

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

The Dubuque City Council met in regular session at 6:30 p.m. on October 4, 2021, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol; Council Members Cavanagh, Farber, Jones, 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. Native American Land Acknowledgement: Mayor Buol began the meeting by reading a land acknowledgement to recognize the long history of nations who lived and still live in Dubuque.

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. Energy Efficiency Day (October 6, 2021) was accepted by Sustainable Community Coordinator Gina Bell on behalf of Sustainable Dubuque.

2. Indigenous Peoples' Day (October 11, 2021) was accepted by Jody Durnin on behalf of the Dubuque for Indigenous Peoples' Day Committee.

3. Sister City Relationships Recognition Days (October 14 - 16, 2021) was accepted by Chairperson Kevin Firnstahl on behalf of the Sister City Relationships Committee of Travel Dubuque.

4. Dubuque Lowe's Community Day (October 17, 2021) was accepted by Mike Bryson on behalf of Dubuque Lowe's.

5. Arts & Humanities Month (October 2021) was accepted by Arts and Cultural Affairs Coordinator Jenni Petersen-Brant on behalf of the Arts and Cultural Affairs Advisory Commission.

6. Brain Health Awareness Month (October 2021) was accepted by Peter Supple on behalf of the Brain Health Now Stakeholders.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Sprank. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council proceedings of 9/20; Arts and Cultural Affairs Commission of 7/27 and 8/24; Housing Commission of 8/24; Human Rights Commission of 8/9; Library Board of Trustees of 8/26; Library Board of Trustees Update of 9/23. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: GRTD Investments, LLC for vehicle damage; Joshua-James Richards for personal injury. Upon motion the documents were received, filed, and referred to the City Attorney.

3. Disposition of Claims: City Attorney advised that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: GRTD Investments, LLC for vehicle damage; Joshua-James Richards for personal injury. Upon motion the documents were received, filed, and concurred.

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. 329-21 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. Fiscal Year 2021 City Street Financing Report: City Manager recommended approval of the City of Dubuque's Fiscal Year 2021 City Street Financing Report and authorize filing with the Iowa Department of Transportation. Upon motion the documents were received and filed, and Resolution No. 330-21 Approving the City of Dubuque Fiscal Year 2021 City Street Financing Report was adopted.

6. Proposed Downtown Rehabilitation Grant Award for 1699 Iowa Street: City Manager recommended approval of a Downtown Rehabilitation Loan Program Grant Award in the amount of \$35,000 to Unitarian Universalist Fellowship of Dubuque for a façade grant, a planning & design grant, and a financial consultant grant for 1699 Iowa Street. Upon motion the documents were received and filed, and Resolution No. 331-21 Approving a Grant Agreement between the City of Dubuque, Iowa and Unitarian Universalist Fellowship of Dubuque, Iowa for the redevelopment of 1699 Iowa Street was adopted.

7. Proposed Downtown Rehabilitation Grant Award for 2535 Central Avenue: City Manager recommended approval of a Downtown Rehabilitation Grant Award to TKWJ Estates, LLC in the maximum amount of \$50,000 for 2535 Central Avenue. Upon motion the documents were received and filed, and Resolution No. 332-21 Approving a Grant Agreement between the City of Dubuque, Iowa and TKWJ Estates, LLC for the redevelopment of 2535 Central Avenue was adopted.

8. Fiscal Year 2022 Main Street Iowa Program Agreement: City Manager requested approval of the Program Agreement through a resolution among Dubuque Main Street Ltd., the City of Dubuque, and the Iowa Economic Development Authority. Upon motion the documents were received and filed, and Resolution No. 333-21 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.

9. Transmission of 2021-2022 Art on the River Promotional Brochure and Purchasing Information: City Manager transmitted information on the 2021-2022 Art on the River promotional brochure and purchasing information. Upon motion the documents were received and filed.

10. Amendment to Development Agreement - Derby Grange, LLC: City Manager requested review and approval of a resolution amending the development agreement and the amendment to the development agreement with Derby Grange, LLC. Upon motion the documents were received and filed, and Resolution No. 334-21 Approving the First Amendment to Development Agreement between the City of Dubuque, Iowa and Derby Grange, LLC was adopted.

11. Resolution Approving the Sale of Property by 210 Jones, LLC and Resolution Approving the Third Amendment to the Development Agreement: City Manager recommended approval of a Resolution approving the sale of the Development Property by 210 Jones, LLC to Dubuque Idea Campus, LLC and approval of a Resolution approving the Third Amendment to Development Agreement. Upon motion the documents were received and filed, and Resolution No. 335-21 Approving the sale of real estate owned by 210 Jones, LLC and Resolution No. 336-21 Approving the Third Amendment to Development Agreement between the City of Dubuque, Iowa and 210 Jones, LLC were adopted.

12. Fiscal Year 2022 Contracted Service Agreement: DuRide: City Manager recommended approval of a Contracted Services Agreement for Fiscal Year 2022 with DuRide for \$30,000 to provide transportation services for senior citizens. Upon motion the documents were received, filed, and approved.

13. Multicultural Family Center Summer Teen Empowerment Program (STEP) 2021 Outcomes: City Manager transmitted information on the Multicultural Family Center Summer Teen Empowerment Program (STEP) 2021 outcomes. Upon motion the documents were received and filed.

14. Pre-Annexation Agreement - River City Stone Company: City Manager recommended approval of a Pre-Annexation Agreement with River City Stone Company, in conjunction with their request for approval of a Final Plat. Upon motion the documents were received and filed, and Resolution No. 337-21 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and River City Stone Company was adopted.

15. Improvement Contracts / Performance, Payment and Maintenance Bonds: McDermott Excavating Company for the South Gate Drive to Simpson Street Water Main Project; River City Paving for the 2021 Airport Parking Lot Resurfacing Project. Upon motion the documents were received, filed, and approved.

16. Tiffany Court - Lead Mine Sinkhole Remediation Project: Award of Public Improvement Construction Contract: City Manager recommended award of the construction contract for the Tiffany Court – Lead Mine Sinkhole Remediation Project to the low bidder, S&S Builders, based on the concurrence from Iowa Department of Agriculture and Land Stewardship. Upon motion the documents were received and filed, and Resolution No. 338-21 Awarding Public

Improvement Contract for the Tiffany Court - Lead Mine Sinkhole Remediation Project was adopted.

17. Water Main Extension to Tamarack Park (Phase 2) Amendment to change Date of Project Completion: City Manager recommended approval of an Amendment to Pre-Annexation Agreement between the City of Dubuque and Jon D. Luckstead to revise the project completion date to be set for on or before May 31, 2023. Upon motion the documents were received, filed, and approved.

18. Eagle Point Water Treatment Plant Process and Condition Assessment Project 2021: Award of Professional Engineering Contract: City Manager recommended approval to enter into final contract negotiations for professional engineering services with Strand Associates for the Eagle Point Water Treatment Plant Process and Condition Assessment Project 2021 for a not to exceed amount of \$187,093. Upon motion the documents were received, filed, and approved.

19. Liquor License Renewals: City Manager recommended approval of annual beer, liquor and wine licenses as submitted. Upon motion the documents were received and filed, and Resolution No. 339-21 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 Jones to receive and file the documents, adopt the resolutions, and set the public hearings as indicated. Seconded by Farber. Motion carried 7-0.

1. Water Service Connection Charge Assessment - 1951 W. 32nd Street Set Public Hearing Date: City Manager recommended the City Council set a public hearing for October 18, 2021, for the establishment of the Final Schedule of Assessments for 1951 W 32nd Street for a water service connection charge. Upon motion the documents were received and filed and Resolution No. 340-21 Setting a public hearing on the Voluntary Assessment Agreement for Water Connection Fee for 1951 W. 32nd Street was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on October 18, 2021, in the Historic Federal Building.

2. Resolution of Necessity for the Amendment of the Dubuque Industrial Center Economic Development District Urban Renewal Plan, Version 2021.6: City Manager recommended City Council approval of a Resolution of Necessity that finds that an Amended and Restated Urban Renewal Plan for the Dubuque Industrial Center Economic Development District is both necessary and appropriate and sets a public hearing on the proposed amendment for November 1, 2021. Upon motion the documents were received and filed and Resolution No. 341-21 Authorizing and directing the City Manager to prepare an Amended and Restated Urban Renewal Plan for the Dubuque Industrial Center Economic Development District and setting dates for the public hearing and consultation process on the proposed Amended and Restated Urban Renewal Plan for said district was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 1, 2021, in the Historic Federal Building.

3. Set for Public Hearing - River City Development Group, LLC Voluntary Annexation Request: City Manager recommended the City Council set a public hearing for November 1, 2021, on the 100% voluntary annexation request filed by River City Development Group, LLC for approximately 156.25 acres of property. Upon motion the documents were received and filed

and Resolution No. 342-21 Setting a public hearing on an application for voluntary annexation of territory to the City of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 1, 2021, in the Historic Federal Building.

4. Set for Public Hearing - City of Dubuque Voluntary Annexation Request: City Manager recommended the City Council set a public hearing for November 1, 2021, on the 100% voluntary annexation request filed by the City of Dubuque for approximately 51.56 acres of property. Upon motion the documents were received and filed and Resolution No. 343-21 Setting a public hearing on an application for voluntary annexation of territory to the City of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 1, 2021, in the Historic Federal Building.

5. Request for Public Hearing: State Revolving Fund (SRF) Environmental Review-Old Mill Road Pump Station and Force Main Project: City Manager recommended the City Council set a public hearing for November 15, 2021, on the environmental review as provided by the State Revolving Fund's Department of Natural Resources, for the Old Mill Road Pump Station and Force Main project. Upon motion the documents were received and filed and Resolution No. 344-21 State Revolving Fund (SRF) Loan - Environmental Review: Old Mill Pump Station and Force Main Project: Preliminary Approval of an Environmental Review as provided by SRF's Department of Natural Resources for the Old Mill Pump Station and Force Main Project and ordering the advertisement for public notice was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 15, 2021, in the Historic Federal Building.

ACTION ITEMS

1. Proposed Transition from Human Rights Department to Office of Equity and Human Rights: City Manager recommended renaming the Human Rights Department to the Office of Equity and Human Rights, along with a transition in the duties of the department. 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 Cavanagh. Human Rights Director Kelly Larson made a presentation. Topics included: Human Rights; Creating a culture centered in human rights; main roles of the Human Rights Department throughout the years; and Proposal: Office of Equity and Human Rights. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 33-21 Amending City of Dubuque Code of Ordinances Title 8 Human Rights. Seconded by Cavanagh. Motion carried 7-0.

2. Kennedy Road Water Main Extension Project 2021 Award Resolution: City Manager requested City Council adoption of a resolution which gives authorization to award the construction contract for the Kennedy Road Water Main Extension Project 2021 to Drew Cook & Sons Excavating in the amount of \$752,852.00. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 345-21 Awarding Public Improvement Contract for the Kennedy Road Water Main Extension 2021 Project. Seconded by Sprank. Motion carried 7-0.

3. U.S. Department of Housing & Urban Development (HUD) Older Adult Home Modification Program Grant Agreement: City Manager recommended authorization of an agreement with the U.S. Department of Housing & Urban Development (HUD) for the use of \$1,000,000 to administer an Older Adult Home Modification Program Grant to help an aging population age in place, or stay in their homes as they age. Motion by Roussell to receive and file the documents

and adopt Resolution No. 346-21 Authorizing the City Manager or his designee to execute an Agreement and any further documents required for the execution of the HUD Older Adult Home Modification Program Grant Award of \$1,000,000. Seconded by Farber. Responding to questions from the City Council, Housing and Community Development Director Alexis Steger stated that rental units do not qualify for the program and that the program has city-wide eligibility. City Council members expressed support for the program and stated their interest in identifying additional programs or volunteer opportunities to further assist the elderly population. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Roussell reported on receiving her Certified Elected Municipal Official Certificate through the Iowa League of Cities.

Council Member Jones reported on the city primary election scheduled for October 5, 2021 and encouraged residents to vote.

Council Member Sprank thanked the Multicultural Family Center (MFC) for hosting the Dubuque Latinx Fiesta on October 2, 2021.

There being no further business, Mayor Buol declared the meeting adjourned at 7:39 p.m.

/s/Adrienne N. Breitfelder
City Clerk

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