

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

The Dubuque City Council met in regular session at 6:30 p.m. on April 20, 2020

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually. Public input was received via Facebook Live and the City Clerk's departmental email.

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**

**PRESENTATION(S)**

1. COVID-19 Update: Public Health Specialist Mary Rose Corrigan provided an update on COVID-19 community and state impact and response activities.

The City Clerk announced that Public Hearing #3 Verizon Wireless Grant of Easement – small Cell Equipment in Flora Park is pulled from this agenda.

**PROCLAMATION(S)**

1. Arbor Day (April 24, 2020) was accepted by Mayor Roy D. Buol, on behalf of Dubuque Trees Forever.

2. Earth Week (April 19-25, 2020) was accepted by Gina Bell, Sustainability Coordinator.

3. Pick Up Iowa Month (April 2020) was accepted by Marie Ware, Leisure Services Manager.

**CONSENT ITEMS**

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

1. Minutes and Reports Submitted: City Council proceedings of 4/6; Historic Preservation Commission of 3/19; Library Board of Trustees Council update No. 196 of 3/26; Proof of publication for City Council proceedings of 3/9, 3/16, 3/17, 3/23, 3/25. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Tanya Anglin for personal injury, Brien Mohlis 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: Tanya Anglin for personal injury and Brien Mohlis for vehicle 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. 120-20 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. Comiskey Park Wellmark Grant Application Approval: City Manager recommending approval of the submission of a grant application to Wellmark Foundation for a 2020 Large MATCH Grant for the Re-Imagine Comiskey Project. Upon motion the documents were received, filed and approved.

6. National League of Cities (NLC) Census Rapid Response Grant Agreement: City Manager recommending approval of a Census Rapid Response Grant agreement with the National League of Cities (NLC) to reach historically undercounted populations for the Census 2020 Complete Count Campaign. It is further recommended that the City Council designate the Planning Services Manager to sign the online Memorandum of Understanding on behalf of the City of Dubuque. Upon motion the documents were received, filed and approved.

7. Downtown Rehabilitation Proposed Grant Award for 245 West 1st Street: City Manager recommending approval of a Downtown Rehabilitation Loan Program Grant Award to Sam Murley for façade improvements, planning and design grant and a financial consultant grant for 245 West 1st Street. Upon motion the documents were received and filed, and Resolution No. 121-20 Approving a Grant Agreement by and between the City of Dubuque, Iowa and Montana House, LLC for the redevelopment of 245 West 1st Street was adopted.

8. First Amendment to Development Agreement for 210 Jones Street: City Manager recommending approval of the First Amendment to Development Agreement between the City of Dubuque and 210 Jones, LLC, that extends the commencement date of the tax increment financing rebates by one year. Upon motion the documents were received and filed, and Resolution No. 122-20 Approving the First Amendment to Development Agreement between the City of Dubuque, Iowa and 210 Jones, LLC was adopted.

9. Award of the 2020 Asphalt Overlay Ramp Project One: City Manager recommending that the award for the 2020 Asphalt Overlay Access Ramp Project One to Midwest

Concrete, Inc. be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

10. Acceptance of Grant of Easement for Sanitary Sewer Utility from Flynn Company, Inc.: City Manager recommending acceptance of a Grant of Easement for Sanitary Sewer Utility across part of Inland Molasses Place from Flynn Company, Inc., as part of the Julien Dubuque Drive Sanitary Sewer Extension Project. Upon motion the documents were received and filed, and Resolution No. 123-20 Accepting a Grant of Easement for Sanitary Sewer Utility across part of Lot 1-1-1 of Inland Molasses Place in the City of Dubuque, Iowa was adopted.

11. SOO Green HVDC Link Project Co., LLC: Correspondence from SOO Green HVDC Link Project Co., LLC notifying the City of a public information meeting at 5:30 p.m. on May 5, 2020 to be held by webinar and phone regarding a new 525 kilovolt underground high-voltage direct current (HVDC) electric transmission line in Dubuque County, Iowa. Upon motion the document was received and filed.

12. Iowa Worker Adjustment and Retraining Notification (WARN) - Flexsteel Industries, Inc.: Correspondence from Flexsteel Industries, Inc. notifying the City of a temporary layoff of 58 employees from their facilities at 385 Bell Street and 501 Seippel Road. Upon motion the document was received and filed.

13. 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. 124-20 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. 125-20 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 Cavanagh 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 Roussell. Motion carried 7-0.

1. Julien Dubuque Drive Sanitary Sewer Project: City Manager recommending initiation of the public bidding procedure for the Julien Dubuque Drive Sanitary Project, and further recommends that a public hearing be set for May 4, 2020. Upon motion the documents were received and filed and Resolution No. 126-20 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 6:30 p.m. on May 4, 2020.

## **BOARDS/COMMISSIONS**

Boards and Commission Applicant Review: Applicants are invited to correspond with the City Council regarding their desire to serve on the following Boards/Commissions.

1. Historic Preservation Commission: One, 3-Year term through July 1, 2021 (Vacant term of Hilgendorf-Sewell). Applicant: William Doyle, 1591 White St. Council Member Jones reported on Mr. Doyle's correspondence to the City Council regarding his desire to serve on this commission.

## **PUBLIC HEARINGS**

1. New Cingular Wireless PCS, LLC - Amended and Restated Lease Agreement: Proof of publication on notice of public hearing to consider approval of an Amended and Restated Lease Agreement between the City of Dubuque and Cingular Wireless PCS, LLC (AT&T Mobility) for space on the ground and water tower at the City's College Street Water Tower adjacent to Finley Hospital, and the City Manager recommending approval. Motion by Resnick to receive and file the documents and adopt Resolution No. 127-20 Disposing of an interest in real property owned by the City of Dubuque by lease between the City of Dubuque, Iowa and New Cingular Wireless PCS, LLC. Seconded by Jones. The City Clerk and Public Information Officer reported no online public input was received regarding this item. Motion carried 7-0.

2. Intent to Dispose of Property at 1938 Washington to Affordable Housing Network, Inc.: Proof of publication on notice of public hearing to consider disposing of City-owned real property located at 1938 Washington Street to Affordable Housing Network, Inc., who will rehabilitate and sell the property to an income-qualifying household under 80% median income, and the City Manager recommending approval. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 128-20 Disposing of City Interest in real property by Deed to Affordable Housing Network, Inc. Seconded by Resnick. Responding to questions from the City Council City Manager Van Milligen and Housing and Community Development Director Alexis Steger stated that AHN, Inc. is doing great work in Cedar Rapids and is new to the Dubuque area and that it has reached out to the Four Mounds HEART Program for collaboration. The City Clerk and Public Information Officer reported no online public input was received regarding this item. Motion carried 7-0.

3. Verizon Wireless Grant of Easement - Small Cell Equipment in Flora Park: This item was removed from the agenda at the request of the City Attorney's Office.

## **PUBLIC INPUT**

The City Clerk and Public Information Officer reported no online public input was received.

## **ACTION ITEMS**

1. Awarding the Jackson Street (11th to 12th Streets) Reconstruction Project: City Manager recommending award of the construction contract for the Jackson Street (11th to 12th Streets) Reconstruction Project to the low bidder, Drew Cook & Sons Excavating Company, Inc. Motion by Resnick to receive and file the document and adopt Resolution No. 129-20 Awarding public improvement contract for the Jackson Street (11th to 12th) Reconstruction Project. Seconded by Roussell. Motion carried 7-0.

2. Submission of Fiscal Year Ended June 30, 2019 Comprehensive Annual Financial Report (CAFR) and Auditor's Communication with Those Charged with Governance: City Manager transmitting the Fiscal Year Ended June 30, 2019 Comprehensive Annual Financial Report (CAFR). Director of Finance and Budget Jennifer Larson provided a presentation on the CAFR. Topics included: purpose of the report; types of independent auditor's opinions; compliance audit; benefits of an audit; government-wide summary; general fund revenue; tax revenue three-year history; general fund revenue three-year history; general fund expenditures; general fund expenditures three-year history; comparison of general fund balances; net investment in capital assets; unfunded legacy costs; audit and compliance audit results; cause of material adjustments/weaknesses and changes made.

### **COUNCIL MEMBER REPORTS**

Council Member Jones reported on the upcoming April 23, 2020 budget hearing and reminded citizens to email the Council with questions and copy the City Clerk for distribution and the official record.

Mayor Buol thanked everyone for their daily work despite the stressful situations and reiterated the social distancing precautions and stay home / stay safe.

There being no further business, Mayor Buol declared the meeting adjourned at 7:36 p.m.

/s/Kevin S. Firnstahl, CMC  
City Clerk

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