

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

The Dubuque City Council met in special session at 5:30 p.m. on May 2, 2016 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Connors, Del Toro, Jones, Lynch, Resnick, Rios; 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 Skills Gap.

**WORK SESSION
SKILLS GAP ANALYSIS**

Rick Dickinson, CEO/President, and Kristin Dietzel, VP of Workforce Solutions for Greater Dubuque Development Corp. provided a slide presentation on Skills Gap Analysis. Topics included:

- Labor market overview
- Employment growth
- Working age population growth
- Earnings per worker
- Skills gap: methodology
- Population by race/ethnicity and gender
- Education attainment overview for Dubuque 7-county region
- Skills gap by occupation
- EMSI data calculation and projections

The City Council had discussion with Mr. Dickinson and Ms. Dietzel following the presentation.

There being no further business, upon motion the City Council adjourned at 6:20 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 5/11

**CITY COUNCIL PROCEEDINGS
REGULAR SESSION**

The Dubuque City Council met in regular session at 6:30 p.m. on May 2, 2016 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Connors, Del Toro, Jones, Lynch, Resnick, Rios; 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

PROCLAMATION(S)

KDTH Day (May 4, 2016) was accepted by KDTH News Director Jesse Gavin;
Historic Preservation Month (May 2016) was accepted by Historic Preservation Commission Chairperson Christina Monk;
Mental Health Month (May 2016) was accepted by Matt Zanger of Mental Health America – Dubuque County.

ICMA FELLOWSHIP EXCHANGE

Assistant City Manager Cindy Steinhauser introduced members of the latest International City/County Fellowship Exchange Program Mr. Sothy Roth Sam Oeurn of Cambodia, Mr. Alfian of Indonesia, Ms. Rina Rachmawati of Indonesia, Ms. Walaiporn (Bee) Phumirat of Thailand.

CONSENT ITEMS

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Resnick. Council Member Jones requested (#4) Chris Kohlmann Receives Women of Achievement Award be held for separate discussion. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 4/18; Housing Commission of 3/22; Zoning Advisory Commission of 4/6; Proof of Publication for City Council Proceedings of 4/4. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Café Fraiche for property damage/loss of revenue, Terry Leibold for vehicle damage, and Agnes Nadermann for property damage; Devon Phillips for lost property. 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: Cafe Fraiche for property damage/loss of revenue; Terry Leibold for vehicle damage; Agnes Nadermann for property damage. Upon motion the documents were received, filed and concurred.

4. Chris Kohlmann Receives Women of Achievement Award: City Manager transmitting information on Information Services Manager Chris Kohlmann receiving the Achievements in Her Field Award from the Women's Leadership Network that recognizes and honors women who have already, or aspire to, provide significant contributions in their professional, personal and volunteer roles in the community. Motion by Jones to receive and file the documents. Seconded by Resnick. Council Member Jones recognized Ms. Kohlmann for her achievements. Motion carried 7-0.

5. Ken Kringle Historic Preservation Awards: Historic Preservation Commission submitting information on the 2016 Ken Kringle Historic Preservation Awards that were presented at the April 2016 Architecture Days and recognize exemplary rehabilitation efforts of eight properties. Upon motion the documents were received and filed.

6. Historic Tax Credit Workshop: Historic Preservation Commission transmitting information on a free Historic Tax Credits Workshop on May 24, 2016 at Inspire Café sponsored by the Commission. Upon motion the documents were received and filed.

7. Sustainable Dubuque Community Grant Recommendations: City Manager recommending approval of four projects for funding from the Sustainable Dubuque Community Grant Program. Upon motion the documents were received, filed and approved.

8. Community Development Block Grant (CDBG) Fiscal Year 2016 Annual Action Plan Amendment 4: City Manager recommending adoption of the FY2016 Annual Action Plan – Amendment 4 for the Community Development Block Grant (CDBG) Program that reallocates funding for the FY2017 Annual Action Plan. Upon motion the documents were received and filed and Resolution No. 164-16 Approving Fiscal Year 2016 (Program Year 2015) Annual Action Plan Amendment 4 for Community Development Block Grant (CDBG) Funds was adopted.

9. Community Development Block Grant (CDBG) Fiscal Year 2017 Annual Action Plan: City Manager recommending approval of a resolution adopting the Fiscal Year 2017 Annual Action Plan and authorizes the City Manager to prepare and submit the Plan to the U.S. Department of Housing and Urban Development (HUD). Upon motion the documents were received and filed and Resolution No. 165-16 Adopting the Fiscal Year 2017 (Program Year 2016) Community Development Block Grant (CDBG) Annual Action Plan was adopted.

10. Contract for Services with Circles® USA: City Manager recommending approval of a contract with Circles® USA for consulting services for the Dubuque Circles® Initiative. Upon motion the documents were received, filed and approved.

11. 2016 Pavement Marking Project Award: City Manager recommending award of the public improvement contract or the 2016 Pavement Marking Project to SELCO, Inc. Upon motion the documents were received and filed and Resolution No. 166-16 Awarding the public improvement contract for the 2016 Pavement Marking Project was adopted.

12. Fiscal Year 16 Sewershed 5, 7, 11, 12 Manhole Project Award: City Manager recommending that the that the award for the FY16 Sewershed 5, 7, 11 and 12 Sanitary Sewer Manhole Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

13. Compensation Package for Non-bargaining Unit Employees

City Manager recommending that effective July 1, 2016 through June 30, 2017, the wage plans in effect on June 30, 2016 for general employee classifications and non-assigned classifications be increased by 2.5% across the board. Upon motion the documents were received and filed and Resolution No. 167-16 Approving the compensation package for Non-Bargaining Unit Employees for Fiscal Year 2016 was adopted.

14. Southwest Arterial Project Property Acquisition - Neztrop, LLC and Portzen Building Firm, LLC: City Attorney recommending approval of a Purchase Agreement for acquisition of property and easements for the Southwest Arterial Project from Neztrop, LLC and Portzen Building Firm, LLC. Upon motion the documents were received, filed and approved.

15. Pre-Annexation Agreement – Culbertson: City Manager recommending approval of a Pre-Annexation Agreement with Thomas R. and Carrie A. Culbertson, property owners of Lot 18 in Twin Ridge Subdivision. Upon motion the documents were received and filed and Resolution No. 168-16 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Thomas R. and Carrie A. Culbertson was adopted.

16. Pre-Annexation Agreement – Noel: City Manager recommending approval of a Pre-Annexation Agreement with Dennis J. and Jean M. Noel, property owners of Lot 3 in Twin Ridge Subdivision. Upon motion the documents were received and filed and Resolution No. 169-16 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Dennis J. and Jean M. Noel was adopted.

17. Pre-Annexation Agreement – Welsh: City Manager recommending approval of a Pre-Annexation Agreement with Donald and Margery A. Welsh, property owners of property located at the northeast corner of Key West Drive and Lake Eleanor Drive. Upon motion the documents were received and filed and Resolution No. 170-16 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Donald and Margery A. Welsh was adopted.

18. Urban Deer Management Plan 2016-2017: City Manager transmitting the City of Dubuque 2015-2016 Urban Deer Management Report and recommending approval of the 2016-2017 Urban Deer Management Plan. Upon motion the documents were received, filed and approved.

19. Weaver Castle, LLC - Third Amendment to Development Agreement for 1576-1580 Locust Street: City Manager recommending approval of a Third Amendment to the Development Agreement with Weaver Castle, LLC for the redevelopment of the property at 1576-1578-1580 Locust Street extending the completion date to June 30, 2016. Upon motion the documents were received and filed and Resolution No. 171-16 Approving the Third Amendment to Development Agreement between the City of Dubuque, Iowa and Weaver Castle, LLC was adopted.

20. Code of Ordinances - Adoption of Supplement 21: City Clerk recommending adoption of Supplement No. 21 to the City of Dubuque Code of Ordinances. Upon motion the documents were received and filed and Resolution No. 172-16 Adopting Supplement No. 21 to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

21. Signed Contracts: Area Residential Care, Inc., Vocation Services (ARC) agreement with the City of Dubuque for performing clean-up services in City parks. Upon motion the documents were received and filed.

22. Improvement Contracts / Performance, Payment and Maintenance Bonds: Connolly Construction for the FY16 Sewershed 7, 11, and 12 Manhole Project; McDermott Excavating for the FY16 Sewershed 5 Manhole Project; Tschiggfrie Excavating. Co. for the 2016 Bridge Repairs and Maintenance Project. Upon motion the documents were received, filed and approved.

23. Alcohol Compliance Civil Penalty for Alcohol License Holder – Days Inn & Spirits Bar & Grill: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Days Inn & Spirits Bar & Grill, 1111 Dodge Street. Upon motion the documents were received, filed and approved.

24. Tobacco Compliance – Civil Penalty for Tobacco License Holder – Tott's Tap: City Manager recommending approval of the Acknowledgment/Settlement Agreement for a tobacco compliance violation for Tott's Tap, 3457 Jackson Street. Upon motion the documents were received, filed and approved.

25. 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. 173-16 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. Carnegie-Stout Public Library - Maker Space Project: City Manager recommending preliminary approval of the construction plans and specifications, authorize the public bidding process and set a public hearing for May 16, 2016 for the Carnegie-Stout Public Library's Maker Space Project. Upon motion the documents were received and filed and Resolution No. 174-16 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 16, 2016 in the Historic Federal Building.

2. Transit Advisory Board Student Fare Recommendation: City Manager recommending that a public hearing be set for June 6, 2016 for discussion and approval of the Jule Transit student fares for the 2016-2017 school year as recommended by the Transit Advisory Board. Upon motion the documents were received and filed and Resolution No. 175-16 Setting the date for a public hearing establishing a fixed-route student fare was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 6, 2016 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. Building Code and Advisory Appeals Board: One, 3-year term through August 1, 2018 (Vacant term of Carr – Residential Contractor). Applicant: Mark Gudenkauf, 1251 Deer Creek Ridge. Mr. Gudenkauf spoke in support of his appointment and provided a brief biography.

Appointments were made to the following Board/Commission

2. Human Rights Commission (Appointments): Two, 3-year terms through January 1, 2017 (Vacant terms of Engling and Melchert). Applicants: Jeff Lenhart, 1274 Locust St. #3; and Jay Schiesl, 195 W. 17th St. Motion by Lynch to appoint Mr. Lenhart and Mr. Schiesl to 3-year terms through January 2017. Seconded by Jones. 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 Amend Plaza 20 Planned Unit Development District: Proof of publication on notice of public hearing to consider approval of a request from Sara Hutchinson to amend the Plaza 20 Planned Unit Development (PUD) District at 2600 Dodge Street to allow construction of new retail space and rezone property from R-1 Single-Family Residential to Planned Unit Development and the Zoning Advisory Commission recommending approval with the condition that the landscaping added along the east side of the PUD be a shade tree variety.

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 Resnick. Applicant Sara Hutchinson spoke in favor of the request. Planning Services Laura Carstens provided a staff report. Ms. Hutchinson and Ms. Carstens responded to questions from the City Council regarding fencing and landscaping and litter control concerns raised by the neighboring property owners. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 13-16 Amending Title 16, the Unified Development Code of the City of Dubuque Code of Ordinances by rescinding Ordinances 15-62, 67-78, 52-91, and 6-99 which established regulations for the Plaza 20 PUD Planned Unit Development District with a Planned Commercial Designation and now being amended to allow for the development of new retail space at the east side of the shopping plaza, and the rezoning of an adjacent parcel from R-1 Single-Family Residential to PUD Planned Unit Development. Seconded by Connors. Motion carried 7-0.

2. Request to Amend Tower Hills Planned Unit Development District on Rockdale Road / South Pointe Village: Proof of publication on notice of public hearing to consider approval of a request by Chris Miller to amend the Tower Hills Planned Unit Development (PUD) District on Rockdale Road to allow development of South Pointe Village; comprised of two Commercial lots and Single and Multi-Family residences and the Zoning Advisory Commission recommending approval with the condition that the secondary emergency access be required when 100 dwelling units are completed.

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. Applicant Chris Miller spoke in support of the request. Planning Services Laura Carstens provided a staff report. Ms. Carstens and City Manager Van Milligen responded to questions from the City Council regarding the number of units as it relates to the secondary emergency access road, increased traffic, evaluation of future repairs to Rockdale Road and citizen concerns about the noise ordinance and waivers as they apply to construction sites. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 14-16 Amending Title 16 of the City of Dubuque Code of Ordinances Unified Development Code by reclassifying hereinafter described property located at 2475 Rockdale Rd. from R-1 Single-Family Residential Zoning District to PUD Planned Unit Development with a PR Planned Residential Designation and amending the Tower Hills Planned Unit Development to allow the development of the South Pointe Planned Unit Development

comprised of single and multi-family residential dwellings and commercial building lots. Seconded by Lynch. Motion carried 7-0.

3. Development Agreement - Friends of St. Mary's/DBA Steeple Square, 1501 Jackson Street: Proof of publication on notice of public hearing to consider approval of 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/DBA Steeple Square and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 176-16 Approving a Development Agreement by and between the City of Dubuque, Iowa and Friends of St. Mary's./DBA Steeple Square providing for the issuance of Urban Renewal Tax Increment Revenue Obligations for the redevelopment of 1501 Jackson Street. Seconded by Del Toro. Developer John Gronen responded to questions from the City Council regarding who will maintain the facility and how facility maintenance will be paid for during the life of the development. Motion carried 7-0.

4. Dubuque Industrial Center South - Verena Court Project: Proof of publication on notice of public hearing to approve the plans, specifications, form of contract and estimated cost for the Dubuque Industrial Center South - Verena Court Project and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 177-16 Approval of plans, specifications, form of contract, and estimated cost for the Dubuque Industrial Center South - Verena Court Project. Seconded by Lynch. Motion carried 7-0.

5. Fiscal Year 2016 Second Budget Amendment: Proof of publication on notice of public hearing to approve the Fiscal Year 2016 Second Budget Amendment and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 178-16 Amending the current budget for the Fiscal Year ending June 3, 2016 as amended last on September 22, 2015. Seconded by Lynch. Motion carried 7-0.

6. North Grandview Avenue, Delhi Street and Grace Street Roundabout Project: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract and estimated cost for the North Grandview Avenue and Delhi Street Roundabout Intersection Improvement Project and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 179-16 Approval of plans, specifications, form of contract, and estimated cost for the North Grandview Avenue and Delhi Street Intersection Improvement project. Seconded by Resnick. Staff made a presentation. Topics included what is a modern roundabout, reasons for using roundabouts, description of intersection under design, and simulations. Angela Allred, 1465 Parkway St. thanked staff for the public outreach and information and addressed the City Council regarding her concerns about pedestrian and bicycle safety. Ben Wilkinson of GHD addressed Ms. Allred's concerns about planned signage and crosswalk setbacks as well as the infeasibility of a crosswalk on the slope of North Grandview Ave. north of the intersection. Motion carried 7-0.

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

ACTION ITEMS

1. Public Input and Start Time for City Council Meetings: City Attorney submitting two proposed ordinances concerning City Council discussion of the placement of Public Input on the Council agenda and adjusting the start time for regular meetings.

Restated motion by Connors to receive and file the documents and consider the first reading of a proposed ordinance amending City of Dubuque Code of Ordinances Title 1 Administration, Chapter 6 Mayor and City Council, Article A Rules and Procedure, Section 1-6A-3 Types of Meeting by establishing the meeting time for regular City Council meetings of 6:00 PM adding an effective date of June 10, 2016 if adopted. Seconded by Jones. City Council discussed the impact the time change might have on Council Member attendance at work sessions that would have to be scheduled earlier to accommodate the time change and conflicts with work schedules. Motion carried 4-3 with Del Toro, Rios, and Resnick voting nay.

Restated motion by Connors to receive and file the documents and consider the first reading of a proposed ordinance amending City of Dubuque Code of Ordinances Title 1 Administration, Chapter 6 Mayor and City Council, Article A Rules and Procedure, Sections 1-6A-11 Order of Business and Agenda and 1-6A-14 Rights of Public by clarifying the rules relating to communications to the City Council and the Public Input Agenda adding an effective date June 10, 2016 if adopted. Seconded by Resnick. Motion carried 7-0.

2. Multicultural Family Center Annual Report for 2015: Multicultural Family Center Director Farris Muhammad provided a presentation of the 2015 Multicultural Family Center Annual Report. Topics included mission statement, vision and primary goal; public/private partnerships; board of directors; staff and volunteers; programs that promote long-term learning; events that showcase dubuque's diversity; celebration of culturally significant days; programs that teach culturally distinct content; computers and technology; welcoming space and support; supporting City Council goals; financials and demographics; recognition of community donors. Motion by Jones to receive and file the documents. Seconded by Jones. Motion carried 7-0.

3. Bee Branch Creek Restoration Project Update: Civil Engineer Deron Muehring provided a presentation on the status update of the multi-phase Bee Branch Watershed Flood Mitigation Project in preparation for the May 9, 2016 walking tour of the project. Motion by Connors to receive and file the documents. Seconded by Jones. Motion carried 6-0 (Resnick having momentarily stepped out of the room). Topics included a status update on completion dates of related flood mitigation improvement projects and grant/city cost share. Focus was given to W. 32nd St. Detention Basin; Lower Bee Branch Creek Basin overlook, floating island, and gate replacement; Upper Bee Branch Creek Restoration; 22nd Street storm sewer improvements; Kaufmann Avenue storm sewer improvements; railroad culverts/tunneling; 17th Street storm sewer improvements; West Locust Street storm sewer improvements; and impervious surface reduction projects (green alleys).

COUNCIL MEMBER REPORTS

Council Member Jones reported on the partnership between NICC, Dubuque Fire Department and Paramount Ambulance for Emergency Medical Technician (EMT) education to help produce an increased pool of diverse applicants.

Mayor Buol reported on the National League of Cities Mayor's Institute of Financial Inclusion where he presented on Dubuque's Bank On program.

CLOSED SESSION

Motion by Jones at 9:54 p.m. to convene in closed session to discuss pending litigation and property acquisition pursuant to Chapter 21.5(1)(c), -(j) Code of Iowa. Seconded by Connors. Mayor Buol stated for the record that the attorney who will consult with City Council on the issues to be discussed in closed session is Assistant City Attorney Maureen Quann. Motion carried 7-0.

Upon motion the City Council reconvened in open session at 10:15 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 10:16 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 5/11