

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

The Dubuque City Council met in regular session at 6:30 p.m. on June 20, 2016 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Connors (via telephone), Del Toro, Jones, Lynch, Rios; City Manager Van Milligen, City Attorney Lindahl

Absent: Council Member Resnick

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)

Northeast Iowa Community College (NICC) 50th Anniversary was accepted by NICC President Dr. Liang Chee Wee and Board of Trustees Member Dan White.

CONSENT ITEMS

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

1. Minutes and Reports Submitted: Cable TV Commission of 6/8; City Council Proceedings of 6/6; Civil Service Commission 6/2; Housing Trust Fund Commission 6/1; Historic Preservation Commission 5/19; Library Board of Trustees Update 5/26; Long Range Planning Commission 5/19; Parks and Recreation Commission 5/10; Zoning Advisory Commission 6/1; Zoning Board of Adjustments 5/26; Proof of Publication for City Council Proceedings of 5/16, 5/23 5/31; Proof of Publication for Delinquent Water, Sewer, Refuse and Stormwater Collection Accounts of 5/20, 5/27, 6/3; Proof of Publication for List of Claims and Summary of Revenues for Month Ending 4/30. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Interstate Power and Light Company for property damage; Jerrod Wernimont for property damage. Upon motion the documents were received, filed and referred to the City Attorney.

3. Disposition of Claims: City Attorney advising that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: Interstate Power for property damage; Jerrod Wernimont for property damage. Upon motion the documents were received, filed and concurred.

4. University of Iowa Recognizes City Attorney Barry Lindahl: City Manager transmitting the University of Iowa College of Law 150 People that recognizes City Attorney Barry Lindahl. Upon motion the document was received and filed.

5. Civil Service Commission - Certified Lists: Civil Service Commission submitting the certified lists for the positions of Bus Operator, Landfill Equipment Operator, Police Officer and Traffic Signal Technician II. Upon motion the documents were received, filed and made a Matter of Record.

6. Iowa Department of Natural Resources - NPDES Inspection: Correspondence from the Iowa Department of Natural Resources providing the inspection report for the Water & Resource Recovery Center (W&RRC). Upon motion the documents were received, filed and referred to the City Manager.

7. Kerper Court - Verified Claim to Renew Covenants, Conditions and Restrictions: City Manager recommending approval of a Verified Claim that will extend the restrictions on use of a property located on Kerper Court for a period of 21 years from the date of recording. Upon motion the documents were received, filed and approved.

8. Stipulation of Settlement and Notice of Voluntary Settlement - Menard, Inc. Property Tax Appeal: City Attorney recommending approval of the Stipulation of Settlement and Notice of Voluntary Settlement for the property tax appeal filed by Menards, Inc. for property located at 5300 Dodge St. Upon motion the documents were received, filed and approved.

9. Order of Dismissal - Hillcrest Associates Property Tax Appeal: City Attorney recommending approval of the Order of Dismissal for a property tax appeal filed by Hillcrest Associates for property located on Pasadena Drive. Upon motion the documents were received, filed and approved.

10. Charles Q. Foust - Pre-Annexation Agreement: City Manager recommending approval of a Pre-Annexation Agreement with Charles Q. Foust, property owner of Lot 11 in Twin Ridge Subdivision. Upon motion the documents were received and filed and Resolution No. 232-16 Approving a Pre-Annexation Agreement between the City of Dubuque Iowa and Charles Q. Frost was adopted.

11. LT Investments, LLC - Pre-Annexation Agreement: City Manager recommending approval of a Pre-Annexation Agreement with LT Investments, LLC for the subject property. Upon motion the documents were received and filed and Resolution No. 233-16 Approving a Pre-Annexation Agreement between the City of Dubuque Iowa and LT Investments, LLC was adopted.

12. Southwest Arterial Project Property Acquisition – Valentine: City Manager recommending acceptance of the Warranty Deed and Grant of Easement for Parcel 149 owned by Ronald, Marlene, and Gary Valentine related to the Southwest Arterial Project. Upon motion the documents were received and filed and Resolution No. 234-16 Accepting a Deed for the Southwest Arterial Project from Ronald L. Valentine and

Marlene Valentine, and Gary L. Valentine; and Resolution No. 235-16 Accepting a Grant of Permanent Utility Easement for the Southwest Arterial Project from Ronald L. Valentine and Marlene Valentine, and Gary L. Valentine were adopted.

13. Purchase of Services Grant Funding Recommendations: City Manager recommending approval of the recommended funding for the Fiscal Year 2017 Purchase of Services Grant applications as recommended by the Community Development Advisory Commission. Upon motion the documents were received, filed and approved.

14. Purchase of Services Grant Agreement - Dubuque County Extension: City Manager recommending approval of a Purchase of Services Grant Agreement with Dubuque County ISU Extension for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

15. Purchase of Services Grant Agreement - Four Mounds Foundation: City Manager recommending approval of a Purchase of Services Grant Agreement with Four Mounds Foundation for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

16. Purchase of Services Grant Agreement - Northeast Iowa School of Music: City Manager recommending approval of a Purchase of Services Grant Agreement with Northeast Iowa School of Music for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

17. Contracted Services Agreement - America's River Corporation: City Manager recommending approval of the Contracted Services Agreement with America's River Corporation for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

18. Contracted Services Agreement - Crescent Community Health Center: City Manager recommending approval of the Contracted Services Agreement with Crescent Community Health Center for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

19. Contracted Services Agreement - Dubuque Area Convention and Visitors Bureau: City Manager recommending execution of a Contracted Services Agreement with the Dubuque Area Convention and Visitors Bureau for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

20. Contracted Services Agreement - Dubuque Area Labor Management Council: City Manager recommending approval of the Contracted Services Agreement with the Dubuque Area Labor-Management Council for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

21. Contracted Services Agreement - Dubuque Main Street: City Manager recommending approval of the Contracted Services Agreement with Dubuque Main

Street for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

22. Contracted Services Agreement – DuRide: City Manager recommending approval of the Contracted Services Agreement with DuRide for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

23. Contracted Services Agreement - Every Child | Every Promise: City Manager recommending approval of a Contracted Services Agreement with Every Child | Every Promise for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

24. Contracted Services Agreement - Hills and Dales Senior Center Lifetime Program: City Manager recommending approval of the Contracted Service Agreement with Hills and Dales Senior Center Lifetime Program for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

25. Contracted Services Agreement - Inclusive Dubuque: City Manager recommending approval of a Contracted Services Agreement with Inclusive Dubuque for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

26. Contracted Services Agreement - Operation: New View Community Action Agency: City Manager recommending approval of the Contracted Services Agreement with Operation: New View Community Action Agency for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

27. Contracted Services Agreement - Community Foundation of Greater Dubuque / Project H.O.P.E.: City Manager recommending approval of a Contracted Services Agreement with Community Foundation of Greater Dubuque / Project H.O.P.E. for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

28. Contracted Services Agreement - Washington Tool Library: City Manager recommending approval of the Contracted Services Grant Agreement with the Washington Neighborhood Tool Library for Fiscal Year 2017. Upon motion the documents were received, filed and approved.

29. Specific and Aggregate Stop Loss Insurance Renewal: City Manager recommending approval to accept the proposal presented by AIG for Health and Prescription Drug Plans - Specific and Aggregate Stop Loss Insurance for the plan year beginning July 1, 2016, and ending June 30, 2017, and maintaining the current specific stop loss amount. Upon motion the documents were received, filed and approved.

30. Public Works Department Reorganization: City Manager recommending approval of the elimination of the current Street/Sewer Maintenance Supervisor position and the creation of the position of Assistant Public Works Director. It is further recommended that a Field Supervisor position be created to assist the Assistant Public Works Director with

on-site management of field operations. Upon motion the documents were received, filed and approved.

31. U.S. Department of Housing and Urban Development (HUD) Continuum of Care Special Needs Assistance Program: City Manager recommending approval of a one-year renewal application to the Iowa Finance Authority and to the U.S. Department of Housing and Urban Development for the administration of the Continuum of Care Special Needs Assistance Program (formerly Shelter Plus Care Program), which provides rental assistance to homeless persons with disabilities. Upon motion the documents were received and filed and Resolution No. 236-16 Authorizing the Mayor to execute an application for the Continuum of Care Grant and Authorizing the Director of Housing and Community Development and the City Manager to approve the application was adopted.

32. Environmental Review for Continuum of Care Phoenix Housing: City Manager recommending approval for the Mayor to execute the Environmental Review Determination as the Certifying Officer for the City of Dubuque. Upon motion the documents were received, filed and approved.

33. 2016 Justice Assistance Grant (JAG) Application: City Manager recommending approval to submit the 2016 Justice Assistance Grant (JAG) application. Upon motion the documents were received, filed and approved.

34. Carnegie-Stout Public Library Maker Space Project Award: City Manager recommending award of the construction contract for the Carnegie-Stout Public Library Maker Space Project to the low bidder Tricon General Construction, Inc. Upon motion the documents were received and filed and Resolution No. 237-16 Awarding public improvement contract for the Carnegie-Stout Public Library Maker Space Project was adopted.

35. Workers' Compensation Excess Insurance Renewal Fiscal Year 2016: City Manager recommending approval of the renewal rate submitted by current carrier, Safety National, for Fiscal Year 2017 Workers' Compensation Express Insurance. Upon motion the documents were received, filed and approved.

36. Public, Educational, and Government (PEG) Capital Grant Expenditure Request: City Manager recommending approval of the Cable TV Commission recommendations for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities for Loras College and for Dubuque Community Schools for digital routing upgrades to their control rooms to allow them to send true digital signals to Mediacom. Upon motion the documents were received, filed and approved.

37. Iowa Department of Transportation (DOT) Agreement - Chavenelle Rd Hike/Bike Trail: City Manager recommending authorization for the Mayor to sign the Federal Aid Agreement for Transportation Alternative Program and the DMATS TAP Agreement for funding the Chavenelle Road Hike/Bike Trail between Seippel Road and the NW Arterial. Upon motion the documents were received and filed and Resolution No. 238-16 Approving the Dubuque Metropolitan Area Transportation Study (DMATS) Transportation

Alternatives Program (TAP) Agreement; and Resolution No. 239-16 Approving the Iowa Department of Transportation Federal Aid Agreement for a Transportation Alternatives Program (TAP) Project Earmark Funded Project were adopted.

38. South Fork Catfish Creek to Timber-Hyrst #4 North Line Creek Crossings 2016 Project Acceptance: City Manager recommending acceptance of the public improvement construction contract for the Timber Hyrst Estates #4 Sanitary Sewer North Line Project as completed by Connolly Construction, Inc. Upon motion the documents were received and filed and Resolution No. 240-16 Accepting the Timber Hyrst Estates #4 Sanitary Sewer North Line Project and Authorizing the Payment to the Contractor was adopted.

39. South Fork Catfish Creek to Timber-Hyrst #4 South Line Creek Crossings 2016 Project Acceptance: City Manager recommending acceptance of the public improvement construction contract for the Timber Hyrst Estates #4 Sanitary Sewer South Line Project as completed by Connolly Construction, Inc. Upon motion the documents were received and filed and Resolution No. 241-16 Accepting the Timber Hyrst Estates #4 Sanitary Sewer South Line Project and Authorizing the Payment to the Contractor was adopted.

40. Eagle Point Park Parking Lot Resurfacing Project Acceptance: City Manager recommending acceptance of the public improvement construction contract for the Eagle Point Parking Lot Resurfacing Project as completed by River City Paving. Upon motion the documents were received and filed and Resolution No. 242-16 Accepting the Eagle Point Parking Lot Resurfacing Project and Authorizing the Payment to the Contractor was adopted.

41. SRF Green Alley Project Bid Set 6 - Year 1 Project Acceptance: City Manager recommending acceptance of the construction contract and the establishment of the Final Schedule of Assessments for the SRF Green Alley Bid Set 6 – Year 1 Project as completed by Drew Cook and Sons Excavating. Upon motion the documents were received and filed and Resolution No. 243-16 Accepting the SRF Green Alley Project - Bid Set 6 - Year 1 and Authorizing the Payment of the Contract Amount to the Contractor; and Resolution No. 244-16 Adopting the Final Assessment Schedule for the SRF Green Alley Project - Bid Set 6 Year 1 were adopted.

42. Dittmer Recycling Incorporated - Recyclables Processing Agreement: City Manager recommending approval of a five-year agreement with Dittmer Recycling Incorporated for processing and marketing the City's collected recyclables. Upon motion the documents were received, filed and approved.

43. Signed Contracts: American Builders and Contractors (ABC) Supply Co., Inc., Second Amendment to Lease Agreement with the City of Dubuque; Iowa Department of Inspections and Appeals Interagency Agreement with the City of Dubuque for Food Establishments; Selser Schaefer Architects for the Five Flags Theater and Ham House Masonry Projects; Top Grade Excavating Change Order for the Key West Drive Water Main Extension Project. Upon motion the documents were received and filed.

44. Improvement Contracts / Performance, Payment and Maintenance Bonds: Dan Arensdorf Construction, Inc. for the 2016 Asphalt Overlay Access Ramp Project One. Upon motion the documents were received, filed and approved.

45. Alcohol and Tobacco License Applications: City Manager recommending approval of annual liquor, beer, wine and tobacco license applications as submitted. Upon motion the documents were received and filed and Resolution No. 245-16 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; and Resolution No. 246-16 Approving applications for retail cigarette/tobacco sales/nicotine/vapor permits, as required by Iowa Code 453A.47A were 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 Del Toro. Motion carried 6-0.

1. 210 Jones Street - Urban Revitalization Plan: City Manager recommending set a public hearing for August 1, 2016, on the adoption of an Urban Revitalization Plan for the 210 Jones Street Urban Revitalization Area. Upon motion the documents were received and filed and Resolution No. 247-16 Fixing the Date for a Public Hearing on the Matter of the Adoption of a Proposed Urban Revitalization Plan for the 210 Jones Street Urban Revitalization Area was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on August 1, 2016 in the Historic Federal Building.

2. Dubuque River Rides Docking Lease Agreement: City Manager recommending the City Council set a public hearing on the proposed Docking License Agreement with Dubuque River Rides for July 5, 2016. Upon motion the documents were received and filed and Resolution No. 248-16 Resolution of Intent to dispose of an interest in City-owned real estate in the Dubuque Ice Harbor by Docking License Agreement to Dubuque River Rides, setting a time and place for hearing 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 July 5, 2016 in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointments to the following commissions were made at this meeting.

1. Arts and Cultural Affairs Advisory Commission: Four, 3-year terms through June 30, 2019 (Expiring Arts Representative terms of O'Rourke-Rosenow, Riedel, Kluseman and Teckemeyer). All applicants applied for the Arts Representative designation. Applicants: Nicholas Bratcher, 610 West 5th St.; Bibi Burke, 1155 Arrowhead Dr.; Gail Chavenelle, 1155 Kelly Ln. (Additional Applicant); Ali Lévasseur, 1318 Jackson St. (Additional Applicant); Marina O'Rourke-Rosenow, 2085 Mullin Rd.; Susan Riedel, 282 Kelly's Bluff

St.; David Schmitz, 1270 Arrowhead Dr.; Mary Thomas Armstrong, 728 Alta Vista; Audrea Walsh, 803 Lincoln Ave.; Chad Witthoeft, 430 Alpine St. (Additional Applicant).

Upon roll-call vote, Nicolas Bratcher (3), Susan Riedel (6), David Schmitz (6) and Mary Armstrong (3) were appointed to 3-year terms through June 30, 2019. (Bratcher = Jones, Lynch, Connors; Burke = Del Toro, Rios; Chavenelle = Lynch; Levasseur = Connors; O'Rourke = Del Toro, Rios; Riedel = All; Schmitz = All; Armstrong = Jones, Lynch, Buol; Walsh = 0; Witthoeft = 0)

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. Motion by Lynch to appoint Mr. Bakke and Ms. McKenzie to 3-year terms through June 29, 2019. Seconded by Del Toro. Motion carried 6-0.

3. Historic Preservation Commission: One, 3-year term through July 1, 2018 (Vacant term of Krueger – At-Large); 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). Motion by Jones to appoint Leslie Terry to the 3-year, at-large term through July 1, 2018; Juan Nieto to the 3-year, 11th St. District term through July 1, 2019; and Alfred Kopczyk to the 3-year, Jackson Park District term through July 1, 2019. Seconded by Lynch. Motion carried 6-0.

4. Housing Commission: One, 3-year term through August 17, 2016 (Vacant term of Woods). Applicant: Wesley Heimke, 2350 Knob Hill Dr. Motion by Lynch to appoint Mr. Heimke to a 3-year term through August 17, 2016 (correct term date is 2016). Seconded by Rios. Motion carried 6-0.

5. Investment Oversight Advisory Commission: One, 3-year term through July 1, 2019 (Expiring term of Reisdorf). Applicant: Stephen Reisdorf, 740 Brookview Sq. Motion by Lynch to appoint Mr. Reisdorf to a 3-year term through July 1, 2019. Seconded by Del Toro. Motion carried 6-0.

6. Library Board of Trustee: Two, 4-year terms through July 1, 2020 (Expiring terms of Connors and Allred). Applicants: Robert Armstrong, 728 Alta Vista St.; Christina Monk, 2005 North Main St.; Irene Raby, 160 N. Algona St. (Additional Applicant). Upon Council concurrence, Mayor Buol appointed Mr. Armstrong and Ms. Monk to 4-year terms through July 1, 2020.

7. Long Range Planning Advisory Commission: One, 3-year term through July 1, 2019 (Expiring term of Winterwood). Applicant: Charles Winterwood, 555 Montrose Ter. Motion by Jones to appoint Mr. Winterwood to a 3-year term through July 1, 2019. Seconded by Lynch. Motion carried 6-0.

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. Upon roll-call vote Mr. Kirkendall (4); Ms. Larson (6) and Ms. Lyness (6) were appointed to 3-year terms through June 30, 2019. (Blocker = Del Toro, Connors; Kirkendall = Rios, Jones, Lynch, Buol; Larson = all; Lyness = all)

PUBLIC HEARINGS

1. Request to Rezone - W. 32nd Street Parcel by Dubuque PONY League: Proof of publication on notice of public hearing to consider a request by the Dubuque PONY League / Greg Yoko to rezone 77.37 acres of property located at W. 32 Street (PIN 10-15-276-004) at Carter Road from AG Agricultural to CR Commercial Recreation Zoning District and the Zoning Advisory Commission recommending denial (lack of affirmative votes). The City Clerk acknowledged receipt of correspondence from Greg Yoko requesting the request be returned to the Zoning Advisory Commission. Motion by Jones to refer the request back to the Zoning Advisory Commission Seconded by Lynch. Motion carried 6-0.

2. Hodge Company Lease Agreement: Proof of publication on notice of public hearing to consider approval of a riverfront lease agreement with Hodge Company to lease 8.89 acres on Purina Drive and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 249-16 Approving the Disposal of an Interest in Real Property Owned by the City of Dubuque by Lease between the City of Dubuque, Iowa and Hodge Company. Seconded by Jones. Motion carried 6-0.

3. Vacate Petition - Stone Valley Drive Right-of-Way: Proof of publication on notice of public hearing 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 and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 250-16 Vacating a portion of Stone Valley Drive between U.S. Highway 20 and Boulder Brook Court to be known as Lot 1 of Lot A of Stone Brook Center Second Addition, in the City of Dubuque, Iowa; and Resolution No. 251-16 Disposing of City Interest in Lot 1 of Lot A of Stone Brook Center Second Addition, in the City of Dubuque, Iowa. Seconded by Jones. Motion carried 6-0.

4. 30-Inch Force Main Relocation Project from 7th Street to 12th Street (Phase II): Proof of publication on notice of public hearing to consider approval of the plans, specifications, form of contract and the estimated cost for Phase II of the 30-Inch Force Main Relocation Project from 11th Street to 12th Street and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 252-16 Approval of Plans, Specifications, Form of Contract, and Estimated Cost for Phase II of the 30-Inch Force Main Relocation Project from 11th Street to 12th Street. Seconded by Jones. Motion carried 6-0.

5. Reallocation of Series 2012H General Obligation Bond Proceeds: Proof of publication on notice of public hearing to consider the reallocation of 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 and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 253-16 Instituting Proceedings to Take Additional Action and Approving the Reallocation of Certain Unspent Proceeds of the General Obligation Bonds, Series 2012H, of the City of Dubuque, Iowa. Seconded by Lynch. Motion carried 6-0.

PUBLIC INPUT

Public comment was received relating to the Action Item #1 on the Integrated Pest Management Program: Carolyn Pettit-Lange, 549 Almond St.; Hillary Baker, 2575 Broadway St.; Brian Blair and Noah Blair, 3895 Creston St.; and Mary Loney Bichell, 595 W. 11th St. addressed the City Council about their concerns with the use of pesticides and toxic chemicals in public parks/areas, with some requesting a broader ban on chemicals, citing related personal health issues, stating that the Integrated Pest Management Program is a good beginning, and endorsing ongoing committee work. Ms. Lange submitted an on-line petition requesting a ban on toxic pesticides from Dubuque Public Spaces.

ACTION ITEMS

1. Integrated Pest Management Program and Presentation (IPM): City Manager recommending adoption of an Integrated Pest Management Program. Staff will make a presentation. Restated motion by Lynch to Receive and file the documents and approve the recommendation. Seconded by Jones. Motion carried 6-0. City staff members Sustainability Coordinator Cori Burbach, Leisure Services Manager Marie Ware, Health Services Manager Mary Rose Corrigan, Jeff Ahlers, Public Works Director John Klostermann, Recreation Division Manager Dan Kroger, and Parks Division Manager Steve Fehsal provided a presentation on the IPM with topics including background/history of the IPM work group, current and adjusted city practices, state/federal regulations, budget impact and public education/information.

2. Definition of Related Party Transaction: City Manager recommending approval of a resolution defining “direct and indirect interest” to include spouse and unemancipated minor children of a City employee or officer for related party transactions. Motion by Lynch to receive and file the documents and adopt Resolution No. 254-16 Approving the definition of a direct or indirect interest for purposes of Iowa Code § 362.5 Prohibiting a City Officer or employee from having a “direct or Indirect interest” in a contract with the City. Seconded by Rios. Motion carried 6-0.

3. Comprehensive Plan Update Contract: City Manager recommending approval of the selection of Teska Associates as the consultant to undertake the City of Dubuque Comprehensive Plan Update. It is further recommended that the City Manager be authorized to negotiate a contract with Teska Associates, with plan documents completed and ready for adoption by August 30, 2017. Motion by Lynch to receive and file the documents and approve the recommendation. Seconded by Jones. Motion carried 6-0.

4. Contracted Services Agreement - Greater Dubuque Development Corporation for Fiscal Year 2017: City Manager recommending approval of a contracted Services Agreement with Greater Dubuque Development Corporation for Fiscal Year 2017 and amendment to the Fiscal Year 2016 funding. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Lynch. Motion carried 6-0.

5. Request for Proposals - Commercial Real Estate: City Manager recommending approval to release a Request for Proposals for real estate services related to properties owned by the City of Dubuque. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Rios. Motion carried 6-0.

6. Code of Ordinances Amendment - Title 4 Chapter 7 Vehicles for Hire and Public Transportation: City Manager recommending approval of amendments to Title 4, Business and License Regulations, Chapter 7, Vehicles for Hire and Public Transportation, Article B, Motorized Vehicles for Hire, Section 4-7B-8. Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Lynch. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 29-16 Amending City of Dubuque Code of Ordinances Title 4 Business and License Regulations, Chapter 7 Vehicles for Hire and Public Transportation, Article B Motorized Vehicles For Hire, Section 4-7b-8 Taxicab Business License and Taxicab Driver's Permit to Include Ineligibility Criteria for a Taxicab Driver's Permit and Additional Reasons for Denial, Suspension, or Revocation of a Taxicab Driver's Permit. Seconded by Lynch. Motion carried 6-0.

7. Code of Ordinances Amendment - Title 6 International Property Maintenance Code Amendments: City Manager recommending approval of an ordinance which amends Ordinance 8-16 by adjusting the notice of violation provision, adding definitions for "Building Official" and "Code Official", and modifying the Housing Board of Appeal provisions to be consistent with the provisions for other boards and commissions of the City. 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. Seconded by Jones. Motion carried 6-0.

Motion by Lynch for final consideration and passage of Ordinance No. 30-16 Amending Ordinance 8-16 which repealed Title 6, Chapter 6 of the City of Dubuque Code of Ordinances and all other Ordinances or parts of laws in conflict therewith; adopted the 2015 Edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings, and structures; provided the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and condemning buildings and structures unfit for human occupancy and use, and the demolition of such existing structure in the City of Dubuque; provided for the issuance of permits and collection of fees therefor; and adopted a new Article within Title 14, Chapter 1 as Article J; by adjusting the Notice of Violation provision, adding definitions for Building Official and Code Official, and modifying the Housing Board of Appeal Provisions to be

consistent with the provisions for other Boards and Commissions of the City. Seconded by Jones. Motion carried 6-0.

8. Code of Ordinances Amendment - References to Title 6, Chapter 6 Former Housing Code: City Manager recommending approval of an ordinance which adjusts any references to Title 6, Chapter 6 to the updated and proper Code resulting from adoption of the International Property Maintenance 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. Seconded by Rios. Motion carried 6-0.

Motion by Lynch for final consideration and passage of Ordinance No. 31-16 Amending City of Dubuque Code of Ordinances: Title 2 Boards and Commissions, Chapter 5; Title 3 Revenue and Taxation, Chapter 4; Title 6 Health, Housing, Sanitation and Environment, Chapter 4; Title 8 Human Rights, Chapter 5; Title 14 Building and Development, Chapters 2 & 3; Title 14 Building and Development, Chapter 4 by replacing any references to "Housing Code" with "Property Maintenance Code" and any references to "Title 6, Chapter 6" with "Title 14, Chapter 1" and by replacing the definition of "Housing Code" with "Property Maintenance Code." Seconded by Jones. Motion carried 6-0.

9. Code of Ordinances Amendment - Title 2 Resilient Community Advisory Commission: City Manager is recommending the formation of a Resilient Community Advisory Commission as initiated during the August 2015 City Council goal-setting process. Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Lynch. Motion failed 5-1 with Del Toro voting nay.

Motion by Jones to consider the first reading of a proposed ordinance Amending City of Dubuque Code of Ordinances Title 2 Boards and Commissions by Repealing Chapter 6 Environmental Stewardship Advisory Commission and Adopting a New Chapter 6 Resilient Community Advisory Commission in Lieu Thereof Establishing the Resilient Community Advisory Commission and Providing for the Powers, Operation, Membership, and Meetings. Seconded by Lynch. Motion carried 5-1 with Del Toro voting nay. Health Services Manager Mary Rose Corrigan and Sustainability Coordinator Cori Burbach provided a verbal presentation that recapped the process and resources used to create the commission and reviewed results of the community engagement sessions.

10. National Disaster Resilience Grant (NDRG): City Manager recommending approval of the implementation plan associated with the National Disaster Resilience Grant (NDRG) from the U.S. Department of Housing and Urban Development (HUD). Staff made a presentation. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Lynch. Motion carried 6-0.

Assistant City Manager Teri Goodmann, Civil Engineer Deron Muehring, Housing and Community Development Director Alvin Nash, Health Services Manager Mary Rose Corrigan, and Senior Budget Analyst Alexis Steger provided a slide presentation on the grant competition. Topics included an introduction and overview, review of infrastructure, city flooding history, housing/neighborhood/community impact, Green and Healthy Homes Initiative, staffing framework and budget components.

COUNCIL MEMBER REPORTS

Council Member Jones reported on the death of former City/County Emergency Management Director Robert “Bob” Gooch on June 16, 2016.

CLOSED SESSION

Motion by Jones to convene in closed session at 10:07 p.m. to discuss pending litigation and property acquisition pursuant to Chapter 21.5(1)(c), -(j) Code of Iowa. Seconded by Rios. Motion carried 6-0. Mayor Buol stated for the record that the attorneys who will consult with City Council on the issues to be discussed in the closed session are City Attorney Barry Lindahl, and Assistant City Attorney Maureen Quann.

Upon motion, the City Council reconvened in open session at 10:37 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 10:38 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 6/29