

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

The Dubuque City Council met in special session at 5:00 p.m. on August 18, 2014 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Connors (joined at 6:05 p.m.), Jones, Lynch, Resnick, Sutton; City Manager Van Milligen, City Attorney Lindahl

Absent: Council Member Braig.

Mayor Buol read the call and stated this is a special session of the City Council called for the purpose of conducting a Quarterly Sustainable Dubuque work session

**WORK SESSION
Sustainable Dubuque Project**

Sustainable Dubuque Coordinator Cori Burbach introduced presenters Purchasing Coordinator Tony Breitbach and Public Works Director Don Vogt. Ms. Burbach provided background on the movement from Sustainable Dubuque to the Smarter Sustainable Dubuque Program. Discussion points included:

- ISO 14001 Environmental & Sustainability Management Systems (ESMS) and Standards
 - Municipal Services Center pilot example
 - Environmental impacts
 - Creating a strategic plan
 - Aspects & objectives
 - Objectives & targets
 - Energy management
 - Storm water management
 - Small container management
 - De-icer management
 - Fuel management
- ESMS Value
 - Triple Bottom Line
 - Impact: energy reduction
 - Small container management
 - Storm water management
 - De-icer material management
 - Fuel management
 - Next steps & future opportunities
- Dubuque Metropolitan Area Solid Waste Agency
 - Solid Waste Environmental Management System
 - Legislative Establishment of Program
 - Six Components of Emphasis

- Yard Waste Management
- Hazardous household materials management
- Water quality improvement
- Greenhouse gas reduction
- Recycling services
- Environmental education
- Application of elements to components
- DMASWA Environmental Management Policy
- DMASWA EMS Core Team
- EMS Projects, in-progress, and other accomplishments

There being no further business, upon motion the City Council adjourned at 6:03 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 August 18, 2014 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Connors, Jones, Lynch, Resnick, Sutton; City Manager Van Milligen, City Attorney Lindahl

Absent: Council Member Braig

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)

United Way Campaign Time (2014-2015) was accepted by Dr. Wee of NICC;
Welcome Students Week (August 18-22, 2014) was accepted by Sarah Harris of Greater Dubuque Development Corp.

CONSENT ITEMS

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Jones. Motion carried 6-0.

1. Minutes and Reports Submitted: City Council Proceedings 8/4, Civic Center 7/28 and 8/4, Dubuque County Emergency Management 5/6, Historic Preservation 7/17, Library Board 6/19, Parks and Recreation 7/8, Zoning Advisory 8/6, Zoning Board of Adjustments 7/24, Proof-City Council Proceedings 7/21, Proof-List of Claims Summary of Revenue 6/30. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Rose Barlon for property damage, Linda Lasoya for property damage, Jeremy and Margaret Pergande for vehicle damage, Lawrence Vize for property damage, Tim Wittstock for property 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: Rose Barlon for property damage and Jeremy Pergande for vehicle damage. Upon motion the documents were received, filed and concurred.

4. Collective Bargaining Agreement Amendment - Operating Engineers: City Manager recommending approval of an Amendment to the Collective Bargaining

Agreement with the International Union of Operating Engineers, Local #234. Upon motion the documents were received, filed and approved.

5. SRF Sponsorship Project Application for Cattfish Creek: City Manager recommending authorization to submit a \$2,400,000 Clean Water State Revolving Fund Sponsorship Project application to the Iowa Department of Natural Resources in order to secure funding for the Cattfish Creek Watershed Enhancement Project. Upon motion the documents were received and filed and Resolution No. 243-14 Authorization to Submit A Clean Water SRF Sponsorship Program Application to Provide Funding for the Cattfish Creek Watershed Enhancement Project was adopted.

6. Signed Contracts: IIW Engineers and Surveyors for Amendment No. 1 to design services for the English Mill Road Water Main Extension and Pumping Facility project. Upon motion the documents were received and filed.

7. Pre-Annexation Agreement - Royal Oaks: City Manager recommending approval of a Pre-Annexation Agreement with Royal Oaks Development Corporation and authorization for the Mayor to sign the agreement on behalf of the City of Dubuque. Upon motion the documents were received and filed and Resolution No. 244-14 Approving A Pre-Annexation Agreement Between the City Of Dubuque, Iowa and Royal Oaks Development Corporation was adopted.

8. Civil Service Commission: Civil Service Commission submitting the Certified Lists for the positions of Assistant Horticulturist, Maintenance Worker, Stock Clerk, and Truck Driver. Upon motion the documents were received, filed and made a matter of record.

9. Environmental/Brownfield Consultant Selection: City Manager recommending entering into a contract negotiation with HR Green with an anticipated range of \$500,000 to \$530,000, once a final scope of work has been negotiated. Upon motion the documents were received, filed and approved.

10. Improvement Contracts and Maintenance Bonds: Visu-Sewer, Inc. for the FY15 CIPP Sewer Lining Project. Upon motion the documents were received, filed and approved.

11. Code of Ordinances - Adoption of Supplement No. 15: City Clerk recommending adoption of Supplement No. 15 to the City of Dubuque Code of Ordinances, which codifies Ordinance Nos. 16-14 through 22-14, 25-14 through 29-14, 31-14, 32-14, 33-14, 35-14, 36-14, 37-14 and code change as adopted by the City Council and enacted through June 16, 2014. Upon motion the documents were received and filed and Resolution No. 245-14 Adopting Supplement No. 15 to the Code of Ordinances of the City of Dubuque, Iowa, was adopted.

12. Subdivision Improvements in Timber Hyrst Estates No. 3: City Manager recommending acceptance of the public improvements that the developers, North Cascade Road Developers, LLC, have recently completed in Timber-Hyrst Estates No. 3. Upon motion the documents were received and filed and Resolution No. 246-14

Accepting Public Improvements in Timber-Hyrst Estates No. 3 in the City of Dubuque, Iowa, was adopted.

13. Iowa Department of Transportation - Transfer of Jurisdiction for 9th -11th Streets One-Way to Two-Way Conversion: City Manager recommending authorization for the Mayor to execute the Transfer of Jurisdiction Agreement with the Iowa Department of Transportation. Upon motion the documents were received and filed and Resolution No. 247-14 Approving the Iowa Department of Transportation Agreement (Agreement No. 2014-TJ-006) for the Transfer of Jurisdiction of Public Road for the 9th and 11th Streets One-Way to Two-Way Conversion Project was adopted.

14. SB Development, LLC Agreement: City Attorney Barry Lindahl recommending the accepting of the Quit Claim Deed to the Blum property on 16th Street from SB Development, LLC. Upon motion the documents were received and filed and Resolution No. 248-14 Accepting the Quit Claim Deed to Certain Real Estate in Dubuque County, Iowa From SB Development, LLC, was adopted.

15. Iowa Economic Development Authority (IEDA) Solar Ready Iowa Award: City Manager recommending acceptance of an Iowa Economic Development Authority (IEDA) Solar Ready award. Upon motion the document was received, filed and approved.

16. Financial Advisor Selection: City Manager recommending approval of Independent Public Advisors for financial advisor services for City of Dubuque in connection with issuing bonds for future projects, bond refundings, and debt capacity, debt structuring and cashflow analysis. Upon motion the documents were received, filed and approved.

17. Delinquent Weed, Junk, and Garbage Collection Accounts: City Manager recommending the levy of special assessments for first and second quarters of 2014 for the Weed /Junk /Garbage Enforcement Programs. Upon motion the documents were received and filed and Resolution No. 249-14 Adopting the Schedule of Assessments for 2014 and Directing the City Clerk to Certify the Schedule of Assessments to the County Treasurer and to Publish Notice Thereof was adopted.

18. Delinquent Garbage Collection Accounts: City Manager recommending authorizing the City to certify garbage collection charges to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received and filed and Resolution No. 250-14 Authorizing the City to Collect Delinquent Garbage Collection Charges In Accordance With Title 6-6-3C2O; Title 6-6- 4B3 & Title 6-6B of the Code of Ordinances of the City of Dubuque, Iowa, was adopted.

19. Delinquent Grass and Weed Cutting and Garbage Collection Accounts: City Manager recommending authorizing the City to certify grass and weed cutting and garbage collection charges to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received and filed and Resolution No. 251-14 Authorizing the City to Collect Delinquent Grass

and Weed Cutting and Garbage Collection Charges in Accordance With Title 6-6-3C2O; Title 6-6-4B3 & Title 6-6B of the Code of Ordinances of the City of Dubuque, Iowa, was adopted.

20. Multi-Family Housing Production - Round 6 Community Development Block Grant (CDBG) Application: City Manager recommending acceptance of two applications for CDBG Multi-Family Rental Unit New Production – Round 6 funding to create multi-family rental units in the Holy Ghost (old school and convent) and St. Mary’s (old school) buildings. Upon motion the documents were received and filed and Resolution No. 252-14 of Support to the Iowa Economic Development Authority, on Behalf of St. Mary’s Church Corporation for Submittal of an Application for a CDBG Disaster Multi-Family Unit Production Round 6 Application; and Resolution No. 253-14 Resolution of Support to the Iowa Economic Development Authority, on Behalf of Frantz Community Investors for Submittal of an Application for a CDBG Disaster Multi-Family Unit Production Round 6 Application were adopted.

21. Community Housing Initiatives Agreement: City Manager recommending approval of an agreement between Community Housing Initiatives and the City of Dubuque’s Housing and Community Development Department. Upon motion the documents were received, filed and approved.

22. Alcohol and Tobacco License Applications: City Manager recommending approval of annual liquor, beer, wine and tobacco licenses as submitted. Upon motion the documents were received and filed and Resolution No. 254-14 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. 255-14 Approving Applications for Retail Cigarette/Tobacco Sales Permits, as Required by Iowa Code 453A.47A were adopted.

BOARDS/COMMISSIONS

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

Housing Commission: One, 3-year term through August 17, 2017 (Expiring term of Eudaley). Applicant: Amy Eudaley, 950 Wood St.

Sister City Relationship Advisory Commission: One, 3-year term through February 1, 2016 (Vacant term of Rhomberg). Applicant: Bryan Zygmunt, 608 Clarke Dr. Mr. Zygmunt spoke in support of his appointment.

PUBLIC HEARINGS

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

1. SRF Green Alley Project Bid Set 2 - Year 2: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract, and estimated cost of the SRF Green Alley Project Bid Set 2 - Year 2 and the City Manager

recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 256-14 Approval of Plans, Specifications, Form of Contract, and Estimated Cost for the SRF Green Alley Bid Set 2 – Year 2 Project; Resolution No. 257-14 Resolution With Respect to the Adoption of the Resolution of Necessity Proposed for the SRF Green Alley Bid Set 2 – Year 2 Project; and Resolution No. 258-14 Approving Schedule of Assessments and Estimate of Total Cost for the SRF Green Alley Bid Set 2 – Year 2 Project. Seconded by Resnick. Dan McAuliffe, 1738 N. Grandview Avenue questioned whether the City would continue to plow the area opposite Delaware Street west of N. Grandview despite being part of the Green Alley Project. City Manager Van Milligen responded that the City would continue to blow it as a street. Responding to questions from the City Council, Assistant City Engineer Bob Schiesl stated that the increased costs with this bid set may be due to inflationary costs projected in 2015, increased costs of concrete, alley length and lot widths. Motion carried 6-0.

2. Request to Rezone - 1501 Jackson Street: Proof of publication on notice of public hearing to consider a request by Gronen Restoration to rezone property at 1501 Jackson Street from R-2A Alternate Two Family Residential to OR Office Residential and the Zoning Advisory Commission 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 Jones. Developer John Gronen of Gronen Restoration and Architect Jeff Morton provided a presentation of the St. Mary's campus and school building describing the size and type of apartments, rent parameters, parking solutions and landscaping. Planning Services Manager Laura Carstens provided a staff report. Motion carried 6-0.

Motion by Lynch for final consideration and passage of Ordinance No. 53-14 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by Reclassifying Hereinafter Described Property Located at 1501 Jackson Street From R-2A Alternate Two-Family Residential District to or Office Residential District. Seconded by Connors. Motion carried 6-0.

3. Request to Rezone - Holliday's 3rd Addition (Holliday Drive): Proof of publication on notice of public hearing to consider a request by Brian Kane (WBBW Holliday Development, LLC) to rezone Lot 2 of 8, Lot 2 of 6 and Lot 7, all in the Holliday's 3rd Addition along Holliday Drive from C-2, Neighborhood Shopping Center District, to C-3, General Commercial Zoning District and the Zoning Advisory Commission recommending approval, with conditions. 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 Lynch. Attorney Brian Kane, speaking on behalf of the developer, described the request and a request to amend the rezoning of Lot 7. Mr. Kane also addressed storm water concerns. Planning Services Manager Laura Carstens provided a staff report. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 54-14 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by Reclassifying Hereinafter Described Property Located Along Holliday Drive From C-2 Neighborhood Shopping Center District With Conditions to C-3 General Commercial District With Conditions. Seconded by Lynch. Motion carried 6-0.

4. Intent to Dispose by Easement - Merlin Lane: Proof of publication on notice of public hearing to consider the matter of the intent to dispose of a portion of Merlin Lane on City property by roadway easement to Dubuque County and City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 259-14 Disposing of an Interest in Real Property by Easement to Dubuque County. Seconded by Connors. Motion carried 6-0.

5. Intent to Dispose by Easement - Jecklin Lane: Proof of publication on notice of public hearing to consider the matter of the intent to dispose of a portion of Jecklin Lane on City property by roadway easement to Dubuque County and City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 260-14 Disposing of an Interest in Real Property by Easement to Dubuque County. Seconded by Resnick. Motion carried 6-0.

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

ACTION ITEMS

1. Appointment of Fire Chief: City Manager recommending appointment of Dubuque Assistant Fire Chief Rick Steines as the new Fire Chief. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Connors. Mr. Steines thanked the City Council and staff. Motion carried 6-0.

2. Code of Ordinance Amendment - Title 2 Environmental Stewardship Advisory Commission: City Manager recommending approval of an ordinance with a new Title 2, Chapter 6 which establishes the Environmental Stewardship Advisory Commission and provides for the powers, operation, membership and meetings. 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 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 55-14 Amending City of Dubuque Code of Ordinances Title 2 Boards and Commissions by Repealing Chapter 6 Environmental Stewardship Advisory Commission and Adopting a New Chapter 6 Environmental Stewardship Advisory Commission in Lieu Thereof Establishing the Environmental Stewardship Advisory Commission and Providing for the Powers, Operation, Membership, and Meetings. Seconded by Resnick. Motion carried 6-0.

3. Elm Street Parking Lot Project Award: City Manager recommending award of the contract to the low bidder, Tschiggfrie Excavating, for the Public Improvement Contract for the Elm Street Parking Lot Project. Motion by Connors to receive and file the documents and adopt Resolution No. 261-14 Awarding Public Improvement Contract for the Elm Street Parking Lot Project. Seconded by Lynch. Motion carried 6-0.

4. SRF Green Alley Project Bid Set 5 Year 1 – Award: City Manager recommending award of the contract to the low bidder, Drew Cook and Sons Excavating, for the Public Improvement Contract for the SRF Green Alley Bid Set 5 – Year 1 Project. Motion by

Connors to receive and file the documents and adopt Resolution No. 262-14 Awarding Public Improvement Contract for the SRF Green Alley Bid Set 5 – Year 1 Project. Seconded by Jones. City Manager Van Milligen addressed the associates costs and variables associated with the alley projects citing assessment caps, fluctuation in concrete costs and revenues, and the competitive bidding process. Motion carried 6-0.

5. SRF Green Alley Project Bid Set 1 - Year 2 Award: City Manager recommending award of the contract to the low bidder, Drew Cook and Sons Excavating, for the Public Improvement Contract for the SRF Green Alley Bid Set 1 – Year 2 Project. Motion by Connors to receive and file the documents and adopt Resolution No. 263-14 Awarding Public Improvement Contract for the SRF Green Alley Bid Set 1 – Year 2 Project. Seconded by Jones. Motion carried 6-0.

6. Jule Transit Facility Roof and Sprinkler Repair Project Award: City Manager recommending award of the contract for the roof repair to the low bidder, Bel Aire Home Improvement as well as recommending that the contract for the sprinkler repair be awarded to the only bidder, Continental Fire & Sprinkler for the Public Improvement Contract for the Jule Transit Facility Roof and Sprinkler Repair Project. Motion by Lynch to receive and file the documents and adopt Resolution No. 264-14 Awarding public improvement contract for the Jule Transit Facility Roof and sprinkler Repair Project (Roof); and Resolution No. 265-14 Awarding the public improvement contract for the Jule Transit Facility Roof and Sprinkler Repair Project (Sprinkler). Seconded by Connors. Motion carried 6-0.

COUNCIL MEMBER REPORTS

Council Member Connors requested and received Council concurrence on asking staff to prepare a report on enforcement efforts related to recreational fires within the city limits as a result of phone calls and e-mails received by several Council Members.

There being no further business, upon motion the City Council adjourned at 7:46 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 8/27