

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

The Dubuque City Council met in regular session at 6:00 p.m. on September 5, 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**

**PRESENTATION**

1. Dubuque Area Chamber of Commerce Awards: Dubuque Area Chamber of Commerce Senior Vice President Barry Gentry presented the Friend of the Year Award to Assistant City Manager Teri Goodmann and the Innovator of the Year Award to the Five Flags Center and accepted by HR Cook, General Manager.

**PROCLAMATION(S)**

1. Days of Peace Proclamation (September 1-30, 2017) was accepted by Day of Peace Committee Members R.R.S. Stewart and Judy Schmitt.

**CONSENT ITEMS**

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

1. Minutes and Reports Submitted: City Council Proceedings of 8/21; Human Rights Commission of 5/8, 6/16; Library Board of Trustees of 6/22; Proof of Publication for City Council Proceedings of 8/7, 8/14. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Robert & Sharon Bradley for property damage, Anthony Hemmer for property damage, Heather Splinter 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: Robert and Sharon Bradley for property damage, Michael Elliott for property damage, Anthony Hemmer for property damage, Heather Splinter for vehicle damage. Upon motion the documents were received, filed, and concurred.

4. Imagine Dubuque Comprehensive Plan Work Session Rescheduled: City Manager confirming that the Imagine Dubuque Comprehensive Plan Work Session previously scheduled for August 28, 2017, has been rescheduled to September 6, 2017. Upon motion the documents were received and filed.

5. Bee Branch Watershed Flood Mitigation, HUD National Disaster Resilience Competition Grant, Infrastructure Contract Amendment: City Manager recommending authorization to execute Contract Amendment No. 1 to the Community Development Block Grant National Disaster Resilience (CDBG-NDR) Program Contract with the Iowa Economic Development Authority in order for the City to utilize CDBG-NDR funds for the Bee Branch Watershed Flood Mitigation Project. Upon motion the documents were received, filed and approved.

6. Acceptance of Grant of Easement for Rhomberg / Windsor Avenues Signalization Improvements: City Manager recommending acceptance of a Grant of Easement for Traffic Signal, Electric, and Fiber Optics Utilities from Michael and Sandra Kapparos across part of Lot 36 in Cook's Addition, in the City of Dubuque. Upon motion the documents were received and filed and Resolution No. 309-17 Accepting a Grant of Easement for Traffic Signal, Electric, and Fiber Optics Utilities across part of the Southeasterly 71' of Lot 36 in Cook's Addition, City of Dubuque, Iowa was adopted.

7. Family Self-Sufficiency Coordinator Grant Application: City Manager recommending approval to apply for a Family Self-Sufficiency Coordinator Grant from the U.S. Department of Housing & Urban Development (HUD). Upon motion the documents were received and filed and Resolution No. 310-17 Authorizing the Mayor to execute an application for the HUD Family Self-Sufficiency Program Grant and authorizing the Director of Housing and Community Development and the City Manager to approve the application was adopted.

8. Community Development Block Grant (CDBG) Entitlement Activities Environmental Review Tier 1 for Fiscal Year 2018: City Manager recommending approval for the Mayor to sign the Environmental Review Determination as the Certifying Officer for the City of Dubuque for the Fiscal Year 2018 Community Development Block Grant Program. Upon motion the documents were received, filed and approved.

9. Proceedings to Complete Action on \$475,000 Water Revenue Capital Loan Note (Interim Financing) SRF, Planning & Design Roosevelt Water Tower: City Manager recommending approval of the proceedings to complete action required on the \$475,000 State Revolving Fund (SRF) Planning & Design Loan to fund the planning and design portion of the Roosevelt Water Tower Project. Upon motion the documents were received and filed and Resolution No. 311-17 Approving and authorizing a Form of Interim Loan and Disbursement Agreement by and between the City of Dubuque and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of \$475,000 Water Revenue Capital Loan Notes Anticipation Project Note, Series 2017, of

the City of Dubuque, Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of said Note was adopted.

10. Workers' Compensation Compromise Settlement Agreement: City Attorney recommending approval of a Compromise Settlement Agreement regarding a Workers' Compensation claim by Karen Pins. Upon motion the documents were received, filed and approved.

11. Letter of Support for Metz Building Redevelopment Project: City Manager providing a Letter of Support for approval of Historic Tax Credits for the Metz Building redevelopment project. Upon motion the documents were received, filed and approved.

12. Signed Contracts: Tri-State Adjustments, Inc. Collection Services Agreement. Upon motion the documents were received and filed.

13. Improvement Contracts / Performance, Payment and Maintenance Bonds: Drew Cook & Sons Excavating Company, Inc. for 2017 Sewershed 10 Manhole Projects; McClain Excavating Company, Inc., for the Dubuque Airport Rental Car Parking Lot Project 2017; Midwest Concrete, Inc. for 2017 Asphalt Overlay Ramp Project Four; Portzen Construction, Inc. for Phase 1 17th St. Storm Sewer Improvements Project. Upon motion the documents were received, filed and approved.

14. 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. 312-17 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; and Resolution No. 313-17 Approving applications for retail cigarette/tobacco sales/nicotine/vapor permits, as required by Iowa Code Chapter 453A.47A were adopted.

## **BOARDS/COMMISSIONS**

Applicants were invited to address the City Council regarding their appointment to the following Boards/Commissions.

1. Human Rights Commission: One, 3-year term through January 1, 2019 (Vacant term of Fisher). Applicants: Juliet Dita Meyer, 1398 Alta Vista St.; Gerald Hammel, Jr., 1225 ½ Rhomberg Ave.; Ashley Melchert, 1265 Thomas Pl. Mr. Hammel spoke in support of his appointment and provided a brief biography.

Appointments were made the following boards/commissions.

2. Airport Commission: Two, 4-year terms through September 14, 2021 (Expiring terms of Brotherton and Even). Applicants: Doug Brotherton, 2823 Hickory Hill; Chris Even, 120 S. Grandview Ave.; Scott Leibfried, 3211 Honeysuckle Ln.; Yahaira Lugo, 1671 Avoca St.

Upon roll-call vote Doug Brotherton and Chris Even were appointed to 4-year terms through September 14, 2021. Brotherton = Lynch, Jones, Resnick, Buol; Even = Connors, Del Toro, Lynch Resnick, Buol; Leibfried = Del Toro, Rios, Jones, Lugo = Connors, Rios.

3. Electrical Code Board: One, 3-year term through May 21, 2020 (Expired term of Pfohl). Applicant: Kevin Pfohl, 1878 Hummingbird Dr. (Qualifies with Electrical Background). Motion by Lynch to appoint Mr. Pfohl to a 3-year term through May 21, 2020. Seconded by Connors. Motion carried 7-0.

## **PUBLIC HEARINGS**

1. Marquette Hall, LLC Vacating Petition for Alley Between Regent and Queen Streets: Proof of publication on notice of public hearing to consider approval of a request from Marquette Hall, LLC to vacate a 20-foot wide alley between Regent Street and Queen Street to facilitate revitalization of the former Sacred Heart School property at 2222 Queen Street and the City Manager recommending approval. Motion by Connors to receive and file the document and adopt Resolution No. 314-17 Vacating the alley between Regent Street and Queen Street in Sanford Subdivision, to be known as Lot 34A of Sanford Subdivision, in the City of Dubuque, Iowa. Seconded by Lynch. Responding to questions from the City Council, City Manager Van Milligen stated that Sacred Heart Church is involved in the total project and therefore aware of the loss of some parking area. Motion carried 7-0.

2. Fiscal Year 2018 First Budget Amendment: Proof of publication on notice of public hearing to consider approval of the Fiscal Year 2018 First Budget Amendment and the City Manager recommending approval. Motion by Lynch to receive and file the documents and adopt Resolution No. 315-17 Amending the current budget for the Fiscal Year Ending June 30, 2018. Seconded by Connors. Motion carried 7-0.

## **ACTION ITEMS**

1. Code of Ordinances Amendment - Title 1 Mayor and City Council Salary Compensation (Third Reading): City Clerk submitting an amendment to the City of Dubuque Code of Ordinances Title 1 adjusting City Council Member salaries effective January 1, 2018 as recommended by the Compensation Task Force and approved by City Council on July 17, 2017. Motion by Jones for final consideration and passage of Ordinance No. 40-17 Amending City of Dubuque Code of Ordinances Title 1 Administration, Chapter 6 Mayor and City Council, Section 1-6-2 Compensation. Seconded by Connors. Motion carried 5-2 with Del Toro and Rios voting nay.

2. Code of Ordinances Amendment - Title 15 Long Range Planning Advisory Commission: City Manager recommending a change in the City's process for handling amendments to Urban Renewal Plans and Urban Revitalization Plans in order to better align with State of Iowa 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 Connors. Motion carried 7-0.

Motion by Lynch for final consideration and passage of Ordinance No. 41-17 Amending City of Dubuque Code of Ordinances Title 15 Planning and Zoning, Chapter 2 Long Range Planning Advisory Commission, Section 15-2-13 Powers. Seconded by Connors. Motion carried 7-0.

### **COUNCIL MEMBER REPORTS**

Mayor Buol reminded everyone that the 11<sup>th</sup> Annual State of the City Address is scheduled for Monday, September 11<sup>th</sup> at 7:00 p.m. in the Council Chambers of the Historic Federal Building, 350 W. 16<sup>th</sup> St. Mayor Buol also reported on receiving correspondence from former Dubuquer Kyle Fitzgerald who described the generosity of Dubuque residents when he called for supplies and assistance for his trip to Texas to provided aid to survivors of Hurricane Harvey.

There being no further business, upon motion the City Council adjourned at 6:27 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

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