

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

The Dubuque City Council met in special session at 5:00 p.m. on December 1, 2014 in the Historic Federal Building, 350 W. 6th Street.

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

Mayor Pro Tem Braig 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 Quarterly Sustainable Dubuque Project

**WORK SESSION**

Sustainability Coordinator Cori Burbach, Vice President of Programs for the Community Foundation of Greater Dubuque Eric Dregne, Public Health Specialist Mary Rose Corrigan and Transit Manager Candace Eudaley presented information on the following topics:

- Plastic Bag Community Outreach
  - Voluntary request for data from retailers
  - Goals and Targets
- PM Advance: Clean Air Attainment Strategy
  - New EPA program: Voluntary participation
  - PM Advance Process
  - Path Forward
- Jule Public Transit Progress
  - New routes and time savings
  - Ridership up
  - SMITH System Training
  - Accident reduction

The City Council had discussion with the representatives following the presentation.

There being no further business, upon motion the City Council adjourned at 6:21 p.m.

/s/Trish L. Gleason, 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 December 1, 2014 in the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

Present: Mayor Buol (by phone); Council Members Braig, Connors, Jones, Lynch, Resnick, Sutton; City Manager Van Milligen, City Attorney Lindahl

Mayor Pro Tem Braig 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.

**CONSENT ITEMS**

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated. Council Member Jones requested #6. 2015 State Legislative Priorities be held for separate discussion. Seconded by Resnick. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 11/17; Civil Service Commission of 11/12; Proof of Publication for City Council Proceedings of 11/3. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Jordan Stackis for vehicle damage, University of Dubuque (Craig Kloft) for property damage. Upon motion the documents were received, filed and referred to the City Attorney.

3. City Focus - Fall 2014: City Manager transmitting the Fall 2014 City Focus. Upon motion the documents were received and filed.

4. Civil Service Commission: Civil Service Commission submitted the certified list for the position of Parking System Technician. Upon motion the documents were received, filed and made a Matter of Record.

5. Code of Ordinances - Adoption of Supplement No. 16: City Clerk recommending adoption of Supplement No. 16 to the City of Dubuque Code of Ordinances, which codifies Ordinance No. 38-14 through 43-14, 46-14 through 52-14 and code change as adopted by the City Council and enacted through August 4, 2014. Upon motion the documents were received and filed and Resolution No. 378-14 Adopting Supplement No. 16 to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

6. 2015 State Legislative Priorities: City Manager submitting the 2015 State of Iowa Legislative Priorities for adoption and presentation to legislators at the annual Legislative Dinner. The proposed Regents' Policy for Performance Based Funding and the adverse effect it may have was discussed.

Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Connors. Motion carried 7-0.

7. Community Development Block Grant (CDBG) Citizen Participation Plan – Amendment: City Manager recommending approval of the City’s Community Development Block Grant (CDBG) Program Citizen Participation Plan that was approved by the Community Development Advisory Commission on November 19, 2014. Upon motion the documents were received and filed and Resolution No. 364-14 Amending the Citizen Participation Plan by repealing the existing plan and adopting a new Citizen Participation Plan in lieu thereof for the Community Development Block Grant (CDBG) Program was adopted.

8. Continuum of Care Grant Closeout for Fiscal Year 2014: City Manager recommending authorization for the Mayor to sign the close-out documents for the Fiscal Year 2014 Continuum of Care Grant submittal to HUD. Upon motion the documents were received, filed and approved.

9. Vacated Alley Conveyance - Property Adjacent to 440 Klingenberg Terrace: City Manager recommending rescinding Resolution No. 187-14 which approved the deed and approve the corrected deed. Upon motion the documents were received and filed and Resolution No.365-14 Rescinding Resolution No. 187-14 incorrectly authorizing the conveyance of the East 10 Feet of the vacated alley lying between Lot 1 of Lot 4 and Lot 1 of Lot 5 and Lots 8 And 9 In C.A. Voelker’s Addition, in the City Of Dubuque, Iowa, to “Nathan J. Morfold and Sarah J. Morfold”, and authorizing such conveyance to Sarah J. Morford was adopted.

10. Service Agreement - TRICOR Safety Consulting: City Manager recommending approval of an agreement with TRICOR Safety Consulting to review policies, prepare manuals, conduct assessments and authorization for the City Manager to execute the Service Agreement. Upon motion the documents were received, filed and approved.

11. Delinquent Garbage, Junk, Weeds Collection Accounts: City Manager recommending the levy of Special Assessments for the Weed /Junk /Garbage Enforcement Programs. Upon motion the documents were received and filed and Resolution No. 366-14 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.

12. Acceptance Wilbur Street Reconstruction Project: City Manager recommending acceptance of the construction contract for the Wilbur Street Reconstruction Project, as completed by Key City Excavating, Inc. Upon motion the documents were received and filed and Resolution No. 367-14 Accepting the Wilbur Street Reconstruction Project and authorizing the payment to the contractor was adopted.

13. Acceptance of Storm Sewer Project - Sunnyview Drive: City Manager recommending acceptance of the storm sewer improvements in a portion of the Southerly 99 feet of Lot 92 in Finley's Addition to the City of Dubuque, which the owners, James and Kristine Noonan, have recently completed. Upon motion the documents were received and filed and Resolution No. 368-14 Accepting Storm Sewer Improvements in a Portion of the Southerly 99 Feet of Lot 92 in Finley's Addition to the City of Dubuque was adopted.

14. Acceptance of Water Main Improvements - Truck Country: City Manager recommending acceptance of the public improvements that the owners, Truck Country, have recently completed adjacent to the north side of their property at 10785 Route 61 in Dubuque. Upon motion the documents were received and filed and Resolution No. 369-14 Accepting water main improvements in the Chestnut St. & US Highway 151/61 Right of Ways in the City of Dubuque, Iowa was adopted.

15. Acceptance of Water Main Improvements - Holliday Drive: City Manager recommending acceptance of the water main easement from Warrior Enterprises for an existing water main across Lot 1 Holliday 6th Addition in the City of Dubuque. Upon motion the documents were received and filed and Resolution No. 370-14 Accepting a Grant of Easement for water main through, over and across Lot 1 Holliday 6th Addition, in the City of Dubuque, Iowa was adopted.

16. Sewershed 5 Corrective Action Plan: City Manager recommending authorization to certify and submit the City of Dubuque's Corrective Action Plan for Sewershed 5 to the US Department of Justice, the US Environmental Protection Agency and the Iowa Department of Natural Resources. Upon motion the documents were received, filed and approved.

17. Fiscal Year 2016 Annual Tax Increment Financing (TIF) Report: City Manager transmitting the Annual Tax Increment Financing (TIF) Report that has been filed with Dubuque County Auditor Denise Dolan. Upon motion the documents were received and filed.

18. Fiscal Year 2014 State Urban Renewal Report: City Manager recommending approval of the Fiscal Year 2014 State Urban Renewal Annual Report. Upon motion the documents were received and filed and Resolution No. 371-14 Approving the Fiscal Year 2014 Urban Renewal Report for the City of Dubuque was adopted.

19. Alcohol Compliance Civil Penalty for Alcohol License Holder – 1st & Main: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for 1st & Main, 101 Main Street. Upon motion the documents were received, filed and approved.

20. Alcohol and Tobacco License Applications: City Manager recommending approval of annual liquor, beer, wine and tobacco licenses applications as submitted. Upon motion the documents were received and filed and Resolution No. 372-14

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. 373-14 Approving applications for retail cigarette/tobacco sales permits, as required by Iowa Code 453A.47A were adopted.

## **BOARDS/COMMISSIONS**

Applicants were invited to address the City Council regarding their appointment to the following Boards/Commissions:

1. Mediacom Charitable Foundation One, 1 year term through December 31, 2015 (Expired term of Chavenelle). Applicant: Gail Chavenelle, 1155 Kelly Lane

## **PUBLIC HEARINGS**

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

1. North Cascade Road Area - Housing Urban Renewal Plan: Proof of Publication on notice of public hearing to consider North Cascade Road Urban Renewal Plan and Joint Agreement with Dubuque County and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt the Resolutions No. 374-14 Approving the Urban Renewal Plan for the North Cascade Road Housing Urban Renewal Area. Seconded by Resnick. Leisure Services Manager Marie Ware updated council regarding enhanced park wording in documents. Motion carried 7-0.

Upon motion the rules were reinstated 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. Request by Jones to move this item to the end of the Action Items.

2. Five Flags Center Annual Report Presentation: Five Flags Center General Manager Joyce White of SMG to make a presentation on the current fiscal year activities and future plans for the Five Flags Center. Motion by Connors to receive and file the documents and listen to the presentation. Seconded by Jones. Five Flags Center General Manager Joyce White made a verbal presentation. Motion carried 7-0.

3. Request for Proposal - Arts and Culture Master Plan: City Manager recommending City approval to distribute a Request for Proposal for the Arts and Cultural Master Plan Consultant and authorization for the City Manager to negotiate an agreement with the recommended consultant for presentation to the City Council. Motion by Connors to

receive and file the documents and approve the recommendation. Seconded by Jones. Motion carried 7-0.

4. Revenue Purpose Statement for Franchise Fees: City Manager recommending approval of the Revenue Purpose Statement. Motion by Connors to receive and file the documents and adopt Resolution No. 363-14 Adopting Revenue Purpose Statement regarding use of revenues from proposed gas and electric franchise fees pursuant to Iowa Code § 364.2(4)(f). Seconded by Jones. Motion carried 7-0.

5. Code of Ordinance Amendment - Tax Increment Finance (TIF) District North Cascade Road Housing Urban Renewal Area: City Manager recommending approval of an ordinance amending the Tax Increment Financing District for the North Cascade Road Housing Urban Renewal Area. 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. Motion carried 7-0.

Motion by Lynch for final consideration and passage of Ordinance No. 67-04 Providing that general property taxes levied and collected each year on all property located within the North Cascade Road Housing Urban Renewal Area, in the City of Dubuque, County of Dubuque, State of Iowa, by and for the benefit of the State of Iowa, City of Dubuque, County of Dubuque, Dubuque Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said Urban Renewal Redevelopment Project. Seconded by Connors. Motion carried 7-0.

6. General Obligation Capital Loan Notes Complete Action - Series 2014B and 2014C: City Manager recommending approval of the suggested proceedings to complete the action required on the recent Series 2014B and Series 2014C General Obligation Capital Loan Notes. Motion by Jones to receive and file the documents and adopt Resolution No. 375-14 Appointing Wells Fargo Bank, National Association of Minneapolis, Minnesota, to serve as Paying Agent, Note Registrar, and Transfer Agent, approving the Paying Agent and Note Registrar and Transfer Agent Agreement and authorizing the execution of the agreement and Resolution 375-14A Approving and authorizing a form of Loan Agreement and authorizing and providing for the issuance of \$18,835,000 General Obligation Capital Loan Notes, Series 2014B, and levying a tax to pay the notes and Resolution No. 376-14 Appointing Wells Fargo Bank, National Association of Minneapolis, Minnesota, to serve as Paying Agent, Note Registrar, and Transfer Agent, approving the Paying Agent and Note Registrar and Transfer Agent Agreement and authorizing the execution of the agreement and Resolution No. 376-14A Approving and authorizing a form of Loan Agreement and authorizing and providing for the issuance of \$7,615,000 Taxable General Obligation Capital Loan Notes, Series 2014C, and levying a tax to pay the notes. Seconded by Connors. Motion carried 7-0.

7. Catfish Creek Watershed Partnership - 28E Agreement: City Manager recommending City Council authorization to amend the existing 28E agreement with

Dubuque County and the Dubuque Soil and Water Conservation District for the continued joint support of the Catfish Creek Watershed Authority Board and the Urban Conservationist Position for the Catfish Creek Watershed. Motion by Lynch to receive and file the documents and adopt Resolution No. 377-14 Authorizing the Amending of a 28E Agreement with Dubuque County and the Dubuque Soil and Water Conservation District Regarding the implementation of a Waterhsed Management Plan for the Catfish Creek Watershed Basin. Seconded by Connors. Dubuque Soil and Water Conservation District Urban Conservationist Eric Schmechel addressed Council questions. Motion carried 7-0.

8. EPA 2.5 PM Advance Program- Path Forward Air Quality Plan: City Manager recommending submittal of the EPA PM Advance Program, Path Forward Plan Draft to the EPA for their comment and consideration. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Resnick. Motion carried 7-0.

9. Request to Reschedule Inclusive Dubuque Work Session: City Manager recommending rescheduling the February 2, 2015 quarterly work session on Inclusive Dubuque to Monday, February 16, 2015, at 5:00 p.m. Motion by Lynch to receive and file the documents and approve the recommendation. Seconded by Jones. Motion carried 7-0.

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 Connors to receive and file the documents and listen to the presentation. Seconded by Jones. Rick Dickinson made a verbal presentation. Motion carried 7-0.

### **COUNCIL MEMBER REPORTS**

Council member Sutton reported that the Mayor and she attended the National League of Cities Conference.

There being no further business, upon motion the City Council adjourned at 8:03 p.m.

/s/Trish L. Gleason, CMC  
Assistant City Clerk

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