

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

The Dubuque City Council met in special session at 5:00 p.m. on October 19, 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, 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 Enhanced Neighborhood Support.

**WORK SESSION
Enhanced Neighborhood Support**

City Manager Van Milligen presented and read an introductory memo. Planning Services Manager Laura Carstens introduced staff and community partners: Neighborhood Development Specialist Jerelyn O'Connor, Police Chief Mark Dalsing, Civil Engineer Dave Ness, City Engineer Gus Psihoyos, Housing & Community Development Director Alvin Nash, Assistant City Attorney Crenna Brumwell, Public Information Officer Randy Gehl, Human Rights Director Kelly Larson, Brand Morgan and Ken Anthony of Alliant Energy, David Harris of Community Housing Initiatives (CHI), and Eric Dregne of the Community Foundation of Greater Dubuque. Topics included:

A. Overview

- Relationship to the City's Comprehensive Plan
- Community-Wide Effort: Focus Areas = funding opportunities

B. Short-Term Actions

1 Neighbors: Feedback, Activities; Neighborh2Neighbor Initiative; Neighborhood involvement and communication

2. Protect & Serve: Enhanced police presence; Community Oriented Policing; officer expansion plan; special enforcement; working with property owners; emergency partnerships (ID4PD, Tri-States' Most Wanted, Submit a Tip, Crime Stoppers); security cameras

3. Additional security cameras installation and locations

4. Enhanced street lighting and placement guidelines; LED replacements; street lighting inventory; replacement status and future plans

5. Acquisition of challenged properties: guiding documents, management tools and resources; monitoring problem properties; housing accountability by landlords and residents; petition property status

6. Renovation/rehabilitation of residential properties: housing & community development partners; housing rehab programs; housing revitalization; residential rehab report; Community Housing Initiative (CHI)

7. Communications: relationship to the City's Comprehensive Plan; PSA's, videos, handouts, MyDBQ app; yard lighting incentive program;

C. Neighborhood-Based Initiatives

1. Washington Neighborhood redevelopment strategy; market analysis; 2015 business outreach;

D. Community Partnerships

1. Inclusive Dubuque, Project HOPE, Grade Level Reading, student re-engagement, Circles Initiative

A question/answer period with the City Council followed the presentation.

There being no further business, upon motion the City Council adjourned at 6:23 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 10/28

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

The Dubuque City Council met in regular session at 6:30 p.m. on October 19, 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, 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

INTRODUCTIONS

Assistant City Manager Cindy Steinhauser introduced two of the four representatives for this year's International City/County Management Association's Fellowship Exchange Program: Mr. Indra Noviansyah of Indonesia and Mr. Mohamad Shafie Bin Taib of Meleka, Malaysia.

PROCLAMATIONS

Hunger and Homelessness Awareness Month (November 2015) was accepted by "Lisa" in testimony of her experience at the Maria House, 1561 Jackson St.

Mississippi River Cities and Towns Initiative was accepted by Stacey Williams of the Mississippi River Network and Jessica Zimmerman of 1Mississippi Campaign.

Gentlemen Day (October 21, 2015) was accepted by Tara Beck of Waypoint Services 318 5th St. SE, Cedar Rapids and representatives of Waypoint Services Dubuque.

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: Cable TV Commission of 8/5; City Council Proceedings of 10/5; Civil Service Commission of 9/10; Human Rights Commission of 9/14, 9/16; Library Board of Trustees of 8/18, 8/27; Library Board of Trustees Council Update of 9/24; Zoning Advisory Commission of 10/7; Zoning Board of Adjustment of 9/24; Proof of Publication for City Council Proceedings of 9/21; Proof of Publication for Delinquent Water, Sewer, Refuse and Stormwater Collection Accounts of 9/18, 9/25. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Joshua Canon for defamation/harassment, Joyce Hammill for personal injury/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: Joshua Canon for defamation; Joyce Hammill for personal injury/property damage. Upon motion the documents were received, filed and concurred.

4. 2014 Water Fluoridation Quality Award: Correspondence from Bob Russell of the Iowa Department of Public Health informing the City that the Centers for Disease Control and Prevention has awarded the City of Dubuque's water system with the 2014 Water Fluoridation Quality Award. Upon motion the documents were received and filed.

5. Sustainable Dubuque Community Grant Recommendations: City Manager recommending approval of a grant request from the Sustainable Dubuque Community Grant program. Upon motion the documents were received, filed and approved.

6. Lead Hazard Control Grant Agreement: City Manager recommending approval of a resolution authorizing the Mayor to sign a Lead Hazard Control Grant Agreement with the U.S. Department of Housing and Urban Development for the program performance period beginning November 2, 2015 and ending October 31, 2018. Upon motion the documents were received and filed and Resolution No. 353-15 Authorizing execution of a Lead Hazard Control Grant Agreement with the U.S. Department of Housing and Urban Development was adopted.

7. Mississippi River Watershed Report Card: City Manager transmitting information from America's Watershed Initiative regarding the Mississippi River watershed. Upon motion the document was received and filed.

8. Yard Lighting Initiative: City Manager recommending approval of changes to the Yard Lighting Initiative that provides a match to property owners who install either front-yard or rear-yard lighting that improves lighting levels on sidewalks and alleys. Upon motion the documents were received, filed and approved.

9. EB Lyons Recreation Area Expansion Project Acceptance: City Manager recommending acceptance of the construction contract for the EB Lyons interpretive Area Expansion Project, as completed by Portzen Construction, Inc. Upon motion the documents were received and filed and Resolution No. 354-15 Accepting the EB Lyons Interpretive Area Expansion Project and authorizing the payment of the contract amount to the contractor was adopted.

10. Asbury Road Pavement Rehabilitation Project Acceptance: City Manager recommending acceptance of the public improvement construction contract for the 2015 Asbury Road Pavement Rehabilitation Project as completed by Iowa Erosion Control, Inc. Upon motion the documents were received and filed and Resolution No. 355-15

Accepting the 2015 Asbury Road Pavement Rehabilitation Project and authorizing the payment of the contract amount to the contractor was adopted.

11. Miller Riverview Parking Pad Project Acceptance: City Manager recommending acceptance of the public improvement construction contract for the Miller Riverview Park – Concrete Pads Project, as completed by Midwest Concrete, Inc. Upon motion the documents were received and filed and Resolution No. 356-15 Accepting the Miller Riverview Park - Concrete Pads Project and authorizing the payment to the contractor was adopted.

12. East Central Intergovernmental Association (ECIA) - 5th Amendment to CDBG Grant Administration: City Manager recommending approval of Amendment #5 to East Central Intergovernmental Association's (ECIA) Contract for Administrative Services for the Linseed Oil Building portion of the City's Community Development Block Grant (CDBG) contract #08-DRH-212. Upon motion the documents were received and filed and Resolution No. 357-15 Approving Amendment #5 to the contract with East Central Intergovernmental Association for Grant Administration of CDBG Contract #08-DRH-212 with the Iowa Economic Development Authority was adopted.

13. Grant of Permanent Easement and Agreement - Bus Shelter at St. Mary's Apartments: City Manager recommending approval of an Easement Agreement and accept of the Grant of Easement from St. Mary's Apartments of Dubuque, LLC, 2955 Kaufmann Avenue, to facilitate the construction and on-going maintenance of bus shelters at that location. Upon motion the documents were received and filed and Resolution No. 358-15 Approval of an Agreement and accepting a Grant of Permanent Easement for a bus shelter located at St. Mary's Apartments of Dubuque, 2955 Kaufmann Avenue, in Dubuque, Iowa, was adopted.

14. Development Agreement Amendment - 1576-1580 Locust Street / Weaver Castle, LLC: City Manager recommending approval of the First Amendment to Development Agreement with Weaver Castle, LLC which extends the completion date for the redevelopment of the property at 1576-1578-1580 Locust Street to December 31, 2015. Upon motion the documents were received and filed and Resolution No. 359-15 Approving the First Amendment to the Development Agreement between the City of Dubuque, Iowa and Weaver Castle, LLC was adopted.

15. Development Agreement Amendment - 346-348 W. Locust Street / Weaver Castle, LLC: City Manager recommending approval of the Second Amendment to Development Agreement with Weaver Castle, LLC which extends the completion date for the redevelopment of the property at 346-348 West Locust Street to December 31, 2016. Upon motion the documents were received and filed and Resolution No. 360-15 Approving the Second Amendment to the Development Agreement between the City of Dubuque, Iowa and Weaver Castle, LLC was adopted.

16. Release of Mortgage - 1500 Radford Road: City Manager recommending approval of a resolution authorizing the Mayor to sign the Release of Real Estate Mortgage. Upon

motion the documents were received and filed and Resolution No. 361-15 Approving a Release of Mortgage by the City of Dubuque, Iowa on the property at 1500 Radford Road owned by Kevin F. Freiburger and Lee Ann Freiburger (Precision Tool & Engineering, Inc.) was adopted.

17. Timber Hyrst Subdivision No. 4 - Storm Water Detention Facility and Storm Water Impoundment Easement Acceptance City Manager recommending acceptance of a Grant of Storm Water Detention Facility and Storm Water Impoundment Easement from North Cascade Road Developers LLC as part of the Timber-Hyrst Estates No. 4 over-detention project. Upon motion the documents were received and filed and Resolution No. 362-15 Accepting a Grant of Storm Water Detention Facility and Storm Water Impoundment Easement through, over and across parts of Lot H, Lot 91, Lot 98 and Lot 99 of Timber-Hyrst Estates No. 4, in the City of Dubuque, Dubuque County, Iowa, was adopted.

18. Civil Service Commission: Civil Service Commission submitting the Certified Lists for the positions of Accountant, Equipment Operator I, Equipment Operator II, and Sanitation Driver. Upon motion the documents were received, filed and made a Matter of Record.

19. PEG Capital Grant Expenditure Request: City Manager recommending approval of the Cable TV Commission recommendations for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities for the City of Dubuque to purchase a new HD on-air playback server and a new on-air graphics bulletin board service. Upon motion the documents were received, filed and approved.

20. Declaration of Official Intent to Reimburse Expenses Relating to Certain Fiscal Year 2016 Bond Projects: City Manager recommending approval of the Declaration of Official Intent Resolution for Fiscal Year 2016 capital projects that are funded by an upcoming bond issuance in February 2016 allowing the City to reimburse itself from bond proceeds for expenditures incurred prior to the actual sale of the bonds. Upon motion the documents were received and filed and Resolution No. 363-15 Declaring an Official Intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with the Fiscal Year 2016 Projects was adopted.

21. Canadian Pacific Railroad Tip Towers Installation: Communication from Canadian Pacific Railroad advising the City of its plan to install five, 40-foot tip towers within the railroad's right-of-way inside the City limits. Upon motion the document was received, filed and referred to Planning Services.

22. Pre-Annexation Agreement - Spiegel Family Realty Company Iowa, LLC: City Manager recommending approval of the Spiegel Family Realty Company Iowa, LLC Pre-Annexation Agreement in conjunction with the request for approval of the Final Plat of Silver Oaks No. 2 in Dubuque County. Upon motion the documents were received and filed and Resolution No. 364-15 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa, and Spiegel Family Realty Company Iowa, LLC was adopted.

23. Parking Division Position Reclassification: City Manager recommending approval to create one additional Parking System Technician and eliminating one Parking Meter Serviceworker I position in the Parking Division. Upon motion the documents were received, filed and approved.

24. Alcohol and Tobacco License Applications: 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. 365-15 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. 366-15 Approving applications for retail cigarette/tobacco sales/nicotine/vapor 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. Bee Branch Creek Basin Overlook and 22nd Street Parking Lot Project: City Manager recommending approval of the plans, specifications, form of contract and the estimated cost for the Bee Branch Creek – Basin Overlook and 22nd Street Parking Lot Project and setting November 2, 2015 as the date for public hearing. Upon motion the documents were received and filed and Resolution No. 367-15 Bee Branch Creek - Basin Overlook & 22nd Street Parking Lot Project, Iowa DOT Project NO. TAP-U-2100(683)--81-31 was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 2, 2015 in the Historic Federal Building.

2. Sale of Property - 767 University Avenue: City Manager recommending setting a public hearing for November 2, 2015 on the proposed sale of the City lot located at 767 University Avenue to Habitat for Humanity. Upon motion the documents were received and filed and Resolution No. 368-15 Intent to dispose of an interest in City of Dubuque real estate, setting a time and place for hearing and providing for the publication thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 2, 2015 in the Historic Federal Building.

3. Sale of Property - 1849 Jackson Street: City Manager recommending setting a public hearing for November 2, 2015 on the proposed sale of a lot located at 1849 Jackson Street to Community Housing Initiatives. Upon motion the documents were received and filed and Resolution No. 369-15 Intent to dispose of an interest in City of Dubuque real estate, setting a time and place for hearing and providing for the publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 2, 2015 in the Historic Federal Building.

PUBLIC HEARINGS

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

1. University of Dubuque Institutional District ID Amendment: Proof of publication on notice of public hearing to consider a request by the University of Dubuque to amend ID Institutional District to construct an addition to Mercer Birmingham Hall on the McCormick Street Extension and the Zoning Advisory Commission recommending approval. Mayor Buol stated he is an employee of the University of Dubuque and that after consulting with the City Attorney, there is no conflict of interest with this item. 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. Keith Wipperfurth, Director of Construction Management for the University of Dubuque, described the project and spoke in favor of the request. Planning Services Manager Laura Carstens provided a staff report. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 63-15 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by providing for the approval of an Amended Campus Development Plan for the University of Dubuque to allow construction of an addition to Mercer Birmingham Hall. Seconded by Lynch. Motion carried 7-0.

2. Request to Rezone - 3507 Keystone Drive: Proof of publication on notice of public hearing to consider a by Jason and Kim Meyer to rezone property located at 3507 Keystone Drive from R-1 Single-Family Residential District to R-3 Moderate Density Multi-Family Residential District and the Zoning Advisory Commission recommending: 1) Denial of the R-3 Moderate Density Multi-Family Residential District; and 2) Approval of the R-2 Two-Family Residential District.

Motion by Connors to concur with the denial of a proposed ordinance amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 3507 Keystone Drive from R-1 Single-Family Residential District to R-3 Moderate Density Multi-Family District. Seconded by Lynch. Jason Meyer, 3507 Keystone Drive, explained that they are no longer requesting the R3 rezoning and only requesting the R2 rezoning for development of a duplex. Planning Services Manager Laura Carstens provided a staff report. Motion carried 7-0.

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 Jones. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 64-15 Amending Title 16 of the City of Dubuque Code Of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 3507 Keystone Drive from R-1 Single-Family Residential District to R-2 Two-Multi-Family Residential District. Seconded by Jones. Motion carried 7-0.

3. Request to Rezone - 1660, 1670 and 1690 University Avenue: Proof of publication on notice of public hearing to consider a request by Thomas Tiefenthaler to rezone property located at 1660, 1670, and 1690 University Avenue from R-2 Two-Family Residential District to C-2 Neighborhood Shopping Center District and the Zoning Advisory Commission recommending approval. 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. Developer Tom Tiefenthaler, 1107 Scenic Hill Lane, DeWitt, described the project and responded to questions related to parking, security, curb cuts, and business traffic that might impact the area. Planning Services Manager Laura Carstens provided a staff report and will check on whether or not the properties being purchased for the project and eventual demolition are considered "challenged" properties. Police Chief Mark Dalsing addressed police calls for service as they relate to the nearby bus stop impacted by pedestrian traffic to/from Washington Middle School. Anthony Blum, owner of 1660 University Ave., spoke in support of the request citing the inability to sustain rental properties in the area. Diane Troester, 1789 University Ave.; Jeff Klauer, 1705 Delhi St.; and Attorney Keith Bibelhausen, 225 Hidden Oaks Ct., representing Dick Hartig/Hartig Drug Co., spoke in opposition to the request citing the impact of on-street parking, pedestrian safety issues, and the uncertainty of future roundabout development at this intersection. Ms. Carstens clarified the requirement for a super majority vote by Council due to the percentage of written opposition received. Motion carried 6-1 with Lynch voting nay.

Motion by Connors for final consideration and passage of Ordinance No. 65-15 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 1660, 1670, and 1690 University Avenue From R-2 Two-Family Residential District to C-2 Neighborhood Shopping Center District. Seconded by Braig. Motion carried 6-1 with Lynch voting nay.

4. Request to Vacate - Sanitary Sewer Easement 3045 Indiana Court: Proof of publication on notice of public hearing to consider disposal of a sanitary sewer easement across Lot 1 of Indiana Subdivision No. 2 in the City of Dubuque, 3045 Indiana Court, and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 370-15 Disposing of City interest in a portion of a Sanitary Sewer Easement over and across Lot 1 of Indiana Subdivision No. 2 in the City of Dubuque, Dubuque County, Iowa. Seconded by Lynch. Motion carried 7-0.

5. Sewershed 7 & 10 Manhole Replacement Project: Proof of publication on notice of public hearing to consider approval of plan, specifications, form of contract, and estimated cost for the Sewershed 7 & 10 Manhole Replacement project and the City Manager recommending approval. Motion by Braig to receive and file the documents and adopt Resolution No. 371-15 Approval of plans, specifications, form of contract, and estimated cost for the 2015 Sewershed 7 & 10 Manhole Replacement Project. Seconded by Resnick. Motion carried 7-0.

6. Greater Downtown Urban Renewal District - Urban Renewal Plan Amendment: Proof of publication on notice of public hearing to consider an amendment to the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 372-15 Approving the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District. Seconded by Connors. Motion carried 7-0.

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

ACTION ITEMS

1. Bunker Hill Irrigation Project Phase 2 Award: City Manager recommending award of the contract for the Bunker Hill Irrigation Replacement Project Phase 2 to the low bidder Leibold Irrigation, Inc. Motion by Connors to receive and file the documents and adopt Resolution No. 373-15 Awarding the public improvement contract for the Bunker Hill Golf Course Irrigation Project Phase 2. Seconded by Jones. Motion carried 7-0.

2. Code of Ordinances Amendment - Title 2 Civic Center Commission: City Manager recommending approval of an ordinance which adds a new Title 2, Chapter 4, which establishes the Civic Center 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 Connors. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 66-15 Amending City of Dubuque Code of Ordinances Title 2 Boards and Commissions by repealing Chapter 4 Civic Center Advisory Commission and adopting a new Chapter 4 Civic Center Advisory Commission in lieu thereof establishing the Civic Center Advisory Commission and providing for the powers, operations, membership and meetings. Seconded by Connors. Motion carried 7-0.

3. Code of Ordinances Amendment - Title 2 Housing Commission: City Manager recommending approval of an ordinance which adds a new Title 2, Chapter 5, Article B which establishes the Housing 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 Connors. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 67-15 Amending City of Dubuque Code of Ordinances Title 2 Boards and Commissions, Chapter 5 Housing Agency and Community Development Commissions by repealing Article B Housing Commission and adopting a new Article B Housing Commission in lieu thereof establishing the Housing Commission and providing for the powers, operation, membership, and meetings. Seconded by Connors. Motion carried 7-0.

4. National League of Cities Voting Delegates: Correspondence from the National League of Cities requesting that the City designate a voting delegate and alternate voting delegate for the upcoming National League of Cities Annual Business meeting on November 7, 2015. Motion by Connors to receive and file the documents and appoint Council Member Lynn Sutton as the voting delegate. Seconded by Jones. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Ric Jones reported on NICC's recent open house for their Additive Advanced Manufacturing Prototype facility/3D printing and the implications to city government and economic development.

PUBLIC INPUT

Dan Boots, 2080 Roosevelt St., requested information on the Affirmatively Furthering Fair Housing program and the impact on property taxes and city services. City Manager Van Milligen stated that he is drafting a response to Mr. Boots.

There being no further business, upon motion the City Council adjourned at 8:28 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 10/28