

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

The Dubuque City Council met in special session at 5:30 p.m. on February 17, 2020 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Cavanagh, Jones (joined at 5:32 p.m.), Resnick, Roussell, Shaw (joined at 5:31 p.m.), 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 Travel Dubuque Fiscal Year 2021 Budget.

**WORK SESSION
Travel Dubuque Fiscal Year 2021 Budget**

Keith Rahe, President and CEO of Travel Dubuque introduced the Travel Dubuque staff who were present and conducted a work session on Travel Dubuque's Fiscal Year 2021 Budget. Topics included:

- Mission statement
- Staff, Executive Board and Advisory Board rosters
- 2019 year in numbers
- Visitor heat map for the top 10 metro areas
- Travel-related expenditures
- Hotel/Motel tax records and occupancy
- Updates, key efforts and highlights for:
 - leisure traveler key efforts and highlights
 - marketing efforts – social and print media
 - sales efforts (groups, meetings, reunions) key efforts and highlights
 - sports & events key efforts and highlights
 - guest services key efforts and highlights
 - community engagement and partners
 - inclusivity key efforts
- Looking ahead / What's happening with events and festivals
- Beyond the Game: Major League Baseball Event August 2020
- Fiscal Year 2021 Budget: income, expenses, marketing, operations, and facilities

There being no further business, motion by Jones to adjourn at 5:53 p.m. Seconded by Resnick. Motion carried 7-0.

/s/Kevin S. Firnstahl, CMC
City Clerk

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

The Dubuque City Council met in regular session at 6:00 p.m. on February 17, 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. Dubuque Eagles Aerie & Auxiliary Month (February 2020) was accepted by Mayor Roy D. Buol.

2. Dubuque's Read Across America Day (March 2, 2020) was accepted by Beth McGorry, Director of Donor Relations for St. Mark Youth Enrichment.

3. Bruce Aune Day (March 2, 2020) was accepted by retiring news anchor Mr. Aune of KCRG TV-9.

4. Irish American Month Proclamation (March 2020) was accepted by Bob Felderman of the Ancient Order of Hibernians (AOH) Dubuque Division #2.

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: Arts and Cultural Affairs Advisory Commission and Work Groups of 1/28; City Council Proceedings of 2/4, 2/10; Civil Service Commission of 1/30; Five Flags Civic Center Commission of 1/27; Historic Preservation Commission of 2/6; Housing Commission of 1/28; Investment Oversight Advisory Commission of 1/22; Zoning Advisory Commission of 2/5; Zoning Board of Adjustment of 1/23; Proof of Publication for City Council Proceedings of 1/13, 1/21; Proof of Publication for List of Claims and Summary of Revenues for Month Ending 12/31/19. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Linda Lucy for property damage, Emily Treanor for property replacement, United States Postal Service 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: United State Postal Service for property damage. Upon motion the documents were received, filed, and concurred.

4. Denial of Claim by Patrick Konzen: Senior Counsel recommending City Council deny a claim against the City by Patrick Konzen as reviewed by the Iowa Communities Assurance Pool (ICAP). Upon motion the documents were received and filed and concurred with denial. (See public input for request to reconsider.).

5. 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. 45-20 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.

6. State of the City - Winter 2020: Mayor Roy D. Buol's State of the City article for Winter 2020. Upon motion the document was received and filed.

7. Spring 2020 City Focus Magazine: City Manager providing a copy of the City of Dubuque's City Focus Magazine for Spring 2020 highlighting public safety. Upon motion the document was received and filed.

8. Adoption of the 2020 Edition of the Statewide Urban Design and Specifications Program (SUDAS): City Manager recommending adoption of the 2020 edition of the Iowa Statewide Urban Design and Specifications Program (SUDAS) and adoption of the 2020 edition of the City's Supplemental Specifications. Upon motion the documents were received and filed, and Resolution No. 46-20 Approving adoption of the 2020 Edition of Iowa Statewide Urban Design and specifications Program for Public Works Improvements (SUDAS) was adopted.

9. Certified Local Government Report: City Manager recommending approval of the 2019 Certified Local Government (CLG) Annual Report. Upon motion the documents were received, filed and approved.

10. Rejection of Bids for Golf Course Irrigation Project: City Manager recommending rejection of the bids received for Phase 3 of the Bunker Hill Irrigation Replacement Project. Upon motion the documents were received, filed and approved.

11. Civil Service Commission - Certified List: Civil Service Commission submitting the certified list for the position of Police Corporal. Upon motion the document was received, filed and made a Matter of Record.

12. Iowa Economic Development Authority (IEDA) Contract for Cottingham & Butler Insurance Services, Inc. and Roshek Property, LLC: City Manager recommending approval of a resolution authorizing Contract 20-HQJP-019 by and among Cottingham &

Butler Insurance Services, Inc., Roshek Property, LLC, the City of Dubuque, and the Iowa Economic Development Authority for the expansion of Cottingham & Butler's operations in Dubuque. Upon motion the documents were received and filed, and Resolution No. 47-20 Approving the Contract for State Business Financial Assistance by and among Cottingham & Butler Insurance Services, Inc., Roshek Property, LLC, the City of Dubuque, Iowa, and the Iowa Economic Development Authority was adopted.

13. Iowa Economic Development Authority Contract with Heartland Financial: City Manager recommending approval of a resolution authorizing Contract 20-HQJP-018 between and among Heartland Financial USA, Inc., Dubuque Bank and Trust Company, Roshek Property, LLC, the City of Dubuque and the Iowa Economic Development Authority for the expansion of Heartland's operations in Dubuque. Upon motion the documents were received and filed, and Resolution No. 48-20 Approving the Contract for State Business Financial Assistance by and among Heartland Financial USA, Dubuque Bank and Trust Company, Roshek Property, LLC, the City of Dubuque, and the Iowa Economic Development Authority was adopted.

14. Map of Estimated Population Migration - April 1, 2010 to July 1, 2018: City Manager providing a copy of the estimated population migration change for April 1, 2010 to July 1, 2018 from the Iowa Legislative Services Agency. Upon motion the document was received and filed.

15. Accepting the Historic Federal Building Roof Restoration Project: City Manager recommending acceptance of the public improvement contract for the Historic Federal Building Roof Restoration Project, as completed by Giese Roofing Company. Upon motion the documents were received and filed, and Resolution No. 49-20 Accepting the Historic Federal Building Roof Restoration Project and authorizing the payment to the contractor was adopted.

16. Accepting the Multicultural Family Center Hazardous Building Materials Removal Project: City Manager recommending acceptance of the public improvement contract for the Multicultural Family Center – Hazardous Building Materials Removal Project as completed by Robinson Brothers Environmental, Inc. Upon motion the documents were received and filed, and Resolution No. 50-20 Accepting the Multicultural Family Center Hazardous Building Materials Removal Project was adopted.

17. Accepting the SW Arterial Military Road Reconstruction Project: City Manager recommending acceptance of the public improvement construction contract for the Southwest Arterial – Military Road Reconstruction Project as completed by Hoffman Construction Company. Upon motion the documents were received and filed, and Resolution No. 51-20 Accepting the Southwest Arterial - Military road Reconstruction Project Iowa DOT Project No. HDP-2100(664)--7-31 was adopted.

18. HOME Tenant Based Rental Assistance Program: City Manager recommending authorization of an application to the Iowa Finance Authority (IFA) for the administration of the HOME Tenant Based Rental Assistance Program. Upon motion the documents were received and filed, and Resolution No. 52-20 Authorizing the Mayor to execute an

application for the HOME Tenant-Based Rental Assistance Program and authorizing the Director of Housing and community Development and the City Manager to approve the application was adopted.

19. Urban Revitalization Program Applications - December 20-31, 2019: City Manager recommending approval of the Urban Revitalization Program Application for 2320 Jackson Street. Upon motion the documents were received and filed, and Resolution No. 53-20 Approving Property Tax Abatement Applications submitted by property owners in recognized Urban Revitalization Areas and authorizing the transmittal of the approved applications to the City Tax Assessor was adopted.

20. Improvement Contracts / Performance, Payment and Maintenance Bonds: Tricon General Construction for the Finance Department Construction Remodel Project; Utility Service Contractors for the Lower Bee Branch Security Network Project. Upon motion the documents were received, filed and approved.

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 7-0.

1. Millwork District Parking Lot 1: City Manager recommending initiation of the public bidding procedure for the Millwork District Parking Lot 1 Project, and further recommends that a public hearing be set for March 2, 2020. Upon motion the documents were received and filed and Resolution No. 54-20 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; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on March 2, 2020 in the Historic Federal Building.

2. Eagle Point Park Environmental Restoration Project Phase 2 - Bioretention Basin Construction, Tree Removal and Native Vegetation Establishment Initiate Bids: City Manager recommending initiation of the bidding procedure for the Eagle Point Park Environmental Restoration Project – Phase 2) Bioretention Basin Construction, Tree Removal, and Native Vegetation Establishment, give preliminary approval to the construction plans and specifications, and establish March 2, 2020 as the date of the public hearing. Upon motion the documents were received and filed and Resolution No. 55-20 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; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on March 2, 2020 in the Historic Federal Building.

3. Public Housing Authority Five-Year Plan: City Manager recommending that the City Council schedule a public hearing for March 23, 2020 on the Public Housing Authority 5-Year Plan (2020-2024). Upon motion the documents were received and filed and Resolution No. 56-20 Setting a public hearing on Public Housing Authority 5-Year Plan

(2020-2024) was adopted setting a public hearing for a meeting to commence at 6:00 p.m. on March 23, 2020 in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointments to the following commission was made at this meeting.

1. Zoning Advisory Commission: One, 3-Year term through July 1, 2020 (Expired term of Norton). Applicant: Pat Norton, 920 Valentine Dr. Motion by Jones to appoint Mr. Norton the remainder of a 3-year term through July 1, 2020. Seconded by Shaw. Motion carried 7-0.

PUBLIC HEARINGS

1. Request to Rezone Property at 2319 Manson Road: Proof of publication on notice of public hearing to consider approval of a request from Kristin and Steve Vaassen to rezone property located at 2319 Manson Road from R-1 Single-Family Residential Zoning District to C-3 General Commercial Zoning District, and the Zoning Advisory Commission recommending denial. Motion by Cavanagh 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 failed 5-2. Motion by Cavanagh to receive and file the documents and concur with the denial. Seconded by Resnick. Motion carried 7-0.

Applicants Kristin and Steve Vaassen spoke in support of their request stating that noise and traffic issues cited by the neighboring properties will not be an issue. They cordially dismissed themselves from the chambers for the remainder of the meeting. Planning Services Manager Laura Carstens provided a staff report.

Attorney Peter Arling, 1744 Creekwood Dr.; Marty McNamer, 1800 Manson Rd.; Bob Hartig, 1804 Creekwood Dr.; Kevin Crayhan, 1600 Mason Rd.; Matt Horsfield, 1720 Creekwood Dr.; Elizabeth Duccini, 1605 Manson Rd.; Larry Vogt, 1750 Creekwood Dr.; Attorney Davin Curtis, on behalf of C3 Investments Trust / Christy McCoy, 1834 Creekwood Dr., spoke in opposition to the rezoning request citing the lack of plan review prior to the request; noise stemming from public events held in the renovated barn; increased traffic and parking congestion involving Manson Rd. and Creekwood Dr.; litter; drunk drivers; and the permanent nature of the zoning not congruous to the wooded, residential neighborhood.

The City Council discussed additional issues that included the timeline of the project from the Zoning Board of Adjustment's conditional use permit to the Zoning Advisory Commission's review indicating that the structure was renovated for the purpose of an event center without proper zoning in place first. City Attorney Brumwell responded to questions from the City Council about when Council Members can or cannot review zoning issues with property owners and neighbors.

2. Request to Rezone Property at 1865 Radford Road: Proof of publication on notice of public hearing to consider approval of a request from Horizon Development Group to rezone property located at 1865 Radford Road from LI Light Industrial Zoning District to OC Office 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 Roussell. Developer Scott Kweiciniski of Horizon Development spoke in favor of the rezoning and provided financing details. Planning Services Laura Carstens provided a staff report. Motion carried 7-0.

Motion by Resnick for final consideration and passage of Ordinance No. 8-20 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 1865 Radford Road from LI Light Industrial District to OC Office Commercial District. Seconded by Sprank. Motion carried 7-0.

3. Vacate Sanitary Sewer Utility Easement over Silvia Property in Timber-Hyrst Estates #5: Proof of publication on notice of public hearing to consider vacating a Sanitary Sewer Utility Easement across Part of Lot 64 in Timber-Hyrst Estates #5 owned by Lori E. and Brian A. Silvia, and the City Manager recommending approval. Motion by Resnick to receive and file the documents and adopt Resolution No. 57-20 Disposing of property by vacating City interest in a sanitary sewer utility easement over and across Lot 64 in Timber-Hyrst Estates #5, in the City of Dubuque, Iowa. Seconded by Jones. Motion carried 7-0.

4. North Cascade Road Reconstruction Project Phase 1 - Bridge over Catfish Creek to Edval Lane: Proof of publication on notice of public hearing to consider approval of plans, specifications, form of contract, and estimated cost for the North Cascade Road Reconstruction Project Phase 1 - Bridge over Catfish Creek to Edval Lane, and the City Manager recommending approval. Motion by Shaw to receive and file the documents and adopt Resolution No. 58-20 Approval of plans, specifications, form of contract, and estimated cost for the North Cascade Road Reconstruction Project Phase 1 - Bridge Over Catfish Creek to Edval Lane - Iowa DOT Project No. STBG-SWAP-2100(669)--SG-31. Seconded by Cavanagh. Responding to questions from the City Council, Assistant City Engineer Bob Schiesl stated that the vertical alignment of North Cascade Road won't change but the road elevation will near the creek and at Creekwood Drive. Motion carried 7-0.

5. Viking USA, LLC River Cruises Riverfront Docking Agreement: Proof of publication on notice of public hearing to consider approval of a Riverfront Docking Agreement with Viking USA, LLC, and the City Manager recommending approval. Motion by Jones to receive and file the documents and adopt Resolution No. 59-20 Approving Riverfront Docking Agreement with Viking USA, LLC for the design and construction of an expanded docking facility along the Port of Dubuque Riverfront. Seconded by Resnick. Nino Erba, 180 W. 5th Street, stated that he was concerned about boats docking along the Riverwalk blocking the view of the river and questioned if local businesses and hotels were consulted. Assistant City Engineer Bob Schiesl stated that only boats of 400 ft. or more can use the dock when not occupied by a Viking vessel. City Manager Van Milligen said that the logistics of fee collection will be figured through Travel Dubuque and the City's Leisure Services Department similar to that of the Dubuque Marina. Motion carried 7-0.

6. Amending the Radford Road Urban Revitalization Area Plan: Proof of publication on notice of public hearing to consider approval of the Amended Radford Road Urban Revitalization Plan, and the City Manager recommending approval. Motion by Shaw to receive and file the documents and adopt Resolution No. 60-20 Approving the adoption of an Amended Urban Revitalization Plan for the Radford Road Urban Revitalization Area. Seconded by Roussell. Motion carried 7-0.

7. Public Hearing for Resolution Establishing Maximum Property Tax Dollars for Fiscal Year 2021: City Manager recommending approval of the Fiscal Year 2021 Resolution Establishing Maximum Property Tax Dollars. City Assessor Troy Patzner provided a brief presentation. Motion by Shaw to receive and file the documents and adopt Resolution No. 61-20 Approval of the Fiscal Year 2021 Maximum Property Tax Dollars for the affected Tax Levy total. Seconded by Jones. City Assessor Troy Patzner provided a slide presentation on the property tax cycle. Motion carried 7-0.

Fountain of Youth Executive Director Caprice Jones, 1497 Central Avenue, Board Representative Shirley Templeton-Vaughn and clients Brooklyn Williams and Yolanda, spoke in support of funding for the Fountain of Youth.

Ryan [Shernack], 408 W. 5th Street, asked that tax dollars not be used for continued traffic/security cameras citing the use of facial recognition and cameras in other countries suppresses democratic efforts.

Four Mounds Foundation Executive Director Jill Courtney requested that the Council continue support of the Four Mounds HEART Program.

PUBLIC INPUT

Patrick Konzen, 3145 Windsor Avenue, was given permission to speak about his claim against the City (Consent Item #4). Mr. Konzen outlined his issues and the timeline and asked for reconsideration. City Manager Van Milligen provided information on the agencies and staff that have reviewed his claim to date.

ACTION ITEMS

1. Fundraising and Naming Request for Mathias Ham Historic Site: City Manager recommending approval of the fundraising and naming recognition request submitted by Dubuque County Historical Society for the Mathias Ham Historic Site. Motion by Jones to receive and file and approve the recommendation. Seconded by Resnick. Motion carried 7-0.

2. Code of Ordinances Amendment Title 1-6A-3 - City Council Meeting Start Time: Pursuant to City Council direction, City Attorney is providing an ordinance amending the start time of City Council meetings from 6:00 p.m. to 6:30 p.m. 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 Sprank. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 9-20 Amending City of Dubuque code of Ordinances Title 1 Administration, Chapter 6 Mayor and City

Council, Article A Rules and Procedures, Section 1-6A-3 Types of Meetings. Seconded by Resnick. Motion carried 7-0.

3. Table Mound Mobile Home Park: City Council to set a meeting date for discussion of Table Mound Mobile Home Park situation. Restated motion by Shaw to receive and file and refer to staff. Lengthy City Council discussion included asking staff to research options the City may or may not have for assisting and sending a letter supporting proposed legislation to local legislators. Seconded by Resnick. Motion carried 7-0.

4. Consideration of a City Election/Referendum on the Bond Issuance for the Five Flags Civic Center and Theater and Ballot Language: City Manager providing an information packet for the City Council's consideration of a City Election/Referendum on the Bond Issuance for the Five Flags Civic Center and Theater and ballot language. Motion by Resnick to receive and file and adopt Resolution No. 62-20 Calling for a special City election. Seconded by Cavanagh. Motion carried 7-0.

5. Presentation of the City Manager's Fiscal Year 2021 Budget Recommendation: City Manager presenting the Fiscal Year 2021 Budget recommendation. Motion by Resnick to receive and file. Seconded by Cavanagh. City Manager Van Milligen provided a slide presentation on the Fiscal Year 2021 recommended budget. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported on the death of Nancy Pregler, spouse to former City of Dubuque Mayor Walt Pregler.

There being no further business, the Mayor declared the meeting adjourned at 10:13 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 2/26