

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

The Dubuque City Council met in special session at 5:00 p.m. on May 4, 2015 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members, Braig (5:25 p.m.) Connors, Jones, Lynch, Resnick, Sutton; City Manager Van Milligen, Assistant City Attorney Maureen Quann

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

Sustainable Community Coordinator Cori Burbach introduced the topic of STAR Communities: Sustainability Tools for Assessing and Rating Communities. Ms. Burbach, Manisha Paudel, Laura Carstens, David Lyons, Cindy Steinhauser, and Mary Rose Corrigan provided a slide presentation on the STAR Rating System, Dubuque's results and current strengths, and opportunities for improvement in the following goal areas:

- Built Environment
- Climate & Energy
- Economy & Jobs
- Education, Arts & Community
- Equity & Empowerment
- Health & Safety
- Natural Systems.

Staff had discussion with the City Council following the presentation.

There being no further business, upon motion the City Council adjourned at 6:33 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 6:37 p.m. on May 4, 2015 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Braig Connors, Jones, Lynch, Resnick, Sutton; City Manager Van Milligen, Assistant City Attorney Maureen Quann

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

SWEARING IN

Mayor Buol swore in Lynn Sutton as Mayor Pro Tem.

PRESENTATION

Assistant City Manager Cindy Steinhauser introduced International City/County Management Association Fellowship representatives Mr. Sreedaran Raman from Malaysia and Mr. Jose Augustus Villano from the Philippines.

PROCLAMATION(S)

Kids to Parks Day (May 16, 2015) was accepted by Leisure Services Manager Marie Ware;

Peace Officers Memorial Week (May 10-16, 2015) was accepted by Dan Smith of the Dubuque County Sheriff's Office;

Bike to Work Week (May 11-15, 2015); was accepted by Robert Williams, William Wade, and Jeremy Burkhart of the Bike Coop, 2206 Central Avenue.

DuRide in Service to Older Americans Month (May 2015) was accepted by Board Chairperson Cori Burbach and Executive Director Greg Orwoll;

Historic Preservation Month (May 2015): was accepted by Planning Services Manager Laura Carstens;

Mental Health Month (May 2015) was accepted by Debra Klein, Vice President of Mental Health America of Dubuque County.

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: City Council Proceedings of 4/20, Investment Oversight Advisory Commission of 4/22, Library Board of Trustees of 2/26 and 3/4, Proof of Publication for City Council Proceedings of 4/6. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Darlene Kaufmann/Integrity Insurance for vehicle damage, Krystal Harmening 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: Margaret Ehlers for property damage, Krystal Harmening for vehicle damage, Darlene Kaufmann/Integrity Insurance for vehicle damage. Upon motion the documents were received, filed and concurred.

4. Water Treatment Plant North Softening Basins Rehabilitation Project Acceptance: City Manager recommending acceptance of the construction contract for the Water Treatment Plant North Softening Basins Rehabilitation Project as completed by Fred Jackson Tuckpointing Co., Inc. Upon motion the documents were received and filed and Resolution No. 140-15 Accepting the Water Treatment Plant North Softening Basins Rehabilitation Project and authorizing the payment of the contract amount to the contractor was adopted.

5. Authorized Depository Institutions: City Manager recommending approval of a Resolution adding Fidelity Bank & Trust as an authorized depository, which will allow Fidelity Bank to bid on City of Dubuque checking, savings, money market or certificate of deposit accounts. It is also recommended to increase the amount of City funds that can be invested in American Trust & Savings Bank. Upon motion the documents were received and filed and Resolution No. 141-15 Naming Depositories was adopted.

6. Catfish Creek 22- and 30-inch Sanitary Sewer Inspection Project Acceptance: City Manager is recommending acceptance of the Catfish Creek 24-inch and 30-inch Sanitary Sewer Inspection Project, as completed by Redzone Robotics, Inc. Upon motion the documents were received and filed and Resolution No. 142-15 Accepting the Water & Resource Recovery Center Catfish Creek 24" and 30" Sanitary Sewer Inspection and authorizing the payment to the contractor was adopted.

7. 2014-2015 Snow/Ice Removal from Right-of-Way Assessments: City Manager recommending establishing the final assessments for the 2014-2015 Snow Removal from City Right-of-Way. Upon motion the documents were received and filed and Resolution No. 143-15 Adopting the Final Assessment Schedule for the 2014-2015

Snow Removal Assessment - Right-of-Way Obstruction Removal Assessment Project was adopted.

8. Northridge Ventures, LLC - Grant of Temporary Easement: City Manager recommending acceptance of the Grant of Temporary Easement for Grading and Permanent Easement for Storm and Sanitary Sewer from Northridge Ventures, LLC over property at 3600 Digital Drive. Upon motion the documents were received and filed and Resolution No. 144-15 Accepting a Grant of Temporary Easement for grading and permanent easement for storm and sanitary sewer through, over and across part of Lot 11 in Block 2 of Dubuque Technology Park, in the City of Dubuque was adopted.

9. Sales Tax Increment Revenue Bonds (Unlimited Property Tax Supported), Second Lien Series 2014 Resolution Amendment: City Manager recommending approval of an amendment to Section 8.3 of the Master Bond Resolution relating to the initial series of Sales Tax Increment Revenue Bonds issued by the City under the Flood Mitigation Program. Upon motion the documents were received and filed and Resolution No. 145-15 Amending Resolution No. 159-14 approved on May 19, 2014, relating to the issuance of Sales Tax Increment Revenue Bonds by the City under the provisions of Chapter 418 of the Code of Iowa, and authorizing the issuance of \$7,190,000 Sales Tax Increment Revenue Bonds (Unlimited Property Tax Supported), Second Lien Series 2014 was adopted.

10. Plat of Survey - 1421 Elm Street / Angie's Place: City Manager recommending approval of the Plat of Survey for Lot 1 and 2 of Angie's Place in the City of Dubuque in order to create a new lot encompassing the residential building at 1421 Elm Street. Upon motion the documents were received and filed and Resolution No. 146-15 Approving Plat of Survey of Lot 1 and 2 of Angie's Place in the City of Dubuque, Dubuque County, Iowa, was adopted.

11. Historic Preservation Commission Work Plan Progress Report: City Manager transmitting the Historic Preservation Commission Work Plan Progress Report. Upon motion the documents were received and filed.

12. Request for Proposals - Eagle Point Park Intensive Survey and Evaluation: City Manager recommending authorization to solicit proposals to conduct the Eagle Point Park Intensive Survey and Evaluation. Upon motion the documents were received, filed and approved.

13. Full Circle Organics - Contract Amendment: City Manager recommending approval for the City of Dubuque to send its second load of yard debris and food scraps to the Full Circle Organics facility on any day when the tonnage fee savings equals or exceeds the additional fuel cost. Upon motion the documents were received and filed and Resolution No. 147-15 Approving the First Amendment to Agreement between Full Circle Organics, LLC and the City of Dubuque was adopted.

14. Iowa Department of Inspections & Appeals Contract Amendment for Food Inspections: City Manager recommending approval of an extension to the Iowa Department of Inspections and Appeals Agreement with the City of Dubuque for performance of food and hotel licensing, inspections and enforcement with respect to retail food establishments. Upon motion the documents were received, filed and approved.

15. Alliance Technologies, Inc.: Correspondence from Alliance Technologies, Inc., advising the City that it has submitted an application to the Iowa Utilities Board to terminate a Certificate of Franchise Authority. Upon motion the documents were received and filed.

16. Dubuque Golf & Country Club - Fireworks Request: Correspondence from Richard Bugalski, General Manager/CEO of the Dubuque Golf & Country Club, requesting permission to display fireworks on Saturday, July 4, 2014 at about 9:30 p.m. on the DG&CC grounds with a rain date of Sunday, July 5. Upon motion the documents were received, filed and approved.

17. Extend Bee Branch Creek Restoration Completion Deadline: City Manager transmitting correspondence to the U.S. Department of Commerce Economic Development Administration requesting approval to extend the Construction and Completion Date and Award End Date of the Bee Branch Disaster Resiliency Project to September 1, 2017. Upon motion the documents were received and filed.

18. Improvement Contracts / Performance, Payment and Maintenance Bonds: Midwest Concrete, Inc., for the 2015 Asphalt Overlay Access Ramp Project One. Upon motion the documents were received, filed and approved.

19. Alcohol Compliance Civil Penalty for Alcohol License Holder – Vinny Vanucchi's Little Italy: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Vinny Vanucchi's Little Italy, 164 Main Street. Upon motion the documents were received, filed and approved.

20. Alcohol and Tobacco License Renewals: City Manager recommending approval of annual liquor, beer, wine and tobacco license applications as submitted. Upon motion the documents were received and filed and Resolution No. 148-15 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. 149-15 Approving applications for retail cigarette/tobacco sales permits, as required by Iowa Code 453A.47A were adopted.

ITEMS 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 Connors. Motion carried 7-0.

1. Stormwater Utility Revenue Capital Loan Notes (Iowa Water Pollution Control Works Financing Program): City Manager recommending that a public hearing be set for May 18, 2015, on the proposition of selling not to exceed \$34,000,000 in Stormwater Utility Revenue Capital Loan Notes (State Revolving Loan Fund Program) to pay costs for the Upper Bee Branch Creek Restoration. Upon motion the documents were received and filed and Resolution No. 150-15 Fixing the date for a meeting on the authorization of one or more Loan and Disbursement Agreements and the issuance of not to exceed \$34,000,000 Stormwater Utility Revenue Capital Loan Notes of the City 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 May 18, 2015 in the Historic Federal Building.

2. Sale of Property at 2521 Stafford Street: City Manager recommending that a public hearing be set for May 18, 2015, for the purpose of disposing of City-owned real estate at 2521 Stafford Street to Sheonna D. Bond. Upon motion the documents were received and filed and Resolution No. 151-15 Resolution of Intention to dispose of City-owned property, specifically, Lot Two (2) of Lot One (1) and the East One-Half (E ½) of Lot Four (4) of Lot Two (2) both in Geiger's Subdivision, in the City of Dubuque, Iowa – 2521 Stafford Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 18, 2015 in the Historic Federal Building.

BOARDS/COMMISSIONS

Review of Applications to the Following Boards/Commissions: Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

1. Electrical Code Board: Two, 3 Year terms through May 21, 2018 (Vacant term of Schmidt and expiring term of Uhrich). Electrical background qualification required. One, 3 Year term through May 21, 2017 (Vacant term Hammel); Journeyman/Maintenance qualification required. Applicants: Zach Dowell, 2055 Winne Ct. (Qualifies for both); Dave Nebel Jr., 2064 Woodrow Dr. (Qualifies for both); Kevin Pfohl, 1878 Hummingbird Dr. (Qualifies for both); Paul Uhrich, 4890 Olympic Heights Rd. (Qualifies for both). Mr. Nebel spoke in support of his appointment.

PUBLIC HEARINGS

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

1. Utility Extension to Dubuque Regional Airport: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract, and estimated cost for the utility extension to Dubuque Regional Airport and the City

Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 152-15 Approval of plans, specifications, form of contract, and estimated cost for the Utility Extension to the Dubuque Regional Airport. Seconded by Jones. City Engineer Gus Psihoyos and Water Plant Manager Bob Green responded to questions regarding the percentage of the corridor covered by the project and its critical importance. Motion carried 7-0.

2. North Cascade Road - Urban Renewal Amendment: Proof of publication on notice of public hearing to consider adoption of the amended plan for the North Cascade Road Urban Renewal Area and the City Manager recommending approval. Motion by Braig to receive and file the documents and adopt Resolution No. 153-15 Approving the amended Urban Renewal Plan for the North Cascade Road Housing Urban Renewal Area. Seconded by Connors. Motion carried 7-0.

3. Sales Tax Increment Revenue Bonds (Flood Mitigation Program): City Manager recommending approval of the suggested proceedings for public hearing on the issuance of Sales Tax Increment Revenue Bonds (Flood Mitigation Program) Senior Bond Series 2015A. Motion by Jones to receive and file the documents and adopt Resolution No. 154-15 Instituting proceedings to take additional action for the issuance of not to exceed \$24,500,000 Sales Tax Increment Revenue Bonds; and Resolution No. 155-15 Approving form and distribution of Preliminary Official Statement relating to the offering and sale of Sales Tax Increment Revenue Bonds (Annual Appropriation Property Tax Supported), Senior Bond Series 2015A. Seconded by Connors. City Manager Van Milligen provided an explanation on the revenues, repayment and bond rating for the first-of-its-kind bond issuance. Motion carried 7-0.

4. Tax-Exempt General Obligation Bonds: Proof of publication on notice of public hearing to consider approval of the suggested proceedings for the public hearing on the issuance of Tax-Exempt General Obligation Bonds and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 156-15 Instituting proceedings to take additional action for the issuance of not to exceed \$3,000,000 General Obligation Bonds; and Resolution No. 157-15 Authorizing the issuance of \$3,000,000 General Obligation Bonds, and levying a tax for the payment thereof. Seconded by Connors. City Manager Van Milligen provided an explanation of the court approvals and timeline related to the rebate process. Motion carried 7-0.

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

ACTION ITEMS

1. Women of Achievement Award: City Manager transmitting information on Planning Services Manager Laura Carstens receiving the Unsung Champion Award from the Women's Leadership Network. Motion by Connors to receive and file the documents. Seconded by Resnick. City Manager Van Milligen read a description of the award into the record. Motion carried 7-0.

2. White House Climate Action Champion Designation: City Manager recommending approval for the Mayor to execute the designation agreement recognizing Dubuque as one of sixteen White House Climate Action Champions. Motion by Braig to receive and file the documents and approve the designation. Seconded by Resnick. Motion carried 7-0.

3. Examining Board Appointment Correction: City Assessor Rick Engelken requesting a correction to the appointment of a representative to the Examining Board to a representative who is not a member of the Conference Board or Board of Review in accordance with State Code. Motion by Jones to receive and file the documents and appoint City Attorney Barry Lindahl to the Examining Board. Seconded by Resnick. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Resnick acknowledged the presence of several neighbors who will present some ideas during Public Input.

Mayor Buol reported on his attendance at the Watson Resource Center Conference that dealt with open data and technology for improving lives.

PUBLIC INPUT

Gwen Kosel, 445 S. Grandview Ave.; Jennifer Hermsen, 450 S. Grandview Ave.; and Joan Frommelt, 100 N. Grandview Ave., distributed a handout and requested permission to begin soliciting donations and volunteer support for the planting of 45 garden plots along Grandview Avenue that will not be planted by the City this year due to budget constraints. The item was referred to the City Manager for follow up.

Motion by Jones at 8:00 p.m. to enter into closed session 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 9:00 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 9:01 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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