

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

The Dubuque City Council gathered for a special session at 4:30 p.m. on January 19, 2016 in front of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Pro-Tem Jones; Council Members Connors, Del Toro, Lynch, Resnick, Rios; City Manager Van Milligen. Absent: Mayor Buol

Housing Department Staff Present: Kris Neyen, Erica Haugen, Todd Carr.

Mayor Pro-Tem Jones read the call that stated this is a special session of the City Council called for the purpose of conducting a bus tour of three rehabilitated housing properties.

**WORK SESSION
Tour of Rehabilitation Projects**

The City Council participated in a bus tour of the following three rehabilitation projects that began in front of the Historic Federal Building.

2300 Jackson Street: Kris Neyen (Housing Department) and Chris Olson (Four Mounds Foundation and the HEART Program) provided information specific to this property, and a ribbon cutting was held with the new owner, Tami Paisley. Council and staff toured the property.

1598 Jackson Street: Ms. Neyen and David Harris (Community Housing Initiative) provided information specific to this property. Council and staff toured the property.

346-348 W. Locust Street: Ms. Neyen and Developers Gary and Chris Stelpflug provided information specific to this property. Council and staff toured the property.

There being no further business, the City Council returned to the Historic Federal Building and adjourned at 5:46 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 January 19, 2016 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Pro-Tem Jones; Council Members Connors, Del Toro, Lynch, Resnick, Rios; City Manager Van Milligen, City Attorney Lindahl

Absent: Mayor Buol

Mayor Pro-Tem Jones 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

CONSENT ITEMS

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

1. Minutes and Reports Submitted: Cable TV Commission of 12/2/15; City Council Proceedings of 1/4/16; Civil Service Commission of 12/16/15, 1/8/16; Library Board of Trustees of 11/19/15; Long Range Planning Advisory Commission of 12/16/15; Zoning Advisory Commission of 1/6/16; Zoning Board of Adjustment of 12/17/15; Proof of Publication for City Council Proceedings of 12/21/15. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Larry Kirby for vehicle damage, Andrew Makovec for property damage, Luke Potnick for vehicle damage, Michelle Roling for property damage, Jessica Rooney 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: Larry Kirby for vehicle damage, Andrew Makovec for property damage, Luke Potnick for vehicle damage, Michelle Roling for property damage, Jessica Rooney for vehicle damage. Upon motion the documents were received, filed and concurred.

4. Anderson Sainci Receives the Gil Chavenelle Memorial Award: City Manager transmitting information on the Dubuque Jaycees' Gil Chavenelle Memorial Award recognizing Resource Management Coordinator Anderson Sainci. Upon motion the document was received and filed.

5. Cori Burbach Appointed to Iowa Energy Plan Working Group: City Manager transmitting information from the Iowa Economic Development Authority appointing Sustainable Dubuque Coordinator Cori Burbach to the Iowa Energy Plan working group. Upon motion the document was received and filed.

6. Lead-Based Paint Hazard Control Grant - Request to Release Funds: City Manager recommending approval of a resolution authorizing the Notice of Intent to Request Release of Funds for the Lead-Based Paint Hazard Control Grant. Upon motion the documents were received and filed and Resolution No. 8-16 Authorization of a Request for Release of Funds and Certification for Lead Based Paint Hazard Control Grant and Healthy Homes Production Grant programs was adopted.

7. Public Bike Trail Improvements for East 16th Street and Kerper Blvd. Project Acceptance: City Manager recommending acceptance of the public bike trail improvements that the developer, Rainbo Oil Co., has recently completed at the intersection of East 16th Street and Kerper Boulevard. Upon motion the documents were received and filed and Resolution No. 9-16 Accepting Bike Trail Improvements over City property at East Sixteenth Street and Kerper Boulevard in the City of Dubuque, Iowa was adopted.

8. SRF Green Alley Project Bid Set 7 - Year 1 Project Acceptance: City Manager recommending acceptance of the construction contract for the SRF Green Alley Bid Set 7-Year 1 Project, as completed by McDermott Excavating, Inc., and adoption of the Final Schedule of Assessments. Upon motion the documents were received and filed and Resolution No. 10-16 Accepting the SRF Green Alley Project Bid Set 7-Year 1 and Authorizing the payment of the contract amount to the contractor; and Resolution No. 11-16 Adopting the Final Assessment Schedule for the SRF Green Alley Project Bid Set 7 – Year 1 were adopted.

9. Fire Station 2 Restroom Remodel Project Acceptance: City Manager recommending acceptance of the construction contract for the Fire Station #2 – Restroom Remodel Project, as completed by Mueller Construction. Upon motion the documents were received and filed and Resolution No. 12-16 Accepting the Fire Station No. 2 - Restroom Remodel Project and authorizing the payment to the contractor was adopted.

10. Elm Street Parking Lot Project acceptance: City Manager recommending acceptance of the construction contract for the Elm Street Parking Lot Project, as completed by Tschiggfrie Excavating. Upon motion the documents were received and filed and Resolution No. 13-16 Accepting the Elm Street Parking Lot and authorizing the payment of the contract amount to Tschiggfrie Excavating, Inc., was adopted.

11. Acceptance of Permanent Easement for Sanitary Sewer - 10246 Tyra Lane: City Manager recommending acceptance of a permanent easement for sanitary sewer from Mary Kay and Timothy J. Pancratz over property at 12046 Tyra Lane in Dubuque County. Upon motion the documents were received and filed and Resolution No. 14-16 Accepting

a Grant of Permanent Easement for sanitary sewer through, over and across part of Lot 1 of Red Cedar Estate No. 2 in the County of Dubuque, Iowa was adopted.

12. Award of 30- and 42-Inch Sanitary Sewer Force Main and Lift Station Assessment and Rehabilitation Project: City Manager recommending authorization for the City to enter into contract negotiations with Strand Associates to perform engineering consulting services including, but not limited to, survey inspection, emergency response planning and assessment of the City's 30- and 42-inch sanitary sewer force mains and Terminal Street and Cedar Street Lift Stations. Upon motion the documents were received, filed and approved.

13. Property Tax Appeal Settlements - Pape Grain Company: City Attorney recommending approval of three property tax appeal Stipulations of Settlement for properties owned by Pape Grain Company. Upon motion the documents were received, filed and approved.

14. Sewer Maintenance Foreman Classification: City Manager recommending the creation a separate civil service classification for the position of Sewer Maintenance Foreman and approval to eliminate one Foreman position in the Public Works Department and the creation of one Sewer Maintenance Foreman position in the Public Works Department. Upon motion the documents were received, filed and approved.

15. Plat of Survey of Lubben Place: Zoning Advisory Commission recommending approval of the Plat of Survey for Lubben Place (620-628 Loras Blvd.) subject to waiving the lot area requirement for Lot 1 and Lot 2. Upon motion the documents were received and filed and Resolution No. 15-16 Approving the Plat of Survey of Lubben Place in the City of Dubuque, Iowa was adopted.

16. International City/County Management Association (ICMA): City Manager recommending approval to execute the required Governmental Money Purchase Plan and Trust Adoption Agreement with the ICMA Retirement Corporation. Upon motion the documents were received and filed and Resolution No. 16-16 Approving the ICMA Retirement Corporation Governmental Money Purchase Plan & Trust Adoption Agreement - Plan Number 10-6876 was adopted.

17. Improvement Contracts / Performance, Payment and Maintenance Bonds: Portzen Construction, Inc., for Lower Bee Branch Creek Overlook at 16th Street Detention Basin. Upon motion the documents were received, filed and approved.

18. Alcohol License Applications: City Manager recommending approval of annual beer, liquor and wine licenses as submitted. Upon motion the documents were received and filed and Resolution No. 17-16 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 Resnick. Motion carried 6-0.

1. Lange Estate Urban Revitalization Plan: City Manager recommending approval of resolution directing the Lange Estates Urban Revitalization Plan (Applewood IV) be set for public hearing on March 7, 2016. Upon motion the documents were received and filed and Resolution No. 18-16 Finding that the designation of the Lange Estate Urban Revitalization Plan is necessary to encourage needed housing and residential development providing safe, affordable housing for the residents of the City of Dubuque, Iowa and providing for a public hearing thereon was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 7, 2016 in the Historic Federal Building.

2. Marquette Hall Urban Revitalization Plan: City Manager recommending approval of a resolution directing the Marquette Hall Urban Revitalization Plan (Former Sacred Heart Elementary School) be set for public hearing on March 7, 2016. Upon motion the documents were received and filed and Resolution No. 19-16 Finding that the designation of the Marquette Hall Urban Revitalization Plan is necessary in the interest of public health, safety, and welfare of the residents of the City of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 7, 2016 in the Historic Federal Building.

3. Paragon Square Urban Revitalization Plan: City Manager recommending approval of a resolution directing the Paragon Square Urban Revitalization Plan (Former Holy Ghost School) be set for public hearing on March 7, 2016. Upon motion the documents were received and filed and Resolution No. 20-16 Finding that the designation of the Paragon Square Urban Revitalization Plan is necessary for rehabilitation and conservation of the hereinafter described property and Urban Revitalization Area is necessary in the interests of the public health, safety, and welfare of the residents of the City was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 7, 2016 in the Historic Federal Building.

4. University Lofts Urban Revitalization Plan: City Manager recommending approval of a resolution directing the University Lofts Urban Revitalization Plan (Nativity School) be set for public hearing on March 7, 2016. Upon motion the documents were received and filed and Resolution No. 21-16 Finding that the designation of the University Lofts Urban Revitalization Plan is necessary to encourage needed housing and residential development providing safe, affordable housing for the residents of the City of Dubuque was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 7, 2016 in the Historic Federal Building.

BOARDS/COMMISSIONS

Application to the following Commission was reviewed at this meeting. The applicant was invited to address the City Council regarding his desire to serve on the following Boards/Commissions.

1. Historic Preservation Commission: One, 3-year term through July 1, 2016 (Vacant term of McDonnell - Jackson Park District). Applicant: Alfred P. Kopczyk, 1320 Locust St. (qualifies for the Jackson Park District). Mr. Kopczyk spoke in support of his appointment and distributed his resume.

Appointments were made to the following Boards/Commissions.

2. Housing Code Appeals Board: One, 3-year term through January 11, 2019 (Expiring term of White). One, 3-year term through January 11, 2018 (Vacant term of Miller). Applicants: Robert Schaub, 1745 Embassy West; Ron White, 3197 Highland Park Dr. Upon roll-call vote (Jones, Rios, Resnick, Connors, Del Toro, Lynch) Ron White was appointed to a 3-year term through January 11, 2019.

Motion by Resnick to appoint Robert Schaub to a 3-year term through January 11, 2018. Seconded by Lynch. Motion carried 6-0.

3. Human Rights Commission: Three, 3-year terms through January 1, 2019 (Expiring terms of Fisher, LoGuidice and Stone). Applicants: Sara Fisher, 3045 Kaufmann Ave.; Angela Jones, 2413 Pearl St.; Adrienne Scott, 1365 Solon St.; R.R.S. Stewart, 460 Summit St.. Upon roll-call vote Sara Fisher, Angela Jones, and Adrienne Scott were appointed to 3-year terms through January 1, 2019. (Fisher – Jones, Rios, Resnick, Connors, Del Toro, Lynch); (Jones – Jones, Rios, Resnick Connors Del Toro, Lynch); (Scott – Jones, Resnick, Connors, Lynch); (Stewart – Resnick, Del Toro).

PUBLIC HEARINGS

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

1. Intent to Dispose of 2300 Jackson Street: Proof of publication on notice of public hearing to consider disposing of City-owned real estate at 2300 Jackson Street to Tami M. Paisley and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 22-16 Disposing of City interest in real property located at 2300 Jackson Street in the City of Dubuque, Iowa. Seconded by Del Toro. Motion carried 6-0.

2. SW Arterial Right of Way Property Acquisition: Proof of publication on notice of public hearing on the intent to commence a public improvement project and to establish Just Compensation Valuation (Fair Market Value) of necessary right-of-way property which the City intends to acquire or condemn, if required, for the Southwest Arterial Project and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 23-16 (as amended) Establishing the fair market value of real property for the Southwest Arterial Project, directing good faith

negotiations for the acquisition of property and authorizing the commencement of Eminent Domain Proceedings, if necessary, to acquire property. Seconded by Resnick. Responding to questions from the City Council, Assistant City Engineer Bob Schiesl explained the difference between the land being purchased and the area covered by the easement. Motion carried 6-0.

3. Roasting Solutions, LLC - Development Agreement and Property Acquisition: Proof of publication on notice of public hearing to approve the Development Agreement between the City of Dubuque and Roasting Solutions, LLC for the acquisition of 12.03 acres and a \$3.2 million capital investment in a new 34,000 square-foot facility employing 17 full-time equivalent positions in the Dubuque Industrial Center South and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 24-16 Approving a Development Agreement by and between the City of Dubuque, Iowa and Roasting Solutions, LLC providing for the sale of Lot 1 of Dubuque Industrial Center South Second Addition in the City of Dubuque, Iowa. Seconded by Connors. Dan McDonald of Greater Dubuque Development Corporation spoke to the history of family-owned businesses in Dubuque. Roasting Solutions Developer/Owner Michael Gantz provided information on the Gantz family's commitment to the project and responded to questions about the progression of creating full-time jobs associated with the project. Motion carried 6-0.

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

ACTION ITEMS

1. Request for Work Session - Levee Breach Prevention and Preparedness Activities: City Manager recommending the City Council schedule a Work Session for March 7, 2016, at 5:00 p.m. on the levee breach prevention and preparedness activities of the John C. Culver Floodwall flood protection system. Motion by Connors to receive and file the documents and set the work session as recommended. Seconded by Resnick. Motion carried 6-0.

2. Request for Work Session - EPA Consent Decree Status Report: City Manager recommending the City Council schedule a Work Session for Monday, March 21, 2016, at 5:00 p.m. on the EPA Consent Decree. Motion by Lynch to receive and file the documents and set the work session as recommended. Seconded by Connors. Motion carried 6-0.

3. Request for Work Session - Sustainable Dubuque Quarterly Report: City Manager recommending the City Council schedule the Quarterly Sustainable Dubuque Work Session for April 4, 2016, at 5:00 p.m. Motion by Lynch to receive and file the documents and set the work session as recommended. Seconded by Rios. Motion carried 6-0.

4. Request for Work Session - Inclusive Dubuque Quarterly Report: City Manager recommending the City Council schedule the quarterly Inclusive Dubuque Work Session

for April 18, 2016, at 5:15 p.m. Motion by Connors to receive and file the documents and set the work session as recommended. Seconded by Del Toro. Motion carried 6-0.

There being no further business, upon motion the City Council adjourned at 6:58 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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