

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

The Dubuque City Council met in regular session at 6:30 p.m. on August 17, 2020.

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually by GoToMeeting 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, Lynch, Resnick, Roussell, 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. Crescent Community Health Center Advocacy Award: CCHC Board Chair Ann Decker presented the Advocacy Award to City of Dubuque Health Services Manager Mary Rose Corrigan.

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 and updates included current case information for the State and Dubuque County; positivity rates; hospitalizations; deaths; community testing; contact tracing; status of long-term care facilities; face coverings; public information efforts; Public Health Incident Management team guidance and planning assistance to local colleges, universities, and K-12 districts; Dubuque Visiting Nurse Association; public health mitigation measure enforcement in restaurants and bars; looking ahead / what you can do now. Ms. Corrigan responded to questions from the City Council following her presentation. [For more information, please visit www.cityofdubuque.org/COVID19.]

PROCLAMATION(S)

1. Health Center Week (August 9-15, 2020) was accepted by Gary Collins, CEO of the Crescent Community Health Center.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Sprank. Staff stated that no public comments were received regarding the Consent items. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council proceedings of 8/3, 8/6; Community Development Advisory Commission of 7/15; Historic Preservation Commission Council Update No. 200 of 7/23; Zoning Advisory Commission of 8/5. Proof of publication for City Council proceedings of 7/6, 7/8, 7/13, 7/20, 7/23; Proof of publication for List of Claims and Summary of Revenues for Month Ending 6/30. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Michelle Scott for vehicle damage and Donald J. Weig for vehicle damage. Upon motion the documents were received, filed, and referred to the City Attorney.

3. 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. 252-20 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.

4. Fiscal Year 2020 Budgeted Transfers: City Manager recommending approval of the suggested proceedings approving a transfer of funds for capital projects and other expense reimbursements pursuant to Iowa Administrative Rules Code 545-2.5(5). Upon motion Resolution No. 253-20 Authorizing the Director of Finance and Budget to make the appropriate interfund transfers of sums and record the same in the appropriate manner for the FY2020 for the City of Dubuque, Iowa was adopted.

5. Quarterly Investment Report as of June 30, 2020: City Manager transmitting the June 30, 2020 Quarterly Investment Report. Upon motion the documents were received and filed.

6. Racom IP Video Service Support Contract for Dubuque Parking Department HD Network Video System: City Manager recommending approval of a new agreement with Racom for Fiscal Year 2021 for maintenance and service of the camera equipment used to monitor City parking operations. Upon motion the documents were received, filed and approved.

7. Final Plat of Survey for JQ Acres No. 3 with James and Mary Gansen: Zoning Advisory Commission recommending approval of the final Plat of Survey of JQ Acres #3 in the area of Metropolitan Heights subject to waiving the required lot frontage for Lot 1 and Lot 2 of JQ Acres #3. Upon motion the documents were received and filed, and Resolution No. 254-20 Approving the final Plat of Survey of JQ Acres No. 3, Dubuque County, Iowa

8. Pre-Annexation Agreement with James and Mary Gansen: City Manager recommending approval of a Pre-Annexation Agreement with James B. and Mary L. Gansen in conjunction with a request for approval of the Plat of Survey of 47.048 acres located off Bellevue Heights Road between US Highway 52/61/151 and E.B. Lyons Interpretive Center. Upon motion the documents were received and filed, and Resolution No. 255-20 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and James B. and Mary L. Gansen was adopted.

9. Family Self-Sufficiency (FSS) Grant Application: City Manager recommending approval to submit a grant application and resolution in order to obtain federal funds for two Family Self-Sufficiency Coordinator positions. Upon motion the documents were received and filed, and Resolution No. 256-20 Authorizing the Mayor to execute an application for the HUD Family Self-Sufficiency Program Grant and authorizing the Director of Housing and Community Development and the City Manager to approve the application was adopted.

10. 2021 Application to Iowa Finance Authority for Housing Trust Fund: City Manager recommending approval of a resolution authorizing the commitment of funding from Greater Downtown TIF as a match to the Housing Trust Fund Committee's application to the Iowa Finance Authority for a grant from the State Housing Trust Fund to be used to support homeownership and rehabilitation activities in the Washington Neighborhood. Upon motion the documents were received and filed, and Resolution No. 257-20 Approving commitment of matching funds for an application to the Iowa Finance Authority (IFA) for State Housing Funds was adopted.

11. Fiscal Year 2021 Dubuque County Resource Enhancement and Protection (REAP) Plan Update: City Manager recommending approval of the City of Dubuque's Fiscal Year 2021 update to the Dubuque County Resource Enhancement and Protection (REAP) Plan. Upon motion the documents were received, filed and approved.

12. Citizen Petition for Special Election - Ward One: Citizen Petition calling for a special election to fill the Ward One Council seat following the appointment by Council on July 27, 2020. Upon motion the documents were received and filed.

13. Dubuque Federation of Labor Notice of Cancellation of Labor Day Parade and Labor Day Picnic: Correspondence from the Dubuque Federation of Labor informing the City of the cancellation of the Labor Day Parade and the Labor Day Picnic. Upon motion the documents were received and filed.

14. Dubuque County City Assessor Correspondence: Correspondence from City Assessor Troy Patzner informing the City of three property tax appeals from the Dubuque City Board of Review and filed with the Iowa Property Assessment Appeal Board and Dubuque County District Court. Upon motion the documents were received and filed.

15. Stipulation of Settlement for Property Tax Appeal - Davenport Farm and Fleet, Inc.: Senior Counsel recommending approval of the Stipulation of Settlement with respect to a property tax appeal filed by Davenport Farm and Fleet, Inc., for property located at 2675 NW Arterial. Upon motion the documents were received, filed and approved.

16. Signed Contract(s): Amendment to Revocable License with John W. and Sally Jo. Herrig for an access ramp on public right-of-way for 620 South Grandview Avenue. Upon motion the documents were received and filed.

17. Improvement Contracts / Performance, Payment and Maintenance Bonds: Advanced Directional Drilling for the Clarke Drive Fiber Project from Asbury Road to Grandview Avenue. Upon motion the documents were received, filed and approved.

18. Business License Refund: Request from Eronel LLC D/B/A Blu Room for a refund of the Liquor License No. LC0044951 located at 600 Central Avenue due to the business closing. Upon motion the documents were received, filed and approved.

19. 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. 258-20 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.

BOARDS/COMMISSIONS

Boards and Commission Applicant Review: Applicants were invited to address the City Council regarding their desire to serve on the following boards/commissions. Applicant appointments will be made at the next City Council meeting.

1. Housing Commission: Two, 3-Year terms through August 17, 2023 (Expiring terms of Craddieth and Eudaley). Applicants: Amy Eudaley, 950 Wood St.; Joshua Richard, 439 Lowell St.

Appointments were made to the following Boards and Commission.

2. Cable Television Commission: One, 3-Year term through July 1, 2023 (Vacant term of Hoverman). Applicant: 1. Garrett Heidenreich, 255 Nevada St. Motion by Cavanagh to appoint Mr. Heidenreich to the 3-year term. Seconded by Roussell. Motion carried 7-0.

3. Catfish Creek Watershed Management Authority: One, 4-Year term through July 17, 2024 (Expiring term of Drahozal). Applicant: 1. Steven Drahozal, 683 W. 11th St. Motion by Roussell to appoint Mr. Drahozal to the 4-year term. Seconded by Jones. Motion carried 7-0.

4. Housing Board of Appeals: One, 3-Year term through January 1, 2023 (Expired term of Young). Applicants: 1.Luke Hoffmann; 991 June Dr. (Additional Applicant); 2.Jeff Lenhart, 1274 Locust St.; 3.Tom Smith, 2490 Clarke Crest Dr. (Additional Applicant). Upon roll-call vote Mr. Lenhart was appointed to the 3-year term. Mr. Hoffman received 1 vote (Resnick); and Mr. Lenhart received the remaining 6 votes.

5. Park and Recreation Advisory Commission: Three, 3-Year terms through June 30, 2023 (Expiring terms of Garrett, Kennicker and Kuhle). Applicants: 1.Robert Blocker, 880 Kane St.; 2.Emerald Frommelt, 441 ½ Burch St.; 3.Justin Hochberger, 2740 Muscatine St.; 4.Josh Jorgenson, 3030 Judson Ct.; 5.Robin Kennicker, 2929 Elm St.; 6.Cynthia Nachtman, 1791 Creek Wood Dr.; 7.Jessica Ochoa, 1970 Hale St.; 8.Whitney Sanger, 2250 Clydesdale Ct.; 9.McClain Steffens, 481 W. 15th St. Upon roll-call vote, Mr. Hockberger, Ms. Kennicker, and Ms. Ochoa were appointed to the 3-year terms. Blocker (0); Frommelt (0); Hockberger (5) Jones, Roussell, Buol, Resnick, Cavanagh; Jorgenson (3) Resnick, Sprank, Lynch; Kennicker (4) Jones, Roussell, Buol, Sprank; Nachtman (0); Ochoa (5) Roussell, Resnick, Sprank, Lynch, Cavanagh; Sanger (3) Jones, Buol, Lynch; Steffen (0).

6. Resilient Community Advisory Commission: One, 3-Year term through July 1, 2023 (Expiring Cross Representation term of Kennicker). Applicant: 1.Robin Kennicker, 2929 Elm St. Motion by Sprank to appoint Ms. Kennicker to the 3-year term. Seconded by Roussell. Ms. Kennicker qualified for appointment to this commission having been appointed to the Park and Recreation Commission. Motion carried 7-0.

7. Transit Advisory Board: Two, 3-Year terms through July 30, 2023 (Expiring term of Daughters and vacant term of Enderson). Applicants: 1.Robert Daughters, 1631 Jackson St.; 2.Garrett Heidenreich, 255 Nevada St. Motion by Resnick to appoint Mr. Daughters and Mr. Heidenreich to the 3-year terms. Seconded by Lynch. Motion carried 7-0.

PUBLIC HEARINGS

Due to the COVID-19 pandemic and mandates for social distancing, public input was made available through GoToMeeting chat function, City Council and City Clerk email accounts, and the City of Dubuque's Facebook Live page.

1. Jule Transit New Fixed-Route Fare Structure: Proof of publication on notice of public hearing to consider approval of the restructuring of the Jule's existing fare system, and the City Manager recommending approval. Motion by Cavanagh to receive and file the document and adopt Resolution No. 259-20 Authorizing Resolution Restructuring Transit Fixed Route Fare. Seconded by Jones. Responding to questions from the City Council, Transportation Services Director Renee Tyler stated that bus drivers have gone through training with the Police Department regarding compliance with the face covering ordinance as related to city transportation, and that bus ridership is such that social distancing guidelines can be followed; that all buses are disinfected regularly; and that this fare structure becomes effective when the City reinstates fees after the COVID-19

decreases. Staff stated that no online public input had been received related to this item. Motion carried 7-0.

2. Approval of the Revised Administrative Plan for the Housing Choice Voucher Program: Proof of publication on notice of public hearing to consider approval of the revised Administrative Plan for the Housing Choice Voucher Program, and the City Manager recommending approval. Motion by Roussell to receive and file the documents and adopt Resolution No. 260-20 Approving the revision of the Public Housing Authority (PHA) Administrative Plan for the Housing Choice Voucher Program. Seconded by Jones. Responding to questions from the City Council, Housing and Community Development Director Alexis Steger stated that tenant records such as felony violations, etc., cannot be used as a reason for denying Housing Choice Vouchers, nor based solely upon arrests. Ms Steger added that applications are reviewed by committee using federal law. City Manager Van Milligen and City Attorney Brumwell added that landlords can have their own standards if they are consistent and non-discriminatory. Staff stated that no online public input had been received for this item. Motion carried 7-0.

PUBLIC INPUT

Due to the COVID-19 pandemic and mandates for social distancing, public input was made available through GoToMeeting chat function, City Council and City Clerk email accounts, and the City of Dubuque's Facebook Live page.

The City Clerk confirmed receipt of email correspondence from Jerry Maro, 10366 Timothy Street, and President of the Dubuque Landlords Association; and Rob Smith, 1057 Bonnie Court, asking for the City Council to not waive the three-reading rule for the ordinance amendment regarding emergency escape and rescue openings (Action Item 3) to allow time for further review to assess the impact on older buildings.

Molly Grover, President of the Dubuque Area Chamber of Commerce, 300 Main Street, requested Council removal of Provision E from Ordinance 31-20 (Face Coverings), passed August 6, 2020, as it put the enforcement burden on businesses rather than the Police Department. Ms. Grover requested that the wording be changed to say, "may deny service."

John Weigman, 1720 Jackson Street, questioned the language of the ordinance amendment from Public Hearing No. 2 that stated removal of the sex offender website. Housing and Community Development Director Alexis Steger responded by stating that several methods are used to identify a sex offender in the voucher program so the specific reference to the webpage was removed as the only method. No other online public input was received related to the agenda.

ACTION ITEMS

1. Dubuque Area Chamber of Commerce Correspondence: Requesting removal of Provision E from the Face Covering Ordinance No. 31-20 as adopted by Council on August 6, 2020. Restated motion by Cavanagh to receive and file the documents with no revisions to the current ordinance. Seconded by Roussell. Following City Council

discussion, City Manager Van Milligen stated that he is meeting with staff to develop criteria for the City Council to consider when they think it appropriate to rescind the ordinance. Motion carried 7-0.

2. Authorization to File, Modify and Release Mortgages, Liens and Other Financial Instruments on Properties Participating in Housing Programs: City Manager recommending authorization for the City Manager or the City Manager's Designee to file, modify and release mortgages, liens or other financial instruments for properties that are participating in Housing Programs. Motion by Jones to receive and file the documents and adopt Resolution No. 261-20 Resolution of the City of Dubuque approving authorization for the City Manager or the City Manager's designee to file and release liens on properties participating in housing programs. Seconded by Resnick. Motion carried 7-0.

3. Code of Ordinances Amendments - Title 14 Emergency Escape and Rescue Openings: City Manager recommending approval of amendments to the City of Dubuque Code of Ordinances - Building Code for emergency escape and rescue openings. Motion by Resnick to approve First Reading of proposed ordinances amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article J Property Maintenance Code, Section 14-1J-2 International Property Maintenance Code Amendments; amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article B Residential Code, Sections 14-1B-1 International Residential Code Adopted and 14-1B-2 International Residential Code Amendments; amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1, Building Codes, Article J, Property Maintenance Code Section 14-1J-2 International Property Maintenance Code Amendments; and amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1, Building Code. Seconded by Jones. Housing and Community Development Director Alexis Steger provided information as to the benefit of having window requirements clearly stated in the Code versus an approved interpretation. Motion carried 7-0.

4. Code of Ordinances Amendment - Title 10 Veterans Memorial Park Hours: City Manager recommending a revision to the City of Dubuque Code of Ordinances Title 10-5B-22 to change the closing time for Veterans Memorial Park from midnight to 10:00 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 Resnick. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 32-20 Amending City of Dubuque Code of Ordinances Title 10 Public Ways and Property, Chapter 5 Parks and Recreation, Article B Use Regulations, Section 10-5B-22 Open Season and Hours Generally. Seconded by Resnick. Motion carried 7-0.

5. Request for Work Session - Monthly COVID-19 Update: City Manager requesting that the City Council schedule the monthly COVID-19 Response and Recovery work session for 5:00 p.m. on Tuesday, September 8, 2020. Motion by Resnick to schedule

the work session as recommended. Seconded by Lynch. No schedule conflicts were expressed. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported on the opening of the Southwest Arterial today thanking the myriad of partners, workers, and employees that worked on the project over the last 30 years.

Council Member Cavanagh congratulated Council Member Roussell on her graduation from the Fountain of Youth Community in Change program.

Council Member Roussell reported on her graduation from the Fountain of Youth Community in Change program stating that the program is inspiring, changes lives and is good for the community.

Council Member Resnick reported on the City Council's goal setting session August 10-12 and how the Council took the issues seriously and disagreed at times, but with purpose and understanding.

Mayor Buol reported on the City Council's in-person goal setting, adding that there was good agreement, ideas and processes, all done in compliance with social distancing guidelines to prevent spread of the COVID-19 virus.

There being no further business, Mayor Buol declared the meeting adjourned at 8:51 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 8/26