

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

The Dubuque City Council met in special session at 5:30 p.m. on September 3, 2019 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

Present: Mayor Buol; Council Members Del Toro, Jones, Resnick, Rios, 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 Consolidation and Expansion of Urban Revitalization Districts.

**WORK SESSION  
Consolidation and Expansion of Urban Revitalization Districts**

Housing and Community Development Director Alexis Steger introduced the work session and provided a summary of the City's Urban Revitalization Districts and the purpose/benefits of the Districts. Topics included:

- List and location of the City's 17 Urban Revitalization Districts
- Comparison of Community Development Block Group (CDBG) Eligible Areas and Urban Revitalization Districts
- Explanation of Options with a total of properties and amount of City tax abated.
  - Option 1: Expansion of existing Urban Revitalization Districts to include all CDGB-eligible areas in the downtown
  - Option 2: Expansion of existing Urban Revitalization Districts to include all CDBG-eligible areas in the norther portion of the City.
  - Option 3: Expansion of existing Urban Revitalization Districts to include CDBG-eligible areas of the City, Census Tract 1 Block Group 1 (residential properties only) and the inclusion of Census Tract 3 Block Group1
- Proposed Urban Revitalization District requirements
  - property type; percentage of increased valuation; tax exemption on increased value; duration of the district; eligible improvements; district expiration

Ms. Steger responded to questions from the City Council and explained the next steps in the process were to mail notice of a public hearing, present the recommended Option 3 to the City's Long-Range Planning Commission, and set and conduct the public hearing.

There being no further business, upon motion the City Council adjourned at 5:48 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

1t 9/11

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

The Dubuque City Council met in regular session at 6:00 p.m. on September 3, 2019 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

Present: Mayor Buol; Council Members Del Toro, Jones, 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**

**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: City Council Proceedings of 8/12, 8/13, 8/14, 8/19, 8/26; Historic Preservation Fair Committee of 8/15; Civil Service Commission of 8/20; Housing Trust Fund Committee of 6/26; Library Board of Trustees Council Update #185 of 8/22; Proof of publication for City Council Proceedings of 8/5; Proof of publication for List of Claims and Summary of Revenues for Month Ending 7/31. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Kyle and Shelby Christina for property damage, Kathy Jansen for vehicle damage, Gail Miller for property damage, Suit by Timothy McKenzie vs. City of Dubuque et al. 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: Kyle and Shelby Christina for property damage, Kathy Jansen for vehicle damage, and Gail M. Miller for property damage. Upon motion the documents were received, filed, and concurred.

4. Approval of City Expenditures: City Manager recommended City Council approval for payment of City expenditures. Upon motion the documents were received and filed, and Resolution No. 307-19 Authorizing the Director of Finance and Budget/City Treasurer to make certain payments of bills that must be paid and approved for payment in accordance with City procedures was adopted.

5. See the Potential on Central: City Manager providing a copy of the See the Potential on Central public information brochure. Upon motion the document was received and filed.

6. White Sox vs. Yankees Playing at Field of Dreams on August 13, 2020: City Manager providing a copy of Travel Dubuque's announcement for the White Sox vs. Yankees baseball game on August 13, 2020 at the Field of Dreams. Upon motion the document was received and filed.

7. Letter of Authorization: Jeffris Foundation (Ham House Historical Site): City Manager submitting a Letter of Authorization for Dubuque County Historical Society's application to the Jeffris Heartland Fund requesting support for the Mathias Ham House. Upon motion the documents were received and filed, and Resolution No. 308-19 Approving Dubuque County Historical Society's Grant Application to the Jeffris Heartland Fund for a Historical Structure Report of the Mathias Ham House was adopted.

8. Consolidated Annual Performance and Evaluation Report (CAPER) July 1, 2018 to June 30, 2019: City Manager recommended approval of a resolution directing staff to submit the Consolidated Annual Performance and Evaluation Report (CAPER) for the period of July 1, 2018 through June 30, 2019, to the U.S. Department of Housing & Urban Development Community Planning Division. Upon motion the documents were received and filed, and Resolution No. 309-19 Authorizing the submission of a Consolidated Annual Performance and Evaluation Report (CAPER) for the period commencing July 1, 2018 and Concluding June 30, 2019 was adopted.

9. Grant-Funded Position Request - Carnegie-Stout Public Library: City Manager recommended approval to hire a part-time staff member at the Carnegie-Stout Public Library to support the expansion of the Changing Lives Through Literature diversion program for youth in partnership with Juvenile Court Services. Upon motion the documents were receive, filed and approved.

10. Cedar Valley Friends of the Family / Continuum of Care Certification of Consistency: City Manager recommended approval to provide a Certification of Consistency with the Fiscal Year 2016-2020 Consolidated Plan for Cedar Valley Friends of the Family for an application for Continuum of Care funds. Upon motion the documents were received and filed, and Resolution No. 310-19 Requesting the Mayor to provide Certification of Consistency with the City of Dubuque's Consolidated Plan was adopted.

11. Acquisition of Property at 6805 Pennsylvania Avenue: City Manager recommended approval to acquire property at 6805 Pennsylvania Avenue owned by Steve E. and Sandra Jean Bahl for the future widening of Pennsylvania Avenue – Middle Road. It is further recommended the City Council approve a resolution approving the Offer and authorizing acceptance of the Warranty Deed and any other related steps necessary to carry out the terms of the offer. Upon motion the documents were received and filed, and Resolution No. 311-19 Approving the acquisition of real estate owned by Steven and Sandra Bahl in the City of Dubuque, Iowa was adopted.

12. Civil Service Commission - Certified Lists: Civil Service Commission submitting certified lists for the positions of Sewer Maintenance Foreman and Maintenance worker. Upon motion the documents were received, filed, and made a Matter of Record.

13. Enterprise Resource Planning (ERP) Selection Advisory Services: City Manager recommended approval to negotiate a contract with Government Finance Officers Association (GFOA) Research and Consulting Center for consulting for enterprise resource planning (ERP) system assessments, procurement, contract negotiation, and implementation advisory service. Upon motion the documents were received, filed and approved.

14. Certified Local Government (CLG) Grant Application for Eagle Point Park Phase I Archeological Survey: City Manager recommended approval of an application for a Certified Local Government (CLG) Grant for continuation of the Phase 1 Archeology Survey at Eagle Point Park. Upon motion the documents were received and filed, and Resolution No. 312-19 Approving CLG Grant application to State Historic Preservation Office for preservation planning at Eagle Point Park Historic District was adopted.

15. Iowa Department of Transportation (IDOT) Traffic Safety Improvement Program for NW Arterial and John F. Kennedy Road Northbound Turn Lane: City Manager recommended authorization to submit an application for a Traffic Safety Improvement Grant to assist with funding proposed improvements to extend the eastbound Northwest Arterial dedicated left-turn lane onto John F. Kennedy Road. Upon motion the documents were received and filed, and Resolution No. 313-19 Authorizing the filing of a grant application with the Iowa Department of Transportation for Traffic Safety Improvement Grant funding to assist with funding for proposed improvements to extend the eastbound Northwest arterial dedicated left-turn lane onto John F. Kennedy Road was adopted.

16. Housing Trust Fund Committee Grant Application to the Iowa Finance Authority: City Manager recommended approval of a resolution authorizing commitment of funds from the Greater Downtown Tax Increment Financing Urban Renewal District as budgeted to be used as a match to the Housing Trust Fund Committee's application to the Iowa Finance Authority for a grant from the State Housing Trust Fund. Upon motion the documents were received and filed, and Resolution No. 314-19 Approving commitment of matching funds for an application to the Iowa Finance Authority (IFA) for State Housing Trust Funds was adopted.

17. Acceptance of Grant of Easement of Sidewalk and Public Utilities from DUBKIN, LLC: City Manager recommended acceptance of a Grant of Easement for Sidewalk and Public Utilities from DUBKIN, LLC across property in the northeast corner of the JFK Road and Hillcrest Road intersection, as part of the JFK Road and Hillcrest Road Traffic Signal Project. Upon motion the documents were received and filed, and Resolution No. 315-19 Accepting Grant of Easement for Sidewalk and Public Utilities associated with the JFK Road and Hillcrest Road Traffic Signal Project, in the City of Dubuque, Iowa was adopted.

18. Acceptance of Grants of Easements for Sidewalk and Public Utilities from Dupaco at JFK Road and Hillcrest Road: City Manager recommended acceptance of a Grant of Easement for Sidewalk and Public Utilities across property in the southeast corner of the JFK Road and Hillcrest Road intersection from Dupaco Community Credit Union, as part of the JFK Road and Hillcrest Road Traffic Signal Project. Upon motion the documents were received and filed, and Resolution No. 316-19 Accepting a Grant of Easement for sidewalk and public utilities associated with the JFK Road and Hillcrest Road Traffic signal Project, in the City of Dubuque, Iowa was adopted.

19. Acceptance of the 15 South Main Street Site Utility Disconnect Project: City Manager recommended acceptance of the public improvement construction contract for Bid Package 2, 15 South Main Street Site Utility Disconnect Project, as completed by McDermott Excavating. Upon motion the documents were received and filed, and Resolution No. 317-19 Accepting the 15 South Main Street Site Utility Disconnect Project and Authorizing the Final Payment to the Contractor was adopted.

20. Recording the Award for the Storm Sewer Construction Chavenelle Road - First Supply 2019 Project: City Manager recommended that the award for the Storm Sewer Construction Chavenelle Road - First Supply 2019 Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

21. Environmental Covenant for Iowa Department of Transportation Parcel at 1000 E. 12th Street: City Manager recommended approval of an Environmental Covenant for the Iowa Department of Transportation owned parcel at 1000 E. 12th Street, between and among the Iowa DOT, MidAmerican Energy and the United States Environmental Protection Agency, to which the City of Dubuque is a listed interested party. Upon motion the documents were received and filed, and Resolution No. 318-19 Approving an Environmental Covenant for the property at 1000 E. 12th Street in Dubuque, Dubuque County, Iowa owned by the Iowa Department of Transportation was adopted.

22. Weaver Castle LLC (346-348 W. Locust Street) Fifth Amendment to Development Agreement: City Manager recommended approval of the Fifth Amendment to Development Agreement between the City of Dubuque and Weaver Castle LLC for redevelopment of the property at 346-348 West Locust Street. Upon motion the documents were received and filed, and Resolution No. 319-19 Approving the Fifth Amendment to the Development Agreement between the City of Dubuque, Iowa and Weaver Castle, LLC was adopted.

23. First Amendment to Development Agreement by and among Dupaco Voices, LLC, Dupaco Community Credit Union, and the City of Dubuque: City Manager recommended approval of a First Amendment to Development Agreement by and among Dupaco Voices, LLC, Dupaco Community Credit Union and the City of Dubuque. Upon motion the documents were received and filed, and Resolution No. 320-19 Approving a First Amendment to Development Agreement by and among the City of Dubuque, Iowa; Dupaco Voices, LLC; and Dupaco Community Credit Union was adopted.

24. Memorandum of Agreement with Dubuque Co. Energy District: City Attorney recommended approval of a Memorandum of Agreement with Dubuque County Energy District, which serves as the site supervisor for the Green Iowa AmeriCorps Dubuque team. Upon motion the documents were received, filed and approved.

25. Nutrient Trading Update: City Manager transmitting information on the status of the Nutrient Trading Program first initiated by the Iowa League of Cities CIG grant and the timeline of events leading to this and future Nutrient Trading discussions. Upon motion the documents were received and filed.

26. Fiscal Year 2019 Year End Financial Outcome for Five Flags Civic Center: City Manager transmitting information related to the Fiscal Year 2019 year-end financials of Five Flags Civic Center. Upon motion the documents were received and filed.

27. Fireworks Request for Iowa League of Cities Conference: Permit Application from J&M Displays, Inc. requesting approve to display fireworks for the Iowa League of Cities between 9:00 p.m. and 10:00 p.m. on September 26, 2019 at the Alliant Energy Amphitheater. Upon motion the document was received, filed and approved.

28. Signed Contract(s): Gallagher Risk Management Services Agreement for Worker's Compensation Insurance Program Analysis; Iowa Department of Transportation for ARC / JFK Road Midtown Transfer Phase II; Palebluedot, LLC Climate Action Plan Update Agreement; Walter Development, LLC (Hodge) Site Access Agreement for McFadden Farm Site. Upon motion the documents were received and filed.

29. Improvement Contracts / Performance, Payment and Maintenance Bonds: Commercial Flooring Company (2) for the Grand River Center meeting rooms and Exhibit Hall carpet replacement; Eastern Iowa Excavating & Concrete, LLC for the Storm Sewer Construction Chavenelle Road - First Supply 2019 Project; River City Paving for the Dubuque Montessori Parking Lot Asphalt Paving Project; Sealmaster Foam d/b/a S&S Builders for the Dubuque Fire Headquarters ADA Ramp Replacement Project; Temperley Excavating, Inc. (2) for the Hillcrest and Rosemont Storm Reconstruction Project and City Sidewalk Replacements in various locations. Upon motion the documents were received, filed and approved.

30. Business License Refund: Hill Street Plaza, Inc., formerly located at 535 Hill Street, requesting a refund of Liquor License No. LE0002723 in the amount of \$150 and Tobacco Permit DBQ-34-20 in the amount of \$100 due to business being sold. Upon motion the documents were received, filed and approved.

31. Alcohol License Applications: City Manager recommended approval of annual beer, liquor and wine licenses as submitted. Upon motion the documents were received and filed, and Resolution No. 321-19 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 Shaw 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. Authorization Not-to-Exceed \$170,000 General Fund Lease Agreement - Postage Machine: City Manager recommended that a public hearing be set for September 16, 2019, on the proposal to authorize a general fund lease agreement not-to-exceed \$170,000. Upon motion the documents were received and filed, and Resolution No. 322-19 Fixing date for a meeting on the proposition to authorize a Lease Agreement (General Fund) in the principal amount of not-to-exceed \$170,000 to acquire personal property for the City, and providing for publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on September 16, 2019 in the Historic Federal Building.

2. Authorization of Not-to-Exceed \$25,000 General Fund Lease Agreement - Mail Room Printer: City Manager recommended that a public hearing be set for September 16, 2019, on the proposal to authorize a general fund lease agreement not-to-exceed \$25,000. Upon motion the documents were received and filed, and Resolution No. 323-19 Fixing date for a meeting on the proposition to authorize a Lease Agreement (General Fund) in the principal amount of not-to-exceed \$25,000 to acquire personal property for the City, and providing for publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on September 16, 2019 in the Historic Federal Building.

### **BOARDS/COMMISSIONS**

Appointment was made to the following Commission.

1. Resilient Community Advisory Commission: One, 3-Year term through July 1, 2022 (Vacant term of Lohrmann). Applicants: Candace Eudaley-Loebach, 1715 Glen Oak St.; and Trevor Fannon, 476 Central Ave. Upon roll-call vote of 6-2, Ms. Eudaley-Loebach was appointed to the 3-year term through July 1, 2022. Eudaley-Loebach = Rios, Resnick Del Toro, Shaw; Fannon = Jones, Buol.

### **PUBLIC HEARINGS**

1. Vacate Public Utility Easements for Padre Pio Health Care Center, Inc. (Stone Hill): Proof of publication on notice of public hearing to consider disposal of the City's interest in a Public Utility Easement of Stone Hill Community Subdivision, and the City Manager recommended approval. Motion by Jones to receive and file the documents and adopt Resolution No. 324-19 Disposing of property by vacating City interest in a Public Utility

Easement over and across Lot 1-1-3 of Stone Hill Community Subdivision #1, in the City of Dubuque, Iowa. Seconded by Shaw. Motion carried 6-0.

2. Fire Station No. 6 Improvements Project - External Stairwell Addition: Proof of publication on notice of public hearing to consider approval of the plans, specifications, form of contract and estimated cost of the Fire Station No. 6 Improvements Project, and the City Manager recommended approval. Motion by Jones to receive and file the documents and adopt Resolution No. 325-19 Approval of plans, specifications, form of contract, and estimated cost for the Fire Station 6 External Stairwell Addition Project. Seconded by Resnick. Motion carried 6-0.

3. Fiscal Year 2020 Budget Amendment No. 1: Proof of publication on notice of public hearing to consider approval of the Fiscal Year 2020 Budget Amendment No. 1, and the City Manager recommended approval. Motion by Jones to receive and file the documents and adopt Resolution No. 326-19 Amending the current budget for the Fiscal Year Ending June 30, 2020. Seconded by Del Toro. Responding to questions from the City Council, Director of Budget and Finance Jenny Larson explained the process of amending the City's budget and carrying over funds into the next fiscal year. Motion carried 6-0.

### **PUBLIC INPUT**

Kate Larson, 35 E. 19<sup>th</sup> St., spoke in support of being appointed as interim Council Member for the Third Ward to fill the vacancy created by her recent resignation until the November 5, 2019 General Election.

Joyce Connors, 660 Edith St., spoke in support of being appointed as interim Council Member for the Third Ward to fill the vacancy created by Ms. Larson's recent resignation until the November 5, 2019 General Election.

Lynn Sutton, 849 Air Hill, spoke in support of filling the Third Ward vacancy as soon as possible and to an urgency for filling the Housing Inspector positions in light of several recent apartment fires.

### **ACTION ITEMS**

1. Five Flags Civic Center Fiscal Year 2019 Annual Report Presentation: City Manager transmitting the Fiscal Year 2019 Annual Report for Five Flags. Five Flags Manager HR Cook of SMG made a presentation to the City Council on the Center's finances and scheduled events. Motion by Resnick to receive and file the documents and listen to the presentation. Seconded by Del Toro. Mr. Cook reported on the following topics: Changes with Ticketmaster to prevent block purchase and sale of tickets; event analysis and attendance by fiscal year; Fiscal Year 2019 events in review; year-end statistics; top ten Fiscal Year 2019 events by attendance; ticket buyer demographics (age, income, gender); top ten cities to purchase tickets and buyer locations; sales channels; website statistics; customer experience survey; media relations; recognitions; year-end financials; food and beverage report; venue sponsorships and partners; upcoming events/shows and anchor tenant performances. Mr. Cook, Leisure Services Manager Marie Ware and City Manager Van Milligen responded to questions from the City Council following the



presentation regarding the timing and urgency of capital improvement projects for the Center. Motion carried 6-0.

2. Award of the Westside Water System Fire Hydrant Installation Project: City Manager recommended award of the Westside Water System Fire Hydrant Installation Project contract to the low bidder Kueter Equipment Co. Motion by Resnick to receive and file the documents and adopt Resolution No. 327-19 Awarding the public improvement contract for the Westside Water System Fire Hydrant Installation Project. Seconded by Shaw. Motion carried 6-0.

3. Institutional District (ID) Amendment - 3475 & 3485 Windsor Ave, 1001 Assisi Drive (Stonehill/Assisi Village) (Second Reading): Zoning Advisory Commission recommending approval of a request from Benjamin Beard to rezone property at 3475, 3485 Windsor Avenue, and 1001 Assisi Drive to unify the current ID Institutional, Planned Unit Development and R-1 Single-Family Zoning Districts of the Padre Pio Health Center and Assisi Village into a single, Planned Unit Development with a Planned Residential designation, and to allow an addition to be built on the south side of the Assisi Village building. 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. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 36-19 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, Rescinding Ordinances 66-95, 25-97, 45-11 and 36-16 Approving an Amended Conceptual Development Plan for the Padre Pio Health Care Center and Assisi Village, Rezone the Existing Institutional District to Planned Unit Development, and Rezone Property Along Sheridan Road from R-1 to Planned Unit Development. Seconded by Resnick. Motion carried 6-0.

4. East-West Corridor Moratorium Extension (Second Reading): City Manager recommended approval of a three-year extension to the moratorium for construction, rezoning, subdivision review, and site plan approval in the East-West Corridor Study Area. Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Del Toro. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 37-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 2 Building Construction, Demolition and Moving, Section 14-2-4 Moratorium for Construction or Other Work on Certain Streets, Areas, or Facilities by Extending the Moratorium. Seconded by Del Toro. Motion carried 6-0.

5. Code of Ordinances Amendment - Title 9 Residential Parking Permit Program (Second Reading): City Manager recommended an amendment to existing City Ordinance 9-14-321.722 (B): Residential Parking Permit Program Established - Parking Study to include amendments to the timeline for completing a parking study in the

petitioned area, maximum number of site visits, and setting minimum conditions for City Council approval for creation of a residential parking permit district. 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. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 38-19 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 14 Parking, Division 7 Residential Parking Permit Program, Section 9-14-321-722 Residential Parking Permit Program Established. Seconded by Resnick. Motion carried 6-0.

6. Code of Ordinances Amendment - Title 14 Adoption of the 2017 National Electric Code (Second Reading): City Manager recommended approval of an amendment to the City of Dubuque Code of Ordinances, Title 14 Building and Development, Chapter 1 Building Codes, Article D Electric Code. Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Del Toro. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 39-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article D Electrical Code, Sections 14-1D-1 National Electrical Code Adopted and 14-1D-2 National Electrical Code Amendments. Seconded by Del Toro. Motion carried 6-0.

7. Code of Ordinances Amendment - Title 14 Adoption of the 2018 International I-Codes (Second Reading): City Manager recommended adoption of amendments to the City of Dubuque Code of Ordinances, Title 14 Building and Development, Chapter 1 Building Codes that update the current City of Dubuque Code of Ordinances from the 2015 editions to the 2018 editions. Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Del Toro. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 40-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article A Building Code and Regulations, Sections 14-1A-1 International Building Code Adopted And 14-1A-2 International Building Code Amendments;

Ordinance No. 41-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article B Residential Code, Sections 14-1B-1 International Residential Code Adopted and 14-1B-2 International Residential Code Amendments;

Ordinance No. 42-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article F Mechanical Code, Sections 14-1F-1 International Mechanical Code Adopted and Section 14-1F-2 International Mechanical Code Amendments;

Ordinance No. 43-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article G Fuel Gas Code, Sections 14-1G-1 Fuel Gas Code Adopted and 14-1G-2 Fuel Gas Code Amendments;

Ordinance No. 44-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article H Plumbing Code, Sections 14-1H-1 International Plumbing Code Adopted and 14-1H-2 International Plumbing Code Amendments;

Ordinance No. 45-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article J Property Maintenance Code, Sections 14-1J-1 International Property Maintenance Code Adopted and 14-1J-2 International Property Maintenance Code Amendments;

Ordinance No. 46-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes; and

Ordinance No. 47-19 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article E Fire Code and Regulations, Section 14-1E-1 International Fire Code Adopted and 14-1E-2 International Fire Code Amendments. Seconded by Del Toro. Motion carried 6-0.

8. Fiscal Year 2020 Commercial Building Permit Fee Schedule Amendment: City Manager recommended approval to amend the Fiscal Year 2020 Commercial Fee Schedule for the Building Services Department, that adjusts the base fee for projects exceeding \$500,000 from \$2,666 to \$2,771. Motion by Resnick to receive and file the documents and approve the recommendation. Seconded by Del Toro. Responded in to questions from the City Council, Building Services Manager Dave Johnson explained the reasoning behind the recalculation of the fee, what resources/staff time are involved with review of projects, and what the department is doing to expedite the process. City Manager Van Milligen stated that the Building Services Department is 87% self-supporting. City Attorney Brumwell added that state law prohibits charging fees above actual costs. Motion carried 6-0.

9. Travel Dubuque Fiscal Year 2019 Annual Report: City Manager provided a copy of the Fiscal Year 2019 Annual Report from Travel Dubuque. Motion by Resnick to receive and file the documents. Seconded by Jones. Motion carried 6-0.

10. Third Ward Council Member Vacancy: City Attorney submitted information related to filling the Council Member vacancy for the Third Ward. Motion by Jones to receive and file the documents and adopt Resolution No. 328-19 Intent to fill a vacancy in the Office of Third Ward City Council Member by appointment until a new Third Ward Council Member is elected and takes the Oath of Office following the November 2019 special election. Seconded by Resnick. Motion carried 6-0.

11. Southwest Arterial Construction Update Video: Cable TV Division presented a video of the recent progress of the Southwest Arterial Project (August 2019). Motion by Jones to receive and file the documents and view the video. Seconded by Resnick. Following the video, Assistant City Engineer Bob Schiesl responded to questions

regarding IDOT's choice to use hot-mix asphalt in some areas while using concrete paving in other areas. Motion carried 6-0.

12. Bee Branch Railroad Culverts Kick-Off Video: The Cable TV Division presented the video from the August 8, 2019 Bee Branch Railroad Culverts Project Kick-Off. Motion by Shaw to receive and file the documents and view the video. Seconded by Resnick. Motion carried 6-0.

### **COUNCIL MEMBER REPORTS**

Council Member Resnick reported on behalf of a resident of Camelot Court regarding the poor condition of the street and when it might be scheduled for repair.

Council Member Jones reported on the Labor Day Parade sponsored by the United Labor Participation Committee and the presence of the Dubuque Federation of Labor.

Council Member Del Toro reported on the opening of the new skate park and congratulated everyone involved for making the project come to fruition. Mr. Del Toro began voicing his support of appointing former Council Member Kate Larson as interim Third Ward representative. Mayor Buol stated that the topic was not appropriate for Council Member Reports and called for adjournment.

There being no further business, Council Member Resnick moved to adjourn at 7:58 p.m. Seconded by Jones. Motion carried 6-0.

/s/Kevin S. Firnstahl, CMC  
City Clerk

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