

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

The Dubuque City Council met in regular session at 6:00 p.m. on May 15, 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**

Mayor Buol took a moment to thank outgoing Mayor Pro-Tem Kevin Lynch for his service during the eight-month term, and expressed the City Council's sympathy to Council Jake Rios on the death of his father-in-law.

**PROCLAMATION(S)**

1. Apples for Students Months (June/July 2017) was accepted by Beth McGorry, Outreach Coordinator for St. Mark Youth Enrichment, 1201 Locust St.
2. Play Ball Summer (June-August 2017) was accepted by Tom Witry, 1200 Cortez Dr., of the Miracle League of Dubuque.
3. Revive Civility and Respect Month (May 2017) was accepted by Mayor Roy D. Buol.

**CONSENT ITEMS**

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Jones. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 5/1, 5/8; Civil Service Commission of 3/28, 5/3; Dubuque County Emergency Management Commission of 11/1/16; 2/15/17, 3/21/17; Human Rights Commission of 4/10/17; Investment Oversight Advisory Commission of 4/26; Library Board of Trustees of 3/16; Library Board of Trustees Council update #160 of 4/27; Zoning Advisory Commission of 5/3; Proof of Publication for City Council Proceedings of 4/17, 4/24, 5/1; Proof of Publication of List of Claims and Summary of Revenues for Month Ending 3/31. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Jamie Barton for vehicle damage; Erica Moore for vehicle damage; Kyle Stoffel 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: Jamie Barton for vehicle damage, Kyle Stoffel for vehicle damage, and Erica Moore for vehicle damage. Upon motion the documents were received, filed and concurred.

4. Cindy Steinhauser Farewell Reception: City Manager transmitting an invitation to the farewell reception for Assistant City Manager Cindy Steinhauser at 5:30 p.m. on May 31, 2017 at the Grand River Center, River Room. Upon motion the document was received and filed.

5. Dubuque's Circles® Initiative and Family Self-Sufficiency Program: City Manager transmitting the public information brochure on the outcomes of the Dubuque Circles® Initiative and Family Self-Sufficiency Program. Upon motion the document was received and filed.

6. Sustainable Dubuque Community Grants and Review Recommendation: City Manager recommending approval of five projects for funding from the Sustainable Dubuque Community Grant Program. It is further recommended that the grant review shift from a quarterly to a bi-annual process, as recommended by the Resilient Community Advisory Commission. Upon motion the documents were received, filed and approved.

7. Quarterly Investment Report of March 31, 2017: City Manager transmitting the March 31, 2017 Quarterly Investment Report. Upon motion the documents were received and filed.

8. Integrated Pest Management Annual Report: City Manager transmitting the annual Integrated Pest Management Program Report. Upon motion the documents were received and filed.

9. 2016 Official City Council Proceedings: City Clerk submitting the 2016 Official City Council Proceedings. Upon motion the documents were received, filed and approved.

10. Four Mounds Foundation- First Amendment to Agreement: City Manager recommending approval of a First Amendment to the Agreement between the City of Dubuque and Four Mounds Foundation that changes the dates for completion.

Suggested Disposition: Receive and File; Approve

11. Audit Services Recommendation: City Manager recommending the selection of Eide Bailly LLP, the City's current auditor, to provide the City's auditing services for the next five fiscal years and authorize the City Manager to sign the audit service agreement. Upon motion the documents were received, filed and approved.

12. Morrison Brothers - Close Out of Forgivable Loan from Iowa Economic Development Authority: City Manager recommending that the City Council receive and file the documents from the Iowa Economic Development Authority showing the terms of a forgivable loan from the Iowa Economic Development Authority to Morrison Brothers have been satisfied and the loan has been closed out by the State. Upon motion the documents were received and filed.

13. Plat of Survey - Watters Homestead: Zoning Advisory Commission recommending approval of the Plat of Survey for the Watters Homestead (12204 N. Cascade Road) and waiving the street frontage requirement for Lot 1 and Lot 2. Upon motion the documents were received and filed and Resolution No. 168-17 Approving the Plat of Survey of Watters Homestead in Dubuque County, Iowa was adopted.

14. Plat of Survey - Table Mound Mobile Home Park No. 2: Zoning Advisory Commission recommending approval of the Plat of Survey for the Table Mound Mobile Home Park No. 2 and waiving the street frontage requirement for Lot 2. Upon motion the documents were received and filed and Resolution No. 169-17 Approving the Plat of Survey of Table Mound Mobile Home Park No. 2 in the City of Dubuque, Iowa was adopted.

15. 2017 Pavement Marking Project Award: City Manager recommending award of the construction contract for the 2017 Pavement Marking Project to the only bidder SELCO, Inc. Upon motion the documents were received and filed and Resolution No. 170-17 Awarding the public improvement contract for the 2017 Pavement Marking Project was adopted.

16. 2017 City Hall HVAC Upgrade Project Award: City Manager recommending that the award for the 2017 City Hall HVAC Upgrade Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

17. Catfish Creek Watershed SRF Application - Valentine Park Expansion: City Manager recommending approval of the submittal of a Catfish Creek Watershed State Revolving Loan Fund (SRF) Application for the Valentine Park Expansion SRF Project. Upon motion the documents were received and filed and Resolution No. 171-17 Authorizing Catfish Creek Watershed Management SRF Application for Valentine Park Expansion Project was adopted.

18. Public, Educational and Government (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 purchase two editing systems to replace the existing work stations. Upon motion the documents were received, filed and approved.

19. 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 Tuesday, July 4, 2017 at about 9:30 p.m. on the DG&CC grounds with a rain date of Wednesday, July 5. Upon motion the documents were received, filed and approved.

20. Transit Service to Driver's License Station on Gateway Drive: City Manager transmitting information on the historical ridership to the Driver's License Station located at 2460 Gateway Drive and providing a summary of transportation options for individuals requiring access to that location. Upon motion the documents were received and filed.

21. Grant of Permanent Easement for Southwest Arterial Project: City Manager recommending approval to rescind Resolution 210-16 for the Grant of Permanent and Temporary Easement and adopt a revised resolution for the acceptance of a replacement permanent utility easement for the Southwest Arterial Project across part of the property owned by Ronald and Marlene Valentine. Upon motion the documents were received and filed and Resolution No. 172-17 Rescinding Resolution No. 210-16 which accepted a Grant of Permanent and Temporary Easements from Ronald L. Valentine and Marlene Valentine and Rescinding a Temporary Construction Easement from Ronald L. Valentine and Marlene Valentine for the Southwest Arterial Project; and Accepting a Grant of Permanent Utility Easement from Ronald L. Valentine and Marlene Valentine for the Southwest Arterial Project was adopted.

22. Improvement Contracts / Performance, Payment and Maintenance Bonds: Dan Arensdorf Construction, Inc. for the 2017 Asphalt Overlay Ramp Project One. Upon motion the documents were received, filed and approved.

23. Alcohol Compliance Civil Penalty for Alcohol License Holder – Casey's General Store #2420: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Casey's General Store #2420, 2699 Rockdale Road. Upon motion the documents were received, filed and approved.

24. Tobacco Compliance Civil Penalty for Tobacco License Holder – Casey's General Store #2420: City Manager recommending approval of the Acknowledgment/Settlement Agreement for a tobacco compliance violation for Casey's General Store #2420, 2699 Rockdale Road. Upon motion the documents were received, filed and approved.

25. Alcohol Compliance Civil Penalty for Alcohol License Holder – Friendly Locust Mart: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Friendly Locust Mart, 408 West Locust Street. Upon motion the documents were received, filed and approved.

26. Tobacco Compliance Civil Penalty for Tobacco License Holder – Friendly Locust Mart: City Manager recommending approval of the Acknowledgment/Settlement Agreement for a tobacco compliance violation for Friendly Locust Mart, 408 West Locust Street. Upon motion the documents were received, filed and approved.

27. Alcohol Compliance Civil Penalty for Alcohol License Holder – Hammerheads Bar & Billiards: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Hammerheads Bar & Billiards, 2095 Kerper Blvd. Upon motion the documents were received, filed and approved.

28. Tobacco Compliance Civil Penalty for Tobacco License Holder – Kmart #4018  
City Manager recommending approval of the Acknowledgement/Settlement Agreement for a tobacco compliance violation for Kmart #4018, 2600 Dodge Street. Upon motion the documents were received, filed and approved.

29. Alcohol Compliance Civil Penalty for Alcohol License Holder – Kwik Stop C-Stores: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Kwik Stop C-Stores, 2335 University Ave. Upon motion the documents were received, filed and approved.

30. Tobacco Compliance Civil Penalty for Tobacco License Holder – Kwik Stop C-Stores: City Manager recommending approval of the Acknowledgement/Settlement Agreement for a tobacco compliance violation for Kwik Stop C-Stores, 2335 University Ave. Upon motion the documents were received, filed and approved.

31. Alcohol Compliance Civil Penalty for Alcohol License Holder – Oky Doky #8 Foods: City Manager recommending approval of the Acknowledgment/Settlement Agreement for an alcohol compliance violation for Oky Doky #8 Foods, 535 Hill Street. Upon motion the documents were received, filed and approved.

32. Tobacco Compliance Civil Penalty for Tobacco License Holder – Oky Doky #8 Foods: City Manager recommending approval of the Acknowledgement/Settlement Agreement for a tobacco compliance violation for Oky Doky #8 Foods, 535 Hill Street. Upon motion the documents were received, filed and approved.

33. Business License Refund: Request from Europa Cafe of Dubuque for a refund of the Liquor License No. BW0093983 located at 4031 Pennsylvania Ave. due to business closing. Upon motion the documents were received, filed and approved.

34. 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. 173-17 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. Kerper Boulevard Sanitary Sewer Reconstruction Project Initiate: City Manager recommending initiation of the public bidding procedure for the Kerper Blvd. Sanitary Sewer Reconstruction 2017 Project, and further recommends that a public hearing be set for June 5, 2017. Upon motion the documents were received and filed and Resolution No. 174-17 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 June 5, 2017 in the Historic Federal Building.

2. Reallocation of General Obligation Bonds Series 2014B: City Manager recommending setting a public hearing for June 5, 2017, on a proposal to reallocate not-to-exceed \$80,000 of the unspent proceeds of the General Obligation Bond Series 2014B from the City Hall improvements project to fund the HVAC improvements of the Historic Federal Building located at 350 West 6th Street. Upon motion the documents were received and filed and Resolution No. 175-17 Fixing date for a meeting on the proposal to reallocate certain unspent proceeds of the General Obligation Bonds, Series 2014B, 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 6:00 p.m. on June 5, 2017 in the Historic Federal Building.

3. South Pointe Housing Tax Increment Financing Development Agreement: City Manager recommending that the City Council set a public hearing on the South Pointe Housing Tax Increment Financing Development Agreement for June 5, 2017. Upon motion the documents were received and filed and Resolution No. 176-17 Intent to approve an Agreement between the City of Dubuque and South Pointe, L.L.C. and fixing the date for a public hearing of the City Council of the City of Dubuque, Iowa on the proposed reimbursement of South Pointe, L.L.C. for certain infrastructure improvements as described in the Agreement with Urban Renewal Tax Increment Revenue and providing for the publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on June 5, 2017 in the Historic Federal Building.

## **BOARDS/COMMISSIONS**

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

1. Civil Service Commission: One, 4-year term through April 6, 2020. (Vacant term of Takes). Applicants: Phil Baskerville, 2945 Van Buren St. Christian Stillings, 1298 Locust St. Mr. Stillings spoke in support of his appointment and provided a brief biography.

2. Mechanical and Plumbing Code Board: One, 3-year term through March 16, 2020 (Vacant term of Hillard). Applicant: Dieter Muhlack, 2907 Arabian Trail.

3. Sister City Relationships Advisory Commission: One, 3-year term through February 1, 2019 (Vacant term of Phillips). Applicant: Thomas Major, 1725 Lori St.

Appointment was made to the following Board.

4. Electrical Code Board: Two, 3-year terms through May 21, 2020 (Expiring Terms of Dixon and Palmer). Applicants: James Dixon, 2505 Marquette Pl. Andy Palmer, 1865 Rosemont St. Motion by Lynch to appoint James Dixon and Andy Palmer to 3-year terms through May 21, 2010. Seconded by Connors. Motion carried 7-0.

## **PUBLIC HEARINGS**

1. Rezoning Request - Chaplain Schmitt Island Planned Unit Development (PUD): Proof of publication on notice of public hearing to consider approval of a request from the Dubuque Racing Association to rezone Chaplain Schmitt Island and the surrounding Mississippi River and Peosta Channel from HI Heavy Industrial and CR Commercial Recreation to Planned Unit Development with a Planned Commercial Designation and the Zoning Advisory Commission recommending approval subject to electronic signs complying with existing city-wide regulations for animation.

Dubuque Racing Association Vice President Brian Southwood introduced Landscape Architect Ryan Peterson of RDG Planning Design who provided a slide presentation summarizing the design guidelines for the request. Topics included: 1) Introduction, 2) island brand/built environment, 3) design standards and approvals, 4. built form/architectural character, 5) public domain (landscaping, furnishings, signs). Mr. Peterson responded to questions from the City Council about parking island landscaping and using appropriate styles and materials for outdoor benches. Q Casino President and Chief Executive Officer Jesus Aviles provided information and spoke in support of the DRA's request to waive the restrictions on fully animated signage. Planning Services Manager Laura Carstens provided a staff report. Rick Dickinson, President and CEO of Greater Dubuque Development Corporation, 205 Hill Street, spoke in favor of the request to waive signage regulations for animation. Mayor Buol and Council Members Lynch and Jones disclosed that they serve on the DRA Board of Directors. The City Council discussed the issues of fully animated signage as they related to the location of the sign and to the public benefit of the Q Casino.

Motion by Connors to amend the proposed ordinance to include the request by the DRA for fully animated signage. Seconded by Resnick. City Attorney Brumwell advised the Council that a super majority vote by the Council is required to vary from the decision of the Zoning Advisory Commission. Motion carried 7-0.

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 Resnick. Motion carried 7-0.

Motion by Connors for final consideration and passage of amended Ordinance No. 18-17 Amending Title 16 of the City of Dubuque Code of Ordinances Unified Development Code by reclassifying hereinafter described property on Chaplain Schmitt Island and the

surrounding Mississippi River and Peosta Channel from HI Heavy Industrial and CR Commercial Recreation District to PUD Planned Unit Development with a PC Planned Commercial Designation. Seconded by Resnick. Motion carried 7-0.

2. Request to Rezone 175 North Crescent Ridge: Proof of publication on notice of public hearing to consider approval of a request from Lisa Hammel to rezone property at 175 N. Crescent Ridge from CS Commercial Service to C-3 General Commercial to accommodate retail sales and services and the Zoning Advisory Commission recommending approval. 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. Ms. Hammel, 17094 Chickory St., spoke in support of the request and responded to questions from the City Council saying that she was unsure about plans for future signage along Dodge St. Planning Services Manager Laura Carstens provided a staff report. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 19-17 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 175 North Crescent Ridge from CS Commercial Service and Wholesale District to C-3 General Commercial District. Seconded by Jones. Motion carried 7-0.

3. Request to Rezone Property on Cedar Crest Court: Proof of publication to consider approval of a request from UFit Properties, LLC to rezone property on Cedar Crest Court (PIN# 1034251031) from CS Commercial Service to C-3 General Commercial to accommodate a fitness business and the Zoning Advisory Commission recommending approval. 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. On behalf of UFit Properties, LLC, Attorney Michael Pagel spoke in support of the request. Planning Services Manager Laura Carstens provided a staff report. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 20-17 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located on Cedar Crest Court from CS Commercial Service and Wholesale District to C-3 General Commercial District. Seconded by Lynch. Motion carried 7-0.

4. Request to Amend Planned Unit Development (PUD) at 3500 Dodge Street: Proof of publication on notice of public hearing to consider approval of a request from Chick-Fil-A / Anchor Sign, 3500 Dodge Street, to amend the Warren Plaza Planned Unit Development (PUD) to permit a second free- standing sign and the Zoning Advisory Commission recommending approval. 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 Del Toro. Josh Muckelvaney of Anchor Sign in South Carolina, and Colby Burnett of Chick-Fil-A Dubuque spoke in support of the request and provided



additional details. Planning Services Manager Laura Carstens provided a staff report. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 21-17 Amending Title 16, the Unified Development Code of the City of Dubuque Code of Ordinances by rescinding Ordinances 05-79, 43-91, 26-92, and 94-92 which provide regulations for a PUD Planned Unit Development District with a Planned Commercial Designation for Warren Plaza located at 3500 Dodge Street and now being amended to allow for a revision to the Sign Requirements within the PUD. Seconded by Del Toro. Motion carried 7-0.

5. Request to Amend Planned Unit Development (PUD) at 3465 Asbury Road: Proof of publication on notice of public hearing to consider approval of a request from DuTrac Community Credit Union, 3465 Asbury Road, to amend the DuTrac Community Credit Union PUD to modify screening requirements and the Zoning Advisory Commission recommending approval. 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. DuTrac Operations Manager Kim Adams spoke in support of the request and stated that the only person in opposition has since retracted. Planning Services Manager Laura Carstens provided a staff report. Motion carried 7-0.

Motion by Connors for final consideration and passage of Ordinance No. 22-17 Amending Title 16, the Unified Development Code of the City of Dubuque Code of Ordinances by rescinding Ordinance 02-87 which provides regulations for a PUD Planned Unit Development District with a Planned Commercial Designation for the DuTrac Community Credit Union located at 3465 Asbury Road and now being amended to allow for a revision to the screening requirements within the PUD. Seconded by Lynch. Motion carried 7-0.

6. Reallocation of General Obligation Bond Series 2012B: Proof of publication on notice of public hearing to consider approval of a proposal to reallocate the unspent proceeds of the General Obligation Bond Series 2012B from the construction, reconstruction and repair of street, sidewalk and streetscape improvements to fund the acquisition and improvements of the United States Postal Service parking lot located at the corner of Locust and 5th Streets; the acquisition, demolition and improvements of 1146 Elm Street; and parking improvements at 300 9th Street. Motion by Lynch to receive and file the documents and adopt Resolution No. 177-17 Instituting proceedings to take additional action and approving the reallocation of certain unspent proceeds of the General Obligation Bonds, Series 2012B, of the City of Dubuque, Iowa. Seconded by Connors. Motion carried 7-0.

7. Fiscal Year 2017 Cured-In-Place Pipe (CIPP) Sanitary Sewer Lining Project: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract, and estimated cost for the Fiscal Year 2017 Cured-In-Place Pipe (CIPP) Sanitary Sewer Lining Project and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 178-17 Approval of

plans, specifications, form of contract, and estimated cost for the FY17 Sanitary Sewer Cured-in-Place Pipe (CIPP) Lining Project. Seconded by Resnick. Motion carried 7-0.

8. Timber Ridge/Rustic Point Water Main Extension Project 2017: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract and estimated cost for the Timber Ridge/Rustic Point Water Main Extension Project 2017 and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 179-17 Approval of plans, specifications, form of contract, and estimated cost for the Timber Ridge/Rustic Point Water Main Extension 2017 Project. Seconded by Connors. Motion carried 7-0.

### **ACTION ITEMS**

1. Flexsteel Industries, Inc.: City Manager recommending Council approval of the Redevelopment Project Agreement between Flexsteel Industries, Inc., Dubuque Initiatives and the City of Dubuque; and approval of resolutions setting a public hearing for June 5, 2017, to consider the Development Agreement between Flexsteel Industries, Inc. and the City of Dubuque, and the Offer to Buy and Acceptance between Dubuque County and the City of Dubuque. Press Release from Greater Dubuque Development Corporation.

Redevelopment Project Agreement: Motion by Jones to receive and file the documents and adopt Resolution No. 180-17 Approving a Redevelopment Project Agreement by and among the City of Dubuque, Iowa, Dubuque Initiatives, and Flexsteel Industries, Inc. Seconded by Connors. Motion carried 7-0.

Development Agreement and Offer to Buy and Acceptance: Motion by Jones to receive and file the documents and adopt Resolution No. 181-17 Resolution of Intent to approve a Development Agreement between the City of Dubuque and Flexsteel Industries, Inc. and fixing the date for a public hearing of the City Council of the City Of Dubuque, Iowa on the proposed issuance of Urban Renewal Tax Increment Revenue Grant Obligations and providing for the publication of notice thereof; and Resolution No. 182-17 Resolution of Intent to dispose of an interest in City of Dubuque real estate pursuant to an offer to buy and acceptance between the City of Dubuque and Dubuque County, Iowa and fixing the date for a public hearing and providing for the publication of notice thereof setting a public hearing for a meeting to commence at 6:00 p.m. on June 5, 2017 in the Historic Federal Building. Seconded by Lynch. Motion carried 7-0. The City Council thanked all the staff and partners for their efforts in negotiating the agreements.

2. State of Iowa Application for Business Financial Assistance - Flexsteel Industries, Inc.: City Manager recommending authorization to submit an Iowa Economic Development Assistance Application by Flexsteel Industries, Inc. to the Iowa Economic Development Authority. Motion by Connors to receive and file the documents and adopt Resolution No. 183-17 Authorizing the filing of an application for State Business Financial Assistance on behalf of Flexsteel Industries, Inc. Seconded by Del Toro. Motion carried 7-0.

3. Imagine Dubuque Comprehensive Plan Update and Request for (2) Work Sessions: City Manager transmitting the third quarterly update for the new Imagine Dubuque Comprehensive Plan and requests the City Council schedule two work sessions, one on July 10 and the other on August 28. Motion by Connors to receive and file the documents, set the work sessions as recommended and view the presentation. Seconded by Resnick. Mike Hoffman of Teska and Associates and the City's Associate Planner Dave Johnson provided a slide presentation. Topics included: Timelines 2016-2017 for community workshops and events; community outreach and overview of components; interview groups; promotion; emerging themes; and what's next. Motion carried 7-0.

4. State of Iowa Application for Business Financial Assistance - Wave Reaction, Inc.: City Manager recommending authorization to submit an Iowa Economic Development Assistance Application by Wave Reaction, Inc. to the Iowa Economic Development Authority for the proposed investment of approximately \$1.98 million for the relocation of its Illinois operations to downtown Dubuque. Motion by Resnick to receive and file the documents and adopt Resolution No. 184-17 Authorizing the filling of an application for State Business Financial Assistance on behalf of Wave Reactions, Inc. Seconded by Connors. Motion carried 7-0.

5. 2017 Asphalt Overlay Project Two Award: City Manager recommending that the award for the 2017 Asphalt Overlay Access Ramp Project Two to Dan Arensdorf Construction, Inc. be officially recorded in the minutes of the City Council. Motion by Lynch to receive and file the documents. Seconded by Connors. Motion carried 7-0.

6. Westside Water System Improvements - Construction Inspection Contract Award: City Manager recommending authorization to enter into an agreement with IIW, P.C. to perform construction administration and inspection services associated with the water main extension to the former Central Iowa Water Association's (CIWA) Vernon Water and Barrington Lakes water systems. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Lynch. Motion carried 7-0.

7. Fundraising and Naming Recognition Policy: City Manager recommending approval of a Fundraising and Naming Recognition Policy for Major Capital Projects on City Lands or Under City Jurisdiction. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Jones. Motion carried 7-0.

8. Code of Ordinances Amendment - Title 10 Parks and Recreation, Public Ways and Property related to the Bee Branch Creek Greenway: City Manager recommending approval of ordinance amendments to address the addition of the Bee Branch Creek Greenway. 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. Leisure Services Manager Marie Ware and City Attorney Brumwell responded to questions from the City Council about skateboards and non-motorized vehicles and the efforts taken to prevent damage to the property as well as what defines something as non-motorized. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 23-17 Amending City of Dubuque Code of Ordinances Title 10 Public Ways and Property, Chapter 5 Parks and Recreation, Article B Use Regulations, Sections 10-5B-2 Intoxicating Beverages, 10-5B-4 Dogs, Cats and Other Domestic Animals, 10-5B-5 Walking on Grass, 10-5B-7 Interfering with Animals, 10-5B-16 Meetings and Gatherings, 10-5B-20 Compliance with Motor Vehicle Laws, Ordinances, 10-5B-21 Removal of Unattended Vehicles Left After Closing Hours, 10-5B-22 Open Season and Hours Generally; Article C Specific Parks, Open Spaces and Trails, Section 10-5C-1 Specific Park Areas, Open Spaces, and Trails Described; and Amending Article B Use Regulations by Adding Sections 10-5B-23 Watersports, Swimming, and Wading and 10-5B-24 Prohibited Activities, Signage; and Ordinance No. 24-17 Amending City of Dubuque Code of Ordinances Title 10 Public Ways and Property, Chapter 7 Boats and Waterfront Structures, Section 10-7-13 Activities Prohibited. Seconded by Connors. Motion carried 7-0.

9. Request to Reschedule July 3, 2017 Regular City Council Meeting: Mayor Buol submitting a request to reschedule the regular City Council meeting of Monday, July 3, 2017 to Wednesday, July 5, 2017 at 6:00 p.m. Motion by Connors to receive and file the documents and reschedule the meeting as requested. Seconded by Resnick. Motion carried 7-0.

10. Bee Branch Creek Grand Opening: City Manager providing save-the-date information for the ribbon cutting and grand opening of the Bee Branch Creek on Wednesday, July 19, 2017 at the Bee Branch Amphitheater. Motion by Connors to receive and file the documents. Seconded by Resnick. Motion carried 7-0.

### **COUNCIL MEMBER REPORTS**

Mayor Buol, on behalf of the City Council and staff, congratulated and thanked Assistant City Manager Cindy Steinhauser. This is her last meeting as she prepares for her new position as City Manager in Frankfort, Kentucky.

Council Member Connors reported on doing presentations and tours with several local Boy Scout Troop members who earn a new badge for meeting with elected officials.

There being no further business, upon motion the City Council adjourned at 8:25 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

1t 5/24