

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

The Dubuque City Council met in special session at 5:30 p.m. on November 19, 2018 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Del Toro (joined at 5:38 p.m.), Jones, Larson, Resnick (joined at 5:33 p.m.), 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 Project HOPE.

**WORK SESSION
Project HOPE**

Peter Supple, Economic Development Coordinator for the Community Foundation of Greater Dubuque; Attorney Chris Corken; Police Chief Mark Dalsing; and Brain Health Advocate Debi Butler conducted a work session on the recent activities of Project HOPE focusing on Brain Health. Topic included:

- Project HOPE Initiatives and success:
 - Opportunity Dubuque,
 - Re-Engage Dubuque,
 - Earned Income Tax Credit,
 - Dubuque College Access Network,
 - Early Child Care,
 - Community Engagement/ Washington Neighborhood
 - Brain Health.
- Mental Health Needs Assessment: Conclusions and recommendations
- Brain Health Stakeholders Committee and Collaborating Organizations
- Brain Health Program Initiatives: First Aid Training, mobile crisis unit, wrap-around program, and access center

The City Council had discussion with the presenters following the presentation.

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

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 11/28

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

The Dubuque City Council met in regular session at 6:00 p.m. on November 19, 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. Jule Operations & Training Center Awarded for Energy-Efficient Design: Director of Transportation Services Renee Tyler presented the 2018 Excellence in Energy-Efficient Design Award from the American Institute of Architects (AIA) Iowa Chapter recognizing the Jule Operations & Training Center.

PROCLAMATION(S)

1. Small Business Saturday (November 24, 2018) was accepted by Paige Murphy, Membership Manager for the Dubuque Area Chamber of Commerce.

2. Brain Health Awareness Month (November 2018) was accepted by Debi Butler.

CONSENT ITEMS

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

1. Minutes and Reports Submitted: City Council proceedings of 11/5; Civil Service Commission of 10/31; Human Rights Commission of 10/8; Park and Recreation Advisory Commission of 10/9, 10/19; Proof of Publication for City Council Proceedings of 10/15. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Kevin Lutgen for vehicle damage, Donna Pilgrim for vehicle damage, TFM, Co., for property 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: Kevin Lutgen for vehicle damage; Donna Pilgrim for vehicle damage; and TFM, Co. for property 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. Multicultural Family Center Director Jacqueline Hunter: City Manager providing information on Multicultural Family Center Director Jacqueline Hunter receiving the 2018 Outstanding Women of Color in Education Award from the University of Wisconsin Platteville. Upon motion the documents were received and filed.

6. Dubuque Industrial Parks Brochure: City Manager providing a copy of the public information brochure regarding the Dubuque Industrial Parks. Upon motion the documents were received and filed.

7. Building Permit Brochure: City Manager providing a copy of the Building Services Department's public information brochure regarding building permit requirements. Upon motion the documents were received and filed.

8. 2019 State Legislative Priorities: City Manager providing a copy of the City of Dubuque 2019 State Legislative Priorities as adopted by the City Council for presentation to State Legislators at the annual Legislative Dinner to be held at 5:15 p.m. on November 28, 2018 at the Grand River Center. Upon motion the documents were received, filed and approved.

9. Fiscal Year 2018 State of Iowa Annual Financial Report: City Manager recommending approval of the official document for the City of Dubuque's Fiscal Year 2018 Annual Financial Report. Upon motion the documents were received, filed and approved.

10. Intergovernmental Panel on Climate Change: Global Warming of 1.5 Degrees C: City Manager transmitting information from the Intergovernmental Panel on Climate Change (IPCC) that addresses the impact of global warming. Upon motion the documents were received and filed.

11. Family Self-Sufficiency Coordinators Grant: City Manager recommending approval to submit a grant application to HUD in order to obtain federal funds for two FSS Coordinator positions. Upon motion the documents were received and filed, and Resolution No. 337-18 Authorizing the Mayor to execute an application for the HUD Family Self-sufficiency Program grant and authorizing the Director of Housing and Community Development and the City Manager to approve the application was adopted.

12. Civil Service Commission - Certified Lists: Civil Service Commission submitting the Certified Lists for the positions of Equipment Operator I and Utility Worker, Engineering

Technician and Firefighter/Paramedic. Upon motion the documents were received, filed and made a Matter of Record.

13. Renewal Rate for the Voluntary Dental Plan: City Manager recommending approval of the Delta Dental renewal rates for the plan year beginning January 1, 2019, through December 31, 2019. Upon motion the documents were received, filed and approved.

14. Amendment to the Administrative Services Agreement Between the City of Dubuque and Wellmark, Inc.: City Manager recommending approval of an amendment to the Administrative Services Agreement between the City of Dubuque and Wellmark, Inc. to add telehealth services to the medical plan. Upon motion the documents were received, filed and approved.

15. Acceptance of Grant of Easement for Sanitary Sewer Utility over Part of Lot 2 Kerper Industrial Subdivision No. 2: City Manager recommending acceptance of a Grant of Easement for Sanitary Sewer Utility from the John P. Mihalakis and Letha A. Mihalakis Trust, and Richard L. Billmeyer and Cynthia A. Billmeyer, across Part of Lot 2 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. 338-18 Accepting a Grant of Easement for Sanitary Sewer Utility across part of Lot 2 Kerper Industrial Park No. 2, in the City of Dubuque, Iowa was adopted.

16. Acceptance of Grant of Easement for Jackson Street Sanitary Sewer Reconstruction Project: City Manager recommending acceptance of a Grant of Easement for Sanitary Sewer Utility from R & S Realty, LLC across Part of Lot 4 of Liebe's Subdivision No. 3 in the City of Dubuque, as part of the 30th and Jackson Street Sanitary Sewer Reconstruction Project. Upon motion the documents were received and filed, and Resolution No. 339-18 Accepting a Grant of Easement for Sanitary Sewer Utility Across Part of Lot 4 of Liebe's Subdivision No. 3, in the City of Dubuque, Iowa was adopted.

17. Rustic Point Subdivision - Acceptance of Subdivision Improvements: City Manager recommending acceptance of the public improvements, except for storm water detention facilities, that the developer, Derby Grange LLC, has recently completed in Rustic Point Subdivision. Upon motion the documents were received and filed, and Resolution No. 340-18 Accepting public improvements in Rustic Point Subdivision, in the City of Dubuque, Iowa was adopted.

18. Stipulation of Settlement – AY McDonald Manufacturing Co. Property Tax Appeal: City Attorney recommending approval of the Stipulation of Settlement for a property tax appeal filed by AY McDonald Manufacturing for their property at 4800 Chavenelle Road. Upon motion the documents were received, filed and approved.

19. McClellan et al. v. Ramirez and City of Dubuque: Senior Counsel transmitting correspondence regarding the dismissal of the McClellan et al. v. Ramirez and City of

Dubuque lawsuit resulting from a February 28, 2016 accident. Upon motion the documents were received and filed.

20. Tom Coyle Claim Denial Appeal: City Attorney recommending denial of the appeal of a claim against the City for vehicle damage filed by Tom Coyle. Upon motion the documents were received, filed, and concurred with the denial.

21. Delinquent Grass and Weed Cutting and Garbage Collection Charges - Housing Department: City Manager recommending adoption of a resolution authorizing the City Clerk to certify grass and weed cutting and garbage collection charges to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received and filed, and Resolution No. 341-18 Authorizing the City to Collect Delinquent Grass and Weed Cutting and Garbage Collection Charges in accordance with Title 6-4-3A and Title 6-8-2 of the Code of Ordinances of the City of Dubuque, Iowa was adopted.

22. Delinquent Problem Property Charges for Fall 2017 - Housing Department: City Manager recommending adoption of a resolution authorizing the City to certify problem property charges for the end of 2017 to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received and filed, and Resolution No. 342-18 Authorizing the City to collect Delinquent Problem Property Charges in accordance with 14-1J1 International Property Maintenance Code Section 106.5 and/or Section 109.5 Code of Ordinances of the City of Dubuque, Iowa was adopted.

23. Delinquent Problem Property Charges Spring 2018 - Housing Department: City Manager recommending adoption of a resolution authorizing the City to certify problem property charges for the Spring of 2018 to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received and filed, and Resolution No. 343-18 Authorizing the City to Collect Delinquent Problem Property Charges in accordance with 14-1J1 International Property Maintenance Code Section 106.5 and/or Section 109.5 Code of Ordinances of the City of Dubuque, Iowa was adopted.

24. Delinquent Garbage Collection Charges - Housing Department: City Manager recommending adoption of a resolution authorizing the City Clerk to certify garbage collection charges to the Dubuque County Treasurer in order to establish real property liens for collection of such charges. Upon motion the documents were received and filed, and Resolution No. 344-18 Authorizing the City to Collect Delinquent Garbage Collection Charges in accordance with Title 6-4-3A; Title 6-4-5A & Title 6-4-5B of the Code of Ordinances of the City of Dubuque, Iowa was adopted.

25. Housing Financial Specialist Position: City Manager recommending approval to upgrade the vacant Community Development Block Grant (CDBG) Secretary position to a Housing Financial Specialist position and that the position be upgraded from GE-25 to

GE-28 to accurately reflect the job duties assigned to the position. Upon motion the documents were received, filed and approved.

26. Purchase of Services Grant Agreement - Area Residential Care: City Manager recommending approval of a Purchase of Services Grant Agreement with Area Residential Care for Fiscal Year 2019 to provide an Employment Connections program. Upon motion the documents were received, filed and approved.

27. Purchase of Services Grant Agreement - Crescent Community Health Center: City Manager recommending approval of a Purchase of Services Grant Agreement with Crescent Community Health Center for Fiscal Year 2019 to provide the Pacific Islander Health Project. Upon motion the documents were received, filed and approved.

28. Purchase of Services Grant Agreement - Dream Center: City Manager recommending approval of a Purchase of Services Grant Agreement with Dubuque Dream Center for Fiscal Year 2019 for Dubuque Dream Center Connector. Upon motion the documents were received, filed and approved.

29. Purchase of Services Grant Agreement - Dubuque YMCA/YWCA: City Manager recommending approval of a Purchase of Services Grant Agreement with Dubuque Community YMCA/YWCA for Fiscal Year 2019 for the victim's services shelter. Upon motion the documents were received, filed and approved.

30. Purchase of Services Grant Agreement - East Central Development Corporation: City Manager recommending approval of a Purchase of Services Grant Agreement with East Central Development Corporation for Fiscal Year 2019 for Centralized Homeless Services – Coordinated Entry. Upon motion the documents were received, filed and approved.

31. Purchase of Services Grant Agreement - Fountain of Youth Program: City Manager recommending approval of a Purchase of Services Grant Agreement with the Fountain of Youth Program for Fiscal Year 2019 for staffing of the program. Upon motion the documents were received, filed and approved.

32. Purchase of Services Grant Agreement - Lutheran Services in Iowa: City Manager recommending approval of a Purchase of Services Grant Agreement with Lutheran Services in Iowa for Fiscal Year 2019 for Behavioral Health Community Wraparound in Dubuque Schools. Upon motion the documents were received, filed and approved.

33. Purchase of Services Grant Agreement - Opening Doors: City Manager recommending approval of a Purchase of Services Grant Agreement with Opening Doors for Fiscal Year 2019 for Permanent Supportive Housing. Upon motion the documents were received, filed and approved.

34. Purchase of Services Grant Agreement - Riverview Center: City Manager recommending approval of a Purchase of Services Grant Agreement with Riverview

Center for Fiscal Year 2019 for sexual assault therapy services. Upon motion the documents were received, filed and approved.

35. Purchase of Services Grant Agreement - St. Mark Youth Enrichment: City Manager recommending approval of a Purchase of Services Grant Agreement with St. Mark Youth Enrichment for Fiscal Year 2019 for St. Mark Enrichment Before and After School programs. Upon motion the documents were received, filed and approved.

36. Proposed Master Co-Location and Shared Services Agreement Between the City of Dubuque and Iowa Network Service d/b/a Aureon Network Services: City Manager recommending approval of a Master Co-Location and Shared Services Agreement between the City of Dubuque and Aureon Network Services. Upon motion the documents were received, filed and approved.

37. Proposed Conduit License Agreement with ExteNet Systems, Inc.: City Manager recommending approval of a Conduit License Agreement with ExteNet Systems, Inc. for the use of City of Dubuque owned and operated conduit. Upon motion the documents were received, filed and approved.

38. Improvement Contracts / Performance, Payment and Maintenance Bonds: Top Grade Excavating, Inc. for the Water Main Extension to Tamarack Park Project. Upon motion the documents were received, filed and approved.

39. Business License Refund: Request from RCW, Inc. D/B/A/ Wingstop for a refund of the liquor license BW0094915 located at 2255 John F. Kennedy Rd., Suite 9, due to the business closing. Upon motion the documents were received, filed and approved.

40. 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. 345-18 Approving applications for beer, liquor, and/or wine permits, as required by City of Dubuque Code of Ordinances Title 4 Business and License Regulations, Chapter 2 Liquor Control, Article B Liquor, Beer and Wine Licenses and Permits was adopted.

ITEMS SET FOR PUBLIC HEARING

Motion by Jones to receive and file the documents, adopt the resolutions, set the public hearings as indicated, and direct the City Clerk to publish notice as prescribed by law. Seconded by Shaw. Motion carried 7-0.

1. BP Pipeline Utility Relocation - Conveyance of a Permanent Utility Easement: City Manager recommending that the City Council set a public hearing for December 3, 2018, on the Grant of Permanent Easement to BP Pipelines (North America) Inc., as part of the Southwest Arterial Project. Upon motion the documents were received and filed, and Resolution No. 346-18 Intent to dispose of an interest in real property owned by the City of Dubuque by Grant of Permanent Easement to BP Pipelines (North America), Inc., for

the Southwest Arterial Project was adopted, setting a public hearing for a meeting to commence at 6:00 p.m. on December 3, 2018 in the Historic Federal Building.

2. Black Hills Energy / SW Arterial Grant of Permanent Utility Easement: City Manager recommending that the City Council set a public hearing for December 3, 2018 on the transfer of a Quit Claim Deed to Black Hills Energy Corporation. Upon motion the documents were received and filed, and Resolution No. 347-18 Intent to dispose of an interest in Real Estate by Quit Claim Deed by the City of Dubuque, Iowa to Black Hills Energy Corporation for the Southwest Arterial Project was adopted, setting a public hearing for a meeting to commence at 6:00 p.m. on December 3, 2018 in the Historic Federal Building.

3. Dubuque Industrial Center - Urban Renewal Plan Amendment: City Manager recommending approval of a Resolution of Necessity that finds that an Amended and Restated Urban Renewal Plan for the Dubuque Industrial Center Economic Development District is both necessary and appropriate and sets a public hearing on the proposed amendment for December 17, 2018. Upon motion the documents were received and filed, and Resolution No. 348-18 Resolution of Necessity Finding that certain areas adjacent to the established Dubuque Industrial Center Economic Development District meet the definition of an Economic Development Area under the Urban Renewal Law; and that development of said Area is necessary in the interest of the residents of the City of Dubuque, Iowa and setting dates of hearing and consultation on a proposed Amended and Restated Urban Renewal Plan for said District was adopted, setting a public hearing for a meeting to commence at 6:00 p.m. on December 17, 2018 in the Historic Federal Building.

4. Roosevelt Street Water Tower Project - SRF Environmental Review: City Manager recommending that the City Council set a public hearing for January 7, 2019, on the Roosevelt Street Water Tower Project environmental review, as provided by the State Revolving Fund (SRF) Department of Natural Resources. Upon motion the documents were received and filed, and Resolution No. 349-18 Preliminary approval of an Environmental Review as provided by SRF's Department of Natural Resources for the Roosevelt Street Water Tower Project and ordering the advertisement for public notice was adopted, setting a public hearing for a meeting to commence at 6:00 p.m. on January 7, 2019 in the Historic Federal Building.

PUBLIC HEARINGS

1. SW Arterial North Cascade Road, English Mill Bridge, Military Road Bridges - Bridge Railing and Decorative Concrete Post Coloring Project (Public Hearing and Project Award): Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract and estimated cost for the SW Arterial North Cascade Road, English Mill Bridge, Military Road Bridges - Bridge Railing and Decorative Concrete Post Coloring Project.

City Manager recommending award of the construction contract to the low bidder Taylor Construction Company, Inc., subject to Iowa Department of Transportation approval.

Motion by Del Toro to receive and file the documents and adopt Resolution No. 350-18 Approval of plans, specifications, form of contract, and estimated cost for the Southwest Arterial - North Cascade Road, English Mill Road, and Military Road Local Bridge Railing and Decorative Concrete Post Coloring Project, Iowa DOT Project No. STP-U-2100 (693)--70-31; and Resolution No. 351-18 Awarding Public Improvement Contract for the Southwest Arterial - North Cascade Road, English Mill Road, and Military Road Local Bridge Railing and Decorative Concrete Post Coloring Project, Iowa DOT Project No. STP-U-2100 (693)--70-31. Seconded by Resnick. Motion carried 7-0.

PUBLIC INPUT

Housing Advisory Commission Chair Person Sr. Dorothy Schendinger spoke in favor of the Commission's request to name the Housing Department's conference room in honor of former Council Member, Housing and Human Rights Commission Member Ann Michalski and provided a brief biography of Ms. Michalski and the process behind the recommendation.

Dan Scott, 611 University #4, recognized Fire Equipment Operator Jeff Breitbach for receiving the EMS provider of the year award by the Iowa Emergency Medical Services Association. Mr. Scott expressed his gratitude for the service he has personally received from Jeff. Mr. Scott also asked the City Council to look into the debris and litter along University Avenue from about Hill Street to Bluff Street as it is making it difficult to traverse in a wheel chair.

Michael Ogden, 611 University #5, also requested that the same area of University Avenue be clean up due to litter and debris falling from the hillside on to the sidewalk.

ACTION ITEMS

1. Kerper Blvd. Sanitary Sewer Reconstruction Project Award: City Manager recommending award of the construction contract for the Kerper Blvd. Sanitary Sewer Reconstruction Project to the low bidder Tschiggfrie Excavating Co., pending approval from the Iowa Financing Authority. Motion by Jones to receive and file the documents and adopt Resolution No. 352-18 Awarding public improvement contract for Kerper Blvd. Sanitary Sewer Reconstruction Project. Seconded by Larson. Motion carried 7-0.

2. Housing Commission's Recommendation to name the Housing Conference Room after Ann O'Hara Michalski: Correspondence from the Housing Commission recommending approval to name the Housing and Community Development conference room in honor of former Council Member and Housing Commissioner Ann Michalski. Motion by Shaw to receive and file the documents and approve the recommendation. Seconded by Jones. Motion carried 7-0.

3. Pet-Friendly Community Action Plan Process: City Manager recommending approval to move ahead with developing a Pet-Friendly Community Action Plan, including

a community assessment. The City Council discussed issues around choosing a committee representative from the animal shelter community and how to best engage public input around the four focus areas. Council Member Shaw suggested completing the assessment first to gather data and then engage and complete one focus area at a time rather than complete them all at once. Leisure Services Manager Marie Ware responded to questions about the overall scope of the plan as compared to the plan's individual components adding that the process remains very fluid but could be conformed to the Council's requests.

Motion by Larson to amend the recommendation to add a representative of the Dubuque Regional Humane Society to the committee, finish the assessment first, and then review the action steps. Seconded by Jones. Motion carried 7-0.

Motion by Larson to approve the recommendation as amended. Seconded by Jones. Motion carried 7-0.

4. Request for Work Session on Crime Prevention Efforts: City Manager requesting that the City Council schedule a work session for December 17, 2018 at 5:30 p.m. in the City Council Chambers on crime prevention efforts by the Dubuque Police Department. Motion by Resnick to receive and file the documents and set the work session as recommended. Seconded by Jones. Motion carried 7-0.

5. Request for City Council Open House for HEART Project at 396 West Locust Street: City Manager requesting that the City Council schedule an open house for December 3, 2018 from 5:00 to 5:30 p.m., at 396 West Locust Street to create an opportunity for City Council Members and members of the public to see the finished product. Motion by Larson to receive and file the documents and set the work session as recommended. Seconded by Resnick. Council Member Resnick indicated they might be late. City Manager Van Milligen stated that the open house is not a dedicated timeframe and allows drive time to the Council Chambers for the regular meeting following at 6:00 p.m. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported on the Police Officers attending the Law Enforcement Academy that were recently subjected to carbon monoxide in the dormitory and spoke to the importance having of carbon monoxide detectors, smoke alarms and NOAA weather radios.

Council Member Larson reported on the need for additional matching funds to support the Miracle League of Dubuque required for the State IEDA grant. Citizens should visit the Miracle League's funding page.

Council Member Resnick wished everyone a Happy Thanksgiving stating that our community has much to be thankful for.

Mayor Buol echoed Mr. Resnick's comments and wished everyone a Happy Thanksgiving.

CLOSED SESSION

Motion by Jones to convene in closed session at 7:21 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 attorney who will consult with City Council on the issues to be discussed in the closed session is City Attorney Crenna Brumwell. Motion carried 7-0.

Upon motion the City Council reconvened in open session at 7:40 p.m. stating that staff had been given proper direction.

There being no further business, upon motion, the City Council adjourned at 7:41 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 11/28