

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

The Dubuque City Council met in special session at 5:30 p.m. on December 2, 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 Sustainable Dubuque Project.

**WORK SESSION
Sustainable Dubuque Project**

Sustainable Dubuque Coordinator Cori Burbach provided an overview of the work session agenda and introduced presenters Jason Schatz and Raki Giannakouros of Green Dubuque; Eric Schmechel of Dubuque County Soil and Water Conservation; Dean Mattoon, City Civil Engineer; and Casey Muhm, Director of Sustainable Innovation for the Greater Dubuque Development Corporation who provided a slide presentation with information on the following topics:

- Greenhouse gas reduction plan – 50% by 2030
 - How can it be used
 - What is measured
 - Baseline: 2003
 - Update: 2003-2011
 - Process: data collection & sources, community input, business input
 - Carbon emissions: source & end use 2012/2030
 - Opportunities for reduction
 - Recommended policies & programs
 - Dubuque Metropolitan Area Solid Waste Agency – methane gas to energy
 - How the documents is used
- Watershed Management
 - Dubuque goals and strategies
 - Catfish Creek watershed timeline
 - Upper Catfish Creek watershed timeline
 - Catfish Creek Watershed Management Authority
 - Water assessment projects
 - Watershed Management Plan and implementation
 - Future watershed planning
- Sustainable Dubuque collaboration progress
 - Strategic goal
 - Core network members & investors network
 - Structure, planning, education & engagement

- Sustainable Community Grants
 - Case studies: Project Pass and the Bike Coop

The City Council had discussion following the presentation.

There being no further business, upon motion the City Council adjourned at 6:24 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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

The Dubuque City Council met in regular session at 6:30 p.m. on December 2, 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

CONSENT ITEMS

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Resnick. Sutton requested (#8) Special Assessment - 686-688 University Avenue be held for separate discussion. Motion carried 7-0.

Minutes and Reports Submitted: Arts and Cultural Affairs Advisory Commission of 10/22, City Council proceedings of 11/18, Civil Service Commission of 11/20, Community Development Advisory Commission of 11/13, Human Rights Commission of 10/14, Park and Recreation Advisory Committee of 11/12, Safe Community Advisory Committee of 11/13, Proof of publication for City Council proceedings of 11/4, Proof of publication for List of Claims and Summary of Revenues for Month Ending 10/31. Upon motion the documents were received and filed.

Notice of Claims and Suits: Susan Farber/National Subrogation Services, LLC for property damage; Receipt and Release of Claim by Top Block & Brick, Inc. for materials supplied. 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: Scott Estal for personal injury; Susan Farber/National Subrogation Services, LLC for property damage; and Steven Steines for vehicle damage. Upon motion the documents were received, filed and concurred.

Government Finance Officers Association: Correspondence from the Government Finance Officers Association (GFOA) awarding the City of Dubuque the Distinguished Budget Presentation Award and a Certificate of Recognition to Budget Director Jennifer Larson. Upon motion the documents were received and filed.

2014 State Legislative Priorities: City Manager submitting the 2014 State of Iowa legislative priorities for adoption and presentation to legislators at the annual Legislative Dinner. Upon motion the documents were received, filed and approved.

Appeal of Claim by Aaron Walling: City Attorney recommending approval of a claim against the City for vehicle damage as appealed by Aaron Walling. Upon motion the documents were received, filed and approved.

Delinquent Weed, Junk, and Garbage Collection Accounts: City Manager recommending the levy of special assessments for the Weed /Junk /Garbage Enforcement Program against twenty separate parcels of property inspected from July 1, 2013 to October 31, 2013. Upon motion the documents were received and filed and Resolution No. 338-13 Adopting the Schedule of Assessments for 2013 and Directing the City Clerk to certify the Schedule of Assessments to the County Treasurer and to publish notice thereof was adopted.

Special Assessment - 686-688 University Avenue: City Manager recommending approval to assess the demolition costs to the property located at 686-688 University Avenue. Motion by Braig to receive and file the documents and adopt Resolution No. 339-13 Adopting the Schedule of Special Assessment for a lien against the property at 686-688 University Avenue and directing the City Clerk to certify the Schedule of Assessment to the County Treasurer and to publish notice thereof. Seconded by Resnick. Sutton questioned the absence of protective gear that she witnessed on the site. City Manager Van Milligen will follow up with staff for response. Motion carried 7-0.

Traffic Safety Grant: City Manager recommending authorization for the City of Dubuque to submit grant application for Traffic Safety Improvement Program funding for the Grandview Avenue at Loras Boulevard and Grandview Avenue at University Avenue Intersection Improvements. Upon motion the documents were received and filed and Resolution No. 340-13 Authorizing the filing of a grant application with the Iowa Department of Transportation for traffic safety improvements funding for the City of Dubuque Grandview Avenue at Loras Boulevard and Grandview Avenue at University Avenue Intersection Improvements was adopted.

Smarter Cities Challenge- Health and Wellness Initiative: City Manager recommending approval of the Smarter Cities Challenge - Community Health and Wellness application. Upon motion the documents were received, filed and approved.

Alternative Services Concepts - Workers' Compensation Claims Service Contract: City Manager recommending approval of the Claims Service Contract with Alternative Service Concepts and authorization for the City Manager to execute the contract. Upon motion the documents were received, filed and approved.

Sewershed 7 Corrective Action Plan: City Manager recommending authorization for the City Manager to certify and submit the City of Dubuque's Corrective Action Plan for

Sewershed 7 to the US Department of Justice, the US Environmental Protection Agency and the Iowa Department of Natural Resources. Upon motion the documents were received, filed and approved.

City Hall Envelope Restoration (Tuckpointing) Project Acceptance: City Manager recommending acceptance of the City Hall Envelope Restoration (Tuckpointing) Project, as completed by R & W Restoration. Upon motion the documents were received and filed and Resolution No. 341-13 Accepting the City Hall Envelope Restoration (Tuckpointing) Project and Authorizing the payment of the contract amount to the contractor was adopted.

2013 CDBG Curb Access Ramp Installation Project Acceptance: City Manager recommending that the 2013 CDBG Curb Access Ramp Installation Project costs be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

North Ridge Estates Acceptance of Public Improvements: City Manager recommending acceptance of the public improvements that the developer, WE Development, LLC, has recently completed in North Ridge Estates Subdivision. Upon motion the documents were received and filed and Resolution No. 342-13 Accepting public improvements in the North Ridge Estates Subdivision in the City of Dubuque, Iowa, was adopted.

Dubuque Industrial Center South Grading & Utilities - 2012 Project Phase 1 Project Acceptance: City Manager recommending acceptance of the grading contract for the Dubuque Industrial Center Grading & Utilities – 2012 Project – Phase 1, as completed by Tom Kueter Construction Co., Inc. Upon motion the documents were received and filed and Resolution No. 343-13 Accepting the Dubuque Industrial Center south Grading & Utilities - 2012 Project, Phase 1 and authorizing the payment of the contract amount to the contractor was adopted.

Harvest View Estates Sixth Addition Acceptance of Public Improvements: City Manager recommending acceptance of the public improvements that the developer, Westside Place Townhomes, LLC, has recently completed in Harvest View Estates Sixth Addition. Upon motion the documents were received and filed and Resolution No. 344-13 Accepting public improvements in the Harvest View Estates Sixth Addition in the City of Dubuque, Iowa, was adopted.

Dubuque Pack Memorial Site Landscaping Project Acceptance: City Manager recommending acceptance of the Dubuque Pack Memorial Site Landscaping Project as completed by Nauman Nursery. Upon motion the documents were received and filed and Resolution No. 345-13 Accepting the Dubuque Pack Memorial Site Landscaping Project and authorizing the payment of the contract amount to the contractor was adopted.

Port of Dubuque Marina Annual Report: City Manager submitting a status report for the Port of Dubuque Marina Project. Upon motion the documents were received and filed.

Loras College Usage Agreement for Petrakis Field: City Manager recommending approval of the Usage Agreement with Loras College for Petrakis Field. Upon motion the documents were received, filed and approved.

Civil Service Commission: Civil Service Commission submitted the certified lists for the positions of Firefighter, Scale Operator, and Traffic Engineer. Upon motion the documents were received, filed and made a Matter of Record.

Mississippi River Economy Summit: Correspondence from the Delta Regional Authority thanking Mayor Buol for his participation in the Mississippi River Economy Summit held in October in Memphis, Tennessee. Upon motion the documents were received and filed.

Urban Renewal Annual Report for Fiscal Year 2013: City Manager recommending approval of the Fiscal Year 2013 State Urban Renewal Annual Report. Upon motion the documents were received and filed and Resolution No. 346-13 Approving the Fiscal Year 2013 Urban Renewal Report for the City of Dubuque was adopted.

Smart Growth Development: City Manager recommending that the City commit funds for the efforts of the Smart Growth Development group as they work toward improving the State Historic Tax Credit programs and other programs that help fund many Dubuque rehabilitation projects. Upon motion the documents were received, filed and approved.

Alcohol License Applications: City Manager recommending approval of annual liquor, beer, and wine licenses as submitted. Upon motion the documents were received and filed and Resolution No. 347-13 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.

PUBLIC HEARINGS

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

Sale of Property - West of 1895 John F. Kennedy Road: Proof of publication on notice of public hearing to consider the sale of the 1.4 acre City-owned parcel adjacent to and west of 1895 John F. Kennedy Road to Molo Oil Company and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 348-13 Disposing of an interest in City owned real property by sale to Molo Oil Company. Seconded by Connors. Motion carried 7-0.

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

ACTION ITEMS

Safe Community Advisory Committee: Communication from the Safe Community Advisory Committee recommending that the City Council not re-empanel beyond the December 31, 2013 expiration. Motion by Braig to receive and file the documents and approve the recommendation. Seconded by Connors. City Council thanked the members of the Committee for their work. Responding to questions from the City Council, City Manager Van Milligen provided a handout on safe cities that included Dubuque and stated that the work of the Committee will continue through projects such as security camera and lighting installations, and locating a police substation on the City's north end. Motion carried 7-0.

Dubuque Intermodal Transportation Center: City Manager recommending approval of a modified budget for the Dubuque Intermodal Transportation Center. Staff will make a presentation. Motion by Lynch to receive and filed the documents and approve the recommendation. Seconded by Jones. City Parking System Supervisor Tim Horsfield and Transportation Directory for ECIA Chandra Ravada provided a slide presentation that outlined the changes in design and adjusted cost projections. Motion carried 7-0.

Code of Ordinances Amendment - Title 6 Public Nuisances: City Manager recommending approval of a procedural correction to the Public Nuisance Ordinance that provides the City may pursue a hearing in front of the City Council or a municipal infraction in the Iowa District Court for Dubuque County. Motion by Lynch 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 Lynch for final consideration and passage of Ordinance No. 53-13 Amending City of Dubuque Code of Ordinances Title 6 Health, Housing, Sanitation and Environment, Chapter 4 Nuisances, Section 6-4-4 Public Nuisances Prohibited; Authority to Abate by Allowing Issuance of a Municipal Infraction for the Creation, Maintenance, or Continuation of a Public Nuisance. Seconded by Jones. Motion carried 7-0.

Code of Ordinances Amendment - Title 6 Fire Chief: City Manager recommending approval of changes to the Code of Ordinances changing "Chief of the Fire Department" to "Fire Chief." 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 Ordinance No. 54-13 Amending City of Dubuque Code of Ordinances Title 6 Health, Housing, Sanitation And Environment, Chapter 7 Hazardous Waste, Substances and Conditions, Section 6-7-3 Cleanup Required; and Title 7 Police, Fire and Public Safety, Chapter 2 Fire

Department, Section 7-2-2 Service Charges and Section 7-2-3 Standby Service by changing all references of “Chief of the Fire Department” to “Fire Chief.” Seconded by Resnick. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Connors encouraged all Council Members to attend the Christmas parties sponsored by the Northend and Point Neighborhood Associations.

Mayor Buol reported on military veteran Kenny Kleiner’s donation of an American flag that flew in the Afghanistan war during his tour of duty in 2012-2013.

There being no further business, upon motion the City Council adjourned at 7:40 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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