

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

The Dubuque City Council met in special session at 5:00 p.m. on June 16, 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 closed session pursuant to Chapter 21.5(1)(i) Code of Iowa.

Motion by Jones to convene in closed session at 5:02 p.m. to discuss Professional Evaluations - Chapter 21.5(1)(i) Code of Iowa. Seconded by Connors. Motion carried 7-0.

Upon motion at 6:18 p.m., the City Council reconvened in open session stating that evaluations have been completed.

There being no further business, upon motion the City Council adjourned at 6:20 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 16, 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 arriving at 6:37

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 Jones. Motion carried 7-0

1. Minutes and Reports Submitted: Arts and Cultural Affairs Advisory Commission of 4/22, Cable TV Commission of 5/7, City Council proceedings of 6/2, Civil Service Commission of 5/29, Enterprise Zone Commission of 5/13, Library Board of Trustees Update of 5/22, Park and Recreation Advisory Commission of 5/13, Sister City Relationships Advisory Commission of 5/28, Zoning Board of Adjustment of 5/22, Proof of Publication for City Council proceedings of 5/19, Proof of Publication for List of Claims and Summary of Revenues for Month Ended 4/30. Upon motion the documents were received, filed and approved.

2. Notice of Claims and Suits: Ann Vrotsos for vehicle damage. 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: Ann Vrotsos for vehicle damage. Upon motion the documents were received, filed and concurred.

4. Iowa Flood Mitigation Board - Arnold Honkamp Recognition: Iowa Flood Mitigation Board submitting a resolution recognizing the significant contributions and passing of Arnold N. Honkamp. Upon motion the document was received and filed.

5. National Park Service Annual Products Report and Baseline Questionnaire: City Manager transmitting the Federal Fiscal Year 2013 National Park Service Annual Products Report and Baseline Questionnaire required by all certified local governments for submission to the National Park Service. Upon motion the document was received and filed.

6. Lead Paint Hazard Control Program Grant Application: City Manager recommending approval of the submission of an application to the US Department of Housing and Urban Development for continuation of the Lead Paint Hazard Control Program throughout the City of Dubuque that includes supplemental funding for Healthy Homes interventions. Upon motion the documents were received, filed and approved.

7. Request for Proposals - National Register of Historic Places Registration Projects: Historic Preservation Commission requesting authorization to solicit requests for proposals from qualified consultants to prepare the Iowa Street, Madison Park, Fenelon Place, and Old Main National Register of Historic Places (NRHP) district nominations. Upon motion the documents were received, filed and approved.

8. Request for Proposals - Phase VI Architectural Survey: Historic Preservation Commission requesting review and authorizing to solicit proposals from qualified consultants to conduct the Phase VI Historic/Architectural Survey and Evaluation. Upon motion the documents were received, filed and approved.

9. Request for Proposals - Multicultural Family Center Phase II: City Manager recommending approval to release a Request for Proposal for architectural design and construction administration services for the Multicultural Family Center Phase II Renovation Project and authorize the City Manager to negotiate an agreement with the recommended consultant for presentation to the City Council. Upon motion the documents were received, filed and approved.

10. 2014 Pavement Marking Project Award: City Manager recommending that the award for the 2014 Pavement Marking Project to Selco, Inc., be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed; and made a matter of record.

11. Purina Drive Dock Repair Project Acceptance: City Manager recommending acceptance of the construction contract for the Purina Drive Barge Docking Facility Repair Project, as completed by Dubuque Barge and Fleeting d/b/a Newt Marine Service. Upon motion the document was received and filed and Resolution No. 169-14 Accepting the Purina Drive Barge Docking Facility Repair Project and authorizing the payment of the final contract amount to the contractor was adopted.

12. Heeb Street Retaining Wall Project Acceptance: City Manager recommending acceptance of the construction contract for the 18th & Heeb Street Retaining Wall Slope Stabilization Project, as completed by Drew Cook & Sons Excavating, Inc. Upon motion the document was received and filed and Resolution No. 170-14 Accepting the 18th & Heeb Street retaining wall slope stabilization project and authorizing the payment of the contract amount to the contractor was adopted.

13. Usha Park - Parking Lot Project Acceptance: City Manager recommending acceptance of the construction contract for the Usha Park Parking Lot Project, as completed by Drew Cook and Sons Excavating. Upon motion the document was received and filed and Resolution No. 171-14 Accepting the Usha Park Parking Lot Project and authorizing the payment of the contract amount to the contractor was adopted.

14. 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 a new Sony Anycast Touch portable production studio for the City of Dubuque. Upon motion the documents were received, filed and approved.

15. Health and Prescription Drug Plans - Specific and Aggregate Stop Loss Insurance Renewal: City Manager recommending approval of the Health and Prescription Drug Plans Specific and Aggregate Stop Loss Insurance Renewal with AIG for the plan year beginning July 1, 2014 and ending June 30, 2015. Upon motion the documents were received, filed and approved.

16. Collective Bargaining Agreement - Dubuque Police Protective Association: City Manager transmitting the Arbitrator's Opinion and Award which provides for a 1.5 percent across-the-board base wage increase effective July 1, 2014 through June 30, 2015 for the Dubuque Police Protective Association. Upon motion the document was received and filed.

17. Property Acquisition - 411 East 15th Street - Bee Branch Creek Restoration Project: City Manager recommending approval of the purchase of 411 E. 15th Street and the Harris BS-372 Scrap Shear from Alvin Blum as part of the acquisition program associated with the Bee Branch Creek Restoration Project. Upon motion the document was received and filed and Resolution No. 172-14 Approving the acquisition of real estate owned by Blum Properties, Inc. in the City of Dubuque was adopted.

18. Contracted Service Agreement - Hills and Dales Senior Center Lifetime Program: City Manager recommending approval of the Contracted Service Agreement with Hills and Dales for the Senior Center Lifetime Program to provide educational, recreational and social programs to senior citizens at 3505 Stoneman Road. Upon motion the documents were received, filed and approved.

19. Purchase of Services Agreement - Opening Doors: City Manager recommending approval of the Purchase of Service Agreement with Opening Doors for emergency and transitional housing. Upon motion the documents were received, filed and approved.

20. Contracted Services Grant Agreement - Washington Tool Library: City Manager recommending approval of the Contracted Service Agreement with the Washington Neighborhood Tool Library at 345 East 18th Street that provides a free tool lending library to low- and moderate-income persons. Upon motion the documents were received, filed and approved.

21. Purchase of Services Grant Agreement - Project Concern Information and Referral: City Manager recommending approval of the Purchase of Service Agreement with Project Concern, Inc. to help provide financial counseling and medical services information and referral services to low- and moderate-income residents of the City of Dubuque. Upon motion the documents were received, filed and approved.

22. Purchase of Services Grant Agreement - Retired and Senior Volunteer Program: City Manager recommending approval of the Purchase of Services Grant Agreement with the Retired and Senior Volunteer Program to fund two program interns and a percentage of the RSVP Director's time, including additional staff support costs, to expand volunteer recruitment and assist in the areas of disaster preparedness and service to veterans and military families. Upon motion the documents were received, filed and approved.

23. Business License Refund: Request by Four Mounds Foundation for a refund on liquor license LC0040843 for Four Mounds Foundation located at 4900 Peru Rd. Upon motion the documents were received, filed and approved.

24. Alcohol Compliance Agreement - Phillips 66/Arby's: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Phillips 66/Arby's, 10 South Main Street. Upon motion the documents were received, filed and approved.

25. Tobacco Compliance Agreement - Phillips 66/Arby's: City Manager recommending approval of the Acknowledgment/Settlement Agreement for a tobacco compliance violation for Phillips 66/Arby's, 10 South Main Street. Upon motion the documents were received, filed and approved.

26. Alcohol and Tobacco License Applications: City Manager recommending approval of annual liquor, beer, wine and tobacco licenses applications as submitted. Upon motion the document was received and filed and Resolution No. 173-14 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 and Resolution No. 173B-14 Approving applications for retail cigarette/tobacco sales permits, as required by Iowa Code 453A.47A were 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. Dubuque Regional Airport Property Easement Acquisition for Extension of Public Utilities: City Manager recommending that a public hearing be set for July 21, 2014, on the City's intent to acquire, or condemn if necessary, property for the extension of public utilities to the Airport. Upon motion the documents were received and filed and Resolution No. 174-14 Setting a public hearing on the intent to acquire or condemn if necessary property for the extension of public utilities to the Dubuque Regional Airport was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on July 21, 2014 in the Historic Federal Building

2. Southwest Arterial Right-of-Way Property Acquisition: City Manager recommending that a public hearing be set for July 21, 2014 regarding the City's intent to acquire, or condemn if necessary, property for the Southwest Arterial Project. Upon

motion the documents were received and filed and Resolution No. 175-14 Setting a public hearing on the intent to acquire or condemn if necessary property for the Southwest Arterial Project was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on July 21, 2014 in the Historic Federal Building

BOARDS/COMMISSIONS

Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

1. Cable TV Commission: Two, 3-year terms through July 1, 2017 (Expiring terms of Maloney and Tigges) Applicants: Pauline Maloney, 506 St. George St. Ronald Tigges, 4927 Wild Flower Dr.

2. Catfish Creek Watershed Management Authority: One, 2-year term through July 16, 2017 (Expiring term of Hoyer) Applicant: Will Hoyer, 1311 Tomahawk Dr.

3. Historic Preservation Commission: Three, 3-year terms through July 1, 2017 (Expiring terms of Klavitter, Monk and Schlarman) Applicants: David Klavitter, 1090 West 3rd St. (Qualifies for the Langworthy District) Christina Monk, 2005 N. Main St. (Qualifies as an Architect At-Large) Julie Schlarman, 1331 Jackson St. (Currently serves as Cathedral District – Interim) Mr. Klavitter spoke in support of his appointment.

4. Housing Commission: One, 3-year term through August 17, 2015 (Vacant term of McAllister) Applicant: Lisa Eubanks, 2641 Owen Ct. Apt 32 (Qualifies as a Section 8 recipient)

5. Human Rights Commission: One, 3-year term through January 1, 2016 (Vacant term of Helgager) and One, 3-year term through January 1, 2017 (Vacant term of Beacham) Applicants: Frederick Davis Jr., 1584 White St. Rachael Ferraro, 2538 Jackson St. Ashley Melchert, 1257 ½ Jackson St. Mr. Davis spoke in support of his appointment.

6. Investment Oversight Advisory Commission: One, 3-year term through July 1, 2017 (Expiring term of Lassance) Applicant: Paul Lassance, 4846 Embassy Ct.

7. Library Board of Trustees - Mayor Appointment: Two, 4-year term through July 1, 2018 (Expiring terms of Guns and Miller) Applicants: Patricia Poggemiller, 3423 Arrowwood Ln. Jon Trotter, 2576 Hilton Spring Dr. Ms. Poggemiller and Mr. Trotter both spoke in support of their respective appointments.

8. Long Range Planning Advisory Commission: Two, 3-year terms through July 1, 2017 (Expiring terms of Beytien and Vincent) Applicants: Craig Beytien, 1091 Valentine Dr. Alan Vincent, 1010 Dunham Dr. Mr. Beytiem spoke in support of his appointment.

9. Park and Recreation Advisory Commission: Three, 3-year terms through June 30, 2017 (Expiring terms of Kennicker, Klinge and Nadeau) Applicants: Paul Hoffmann, 174 Bradley Robin Kennicker, 904 Lincoln Kenneth Klinge, 2267 Carter Rd. Ms. Kennicker spoke in support of her appointment. Mr. Klinge spoke in support of his appointment.

10. Transit Advisory Board: Three, 3-year terms through July 30, 2017 (Expiring terms of Enderson. Lightcap and Stewart) Applicants: George Enderson, 511 St. George St. Joel Lightcap, 1985 Alta Vista St. Don Stedman, 2092 Grant St. R.R.S. Stewart, 460 Summit St.

11 Zoning Advisory Commission: Two, 3-year terms through July 1, 2017 (Expiring terms of Christ and Henschel) and One, 3-year term through July 1, 2016 (Replacing At-Will member Belmont) Applicants: Steve Baumhover, 2084 Rosemont Martha Christ, 88

Princeton Pl. Thomas Henschel, 1857 Creek Wood Dr. Mr. Baumhover and Ms. Christ both spoke in support of their respective appointments.

PUBLIC HEARINGS

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

1. Request to Rezone - 1100 Carmel Drive: Proof of publication on notice of public hearing to consider a request by Sisters of Charity BVM / The Lakota Group to rezone property at 1100 Carmel Drive from R-1, Single-Family Residential, to PUD, Planned Unit Development and the Zoning Advisory Commission recommending denial. Sisters of Charity BVM Teri Hadro requested City Council table this proposal and refer it back to the Zoning Advisory Commission. Planning Services Manager Laura Carstens provided a staff report. Restated motion by Connors to table and refer back to the Zoning Advisory Commission. Seconded by Jones. Motion carried 7-0

2. JFK Road and Wacker Drive Traffic Signal Replacement Project: Proof of publication on notice of public hearing to consider the approval of plans, specifications, form of contract, and estimated cost of the John. F. Kennedy Road and Wacker Drive Traffic Signal Replacement Project and the City Manager recommending approval. Motion by Braig to receive and file the documents and adopt Resolution No. 176-14 Approval of plans, specifications, form of contract and estimated cost for the John F. Kennedy Road and Wacker Drive Traffic Signal Replacement Project. Seconded by Resnick. Motion carried 7-0

3. Sales Tax Increment Revenue Bonds (Stormwater Utility Revenue Supported): Proof of publication on notice of public hearing to consider additional action for the issuance of not to exceed \$30,000,000 Sales Tax Increment Revenue Bonds (Stormwater Utility Revenue Supported) and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 177-14 Instituting proceedings to take additional action for the issuance of not to exceed \$30,000,000 Sales Tax Increment Revenue Bonds (Stormwater Utility Revenue Supported). Seconded by Jones. Motion carried 7-0

4. Greater Downtown Urban Renewal District Amendment: Proof of publication on notice of public hearing to consider approval of an Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 178-14 Approving the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District. Seconded by Jones. Motion carried 7-0

5. Technology Park Urban Economic Development District Amendment: Proof of publication on notice of public hearing to consider approval of an Amended and Restated Urban Renewal Plan for the Dubuque Technology Park Economic Development District and the City Manager recommending approval. Motion by Braig to receive and file the documents and adopt Resolution No. 179-14 Approving the amended and restated Urban Renewal Plan for the Dubuque Technology Park Economic Development District. Seconded by Lynch. Motion carried 7-0

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

ACTION ITEMS

1. Arts and Culture Program - FY14 Operating Support Requests: Arts and Cultural Affairs Advisory Commission requesting approval of the Fiscal Year 2015 Arts and Culture Funding Program for Operating Support recommendations and associated funding agreements. Motion by Connors to receive and file the documents and approve. Seconded by Jones. Motion carried 7-0

2. Southwest Arterial Corridor and East/West Corridor Moratorium Amendments: City Manager recommending approval of a 12 month extension on the moratoriums for construction, rezoning, subdivision review, and site plan approval in the Southwest Arterial Corridor and the East-West Corridor Study Areas. 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. 38-14 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 2 Building Construction, Demolition and Moving, Section 14-2-4 Moratorium for Construction or Other Work on Certain Streets, Areas or Facilities By Extending The Moratorium; Ordinance No. 39-14 Amending City of Dubuque Code of Ordinances Title 16 Unified Development Code, Chapter 9 Zoning Advisory Commission Applications and Procedures, Section 16-9-5-3 City Council Action by Extending the Moratorium; Ordinance No. 40-14 Amending City of Dubuque Code of Ordinances Title 16 Unified Development Code, Chapter 11 Land Subdivision, Section 16-11-2 Applicability by Extending the Moratorium, and Ordinance No. 41-14 Amending the City of Dubuque Code of Ordinances Title 16 Unified Development Code, Chapter 13 Site Design Standards, Section 16-13-2 Applicability by Extending the Moratorium. Seconded by Lynch. Motion carried 7-0

3. E.B. Lyons Interpretive Area Expansion Project Award: City Manager recommending award of the construction contract for the E. B. Lyons Interpretive Area Expansion Project to the low bidder Portzen Construction. Motion by Braig to receive and file the documents and adopt Resolution No. 180-14 Awarding public improvement contract for the E. B. Lyons Interpretive Area Expansion Project. Seconded by Resnick. Motion carried 7-0

4. Final Plat - Timber-Hyrst Estates No. 4: City Manager recommending approval of the final plat of Timber-Hyrst Estates #4. Motion by Connors to receive and file the documents and adopt Resolution No. 181-14 Approving the Final Plat of Timber-Hyrst Estates #4 in the City of Dubuque, Iowa. Seconded by Jones. Motion carried 7-0.

5. Dubuque County Historic Preservation Commission: Correspondence from the Dubuque County Historic Preservation Commission requesting a voluntary contribution and providing information for membership on the Commission. Motion by Braig to receive and file. Braig encouraged anyone who wants to get involved to look into volunteering for this commission. Seconded by Connors. Motion carried 7-0

COUNCIL MEMBER REPORTS

Resnick reminded residents to use a resource in Dubuque, The Washington Neighborhood Tool Library located at 345 East 18th St.

Jones congratulated the City of Cedar Rapids on becoming an All-America City.

PUBLIC INPUT

CLOSED SESSION

Motion by Jones to convene in closed session at 7:23 p.m. to discuss property acquisition pursuant to Chapter 21.5(1)(c), -(j) Code of Iowa. Seconded by Connors. Motion carried 7-0.

Upon motion at 8:05 p.m., the City Council reconvened in open session stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 8:07 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk