

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

The Dubuque City Council met in regular session at 6:30 p.m. on June 1, 2020. Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually and aired live on CityChannel Dubuque (Mediacom cable channels 8 and 117.2), streamed live on the city's website at www.cityofdubuque.org/media, and streamed live on the City's Facebook page at www.facebook.com/cityofdubuque.

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

Following the Pledge of Allegiance, Mayor Buol began with a moment of silence and read a statement in recognition of the pain and grief that is being experienced by George Floyd's family following recent events in Minneapolis, Minnesota, and also by communities of color across the country who are witnessing racial injustice. Mayor Buol urged any community member with concerns to contact the Human Rights Department at 563-589-4190 for more information or for support in filing a complaint. City Council Members each provided statements of empathy, peace, and encouragement.

PRESENTATION(S)

1. Mayor Emergency Declaration Proclamation Update: Mayor Buol provided an update to his Emergency Declaration Proclamation of April 6, 2020 by stating that [as of this meeting] City facilities remain closed to the public until at least July 6, 2020 with most staff working remotely; a moratorium on all special event gatherings until July 6, 2020; exceptions being Bunker Hill Golf Course, Miller-Riverview Park & Campground, Port of Dubuque Marina Docks and City Parks. Playground equipment and swimming pools continue to be evaluated.

2. COVID-19 Update: Mary Rose Corrigan, Public Health Specialist for the City of Dubuque, provided an update on the COVID-19 pandemic and response activities. Topics included: coordinated efforts between the Dubuque County Public Health Incident Management Team and the IDPH; county and state COVID-19 case data to date; criteria for determining recovery from the virus; updates from Governor Reynolds' June 1 proclamation; community testing and possibly establishing a Testlowa site in Dubuque County; contact tracing; housing and special isolation needs; requests for donations and sourcing products for personal protective equipment (PPE); and public information coordinated responses.

PROCLAMATION(S)

1. Rick Dickinson Day (June 1, 2020) was presented to Mr. Dickinson on behalf of the Greater Dubuque Development Corporation and the City of Dubuque.

2. Day of Mourning (June 1, 2020) was accepted by Sr. LaDonna Manternach, BVM, on behalf of the Sisters of Charity.

CONSENT ITEMS

Motion by Renick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Jones. Council Member Cavanagh requested Item #10 be held for separate discussion. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council proceedings of 5/18; Community Development Advisory Commission of 5/20; Housing Commission of 4/28; Human Rights Commission of 3/9, 4/13; Library Board of Trustees Minutes of 2/20, 3/26, and Council Update #197 of 4/23; Proof of publication for City Council proceedings of 5/4. Upon motion the documents were received and filed.

2. 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. 161-20 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.

3. Re-Imagine Comiskey Park - Wellmark Foundation 2020 Grant Award: City Manager recommending acknowledgement of the Re-Imagine Comiskey Wellmark Foundation 2020 Large MATCH grant award for the splash pad and basketball courts and further recommends approval of the execution of the grant agreement. Upon motion the documents were received, filed and approved.

4. Letter to Governor Reynolds Regarding Healthcare Coverage for the Marshallese Residents in Iowa: Correspondence to Governor Reynolds from Mayor Buol requesting the Governor's advocacy and support for extending State Medicaid benefits to Iowa's Marshallese residents. Upon motion the document was received and filed.

5. Acceptance Sanitary Sewer Improvements Across Parts of Walen Acres and Parts of Beverly Pines No. 2: City Manager recommending acceptance of the public improvements that the developer, Edwards Family Realty Company, L.C., has recently completed across parts of Lot 1 and Lot 2 of Walen Acres and parts of Lot 2 and Lot 2-2 of Beverly Pines No. 2, in the City of Dubuque, Iowa. Upon motion the documents were received and filed, and Resolution No. 162-20 Accepting public sanitary sewer improvements across parts of Lots 1 and Lot 2 of Walen Acres and parts of Lot 2 and Lot 2-2 of Beverly Pines No. 2 in the City of Dubuque, Iowa was adopted.

6. Acceptance of Madison St. Retaining Wall Improvement Project: City Manager recommending acceptance of the public improvement contract for the Madison Street Retaining Wall Emergency Repairs Project, as completed by Drew Cook & Sons Excavating Company, Inc. Upon motion the documents were received and filed, and Resolution No. 163-20 Accepting the Madison Street Retaining Wall Emergency Repairs Project and authorizing the payment to the contractor was adopted.

7. Acceptance of Grant of Easement for Water Main and Storm Sewer Utilities over Robert & Leann McDonald Property: City Manager recommending acceptance of a Grant of Easement for Water Main and Storm Sewer Utilities across Robert and Leann McDonald property being Part of Lot 1 in George Crane's Subdivision and Part of Lot 2 in Fountain Hill Subdivision No. 3 in the City of Dubuque, Iowa as part of the Roosevelt Water Tower Project. Upon motion the documents were received and filed, and Resolution No. 164-20 Accepting a Grant of Easement for water main and storm sewer utilities through, over and across part of Lot 1 in George Crane's Subdivision and part of Lot 2 in Fountain Hill Subdivision No. 3 in the City of Dubuque, Iowa was adopted.

8. Large Neighborhood Grant Award Recommendation: City Manager recommending approval of the recommendation from the Community Development Advisory Commission to fund seven grant applications from the Large Neighborhood Grant Program. Upon motion the documents were received, filed and approved.

9. 2020-2023 AmeriCorps Partners in Learning Campaign for Grade Level Reading Grant Application Approved: City Manager transmitting information that the 2020-2023 AmeriCorps Grant application recently submitted to the Iowa Commission on Volunteer Service and the Corporation for National Community Service has been approved for funding and will be issued in July/August for Council approval to begin the program in September 2020. Upon motion the documents were received, filed and approved.

10. Equitable Poverty Prevention Plan Status Update: City Manager transmitting an update on the Equitable Poverty Prevention Plan which highlights a newly adopted hybrid approach to conduct the second phase of community engagement in response to the COVID-19 pandemic, along with a revised project completion timeline in light of those changes. Motion by Resnick to receive and file the documents. Seconded by Cavanagh. Council Member Cavanagh highlighted this item and thanked staff for their work and stated he looks forward to the final plan. Motion carried 7-0.

11. Year III Local College Access Network (LCAN) Letter of Support: City Attorney recommending approval to submit a letter to the Iowa Student Aid Commission in support of the Dubuque College Access Network (DCAN) and the Year III Local College Access Network (LCAN) Grant application. Upon motion the documents were received, filed and approved.

12. Signed Contract(s): Dubuque Water Sports Club 2020 Lease for a portion of Miller-Riverview Park; Management Agreement with Don Dixon for Miller-Riverview Park and Campground. Upon motion the documents were received and filed.

13. Improvement Contracts / Performance, Payment and Maintenance Bonds: Drew Cook & Sons Excavating Co. for the Julien Dubuque Drive Sanitary Project. Upon motion the document was received, filed and approved.

14. Alcohol License Applications: City Manager recommending approval of annual beer, liquor and wine licenses as submitted. Upon motion the documents were received and filed, and Resolution No. 165-20 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 was 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. Intent to Dispose of Property at 396 W. Locust Street: City Manager recommending that the City Council set a public hearing for June 15, 2020, for the purpose of disposing of City-owned real property located at 396 West Locust Street to Melissa M. and Wesley M. Anderson. Upon motion the documents were received and filed, and Resolution No. 166-20 Intent to dispose of an interest in City of Dubuque Real Estate to Melissa M. and Wesley M. Anderson, 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 6:30 p.m. on June 15, 2020.

[In the event that a meeting at the Historic Federal Building location is not possible as a result of the COVID-19 pandemic, instructions for a virtual meeting and public input will be posted on the meeting agenda on Friday, June 12, 2020 at <https://www.cityofdubuque.org/agendas>.]

BOARDS/COMMISSIONS

Applicants were invited to contact the City Council regarding their desire to serve on the following Boards/Commissions. The City Clerk acknowledged email correspondence sent to the City Council by several applicants relaying their desire to be appointed/reappointed. Appointments will be made at the June 15, 2020 City Council meeting.

1. Cable TV Commission: One, 3-Year term through July 1, 2023 (Expiring term of Maloney). Applicant: Pauline Maloney, 506 St. George St.

2. Catfish Creek Watershed Management Authority: One, 4-Year term through July 16, 2024 (Expiring term of McGovern). Applicant: Jared McGovern, 360 S. Grandview Ave.

3. Electrical Code Board: Three, 3-Year Electrical Experience terms through May 21, 2023 (Expiring terms of Dixon, Palmer, and Townsend). Applicants all qualify with

Electrical Experience: James Dixon, 2505 Marquette Pl.; Andy Palmer, 1865 Rosemont St. Thomas Townsend, 1940 Amelia Dr.

4. Historic Preservation Commission: One, 3-Year Architect At-Large term through July 1, 2023 (Expiring term of Monk). Applicant qualifies as Architect At-Large: Christina Monk, 2005 N. Main St.

5. Investment Oversight Advisory Commission: One, 3-Year term through July 1, 2023 (Expiring term of Lassance). Applicant: Paul Lassance, 4846 Embassy Ct.

6. Library Board of Trustees: Two, 4-Year terms through July 1, 2024 (Expiring terms of Armstrong and Monk). Applicants: Robert Armstrong, 728 Alta Vista St.; Christina Monk, 2005 N. Main St.

7. Resilient Community Advisory Commission: One, 3-Year Cross Representation term through July 1, 2023 (Expiring term of Boles). One, 3-Year At-Large term through July 1, 2023 (Expiring term of Jayawickrama). Applicants: Dean Boles, 1715 Geraldine Dr. Currently on Community Development Advisory Commission; Lalith Jayawickrama, 2360 Cherry St.

8. Zoning Advisory Commission: Two, 3-Year terms through July 1, 2023 (Expiring terms of Christ and Kemp). Applicants: Martha Christ, 88 Princeton Pl.; Rebecca Kemp, 3195 Kerry Ct.

9. Zoning Board of Adjustment: One, 3-Year term through March 25, 2023 (Vacant term of Cramer). Applicant: Matthew Mauss, 1540 N. Algona St.

PUBLIC HEARINGS

For the record, public input options were provided through Contact the City Council at www.cityofdubuque.org/councilcontacts; and during the meeting through the City Clerk's Office at ctyclerk@cityofdubuque.org, and www.facebook.com/cityofdubuque.

1. University of Dubuque Grant of Easement on Algona Street Right-of-Way: Proof of publication on notice of public hearing to consider granting an easement to the University of Dubuque for the private utilities conduit through the Algona Street right-of-way, and the City Manager recommending approval. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 167-20 Disposing of City interest by Grant of Easement for private utility to University of Dubuque for an underlying portion of Algona Street; and Resolution No. 168-20 Granting Easement for Private Utility to University of Dubuque for an underlying portion of Algona Street. Seconded by Roussell. The City Clerk and Public Information Officer stated that no public input was received regarding this item. Motion carried 7-0.

PUBLIC INPUT

For the record, public input options were provided through: Contact the City Council at www.cityofdubuque.org/councilcontacts; City Clerk's Office at ctyclerk@cityofdubuque.org; and during the meeting at www.facebook.com/cityofdubuque. The City Clerk and Public Information Officer stated that no public input was received.

ACTION ITEMS

1. Cities are Essential Resolution: Motion by Roussell to receive and file the documents and adopt Resolution No. 169-20 Approving communication to the Federal Government in support of Federal Funding for all of America's communities as part of the Cities are Essential Initiative of the National League of Cities: Dubuque is Essential: in support of fair, direct Federal emergency support to reopen and rebuild local American economies. Seconded by Cavanagh. Motion carried 7-0.

2. Greater Dubuque Development Corporation - Quarterly Update: President and CEO Rick Dickinson presented the quarterly update on the activities of the Greater Dubuque Development Corporation, 900 Jackson St. Motion by Jones to receive and file the information. Seconded by Resnick. Topics included: public/private investment in GDDC; local/regional economy recovery indicators; unemployment and workforce data; COVID-19 helpline for small business assistance; loan program for businesses impacted by the pandemic. Motion carried 7-0.

3. Greater Dubuque Development Corporation - Board of Directors Membership: Correspondence from the Greater Dubuque Development Corporation requesting confirmation of City of Dubuque representation on its Board of Directors for terms starting July 1, 2020 through June 30, 2021. Restated motion by Shaw to receive and file the documents and appoint Council Member Resnick to fill the vacancy created by Mr. Shaw's resignation from the Council. All other appointments remain the same. Seconded by Roussell. Motion carried 7-0.

4. Awarding the 2020 Pavement Marking Project: City Manager recommending award of the 2020 Pavement Marking construction contract to the low bidder Selco, Inc. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 170-20 Awarding Public Improvement Contract for the 2020 Pavement Marking Project. Seconded by Resnick. Motion carried 7-0.

5. Code of Ordinances Amendment - Title 13 Stormwater Management Utility Fee Rate; Charges: City Manager recommending adoption of an amendment to City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 4 Stormwater Management, Section 13-4-5 SFU Rate, Charges; Utility Revenues; Section 13-4-6 Single-Family Residential Property; and Section 13-4-7 Non-Single-Family Residential Property. 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. Responding to questions from the City Council, City Manager Van Milligen explained that a resident would make one application to qualify for the low-income

exception discount in each of the four ordinance amendments presented tonight. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 21-20 Amending City of Dubuque Code of Ordinances Section 13-4-5(D) SFU Rate, Charges; Utility Revenues. Seconded by Resnick. Motion carried 7-0.

6. Code of Ordinances Amendment - Title 13 Solid Waste Rates and Charges Established; Exceptions: City Manager recommending adoption of an amendment to City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 6 Solid Waste, Article A City or Private Collection Services, Section 13-6A-6, Rates and Charges Established; Exception. 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. City Manager Van Milligen added that the low-income discount equals 50% of the base rate. Motion carried 7-0.

Motion by Cavanagh for final consideration and passage of Ordinance No. 22-20 Amending City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 6 Solid Waste, Article A City or Private Collection Services, Section 13-6A-6 Rates and Charges Established; Exceptions. Seconded by Resnick. Motion carried 7-0.

7. Code of Ordinances Amendment - Title 13 Water Use, Rates and Service - Addition of Residential Rate Exception: City Manager recommending adoption of an amendment to City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 1 Water Use and Service, Article C Rates, Section 13-1C-1 Residential, Commercial, Industrial and other uses. 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. 23-20 Amending City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 1 Water use and Service, Article C Rates, Section 13-1C-1 Residential, Commercial, Industrial and all other uses. Seconded by Shaw. Motion carried 7-0.

8. Code of Ordinances Amendment - Title 13 Sewage and Sewage Disposal; Rates Established: City Manager recommending adoption of an amendment to City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 2 Sewers and Sewage Disposal, Article C Rates, Section 13-2C Rates Established. Motion by Rousell 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. Responding to questions from the City Council, City Manager Van Milligen stated that the 50% low-income discount would be adjusted over time if the number of applications warrant changes. Motion carried 7-0.

Motion by Rousell for final consideration and passage of Ordinance No. 24-20 Amending City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 2 Sewers and Sewage Disposal, Article C Rates, Section 13-2C-3 Rates Established. Seconded by Sprank. Motion carried 7-0.

9. Request for Work Session - COVID-19 Update: City Manager requesting that the City Council schedule a work session for June 8, 2020 at 6:30 p.m. for an update on COVID-19. (This meeting will be conducted virtually unless posted otherwise). Motion by Cavanagh to receive and file the documents and set the work session as recommended. Seconded by Resnick. No schedule conflicts where voiced. Motion carried 7-0.

10. Bee Branch Creek Railroad Culverts Project Video Update: Media Services will show a video update of the Bee Branch Creek Railroad Culverts Project. Motion by Resnick to receive and file the information and view the video presentation. Seconded by Jones. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Resnick reported on being invited by the Fountain of Youth to participate in an online discussion on significant topics and commended the agency for reaching out and getting discussions going.

Council Member Shaw reported on his resignation from the Council effective July 7, 2020 and asked the City Attorney to provide statutory information and options to the Council for appointment and special election dates to fill the vacancy.

Quoting President Obama, Mayor Buol stated "It falls on all of us regardless of race or station, including a majority of men and women in law enforcement, to take pride in doing their tough job the right way every day and work together to create a new normal in which the legacy of bigotry and unequal treatment no long infects our institutions or our hearts." Mayor Buol asked everyone to stay safe. Stay home. Practice social distancing and wear masks while in public.

There being no further business, Mayor Buol declared the meeting adjourned at 8:27 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

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