

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

The Dubuque City Council met in special session at 5:00 p.m. on June 2, 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 Chaplain Schmitt Island Master Plan.

**WORK SESSION
Chaplain Schmitt Island Master Plan**

Planning Services Manager Laura Carstens, Andrew Desdner of Cunningham Group, and Chris Brewer of AECOM, provided a slide presentation on the Chaplain Schmitt Island Master Plan. Topics included:

- Purpose of the Master Plan
- Process: stakeholders, regulating agencies, project schedule
- History of Chaplain Schmitt Island
- Island in the River: geography/topography, wildlife
- Island in the City: proximity to neighborhoods & city development, leases
- Current island character
- Questions and Challenges: current leaseholders, casino attraction, natural island qualities, defining a unique sense of place
- Goals: connect to riverfront and the water, island environment, visiting in any season
- Existing conditions and proposed development for three areas: recreation channel, island resort, marina village

City Council had discussion with the presenters following the presentation. There being no further business, upon motion the City Council adjourned at 6:05 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 June 2, 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)

Juneteenth Day (June 14, 2014) was accepted by Shelli Glover of the Multicultural Family Center, 1157 Central Avenue;

LGBT Pride Month (June 2014) was accepted by Brad Wilson, 201 W. 17th Street on behalf of Dubuque Pride.

PRESENTATION(S)

Alliant Energy Excellence in Energy Efficiency Award Presentation and Renewable Rebate Check for the Water & Resource Recovery Center's Anaerobic Digestion & Microturbine Project was presented by Craig Clefisch of Alliant Energy.

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 5/19, Historic Preservation Commission of 5/17, Library Board of Trustees of 4/24, Proof of publication for City Council proceedings of 5/5. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Roger Schadler for personal injury, Gary Sieverding for property damage. Upon motion the document was 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: Roger Schadler for personal injury and Gary Sieverding for vehicle damage. Upon motion the documents were received, filed and concurred.

4. Contracted Services Agreement - Crescent Community Health Center Fiscal Year 2015: City Manager recommending execution of the attached contract with Crescent Community Health Center. Upon motion the documents were received, filed and approved.

5. Contracted Services Agreement - Dubuque Area Convention and Visitors Bureau Fiscal Year 2015: City Manager recommending execution of the attached agreement with the Dubuque Area Convention and Visitors Bureau to provide funding for tourist and convention development on behalf of City. Upon motion the documents were received, filed and approved.

6. Contracted Services Agreement - Dubuque Area Labor Management Council Fiscal Year 2015: City Manager recommending execution of the attached agreement with the Dubuque Area Labor-Management Council to provide funding for improvement and expansion of labor-management cooperation in the public and private sector in the Dubuque area. Upon motion the documents were received, filed and approved.

7. Contracted Services Agreement - Dubuque Main Street Fiscal Year 2015: City Manager execution of the attached Contracted Services Agreement with Dubuque Main Street to provide funding for the agency to continue to implement a downtown revitalization program and to help fund a part time development position to help manage the economic development and design assistance function of the Historic Millwork District. Upon motion the documents were received, filed and approved.

8. Contracted Services Agreement - DuRide Fiscal Year 2015: City Manager recommending execution of the attached contract with DuRide. Upon motion the documents were received, filed and approved.

9. Contracted Services Agreement - Every Child | Every Promise Fiscal Year 2015: City Manager recommending execution of the attached contract with Every Child | Every Promise. Upon motion the documents were received, filed and approved.

10. Contracted Services Agreement - Greater Dubuque Development Corporation Fiscal Year 2015: City Manager recommending execution of the attached agreement with the Greater Dubuque Development Corporation for support of their economic development services. Upon motion the documents were received, filed and approved.

11. Contracted Services Agreement - Operation New View Community Action Agency Fiscal Year 2015: City Manager recommending execution of the attached Contracted Services Agreement with Operation: New View to provide funding for the agency to continue to provide services to help low income and elderly citizens achieve self-efficiency. Upon motion the documents were received, filed and approved.

12. Contracted Services Agreement - Project HOPE Fiscal Year 2015: City Manager recommending execution of the attached contract with Community Foundation of Greater Dubuque: Project H.O.P.E. Upon motion the documents were received, filed and approved.

13. Contracted Services Agreement - Proudly Accessible Dubuque Fiscal Year 2015: City Manager recommending execution of the attached contract with Proudly Accessible Dubuque. Upon motion the documents were received, filed and approved.

14. Purchase of Services Grant Agreement - Bell Tower Theater: City Manager recommending approval of the Purchase of Services Grant Agreement with Bell Tower Productions to provide for Kids Take the Stage youth theater classes and the Free Summer Musicals. Upon motion the documents were received, filed and approved.

15. Purchase of Services Grant Agreement - Dubuque Community Y Domestic Violence Program: City Manager recommending approval of the Purchase of Services Grant Agreement with Dubuque Community YMCA/YWCA Domestic Violence Shelter, known as New Beginnings Shelter, to provide crisis intervention services to domestic violence victims. Upon motion the documents were received, filed and approved.

16. Purchase of Services Grant Agreement - Dubuque County Extension: City Manager recommending approval of a Purchase of Services Grant Agreement with Dubuque County ISU Extension. Upon motion the documents were received, filed and approved.

17. Purchase of Services Grant Agreement - Helping Services of Northeast Iowa: City Manager recommending approval of the Purchase of Services Grant Agreement with Helping Services of Northeast Iowa to provide Life Skills program to prevent drug and alcohol use to third grade students in Dubuque. Upon motion the documents were received, filed and approved.

18. Purchase of Services Grant Agreement - Hillcrest Family Services: City Manager recommending approval of the Purchase of Services Grant Agreement with Hillcrest Family Services to provide crisis mental health counseling and walk-in services. Upon motion the documents were received, filed and approved.

19. Purchase of Services Grant Agreement - Four Mounds: City Manager recommending approval of a Purchase of Services Grant Agreement with Four Mounds Foundation. Upon motion the documents were received, filed and approved.

20. Purchase of Services Grant Agreement - Lutheran Services in Iowa: City Manager recommending approval of the Purchase of Services Grant Agreement with Lutheran Services in Iowa for Dubuque Community Wrap Around Services. Upon motion the documents were received, filed and approved.

21. Purchase of Services Grant Agreement - Multicultural Family Center: City Manager recommending approval of the Purchase of Services Grant Agreement with the Multicultural Family Center to provide opportunities for at-risk youth through the Future Talk Program. Upon motion the documents were received, filed and approved.

22. Purchase of Services Grant Agreement - Northeast Iowa School of Music: City Manager recommending approval of a Purchase of Services Grant Agreement with Northeast Iowa School of Music. Upon motion the documents were received, filed and approved.

23. Purchase of Services Grant Agreement - Project Concern Foster Grandparent Program: City Manager recommending approval of the Purchase of Services Grant Agreement with Project Concern to partially fund the Foster Grandparent Program that provides volunteer opportunities for seniors to work with students with special needs. Upon motion the documents were received, filed and approved.

24. Purchase of Services Grant Agreement - Riverview Center: City Manager recommending approval of the Purchase of Services Grant Agreement with Riverview Center to provide partial funding for a Sexual Assault Therapist in the Dubuque office. Upon motion the documents were received, filed and approved.

25. Purchase of Services Agreement - Four Mounds HEART Program Fiscal Year 2015: City Manager is recommending execution of the attached contract with Four Mounds HEART Program. Upon motion the documents were received, filed and approved.

26. Purchase of Services Agreement - Matter Creative Center Fiscal Year 2015: City Manager recommending execution of the attached contract with Matter Creative Center. Upon motion the documents were received, filed and approved.

27. Purchase of Services Agreement - Opening Doors Fiscal Year 2015: City Manager recommending execution of the attached contract with Opening Doors. Upon motion the documents were received, filed and approved.

28. Purchase of Services Agreement - St. Mark Community Center Fiscal Year 2015: City Manager recommending execution of the attached contract with St. Mark Community Center. Upon motion the documents were received, filed and approved.

29. Family Self Sufficiency Grant Application: City Manager recommending approval of the submittal of a grant to the U.S. Department of Housing and Urban Development for the renewal of one Family Self-Sufficiency Program Coordinator position and two new Family Self-Sufficiency Program Coordinator positions. Upon motion the documents were received, filed and approved.

30. Phoenix Housing Special Needs Assistance Grant: City Manager recommending approval of the Request for Release of Funds for the Continuum of Care Phoenix

Housing Special Needs Assistance project that provides subsidized housing for disabled individuals and families with supportive services. Upon motion the documents were received and filed and Resolution No. 160-14 Authorizing Request for Release of Continuum of Care funds for Fiscal Year 2015 (Program Year 2013) was adopted.

31. 2014 Justice Assistance Grant (JAG) Application: City Manager recommending approval of the 2014 Justice Assistance Grant (JAG) application from the Edward Byrne Memorial Assistance Grant Program. Upon motion the documents were received, filed and approved.

32. Enterprise Zone - Community Housing Initiatives I & II: City Manager recommending approval of two Housing Enterprise Zone Program Agreements by and among the Iowa Economic Development Authority, the City and Community Housing Initiatives, Inc. for scattered sites in Enterprise Zones 1-A and 2-A. Upon motion the documents were received and filed and Resolution No. 161-14 Approving a Housing Enterprise Zone Program Agreement by and among the Iowa Economic Development Authority, the City of Dubuque and Community Housing Initiatives, Inc. was adopted.

33. DRA Purchase of Hilton Hotel and Houlihan's Restaurant: City Manager recommending approval of a resolution approving the Landlord's Consent, Assignment of Lease Agreement, and Leasehold Mortgage related to the purchase of Hilton Garden Hotel and Houlihan's Restaurant by the Dubuque Racing Association. Upon motion Resolution No. 162-14 Approving a Landlord's Consent, and Assignment of Lease Agreement, and Leasehold Mortgage, Fixture Filing and Security Agreement with Absolute Assignment of Leases and Rents in connection with Dubuque Racing Association, LTD's Purchase of the Assets of Dubuque Casino Hotel, LLC was adopted.

34. Mystique Casino Parking Lot Repairs: City Manager recommending approval of a request from Dubuque Racing Association President and CEO Jesús Avilés requesting permission to expend funds from the Depreciation and Improvement Fund to repair, sealcoat and restripe the Mystique Casino parking lot. Upon motion the documents were received, filed and approved.

35. Request for Proposal (RFP) - Internal Auditing Services: City Manager recommending approval of the selection of McGladrey LLP for the internal auditing services for the City of Dubuque. Upon motion the documents were received, filed and approved.

36. Eide Bailly Audit Engagement Agreement: City Manager recommending approval of the audit engagement agreement for year ending June 30, 2014 audit from Eide Bailly. Upon motion the documents were received, filed and approved.

37. Signed Contracts: WHKS Agreement Addendum #4 for Airport Engineering Water Design Services. Upon motion the document was received and filed.

38. Improvement Contracts and Maintenance Bonds: Drew Cook & Sons Excavating Co., Inc. for the SRF Green Alley Project, Bid Set 4. Upon motion the document was received, filed and approved.

39. Alcohol Compliance Civil Penalty for Alcohol License Holders - Denny's Lux Club: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Denny's Lux Club, 3050 Asbury Road. Upon motion the documents were received, filed and approved.

40. Tobacco Compliance – Civil Penalty for Tobacco License Holders - Plaza 20 BP/Amoco: City Manager recommending approval of the Acknowledgment/Settlement Agreement for a tobacco compliance violation for Plaza 20 BP/Amoco, 2600 Dodge Street. Upon motion the documents were received, filed and approved.

41. Alcohol Compliance Civil Penalty for Alcohol License Holders - Plaza 20 BP/Amoco: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Plaza 20 BP/Amoco, 2600 Dodge Street. Upon motion the documents were received, filed and approved.

42. 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. 163-14 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.

ITEMS TO BE SET FOR PUBLIC HEARING

Motion by Lynch 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 Jones. Motion carried 7-0.

1. JFK Road and Wacker Drive Traffic Signal Replacement Project: City Manager recommending initiation of the public bidding process for the JFK & Wacker Signal Replacement Project, and further recommends that a public hearing be set for June 16, 2014. Upon motion the documents were received and filed and Resolution No. 164-14 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 was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 16, 2014 in the Historic Federal Building.

2. Sales Tax Increment Revenue Bonds (Stormwater Utility Revenue Supported): City Manager recommending that a public hearing be set for June 16, 2014, on the proposition of issuing not to exceed \$30,000,000 in Sales Tax Increment Revenue Bonds (Stormwater Utility Revenue Supported). Upon motion the documents were received and filed and Resolution No. 165-14 Fixing date for a meeting on the

proposition of the issuance of not to exceed \$30,000,000 Sales Tax Increment Revenue Bonds (Stormwater Utility Revenue Supported) of Dubuque, Iowa and providing for publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 16, 2014 in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointments were made to the following boards/commission:

1. Civil Service Commission: One, 4-year term through April 6, 2018 (Vacant term of Schilling). Applicant: Mary Lynn Neuhaus, 1595 Montrose Terrace. Upon Council concurrence, Mayor Buol appointed Mary Lynn Neuhaus to a 4-year term through April 6, 2018.

2. Long Range Planning Advisory Commission: One, 3-year term through July 1, 2017 (vacant term of Van Iten). Applicant: Joshua Clements, 561 Jefferson. Motion by Braig to appoint Joshua Clements to a 3-year term through July 1, 2017. Seconded by Resnick. Motion carried 7-0.

PUBLIC HEARINGS

Upon motion the rules were suspended allowing anyone present to address the City Council on the following items:

1. Residential Parking Permit District "D" Amendment: Proof of publication on notice of public hearing to consider an amendment to Residential Parking Permit District "D" by adding Alicia Street from Pennsylvania Avenue to Andrea Street, both sides, and Marjorie Circle from Amy Court to Andrea Street, both sides with the portion of the petition not meeting the 80% criteria being excluded from Residential Parking Permit District "D" and the City Manager recommending approval. 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 Connors. Becky Bruxvoort, 1673 Alicia St., spoke in support of the amendment and stated that the additional street parking caused by Hempstead High School students is impeding area mail delivery and trash collection, increasing litter and traffic speed, and jeopardizing residential safety. City Attorney Barry Lindahl stated that the Unified Development Code (UDC) requires the school district to provide one parking space per 10 students in grades nine through 12. Planning Services Manager Laura Carstens stated that while the school district is sensitive to the issue, the City does not have a mechanism in place to enforce compliance. Motion carried 7-0.

Motion by Lynch for final consideration and passage of Ordinance No. 36-14 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 14 Parking, Division 7 Residential Parking Permit Program, Section 9-14-321.736 Residential Parking Permit District D by adding portions of Alicia Street and Marjorie Circle to the District. Seconded by Jones. Motion carried 7-0.

2. Jule Transit Facility Roof and Sprinkler Repair Project: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract, and estimated cost for the Jule Transit Facility Roof and Sprinkler Repair Project and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 166-14 Approval of plans, specifications, form of contract, and estimated cost for the Jule Transit Facility Roof and Sprinkler Repair Project. Seconded by Connors. Responding to questions from the City Council, City Manager Van Milligen stated that the City is obligated to the grant requirements for repair of the building and bringing it up to code for historical reasons and long-term use by the City or future owner. Motion carried 7-0.

3. Sanitary Sewer Cured-in-Place Pipe (CIPP) Lining Project Fiscal Year 2015: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract, and estimated cost for the FY 2015 Sanitary Sewer Cured-in-Place Pipe (CIPP) Lining Project and the City Manager recommending approval. Motion by Braig to receive and file the documents and adopt Resolution No. 167-14 Approval of plans, specifications, form of contract, and estimated cost for the FY 2015 Sanitary Sewer Cured-in-Place Pipe (CIPP) Lining Project. Seconded by Resnick. Responding to questions from the City Council, City Engineer Gus Psihoyos explained the process of CIPP lining and stated that the project has been successful for several years and saves costs by avoiding digging up pipes. Motion carried 7-0.

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

ACTION ITEMS

1. Greater Dubuque Development Corporation - Quarterly Update: President and CEO Rick Dickinson to present the quarterly update on the activities of the Greater Dubuque Development Corporation. Motion by Lynch to receive and file the information. Seconded by Jones. Motion carried 7-0. Mr. Dickinson provided information from a soon-to-be-released publication about Dubuque's ranking and comparison with other U.S. cities. Mr. Dickinson also provided samples of the new Distinctively Dubuque and newcomer brochures and invited the City Council to GDDC's 30th anniversary celebration on June 25 at 5:30 p.m. at the Schmid Innovation Center.

2. Historic Preservation Commission - Jackson Park Signage: Historic Preservation Commission recommending approval to install identification and interpretive signs in Jackson Park. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Braig. Motion carried 7-0.

3. Code of Ordinances Amendment - Title 8 Human Rights Commission Administrative Release: City Manager recommending approval of a proposed amendment to City Code Section 8-4-7, Release from Administrative Process, for City Council consideration. 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 Braig. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 37-14 Amending City of Dubuque Code of Ordinances Title 8 Human Rights, Chapter 4 Enforcement of Civil Rights, Section 8-4-7 Release From Administrative Process; Alternative Judicial Proceedings Upon Complaints to reflect a change in the law via judicial decision holding that local commissions do not possess the authority to issue right-to-sue letters and an Administrative Release from the Iowa Civil Rights Commission is necessary in order to proceed in court. Seconded by Braig. Motion carried 7-0.

4. Water Treatment Plant North Softening Basins Rehabilitation Project Award: City Manager recommending award of the construction contract for the Water Treatment Plant North Softening Basins Rehabilitation Project to the low bidder Fred Jackson Tuckpointing Co., Inc. Motion by Braig to receive and file the documents and adopt Resolution No. 168-14 Awarding public improvement contract for the Water Treatment Plant North Softening Basins Rehabilitation Project CIP 740-2396. Seconded by Jones. Responding to questions from the City Council, City Manager Van Milligen stated that funds will be reallocated from other Water Department projects for this priority project. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported on Fire Captain Dennis Bradley's article published for the Iowa Emergency Medical Services Association.

Council Member Connors reminded everyone of Election Day, June 3.

Council Member Resnick asked that discussion about the Public Input section of the agenda be included in the City Council's annual goal setting session.

PUBLIC INPUT

Jacob Long, 4604 Cardinal Dr., expressed his opinion about the Public Input section of the agenda, stating that he is distributing a petition for 1,000 names to request that the City Council move the section to the beginning of the meeting agenda.

Rich Mieske, 3199 Sheridan Rd., expressed his opinion about what he believes are high city taxes and debt capacity and provided his thoughts on gun control and registration.

David Wallen, 1490 N. Grandview Ave., expressed his opinion about the recent exchange of an American soldier for four Afghan prisoners of war as unacceptable and asked the City Council to consider submitting a resolution to the U.S. Congress to that effect.

There being no further business, upon motion the City Council adjourned at 7:29 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 6/11