

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

The Dubuque City Council met in regular session at 6:30 p.m. on November 2, 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. COVID-19 Update: Mary Rose Corrigan, Public Health Specialist for the City of Dubuque, and Mark Dalsing, Chief of Police, provided an update on the COVID-19 pandemic and response activities.

PROCLAMATION(S)

1. Philanthropy Day (November 15, 2020) was accepted by Christel Tatro of the Association of Fundraising Professionals Tri-State Chapter.

2. Hospice Month Proclamation (November 2020) was accepted by Mayor Buol on behalf of Hospice of Dubuque.

CONSENT ITEMS

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

1. Minutes and Reports Submitted: Arts and Cultural Affairs Advisory Commission Minutes of 7/21, 8/25, 9/22 and Master Plan Task Force and Group Minutes of 9/22; City Council Proceedings of 9/28, 10/19; Community Development Advisory Commission of 10/21; Housing Commission of 9/22, Housing Commission of 10/27;

Zoning Board of Adjustment of 9/24; Library Board of Trustees Council Update #203 of 10/22. Upon motion the documents were received and filed.

2. 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. 328-20 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. School Resource Officer (SRO) Agreement with Dubuque Community Schools for School Year 2020-2021: City Manager recommended approval of the Fiscal Year 2020-2021 School Resource Officer Agreement between the City of Dubuque Police Department and the Dubuque Community School District. Upon motion the documents were received, filed and approved.

4. Drug Abuse Resistance Education (DARE) Program Agreement with Dubuque Community Schools for School Year 2020-2021: City Manager recommended approval of the Fiscal Year 2020-2021 Drug Abuse Resistance Education (DARE) Agreement between the City of Dubuque Police Department and the Dubuque Community School District. Upon motion the documents were received, filed and approved.

5. Neighborhood Resource Center Usage Agreement Renewal with Dubuque Community School District: City Manager recommended approval of the 28E Agreement between the Dubuque Community School District and the City of Dubuque for the usage of the Neighborhood Resource Center located within Prescott Elementary School for another 10-year term with an automatic 5-year extension. Upon motion the documents were received, filed and approved.

6. Downtown Rehabilitation Loan for 1132 Locust Street: City Manager recommended approval of a Loan Agreement between the City of Dubuque and Judy C. Davison for residential improvements made at 1132-1136 Locust Street. Upon motion the documents were received and filed, and Resolution No. 329-20 Approving a Downtown Rehabilitation Loan Agreement Between the City of Dubuque, Iowa and Judy Davison for the Redevelopment of 1132 Locust Street was adopted.

7. Olde Davenport Road Water Main & Sanitary Sewer Extension Iowa Department of Transportation - Preconstruction Funding Agreement: City Manager recommended approval for the Mayor to execute the Iowa Department of Transportation Preconstruction Funding Agreement for the purpose of constructing public water main and sanitary sewer service to the new Iowa DOT Maintenance Facility. Upon motion the documents were received and filed, and Resolution No. 330-20 Approving the Preconstruction Funding Agreement (Agreement No. 2021-2-020) between the City of Dubuque and Iowa Department of Transportation for the Construction of Water Main and Sanitary Sewer along Olde Davenport Road was adopted.

8. Request for Proposal - Port of Dubuque Dock Expansion Consultant: City Manager recommended approval to initiate the Request for Proposals process for Professional Consultant Services to complete the Final Engineering Design Phase for the Port of Dubuque Riverfront Dock Expansion. Upon motion the documents were received, filed and approved.

9. Request for Proposal - East / West Corridor Capacity Improvements: City Manager recommended approval to initiate the Request for Proposals process for Professional Consultant Services to complete the Preliminary Engineering Design and NEPA / Environmental Study Phase to advance the development of East-West Corridor Capacity Improvements along University Avenue at the intersections at Loras Boulevard, Asbury Road and Pennsylvania Avenue. Upon motion the documents were received, filed and approved.

10. Contracted Services Agreement for DuRide: City Manager recommended approval of a Contracted Services Agreement for Fiscal Year 2021 with DuRide to provide transportation services for senior citizens. Upon motion the documents were received, filed and approved.

11. Sister of Charity of the Blessed Virgin Mary / BVM-PHS Senior Housing , Inc. Updated and Restated Water Meter Equipment Agreement: City Manager recommended approval of an Updated Water Meter Wireless Network Equipment License Agreement between the City of Dubuque, Sisters of Charity of The Blessed Virgin Mary and BVM-PHS Senior Housing Inc. for location of wireless water meter reading collection equipment at the Motherhouse Building, 1150 Carmel Drive. Upon motion the documents were received, filed and approved.

12. Purchase of 1001 Garfield Avenue: City Manager recommended authorization to acquire land located at 1001 Garfield Avenue from Berach Land Holdings 20, LLC for the purpose of combining the lot with the property at 1908 Schiller Street, making that lot more desirable for building a new affordable home for an income-qualified homebuyer. Upon motion the documents were received and filed, and Resolution No. 331-20 Approving the Acquisition of Real Estate Owned by the Berach Land Holdings 20, LLC, a Nebraska Limited Liability Company at 1001 Garfield Avenue in the City of Dubuque was adopted.

13. E.K.M., L.L.C. Housing TIF Agreement (Sky Blue Housing Urban Renewal Area): City Manager recommended approval of a Housing Tax Increment Financing (TIF) Agreement between the City of Dubuque and E.K.M., L.L.C. for the development of property in the Sky Blue Housing Urban Renewal Area. Upon motion the documents were received and filed, and Resolution No. 332-20 Approving an Agreement between the City of Dubuque, Iowa and E.K.M., L.L.C. for the development of property in the Sky Blue Urban Renewal Area was adopted.

14. Letter of Support for National Mississippi River Museum & Aquarium REAP Application: City Manager providing a copy of a letter of support on behalf of the City of

Dubuque in support of the National Mississippi River Museum & Aquarium's application to the Iowa DNR REAP CEP grant program. Upon motion the documents were received and filed.

15. Signed Contract(s): Hillcrest Family Services for Murphy Park Holiday Light Display December 2020 and January 2021. Upon motion the documents were received and filed.

16. Improvement Contracts / Performance, Payment and Maintenance Bonds: FitzGerald Deconstruction & Reuse, LLC for deconstruction of 1025 Bluff Street. Upon motion the documents were received, filed and approved.

17. 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. 333-20 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 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. Merge Urban Development - 2nd Amendment to Development Agreement: City Manager recommending that the City Council set a public hearing for November 16, 2020 on the proposed Second Amendment to Development Agreement between the City of Dubuque, Iowa and Port of Dubuque LLC which provided for the proposed issuance of Urban Renewal Tax Increment Revenue Grant Obligations by increasing the number of such grants, and providing for the publication of notice thereof. Upon motion the documents were received and filed, and Resolution No. 334-20 Fixing the date for a public hearing of the City Council of the City of Dubuque, Iowa on the Second Amendment to Development Agreement between the City of Dubuque, Iowa and Port of Dubuque LLC which provided for the proposed issuance of Urban Renewal Tax Increment Revenue Grant Obligations by increasing the number of such grants, 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 November 16, 2020.

[Due to the ongoing COVID-19 pandemic, the City Council will meet virtually through GoToMeeting. The official agenda will be posted on Friday, November 13, 2020 and will contain listening, viewing, and public input options. The City Council agenda can be accessed at <https://cityofdubuque.novusagenda.com/AgendaPublic/> or by contacting the City Clerk's Office at 563-589-4100, ctyclerk@cityofdubuque.org.]

PUBLIC HEARINGS

1. Greater Downtown Urban Renewal District - Resolution of Adoption: Proof of publication on notice of public hearing to consider approval of the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District, which reflects current planned work in the new Stafford Street Subarea, and the City Manager recommended approval. Motion by Jones to receive and file the documents and adopt Resolution No. 335-20 Approving the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District. Seconded by Cavanagh. Staff stated that no online public comments were received regarding this public hearing. 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.

ACTION ITEMS

1. Dubuque Water Supply Well Repair and Rehabilitation Project 2020 (Wells 3, 6, and 8): City Manager recommended awarding the Dubuque Water Supply Well Repair and Rehabilitation Project 2020 (Wells 3, 6, and 8) contract to the low bidder Peerless Well & Pump. Motion by Roussell to receive and file the documents and adopt Resolution No. 336-20 Awarding Public Improvement Contract for the Dubuque Water Supply Well Repair and Rehabilitation Project 2020 (Wells 3, 6, and 8). Seconded by Sprank. Motion carried 7-0.

2. Dubuque Racing Association Memorandum of Understanding Regarding Endowment Fund: City Manager recommended that the City Council approve the Memorandum of Agreement that would redirect DRA endowment contributions for two years, 2020 and 2021. Motion by Lynch to receive and file the documents and approve the Memorandum. Seconded by Jones. Responding to questions from the City Council, City Manager Van Milligen discussed the history of the City's lease agreement with the DRA, the purpose of the endowment, and the reasons that the DRA delayed charitable giving this year. City Council expressed the need for a plan for the DRA as COVID continues. City Attorney Brumwell responded to City Council questions about the agreement, stating that she would need to review the agreement to confirm if there are any violations to the agreement by not taking certain steps. Brumwell stated that the action item related to the endowment could be handled as recommended at this Council meeting, and that any issues with other provisions of the agreement could be handled separately following review related to compliance.

Van Milligen requested the motion be amended to hold in abeyance the clause that would force the distribution of funds this year at a certain level. Lynch moved to amend the motion. Seconded by Jones. Motion carried 6-1 with Resnick voting nay.

3. Greater Downtown Urban Renewal District – Ordinance: City Manager recommended adoption of an ordinance amending the Tax Increment Financing District for the Greater Downtown Urban Renewal District that will expand the District to include the new Stafford Street Subarea. 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 carried 7-0.

Motion by Cavanagh for final consideration and passage of Ordinance No. 41-20 Amending Ordinance No. 20-20, Previously Amended, providing that general property taxes levied and collected each year on all property located within the Greater Downtown Urban Renewal District of the City of Dubuque, County of Dubuque, State of Iowa, by and for the benefit of the State of Iowa, City of Dubuque, County of Dubuque, Dubuque Community School District, and other Taxing Districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District. Seconded by Resnick. Motion carried 7-0.

4. Code of Ordinances Amendment - Title 9 Establishing Fees and Charges for the Various Ramps and Lots: City Manager recommended approval to amend City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 14 Parking, Division 2 Municipal Parking Ramps, Section 9-14-321.640 Fees and Charges; and Division 3 Municipal Parking Lots, Section 9-14-321.651 Establishing Special Use Fees for Municipal Parking Ramps. 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 Lynch. Responding to questions from City Council, City Manager Van Milligen stated that the parking system was completed through the budget process and that the system is an enterprise fund that is designed to support itself from an operational perspective. Van Milligen stated that having a more dynamic system will be valuable as the City looks to adjust parking prices on a daily or weekly basis. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 42-20 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 14 Parking, Division 2 Municipal Parking Ramps, Section 9-14-321.640 Fees and Charges; and Division 3 Municipal Parking Lots, Section 9-14-321.651 Establishing Special Use Fees for Municipal Parking Ramps. Seconded by Lynch. Motion carried 7-0.

5. Request for Work Session - Equitable Poverty Prevention Plan: City Manager recommended that the City Council schedule a work session for a presentation on the Equitable Poverty Prevention Plan for Monday, November 30, 2020, at 6:30 p.m. Motion by Roussell to receive and file the documents and schedule the work session as recommended. Seconded by Cavanagh. No schedule conflicts were noted. Motion carried 7-0.

6. Request for Work Session - Childcare Collaborative Efforts: City Manager recommended that the City Council schedule a work session on Childcare Collaboration Efforts for Monday, December 7, 2020, at 5:00 p.m. Motion by Lynch to receive and file the documents and schedule the work session as recommended. Seconded by Sprank. No schedule conflicts were noted. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Resnick reported on witnessing many citizens wearing masks and social distancing while Trick-or-Treating. Resnick thanked citizens for continuing to follow health protocols.

Council Member Roussell reported that she attended a National League of Cities webinar on how equitable fines and fees strengthen financial security. Roussell stated the webinar pertains to the Council's goal of equitable fines and fees. She has shared the webinar information with her Council colleagues and certain city staff.

Council Member Jones reported that Election Day is November 3rd and requested citizens vote if they had not already done so.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:21 p.m. to discuss pending litigation pursuant to Chapter 21.5(1)(c) Code of Iowa. Seconded by Resnick. Mayor Buol stated for the record that the attorneys who will consult with City Council on the issues to be discussed in the closed session are City Attorney Crenna Brumwell and Attorney Les Reddick. Motion carried 7-0.

Upon motion the City Council reconvened in open session at 9:11 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Buol declared the meeting adjourned at 9:12 p.m.

/s/Adrienne N. Breitfelder
City Clerk

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