

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

The Dubuque City Council met in regular session at 6:00 p.m. on February 19, 2018 in the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Del Toro, Jones, Larson, Resnick, Rios, Shaw; 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

PROCLAMATION(S)

1. Read Across America Day (March 2, 2018) was accepted by Beth McGorry, Outreach Coordinator for St. Mark Youth Enrichment, 1201 Locust St.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Jones. Council Member Larson requested Item #6 be held for separate discussion. Motion carried 7-0.

1. Minutes and Reports Submitted: Catfish Creek Watershed Management Authority of 1/10; City Council Proceedings of 2/5, 2/7, 2/8, 2/12; Historic Preservation Commission of 1/18; Housing Commission of 1/16; Investment Oversight Advisory Commission of 1/24; Park and Recreation Commission of 1/9; Zoning Board of Adjustment of 1/25. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Bard Materials for property damage, Kendall Coulson for vehicle damage, and Jeff Kintzle 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: Bard Materials for property damage, Kendal Coulson for vehicle damage, and Jeff Kintzle for vehicle damage. Upon motion the documents were received, filed, and concurred.

4. 2017 Certified Local Government (CLG) Annual Report: City Manager recommending approval of the 2017 Certified Local Government Annual Report. Upon motion the documents were received, filed and approved.

5. Request for Qualification - Bee Branch West Blum Brownfield Clean Up Project: City Manager recommending approval to distribute a Request for Qualifications for engineering services related to managing the Environmental Protection Agency's Brownfield Clean Up Grant for the West Blum Brownfield Clean Up Project. Upon motion the documents were received, filed and approved.

6. IEDA Grant Application for Community Catalyst Building Remediation: City Manager recommending approval to submit an application to the Iowa Economic Development Authority's (IEDA) Community Catalyst Building Remediation Grant Program for the Creative Adventure Lab Project: Motion by Larson to receive and file the documents and adopt Resolution No. 33-18 Authorizing the filing of an application for the Community Catalyst Building Remediation Grant on behalf of Creative Adventure Lab. Seconded by Rios. Ms. Larson questioned the wording of the minority statement regarding park usage and asked if it could be changed for more inclusive language. Responding to the question, Economic Development Director Maurice Jones stated that he'd review it. Motion carried 7-0.

7. Dubuque Metropolitan Area Transit Study (DMATS) Transportation Alternatives Program (TAP) Grant Agreement for Bee Branch Trail Phase 1: City Manager recommending approval of a resolution authorizing the City Manager to sign the Dubuque Metropolitan Area Transportation Study (DMATS) Transportation Alternatives Program (TAP) grant agreement for the Bee Branch Creek Trail- Phase 1 project and providing written assurance of the required 20% local match and maintenance of the completed project for a minimum of 20 years. Upon motion the documents were received and filed, and Resolution No. 34-18 Authorizing DMATS Tap Grant Agreement for Bee Branch Creek Trail – Phase 1 was adopted.

8. Governor's Traffic Safety Bureau Grant Application: City Manager recommending approval to submit the 2019 Governor's Traffic Safety Bureau grant application to assist local units of government with grant funds for local traffic safety initiatives. Upon motion the documents were received, filed and approved.

9. 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. 35-18 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. 36-18 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 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. Fiscal Year 2019 Recommended Operating and Capital Improvement Budget as Amended: City Manager recommending that the City Council set a public hearing for February 28, 2018, on the Fiscal Year 2019 City budget, Operating and Capital Improvement Program, for the City of Dubuque. Upon motion the documents were received and filed and Resolution No. 37-18 Setting the date for the public hearing on the Fiscal Year 2019 Budget as Amended for the City of Dubuque; and Resolution No. 38-18 Setting the date for the public hearing on the Five-year Capital Improvement Program for Fiscal Years 2019 through 2023 for the City of Dubuque were adopted setting a public hearing for a meeting to commence at 6:00 p.m. on February 28, 2018 in the Historic Federal Building.

BOARDS/COMMISSIONS

The City Council reviewed applications to the following boards/commissions. Applicants were invited to address the City Council regarding their desire to serve on the following boards/commissions.

1. Mechanical and Plumbing Code Board: One, 3-year term through March 16, 2021 (Expiring Term of Valaskey). Applicant: Corey Valaskey, 1385 Alta Vista

2. Resilient Community Advisory Commission: One, 3-year term through July 1, 2020 (Vacant term of Grutz). Applicants: Shane Hoeper, 2520 N. Grandview Ave.; Nicholas Huff, 3075 Olde Country Ct.; Ashley Melchert, 1265 Thomas Pl.; Jared McGovern, 755 Chestnut St.; Paul Schultz, 1008 Victoria St. Mr. Hoeper, Mr. Huff, Mr. McGovern and Mr. Schultz spoke in support of their respective appointments and provided brief biographies.

Appointment was made to the following commission.

3. Housing Commission: One, 3-year term through August 17, 2018 (Vacant term of Shaw); One, 3-year term through August 17, 2019 (Vacant term of Heinke). Applicants: Adam Babinat; 54 Milwaukee St.; Gail Weitz, 1630 Lori Ct. Upon roll-call vote (Babinat = Shaw, Rios, Larson, Jones, Buol; Weitz = Del Toro, Resnick), Mr. Babinat was appointed to the 3-year term through August 17, 2019. Motion by Jones to appoint Ms. Weitz to the 3-year term through August 17, 2018. Seconded by Larson. Motion carried 7-0.

PUBLIC HEARINGS

1. Proceedings for Issuance of General Obligation Bonds Series 2018A and Taxable General Obligation Refunding Bonds Series 2018B: Proof of publication on notice of public hearing to approve the suggested proceedings for the public hearing, recommending the approval of the preliminary official statement, advertisement for the sale and approval of the electronic bidding procedures on the issuance of General Obligation Bonds Series 2018A and Taxable General Obligation Refunding Bonds Series 2018B and the City Manager recommending approval. Motion by Resnick to receive and file the documents and adopt Resolution No. 39-18 Instituting proceedings to take additional action for the issuance of not to exceed \$12,750,000 General Obligation Bonds; Resolution No. 40-18 Directing the advertisement for sale of \$9,410,000 (Subject to

adjustment per terms of Offering) General Obligation Bonds, Series 2018A, and approving electronic bidding procedures and Official Statement; and Resolution No. 41-19 Directing the advertisement for sale of \$1,020,000 (Subject to adjustment per terms of Offering) Taxable General Obligation Refunding Bonds, Series 2018B, and approving electronic bidding procedures and Official Statement. Seconded by Jones. Motion carried 7-0.

PUBLIC INPUT

Eric Schultz, 1045 W. 3rd St., questioned the need for an additional housing inspector as recommended in the FY2019 Housing Department budget.

Jan Stoffel, 2905 Fox Hollow Road, addressed the City Council regarding her correspondence on Action Item #1 regarding the increasing issues and support for sidewalks along JFK Road from Asbury to the NW Arterial since it was last discussed by Council in 2007.

Carol Meyer, 2644, JKF Road; Jolene Rettenberger, 2291 Gordon Drive, spoke in opposition to sidewalks on her behalf and that of area property owners. Ms. Meyer also spoke of issues with the bus stop in front of her property.

Leroy Timmerman, 2636 JFK Road; and Bob Park, 2939 Brandywine Park Drive, expressed similar opinions that the issue is more of a problem with access to City-developed amenities and should resolve rather than burden property owners.

ACTION ITEMS

1. Citizen Correspondence Requesting Sidewalk Installation on John F. Kennedy Road: Correspondence from citizen Bill Stoffel requesting sidewalk installation at the intersection of Asbury Road and John F. Kennedy Road to the Northwest Arterial. City Engineer submitting historic documentation related to sidewalk installation. The City Clerk acknowledge receipt and distribution of a citizen petition and correspondence in opposition to the matter and a copy of the 2007 petition in support.

Restated motion by Jones to receive and file the documents and refer to staff. Seconded by Resnick. Motion carried 5-2 with Del Toro and Rios voting nay. After considerable discussion that included the issues of public safety, growth and development in the area, project costs, and the assessment burden on property owners, most Council Members felt additional and current data was needed from staff. Responding to questions, City Manager Van Milligen described the current policy that requires installation of sidewalks with some exceptions, an agreement with property owners and that information from staff could be expected to come to Council in about three months.

2. Chaplain Schmitt Island Placemaking & Implementation Plan: City Manager recommending approval of the 2018 Chaplain Schmitt Island Placemaking & Implementation Plan, as being consistent with the adopted 2017 Master Plan for Chaplain Schmitt Island. Task Force Member Kevin Lynch, 749 Brookview Sq.; and Ryan Peterson of RDG Planning & Design, provided a presentation on the Plan. Topics included: a history of the Plan, Vision/Mission Statements, Plan overview and amendments since 2017, project overview description of amenities, and regulatory overview and outreach.

Planning Services Manager Laura Carstens provided information on her department's role in the process and working with Leisure Services. DRA Board Chair and Task Force Member Rick Dickinson spoke in support of the plan. Presenters responded to questions from the City Council that addressed potential flooding issues and the use of a land surveyor to assess the impact of proposed amenities on the existing campground. Motion by Resnick to receive and file the documents and adopt Resolution No. 42-18 Approving 2018 Chaplain Schmitt Island Placemaking and Implementation Plan as Consistent with 2017 Master Plan. Seconded by Jones. Motion carried 7-0.

3. Promotional Materials Over the Right-of-Way Policy: City Manager recommending approval of a new Promotional Materials Over the Street Right-of-Way policy to supplement the City's existing Special Events permit. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Del Toro. Motion carried 7-0.

4. Request for Work Session - Sustainable Dubuque Quarterly Work Session: City Manager recommending that the City Council schedule the Sustainable Dubuque Quarterly Work Session for Monday, April 23, 2018, at 6:00 p.m. Motion by Larson to receive and file the documents and schedule the work session as recommended. Seconded by Resnick. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Del Toro relayed a personal experience that compelled him to request that anyone displaying even a small sign of true illness, seek immediate medical help.

There being no further business, upon motion the City Council adjourned at 8:43 p.m.

Kevin S. Firnstahl, CMC
City Clerk

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