

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

The Dubuque City Council met in special session at 5:30 p.m. on February 5, 2018 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Del Toro, Jones, Larson, Resnick, Rios (Joined at 5:58 p.m.), Shaw; City Manager Van Milligen (Joined at 5:36 p.m.), Assistant City Attorney Goodmann, City Attorney Brumwell

Mayor Buol read the call and stated this is a special session of the City Council called for the purpose of conducting the annual Travel Dubuque / Convention and Visitors Bureau work session.

**WORK SESSION
Travel Dubuque / Convention and Visitors Bureau**

Keith Rahe, President and CEO of Travel Dubuque/Convention and Visitors Bureau presented the annual work session to the City Council. Topics included: new Travel Dubuque moto; Introduction of staff; mission statement; review of Board of Directors and Advisory Committee membership; 2016 financial growth statistics; hotel/motel tax records, occupancy and STR report; highlights of FY18; What's Happening with street art, breweries, exhibits, and facilitating Sister City relationships; announcing the USS LST 325 WWII Landing Ship Tank arrival in Dubuque in Summer 2018; review of event sales; upcoming entertainment tourism events; America's River Festival 2018; inclusive tourism and examples; review of FY19 budget; and photo credits.

Responding to questions from the City Council, Mr. Rahe explained the process behind applying for a future RAGBRAI event and how hotel/motel taxes are collected and distributed.

There being no further business, upon motion the City Council adjourned at 5:59 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 2/14

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

The Dubuque City Council met in regular session at 6:00 p.m. on February 5, 2018 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Del Toro, Jones, Larson, Resnick, Rios, Shaw; 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

PROCLAMATION(S)

1. Japanese Music and Culture Week (February 12-17, 2018) was accepted by Mayor Roy D. Buol on behalf of Tom Robbins, Director of the Heritage Center, University of Dubuque.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Shaw. Council Member Shaw requested Item #7 be held for separate discussion. Council Member Larson request #6, #9, and #10 be held for separate discussion. Motion carried 7-0.

1. Minutes and Reports Submitted: Airport Commission of 1/22/18; City Council Proceedings of 1/16/18; Human Rights Commission of 12/11/17, 1/8/18; Library Board of Trustees Council Update #167 of 1/25/18; Resilient Community Advisory Commission of 1/4/18; Proof of Publication for City Council Proceedings of 1/3/18, 1/16/18; List of Claims and Summary of Revenues for Month Ending 12/31/17. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Robert Apel for vehicle damage, Carol Bandy for personal injury/vehicle damage, Jenny Cook for vehicle damage, Dubuque County Sheriff's Office for vehicle damage, Felderman Business Associates for property damage, Michael Gukeisen for vehicle damage, Joseph Ray for vehicle damage, Victoria Ruefer 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: Robert Apel for vehicle damage, Carol Bandy for personal injury/vehicle damage, Jenny Cook for vehicle damage, Dubuque County Sheriff's Office for vehicle damage, Felderman Business Associates for property damage, Michael Gukeisen for vehicle damage, Joseph Ray for vehicle damage, Victoria Ruefer for personal injury. Upon motion the documents were received, filed, and concurred.

4. U.S. Environmental Protection Agency (EPA) Superfund Redevelopment Focus List: City Manager transmitting a news release from the U.S. Environmental Protection Agency (EPA) advising of the Agency's Superfund National Priorities List of redevelopment sites that references the Jule Transit Operations Center. Upon motion the documents were received and filed.

5. Quarterly Investment Report., December 31, 2017: City Manager transmitting the attached December 31, 2017 Quarterly Investment Report. Upon motion the documents were received and filed.

6. Green Iowa AmeriCorps Quarterly Performance Report: City Manager transmitting information on the performance of the Green Iowa AmeriCorps team during their first quarter of the service term September 2017 through December 2017. Motion by Larson to receive and file the documents. Seconded by Del Toro. Combining her comments with Items #9 & #10, Ms. Larson recognized the AmeriCorps team and thanked them for their efforts. Motion carried 7-0.

7. Small Project Incentives Program: City Manager recommending approval of a proposal for drafting economic development agreements with developers of small projects to incentivize their downtown investment and make the projects more financially feasible. Motion by Shaw to receive and file and adopt Resolution No. 21-18 Approving an Incentive Program for Small Projects using Tax Increments Financing. Seconded by Resnick. Responding to questions from the City Council and referencing an e-mail received from the owners of the Smokestack, City Manager Van Milligen stated that making TIFF a retroactive program would defy the purpose of the program and create a backlog of requests adding that generally TIFF districts involve urban renewal and residential components. Economic Development Director Maurice Jones stated that this new program aligns and overlays with the existing urban revitalization program and creates another tool for small business that allows for equitable negotiation. Motion carried 7-0.

8. Scales Mound Packet Co., d/b/a River Cruises Docking License Agreement: City Manager recommending approval of a docking License Agreement between the City of Dubuque and Scales Mound Packet Co., d/b/a River Cruises. Upon motion the documents were received and filed and Resolution No. 22-18 Approving a Docking License Agreement between the City of Dubuque, Iowa (City) and Scales Mound Packet Co. d/b/a River Cruises (River Cruises) was adopted.

9. 2018-19 AmeriCorps Partners in Learning Grant Application: City Manager recommending approval of the 2018-2019 AmeriCorps Partners in Learning Campaign

for Grade Level Reading Grant application that focuses on ensuring students read at grade level by 3rd grade and targeting economically disadvantaged students. Upon motion for Item #6, the documents were received, filed and approved.

10. AmeriCorps National Civilian Community Corps (NCCC) Letter of Support: City Manager recommending approval of a letter of support to host AmeriCorps NCCC in partnership with the Four Mounds Foundation. Upon motion for Item #6, the documents were received, filed and approved.

11. Community Development Block Grant (CDBG) Fiscal Year 2018 Annual Action Plan Amendment No. 2: City Manager recommending approval of the FY 2018 Annual Action Plan – Amendment 2 for the Community Development Block Grant (CDBG) Program. Upon motion the documents were received and filed and Resolution No. 23-18 Amending the Fiscal Year 2018 (Program Year 2017) Community Development Block Grant (CDBG) Annual Action Plan was adopted.

12. Sustainable Dubuque Community Grant - Application Changes: City Manager recommending approval of changes to the application process for the Sustainable Dubuque Community Grant program to be effective for the April 1, 2018 deadline. Upon motion the documents were received, filed and approved.

13. Growing Sustainable Communities Conference Management Contract: City Manager recommending approval of a contract with Sustainable City Network to host the 2018 Growing Sustainable Communities Conference. Upon motion the documents were received, filed and approved.

14. Iowa Partners for Conservation Grant: City Manager recommending authorization to apply for an Iowa Partners for Conservation Grant to secure funding to perform extensive modeling of the Catfish Creek Watershed, create a farmer-led watershed effort, establish a cover crop program within Dubuque County, and establish the City Manager as an authorized representative of the City regarding the grant. Upon motion the documents were received and filed and Resolution No. 24-18 Approving an application and establishing the City Manager as an authorized representative regarding the agreement between the NRCS and the City of Dubuque, Iowa for an Iowa Partners for Conservation Grant was adopted.

15. Airport Rental Car Parking Lot Project Acceptance: City Manager recommending acceptance of the public improvement for the Dubuque Airport Rental Car Parking Lot Project 2017, as completed by McClain Excavating. Upon motion the documents were received and filed and Resolution No. 25-18 Accepting the Dubuque Airport Rental Car Parking Lot Project 2017 and Authorizing the payment of the contract amount to the contractor was adopted.

16. Fire Pumper Purchase: City Manager recommending approval to purchase a commercial chassis fire engine from Simon Fire Equipment on a City-purchased

International chassis from Thompson Truck and Trailer. Upon motion the documents were received, filed and approved.

17. Authorized Depository Institutions: City Manager recommending approval of a resolution adding Collins Community Credit Union as an authorized depository institution for the City of Dubuque checking, savings, money market or certificate of deposit accounts. Upon motion the documents were received and filed, and Resolution No. 26-18 Naming Depositories was adopted.

18. Dubuque Metropolitan Area Solid Waste Agency (DMASWA): Correspondence from the DMASWA notifying the City of the Agency's Fiscal Year 2019 budget and fee schedule approved by the DMASWA Board of Directors effective July 1, 2018. Upon motion the documents were received and filed.

19. Amendment to 2018 State Legislative Priorities: City Manager recommending approval of the amended 2018 State Legislative Priorities to include Mental Health and Dubuque Community School District partner priority resolution of Formula and Transportation Inequities. Upon motion the documents were received, filed and approved.

20. Mediacom Communications Company: Correspondence from Lee Grassley, Senior Manager of Government Relations for Mediacom Communications Company, informing the City of rate adjustments being implemented on or about March 1, 2018. Upon motion the documents were received and filed.

21. Housing Commission Cross Representation Recommendations: Housing Commission recommending approval of two Housing Commissioners for cross representation on the Community Development Advisory Commission and the Housing Trust Fund Advisory Committee as required by City Code. Upon motion the documents were received, filed and approved.

22. Improvement Contracts / Performance, Payment and Maintenance Bonds: Drew Cook & Sons Excavating Co. for the Grand River Center North Parking Lot Repairs Project; Westphal & Company, Inc. for the Grand River Center Floor Box Replacement Project. Upon motion the documents were received, filed and approved.

23. Signed Contract(s): IIW, PC Technical Services Task Order No. 17-03 for the 17th Street/W. Locust Street Storm Sewer Improvements Project; IIW, PC Technical Services Task Order No. 18-01 for 22nd St./Kaufmann Ave. Storm Sewer Improvement Project; Pillar Design Studios, LLC for Dubuque Skate Park Designer and Landscape Architect; Releases of Mortgage for Duaine Greenfield (190 Main St.); Hartig Realty II, LC (703 Main St.); Don Junk (65-73 Main St.); Security Investments, LLC (800 Main St.); Security Partners, LP (800 Main St.); and Town Clock Building Co. (823-835 Main St.). Upon motion the documents were received and filed.

24. Business License Refund Request - Yesway #1139: Request from BW Gas and Convenience Retail, LLC for a refund of the Tobacco Permit DBQ-77-18 issued to

Yesway #1139 for an anticipated purchase of 2175 Central Ave. that did not occur. Upon motion the documents were received, filed and approved.

25. 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. 27-18 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.

26. 2017 Year in Review Public Information Brochure: City Manager transmitting the City of Dubuque 2017 Year in Review Public Information Brochure. Upon motion the document was received and filed.

ITEMS SET FOR PUBLIC HEARING

Motion by Resnick 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. Proceedings to Set Public Hearing for Series 2018A & B General Obligation (GO) Bonds: City Manager recommending that the City Council set a public hearing for February 19, 2018, on the proposition of selling not to exceed \$12,750,000 General Obligation Bonds. Upon motion the documents were received and filed and Resolution No. 28-17 Fixing date for a meeting on the proposition of the issuance of not-to-exceed \$12,750,000 General Obligation Bonds of the City of Dubuque, State of Iowa (for Essential Corporate Purposes), and providing for publication of notice thereof was adopted w setting a public hearing for a meeting to commence at 6:00 p.m. on February 19, 2018 in the Historic Federal Building.

BOARDS/COMMISSIONS

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

1. Housing Commission: One, 3-year term through August 17, 2018 (Vacant term of Shaw); One, 3-year term through August 17, 2019 (Vacant term of Heinke). Applicants: Adam Babinat, 54 Milwaukee St.; and Gail Weitz, 1630 Lori Ct. Mr. Babinat spoke in support of his appointment and provided a brief biography. The City Clerk acknowledged receipt of a letter submitted by Ms. Weitz.

Appointment was made to the following Board/Commission.

2. 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); and Julie Woodyard, 2015 Washington St. (Qualifies as Low-/Moderate-Income Area). Motion by Jones to appoint Mr. Wainwright and Ms. Woodyard to terms through February 15, 2021. Seconded by Del Toro. Motion carried 7-0.

ACTION ITEMS

1. Five Flags Center Quarterly Report: SMG Regional General Manager HR Cook shared the quarterly report on the Five Flags Civic Center. Topics included: First and Second Quarter Financials for gross ticket sales and attendance; first half FY18 operating revenue and expenses; review of last half CY17 notable events; map of ticket buyers, cities, sales channels, ages and income; review of website traffic and website statistics; SMG Turnkey survey of service and venue; review of media relations; new and current venue partners; changes to food & beverage; first and second quarter food and beverage financials; third quarter capital initiatives; notable upcoming events. Motion by Resnick to receive and file the documents. Seconded by Jones. Motion carried 7-0.

Responding to questions from the City Council, Mr. Cook addressed working with other local venues regarding cross-over events that may conflict with each other; the demographics behind ticket prices, sales and concession numbers; and how revenues generally increase during the last half of the fiscal year with the timing of bigger events; and challenges with working in an older facility. City Manager Van Milligen stated that the feasibility study of the Five Flags Center is due to come to Council this March.

2. Comprehensive Annual Financial Report (CAFR) and Auditor's Communication for Fiscal Year Ended June 30, 2017: City Manager transmitting the Fiscal Year 2017 Comprehensive Financial Report (CAFR), Auditor's Communication with Those Charged with Governance Letter, along with the City Finance staff's responses to Auditor's findings. Finance Director Jean Nachtman made brief verbal presentation that explained the layout and content of the different chapters of the Report. Responding to questions from the City Council, Ms. Nachtman noted that due to the City's type of investments, it is not vulnerable to extreme fluctuations in the Stock Market currently happening. Motion by Jones to receive and file the documents. Seconded by Del Toro. Motion carried 7-0.

3. Code of Ordinances Amendment - Title 14 Criminal Background Checks for Prospective Tenants: City Manager recommending approval of an amendment to the City of Dubuque Code of Ordinance which requires that criminal background checks for all prospective tenants be performed before tenancy begins. 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. Responding to questions from the City Council City Manager Van Milligen stated that he meets with the Landlord Association monthly, the City has not defined if a background check is done before or after tenancy is established. He added that some landlords do not comply despite the City offering background checks as a free service. Police Chief Mark Dalsing stated that most background checks can be completed within 24 hours or while the applicant waits. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 1-18 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article J Property Maintenance Code, Section 14-1J-3 Rental Licenses. Seconded by Larson. Motion carried 7-0.

4. Code of Ordinances Amendment - Title 6 Construction and Building Materials and Public Nuisances: City Manager recommending approval of an amendment to the City of Dubuque Code of Ordinances Section 6-4-3(S) to add time frames in which certain construction and building materials must be used at a building site to avoid becoming a public nuisance. 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. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 2-18 Amending City of Dubuque Code of Ordinances Title 6 Health, Housing, Sanitation and Environment, Chapter 4 Nuisances, Section 6-4-3 Public Nuisance Defined; Public Nuisance Defined; Public Nuisances Enumerated. Seconded by Del Toro. Motion carried 7-0.

5. Owner's Representative Agreement between Dubuque Initiatives and the City of Dubuque: City Manager recommending approval of a contract between Dubuque Initiatives and the City of Dubuque for City services provided in conjunction with Dubuque Initiative's redevelopment of the Flexsteel Industries, Inc. site at 3400 Jackson Street. Motion by Resnick to receive and file the documents and adopt Resolution No. 29-18 Approving a Professional Contact between Dubuque Initiatives and the City of Dubuque and for the Engineering Department to provide engineering consulting services for the Flexsteel Redevelopment Project. Seconded by Del Toro. Motion carried 7-0.

6. Iowa Economic Development Authority- Heartland Financial USA, Inc. Contract: City Manager recommending approval of a resolution approving an Economic Development Assistance Contract by and among Heartland Financial USA, Inc., the City of Dubuque, and the Iowa Economic Development Authority for an expansion by Heartland Financial of its operations in Dubuque. Motion by Jones to receive and file the documents and adopt Resolution No. 30-18 Authorizing the execution of a contract for State Business Financial Assistance by and among Heartland Financial, USA, Inc., Dubuque Bank & Trust, the City of Dubuque, Iowa and the Iowa Economic Development Authority. Seconded by Del Toro. Motion carried 7-0.

7. Iowa Economic Development Authority Contract with Cottingham & Butler Insurance Services, Inc.: City Manager recommending approval of a contract by and among Cottingham & Butler, Inc., the City of Dubuque and the Iowa Economic Development Authority for the expansion of Cottingham & Butler's operations at 800 Main Street. Motion by Resnick to receive and file the documents and adopt Resolution No. 31-18 Authorizing the execution of a contract for State Business Financial Assistance by and among Cottingham & Butler Insurance Services, Inc., the City of Dubuque, Iowa and the Iowa Economic Development Authority. Seconded by Larson. Motion carried 7-0.

8. Request for Work Session - Inclusive Dubuque: City Manager requesting that the City Council schedule a work session on Inclusive Dubuque for April 30, 2018 at 6:00 p.m. Motion by Del Toro to receive and file the documents and set the work session as recommended. Seconded by Resnick. Motion carried 7-0.

9. Request for Work Session - National Disaster Resiliency Grant Update: City Manager requesting that the City Council schedule a work session on the progress of the National Disaster Resiliency Grant, which will cover the progress of the Bee Branch Healthy Homes Program, for April 2, 2018 at 5:30 p.m. Motion by Larson to receive and file the documents and set the work session as recommended. Seconded by Resnick. Motion carried 7-0.

10. Mayor and City Council Appointments to Various Boards and Commissions: Additional discussion and confirmation of Mayor and Council Member appointments and representation on various boards and commissions and determine outstanding appointments. Mayor Buol submitting his request to represent on the Dubuque Main Street Board of Directors and Executive Committee. Upon Council concurrence, Council Member Rios was appointed to the DRA Board of Directors, Mayor Buol was appointed to the Dubuque Main Street Board of Directors and Executive Board, Council Member Kate Larson was appointed to the Friends of the Mines of Spain Board, and Council Member Shaw was appointed to the Travel Dubuque Sister City Committee.

11. Fiscal Year 2019 Recommended Budget Transmittal: City Manager submitting the Fiscal Year 2019 Recommended Budget Transmittal Message and provided a presentation. Topics included: property tax rate changes; City Council Vision Statement 2032 and Mission Statement; Goals 2022; Policy Agenda top and high priorities 2017-2019; Management Agenda top and high priorities 2017-2019; Comprehensive Plan 2017; Review of FY2016 budget actions; FY 2019 recommended budget including property tax calculations, new, eliminated, and unfrozen positions; staffing level comparisons; City debt issuance, reduction plan, and debt limit comparison; General Fund reserve; strategic funding; City utilities FY19 rate recommendations and comparison; Improvement Packages totals; retired TIF subareas; review of State-funded backfill and impacts; gas & electric utility property tax replacement; Local Option Sales Tax figures and issues; gaming revenue reduction; multi-residential property tax classification and impact; health insurance changes and impact; Jule Transit tax support, reductions and savings; Water & Resource Recovery Center staffing transition and savings; Housing TIF Districts figures and programs; workforce crisis; the missions, impacts and accomplishments of the Opportunity Dubuque program, the DREAM Center, the Campaign for Grade-Level Reading program, Fountain of Youth Program, the Greater Dubuque 2022 Campaign; Dubuque's True North Corporation program goals and CIP; review of the Community Perception Survey; review and impacts of the Rental Housing Program and staffing changes in the Police Department; Community Safety performance measure; Dilapidated Building Identification and Assessment CIP; Assistance for Homeownership CIP; and FY2019 Budget Public Meetings calendar. Responding to questions from the City Council regarding elimination of positions, City Manager Van

Milligen clarified the number of actual layoffs vs. frozen and vacant positions to be eliminated. He added the City must adhere to State Civil Service mandates, and that employees can apply for jobs through the Civil Service process.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:44 p.m. to discuss pending litigation and real estate transfer negotiations pursuant to Chapter 21.5(1)(c), -(j) Code of Iowa. Seconded by Resnick. Motion carried 7-0.

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 and Senior Counsel Barry Lindahl.

Upon motion, the City Council reconvened in open session at 10:09 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 10:10 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk.

1t 2/14