

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

The Dubuque City Council met in special session at 5:30 p.m. on December 20, 2021, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6<sup>th</sup> 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 special session of the City Council called for the purpose of conducting a work session on the Central Avenue Corridor Streetscape Master Plan.

**WORK SESSION  
Central Avenue Corridor Streetscape Master Plan**

Economic Development Director Jill Connors introduced Ryan Peterson, Senior Partner of RDG Planning & Design, who made a presentation Topics included:

- Background: Project Timeline
- Public Input: Engagement Strategy
- Emerging Themes
- Regional Opportunities Diagram
- Streetscape Vision
- Next Steps

Mr. Peterson responded to questions from the City Council regarding feedback from area businesses, the recommended width for parking spaces, the square footage dedicated to planting trees, and how the plan will incorporate various traffic scenarios. City Manager Van Milligen and Ms. Connors responded to questions regarding the proposed timeline of the traffic study and project. City Council discussed the need for 2-way traffic based on public input and potential traffic patterns in the future.

There being no further business, Mayor Buol declared the meeting adjourned at 6:18 p.m.

/s/Adrienne N. Breitfelder  
City Clerk

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

The Dubuque City Council met in regular session at 6:30 p.m. on December 20, 2021, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6<sup>th</sup> 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. Recognition of Mayor Roy D. Buol: City Council Members and city staff recognized outgoing Mayor Roy D. Buol for over 26 years of public service. Recognition items were as follows:

1. Mayor Pro Tem Sprank read a proclamation recognizing December 20<sup>th</sup>, 2021, as Roy D. Buol Day.
2. Colin Wellenkamp, Executive Director of Mississippi River Cities and Towns Initiative (MRCTI), virtually shared remarks about Mayor Buol's leadership with the MRCTI.
3. City Council members individually shared remarks about Mayor Buol.
4. Sustainable Communities Coordinator Gina Bell presented climate action pledge cards signed by residents in honor of Mayor Buol's sustainability initiatives
5. Media Services presented a tribute video

**CONSENT ITEMS**

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

1. Minutes and Reports Submitted: City Council Proceedings of 12/06; Cable TV Commission of 12/8; Civil Service Commission of 11/4 and 12/7; Housing Commission of 9/28 and 12/14; Zoning Advisory Commission of 12/1; Zoning Board of Adjustment of 11/18; Proof of publication for City Council Proceedings of 11/15; Proof of publication for List of Claims and Summary of Revenues for Month Ending 10/31. 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. 427-21 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.

3. Termination of Grant Agreement Between City of Dubuque and K&L Leasing, LLC. for the Rehabilitation of 701 Bluff Street: City Manager recommended approval of a Termination Agreement with K&L Leasing, LLC. for the rehabilitation of 701 Bluff Street. Upon motion the documents were received and filed, and Resolution No. 428-21 Approving the Termination

Agreement and Release Terminating the Grant Agreement by and between the City of Dubuque, Iowa and K&L Leasing, LLC was adopted.

4. Association of Food & Drug Officials (AFDO) Grant: City Manager recommended approval of a \$1,082 Association of Food & Drug Officials Grant for a data logging thermometer to be used on inspections to verify cooling times and temperatures as well as cooling rates to aid in determining if food needs to be destroyed or if food can be rapidly cooled to meet cooling requirements. Upon motion the documents were received, filed, and approved.

5. Intent to Apply for AIB/CN EcoConnexions From the Ground Up: City Manager recommended approval to apply for an AIB/CN EcoConnexions From the Ground Up grant in the amount of \$25,000. Upon motion the documents were received, filed, and approved.

6. Letter of Support for Four Mounds 2022 Employer Innovation Fund Future Ready Iowa Grant Application: City Manager provided a copy of a letter of support of Four Mounds as a potential recipient of the 2022 Employer Innovation Fund Future Ready Iowa Grant. Upon motion the documents were received and filed.

7. Intent to Apply for Volunteer DBQ 2022 - Volunteer Generation Fund Continuation Grant: City Manager recommended approval to apply for a Volunteer DBQ 2022 – Volunteer Generation Fund Continuation Grant in the amount of \$29,799. Upon motion the documents were received, filed, and approved.

8. Public, Educational, and Government (PEG) Fund Expenditure for Dubuque County Historical Society: City Manager recommended approval of the Cable TV Commission recommendation for funding from the Public, Educational, and Government (PEG) Capital Grant for Access Equipment and Facilities in the amount of \$16,153 for Dubuque County Historical Society for equipment to produce high-quality videos and educational programming at the National Mississippi River Museum & Aquarium campus. Upon motion the documents were received, filed, and approved.

9. Voucher Payment Standard (VPS) Increase for HUD-Veteran Affairs Supportive Housing (VASH) Program: City Manager recommended approval of the adoption of an increase in Voucher Payment Standards (VPS) for the HUD Veteran Affairs Supportive Housing (VASH) Program in the City of Dubuque. Upon motion the documents were received and filed, and Resolution No. 429-21 Approving the increase in voucher payment standards for the HUD-VASH Program in the City of Dubuque was adopted.

10. Iowa Finance Authority Website to Support Housing Opportunities and Resources: Correspondence from the Iowa Finance Authority regarding the [welcomhomeia.com](http://welcomhomeia.com) website, which provides opportunities and resources to support housing in Iowa. Upon motion the documents were received and filed.

11. Property Assessment Appeal Board Ruling, Dan Nadermann v. City Board of Review: Senior Counsel transmitted a ruling from the Property Assessment Appeal Board affirming the Board of Review's January 1, 2021, assessment of the Nadermann property. Upon motion the documents were received and filed.

12. Agreement Between the City of Dubuque and ITC Midwest, LLC to Operate an Electric Transmission System in the City of Dubuque: Senior Counsel recommended adoption of a

resolution approving the Agreement authorizing ITC Midwest, LLC to operate an electric transmission system in the City of Dubuque until the franchise agreement takes effect but not later than March 1, 2022. Upon motion the documents were received and filed, and Resolution No. 430-21 Approving an agreement between the City of Dubuque and ITC Midwest, LLC to operate an electric transmission system in the City of Dubuque was adopted.

13. Amended Iowa Tourism Grant Agreement for Execution: City Manager recommended approval of an amended agreement for the Iowa Tourism Grant Program from the Iowa Economic Development Authority / Iowa Tourism grant. Upon motion the documents were received, filed, and approved.

14. Request Release of Request for Proposals for the Black Heritage Survey: City Manager recommended approval to release a Request for Proposals for the Black Heritage Survey. Upon motion the documents were received, filed, and approved.

15. Pre-Annexation Agreement - Wwb Investments, LC: City Manager recommended approval of a Pre-Annexation Agreement with Wwb Investments, LC, property owner of 10426 Stonewood Drive in Dubuque County, in conjunction with their request to connect to City water. Upon motion the documents were received and filed, and Resolution No. 431-21 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Wwb Investments LC was adopted.

16. Pre-Annexation Agreement - Mulgrew Oil Company: City Manager recommended approval of a Pre-Annexation Agreement with Mulgrew Oil Company, property owner of 10314 Silverwood Drive in Dubuque County, in conjunction with their request to connect to City water. Upon motion the documents were received and filed, and Resolution No. 432-21 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Mulgrew Oil Company was adopted.

17. Pre-Annexation Agreement - Elizabeth Reuter 2018 Revocable Trust: City Manager recommended approval of a Pre-Annexation Agreement with Elizabeth Reuter 2018 Revocable Trust Agreement, property owner of 10495 Key West Drive, Dubuque County, in conjunction with a request for approval of a Plat of Survey. Upon motion the documents were received and filed, and Resolution No. 433-21 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Elizabeth Reuter 2018 Revocable Trust Agreement was adopted.

18. Pre-Annexation Agreement - Donald R. and Barbara K. Preston: City Manager recommended approval of a Pre-Annexation Agreement with Donald R. and Barbara K. Preston, property owners of 9610 Monticello Drive in Dubuque County, in conjunction with their request to connect to City water. Upon motion the documents were received and filed, and Resolution No. 434-21 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Donald R and Barbara K Preston was adopted.

19. Signed Contract(s): Dubuque Plumbing and Heating for the Westside Water Meter Improvement Project; Deere & Company for Parking License Agreement. Upon motion the documents were received and filed.

20. Bee Branch Watershed Flood Mitigation Project Newsletter: December 2021 Issue: City Manager provided a copy of the December 2021 issue of the Bee Branch Watershed Flood Mitigation Project Newsletter. Upon motion the documents were received and filed.

21. Tiffany Court - Lead Mine Sinkhole Remediation Project: Amendment to Cooperative 28E Agreement with State of Iowa: City Manager recommended approval for the Mayor to execute an Amendment to the Cooperative 28E Agreement to revise the agreement end date to June 30, 2022. Upon motion the documents were received and filed, and Resolution No. 435-21 Approving an amendment to the Cooperative 28E Agreement with the Iowa Department of Agriculture and Land Stewardship for a project to remediate and mitigate the lead mine sinkhole subsidence at 2784 and 2792 Tiffany Court was adopted.

22. Northwest Arterial - State of Good Repair Project: Approve Federal-Aid SWAP Funding Agreement - Iowa DOT Agreement No. 6-21-STBG-SWAP-021: City Manager recommended approval and authorization for the Mayor to execute a Federal-Aid SWAP Funding Agreement with the Iowa Department of Transportation (Iowa DOT) for the Northwest Arterial - State of Good Repair Project. Upon motion the documents were received and filed, and Resolution No. 436-21 Approving a Federal-Aid Swap Funding Agreement (6-21-STBG-SWAP-021) with the Iowa Department of Transportation for the Northwest Arterial - State of Good Repair Project was adopted.

23. Old Mill Road Lift Station and Force Main Project, Engineering Services: City Manager recommended approval to negotiate a contract with Strand Associates with an estimated cost between \$700,000 and \$900,000 for engineering services related to the Old Mill Road Lift Station and Force Main Project. Upon motion the documents were received, filed, and approved.

24. Iowa Department of Transportation HMA Crack Filling Project: Correspondence from Jesse Tibodeau, Assistant District Engineer for the Iowa Department of Transportation, notifying the City Council of a HMA Crack Filling project on US 151 from Cascade to US 61. Upon motion the documents were received and filed.

25. Acceptance of Public Parking Lot Improvements in the City of Dubuque, Iowa: City Manager recommended acceptance of the public improvements that the developer, 210 Jones, LLC, has recently completed, being a 12-lot surface parking lot with landscaping, irrigation and lighting along Jones Street, in the City of Dubuque, Iowa. Upon motion the documents were received and filed, and Resolution No. 437-21 Accepting public parking lot improvements on Jones Street in the City of Dubuque, Iowa was adopted.

26. Wood Street Sanitary / Water Project: City Manager recommended acceptance of the construction contract for the Wood Street Sanitary / Water Project, as completed by Temperley Excavating, in the final contract amount of \$72,531.50, which is a 3.6% increase over the original contract amount of \$69,984.50 due to additional asphalt pavement required to stabilize the street. Upon motion the documents were received and filed, and Resolution No. 438-21 Accepting the Wood Street Sanitary / Water Project and authorizing the payment to the contractor was adopted.

27. 2021 Airport Parking Lot Resurfacing Project: City Manager recommended acceptance of the construction contract for the 2021 Airport Parking Lot Resurfacing Project, as completed by River City Paving, in the final contract amount of \$117,061.62, which is a 0.6% increase over the original contract amount of \$116,316.31 due to additional milling and paving quantities required. Upon motion the documents were received and filed, and Resolution No. 439-21 Accepting the 2021 Airport Parking Lot Resurfacing Project and authorizing the final payment to the contractor was adopted.

28. Acceptance of Multicultural Family Center (MFC) Expansion and Renovation Project: City Manager recommended acceptance of the construction contract for the Multicultural Family Center Expansion and Renovation Project, as completed by Sheets Design Build, LLC, in the final contract amount of \$1,280,840.53, which is a 9% increase from the original contract amount of \$1,177,000.00. Upon motion the documents were received and filed, and Resolution No. 440-21 Accepting the Multicultural Family Center Expansion and Renovation Project and authorizing the payment to the contractor was adopted.

29. Civil Service Commission - Certified Lists: Civil Service Commission submitted certified lists for the positions of Firefighter/Paramedic, Medical Officer, Police Captain, and Police Corporal. Upon motion the documents were received, filed and made a Matter of Record.

30. 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. 441-21 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 Sprank. Motion carried 7-0.

1. Recommendation to Set for Public Hearing an Amended Lease with the Dubuque Racing Association: City Manager and City Attorney recommended that an amended lease with the Dubuque Racing Association be placed on the January 3, 2022 City Council Agenda for a public hearing. Upon motion the documents were received and filed, and Resolution No. 442-21 Intent to dispose of an interest in real property owned by the City of Dubuque by lease between the City of Dubuque, Iowa and Dubuque Racing Association, Ltd was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on January 3, 2022, in the Historic Federal Building.

### **BOARDS/COMMISSIONS**

1. Boards and Commission Appointments: Appointments were made to the following boards/commissions.

A. Civic Center Advisory Commission: One, 3-Year term through June 29, 2022 (Vacant term of Huff). Applicants: Brenda Christner, 655 Florence St.; Peter Gael, 2021 Ellen St. (Additional Applicant). Upon roll call vote, Ms. Christner was appointed to the three-year term through June 29, 2022. Mr. Gael received 1 vote (Farber), and Ms. Christner received the remaining 6 votes.

B. Historic Preservation Commission: One, 3-Year term through July 1, 2022 (Interim Jackson Park term of Reber) Applicant: Janice Esser, 1072 Locust St. – Qualifies for Jackson Park District. This commission is subject to the State of Iowa Gender Balance Law. 9 Commissioners total; currently 5 males/2 females/2 opening. Motion by Jones to appoint Ms. Esser to the three-year term through July 1, 2022. Seconded by Cavanagh. Motion carried 7-0.

C. Investment Oversight Advisory Commission: One, 3-Year term through July 1, 2022 (Vacant term of Reisdorf). Applicant: Joshua Merritt, 2454 Pennsylvania Ave. Motion by Rousell to appoint Mr. Merritt to the three-year term through July 1, 2022. Seconded by Sprank. Motion carried 7-0.

## **PUBLIC HEARINGS**

1. Request to rezone 701 Bluff Street: Proof of publication on notice of public hearing to consider City Council approval of a request from Ken Lin, K & L Leasing LLC, to rezone property located at 701 Bluff Street from C-4 Downtown Commercial to OR Office Residential to accommodate a residential use on the first floor, and 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 Cavanagh. Planning Services Manager Wally Wernimont provided a staff report. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 45-21 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 701 Bluff Street from C-4 Downtown Commercial District to OR Office Residential District. Seconded by Cavanagh. Motion carried 7-0.

2. Public Hearing for Community Development Block Grant FY2022 Annual Action Plan Amendment #2: Proof of publication on notice of public hearing to consider City Council approval of the Community Development Block Grant FY2022 Annual Action Plan Amendment #2, and City Manager recommended approval. Motion by Jones to receive and file the documents and adopt Resolution No. 443-21 Adopting the Fiscal Year 2022 (Program Year 2021) Community Development Block Grant (CDBG) Annual Action Plan Amendment #2. Seconded by Resnick. Motion carried 7-0.

3. Vacate Portion of Tanzanite Drive/Right of Way Easement - Althaus Agreement to Vacate Easement: Proof of publication on notice of public hearing to consider City Council approval of the request to vacate a 48,391 square foot permanent right of way easement that is part of Tanzanite Drive across Lot 2 of Alt's Subdivision, Plat 2, in Dubuque County, Iowa, and City Manager recommended approval. Motion by Jones to receive and file the documents and adopt Resolution No. 444-21 Vacating a permanent right of way easement, being part of Tanzanite Drive, over and across Lot 2 of Alt's Subdivision, Plat 2, in Dubuque County, Iowa; and Resolution No. 445-21 Disposing of city interest in a permanent right of way easement, being part of Tanzanite Drive, over and across Lot 2 of Alt's Subdivision, Plat 2, in Dubuque County, Iowa. Seconded by Sprank. Brian Kane, 2100 Asbury Road, provided input on behalf of Harry and Mary Althaus. Mr. Kane spoke in support of the resolutions. Motion carried 7-0.

## **PUBLIC INPUT**

Tom Loguidice, 786 Stone Ridge Pl., provided virtual input via chat in support of Action Item No. 4.

## **ACTION ITEMS**

1. Smart Parking & Mobility Management Plan Development and Implementation Project: Request to Distribute RFP and Create an RFQ Review Committee: City Manager requested City Council approval to distribute a Request for Proposals (RFP) for engineering services related to

managing the Smart Parking & Mobility Management Plan Development and Implementation Project. Motion by Cavanagh to receive and file the documents and approve the request. Seconded by Jones. Project Manager Steve Sampson Brown responded to questions from the City Council regarding previous information gathered for the project and the proposed timeline. Transportation Services Director Ryan Knuckey responded to questions about the current technology in parking ramps and how the hybrid workforce will factor into project development. City Manager Van Milligen responded to questions about how the city's development agreement with Cottingham and Butler and HTLF impact future parking needs and the funding source of the project. Motion carried 7-0.

2. East-West Corridor Capacity Improvements: Approve Professional Consultant Services Contract - Preliminary Engineering Design and Environmental Clearance Phase: City Manager recommended approval of the Professional Consultant Services Contract with HDR, Inc. to complete the Preliminary Engineering Design and Environmental Clearance Phase to advance the development of the East-West Corridor Capacity Improvements along University Avenue at the intersections at Loras Boulevard, Asbury Road and Pennsylvania Avenue. Motion by Farber to receive and file the documents and adopt Resolution No. 446-21 Approving Professional Services Consultant Contract with HDR, Inc. to complete the preliminary engineering design and environmental clearance phase to advance the development of East-West Corridor Capacity Improvements. Seconded by Jones. Motion carried 7-0.

3. Fiber to the Home/Business Aesthetic Guidelines: City Manager recommended City Council approval of Fiber to the Home/Business Aesthetic Guidelines. 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 Jones. City Council commended city staff creating the guidelines. Motion carried 7-0.

Motion by Cavanagh for final consideration and passage of Ordinance No. 46-21 Requiring the City Manager to develop, with the approval of the City Council, written guidelines to establish general procedures and standards, consistent with all applicable federal and state laws, for the siting, construction, installation, collocation and aesthetics of Fiber to the Home/Business within the city's right-of-way and on city property. Seconded by Jones. Motion carried 7-0.

4. Proposed Ordinance Amendment for Vacant/Abandoned Buildings: City Manager recommended the City Council adopt proposed Ordinance amendments for vacant/abandoned buildings to make processes and procedures more efficient and user friendly. 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 Resnick. City Council commended city staff for the amendment. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 47-21 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 4 Licensing of Vacant and/or Abandoned Buildings. Seconded by Resnick. Motion carried 7-0.

5. Adoption of the 2020 National Electric Code: City Manager recommended City Council approval of an ordinance adopting the 2020 National Electric Code with local amendments. 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 Sprank. Assistant Housing and Community Development Director Michael Belmont responded to questions from the City



Council regarding authority of electrical licensing and the codes adopted by the city. Motion carried 7-0.

Motion by Cavanagh for final consideration and passage of Ordinance No. 48-21 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article D Electrical Code. Seconded by Sprank. Motion carried 7-0.

6. Request for Consideration of Project and Facilities Manager: City Manager recommended City Council consideration of the addition of a Project and Facilities Manager for the Leisure Services Department that would directly report to the Leisure Services Manager. Motion by Sprank to receive and file the documents and approve the recommendation. Seconded by Jones. City Council Members thanked City Manager Mike Van Milligen for providing extensive details about this position and funding sources in his memo. Motion carried 7-0.

7. Budget Amendment Two Additional Positions in Human Resources Department: City Manager recommended two additional positions in the Human Resources Department to complete the volume of work and to provide the level of customer service that is needed. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Cavanagh. Motion carried 7-0.

### **COUNCIL MEMBER REPORTS**

Council Member Farber reported on speaking at the University of Dubuque's Physician Assistant Graduation. Ms. Farber also reported on recently volunteering for the Dubuque Area Labor Harvest, which provided holiday meals and toys to area residents in need.

Mayor Buol thanked his council colleagues, city staff, and the residents of Dubuque for their leadership and support throughout his tenure on City Council.

There being no further business, Mayor Buol declared the meeting adjourned at 8:05 p.m.

/s/Adrienne N. Breitfelder  
City Clerk

1t 12/29