

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

The Dubuque City Council met in regular session at 6:00 p.m. on January 17, 2017 in the Historic Federal Building, 350 W. 6th Street.

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

Absent: Mayor Buol

Mayor Pro-Tem Lynch read the call and stated this is a regular session of the City Council called for the purpose of conducting such business that may properly come before the City Council.

PLEDGE OF ALLEGIANCE

CONSENT ITEMS

Motion by Connors to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Jones. Council Member Del Toro requested Item No. 18 Municipal Parking Ramp/Lot Hourly Rate Adjustment be held for separate discussion. Motion carried 6-0.

1. Minutes and Reports Submitted: City Council Proceedings of 1/3/17; Park and Recreation Commission of 12/13/16; Zoning Advisory Commission of 1/12/17; Zoning Board of Adjustment of 12/22/16; Proof of Publication for City Council Proceedings of 12/5/16; 12/12/16; and 12/19/16. Upon motion the documents were received, filed and approved.

2. 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: Tom Giese for property damage. Upon motion the documents were received, filed and concurred.

3. Human Rights Department Annual Report: City Manager transmitting the Fiscal Year 2016 Human Rights Department Annual Report. Upon motion the document was received and filed.

4. Gallagher Benefit Services Renewal Proposal: City Manager recommending approval of an amendment to the Administrative Services Agreement with Gallagher Benefit Services, Inc. for benefit consulting and actuarial services, and authorization for the City Manager to execute the agreement. Upon motion the documents were received, filed and approved.

5. Actuarial Valuation of Post-Employment Benefits: City Manager recommending that Menard Consulting, Inc., be selected to conduct the GASB-45 actuarial valuation for 2017. Upon motion the documents were received, filed and approved.

6. Acceptance of Deed - 1146 Elm Street: City Manager recommending acceptance of the deed to property located at 1146 Elm Street from Stackis, LLC. Upon motion the documents were received and filed and Resolution No. 17-17 Accepting the Deed to certain real estate in Dubuque County, Iowa from Stackis, LLC was adopted.

7. Plat of Survey - 1100 Mela Drive: Zoning Advisory Commission recommending approval of a Plat of Survey for 1100 Mela Drive (Schramm Place) subject to waiving the lot frontage for Lot 1 of Schramm Place. Upon motion the documents were received and filed and Resolution No. 18-17 Approving the Plat of Survey for Lot 1 of Schramm Place in the City of Dubuque, Iowa was adopted.

8. Plat of Survey - 1097 Mela Drive: Zoning Advisory Commission recommending approval of the Plat of Survey for 1097 Mela Drive (Stark Place) subject to waiving the lot frontage requirements for Lot 1 of 1 and Lot 2 of 1 of Stark Place. Upon motion the documents were received and filed and Resolution No. 19-17 Approving the Plat of Survey of Lot 1-1 & Lot 2-1 of Stark Place in the City of Dubuque, Iowa was adopted.

9. Site Plan Review - 3375 Lake Ridge Drive: Zoning Advisory Commission recommending approval of a Site Plan for 3375 Lake Ridge Drive for Statera Integrated Health and Wellness Solutions. Upon motion the documents were received, filed and approved.

10. Acceptance of the SRF Green Alley Project Bid Set 2 -Year 3: City Manager recommending acceptance of the construction contract for the SRF Green Alley Bid Set 2-Year 3 Project, as completed by Drew Cook and Sons Excavating, Inc., and adoption of the Final Schedule of Assessments. Upon motion the documents were received and filed and Resolution No. 20-17 Accepting the SRF Green Alley Project Bid - Set 2 Year 3 and Authorizing the payment of the contract amount to the contractor; and Resolution No. 21-17 Adopting the Final Assessment Schedule for the SRF Green Alley Project Bid Set 2 Year 3 were adopted.

11. Acceptance of SRF Green Alley Project Bid Set 3 - Year 3: City Manager recommending acceptance of the construction contract for the SRF Green Alley Bid Set 3-Year 3 Project, as completed by Portzen Construction, and adoption of the Final Schedule of Assessments. Upon motion the documents were received and filed and Resolution No. 22-17 Accepting the SRF Green Alley Project - Bid set 3 Year 3 and authorizing the payment of the contract amount to the contractor; and Resolution No. 23-17 Adopting the Final Assessment Schedule for the SRF Green Alley Project - Bid Set 3 Year 3 were adopted.

12. Acceptance of Elm Street Reconstruction Project - 9th to 12th Streets: City Manager recommending acceptance of the construction contract for the Elm Street

Reconstruction Project (9th to 12th Streets), as completed by Horsfield Construction. Upon motion the documents were received and filed and Resolution No. 24-17 Accepting the Elm Street Reconstruction Project (9th to 12th) and authorizing the payment of the contract amount to the contractor was adopted.

13. Approval to Construct a Surface Parking Lot - 1100 Jackson Street: City Manager recommending approval for Dubuque Jackson Real Estate, LLC to construct a surface parking lot at 1100 Jackson Street in the Historic Millwork District Planned Unit Development that will be associated with Marriot Towne Place Suites. Upon motion the documents were received, filed and approved.

14. Great Lakes Career Ready Internship Request: City Manager recommending approval to utilize the Great Lakes Career Ready Internship Grant Program to employ a temporary part-time intern in the Human Rights Department in spring 2017 to be dedicated to working with the My Brother's Keeper Network. Upon motion the documents were received, filed and approved.

15. Bee Branch Watershed Flood Mitigation Project, HUD National Disaster Resilience Competition Grant, Infrastructure, Contract Award for General Administrative Services: City Manager recommending approval of the execution of a contract with East Central Intergovernmental Association (ECIA) to provide general grant administration services related to the City's use of Community Development Block Grant Program Disaster Recovery – National Disaster Resiliency funds for infrastructure improvements associated with the Bee Branch Watershed Flood Mitigation Project. Upon motion the documents were received and filed and Resolution No. 25-17 Approving the contract for 2016 CDBG National Disaster Resiliency Infrastructure Grant Administration to East Central Intergovernmental Association was adopted.

16. Department of Natural Resources (DNR) Compliance Date Extension Request: Correspondence from the DNR approving the City's request for extending the compliance deadline date associated with Central Iowa Water Association to December 31, 2017. Upon motion the document was received and filed.

17. Dubuque Metropolitan Area Solid Waste Agency (DMASWA): Correspondence from the DMASWA notifying the City of the Agency's Fiscal Year 2018 budget and fee schedule approved by the Agency's Board of Directors on December 21, 2016. Upon motion the document was received and filed.

18. Municipal Parking Ramp/Lot Hourly Rate Adjustment: City Manager recommending adjusting the rates in the parking ramps to accommodate the newly purchased gate equipment. Motion by Del Toro to receive and file the documents and adopt Resolution No. 26-17 Authorizing the City Manager to adjust the fees and charges for the parking of motor vehicles in the municipal parking ramps. Seconded by Connors. Responding to questions from the City Council, Parking System Supervisor Tim Horsfield explained the reason for the new rates, stated that the adjustment does not affect monthly parking rates and that new parking industry equipment is moving toward only accepting credit card and

currency payment and away from the use of coins. Mr. Horsfield added that about 40 percent of customers pay by credit card and that the City pays all credit card transaction fees, which totals about \$20,000 per year. Motion carried 6-0.

19. Improvement Contracts / Performance, Payment and Maintenance Bonds: Top Grade Excavating, Inc., for the South Grandview Avenue Storm Sewer Project. Upon motion the document was received, filed and approved.

20. 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. 27-17 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.

BOARDS/COMMISSIONS

The City Council reviewed applications to the following Boards/Commissions. Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

1. Community Development Advisory Commission: One, 3-year term through February 15, 2020 (Expiring term of Blok). Applicant: Robert W. Blok, 2447 University Ave.

2. Sister City Relationship Advisory Commission: Four, 3-year terms through February 1, 2020 (Expiring terms of Castaneda, Felderman, Landis and Ward). Applicants: Sheila Castaneda, 1014 Dunham Dr.; Robert Felderman, 241 Southgate Dr.; Dick Landis, 2390 Clarke Crest Dr.; Annalee Ward, 2758 Tiffany Ct. Ms. Ward and Mr. Landis spoke in support of the Commission and their respective appointments.

PUBLIC HEARINGS

1. Vacate Petition for a Portion of Kerper Blvd. Right-of-Way: Proof of publication on notice of public hearing to approve the vacation of a portion of Kerper Boulevard right-of-way north of the intersection of Fengler Street and Kerper Boulevard adjacent to Lot 1 of Block 19 of River Front Subdivision No. 3 owned by Giese Company, and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 28-17 Disposing of City Interest in Lot 1C of Block 19 of River Front Subdivision No. 3, in the City of Dubuque, Iowa; and Resolution No. 29-17 Vacating a portion of Kerper Boulevard Adjacent to Lot 1 Block 19 of River Front Subdivision No. 3, to be known as Lot 1C of Block 19 of River Front Subdivision No. 3, in the City of Dubuque, Iowa. Seconded by Connors. Motion carried 6-0.

2. Request to Rezone - 13828 Old Highway Road: Proof of publication on notice of public hearing to consider approval of a request by William A. & Janet L. Siegert to rezone property located at 13828 Old Highway Road from Dubuque County R-2 Single-Family Residential to City of Dubuque C-3 General Commercial District, concurrent with annexation to the City of Dubuque. Motion by Connors to receive and file the documents

and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Rios. Planning Services Manager Laura Carstens provided a staff report. Motion carried 6-0.

Motion by Connors for final consideration and passage of Ordinance No. 2-17 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property, in conjunction with annexation, located at 13828 Old Highway Road from County R-2 Single-Family Residential District to City C-3 General Commercial District. Seconded by Jones. Motion carried 6-0.

3. Voluntary Annexation - William and Janet Siegert - Old Highway Road: Proof of publication on notice of public hearing to approve a voluntary annexation request from William and Janet Siegert for five acres of property they own located between Old Highway Road and U.S. Highway 20/Dodge Street, submitted concurrently with an application to rezone the property and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 30-17 Approving an application for voluntary annexation of territory to the City of Dubuque, Iowa. Seconded by Del Toro. Motion carried 6-0.

4. Request to Rezone - Cedar Ridge Farm Place #9 (Tri-State Independent Blind Society): Proof of publication on notice of public hearing to consider approval of a request by Tri-State Independent Blind Society, Inc. to rezone property located at Lot 1, Cedar Ridge Farm Place #9, from LI Light Industrial to C-3 General Commercial District to accommodate a new Tri-State Independent Blind Society facility. 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 Connors. Planning Services Manager Laura Carstens provided a staff report. TSIBS Secretary/Treasurer Pam Gagne and Executive Director Don Gagne spoke in support of the rezoning. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 3-17 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located along Cedar Cross Road from LI Light Industrial District to C-3 General Commercial District. Seconded by Connors. Motion carried 6-0.

5. Sale of 1069 Vernon Street: Proof of publication on notice of public hearing to consider approval of the sale of City-owned property at 1069 Vernon Street to Craig Norton. Motion by Connors to receive and file the documents and adopt Resolution No. 31-17 Disposing of City interest in real property located at 1069 Vernon Street in the City of Dubuque, Iowa. Seconded by Jones. Motion carried 6-0.

PUBLIC INPUT

Paul Uzel, 61 N. Algona St., spoke in support of a source of income ordinance citing his faith-based support of and work with the homeless.

Thomas Priebe, 14928 Old Highway Rd., spoke about his concerns related to what he believes are unhealthy working conditions at Flora Park, and that he thinks caused his health issues during the time he was a seasonal employee.

Matthew Zanger, 261 Southgate Dr., spoke about information he gathered regarding apartments advertised for rent, whether or not Housing Choice Vouchers are accepted and statements made to him about not participating in the HCV program from those he spoke to.

ACTION ITEMS

1. Request for Work Session - Quarterly Inclusive Dubuque Work Session: City Manager requesting that the City Council schedule the quarterly Inclusive Dubuque work session for April 24, 2017 at 6:00 p.m. Motion by Jones to receive and file the documents and set the work session as recommended. Seconded by Connors. Motion carried 6-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported on the recent Leadership Dubuque session and commended the Chamber of Commerce for continuing to provide the program.

Council Member Connors reported on a recent presentation she made to a Cub Scout troop about elected officials and the opportunity to engage potential future civic leaders.

Council Member Resnick reported on a recent meeting he had with Antonina Erba regarding starting a conversation about banning gay conversion therapy and that he had referred Mr. Erba to the Human Rights Department.

There being no further business, upon motion the City Council adjourned at 6:36 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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