

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

The Dubuque City Council met in special session at 5:00 p.m. on September 3, 2013 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 Human Rights Department.

WORK SESSION
Human Rights Department

Human Rights Director Kelly Larson, Training Workforce Development Coordinator Andre Lessears, Community Engagement Coordinator Nikola Pavelic, and Human Relations Specialist Manisha Paudel presented on the current goals, duties, activities of the restructured Human Rights Department. Topics included:

- Areas of compliance and commitment while maintaining fairness and equity
- Change informed by input, data and Council direction
- Department workflow from director, intake, and staff
- Training and Workforce Development
 - Priorities and goals
 - Attract, Recruit, Support and Retain (ARSR) Model
- Community Engagement Coordinator
 - Priorities
 - Inform, Consult, Actively Include
 - Engagement Opportunities
 - Service Areas – Assisting, Planning, Facilitating
 - Projects and Engagement Variables
- Human Relations Specialist
 - Priorities
 - Relationship Building
 - Outreach vs. Reach In Concepts
 - Cultural Voice
 - Partnerships, Residents Lead

The City Council had discussion with staff following the presentation.

There being no further business, upon motion the City Council adjourned at 6:25 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 September 3, 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)

Dubuque Oktoberfest Day (September 14, 2013) was accepted by Terry Mozena, 1036 W. 3rd St.;

Voices from the Warehouse Days (September 7 - October 4, 2013) was accepted by Gene Tully, 448 Summit St.;

Barbershop Harmony Week (September 14-21, 2013) was accepted by Joel Gorun, 710 Kane St.;

Life Insurance Awareness Month (September 2013) was accepted by Scott Goins, 3100 Cedar Crest Rd.;

Drive the Great River Road Anniversary Month (September 2013) was accepted by John Goodmann, 1306 Tomahawk Dr.;

(Anti-Bullying Awareness Day (September 14, 2013) was removed from the agenda)

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: City Council proceedings of August 19, 20 & 21; Community Development Advisory Commission of 7/23; Housing Commission of 7/23 and 7/31; Library Board of Trustees of 7/25; Zoning Board of Adjustment of 8/22; Proof of Publication for City Council proceedings of 8/5. Upon motion the documents were received and filed.

Notice of Claims and Suits: Joanne Gassman for vehicle damage, Deb Lynch 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: Joanne Gassman for vehicle damage; Deb Lynch for vehicle damage. Upon motion the documents were received, filed and concurred.

AmeriCorps Partners in Learning Grant Award 12-13 (Grant 12-AC-13): City Manager recommending approval of the grant agreement with the Iowa Commission on Volunteer Service for the City of Dubuque AmeriCorps Program. Upon motion the documents were received, filed and approved.

Consent Decree Semiannual Report: City Manager recommending certification of the September 30th Semi Annual Consent Decree Report to be submitted to the U.S. Department of Justice, U.S. EPA and the Iowa Department of Natural Resources. Upon motion the documents were received, filed and approved.

Childhood Lead Poisoning Prevention Agreements: City Manager recommending approval of a contract with the Dubuque County Board of Health and the Iowa Department of Public Health for continued funding of the Childhood Lead Poisoning Prevention Program and a renewed agreement with the Visiting Nurse Association for services related to the Childhood Lead Poisoning Prevention Program and Healthy Homes Program. Upon motion the documents were received, filed and approved.

Lease Property Platting at East 16th Street and Kerper Blvd (Bee Branch Subdivision No. 2): City Manager recommending approval of the Plat of Survey for Lot 1-1 and 2-1 of Bee Branch Subdivision No. 2 in order to establish the boundaries and acreage of a lease property at East 16th Street and Kerper Boulevard. Upon motion the documents were received and filed and Resolution No. 276-13 Approving Plat of Survey of Lot 1-1 and Lot 2-1 of Bee Branch Subdivision No. 2 in the City of Dubuque, Dubuque County, Iowa, was adopted.

Sidewalk Installation Project - Area 2 McAleece / Admiral Sheehy Drive Project Acceptance: City Manager recommending acceptance of the 2013 Leisure Services Sidewalk Installation Project – Area 2 McAleece/Admiral Sheehy Drive, as completed by Skyline Construction, and authorizing payment to the contractor. Upon motion the documents were received and filed and Resolution No. 277-13 Accepting the 2013 Leisure Services Sidewalk Installation Project Area 2 McAleece/Admiral Sheehy Drive and authorizing the payment of the contract amount to the contractor was adopted.

ECIA Contract Amendment No. 3 - Linseed Oil Paintworks Company Building: City Manager recommending approval of an amendment to the contract with East Central Intergovernmental Association (ECIA) to assist the City with grant administration for the amended Community Development Block Grant (CDBG) Disaster Recovery Fund Contract, from the Iowa Economic Development Authority, associated with the recent commitment for redevelopment of the Linseed Oil Paintworks Company Building. Upon motion the documents were received and filed and Resolution No. 278-13 Resolution of the City of Dubuque approving Amendment Number 3 for project administration to East

Central Intergovernmental Association for Community Development Block Grant, Housing Disaster Recovery Fund Contract, #08-DRH-212, between the City of Dubuque and the Iowa Economic Development Authority was adopted.

City of Peosta - Agreement for Relocation and Expansion of TriState Quality Metals: City Manager recommending approval of an agreement with the City of Peosta concerning the expansion of TriState Quality Metals. Upon motion the documents were received and filed and Resolution No. 279-13 Authorizing the approval and execution of an agreement between the City of Peosta, Iowa, and the City of Dubuque was adopted.

Geologic Computer Systems, Inc.: City Attorney recommending approval of an Agreement for Reimbursement of Costs and Release Agreement for legal action associated with the purchase of copyrighted GeoSite software for the Dubuque Metropolitan Area Solid Waste Agency. Upon motion the documents were received, filed and approved.

Airport Commission: Commissioner Michael A. Santillo submitting his resignation from the Airport Commission. Upon motion the document was received, filed and the resignation accepted.

Westbrook Subdivision No. 2 - Acceptance of Warranty Deed: City Manager recommending acceptance of the Warranty Deed to the open space lot that the developer, Callahan Construction, Inc., is dedicating to the City in Westbrook Subdivision No. 2. Upon motion the documents were received and filed and Resolution No. 280-13 Accepting a Deed to Lot R in Westbrook Subdivision No. 2 in the City of Dubuque, Iowa, was adopted.

2013 Justice Assistance Grant (JAG) Grant Acceptance: City Manager recommending approval to accept the 2013 Justice Assistance Grant (JAG) award in the amount of \$26,580 from the Edward Byrne Memorial Assistance Grant program and authorize the signing of the award document and special conditions. Upon motion the documents were received, filed and approved.

Mediacom Communications Company: Correspondence from Lee Grassley, Senior Manager of Government Relations for Mediacom Communications Company, informing the City of programming changes beginning August 30, 2013. Upon motion the document was received and filed.

Improvement Contracts and Maintenance Bonds: Horsfield Construction, Inc. for the Dubuque Industrial Center South PCC Paving and Utilities Project 2013; Iowa Department of Transportation contract with Horsfield Construction, Inc. for the Elm Street Reconstruction 9th-12th St. Project; Portzen Construction for the 9th and 11th Street One-Way to Two-Way Conversion Project; Ted Stackis Construction for deconstruction of 2425 Washington Street property. Upon motion the documents were received, filed and approved.

Signed Contracts: Iowa Department of Transportation Supplemental Agreement (Lighting) for maintenance of primary roads (US 52/61/151 and US 3/US 52). Upon motion the document was 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 and filed and Resolution No. 281-13 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.

BOARDS/COMMISSIONS

Applicants were invited to address the City Council regarding appointment to the following boards/commissions:

Community Development Advisory Commission: One 3-year term through February 15, 2015 (Vacant term of Rathje). Applicant: Angela Kelley, 205 Bluff St. Apt 2E.

Zoning Advisory Commission: One 3-year term through July 1, 2016 (Expired term of Bird). Applicant: Michael Belmont, 222 Dillion St. Mr. Belmont spoke in support of his appointment.

Appointments to the following commissions to be made at this meeting:

Zoning Board of Adjustment: One 5-year term through March 25, 2016 (At-will term of Klauer). Applicant: Jonathan McCoy, 263 Main St. Motion by Braig to appoint Jonathan McCoy to the remainder of a 5-year term through March 25, 2016. Seconded by Connors. Motion carried 7-0.

PUBLIC HEARINGS

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

Fiscal Year 2014 Budget Amendment No 1.: Proof of publication on notice of public hearing to consider approval of the Fiscal Year 2014 Budget Amendment No. 1 and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 282-13 Amending the current budget for the Fiscal Year 2014. Seconded by Connors. Motion carried 7-0.

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

ACTION ITEMS

Code of Ordinances Title 16 Unified Development Code Amendment - Home-Based Businesses (Second Reading): Second reading of a request by Beverly Knockel to amend Section 7-1.3 of the City of Dubuque's Unified Development Code to add firearm sales to the list of prohibited home-based businesses and the Zoning Advisory Commission recommending approval.

Motion by Braig to table a proposed ordinance amending City of Dubuque Code of Ordinances, Title 16 Unified Development Code, Chapter 7 Supplemental Use Regulations Section 7-1.3 Prohibited Home-Based Business Uses to add firearm sales as a prohibited home-based business and return the item to staff for a work session to be scheduled at a future date. Seconded by Connors. Motion carried 6-1 with Resnick voting nay.

Greater Dubuque Development Corporation - Quarterly Update: President and CEO Rick Dickinson presented a verbal report on the activities of the Greater Dubuque Development Corporation, new staff, and new location. Motion by Connors to receive and file the information. Seconded by Resnick. Motion carried 7-0.

Pre-Annexation Agreement - Truck Country: City Manager recommending approval of a Pre-Annexation Agreement with McCoy Family Properties and Truck Country of Iowa, Inc., for property located at 10785 Route 61, Dubuque, Iowa, which facilitates the extension of water and sanitary sewer to service Truck Country's site prior to its annexation and rezoning. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Lynch. Motion carried 7-0.

Fund Reserve Policies: City Manager recommending approval of Fund Reserve Policies. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Braig. Motion carried 7-0.

Sustainable Neighborhood Builders, Inc., Housing Enterprise Agreement Amendment: City Manager recommending concurrence with the Enterprise Zone Commission approval and execution of Contract Amendment Number 1, and authorizing the Mayor to execute Contract Amendment Number 2 to the Housing Enterprise Zone Program Agreement by and among the Iowa Economic Development Authority, the City and Sustainable Neighborhood Builders, Inc. Motion by Connors to receive and file the documents and adopt Resolution No. 283-13 Providing concurrence to Enterprise Zone Commission approval of Contract Amendment Number 1 to Enterprise Zone Agreement Number 09-HEZ-051 while approving the application for Contract Amendment Number 2 to Enterprise Zone Agreement Number 09-HEZ-051 and authorizing the Mayor to execute Amendment Number 2 upon receipt of contract documents from the Iowa Economic Development Authority. Seconded by Jones. Acting Economic Development Director Phil Wagner responded to questions from the City Council. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Connors reported on the recent delegation visit from Dubuque's Sister City of Handan, China, and the gifts given to the City by the delegates for display.

PUBLIC INPUT

Jacob Long, 4604 Cardinal Dr., addressed the City Council about what he believes are benefits of and the need for home-based businesses.

Jay Kolker, 1763 Rosemont St., inquired about the criteria used by the Zoning Advisory Commission in determining a list of prohibited home-based businesses. Council Member Braig informed Mr. Kolker that information on the topic is forthcoming at a future work session.

There being no further business, upon motion the City Council adjourned at 7:43 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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