

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

The Dubuque City Council met in special session at 5:30 p.m. on November 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 Jule Transit System Midtown Loop & Feeder ICAAP Grant Route Implementation.

WORK SESSION

Jule Transit System Midtown Loop & Feeder ICAAP Grant Route Implementation

Director of Transit Operations Candace Eudaley and Transit Dispatcher Jodi Johnson provided a slide presentation and information on how the Iowa Clean Air Attainment Program (ICAAP) grant from the Iowa Department of Transportation will lead to increased frequency and scope of Jule Bus service through new express routes and related route improvements:

- Project purpose
- Common requests and concerns
- Current service concept
- New service concept
- Trip time savings
- Route improvements and changes
- Public information

Ms. Eudaley and Ms. Johnson responded to questions from the City Council.

There being no further business, upon motion the City Council adjourned at 5:58 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 November 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

PROCLAMATION(S)

Philanthropy Day (November 15, 2013) was accepted by Kara Murphy, Association of Fund Raising Professionals representative and Development Director for Finley Health Foundation, 350 N. Grandview Avenue;

Key Club Week (November 4-8, 2013) was accepted by Pooja Patel, Kiwanis Key Club representative, PO Box 563, Dubuque;

Adoption Month (November 2013) was accepted by Andrew Browns, Iowa KidsNet, 255 JFK Road;

Hunger and Homeless Awareness Month (November 2013) was accepted by David Wall of Project Concern, 1789 Elm Street;

Hospice Month (November 2013) was accepted by Carole Carroll of Hospice of Dubuque, 2255 JFK Road.

PRESENTATION(S)

Dubuque Main Street Awards: Leisure Services Manager Marie Ware presented the Best New Construction Project award for the Port of Dubuque Marina; and Dubuque Main Street Executive Director Dan LoBianco presented the Best Community Development Project award for Engine House No. 1.

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: Catfish Creek Watershed Management Authority of 7/23; City Council Proceedings of 10/21; Civil Service Commission of 10/21; Community Development Advisory Commission of 10/16; Dubuque County Emergency Management Association of 2/6; Historic Preservation Commission of 10/17; Human Rights Commission of 9/9; Investment Oversight Advisory Commission of 10/23; Zoning Board of Adjustment of

10/24; Proof of Publication for City Council proceedings of 10/7. Upon motion the documents were received and filed.

Notice of Claims and Suits: Robert Allemann for property damage; Avery Butler for property damage; Tom Ochs 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: Avery Butler for property damage; Tom Ochs for property damage; Resurrection Church for property damage; Aaron Walling for vehicle damage. Upon motion the documents were received, filed and concurred.

Convention and Visitors Bureau - Iowa Tourism Award: Media release from Keith Rahe, President of the Convention and Visitors Bureau announcing receipt of the Outstanding Promotional Materials and People's Choice Award from the Iowa Tourism Conference. Upon motion the documents were received and filed.

Dubuque City Services Guide: City Manager transmitting the Dubuque City Services Guide. Upon motion the documents were received and filed.

Delinquent Garbage Collection Charges: City Manager recommending approval of a resolution authorizing the City to certify garbage collection charges to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received and filed and Resolution No. 311-13 Authorizing the City to collect delinquent garbage collection charges in accordance with Title 6-6-3C2o; title 6-6-4B3 & Title 6-6B of the Code of Ordinances of the City of Dubuque, Iowa, was adopted.

Rockefeller Foundation 100 Resilient Cities Centennial Challenge Team: City Manager recommending approval to submit an application for the Rockefeller Foundation 100 Resilient Cities Centennial Challenge Team. Upon motion the documents were received, filed and approved.

Collective Bargaining - Operating Engineers Local #234: City Manager recommending approval of an Amendment to the Collective Bargaining Agreement between the City of Dubuque and the International Union of Operating Engineers Local #234 as it relates to a part-time cashier position in the Utility Billing Department. Upon motion the documents were received, filed and approved.

Voluntary Dental Plan: City Manager recommending approval of the new premiums for the Delta Dental Plan effective January 1, 2014 through December 31, 2014 and authorizing the City Manager to sign the Financial Exhibit. Upon motion the documents were received, filed and approved.

National Association of State Park Directors: City Manager transmitting correspondence from Priscilla Giegis, President of the National Association of State Park Directors, to Governor

Terry Branstad expressing gratitude for hosting their 2013 Annual Conference in Dubuque. Upon motion the documents were received and filed.

Mississippi River Economy Summit: City Manager transmitting information regarding the October 16, 2013 Mississippi River Cities and Towns Initiative Economy Summit. Upon motion the documents were received and filed.

Access Ramp Installation Project 2013 Acceptance: City Manager recommending acceptance of the construction contract for the 2013 Access Ramp Installation Project as completed by Midwest Concrete. Upon motion the documents were received and filed and Resolution No. 312-13 Accepting the 2013 Access Ramp Installation Project and authorizing the payment of the contract amount to the contractor was adopted.

Safe Routes to School Project Acceptance: City Manager recommending acceptance of the construction contract for the Safe Routes to School Program – Dubuque School Safety Improvements Project, as completed by McDermott Excavating. Upon motion the documents were received and filed and Resolution No. 313-13 Accepting the safe Routes to School Program - Dubuque School Safety Improvements Project #SRTS-U-2100(663)-8U-31 and authorizing the payment of the contract amount to the contractor was adopted.

STAR Communities Leadership Program: City Manager recommending approval to submit an application to join the STAR Communities Leadership program. Upon motion the documents were received, filed and approved.

Sustainable Dubuque Monthly Project Status Report: City Manager transmitting the Sustainable Dubuque Monthly Project Status Report for September 2013. Upon motion the documents were received and filed.

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

Appeal of Claim by Aaron Walling: Correspondence from Aaron Walling appealing denial of his claim for vehicle damage. Upon motion the documents were received, filed and referred to the City Attorney.

Pizzimenti vs. City of Dubuque: City Attorney submitting information advising that the Nicole Kennedy et al. vs. Theresa Rivard and Marco Pizzimenti suit has been settled with no cost to the City. Upon motion the documents were received and filed.

Alliance Technologies, Inc.: Correspondence from Alliance Technologies, Inc., informing the City that it intends to commence certificated cable and/or video service in the city commencing on February 1, 2014 pending approval of the application. Upon motion the documents were received and filed.

Iowa Economic Development Authority: Correspondence from the Iowa Economic Development Authority advising that it is closing out the CEBA forgivable loan for Medline Industries, Inc. Upon motion the documents were received and filed.

Canadian Pacific Railroad Crossing Improvements Agreement: City Manager recommending approval of the execution of an agreement with the Canadian Pacific Railway for the railroad crossing improvements on 9th and 11th Streets for the one-way to two-way conversion project. Upon motion the documents were received, filed and approved.

Mediacom Communications Company: Correspondence from Mediacom Communications Company advising the City of programming changes effective on or about December 10, 2013. Upon motion the documents were received and filed.

Civil Service Commission: Civil Service Commission submitting the certified list for the position of Records Supervisor. Upon motion the documents were received, filed and made a Matter of Record.

Improvement Contracts and Maintenance Bonds: A&G Electric for the Catfish Station Electrical Repairs FEMA Project; D&D Concrete, Inc. for the 2013 Curb Access Ramp Installation Project; Drew Cook & Sons Excavating for the 18th and Heeb Streets Retaining Wall Slope Stabilization Project and the Usha Park Parking Lot Project. Upon motion the documents were received, filed and approved.

Signed Contracts: Veenstra & Kimm, Inc., for W&RRC north softening basins rehabilitation; MWH Americas, Inc., change order for RBCA site investigation and wellhead rehabilitation activities at the W&RRC. Upon motion the documents were received and filed.

Alcohol License Renewals: City Manager recommending approval of annual liquor, beer, and wine licenses as submitted. Upon motion the documents were received and filed and Resolution No. 314-13 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

Sale of Property - 317-319 E. 22nd Street: City Manager recommending that a public hearing be set for November 18 to dispose of City-owned real property located at 317-319 East 22nd Street to Danielle L. Minnick. Upon motion the documents were received and filed and Resolution No. 315-13 Resolution of Intention to dispose of City-owned property, specifically, lot 1-3 Kemp's Subdivision 317-319 East 22nd Street, in the City of Dubuque, County of Dubuque, Iowa, according to the recorded plat thereof, 317-319 East 22nd Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 18, 2013 in the Historic Federal Building.

Fire Station No. 4 Mechanical and Restroom Upgrade Project: City Manager recommending initiation of the bidding process for the Fire Station No. 4 Mechanical and Restroom Upgrade

Project and further recommends that a public hearing be set for November 18, 2013. Upon motion the documents were received and filed and Resolution No. 316-13 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 (Fire Station No. 4 Mechanical and Restroom Upgrade Project) was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 18, 2013 in the Historic Federal Building.

Voluntary Annexation - Truck Country, 10785 U.S. Highway 61/151: City Manager recommending that a public hearing be set for December 16, 2013 on the voluntary annexation application from McCoy Family Properties for the voluntary annexation of territory south of the City, and generally located at Truck Country, 10785 U.S. Highway 61/151. Upon motion the documents were received and filed and Resolution No. 317-13 Setting a public hearing on an application for voluntary annexation of territory to the City of Dubuque, Iowa, was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on December 16, 2013 in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointments to the following commissions were made at this meeting:

Environmental Stewardship Advisory Commission: One, 3-year term through October 1, 2014 (vacant term of Splittstoesser). Applicants: Jacob Bergum, 247 West 11th St. #8; Gina Makris, 166 Bluff St. Upon roll-call vote of 5-2 (Bergum: Connors, Jones, Sutton, Braig, Buol; Makris: Lynch, Resnick), Jacob Bergum was appointed to a 3-year term through October 1, 2014.

Parks and Recreation Advisory Commission: One, 3-year term through June 30, 2014 (Vacant term of Harris). Applicants: Robin Kennicker, 904 Lincoln Ave.; Randy Neal, 3771 Hillcrest Rd. Upon roll-call vote of 6-1 (Kennicker: Connors. Jones, Lynch, Resnick, Braig, Buol; Neal: Sutton), Robin Kennicker was appointed to a 3-year term through June 30, 2014.

Safe Community Advisory Committee: One, 1-year term through December 31, 2013 (Vacant term of Cheatham). Applicant: Ronald Hammel II, 419 Clark St. Motion by Connors to appoint Ronald Hammel, II, to a 1-year term through December 31, 2013. Seconded by Braig. Motion carried 7-0.

PUBLIC HEARINGS

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

Sale of Property - 1787 Washington Street (Row House): Proof of publication on notice of public hearing to consider the sale of property at 1787 Washington Street to Danika M. Carstens and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 318-13 Approving the sale of real estate located at

1787 Washington Street, in the City of Dubuque, Iowa. Seconded by Braig. Laura Carstens, 2370 Shiras Avenue, speaking on behalf of her daughter, Danika Carstens, thanked the Council. Motion carried 7-0.

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

ACTION ITEMS

Progressive Processing, LLC / Hormel - State Assistance Application: City Manager recommending approval of the submission of a Business Financial Assistance Application to the Iowa Economic Development Authority on behalf of Progressive Processing, LLC, a subsidiary of Hormel Foods Corporation. Motion by Braig to receive and file the documents and adopt Resolution No. 319-13 Authorizing the filing of an application for State Business Financial Assistance on behalf of Progressive Processing, LLC. Seconded by Connors. Motion carried 7-0.

Iowa Solar Readiness Initiative: City Manager recommending approval for Dubuque to participate in the Iowa Economic Development Authority's Iowa Solar Readiness Initiative, funded through the U.S. Department of Energy's Rooftop Solar Challenge II Sunshot grant. Motion by Resnick to receive and file the documents and adopt Resolution No. 320-13 Resolution of the City Council of the City of Dubuque, approving an agreement with the Iowa Economic Development Authority to participate in the Iowa Solar Readiness Initiative as a pilot local government organization. Seconded by Jones. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported on the NICC EMS conference recently held at the Grand River Center and how pleased the attendees were with the destination and the amenities of the Port of Dubuque.

CLOSED SESSION

Motion by Jones to convene in closed session at 7:08 p.m. regarding 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 7:14 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 7:15 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 11/13