

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

The Dubuque City Council met in regular session at 6:00 p.m. on January 16, 2018 in the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

Present: Mayor Buol (via phone), Mayor Pro Tem Resnick; Council Members Del Toro, Jones, Larson, Shaw; City Manager Van Milligen, City Attorney Brumwell

Absent: Council Member Rios

Mayor Pro Tem Resnick 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 Jones to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Del Toro. Council Member Shaw requested #s 6, 19, and 20 be held for separate discussion; and Council Member Larson requested #17 be held for separate discussion. Motion carried 6-0.

1. Minutes and Reports Submitted: Cable TV Commission of 1/3/18; City Council Proceedings of 1/3/18; Historic Preservation Commission of 12/21/17; Library Board of Trustees of 11/16/17; Park and Recreation Commission of 12/12/17; Resilient Community Advisory Commission of 11/2/17, 12/7/17; Zoning Advisory Commission of 12/6/17, 1/3/18; Zoning Board of Adjustment of 12/21/17; Proofs of Publication for City Council Proceedings of 12/18/17 and List of Claims/Summary of Revenues for Month Ending 11/30/17. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Merlyn Atkinson for property damage; Mary Coan for personal injury; Elizabeth Wallace 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: Merlyn Atkinson for property damage; Mary Coan for personal injury; Elizabeth Wallace for vehicle damage. Upon motion the documents were received, filed, and concurred.

4. Eagle Point Park Historic District Listed on National Register of Historic Places: Correspondence from the Iowa Department of Cultural Affairs informing the City that the Eagle Point Park Historic District has been listed in the National Register of Historic

Places effective November 27, 2017. Upon motion the documents were received and filed.

5. Marquette Hall National Register of Historic Places Nomination: Historic Preservation Commission approval of an application to the State Nominations Review Committee for the Iowa Department of Cultural Affairs requesting that Marquette Hall be listed on the National Register of Historic Places. Upon motion the documents were received and filed.

6. Jule Transit Annual Report for Fiscal Year 2017: City Manager transmitting the Jule's Annual Report for Fiscal Year 2017. Motion by Shaw to receive and file the documents. Seconded by Del Toro. Council Member Shaw recognized the efforts of the Transit Department and the Transit Advisory Board and highlighted their successes. Motion carried 6-0.

7. Civil Service Commission - Certified Lists: Civil Service Commission submitting the Certified List for the position of Bus Operator and Assistant Fire Marshal. Upon motion the documents were received, filed and made a Matter of Record.

8. Community Catalyst Building Remediation Grant: City Manager recommending approval of the submission of an application to the Iowa Economic Development Authority's Community Catalyst Building Remediation Grant Program for the Creative Adventure Lab Project at 210 Jones Street. Upon motion the documents were received, filed and approved.

9. Certified Local Government (CLG) Grant Agreement for Historic Preservation Commission Scholarships: City Manager recommending adoption of a resolution approving the CLG grant agreement and authorizing the Mayor to sign on behalf of the City to receive the scholarships that enable at least four Historic Preservation Commission members to attend the 2018 National Alliance of Preservation Commissions Biennial Forum. Upon motion the documents were received and filed and Resolution No. 7-18 Authorizing CLG Grant Agreement with State Historic Preservation Office for Scholarships for Historic Preservation Commissioners to attend National Preservation Conference was adopted.

10. Approval of Plat of Easement for Public Utilities and Bike/Hike Trail: City Manager recommending approval of a Plat of Easement for Public Utilities and a Bike/Hike Trail over a portion of City-owned property at 460 East 18th Street as part of the Metx, LLC Renovation Project. Upon motion the documents were received and filed, and Resolution No. 8-18 Approving a Plat of Easement for Public Utility and Bike Train located in part of Lot 1 of Marde Place in the City of Dubuque, Iowa was adopted.

11. Acceptance Grant of Easement for Bike/Hike Trail: City Manager recommending acceptance of a Grant of Easement for a Bike/Hike Trail over a portion of vacated East 17th Street as part of the Metx, LLC Renovation Project. Upon motion the documents were received and filed and Resolution No. 9-18 Accepting a Grant of Easement from Metz Development, LLC for a Bike/Hike Trail was adopted.

12. Plat of Survey Cedar Lake - East 12th Addition: Zoning Advisory Commission recommending approval of the Plat of Survey for Cedar Lake - East 12th Addition subject to waiving the lot frontage requirement for Lot 1. Upon motion the documents were received and filed and Resolution No. 10-18 Approving the Plat of Survey Cedar Lake - East 12th Addition in the City of Dubuque, Iowa was adopted.

13. Plat of Survey - Mississippi Heights Subdivision No. 6: Zoning Advisory Commission recommending approval of the Plat of Survey Mississippi Heights Subdivision No. 6 subject to waiving the lot frontage requirement for Lot 3. Upon motion the documents were received and filed and Resolution No. 11-18 Approving the Plat of Survey Mississippi Heights Subdivision No. 6 in the City of Dubuque, Iowa was adopted.

14. Acceptance of Lot C and Lot D South Pointe Subdivision: City Manager recommending acceptance of Lot C and Lot D of South Pointe Subdivision in the City of Dubuque, Iowa. Upon motion the documents were received and filed and Resolution No. 12-18 Accepting Lot C and Lot D of South Pointe Subdivision, in the City of Dubuque, Iowa was adopted.

15. Notice of Renewal of Highway 20 Corridor Preservation Zone: Correspondence from the Iowa Department of Transportation notifying the City that the IDOT proposes to renew corridor preservation for a segment of U.S. 20 In Dubuque County from the Peosta interchange east to the Crescent Ridge intersection. Upon motion the document was received and filed.

16. Grand River Center Electric Floor Box Replacement Award: City Manager recommending that the award for the Grand River Center Electric Floor Box Replacement Project to Westphal & Co., Inc. be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

17. Roosevelt Street Water Tower Project (Pressure Zone 2) Planning and Design Engineering Firm Selection: City Manager recommending approval to enter into final contract negotiations with IIW, P.C. to provide the professional engineering services to develop the preliminary engineering report, intended use plan application, archeological and environmental assessments, and the self-assessment Iowa Water System Viability documents in support of obtaining the necessary funding for the Roosevelt Street Water Tower Project. Motion by Larson to receive and file the documents and approve the recommendation. Seconded by Del Toro. Responding to questions from the City Council, Water Department Manager Denise Ihrig stated that low water pressure issues are being worked on, and that this project might help identify city-wide water pressure issues through the development of a hydraulic distribution model. Ms. Ihrig added that she is not aware of any plans to expand the shoulder along Roosevelt Street that would aid children walking to school as a water main already exists there. She will inform other staff regarding the issue. Motion carried 6-0.

18. Grand River Center North Parking Lot Repair Project Award: City Manager recommending that the award for the Grand River Center North Parking Lot Repair

Project to Drew Cook & Sons Excavating be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

19. IDOT ICAAP Funding Agreement University and Grandview Roundabout: City Manager authorization for the Mayor to execute a Funding Agreement with the Iowa Department of Transportation for an Iowa's Clean Air Attainment Program (ICAAP) Grant to assist with the construction of a proposed roundabout at the University Avenue and Grandview Avenue intersection. Motion by Shaw to receive and file the documents and adopt Resolution No. 13-18 Approving a Funding Agreement (6-17-ICAAP-09) with the Iowa Department of Transportation for an Iowa's Clean Air Attainment Program to assist with the construction of a proposed roundabout at University Avenue and Grandview Avenue. Seconded by Jones. Council Member Shaw acknowledged the work by staff to secure grants to cover a large portion of projects costs and pointed out that this project will cause a Jule Transit bus stop to be temporarily relocated. Motion carried 6-0.

20. IDOT Surface Transportation Project (STP) Funding Agreement University and Grandview Roundabout: City Manager recommending authorization for the Mayor to execute a Funding Agreement with the Iowa Department of Transportation for a Surface Transportation (STP) Block Grant to assist with the construction of a proposed roundabout at the University Avenue and Grandview Avenue intersection. Motion by Shaw to receive and file the documents and adopt Resolution No. 14-18 Approving a Funding Agreement (6-17-STPU-30) with the Iowa Department of Transportation for a Surface Transportation Block Grant Program to assist with the construction of a proposed roundabout at University Avenue and Grandview Avenue. Seconded by Larson. Council Member Shaw included this topic with his discussion of Item #19. Motion carried 6-0.

21. Request for Proposals - Valentine Park SRF Project: City Manager recommending approval of the release of a Request for Proposals for qualified consulting services to implement a Catfish Creek Watershed State Revolving Loan Fund (SRF) award for the Valentine Park SRF Project. Upon motion the documents were received, filed and approved.

22. Signed Contract: Fehr Graham Engineering and Environmental Professional Services agreement related to Creek Wood Park design and construction management services. Upon motion the document was received and filed.

23. 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. 15-18 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 Jones 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 6-0.

1. Community Development Block Grant Fiscal Year 2019 Annual Action Plan: City Manager recommending that the City Council set a public hearing for review of the Community Development Block Grant Annual Action Plan for February 12, 2018, in conjunction with the Housing and Community Development Department's budget hearing. Upon motion the documents were received and filed and Resolution No. 16-18 Setting a public hearing on the Fiscal Year 2019 (Program Year 2018) Community Development Block Grant (CDBG) Annual Action Plan was adopted, setting a public hearing for a meeting to commence at 6:00 p.m. on February 12, 2018 in the Historic Federal Building.

### **BOARDS/COMMISSIONS**

Applicants were invited to address the City Council about their desire to serve on the following Boards and Commissions.

1. Community Development Advisory Commission: Two, 3-year terms through February 15, 2021 (Expiring At-Large term of Wainwright and Low-/Moderate-Income Area Term of Woodyard). Applicants: Thomas Wainwright, 1788 Lori St. (Qualifies as At-Large); Julie Woodyard, 2015 Washington St. (Qualifies as Low-/Moderate-Income Area).

Appointment was made to the following Commission.

2. Parks and Recreation Advisory Commission: One, 3-year term through June 30, 2019 [corrected] (Vacant term of Larson). Applicants: Adam Babinat, 54 Milwaukee St.; Kim Daykin, 275 Southgate Dr. (Additional Applicant); Daniel Rothert, 85 Freemont Ave.; Ray Werner, 2595 Greeley St.; Luke Roth, 904 Barbaralee Dr. (Application pulled at Mr. Roth's request.). Upon roll-call vote of: Babinat = 0; Daykin = 0; Rothers = 2 (Del Toro, Resnick); and Werner = 4 (Jones, Larson, Buol and Shaw), Mr. Werner was appointed to the remainder of a 3-year term through June 30, 2019 [corrected].

### **PUBLIC HEARINGS**

1. Master Lease Agreement with Southwestco Wireless, Inc. d/b/a Verizon Wireless: Proof of publication on notice of public hearing to consider approval of a Water Tower and Ground Space Lease for Southwestco Wireless, Inc. d/b/a Verizon Wireless to expand their capacity at the 3rd Street Water Tower at 3<sup>rd</sup> Street and College Street and the City Manager recommending approval. Motion by Del Toro to receive and file the documents and adopt Resolution No. 17-18 Approving the Disposal of an interest in real property owned by the City of Dubuque by lease between the City of Dubuque, Iowa and Southwestco Wireless, Inc. d/b/a Verizon Wireless. Seconded by Jones. Motion carried 6-0.

2. Metx, LLC, - Vacating Petition for Alley Right-of-Way: Proof of publication on notice of public hearing to consider approval of the vacate and disposal of the property to be known as Lot 175A of East Dubuque Addition to the City of Dubuque, Iowa as part of the Metx, LLC Renovation Project at 1690 Elm Street and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 18-18 Vacating the right-of-way of the 20-foot alley between Elm Street and Pine Street and lying north of East 17th Street and south of East 18th Street, in the City of Dubuque, Iowa; and Resolution No. 19-18 Disposing of City interest in Lot 175A of East Dubuque Addition to City of Dubuque, in the City of Dubuque, Iowa. Seconded by Del Toro. Motion carried 6-0.

## **PUBLIC INPUT**

Michaela Freiburger, 1718 Diane Ct., Dubuque; and Gwen Hall Driscoll, 412 W. Main St., Epworth, addressed the City Council regarding Action Item #2 Dubuque Eats Well Coalition requesting that the City Council consider funding their request through a dedicated budget line item and not through the purchase of service competitive grant program as indicated in the City Manager's response. The speakers referenced the existing city programs relating to local foods and added that support by another two entities is contingent upon support from Dubuque.

## **ACTION ITEMS**

1. Grand River Center Annual Report: Grand River Center General Manager Mitzi Yordy presented the Center's 2017 Annual Report and update of activities in the current fiscal year and future plans. Highlights included the Center's purpose, 2017 \outcomes, promotional strategy, annual groups comparison, 2017 events actual market segment, sustainability efforts, 2018 market segment forecast, partnerships, and a review of 2017/2018 groups. Responding to questions from the City Council, Ms. Yordy addressed competitive employment at the Center in terms of longevity, total number of employees and how temporary help is engaged. She added that the Center collectively works with the Five Flags Center without direct competition. Motion by Jones to receive and file the documents. Seconded by Del Toro. Motion carried 6-0.

2. Dubuque Eats Well Coalition: City Manager submitting a response to the Dubuque Eats Well Coalition regarding a request for funding to promote community and regional food systems. Motion by Jones to receive and file the documents. Seconded by Shaw. City Manager Van Milligen responded to questions regarding his response to the organization stating how the City's purchase of service competitive grant process is designed for such requests and what impact it could have on the Fiscal Year 2019 budget. The City Council discussed the budget justification, relationship to Council goals, and the potential for precedent setting if the funds were to be a dedicated budget line item. The Council concurred that it warranted more discussion during Fiscal Year 2019 budget process scheduled throughout February. Motion carried 6-0.

3. Final Plat - South Pointe #2 Subdivision: City Manager recommending approval of the final plat of South Pointe #2 Subdivision. Motion by Jones to receive and file the

documents and adopt Resolution 20-18 Authorizing approval of the Final Plat of South Pointe #2 in the City of Dubuque, Iowa. Seconded by Del Toro. Motion carried 6-0.

4. Request to Schedule Work Session on Project HOPE: City Manager requesting approval to schedule a Work Session on Project HOPE for Monday, March 5, 2018 at 5:30 p.m. in the Historic Federal Building City Council Chambers. Motion by Del Toro to receive and file the documents and schedule the work session as recommended. Seconded by Shaw. Motion carried 6-0.

There being no further business, upon motion the City Council adjourned at 6:53 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

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