

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

The Dubuque City Council met in regular session at 6:00 p.m. on December 5, 2016 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Connors, Jones, Lynch, Resnick, Rios; City Manager Van Milligen, City Attorney Brumwell

Absent: Council Member Del Toro

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

AMENDMENT TO AGENDA

Upon receipt of correspondence and a request from staff, Council Member Connors motioned to remove Public Hearing #1 South Pointe Urban Renewal Area (Plan) and Action Item #5 South Pointe Urban Renewal Area (Ordinance) from the agenda. Seconded by Jones. Motion carried 6-0.

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: City Council Proceedings of 11/21, 11/28; Human Rights Commission of 10/10; Library Board of Trustees Council Update #155 of 11/17; Sister City Relationships Advisory Commission of 11/16; Transit Advisory Board of 10/6; Proof of Publication for City Council Proceedings of 11/7, 11/14; Proof of Publication of List of Claims and Summary of Revenues for Month Ending 10/31. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Michael Jelinske for vehicle damage; Allison Schmitt for vehicle damage; and Suzan Taliaferro for vehicle damage. Upon motion the documents were received, filed and referred to the City Attorney.

3. Disposition of Claims: City Attorney advising that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: Susan Taliaferro for vehicle damage.

4. Government Finance Officers Association Distinguished Budget Presentation Award: Correspondence from the Government Finance Officers Association (GFOA) presenting the City with the Distinguished Budget Presentation Award for Fiscal Year 2015-2016 and recognizing Budget Director Jennifer Larson and Senior Budget Analyst Alexis Steger. Upon motion the documents were received and filed.

5. Dubuque Dream Center Letters of Support: City Manager recommending approval of letters of support for the Dubuque Dream Center's application for a 21st Century Community Learning Center Grant. Upon motion the documents were received, filed and approved.

6. Heritage Trail Letter of Support: City Manager recommending approval of a Letter of Support to the Dubuque County Conservation Board in support of the Board's Federal Recreation Trail Grant for replacement of three deteriorating bridges on the Heritage Trail. Upon motion the documents were received, filed and approved.

7. Dubuque Marshall Islands Health Project Grant Application: City Manager recommending approval to submit a grant application through the State Transit Assistance program to provide transportation for Marshallese to medical care through the Dubuque Marshall Islands Health Project. Upon motion the documents were received, filed and approved.

8. Jule Operations and Training Center - DMATS STP Funding Grant Application: City Manager recommending approval of a grant application to the DMATS STP Funding program to provide final funding for the Jule Operations and Training Center to be located at 925 Kerper Boulevard. Upon motion the documents were received and filed and Resolution No. 406-16 Authorizing the filing of a grant application with Dubuque Metropolitan Area Transportation Study for Surface Transportation Program Funding for the City of Dubuque (Bus Storage and Maintenance Facility) was adopted.

9. Assistance to Firefighter Grant: City Manager recommending approval to submit an application to the Assistance to Firefighters Grant program to purchase replacement firefighting gloves and protective hoods, and to fund the purchase of a testing device to insure proper fit testing of respiratory masks. Upon motion the documents were received, filed and approved.

10. Employer Mandate Reporting Services Agreement: City Manager recommending approval of an agreement with Cottingham & Butler Insurance Services to prepare and file the required Internal Revenue Service forms 1094-C and 1095-C on behalf of the City. Upon motion the documents were received, filed and approved.

11. Design Mill - IEDA Contract Amendment: City Manager recommending approval of a resolution authorizing an amendment to a contract with the Iowa Economic Development Authority (IEDA) for Iowa Values Fund Financial Assistance benefits on behalf of Design Mill, Inc.: Upon motion the documents were received and filed and Resolution No. 407-16 Approving an Amendment to the Economic Development Financial

Assistant Contract by and among Design Mill, Inc., the City of Dubuque, and the Iowa Department of Economic Development was adopted.

12. Catfish Creek Watershed Management Authority Member Appointment: City Manager recommending approval to appoint Water and Resource Recovery Center Lab Technician II Brian Noonan as the City staff representative on the Catfish Creek Watershed Management Authority's Board of Directors. Upon motion the documents were received, filed and approved.

13. Delinquent Garbage, Junk and Weed Removal Collection Accounts: City Manager recommending the levy of special assessments for the Weed/Junk/Garbage Enforcement Programs being levied against 27 separate parcels of property inspected from June 22, 2016 to November 18, 2016. Upon motion the documents were received and filed and Resolution No. 408-16 Adopting the Schedule of Assessments for 2016 and Directing the City Clerk to certify the Schedule of Assessments to the County Treasurer and to publish notice thereof was adopted.

14. Timber-Hyrst Estates #4 North and South Line Creek Crossing Project Acceptance: City Manager recommending acceptance of the construction contract for the Timber-Hyrst Estates #4 Sanitary Sewer North and South Line Creek Crossings Project, as completed by Gansen Excavating, Inc. Upon motion the documents were received and filed and Resolution No. 409-16 Accepting the Timber-Hyrst Estates #4 North and South Line Creek Crossings Project and authorizing the payment to the contractor was adopted.

15. Code of Ordinances - Adoption of Supplement No. 23: City Clerk recommending adoption of Supplement No. 23 to the City of Dubuque Code of Ordinances. Upon motion the documents were received and filed and Resolution No. 410-16 Adopting Supplement No. 23 to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

16. USDA - Rural Utilities Service: Correspondence from the U.S. Department of Agriculture Rural Utilities Service informing the City of public scoping meetings on December 6 & 7, 2016 to solicit comments for the proposed Cardinal-Hickory Creek 345-kV electric transmission line connecting Dane County, Wisconsin, and Dubuque County, Iowa. Upon motion the documents were received and filed.

17. Citizen Petition - Housing Choice Voucher Program: John Herrig submitting a citizen petition opposing a Housing Choice Voucher ordinance. Upon motion the documents were received and filed.

18. Signed Contracts: Dubuque Cellular Telephone, L.P. First Amendment to Water Tank & Ground Space Lease; Strand Associates Engineering Technical Services Contract Task Order No. 16-02 for Upper Bee Branch Creek Restoration Project Mississippi River Trail and Basin Overlook/22nd St. Parking Lot. Upon motion the documents were received and filed.

19. 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. 411-16 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.

BOARDS/COMMISSIONS

Review of Applications: Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

1. Catfish Creek Watershed Management Authority: Two, 4-year terms through July 16, 2020 (Expired terms of Giannakouros and Hoyer). Applicants: Steve Drahozal, 683 W. 11th St.; Neal Patten, 768 Nevada St.; Craig Reber, 760 Fremont Ave. Mr. Drahozal and Mr. Reber spoke in support of their respective appointments and provided a brief biographies.

2. Human Rights Commission: Two, 3-year terms through June 29, 2020 (Expired term of Jackson and Schiesl). Applicants: Miquel Jackson, 2130 Woodland Dr.; and Jay Schiesl, 195 W. 17th St.

3. Mediacom Charitable Foundation: One, 1-year term through December 31, 2017 (Expiring term of Chavenelle). Applicant: Gail Chavenelle, 1155 Kelly Ln.

Appointments were made the following Board/Commissions

4. Airport Commission: One, 4-year term through September 14, 2020 (Vacant term of Wagner). Applicants: Sue Clemenson, 2469 Hacienda Rd.; Scott Leibfried, 3211 Honeysuckle Ln. Upon roll call vote, (Sue Clemenson = 5 / Scott Leibfried = 1-Lynch), Ms. Clemenson was appointed to a 4-year term through September 14, 2020.

5. Building Code and Advisory Appeals Board: One, 3-year term through August 1, 2017 (Vacant term of Anglese – Commercial Contractor Representative); and one, 3-year term through August 1, 2018 (Vacant term of Cruise – ADA Representative). Applicants: Thomas Swift, 1875 Admiral St.; and Katrina Wilberding, 3715 Asbury Rd. Motion by Jones to appoint Mr. Swift to the contractor term and Ms. Wilberding to the ADA representative term. Seconded by Connors. Motion carried 6-0.

6. Civic Center Commission: One, 3-year term through June 29, 2019 (Vacant term of Gregory). Applicant: Nicholas Huff, 3075 Olde Country Ct. Motion by Connors to appoint Mr. Huff to a 3-year term through June 29, 2019. Seconded by Jones. Motion carried 6-0.

7. Zoning Advisory Commission: One, 3-year term through July 1, 2019 (Expired term of Belmont). Applicant: Michael Belmont, 222 Dillion St. Motion by Resnick to appoint Mr. Belmont to a 3-year term through July 1, 2019. Seconded by Jones. Motion carried 6-0.

PUBLIC HEARINGS

1. South Pointe Housing Urban Renewal Area: This item was removed from the agenda.

2. Reallocation of Bond Proceeds – General Obligation Bond Series 2012H: Proof of publication on notice of public hearing to take additional action and approving the reallocation of certain unspent proceeds of the General Obligation Bond Series 2012H from the renovation of the second floor of the Multicultural Family Center to fund the construction of the Jule Operations and Training Center and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 412-16 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 Connors. Responding to questions from the City Council, City Manager Van Milligen explained that reallocating funds to the Jule project would reduce borrowing obligations as preferred by the City Council and that the Multicultural Family Center project would be funded on a pay-as-you-go basis. Motion carried 6-0.

PUBLIC INPUT

Steve Drahozal, 683 W. 11th St., expressed his opinion about current code requirements that he believes allows housing providers to discriminate against renting to persons who participate in the Housing Choice Voucher program and further requested that the City Council add a source of income definition to current the discrimination ordinance.

Matt Zanger, 261 Southgate Dr., expressed his opinion about what he believes is discrimination taking place when landlords dismiss people who participate in the Housing Choice Voucher program stating the reasons why he thinks landlords do/don't participate in federal programs. Mr. Zanger urged the City Council to pass the source of income ban.

Carolyn Sherf, 1723 Lawndale; and Michaela Freiburger, 1718 Diane Ct.; on behalf of Representative Charles Isenhardt addressed the City Council about the need for the Food Insecurity Nutrition Incentive Grant / Double Up Food Bucks Program (Action Item #1) and how the pilot program worked through the Dubuque Farmer's Market. Ms. Sherf and Ms. Freiburger ask that the City Council support the local match of funds requested.

Antonin [Erba], 672½ Central Ave., expressed his belief that LGBT rights could be threatened if religious freedom laws are enacted at the federal level as a result of the recent presidential election and requested the City Council consider an ordinance banning gay conversion therapy.

Jerry Maro, 10366 Timothy St., and President of the Dubuque Landlord's Association, expressed his opinion that the number of landlords participating in the Housing Choice Voucher program may be skewed and appear lower when expressed as a percentage

rather than in the actual number of units available. Mr. Maro also stated that the Association is working on providing those numbers to the City Council and believes agreement can be achieved without enacting an ordinance.

Kate Larson, 2523 Trout Terrace, expressed her belief that affordable, quality housing units are difficult to find in Dubuque. Ms. Larson provided a few examples of wording used on social media to describe housing units that she believes doesn't look good to the poor and disenfranchised who may not be as organized as opponents to the source of income issue.

ACTION ITEMS

1. Representative Chuck Isenhardt - Food Insecurity Nutrition Incentive Grant: Correspondence from Representative Chuck Isenhardt requesting a letter of support and matching funds from the City Council related to a grant application submitted by the Iowa Healthiest State Initiative for a Food Insecurity Nutrition Incentive grant that will support a Double Up Food Bucks program through the Dubuque Farmer's Market. Motion by Connors to receive and file the documents and submit a letter of support for the requested dollar match. Seconded by Jones. Carolyn Sherf and Michaela Freiburger responded to questions from the City Council clarifying the matter of matching funds. City Manager Van Milligen responded that the City's match will possibly come from the Fiscal Year 2018 general fund as an improvement package under Health Services or Sustainable Dubuque. Motion carried 6-0.

2. Jule Operations and Training Center Project Contract Award: City Manager recommending award of the construction contract for the Jule Operations and Training Center Project to the low bidder Tricon General Construction. Motion by Jones to receive and file the documents and adopt Resolution No. 413-16 Awarding public improvement contract for the Jule Operations and Training Center Project. Seconded by Connors. Motion carried 6-0.

3. Request for Proposals - Consultant Services for Five Flags Civic Center Assessment and Study: City Manager recommending approval of the release of a Request for Proposals for consultant services for a Five Flags Civic Center Assessment and Study. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Lynch. Motion carried 6-0.

4. Art on the River Snow Sculpting Contest: City Manager recommending approval of the extension of the Art on the River Exhibit to include an annual snow sculpting contest that will coincide with the National Mississippi River Museum's annual Ice Festival. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Jones. Responding to questions from the City Council, Arts Coordinator Debra Alleyne explained how sculpting materials will be brought to the site. Motion carried 6-0.

5. South Pointe Housing Urban Renewal Area - Ordinance Amendment: This item was removed from the agenda.

6. Request for Work Session - Quarterly Sustainable Dubuque Report: City Manager recommending that the City Council schedule the Sustainable Dubuque Quarterly Work Session for Monday, January 9, 2017, at 6:00 p.m. Restated motion by Connors to set the work session for Monday, January 30 at 6:00 p.m. Seconded by Resnick. Motion carried 6-0.

There being no further business, upon motion the City Council adjourned at 7:02 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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