The Dubuque City Council met in special session at 5:30 p.m. on January 21, 2020 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

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

Absent: Mayor Buol

Mayor Pro Tem Jones read the call and stated this is a special session of the City Council called for the purpose of conducting a work session on Dubuque County Conservation Comprehensive Parks, Trails, and Open Spaces Draft Master Plan.

WORK SESSION
Dubuque County Conservation
Comprehensive Parks, Trails, and Open Spaces Draft Master Plan

Brian Preston, Executive Director of the Dubuque County Conservation Board; and Ryan Peterson, consultant for RDG Planning and Design, reviewed the Dubuque County Conservation Comprehensive Parks, Trails, and Open Spaces Draft Master Plan with City Council. Topics included:

- Review of the strategic direction
  - Steering Committee members
  - Dubuque County Conservation – board members and staff
  - Vision & Mission Statements
  - Guiding principles
- Review of the planning timeline 2018-2020
- Discussion of public input
  - Survey, workshops, data collection, options, participation by location/method/age/
  - Ranked priorities: trails, park infrastructure enhancements, habitat preservation and restoration, and water quality.
- Review of priority projects
  - Emerging priorities & projects
- Next steps
- Concept plan revisions
- Finalize capital improvements costs, quantify operation impacts
- Quantify plan benefits
- Report development
- Public open house
- Plan adoption – April 2020
Responding to questions from the City Council, City Manager Van Milligen spoke from the City’s perspective regarding what trails and amenities are currently in place and where potential exists for connection to the County’s trail system. He cited examples such as the SW Arterial trail grading which will require additional funding and property acquisition and the shoulder access on Hwy 52 link to Bellevue. Mr. Ryan, Mr. Preston provided additional information on the use of tenting platforms and evaluating Swiss Valley Park camping and natural preserve spaces. The presenters also addressed the potential for increasing economic impact.

There being no further business, motion by Shaw to adjourn at 6:00 p.m. Seconded by Cavanagh. Motion carried 6-0.

/s/ Kevin S. Firnstahl, CMC, City Clerk
The Dubuque City Council met in regular session at 6:00 p.m. on January 21, 2020 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Pro Tem Jones, Mayor Buol (Via telephone); Council Members Cavanagh, Resnick, Roussell, Shaw, Sprank; City Manager Van Milligen, City Attorney Brumwell

Mayor Pro Tem Jones 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. Student Presentation on City Life Experience: Community Engagement Coordinator Temwa Phiri introduced students from the Community School District’s Alternative Learning Center who provided a brief description of their experiences from participating in the City Life session adapted to their current social studies course on civic engagement and local government. Social Studies teacher for the Dubuque Community School District Alternative Learning Center; and Mr. Phiri provided a brief history of their respective programs and goals.

PROCLAMATION(S)

Dubuque Eagles "Eyes on the Future" Month (January 2020) was accepted by Michael Duehr on behalf of the Dubuque Fraternal Order of Eagles.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Shaw. Council Member Cavanagh requested Item No. 14 be held for separate discussion. Motion carried 7-0.

1. Minutes and Reports Submitted: Arts and Cultural Advisory Commission of 12/17/19 and Working Group updates of 11/26/19, 12/17/19; Cable TV Commission of 1/8/20; City Council proceedings of 1/6/20, 1/13/20; Community Development Advisory Commission of 12/18/19; Five Flags Civic Center Advisory Commission of 11/25/19, 12/17/19; Resilient Community Advisory Commission of 1/2/20; Zoning Advisory Commission of 1/2/20; Proof of Publication for City Council Proceedings of 12/16/19.
2. Notice of Claims and Suits: Michael and Cassie Foley for property damage. Upon motion the documents were received, filed, and referred to the City Attorney.

3. Disposition of Claims: City Attorney advising that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: Michael and Cassie Foley for property damage. Upon motion the documents were received, filed, and concurred.

4. Approval of City Expenditures: City Manager recommending City Council approval for payment of City expenditures. Upon motion the documents were received and filed, and Resolution No. 16-20 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. Request for Nuisance Specialist Position: City Manager recommending approval to add a Nuisance Specialist position in the Housing Inspection Division to start as soon as February 1, 2020. Upon motion the documents were received, filed and approved.

6. Iowa Worker Adjustment and Retraining Act Notification - McGraw-Hill: Correspondence from Dana Kramer, Sr. Manager, Culture & Talent Services for McGraw-Hill, notifying the City in accordance with the Iowa Worker Adjustment and Retraining Act (WARN) of a restructuring in McGraw-Hill's operations resulting in certain positions being eliminated from their facility at 501 Bell Street. Upon motion the document was received and filed.

7. Q Casino Request for Additional Funds from Depreciation and Improvement (D&I) Fund: City Manager recommending approval of a request from Dubuque Racing Association President and CEO Jesús Avilés for additional funding from the Depreciation and Improvement (D&I) Fund to be used toward the administration steps and canopy project at the Q Casino. Upon motion the documents were received, filed and approved.

8. Affordable Housing Network, Inc. Agreement to Rehabilitate Rental Units: City Manager recommending approval of an agreement with Affordable Housing Network, Inc. for funding to rehabilitate a minimum of 16 rental units over the next five years using HOME loan repayment funds. Upon motion the documents were received and filed, and Resolution No. 17-20 Approving an Agreement with Affordable Housing Network, Inc. for the rehabilitation of residential property within the City of Dubuque for resale or rental to low- and moderate-income families was adopted.

9. Accepting the 2019 Pavement Marking Project: City Manager recommending acceptance of the construction contract for the 2019 Pavement Marking Project as completed by SELCO, Inc. Upon motion the documents were received and filed, and Resolution No. 18-20 Accepting the 2019 Pavement Marking Project and authorizing the payment to the contractor was adopted.
10. Awarding the Automatic Fare Collection System and On-Demand Response System for the Jule Transit Fleet: City Manager recommending that the Jule Transit Automatic Fare Collection System be awarded to GenFare, and the On-Demand Response System be awarded to Ecolane. Upon motion the documents were received and filed, and Resolution No. 19-20 Awarding the supply and installation of an Automatic Fare Collection System and On-Demand Response System for the Jule Transit Fleet Project was adopted.

11. 2020-2023 AmeriCorps Partners in Learning Campaign for Grade Level Reading Grant Application: City Manager recommending approval of the 2020-2023 AmeriCorps Partners in Learning Campaign for Grade-Level Reading grant application recently submitted to the Iowa Commission on Volunteer Services and now submitted to the Corporation for National and Community Service. Upon motion the documents were received, filed and approved.

12. Iowa Economic Development Authority - HUD National Disaster Resiliency Infrastructure Grant Update: City Manager recommending authorization for the Mayor to sign a letter to the Iowa Economic Development Authority outlining the budget status and possible amendment to Contract #13-NDRI-011 associated with the Bee Branch Watershed Flood Mitigation Project. Upon motion the documents were received, filed and approved.

13. Iowa Economic Development Authority - HUD National Disaster Resiliency Competition Grant Budget Status: City Manager recommending authorization for the Mayor to sign a letter to the Iowa Economic Development Authority outlining the budget status to Contract #13-NDRH-001 associated with the Bee Branch Watershed Flood Mitigation Project. Upon motion the documents were received, filed and approved.

14. Accepting Deeds for Property Owned by Dubuque’s True North Corporation: City Manager recommending acceptance of deeds from Dubuque’s True North Corporation for the following properties: 305 East 22nd Street, 821 Garfield Avenue, 1448 Jackson Street, Empty Lot adjacent to 1448 Jackson, 2247 Central Avenue, 2414 Windsor Avenue, 2527 Washington Street. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 20-20 Accepting the Deed to certain real estate owned by Dubuque’s True North Corporation in the City of Dubuque - 305 East 22nd Street; Resolution No. 21-20 Accepting the Deed to certain real estate owned by Dubuque’s True North Corporation in the City of Dubuque - 821 Garfield Avenue; Resolution No. 22-20 Accepting the Deed to certain real estate owned by Dubuque’s True North Corporation in the City of Dubuque - 1448 Jackson Street; Resolution No. 23-20 Accepting the Deed to certain real estate owned by Dubuque’s True North Corporation in the City of Dubuque - Empty Lot Abutting 1448 Jackson Street; Resolution No. 24-20 Accepting the Deed to certain real estate owned by Dubuque’s True North Corporation in the City of Dubuque - 2247 Central Avenue; Resolution No. 25-20 Accepting the Deed to certain real estate owned by Dubuque’s True North Corporation in the City of Dubuque – 2414 Windsor Avenue; and Resolution No. 26-20 Accepting the Deed to certain real estate owned by Dubuque’s True North Corporation in the City of Dubuque – 2527 Washington Street.
Seconded by Shaw. Responding to questions from the City Council, Rick Dickinson, Executive Director/CEO of Greater Dubuque Development Corporation, 900 Jackson Street, stated that the City’s insurance umbrella is a benefit for transferring the deeds from True North for redevelopment, while GDDC works with commercial properties and dedicated partners. Addressing the impact of construction on area business owners, Mr. Dickinson cautioned inevitable disruption, but advised utilization of small business training, coaching and financial information. Motion carried 7-0.

15. Alcohol and Tobacco License Applications: City Manager recommending approval of annual liquor, beer, wine and tobacco license applications as submitted. Upon motion the documents were received and filed, and Resolution No. 27-20 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. 28-20 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

1. Intent to Dispose of Property at 981 High Bluff Street: City Manager recommending that the City Council schedule a public hearing for February 4, 2020, for the purpose of disposing of City-owned real property located at 981 High Bluff Street to Bethany Home. Upon motion the documents were received and filed, and Resolution No. 29-20 of 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 February 4, 2020 in the Historic Federal Building.

2. Community Development Block Grant Consolidated Plan and Annual Action Plan: City Manager recommending that the City Council set a public hearing for February 26 for the Community Development Block Grant 5-Year Consolidated Plan (2021-2025), which includes the FY 2021 Annual Action Plan, for the use of Community Development Block Grant funds. Upon motion the documents were received and filed, and Resolution No. 30-20 Setting a public hearing on Community Development Block Grant 5-Year Consolidated Plan including the Fiscal Year 2021 (Program Year 2020) Community Development Block Grant (CDBG) Annual Action Plan Budget was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on February 26, 2020 in the Historic Federal Building.
BOARDS/COMMISSIONS

Applications were reviewed for the following Boards/Commissions. Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

1. Catfish Creek Watershed Management Authority: One, 4-Year term through July 16, 2020 (Vacant term of Patten). Applicant: Jared McGovern, 360 South Grandview Ave. Mr. McGovern spoke in support of his appointment and provided a brief biography.

2. Community Development Advisory Commission: Three, 3-Year terms through February 15, 2023. (Expiring At-Large term of Dalton; Expiring LMI term of Hammel; Vacant LMI term of Burley). Applicants: Hilary Dalton, 1629 Washington St. (Qualifies for At-Large and LMI Rep.), Kelly Fox, 838 Althauser St. (Qualifies for At-Large and LMI Rep.), Gerald Hammel, 1225 Rhomberg Ave. (Qualifies for At-Large and LMI). Ms. Dalton and Ms. Fox spoke in support of their respective appointments and provided a brief biography.


4. Human Rights Commission: Two, 3-Year terms through January 1, 2023 (Expiring Term of Jackson and Vacant term of Parks). Applicants: Michael Durnin, 3560 Pennsylvania Ave. Miquel Jackson, 1461 Jackson St. This commission is subject to the State of Iowa Gender Balance Law. Mr. Durnin spoke in support of his appointment.

Appointments were made to the following Boards/Commissions.


8. Zoning Advisory Commission: One, 3-Year term through July 1, 2021 (Vacant term of Roussell); and One, 3-Year term through July 1, 2020 (Vacant term of Henschel). The City Clerk noted that Member Norton will serve at-will so the vacant term of Henschel will be filled. Applicants: Rebecca Kemp, 3195 Kerry Ct. (Additional Applicant); Brittany Loeffelholz, 1414 N. Algona St. Mayor Pro Tem Jones stated that after a roll-call vote, the applicant with the most number of votes would be appointed to the term through 2021.
Upon roll-call vote, Brittany Loeffelholz was appointed the a 3-year term through July 1, 2021; and Rebecca Kemp was appointed to a 2-year term through July 1, 2020. (Kemp = Shaw, Buol; Loeffelholz = Cavanagh, Roussell, Resnick, Sprank, Jones).

PUBLIC HEARINGS

1. Request to Rezone Property at 245 Railroad Avenue: Proof of publication on notice of public hearing to consider approval of a request from Mehta, LLC to rezone property located at 245 Railroad Avenue from LI Light Industrial Zoning District to C-3 General Commercial 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 Shaw. Applicant Ed Severens was present in the Chambers for comment. Planning Services Manager Laura Cartsens provided a staff report. Motion carried 7-0.

Motion by Resnick for final consideration and passage of Ordinance No. 1-20 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 245 Railroad Avenue from LI Light Industrial District to C-3 General Commercial District. Seconded by Shaw. Motion carried 7-0.

2. Roshek Building Revocable License and Grant of Easements: Proof of publication on notice of public hearing to consider approval of the Revocable License and Grant of Easements to Roshek Property, LLC, and the City Attorney recommending approval. Motion by Resnick to receive and file the documents and adopt Resolution No. 31-20 Approving the Revocable License and Grant of Easements by the City of Dubuque, Iowa to Roshek Property, LLC. Seconded by Roussell. Responding to questions from the City Council, City Attorney Brumwell stated that the license and easements were already in place and are now just being transferred to the new owner. Motion carried 7-0.

3. North Cascade Road Water Main Extension - Creek Crossing Project: Proof of publication on notice of public hearing to consider approval of approval of plans, specifications, form of contract, and estimated cost for the North Cascade Road Water Main Extension - Creek Crossing Project, and the City Manager recommending approval. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 32-20 Approval of plans, specifications, form of contract and estimated cost for the North Cascade Road Water Main Extension Creek Crossing Project. Seconded by Shaw. Motion carried 7-0.

PUBLIC INPUT

David Solberg, 1387 Tomahawk Drive; and Father Jack Paisley, 816 Euclid Street, reported information from the Ride the Rails Group including meetings with the Illinois Department of Transportation, monthly group meetings in Galena, a feasibility study for the Rockford, IL/Dubuque rail line, meetings regarding a Quad Cities/Iowa City rail line.
and a Dubuque/Waterloo/Cedar Falls rail line. Mr. Solberg and Fr. Paisley welcomed advocacy.

Anthony Allen, President of the local NAACP Chapter; Lynn Sutton, 849 Air Hill; Kathy Sutton, 1002 Clarke Crest Ct.; and Tom Loguidice, 786 Stone Ridge Pl., respectively spoke in support of a Source of Income ordinance, a language-appropriate brochure from Inclusive Dubuque for landlords and renters, and making problem properties and equitable, affordable housing a City priority.

**ACTION ITEMS**

1. Awarding Chaplain Schmitt Island Veteran's Memorial Project: City Manager recommending award of the Chaplain Schmitt Island Veteran's Memorial Project construction contract to the low bidder Conlon Construction Company. Motion by Resnick to receive and file the documents and adopt Resolution No. 33-20 Awarding public improvement contact for the Chaplain Schmitt Veteran's Memorial Project. Seconded by Roussell. Motion carried 7-0.

2. Code of Ordinances Amendment Title 7 -Parental Responsibility: City Manager recommending amendments to the City of Dubuque Code of Ordinances Section 7-5D-4 Parental Responsibility Ordinance that modifies some penalties to adjust to changes in the parenting class available to defendants and to reflect actual enforcement practices. Staff will make a brief presentation. 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 Cavanagh. Assistant City Attorney Maureen Quann provided a brief slide presentation on the history of the ordinance, enforcement and the effect of the amendment citing the benefit of partnering with the Visiting Nurse Association for offering parenting classes required in the ordinance as preventative step away from municipal infractions. Ms. Quann and Police Chief Mark Dalsing responded to questions from the City Council about measuring success with the enforcement process through the issuance of initial warning letters, a decrease in repeat offenders, working with the inaction of parents, types of enforceable behavior, the effect of School Resource Officers, concerns with the absence of socio-economic information, high threshold for parents and their children to meet, and the impracticality of a curfew. Motion carried 7-0.

   Motion by Resnick for final consideration and passage of Ordinance No. 2-20 Amending City of Dubuque Code of Ordinances Title 7 Police, Fire and Public Safety, Chapter 5 Offenses, Article D Parental Responsibility, Section 7-5D-4 Penalties. Seconded by Roussell. Motion carried 7-0.

3. Code of Ordinances Amendment to Multiple Titles (1, 2, 3, 12, 13) - Director of Finance and Budget Position: City Manager recommending approval of an ordinance amending multiple sections of the City of Dubuque Code of Ordinances to reflect the new title of the Director of Finance and Budget as a result of consolidating positions. 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 Shaw. Motion carried 7-0.

Motion by Cavanagh for final consideration and passage of Ordinance No. 3-20 Amending City of Dubuque Code of Ordinances: •Title 1 Administration, Chapter 7 City Officers and Employees, Section 1-7-1 Bonds of Officers and Employees; •Title 1 Administration, Chapter 7 City Officers and Employees, Section 1-7-2 Deposits of City Funds; •Title 1 Administration, Chapter 7 City Officers and Employees, Section 1-7-7 Finance Director-City Treasurer; •Title 2 Boards and Commissions, Chapter 3 Investment Oversight Advisory Commission, Section 2-3-13 Powers; •Title 2 Boards and Commissions, Chapter 3 Investment Oversight Advisory Commission, Section 2-3-14 Reports Provided; •Title 3 Revenue and Taxation, Chapter 4 Economic Development, Article C Speculative Shell Buildings of Community Development Organizations and For-Profit Entities, Section 3-4C-3 Application for Exemption by Property Owner; •Title 12 Airport, Chapter 4 Airport Commission, Section 12-4-13 Powers; •Title 13 Public Utilities, Chapter 1 Water Use and Service, Article C Rates, Section 13-1C-4 Payment of Bills; •Title 13 Public Utilities, Chapter 2 Sewers and Sewage Disposal, Article C Rates, Section 13-2C-5 Lien for Failure to Pay; •Title 13 Public Utilities, Chapter 4 Stormwater Management, Section 13-4-5 SFU Rate, Charges; Utility Revenues; •Title 13 Public Utilities, Chapter 4 Stormwater Management, Section 13-4-13 Expenses of Collection of Charges; •Title 13 Public Utilities, Chapter 6 Solid Waste, Article A City or Private Collection Service, Section 13-6A-7 Charges; Billing and Collection. Seconded by Resnick. Motion carried 7-0.

4. Code of Ordinances Amendment - Title 6-5-1 Prohibited Noises and Title 7-5A-1 Disorderly Conduct: City Manager recommending approval of City Code of Ordinances Section 6-5-1 Prohibited Noises and Section 7-5A-1 Disorderly Conduct to amend the language by inserting mens rea language – “intentionally, knowingly or recklessly” causing reasonable distress to the occupants as suggested by the Iowa Attorney General based on a U.S. District Court ruling. 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 Sprank. Motion carried 7-0.

Motion by Resnick for final consideration and passage of Ordinance No. 4-20 Amending City of Dubuque Code of Ordinances Title 6 Health, Housing, Sanitation and Environment, Chapter 5 Noises, Section 6-5-1 Prohibited Noises; and Ordinance No. 5-20 Amending City of Dubuque Code of Ordinances Title 7 Police, Fire and Public Safety, Chapter 5 Offenses, Article A General Offenses, Section 7-5A-1 Disorderly Conduct. Seconded by Cavanagh. Motion carried 7-0.

5. Request for Work Session on the Inclusive Dubuque: City Manager recommending that the City Council schedule a work session for April 13, 2020 at 6:00 p.m. in the Council Chambers on Inclusive Dubuque. Motion by Resnick to receive and file the documents and schedule the work session as recommended. Seconded by Roussell. No schedule conflicts were noted. Motion carried 7-0.
COUNCIL MEMBER REPORTS

Council Member Resnick referenced a Letter to the Editor of the Telegraph newspaper from Pam Kress commending the Public Works employees for work removing the recent snow.

Council Member Cavanagh thanked the Alternative Learning Center for their presentation at the top of the meeting and spoke of his personal experience with the Center. He also reported on his volunteer experience with Dubuque Labor Harvest’s and Urban Bicycle Mission’s food giveaways noting that hunger exists in the City and needs attention as well as homelessness as evidenced in a recent article in the Telegraph Herald newspaper.

Mayor Pro Tem Jones reported on the opening ceremony and activities of the 2020 Special Olympics and the 2019 record hotel occupancy as reported at the recent Travel Dubuque Executive Board meeting.

There being no further business, Mayor Pro Tem Jones declared the meeting adjourned at 7:55 p.m.

/s/Kevin S. Firnstahl, CMC, City Clerk