

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

The Dubuque City Council met in special session at 5:15 p.m. on April 18, 2016 in the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

Present: Mayor Pro-Tem Jones (joined at 6:02 p.m.) Council Members Connors, Del Toro, Jones, Lynch, Resnick, Rios; City Manager Van Milligen, Assistant City Attorney Brumwell (joined at 5:19 p.m.)

Absent: Mayor Buol

Council Member Resnick 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.

**ELECTION OF PRESIDING OFFICER**

In the absence of Mayor Buol and Mayor Pro-Tem Jones, Council Member Connors motioned to elect At-Large Council Member Resnick as Presiding Officer. Seconded by Lynch. Motion carried 5-0.

**WORK SESSION**

**Inclusive Dubuque Quarterly Report**

Human Rights Director Kelly Larson opened the work session with a statement that referenced the recent cross burning incident. Ms. Larson introduced Katrina Neely Farren-Eller, Inclusive Dubuque Coordinator; Eric Dregne, Vice President Strategic Initiatives Community Foundation of Greater Dubuque; Sharon Covey, Dubuque Community Y/restorative strategies; Pauline Chilton, 4 the People; Art Roche, Marshallese Health Project; Matt Daughenbaugh, Mercy Medical Center Safe Zone training and generational differences in the workplace; David Schmitz, Dubuque Museum of Art (not in attendance); Stacia McDermott, Children of Abraham; Erin VanLaningham, Cultural Competency Honors Program; Peter Smith, University of Dubuque student recruitment who presented on the following topics.

- Mission Statement: *Inclusive Dubuque is a local network of community leaders from faith, labor, education and government dedicated to advancing justice and social equity in our community.*
- Inclusive Dubuque Network Partners
- History of Inclusive Dubuque
- Purpose: Organizes people, identifies opportunities, takes action to challenge and change social and economic structure
- Community Equity Profiles and Community Survey Participation/Summary: economic wellbeing, housing, education, health, safe neighborhoods, transportation, arts/culture

- Equity Working Groups: purpose, membership, data sources, process; results and indicators
- The Network @ Work: Loras College Honors Program; 4 the People; Children of Abraham; Dubuque Marshall Islands Health Project; City of Dubuque.

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

There being no further business, upon motion the City Council adjourned at 6:29 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

1t 4/27

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

The Dubuque City Council met in regular session at 6:30 p.m. on April 18, 2016 in the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

Present: Mayor Buol (via phone), Mayor Pro-Tem Jones; Council Members Connors, Del Toro, Lynch, Resnick, Rios; City Manager Van Milligen, Assistant City Attorney Brumwell

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**

**PRESENTATION**

Project Manager Steve Brown, Water & Resource Recovery Center Manager William O'Brien, and retired W&RRC Manager Jonathan Brown presented the 2016 "Best in State" Engineering Excellence Award from the American Council of Engineering Companies of Wisconsin recognizing the Water & Resource Recovery Center (W&RRC) Facility Upgrade Project.

**PROCLAMATION(S)**

Days of Caring Weekend (April 22-23, 2016) was accepted by Jesse Ehrlich of the Days of Caring Committee.

Money Smart Week (April 23-30, 2016) was accepted by Amy Muchmore of the Carnegie-Stout Public Library.

**CONSENT ITEMS**

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Resnick. Council Member Connors requested Item Nos. 30 and 31 (Marquette Hall and Paragon Square Urban Revitalization Withdrawal of Petitions) be held for separate discussion. Motion carried 7-0.

1. Minutes and Reports Submitted: Upon motion the documents were received and filed. Cable TV Commission of 2/3; City Council Proceedings of 4/4; Community Development Advisory Commission of 3/16; Five Flags Civic Center Advisory Commission of 3/28; Proof of Publication for City Council Proceedings of 3/21; Proof of Publication for Delinquent Utility Collection Accounts of 4/1; Proof of Publication for List

of Claims and Summary of Revenues for Month Ended 2/29. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Nathaniel and Megan Darby for property damage; James Sullivan/Nationwide Insurance for property damage; Tiffany Welton 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: Nathaniel Darby for property damage; James Sullivan for property damage; Tiffany Welton for vehicle damage. Upon motion the documents were received, filed and concurred.

4. Art on the River Selections: Arts and Cultural Affairs Advisory Commission requesting City Council concurrence with the selection of artwork for the 2016 Art on the River Exhibition. Upon motion the documents were received, filed and concurred.

5. White House Water Summit: City Manager transmitting a copy of the agenda that includes Mayor Roy Buol from the White House Water Summit held March 22, 2016 in Washington D.C. Upon motion the document was received and filed.

6. Authorization to Sign Purchase Contracts/Offer to Buy: City Manager recommending authorization for the Housing and Community Development Department Director to sign Purchase Contracts/Offer to Buy on behalf of the City of Dubuque. Upon motion the documents were received and filed and Resolution No. 122-16 Authorizing the Housing and Community Development Director to execute purchase contracts/offers to buy on behalf of the City of Dubuque subject to final approval by the City Council was adopted.

7. AECOM Technical Services, Inc. Supplemental Agreement #16 for the Southwest Arterial Project: City Manager recommending approval for the City Manager to execute the Consultant Professional Services – Supplemental Agreement with AECOM Technical Services, Inc. to include the completion of right-of-way property acquisition for the Southwest Arterial Project, subject to the concurrence of the Iowa Department of Transportation. Upon motion the documents were received and filed and Resolution No. 123-16 Approving the Consultant Professional Services - Supplemental Agreement No. 16 between AECOM Technical Services, Inc. and the City of Dubuque for the completion of final Engineering Design Phase of the Southwest Arterial Project was adopted.

8. 28E Agreement - Key West Drive Reconstruction Project: City Manager recommending approval of a resolution to rescind Resolution No 86-16 and authorize the Mayor to execute a revised 28E Agreement for the reconstruction of Key West Drive. Upon motion the documents were received and filed and Resolution No. 124-16 Rescinding Resolution No. 86-16 and approving a 28E Agreement between the City of Dubuque and Dubuque County for the reconstruction of Key West Drive was adopted.

9. Southwest Arterial Property Acquisitions: City Manager recommending approval of resolutions accepting Grants of Easements and Deeds from numerous property owners for the purchase of property for the Southwest Arterial Project. Upon motion the documents were received and filed and

Resolution No. 125-16 Accepting a Grant of Temporary Construction Easement for the Southwest Arterial Project from Alice R. Kelly;

Resolution No. 126-16 Accepting a Grant of Temporary Construction Easement for the Southwest Arterial Project From Madeline Kotz;

Resolution No. 127-16 Accepting a Grant of Temporary Construction Easement for the Southwest Arterial Project From Wesley A. Siebe and Sandra S. Siebe;

Resolution No. 128-16 Accepting a Grant of Temporary Construction Easement for the Southwest Arterial Project From Dutrac Community Credit Union;

Resolution No. 129-16 Accepting a Grant of Temporary Construction Easement for the Southwest Arterial Project From Isaac Hanna LLC;

Resolution No. 130-16 Accepting a Deed for the Southwest Arterial Project From Isaac Hanna L.L.C.;

Resolution No. 131-16 Accepting a Grant of Temporary Construction Easement for the Southwest Arterial Project From Pioneers Rest Area LLLP;

Resolution No. 132-16 Accepting a Deed for the Southwest Arterial Project From Leroy J. Bettcher and Jeanette Bettcher;

Resolution No. 133-16 Accepting a Deed for the Southwest Arterial Project From R & M Quality Investments, LLC;

Resolution No. 134-16 Accepting a Grant of Temporary Construction Easement for the Southwest Arterial Project from Leroy J. Bettcher and Jeanette Bettcher; and

Resolution No. 135-16 Accepting a Deed for the Southwest Arterial Project from Leroy J. Bettcher and Jeanette Bettcher were adopted.

10. Purchase of Property - 2249 Harold Street: City Manager recommending authorization to acquire a property located at 2249 Harold Street from Beth A. Brown for rehabilitation and sale to a qualified homebuyer. Upon motion the documents were received and filed and Resolution No. 136-16 Approving the acquisition of real estate owned by Beth A. Brown at 2249 Harold Street in the City of Dubuque was adopted.

11. Five Flags Civic Center - Fiscal Year 2017 Detailed Operating Budget: City Manager recommending approval of the detailed Fiscal Year 2017 Operating Budget for the Five Flags Civic Center submitted by SMG. Upon motion the documents were received, filed and approved.

12. Community Foundation of Greater Dubuque - Iowa Reading Corps Agreement: City Manager recommending approval of a grant agreement with the Community Foundation of Greater Dubuque for Summer Academy 2016 AmeriCorps programming and wrap around care. Upon motion the documents were received, filed and approved.

13. SRF Green Alley Project Bid Set 2 - Year 2 Acceptance: City Manager recommending acceptance of the SRF Green Alley – Bid Set 2 Year 2 Project as completed by Drew Cook and Sons Excavating, and further recommends that the City

Council adopt the Final Schedule of Assessments. Upon motion the documents were received and filed and Resolution No. 137-16 Accepting the SRF Green Alley Project - Bid Set 2 Year 2 and authorizing the payment of the contract amount to the contractor; and Resolution No. 138-16 Adopting the Final Assessment Schedule for the SRF Green Alley Project - Bid Set 2 Year 2 were adopted.

14. SRF Green Alley Project Bid Set 3 Year 2 Acceptance: City Manager recommending acceptance of the SRF Green Alley – Bid Set 3 Year 2 Project, as completed by Portzen Construction and further recommends that the City Council adopt the Final Schedule of Assessments for this project. Upon motion the documents were received and filed and Resolution No. 139-16 Accepting the SRF Green Alley Project - Bid Se 3 Year 2 and authorizing the payment of the contract amount to the contractor; and Resolution No. 140-16 Adopting the Final Assessment Schedule for the SRF Green Alley Project - Bid Set 3 Year 2 were adopted.

15. Iowa DOT Consolidated Funding Application - Jule Transit System: City Manager recommending approval of the submittal of the Consolidated Funding Application to the Iowa Department of Transportation for The Jule's annual operating and maintenance allocations, the Lobbying Cost Certificate, Certificate of Cost Allocation Plan and Authorizing Resolution. Upon motion the documents were received and filed and Resolution No. 141-16 Approval of grant application to Iowa DOT for Consolidated Funding was adopted.

16. Downtown Rehabilitation Grant Program Modifications: City Manager recommending approval of modifications to the City's Downtown Rehabilitation Incentive Program guidelines and application. Upon motion the documents were received, filed and approved.

17. Dubuque Police Protective Association Bargaining Agreement: City Manager recommending approval of a two-year agreement with the Dubuque Police Protective Association for the contract period beginning July 1, 2016. Upon motion the documents were received and filed and Resolution No. 142-16 Approving the Agreement between the City of Dubuque, Iowa, and Dubuque Police Protective Association and authorizing the Mayor to sign the Agreement was adopted.

18. Teamsters Collective Bargaining Agreement Amendment: City Manager recommending approval of an Amendment to the Collective Bargaining Agreement between the City of Dubuque and Teamsters Local No. 120 to provide for a work week that consists of ten hours per day and four days per week for the Maintenanceworker, Airfield Maintenanceworkers and Airport Mechanic assigned to the Airport Department effective from April 25, 2016 through September 30, 2016. Upon motion the documents were received, filed and approved.

19. Family Self-Sufficiency (FSS) Grant Application: City Manager recommending approval to apply for a Family Self-Sufficiency Coordinator Grant from the U.S. Department of Housing and Urban Development (HUD) that requests renewal funding for

two positions and new funding for one additional Family Self-Sufficiency Program Coordinator. Upon motion the documents were received and filed and Resolution No. 143-16 Authorizing the Mayor to execute an application for the HUD Family Self-Sufficiency Program Grant and authorizing the Director of Housing and Community Development and the City Manager to approve the application was adopted.

20. PEG Capital Grant Expenditure Request: City Manager recommending approval of the Cable TV Commission's request for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities for the City of Dubuque to purchase an AERO.10 audio processor to control the digital audio levels of CityChannel Dubuque. Upon motion the documents were received, filed and approved.

21. Pre-Annexation Agreement - Dubuque Hardwoods/SITCO, Inc.: City Manager recommending approval of a Pre-Annexation Agreement with Dubuque Hardwoods, Inc. and SITCO, Inc., property owners, in conjunction with a request for approval of the Plat of Survey for property located adjacent to the City of Dubuque corporate limits. Upon motion the documents were received and filed and Resolution No. 144-16 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Dubuque Hardwoods, Inc. and SITCO, Inc. was adopted.

22. Pre-Annexation Agreement - Paul J. and Carol A. Beckley: City Manager recommending approval of a Pre-Annexation Agreement with Paul J. and Carol A. Beckley, property owners of Lot 5 in Twin Ridge Subdivision. Upon motion the documents were received and filed and Resolution No. 145-16 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Paul J. and Carol A. Beckley was adopted.

23. Final Plat - Wombacher Acres Plat 2: Zoning Advisory Commission recommending approval of the Final Plat for Wombacher Acres Plat 2, 14132 North Cascade Road. Upon motion the documents were received and filed and Resolution No. 146-16 Approving the Final Plat Wombacher Acres Plat 2 in Dubuque County, Iowa was adopted.

24. Final Plat Gassman Quarry Plat 2: Zoning Advisory Commission recommending approval of the Final Plat to Gassman Quarry Plat 2, 10492 Highway 52 South. Upon motion the documents were received and filed and Resolution No. 147-16 Approving the Final Plat Gassman Quarry Plat 2 in Dubuque County, Iowa was adopted.

25. Dubuque Bank & Trust Acceptance of Easement Agreement: City Manager recommending acceptance of a Grant of Easement for Sidewalk and Utilities across Part of Lot 1 in Loetscher and Truebs Subdivision, and Lot 2 in Rigi Subdivision No. 2, City of Dubuque, Iowa, for the Grandview/Delhi and Grace Roundabout Project. Upon motion the documents were received and filed and Resolution No. 148-16 Accepting a Grant of for sidewalk and utilities over and across part of Lot 1 in Loetscher and Truebs Subdivision, and Lot 2 in Rigi Subdivision No. 2, City of Dubuque, Iowa was adopted.

26. Heritage Trail Trailhead Project TAP Grant: City Manager recommending approval of a request to increase the Iowa Department of Transportation grant and to increase the City's local match for the Dubuque Heritage Trailhead due to added construction costs. Upon motion the documents were received and filed and Resolution No. 149-16 Authorizing grant and local match funding increase for development of Dubuque Heritage Trailhead was adopted.

27. Dubuque Bank & Trust Acknowledgment of Local Match - 1501 Jackson Street Project: City Manager recommending approval of a resolution acknowledging Dubuque Bank & Trust's local match, as required by the Workforce Housing Tax Credit Project for the St. Mary's Project at 1501 Jackson Street. Upon motion the documents were received and filed and Resolution No. 150-16 Acknowledging required match funding from Dubuque Bank and Trust for the rehabilitation project at 1501 Jackson Street was adopted.

28. Community Development Block Grant Program Environmental Review Summary: City Manager recommending approval for the Mayor to sign the Environmental Review Determination as the Certifying Officer for the City of Dubuque's Fiscal Year 2017 Community Development Block Grant Program. Upon motion the documents were received, filed and approved.

29. Environmental Review - Salvia House Elevator: City Manager recommending approval for the Mayor to execute an Environmental Review Determination which states that the Salvia House Elevator Project is in compliance with all Statute Authorities of 58.5 and 58.6 and can convert to Exempt. Upon motion the documents were received, filed and approved.

30. Marquette Hall Urban Revitalization Withdrawal of Petition: City Manager informing the City Council that the petition to designate an Urban Revitalization Area for Marquette Hall has been withdrawn. Motion by Connors to receive and filed the documents. Seconded by Resnick. City Manager Van Milligen explained that the project was not awarded the necessary tax credits due to a lack of state funding and that the developers hope to resubmit plans next year. Motion carried 7-0.

31. University Lofts Urban Revitalization Withdrawal of Petition: City Manager informing the City Council that the petition to designate an Urban Revitalization Area for University Lofts has been withdrawn. Motion by Connors to receive and filed the documents. Seconded by Resnick. City Manager Van Milligen explained that the project was not awarded the necessary tax credits due to a lack of state funding and that the developers hope to resubmit plans next year. Motion carried 7-0.

32. Iowa League of Cities Conservation Innovation Grant: City Manager transmitting correspondence to the USDA Natural Resources Conservation Service committing to the Iowa League of Cities Conservation Innovation Grant. Upon motion the document was received and filed.



33. Mediacom Communications Company: Correspondence from Lee Grassley, Senior Manager of Government Relations for Mediacom Communications Company, informing the City of programming changes being implemented on or about April 30, 2016. Upon motion the document was received and filed.

34. Improvement Contracts / Performance, Payment and Maintenance Bonds: Hawkeye Electrical for the Dubuque City Hall Electrical Service Project; McDermott Excavating for the Heeb Street Retaining Wall Project; SAK Construction, LLC for the FY 16 (CIPP) Sanitary Sewer Lining Project; Top Grade Excavating for the Key West Drive Reconstruction Project. Upon motion the documents were received, filed and approved.

35. Business License Refund: Request for liquor license refund for Cue Masters Billiards, License No, LC0032948 located at 900 Central Avenue. Upon motion the document was received, filed and approved.

36. 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. 151-16 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 Connors. Motion carried 7-0.

1. Fiscal Year 2016 Second Budget Amendment: City Manager recommending the second Fiscal Year 2016 Budget Amendment be set for public hearing for May 2, 2016. Upon motion the documents were received and filed and Resolution No. 152-16 Setting the date for the public hearing on Amendment No. 2 to the Fiscal Year 2016 Budget for the City of Dubuque was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 2, 2016 in the Historic Federal Building.

2. Dubuque Industrial Center South Verena Court Project: City Manager recommending initiation of the public bidding procedure for the Dubuque Industrial Center South, Verena Court Project, and further recommends that a public hearing be set for May 2, 2016. Upon motion the documents were received and filed and Resolution No. 153-16 Preliminary approval of plans, specifications, form of contract, and estimated costs; setting date of public hearing on plans, specifications, form of contract, and estimated cost; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 2, 2016 in the Historic Federal Building.

3. Grandview Avenue, Delhi Street and Grace Street Roundabout Project: City Manager recommending initiation of the public bidding procedure for the North Grandview

Avenue and Delhi Street Roundabout Intersection Improvement Project, and further recommends that a public hearing be set for May 2, 2016. Upon motion the documents were received and filed and Resolution No. 154-16 Preliminary approval of plans, specifications, form of contract, and estimated cost; setting date of public hearing on plans, specifications, form of contract, and estimated cost; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 2, 2016 in the Historic Federal Building.

4. Development Agreement - Friends of St. Mary's/Steeple Square, 1501 Jackson Street: City Manager recommending setting a public hearing for May 2, 2016, on entering into a Development Agreement with Friends of St. Mary's d/b/a Steeple Square for the property located at 1501 Jackson Street. Upon motion the documents were received and filed and Resolution No. 155-16 Fixing the date for a public hearing of the City Council of the City of Dubuque, Iowa on the proposed issuance of Urban Renewal Tax Increment Revenue Obligations and the execution of a Development Agreement relating thereto with Friends of St. Mary's D/B/A/ Steeple Square, 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 May 2, 2016 in the Historic Federal Building.

### **BOARDS/COMMISSIONS**

Applications were reviewed for the following Board/Commission. Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

1. Human Rights Commission (Review): Two, 3-year terms through January 1, 2017 (Vacant terms of Engling and Melchert). Applicants: Jeff Lenhart, 1274 Locust St. #3; Jay Schiesl, 195 W. 17th St. The application for Beverly Maas was removed from consideration. Mr. Lenhart and Mr. Schiesl spoke in support of their respective appointments.

Appointment was made to the following Commission.

2. Sister City Relationships Advisory Commission: One, 3-year term through February 1, 2019 (Vacant term of Zygmunt). Applicant: Rachel McDermott, 1007 ½ W. 3rd St. Motion by Connors to appoint Ms. McDermott to a 3-year term. Seconded by Lynch. Motion carried 7-0.

### **PUBLIC HEARINGS**

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

1. Request to Rezone Property at 1710 and 1730 University Avenue: Proof of publication on notice of public hearing to consider approval of a request from Tom Tiefenthaler to rezone property located at 1710 & 1730 University Avenue from R-2 Two

Family Residential 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 Resnick. Developer Tom Tiefenthaler spoke in support of the request, described resolving the driveway alignment for clearance distance and safety and stated that all homes on the site are currently vacant with tenants having relocated. Planning Services Manager Laura Carstens provided a staff report. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 9-16 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 1710 and 1730 University Avenue from R-2 Two-Family Residential District to C-2 Neighborhood Shopping Center District. Seconded by Resnick. Motion carried 7-0.

2. Request to Rezone Property at 1690 Elm Street: Proof of publication on notice of public hearing to consider approval of a request from Gary Carner to rezone property located at 1690 Elm Street from LI Light Industrial to C-4 Downtown Commercial 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 Lynch. Planning Services Manager Laura Carstens provided a staff report. Council Member Connors asked that staff review the southbound, left-turn lane and street parking at 16<sup>th</sup> and Elm Streets as this project may add to the already increased traffic in the area. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 10-16 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 1690 Elm Street from LI Light Industrial District to C-4 Downtown Commercial District. Seconded by Resnick. Motion carried 7-0.

3. 2016 Pavement Marking Project: Proof of publication on notice of public hearing to consider approval of the plans, specifications, form of contract, and estimated cost for the 2016 Pavement Marking Project and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 156-16 Approval of plans, specifications, form of contract, and estimated cost for the 2016 Pavement Marking Project. Seconded by Connors. Motion carried 7-0.

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

## **ACTION ITEMS**

1. Cottingham & Butler, Inc. - Iowa Economic Development Authority Application Support: City Manager recommending approval of the submission of an Iowa Economic Development Assistance Application on behalf of Cottingham & Butler, Inc. for its proposed investment for the expansion of operations in Dubuque. Motion by Lynch to receive and file the documents and adopt Resolution No. 157-16 Authorizing the filing of

an application for State Business Financial Assistance on Behalf of Cottingham & Butler, Inc. Seconded by Connors. Motion carried 7-0.

2. Paragon Square Urban Revitalization Designation: City Manager recommending adoption of a resolution adopting the Paragon Square Urban Revitalization Area Plan for the Paragon Square Urban Revitalization Area (former Holy Ghost School) and adoption of an ordinance establishing the Paragon Square Urban Revitalization Area. Motion by Lynch to receive and file the documents and adopt Resolution No. 158-16 Approving the adoption of an Urban Revitalization Plan for the Paragon Square Urban Revitalization Area. Seconded by Connors. 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 Rios. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 11-16 Amending City of Dubuque Code of Ordinances Title 3, Revenue and Taxation, Chapter 2 Revitalization Areas, by adopting a new Section 12 Paragon Square, Establishing the Paragon Square Urban Revitalization Area, and establishing requirements for qualifying property owners. Seconded by Resnick. Motion carried 7-0.

3. Lange Estate Urban Revitalization Plan Designation: City Manager recommending adoption of a resolution approving the Urban Revitalization Plan for the Lange Estate Urban Revitalization Area (Applewood IV) and adoption of an ordinance establishing the Lange Estate Urban Revitalization Area. Motion by Connors to receive and file the documents and adopt Resolution No. 159-16 Approving the adoption of an Urban Revitalization Plan for the Lange Estate Urban Revitalization Area. Seconded by Lynch. Motion carried 7-0.

Motion by Resnick 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 Resnick for final consideration and passage of Ordinance No. 12-16 Amending City of Dubuque Code of Ordinances Title 3, Revenue and Taxation, Chapter 2 Revitalization Areas, by adopting a new Section 11 Lange Estate, establishing the Lange Estate Urban Revitalization Area, and establishing requirements for qualifying property owners. Seconded by Rios. Motion carried 7-0.

4. East/West Corridor Protective Property Acquisition at University Avenue and Asbury Road: City Manager recommending approval to acquire property at the intersection of University Avenue and Asbury Road from Fahey Family/Rainbo Oil Company to preserve the corridor identified in the East-West Corridor Connectivity Study and the future reconstruction of the University Avenue - Asbury Road Intersection. Motion by Connors to receive and file the documents and adopt Resolution No. 160-16 Approving the acquisition of real estate owned by Fahey Family / Rainbo Oil Company, in the City of Dubuque. Seconded by Del Toro. City Council discussed the need for the project and the citizen communications they received expressing concerns over project funding. City

Manager Van Milligen explained that since 80 percent of the project is federally funded, the funds cannot be used toward debt repayment adding that the project does not incur additional city debt. Motion carried 7-0.

5. Dubuque Industrial Center Building Pad 1 Sanitary Sewer Extension Project Award: City Manager recommending award of the construction contract for the Dubuque Industrial Center Building Pad 1 Sanitary Sewer Extension Project to the low bidder McDermott Excavating. Motion by Connors to receive and file the documents and adopt Resolution No. 161-16 Awarding public improvement contract for the Dubuque Industrial Center South, Building Pad 1 Sanitary Sewer Extension. Seconded by Del Toro. Motion carried 7-0.

6. 2016 Sewershed 7, 11 and 12 Manhole Replacement Project Award: City Manager recommending award of the construction contract for the 2016 Sewershed 7, 11 and 12 Manhole Replacement Project to the low bidder Connolly Construction, Inc. Motion by Lynch to receive and file the documents and adopt Resolution No. 162-16 Awarding public improvement contract for the FY16 Sewershed 7, 11, and 12 Sanitary Sewer Manhole Project. Seconded by Resnick. Motion carried 7-0.

7. Key West Drive Reconstruction Project Award: City Manager recommending award of the construction contract for the Key West Drive Reconstruction Project to the low bidder Top Grade Excavating, Inc. Motion by Lynch to receive and file the documents and adopt Resolution No. 163-16 Awarding public improvement contract for the Key West Drive Water Main Extension Project. Seconded by Del Toro. City Manager Van Milligen stated that project funding has been identified through reallocation of other capital improvements. Motion carried 7-0.

### **COUNCIL MEMBER REPORTS**

Mayor Buol reported on the National League of Cities Mayors Institute on Financial Inclusion that he is currently attending in Chicago.

Mayor Pro-Tem Jones and Council Member Resnick reported on the recent cross burning incident and expressed their thanks to the community for its support and solidarity.

### **CLOSED SESSION**

Motion by Connors to convene in closed session at 7:33 p.m. to discuss pending litigation and property acquisition pursuant to Chapter 21.5(1)(c), -(j) Code of Iowa. Seconded by Resnick. Mayor Pro-Tem Jones stated for the record, the attorneys who will consult with Council on the issues to be discussed in the closed session are Maureen Quann and Ivan Webber.

Upon motion the City Council reconvened in open session at 8:58 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 8:59 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

1t 4/27