

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

The Dubuque City Council met in special session at 6:00 p.m. on October 19, 2020.

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually via 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 special session of the City Council called for the purpose of conducting a work session on Project H.O.P.E.

**WORK SESSION
Project H.O.P.E.**

Peter Supple, Chris Corken, and Nancy Van Milligen from the Community Foundation of Greater Dubuque and Licensed Mental Health Counselor Julie Homb presented the 2020 Third Quarterly Report for Project H.O.P.E. Topics included:

- Services provided through financial support;
- How Project H.O.P.E. works and creates systems level changes;
- Current Project H.O.P.E. initiatives;
- Staffing for Brain Health Initiative;
- Community Needs Assessments conclusions and recommendations;
- Collaborating organizations;
- What has been achieved:
 - Children's Brain Health Working Group,
 - Law Enforcement & Corrections
 - Brain Health Stakeholders Group
- What is being worked on now.

The presenters responded to questions from the City Council following the presentation.

There being no further business, Mayor Buol declared the meeting adjourned at 6:20 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 10/28

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

The Dubuque City Council met in regular session at 6:30 p.m. on October 19, 2020.

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually via 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. Salute to Women Awards Presentations: Megan Gloss of the Telegraph Herald newspaper presented Police Officer Nicole Salazar with the "Woman to Watch" award and City of Dubuque Human Rights Director Kelly Larson with the "Woman Who Makes a Difference" award. Media Services presented brief videos of testimonials.

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.

PROCLAMATION(S)

1. Gentleman Day (October 21, 2020) was accepted by Mayor Buol on behalf of Waypoint Services / United Way.

2. National Lead Poisoning Prevention Week (October 25-31, 2020) was accepted by Madeline Haverland, Grants Project Manager for the City of Dubuque.

3. Extra Mile Day (November 1, 2020) was accepted by Heather Satterly, Leisure Services AmeriCorps Dubuque Coordinator

4. Kevin S. Firnstahl Day (October 30, 2020) Mayor Buol read a proclamation acknowledging City Clerk Kevin S. Firnstahl's 20 years of service to the City of Dubuque ahead of his retirement on October 30, 2020.

CONSENT ITEMS

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

1. Minutes and Reports Submitted: City Council proceedings of 10/5, 10/6, 10/7; Civil Service Commission of 9/30; Library Board of Trustees Council Update #2020 of 9/24; Zoning Advisory Commission of 10/7; Proof of Publication for City Council proceedings of 9/21, 9/28, 9/30. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: LaTakka Bolds 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: LaTakka Bolds for vehicle damage. Upon motion the documents were received, filed, and concur.

4. Approval of City Expenditures: City Manager recommended City Council approval for payment of City expenditures. Upon motion the documents were received and filed, and Resolution No. 317-20 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. Downtown Rehabilitation Grant Award for 701 Bluff Street: City Manager recommended approval of a Downtown Rehabilitation Grant Award to Ken Lin for a combined Façade Grant and Planning & Design Grant to create a Dumpling Factory and Brewery restaurant at 701 Bluff Street. Upon motion the documents were received and filed, and Resolution No. 318-20 Approving a Grant Agreement between the City of Dubuque, Iowa and K&L Leasing for the redevelopment of 701 Bluff Street was adopted.

6. Partners for Places Mini-Grant Application: City Attorney recommended approval of a funding request to the Funders Network Partners for Places mini-grant program that will gather information related to barriers in Dubuque's frontline neighborhoods. Upon motion the documents were received, filed and approved.

7. Pre-Annexation Agreement with Callista M Decker Estate for 7985 Schueller Heights Road in Decker Acres: City Manager recommended approval of a Pre-Annexation Agreement with the Callista M. Decker Estate in conjunction with a request for approval of the Plat of Survey for property located at 7985 Schueller Heights Road. Upon motion the documents were received and filed, and Resolution No. 319-20 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Callista M. Decker Estate was adopted.

8. Final Plat of Survey for Decker Acres / Callista M. Decker Estate: Zoning Advisory Commission recommended approval of the Plat of Survey of Decker Acres in Dubuque

County as requested by Webber Surveying, LLC on behalf of the Callista M. Decker Estate. Upon motion the documents were received and filed, and Resolution No. 320-20 Approving the Plat of Survey of Decker Acres in Dubuque County, Iowa was adopted.

9. Sustainable Dubuque Community Grant Award Recommendation: City Manager recommended City Council approval of the Resilient Community Advisory Commission recommendations for two projects for funding from the Sustainable Dubuque Community Grant Program. Upon motion the documents were received, filed and approved.

10. Special Projects Grant Funding Recommendation for Fiscal Year 2021: City Manager recommended concurrence with the Arts & Cultural Affairs Advisory Commission's recommendations to fund the FY2021 Special Project grant applications. Upon motion the documents were received, filed, and concur.

11. Walgreen Co. Property Tax Appeal Stipulation of Settlement: Senior Counsel recommended approval of a Stipulation of Settlement for a property tax appeal filed by Walgreen Co., #9708, for their property located at 55 JFK Road. Upon motion the documents were received, filed and approved.

12. Investment Management Services Selection: City Manager recommended approval of Investment Management Services to Dubuque Bank and Trust, Dana Investment Advisor, and BTC Capital. Upon motion the documents were received, filed and approved.

13. Investment Custodian Services Selection: City Manager recommended approval of Investment Custodian Services to MidWestOne Bank. Upon motion the documents were received, filed and approved.

14. Moody's Investors Service Annual Issuer Comment on Outstanding General Obligation Bonds: City Manager submitting the annual issuer comment report from Moody's Investors Service on the outstanding general obligation bonds and affirming the City's credit rating of Aa3. Upon motion the documents were received and filed.

15. Moody's Investors Service Annual Issuer Comment on Outstanding Water Revenue Bonds: City Manager submitting the annual issuer comment report from Moody's Investors Service on the outstanding water revenue bonds and affirming the City's credit rating of A2. Upon motion the documents were received, filed and approved.

16. Accepting the 22nd St./Kaufmann Ave. Storm Sewer Improvement Project (White Street to Kleine Street): City Manager recommended acceptance of the 22nd Street / Kaufmann Avenue Storm Sewer Improvements Project (White Street to Kleine Street), as completed by Portzen Construction, Inc. Upon motion the documents were received and filed, and Resolution No. 321-20 Accepting the 22nd Street / Kaufmann Avenue Storm Sewer Improvements Project (White Street to Kleine Street) and authorizing the payment of the contract amount to the contractor; and Resolution No. 322-20 Adopting the Final Assessment Schedule for the 22nd Street / Kaufmann Avenue Storm Sewer Improvements Project (White Street to Kleine Street) were adopted.

17. Accepting the Julien Dubuque Drive Sanitary Sewer Extension Project: City Manager recommended acceptance of the public improvement contract for the Julien Dubuque Drive Sanitary Project, as completed by Drew Cook & Sons Excavating Company, Inc. Upon motion the documents were received and filed, and Resolution No. 323-20 Accepting the Julien Dubuque Drive Sanitary Project and authorizing the payment to the contractor was adopted.

18. Accepting the NW Arterial - JFK Intersection Right Turn Lane Improvements: City Manager recommended acceptance of the public improvement contract for the Northwest Arterial – JFK Intersection Right Turn Lane Improvements Project, as completed by Midwest Concrete, Inc. Upon motion the documents were received and filed, and Resolution No. 324-20 Accepting the Northwest Arterial - JFK Intersection Right-Turn Lane Improvements Project and authorizing the payment to the contractor was adopted.

19. Fiscal Year 2020 Annual Financial Report: City Manager recommended approval to file the Fiscal Year 2020 State of Iowa Annual Financial Report with the State of Iowa Auditor. Upon motion the documents were received, filed and approved.

20. Appointment of Liaison to Community Development Advisory Commission: Housing Commission recommended approval to appoint Hiliary Dalton as the Housing Commission liaison to the Community Development Advisory Commission. Upon motion the documents were received, filed and approved.

21. Appointment of Liaison to Housing Trust Fund Advisory Committee: Housing Commission recommended that Commissioner Amy Eudaley continue as the Housing Commission liaison to the Housing Trust Fund Committee. Upon motion the documents were received, filed and approved.

22. Iowa Department of Public Health Childhood Lead Poisoning and Healthy Homes Funding and an Agreement with the Visiting Nurse and Dubuque County Board of Health: City Manager recommended approval of a contract with the Dubuque County Board of Health and the Iowa Department of Public Health for continued funding of the Childhood Lead Poisoning Prevention Program, and a renewed agreement with the Dubuque Visiting Nurse Association for services related to the Childhood Lead Poisoning Prevention Program and Healthy Homes Program. Upon motion the documents were received, filed and approved.

23. Proposed Amendment to Master Co-Location and Shared Services Agreement Between the City of Dubuque and Wisconsin Independent Network (WIN): City Manager recommended approval of an Amendment to the Master Co-Location and Shared Services Agreement with Wisconsin Independent Network. Upon motion the documents were received, filed and approved.

24. Proposed Amendments to Master Co-location and Shared Services Agreement Between the City and Unite Private Network: City Manager recommended Council approval of an Amendment to the Master Co-Location and Shared Services Agreement

with Unite Private Network. Upon motion the documents were received, filed and approved.

25. Grant of Easement for Public Utilities from O'Rourke Farms, LLC: City Manager recommended acceptance of a Grant of Permanent Public Utility Easement on and across O'Rourke Farms, L.L.C. property on Olde Davenport Road for the purpose of constructing water main and sanitary sewer to provide service to the new Iowa Department of Transportation (Iowa DOT) Maintenance Facility. Upon motion the documents were received and filed, and Resolution No. 325-20 Accepting Grant of Permanent Public Utility Easement on and across O'Rourke Farms, LLC Property on Olde Davenport Road in Dubuque County, Iowa was adopted.

26. Dubuque Main Street Iowa Program Agreement for Fiscal Year 2021: City Manager recommended approval of the Program Agreement between Dubuque Main Street Ltd., The City of Dubuque and the Iowa Economic Development Authority, and approval of a resolution supporting the agreement. Upon motion the documents were received and filed, and Resolution No. 326-20 Approving an Agreement by and among the Iowa Economic Development authority, Dubuque Main Street, LTD and the City of Dubuque providing for the Dubuque Main Street Program in the City of Dubuque was adopted.

27. Signed Contract(s): Hوجلund Bus Co., Inc. for four (4) paratransit minibuses for the Jule's paratransit fleet. Upon motion the documents were received and filed.

28. Alcohol License Applications: City Manager recommended approval of annual beer, liquor and wine licenses as submitted. Upon motion the documents were received and filed, and Resolution No. 327-20 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.

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. Request to Rezone 785 Groveland Place: Proof of publication on notice of public hearing to consider approval of a request from Wilma McDonell to rezone property located at 785 Groveland Place from C-1 Neighborhood Commercial to C-3 General Commercial to allow for an auto sales lot, and the Zoning Advisory Commission recommended denial of the request. Motion by Jones to receive and file the documents and concur with the denial. Seconded by Sprank. Planning Services Manager Wally Wernimont provided a staff report and responded to questions from the City Council. City Council requested that some verbiage be used to indicate the quasi-judicial or traditional status of zoning requests be provided to aid Council Members in knowing whether or not they can legally speak to residents about the request. Mr. Wernimont, City Attorney Brumwell, and City Clerk Firnstahl stated that they can provide that information on the Zoning Advisory

Commission meeting agendas and the City Council agendas. Staff stated that no public input was received regarding this item. Motion carried 7-0.

2. Request to Rezone Property at 12481 Kennedy Road / Rustic Point Estates: Proof of publication on notice of public hearing to consider approval of a request from Brian Riniker to rezone property located at 12481 Kennedy Road / a portion of Rustic Point Estates, from R-1 Single-Family Residential to R-2 Two Family Residential, and the Zoning Advisory Commission recommended approval. 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. Planning Services Manager Wally Wernimont provide a staff report. Developer Brian Riniker spoke in support of the request, provided a brief description of the project and responded to questions from the City Council. Staff stated that no public input was received regarding this item. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 40-20 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying a portion of 12481 Kennedy Road from R-1 Single-Family Residential District to R-2 Two-Family Residential District. Seconded by Sprank. 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. Staff stated the no online public input was received. Staff stated that no public input was received.

ACTION ITEMS

1. Response to Executive Order on Combatting Race and Sex Stereotyping: Correspondence from Mayor Buol on behalf of the City Council to President Trump and Dubuque's Federal Legislators expressing concern with Executive Order 13950 on Combatting Race and Sex Stereotyping. Motion by Cavanagh to receive and file the documents. Seconded by Resnick. Motion carried 7-0.

2. Request for Work Session - Inclusive Dubuque Quarterly Update: City Manager recommended that the City Council schedule the Inclusive Dubuque Quarterly Update work session for Monday, November 16, at 6:00 p.m. Motion by Roussell to receive and file the documents and schedule the work session as recommended. Seconded by Jones. No schedule conflicts were expressed. Motion carried 7-0.

3. Request for Two Work Sessions for COVID-19 Updates: City Manager recommended that the City Council schedule the COVID-19 Update Work Sessions for Monday, November 16, 2020 at 5:00 p.m.; and Monday, January 4, 2021 at 5:30 p.m. Motion by Cavanagh to receive and file the documents and schedule the work session as recommended. Seconded by Jones. No schedule conflicts were expressed. Motion carried 7-0.

COUNCIL MEMBER REPORTS

City Council Members individually acknowledged City Clerk Firnstahl's retirement and complimented him on his professionalism and service as City Clerk over the last 20 years. Mr. Firnstahl will retire from the City of Dubuque on October 30, 2020.

CLOSED SESSION

Motion by Jones to convene in closed session at 7:49 p.m. to discuss real estate transfer negotiations pursuant to Chapter 21.5(1)(j) Code of Iowa. Seconded by Resnick. Mayor Buol stated for the record that the attorney who will consult with City Council on the issues to be discussed in the closed session is City Attorney Crenna Brumwell. Motion carried 7-0.

Upon motion, the City Council reconvened in open session at 8:19 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Buol declared the meeting adjourned at 8:20 p.m.

/s/Kevin S. Firnstahl, CMC
City Clerk

1t 10/28