

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

The Dubuque City Council met in regular session at 6:00 p.m. on July 1, 2019 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Pro Tem Rios; Council Members Jones, Resnick, Shaw; City Manager Van Milligen, City Attorney Brumwell

Absent: Mayor Buol; Council Members Del Toro and Larson

Mayor Pro Tem Rios 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. Sister Cities International Day (July 15, 2019) was accepted by Sister City Committee/Travel Dubuque Representative Becky Carkeek.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Jones. Council Member Resnick requested #5 be held for separate discussion. Motion carried 4-0.

1. Minutes and Reports Submitted: City Council proceedings of 6/17; Five Flags Civic Center Advisory Commission of 5/28; Housing Commission of 4/23, 5/28; Resilient Community Advisory Commission of 6/6; Transit Advisory Board of 6/20; Proof of publication for City Council Proceedings of 6/3; Proof of publication for List of Claims and Summary of Revenues for Month Ending 5/31. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Lily Michele Reed for property damage; Marc Zugenbuehler for vehicle damage; Frantz Family Properties, LLC / CHS Forwards, LLC vs. City of Dubuque, et al. for conveyance of real property. 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: Lily Michele Reed for property damage, Marc Zugenbuehler 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. 242-19 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. Arts and Cultural Affairs - Operating and Special Project Grants for Fiscal Year 2020: City Manager recommending approval of the recommended recipients and grant amounts of the Fiscal Year 2020 Arts Operating Support and Special Project grants as approved by the Arts & Cultural Affairs Advisory Commission. Motion by Jones to receive and file and approve the recommendation. Seconded by Shaw. Council Member Resnick stated that the City Attorney has advised that he does not have a conflict of interested in the matter of Northeast Iowa School of Music's grant application for operating support, but that he preferred another Council Member make the motion. Motion carried 4-0.

6. Dubuque Racing Association 2018 Annual Report: City Manager providing a copy of the Dubuque Racing Association's 2018 Annual Report. Upon motion the documents were received and filed.

7. Award and Accept Harlan Street and Euclid Street Alley Sanitary Sewer Reconstruction Project: City Manager recommending that the award for the Harlan Street and Euclid Street Alley Sanitary Sewer Reconstruction Project to Temperley Excavating, Inc. be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

8. Award Usha Park Parking Lot Expansion Project: City Manager recommending that the award for the Usha Park Parking Lot Expansion Project to Eastern Iowa Excavating & Concrete, LLC be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

9. Awarding Orchard Drive Water Main Extension Project: City Manager recommending that the award for the Orchard Drive Water Main Extension Project to Drew Cook & Sons Excavating 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.

10. Awarding the Grand River Center First Floor Concourse Carpet Replacement Project: City Manager recommending that the award for the Grand River Center First Floor Concourse Carpet Replacement Project to Floor Show Companies be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

11. Dubuque Museum of Art Request for Consideration of Planning for Potential Enhancements to Washington Park: City Manager recommending that the Mayor and City Council receive and file this item and give this request consideration during the annual goal setting that is scheduled for August 12, 13 and 14, 2019. Upon motion the document was received and filed.

12. Small Community Air Service Development Pilot Program Application - Letters of Support: Letters of Support from Mayor Buol and City Manager Van Milligen to the Office of Aviation Analysis in support of the Dubuque Regional Airport's application for the Small Community Air Service Development Pilot Program at the Dubuque Regional Airport. Upon motion the documents were received and filed.

13. Iowa Department of Transportation (IDOT) Funding Agreement No. 2019-TS-017 for the STREETS Program: City Manager recommending approval for the Mayor to execute a Funding Agreement with the Iowa Department of Transportation for a Traffic Safety Improvement Grant for the purchase and installation of dynamic message signs along US 20, as part of Phase I of the Dubuque STREETS Project. Upon motion the documents were received and filed, and Resolution No. 243-19 Approving the Funding Agreement (Agreement No. 2020-TS-017) with the Iowa Department of Transportation for a Traffic Safety Improvement Program to fund the Smart Traffic Routing with Efficient and Effective Traffic Signals (STREETS) was adopted.

14. Iowa Department of Transportation (IDOT) Funding Agreement No. 2019-TS-025 for the STREETS Program Study: City Manager recommending approval for the Mayor to execute a Funding Agreement with the Iowa Department of Transportation for a Traffic Safety Improvement Grant to assist with funding the Smart Traffic Routing with Efficient and Effective Traffic Signals (STREETS) study that will develop a smart, next generation traffic management and control system. Upon motion the documents were received and filed, and Resolution No. 244-19 Approving the Funding Agreement (Agreement No. 2019-TS-025) with the Iowa Department of Transportation for a Traffic Safety Improvement grant to fund the Smart Traffic Routing with Efficient and Effective Traffic Signals (STREETS) was adopted.

15. Consent to Amendment to Sublease Agreement between Dubuque Racing Association and Iowa Greyhound Association: City Manager recommending that the City Council consent to the Amendment to Sublease Agreement between Dubuque Racing Association and Iowa Greyhound Association that extends the sublease to March 31, 2024. Upon motion the documents were received, filed and approved.

16. Fiscal Year 2020 Workers' Compensation Excess Insurance Renewal: City Manager recommending approval of the Workers' Compensation excess insurance renewal rate submitted by Safety National, the City's current carrier, effective July 1, 2019 through June 30, 2020. Upon motion the documents were received, filed and approved.

17. Approval of the Administrative Services Agreement between RxBenefits, Inc. and the City of Dubuque: City Manager recommending approval of the Administrative Services Agreement with RxBenefits, Inc. and authorizing the City Manager to execute the agreement. Upon motion the documents were received, filed and approved.

18. Collective Bargaining Agreement Between the City of Dubuque and the Dubuque Police Protective Association: City Manager recommending that the City Council receive

and file the arbitration award for the Collective Bargaining Agreement between the City of Dubuque and the Dubuque Police Protective Association. Upon motion the documents were received and filed.

19. Code of Ordinances – Adoption of Supplement No. 32: City Clerk recommending adoption of Supplement No. 32 to the City of Dubuque Code of Ordinances. Upon motion the documents were received and filed, and Resolution No. 245-19 Adopting Supplement No. 32 to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

20. Mediacom Communications Company: Correspondence from Lee Grassley, Senior Manager of Government Relations for Mediacom Communications Company, informing the City of programming changes on or about July 22, 2019. Upon motion the document was received and filed.

21. Signed Contract(s): Alliant Energy Interruptible Service Contract 2019-2020; American River Transportation Co. dba ARTCO Fleeting Services Short-term Docking License Agreement. Upon motion the document was received and filed.

22. Improvement Contracts / Performance, Payment and Maintenance Bonds: Eastern Iowa Excavating and Concrete for the Usha Park Parking Lot Expansion; Drew Cook & Sons Excavating, Co., Inc. for Orchard Drive Water Main Extension Project 2019; Midwest Concrete, Inc. for the 2019 Asphalt Overlay Ramp Project Three. Upon motion the documents were received, filed and approved.

23. 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. 246-19 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 Jones. Motion carried 4-0.

1. Chaplain Schmitt Veteran's Memorial Site Improvements Project: City Manager recommending initiation of the public bidding procedure for the Chaplain Schmitt Veteran's Memorial Project, and further recommends that a public hearing be set for July 15, 2019. Upon motion the documents were received and filed and Resolution No. 247-19 Preliminary approval of plans, specifications, form of contract and estimated cost; setting the date for a public hearing on plans, specifications, form of contract, and estimated cost; and ordering the advertisement of bids for the Chaplain Schmitt Veteran's Memorial Project was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on July 15, 2019 in the Historic Federal Building.

2. Vacate Public Utility Easements on Lot 3 of Plaza Court, 1590 Curtis Street: City Manager recommending that the City Council set a public hearing for July 15, 2019, on the disposal of a public utility easement across a portion of Lot 3 of Plaza Court, common address 1590 Curtis Street. Upon motion the documents were received and filed and Resolution No. 248-19 Resolution of Intent to vacate and dispose of City interest in public utility easement over and across Lot 3 of Plaza Court, in the City of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on July 15, 2019 in the Historic Federal Building.

3. Chavenelle Road Hike/Bike Trail Phase I: City Manager recommending initiation of the public bidding procedure through the Iowa Department of Transportation for the Chavenelle Road Hike-Bike Trail Phase 1 Project, and further recommends that a public hearing be set for July 15, 2019. Upon motion the documents were received and filed and Resolution No. 249-19 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 was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on July 15, 2019 in the Historic Federal Building.

4. Sky Blue Housing Urban Renewal Area: City Manager recommending approval of a Resolution of Necessity that finds that an Urban Renewal Plan for the Sky Blue Housing Urban Renewal Area is both necessary and appropriate and sets a public hearing on the proposed plan for August 5, 2019. Upon motion the documents were received and filed and Resolution No. 250-19 Resolution of Necessity finding that certain property in and near Sky Blue Estates and Eagle Valley Subdivision is an Economic Development Area and that the development of said area is necessary in the interest of the residents of the City of Dubuque, Iowa, and setting a date for hearing on a proposed Urban Renewal Plan for said District was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on August 5, 2019 in the Historic Federal Building.

BOARDS/COMMISSIONS

Review of applications: Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

1. Arts and Cultural Affairs Advisory Commission: One, 3-Year term through June 30, 2022 (Vacant term of Armstrong). Applicant: Nicholas Halder, 876 S. Grand Avenue. Mr. Halder submitted a letter of support to the City Council.

2. Electrical Code Board: One, 3-Year term through May 21, 2021 (Vacant term of Nebel Jr.). Applicant: Eric Trausch, 1290 Kelly Ln.

3. Housing Trust Fund Advisory Committee: One, 3-Year term through August 17, 2021 (Vacant term of Hingtgen). Applicant: Michelle Becwar, 2115 Coates St. Ms. Becwar submitted a letter of support to the City Council.

4. Resilient Community Advisory Commission: One, 3-Year term through June 30, 2022 (Expiring term of Kohlhaas). Applicant: Jacob Kohlhaas, 1125 Richards Rd.

5. Zoning Board of Adjustment: One, 5-Year term through June 30, 2024 (Changed to expired term of Pope). Applicant: Gwen Kosel, 455 South Grandview.

PUBLIC HEARINGS

1. Nomination of Eagle Point Park as a City Landmark Site: Proof of publication on notice of public hearing to consider approval of an application to the State Historic Preservation Office nominating Eagle Point Park as a City Landmark Site, and the City Manager recommending approval. Motion by Jones to consider this the first reading of a proposed ordinance amending Title 16 Unified Development Code, Chapter 10 Historic Preservation of the City of Dubuque Code of Ordinances by adding Eagle Point Park as a Landmark Site. Seconded by Shaw. Planning Services Manager Laura Carstens provide a staff report. Ms. Carstens and Historic Preservation Chair Person Emily Hilgendorf responded to questions from the City Council stating that the recent property donation to the park is not included in the designation but could be considered in a future nomination. Council Member Jones noted for the record that without a super majority of the Council present to adopt the ordinance, the recommendation must automatically go to a second reading [July 15, 2019]. Motion carried 4-0.

2. Intent to Dispose of City-Owned Property at 445 Loras Boulevard: Proof of publication on notice of public hearing to consider the sale of City-owned property at 445 Loras Boulevard to Affordable Housing Network, Inc. (AHNI), and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 251-19 Disposing of City interest in real estate located at 445 Loras Boulevard in the City of Dubuque, Iowa. Seconded by Resnick. Motion carried 4-0.

ACTION ITEMS

1. Code of Ordinances Amendment - Title 2 Community Development Advisory Commission: City Manager recommending approval of an ordinance which adds a new Title 2, Chapter 5, Article C which establishes the Community Development Advisory Commission and provides for the powers, operation, membership and meetings. Motion by Jones to receive and file the documents and consider this the first reading of a proposed ordinance amending City of Dubuque Code of Ordinances Title 2 Boards and Commissions, Chapter 5 Housing Agency and Community Development Commissions by repealing Article C Community Development Advisory Commission and adopting a new Article C Community Development Advisory Commission in lieu thereof establishing the Community Development Advisory Commission and providing for the powers, operation, membership, and meetings. Seconded by Resnick. [Second reading July 15, 2019] Motion carried 4-0.

2. Southwest Arterial Construction Update Video: The Cable TV Division showed a video of the recent progress of the Southwest Arterial Project for June 2019. Motion by

Resnick to receive and file the information and watch the video. Seconded by Shaw.
Motion carried 4-0.

COUNCIL MEMBER REPORTS

Council Member Jones wished everyone a happy 4th of July Holiday and asked residents and visitors to exercise caution and patience during the July 3 fireworks display on the Hawthorne Street Peninsula. Mr. Jones also recognized Perry Mason of Radio Dubuque for his tenured organization of the event on behalf of the Dubuque Jaycees.

There being no further business, upon motion the City Council adjourned at 6:24 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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