

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

The Dubuque City Council met in special session at 5:30 p.m. on February 4, 2020 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Cavanagh, Jones, Resnick, Roussell, Shaw, Sprank; 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 Imagine Dubuque Implementation Strategy.

WORK SESSION

Imagine Dubuque Implementation Strategy

1. City staff will conduct a work session with the City Council on *Imagine Dubuque 2037: A Call to Action*, Comprehensive Plan Implementation Update.

Chris Happ-Olson, Assistant Planner and Project Manager for Imagine Dubuque, introduced the work session and co-presenters Mike Hoffman of Teska Associates and Assistant Planner Travis Schrobilgen. Topics included:

- History and background of the Comprehensive Plan, planning with sustainability 1936-2017.
- Purpose and importance of the Comprehensive Plan
- Engagement components
- Partnerships for a better Dubuque
- Projects underway
- Collective Impact Model
- Roles and responsibilities
 - Connectors: City department managers;
 - Coordinators: City leadership team and community partners;
 - Champions: individuals, City staff and community partners
- Recommendation Selection Guide
- Mayor luncheon speakers
- June Kick Start Events
- Downloadable Action Toolkit and survey
- Next steps 2020 and beyond

The presenters responded to questions from the City Council regarding providing project information for website visitors and recruiting champions from the community. Ms. Happ-Olson stated that the committee is working with web developers and establishing work groups to engage the community.

There being no further business, motion by Jones to adjourn at 5:51 p.m. Seconded by Resnick. Motion carried 7-0.

/s/Kevin S. Firnstahl, CMC
City Clerk

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

The Dubuque City Council met in regular session at 6:00 p.m. on February 4, 2020 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Cavanagh, Jones, Resnick, Roussell, Shaw, Sprank; 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

PROCLAMATION(S)

1. Kiwanis Club of Dubuque 100th Anniversary Day (February 14, 2020) was accepted by Celebration Committee Chair Tom Stovall.

2. Military Chaplains Day (February 16, 2020) was accepted by John Simon, American Legion Post #6 Commander.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Shaw. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council proceedings of 1/21, 1/26, 1/27, 1/28; Library Board of Trustees Council Update #194 of 1/23; Proof of Publication for City Council proceedings of 1/6. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Jessi Brokus for vehicle damage; Ronald Cathey for vehicle damage, Greg Howell for vehicle damage; Kaitlin Kellogg for vehicle damage; Kelsey Meyer for vehicle damage; William Leibfried for vehicle damage. Upon motion the documents were received, filed, and referred to the City Attorney.

3. Disposition of Claims: City Attorney advising that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: Jessie Brokus for vehicle damage; Greg Howell for vehicle damage; Kaitlin Kellogg for vehicle damage; and William Leibfried for vehicle damage. Upon motion the documents were received and 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. 34-20 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. Quarterly Investment Report: City Manager transmitting the Quarterly Investment Report for the quarter ending December 31, 2019. Upon motion the documents were received and filed.

6. Gaining Opportunities Brochure: City Manager providing a copy of the City of Dubuque's Housing and Community Development Department's Gaining Opportunities public information brochure. Upon motion the document was received and filed.

7. Population by County - 2018 Estimate Map: City Manager providing a copy of the Population by County 2018 Estimate from the U.S. Census Bureau and Legislative Services Agency. Upon motion the document was received and filed.

8. East Central Intergovernmental Association's (ECIA) Fiscal Year 2019 Annual Report of Activities: City Manager providing a copy of the East Central Intergovernmental Association's Fiscal Year 2019 Report of Activities. Upon motion the document was received and filed.

9. Consulting Services for Geodetic Control Network Update and Aerial Photography Project: City Manager recommending approval of the selection of Dan Corbin, Inc. for the Geodetic Control Network Update and Aerial Photography Project and requests that the City Manager be authorized to negotiate and execute a contract with Dan Corbin, Inc. Upon motion the documents were received, filed and approved.

10. Delinquent Grass, Weed Cutting and Garbage Collection Accounts (Housing Department): City Manager recommending adoption of a resolution authorizing the City Clerk to certify grass and weed cutting and garbage collection 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. 35-20 Authorizing the City to collect Delinquent Grass and Weed Cutting and Garbage Collection Charges in accordance with Title 6-4-3A and Title 6-8-2 of the Code of Ordinances of the City of Dubuque, Iowa was adopted.

11. ITC Midwest, LLC Agreement: Senior Counsel recommending adoption of a resolution approving the Agreement authorizing ITC Midwest, LLC to operate an electric transmission system in the City of Dubuque. Upon motion the documents were received and filed, and Resolution No. 36-20 Approving an Agreement between the City of Dubuque and ITC Midwest, LLC to operate an Electric Transmission System in the City of Dubuque was adopted.

12. 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. 37-20 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. 38-20 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

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 Shaw. Motion carried 7-0.

1. Vacate of Sanitary Sewer Utility Easement Over Silvia Property in Timber-Hyrst Estates #5: City Manager recommending that the City Council set a public hearing for February 17, 2020, to vacate a Sanitary Sewer Utility Easement across Part of Lot 64 in Timber-Hyrst Estates #5 owned by Lori E. and Brian A. Silvia. Upon motion the documents were received and filed, and Resolution No. 39-20 Resolution of Intent to vacate and dispose of City Interest in a Sanitary Sewer Utility Easement over and across Lot 64 in Timber-Hyrst Estate #5 in the City of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on February 17, 2020 in the Historic Federal Building.

2. North Cascade Road Reconstruction Project Phase 1 - Bridge over Catfish Creek to Edval Lane: City Manager recommending initiation of the public bidding procedure through the Iowa Department of Transportation for the North Cascade Road Reconstruction Project – Phase 1 – Bridge Over Catfish Creek to Edval Lane, and further recommends that a public hearing be set for February 17, 2020. Upon motion the documents were received and filed, and Resolution No. 40-20 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 February 17, 2020 in the Historic Federal Building.

3. Viking River Cruises Riverfront Docking Agreement: City Manager recommending that the City Council set a public hearing for February 17, 2020, on the proposed 20-year Viking River Cruises Riverfront Docking Agreement and the associated expansion of the Port of Dubuque Riverfront Docking facilities. Upon motion the documents were received and filed, and Resolution No. 41-20 Setting date of public hearing on the Viking USA, LLC - Riverfront Docking Agreement was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on February 17, 2020 in the Historic Federal Building.

4. Amending the Radford Road Urban Revitalization Area Plan: City Manager recommending the City Council set a public hearing for February 17, 2020, on the Amended Radford Road Urban Revitalization Plan. Upon motion the documents were received and filed, and a public hearing be set for a meeting to commence at 6:00 p.m. on February 17, 2020 in the Historic Federal Building.

BOARDS/COMMISSIONS

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

1. Zoning Advisory Commission: One, 3-Year term through July 1, 2020 (Expired term of Norton). Applicant: Pat Norton, 920 Valentine Dr. Council Member Jones acknowledged correspondence received from Mr. Norton expressing his desire to serve on this commission.

Appointments were made to the following Boards/Commissions.

2. Catfish Creek Watershed Management Authority: One, 4-Year term through July 16, 2020 (Vacant term of Patten). Applicant: Jared McGovern, 360 South Grandview Ave. Motion by Shaw to appoint Mr. McGovern to the remainder of a 4-year term through July 16, 2020. Seconded by Rousell. Motion carried 7-0.

3. Community Development Advisory Commission: Three 3-Year terms through February 15, 2023. (Expiring At-Large term of Dalton, Expiring LMI-area term of Hammel, Vacant LMI-area term of Burley); Applicants: Hilary Dalton, 1629 Washington St. (Qualifies for At-Large and LMI Area Rep.); Kelly Fox, 838 Althausen St. (Qualifies for At-Large and LMI Area Rep.); Gerald Hammel, 1225 Rhomberg Ave. (Qualifies for At-Large and LMI Area Rep.). Motion by Shaw to appoint Ms. Dalton, Ms. Fox, and Mr. Hammel to e-year terms through February 15, 2023. Seconded by Cavanagh. Motion carried 7-0.

4. Housing Commission: One, 3-Year term through August 17, 2021 (Vacant term of Cavanagh). Applicant: Hilary Dalton, 1629 Washington St. Motion by Cavanagh to appoint Ms. Dalton to the remainder of a 3-year through August 17, 2021. Seconded by Sprank. Motion carried 7-0.

5. Human Rights Commission: Three, 3-Year terms through January 1, 2023. (Expiring Term of Jackson and Vacant terms of Muenster and Schiesl). One, 3-Year term through January 1, 2022. (Vacant term of Parks); Applicants: Michael Durnin, 3560 Pennsylvania Ave.; Mallory Gardiner, 1450 Alta Vista St. Loras College Mail #480 additional applicant; Miquel Jackson, 1461 Jackson St.; Ashley Regan, 1265 Thomas Pl. additional applicant.

Upon roll-call vote, Mr. Durnin (7-0), Ms. Gardiner (6-0), and Mr. Jackson (7-0) were appointed to 3-year terms through January 2, 2023. Ms. Regan received 1 vote from Council Member Resnick.

Motion by Resnick to appoint Ashley Regan to the remainder of a 3-year term through January 1, 2020. Seconded by Shaw. Motion carried 7-0.

PUBLIC HEARINGS

1. Intent to Dispose of Property at 981 High Bluff Street: Proof of publication on notice of public hearing to consider disposing of City-owned real property located at 981 High Bluff Street to Bethany Home, and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 42-20 Disposing of City interest in real estate located at 981 High Bluff Street in the City of Dubuque, Iowa. Seconded by Shaw. Motion carried 7-0.

PUBLIC INPUT

Addressing the City Council about the forthcoming Action Item #8, Tom Loguidice, 786 Stoneridge Pl.; Lynn Sutton, 849 Air Hill; Kathy Sutton, 1002 Clarke Crest; and Kevin Hudson, 741 3rd St., expressed concerns regarding the need for the Housing Choice Voucher program and using education and tax incentives to help tenants and landlords; consideration of an ordinance requiring landlords to accept Housing Choice Vouchers without bias toward sources of income; and continuing to work toward overcoming inequities related to affordable, fair and safe housing.

Jerry Maro, 10366 Timothy St., and President of the Dubuque Landlords Association, addressed the forthcoming Action Items #8 & #9 by stating that other options should be tried ahead of establishing a source of income ordinance, landlords need the freedom of choice, that time and a rebranding of the HCV program and his confidence in Housing and Community Development Director Alexis Steger should work.

ACTION ITEMS

1. Grand River Center Annual Report 2019: Mitzi Yordy, Manager of the Grand River Center, will make a presentation to the City Council for the Center's 2019 Annual Report and update of activities in the current fiscal year, as well as plans for the future. Motion by Jones to receive and file the information and view the presentation. Seconded by Resnick. Topics included: Purpose statement; 2019 Outcomes; promotional strategy; social media results; 2018 and 2019 numbers of and types of groups hosted; annual market segment and 2020 forecast; sustainability efforts; partnerships; capital improvements; and contact information and modes. Motion carried 7-0.

2. Awarding the North Cascade Road Water Main Extension - Creek Crossing Project: City Manager recommending award of the North Cascade Road Water Main Extension - Creek Crossing Project construction contract to the low bidder McDermott Excavating. Motion by Jones to receive and file the documents and adopt Resolution No. 43-20 Awarding Public Improvement Contract for the North Cascade Road Water Main Extension Creek Crossing Project. Seconded by Cavanagh. Motion carried 7-0.

3. Federal Legislative Priorities: City Manager recommending adoption of the 2020 Federal Legislative Priorities for the City of Dubuque. Motion by Shaw to receive and file the documents and approve the recommendation. Seconded by Resnick. Motion carried 7-0.

4. Code of Ordinances Amendment - Title 10 Sidewalk Cafés: City Manager recommending approval of an amendment to Title 10 Chapter 3 Article E Sidewalk Café to allow establishments to serve food and/or drink to patrons within a sidewalk café with a valid food and/or drink permit. 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 Shaw. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 6-20 Amending City of Dubuque Code of Ordinances Title 10 Public Ways and Property, Chapter 3 Encroachments on Public Places, Article E Sidewalk Cafes, Sections 10-3E-1 Definition, 10-3E-2 Authorization, 10-3E-3 Permit Requirements; Fee, 10-3E-5 Days and Hours of Operation, and 10-3E-7 Operation. Seconded by Shaw. Motion carried 7-0.

5. Major League Baseball (MLB) Field of Dreams Game - Letter of Agreement: City Manager transmitting the signed Letter of Agreement between MLB Entities and the City of Dubuque related to the August 13, 2020 Major League Baseball Game at the Field of Dreams in Dyersville. Motion by Jones to receive and file the documents and approve the Letter of Agreement. Seconded by Cavanagh. Motion carried 7-0.

6. 28E Partnership Outline for Mines of Spain Recreation Area and E.B. Lyons Interpretive Center: City Manager providing an update on the progress to provide additional staffing at the E.B. Lyons Interpretive Center at the Mines of Spain. Motion by Roussell to receive and file the documents. Seconded by Jones. Responding to questions from the City Council, City Attorney Brumwell described the difference between a 28E-type of document and other agreements or contracts. She stated that Intergovernmental-agency agreements, named for Chapter 28E Code of Iowa, create separate entities that have more authority and financial powers. Motion carried 7-0.

7. Community Development Block Grant 5-Year Consolidated Plan Review: City Manager transmitting the City of Dubuque Community Development Block Grant 5-Year Consolidated Plan (2021-2025) that includes the Fiscal Year 2021 Annual Action Plan for the use of Community Development Block Grant funds. The City Council will be asked to approve the Consolidated Plan and Annual Action Plan at the February 26, 2020 public hearing. Motion by Cavanagh to receive and file the documents. Seconded by Resnick. Motion carried 7-0. Housing and Community Development Director Alexis Steger provided a summary of the Plan and responded to questions from the City Council regarding the availability and future needs of affordable housing, barriers to development, and timelines for developments already underway.

8. Analysis of Impediments to Fair Housing: City Manager transmitting the Analysis of Impediments to Fair Housing. The City Council will be asked to adopt this analysis as part of the Community Development Block Grant Consolidated Plan on February 26. Motion by Resnick to receive and file the documents. Seconded by Jones. Motion carried 7-0. Housing and Community Development Director Alexis Steger provided a verbal report on the information gathered from public input and consultants regarding the goals for

addressing barriers to fair housing and the recommendation noted in the Analysis. Ms. Steger noted that while there is much to continue to look at, the education component previously requested by Council has been implemented and more information will be forthcoming for Council to consider at their 2020 Strategic Planning Session. Ms. Steger also addressed questions regarding HUD program requirements, branding of the Housing Choice Voucher program, advertising by landlords who do not accept HCV, projects that receive government funding must accept HCV, more research on a Source of Income ordinance, and compiling client information on renters and/or prospective renters experience barriers to finding housing or losing housing and not reporting them.

9. Source of Income Annual Report and Recommendations: City Manager recommending approval of the 2019 Source of Income Annual Report. Motion by Jones to receive and file the documents. Seconded by Resnick. Housing and Community Development Director Alexis Steger provided a brief presentation intended to bring Council Members-elect up to date on the topic. Highlights included: Rental Assistance Programs; Impact of 2019 Housing Choice Voucher Program (HCV); source of income ordinance review; recommendations; actions; performance measurements; re-branding Housing Choice Vouchers; data highlights / Voucher Lease-Up; assisted units by Census Tract, location, school district; affordable unit creation 2014-2019; relevant date still needed; staff recommendations. Ms. Steger responded to questions from the City Council regarding many aspects of the report. Following discussion, the City Council reached consensus on requesting staff to compile client and landlord data about issues created when Housing Choice Vouchers are issued mid-lease and using the data or a future discussion on a Source of Income ordinance.

10. Budget and Fiscal Policy Guidelines for Fiscal Year 2021: City Manager recommending adoption of the Fiscal Year 2021 Budget Policy Guidelines. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Cavanagh. City Manager Van Milligen the new requirements for the FY2021 budget reporting requirements imposed by the State Legislature and the impact they will have on the City Council's budget discussions. Motion carried 7-0.

11. Set Public Hearing for Resolution Establishing Maximum Property Tax Dollars for Fiscal Year 2021: City Manager recommending the Fiscal Year 2021 Resolution Establishing Maximum Property Tax Dollars be set for public hearing on February 17, 2020. Motion by Jones to receive and file the documents and adopt Resolution No. 44-20 Setting a public hearing on the Fiscal Year 2021 maximum property tax dollars for the affected tax levy total. Seconded by Shaw. City Manager Van Milligen reiterated the new State requirements for the FY2020 budget process and described the City Assessor's duty in adjusting property values. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Shaw requested future discussion relative to financial support or assistance to the tenants of Table Mound Mobile Home Park who are facing eviction due to the predatory action of the property owners. City Attorney Brumwell stated that she

would need to research what options, if any, would be available through the State Code. Following discussion, the City Council reached consensus on having the issue brought to a future Council meeting for discussion or action.

There being no further business, Mayor Buol declared the meeting adjourned at 9:16 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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