

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

The Dubuque City Council met in special session at 5:30 p.m. on May 21, 2012 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Braig, Jones, Lynch, Resnick, Sutton;
Assistant City Manager Steinhauser, City Attorney Lindahl

Absent: Connors

Mayor Buol read the call and stated this is a special session of the City Council called for the purpose of conducting a work session on the Dubuque Regional Airport New Passenger Terminal Facility.

WORK SESSION

Dubuque Regional Airport New Passenger Terminal Facility

City of Dubuque Airport Manager Bob Grierson and Marty Johnson of Straka Johnson Architects provided a slide presentation on the proposed Regional Airport New Passenger Terminal Facility.

City Council discussion included praise for the design of the new facility and the foresight for setting funds aside for the past years to pay for the facility. The funds will be collected as follows: \$33.6 million from the Federal Aviation Administration, \$5.2 million from airport fees and \$1 million will come from the State of Iowa.

There being no further business, upon motion the City Council adjourned at 6:02 p.m.

/s/Trish L. Gleason
Assistant City Clerk

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

The Dubuque City Council met in regular session at 6:30 p.m. on May 21, 2012 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Braig, Connors, Jones, Lynch, Resnick, Sutton; Assistant City Manager Steinhauser, 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 business that may properly come before the Council.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

PROCLAMATION(S)

Mental Health Month (May 2012) was accepted by Jerry Jorgensen, Vice President of Mental Health America of Dubuque County.

CONSENT ITEMS

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

Minutes and Reports Submitted: City Council proceedings of 5/7 and 5/8, Civil Service Commission Minutes of 5/9, Housing Commission of 4/17, Human Rights Commission of 4/9, Investment Oversight Advisory Commission of 4/25, Zoning Advisory Commission of 5/2. Upon motion the documents were received and filed.

Notice of Claims and Suits: Leann Marie Arlen for personal injury, Candace Briggs for property damage, Brian and Tracy Gallagher for property damage. Upon motion the documents were received, filed and referred to City Attorney.

Disposition of Claims: 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: Leann Marie Arlen for personal injury, Candace Briggs for property damage, Brian and Tracey Gallagher for property damage, David Jansen for property damage. Upon motion the documents were received, filed and concurred.

State Historical Society of Iowa: Correspondence from the State Historical Society of Iowa informing the City that the Upper Central Avenue Commercial Historic District, 1460-1965 Central Avenue, will be considered by the State National Register Nominations Review Committee on June 8, 2012 at the Dubuque Masonic Temple. Upon motion the document was received and filed.

Citizen Petition - Dogs in City Parks: Kate Lydon of FIDO Dubuque submitting a citizen petition to allow dogs in City Parks. Upon motion the document was received, filed and referred to the Park and Recreation Commission.

Citizen Petition - Residential Parking Permit District: Karen Leubka, 1160 Marjorie Circle, submitting a citizen petition on behalf of the residents of Amy Court and Lucy Drive requesting an amendment to the residential parking permit district. Upon motion the document was received, filed and referred to City Manager.

Dubuque County Historical Society - HRDP Grant application: City Manager recommending approval for the City Manager to sign the ownership form in support of the Historic Resource Development Program grant application by the Dubuque County Historical Society for \$8,600 in grant funds for the interior restoration project at the Mathias Ham House. Upon motion the documents were received, filed and Resolution No. 125-12 Authorizing HRDP Grant application to the State Historical Society of Iowa for the restoration project at Mathias Ham House historic site was adopted.

Brownfield/Grayfield Application for Caradco Landlord, LLC: City Manager recommending approval of a Brownfield/Grayfield Redevelopment Tax Credit Application to the Iowa Economic Development Authority (IEDA), on behalf of Caradco Landlord, LLC. Upon motion the documents were received, filed and Resolution No. 126-12 Approving the Brownfield/Grayfield Redevelopment Tax Credit application to the Iowa Economic Development Authority on behalf of Caradco Landlord, LLC was adopted.

Delinquent Water, Sewer, Refuse and Stormwater Accounts: City Manager recommending approval to certify delinquent water, sewer, storm water and refuse charges to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received, filed and Resolution No.127-12 Adopting the Schedule of Assessments for delinquent water, sewer, refuse and stormwater accounts and directing the City Clerk to certify the Schedule of Assessments to the County Treasurer and to publish notice thereof was adopted.

Enterprise Zone Commission - At-Large Appointments: City Manager recommending City Council confirmation of Dan LoBianco, Doug Stillings and Rick Stein for the three at-large positions to serve on the Enterprise Zone Commission. Upon motion the documents were received, filed, and approved.

Federal Emergency Management Agency (FEMA) - Flood Insurance Rate Map and Study: Correspondence from the Federal Emergency Management Agency (FEMA) transmitting preliminary copies of the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Dubuque County and incorporated areas for review and comment. Upon motion the documents were received, filed and referred to City Manager.

Federal Emergency Management Agency (FEMA) - Buyout Properties Lien holder Search Agreement: City Manager recommending approval of the City of Dubuque's lien holder search agreement with Clemens, Walters, Conlon & Meyer for the FEMA Buyout Program's Section 403 Immediate Threat Demolition program. Upon motion the documents were received, filed, and approved.

Health Choices Administrative Services: City Manager recommending approval of the administrative services fee presented by Health Choices of \$20.10 per contract per month effective July 2, 2012 through June 30, 2014. Upon motion the documents were received, filed, and approved.

Plat of Survey - Dubuque Industrial Center West Addition: Zoning Advisory Commission recommending approval of the Plat of Survey for Lots 1 and 2 of Dubuque Industrial Center West Addition subject to waiving lot frontage for Lot 2. Upon motion the documents were received, filed and Resolution No.128-12 Approving the Plat of Survey Lot 1 and Lot 2, Dubuque Industrial Center West 9th Addition in City of

Dubuque, Iowa was adopted.

Plat of Survey - Bee Branch Subdivision No. 7: Zoning Advisory Commission recommending approval of the Plat of Survey of Lots 1 and 2 of Bee Branch Subdivision No. 7 subject to waiving the lot area requirement for Lot 2. Upon motion the documents were received, filed and Resolution No.129-12 Approving the Plat of Survey of Lot 1 and 2 of Bee Branch Subdivision No 7 in City of Dubuque, Iowa was adopted.

Plat of Survey - Bee Branch Subdivision No. 8: Zoning Advisory Commission recommending approval of the Plat of Survey of Lots 1 and 2 of Bee Branch Subdivision No. 8 subject to waiving lot frontage and lot area for Lot 2. Upon motion the documents were received, filed and Resolution No.130-12 Approving the Plat of Survey of Lot 1 and 2 of Bee Branch Subdivision No. 8 in City of Dubuque, Iowa was adopted.

Signed Contracts: Celebration Belle River Boat Docking Agreement. Upon motion the documents were received and filed.

Alcohol Compliance Civil Penalty for Alcohol License Holders - Chopper's Bar: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Chopper's Bar, 601 Rhomberg Avenue. Upon motion the documents were received, filed, and approved.

Alcohol Compliance Civil Penalty for Alcohol License Holders - Salsa's Mexican Restaurant: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Salsa's Mexican Restaurant, 1091 Main Street. 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, filed and Resolution No. 131-12 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 were adopted.

ITEMS 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 Resnick. Motion carried 7-0.

Loras Parkway: City Manager recommending that a public hearing be set for June 4, 2012 to consider the plans and specifications, form of contract, and estimated cost of the Loras Parkway Project. Upon motion the documents were received, filed and Resolution No. 132-12 Preliminary approval of plans, specifications, form of contract, and estimated cost; setting date of public hearing for June 4, 2012 on plans, specifications, form of contract, and estimated cost (Loras Parkway Project, Iowa DOT Project No. TCSP-PA27 (003) - -9S-31) was adopted.

BOARDS/COMMISSIONS

Applicant Andrea Helgager, 40 Main Street was invited to address the City Council regarding her desire to serve on the following Commission; Human Rights Commission: one 3-year term through January 1, 2013 (Vacant term of Ronek). She was not present.

Appointments made at this meeting:

Electrical Code Board: Two 3-year terms through May 21, 2015 (Expiring terms of Schmidt and Uhlich) Applicants: Robert Schmidt, 2184 Orchard Drive and Paul Uhlich, 489 Olympic Heights Road. Motion by Braig to reappoint Robert Schmidt and Paul Uhlich to the Electrical Code Board for two 3-year terms through May 21, 2015. Seconded by Connors. Motion carried 7-0.

Historic Preservation Commission: 1 three-year term through July 1, 2012 (Vacant at-large term of Knight) Applicant: Otto Krueger, 2521 Wheatland Drive. Motion by Connors to appoint Otto Krueger to the Historic Preservation Commission for 1 three-year term through July 1, 2012. Seconded by Resnick. Motion carried 7-0.

PUBLIC HEARINGS

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

Request to Rezone - 3399 Eagle Point Drive from R-1 Single Family Residential District to AG Agricultural District as requested by Robert and Leann McDonald 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 Braig. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 33-12 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 3399 Eagle Point Drive from R-1 Single-Family Residential District to AG Agricultural District. Seconded by Jones. Motion carried 7-0.

Request to Rezone - 890 Cedar Cross Road from CS Service & Wholesale District to C-3 General Commercial District as requested by Catherine George 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 Braig. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 34-12 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 890 Cedar Cross Road

from CS Commercial Service and Wholesale District to C-3 General Commercial District
Seconded by Jones. Motion carried 7-0.

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

ACTION ITEMS

Advertisement of Bond Sale - Series 2012C and 2012D: City Manager recommending approval of the advertisement for the sale of Taxable General Obligation Bonds Series 2012C and General Obligation Bonds Series 2012D and approval of the electronic bidding procedures. Motion by Jones to receive and file the documents and adopt Resolution No. 133-12 Directing the advertisement for sale of \$6,965,000 Taxable General Obligation Bonds, Series 2012C and \$7,595,000 General Obligation Bonds, Series 2012D, approving electronic bidding procedures, and authorizing distribution of a Preliminary Official Statement. Seconded by Braig. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council member Sutton reported that she will be speaking on May 24th at the Hope House.

There being no further business, upon motion the City Council adjourned at 6:54 p.m.

/s/Trish L. Gleason
Assistant City Clerk