

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

The Dubuque City Council met in regular session at 6:00 p.m. on March 6, 2017 in the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

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

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**

**CONSENT ITEMS**

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated with exception to #13 Citizen Petition (Flexsteel) to be held for separate discussion. Seconded by Resnick. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 2/16, 2/20, 2/22, 2/27; Historic Preservation Commission of 2/16; Library Board of Trustees of 1/26; Long Range Planning Advisory Commission of 2/15; Proof of Publication for City Council Proceedings of 1/30, 2/6, 2/9; Proof of Publication for List of Claims and Summary of Revenues for Month Ending 1/31. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Brenda Atkinson for vehicle damage; Debra Goodendorf for property damage. Upon motion the documents were received, filed and referred to the City Attorney.

3. Awards & Recognitions: City Manager transmitting a list of awards and recognitions received by the City of Dubuque. Upon motion the document was received and filed.

4. 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: Brenda Atkinson for vehicle damage; Debra Goodendorf for property damage. Upon motion the documents were received, filed and concurred.

5. Iowa Department of Transportation Project Notice: Correspondence from the Iowa Department of Transportation (IDOT) notifying the City of an upcoming bid letting for a Portland Cement Concrete Patching Project on April 18, 2017. Upon motion the document was received and filed.

6. Soft Drink Agreement for Leisure Service Facilities: City Manager recommending approval of a three-year Coca-Cola agreement with Atlantic Bottling as the exclusive soft drink provider for the Bunker Hill Golf Course, McAleece concession, Flora and

Sutton Pools concession and the Port of Dubuque Marina. Upon motion the documents were received, filed and approved.

7. Loras College Usage Agreement Amendment: City Manager recommending approval of the Amended Usage Agreement with Loras College for Petrakis Field. Upon motion the documents were received, filed and approved.

8. Request for Proposal for Annual Audit Services: City Manager recommending approval to issue a Request for Proposal to public accounting firms to provide annual auditing services for the City of Dubuque for Fiscal Years ending June 30, 2017, through June 30, 2021. Upon motion the documents were received, filed and approved.

9. Eagle Point Park Land and Water Conservation Fund (LWCF) Grant Application: City Manager recommending approval to submit Fiscal Year 2017 Land and Water Conservation Fund Grant Application to the Iowa Department of Natural Resources for implementation of the Eagle Point Park Environmental Restoration Management Plan, adopted by the City Council on February 6, 2017. Upon motion the documents were received and filed and Resolution No. 80-17 Authorizing LWCF Grant Application to Iowa Department of Natural Resources for Implementation of Eagle Point Park Environmental Restoration Management Plan was adopted.

10. Amendment to Teamsters Local No. 120 Collective Bargaining Agreement: City Manager recommending approval of an amendment to the Collective Bargaining Agreement with Teamsters Local No. 120 that provides for a work week that consists of ten hours per day and four days per week for the Maintenance worker, Airfield Maintenance workers and Airport Mechanic assigned to the Airport Department. Upon motion the documents were received, filed and approved.

11. Compensation Package for Non-Bargaining Unit Employees FY18: City Manager recommending approval of a 2% across-the-board base wage increase effective July 1, 2017, for all classifications of employees in the General Employee Wage Plan and for the Airport Operations Specialist, Records Clerk, Clerk Typist, Transit Operations Assistant, Account Clerk II and Water Meter Inspector in the Non-Assigned Wage plan. It is further recommended that the Head PGA Professional receive a 2% across-the-board base wage increase effective July 1, 2017. Upon motion the documents were received and filed and Resolution No. 81-17 Approving the compensation package for Non-Bargaining Unit Employees for Fiscal Year 2018 was adopted.

12. Water & Resource Recovery Center Upgrade Project Acceptance: City Manager recommending acceptance of the construction contract for the Water & Resource Recovery Center Upgrade Project, as completed by Miron Construction Co., Inc. Upon motion the documents were received and filed and Resolution No. 82-17 Accepting the Water and Resource Recovery Center Upgrade Project and authorizing the payment of the contract amount to the contractor was adopted.

13. Citizen Petition: Dubuque Federation of Labor and others submitting a petition requesting the City of Dubuque to finalize an agreement with Flexsteel Industries allowing for a new production facility. Motion by Lynch to receive and file the document. Seconded by Connors. Mark Cook, of the USW 1861, spoke on behalf of the petitioners

and persons present requesting that the City Council assist Flexsteel to remain in Dubuque. Motion carried 7-0.

14. Signed Contracts: Natural Gas Motor Vehicle Incentive Agreement with Black Hills Energy / Iowa Gas Utility Company, LP; ECIA Contract Amendments for Bus Storage Facility and the Dubuque Intermodal Center; Dubuque Area Labor-Management Council Federal Building Lease Agreement. Upon motion the documents were received and filed.

15. General Obligation Bond Series 2017ABC Preliminary Official Statement: City Manager recommending approval of the suggested proceedings for approving the preliminary Official Statement for the \$8,830,000 General Obligation Bonds, Series 2017A, \$10,105,000 General Obligation Urban Renewal Refunding Bonds, Series 2017B and \$2,155,000 Taxable General Obligation Urban Renewal Refunding Bonds, Series 2017C. Upon motion the documents were received and filed and Resolution No. 83-17 Approving the Preliminary Official Statement for the \$8,830,000 (dollar amount subject to change) General Obligation Bonds, Series 2017A, \$10,105,000 (dollar amount subject to change) General Obligation Urban Renewal Refunding Bonds, Series 2017B and \$2,155,000 (dollar amount subject to change) Taxable General Obligation Urban Renewal Refunding Bonds, Series 2017C was adopted.

16. Alcohol Compliance Civil Penalty for Alcohol License Holder - Jumper's Sports Bar & Grill: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Jumper's Sports Bar & Grill, 2600 Dodge Street. Upon motion the documents were received, filed and approved.

17. 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. 84-17 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.

### **ITEMS SET FOR PUBLIC HEARING**

Motion by Lynch to receive and file the documents, adopt the resolutions, set the public hearings as indicated, and direct the City Clerk to publish notice as prescribed by law. Seconded by Connors. Motion carried 7-0.

1. Fiscal Year 2017 Second Budget Amendment: City Manager recommending the second Fiscal Year 2017 Budget Amendment be set for public hearing for March 20, 2017. Upon motion the documents were received and filed and Resolution No. 85-17 Setting the date for the public hearing on Amendment No. 2 to the Fiscal Year 2017 Budget for the City of Dubuque was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on March 20, 2017 in the Historic Federal Building.

2. Westside Water System Improvements - English Mill and North Cascade Road Water Main Extension and English Mill Road Pump Station Project Initiation: City Manager recommending initiation of the public bidding procedure for the English Mill and North Cascade Road Water Main Extension and English Mill Road Pump Station

Project, and further recommends that a public hearing be set for March 20, 2017. Upon motion the documents were received and filed and Resolution No. 86-17 Preliminary approval of plans, specifications, form of contract, and estimated cost; setting date of public hearing on plans, specifications, form of contract, and estimated cost; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on March 20, 2017 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. Community Development Advisory Commission: One, 3-year term through February 15, 2020 (Expiring Low- to Moderate-Income Representative term of Burley) Applicant: Sara Burley, 2622 Broadway

2. Housing Code Appeals Board: One, 3-year term through January 11, 2019 (Vacant term of Miller) Applicant: Gil Spence, 975 Grove Terrace. Mr. Spence spoke in support of his appointment and provided a brief biography.

3. Mechanical and Plumbing Code Board: One, 3-year term through March 16, 2020 (Expiring Term of Giese) Applicant: Tom Giese, 395 Villa St.

4. Zoning Board of Adjustment: One, 5-year term through March 25, 2022 (Expiring term of Golombeski) Applicant: Bethany Golombeski, 65 Cambridge Ct.

## **PUBLIC HEARINGS**

1. Marquette Hall, LLC Sale of Property: Proof of publication on notice of public hearing to consider approval of a resolution disposing of interest in a vacated alley between Regent Street and Queen Street, as shown on Exhibit A, by sale to Marquette Hall, LLC and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 87-17 Disposing of an interest in real property by Deed pursuant to a Purchase and Sale Agreement between the City of Dubuque and Marquette Hall, LLC. Seconded by Connors. Dale Frommelt, 995 Prince Phillip Dr., and representing American Realty and both buyer and seller, spoke in support of the sale. Motion carried 7-0.

2. Ham House Masonry Rehabilitation Project: Proof of publication on notice of public hearing to consider approval of the plans, specifications, form of contract and estimated cost for the Ham House Masonry Rehabilitation Project and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 88-17 Approval of plans, specifications, form of contract, and estimated cost for the Ham House Masonry Rehabilitation Project. Seconded by Lynch. Motion carried 7-0.

3. Five Flags Theater Masonry Rehabilitation Project: Proof of publication on notice of public hearing to consider approval of the plans, specifications, form of contract and estimated cost for the Five Flags Theater Masonry Rehabilitation Project. Motion by Lynch to receive and file the documents and adopt Resolution No. 89-17 Approval of

plans, specifications, form of contract, and estimated cost for the Five Flags Theater Masonry Rehabilitation Project. Seconded by Jones. Motion carried 7-0.

4. Greater Downtown Urban Renewal District Amendment: Proof of publication the notice of public hearing to consider approval of the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District. The amendment to this District will authorize the inclusion of an adjacent area which meets the definition of a blighted area and the City Manager recommending approval. Motion by Connors to receive and file the documents and adopt Resolution No. 90-17 Approving the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District. Seconded by Jones. Motion carried 7-0.

## **ACTION ITEMS**

1. Greater Dubuque Development Corporation - Quarterly Update: President and CEO Rick Dickinson presented the quarterly update on the activities of the Greater Dubuque Development Corporation. Highlights included an invitation to the March 22, 2017 five-year capital campaign and strategy kickoff and commending the City for approving the Natural Gas Motor Vehicle Incentive Agreement with Black Hills Energy. Mr. Dickinson urged support for the purchase of compressed natural gas fueled vehicles and cited the positive impact on sustainability, health, and economic development of locally produced fuel. Motion carried 7-0.

2. Miracle Field: City Manager recommending approval for Tom and Carol Witry and Merle and Mary Santjer to present information related to their proposed project request in Veterans' Memorial Park to develop and construct a Miracle League baseball field and all-inclusive playground for Dubuque area children and adults with special needs. It is further recommending that the City Council approve the site plan and grant City staff permission to negotiate an agreement to be presented to the City Council at a future meeting for approval. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Connors. Marty Johnson of Straka Johnson Architects, Mr. Witry and Mr. Santjer presented details of the project. Responding to questions from the City Council about possibly changing the street name to better identify the location for GPS purposes, the City Manager noted that staff can research the background of the current street name for any prior history as well as determine the impact of a name change on adjacent property owners. Motion carried 7-0.

3. Greater Downtown Urban Renewal District Amendment – Ordinance: City Manager recommending approval of an Ordinance amending the Tax Increment Financing District for the Greater Downtown Urban Renewal District to include the new 15th Street Subarea. 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 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 6-17 Amending Ordinance No. 59-16, previously amended, providing that General Property Taxes levied and collected each year on all property located within the Greater Downtown Urban Renewal District of the City of Dubuque, County of Dubuque, State of Iowa, by and for the benefit of the State of Iowa, City of Dubuque, County of Dubuque, Dubuque Community School District, and other Taxing Districts, be paid to a Special

Fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District. Seconded by Lynch. Motion carried 7-0.

4. Five Flags Center Assessment and Study Consultant Selection: City Manager recommending approval of the selection of Conventions, Sports and Leisure International to conduct the Five Flags Civic Center Assessment and Study. Motion by Lynch to receive and file the documents and approve the recommendation. Seconded by Jones. Motion carried 7-0.

5. Dubuque County Multi-Jurisdictional Hazard Mitigation Plan Update Meetings: City Manager transmitting an invitation from Emergency Management Coordinator Tom Berger requesting City Council representation at three planning meetings for the purpose of updating the required Dubuque County Multi-Jurisdictional Hazard Mitigation Plan. Motion by Lynch to receive and file the documents and concur. Seconded by Connors. The City Manager clarified that Council Members should contact Tom Berger to confirm their attendance and to see if Council Members can alternate attendance across the meeting dates. Motion carried 7-0.

### **COUNCIL MEMBER REPORTS**

Council Member Del Toro reported on the recent 365ink Magazine Impact Award for Sustainability given to the City of Dubuque in recognition of the Bee Branch Watershed Flood Mitigation Project and the Comprehensive Housing Activities for Neighborhood Growth & Enrichment (CHANGE) program.

Council Member Lynch reported on attending the 365ink awards event to accept the award along with staff.

There being no further business, upon motion the City Council adjourned at 6:43 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

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