

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

The Dubuque City Council met in special session at 5:30 p.m. on August 6, 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 special session of the City Council called for the purpose of conducting a work session on Project HOPE.

**WORK SESSION
Project Hope**

Peter Supple, Heidi Zull and Laura Klavitter of the Community Foundation of Greater Dubuque and retired County Attorney Chris Corken conducted a work session on the recent activities of Project Hope. Topic included.

- A. Mission Statement
- B. Purposes
 - 1. Expand Pathway & Accessibility to Education and Employment
 - 2. Build Financial Inclusion
 - 3. Support Provider Networks for Change
- C. Project Hope Initiatives
- D. Leveraged funding, research and technical assistance
- E. Community Needs Assessment
- F. Access to Quality Child Care
- G. Mental Health grant, access to services and advocacy
- H. Washington Neighborhood
- I. Community Engagement, community garden, learning opportunities and beautification
- J. Network partners

There being no further business, upon motion the City Council Adjourned at 5:58 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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

The Dubuque City Council met in regular session at 6:00 p.m. August 6, 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

PRESENTATION(S)

1. Geographic Information System (GIS) Special Achievement Award: City Manager Van Milligen introduced GIS Coordinator/Analyst Nikki Rosemeyer who presented the Mayor and Council with a Special Achievement Award in GIS (SAG) from Esri, the international leader in mapping and spatial data analytics technology.

PROCLAMATION(S)

1. 811 Safe Digging Day (August 11, 2018) was accepted by Jeff Stoudemire, of Black Hills Energy.

2. Community Health Center Week (August 12-18, 2018) was accepted by Julie Woodyard, of Crescent Community Health Center.

3. Welcome Students Weeks (August 13-September 9, 2018) was accepted by Anna Roling and Rick Dickinson of the Greater Dubuque Development Corporation.

CONSENT ITEMS

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

1. Minutes and Reports Submitted: City Council Proceedings of 7/23, 7/30; Housing Commission of 7/11; Housing Commission Work Session of 7/10; Human Rights Commission of 6/11; Investment Oversight Advisory Commission of 7/26; Library Board of Trustees of 5/24; Zoning Board of Adjustment of 7/26; Proof of Publication for City Council Proceedings of 7/2, 7/9; Proof of Publication for List of Claims and Summary of Revenues for Month Ending 6/30. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Teresa Davis for vehicle damage; Giese Sheet Metal Co., Inc., for property damage; Justin Smith for property damage; True Fitness/Life for

property damage; Stanley Wasmund 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: Teresa Rainbo Oil Company for property damage; True Fitness/Life for property damage; Stanley Wasmund for vehicle damage. Upon motion the documents were received, filed, and concurred.

4. Approval of City Expenditures: City Manager recommending Council approval for payment of City expenditures. Upon motion the documents were received, filed and approved.

5. Plat of Survey for Proposed Vacating Petition for City of Dubuque Housing Department Project at 396 West Locust Street (Cooley's Subdivision): City Manager recommending approval of the Plat of Survey of Lot 15A of D.N. Cooley's Subdivision related to a Dubuque Housing Department project at 396 West Locust Street and just west of the intersection of West 17th Street and West Locust Street in Cooley's Subdivision. Upon motion the documents were received and filed, and Resolution No. 218-18 Approving Plat of proposed vacate 10'-wide alley adjacent to Lots 14 and 15 in D.N. Cooley's Subdivision in the City of Dubuque, Iowa was adopted.

6. Debt Reduction Plan Brochure: City Manager providing a copy of the City of Dubuque Debt Reduction Plan Public Information Brochure. Upon motion the document was received and filed.

7. Quarterly Financial Reports June 30, 2018: City Manager transmitting the June 30, 2018 Quarterly Investment Report. Upon motion the documents were received and filed.

8. Fiscal Year 2017 Consolidated Annual Performance and Evaluation Report (CAPER): City Manager recommending the approval of the Consolidated Annual Performance and Evaluation Report (CAPER) for the period covering July 2, 2016 to June 30, 2017. Upon motion the documents were received and filed, and Resolution No. 219-18 Authorizing the submission of a Consolidated Annual Performance and Evaluation Report (CAPER) for the period commencing July 1, 2016 and concluding June 30, 2017 was adopted.

9. Civil Service Commission - Certified Lists: Civil Service Commission submitting the certified lists for the positions of Fire Equipment Operator, Records Clerk, Landfill Equipment Operator, and Laboratory Technician. Upon motion the documents were received, filed and made a Matter of Record.

10. Community Development Block Grant (CDBG) Rental Housing Rehabilitation Program: City Manager recommending that the Moderate-Income Rental Rehabilitation Program Funded by CDBG be restored under new program guidelines. Upon motion the documents were received, filed and approved.

11. Community Development Block Grant (CDBG) Environmental Review and Request for Release of Funds for Fiscal Year 2019 (Program Year 2018): City Manager recommending approval of the Environmental Review Determination and Request for Release of Funds and Certifications for the Fiscal Year 2019 Community Development Block Grant (CDBG). Upon motion the documents were received and filed, and Resolution No. 220-18 Authorizing request for release of Community Development Block Grant Funds for Fiscal Years 2019 (Program Year 2018) was adopted.

12. AmeriCorps Partners in Learning Receives Federal, State Funding: City Manager transmitting information that AmeriCorps Partners in Learning has been approved to receive federal AmeriCorps funding from Volunteer Iowa and the Corporation for National and Community Service (CNCS) to support Dubuque's Campaign for Grade Level Reading. Upon motion the documents were received and filed.

13. AmeriCorps Partners in Learning Dubuque Community School District Data: City Manager transmitting data provided by the Dubuque Community School District in regard to the AmeriCorps Partners in Learning services provided during the 2017-2018 school year. Upon motion the documents were received and filed.

14. AmeriCorps Partners in Learning Grant Agreement Approval 2018-19: City Manager recommending approval of an agreement for AmeriCorps Partners in Learning Grant Continuation for Program Year 2018-2019. Upon motion the documents were received, filed and approved.

15. DARE Contract with Dubuque Community School District: City Manager recommending approval of the Fiscal Year 2018-2019 Drug Abuse Resistance Education (DARE) Agreement between the City of Dubuque Police Department and the Dubuque Community School District. Upon motion the documents were received, filed and approved.

16. 2017 Justice Assistance Grant (JAG) Acceptance: City Manager recommending acceptance of the 2017 Justice Assistance Grant (JAG) award for safety items for tactical and specialty teams, enforcement equipment and training aids. Upon motion the documents were received, filed and approved.

17. 2018 Justice Assistance Grant (JAG) Application: City Manager recommending approval to submit the 2018 Justice Assistance Grant (JAG) application for safety items for tactical and specialty teams, enforcement equipment and training aids. Upon motion the documents were received, filed and approved.

18. Federal Transit Administration (FTA) Bus and Bus Facilities Grant Application: City Manager recommending approval of letters of support for both the City and the Iowa Department of Transportation applications to the FTA 5339 Bus and Bus Facilities Program. Upon motion the documents were received, filed and approved.

19. Better Utilizing Investments to Leverage Development (BUILD) Grant Application: City Manager recommending approval of a U.S. Department of Transportation Better Utilizing Investments to Leverage Development (BUILD) grant request to fund a multi-modal project that will help improve access within the East/West Corridor to support growing traffic demands, address transit, bicycle, and pedestrian needs and enhance sustainability, investment and reinvestment. Upon motion the documents were received, filed and approved.

20. Iowa Great Places Memorandum of Understanding: City Manager recommending approval of a Memorandum of Understanding with the Iowa Department of Cultural Affairs which designated Dubuque as an Iowa Great Place. Upon motion the documents were received, filed and approved.

21. Traffic Safety Improvement Funding STREETS Program 2020 Application: City Manager recommending authorization for the City of Dubuque to officially apply for an Iowa Department of Transportation Traffic Safety Improvement Program grant to assist with funding Phase I of Smart Traffic Routing with Efficient and Effective Traffic Signals (STREETS) Improvements. Upon motion the documents were received and filed, and Resolution No. 221-18 Approving the Iowa Department of Transportation Agreement for Traffic Safety Improvement Program funding for the City of Dubuque Phase I of Smart Traffic Routing with Efficient and Effective Traffic Signals (Streets) Project was adopted.

22. Authorized Depository Institutions: City Manager recommending approval of a resolution adding Vibrant Credit Union as an authorized depository institution for the City of Dubuque and deleting Frost Bank as the depositor for licensing fees collected by PetData, Inc., now collected by DB&T. Upon motion the documents were received and filed, and Resolution No. 222-18 Naming Depositories was adopted.

23. Housing Department Contract Approvals: City Manager recommending approval of the payment of the contracts presented by the Rehabilitation Programs for 2407 Queen Street, 2320 Mineral Street and 2841 Washington Street. Upon motion the documents were received, filed and approved.

24. Citizen Petition - John F. Kennedy Road Sidewalks: Citizen petition of July 16, 2018 opposing the installation of sidewalks along a certain portion of John F. Kennedy Road. Upon motion the documents were received and filed.

25. Cottingham & Butler Compensation Agreement: City Manager recommending approval of the Compensation Agreement from Cottingham & Butler for performing a market check on the City's pharmacy benefit management services completed in December 2017. Upon motion the documents were received, filed and approved.

26. SJCG Properties, LLC Storm Water Facilities Fee Agreement Assignment: City Manager recommending approval of the assignment of interest in the Stormwater Facilities Agreement between the City of Dubuque and SJCG Properties, LLC to Holdings

Monti, LLC for Lot 2 of Holliday 6th Addition. Upon motion the documents were received, filed and approved.

27. Eagle Point Park Indian Room Roofing Project Award: City Manager recommending that the award for the Eagle Point Park Indian Room Roofing Project to Gronen Restoration be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

28. Request for Proposals for Implementation of Eagle Point Park Environmental Restoration Management Plan: City Manager recommending approval of the Request for Proposals for the Implementation of the Eagle Point Park Environmental Restoration Management Plan. Upon motion the documents were received, filed and approved.

29. Proposed Amendment to Master Co-location and Shared Services Agreement Between the City of Dubuque and Unite Private Network: City Manager recommending approval of an amendment to an existing Master Agreement and Project Statement in place between the City of Dubuque and Unite Private Network. Upon motion the documents were received, filed and approved.

30. Kerper Boulevard Fiber Project Acceptance (Elm Street to 16th Street): City Manager recommending acceptance of the public improvement construction contract for the Kerper Blvd. Fiber Project Elm Street to 16th Street Project as completed by Utility Service Contractors. Upon motion the documents were received and filed, and Resolution No. 223-18 Accepting the Kerper Blvd. Fiber Project Elm Street to 16th Street Project was adopted.

31. Acceptance of Grant of Easement for Sanitary Sewer Utility from Merrick Construction and Development Corporation: City Manager recommending acceptance of a Grant of Easement for Sanitary Sewer Utility across Part of Lots 49 and 50 of O'Neill's Addition to North Dubuque in the City of Dubuque as part of a public sanitary sewer construction project in the area of Inwood and Vinton Streets. Upon motion the documents were received and filed, and Resolution No. 224-18 Accepting a Grant of Easement for Sanitary Sewer Utility through, over and across part of Lots 49 and 50 of O'Neill's Addition to North Dubuque, in the City of Dubuque, Iowa was adopted.

32. Southwest Arterial Utility Relocation Agreement with ITC Midwest: City Manager recommending approval of a Utility Relocation Reimbursement Agreement with ITC Midwest, LLC to raise and adjust an existing transmission line which is impacted by the Southwest Arterial and the upcoming North Cascade Road-English Mill Road Interchange Project. Upon motion the documents were received and filed, and Resolution No. 225-18 Approving a Utility Relocation Reimbursement Agreement with ITC Midwest, LLC. (ITC) to raise and adjust an existing transmission line which is impacted by the Southwest Arterial Project was adopted.

33. Southwest Arterial Local Bridge Railing and Decorative Concrete Project Funding Agreement with Iowa DOT: City Manager recommending approval of a Federal Aid

Funding Agreement with the Iowa Department of Transportation for the Southwest Arterial and the upcoming North Cascade Road, English Mill Road, and Military Road – Local Bridge Railing and Decorative Concrete Post Coloring Project. Upon motion the documents were received and filed, and Resolution No. 226-18 Approving the Federal Aid Funding Agreement (Agreement No. 6-18-STBGU-004) between the City of Dubuque and Iowa Department of Transportation for the Southwest Arterial - North Cascade Road, English Mill Road, and Military Road - Local Bridge Railing and Decorative Concrete Post Coloring Project was adopted.

34. Iowa Department of Inspections and Appeals New Interagency Agreement: City Manager recommending approval of the renewal agreement with the Iowa Department of Inspections and Appeals and the City of Dubuque for performance of food and hotel licensing, inspections and enforcement with respect to retail food establishments. Upon motion the documents were received, filed and approved.

35. Bee Branch Railroad Culverts Project - Purchase of Temporary Easement at 430 Garfield Avenue: City Manager recommending that the City Council establish the fair market value of a temporary easements at 430 Garfield Avenue, a property owned by Robert F. Klauer, at the appraised value of \$5,000, and authorize the City Manager to begin negotiations to acquire the easement needed for the Bee Branch Railroad Culverts Project (Phase 7 of the Bee Branch Watershed Flood Mitigation Project). Further authorization is sought to acquire the easements through eminent domain proceedings should negotiations fail. Upon motion the documents were received and filed, and Resolution No. 227-18 Establishing the fair market value and authorizing the acquisition by Eminent Domain an Easement through certain real property owned by Robert F Klauer in the City of Dubuque, Iowa was adopted.

36. Bee Branch Railroad Culverts Project - Purchase of Permanent and Temporary Easements on E. 16th Street: City Manager recommending that the City Council establish the fair market value of a permanent easement and temporary easements at E. 16th Street, owned by HWY 151 & 61 Development, LLC, at the appraised value for the permanent easement and \$63,250 for the temporary easement, and authorize the City Manager to begin negotiations to acquire the easements required for the Bee Branch Railroad Culverts Project (Phase 7 of the Bee Branch Watershed Flood Mitigation Project). Further authorization is sought to acquire the easements through eminent domain proceedings should negotiations fail. Upon motion the documents were received and filed, and Resolution No. 228-18 Establishing the fair market value and authorizing the acquisition by Eminent Domain of easements through certain real property owned by Hwy 151 & 61 Development, LLC. in the City of Dubuque, Iowa was adopted.

37. Bee Branch Railroad Culverts Project - Purchase of Permanent and Temporary Easements at 525 E. 19th Street: City Manager recommending that the City Council establish the fair market value of a permanent easement and temporary easement at 525 E. 19th Street, a property owned by B&M Properties & Storage, LLC, at the appraised value of \$43,050, and authorize the City Manager to begin negotiations to acquire the easements required for the Bee Branch Railroad Culverts Project (Phase 7 of the Bee

Branch Watershed Flood Mitigation Project). Further authorization is sought to acquire the easements through eminent domain proceedings should negotiations fail. Upon motion the documents were received and filed, and Resolution No. 229-18 Establishing the fair market value and authorizing the acquisition by Eminent Domain of Easements through certain real property owned by B&M Properties & Storage, LLC in the City of Dubuque, Iowa was adopted.

38. Bee Branch East Blum Project - Asbestos Abatement and Lead Clean Up Project Acceptance: City Manager recommending acceptance of the public improvement contract for the Asbestos Abatement and Lead Cleanup Project at the East Blum site as completed by Controlled Asbestos. Upon motion the documents were received and filed, and Resolution No. 230-18 Accepting the Asbestos Abatement and Lead Cleanup Project was adopted.

39. Bee Branch Railroad Culverts Project - Purchase of Permanent and Temporary Easements at 506 Garfield Avenue: City Manager recommending that City Council establish the fair market value of permanent easements and temporary easements at 506 Garfield Avenue, a property owned by Canadian Pacific Railway, at the appraised value and authorize the City Manager to begin negotiations to acquire the easements required for the Bee Branch Railroad Culverts Project (Phase 7 of the Bee Branch Watershed Flood Mitigation Project). Further authorization is sought to acquire the easements through eminent domain proceedings should negotiations fail. Upon motion the documents were received and filed, and Resolution No. 321-18 Establishing the fair market value and authorizing the acquisition by Eminent Domain of easements through certain real property owned by Canadian Pacific Railway in the City of Dubuque, Iowa was adopted.

40. Dubuque Jaycees 2019 Fireworks Request: Correspondence from Thomas Parsley, General Manager for Radio Dubuque, in partnership with the Dubuque Jaycees, requesting approval to conduct a fireworks display on Wednesday, July 3, 2019 from 9:00 p.m. to 10:30 p.m. on Volunteer Road between Hawthorne Street and Lime Street in conjunction with the closure of indicated streets and A.Y. McDonald Park as part of a special events request. The rain date is July 4, 2018. Upon motion the documents were received, filed and approved.

41. 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 September 1, 2018. Upon motion the documents were received and filed.

42. Improvement Contracts / Performance, Payment and Maintenance Bonds: Drew Cook and Sons Excavating, Co., Inc. for the Flora Park Maintenance Building Exterior Waterproofing Project; Gansen Excavating, Inc. for Creek Wood Park; Gronen Restoration for the Eagle Point Park Indian Room Roof Replacement Project. Upon motion the documents were received, filed and approved.

43. 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. 232-18 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 Del Toro 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 Larson. Motion carried 7-0.

1. Petition to Vacate Alley in D.N. Cooley's Subdivision for Housing Department Project at 396 West Locust Street: City Manager requesting that the City Council set a public hearing for August 20, 2018 to consider vacating a 10-foot-wide alley adjacent to the property at 396 West Locust Street and just west of the intersection of West 17th Street and West Locust Street to facilitate a Housing Department project. Upon motion the documents were received and filed, and Resolution No. 233-18 Resolution of Intent to vacate the 10-foot-wide alley adjacent to Lots 14 And 15 in D.N. Cooley's Subdivision, in the City of Dubuque, Iowa, to be known as Lot 15A of D.N. Cooley's Subdivision, in the City of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on August 20, 2018 in the Historic Federal Building.

2. Twin Ridge Lift Station Abandonment Project Initiate: City Manager recommending initiation of the public bidding procedure for the Twin Ridge Lift Station Abandonment Project, and further recommends that a public hearing be set for August 20, 2018. Upon motion the documents were received and filed, and Resolution No. 234-18 Preliminary approval of plans, specifications, form of contract, and estimated cost; setting date of public hearing on plans, specifications, form of contract, and estimated cost; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on August 20, 2018 in the Historic Federal Building.

3. Millwork District Parking Lot #2 - Elm Street Parking Lot Project Initiate: City Manager recommending initiation of the public bidding procedure for the Millwork District Parking Lot #2 Project, and further recommends that a public hearing be set for August 20, 2018. Upon motion the documents were received and filed, and Resolution No. 235-18 Preliminary approval of plans, specifications, form of contract, and estimated cost; setting date of public hearing on plans, specifications, form of contract, and estimated cost; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on August 20, 2018 in the Historic Federal Building.

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.

1. Transit Advisory Board: One, 3-year term through July 30, 2021 (Expiring term of Esser). Applicants: Robert Daughters, 1631 Jackson St.; Matthew Esser, 90 Main St. Mr. Daughters spoke in support of his appointment and provided a brief biography.

Appointments were made to the following boards/commissions.

2. Building Code and Advisory Appeals Board: One, 3-year term through August 1, 2021 (Expiring term of Wilberding). Applicant: Katrina Wilberding, 3715 Asbury Rd. Motion by Jones to appoint Ms. Wilberding to the 3-year term. Seconded by Resnick. Motion carried 7-0.

3. Historic Preservation Commission: One, 3-year term through July 1, 2019 (Vacant West 11th District term of Nieto). Two, 3-year terms through July 1, 2021 (Vacant At-Large terms of Happ and Morrison). Applicants: Melissa Cassill, 1148 Langworthy St.; Qualifies as At-Large Rep.) – Additional Applicant; Brandi Clark, 2233 Saint Celia St. (Qualifies as At-Large Rep.) – Additional Applicant; Charles Richard (Rick) Stuter, 1296 Prairie St. (Qualifies as 11th District Rep.). Motion by Jones to appoint Mr. Stuter to the remainder of the 3-year term as the 11th Street Historic District representative. Seconded by Shaw. Motion carried 7-0.

Motion by Jones to appoint Ms. Cassill and Ms. Clark to the remainder of the 3-year, at-large terms. Seconded by Shaw. Motion carried 7-0.

4. Housing Commission: Four, 3-year terms through August 17, 2021. (Vacant At-Large term of McDonell; Expiring At-Large terms of Hoeper and Weitz; and Expiring Section 8 Recipient term of Shumaker). Applicants: Brad Cavanagh, 565 Fenelon Pl.; Shane Hoeper, 2520 N. Grandview Ave. – Additional Applicant; Coralita Shumaker, 2109 Washington St. (Qualifies as Section 8 Recipient); Gail Weitz, 1630 Lori Crt.

Motion by Jones to appoint Mr. Cavanagh, Mr. Hoeper and Ms. Weitz to the at-large terms and Ms. Shumaker to the Section 8 Representative position. Seconded by Shaw. Motion carried 7-0.

5. Housing Trust Fund Advisory Committee: One, 3-year term through August 17, 2021 (Expiring term of Holz). Applicant: Jim Holz, 3010 Indiana Crt. Motion by Larson to appoint Mr. Holz to the 3-year term. Seconded by Resnick. Motion carried 7-0.

PUBLIC HEARINGS

1. Easy Steve, LLC dba Dimensional Brewery Company Development Agreement: Proof of publication on notice of public hearing to consider approval of a Development Agreement with Easy Steve, LLC d/b/a Dimensional Brewing Company for redevelopment of 67 Main Street, including the proposed issuance of Urban Renewal Tax Increment Revenue Obligations, and the City Manager recommending approval. Motion

by Del Toro to receive and file the documents and adopt Resolution No. 236-18 Approving a Development Agreement by and between the City of Dubuque, Iowa and Easy Steve, L.L.C. DBA Dimensional Brewing Company providing for the issuance of Urban Renewal Tax Increment Revenue Obligations for the redevelopment of 67 Main Street. Seconded by Jones. Motion carried 7-0.

2. Asbestos Abatement Project for Former Bowling & Beyond Site: Proof of publication on notice of public hearing to consider approval of the plans, specifications, form of contract and estimated cost for the Bowling & Beyond Site – Asbestos Abatement Project and the City Manager recommending approval. Motion by Del Toro to receive and file the documents and adopt Resolution No. 237-18 Approval of plans, specifications, form of contract, and estimated cost for the Bowling & Beyond Site - Asbestos Abatement Project. Seconded by Shaw. Motion carried 7-0.

PUBLIC INPUT

Tim and Peg Harbaugh, 1114 Cox Springs Road, Peosta, spoke in favor of the Code amendment for maintaining livestock and approving the controlled grazing program upcoming on the Action Agenda.

Larry Parazine, 2567 Washington Street urged the Council to consider supporting broadband internet access and described how his personal struggles worsened by the lack of accessible Internet to aid in finding employment.

Tom Hoelscher, 780 Angella Street, spoke in support of the amendments to the noise ordinance upcoming on the Action agenda.

ACTION ITEMS

1. Five Flags Civic Center Annual Report: City Manager transmitting the FY2018 Annual Report for Five Flag Civic Center. Five Flags Center General Manager HR Cook, made a presentation to the City Council on the finances, events being scheduled and the activities of Five Flags in the past year and what is coming up. Topics included: Event Analysis/ new events, Year-End statistics, Map of Ticket Buyers, Website statistics, Turnkey Survey of Services and Venue, Media Relations; recognitions, Year-end financials, subsidy analysis, venue partners and sponsorships, food and beverage changes, upcoming anchor tenant performances, upcoming shows. Motion by Jones to receive and file the documents. Seconded by Del Toro. Motion carried 7-0.

2. Resource Enhancement and Protection (REAP) Plan Update, Grant Application and Appointment of City Representative: City Manager recommending approval of the City of Dubuque's FY 2019 update to the Dubuque County Resource Enhancement and Protection (REAP) Plan, a FY 2019 REAP grant application, and confirmation of the City's representative to the REAP Committee. Restated Motion by Jones to receive and file the documents, re-appoint Council Member Kate Larson as the representative and adopt Resolution No. 238-18 Authorizing REAP grant application to Iowa Department of Natural Resources for Four Mounds Park Ecological Restoration and Site Accessibility Project

Suggested Disposition: Receive and File; Council. Seconded by Del Toro. Motion carried 7-0.

3. Code of Ordinance Amendment - Title 6 Prohibited and Exempt Noises: City Manager recommending approval of an update to the prohibited noises and exempt noises ordinances to update some terminology in the prohibited noises ordinance and add provisions and sections that further clarifying the use, prohibitions and exemptions of outdoor music or amplified noise.

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 Resnick. Motion failed 5-2 with Shaw and Larson voting nay.

Motion by Jones to receive and file the documents and amend the ordinances to include correction to Section 6-5-3 G.1 and G.2 to reflect Sunday through Thursday and changing the starting time to 7:00 a.m. Discussion was given to the Police Department using discretion when enforcing sporting events go into overtime and coordinating with the school district. Motion carried 6-1 with Shaw voting nay.

Motion by Jones to consider the first reading of the proposed amended ordinances amending City of Dubuque Code of Ordinances Title 6 Health, Housing, Sanitation and Environment, Chapter 5 Noises, Section 6-5-1 Prohibited Noises; and amending City of Dubuque Code of Ordinances Title 6, Health, Housing, Sanitation and Environment, Chapter 65 Noises, Section 6-5-3 Exempt Noises. Seconded by Resnick. Motion carried 5-2 with Shaw and Larson voting nay.

4. Code of Ordinances Amendment - Title 7 Maintaining Livestock / Controlled Grazing Program: City Manager recommending approval of an ordinance change and program requirements to establish a Controlled Livestock Grazing Program. 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 Shaw. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 29-18 Amending City of Dubuque Code of Ordinances Title 7 Police, Fire and Public Safety, Chapter 6 Animal Control, Article A Miscellaneous Provisions, Section 7-6A-2 Restrictions on Maintaining Livestock. Seconded by Shaw. Motion carried 7-0.

5. Code of Ordinances Amendment - Title 13 Sewers and Sewage Disposal - Specific Pollutant Limitations: City Manager recommending modification of the City of Dubuque Code of Ordinances Specific Pollutant Limitations for the discharge of cyanide as measured at the treatment plant. Motion by Resnick 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. 30-18 Amending City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 2 Sewers and Sewage Disposal, Article D. Industrial Pretreatment Program, Section 13-2D-6 Specific Pollutant Limitations. Seconded by Resnick. Motion carried 7-0.

6. Request for Work Session - Travel Dubuque Quarterly Report: City Manager requesting that the City Council schedule a work session at 5:30 p.m. on September 17, 2018 in the Council Chambers for the Travel Dubuque quarterly update. Motion by Larson to set the work session as recommended. Seconded by Resnick. All Council Members acknowledged that they were available. Motion carried 7-0.

7. SW Arterial Construction Update Video: Cable TV Division showed a video of the recent progress of the Southwest Arterial Project for July 2018. Motion by Jones to receive and file the information. Seconded by Resnick. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Larson asked for community support of the Corner Grill, 1689 Elm Street, while another City construction project is re-routing traffic around the area. The establishment is still accessible.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:20 p.m. to discuss pending litigation and real estate transfer negotiations pursuant to Chapter 21.5(1)(c), -(j) Code of Iowa.

Mayor Buol stated for the record that the attorney who will consult with City Council on the issues to be discussed in the closed session is City Attorney Crenna Brumwell.

Upon motion, the City Council reconvened in open session at 8:36 p.m. stating that staff had been given proper direction.

There being further business, upon motion the City Council adjourned at 8:37 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 8/15