

**ROLL CALL ORDER FOR MEETING OF
December 17, 2018**

Del Toro, Resnick, Shaw, Jones, Rios, Buol, Larson



**CITY OF DUBUQUE, IOWA
CITY COUNCIL MEETING
Historic Federal Building
350 W. 6th Street
December 17, 2018**

Council meetings are video streamed live and archived at www.cityofdubuque.org/media and on Dubuque's CityChannel on the Mediacom cable system at cable channel 8 and digital 117.2

WORK SESSION

1. [5:30 PM Crime Prevention Efforts](#)

Police Chief Mark Dalsing will present information on the crime prevention efforts by the Dubuque Police Department.

REGULAR SESSION

6:00 PM

PLEDGE OF ALLEGIANCE

PRESENTATION(S)

1. [Dubuque Main Street 2018 Committee Member of the Year Recognition of Denette Kellogg.](#)

Dubuque Main Street Executive Director Dan LoBianco will present the 2018 Committee Member of the Year award to Library Administrative Assistant Denette Kellogg.

CONSENT ITEMS

The consent agenda items are considered to be routine and non-controversial and all consent items will be normally voted upon in a single motion without any separate discussion on a particular item. If you would like to discuss one of the Consent Items, please go to the microphone and be recognized by the Mayor and state the item you would like removed from the Consent Agenda for separate discussion and consideration.

1. [Minutes and Reports Submitted](#)

Cable TV Commission of 12/5; City Council Proceedings of 12/3; Community Development Advisory Commission of 10/17, 11/28; Five Flags Civic Center Advisory Commission of 11/26; Historic Preservation Commission of 11/5; Housing Commission of 11/27; Human Rights Commission of 11/5; Library Board of Trustees Council Update #177 of 11/29; Long Range Planning Advisory Commission of 11/13; Park and Recreation Advisory Commission of 11/13; Zoning Advisory Commission of 12/5; Zoning Board of Adjustment of 11/15; Proof of Publication for City Council Proceedings of 11/5, 11/19; Proof of Publication for List of Claim and Summary of Revenues for Month Ending 10/31.

Suggested Disposition: Receive and File

2. [Notice of Claims and Suits](#)

Giese Sheet Metal Co., Inc. for property damage.

Suggested Disposition: Receive and File; Refer to 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: Giese Sheet Metal Co., Inc. for property damage.

Suggested Disposition: Receive and File; Concur

4. [Approval of City Expenditures](#)

City Manager recommending Council approval for payment of City expenditures.

RESOLUTION Authorizing the Finance Director-City Treasurer to make certain payments of bills that must be paid and approved for payment in accordance with City procedures

Suggested Disposition: Receive and File; Adopt Resolution(s)

5. [Legal Aid Fair Housing Initiatives Grant](#)

City Manager recommending approval to submit a letter in support of Iowa Legal Aid's Fair Housing Initiative Program grant application.

Suggested Disposition: Receive and File; Approve

6. [Certified Local Government \(CLG\) Grant Agreement for 2020 Preserve Iowa Summit](#)

City Manager recommending approval of a Certified Local Government (CLG) Program Grant Agreement for the City of Dubuque to host the 2020 Preserve Iowa Summit.

RESOLUTION Authorizing CLG Grant Agreement with State Historic Preservation Office to host the Preserve Iowa Summit

Suggested Disposition: Receive and File; Adopt Resolution(s)

7. [Certified Local Government \(CLG\) Grant Agreement for Four Mounds Preservation Planning](#)

City Manager recommending approval of a Certified Local Government (CLG) Program Grant Agreement for preservation planning at Four Mounds Park.

RESOLUTION Authorizing CLG Grant Agreement with State Historic Preservation Office for Four Mounds.

Suggested Disposition: Receive and File; Adopt Resolution(s)

8. [Consultant Recommendation for Chaplain Schmitt Veteran's Memorial Project](#)

City Manager recommending approval giving authorization to the City Manager to negotiate the final terms of an agreement with RDG and to execute a contract for design, engineering and construction administration services for the Chaplain Schmitt Veteran's Project.

Suggested Disposition: Receive and File; Approve

9. [Dubuque Board of Realtors Agreement](#)

City Manager recommending approval of a three-year Agreement between the City of Dubuque's Housing and Community Development Department and the Dubuque Board of Realtors to list City-owned properties.

Suggested Disposition: Receive and File; Approve

10. [Cottingham & Butler Amendment to IEDA Contract](#)

City Manager recommending approval of a resolution authorizing an amendment to Contract 18-DF-TC-020 by and among Cottingham & Butler Insurance Services, Inc., the City of Dubuque, and the Iowa Economic Development Authority (IEDA).

RESOLUTION Approving an Amendment to the Economic Development Financial Assistant Contract by and among Cottingham & Butler Insurance Services, Inc., the City of Dubuque, Iowa and the Iowa

Economic Development Authority

Suggested Disposition: Receive and File; Adopt Resolution(s)

11. [Resource Enhancement and Protection \(REAP\) Grant Agreement for Four Mounds Park Ecological Restoration for Fiscal Year 2019](#)

City Manager recommending approval of an Iowa Department of Natural Resources Resource Enhancement and Protection (REAP) Grant Agreement for the Four Mounds Park Ecological Restoration Project.

RESOLUTION Authorizing CLG Grant Agreement with IDNR for Four Mounds Ecological Restoration

Suggested Disposition: Receive and File; Adopt Resolution(s)

12. [Tree City USA Application](#)

City Manager recommending approval to submit an application for Dubuque to become recertified as a Tree City USA.

Suggested Disposition: Receive and File; Approve

13. [Sustainable Dubuque Community Grants Recommendation Part 2](#)

City Manager recommending approval of the Resilient Community Advisory Commission's recommendation for funding the Winter Farmer's Market from the Sustainable Dubuque Community Grant Program.

Suggested Disposition: Receive and File; Approve

14. [U.S. Army Corps of Engineers Planning Assistance to States - Agreement for Watershed Plan Development](#)

City Manager recommending authorization for the Mayor to execute the agreement with the U.S. Army Corps of Engineers, (USACE) in order for the USACE to provide riverfront planning and watershed management plan update and development.

Suggested Disposition: Receive and File; Approve

15. [Urban Sustainability Directors Network \(USDN\) Equity Diversity and Inclusion \(EDI\) Fellowship](#)

City Manager recommending approval of a funding request to the Urban Sustainability Director's Network Grant Program for the Equity, Diversity and Inclusion Fellowship Program.

Suggested Disposition: Receive and File; Approve

16. [Workers' Compensation Claims Administrative Services Agreement Addendum](#)

City Manager recommending approval of an Addendum to the Agreement between the City of Dubuque and Alternative Service Concepts for services related to the administration of the City's Workers' Compensation Program.

Suggested Disposition: Receive and File; Approve

17. [Request for Proposals for the Third-Party Administration of the Self-Funded Workers' Compensation Program](#)

City Manager recommending approval to enter into an agreement with Arthur J. Gallagher Risk Management Services, Inc. to review and analyze the proposals for third-party administration of the City's self-funded workers' compensation program.

Suggested Disposition: Receive and File; Approve

18. [FDA Five-Year Food Information Sharing Agreement](#)

City Manager recommending approval to execute the FDA Five-Year, Single-Signature, Long-Term Food Information Sharing Agreement for sharing non-public food information.

Suggested Disposition: Receive and File; Approve

19. [Plat of Survey for Cedar Lake East Thirteenth Addition](#)

Zoning Advisory Commission recommending approval of the Plat of Survey of Lot 1 and Lot 2 of Cedar Lake - East Thirteenth Addition, locally known as 3271 North Cedar Court, subject to waiving the lot frontage requirement for Lot 2.

RESOLUTION Approving the Plat of Survey of Lot 1 and Lot 2 of Cedar Lake - East Thirteenth Addition in the City of Dubuque, Iowa

Suggested Disposition: Receive and File; Adopt Resolution(s)

20. [Acceptance of the Clarke Drive and Locust Street Intersection Improvements Project](#)

City Manager recommending acceptance of the construction contract for the Clarke Drive and Locust Street Intersection Improvement Project as completed by McDermott Excavating.

RESOLUTION Accepting the Clarke Drive and Locust Street Intersection Improvement Project and authorizing the payment of the contract amount to the contractor

Suggested Disposition: Receive and File; Adopt Resolution(s)

21. [Mediacom Communications Company](#)

Correspondence from Lee Grassley, Senior Manager of Government Relations for Mediacom Communications Company, informing the City of rate adjustments being implemented on or about January 1, 2019.

Suggested Disposition: Receive and File

22. [Signed Contract\(s\)](#)

Amendment to Staffing Agreement with Dubuque Initiatives; Revocable License with Premier Bank Revocable License for Iowa St. Parkway. IIW, P.C. for DICW/McFadden Project Engineering Services

Suggested Disposition: Receive and File

Changed

23. [Improvement Contracts / Performance, Payment and Maintenance Bonds](#)

Temperley Excavating, Inc. for the 30th and Leibe Street Sanitary Sewer Reconstruction Project; Tschiggfrie Excavating Co. for the Kerper Blvd. Sanitary Sewer Reconstruction Project

Suggested Disposition: Receive and File; Approve

24. [Business License Refund](#)

Request from Port of Dubuque Marina C-Store for a refund of the Liquor License No. BB0034433, located at 450 East 3rd Street, due to business closing for the season.

Suggested Disposition: Receive and File; Approve

25. [Alcohol License Applications](#)

City Manager recommending approval of annual beer, liquor and wine licenses as submitted.

RESOLUTION 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

Suggested Disposition: Receive and File; Adopt Resolution(s)

ITEMS SET FOR PUBLIC HEARING

These agenda items are being scheduled for a future public hearing on the date indicated.

1. [Historic Federal Building Roof Replacement Project \(Initiation\)](#)

City Manager recommending preliminary approval of the construction plans and specifications and establish January 7, 2019 as the date of the public hearing and authorize the City Clerk to

advertise for bid proposals for the Historic Building Roof Restoration Project through the adoption of the resolution.

RESOLUTION Historic Federal Building - Roof Restoration Project

Suggested Disposition:

Receive and File; Adopt Resolution(s), Set Public Hearing for January 7, 2019

2. **[Amendment Residential Parking Permit District H](#)**

City Manager recommending that the City Council schedule a public hearing for January 7, 2019, on the proposed amendment(s) to District H, which adds Keystone Drive, both sides, from Phyllrich Drive to its westerly terminus and changes the parking restriction to 7 AM to 3 PM. on school days only.

RESOLUTION Setting a public hearing on amending Residential Parking Permit District H to include both sides of Keystone Drive from Key Way Drive to its westerly terminus and to modify the day / time parking restrictions in District H

Suggested Disposition:

Receive and File; Adopt Resolution(s), Set Public Hearing for January 7, 2019

3. **[Upper Bee Branch Creek Railroad Culvert Crossing Project](#)**

City Manager recommending initiation of the public bidding procedure for the Upper Bee Branch Creek Railroad Culverts Project, and further recommends that a public hearing be set for January 7, 2019.

RESOLUTION Preliminary approval of plans, specifications, form of contract, and estimated costs; setting a date of public hearing on plans, specifications, form of contract, and estimated cost; and ordering the advertisement for bids

Suggested Disposition:

Receive and File; Adopt Resolution(s), Set Public Hearing for January 7, 2019

BOARDS/COMMISSIONS

1. **[Boards and Commission Appointments](#)**

Appointments to the following commissions to be made at this meeting.

Housing Board of Appeals

Two, 3-year terms through January 11, 2022 (Expiring terms of Spence and White)

Applicants:

Gil Spence, 975 Grove Terrace

Ron White, 3197 Highland Park Dr.

Human Rights Commission

Three, 3-year terms through January 1, 2022 (Expiring terms of Breittfelder, Hammel, and Parks)

Applicants:

Adrienne Breittfelder, 1365 Solon St.

Gerald Hammel Jr., 1225 ½ Rhomberg Ave. (Additional Applicant)

Kathrin Parks, 486 Clarke Dr.

This commission is subject to the State of Iowa Gender Balance Law.

9 Commissioners total; currently 3 males/3 females/3 vacancies

Mediacom Charitable Foundation

One, 1-year term through December 31, 2019 (Expiring term of Chavenelle)

Applicant:

Gail Chavenelle, 1155 Kelly Lane

PUBLIC HEARINGS

Citizens are invited to address the City Council regarding the following agenda items. Please come to the podium and state your name and address when the item you wish to speak to is being considered.

1. [DICW Urban Renewal Plan Amendment 2018.3 - Resolution of Adoption](#)

Proof of publication on notice of public hearing to consider approval of the Amended and Restated Urban Renewal Plan, Version 2018.3, for the Dubuque Industrial Center Economic Development District, and the City Manager recommending approval.

RESOLUTION Approving the Amended and Restated Urban Renewal Plan, Version 2018.3, for the Dubuque Industrial Center Economic Development District

Suggested Disposition: Receive and File; Adopt Resolution(s)

2. [Code of Ordinances Amendment Title 16 - Zoning Advisory Commission Voting Quorum](#)

Proof of publication for notice of public hearing to consider a request from the City of Dubuque to Amend Unified Development Code (Zoning Ordinance) sections 16-9-1 (J)(5), 16-9-5-2(B), 16-9-6-2(B), and 16-9-6-3 to modify voting requirements for the Zoning Advisory Commission and the Zoning Advisory Commission recommending approval.

ORDINANCE Amending Title 16 Unified Development Code of The City Code of Ordinances, by Amending Section 16-9-1(J)(5), Section 16-9-5-2(B), Section 16-9-6-2(B) And Section 16-9-6-3 to Remove the Requirement for a Minimum of Four Affirmative Votes by the Zoning Advisory Commission for a Recommendation of Approval for Rezonings and Text Amendments

Suggested Disposition: Receive and File; Motion B; Motion A

PUBLIC INPUT

At this time, anyone in the Council Chambers may address the City Council on the Action Items on the agenda or on matters under the control of the City Council. Citizens are asked to approach the podium and state their name and address before proceeding with their comments. Individual remarks are limited to five minutes, and the overall Public Input period is limited to 30 minutes. Under the Iowa Open Meetings Law, the City Council can take no formal action on comments given during Public Input which do not relate to Action Items on the Agenda.

ACTION ITEMS

These are items where discussion is held by the City Council - public comments are not allowed except as authorized by the Mayor.

1. [DICW Urban Renewal Plan Amendment 2018.3 - Ordinance](#)

City Manager recommending approval of an ordinance amending the Tax Increment Ordinance for the Dubuque Industrial Center Economic Development District as the District's boundaries were amended by Version 2018.3 of the Amended and Restated Urban Renewal Plan.

ORDINANCE Amending Ordinance No. 18-18, Previously Amended, providing that General Property Taxes Levied and collected each year on all property located within the Amended and Restated Dubuque Industrial Center Economic Development District Urban Renewal Area 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 Dubuque Industrial Center Economic Development District Urban Renewal Redevelopment Project

Suggested Disposition: Receive and File; Motion B; Motion A

2. [Swiss Valley Urban Renewal Area - Termination Resolution](#)

City Manager recommending approval of proceedings terminating the Swiss Valley Economic Development District Urban Renewal Area and approving an ordinance repealing any ordinances implementing tax increment financing in the District.

RESOLUTION Terminating the Urban Renewal Plan for the Swiss Valley Economic Development District and Ending the Swiss Valley Economic Development District Urban Renewal Area

Suggested Disposition: Receive and File; Adopt Resolution(s)

3. [Swiss Valley Urban Renewal Area - Termination Ordinance](#)

City Manager recommending approval of the ordinance terminating the Urban Renewal Plan for the Swiss Valley Economic Development District Urban Renewal Area and the ordinance repealing any ordinances implementing tax increment financing in the District, as tax increment financing cannot continue in the District once the Urban Renewal Plan for the District is terminated.

ORDINANCE Repealing Ordinance providing for the division of taxes levied on taxable property in the Swiss Valley Economic Development District Urban Renewal Area, City of Dubuque, Iowa, pursuant to Section 403.19 or the Code of Iowa

Suggested Disposition: Receive and File; Motion B; Motion A

4. [Peru Road Urban Renewal District - Repealing Ordinance](#)

City Manager recommending approval of the ordinance repealing the TIF District for the Peru Road Urban Renewal Area.

ORDINANCE Repealing Ordinance No. 45-17 Providing for the division of taxes on taxable property in the Peru Road Economic Development District Urban Renewal Area, City of Dubuque, Iowa pursuant to Section 403.19 of the Code of Iowa

Suggested Disposition: Receive and File; Motion B; Motion A

5. [Peru Road Urban Renewal District - Resolution of Adoption](#)

City Manager recommending approval of the Amended and Restated Urban Renewal Plan for the Peru Road Urban Renewal Area.

RESOLUTION Approving the Amended and Restated Urban Renewal Plan for the Peru Road Urban Renewal Area

Suggested Disposition: Receive and File; Adopt Resolution(s)

6. [Comprehensive Annual Financial Report \(CAFR\) and Auditor's Communication](#)

City Manager transmitting the Fiscal Year 2018 Comprehensive Annual Financial Report (CAFR), Auditor's Communication with Those Charged with Governance Letter, along with the City Finance staff's responses to the auditor's findings.

There will be a presentation.

Suggested Disposition:

Receive and File; Presentation

7. [Phase 2 Planning for an Expanded/Improved Five Flags Civic Center](#)

City Manager is transmitting the Phase 2 Planning for an Expanded/Improved Five Flags Civic Center.

The Consultants will make a presentation.

Suggested Disposition:

Receive and File; Presentation

8. [Donation of Land Bordering Eagle Point Park Approval](#)

Added
Late

City Manager recommending acceptance of the donation of 11.57 acres of land from the Jeffrey Deforest Davis Revocable Inter Vivos Trust as an addition to Eagle Point Park and further recommends approval of a resolution and authorization for the City Manager to execute an offer

to buy real estate and the City Attorney's Office be authorized to complete necessary actions to complete the donation by year-end.

RESOLUTION Accepting Deed to certain real estate in Dubuque County, Iowa from the Jeffrey DeForest Davis Revocable Inter Vivos Trust

Suggested Disposition: Receive and File; Adopt Resolution(s)

9. **Upper Bee Branch Culvert Crossing Project - Canadian Pacific Railroad Property Acquisition**

City Manager recommending adoption of resolutions approving the terms of the Construction Agreement, Easement Agreements, and Environmental Right-of-Entry Agreement related to the acquisition and use of easements through property owned by Canadian Pacific Railway at 506 Garfield Avenue for the purpose of constructing and maintaining the improvements associated with the Upper Bee Branch Creek Railroad Culverts Project.

There will be a presentation.

RESOLUTION Accepting Grants of Easements through certain real property owned by Canadian Pacific Railway in the City of Dubuque, Iowa for the Bee Branch Railroad Culverts Project

RESOLUTION Approving the Construction Agreement and Environmental Right-of-Way Agreement for the acquisition and use of easements through certain real property owned by Canadian Pacific Railway in the City of Dubuque, Iowa for the Bee Branch Railroad Culverts Project

Suggested Disposition:

Receive and File; Adopt Resolutions, Presentation

10. **Budget and Fiscal Policy Guidelines for Fiscal Year 2020**

City Manager recommending adoption of the Fiscal Year 2020 Budget Policy Guidelines.

Suggested Disposition: Receive and File; Approve

COUNCIL MEMBER REPORTS

CLOSED SESSION

Pending Litigation and Real Estate Transfer Negotiations – Chapter 21.5(1)(c), -(j) Code of Iowa

ADJOURNMENT

The agenda with supporting documents may be accessed at www.cityofdubuque.org or at the City Clerk's Office, 50 W. 13th Street, during regular business hours.

This notice is given pursuant to Chapter 21, Code of Iowa, and applicable local regulations of the City of Dubuque, Iowa and/or governmental body holding the meeting.

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