The Dubuque City Council met for a de-escalation training presented by Dubuque Police Lieutenant Richard Fullmer at 5:15 p.m. on February 7, 2022, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Cavanagh; Council Members Farber, Jones, Resnick, Roussell, Sprank; City Manager Van Milligen, City Attorney Brumwell.

Vacancy: Ward 4

Mayor Cavanagh declared the training adjourned at 6:24 p.m.

/s/Adrienne N. Breitfelder
City Clerk

The Dubuque City Council met in regular session at 6:30 p.m. on February 7, 2022, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Cavanagh; Council Members Farber, Jones, Resnick, Roussell, Sprank; City Manager Van Milligen, City Attorney Brumwell.

Vacancy: Ward 4

Mayor Cavanagh 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.

City Clerk Breitfelder announced an update to Consent Item No. 13. The assessment for 1860 Heeb, property owners David Northway and Loras Freihoefer, was removed from the schedule of assessments. Therefore, an amended schedule of assessments was included for the agenda item.

PLEDGE OF ALLEGIANCE

PRESENTATION(S)

1. COVID-19 Update: Public Health Specialist Mary Rose Corrigan provided an update on the COVID-19 pandemic and response activities.

PROCLAMATION(S)

1. Captain Robert L. Martin Proclamation (February 2022) was accepted by R.R.S. Stewart and Gabrielle Martin on behalf of the Captain Robert L. Martin Commemoration Committee and the Dubuque Branch of the NAACP.
CONSENT ITEMS

City Clerk Breitfelder confirmed that the City Council received public input from Mary Giesler, 2310 High Cloud Dr., regarding Item No. 25. Council Member Sprank requested Item No. 25 be held for separate discussion. Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated, except for Item Nos. 13 and 25. Based on a request for clarification, City Clerk Breitfelder stated that Item No. 13 was not previously removed from the consent agenda. The agenda item contains an amended schedule of assessments based on one address being removed from the assessment. Council Member Resnick amended his motion to receive and file the documents, adopt the resolutions, and dispose of as indicated, except for Item No. 25. Seconded by Sprank. Motion carried 6-0.

1. Minutes and Reports Submitted: City Council proceedings of 1/18; Arts and Cultural Affairs Commission of 12/21; Five Flags Civic Center Advisory Commission of 10/25 and 1/18; Investment Oversight Advisory Commission of 1/26; Proof of publication for City Council proceedings of 1/3; Proof of publication for List of Claims and Summary of Revenues for Month Ended 12/31. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: A.Y. McDonald Mfg. Co for property damage; Diane Hanson for vehicle damage; Progressive Universal Insurance Company as subrogee of Florence Helin for vehicle damage. 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: Diane Hanson for vehicle damage. Upon motion the documents were received, filed, and concurred.

4. Approval of City Expenditures: Upon motion the documents were received and filed, and Resolution No. 35-22 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. December 31, 2021 Quarterly Investment Report: Upon motion the documents were received and filed.

6. Dubuque Police Department Brain Health Awareness Recognition: Upon motion the documents were received and filed.

7. 2022 Federal Legislative Priorities: Upon motion the documents were received, filed, and approved.

8. Alliance for a Sustainable Future's Cities Advancing Climate Action Resource Guide: Upon motion the documents were received and filed.

9. Pre-annexation Agreement – Matthew & Jacquelin Mueller: Upon motion the documents were received and filed, and Resolution No. 36-22 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Matthew and Jacquelin Mueller was adopted.
10. Pre-annexation Agreement – CEG Holdings I, LLC: Upon motion the documents were received and filed, and Resolution No. 37-22 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and CEG Holdings I, LLC was adopted.

11. City of Sageville Notice of Applications for Annexation: Upon motion the documents were received, filed, and referred to the City Manager.

12. Consultant Selection for Fiscal Year 2022 Certified Local Government Grant for Dubuque’s Black Heritage Survey: Upon motion the documents were received, filed, and approved.

13. Grass and Weed Cutting and Garbage Collection Assessments: Upon motion the documents were received and filed, and Resolution No. 38-22 Authorizing the city to collect delinquent grass and weed cutting and garbage collection charges in accordance with Title 6-4-3A and Title 6-8-2 of the Code of Ordinances of the City of Dubuque, Iowa was adopted.

14. Restrictive Covenant for Residential Real Estate regarding 2247 Central Avenue: Upon motion the documents were received and filed, and Resolution No. 39-22 Attaching Single Family Occupancy Restrictive Covenant to 2247 Central Avenue, Dubuque, IA was adopted.

15. Althauser Street and Eagle Street Water Main Reconstruction: Request for Proposals: Upon motion the documents were received, filed, and approved.

16. Acceptance of Grant of Easement for Sanitary Sewer Utility across Dubuque Initiatives Property behind 1500 Radford Road in Dubuque: Upon motion the documents were received and filed, and Resolution No. 40-22 Accepting a Grant of Easement for Sanitary Sewer Utility through, under and across part of Lot 1 of Dubuque Industrial Center 14th Addition, in the City of Dubuque, Dubuque County Iowa was adopted.

17. JFK Road and Stoneman Road Right of Way Plat: Upon motion the documents were received and filed, and Resolution No. 41-22 Approving the Acquisition Plat of Lot A of Lot 1-1-1-2-2-2-2-2 and of Lot 2-1-1-2-2-2-2-2 in the NE ¼ of the NE ¼ of Section 28, T89N, R2E, in the City of Dubuque, Iowa was adopted.

18. Acceptance of Storm Sewer Improvements across part of the Bluff Street Right of Way between West 2nd Street and Emmett Street, in the City of Dubuque, Iowa: Upon motion the documents were received and filed, and Resolution No. 42-22 Accepting Public Storm Sewer Improvements across part of the Bluff Street right of way between West 2nd Street and Emmett Street, in the City of Dubuque, Iowa was adopted.

19. 2021 Pavement Marking Project: Upon motion the documents were received and filed, and Resolution No. 43-22 Accepting the 2021 Pavement Marking Project and authorizing the payment to the contractor was adopted.

20. Bee Branch Creek Trail Phase 1 Project – Rejection of Bids: Upon motion the documents were received and filed, and Resolution No. 44-22 Rejecting Competitive Bid Proposals received for the Bee Branch Creek Trail Project – Phase 1 Project was adopted.

21. Proposed Amendment to License Agreement between City of Dubuque and NVIDIA Corporation and Non-Disclosure Agreement: Upon motion the documents were received, filed,
and approved.

22. High Strength Waste Receiving and Storage Project - Request to Distribute RFQ and Create an RFQ Review Committee: Upon motion the documents were received, filed, and approved.

23. Signed Contract(s): Farm Lease with Matt Casey for 40 acres in Franklin D Roosevelt Park; MDE, LLC dba McDermott Excavating for the Asbury Road and John F. Kennedy Road Emergency Traffic Signal Repair. Upon motion the documents were received and filed.

24. Terminal Guidance Signage Installation: Upon motion the documents were received, filed, and approved.

25. Rescinding and Cancelling the Development Agreement Between the City of Dubuque, Iowa and 3000 Jackson, LC: Responding to a question from the City Council, City Manager Van Milligen stated that the city will review enforcement actions for stabilizing the structure. City Attorney Brumwell stated that international building codes and state codes provide access to the building for inspections. Motion by Sprank to receive and file the documents and adopt Resolution No. 46-22 Rescinding and cancelling the Development Agreement between the City of Dubuque, Iowa and 3000 Jackson, LC. Seconded by Farber. Motion carried 6-0.

26. Funding Source Clarification – Dubuque Industrial Center: Crossroads – Consultant Selection for Design: Upon motion the documents were received, filed, and approved.

27. Civil Service Commission - Certified List for Chief of Police: Upon motion the documents were received, filed and made a Matter of Record.

28. Liquor License Renewals: Upon motion the documents were received and filed, and Resolution No. 47-22 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 Roussell to receive and file the documents, adopt the resolutions, and set the public hearings as indicated. Seconded by Jones. Motion carried 6-0.

1. Vacating Portions of Sanitary Sewer Utility Easements over Ichiban Realty, LLC property at 3187 University Drive in Dubuque: Upon motion the documents were received and filed and Resolution No. 48-22 Intent to vacate and dispose of city interest in portions of Sanitary Sewer Utility Easements over and across part of Lot 1 of Sara S. and Edward R. Bartels Addition, in the City of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on February 21, 2022 in the Historic Federal Building.

2. Sale of City-owned property at 2247 Central Avenue: Upon motion the documents were received and filed and Resolution No. 49-22 Intent to dispose of an interest in City of Dubuque real estate to Armina Odobasic setting a time and place for hearing, 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 February 21, 2022 in the Historic Federal Building.
3. Sale of City-owned property at 351 E 15th Street: Upon motion the documents were received and filed and Resolution No. 50-22 Intent to dispose of an interest in City of Dubuque real estate to Cameron K. Hall setting a time and place for hearing, 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 February 21, 2022 in the Historic Federal Building.

BOARDS/COMMISSIONS

1. Boards and Commission Applicant Review: Applications were reviewed for the following Boards and Commissions. Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

   i. Community Development Advisory Commission: Two, 3-year terms through February 15, 2022 (Expiring terms of Hinke, and Boles). Applicants: Dean Boles, 1715 Geraldine Dr.; Michelle M. Hinke, 973 Patricia Ann Dr.; and Sasha Williams, 2980 WildWood Dr.

   ii. Housing Commission: Two, 3-year terms through August 17, 2024 (Vacant At-Large term of Becwar and Section 8 Representative term of Washington). Applicants: Renee Kehoe, 1209 Lincoln Ave (Qualifies for At-Large); Charlene Turpin, 306 Kaufmann Ave. (Qualifies for At-Large and Section 8 Representative).

   iii. Resilient Community Advisory Commission: One, 3-year term through July 1, 2022 (Vacant term of Eudaley-Loebach). Applicant: Josh Chamberland, 2145 Delaware St. Mr. Chamberland spoke in support of his application and provided a brief biography.

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

   i. Historic Preservation Commission: One, 3-year term through July 1, 2023 (Vacant Langworthy term of Cassill); and one, 3-year term through July 1, 2024 (Expired At-Large term of Clark). Applicants: Melissa Cassill, 1941 Coates St. (Qualifies for At-Large opening); and Thea Dement, 375 Alpine St. (Qualifies for Langworthy opening). This commission is subject to the State of Iowa Gender Balance Law. 9 Commissioners total; currently 5 males/2 females/2 openings.

   Motion by Resnick to appoint Ms. Dement to the three-year Langworthy term through July 1, 2023. Seconded by Roussell. Motion carried 6-0.

   Motion by Jones to appoint Ms. Cassill to the three-year At-Large term through July 1, 2024. Seconded by Sprank. Motion carried 6-0.

PUBLIC HEARINGS

1. Resolution Approving a Development Agreement between the City of Dubuque, Iowa and Klauer Manufacturing Company for the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement: Motion by Jones to receive and file the documents and adopt Resolution No. 51-22 Approving a Development Agreement between the City of Dubuque and Klauer Manufacturing Company, including the proposed issuance of Urban Renewal Tax Increment Revenue Grant Obligations to Klauer Manufacturing Company. Seconded by Farber. Klauer Vice President Mike Igo made a presentation. City Council expressed support for Klauer’s expansion in Dubuque and stated that reducing truck traffic in the north end is an ongoing conversation. Motion carried 6-0.
2. Amending Precinct 15 Boundary Description: 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 Sprank. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 6-22 Amending Title 1 Administration of the City of Dubuque Code, by amending Chapter 8 Elections, Precincts and Wards, by updating Section 18: Precinct 15 Boundary Description to reflect the 2021 Wards & Precincts Redistricting Plan. Seconded by Sprank. Motion carried 6-0.

ACTION ITEMS

1. American Rescue Plan Act (ARPA) and Bipartisan Infrastructure Law (BIL) Presentation - Request for Work Session: Motion by Resnick to receive and file the documents and schedule the work session as recommended for Monday, March 7, 2022, at 5:30 p.m. Seconded by Roussell. No schedule conflicts were expressed. Motion carried 6-0.

CLOSED SESSION

Motion by Jones to convene in closed session at 7:32 p.m. to discuss Purchase or Sale of Real Estate – Chapter 21.5(1)(j) Code of Iowa. Seconded by Farber. Mayor Cavanagh stated for the record that the attorney who will consult with City Council on the issues to be discussed in the closed session is City Attorney Brumwell. Motion carried 6-0.

The City Council reconvened in open session at 8:37 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 8:37 p.m.

/s/Adrienne N. Breitfelder
City Clerk

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