

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

The Dubuque City Council met in special session at 5:00 p.m. on November 2, 2015 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Braig, Connors, Jones, Lynch, Resnick, Sutton; Assistant City Manager Steinhauser, City Attorney Lindahl

Absent: City Manager Van Milligen

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 Inclusive Dubuque.

**WORK SESSION
Inclusive Dubuque Quarterly Update**

Human Rights Directory Kelly Larson provided an overview of the work session presented by Inclusive Dubuque representatives Eric Dregne of Community Foundation of Greater Dubuque, Art Roche of Mercy Hospital, Danielle Moore of John Deere, Barry Gentry and Jessica Rose of the Dubuque Area Chamber of Commerce, Kristin Dietzel of NICC, and Phil Kramer of the Dubuque Community School District. Topics included:

- Inclusive Dubuque network partners
- History of Inclusive Dubuque 2012-2015
- Purpose: organize people, identify opportunities, take action to challenge and change social and economic structure
- Community Equity Profile
 - Race, generation, class, religion, disability, culture, nationality, gender, ethnicity, sexual orientation
 - Economic wellbeing, housing, education, health, safe neighborhoods, transportation, arts/culture
 - Data, community dialogues, community surveys
 - Community engagement and reach-in strategy
 - Demographics of participants: race/ethnicity, gender, age, education, tenure in Dubuque, household income, neighborhood, religion, marital status, veteran, physical/mental disability, LGBTQ
 - Early Action:
 - Chamber of Commerce – underrepresented Business Council
 - Greater Dubuque Development Corp./NICC outreach coordinator to minority communities for education/training opportunities
 - Schools – implementing cultural proficiency training
 - Next Steps:
 - Equity Profile Summary
 - identify priorities

- network partners take action in working groups
- network partner to measure outcomes with results-based accountability
- equity action plan
- on-going community engagement
- City Government as a Mission Member

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

There being no further business, upon motion the City Council adjourned at 6:01 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 November 2, 2015 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Braig, Connors, Jones, Lynch, Resnick, Sutton; Assistant City Manager Steinhauser, City Attorney Lindahl

Absent: City Manager Van Milligen

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)

Adoption Month (November 2015) was accepted by Christa Hefel, Post-Adoption Support Specialist for Four Oaks/KidsNet, 180 W. 15th St.

Hospice Month (November 2015) was accepted by Carole Carroll, Hospice of Dubuque, 2255 JFK Rd.

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: City Council Proceedings of 10/19; Historic Preservation Commission of 10/15; Housing Commission of 10/27; Library Board of Trustees Update of 10/22; Long Range Planning Advisory Commission of 10/22; Park & Recreation Commission of 10/13; Zoning Board of Adjustment of 10/22; Proof of Publication for City Council Proceedings of 10/5; Proof of publication of Notice of Claims and Summary of Revenues for Month Ending 8/31. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Craig Kowalski 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: Craig Kowalski for property damage. Upon motion the documents were received, filed and concurred.

4. Dubuque Community Receives Three Iowa Tourism Awards: City Manager transmitting correspondence about the America's River Festival, the Hotel Julien Dubuque, and Dig In! Iowa's Agricultural Innovation Tour receiving awards from the Iowa Tourism Office and the Travel Federation of Iowa. Upon motion the documents were received and filed.

5. Federal Energy Regulatory Commission (FERC): City Manager transmitting updated correspondence to the Federal Energy Regulatory Commission (FERC) regarding the exploration of hydroelectric power development at Lock and Dam No. 11. Upon motion the documents were received and filed.

6. Iowa Department of Natural Resources (IDNR) - FY15 IOWA STATEMAP Proposal: City Manager transmitting a letters of support from the City and the Catfish Creek Watershed Authority to the Iowa Department of Natural Resources (IDNR) for the FY15 IOWA STATEMAP proposal, which includes subprojects for geologic mapping in Dubuque County. Upon motion the documents were received and filed.

7. Iowa Department of Revenue Notice of Intended Action ARC 2178C: City Manager recommending approval of the City's response to the Iowa Department of Revenue's proposed amendments to the Iowa tax statutes. Upon motion the documents were received, filed and approved.

8. Fuller vs. City of Dubuque Settlement: City Attorney recommending approval of a Partial Dismissal with Prejudice and the Release related to Cheryl Fuller vs. City of Dubuque and Tina Pimentel suit. Upon motion the documents were received, filed and approved.

9. East Dubuque Savings Bank Agreement for 911 High Bluff Street: City Manager recommending approval of an agreement between the City and East Dubuque Savings Bank for liens against property at 911 High Bluff Street related to emergency repairs of the retaining wall. Upon motion the documents were received, filed and approved.

10. Accepting Sanitary Sewer Access Easement - Timber-Hyrst Estates: City Manager recommending acceptance of the Grant of Sanitary Sewer Access Easement from North Cascade Road Developers, LLC in Timber-Hyrst Estates No. 4. Subdivision. Upon motion the documents were received and filed and Resolution No. 374-14 Accepting a Grant of Sanitary Sewer Access Easement through, over and across part of Lot G and Lot 38 of Timber-Hyrst Estates No. 4 Subdivision, in the City of Dubuque, Iowa, was adopted.

11. 2015 Sidewalk Assessment Program: City Manager recommending adoption of a resolution establishing the final assessment schedule for the 2015 Sidewalk Assessment Program. Upon motion the documents were received and filed and Resolution No. 375-15 Adopting the final Assessment Schedule for the Public Right-of-Way Sidewalk Repair Assessment Project was adopted.

12. Delinquent Garbage Collection Accounts: City Manager recommending adoption of a resolution 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. 376-15 Authorizing the City to collect delinquent 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.

13. Delinquent Garbage, Junk, and Weeds Removal Collection Accounts: City Manager recommending the levy of special assessments for the Weed/Junk/Garbage Enforcement Programs against seventeen separate parcels of property inspected from July 1, 2015 to October 5, 2015. Upon motion the documents were received and filed and Resolution No. 377-15 Adopting the Schedule of Assessments for 2015 and directing the City Clerk to certify the Schedule of Assessments to the County Treasurer and to public notice thereof was adopted.

14. Improvement Contracts / Performance, Payment and Maintenance Bonds: Horsfield Construction for the Lake Eleanor Road Lift Station and Water Main Project. Upon motion the documents were received, filed and approved.

15. Signed Contracts: License Agreement with Stone Cliff Winery for 2015 Amphitheater Usage; Memorandum of Understanding for Technology Support and Acquisition of Technology between the City of Dubuque Multicultural Family Center and the Carnegie-Stout Public Library. Upon motion the documents were received and filed.

16. Alcohol Compliance Civil Penalty for Alcohol License Holder – Buffalo Wild Wings: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Buffalo Wild Wings, 2805 Northwest Arterial. Upon motion the documents were received, filed and approved.

17. Alcohol Compliance Civil Penalty for Alcohol License Holder – Grand Harbor Resort & Water Park: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for the Grand Harbor Resort & Water Park, 350 Bell Street. Upon motion the documents were received, filed and approved.

18. Alcohol Compliance Civil Penalty for Alcohol License Holder – Hartig Drug Company: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Hartig Drug Company #4, 2225 Central Avenue. Upon motion the documents were received, filed and approved.

19. Tobacco Compliance – Civil Penalty for Tobacco License Holder – Hartig Drug Company: City Manager recommending approval of the Acknowledgement/Settlement Agreement for a tobacco compliance violation for Hartig Drug Company #4, 2225 Central Avenue. Upon motion the documents were received, filed and approved.

20. Alcohol License Renewals: City Manager recommending approval of annual beer, liquor and wine licenses as submitted. Upon motion the documents were received and filed and Resolution No. 378-15 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 was 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. SCADA Manhole Installation Project: City Manager recommending initiation of the public bidding process for the 2015 SCADA (flow metering stations) Manhole Installation Project, and further recommends that a public hearing be set for November 16, 2015. Upon motion the documents were received and filed and Resolution No. 379-15 Preliminary approval of plans, specifications, form of contract, and estimated costs; setting date of public hearing on plans, specifications, form of contract, and estimated costs; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 16, 2015 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. Housing Commission: One, 3 year term through August 17, 2018 (Vacant At-Large term of Foster) Applicant: Nicolas Hobson, 1592 Locust St. (Qualifies for At-Large). Mr. Hobson 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. English Ridge - Housing Urban Renewal District: Proof of publication on notice of public hearing to consider a Housing Urban Renewal Plan for the English Ridge area and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 380-15 Approving the Urban Renewal Plan for the English Ridge Housing Urban Renewal Area. Seconded by Jones. John Hauptert, 1183 English Mill Rd., addressed the City Council about his ideas on how the taxes could be distributed. Economic Development Director Maurice Jones and Assistant City Attorney Crenna Brumwell responded to questions about the State requirements related to urban renewal districts. Assistant City Manager will refer the erosion issue Mr. Hauptert referenced to the Engineering Department. Motion carried 7-0.

2. Bee Branch Creek Basin Overlook and 22nd Street Parking Lot Project: Proof of publication on notice of public hearing to consider 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 the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 381-15 Approval of plans, specifications, form of contract, and estimated cost for the Bee Branch Creek – Basin Overlook & 22nd Street Parking Lot Project, Iowa DOT Project No. TAP-U-2100(683)--81-31. Seconded by Jones. Civil Engineer Deron Muehring stated that there will be multiple overlooks associated with the project and the current detours will change. Motion carried 7-0.

3. Sale of Property - 1849 Jackson Street: Proof of publication on notice of public hearing to consider the sale of city-owned property at 1849 Jackson Street to Community Housing Initiatives (CHI) and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 382-15 Disposing of City interest in real estate (lot) located at 1849 Jackson Street in the City of Dubuque, Iowa. Seconded by Braig. Motion carried 7-0.

4. Sale of Property - 767 University Avenue: Proof of publication on notice of public hearing to consider the sale of city-owned property at 767 University Avenue to Habitat for Humanity and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 383-15 Disposing of City Interest in real property located at 767 University Avenue in the City of Dubuque, Iowa. Seconded by Connors. Planning Services Manager Laura Carstens, Assistant City Attorney Crenna Brumwell, and Housing and Community Development Director Alvin Nash responded to questions about site and design considerations in comparison to the neighborhood. Motion carried 7-0.

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

ACTION ITEMS

1. Purchase of Twin Ridge Water, Inc.: City Manager recommending the purchase Twin Ridge Water, Inc., which provides sewer and water service to 101 properties within and adjacent to the Twin Ridge Subdivision in an unincorporated area commonly called Key West. Motion by Lynch to receive and file the documents and adopt Resolution No. 384-15 Approving an Asset Purchase Agreement for the sale and transfer of existing assets by and between the City of Dubuque, Iowa and Twin Ridge Water, Inc., in Dubuque County, Iowa and approving an Offer to Buy and Acceptance for the acquisition of real estate owned by the Grace M. Mueller Revocable Family Trust and Raymond M. Mueller Irrevocable Family Trust in Dubuque County, Iowa. Seconded by Jones. City Engineer Gus Psihoyos responded to questions regarding what benefits the purchase would provide the City, how the purchase price was calculated, and the current condition of the water system. Motion carried 7-0.

2. Sewershed 7 & 10 Manhole Replacement Project Award: City Manager recommending award of the construction contract for the 2015 Sewershed 7 & 10 Manhole Replacement Project to the low bidder Top Grade Excavating. Motion by Connors to receive and file the documents and adopt Resolution No. 385-15 Awarding public improvement contract for the 2015 Sewershed 7 & 10 Manhole Replacement Project. Seconded by Braig. Motion carried 7-0.

3. English Ridge - Housing Urban Renewal District: City Manager recommending adoption of an ordinance creating a tax increment financing district for the English Ridge Housing Urban Renewal Area. Motion by Braig 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 7-0.

Motion by Braig for final consideration and passage of Ordinance No. 68-15 Providing that general property taxes levied and collected each year on all property located within the English Ridge 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 Resnick. Motion carried 7-0.

4. Code of Ordinances Amendment - Title 16 Zoning Board of Adjustment: City Manager recommending approval of an ordinance which amends Title 16, Chapter 8 of the City of Dubuque Code of Ordinances by removing duplicate sections and renumber the sections accordingly. 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. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 69-15 Amending City of Dubuque Code of Ordinances Title 16 Unified Development Code, Chapter 8 Zoning Board of Adjustment Applications by removing duplicate sections and renumbering the sections accordingly. Seconded by Lynch. Motion carried 7-0.

5. Bee Branch Creek Restoration Project Bench and Trash Receptacle Design: City Manager recommending approval to proceed with the fabrication of benches and trash receptacle designs for the Bee Branch Creek Restoration Project. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Lynch. Civil Engineer Deron Muehring stated that there are about 12 benches available for sponsorship. Motion carried 7-0.

6. Request to Schedule Work Session - Rehabilitation Projects: City Manager recommending approval to schedule a City Council work session for Tuesday, January 19, 2016 at 4:30 p.m. to tour three rehabilitation projects. Motion by Braig to receive and

file the documents and set the work session as recommended. Seconded by Resnick.
Motion carried 7-0.

There being no further business, upon motion the City Council adjourned at 7:17 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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