

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

The Dubuque City Council met in special session at 5:00 p.m. on May 6, 2013 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

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 University of Iowa Initiative for Sustainable Communities.

**WORK SESSION  
University of Iowa Initiative for Sustainable Communities**

Sustainability Coordinator Core Burbach introduced student members of the University of Iowa Initiative for Sustainable Communities who provided presentations on the following topics:

**Reimaging South Port**

1. Initial review: Port of Dubuque Master Plan, history of the Port, redevelopment case studies, public brainstorming events
2. Survey results / land use analysis summary
3. Design concepts: revitalize industrial port, low-, medium-, and high-density development
4. Final recommendation and design recommendations
5. Future considerations

**Increasing Mobility in Dubuque**

1. Relevance to Dubuque: reasonable mobility, sustainability themes, attracting/retaining young professionals and students
2. Project overview: local feasibility, vendor/systems feasibility, recommendations
3. Facility improvements feedback
4. Facility recommendations
5. Car-sharing feedback, locations, and recommendations
6. Bike-sharing feedback, locations, and recommendations
7. Complementing Transit
8. Recap of recommendations

**Schools, Neighborhoods, and Student Outcomes**

Commitment to Education in Dubuque

1. Understanding schools and community development
  - a. 3<sup>rd</sup> grade reading proficiency
  - b. Free and reduced lunch rates

- c. Key findings
2. How neighborhoods affect our schools
3. How schools affect our neighborhoods
4. What can we do
  - a. Police intervention
  - b. Goals
  - c. Collaboration

**Housing for a Vibrant Dubuque;  
Neighborhood Choice and Redevelopment**

1. Background information
2. Project purpose
3. Methodology
  - a. Factors that affect neighborhood choice
  - b. Consumer preferences and neighborhood choice
  - c. Target area analysis
  - d. Independent variables
4. Results
  - a. Significant amenities and dis-amenities
  - b. Interviews
  - c. Amenities
  - d. Housing condition and age
  - e. Crime incidents
  - f. Neighborhood willingness to pay
  - g. Area strength, weaknesses, opportunities, and threats
  - h. Area vision statements and objectives
  - i. Area policy recommendations
  - j. Area analysis, vision, objectives and recommendations

There being no further business, upon motion the City Council adjourned at 6:30 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 6:37 p.m. on May 6, 2013 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 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.

**SWEARING IN**

Mayor Roy D. Buol swore in Mayor Pro Tem Joyce E. Connors for a term through December 31, 2013.

**PROCLAMATION(S)**

Kids to Parks Day (May 18, 2013) was accepted by Leisure Services Manager Marie Ware.

Municipal Clerk's Week (May 5-11, 2013) was accepted by City Clerk Kevin Firnstahl.

Nursing Home Week (May 12-18, 2013) Barbara Barker of Luther Manor, 3131 Hillcrest Road.

Bike to Work Week (May 13-17, 2013) was accepted by Mike Loeboch of the Tri-State Trails Vision, 7600 Commerce Park Drive.

Preservation Month (May 2013) was accepted by Historic Preservation Commission Chairperson Dave Klavitter.

Mental Health Month (May 2013) Jerry Jorgenson 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 Resnick. Joseph Healey requested (#4) Joseph Healey - Appeal of Claim be held for separate discussion. Mary Strom requested (#5)

Citizen Petition - Southern Avenue Detoured Traffic be held for separate discussion.  
Motion carried 7-0

Minutes and Reports Submitted: Arts and Cultural Affairs Advisory Commission of 3/26, Cable TV Commission of 4/3, City Council proceedings of 4/15, Human Rights Commission of 3/11, Investment Oversight Advisory Commission of 1/23 (revised) and 4/24, Mechanical Code Board of 4/11. Upon motion the documents were received and filed.

Notice of Claims and Suits: Jim David for property damage, Heidi Goin for property damage, Christine Johnson for personal injury, Douglas Mott for property damage, Regina and Robert Noel for property damage, Shirley Wiegand for property damage, John Young for vehicle damage; Klein vs. Sarah Lynn and the City of Dubuque. 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: Jim David for property damage, Heidi Goin for property damage, Douglas Mott for property damage, Regina and Robert Noel for property damage, Shirley Wiegand for property damage, John Young for vehicle damage. Upon motion the documents were received, filed and concurred.

Joseph Healey - Appeal of Claim: City Attorney recommending denial of the claim for property damage appealed by Joseph Healey. Motion by Connors to receive and file the documents and concur with the City Attorney's recommendation. Joseph Healey, 684 University Avenue, stated that he believed the City's water main repair was the cause of the damage to his sewer lateral. Motion carried 7-0.

Citizen Petition - Southern Avenue Detoured Traffic: Dave Hartig submitting a citizen petition on behalf of residents of south Southern Avenue requesting limitation of northbound through traffic on that portion of Southern Avenue during the detour related to road construction on Hwy. 151/61. Motion by Jones to receive and file the documents and refer to the City Manager. Seconded by Resnick. Mary Strom, 960 Mayfair Court and spoke on behalf of area residents. Motion carried 7-0.

2012-2013 Snow Removal / Sidewalk Assessments: City Manager recommending establishment of the final assessments for the 2012-2013 Snow Removal from City Right-of-Way. Upon motion the documents were received and filed and Resolution No. 129-13 Adopting the Final Assessment Schedule for the 2012-2013 Snow Removal Assessment - Right-of-Way Obstruction Removal Assessment Project was adopted.

Intermodal Agreement for Services with ECIA: City Manager recommending approval of the Site Selection Study for a new Bus Storage and Maintenance Facility at the former City Garage location and authorization to submit the study to the Federal Transit Administration (FTA) for their review, concurrence and approval of this site selection. Upon motion the documents were received, filed and approved.

Iowa Department of Transportation - Urban Youth Corps Grant Agreement: City Manager recommending approval of an Urban Youth Corps Grant Agreement with the Iowa Department of Transportation to provide transportation-related employment and training opportunities to youth between the ages of 16 and 21 who face barriers to employment. Upon motion the documents were received, filed and approved.

Electrical Code Board: Commissioner Ronald Mueller submitting his resignation to the Electrical Code Board. Upon motion the document was received, filed and the resignation accepted.

Library Board of Trustees: Board Member David Hammer submitting his resignation from the Library Board of Trustees. Upon motion the document was received, filed and the resignation accepted.

Historic Resource Development Program (HRDP) Grant for Digitizing City Directories: City Manager recommending approval of a resolution authorizing the Mayor to sign the HRDP grant application for the Digitization of Dubuque City Directories from 1856-1991. Upon motion the documents were received and filed and Resolution No. 130-13 Authorizing Historical Resource Development Program (HRDP) application to the State Historical Society of Iowa for digitization of Dubuque City Directories was adopted.

Historic Resource Development Program (HRDP) - Four Mounds Foundation: City Manager recommending approval for the City Manager to sign the ownership form in support of the 2013 Historic Resource Development Program grant application by Four Mounds Foundation for barn restoration at the Four Mounds Estate Historic District. Upon motion the documents were received and filed and Resolution No. 131-13 Authorizing HRDP Grant Application to the State Historical Society of Iowa for Barn Restoration Project at Four Mounds Estate Historic District was adopted.

Trapeze Software Group, Inc. - Assignment of Mentor Engineering Contract: City Manager recommending approval of the assignment to Trapeze Software Group of the Agreement between the City of Dubuque and Mentor Engineering, Inc., for the Jule's ITS Project. Upon motion the documents were received, filed and approved.

Bee Branch Phase I Completion - 15th Street Project: City Manager recommending acceptance of the construction contract for the Bee Branch Phase I Completion - 15th Street Project, as completed by McDermott Excavating. Upon motion the documents were received and filed and Resolution No. 132-13 Accepting the Bee Branch Phase I Completion - 15th Street Project and authorizing the payment of the contract amount to the contractor was adopted.

Caradco CDBG Amendment No. 2: City Manager recommending review and approval of the proposed Amendment No. 2 to the current contract with East Central Intergovernmental Association to assist the City with grant administration for the 2010

Iowa Department of Economic Development Community Development Block Grant (CDBG) for the Caradco Building, LLLP project and give authorization to the City Manager to sign the proposal on behalf of the City. Upon motion the documents were received and filed and Resolution No. 133-13 Approving Amendment No. 2 for 2010 CDBG Grant Administration with East Central Intergovernmental Association was adopted.

Caradco Building Project - Contract Amendment No. 4: City Manager recommending approval of Amendment No. 4 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. Upon motion the documents were received and filed and Resolution No. 134-13 Approving Amendment No. 4 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.

Approve RISE Contract: City Manager recommending Council approval of a RISE Contract for a new street to serve approximately 78 acres of new industrial property located on the former South Siegert Farm. Upon motion the documents were received and filed and Resolution No. 135-13 Approving an agreement for R.I.S.E. funding with the Iowa Department of Transportation relating to development of a new street in the Dubuque Industrial Center South was adopted.

Quarterly Investment Report: City Manager transmitting the Quarterly Investment Report for March 31, 2013. Upon motion the documents were received and filed.

Indoor Aquatic Center Study- Joint Committee Recommendation: City Manager recommending approval of the selection of Novak Design Group for the Indoor Aquatic Center Study and pending the recommendation of the Park and Recreation Advisory Commission, the School Facilities and Support Commission and the School Board. Upon motion the documents were received, filed and approved.

Code of Ordinances - Adoption of Supplement No. 12: City Clerk recommending adoption of Supplement No. 12 to the City of Dubuque Code of Ordinances, which codifies Ordinance Nos. 67-06, 59-12, 61-12, 62-12, 64-12, 65-12, and 4-13 through 18-13 as adopted by the Council through March 18, 2013. Upon motion the documents were received and filed and Resolution No. 136-13 Adopting Supplement No. 12 to the Code of Ordinances of the City of Dubuque, Iowa, was adopted.

Dodds River Terminal, Inc. - Exercise of Lease Option: Correspondence from Dodds River Terminal, Inc., informing the City that it is exercising its option to extend the lease agreement for the remaining five years commencing June 1, 2013. Upon motion the documents were received, filed and referred to the City Attorney.

Iowa Department of Transportation - Notification of Project: Correspondence from the Iowa Department of Transportation (IDOT) informing the City that it proposes to let an

HMA resurfacing with milling project on U.S. 20 from Farley east to Mile Hill Lane. Upon motion the documents were received and filed.

Mediacom Communications Company: Correspondence from Lee Grassley, Senior Manager of Government Relations for Mediacom Communications Company advising the City of programming changes. Upon motion the document was received and filed.

Improvement Contracts / Performance, Payment and Maintenance Bonds: A) Robert Liebfried for Fremont Heights Detention Basin Landscape Maintenance, B) R&W Restoration for City Hall Tuck Pointing Project. Upon motion the documents were received, filed and approved.

Signed Contracts: A) Classic Protective Coatings Notice to Proceed and Change Order No. 1 for the Asbury Tank Reconditioning Project, B) IIW Engineers and Surveyors for the Flood Control High Water Level Alarm Project, C) IIW Engineers and Surveyors for the Purina Drive Dock Repair Project, D) Rob Trilk for Miller Riverview Restroom Remodeling. Upon motion the documents were received and filed.

Alcohol and Tobacco License Applications: City Manager recommending approval of annual liquor, beer, wine and tobacco licenses applications as submitted. Upon motion the documents were received and filed and Resolution No. 137-13 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. 138-13 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 Connors. Motion carried 7-0.

30-Inch Force Main Project - Phase I: City Manager recommending initiation of the public bidding process for Phase I of the 30-Inch Force Main Relocation Project from 9<sup>th</sup> Street to 11<sup>th</sup> Street (around the former Public Works Garage site and the Alliant Energy site) and further recommends that a public hearing be set for May 20, 2013. Upon motion the documents were received and filed and Resolution No. 139-13 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 (30-Inch Force Main Relocation Project - Phase I From 9th Street to 11th Street) was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 20, 2013 in the Historic Federal Building.

Midwest Energy Solutions / MF Enterprises, LLC - Grant of Easement on East 16th Street: City Manager recommending that a public hearing be set for May 20, 2013, to

consider granting an easement for MF Enterprises, LLC for a compressed Natural Gas conduit and piping system between the BP Station and the proposed convenience store on the south side on East 16th Street right-of-way. Upon motion the documents were received and filed and Resolution No. 140-13 Resolution of Intent to dispose of City interest by Grant of Easement for private utility to MF Enterprises, LLC for an underlying portion of East 16th Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 20, 2013 in the Historic Federal Building.

Highway 61/151 South - Technology Park Annexation: City Manager recommending initiation of the annexation process for Highway 61/151 South of Technology Park on the south side of the City of Dubuque and further recommends that a public hearing be set for May 20, 2013. Upon motion the documents were received and filed and a public hearing was set for a meeting to commence at 6:30 p.m. on May 20, 2013 in the Historic Federal Building.

### **BOARDS/COMMISSIONS**

Building Code Board of Appeals: One 3-Year term: through August 1, 2014 (Vacant term of Anglese). Applicant: Mary Gotz, 1844 Bennett St. Motion by Braig to appoint Mary Gotz to the remainder of a 3-year term through August 1, 2014. Seconded by Connors. Motion carried 7-0.

Zoning Board of Adjustment: Two 5-Year terms. One term through March 25, 2015 (Vacant term of Ruden); and one term through March 25, 2018 (Expiring term of Cremer). Applicants: Eugene Bird, 3357 Arrowwood Ln.; and Jeff Cremer, 919 ½ Bluff St. Motion by Braig to appoint Eugene Bird to the remainder of a 5-year term through March 25, 2015, and Jeff Cremer to a 5-year term through March 25, 2018. Seconded by Jones. Motion carried 7-0.

### **PUBLIC HEARINGS**

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

Fifth and Bluff Streets Public Restroom Project: Proof of publication on notice of public hearing to consider the approval of plans, specifications, form of contract, and estimated cost for the Fifth and Bluff Streets Public Restroom Project and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 141-13 Adopting the plans and specifications (Fifth and Bluff Streets Public Restroom Project). Seconded by Jones. City Manager Van Milligen provided a brief outline of the project process and need for the project as a result of ADA needs and business requests in the Cable Car Square area, and the demand brought on by increasing number of events and tourism in downtown. Motion carried 7-0.



Water Main Relocation Project - Hwy. 151/61 and South Grandview Avenue Overpass: Proof of publication on notice of public hearing to approve specifications, form of contract, and estimated cost for the Hwy. 151/61 South Grandview Avenue Overpass Water Main Relocation Project and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 142-13 Approval of specifications, form of contract, and estimated cost for the Hwy. 151/61 South Grandview Avenue Overpass Water Main Relocation Project. Seconded by Jones. Motion carried 7-0.

Sale of Property - 2268 Washington Street: Proof of publication on notice of public hearing to consider the sale of City-owned real estate at 2268 Washington Street to Kaylyn A. Mullady and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 143-13 Approving the sale of real estate located at 2268 Washington Street, in the City of Dubuque, Iowa. Seconded by Resnick. Motion carried 7-0.

Fiscal Year 2013 Second Budget Amendment: Proof of publication on notice of public hearing to approve the Fiscal Year Budget Amendment No. 2 and the City Manager recommending approval. Motion by Braig to receive and file the documents and adopt Resolution No. 144-13 Amending the current budget for the Fiscal Year Ending June 30, 2013 (as amended last on September 17, 2012). Seconded by Connors. Motion carried 7-0.

There being no further business, upon motion the rules were reinstated limiting discussion to the City Council.

### **ACTION ITEMS**

E.B. Lyons Irrevocable Trust - Disbursement of Funds: City Manager recommending approval of the Edwin B, Lyons Irrevocable Trust Under Will application for Disbursement of Funds for acquisition and development of E.B. Lyons Interpretive Area Expansion. Motion by Lynch to receive and file the documents and approve the recommendation. Seconded by Jones. City Manager Van Milligen advised the City Council that the Park and Recreation Advisory Commission approved the recommendation at their meeting just prior to the City Council meeting. Motion carried 7-0.

Bus Storage and Maintenance Facility - Site Selection Study: City Manager recommending approval of the Site Selection Study for a new Bus Storage and Maintenance facility at the former City Garage location and authorization to submit the study to the Federal Transit Administration (FTA) for their review, concurrence and approval of this site selection. Motion by Lynch to receive and file the documents and approve the recommendation. Seconded by Connors. Motion carried 7-0.

Every Child | Every Promise Request for Grant Funds: City Manager recommending approval of a funding request from Every Child | Every Promise to help pilot an

innovative new Summer Academy. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Jones. Responding to questions from the City Council, Eric Dregne of the Community Foundation of Greater Dubuque and Every Child / Every Promise clarified the grant request process and administration. Motion carried 7-0.

Parking Meter Payment Option: City Manager recommending implementation of a new parking meter payment option provided by Passport Parking that has the ability to interact with the City's current enforcement software. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Jones. Parking System Supervisor Tim Horsfield provided additional information about how the meter technology works for the citizen and enforcement officers, public education efforts and signage. Motion carried 7-0.

Bunker Hill Pump Station Improvement Project Award: City Manager recommending award of the Bunker Hill Pump Station Improvement Project to the Portzen Construction, Inc., of Dubuque, Iowa. Motion by Jones to receive and file the documents and adopt Resolution No. 145-13 Awarding the public improvement contract for the Bunker Hill Pump Station Improvement Project CIP 740-1422. Seconded by Connors. Motion carried 7-0.

Safe Routes To School - Dubuque School Safety Improvements Project Award: City Manager recommending award of the contract for the Safe Routes to School Program - Dubuque School Safety Improvements Project to the low bidder, McDermott Excavating. Motion by Connors to receive and file the documents and adopt Resolution No. 146-13 Awarding Public Improvement Contract for the Safe Routes to School Program - Dubuque School Safety Improvements Project #SRTS-U-2100(663--8U-31. Seconded by Braig. Motion carried 7-0.

Airport Air Traffic Control Tower Closure and Options: City Manager providing an update on the Dubuque Regional Airport Air Traffic Control Tower closure. Motion by Jones to receive and file the documents. Seconded by Resnick. Airport Manager Bob Grierson provided information on the options the airport has: 1) close the tower, 2) file a lawsuit with the FAA, 3) keep pushing legislators for immediate action and release of funding, and 4) operate the town directly. Motion carried 7-0.

Downtown Housing Incentive Program - Amending Program Guidelines: City Manager recommending approval of an amendment to the program guidelines for the City of Dubuque's Downtown Housing Incentive program to allow incentives for residential units of less than 650 sq. ft. Motion by Braig to receive and file the documents and adopt Resolution No. 147-13 Amending the guidelines for the Downtown Housing Incentive Program within the Greater Downtown Urban Renewal District. Seconded by Jones. Economic Development Director Dave Heiar provided information on the grant and project criteria. Motion carried 7-0.

Franklin School - Amendment to Development Agreement: City Manager recommending approval of the First Amendment to the Development Agreement with Franklin Investments, LLC for redevelopment of the property located at 39 Bluff Street. Motion by Connors to receive and file the documents and adopt Resolution No. 148-13 Approving the First Amendment to the Franklin Investments, LLC Development Agreement. Seconded by Braig. Motion carried 7-0.

Greater Dubuque Development Corporation - Board of Directors Membership: Correspondence from Greater Dubuque Development Corporation requesting appointments to the GDDC Board of Directors (currently Mayor Roy Buol, City Manager Michael Van Milligen, Economic Development Director Dave Heiar and City Council Members Joyce Connors and Kevin Lynch). Motion by Connors to receive and file the documents and reappoint the current members with using only the title of Economic Development Director. Seconded by Jones. Braig suggested scheduling a future work session on the boards and commission the Council is appointed to. Motion carried 7-0.

### **COUNCIL MEMBER REPORTS**

Council Member Sutton reported on the recent Eagle's Club recognition of the Police Department and that she received their Legislator of the Year Award.

Council Member Jones reported on the recent emergency management simulation training held at the Dubuque Regional Airport.

Resnick reported that the recent death of a friend reminded him of the longevity of the contributions so many people make to the community.

There being no further business, upon motion the City Council adjourned at 8:24 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

1t 5/15