

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

The Dubuque City Council met in regular session at 6:30 p.m. on October 15, 2012 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

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 City Council.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

May the spirit of wisdom keep our hearts and minds open as we endeavor to serve the common good.

PROCLAMATION(S)

White Cane Safety Day (October 15, 2012) was accepted by Mayor Buol;
Make a Difference Day (October 27, 2012) was accepted by Tom Stoval of Operation New View and Laura Roussell of Black Hills Energy;
DollarWise Month (October 2012). Accepted by Mayor Buol;
Veterans Appreciation Month (November 2012) was accepted by Mayor Buol.

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 8/28, Cable TV Commission of 9/5, City Council Proceedings of 10/1, Proofs of Publication for City Council Proceedings of 9/17 and 9/24. Upon motion the documents were received and filed.

Notice of Claims and Suits: Jennifer Cooper for loss of income, Archie Ralston for vehicle damage, Cynthia Thomas for personal injury, Top Block & Brick for materials supplied. Upon motion the documents were received, filed and referred to the City Attorney.

Disposition of Claims: Jennifer Cooper for lost income, Janice Even for vehicle damage, Cynthia Thomas for personal injury. Upon motion the documents were

received, filed and concurred.

Government Finance Officers Association (GFOA): Correspondence from Government Finance Officers Association (GFOA) awarding the City of Dubuque the Distinguished Budget Presentation Award for the Fiscal Year 2013 Annual Budget and a Certificate of Recognition to Budget Director Jennifer Larson for having achieved this award. Upon motion the documents were received and filed.

Iowa Department of Public Health: Correspondence from State Public Health Dental Director Bob Russell advising that the City has been awarded the 2011 Water Fluoridation Quality Award by the Centers for Disease Control and the U.S. Department of Health and Human Services. Upon motion the documents were received and filed.

Preservation Iowa - 2012 Preservation at Its Best Awards: Press release announcing that the City of Dubuque has received two 2012 Preservation at Its Best awards for the Historic Millwork District Complete Streets Project and a shared award for the rehabilitation of the Washington Neighborhood Rowhouses located at 1765-1795 Washington Street. Upon motion the documents were received and filed.

Iowa Supreme Court Advisory Committee on Rules of Civil Procedure: Correspondence from Iowa Chief Justice Mark S. Cady advising that City Attorney Barry Lindahl has been appointed as a co-chair to the Supreme Court Advisory Committee on Rules of Civil Procedure. Upon motion the document was received and filed.

Dubuque Food Co-op - Letter of Support: City Manager submitting a Letter of Support for the Dubuque Food Co-op and its development in the Historic Millwork District. Upon motion the documents were received, filed and approved.

Multicultural Family Center Annual Report: City Manager transmitting the 2011-2012 Annual Report for the Multicultural Family Center. Upon motion the documents were received and filed.

Partial Release of Mortgages - 2264 Washington Street: City Manager recommending approval of the release of mortgages held by the City of Dubuque on the easterly 27 feet of the Jayson D. Eichman property located at 2264 Washington Street. Upon motion the documents were received and filed and Resolution No. 277-12 Releasing certain mortgages on Lot 2 Bee Branch Subdivision No. 8, in the City of Dubuque, Dubuque County, Iowa, was adopted.

Safe Routes to School Project (SRTS) - Rejection of Bid: City Manager recommending approval to reject the one competitive bid received for the Safe Routes to School Project due to lack of City funding to cover the required local match costs. Upon motion the documents were received and filed and Resolution No. 278-12 Rejecting all competitive bid proposals received for the Safe Routes to School Project, Iowa DOT Project No. SRTS-U-2100 (663)-8U-31 was adopted.

PEG Capital Expenditure Request: City Manager recommending approval of the Cable TV Commission recommendations for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities up to \$10,000 for the City of Dubuque to purchase two tapeless solid-state video cameras to produce programming for CityChannel Dubuque. Upon motion the documents were received, filed and approved.

Iowa Economic Development Authority (IEDA): Communications from the Iowa Economic Development Authority (IEDA) informing the City of 1) Amendment No. 2 to the Community Development Block Grant Program Contract No. 08-DRIFWP-203; and 2) that the IEDA intends to amend its Community Development Block Grant (CDBG) Contract 08-DRIF-WP-203 with the City by adding a Supplemental CDBG award for watershed planning. Upon motion the documents were received, filed and referred to the City Manager.

U.S. Economic Development Administration (EDA): Correspondence from Robert Olson, Regional Director for the U.S. Economic Development Administration (EDA) advising the City that its application for the Bee Branch Disaster Resiliency Project has been selected through EDA's competitive application review process for further consideration for funding. Upon motion the documents were received, filed and referred to the City Manager.

Sustainable Strategies DC / Ferguson Group - Contract Renewal: City Manager recommending that the City continue the contract with Sustainable Strategies DC and the Ferguson Group through December 2012, to review and provide strategic advice on grant writing as it pertains to alternative funding sources for City projects and initiatives. Upon motion the documents were received, filed and approved.

Human Rights Commission: Commissioner Judie Root submitting her resignation to the Human Rights Commission. Upon motion the documents were received, filed and the resignation accepted.

Confidential Account Clerk: City Manager recommending approval of the elimination of the vacant Head Ramp Cashier position and the creation of one additional Confidential Account Clerk position in the Parking Division. Upon motion the documents were received, filed and approved.

Improvement Contracts / Performance, Payment and Maintenance Bonds: Drew Cook & Sons contract for the SEP Green Alley Project (17th-18th between Jackson & White Streets and 16th -17th between Jackson and Washington Streets); Klauer Construction contract for the Historic White Water Creek Bridge Restoration Project Phase 4 Wood Decking. 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. 279-12 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. 280-12 Approving applications for retail cigarette/tobacco sales permits, as required by Iowa Code 453A.47A 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 Jones. Motion carried 7-0.

Request for Bid - ARC Transfer Center Phase I Project: City Manager recommending initiation of the bidding process for the construction of the ARC Transfer Center Phase I Project, and further recommends that a public hearing be set for November 5, 2012. Upon motion the documents were received and filed and Resolution No. 281-12 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 (ARC Transfer Center Phase I Canopy - 2012 Project) was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 5, 2012 in the Historic Federal Building.

Sale of Property - 2513-2515 White Street: City Manager recommending that a public hearing be set for November 5, 2012, to consider the sale of city-owned property at 2513-2515 White Street to James Ferring. Upon motion the documents were received and filed and Resolution No. 282-12 Resolution of Intention to dispose of City-owned property, specifically, Northerly 35 feet of the Westerly 170 feet of Lot 227 in Davis Farm, a part of Dubuque, in the City of Dubuque, County of Dubuque, Iowa, according to the recorded plat thereof, 2513-2515 White Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 5, 2012 in the Historic Federal Building.

Well Field Electrical Upgrades Project: City Manager recommending initiation of the bidding process for the Well Field Electrical Upgrades Project and further recommends that a public hearing be set for November 5, 2012, to approve the plans and specifications. Upon motion the documents were received and filed and Resolution No. 283-12 Preliminary approval of the specifications, form of contract, and estimated cost; setting date of public hearing on the specifications, form of contract, and estimated cost; and ordering the advertisement for bids (Well Field Electrical Upgrades Project) was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 5, 2012 in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointments were made to the following Boards/Commissions:

Arts and Cultural Affairs Advisory Commission: One 3-Year term through June 30, 2015 (Vacant term of King), Business Professional District requirement. Applicants: Mary Bridget Corken, 469 Emmett St. Apt. 26; Tom Farley, 491 W 4th St.; and Gina Siegert, 405 Southern Ave. Upon roll-call vote (Lynch, Sutton, Braig and Buol voting for Siegert; Jones, Resnick and Connors voting for Farley) Gina Siegert was appointed to the Arts and Cultural Affairs Advisory Commission for a 3-year term through June 30, 2015.

Housing Commission: One 3-Year term through September 9, 2015 (Vacant term of Kapler). Applicant: Patricia Foster, 3565 Lunar Dr. Motion by Connors to appoint Patricia Foster to the Housing Commission for a 3-year term through September 9, 2015. Seconded by Lynch. Motion carried 7-0.

Housing Trust Fund Advisory Committee: One 3-Year term through September 8, 2015 (Expiring term of Hingtgen). Applicant: Doris Hingtgen, 309 Hill St. Motion by Braig to appoint Doris Hingtgen to the Housing Trust Fund Committee for a 3-year term through September 8, 2012. Seconded by Resnick. Motion carried 7-0.

Safe Community Advisory Committee: One 1-Year term through December 31, 2012 (Vacant term of Elkins). Applicant: Christopher J. Welch, 164 Main St. Motion by Connors to appoint Christopher Welch to the Safe Community Advisory Committee for a 1-year term through December 31, 2012. Seconded by Lynch. Motion carried 7-0.

PUBLIC HEARINGS

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

General Obligation Bonds Series 2012E (General Corporate Purposes): Proof of publication on notice of public hearing to consider the issuance of not to exceed \$700,000 General Obligation Bonds and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 284-12 Instituting proceedings to take additional action for the authorization and issuance of not to exceed \$700,000 General Obligation Bonds, Series 2012E. Seconded by Jones. Motion carried 7-0.

General Obligation Bonds Series 2012E (Essential Corporate Purposes): Proof of publication on notice of public hearing to consider the issuance of not to exceed \$4,000,000 General Obligation Bonds and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 285-12 Instituting proceedings to take additional action for the issuance of not to exceed \$4,000,000 General Obligation Bonds, Series 2012E. Seconded by Connors. Motion

carried 7-0.

General Obligation Urban Renewal Bonds Series 2012E: Proof of publication on notice of public hearing to consider the issuance of not to exceed \$12,000,000 General Obligation Urban Renewal Bonds and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 286-12 Instituting proceedings to take additional action for the authorization and issuance of not to exceed \$12,000,000 General Obligation Bonds, Series 2012E. Seconded by Braig. Motion carried 7-0.

Bowling & Beyond Dubuque, Inc.: Proof of publication on notice of public hearing to consider approval of an agreement with Bowling & Beyond Dubuque, Inc., to terminate its lease of City land at 1860 Hawthorne Street and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 287-12 Approving an Agreement to Terminate Leases with Bowling & Beyond Dubuque, Inc. for a building located in the Greater Downtown Urban Renewal District. Seconded by Jones. Motion carried 7-0.

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

ACTION ITEMS

Convention and Visitors Bureau - Quarterly Report: President Keith Rahe provided a verbal update on the activities of the Dubuque Convention and Visitors Bureau that included information on hotel occupancy, an events report, sales, and marketing. Motion by Jones to receive and file the information. Seconded by Connors. Motion carried 7-0.

Dubuque Community School District - Race to the Top Grant: Associate Superintendent Lynne Devaney presented an overview of Dubuque Community Schools' Race to the Top Grant Application for City Council review and support. Motion by Connors to receive and file the document and approve a show of support for the grant application. Seconded by Jones. Motion carried 7-0.

General Obligation Refunding Bonds Series 2012G - Advertisement of Sale: City Manager recommending approval of the suggested proceedings for directing sale of the \$950,000 General Obligation Refunding Bonds, Series 2012G, awarding the Bonds to the best bidder and redemption of the outstanding General Obligation Bonds, Series 2002C. Motion by Jones to receive and file the documents and adopt Resolution No. 288-12 Directing Sale of General Obligation Refunding Bonds, Series 2012G; and Resolution No. 289-12 Authorizing the redemption of outstanding General Obligation Bonds, Series 2002C, dated December 1, 2002, of the City of Dubuque, Iowa, and directing Notice of Redemption. Seconded by Connors. Tim Oswald of Piper-Jaffray reviewed the Report of Bond Sale with the City Council. Motion carried 7-0.

Port of Dubuque Watermain Extension Project - Award of Contract: City Manager recommending award of the Port of Dubuque Watermain Extension Project contract to

Tschiggfrie Excavating, Inc. Motion by Connors to receive and file the documents and adopt Resolution No. 290-12 Awarding public improvement contract for the Port of Dubuque Watermain Extension Project. Seconded by Braig. Motion carried 7-0.

Debt Management Policy: City Manager recommending approval of a Debt Management Policy. Motion by Lynch to receive and file the documents and approve the recommendation. Seconded by Jones. Responding to questions from City Council, City Manager Van Milligen and Budget Director Jenny Larson provided information on the City's debt rate, debt capacity and debt service

Bus Storage and Maintenance Facility: City Manager recommending approval of the selection of IIW for the Site Selection Study and Environmental Analysis for a Bus Storage and Maintenance Facility and approve City staff to enter into contract negotiations. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Lynch. Motion carried 7-0.

National League of Cities Voting Delegates: Correspondence from the National League of Cities requesting that the City designate a voting delegate and alternate voting delegate for the upcoming National League of Cities Annual Business meeting on December 1, 2012. Motion by Connors to appoint Mayor Buol as the voting delegate and Council Member Lynn Sutton as the alternate. Seconded by Lynch. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Braig expressed her thanks to the volunteer group she witnessed cleaning up the 16th Street Detention Basin and thanked all community volunteers who contribute to the City's image.

Council Member Resnick reported on the recent March of Dimes event he attended at the Grand River Center and acknowledged their work.

Council Member Jones reported that he has been appointed to the Region 1 Workforce Investment Board (RWIB).

CLOSED SESSION

Motion by Jones to convene in closed session at 8:14 p.m. regarding pending litigation and property acquisition pursuant to Chapter 21.5(1)(c)(j) Code of Iowa. Seconded by Connors. Motion carried 7-0.

Upon motion the Council reconvened in open session at 8:31 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 8:32 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 10/24