance No. 19-12 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 2 Building, Construction, Demolition and Moving, Section 14-2-4: Moratorium for Construction of Other Work on Certain Streets, Areas of Facilities, by Adding a new Subsection B Establishing a Moratorium on the Issuance of Building Permits for Commercial and Residential Construction in the East-West Corridor Study Area. Seconded by Braig. Motion carried 7-0.

## **COUNCIL MEMBER REPORTS**

Resnick inquired about the invocation process being restored. City Attorney Lindahl stated that there is no Code requirement for the inclusion of innovation on the Council agenda and that the decision is up to the City Council.

### **CLOSED SESSION**

Motion by Jones to enter into closed session at 7:53 p.m. to discuss pending litigation and property acquisition pursuant to Chapter 21.5(1)(c)(j) Code of Iowa. Seconded by Resnick. Motion carried 7-0.

Motion by Jones to reconvene in open session at 8:37 p.m. Seconded by Braig. Motion carried 7-0.

There being no further business, upon motion the City Council adjourned at 8:38 p.m.

/s/Kevin S. Firnstahl  
City Clerk