

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

The Dubuque City Council met in special session at 6:00 p.m. on September 17, 2018 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Del Toro, Jones, Larson, Resnick, Rios (joined at 5:32 p.m.), 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 Excursion Boating on the Mississippi.

**WORK SESSION
Excursion Boating on the Mississippi River**

Travel Dubuque President Keith Rahe presented information on the economic development impact of excursion boating. Highlights included overview of the boats that dock in Dubuque, number of stops per year, travel patterns, overnight and day cruises, total passenger counts, length of dock time, and six-year totals of riverboat dockings.

David Simmons of Viking River Cruises shared an overview of Viking's business in Europe, expansion onto the Mississippi River market, passenger demographics, and potential and desire for working with the City on cost-sharing construction of a docking facility in Dubuque.

Mr. Simmons responded to questions from the City Council regarding the excursion timeline and docking durations, and how the industry is complying with the Jones Act that regulates river travel.

Mayor Buol advised Council to refer additional questions to the City Manager for distribution to Mr. Simmons.

There being no further business, upon motion the City Council adjourned at 6:00 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 9/26

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

The Dubuque City Council met in regular session at 6:00 p.m. on September 17, 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. Days of Peace and Ceasefire (September 18-20, 2018) was accepted by DoP Committee Treasurer Art Roche, DoP Committee Chair Barb Ilten, and DoP Committee Member R.R.S. Stewart.

2. Rail Safety Week (September 23-29, 2018) was accepted by Thomas Skinner, Special Agent, Central Division, NSI Regional Intelligence Office.

CONSENT ITEMS

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

1. Minutes and Reports Submitted: Cable TV Commission of 9/5; Catfish Creek Watershed Management Authority of 9/5, City Council Proceedings of 9/4, 9/10; Historic Preservation Commission of 8/16; Park and Recreation Advisory Commission of 8/14; Resilient Community Advisory Commission of 8/2; Zoning Advisory Commission of 9/5; Zoning Board of Adjustment of 8/23; Proof of publication for City Council Proceedings of 8/13, 8/15, 8/20. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Kelly Casperson for vehicle damage, Jerald Kinsella for property damage, Gerald Klein for property damage, Abby McGrane-Ralston for vehicle damage, David Prince for vehicle damage, Steve Ruden for property damage, Daniel Scott for property damage, Sisters of the Presentation for property damage, Brock Tyner for vehicle damage, Morgan Weaver for vehicle damage, Doug Winner for vehicle damage, Suit by Michael and Jacqueline Wood for vehicle damage/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: William Baum for vehicle damage, Jerald Kinsella for property damage, Gerald Klein for property damage, Lynn McCormick/Partners Mutual Insurance for vehicle damage, Abby McGrane-Ralston for vehicle damage, David Prince for vehicle damage, Steve Ruden for property damage, Daniel Scott for personal injury/property damage, Sisters of the Presentation for property damage, Morgan Weaver 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. 2018 City Council Goals and Priorities: City Manager providing a copy of the public information brochure outlining the City Council's 2018 Goals and Priorities. Upon motion the documents were received and filed.

6. State of Iowa Annual Street Financing Report: City Manager recommending approval of the City of Dubuque's Fiscal Year 2018 City Street Financing Report and authorizing filing with the Iowa Department of Transportation. Upon motion the documents were received and filed, and Resolution No. 270-18 Approving the City of Dubuque Fiscal Year 2018 City Street Financing Report was adopted.

7. 2017 Integrated Pest Management Annual Report: The Integrated Pest Management Working Group transmitting the 2017 Integrated Pest Management Annual Report which has been reviewed by the Resilient Community Advisory Commission and the Parks & Recreation Commission. Motion by Larson to receive and file the documents. Seconded by Resnick. Ms. Larson thanked staff for their efforts. Responding to questions from Ms. Larson, Assistant City Manager Cori Burbach stated that the program has had an impact on increased staff time, but that they are working on using more native plant materials that won't require as much maintenance and that they have seen about a 60% decrease in chemical usage that is expected to improve next season. Motion carried 7-0.

8. USAID/ICMA Planning for Climate Adaptation Program in Dominican Republic: City Manager providing a copy of the public information brochure detailing the results of the pro-bono labor partnerships, including the City of Dubuque, with the Dominican Republic through the USAID/ICMA Planning for Climate Adaptation Program. Upon motion the documents were received and filed.

9. Transit Asset Management Plan: City Manager recommending that the City Council approve the Operations, Asset Management, Safety and Security Manual as required by the Federal Transit Administration for the Transportation Services Department. Upon motion the documents were received, filed and approved.

10. School Resource Officer (SRO) Agreement with Dubuque Community Schools for School Year 2018/2019: City Manager recommending approval of the Fiscal Year

2018/2019 School Resource Officer Agreement with the Dubuque Community School District and acceptance of the Dubuque Community School District's financial support. Upon motion the documents were received, filed and approved.

11. Iowa Department of Transportation Local Primary Highway Maintenance Supplemental Agreements: City Manager recommending approval of several Iowa Department of Transportation Supplemental Agreements for Local Primary Highway Maintenance, Pavement Markings, Julien Dubuque Bridge Sidewalk Maintenance, Street Sweeping Maintenance and Traffic Signal Maintenance between the Iowa Department of Transportation and the City of Dubuque. Upon motion the documents were received, filed and approved.

12. Dubuque Regional Humane Society Agreement Amendment: City Manager recommending an amendment to the current five-year agreement with the Dubuque Regional Humane Society that began July 1, 2015. Upon motion the documents were received, filed and approved.

13. Neztrop, LLC - Dedication of Permanent Signage Easement: City Manager recommending approval of a Dedication of Permanent Signage Easement across Parts of Lot 2-1 of Stone Brook Center Second Addition in the City of Dubuque, which is located at the southeast corner of the intersection of Stone Valley Drive and US Highway 20. Upon motion the documents were received and filed, and Resolution No. 271-18 Accepting a Dedication of Permanent Signage Easement across parts of Lot 2-1 of Stone Brook Center Second Addition, in the City of Dubuque, Iowa was adopted.

14. Self-Funded Health Plan 509A Certification Consultant: City Manager recommending approval to continue using Insurance Strategies Consulting to prepare the 509A Certification for the City of Dubuque's Self-Funded Health Plan and approve the Services Engagement Letter. Upon motion the documents were received, filed and approved.

15. Plat of Survey for BGJ Kremer Place No. 2: Zoning Advisory Commission recommending approval of the Plat of Survey for BGJ Kremer Place No. 2. Upon motion the documents were received and filed, and Resolution No. 272-18 Approving the Plat of Survey of BGJ Kremer Place No. 2 Dubuque County, Iowa was adopted.

16. Preliminary FEMA Floodplain Maps: City Manager recommending approval of a recommended response from the City of Dubuque to the Federal Emergency Management Agency (FEMA) regarding correspondence from FEMA Region VII related to preliminary floodplain maps for the City of Dubuque. Upon motion the documents were received, filed and approved.

17. Eagle Point Park Watermain Extension and Water Service Replacement Project Award: City Manager recommending that the award for the Eagle Point Park Watermain Extension and Water Service Replacement Project to Mainline Excavation Co., Inc. be

officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

18. Right-of-Way Management Technician Position: City Manager recommending approval to eliminate one Engineering Assistant II position and create one Right-of-Way Management Technician position in the Engineering Department. Upon motion the documents were received, filed and approved.

19. 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. 273-18 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. 274-18 Approving applications for retail cigarette/tobacco sales/nicotine/vapor permits, as required by Iowa Code Chapter 453A.47A were adopted.

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 Jones. Motion carried 7-0.

1. Maquoketa Valley Electric Cooperative 30-Day Extension of Franchise: City Manager recommending that the City Council set a public hearing for October 1, 2018, on a possible 30-day extension to Maquoketa Valley Electric Cooperative's electric franchise agreement that is set to expire October 3, 2018. Upon motion the documents were received and filed, and Resolution No. 275-18 Setting a public hearing on an ordinance extending the term of the franchise granted to Maquoketa Valley Electric Cooperative for an additional thirty days was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on October 1, 2018 in the Historic Federal Building.

2. Maquoketa Valley Electric Cooperative Franchise Fee: City Manager recommending that the City Council set a public hearing for October 1, 2018 on an ordinance imposing a franchise fee of 5% on Maquoketa Valley Electric Cooperative. Upon motion the documents were received and filed, and Resolution No. 276-18 Setting a public hearing on an ordinance imposing a franchise fee of five percent (5%) on the gross revenue generated from the distribution and sale of electricity within the city of Dubuque by Maquoketa Valley Electric Cooperative was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on October 1, 2018 in the Historic Federal Building.

3. Maquoketa Valley Electric Cooperative Franchise Agreement: City Manager recommending that the City Council set a public hearing for October 1, 2018 on an ordinance granting a new Franchise Agreement with Maquoketa Valley Electric Cooperative. Upon motion the documents were received and filed, and Resolution No. 277-18 Setting a public hearing on an ordinance granting to Maquoketa Valley Electric

Cooperative, its successors and assigns, the right and non-exclusive franchise to acquire, construct, erect, maintain and operate in the City of Dubuque, Iowa, an electric system and to furnish and sell electric energy to the City and its inhabitants for a period of 25 years and authorizing the City to collect franchise fees was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on October 1, 2018 in the Historic Federal Building.

4. Fiscal Year 2019 First Budget Amendment: City Manager recommending the first Fiscal Year 2019 Budget Amendment be set for public hearing for October 1, 2018. Upon motion the documents were received and filed, and Resolution No. 278-18 Setting the date for the public hearing on Amendment No. 1 to the Fiscal year 2019 Budget for the City of Dubuque was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on October 1, 2018 in the Historic Federal Building.

5. Intent to Dispose of an Interest in Real Property Owned by the City of Dubuque by Lease Supplements Between the City of Dubuque, Iowa and Southwestco Wireless, Inc. D/B/A Verizon Wireless: City Manager recommending that the City Council set a public hearing for October 1, 2018, on the City's intent to dispose of an interest in real property owned by the City of Dubuque by lease supplements between the City of Dubuque, Iowa, and Southwestco Wireless, Inc. d/b/a Verizon Wireless that will add three small cell locations. Upon motion the documents were received and filed, and Resolution No. 279-18 Intent to dispose of an interest in real property owned by the City of Dubuque by Leases between the City of Dubuque, Iowa and Southwestco Wireless, Inc., D/B/A Verizon Wireless was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on October 1, 2018 in the Historic Federal Building.

6. John F. Kennedy Road Sidewalk Installation Project Initiate: City Manager recommending preliminary approval of the construction plans and specifications, approval of the Resolution of Necessity, approve the Preliminary Schedule of Assessments and initiation of the public bidding process for the John F. Kennedy Road Sidewalk Installation Project. It is further recommended that a public hearing be set for October 15, 2018. Upon motion the documents were received and filed, and Resolution No. 280-18 Resolution of Necessity for the John F. Kennedy Road Sidewalk Installation Project; Resolution No. 281-18 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; Resolution No. 282-18 Approving the preliminary plats, schedule of assessments and estimate of total cost for the John F. Kennedy Road Sidewalk Installation Project; and Resolution No. 283-18 Fixing date of public hearing on Resolution of Necessity were adopted setting a public hearing for a meeting to commence at 6:00 p.m. on October 15, 2018 in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointment was made to the following commission.

1. Parks and Recreation Advisory Commission: One, 3-year term through June 30, 2019 (Vacant term of Lyness). Applicant: Robert McCoy, 265 Main St. Motion by Jones to appoint Mr. McCoy to the vacant, 3-year term through June 30, 2019. Seconded by Larson. Motion carried 7-0.

PUBLIC HEARINGS

1. Planned Unit Development (PUD) Amendment for Mercy Hospital / Mercy Drive: Proof of publication on notice of public hearing to consider approval of a request from St. Joseph Mercy Hospital to amend the Mercy Hospital ID Institutional District at 250 Mercy Drive, 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 Jones. Cody Austin, Project Manager with IIW Engineers, 4155 Pennsylvania Avenue, described the project and addressed parking/traffic patterns. Assistant Planner Wally Wernimont gave a staff report. Motion carried 7-0.

Motion by Shaw for final consideration and passage of Ordinance No. 31-18 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by rescinding Ordinance 12-18, and approval of an amended Campus Development Plan for the Mercy Hospital Institutional District to allow construction of a new Cancer Center Building. Seconded by Jones. Motion carried 7-0.

2. Planned Unit Development (PUD) Amendment - 5000 Block of Pennsylvania Avenue: Proof of publication on notice of public hearing to consider approval of a request from the City of Dubuque to rezone AG Agricultural Zoning District and PI Planned Industrial Zoning District to Dubuque Industrial Center West (DICW) Planned Unit Development (PUD) Zoning District in the 5000 Block of Pennsylvania Avenue, and the Zoning Advisory Commission recommending approval. 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. Assistant Planner Wally Wernimont gave a staff report. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 32-18 Amending Title 16, Unified Development Code of the City of Dubuque Code of Ordinances, by rescinding Ordinances No. 14-98, No. 07-02, and No. 83-04, and by rezoning approximately 124 Acres of Property from AG Agricultural District and Approximately 36 Acres of Property from PI Planned Industrial to the regulations of the Dubuque Industrial Center West PUD Planned Unit Development District with a Pi Planned Industrial Designation. Seconded by Resnick. Motion carried 7-0.

3. Request to Rezone 1895 Radford Road: Proof of publication on notice of public hearing to consider approval of a request from Richard Sova / Landover Corporation to rezone a portion of property located at 1895 Radford Road from LI Light Industrial Zoning District to OC Office Commercial Zoning District, and the Zoning Advisory Commission recommending approval. 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. Applicant Richard Soba spoke in favor of the request. Assistant Planner Wally Wernimont gave a staff report. Responding to questions from the City Council, Mr. Soba stated that the unit would mostly be one- to two-bedroom per specifications from the Iowa Economic Development Authority adding that the units would be in the affordable ranking and preferably pet-friendly. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 33-18 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 1800 Block of Radford Road from LI Light Industrial District to OC Office Commercial District. Seconded by Del Toro. Motion carried 7-0.

4. Water Main Extension to Tamarack Park Project: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract, and estimated cost of the Water Main Extension to Tamarack Park Project, and the City Manager recommending approval. Motion by Shaw to receive and file the documents and adopt Resolution No. 284-18 Approval of plans, specifications, form of contract and estimated cost for the Water Main Extension to Tamarack Park Project. Seconded by Del Toro. Motion carried 7-0.

PUBLIC INPUT

Daniel Scott, 611 University #4, commended Fire Equipment Operator Jeff Breitbach for the personal assistance Jeff has provided Mr. Scott, who is confined to a wheelchair.

Additionally, Mr. Scott stated that his troubled past has inspired him to pay it forward by counseling other troubled persons that might be hesitant to approach a community agency for assistance.

Mikki Ender, 1760 Lori Street, and a member of the FIDO dog-friendly group, addressed the Council about expanding Dubuque's pet-friendly efforts as referenced in the Council's goals and priorities or help with dog-friendly legislation.

Carol Meyer, 2644 John F. Kennedy Road, addressed the Council about her opposition to the upcoming public hearing on the installation of sidewalks along JFK Road.

Cathy Spear, 2551 John F. Kennedy Road, and also speaking on behalf of her father at 2639 JFK Road, spoke in opposition to the upcoming public hearing on the installation of sidewalks along JFK Road.

ACTION ITEMS

1. Greater Dubuque Development Corporation - Quarterly Report: President and CEO Rick Dickinson presented the quarterly update on the activities of the Greater Dubuque Development Corporation. Mr. Dickinson offered his congratulations on the Build-a-Better-Block project currently underway in the 1800 block of Central Avenue. He then reviewed GDDC's InfoAction Dashboard that included data on their company visits, community strengths and weaknesses, barriers to growth, workforce assessment, community human resource professionals' feedback, personal barriers to employment,

and recruitment and job skills training. Mr. Dickinson highlighted the True North Program for revitalizing Dubuque's North End. Motion by Resnick to receive and file the documents. Seconded by Jones. Motion carried 7-0.

2. 2018 City Expo Flyer: City Manager providing a copy of the flyer announcing the 2018 City Expo, 4-7 p.m. on September 18, 2018 at Five Flags Center. Motion by Jones to receive and file the documents. Seconded by Resnick. Mayor Buol reiterated the information on the event and encouraged everyone to attend. Motion carried 7-0.

3. Parking Smart Meter Pilot Memorandum of Understanding: City Manager recommending approval to negotiate the final details and sign a Memorandum of Understanding with Municipal Parking Services for the purpose of a smart meter pilot that will be completed at no cost to the City and will provide valuable data to City staff and City Council for evaluating wider use of this technology in the meter districts. Staff provided a brief presentation. Motion by Jones to receive and file the documents, approve the recommendation and view the presentation. Seconded by Resnick. Transportation Services Manager Candace Eudaley-Loebach and Scott Schmitt of Municipal Parking Services provided a brief description of the pilot program and demonstrated the smart meter. Responding to questions from the City Council, Ms. Loebach and Mr. Schmitt described what data could be gleaned from the smart meter and how it could be used within the organization. The presenters also addressed concerns with the revenue-sharing and revenue-streaming aspects following the pilot project if installation is approved. Motion carried 6-1 with Shaw voting nay.

4. Broadband Update and Request for Approval to Contract with Environmental Systems Research Institute, Inc. (ESRI): City Manager providing an update on continuing broadband activity and recommending approval to contract with ESRI for support services for development of a broadband application viewer that would leverage open data for maps and applications to provide information to the public regarding options for broadband providers and services and obtain feedback from residents. Motion by Jones to receive and file the document and approve the recommendation. Seconded by Del Toro. Responding to questions from the City Council, Information Services Manager Chris Kohlmann and Sustainability Coordinator for Greater Dubuque Development Corporation, David Lyons, on how staff could continuously track data that addresses issues and informs the public of what options are available based on demographics. Motion carried 6-1 with Rios voting nay.

5. Code of Ordinances Amendment - Title 6 Prohibited and Exempt Noises (Final Reading): 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 clarify the use, prohibitions and exemptions of outdoor music or amplified noise. Motion by Jones for final consideration and passage of Ordinance No. 34-18 Amending City of Dubuque Code of Ordinances Title 6 Health, Housing, Sanitation and Environment, Chapter 5 Noises, Section 6-5-1 Prohibited Noises; and Ordinance No. 35-18 Amending City of Dubuque Code of Ordinances Title 6, Health, Housing, Sanitation and Environment, Chapter 5 Noises,

Section 6-5-3 Exempt Noises. Seconded by Resnick. Council Member Shaw reiterated his concerns with taking privileges away from citizens based on only a few complaints and questioned the prohibition of the amplified music added since previous versions. Motion carried 5-2 with Shaw and Buol voting nay.

6. Code of Ordinances Amendment - Title 7 Door Hangars: City Manager recommending approval of an amendment to the City's door hanger ordinance. 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. Responding to questions from the City Council, City Attorney Brumwell provided background on how the item came to Council based on public input from a previous meeting [5/7/18]. Motion carried 7-0.

Motion by Shaw for final consideration and passage of Ordinance No. 36-18 Amending City of Dubuque Code of Ordinances Title 7 Police, Fire and Public Safety, Chapter 5 Offenses, Article A General Offenses, Section 7-5A-5 Advertising Materials, Billposting; Littering. Seconded by Jones. Motion carried 7-0.

7. Code of Ordinances Amendment - Title 14 Vacant and /or Abandoned Buildings: City Manager recommending approval of an amendment to City Code Section 14-4-1 to include the definition of the International Residential Code. 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. Motion carried 7-0.

Motion by Larson for final consideration and passage of Ordinance No. 37-18 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 4 Licensing of Vacant and/or Abandoned Buildings, Section 14-4-1 Definitions. Seconded by Shaw. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Referencing several issues from citizen inquiries, Council Member Shaw requested future Council discussion of a dog breed ban ordinance in light of a recent dog-on-dog attack. There was no support by Council. Mr. Shaw then requested Council interest in an annual, free, large-item disposal day for which there was no support. Mr. Shaw reported on a citizen request regarding a tracking rental housing availability matrix. City Manager Van Milligen responded by stating that a future staff report will include recommendations and options for all identified issues but added that the work is still in progress and exact information is unavailable at this time.

Council Member Larson stated that cities are trending away from ordinances prohibiting specific dog breeds and working on enforcing issues with the dog owners.

Council Member Jones reiterated Mr. Scott's comments made during Public Input and commended Fire Equipment Operator Jeff Breitbach for his charitable service to Mr. Scott.

Council Member Del Toro clarified the public hearing process regarding the JFK Sidewalks public improvement project by reiterating that tonight was strictly setting the

public hearing for October 15, 2018, and that the information included with tonight's agenda item is required preliminary preparation for the hearing. Mr. Del Toro added that he hoped Council would seriously consider the need for a marketing budget for promoting the Dubuque Regional Airport as a result of the low score it received in Greater Dubuque Development Corporation's Community Services Index from Action Item #1.

Council Member Resnick encouraged attendance at Dubuque Main Street's Build-a-Better-Block event on now through September 20, 2018 in the 1800 Block of Central Avenue.

CLOSED SESSION

Motion by Jones to convene in closed session at 7:57 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. 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 Brumwell, Assistant City Attorney Crenna Brumwell, and Attorney James Wainwright from Ahlers & Cooney Law Firm, Des Moines. Motion carried 7-0.

Upon motion the City Council reconvened in open session at 9:46 p.m. stating that staff had been given proper direction.

There being no further business, upon motion the City Council adjourned at 9:47 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 9/26