

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

The Dubuque City Council met in regular session at 6:00 p.m. on September 18, 2017 in the Historic Federal Building, 350 W. 6th 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(S)

1. TH Media bizTimes 2017 Rising Stars Presentation: Steve Fisher of the Telegraph Herald presented on Sustainable Community Coordinator Cori Burbach and Resource Management Coordinator Anderson Sainci being selected as 2017 Rising Stars by the TH Media's bizTimes and played a video biography of the two recipients.

PROCLAMATION(S)

1. Crop Walk Day in Dubuque (October 1, 2017) was accepted by Mayor Roy D. Buol on behalf of the Crop Walk Committee.

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 9/5, 9/6, 9/11; Historic Preservation Commission of 8/17; Library Board of Trustees Update 8/24; Long Range Planning Advisory Commission of 8/23, 9/12; Zoning Board of Adjustment of 8/24; Proof of publication for City Council Proceedings of 8/21; Proof of publication for List of Claims and Summary of Revenues for Month Ending 7/31. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Joan Fingerson for personal injury. 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: Joan Fingerson for personal injury. Upon motion the documents were received, filed, and concurred.

4. Dubuque Community School District AmeriCorps Agreement: City Manager recommending approval of an agreement between Dubuque Community School District for AmeriCorps services with the City of Dubuque AmeriCorps Partners in Learning as required by the Corporation for National and Community Service as a part of the grant award for AmeriCorps Partners in Learning. Upon motion the documents were received, filed and approved.

5. Tri-State Occupational Health, L.L.C. Agreement Amendment: City Manager recommending approval of an amendment to the Agreement between Tri-State Occupational Health, L.L.C. and the City of Dubuque for case management services for workers' compensation claims and police and fire job-related injuries and illnesses. Upon motion the documents were received, filed and approved.

6. DARE Agreement with Dubuque Community School District: City Manager recommending approval of the Fiscal Year 2017-2018 DARE Agreement between the City of Dubuque Police Department and the Dubuque Community School District. Upon motion the documents were received, filed and approved.

7. DARE Agreement with Holy Family Schools: City Manager recommending approval of the Fiscal Year 2017-2018 DARE Agreement between the City of Dubuque Police Department and the Holy Family School District. Upon motion the documents were received, filed and approved.

8. School Resource Officer (SRO) Agreement with Dubuque Community School District: City Manager recommending Council approval of the Fiscal Year 2017/2018 School Resource Officer agreement between the City of Dubuque Police Department and the Dubuque Community School District. Upon motion the documents were received, filed and approved.

9. Amendment to the Collective Bargaining Agreement with the International Union of Operating Engineers Local #234: City Manager recommending approval of an Amendment to the Collective Bargaining Agreement between the City of Dubuque and the International Union of Operating Engineers, Local #234, that provides for a work week that consists of ten hours per day and four days per week for full-time Public Safety Dispatchers. Upon motion the documents were received, filed and approved.

10. Code of Ordinances - Adoption of Supplement No. 26: City Clerk recommending adoption of Supplement No. 26 to the City of Dubuque Code of Ordinances. Upon motion the documents were received and filed and Resolution No. 319-17 Adopting Supplement No. 26 to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

11. Economic Development Capital Improvement Program Budget: City Manager recommending that reallocated redevelopment funds from Fiscal Year 2017 CIP be

included in a future Fiscal Year 2018 budget amendment. Upon motion the documents were received, filed and approved.

12. Signed Contracts: Q Casino First Amendment to Parking License Agreement; Short-Form Public Improvement Contracts with Eastern Iowa Directional Drillers, LLC for the Iowa Street Lighting Project from 10th to 12th Streets and the Main Street Lighting Project from 9th to 12th Streets. Upon motion the documents were received and filed.

13. 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. 320-17 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 Del Toro. Motion carried 7-0.

1. Residential Parking Permit Amendment District C and District E: City Manager recommending that the City Council set a public hearing for October 2 to consider an amendment to the Saint Ambrose Street Residential Parking Permit District C, which would add both sides of Saint Ambrose Street from Clarke Drive to Sunnyview Drive, and an amendment to the Auburn Street Residential Parking Permit District E, which would add both sides of Auburn Street, from North Grandview Avenue to Dexter Street. Upon motion the documents were received and filed and Resolution No. 321-17 Setting A public hearing on Amending Residential Parking Permit District C to include both sides of Saint Ambrose between Clarke Drive and Sunnyview Drive and District E to include both sides of Auburn Street between North Grandview and Dexter Street was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on October 2, 2017 in the Historic Federal Building.

BOARDS/COMMISSIONS

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

1. Historic Preservation Commission: Two, 3-year terms through July 1, 2020 (Expired terms of Klavitter and McAndrews). Applicants: David Klavitter, 1090 West 3rd St. (Qualifies for Langworthy District); John McAndrews, 350 West 1st St. (Qualifies for Cathedral District). This commission is subject to the State of Iowa Gender Balance Law. 9 Commissioners total; currently 4 males/2 females. Applications have been held for 90 days in adherence with Iowa Code 69.16A Gender Balance. Mayor Buol referenced receiving correspondence from Mr. Klavitter about his desire to be reappointed.

2. Housing Commission: One, 3-year term through August 17, 2019 (Vacant term of Wall). Applicant: Nicole Borovic, 3163 Hillcrest Rd.

3. Zoning Advisory Commission: Two, 3-year terms through July 1, 2020 (Expiring terms of Baumhover and Henschel). Applicants: Steve Baumhover, 2084 Rosemont; Thomas Henschel, 932 June Dr. This commission is subject to the State of Iowa Gender Balance Law. 7 Commissioners total; currently 3 males/2 females. *Applications have been held for 90 days in adherence with Iowa Code 69.16A Gender Balance.

Appointment was made to the following commission.

4. Human Rights Commission: One, 3-year term through January 1, 2019 (Vacant term of Fisher). Applicants: Nicole Borovic, 163 Hillcrest Rd. (Additional Applicant); Juliet Dita Meyer, 1398 Alta Vista St.; Gerald Hammel Jr., 1225 ½ Rhomberg Ave.; Ashley Melchert, 1265 Thomas Pl. Upon roll-call vote, (Borovic = -0-; Dita-Meyer = Del Toro, Connors, Rios, Resnick; Hammel = Buol, Jones, Resnick; Melchert = -0-), Ms. Dita-Meyer was appointed to a 3-year term through January 12, 2019.

PUBLIC HEARINGS

1. Imagine Dubuque 2037: A Call to Action - 2017 Comprehensive Plan: Proof of publication on notice of public hearing to consider approval of the Imagine Dubuque Comprehensive Plan and the Long Range Planning Advisory Commission recommending adoption. Motion by Lynch to receive and file the documents and adopt Resolution No. 322-17 Adopting the 2017 Comprehensive Plan. Seconded by Connors. Long Range Planning Advisory Commission Chairperson Chad Darter, Assistant Planner Dave Johnson, Planning Technician Ose Akinlotan and Mike Koffman of Teska Associates presented an overview of the Plan's contents and the citizen engagement process. Paul Schultz, 1008 Victoria Street, expressed his overall pleasure with the Plan and addressed the Council about his concerns regarding unclear language in the areas of climate action and zero waste as well as further consideration of private/public funding for expanded infrastructure and facilities, and making yard waste available for private gardening. Motion carried 7-0.

ACTION ITEMS

1. American Association of Retired People (AARP) Presentation: Kent Sovern, Iowa State Director of AARP Community, State and National Affairs will presented on how Dubuque's efforts align with AARP Iowa's goal of creating a "Great Place for All Ages." Mr. Sovern provided copies of AARP's book "Where We Live; Communities for All Ages," in which Dubuque is spotlighted. He also described AARP's process and efforts across the state for achieving age-friendly communities. Motion by Connors to receive and file the documents. Seconded by Resnick. Motion carried 7-0.

2. Multicultural Family Center Annual Report for 2015: Multicultural Family Center Director Farris Muhammad, Board President Marlene Woller, and former Board President John Stewart shared a presentation of the 2016 Multicultural Family Center Annual Report. Topics included an overview of programs that showcase diversity, teach culturally distinct content, culturally significant days, education & long-term learning, other programs and events, participant feedback, and the Center's financials. Motion by Connors to receive and file the documents. Seconded by Lynch. Motion carried 7-0.

3. Five Flags Center Quarterly Report: SMG Regional General Manager HR Cook shared the quarterly report on the Five Flags Civic Center. Topics included: showcasing the theater's history, year-end financials, staffing changes, types of events for Fiscal Year 2017, demographics related to tickets sales, website statistics, new marketing/branding efforts, survey of service and venue, enhanced media relations, awards and recognitions, venue partners, food and beverage upgrades, venue sponsorships, and new and upcoming shows. Motion by Connors to receive and file the documents. Seconded by Resnick. Motion carried 7-0.

4. The Growing Sustainable Communities Conference - Media Release: Dubuque, Iowa - 10th Annual Growing Sustainable Communities Conference will be held October 3 and 4, 2017 at the Grand River Center. Motion by Connors to receive and file the document. Seconded by Resnick. Mayor Buol highlighted the conference and noted that information and registration is available from the City's webpage. Motion carried 7-0.

5. Final Plat of Oakland Ridge Estates: City Manager recommending approval of the final plat of Oakland Ridge Estates, which is located in Dubuque County but within two miles of the City of Dubuque corporate limits, subject to allowing 22-foot paving width for Mackenzie Ridge, Libby Lane, Morgan Creek Drive, Lea Lane and Maci Court, and waiving Sections 11-20 Water Supply, 22-21 Sanitary Sewer, 11-23 Obligation to Install Improvements, and 11-24 Improvement Guarantees. Motion by Lynch to receive and file the documents and adopt Resolution No. 323-17 Approving the Final Plat of Oakland Ridge Estates in Dubuque, County, Iowa. Seconded by Jones. Speaking on behalf of the developer, Dave Schneider of Schneider Land Surveying, 906 1st. St., Farley, Iowa responded to questions from the City Council explaining that no on-street parking is intended with drives and garages providing for parking. The streets would be changed to the City's standards should the development ever be incorporated into the City. Motion carried 7-0.

6. Jule Transit International Medium-Duty Vehicle Engine Issue Replacement Plan: City Manager recommending approval of a replacement plan due to unexpected engine issues occurring in the International Medium Duty buses in The Jule fleet. Motion by Connors to receive and file the documents and approve the recommendation. Seconded by Jones. Responding to questions from the City Council, City Manager Van Milligen stated that the unanticipated revenue provided by the lease of the Historic Federal Building by the USPS will provide the needed funds and that no issues have been experienced with the Public Works fleet. Motion carried 7-0.

7. Iowa Economic Development Authority Contract for Flexsteel Industries, Inc.: City Manager recommending approval of a State of Iowa Business Financial Assistance Contract among Flexsteel Industries, Inc., the City of Dubuque, and the Iowa Economic Development Authority. Motion by Jones to receive and file the documents and adopt Resolution No. 324-17 Authorizing the execution of a contract for State Business Financial Assistance by and among Flexsteel Industries, Inc., the City of Dubuque, Iowa, and the Iowa Economic Development Authority. Seconded by Lynch. Motion carried 7-0.

8. State of Iowa Business Financial Assistance Application for Heartland Financial USA, Inc.: City Manager recommending approval of the submission of an Iowa Economic Development Assistance Application by Heartland Financial USA, Inc. to the Iowa Economic Development Authority. Motion by Connors to receive and file the Documents and adopt Resolution No. 325-17 Authorizing the Filing of an Application for State Business Financial Assistance on Behalf of Heartland Financial, USA, Inc. Seconded by Del Toro. Council Member Connors referenced an e-mail received by the City Council in opposition to the application. City Manager Van Millgen reiterated that the City is in support of the application that will create high-quality jobs, but is not offering any financial assistance. Motion carried 7-0.

9. Southwest Arterial Update Video: Cable TV Division showed a video of the recent progress of the Southwest Arterial Project. Motion by Jones to receive and file the information. Seconded by Lynch. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported that the Des Moines Register's 100 Top Work Places included Honkamp Krueger & Co., P.C. and Hills & Dales of Dubuque.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:25 p.m. to discuss pending litigation and real estate transfer negotiations pursuant to Chapter 21.5(1)(c), -(j) of Code of Iowa. Seconded by Connors. Mayor Buol stated for the record that the attorneys who will consult with City Council on the issues to be discussed in the closed session are City Attorney Crenna Brumwell, Senior Counsel Barry Lindahl, and Attorney Jim Wainwright (Ahlers & Cooney Law Firm). Motion carried 7-0.

Having given staff proper direction, upon motion the City Council reconvened in open session at 9:16 p.m.

There being no further business, upon motion the City Council adjourned at 9:17 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 9/27