

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

The Dubuque City Council met in special session at 5:00 p.m. on April 21, 2014 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 Sustainable Dubuque.

**WORK SESSION
Sustainable Dubuque**

Sustainability Coordinator Cori Burbach, Vice President of Programs for the Community Foundation of Greater Dubuque Eric Dregne, Leisure Services Manager Marie Ware, Human Rights Director Kelly Larson, and Inclusive Dubuque Community Member Randy Martinez presented the quarterly progress report for Sustainable Dubuque. Ms. Burbach described how the update would illustrate the overlapping Sustainability Principles of Social/Cultural Vibrancy and Economic Prosperity. Topics included:

- Sustainable Dubuque Collaboration – Collective Impact
- Sustainability Tools for Assessing & Rating Communities (STAR)
 - Workforce readiness
 - Educational Opportunity & Attainment
 - Social & Cultural Diversity
- Community Foundation of Greater Dubuque
 - Engaged Donors
 - Coordinated non-profit organizations
 - Results-oriented
 - Leveraged funding
 - Every Child / Every Promise Program
- Campaign for Grade-Level Reading
- Project HOPE
- Inclusive Dubuque
 - Initiative
 - Leadership survey
 - Diversity Summit results
 - Committee Structure
- Community Engagement and Outreach with the Business Community

City Council had discussion with staff and presenters following the presentation. There being no further business, upon motion the City Council adjourned at 6:10 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 4/30

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

The Dubuque City Council met in regular session at 6:30 p.m. on April 21, 2014 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)

YP (Young Professionals) Days of Caring (April 25, 2014) was accepted by Lisa Bowers, Young Professional of the Year, DB&T, 895 Main St.;

Laughter Day (May 4, 2014) was accepted by Patrick Sterenchuk, World Laughter Day, 239 Alpine St.;

Building Safety Month (May 2014) was accepted by Rich Russell, Building Services Manager.

CONSENT ITEMS

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Connors. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 4/7, Civil Service Commission of 4/10, Housing Trust Fund Commission of 4/11, Zoning Advisory Commission of 4/2, Zoning Board of Adjustment of 3/27. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Maureen Barth for vehicle damage, James Mays for vehicle damage (2). Upon motion the documents were received, filed and referred to the City Attorney.

3. 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: Maureen Barth for vehicle damage, James Mays for vehicle damage (2), James Ridley for property damage. Upon motion the documents were received, filed and concurred.

4. 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.

5. Four Mounds Barn Restoration Project Grant Application: City Manager recommending approval of a resolution authorizing the City Manager to sign the ownership form in support of the 2014 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. 113-14 Authorizing HRDP Grant Application to the State Historical Society of Iowa for Barn Restoration Project at four Mounds Estate Historic District was adopted.

6. PEG Capital Expenditure Request: City Manager recommending approval of the Cable TV Commission recommendation for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities to provide hardware assurance for the on-air playback server for the Dubuque Community School District's educational access channel at The Forum. Upon motion the documents were received, filed and approved.

7. Jule Transit System - Consolidated Funding Application: City Manager recommending approval of the Consolidated Funding Application, as submitted, and approve signature of the Lobbying Cost Certificate, Certificate of Cost Allocation Plan and Authorizing Resolution for the Iowa Department of Transportation Consolidated Funding Application for Fiscal Year 2015 for The Jule. Upon motion the documents were received, filed and approved.

8. U.S. Department of Housing and Urban Development - Lead-Based Paint Hazard Control Grant: Correspondence from the U.S. Department of Housing and Urban Development requesting information required to close out the Lead-Based Paint Hazard Control Grant. Upon motion the documents were received and filed.

9. Five Flags Center - Fiscal Year 2015 Detailed Operating Budget: City Manager recommending approval of the Fiscal Year 2015 Five Flags Center proposed operating budget submitted by SMG. Upon motion the documents were received, filed and approved.

10. United States Army Corps of Engineers Flood Inundation Modeling: City Manager transmitting information about the United States Army Corps of Engineers' work to create engineering models to predict what might happen in the event of a failure of the John C. Culver Floodwall that protects a portion of the City of Dubuque from Mississippi River flooding. Upon motion the documents were received and filed.

11. Urban Deer Management Plan 2014-2015: City Manager recommending approval of the 2014-2015 Urban Deer Management Plan. Upon motion the documents were received, filed and approved.

12. Compensation Package for Non-Bargaining Unit Employees: City Manager recommending approval of a compensation package for non-bargaining unit employees for Fiscal Year 2015. Upon motion the documents were received and filed and Resolution No. 114-14 Approving the compensation package for non-bargaining unit employees for Fiscal Year 2015 was adopted.

13. Dubuque Main Street, Ltd. Program Agreement: City Manager recommending approval of a Program Agreement between Dubuque Main Street Ltd., the City of Dubuque and the Iowa Department of Economic Development, and related resolution. Upon motion the documents were received and filed and Resolution No. 115-14 Resolution of Support and Financial Commitment for the Main Street Program in Dubuque was adopted.

14. Bunker Hill Pump Station Improvement Project Acceptance: City Manager recommending acceptance of the Bunker Hill Pump Station Improvement Project as completed by Portzen Construction and authorizing payment of the contract amount to the contractor. Upon motion the documents were received and filed and Resolution No. 116-14 Accepting the Bunker Hill Pump Station Improvement Project and authorizing the payment of the contract amount to the contractor was adopted.

15. Special Assessments - Snow Removal and Right-of-Way Obstruction for 2013-2014: City Manager recommending establishing the final schedule of assessments for the 2013-2014 snow removal from City right-of-way. Upon motion the documents were received and filed and Resolution No. 117-14 Adopting the final Assessment Schedule for the 2013-2014 Snow Removal Assessment - Right-of-Way Obstruction Removal Assessment Project was adopted.

16. Plat of Survey - Jelinske Addition: Zoning Advisory Commission recommending approval of the Final Plat for the Jelinske Addition (Lorelei Lane) subject to waiving the lot frontage for Lots 1 and 2. Upon motion the documents were received and filed and Resolution No. 118-14 Approving the Plat of Survey of Jelinske Addition in Dubuque, County, Iowa, was adopted.

17. Iowa Department of Transportation (IDOT) - Conveyance of Property: City Manager transmitting signed patents from the Iowa Department of Transportation conveying four tracts of land to the City of Dubuque related to the Intermodal Transportation Center. Upon motion the documents were received and filed.

18. Iowa Department of Natural Resources - E. B. Lyons Maintenance Shop Service Contract: City Manager recommending approval of a contract between the City of Dubuque and the Iowa Department of Natural Resources related to a new IDNR maintenance shop that will be built to service the E.B. Lyons Interpretive Center and the

Mines of Spain State Recreation Area. Upon motion the documents were received and filed and Resolution No. 119-14 Authorizing Service Contract with the Iowa Department of Natural Resources for Compensation of Design Services for E.B. Lyons Maintenance Shop was adopted.

19. Dubuque Metropolitan Area Solid Waste Agency (DMASWA): Correspondence from the Dubuque Metropolitan Area Solid Waste Agency (DMASWA) notifying the City of the Agency's Fiscal Year 2015 fee schedule. Upon motion the documents were received and filed.

20. Old Town Neighborhood Historic District: City Manager recommending approval to release a Request for Proposals for consultant services to assist the City with preparing a National Register of Historic Places nomination for the Old Town Neighborhood Historic District. Upon motion the documents were received, filed and approved.

21. Human Rights Department FY 2013 Annual Report: City Manager transmitting the Fiscal Year 2013 Annual Report for the Human Rights Department. Upon motion the documents were received and filed.

22. Civil Service Commission: Civil Service Commission submitting the certified lists for the positions of Fire Chief and Equipment Mechanic. Upon motion the documents were received, filed and made a Matter of Record

23. Long Range Planning Advisory Commission: Commissioner Richard Van Iten submitting his resignation from the Long Range Planning Advisory Commission. Upon motion the documents were received and filed and the resignation accepted.

24. Signed Contracts: Dubuque by Carriage 10th Amendment to Lease Agreement; Westrum Leak Detection, Inc. for a computerized water distribution system leak detection survey. Upon motion the documents were received and filed.

25. Tobacco Compliance – Civil Penalty for Tobacco License Holders - Kwik Star #495: City Manager recommending approval of the Acknowledgement/Settlement Agreement for a tobacco compliance violation for Kwik Star #495, 2685 Dodge Street. Upon motion the documents were received, filed and approved.

26. Alcohol Compliance Civil Penalty for Alcohol License Holders – Kwik Star #495: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Kwik Star #495, 2685 Dodge Street. Upon motion the documents were received, filed and approved.

27. Business License Refund: Request by Eddie Hwang for a refund of the liquor license LC0035121 for Taiko Restaurant located at 2155 S. Park Ct. in the amount of \$633.75. Upon motion the documents were received, filed and refer to the City Clerk.

28. 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. 120-14 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 on the following items:

1. Spahn and Rose Lumber Co. - Development Agreement: Proof of publication on notice of public hearing to consider approval of a Development Agreement between the City of Dubuque and Spahn and Rose Lumber Co. providing for the issuance of Urban Renewal Tax Increment Revenue Grant Obligations and the City Manager recommending approval. Upon motion the documents were received and filed and Resolution No. 121-14 Approving a Development Agreement with Spahn and Rose Lumber Co., providing for the issuance of Urban Renewal Tax Increment Revenue Grant Obligations was adopted.

2. Unified Development Code Text Amendment - Title 16 Fringe Area Development Standards: Proof of publication on notice of public hearing to consider a request by the City of Dubuque to amend Title 16-11-7 of the Unified Development Code to add Fringe Area Development Standards and the City Manager recommending approval. 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. Associate Planner Kyle Kritz provided a staff report. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 31-14 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by Amending Article 11-7 Application Requirements and Review Process to add Fringe Area Development Standards for Subdivisions Within Two-Miles of the City of Dubuque Corporate Limits. Seconded by Braig. Motion carried 7-0.

3. Unified Development Code Text Amendment - Title 16 Jurisdictional Subdivision Review Authority: Proof of publication on notice of public hearing to consider a request by the City of Dubuque to amend Title 16-11-2 of the Unified Development Code to reference Iowa Code Section 354.9 and Two-Mile Extra Jurisdictional Subdivision Review Authority and the City Manager recommending approval. 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. Associate Planner Kyle Kritz provide a staff report. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 32-14 Amending City of Dubuque Code of Ordinances Title 16 Unified Development Code,

Chapter 11 Land Subdivision, Section 2 Applicability by Referencing Iowa Code Section 354.9. Seconded by Braig. Motion carried 7-0.

4. Fiscal Year 2014 Second Budget Amendment: Proof of publication on notice of public hearing to consider approval of the Fiscal Year 2014 Second Budget Amendment and the City Manager recommending approval. Motion by Braig to receive and file the documents and adopt Resolution No. 122-14 Amending the current budget for the Fiscal Year ending June 30, 2014. Seconded by Connors. Responding to questions from the City Council, City Manager Van Milligen explained why funding was retained for specific projects. Motion carried 7-0.

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

ACTION ITEMS

1. Code of Ordinance Amendment - Title 14 Residential Parking Permit Program: City Manager recommending approval of an amendment to City Ordinance 9-14-321.722: Residential Parking Permit Program, adding a provision which outlines the procedure for amendments to an existing Residential Parking Permit District. 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. 33-14 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 14 Parking, Division 7 Residential Parking Permit Program, Section 9-14-321.722 Residential Parking Permit Program Established by adding a provision which outlines the procedure for amendments to a Residential Parking Permit District. Seconded by Connors. Motion carried 7-0.

2. Environmental Stewardship Advisory Commission: Environmental Stewardship Advisory Commission requesting approval and concurrence of the Commission's goals and priorities for the next 18 months. Motion by Connors to receive, file and approve the documents. Seconded by Braig. Motion carried 7-0.

3. National Infrastructure Investments (TIGER 6) Grant Application: City Manager recommending approval to submit an application to the U.S. Department of Transportation for the National Infrastructure Investments (TIGER 6) Grant to assist in funding a portion of the 14th Street Railroad Overpass and the Bee Branch Bike-Pedestrian Railroad Overpass projects and names the City Manager as the authorized grant representative and administrator. Motion by Braig to receive and file the documents and adopt Resolution No. 123-14 Approving application for National Infrastructure Investments (TIGER 6) Discretionary Grant funding for the proposed 14th Street Railroad Overpass and the Bee Branch Bike-Pedestrian Railroad Overpass projects. Seconded by Jones. Motion carried 7-0.

4. HMA Resurfacing Project - White Street from 11th Street to 21st Street Project Award: City Manager recommending award of the White Street HMA Resurfacing with Milling Project from 11th to 21st Street to the low bidder River City Paving. Motion by Connors to receive and file the documents and adopt Resolution No. 124-14 Awarding the public improvement contract for the White Street HMA Resurfacing with Milling Project from 11th to 21st Street (Iowa DOT Project No. NHSN-052-2(132)--2R-31). Seconded by Jones. Motion carried 7-0.

5. Dubuque Intermodal Transportation Center - Project Award: City Manager recommending award of the contract for the Dubuque Intermodal Transportation Center to the low bidder Conlon Construction. Motion by Braig to receive and file the documents and adopt Resolution No. 125-14 Awarding Public Improvement Contract for the Dubuque Intermodal Transportation Center. Seconded by Connors. Responding to questions from the City Council, Parking System Supervisor Tim Horsfield stated that the project would be completed within 14 months following the issuance of the Notice to Proceed. Motion carried 7-0.

6. Request for Work Session - Payday Lenders: City Manager recommending that the City Council schedule a work session for May 19, 2014 at 5:15 p.m. regarding payday lenders. Motion by Lynch to receive and file the documents and set the work session as recommended. Seconded by Braig. City Manager Van Milligen stated that public input should be submitted to the City Council in writing prior to the work session. Motion carried 7-0.

PUBLIC INPUT

Patricia McCall Paar, 2789 Windsor Avenue, addressed the City Council about reviewing the cost of a Conditional Use Permit as it relates to the keeping of backyard chickens and suggested placing the permit under the control of the Health Services Department.

CLOSED SESSION

Motion by Jones to convene in closed session at 7:41 p.m. to discuss pending litigation and property acquisition pursuant to Chapter 21.5(1)(c), -(j) Code of Iowa. Seconded by Connors. Motion carried 7-0.

Upon motion, the City Council reconvened in open session at 8:20 p. m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 8:21 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 4/30