

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

The Dubuque City Council met in special session at 5:30 p.m. on March 18, 2019 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Del Toro, Jones, Larson, Resnick, Rios (Joined at 5:33 p.m.); City Manager Van Milligen, City Attorney Brumwell

Absent: Council Member Shaw

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 the Project H.O.P.E. quarterly report.

**WORK SESSION
Project H.O.P.E. Quarterly Report**

Peter Supple, Economic Opportunity Coordinator for the Community Foundation of Greater Dubuque, thanked the City Council for continued funding and introduced the work session. Topics included:

Current Initiatives

- Dubuque College Access Network (DCAN)
- Child Care Accessibility
 - Child Care Solutions Summit
 - GDDC/NICC partnership
 - Employer/Business Coalition
- Community Engagement/Washington Neighborhood 2019 Planning
- Brain Health
 - First aid training for law enforcement
 - Mobile crisis unit
 - Wrap-around program for resolving identified jail issues with inmates with acute brain health behaviors
 - Establishing access centers across Iowa / training
 - Mapping/convening all providers / committees related to brain health or substance abuse
 - Trauma-informed group
- Volunteer Income Tax Assistance (VITA)
 - United Way, Operation New View and AARP, St. Matthew's Lutheran Church

Massachusetts Institute of Technology (MIT)

- Welcome MIT students in attendance
- Project overview

- Creating a career pipeline to attract and engage low-income and minority residents
- Report in May 2019

There being no further business, upon motion the City Council adjourned at 5:47 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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

The Dubuque City Council met in regular session at 6:00 p.m. on 18th day of March 2019 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Del Toro, Jones, Larson, Resnick, Rios; City Manager Van Milligen, City Attorney Brumwell

Absent: Council Member Shaw

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. Iowa Tourism Outstanding Community Award Presentation: Travel Dubuque CEO/President Keith Rahe presented the Iowa Tourism “Outstanding Community” award in the metro category from the Travel Iowa Industry Partners.

2. Presentation of 365ink Impact Award: Bryce Parks of 365ink presented the Impact Award to Police Chief Mark Dalsing.

3. The Big Muddy Cup 2018 Top Metros: Greater Dubuque Development Corporation President/CE) Rick Dickinson presented the Big Muddy Cup 2018 Top Metros from the March 2019 Site Selection Magazine.

PROCLAMATION(S)

1. Scandinavian Music and Culture Week (March 18-23, 2019) was accepted by Mayor Buol.

2. Procurement Month / Buyer's Day Proclamation (March 2019) was accepted by City of Dubuque Purchasing Coordinator Tony Breitbach.

3. Junior Achievement Day (April 4, 2019) was accepted by JA Development Director Scott Ellerbach.

4. Keep Iowa Beautiful Month (April 2019) was accepted by Laura Roussell, Toby Wood and Cheryl Sheldon of Dubuque Trees Forever.

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 6-0.

1. Minutes and Reports Submitted: Arts and Cultural Affairs Advisory Commission of 2/26; Cable TV Commission of 3/6; City Council proceedings of 3/4, 3/7, 3/11; Civil Service Commission of 3/7; Community Development Advisory Commission of 1/16; Housing Commission of 3/8; Historic Preservation Commission of 2/21; Human Rights Commission of 3/8; Library Board of Trustees Minutes of 1/24 and Council Update #180 of 2/28; Long Range Planning Advisory Commission of 2/25; Resilient Community Advisory Commission of 3/7; Zoning Advisory Commission of 3/18; Zoning Board of Adjustment of 2/28; Proof of publication for City Council proceedings of 2/18, 2/21. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Joseph Burbach for property damage, Matt McFadden / Mak's Bait Shack for property damage, Roeder's Outdoor Power / James Roeder for vehicle damage, Robert Sigwarth 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: Joseph Burbach for property damage, Hope Ehlinger for vehicle damage, Zachary Hallman for vehicle damage, Matt McFadden / Mak's Bait Shack for property damage, Roeder Outdoor Power / James Roeder for vehicle damage, and Robert Sigwarth 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 and filed, and Resolution No. 92-19 Authorizing the Finance Director-City Treasurer to make certain payments of bills that must be paid and approved for payment in accordance with City procedures was adopted.

5. 2019 Construction Projects: City Manager providing copies of the public information flyers regarding the 2019 road construction projects and for navigating traffic during construction. Upon motion the document was received and filed.

6. Memorandum of Understanding with Travel Dubuque for the 2019 Growing Sustainable Communities Conference: City Manager recommending approval of a one-year Conference Management Contract with Travel Dubuque to host the 2019 Growing Sustainable Communities Conference. Upon motion the documents were received, filed and approved.

7. U.S. Department of Housing and Urban Development (HUD) Amendment to Lead Hazard Control Grant Award: City Manager recommending approval of the Department

of Housing and Urban Development (HUD) Lead Hazard Control Grant Assistance Award/Amendment for Lead Hazard Control and Healthy Homes interventions to be completed in 120 units by September 2022. Upon motion the documents were received, filed and approved.

8. Civil Service Commission - Certified Lists: Civil Service Commission submitting the Certified Lists for the positions of Water Distribution Maintenance Worker and Help Desk Support Technician. Upon motion the documents were received, filed and made a Matter of Record.

9. Grand River Center Second Amendment to Management Agreement: City Manager recommending approval of the Second Amendment to the Grand River Center Facility Management Agreement between the City of Dubuque and Platinum Hospitality Group extending the Agreement to May 25, 2020. Upon motion the documents were received and filed, and Resolution No. 93-19 Approval of a Second Amendment to the Facility Management Agreement between the City of Dubuque, Iowa and Platinum Hospitality Group, LLC was adopted.

10. Acceptance of Grants of Easements for Water Main and Sanitary Sewer Utilities from Property Owners on Marquette Place: City Manager recommending acceptance of Grants of Easement for Water Main and Sanitary Sewer Utilities across properties on Marquette Place in the City of Dubuque as part of the Marquette Place Street Sanitary Sewer and Water Main Reconstruction Project. Upon motion the documents were received and filed, and Resolution No. 94-19 Accepting Grants of Easement for certain public utilities associated with the Marquette Place Sanitary Sewer & Water Main Reconstruction Project in the City of Dubuque, Iowa was adopted.

11. AT&T Comments on Small Cell Guidelines: Senior Counsel submitting correspondence from AT&T regarding the City of Dubuque's Small Cell Guidelines adopted at the January 7, 2019 City Council meeting. Upon motion the documents were received and filed.

12. Care Initiatives Property Tax Appeal Settlement: Senior Counsel transmitting a Property Tax Appeal settlement advising that the Care Initiatives property at 2835 Kaufmann Avenue be classified as residential. Upon motion the documents were received and filed.

13. McCarthy et al. vs. DRA, Q Casino, Hilton Garden Inn, and City of Dubuque: Senior Counsel providing an update of the negligence lawsuit brought by Kathleen McCarthy on behalf of Matthew McCarthy. Upon motion the documents were received and filed.

14. Q Casino Request for Pyrotechnics Display: Q Casino requesting approval of a Fireworks Permit Application for a display of pyrotechnics on April 13, 2019 and April 28, 2019 at approximately 8:00 p.m. for a performance inside the Q Casino. Upon motion the document was received, filed and approved.

15. Public, Educational, and Government (PEG) Capital Grant Expenditure Request: City Manager recommending approval of the Cable TV Commission's request for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities to purchase equipment for Loras College and the City of Dubuque. Upon motion the documents were received, filed and approved.

16. Four Mounds Park Ecological Restoration Plan: City Manager recommending approval and adoption of the Four Mounds Park Ecological Restoration Plan. Upon motion the documents were received, filed and approved.

17. State of Iowa Business Financial Assistance Contract by and among Dupaco Voices LLC; Dupaco RE Management, LLC; Dupaco Holding, LLC; Dupaco Community Credit Union; City of Dubuque; and Iowa Economic Development Authority: City Manager recommending approval of a State of Iowa Business Financial Assistance Contract by and among Dupaco Voices LLC; Dupaco RE Management, LLC; Dupaco Holding, LLC; Dupaco Community Credit Union; the City of Dubuque; and the Iowa Economic Development Authority for the investment in Dupaco's Dubuque operations. Upon motion the documents were received and filed, and Resolution No. 95-19 Authorizing the execution of a Contract for State Business Financial Assistance by and among Dupaco Voices LLC; Dupaco Re Management, LLC; Dupaco Holding, LLC; Dupaco Community Credit Union; City of Dubuque; and the Iowa Economic Development Authority was adopted.

18. Urban Sustainability Director's Network (USDN) Equity, Diversity and Inclusion Fellow Position: City Manager recommending approval of a temporary, full-time Urban Sustainability Director's Network (USDN) Equity, Diversity and Inclusion Fellow to be hosted in Dubuque for twelve weeks during the summer of 2019. Upon motion the documents were received, filed and approved.

19. Complete Action on Stormwater Management Utility Revenue Capital Loan Notes, Series 2019 (State of Iowa Revolving Fund Loan): City Manager recommending approval of the suggested proceedings to complete action required on the Stormwater Revenue Capital Loan Notes Series 2019 (State of Iowa Revolving Fund Loan). Upon motion the documents were received and filed, and Resolution No. 96-19 Approving and authorizing a Form of Loan and Disbursement Agreement by and between the City of Dubuque, Iowa and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of \$16,382,000 Stormwater Management Utility Revenue Capital Loan Notes, Series 2019, of the City of Dubuque, Iowa under the provisions of the Code of Iowa, and providing for a Method of Payment of said Notes; approval of the Tax Exemption Certificate was adopted.

20. Adopting Code of Ordinances Supplement No. 31: City Clerk recommending adoption of Supplement No. 31 to the City of Dubuque Code or Ordinances. Upon motion the documents were received and filed, and Resolution No. 97-19 Adopting Supplement No. 31 to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

21. Residential Parking Permit District Petition for Keyway Drive: Citizen petition requesting a residential parking permit district designation for Keyway Drive from Pennsylvania Avenue to Keymont Drive. Upon motion the document was received, filed, and referred to the City Manager.

22. Iowa Governor's STEM Advisory Council Letter of Support: City Manager providing a copy of correspondence sent to the Iowa Governor's STEM Advisory Council supporting Audubon School's endeavors to teach students computer skills through the Computer Science is Fundamental Grant. Upon motion the document was received and filed.

23. Office of the Governor - Iowa Finance Authority Board of Directors: Correspondence from Governor Kim Reynolds advising that City Manager Michael Van Milligen has been appointed as a member of the Iowa Finance Authority Board of Directors from May 1, 2019 to April 30, 2025. Upon motion the document was received and filed.

24. Iowa Department of Transportation (IDOT) Notice of Pipe Culverts Project: Correspondence from the Iowa Department of Transportation (IDOT) informing the City of an IDOT pipe culverts project taking place during the 2019 construction season between Hwy 151/61 and St. Catherine Road. Upon motion the document was received and filed.

25. United States Department of Agriculture (USDA) Notice of Rescheduled Public Hearings: Correspondence from the USDA notifying the City of scheduled public meetings for the Cardinal-Hickory Creek 345-kV Transmission Line Draft Environmental Impact Statement. Upon motion the document was received and filed.

26. Improvement Contracts / Performance, Payment and Maintenance Bonds: Voltmer, Inc. for the NW Arterial and Plaza Drive Mastarm Replacement Project. Upon motion the document was received, filed and approved.

27. 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. 98-19 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 Resnick to receive and file the documents, adopt the resolutions, set the public hearings as indicated, and direct the City Clerk to publish notice as prescribed by law. Seconded by Del Toro. Motion carried 6-0.

1. Proposed Master Agreement and Intent to Dispose of an Interest in Real Property Owned by the City of Dubuque by Lease Agreement between the City of Dubuque and

the State of Iowa, Telecommunications and Technology Commission: City Manager recommending that the City Council set a public hearing for April 1, 2019, on the Master Agreement for Shared Use Projects and Lease Agreement for space within a City telecommunications facility located at 1515 W. 3rd Street between the City and the State of Iowa, Telecommunications and Technology Commission, operating as the Iowa Communications Network (ICN). Upon motion the documents were received and filed and Resolution No. 99-19 Resolution of Intent to dispose of an interest in real property owned by the City of Dubuque by leases between the City of Dubuque, Iowa and the Iowa Communications and Technology Commission was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on April 1, 2019 in the Historic Federal Building.

2. Prairie Farms Dairy, Inc. - Development Agreement: City Manager recommending that the City Council set a public hearing for April 1, 2019, to consider a Development Agreement for the Prairie Farms Dairy, Inc. property located at 3510 Central Avenue. Upon motion the documents were received and filed and Resolution No. 100-19 Fixing the date for a public hearing on the City Council of the City of Dubuque, Iowa on a proposed development Agreement between the City of Dubuque, Iowa and Prairie Farms Dairy, Inc. including the issuance of Urban Renewal Tax Increment Revenue Obligations, and providing for the publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on April 1, 2019 in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointments were made to the following commissions.

1. Community Development Advisory Commission: One, 3-Year term through February 15, 2020 (Vacant term of James). Applicant: Ellen Pinnola, 1420 Glen Oak St. Motion by Jones to appoint Ms. Pinnola to the 3-year term through February 15, 2020. Seconded by Resnick. Motion carried 6-0.

2. Long Range Planning Advisory Commission: One, 3-Year term through July 1, 2020 (Vacant term of James); and one, 3-Year term through July 1, 2021 (Vacant term of Darter). Applicants: Michael Peroski, 1935 Coates St.; and Tyler Stoffel, 960 Boyer St. Motion by Larson to appoint Mr. Peroski to the 3-year term through July 1, 2020; and Mr. Stoffel to the 3-year term through July 1, 2021. Seconded by Del Toro. Motion carried 6-0.

3. Mechanical and Plumbing Code Board: One, 3-Year term through March 16, 2022 (Expiring term of Hillary). Applicant: Daniel Hillary, 3087 Arbor Oaks Dr. Motion by Jones to appoint Mr. Hillary to the 3-year term through 2022. Seconded by Resnick. Motion carried 6-0.

PUBLIC HEARINGS

1. Request to Rezone - SWAD, LLC for Property West of English Mill Road and South of the Southwest Arterial: Proof of publication on notice of public hearing to consider

approval of a request from Michael Portzen, SWAD, LLC to rezone property west of English Mill Road and south of the SW Arterial from A-1 County Agricultural Zoning District to C-3 General Commercial Zoning District in conjunction with annexation, and the Zoning Advisory Commission recommending approval. 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 Jones. Planning Services Manager Laura Carstens provided a staff report and the developer was present. Motion carried 6-0.

Motion by Larson for final consideration and passage of Ordinance No. 18-19 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property, in conjunction with annexation, located north of Shrewsbury Lane from County A-1 Agricultural District to City C-3 General Commercial District. Seconded by Jones. Motion carried 6-0.

2. Voluntary Annexation Request - SWAD, LLC: Proof of publication on notice of public hearing to consider approval of a 100% voluntary annexation request filed by Michael Portzen, SWAD, LLC, for approximately 28.48 acres of property located south of the Southwest Arterial, west of English Mill Road and north of English Ridge Subdivision owned by the Carolyn S. Hauptert Trust, concurrent with rezoning, and the City Manager recommending approval. Motion by Del Toro to receive and file the documents and adopt Resolution No. 101-19 Approving an application for voluntary annexation of territory to the City of Dubuque, Iowa. Seconded by Jones. Motion carried 6-0.

3. Request to Rezone 1640 Main Street: Proof of publication on notice of public hearing to consider a request from Terry Wilson to rezone property located at 1640 Main Street from R-4 Multi-Family Residential Zoning District to OR Office Residential Zoning District, and the Zoning Advisory Commission recommending approval. 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. Planning Services Manager Laura Carstens provided a staff report. The developer was present. Motion carried 6-0.

Motion by Resnick for final consideration and passage of Ordinance No. 19-19 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 1640 Main Street from R-4 Multi-Family Residential District to OR Office Residential District. Seconded by Del Toro. Motion carried 6-0.

4. 2019 Decorative Concrete Maintenance Project: Proof of publication on notice of public hearing to consider approval of the plans, specifications, form of contract and estimated cost of the 2019 Decorative Concrete Maintenance Project, and the City Manager recommending approval. Motion by Del Toro to receive and file the documents and adopt Resolution No. 102-19 Approval of plans, specifications, form of contract, and estimated cost for the 2019 Decorative Concrete Maintenance Project. Seconded by Larson. Motion carried 6-0.

5. Seippel Road Water Main Relocation Project - Landfill Access Frontage Road: Proof of publication on notice of public hearing to consider approval of the plans, specifications, form of contract and estimated cost for the Seippel Road Water Main Relocation Project, and the City Manager recommending approval. Motion by Resnick to receive and file the documents and adopt Resolution No. 103-19 Approval of plans, specifications, form of contract, and estimated cost for the Seippel Road Water Main Relocation Project. Seconded by Jones. Motion carried 6-0.

6. Greater Downtown Urban Renewal District - Resolution of Adoption: Proof of publication on notice of public hearing to consider approval of the Resolution of Adoption for the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District, and the City Manager recommending approval. Motion by Del Toro to receive and file the documents and adopt Resolution No. 104-19 Approving the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District. Seconded by Resnick. Motion carried 6-0.

ACTION ITEMS

1. Crescent Community Health Center 2018 Year in Review: Crescent Community Health Center Board Chair and City of Dubuque Public Health Specialist Mary Rose Corrigan submitting the Crescent Community Health Center 2018 Year in Review with a short video presentation. Motion by Larson to receive and file the document and watch the video. Seconded by Del Toro. Brooke Gomez, Interim CEO for Crescent Community Health Center, provided a brief, verbal update and stated that the Center will do a phased move-in to its new facility expected during October/November 2019. Motion carried 6-0.

2. Miracle League of Dubuque Construction Plan Approval and Presentation: City Manager recommending approval of the plans and specifications for the Miracle League of Dubuque Project and Presentation. Motion by Larson to receive and file the documents and watch the presentation. Seconded by Del Toro. Ken Johnson and Benjamin Beard with Straka Johnson Architects provided a brief slide presentation on the history and design of the project adding that they expect to start construction soon and complete the project in Fall 2019. Motion carried 6-0.

3. Pre-Annexation Agreement -IADU Table Mound MHP, LLC (d/b/a RV Horizons): City Manager recommending approval of a Pre-Annexation Agreement with IADU Table Mound MHP, LLC d/b/a RV Horizons for the Table Mound Trailer Park, in conjunction with a request to connect to City water and sewer. Motion by Del Toro to receive and file the documents and adopt Resolution No. 105-19 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and David H. Reynolds, President, RV Horizons, Inc.; and Resolution No. 106-19 Amending Resolution No. 201-18 Approving a Memorandum of Understanding between the City of Dubuque and IADU Table Mound MHP, LLC for repairs and improvements to its water distribution and sanitary sewer collection system. Seconded by Resnick. Motion carried 6-0.

4. Award Marquette Place Sanitary Sewer and Water Main Extension Project: City Manager recommending award of the Marquette Place Sanitary Sewer and Water Main Extension Project construction contract to the low bidder Top Grade Excavating, Inc. Motion by Resnick to receive and file the documents and adopt Resolution No. 107-19 Awarding public improvement contract for the Marquette Place Sanitary Sewer and Water Main Reconstruction Project. Seconded by Del Toro. Motion carried 6-0.

5. Mobile Vendor Agreement and Application: City Manager recommending approval of the establishment of a new Mobile Vendor Agreement and Permit Application process. Motion by Del Toro to receive and file the documents and approve the recommendation. Seconded by Resnick. Motion carried 6-0.

There being no further business, upon motion the City Council adjourned at 6:52 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 3/27