The Dubuque City Council met in special session at 5:30 p.m. on June 17, 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, Shaw; City Manager Van Milligen, City Attorney Brumwell

Absent: Council Member Rios

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 Four Mounds Foundation.

WORK SESSION
Four Mounds Foundation Update

Ellen Goodmann Miller, Community & Resource Development Specialist for Gronen Properties, introduced new Program Manager Becky Bodish. Jill Courtney, Operations/Marketing Manager for Four Mounds; and Four Mounds At-Large Board Members Ben Bartels and Natalia Blaskovich presented on the history and plans of the Four Mounds Foundation. Topics included:

- Archaeological history of the Four Mounds grounds;
- Burden family history of the gentleman's farm, estate and buildings;
- Formation of the Four Mounds Foundation in 1987;
- Key rehabilitation and revitalization investments and donation program;
- Site impact: hours of operation, visitor demographics, summer camps, and community service opportunities;
- HEART (Housing Education and Rehabilitation Training) Program partnerships, projects and outcome data;
- Site public access and improvement plan and phases 1 and 2;
- Expansion of the HEART Program;
- Relationship to City Council goals and Imagine Dubuque 2027: A Call to Action.

The presenters responded to questions from the City Council.

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

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 6/26
The Dubuque City Council met in regular session at 6:03 p.m. on June 17, 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, Shaw; City Manager Van Milligen, City Attorney Brumwell

Absent: Council Member Rios

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. American Council of Engineering Companies of Iowa (ACECI) and American Council of Engineering Companies (ACEC) Awards for the Upper Bee Branch Creek Restoration Project: Civil Engineer Deron Muehring and lead design engineers Michael Jansen of IIW and Eric Vieth of Strand Associates, presented the City Council with three awards for the Upper Bee Branch Creek Restoration Project. The American Council of Engineering Companies of Iowa 2019 Grand Prize Award in the Special Projects category and the 2019 Grand Conceptor Award; and the American Council of Engineering Companies’ National Recognition Award.

2. Connected World Magazine Recognition of Transportation Services Manager Renee Tyler: City Manager Michael Van Milligen presented Transportation Services Manager Renee Tyler with Connected World Magazine's "Women of the Machine 2 Machine / Internet of Things" (WoM2M and IoT) Award.

PROCLAMATION(S)

1. Summer Learning Week (July 7-13, 2019) was accepted by Beth McGorry, Outreach Coordinator for St. Mark Youth Enrichment, 1201 Locust Street.

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: Airport Commission of 5/20; Cable TV Commission of 6/5; Catfish Creek Watershed Management Authority of 5/1, 6/5; City Council
2. Notice of Claims and Suits: Donna Kuhlman for vehicle damage. Upon motion the document was 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: Donna Amy Kuhlman for vehicle damage. Upon motion the documents were received, filed, and concurred.

4. Approval of City Expenditures: City Manager recommended Council approval for payment of City expenditures. Upon motion the documents were received and filed, and Resolution No. 226-19 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. Art on the River 2019 Exhibits Recommendation: Arts and Cultural Advisory Commission recommended approval of the proposes selections for the Art on the River Exhibit 2019. Upon motion the documents were received, filed and approved.

6. Dubuque Golf & Country Club Fireworks Request 2019: Correspondence from Lance Marting, General Manager/CEO of the Dubuque Golf & Country Club, requesting permission to display fireworks on Thursday, July 4, 2019 at about 9:30 p.m. with a rain date of Friday, July 5, 2019. Upon motion the document was received, filed and approved.

7. Cub Scouts Day Camp BB and Archery Range: Request from Boy Scouts of America Northeast Iowa Council to run a BB and archery range on August 3, 2019 from 9:00 a.m. to 3:00 p.m. at A.Y. McDonald Park in conjunction with their Cub Scout Day Camp special event permit. Upon motion the document was received, filed and approved.

8. Civil Service Commission - Certified Lists: Civil Service Commission submitting the Certified Lists for the positions of Industrial Electronics Technician and Water Meter Repairworker II. Upon motion the documents were received, filed and made a Matter of Record.

9. Medical Plan Administrative Services Fee and Stop Loss Insurance Coverage Renewal: City Manager recommended approval of the Medical Plan Administrative Services Fee and Stop Loss Insurance Coverage Renewal for the City’s health and prescription drug plans with Wellmark effective July 1, 2019 through June 30, 2020. Upon motion the documents were received, filed and approved.

10. Approval of an Addendum to the Workers’ Compensation Claims Administrative Services Agreement: City Manager recommended approval of an Addendum to the
Agreement between the City of Dubuque and Alternative Service Concepts for services related to the administration of the City’s Workers’ Compensation Program. Upon motion the documents were received, filed and approved.

11. Vacant and Abandoned Buildings and Problem Property Assessments: City Manager recommended approval of a Resolution authorizing the City to certify problem property 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. 227-19 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.

12. Public, Educational, and Government (PEG) Capital Grant Expenditure Request: City Manager recommended 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 a closed captioning decode, an FS1 frame synchronizer, and a spare camera for the City Council Chambers. Upon motion the documents were received, filed and approved.

13. Local College Access Network Grant Letter of Support for Year II: City Attorney recommended approval to submit a letter of support of the Community Foundation of Greater Dubuque’s application for a Year II Local College Access Network Grant from the Iowa Student Aid Commission. Upon motion the documents were received, filed and approved.

14. Request for Proposal for 42-Inch Sanitary Sewer Force Main Internal Inspection Project: City Manager recommended approval to release a Request for Proposal for qualified sewer pipe inspection firms to complete an internal pipe inspection and needs assessment for the City’s existing 42-inch sanitary sewer force main. It is further recommended that the City Manager be authorized to negotiate the final terms of an agreement and execute a contract with the vendor recommended by the RFP Committee. Upon motion the documents were received, filed and approved.

15. Approving Fund Transfers for Capital Projects and Other Expense Reimbursements in Fiscal Year 2019: City Manager recommended approval of the suggested proceedings approving a transfer of funds for capital projects and other expense reimbursements pursuant to an amendment to the Iowa Administrative Rules Code 545-2.5(5). Upon motion the documents were received and filed, and Resolution No. 228-19 Authorizing the Director of Finance and Budget to make the appropriate interfund transfers of sums and record the same in the appropriate manner for the Fiscal Year 2019 for the City of Dubuque, Iowa was adopted.

16. 2017 City Council Official Proceedings: City Clerk submitting the 2017 Official City Council Proceedings. Upon motion the documents were received, filed and approved.
17. Bee Branch Gate & Pump Station Replacement Project (Phase 5) EDA Grant Administration: City Manager recommended approval to hire East Central Intergovernmental Association (ECIA) to perform grant administration services for the U.S. Economic Development Administration (EDA) grant funding for the 16th Street Detention Basin Flood Gates, a/k/a Bee Branch Flood Mitigation Gate & Pump Station Replacement Project. Upon motion the documents were received and filed, and Resolution No. 229-19 Approving the contract for the administration of the 2019 U.S. Economic Development Administration Disaster Relief Opportunity Grant for the stormwater pumping station at the 16th Street Detention Basin to East Central Intergovernmental Association was adopted.

18. Community Development Block Grant FY2020 (Grant Year 2019) Annual Plan Amended for Allocation (#1): City Manager recommended approval of Amendment 1 to the Community Development Block Grant (CDBG) Annual Action Plan. Upon motion the documents were received and filed, and Resolution No. 230-19 Adopting Amendment 1 to the Fiscal Year 2020 (Program Year 2019) Community Development Block Grant (CDBG) Annual Action Plan was adopted.

19. Community Development Block Grant FY 2020 (Plan Year FY 2019) Annual Plan Environmental Review and Request for Release of Funds: City Manager recommended approval of the Environmental Review Determination and Request for Release of Funds and Certifications for the Fiscal Year 2020 Community Development Block Grant. Upon motion the documents were received and filed, and Resolution No. 231-19 Authorizing request for Release of Funds and Certification for Community Development Block Grant (CDBG) Funds for Fiscal Year 2020 (Program Funds 2019) was adopted.

20. Acceptance of a Permanent Easement for Storm Sewer Utilities at 800 Laurel Street: City Manager recommended acceptance of the Grant of Permanent Easement for existing public storm sewer from Thomas W. Riley and Rachel K. Daack Riley across 800 Laurel Street. Upon motion the documents were received and filed, and Resolution No. 232-19 Accepting a Grant of Easement for storm sewer utilities over and across a part of Lot 1-2-1-2 in Laurel Place and Lot 1-1-2 in Laurel Place, in the City of Dubuque, Iowa was adopted.

21. Acceptance of the Eagle Point Park Waterline and Water Service Replacement Project: City Manager recommended acceptance of the Eagle Point Park Watermain Extension and Water Service Replacement Project as completed by Mainline Excavation Co., Inc. Upon motion the documents were received and filed, and Resolution No. 233-19 Accepting the Eagle Point Park Watermain Extension and Water Service Replacement and authorizing the payment of the contract amount to the contractor was adopted.

22. America’s River Corporation Contracted Services Agreement for Fiscal Year 2020: City Manager recommended execution of the Contracted Services Agreement with America’s River Corporation. America’s River Corporation. Upon motion the documents were received, filed and approved.
23. Crescent Community Health Center Contracted Services Agreement for Fiscal Year 2020: City Manager recommended execution of the Contracted Services Agreement with Crescent Community Health Center for Fiscal Year 2020. Upon motion the documents were received, filed and approved.

24. Dubuque Area Labor Management Council Contracted Services Agreement for Fiscal Year 2020: City Manager recommended execution of the Contracted Services Agreement with the Dubuque Area Labor-Management Council for Fiscal Year 2020. Upon motion the documents were received, filed and approved.

25. Dubuque Main Street Contracted Services Agreement for Fiscal Year 2020: City Manager recommended execution of the Contracted Services Agreement with Dubuque Main Street for Fiscal Year 2020. Upon motion the documents were received, filed and approved.

26. Dubuque Main Street Program Agreement for Fiscal Year 2020: City Manager recommended approval of the Program Agreement between Dubuque Main Street, the City of Dubuque and the Iowa Economic Development Authority for Fiscal Year 2020. Upon motion the documents were received and filed, and Resolution No. 241-19 Resolution of Support and Financial Commitment for the Main Street Program in Dubuque was adopted.

27. DuRide Contracted Services Agreement for Fiscal Year 2020: City Manager recommended execution of the Contracted Services Agreement with DuRide for Fiscal Year 2020. Upon motion the documents were received, filed and approved.

28. Greater Dubuque Development Corporation Contracted Services Agreement for Fiscal Year 2020: City Manager recommended execution of the Contracted Services Agreement with the Greater Dubuque Development Corporation for Fiscal Year 2020. Upon motion the documents were received, filed and approved.

29. Inclusive Dubuque Contracted Service Agreement for Fiscal Year 2020: City Attorney recommended execution of the Contracted Services Agreement with Inclusive Dubuque for Fiscal Year 2020. Upon motion the documents were received, filed and approved.

30. Operation: New View Community Acton Agency Contracted Service Agreement for Fiscal Year 2020: City Manager recommended execution of the Contracted Services Agreement with Operation: New View Community Action Agency for Fiscal Year 2020. Upon motion the documents were received, filed and approved.

31. Project H.O.P.E. Contracted Services Agreement for Fiscal Year 2020: City Attorney recommended execution of the Contracted Services Agreement with Project H.O.P.E. for Fiscal Year 2020. Upon motion the documents were received, filed and approved.
32. Travel Dubuque Contracted Services Agreement for Fiscal Year 2020: City Manager recommended execution of Contracted Services Agreement with Travel Dubuque/Dubuque Area Convention and Visitors Bureau for Fiscal Year 2020. Upon motion the documents were received, filed and approved.

33. Improvement Contracts / Performance, Payment and Maintenance Bonds: Mainline Excavating Co., Inc. for the 15 South Main Street Building Deconstruction Project. Upon motion the documents were received, filed and approved.

34. Signed Contract: St. Mark Youth Enrichment for use of the Multicultural Family Center (MFC) South at 1101 Central Avenue. Upon motion the documents were received and filed.

35. Alcohol and Tobacco License Applications: City Manager recommended approval of annual liquor, beer, wine and tobacco license applications as submitted. Upon motion the documents were received and filed, and Resolution No. 234-19 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; and Resolution No. 235-19 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 Larson 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 Resnick. Motion carried 6-0.

1. Resolution of Intent to Dispose of City-Owned Property at 445 Loras Boulevard: City Manager recommended that the City Council set a public hearing for July 1, 2019 to consider the sale of City-owned property at 445 Loras Boulevard to Affordable Housing Network, Inc. (AHNI). Upon motion the documents were received and filed, and Resolution No. 236-19 Intent to dispose of an interest in City of Dubuque real estate, setting a time and place for hearing 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 July 1, 2019.

BOARDS/COMMISSIONS APPOINTMENTS

Appointments were made to the following Boards/Commissions.

1. Airport Commission: One, 4-Year term through September 14, 2021 (Vacant term of Even). Applicant: Mariann Kurtz Weber, 955 Prince Phillip Dr. Motion by Shaw to appoint Ms. Kurtz Weber to the 4-year term through September 14, 2021. Seconded by Del Toro. Motion carried 6-0.
2. Arts and Cultural Affairs Advisory Commission: Three, 3-Year terms through June 30, 2022 (Expiring terms of Armstrong, Levasseur, and Riedel). Applicants: Ryan Decker, 1192 Locust St. #3; Nicholas Halder, 876 S. Grand Avenue (Additional Application); Ali Levasseur, 1318 Jackson St.; Susan Riedel, 282 Kelly’s Bluff. Upon roll-call vote, Mr. Decker, Ms. Levasseur, and Ms. Riedel were appointed to 3-year terms through June 30, 2022. (Decker = 5 Del Toro, Buol, Shaw, Jones, Larson; Halder = 1 Resnick; Levasseur = 6 Del Toro, Buol, Resnick, Shaw, Jones, Larson; Riedel = 6 Del Toro, Buol, Resnick, Shaw, Jones, Larson).


4. Historic Preservation Commission: One, 3-Year term through July 1, 2022 (Expiring term Stuter; W. 11th Street District). Applicant: Charles Richard (Rick) Stuter, 1296 Prairie St. (Living within the West 11th District). Motion by Jones to appoint Mr. Stuter to the 3-year term through July 1, 2022. Seconded by Resnick. Motion carried 6-0.

5. Investment Oversight Advisory Commission: Two, 3-Year terms through July 1, 2022 (Expiring terms of Reisdorf and Ruden). Applicants: Stephen Reisdorf, 740 Brookview Sq.; Gary Ruden, Address verified - meets residency requirements. Motion by Resnick to appoint Mr. Reisdorf and Mr. Ruden to 3-year terms through July 1, 2022. Seconded by Shaw. Motion carried 6-0.

6. Library Board of Trustees: Two, 4-Year terms through July 1, 2023 (Expiring terms of Maddux and Mullin). Applicants: Rachel Brook, 1241 Jackson St.; Victor Lieberman, 1575 Montrose Terrace; Kevin Mink, 831 Alta Vista; Pam Mullin, 2050 Mullin Rd. Upon Council concurrence, Mayor Buol appointed Mr. Lieberman and Ms. Mullin to 4-year terms through July 1, 2023.

7. Park and Recreation Advisory Commission: Three, 3-Year terms through June 30, 2022 (Expiring terms of Kirkendall, McCoy, and Werner). Applicants: Robert McCoy, 265 Main St.; Ray Werner, 2595 Greeley St.; Hobie Wood, 65 Cambridge Ct. Motion by Shaw to appoint Mr. McCoy, Mr. Werner and Mr. Wood to 3-year terms through June 30, 2022. Seconded by Del Toro. Motion carried 6-0.

8. Resilient Community Advisory Commission: One, 3-Year term through July 1, 2022 (Expiring term of Specht). Applicant: Leah Specht, 3248 Bittersweet Ln. Motion by Larson to appoint Ms. Specht to the 3-year term through July 1, 2022. Seconded by Del Toro. Motion carried 6-0.

PUBLIC HEARINGS
1. Request to Rezone Lot 9 of Seippel Court: Proof of publication on notice of public hearing to consider approval of a request Bard Materials / Ben Schroeder to rezone Lot 9 Seippel Court from AG Agricultural Zoning District to MHI Modified Heavy Industrial Zoning District and the Zoning Advisory Commission recommended 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. Planning Services Manager Laura Carstens provided a staff report. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 29-19 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property from AG Agricultural District to MHI Modified Heavy Industrial District. Seconded by Resnick. Motion carried 6-0.

2. Request to Rezone 1961 Central Avenue: Proof of publication on notice of public hearing to consider approval of a request from Maximo Demaso to rezone property at 1961 Central Avenue from C-4 Downtown Commercial zoning district to OC Office Commercial Zoning District and the Zoning Advisory Commission recommending denial. 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 Shaw. Planning Services Manager Laura Carstens provided a staff report. Motion failed 3-3 with Buol, Resnick and Jones voting nay.

Motion by Larson to concur with the denial. Seconded by Jones. Motion carried 6-0.

3. 3000 Jackson, LC/ First Amendment to Development Agreement (Dubuque Brewing & Malting Building): Proof of publication on notice of public hearing to consider approval of the First Amendment to the Development Agreement between the City of Dubuque and 3000 Jackson, LC for a capital investment at 3000-3040 Jackson Street, including the issuance of Tax Increment Revenue Obligations; and the City Manager recommended approval. Motion by Jones to receive and file the documents and adopt Resolution No. 237-19 Approving a First Amendment to Development Agreement by and between the City of Dubuque, Iowa and 3000 Jackson, LC including the issuance of Urban Renewal Tax Increment Revenue Obligations. Seconded by Larson. Dale Todd, Regional Director of Development for Hatch Development Group of Cedar Rapids, spoke in favor of the request on behalf of the developer and responded to questions from the Council regarding TIF funding, City financing and the historic tax credits needed to progress the project. City Manager Van Milligen provided information on the terms and types of tax credits and the terms of the Letter of Credit required to secure the City’s loan for the project. Motion carried 6-0.

PUBLIC INPUT

Charlie Hunter, 2875 Argyle, speaking on behalf of his daughter Alexandra, requested an amendment to the City’s vicious animal ordinance due to a June 2, 2019 dog-on-dog attack where their Cocker Spaniel was attacked by two unleashed, unregistered neighboring Pit Bulls. They asked for stricter enforcement for registration, control of pets,
and proof of vaccinations. Mayor Buol indicated that this could become discussion for the City’s Pet-Friendly Community Committee.

**ACTION ITEMS**

1. Dubuque Metropolitan Area Transportation Study (DMATS) Transportation Improvement Program (TIP): Chandra Ravada, Director of Transportation, Planning and Transit Services for ECIA made a brief presentation on the Dubuque Metropolitan Area Transportation Study (DMATS) Transportation Improvement Program (TIP), significant projects and projects seeking funding. Motion to receive and file the documents. Seconded by Resnick. Motion carried 6-0.

2. Award of the 2019 Pavement Marking Project: City Manager recommended award of the 2019 Pavement Marking Project construction contract to the only bidder, SELCO, Inc. Motion by Del Toro to receive and file the documents and adopt Resolution No. 238-19 Awarding public improvement contract for the 2019 Pavement Marking Project. Seconded by Resnick. Motion carried 6-0.

3. Award of the Central Avenue (9th - 21st) Hot Mix Asphalt (HMA) Pavement Resurfacing Project: City Manager recommended award of the Central Avenue (9th - 21st) HMA Pavement Resurfacing Project construction contract to the low bidder, River City Paving. Motion by Jones to receive and file the documents and adopt Resolution No. 239-19 Awarding public improvement contract for the US52 - Central Avenue (9th - 21st Streets) HMA Pavement Resurfacing Project. Seconded by Resnick. Motion carried 6-0.

4. Expansion of the Urban Revitalization District: City Manager recommended approval to develop a plan for expansion of the Urban Revitalization District program that would be submitted for City Council consideration at a future City Council meeting. Motion by Del Toro to receive and file the documents and adopt Resolution No. 240-19 Approving development of a plan for a new Urban Revitalization District. Seconded by Jones. Responding to questions from the City Council, City Manager Van Milligen stated that a new boundary map would be forthcoming for City Council approval. Motion carried 6-0.

5. Request for Work Session on Inclusive Dubuque Quarterly Report: City Manager recommended that the City Council schedule a work session for Monday, September 9, 2019 at 6:00 p.m. in the Council Chambers on the Inclusive Dubuque Quarterly Report. Motion by Del Toro to receive and file the documents and schedule the work session as recommended. Seconded by Resnick. No schedule conflicts were noted. Motion carried 6-0.

**CLOSED SESSION**

Motion by Jones to convene in closed session at 7:25 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 Crenna Brumwell, and Attorney Les Reddick. Motion carried 6-0.

Having been updated by staff, upon motion the City Council reconvened in open session at 8:26 p.m.

There being no further business, upon motion the City Council adjourned at 8:27 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 6/26