

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

The Dubuque City Council met in regular session at 6:00 p.m. on June 18, 2018 in the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

Present: Mayor Buol (via Telephone); Council Members Del Toro, Jones, Larson, Rios, Shaw; City Manager Van Milligen, City Attorney Brumwell

Absent: Council Member Resnick

City Clerk Kevin Firnstahl 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.

Appointment of Presiding Officer in the absence of the Mayor and Mayor Pro Tem: Motion by Larson to appoint Council Member Jones as the Presiding Officer for this meeting. Seconded by Shaw. Motion carried 6-0. Mr. Jones then took the Chair.

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION(S)**

1. Healthy Homes Month (June 2018) was accepted by Lead and Healthy Homes Supervisor Kim Glaser and Resiliency Coordinator Sharon Gaul.
2. Summer Learning Day (July 12, 2018) was accepted by Beth McGorry, Outreach Coordinator for St. Mark Youth Enrichment, 1201 Locust Street.

**CONSENT ITEMS**

Motion by Shaw to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Larson. (Council Member Larson requested Item #21 be held for separate discussion. Motion carried 6-0.

1. Minutes and Reports Submitted: City Council Proceeding of 6/4; Cable TV Commission of 6/6; Catfish Creek Watershed Management Authority of 6/6; Housing Commission of 5/22; Human Rights Commission of 5/15, 5/21; Zoning Advisory Commission of 6/6; Zoning Board of Adjustment of 5/24; Proof of Publication for City Council Proceedings of 5/14, 5/21. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Larry Dunton for property damage; Rainbo Oil Company for property damage; State Farm subrogating for Lyla Ant for vehicle damage. Upon motion the documents were received, filed, and referred to the City Attorney.

3. Disposition of Claims: Larry Dunton for property damage; State Farm subrogating for Lyla Ant for vehicle damage. Upon motion the documents were received, filed, and concurred.

4. City of Dubuque Awards & Recognitions: City Manager providing a copy of the public information brochure illustrating the awards and recognitions received by the City of Dubuque. Upon motion the documents were received and filed.

5. Contracted Services Agreement for Fiscal Year 2019 with Community Foundation of Dubuque: Every Child | Every Promise: City Manager recommending execution of the attached Contracted Services Agreement with Community Foundation of Greater Dubuque: Every Child | Every Promise. Upon motion the documents were received, filed and approved.

6. Contracted Services Agreement for Fiscal Year 2019 with Crescent Community Health Center: City Manager recommending execution of the attached Contracted Services Agreement with Crescent Community Health Center. Upon motion the documents were received, filed and approved.

7. Contracted Services Agreement for Fiscal Year 2019 with Dubuque Area Convention and Visitors Bureau (Travel Dubuque): City Manager recommending execution of the attached Contracted Services Agreement with the Dubuque Area Convention and Visitors Bureau (Travel Dubuque) to provide funding for tourist and convention development on behalf of City. Upon motion the documents were received, filed and approved.

8. Contracted Services Agreement for Fiscal Year 2019 with Dubuque Area Labor Management Council: City Manager recommending execution of the Contracted Services Agreement with the Dubuque Area Labor-Management Council to provide funding for improvement and expansion of labor-management cooperation in the public and private sector in the Dubuque area. Upon motion the documents were received, filed and approved.

9. Contracted Services Agreement for Fiscal Year 2019 with Dubuque Main Street: City Manager recommending approval of the attached Contracted Services Agreement with Dubuque Main Street and authorizes the Mayor to execute the contract on behalf of the City. Upon motion the documents were received, filed and approved.

10. Dubuque Main Street Program Agreement for Fiscal Year 2019: City Manager recommending approval of the Program Agreement between Dubuque Main Street, the City of Dubuque and the Iowa Economic Development Authority. Upon motion the documents were received and filed, and Resolution No. 195-18 Resolution of Support and Financial Commitment for the Main Street Program in Dubuque was adopted.

11. Contracted Services Agreement for Fiscal Year 2019 with DuRide: City Manager recommending execution of the attached Contracted Services Agreement with DuRide. Upon motion the documents were received, filed and approved.

12. Contracted Services Agreement for Fiscal Year 2019 with Greater Dubuque Development Corporation: City Manager recommending execution of the attached Contracted Services Agreement with the Greater Dubuque Development Corporation for support of their economic development services. Upon motion the documents were received, filed and approved.

13. Contracted Service Agreement for Fiscal Year 2019 with Inclusive Dubuque: City Manager recommending execution of the attached Contracted Service Agreement with Inclusive Dubuque. Upon motion the documents were received, filed and approved.

14. Contracted Services Agreement for Fiscal Year 2019 with Operation: New View Community Action Agency: City Manager recommending execution of the attached Contracted Services Agreement with Operation: New View Community Action Agency to provide funding for the agency to continue to provide services to help low-income and elderly citizens achieve self-efficiency. Upon motion the documents were received, filed and approved.

15. Contracted Services Agreement for Fiscal Year 2019 with Community Foundation of Greater Dubuque for Project H.O.P.E.: City Manager recommending execution of the attached Contracted Services Agreement with Community Foundation of Greater Dubuque for Project H.O.P.E. Upon motion the documents were received, filed and approved.

16. Purchase of Services Grant Agreement - Dubuque County ISU Extension: City Manager recommending approval of a Purchase of Services Grant Agreement with Dubuque County ISU Extension for Fiscal Year 2019. Upon motion the documents were received, filed and approved.

17. Purchase of Services Grant Agreement - Four Mounds Foundation: Day Camp: City Manager recommending approval of a Purchase of Services Grant Agreement with Four Mounds Foundation for the Day Camp Program as part of the summer Neighborhood Recreation Program for Fiscal Year 2019. Upon motion the documents were received, filed and approved.

18. Purchase of Services Grant Agreement - Northeast Iowa School of Music: City Manager recommending approval of a Purchase of Services Grant Agreement with Northeast Iowa School of Music for part of the Neighborhood Recreation Program for Fiscal Year 2018. Upon motion the documents were received, filed and approved.

19. Alliant Energy Amphitheater New Fee Schedule Revisions: City Manager recommending approval of a new fee schedule for the Alliant Energy Amphitheater effective July 1, 2018. Upon motion the documents were received, filed and approved.

20. Art on the River 2018 Exhibit Recommendations: Arts and Cultural Advisory Commission recommending approval of the selections for the 2018 Art on the River exhibit. Upon motion the documents were received, filed and approved.

21. Arts and Cultural Affairs Advisory Commission Grant Recommendations for Special Projects and Operating Support: Arts and Cultural Affairs Advisory Commission recommending approval of six Special Projects and 18 Operating Support Grant requests. Motion by Larson to receive and file and approve. Seconded by Shaw. Ms. Larson expressed her concerns over the potential proliferation of murals for the revitalization of the Central Avenue Corridor questioning ultimate ownership the artwork, copywrite issues, and future maintenance. She suggested a juried grant process that might include required elements of the murals to include more community engagement. Arts and Cultural Affairs Coordinator Debra Alleyne addressed the adjudication process the Commissions uses to rate the project grants and how it relates to the mural project and content. Motion carried 6-0.

22. Pre-Annexation Agreement – Bockenstedt: City Manager recommending approval of a Pre-Annexation Agreement with Mary Catherine Lee and Dennis John Bockenstedt, for property located at 13897 North Cascade Road, in conjunction with their request to connect to City water. Upon motion the documents were received and filed, and Resolution No. 179-18 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Mary Catherine Lee and Dennis John Bockenstedt was adopted.

23. Plat of Survey for Lindenberg Place: Zoning Advisory Commission recommending approval of the Plat of Survey for Lindenberg Place. (693 Kaufmann Avenue). Upon motion the documents were received and filed, and Resolution No. 180-18 Approving the Plat of Survey of Lindenberg Place in the City of, Iowa was adopted.

24. Cedar Lake Plaza Medical Office Site Plan: Zoning Advisory Commission recommending approval of the Site Plan for Cedar Lake Plaza Medical Office on Cedar Cross Road. Upon motion the documents were received, filed and approved.

25. Solid Waste Operations and Review Study Consulting Services Recommendation: City Manager recommending approval of the selection of Foth Infrastructure and Environment, LLC as the consultant for the Solid Waste Operations and Rate Review Study. Upon motion the documents were received, filed and approved.

26. IDOT State Recreational Trails Grant Application for the Bee Branch Connector: City Manager recommending approval of an application to the Iowa Department of Transportation for a State Recreational Trails Grant to complete the Bee Branch Creek Trail Connector. Upon motion the documents were received and filed, and Resolution No. 181-18 Authorizing State Recreational Trails Grant Application to Iowa Department of Transportation for Bee Branch Creek Trail Connector was adopted.

27. AmeriCorps Healthy Futures Grant Planning Application: City Manager recommending approval of an AmeriCorps Healthy Future planning grant application to the Iowa Commission on Volunteer Service. Upon motion the documents were received, filed and approved.

28. 2019 AmeriCorps Summer-Only Grant Application: City Manager recommending approval of the Iowa Commission on Volunteer Service 2018-19 AmeriCorps Grant application (AmeriCorps Partners in Learning Summer Program) for the summer of 2019. Upon motion the documents were received, filed and approved.

29. Express Scripts, Inc. Employer Participation Agreement: City Manager recommending approval of an Employer Participation Agreement between the City of Dubuque and Express Scripts, Inc. Upon motion the documents were received, filed and approved.

30. McDonough Foundation Grant Application: City Manager recommending approval of an application submitted by the City of Dubuque to the McDonough Foundation to fund 16 Red Baskets that provide feminine hygiene products for women in need in City buildings throughout Dubuque. Upon motion the documents were received, filed and approved.

31. Proposed amendment to Project Statement #1 of the Master Co-location and Shared Services Agreement between the City of Dubuque and CS Technologies: City Manager recommending approval of an amendment to an existing Master Agreement and Project Statement in place between the City of Dubuque and CS Technologies. Upon motion the documents were received, filed and approved.

32. 2018 Award Asphalt Overlay Access Ramp Project Four Award: City Manager recommending that the contract for the 2018 Asphalt Overlay Access Ramp Project Four awarded to East Iowa Construction and be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

33. Grand River Center North Parking Lot Repair Project Acceptance: City Manager recommending acceptance of the public improvement construction contract for the Grand River Center North Parking Lot Repair Project, as completed by Drew Cook & Sons Excavating. Upon motion the documents were received and filed, and Resolution No. 182-18 Accepting the Grand River Center North Parking Lot Repair Project and authorizing the payment of the contract amount to the contractor was adopted.

34. Acceptance of Grant of Easement for Sanitary Sewer Utility from HWY 151 & 61 Development LLC: City Manager recommending acceptance of a Grant of Easement for Sanitary Sewer Utility from HWY 151 & 61 Development, LLC across Part of Lot 1 and 2 in Riverview Plaza No. 3 in the City of Dubuque as part of the Kerper Boulevard Sanitary Sewer Reconstruction Project. Upon motion the documents were received and filed, and Resolution No. 183-18 Accepting a Grant of Easement for Sanitary Sewer Utility Across Part of Lot 1 and 2 in Riverview Plaza No. 3 in the City of Dubuque, Iowa was adopted.

35. Acceptance of Grant of Easement for Sanitary Sewer Utility from TLC Properties: City Manager recommending acceptance of a Grant of Easement for Sanitary Sewer Utility from TLC Properties, Inc. over Part of Lot 1 Kerper Industrial Subdivision No. 2 in the City of Dubuque as part of the Kerper Boulevard Sanitary Sewer Reconstruction Project. Upon motion the documents were received and filed, and Resolution No. 184-18 Accepting a Grant of Easement for Sanitary Sewer Utility Across Part of Lot 1 Kerper Industrial Park No. 2 in the City of Dubuque, Iowa was adopted.

36. Acceptance of Grant of Easement for Storm Drain Utility from Wernimont: City Manager recommending acceptance of a Grant of Easement for Storm Drain Utility from Brianna L. Wernimont and Anthony J. Fury across part of Lot 89 in English Ridge Subdivision No. 7 in the City of Dubuque as part of a recent water main extension project on English Mill Road. Upon motion the documents were received and filed, and Resolution No. 185-18 Accepting a Grant of Easement for Storm Drain Utility across part of Lot 89 in English Ridge Subdivision No. 7 in the City of Dubuque, Iowa was adopted.

37. Acceptance of Grant of Easement for Storm Drain Utility from English Ridge, LLC: City Manager recommending acceptance of a Grant of Easement for Storm Drain Utility from English Ridge, LLC across part of Lots 90, 92 and F in English Ridge Subdivision No. 7 in the City of Dubuque as part of a recent water main extension project on English Mill Road. Upon motion the documents were received and filed, and Resolution No. 186-18 Accepting a Grant of Easement for Storm Drain Utility across part of Lots 90, 92 and F in English Ridge Subdivision No. 7 in the city of Dubuque was adopted.

38. Cooperative Funding Agreement for Primary Road Project Phase 3 – HMA Pavement Milling and Resurfacing Project US52 White Street (9th to 11th Sts.) and 11th Street (White to Elm Sts.): City Manager recommending authorization for the Mayor to execute the Iowa Department of Transportation Cooperative Agreement for Primary Road Project for the Hot Mix Asphalt (HMA) Pavement Milling and Resurfacing Project on US52 White Street from 9th to 11th Street and on 11th Street from White to Elm Street. Upon motion the documents were received and filed, and Resolution No 187-18 Approving the Iowa Department of Transportation Cooperative Agreement for Primary Road Project (Agreement No. 2018-16-251) for the Phase 3 - HMA Pavement Milling and Resurfacing Project on US52 White Street from 9th To 11th Street and on 11th Street from White to Elm Street was adopted.

39. Iowa Department of Transportation (IDOT) Wetlands Agreement: City Manager recommending authorization for the City to enter into an agreement with the Iowa Department of Transportation for the construction and management of a stream and woodland mitigation project that will offset impacts from the upcoming Iowa DOT Swiss Valley Interchange Project. Upon motion the documents were received and filed, and Resolution No. 188-18 Approving the Iowa Department of Transportation Wetland Mitigation Agreement (Agreement No. 2018-16-265) to construct stream and woodland improvements on property owned and maintained by the City to mitigate impacts due to the Swiss Valley Road Interchange Project was adopted.

40. Swiss Valley Interchange Project - Purchase Agreement Accepting Plat of Survey for Chesterfield Drive Extension: City Manager recommending authorization for the City to enter into a Purchase Agreement with the Iowa Department of Transportation for the acceptance of the plat of survey for land to be dedicated as public right-of-way for the new extension of Chesterfield Drive to be constructed by the Iowa DOT as part of the Swiss Valley Interchange Project. Upon motion the documents were received and filed, and Resolution No. 189-18 Approving Purchase Agreement with The Iowa Department of Transportation Including the acceptance of the Plat of Survey for land to be dedicated as public Right-of-Way for the extension of Chesterfield Drive in the City of Dubuque, Iowa was adopted.

41. Swiss Valley Interchange Project - Purchase Agreement Approving Plat of Survey for Landfill Frontage Road: City Manager recommending authorization for the City to enter into a Purchase Agreement with the Iowa Department of Transportation for the acceptance of the plat of survey for land to be dedicated as public right-of-way for the new Landfill Access Road to be constructed by the Iowa DOT as part of the Swiss Valley Interchange Project. Upon motion the documents were received and filed, and Resolution No. 190-18 Approving Purchase Agreement with the Iowa Department of Transportation including the acceptance of the Plat of Survey for land to be dedicated as public Right-of-Way for the Landfill Frontage Road in the City of Dubuque, Iowa was adopted.

42. Letter of Support for Lumber Shed Project: City Manager recommending approval of a Letter of Support to Gronen Properties in support of their development of the Lumber Shed project in the Historic Millwork District. Upon motion the documents were received, filed and approved.

43. Temporary Full-Time Budget Analyst Position: City Manager recommending the creation of a temporary, full-time Budget Analyst position effective July 1, 2018 through March 29, 2019. Upon motion the documents were received, filed and approved.

44. Improvement Contracts / Performance, Payment and Maintenance Bonds: Midwest Concrete, Inc., for the 2018 Asphalt Overlay Ramp Project Three; McDermott Excavating for the Locust Street Intersection Improvement Project. SELCO, Inc., for the 2018 Paving Marking Project. Upon motion the documents were received, filed and approved.

45. 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. 191-18 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; and Resolution No. 192-18 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 desire to serve on the following Boards/Commissions. Applicant appointments will be made at the next City Council meeting or subsequent meeting.

1. Civil Service Commission: One, 4-year term through April 6, 2022 (Vacant term of Nuehaus). Applicant: Phil Baskerville, 2945 Van Buren St. Mr. Baskerville spoke in support of his appointment and provided a brief biography.

2. Resilient Community Advisory Commission - Cross Representation & At-Large: Cross Representation: One, 3-year term through June 30, 2021 (Expiring Cross-Representation term of Roussell). Applicant: Laura Roussell, 3224 Bittersweet Ln. At-Large: Two, 3-year terms through June 30, 2021 (Expiring At-Large terms of Booth, Darr). Applicants: Sara Booth, 876 Yale Ct. #3; Benjamin Darr, 419 Winona St.; Lalith Jayawickrama, 2360 Cherry St.; Laura Roussell, 3224 Bittersweet Ln. Ms. Booth and Mr. Darr spoke in support of their respective appointments and provided brief biographies.

**Appointments were made to the following Boards/Commissions.**

3. Arts and Cultural Affairs Advisory Commission -Business Professional – Living or Working in Cultural and Entertainment District Qualification: One, 3-year term through June 30, 2021 (Expiring term of Gregory - Business Professional – Living or working in cultural and entertainment district). Applicants: Ryan Decker, 1192 Locust St #3; Tyler Daugherty, 1390 Kaufmann Ave.; Paula Neuhaus, 793 West 3rd St.; Gina Siegert, 405 Southern Ave.; Amanda Steines, 861 Alpine St. #2.

Upon roll-call vote Paula Neuhaus was appointed to a 3-year term with the Business Professional Living/Working in the CE Districts. Vote: Decker = -0-; Daugherty = Del Toro; Neuhaus = Shaw, Buol, Jones; Siegert = Rios, Larson.

4. Arts and Cultural Affairs Advisory Commission - Business Professional Qualification: One, 3-year term through June 30, 2021 (Expiring term of Siegert - Business Professional). Applicants: Gail Chavenelle, 1155 Kelly Ln.; Tyler Daugherty, 1390 Kaufmann Ave.; Benjamin Drury, 1826 Ellis St. – Application Pulled; Rachael Ferraro, 2538 Jackson St.; Jessica Heacock, 726 W. 11th St.; Paula Neuhaus, 793 West 3rd St.; Steven Rock, 900 South Grandview Ave.; Gina Siegert, 405 Southern Ave.; Amanda Steines, 861 Alpine St. #2; Lizz Tyler, 1030 Melrose Terr.; Vince Williams, 3965 Creston St.; Chad Witthoeft, 430 Alpine St. Ms. Neuhaus' application was removed from consideration following her appointment from the previous vote.

Upon a tie-breaker, roll-call vote, Gina Siegert was appointed to the 3-year term in the Business Professional position. Vote: Chavenelle = -0-; Daugherty = Buol, Jones; Ferraro = -0-; Heacock = -0-; Rock = -0-; Siegert = Rios, Larson, Del Toro; Steines -0-; Tyler = Shaw; Williams = -0-; Witthoeft = -0-.

The City Council took a short recess at 6 27p.m. to 6:30 p.m. in an attempt work out a telephone connection with Council Member Resnick. Not having success, Mr. Resnick remained absent from the meeting.

5. Arts and Cultural Affairs Advisory Commission - At-Large Qualification: One, 3-year term through June 30, 2021 (Expiring term of Henkels - At-Large). Applicants: Bibi Burke, 1155 Arrowhead Dr.; Gail Chavenelle, 1155 Kelly Ln.; Ryan Decker, 1192 Locust St #3;



Marcus DeJesus, 2951 Olde Country Ln.; Tyler Daugherty, 1390 Kaufmann Ave.; Benjamin Drury, 1826 Ellis St. – Application Pulled; Rachael Ferraro, 2538 Jackson St.; Jessica Heacock, 726 W. 11th St.; Nate Jenkins, 590 Samuel St.; Paula Neuhaus, 793 West 3rd St.; Steven Rock, 900 South Grandview Ave.; Gina Siegert, 405 Southern Ave.; Amanda Steines, 861 Alpine St. #2; Lizz Tyler, 1030 Melrose Terr.; Vince Williams, 3965 Creston St.; Chad Witthoeft, 430 Alpine St. Ms. Neuhaus' and Ms. Siegert's applications were removed due to their appointments from the previous votes.

Upon roll-call vote, Tyler Daugherty was appointed to a 3-year, at-large term. Vote: Chavenelle = 1; DeJesus = Rios, Larson; Daugherty = Buol, Del Toro, Jones. All other applicants received -0- votes.

6. Cable Television Commission: Three, 3-year terms through July 1, 2021 (Expiring terms of McMullen, Tigges and Vincent). Applicants: Kathleen McMullen, 1308 Curtis St.; Jennifer Tigges, 4927 Wild Flower Dr.; Alan Vincent, 565 Woodland Ridge. Motion by Shaw to appoint Ms. McMullen, Ms. Tigges and Mr. Vincent were appointed to 3-year terms. Seconded Larson. Motion carried 6-0.

7. Civic Center Advisory Commission: Two, 3-year terms through June 29, 2021 (Expiring terms of Daugherty and Parks). Applicants: Tyler Daugherty, 1390 Kaufmann Ave.; Bryce Parks, 2005 N. Main St. Motion by Larson to appoint Mr. Daugherty and Mr. Parks to 3-year terms. Seconded by Shaw. Motion carried 6-0.

8. Historic Preservation Commission: Two, 3-year terms through July 1, 2021 (Expiring At-Large term of Hilgendorf and Vacant At-Large term of Happ). One, 3-year term through July 1, 2021 (Expiring Old Main District Interim term of Rapp). Applicants Qualify as At-Large and as Interim Commissioner. Applicants: Emily Higendorf, 1511 N Algona St.; Kayla Morrison, 3523 Lunar Dr.; Daniel (Joseph) Rapp, 27 Locust St. Motion by Larson to appoint Ms. Higendorf and Ms. Morrison to the 3-year at-large terms. Seconded by Rios. Assistant Planner Wally Wernimont clarified that district residency requirement is not required for an interim commissioner. Motion carried 6-0.

Motion by Larson to appoint Mr. Rapp to the 3-year interim term. Seconded by Rios. Motion carried 6-0.

9. Investment Oversight Commission: One, 3-year term through July 1, 2021 (Expiring term of Becker). Applicant: Franz Becker, 1847 Finley St. Motion by Del Toro to appoint Mr. Becker to the 3-year term. Seconded by Shaw. Motion carried 6-0.

10. Library Board of Trustees: (Mayor appointment) Two, 4-year terms through July 1, 2022 (Expiring terms of Kramer and Poggemiller). Applicants: Rosemary Kramer, 2554 Rosewood Dr.; Patricia Poggemiller, 3423 Arrowwood Ln. Upon Council concurrence, Mayor Buol appointed Ms. Kramer and Ms. Poggemiller to the 4-year terms.

11. Long Range Planning Advisory Commission: One, 3-year term through July 1, 2021 (Expiring term of Pregler). Applicant: John Pregler, 1525 Pego Ct. Motion by Shaw to appoint Mr. Pregler to the 3-year term. Seconded by Del Toro. Motion carried 6-0.

12. Parks and Recreation Advisory Commission: One, 3-year term through June 30, 2020 (Vacant term of Klinge); One, 3-year term through June 30, 2021 (Expiring term of Tigges). Applicants: Kim Daykin, 2751 Southgate; Matthew Garrett, 1877 North Ct.; Daniel Rothert, 85 Fremont Ave.; Jennifer Tigges, 4927 Wild Flower Dr.

Upon roll-call vote, Ms. Tigges was appointed to the 3-year term through June 30, 2021. (Vote: Garrett = Rios, Del Toro; Tigges = Shaw, Larson, Buol, Jones)

Upon roll-call vote, Mr. Garrett was appointed to the 3-year term through June 30, 2020.

13. Zoning Advisory Commission: One, 3-year term through July 1, 2021 (Expiring term of Roussell). Applicant: Laura Roussell, 3224 Bittersweet. Motion by Larson to appoint Ms. Roussell to the 3-year term. Seconded by Shaw. Motion carried 6-0.

Applications from male representatives will be held for 90 days in compliance with Iowa Code 69.16A Gender Balance.

## **PUBLIC HEARINGS**

1. Request to Rezone - Royal Oaks Development Corporation in Conjunction with Annexation - Tabled from May 21, 2018 Meeting: City Manager recommending that the City Council table the public hearing on the rezoning request for Royal Oaks Development Corporation to the July 16, 2018 meeting, to allow time for the Zoning Advisory Commission to reconsider the rezoning at their July 5, 2018 meeting and then provide a recommendation to the City Council for the July 16, 2018 meeting.

Motion by Del Toro to remove the item from the table. Seconded by Shaw. Motion carried 6-0.

Motion by Del Toro to table the item to the July 16, 2018 meeting. Seconded by Shaw. Motion carried 6-0.

2. Voluntary Annexation -Portion of Silver Oaks Estates (Tabled from the May 21, 2018 Meeting): City Manager recommending the City Council table the public hearing on the voluntary annexation request of Royal Oaks Development to the July 16, 2018 City Council meeting, to allow time for the Zoning Advisory Commission to reconsider the rezoning at their July 5, 2018 meeting, and then provide a recommendation to the City Council for the July 16, 2018 meeting.

Motion by Shaw to remove the item from the table. Seconded by Del Toro. Motion carried 6-0.

Motion by Del Toro to table the item to the July 16, 2018 meeting. Seconded by Shaw. Motion carried 6-0.

3. Request to Rezone Holy Spirit Parish Property in the 2900 Block of Davenport Street: Proof of publication on notice of public hearing to consider a request from Korrin & Sean Schriver / Holy Spirit Parish to rezone approximately 4.5 acres of Holy Spirit Parish property in the 2900 Block of Davenport Street from R-1 Single-Family Residential Zoning District to AG Agricultural Zoning District with conditions and the Zoning Advisory Commission recommending approval as a conditional rezoning. Motion by Larson 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. Applicant Korrin Shriver spoke in favor the rezoning and provided a description and history of the project. Assistant Planner Wally Wernimont provided a staff report. Motion carried 6-0.

Motion by Larson for final consideration and passage of Ordinance No. 19-18 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 2900 Block of Davenport

Street from R-1 Single-Family Residential District to Ag Agricultural District, with conditions as established in the attached Memorandum of Agreement. Seconded by Rios. Motion carried 6-0.

4. Port of Dubuque Amendment to Planned Unit Development (PUD): Proof of publication on notice of public hearing to consider approval on an amendment to the Port of Dubuque Planned Unit Development District by adjusting boundaries of Zone A and Zone B and reference a new Conceptual Development Plan for Zone B and the Zoning Advisory Commission recommending approval. Motion by Shaw 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. Associate Planner Kyle Kritz provided a staff report and responded to questions from the City Council by stating that the Comprehensive Plan allows for flexibility and amendment. Motion carried 6-0.

Motion by Shaw for final consideration and passage of Ordinance No. 20-18 Amending Title 16 of the City of Dubuque Code of Ordinances Unified Development Code by rescinding Ordinance 31-02 and adopting a new ordinance which provides regulations for the Port of Dubuque Riverfront District Planned Unit Development (PUD) with a PC Planned Commercial Designation, by establishing new boundaries for Zone A and Zone B and Adopting a new Conceptual Plan for Zone B. Seconded by Del Toro. Motion carried 6-0.

## **PUBLIC INPUT**

Lynn Sutton, 859 Air Hill.; and Tom LoGuidice, 786 Stone Ridge Pl. on behalf Friends of Fair Housing, addressed their ongoing concerns with unsafe, noncompliant rental housing and offered to meet with City staff and/or the City Council to seek solutions. Council Member Shaw supported the suggesting of developing a matrix for measuring housing issues, progress and development of a policy.

Gerald Podraza, Illinois Chairman of Bring Back the Blackhawk and of Jo Daviess County, Illinois, provided information on the progress of passenger rail service in Illinois and southern Wisconsin and provided a handout.

Attorney Brian Kane spoke in support of his client McCann Services related to Action Item No. 3 City Towing Contract stating that while the review committee did a good job, his client deserved fuller consideration since they now had a facility within the city. Mr. Kane suggested rethinking the scoring process for appropriateness when only two vendors are involved.

## **ACTION ITEMS**

1. DMATS Federal Fiscal Year 2018-2021 Transportation Improvement Program: East-Central Intergovernmental Agency (ECIA) Transportation Director Chandra Ravada will present information and seek input about federally funded projects through the Dubuque Metropolitan Area Transportation Study (DMATS) Transportation Improvement Program (TIP). Motion by Del Tor to receive and file the information. Seconded by Shaw.

ECIA Transportation Director Chandra Ravada provided a brief slide presentation outlining the grant project and funding. Motion carried 6-0.

2. Dubuque Skate Park Project Award: City Manager recommending award of the Dubuque Skate Park Project contract to the low bidder Drew Cook & Sons Excavating, Inc. Motion by Larson to receive and file the documents and adopt Resolution No. 193-18 Awarding the public improvement contract for the Dubuque Skate Park Project. Seconded by Del Toro. Motion carried 6-0.

3. City of Dubuque Tow Contract for Fiscal Years 2019 -2021: City Manager recommending approval of the award of the Fiscal Years 2019 -2021 Tow Contract to Wenzel Towing. Motion by Del Toro to receive and file the documents and approve the recommendation. Seconded by Shaw. Motion carried 5-1 with Rios voting nay.

4. Marquette Hall, LLC Amended and Restated Incentive Agreement: City Manager recommending approval of the Amended and Restated Grant Agreements for Downtown Rehabilitation Grant Program for the rehabilitation of Marquette Hall at 2222 Queen Street into a total of 28 affordable rental residential units. Motion by Shaw to receive and file the documents and adopt Resolution No. 194-18 Approving an Amended and Restated Grant Agreement for the Downtown Rehabilitation Grant Program between the City of Dubuque and Marquette Hall, LLC, and approving an Amended and Restated Grant Agreement for the Downtown Housing Incentive Program between the City of Dubuque and Marquette Hall, LLC. Seconded by Del Toro. Motion carried 6-0.

5. Request to Schedule Work Session – Community Oriented Policing: City Manager recommending that the City Council schedule at Work Session on Community Oriented Policing efforts for 5:30 p.m. on July 2, 2018 in the City Council Chambers. Motion by Del Toro to receive and file the documents and set the work session as recommended. Seconded by Shaw. Motion carried 6-0.

6. City of Dubuque Area Projects-in-Progress Video: Cable TV Division showed a video of various projects in progress around the City of Dubuque. Motion by Shaw to receive and file the information. Seconded by Del Toro. Motion carried 6-0.

## **COUNCIL MEMBER REPORTS**

Council Member Larson expanded on her comments regarding murals given during Consent Item No. 21. She further emphasized long-term maintenance of the murals, permissions to photograph and determining ownership artwork, conflict between refusing historic features but not paint, setting guidelines and seeking neighborhood input. Ms. Larson suggested this topic be discussed at the August City Council goal setting session.

Council Members Jones, Del Toro, Shaw and Rios offered similar opinions adding that seeking public input on artwork might be risky, concerns over materials used, taste with content, defining a review process and defining ownership and the maintenance responsibilities. Mayor Buol stated that the City has no jurisdiction as it deals with private property issues even with historic buildings.

There was consensus among the Council Members present to refer to staff to consider a future work session on the topic and include the Arts and Cultural Affairs Advisory Committee.

Council Member Shaw requested that the Fair Housing matters raised during Public Input be kept in mind for the August City Council Goal Setting.

There being no further business, upon motion the City Council adjourned at 7:53 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

1t 6/27