

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

The Dubuque City Council met in special session at 5:30 p.m. on February 4, 2013 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 special session of the City Council called for the purpose of conducting a work session on the Dubuque Convention and Visitors Bureau Annual Report.

**WORK SESSION
Dubuque Convention and Visitors Bureau Annual Report.**

Convention and Visitors Bureau President Keith Rahe introduced staff and presented the CVB annual report. Highlights included: tourism awards, impact studies, hotel/motel receipts summary, Welcome Center, city-wide occupancy, destination figures, visitors guide, tour group goals, meeting planner guide, group tour manual, travel Dubuque web site, public relations, marketing, social media, convention shows and group sales, economic impact, CVB budget, and festivals and events.

The City Council had discussion following the report.

There being no further business, upon motion the City Council adjourned at 6:16 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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

The Dubuque City Council met in regular session at 6:30 p.m. on February 4, 2013 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.

CONSENT ITEMS

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

Minutes and Reports Submitted: Arts and Cultural Affairs Advisory Commission of 12/11/12, City Council proceedings of 1/22, Historic Preservation Commission of 1/17, Investment Oversight Advisory Commission of 1/23, Library Board of Trustees Update of 1/24, Proof of publication for City Council proceedings of 1/7, Proof of Publication for List of Claims and Summary of Revenues for Month Ending 12/31/12, Upon motion the documents were received and filed.

Notice of Claims and Suits: Bird Chevrolet for vehicle damage, Mary Oldham for personal injury, Dale Wlochall for property damage, Upon motion the documents were received, filed and referred to the 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: Bird Chevrolet for vehicle damage, Mary Oldham for personal injury, Dale Wlochall for property damage, Lisa Vogt for property damage. Upon motion the documents were received, filed and concurred.

Millwork District Complete Streets - Project Acceptance: City Manager recommending acceptance of the construction contract for the Historic Millwork District Complete Streets Project as completed by Portzen Construction, Inc. Upon motion the documents

were received and filed and Resolution No. 27-13 Accepting the Historic Millwork District Complete Streets Project and authorizing the payment of the contract amount to the contractor; and Resolution No. 28-13 Adopting the Final Assessment Schedule for the Historic Millwork District Complete Streets Project were adopted.

Port of Dubuque Watermain Extension Project – Acceptance: City Manager recommending acceptance of the Port of Dubuque Water Main Extension Project as completed by Tschiggfrie Excavating. Upon motion the documents were received and filed and Resolution No. 29-13 Accepting the Port of Dubuque Water Main Extension Project and authorizing the payment of the contract amount to the contractor was adopted.

Bee Branch Creek Restoration Project - Property Acquisition: City Manager recommending approval to purchase a property owned by Alvin Blum at 501 E. 15th Street for more than the appraised value 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. 30-13 Approving the acquisition of real estate owned by Blum Properties, Inc. in the City of Dubuque, Iowa, was adopted.

Iowa Economic Development Authority (IEDA) - Caradco Amendment: City Manager recommending approval of a resolution authorizing the submittal and execution of an amendment to the Community Development Block Grant Housing Disaster Recovery Fund Contract Agreement between the Iowa Economic Development Authority and the City of Dubuque on behalf of the Caradco Building Project. Upon motion the documents were received and filed and Resolution No.31-13 Approving Amendment Number 3 to the Community Development Block Grant (CDBG) Housing Disaster Recovery Fund contract between the Iowa Economic Development Authority and the City of Dubuque on behalf of the Caradco Building Project was adopted.

911 Center/Emergency Operations Center Needs Assessment: City Manager recommending approval of the selection of Wold Architects to provide the Needs Assessment for the Emergency Communications/Emergency Operations Center. Upon motion the documents were received, filed and approved.

Historic Preservation Commission - White Water Creek Bridge: Historic Preservation Commission recommending that the Dunleith & Dubuque (White Water Creek) Bridge nomination to the National Register of Historic Places be forwarded to the State Nominations Review Committee. Upon motion the documents were received, filed and approved.

Federal Emergency Management Agency (FEMA) - Acceptance of Deeds and Agreements: City Manager recommending approval of the purchase agreements and acceptance of the deeds for flood-damaged properties at 1711 Old Mill Road and 1654 Manson Road that were damaged in the flood of July, 2011 and further recommends that the City Attorney's Office be authorized to engage the services of Kevin Deeny to obtain Certificates of Iowa Title Guaranty for these properties. Upon motion the documents were received and filed and Resolution No. 32-13 Approving the acquisition of

real estate owned by the Estes of Zane C. Thorpe in the City of Dubuque, Iowa; and Resolution No. 33-13 Approving the acquisition of real estate owned by the Estate of Ken J. Lin in the City of Dubuque, Iowa, were adopted.

Federal Emergency Management Agency (FEMA) - Asbestos Survey and Monitoring: City Manager recommending approval of the bid specifications for asbestos survey and monitoring for the flood-damaged structures at 1711 Old Mill Road and 1654 Manson Road. Upon motion the documents were received, filed and approved.

Federal Emergency Management Agency (FEMA) - North Catfish Creek: City Manager transmitting an update of the successful North Fork of Catfish Creek Letter of Map Revision (LOMR) process for the City's flood plain maps and correspondence from the Federal Emergency Management Agency (FEMA). Upon motion the documents were received and filed.

Long Range Planning Advisory Commission - Indoor Aquatic Center: Long Range Planning Commission submitting a Letter of Support for an indoor aquatic center and expressing its interest in assisting with the study and participating in the community engagement process. Upon motion the documents were received, filed and referred to the City Manager.

Plat of Survey - Bee Branch Subdivision No. 10: City Manager recommending approval of the Plat of Survey for Lot 1 and Lot 2 of Bee Branch Subdivision No. 10 in order to make available area along Elm Street for the Bee Branch Creek Restoration Project. Upon motion the documents were received and filed and Resolution No. 34-13 Approving Plat of Survey of Lot 1 and Lot 2 of Bee Branch Subdivision No. 10 in the City of Dubuque, Dubuque County, Iowa, was adopted.

Quarterly Investment Report: City Manager transmitting the December 31, 2012 Quarterly Investment Report. Upon motion the documents were received and filed.

2013 Federal Legislative Priorities: City Manager recommending adoption of the 2013 Federal Legislative Priorities. Upon motion the documents were received, filed and approved.

Enterprise Zone Commission: City Manager transmitting appointments to the City's Enterprise Zone Commission of Dave Baker for United Labor, Richard Van Iten for the Long Range Planning Advisory Commission and Kelley Deutmeyer for the Iowa Economic Development Authority. Upon motion the documents were received and filed.

Golf Course Technician: City Manager recommending approval to create one Golf Course Technician position and eliminate one vacant Maintenanceworker position in the Leisure Services Department. Upon motion the documents were received, filed and approved.

Dubuque Convention and Visitors Bureau Advisory Board: Dubuque Convention and Visitors Bureau Advisory Board submitting meeting minutes of January 16, 2013 as required by their Purchase of Service Agreement. Upon motion the documents were received and filed.

Mayors for Peace: Communication from Mayor Matsui Kazumi of Hiroshima, Japan, transmitting the City's Certification of Membership in Mayors for Peace and poster exhibition. Upon motion the documents were received, filed and approved.

Improvement Contracts / Performance, Payment and Maintenance Bonds: Murphy Construction Group, LLC for the ARC Transfer Center Canopy Project 2012 Phase 1. Upon motion the documents were received, filed and approved.

Alcohol Compliance Civil Penalty for Alcohol License Holders -Casey's General Store #2420: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Casey's General Store #2420 at 2699 Rockdale Road. Upon motion the documents were received, filed and approved.

Alcohol Compliance Civil Penalty for Alcohol License Holders - Casey's General Store #2421: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Casey's General Store #2421 at 4003 Peru Road. Upon motion the documents were received, filed and approved.

Alcohol Compliance Civil Penalty for Alcohol License Holders - Exxtreme Pub: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Exxtreme Pub at 1701 Central Avenue. Upon motion the documents were received, filed and approved.

Alcohol Compliance Civil Penalty for Alcohol License Holders - Los Aztecas Mexican Restaurant: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Los Aztecas Mexican Restaurant, 2700 Dodge Street. Upon motion the documents were received, filed and approved.

Alcohol Compliance Civil Penalty for Alcohol License Holders - Plaza 20 BP/Amoco: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Plaza 20 BP/Amoco at 2600 Dodge Street. Upon motion the documents were received, filed and approved.

Tobacco Compliance - Civil Penalty for Tobacco License Holders - Plaza 20 BP/Amoco: City Manager recommending approval of the Acknowledgment/Settlement Agreement for a tobacco compliance violation for Plaza 20 BP/Amoco at 2600 Dodge Street. Upon motion the documents were received, filed and approved.

Alcohol Compliance Civil Penalty for Alcohol License Holders - Steve's Ace Home & Garden: City Manager recommending approval of the Acknowledgment/Settlement

Agreement for an alcohol compliance violation for Steve's Ace Home & Garden at 3350 JFK Road. Upon motion the documents were received, filed and approved.

Tobacco Compliance - Civil Penalty for Tobacco License Holders - Casey's General Store #2421: City Manager recommending approval of the Acknowledgement/Settlement Agreement for a tobacco compliance violation for Casey's General Store #2421 at 4003 Peru Road. Upon motion the documents were received, filed and approved.

Tobacco Compliance - Civil Penalty for Tobacco License Holders - Casey's General Store #2420: City Manager recommending approval of the Acknowledgement/Settlement Agreement for a tobacco compliance violation for Casey's General Store #2420 at 2699 Rockdale Road. 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. 35-13 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. 36-13 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 Braig. Motion carried 7-0.

Sale of Property - 2290 Washington Street: City Manager recommending that a public hearing be set for February 18, 2013 for the purpose of disposing of City-owned real property located at 2290 Washington Street to Katherine Toskey. Upon motion the documents were received and filed and Resolution No. 37-13 Resolution of Intention to dispose of City-owned property, Lot 1 Bee Branch Sub. No. 3 in the City of Dubuque, Iowa, according to the recorded plat thereof - 2290 Washington Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on February 18, 2013 in the Historic Federal Building.

Sale of Property - 2320 Washington Street: City Manager recommending approval that a public hearing be set for February 18, 2013 for the purpose of disposing of City-owned real property located at 2320 Washington Street to Samantha and Nolan Hein. Upon motion the documents were received and filed and Resolution No. 38-12 Resolution of Intention to dispose of City-owned property specifically, lot 1 Bee Branch No. 6 in the City of Dubuque, County of Dubuque, Iowa, according to the recorded plat thereof,

2320 Washington Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on February 18, 2013 in the Historic Federal Building.

City Hall Envelope Restoration (Tuckpointing) Project: City Manager recommending initiation of the bidding process for the City Hall Envelope Restoration (Tuckpointing) Project, and further recommends that a public hearing be set for February 18, 2013. Upon motion the documents were received and filed and Resolution No. 39-13 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 (City Hall Envelope Restoration Project) was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on February 18, 2013 in the Historic Federal Building.

PUBLIC HEARINGS

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

Asbury Tank Reconditioning Project: Proof of publication on notice of public hearing to consider the approval of the plans, specifications, form of contract and the estimated cost for the Asbury Tank Reconditioning Project and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 40-13 Approval of plans, specifications, form of contract, and estimated cost for the Asbury Tank Reconditioning Project. Seconded by Jones. Motion carried 7-0.

Weaver Castle LLC - Development Agreement: Proof of publication on notice of public hearing to consider approval a Development Agreement with Weaver Castle, LLC to redevelop property located at 407-409 Loras Blvd. and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 41-13 Approving issuance of Urban Renewal Tax Increment Revenue Obligations and the execution of a Development Agreement relating thereto with Weaver Castle, LLC. Seconded by Jones. Motion carried 7-0.

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

ACTION ITEMS

Project HOPE Update: Eric Dregne, Director of Programs for the Community Foundation of Greater Dubuque provided an update and presentation on the activities of Project HOPE. Motion by Jones to receive and file. Seconded by Resnick. Mr. Dregne provided information related to the Project HOPE coalition, objectives, connecting people to education and skills, pathways to employment, Circles Initiative, financial asset building. Council Member Braig asked that Mr. Dregne look into partnering with the Heart Program. Motion carried 7-0.

Dubuque Works 2012 Annual Report: Sarah Harris, Vice President of Workforce Solutions for Greater Development Corporation, to provide a presentation on the Dubuque

Works 2012 Annual Report. Motion by Jones to receive and file. Seconded by Resnick. Ms. Harris provided information related to the program's impact, connection with people, relocation assistance, retention of young professionals, skills development, creation of skills pathways, newcomer services, resume building and internships. Motion carried 7-0.

Smarter Sustainable Dubuque Pilot Project on Smarter Discards - Follow Up: City Manager recommending that the City enter into contracts to make purchases from vendors to provide Radio Frequency Identification (RFID) technology, data collection software, and engagement and project management assistance in order to undertake the Smarter Discard Management Proof of Concept. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Braig. Responding to questions from the City Council, Resource Management Coordinator Paul Schultz stated that the use of technology will improve the efficiency, economic value and safety of refuse collection. Motion carried 7-0.

City Council Salary Compensation Review: City Clerk submitting information for beginning the process of reviewing City Council salary compensation. Motion by Connors to receive and file the documents and that Council provide the name and contact information for their representative to the City Clerk by February 8, 2013. Seconded by Jones. Motion carried 7-0.

Dubuque County Emergency Management Agency: City Manager transmitting the meeting agenda and supporting documentation for the Dubuque County Emergency Management Agency's budget meeting on Wednesday, February 6 at 7:15 p.m., which requests that the Mayor or Council representative attend. Motion by Connors to receive and file the documents and appoint Council Member Ric Jones as the Mayor's designee at the EMA meeting. Seconded by Braig. Motion carried 7-0.

Fiscal Year 2014 Budget Recommendation: City Manager submitting the Fiscal Year 2014 Budget Recommendation. Motion by Connors to receive and file the documents. Seconded by Jones. City Manager Van Milligen provided a slide presentation on the City's financial history since the 1980s, plan for the future and how Dubuque compares to the 10 largest cities in Iowa. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Mayor Buol reported on Dubuque receiving the River City of the Year award from Iowa River Revivals and his attendance at Canada's first Smart City Summit in Toronto.

There being no further business, upon motion the City Council adjourned at 8:46 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk