

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

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

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 Washington Neighborhood Market Analysis.

WORK SESSION

Washington Neighborhood Market Analysis

Neighborhood Division Specialist Jerelyn O'Connor, Housing and Community Development Director, Alvin Nash, Economic Development Coordinator, Megan Starr, Acting Economic Development Director Phil Wagner, and AICP and LEED A P, Principal Scott Goldstein presented an overview of the completed and ongoing projects in the Washington Neighborhood and there positive effects.

There being no further business upon motion the City Council adjourned at 6:04 p.m.

/s/Trish L Gleason, CMC
Assistant City Clerk

1t 8/14

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

The Dubuque City Council met in regular session at 6:30 p.m. on August 5, 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

PROCLAMATION(S)

Chamber Volunteer Appreciation Day (August 8, 2013) was accepted by Damian Waid, Membership Manager, Dubuque Area Chamber of Commerce.

Red Cross River View Barbeque Day (August 15, 2013) was accepted by Red Cross Board Chair: Tom Stricker, and Board Members: Mark Dalsing and Joe Blodgett.

Attendance Awareness Month (September 2013) was accepted by Shirly Horseman, Dubuque Community Schools and Nicole Yockey, Attendance Coordinator, Dubuque's Campaign for Third Grade Reading.

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: Arts and Cultural Affairs Advisory Commission of 6/25; Catfish Creek Watershed Management Authority of 4/25; City Council Proceedings of 7/15 and 7/30; Civic Center Advisory Commission of 7/29; Civil Service Commission of 7/12; Historic Preservation Commission of 6/20; Housing Commission of 6/25; Human Rights Commission of 6/10; Investment Oversight Advisory Commission of 7/24; Library Board of Trustees Update of 7/25; Sister City Relationships Advisory Commission of 7/10; Zoning Board of Adjustment of 7/25; Proof of publication for City Council Proceedings of 7/1. Upon motion the documents were received and filed.

Notice of Claims and Suits: Sheryl Holder for vehicle 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: Sheryl Holder for vehicle damage. Upon motion the documents were

received, filed and concurred.

Government Finance Officers Association - Certificate of Achievement: City Manager advising that the City of Dubuque has been awarded its 25th consecutive Certificate of Achievement for Excellence in Financial Reporting from the Government Officer's Finance Association (GFOA). Upon motion the documents were received and filed.

Area Residential Care Easement Agreement Proposed Amendment: City Manager recommending approval of the First Amendment to Easement Agreement with Area Residential Care to outline the responsibility for pavement markings and the purchase of benches and outside improvements. Upon motion the documents were received and filed and Resolution No. 238-13 approval of the First Amendment to Easement Agreement between the City of Dubuque, Iowa and Area Residential Care, Inc. was adopted.

Federal Transit Administration Authorizing Resolution: City Manager recommending approval of a Resolution allowing Candace Eudaley, the new Director of Jule Transit Operations, to submit applications and other reporting documents to the Federal Transit Authority on behalf of the City of Dubuque. Upon motion the documents were received, filed and Resolution 239-13 Authorizing the Director of Jule Transit Operations file applications with the Federal Transit Administration, an Operating Administration of the United States Department of Transportation, for Federal Transportation Assistance Authorized by 49 U.S.C. Chapter 53 Title 23 United States Code and other Federal Statutes administered by the Federal Transit Administration was adopted.

Traffic Engineer Position: City Manager recommending approval to eliminate one Engineering Technician position and create an additional Traffic Engineer position in the Engineering Department. Upon motion the documents were received, filed and approved.

Final Plat - English Ridge Subdivision No. 3: City Manager recommending approval of the final plat of English Ridge Subdivision No. 3. Upon motion the documents were received, filed and Resolution 240-13 Authorizing approval of the Final Plat of English Ridge Subdivision No. 3 in the City of Dubuque, Iowa was adopted.

Civil Service Commission: Civil Service Commission submitting the Certified Lists for Mechanic, Medical Officer, Police Officer and Sanitation Driver. Upon motion the documents were received and filed.

Lansing Brothers Construction Company - Amendment to Demolition Contract Award: City Manager recommending approval of an Amendment to the Demolition Contract awarded to Lansing Brothers Construction Company for demolition of the flood-damaged properties at 1711 Old Mill Road and 1654 Manson Road (garage). Upon motion the documents were received, filed and approved.

Inter-creditor Agreement - James Madison, LLC Loan Priority: City Manager

recommending approval of an Inter-creditor Agreement with Premier Bank to clarify the relationship between mortgages for the German Bank Building. Upon motion the documents were received, filed and Resolution 241-13 Approving an Inter-creditor Agreement between the City of Dubuque, Iowa and Premier Bank was adopted.

Shelter Plus Care Program Contract: City Manager recommending approval of a contract with the U.S. Department of Housing and Urban Development for administration of the Shelter Plus Care Program. Upon motion the documents were received, filed and approved.

Wilbur Street Retaining Wall: City Manager transmitting information on the need to replace a failing private retaining wall located in the City right-of-way along 610 Wilbur Street. Upon motion the documents were received, filed and Resolution 242-13 Authorizing emergency repairs to the retaining wall adjacent to 610 Wilbur Street and the Wilbur Street Pavement was adopted.

Hartig Timber-Hyrst Place No. 2 Acceptance of Storm Sewer Easement: City Manager recommending acceptance of a storm sewer easement from Robert A. and Beth M. Hartig for a recently constructed storm sewer across Lot 1 Timber Hyrst Place No. 2 in the City of Dubuque. Upon motion the documents were received, filed and Resolution 243-13 Accepting the grant of an Easement for storm sewer through, over and across a part of Lot 1 of Timber-Hyrst Place No. 2 in the City of Dubuque, Iowa was adopted.

Timber Hyrst Estates No. 2 and Timber Hyrst Place No. 2 - Acceptance of Storm Sewer Improvements: City Manager recommending acceptance of the storm sewer improvements in Timber Hyrst Estates No. 2 and Timber Hyrst Place No. 2, which the owners, Robert and Beth Hartig, have recently completed. Upon motion the documents were received, filed and Resolution No. 244-13 Accepting storm sewer improvements in Timber Hyrst Estates No. 2 and Timber Hyrst Place No. 2 was adopted.

Delinquent Weed, Junk and Garbage Collection Assessments: City Manager recommending the levy of special assessments for the Weed /Junk/Garbage Enforcement Program. Upon motion the documents were received, filed and Resolution 245-13 Adopting the Schedule of Assessments for 2012 and directing the City Clerk to certify the schedule of assessments to the County Treasurer and to publish notice thereof was adopted.

Novelty Iron Works Development - Assignment of Agreement: City Manager recommending approval of an assignment of the Warehouse Trust LLC development agreement to a new limited liability company, Novelty Iron Landlord LLC, which will be managed and partially owned by Warehouse Trust LLC as well as two amendments to the Development Agreement. Upon motion the documents were received, filed and Resolution 246-13A Consenting to the Assignment Of The Development Agreement between the City of Dubuque, Iowa and Warehouse Trust, LLC to Novelty Iron Landlord, LLC; and Resolution 236-13B Approving the first amendment to the Development Agreement between the City of Dubuque, Iowa and Novelty Iron Landlord

were adopted.

Quarterly Investment Report: City Manager transmitting the Quarterly Investment Report for June 30, 2013. Upon motion the documents were received and filed.

City Development Board - Annexation of 13034 Seippel Road: Correspondence from the City Development Board advising the City that it will consider the proposal to annex 13034 Seippel Road (Hillcrest Family Services) at the August 14, 2013 meeting of the City Development Board. Upon motion the documents were received and filed.

City Assessor's Office: Correspondence from City Assessor Rick Engelken providing a list of property tax appeals that have been filed with the Iowa Property Assessment Appeal Board for the 2013 assessment. Upon motion the documents were received and filed.

Growing Sustainable Communities Conference Contract with Sustainable City Network: City Manager recommending approval of an agreement with Sustainable City Network, Inc. and Woodward Communications for co-management of the 6th Annual Growing Sustainable Communities Conference to be held September 24 and 25, 2013. Upon motion the documents were received, filed and approved.

Community Development Block Grant Agreement: City Manager recommending authorization for the Mayor to execute the Community Development Block Grant Agreement with the U.S. Department of Housing and Urban Development for the program year beginning July 1, 2013 and ending June 30, 2014. Upon motion the documents were received, filed and Resolution No.247-13 Authorizing execution of a Community Development Block Grant Agreement with the U.S. Department of Housing and Urban Development was adopted.

Collective Bargaining Agreement Amendment - Operating Engineers Local 234: City Manager recommending approval of an Amendment to the Collective Bargaining Agreement with the International Union of Operating Engineers, Local #234, to provide for a work week that consists of ten hours per day and four days per week for full-time Public Safety Dispatchers effective October 1, 2013 through September 30, 2014. Upon motion the documents were received, filed and approved.

City Manager Employment Agreement - 22nd Amendment: Submittal of the 21st Amendment to the City Manager's Employment Agreement for approval. Upon motion the documents were received, filed and approved.

Improvement Contracts / Performance, Payment and Maintenance Bonds: Portzen Construction, Inc. for the 30-Inch Sanitary Sewer Force Main Relocation Project Phase 1 (9th St. to 11th St.); Portzen Construction, Inc. for the 5th and Bluff Street Public Restroom Project; Skyline Construction for the Sidewalk Installation Area 2 McAleece/Admiral Sheehy Dr.; Tschiggfrie Excavating, Inc. for the Sidewalk Installation Area 1 McAleece/Admiral Sheehy Dr.; Tschiggfrie Excavating, Inc. for the Highway

151/61 Water Main Relocation Project; Visu-Sewer for the FY 13-14 Sewer Cured-in-Place Lining Project (CIPP). Upon motion the documents were received, filed and approved.

Signed Contracts: IIW Engineers for design services related to the E.B. Lyons Interpretive Center Addition; MEP Engineers, LLC for the Fire Station #4 Mechanical and Restroom Upgrade Capital Improvement Project; Mercy Medical Center Security Services Agreement. Upon motion the documents were received and filed.

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 248-13 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 was adopted.

ITEMS TO BE SET FOR PUBLIC HEARING

Motion by Jones 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 at 2318 Washington Street: City Manager recommending setting a public hearing for August 19, 2013 to dispose of City-owned real property located at 2318 Washington Street to Brian J. Nilles. Upon motion the documents were received, filed and Resolution No. 249-13 Intention to dispose of City-owned property, Lot 1, Bee Branch Sub. No. 5 in the City of Dubuque, Iowa, According to the recorded Plat there of - 2318 Washington Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on August 19, 2013 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.

Housing Trust Fund Advisory Committee: One - 3 year term through September 8, 2016 (Expiring term of Walsh) Applicant: John Walsh, 2116 Spring Valley Rd.

Transit Advisory Board: One— 3 year term through July 30, 2016 (Expiring term of Knight) Applicant: Rhonda Knight, 250 West 6th St.

Zoning Board of Adjustment: One— 5 year term through March 25, 2016 (At-Will term of Klauer) Applicant: Jonathan McCoy, 263 Main St.

Appointments to the following boards and commissions:

Building Code Board of Appeals: One— 3 year term through August 1, 2016 (Expiring term of Kolf) Applicant: James Kolf, 114 Princeton Pl. Motion by Braig to reappoint James Kolf to the Building Code Board of Appeals for a 3-year term through August 1, 2016. Seconded by Connors. Motion carried 7-0.

Civic Center Commission: Two – 3 year terms, one through June 29, 2015 and one

through June 29, 2016 (Vacant terms of Kurt and Fuller) Applicants: Tyler Daugherty, 418 Emmett St. Adrienne Scott, 471 ½ Locust St. Motion by Connors to appoint Tyler Daugherty to a 3-year term through July 1, 2015 and Adrienne Scott to a 3-year term through July 1, 2016 on the Civic Center Commission. Seconded by Jones. Motion carried 7-0.

Housing Commission: Three – 3 year terms through August 17, 2016 (Expiring terms of Root and Schwendinger. Vacant term of McAllister) Applicants: Judie Root, 2312 Washington St., Dorothy Schwendinger, 3525 Windsor Ave., Ricardo Woods, 1535 Bluff St. #2. Motion by Jones to reappoint Judie Root, and Ricardo Woods and to appoint Dorothy Schwendinger, each to a 3-year term through August 17, 2016. Seconded by Resnick. Motion carried 7-0.

Human Rights Commission: One – 3 year term through January 1, 2016 (Vacant term of Root) Applicants: Tom LoGuidice, 786 Stone Ridge Pl. Christopher Ostwinkle, 3678 Pennsylvania Ave. Apt O-183 (Additional Applicant) Adrienne Scott, 471 ½ Locust St. Upon roll call vote of 4-3 (Jones, Lynch and Resnick voting for Ostwinkle), Tom LoGuidice was appointed to the Human Rights Commission for a 3 year term through January 1, 2016

Safe Community Advisory Committee: One – 1 year term through December 31, 2013 (Vacant term of Callahan) Applicant: Adrienne Scott, 471 ½ Locust St. Motion by Jones to appoint Adrienne Scott to the Safe Community Advisory Committee for a 1-year term through December 31, 2013 Seconded by Connors. Motion carried 7-0.

PUBLIC HEARINGS SUSPEND THE RULES

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

Purina Drive Barge Docking Facility Repair Project: Proof of publication on notice of public hearing to consider the approval of plans, specifications, form of contract and estimated cost for the Purina Drive Barge Docking Facility Repair Project and the City Manager recommending approval. Motion by Braig to receive and file the documents and adopt Resolution No. 250-13 Approval of plans, specifications, form of contract, and estimated cost of the Purina Drive Barge docking Facility Repair Project. Seconded by Connors. Motion carried 7-0.

Ninth and Eleventh Streets One-Way to Two-Way Conversion Project: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract, and the estimated cost for the 9th Street and 11th Street One- Way to Two-Way Conversion Project and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 251-13 Approval of plans, specifications, form of contract, and estimated cost for the 9th Street and 11th Street One-Way to Two-Way Conversion Project Seconded by Connors. Motion carried 6-1 with Resnick voting Nay.

Elm Street Reconstruction Project 9th to 12th Streets Proof of publication on notice of

public hearing to consider approval of the plans, specifications, form of contract and estimated cost for the Elm Street Reconstruction Project (9th to 12th Streets) and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 252-13 Approval of plans, specifications, form of contract, and estimated cost for Elm Street Reconstruction Project (9th to 12th), Iowa DOT Project No. TCSP--052-2(129)--9S-31. Seconded by Braig. Motion carried 7-0.

Gavilon Grain, LLC Lease Agreement - Dove Harbor Site: Proof of publication on notice of public hearing to consider disposal of an interest in City-owned real property by lease agreement with Gavilon Grain, LLC for 7.87 acres of industrial riverfront property at Dove Harbor. Motion by Braig to receive and file the documents and adopt Resolution No. 253-13 Approving disposal of an interest in real property owned by the City of Dubuque in the Dove Harbor area by lease agreement with Gavilon Grain, LLC. Seconded by Resnick. Motion carried 7-0.

Gavilon Grain, LLC Lease Agreement - City Salt Site: Proof of publication on notice of public hearing to consider the disposal of City-owned property by lease agreement to Gavilon Grain, LLC of approximately 9.66 acres in total, 6.02 usable acreage) located in the area known as the Salt Site and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 254-13 Approving the disposal of in interest in real property owned by the City of Dubuque at the Salt Site by lease agreement with Gavilon Grain, LLC. Seconded by Braig. Motion carried 7-0.

Sale of City Owned Property at 2234 Washington Street: Proof of publication on notice of public hearing to consider disposal of City-owned property located at 2234 Washington Street to Abram and Leah Miller and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 255-13 Approving the sale of real estate specifically 2234 Washington Street. Seconded by Connors. Motion carried 7-0.

Eagle Point Water Plant, Lot 339 - Grant of Easement for Private Utilities: Proof of publication on notice of public hearing to consider the granting of an easement across a portion of the Eagle Point Water Plant property to accommodate proposed water and sewer service lines to Charles R. and Colleen R. Sroka for their property at 2561 Front Street and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 256-13 Granting easement for private utility to Charles R. and Colleen S. Sroka for an underlying portion of Lot 339 of Eagle Point (AKA Ham's Addition) and Resolution No. 257-13 Disposing of City interest by Grant of Easement for private utility to Charles R. and Colleen S. Sroka for an underlying portion of Lot 339 of Eagle Point (AKA Ham's Addition). Seconded by Resnick. Motion carried 7-0.

Iowa and Locust Street Parking Ramps Repair Project: Proof of publication on notice of public hearing to consider approval of the plans, specifications, form of contract, and estimated cost for the Iowa and Locust Street Parking Ramps Repair Project and the

City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 258-13 Approval of plans, specifications, form of contract, and estimated cost for Iowa and Locust Street Parking Ramp Repair Project. Seconded by Braig. Motion carried 7-0.

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

ACTION ITEMS

Grand River Center Annual Report: Mitzi Yordy, Manager of the Grand River Center, made a presentation on the 2012-2013 Annual Report. Motion by Lynch to receive and file the documents and listen to the presentation. Seconded by Resnick. Motion carried 7-0.

Dubuque Main Street - Getting Results Report: Dubuque Main Street Executive Director Dan LoBianco provided a report on Getting Results, the Economic Impact of Main Street Iowa, 1986-2012. Motion by Connors to receive and file the documents and listen to the presentation. Seconded by Braig. Motion carried 7-0.

Dubuque Rescue Mission - Conditional Use Permit Request: Correspondence from Dubuque Rescue Mission Executive Director Rick Mihm requesting that poultry be allowed at the community gardens located behind the 4th Street Parking Ramp. Motion by Braig to receive and file the documents and allow up to twelve chickens and no roosters at the community gardens. Seconded by Connors. Motion carried 7-0. City Attorney Lindahl advised Council that this item is not a conditional use permit rather granting permission under the current lease. Restated Motion by Braig to receive and file the documents and allow up to twelve chickens and no roosters at the community gardens under their current lease agreement. Seconded by Connors. Motion carried 7-0.

Dubuque County Wellness Coalition: Michelle Malone and Jean Daoud from the Dubuque County Wellness Coalition spoke regarding a request that the City Council make healthy living and well-being a focus and priority for Dubuque. Motion by Connors to receive and file the documents. Seconded by Braig. Motion carried 7-0.

Roshek Building Status Update: Bill Callahan of Dubuque Initiatives and Heather Vetter of Honkamp Krueger spoke regarding the status of the Roshek Building. Motion by Connors to receive and file the documents. Seconded by Braig. Motion carried 7-0.

Code of Ordinances Title 10 Amendment - Animals, Definitions and Descriptions: City Manager recommending an ordinance amendment permitting leashed dogs and cats on certain trails, adding definitions, restricting horse drawn vehicles, establishing clean-up requirements, and revising park, open space and trail descriptions.

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 Amended Ordinance No. 42-13 Amending City of Dubuque Code of Ordinances Title 10 Public Ways and Property, Chapter 5 Parks and Recreation by adding definitions relating to animals; restricting horse drawn vehicles; permitting dogs, cats, and domesticated animals in certain parks, open spaces, and trails subject to conditions; establishing leash and waste clean-up requirements; prohibiting animals running at-large within parks, open spaces, or trails; and revising park, open spaces and trail descriptions. Seconded by Resnick. Motion carried 7-0.

Code of Ordinances Title 9 Amendment - Roadways Laned for Traffic: City Manager recommending approval of changes in City Ordinances 9-7-321.306 Roadways Laned for Traffic. 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. 43-13 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 7 Operation, Division 6 Driving on Right Side of Roadway; Overtaking and Passing, Section 9-7-321.306 Roadways Laned For Traffic By Removing The reference to Three Lanes of Travel, adding references to the Designated Pavement Markings and/or official traffic control devices and amending the provision which allows for driving in the center lane of travel in preparation for making a left turn when nearest the driveway or intersection where a driver intends to turn, and removing the Slow Moving Vehicle Section Seconded by Braig. Motion carried 7-0.

Fiscal Year 2014 Dubuque County REAP Plan Update: City Manager recommending approval of the City's update to the Fiscal Year 2014 Dubuque County REAP Plan and REAP grant application for Phase 4 of the Iowa 32 (Northwest Arterial) Bike/Hike Trail. Motion by Braig to receive and file the documents and adopt Resolution No. 259-13 Authorizing REAP Grant Application to Iowa Department of Natural Resources for Phase 4 of the Iowa 32 Bike/Hike Trail and appoint Council person Connors to the REAP committee. Seconded by Resnick. Motion carried 7-0.

Code of Ordinances - U.S. Hwy 20 Development Moratorium: City Manager recommending approval of four ordinances to create the 12-month moratorium for the Highway 20 Corridor Study Area. 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 Connors. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 44-13 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 or Other Work on Certain Streets, Areas or Facilities by adding an Additional Study Area and Ordinance No. 45-13 Amending City of Dubuque Code of

Ordinances Title 16 Unified Development Code, Chapter 9 Zoning Advisory Commission Applications and Procedures, Section 16-9-5-3 City Council Action by adding an Additional Study Area and Ordinance No. 46-13 Amending City of Dubuque Code of Ordinances Title 16 Unified Development Code, Chapter 11 Land Subdivision, Section 16-11-2 Applicability by adding an Additional Study Area and Ordinance No. 47-13 Amending The City of Dubuque Code of Ordinances Title 16 Unified Development Code, Chapter 13 Site Design Standards, Section 16-13-2 Applicability by adding an Additional Study Area. Seconded by Connors. Motion carried 7-0.

Dubuque Industrial Center South PCC Paving and Utilities 2013 Project - Award of Contract: City Manager recommending award of the contract to the low bidder, Horsfield Construction, for the Dubuque Industrial Center South PCC Paving and Utilities Project. Motion by Lynch to receive and file the documents and adopt Resolution No. 260-13 Awarding public improvement contract for the Dubuque Industrial Center South Paving and Utilities - 2013 Project. Seconded by Resnick. Motion carried 7-0.

Elm Street Reconstruction Project (9th to 12th Streets) - Award of Contract: City Manager recommending award of the contract to the low bidder, Horsfield Construction, Inc., for the Elm Street Reconstruction Project (9th to 12th Streets). Motion by Braig to receive and file the documents and adopt Resolution No. 261-13 Awarding Public Improvement Contract for the Elm Street Reconstruction Project (9th to 12th), Iowa DOT Project No. TCSP - 052-2(129)--9S-31. Seconded by Connors. Motion carried 7-0.

Southwest Arterial Project - Right-of-Way Property Acquisition Establishing Fair Market Value: City Manager recommending adoption of a resolution establishing and setting the Just Compensation Valuation (Fair Market Value) for two parcels of property owned by Jon Luckstead to be acquired for the Southwest Arterial Project based on the certified Acquisition Appraisal and Review Appraisal reports. Motion by Jones to receive and file the documents and adopt Resolution No. 262-13 Establishing the fair market value of real property for the Southwest Arterial Project, directing good faith negotiations for the acquisition of property and authorizing the commencement of Eminent Domain proceedings, if necessary, to acquire property. Seconded by Connors. Motion carried 7-0.

Human Rights - Request for Work Session: City Manager requesting a work session with the City Council before the regularly scheduled City Council meeting on September 3, 2013 from 5:00 p.m. to 6:15 p.m. Motion by Lynch to receive and file the documents and set the work session as recommended. Seconded by Braig. Motion carried 7-0.

CLOSED SESSION

Motion by Jones at 8:39 p.m. to convene in closed session 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.

Upon motion, the City Council reconvened in open session at 9:00 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 9:02 p.m.

s/Trish L. Gleason, CMC
Assistant City Clerk

1t 8/14