

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

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

PRESENTATION(S)

1. Mission: Lifeline Award: Heather Maier, Director of Mission: Lifeline for Iowa, presented the Mission: Lifeline Silver Award to the Dubuque Fire Department representatives Rick Steines and Dave McQuiggin.

2. Main Street Iowa 30th-Year Best Innovation Award: Dubuque Main Street Executive Director Dan LoBianco presented the Main Street Iowa 30th Year Best Innovation Award for the Caradco Building and Historic Millwork Complete Streets Project Public/Private Partnership.

PROCLAMATIONS

1. Juneteenth Celebration Day (June 18, 2016) was accepted by Multicultural Family Center Director Farris Muhammad and Assistant Director Sarah Peterson.

2. Healthy Homes Month (June 2016) was accepted by Kim Glaser, of the Housing and Community Development Department.

3. LGBTQ+ Pride Month (June 2016) was accepted by Vicki Gassman and Haley Schaar.

CONSENT ITEMS

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

1. Minutes and Reports Submitted: Airport Commission of 1/25, 2/22, 4/25; Arts and Cultural Affairs Advisory Commission of 1/26, 2/23 and 3/22; Cable TV Commission of 4/6, 5/18; City Council Proceedings of 5/16, 5/9, 5/23; Community Development Advisory Commission of 1/20, 3/16, 4/20, 5/18; Housing Commission of 4/26; Human Rights

Commission of 4/11, 4/18; Sister City Relationships Advisory Commission of 5/18; Proof of Publication for City Council Proceedings of 5/2, 5/9. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: William and Janet Siegert v. City of Dubuque; Cathy Triervieler for personal injury. 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: Cathy Triervieler for personal injury. Upon motion the documents were received, filed and concur.

4. Dubuque Golf & Country Club - Fireworks Request: Correspondence from Richard Bugalski, General Manager/CEO of the Dubuque Golf & Country Club, requesting permission to display fireworks on Monday, July 4, 2016 at about 9:30 p.m. on the DG&CC grounds with a rain date of Tuesday, July 5. Upon motion the documents were received, filed and approved.

5. Environmental Review - Pinard Park: City Manager recommending approval for the execution of the Environmental Review Record stating that the Pinard Park Lighting Project is Categorically Excluded from the National Environmental Policy Act of 1969. Upon motion the documents were received, filed and approved.

6. 2016-2017 AmeriCorps Partners in Learning Grant Application: City Manager recommending approval of the AmeriCorps Partners in Learning Campaign for Grade Level Reading grant application filed with the Iowa Commission on Volunteer Services. Upon motion the documents were received, filed and approved.

7. Truck Country Sanitary Sewer North Extension Project Award: City Manager recommending that the award for the Truck Country Sanitary Sewer North Extension Project to Top Grade Excavating, Inc., be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

8. 2016 Asphalt Overlay Access Ramps Project One Project Award: City Manager recommending that the award for the 2016 Asphalt Overlay Access Ramp Project One to Dan Arensdorf Construction, Inc., be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

9. Roosevelt Street Extension Storm Sewer and Electrical Utility Easements Project Acceptance: City Manager recommending acceptance of Storm Sewer and Electrical Utility Easements from Dubuque Fire Equipment, Inc. for an existing storm sewer and electrical utility across property at 1170 Roosevelt Street Extension. Upon motion the documents were received and filed and Resolution No. 201-16 Accepting a Grant of Easement for storm sewer and electrical utility through, over and across Lot 4, Plat of Block 1, Riverfront Subdivision No. 5, in the City of Dubuque, Iowa was adopted.

10. Bunker Hill Golf Course Irrigation Project Acceptance: City Manager recommending acceptance of the construction contract for the Bunker Hill Irrigation Project Phase 2, as completed by Leibold Irrigation Inc. Upon motion the documents were received and filed and Resolution No. 202-16 Accepting the Bunker Hill Irrigation Project Phase 2 and authorizing the payment of the contract amount to the contractor was adopted.

11. PEG Capital Grant Expenditure Request: City Manager recommending approval of the Cable TV Commission recommendation for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities for the City of Dubuque to perform a high-definition upgrade of the production facilities at the Historic Federal Building. Upon motion the documents were received, filed and approved.

12. Pre-Annexation Agreement – Firzlaff: City Manager recommending approval of a Pre-Annexation Agreement with Corey Firzlaff, property owner of Lot 15 in Twin Ridge Subdivision No. 2. Upon motion the documents were received and filed and Resolution No. 203-16 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Corey Firzlaff was adopted.

13. Approval of Plat of Survey - Stone Brook Center Second Addition: City Manager recommending approval of the Plat of Survey of Lot 1 of Lot A and Lot 2 of Lot A of Stone Brook Center Second Addition. Upon motion the documents were received and filed and Resolution No.204-16 Approving Plat of proposed vacated right-of-way of Stone Valley Drive between U.S. Highway 20 and Boulder Brook Court, being part of Lots A of Stone Brook Center Second Addition, in the City of Dubuque, Iowa was adopted.

14. First Amendment to Development Agreement - Friends of St. Mary's / Steeple Square: City Manager recommending approval of the First Amendment to Development Agreement with Friends of St. Mary's d/b/a Steeple Square for development of 1501 Jackson Street. Upon motion the documents were received and filed and Resolution No. 205-16 Approving a First Amendment to Development Agreement by and between the City of Dubuque, Iowa and Friends of St. Mary's D/B/A/ Steeple Square was adopted.

15. IDOT Emergency Detour Route Agreement - 3rd Street Bridge: City Manager recommending approval for the Mayor to execute an agreement with the Iowa DOT for the use of local roads as an authorized detour route for the 3rd Street Bridge Overpass Deck Joint Repair Project scheduled for mid-September 2016. Upon motion the documents were received and filed and Resolution No. 206-16 Approving the Iowa Department of Transportation Agreement for use of local agency roads as a detour route for the 3rd Street Bridge Overpass Deck Joint Repair Project over US 52/61/151 was adopted.

16. SW Arterial - North Cascade Road Reconstruction Project Acceptance: City Manager recommending acceptance of the public improvement construction contract for the Southwest Arterial – North Cascade Road Reconstruction Project as completed by C.

J. Moyna & Sons, Inc. Upon motion the documents were received and filed and Resolution No. 207-16 Accepting the Southwest Arterial - North Cascade Road Reconstruction Project, Iowa DOT Project No. HDP-2100 (655)--71-31 and authorizing the payment of the contract amount to the contractor was adopted.

17. Property Acquisition - Colts Building, 1101 Central Avenue: City Manager recommending approval of a resolution authorizing the purchase of 1101 Central Avenue for the appraised value and accept the deed for the property owned by Legionnaires Drum & Bugle Corps Inc. DBA Colts Drum & Bugle Corps. Upon motion the documents were received and filed and Resolution No. 208-16 Approving the acquisition of real estate owned by Legionnaires Drum & Bugle Corps, Inc. D/B/A Colts Drum & Bugle Corps located at 1101 Central Avenue in the City of Dubuque was adopted.

18. Property Acquisition - The Barony, Inc.: City Manager recommending approval of a resolution establishing and setting the fair market value based on the certified Acquisition Appraisal and Review Appraisal for property owned by The Barony, Inc. to be acquired for the purpose of construction of public utilities. Upon motion the documents were received and filed and Resolution No. 209-16 Establishing Fair Market Value, Directing Good Faith Negotiations, and Authorizing the Commencement of Eminent Domain Proceedings for the Acquisition of Certain Real Property Owned by The Barony, Inc. in Dubuque County, Iowa for the Purpose of Construction of Public Utilities was adopted.

19. Southwest Arterial Property Acquisition - Parcel 150B Ronald & Marlene Valentine: City Manager recommending acceptance of Grants of Easement and Deed from Ronald L. and Marlene Valentine for the Southwest Arterial Project. Upon motion the documents were received and filed and Resolution No. 210-16 Accepting a Grant of Permanent and Temporary Easements for the Southwest Arterial Project from Ronald L. Valentine and Marlene Valentine; and Resolution No. 211-16 Accepting a Deed for the Southwest Arterial Project from Ronald L. Valentine and Marlene Valentine were adopted.

20. Southwest Arterial Property Acquisition - Parcel 129S John & Carolyn Haupt: City Manager recommending acceptance of Deed from John C. Haupt and Carolyn S. Haupt for the Southwest Arterial Project. Upon motion the documents were received and filed and Resolution No. 212-16 Accepting a Deed for the Southwest Arterial Project from John C. Haupt and Carolyn S. Haupt was adopted.

21. Southwest Arterial Property Acquisition - Parcel 127B English Ridge, LLC: City Manager recommending acceptance of a Grant of Easement and Deed from English Ridge, LLC for the Southwest Arterial Project. Upon motion the documents were received and filed and Resolution No. 213-16 Accepting a Grant of Temporary Construction Easement for the Southwest Arterial Project from English Ridge, LLC; and Resolution No. 214-16 Accepting a Deed for the Southwest Arterial Project from English Ridge, LLC were adopted.

22. Southwest Arterial Property Acquisition - Parcel 126 Portzen Building Firm, LLC: City Manager recommending acceptance of Grants of Easement and Deed from Portzen Building Firm, LLC for the Southwest Arterial Project. Upon motion the documents were received and filed and Resolution No. 215-16 Accepting a Grant of Permanent and Temporary Easements for the Southwest Arterial Project from Portzen Building Firm, LLC; and Resolution No. 216-16 Accepting a Deed from the Southwest Arterial Project from Portzen Building Firm, LLC were adopted.

23. Southwest Arterial Property Acquisition - Parcel 125 Neztrop, LLC: City Manager recommending acceptance of Deed from NEZTROP, LLC for the Southwest Arterial Project. Upon motion the documents were received and filed and Resolution No. 217-16 Accepting a Deed for the Southwest Arterial Project from NEZTROP, LLC was adopted.

24. Southwest Arterial Property Acquisition - Parcel 101 Dubuque Metropolitan Area Solid Waste Agency: City Manager recommending acceptance of a Grant of Easement and Deed from the Dubuque Metropolitan Area Solid Waste Agency for the Southwest Arterial Project. Upon motion the documents were received and filed and Resolution No. 218-16 Accepting a Grant of Permanent Utility Easement for the Southwest Arterial Project from Dubuque Metropolitan Area Solid Waste Agency; and Resolution No. 219-16 Accepting a Deed for the Southwest Arterial Project from Dubuque Metropolitan Area Solid Waste Agency were adopted.

25. Workers' Compensation Settlement for Charles Klein: City Attorney recommending approval of an Agreement for Settlement regarding a Workers' Compensation claim that was filed against the City of Dubuque by Charles Klein. Upon motion the documents were received, filed and approved.

26. Request for Proposals - Consultant Services for ADA Review and Update of Self-Evaluation and Transition Plan: City Manager recommending approval to release a Request for Proposals to provide consultant services for an ADA Review and Update of Self-Evaluation and Transition Plan. Upon motion the documents were received, filed and approved.

27. Employee Assistance Program: City Manager recommending approval of the selection of Employee and Family Resources as the City's Employee Assistance Program provider. Upon motion the documents were received, filed and approved.

28. Request for Release of Funds for Fiscal Year 2017 Community Development Block Grant Activities: City Manager recommending approval of a Resolution authorizing the Request for Release of Funds for the proposed projects approved in the Fiscal Year 2017 (Program Year 2016) Annual Action Plan for Community Development Block Grant (CDBG) activities. Upon motion the documents were received and filed and Resolution No. 220-16 Authorizing Request for Release of Community Development Block Grant Funds for Fiscal Year 2017 (Program Year 2016) was adopted.

29. Signed Contracts: Short-Term Lease Agreement with Robert Bradley for tillable property in Franklin D. Roosevelt Park. Upon motion the document was received and filed.

30. Improvement Contracts / Performance, Payment and Maintenance Bonds: SELCO, Inc. for the 2016 Pavement Marking Project; Gansen Excavating, Inc. for the South Fork Catfish Creek to Timber-Hyrst Estates #4 North & South Lines Creek Crossings 2016; Portzen Construction, Inc. for the North Grandview Avenue and Delhi Street Roundabout Intersection Improvement Project; Visu-Sewer, Inc. for the FY 2016 Sewershed 5, 7, 11 & 12 Manhole Project. Upon motion the documents were received, filed and approved.

31. Alcohol Compliance Civil Penalty for Alcohol License Holder – Mindframe Theaters: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Mindframe Theaters, 555 John F. Kennedy Road, #105. Upon motion the documents were received, filed and approved.

32. Business License Refund: Request by Tom Thompson for a refund of the liquor license BC0020560 for Oky Doky #8 located at 535 Hill Street in the amount of \$150.00. Upon motion the document was received, filed and approved.

33. 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. 221-16 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 Lynch. Motion carried 6-0.

1. 30-Inch Force Main Relocation Project from 11th Street to 12th Street: City Manager recommending initiation of the public bidding procedure for Phase II of the 30-Inch Force Main Relocation Project from 11th Street to 12th Street, and further recommends that a public hearing be set for June 20, 2016. Upon motion the documents were received and filed and Resolution No. 222-16 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 for the Phase II of the 30-Inch Force Main Relocation Project from 11th Street to 12th Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 20, 2016 in the Historic Federal Building.

2. Vacate Petition - Stone Valley Drive Right-of-Way: City Manager recommending that a public hearing be set for June 20, 2016 to consider approval of a request from

NEZTROP, LLC to vacate a portion of right-of-way of Stone Valley Drive in Stone Brook Center Second Addition. Upon motion the documents were received and filed and Resolution No. 223-16 Resolution of Intent to vacate and dispose of City interest in a portion of the right-of-way of Stone Valley Drive between U.S. Highway 20 and Boulder Brook Court, being part of Lot A Stone Brook Center Second Addition, to be known as Lot 1 of Lot A of Stone Brook Center Second Addition, in the City of Dubuque, Iowa by sale to NEZTROP, LLC was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 20, 2016 in the Historic Federal Building.

3. Reallocation of Series 2012H General Obligation Bond Proceeds: City Manager Recommending setting a public hearing for June 20, 2016, on a proposal to reallocate not to exceed \$500,000 of the unspent proceeds of the General Obligation Bond Series 2012H from the renovation of the second floor of the Multicultural Family Center to fund the acquisition of the Colts Drum & Bugle Corps building at 1101 Central Avenue. Upon motion the documents were received and filed and Resolution No. 224-16 Fixing date for a meeting on the proposal to reallocate certain unspent proceeds of the General Obligation Bonds, Series 2012H, of the City of Dubuque, Iowa, and providing for publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 20, 2016 in the Historic Federal Building.

4. Hodge Company Lease Agreement: City Manager recommending the City Council set a public hearing for June 20, 2016 on the proposed riverfront lease with Hodge Company to lease 8.89 acres on Purina Drive. Upon motion the documents were received and filed and Resolution No. 225-16 Resolution of Intent to dispose of an interest in real property owned by the City of Dubuque by lease between the City of Dubuque, Iowa and Hodge Company was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 20, 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. Arts and Cultural Affairs Advisory Commission: Four, 3-year terms through June 30, 2019 (Expiring terms of O'Rourke-Rosenow and Riedel, Kluseman and Teckemeyer). Applicants for the Arts Representative Designation: Nicholas Bratcher, 610 West 5th St.; Bibi Burke, 1155 Arrowhead Dr.; Marina O'Rourke-Rosenow, 2085 Mullin Rd.; Susan Riedel, 282 Kelly's Bluff St.; Davis Schmitz, 1270 Arrowhead Dr.; Mary Thomas Armstrong, 728 Alta Vista St.; Audrea Walsh, 803 Lincoln Ave. Ms. Burke, Ms. Riedel and Ms. Armstrong spoke in support of their respective appointments and provided brief a brief biography of their qualifications.

2. Civic Center Advisory Commission: Two, 3-year terms through June 29, 2019 (Expiring terms of Bakke and Hill). Applicants: Rod Bakke, 3030 Karen St.; McKenzie Hill, 333 E. 10th St. #234.

3. Historic Preservation Commission: (Note: Three openings total, two different term dates). One, 3-year term through July 1, 2018 (Vacant term of Krueger – At-Large); and Two, 3-year terms through July 1, 2019 (Expiring terms of Kopczyk – Jackson Park District and Nieto – W. 11th District). Applicants: Alfred Kopczyk, 1320 Locust St. (Qualifies for Jackson Park District and At-Large); Juan Nieto, 510 W. 11th St (Qualifies for W. 11th District and At-Large); Leslie Terry, 390 Hill St. (Qualifies for At-Large only). Ms. Terry spoke in support of her appointment and provided a brief biography of her qualifications.

4. Housing Commission: One, 3-year term through August 17, 2016 (Vacant term of Woods). Applicant: Wesley Heimke, 2350 Knob Hill Dr.

5. Investment Oversight Advisory Commission: One, 3-year term through July 1, 2019 (Expiring term of Reisdorf). Applicant: Stephen Reisdorf, 740 Brookview Sq.

6. Library Board of Trustees (Mayor Appointment): Two, 4-year terms through July 1, 2020 (Vacant terms of Connors and Allred). Applicants: Robert Armstrong, 728 Alta Vista St.; Christina Monk, 2005 North Main St. Mr. Armstrong and Ms. Monk spoke in support of their respective appointments and provided a brief biography of their qualifications.

7. Long Range Planning Advisory Commission: One, 3-year term through July 1, 2019 (Expiring term of Winterwood). Applicant: Charles Winterwood, 555 Montrose Ter.

8. Parks and Recreation Advisory Commission: Three, 3-year terms through June 30, 2019 (Vacant term of Schlueter and Expiring terms of Larson and Lyness). Applicants: Robert Blocker, 880 Kane St.; Richard Kirkendall, 1725 Alta Pl.; Katherine Larson, 2535 Traut Ter.; Karen Lyness, 89 Alpine St. Mr. Blocker and Mr. Kirkendall spoke in support of their respective appointments and provided a brief biography of their qualifications. Ryan Larson, on behalf of his wife Katherine, read a prepared statement from her in support of her appointment.

PUBLIC HEARINGS

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

1. Request to Amend PUD - Historic Millwork District: Proof of publication on notice of public hearing to consider approval of a request by Keith Gutierrez to amend the Historic Millwork District Planned Unit Development (PUD) to allow microbrewery, winery and distillery as permitted uses and the Zoning Advisory Commission recommending approval as *conditional* uses with conditions related to noise and odors. 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. Motion carried 6-0. Planning Services Manager provided a staff report. Developer Keith Gutierrez addressed the City Council reiterating his comments from the May 16, 2016 meeting.

Motion by Connors for final consideration and passage of Ordinance No. 19-16 Amending Title 16, the Unified Development Code of the City of Dubuque Code of Ordinances by rescinding Ordinance 75-15 Which provides regulations for a PUD Planned Unit Development District with a Planned Commercial Designation for the Historic Millwork District PUD and now being amended to include Microbrewery, Winery and Distillery as *conditional* uses. Seconded by Lynch. Motion carried 4-2 with Rios and Del Toro voting nay.

2. Rite Hite/AB(MC)² - Expansion Development Agreement: Proof of publication on notice of public hearing to consider approval of a Development Agreement with Rite Hite/AB(MC)² for their expansion project at 4343 Chavenelle Road and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 226-16 Approving a Development Agreement by and between the City of Dubuque, Iowa and Rite Hite/AB(MC)² providing for the issuance of Urban Renewal Tax Increment Revenue Obligations for the expansion of property and creation of jobs at 4343 Chavenelle Road. Seconded by Connors. Dan McDonald, Vice President of Existing Business for Greater Dubuque Development Corp., spoke in support of the recommendation. Motion carried 6-0.

3. Transit Advisory Board Student Fare Recommendation: Proof of publication on notice of public hearing to consider approval of the Jule Transit student fares effective for the 2016-2017 school year as recommended by the Transit Advisory Board and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 227-16 Establishing a Transit Fixed-Route Student Fare. Seconded by Connors. Responding to questions from the City Council, Transit Manager Candace Eudaley and Transit Advisory Board Member Dora Serna stated that the \$10 was established by the Transit Advisory Board as a reasonable cost without creating an undue expense adding that the new process will help bus operators identify problem riders and resolve issues. Motion carried 6-0.

4. Vacating Petition - North Grandview Avenue / University Avenue Right-of-Way: Proof of publication on notice of public hearing to consider approval of a request by Tom Tiefenthaler of K&T Real Estate, LLC to vacate and dispose of City interest in a portion of the North Grandview Avenue right-of-way in the southwest corner of North Grandview Avenue and University Avenue and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 228-16 Vacating a portion of North Grandview Avenue South of University Avenue to be known as Lot 1 of Tiefenthaler 2nd Place, in the City of Dubuque, Iowa; and Resolution No. 229-16 Disposing of City Interest in Lot 1 of Tiefenthaler 2nd Place in the City of Dubuque, Iowa. Seconded by Connors. Motion carried 6-0.

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

ACTION ITEMS

1. Greater Dubuque Development Corporation - Quarterly Update: Rick Dickinson, President and CEO of GDDC provided a verbal report on the quarterly activities of GDDC including information on achieving and surpassing the goals of the NEXT Campaign in the areas of job growth, new construction, population growth (regional), and minimum/increased wages. Mr. Dickinson stated that the results of the Convergent interviews with local businesses will be announced at the GDDC annual meeting on June 22, 2016 at the Mystique Casino. Responding to questions from the City Council, Mr. Dickinson stated that it is unknown what influences the fluctuation in regional average wages and that there is great potential for commercial growth at the of Hwy 20 and the proposed SW Arterial due in part to the expansion of the City's industrial parks. Motion carried 6-0.

2. Dubuque Main Street / Farmers' Market Update: Dubuque Main Street Executive Director Dan LoBianco provided an update on the Dubuque Farmers' Market that included promotion and success of the Supplemental Nutrition Assistant Program (SNAP), possible future expansion of the market area, and responded to questions about assisting with relocating the Winter Farmers' Market currently at 1101 Central Avenue. Mr. LoBianco additionally addressed the rehabilitation of 1838 Central Avenue through a façade grant and retail store fronts in the Washington Street and Central Avenue corridors. Motion by Connors to receive and file the information. Seconded by Resnick. Motion carried 6-0.

3. Public Input at City Council Meetings (3rd Reading): City Attorney submitting a proposed ordinance concerning the placement of Public Input on the Council agenda. Motion by Connors for final consideration and passage of Ordinance No. 20-16 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. Seconded by Resnick. Motion carried 6-0.

4. Through 10. Code of Ordinances Amendments - Title 14 International Building Code; International Energy Conservation Code; International Fire Code; International Fuel Gas Code; International Mechanical Code; International Plumbing Code; and International Residential Code

The City Clerk stated that the City Attorney advised that all seven International Code items (Action Items 4-10) could be adopted with one motion if the Council desired.

City Manager recommending adoption of the International Building Code; International Energy Conservation Code; International Fire Code; International Fuel Gas Code; International Mechanical Code; International Plumbing Code; and International Residential Code.

Motion by Lynch 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 to include all seven International Code ordinances. Seconded by Resnick. Motion carried 6-0.

Motion by Lynch for final consideration and passage of Ordinance No. 21-16 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1

Building Codes, Article A Building Code and Regulations, Sections 14-1A-1 International Building Code Adopted, 14-1A-2 International Building Code Amendments, 14-1A-3 Permit Issuance Prohibited During Consideration of Zoning Reclassification or Zoning or Subdivision Text Amendments, and 14-1A-6 Building Code and Advisory Appeals Board by Repealing Such Sections and Enacting New Sections in Lieu Thereof Adopting the 2015 International Building Code;

Ordinance No. 22-16 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article C Energy Conservation Code, Sections 14-1C-1 International Energy Conservation Code Adopted and 14-1C-2 International Energy Conservation Code Amendments by Repealing Such Sections and Enacting New Sections in Lieu Thereof Adopting the 2015 International Energy Conservation Code;

Ordinance 23-16 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article E Fire Code and Regulations, Sections 14-1E-1 International Fire Code Adopted and 14-1E-2 International Fire Code Amendments by Repealing Such Sections and Enacting New Sections in Lieu Thereof Adopting the 2015 International Fire Code;

Ordinance 24-16 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article G Fuel Gas Code, Sections 14-1G-1 Fuel Gas Code Adopted and 14-1G-2 Fuel Gas Code Amendments by Repealing Such Sections and Enacting New Sections in Lieu Thereof Adopting the 2015 Fuel Gas Code;

Ordinance 25-16 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article F Mechanical Code, Sections 14-1F-1 International Mechanical Code Adopted and 14-1F-2 International Mechanical Code Amendments by Repealing Such Sections and Enacting New Sections in Lieu Thereof Adopting the 2015 International Building Code and by Adopting a New Section 14-1F-4 Establishing the Mechanical and Plumbing Code Board and Providing for the Powers, Operation, Membership, and Meetings;

Ordinance 26-16 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article H Plumbing Code, Sections 14-1H-1 International Plumbing Code Adopted and 14-1H-2 International Plumbing Code Amendments by Repealing Such Sections and Enacting New Sections in Lieu Thereof Adopting the 2015 International Plumbing Code and by Repealing Section 14-1H-7 Plumbing Code Board and Enacting a New Section 14-1H-7 Mechanical and Plumbing Code Board Providing for the Powers, Operation, Membership and Meetings;

Ordinance 27-16 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article B Residential Code, Sections 14-1B-1 International Residential Code Adopted and 14-1B-2 International Residential Code Amendments by Repealing Such Sections and Enacting New Sections in Lieu Thereof Adopting the 2015 International Residential Code. Seconded by Resnick. Motion carried 6-0.

11. WS Live - Amendment to Development Agreement: City Manager recommending approval of the Second Amendment to Development Agreement among and between the City of Dubuque, Interstate Building, LLLP and WS Live, LLC in order to correct the Termination Date in Section 6.3 to June 1, 2017. Motion by Lynch to receive and file the

documents and adopt Resolution No. 230-16 Approving the Second Amendment to Development Agreement among and between City of Dubuque, Interstate Building, LLP, and WS Live, LLC. Seconded by Connors. Motion carried 5-0 with Del Toro abstaining for possible conflict of interest as an employee of WS Live.

12. Resolution of Necessity for 210 Jones Street Urban Revitalization: City Manager recommending approval of a Resolution of Necessity for an Urban Revitalization Area at 210 Jones Street. Motion by Lynch to receive and file the documents and adopt Resolution No. 231-16 Resolution of Necessity finding that the rehabilitation, conservation, redevelopment, economic development, or a combination thereof of 210 Jones Street in the City of Dubuque, Iowa, is necessary in the Interest of public health, safety, or welfare of the residents of the City. Seconded by Resnick. Responding to questions from the City Council, City Manager Van Milligen the Urban Revitalization designation process and provided information on funding sources. Motion carried 6-0.

13. Request for Work Session - Bee Branch Creek Restoration Project Walking Tour: City Manager requesting the City Council schedule a work session for another walking tour of the Bee Branch Creek Restoration Project for Monday, July 11, 2016 at 5:30 p.m. The tour will start at the parking lot at Garfield Avenue and Pine Street. Motion by Connors to receive and file the documents and set the work session as recommended. Seconded by Lynch. Mayor Pro-Tem Jones stated that he will not be able to attend the work session. Motion carried 6-0.

COUNCIL MEMBER REPORTS

Council Member Connors reported on a presentation she made in the Council Chambers to several groups of second grade students on how a city works and congratulated the teachers for providing the opportunity.

Mayor Pro-Tem Jones reported on the recent delegation visit to Washington, DC and the meetings with legislative staff. Jones reminded everyone to vote in the primary election on Tuesday, June 7, 2016.

CLOSED SESSION

Motion by Connors at 8:16 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 Lynch. Mayor Pro-Tem Jones stated for the record that the attorney the City Council will consult with on issues to be discussed in closed session is Assistant City Attorney Maureen Quann. Motion carried 6-0.

Upon motion the City Council reconvened in open session at 8:35 p.m. having given staff proper direction.

There being no further business, upon motion the City Council adjourned at 8:36 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 6/15