The Dubuque City Council met in special session at 6:00 p.m. on February 21, 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 (via phone); City Manager Van Milligen (via phone), City Attorney Brumwell.

Vacancy: Ward 4

Mayor Cavanagh read the call and stated this is a special session of the City Council called for the purpose of conducting a work session on Travel Dubuque’s annual update.

WORK SESSION
TRAVEL DUBUQUE UPDATE

Travel Dubuque President & CEO Keith Rahe provided the organization's annual presentation. Following the presentation, Mayor Cavanagh requested that City Council members contact Mr. Rahe with any questions due to limited time remaining in the work session.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:29 p.m.

/s/Adrienne N. Breitfelder
City Clerk
The Dubuque City Council met in regular session at 6:30 p.m. on February 21, 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 (via phone); City Manager Van Milligen (via phone), 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.

PROCLAMATION(S)

1. Dubuque Eagles Aerie & Auxiliary Month (February 2022) was accepted by Michael Duehr on behalf of the Dubuque Fraternal Order of the Eagles.

2. Dubuque’s Read Across America Day Proclamation (March 2, 2022) was accepted by Beth McGorry on behalf of St. Mark’s Youth Enrichment.

3. Dubuque’s COVID-19 Pandemic-Related Emergency Proclamation was accepted by Mayor Cavanagh. Mayor Cavanagh briefly commented on the proclamation.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Farber. Motion carried 6-0.

1. Minutes and Reports Submitted: City Council Proceedings of 2/3, 2/7, and 2/9; Civil Service Commission of 2/3; Historic Preservation Commission minutes of 1/20; Library Board of Trustees of 12/16; Library Board of Trustees Update of 1/27; Parks and Recreation Commission of 10/12, 12/14, 1/11, and 2/8; Zoning Advisory Commission of 2/2; Zoning Board of Adjustment of 1/27; Proof of Publication for City Council proceedings of 1/18. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Kara Dodds 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: A.Y. McDonald Mfg. Co. for property damage; Kara Dodds for vehicle damage; Progressive Universal Insurance Company as subrogee of Florence Helin 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. 53-22 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. 2021 Certified Local Governments Annual Report: Upon motion the documents were received, filed, and approved.

6. Transmission of Official Notice of Action from National Endowment for the Arts American Rescue Plan Grants to Local Arts Agencies for Subgranting Award: Upon motion the documents were received and filed.

7. Iowa Department of Transportation Bridge Cleaning Projects Notification: Upon motion the documents were received and filed.

8. United States Postal Service Correspondence on Lease of Dubuque Retail Services Location: Upon motion the documents were received and filed.

9. Restrictive Covenant for Residential Real Estate regarding 351 E 15th Street: Upon motion the documents were received and filed, and Resolution No. 54-22 Attaching Single Family Occupancy Restrictive Covenant To 351 E. 15th Street, Dubuque, IA was adopted.

10. First Amendment to Community Development Block Grant Subrecipient Agreement between the City of Dubuque and Mount Pleasant Home: Upon motion the documents were received and filed, and Resolution No. 55-22 Authorizing the First Amendment to the CDBG Subrecipient Agreement between the City of Dubuque and Mount Pleasant Home was adopted.

11. Calendar Year 2021 Urban Revitalization Program Applications: Upon motion the documents were received and filed, and Resolution No. 56-22 Approving Property Tax Abatement Applications submitted by property owners in Urban Revitalization Areas and authorizing the transmittal of the approved applications to the City Tax Assessor was adopted.

12. Proposed Amendment to Master Co-location and Shared Services Agreement (Amendment #7) between the City of Dubuque and ImOn Communications LLC: Upon motion the documents were received, filed, and approved.

13. Proposed Amendment to Master Co-location and Shared Services Agreement between the City of Dubuque and ImOn Communications LLC Chaplain Schmitt Island: Upon motion the documents were received, filed, and approved.

14. Proposed Amendment to Master Co-location and Shared Services Agreement between the City of Dubuque and ImOn Communications LLC Asbury Rd and Clarke Dr: Upon motion the documents were received, filed, and approved.

15. Temporary Agreement Between the City of Dubuque and ITC Midwest, LLC to Operate an Electric Transmission System in the City of Dubuque: Upon motion the documents were received and filed, and Resolution No. 57-22 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.

16. Termination Agreement: Development Agreement Between the City of Dubuque, Iowa and Setzer Properties DBQ, LLC: Upon motion the documents were received and filed, and
Resolution No. 58-22 Approving the Termination Agreement for the Development Agreement between the City of Dubuque, Iowa and Setzer Properties DBQ, LLC was adopted.

17. Sustainable Strategies DC Contract Approval: Upon motion the documents were received, filed, and approved.

18. Signed Contract(s): Tyler McDermott for Farm Lease of 81 Acres off North English Road; Origin Design Co. for City-Wide Water Distribution System, Storage & Pumping Improvements Project. Upon motion the documents were received and filed.

19. Improvement Contracts / Performance, Payment and Maintenance Bonds: McDermott Excavating for Pressure Reducing Valve Vault Project. Upon motion the documents were received, filed, and approved.

20. Acceptance of Quit Claim Deed from Derby Grange, LLC - Rustic Point Lane Right of Way – Rustic Point Estates Subdivision: Upon motion the documents were received and filed, and Resolution No. 59-22 Accepting a conveyance of property, being Lot H of Rustic Point Estates in the City of Dubuque, Iowa, from Derby Grange, LLC and dedication of property as public right of way was adopted.

21. Approval of Plat of Survey of Lot 7A in Buettel & Langworthy’s Addition to the City of Dubuque, Dubuque County, Iowa For Disposition to Derald A. Schrobilgen and Jean A. Schrobilgen: Upon motion the documents were received and filed, and Resolution No. 60-22 Approving Plat of the Vacated Alley between Lot 1, Lot 2 and Lot 7 in Buettel & Langworthy’s Addition to the City of Dubuque, to be known as Lot 7A in Buettel & Langworthy’s Addition to the City of Dubuque, Dubuque County, Iowa was adopted.

22. Liquor License Renewals: Upon motion the documents were received and filed, and Resolution No. 61-22 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 Resnick to receive and file the documents, adopt the resolutions, and set the public hearings as indicated. Seconded by Roussell. Motion carried 6-0.

1. Disposition of Vacated Alley in Buettel & Langworthy’s Addition to the City of Dubuque, Dubuque County, Iowa to Derald A. Schrobilgen and Jean A. Schrobilgen: Upon motion the documents were received and filed and Resolution No. 62-22 Intent to dispose of city interest in the vacated alley between Lot 1, Lot 2 and Lot 7 in Buettel & Langworthy’s Addition to the City of Dubuque, to be known as Lot 7A in Buettel & Langworthy’s Addition to the City of Dubuque, Dubuque County, Iowa was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 7, 2022 in the Historic Federal Building.

2. Stumps / Sidewalks Project Three: Upon motion the documents were received and filed and Resolution No. 63-22 Stumps / Sidewalks Project Three: preliminary approval of plans, specifications, form of contract, and estimated cost; setting date of public hearing on plans, specifications, form of contract, and estimated cost was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 7, 2022, in the Historic Federal Building.
3. Fiscal Year 2023 Annual Action Plan Public Hearing: Upon motion the documents were received and filed and Resolution No. 64-22 Setting a public hearing on the Fiscal Year 2023 (Program Year 2022) Community Development Block Grant (CDBG) Annual Action Plan Budget was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 23, 2022, in the Historic Federal Building.

BOARDS/COMMISSIONS

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

   i. Community Development Advisory Commission: Two, 3-year terms through February 15, 2025. (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. Point of Order by Council Member Jones that the agenda accidentally reflects the two 3-year terms through February 15, 2022. Council Member Jones stated for the record that the term appointments are through February 15, 2025. Upon roll call vote, Mr. Boles and Ms. Hinke were appointed to the three-year terms through February 15, 2025. Mr. Boles received all 6 votes from Council for one of the terms. Ms. Williams received 2 votes (Resnick and Cavanagh), and Ms. Hinke received the remaining 4 votes for the other 3-year term.

   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); and Charlene Turpin, 306 Kaufmann Ave. (Qualifies for At-Large and Section 8 Representative). Motion by Jones to appoint Ms. Kehoe to the three-year At-Large term through August 17, 2024, and to appoint Ms. Turpin to the three-year Section 8 Representative term through August 17, 2024. Seconded by Farber. Motion carried 6-0.

   iii. Resilient Community Advisory Commission: One, 3-year term through July 1, 2022 (Vacant term of Eudaley-Loebach) Applicant: Josh Chamberland, 2145 Delaware St. Motion by Roussell to appoint Mr. Chamberland to the three-year term through July 1, 2022. Seconded by Jones. Responding to a question from the City Council, city staff confirmed that this appointment is to fill a vacancy that will expire July 1, 2022. Motion carried 6-0.

PUBLIC HEARINGS


3. Vacating Portions of Sanitary Sewer Utility Easements over Ichiban Realty, LLC property
4. Sale of City-owned Property at 2247 Central Avenue – Deny Purchase Agreement: Motion by Farber to receive and file the documents and adopt Resolution No. 68-22 Denial of Purchase Agreement for Real Property at 2247 Central Avenue and re-marketing for sale until March 1, 2022. Seconded by Jones. Motion carried 6-0.

5. Sale of City-owned Property at 351 E 15th Street: Motion by Roussell to receive and file the documents and adopt Resolution No. 69-22 Disposing of city interest in real property located at 351 East 15th Street, in the City of Dubuque, Iowa. Seconded by Jones. Motion carried 6-0.

**ACTION ITEMS**

1. Tax Increment Ordinance for the Greater Downtown Urban Renewal District, as amended by Version 2022.1 of the Amended and Restated Plan: 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. Motion carried 6-0.

Motion by Jones for final consideration and passage of Ordinance No. 7-22 Amending Ordinance No. 41-20, as amended, providing that general property taxes levied and collected each year on all property located within the Greater Downtown Urban Renewal District 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 Urban Renewal Plan for the Greater Downtown Urban Renewal District, by removing part of the North Kerper Boulevard Subarea from the division of revenues. Seconded by Resnick. Motion carried 6-0.

2. Tax Increment Ordinance for the Greater Downtown Urban Renewal District, as amended by Version 2022.2 of the Amended and Restated Plan: Motion by Roussell 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. Motion carried 6-0.

Motion by Roussell for final consideration and passage of Ordinance No. 8-22 Amending Ordinance No. -22, as amended, providing that general property taxes levied and collected each year on all property located within the Greater Downtown Urban Renewal District 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 Urban Renewal Plan for the Greater Downtown Urban Renewal District, by adding the Roosevelt Street Subarea to the division of revenues. Seconded by Resnick. Motion carried 6-0.

3. Proposed Grant Award to CARich Properties, LLC for the Redevelopment of 1736 Central Avenue: Motion by Jones to receive and file the documents and adopt Resolution No. 70-22
Approving a Grant Agreement between the City of Dubuque, Iowa and CARich Properties, LLC for the redevelopment of 1736 Central Avenue. Seconded by Farber. City Council commended Chris Richards, of CARich Properties, LLC, for his efforts on the project. Motion carried 6-0.

4. Fiscal Year 2022 CDBG-CV Nonprofit Support Grant Recommendation and Agreement: Motion by Resnick to receive and file the documents and adopt Resolution No. 71-22 Fiscal Year 2022 CDBG-CV Nonprofit Support Grant Agreement with Dubuque for Refugee Children. Seconded by Roussell. Motion carried 6-0.

5. Workforce Housing Needs - Early Efforts Work Session Request: Motion by Resnick to receive and file the documents and schedule the work session for March 21, 2022, at 5:30 p.m. Seconded by Roussell. No schedule conflicts were expressed. Motion carried 6-0.

6. Arts & Culture Master Plan Implementation Efforts - Work Session Request: Motion by Roussell to receive and file the documents and schedule the work session for April 18, 2022, at 5:30 p.m. Seconded by Farber. Responding to a question from the City Council, city staff confirmed that April 18 is not a city holiday. Motion carried 6-0.

7. Sustainable Dubuque Quarterly Work Session Request: Motion by Roussell to receive and file the documents and schedule the work sessions for Monday, May 16, 2022, at 5:30 p.m.; Tuesday July 5, 2022, at 5:30 p.m.; and Monday, November 21, 2022, at 5:30 p.m. Seconded by Farber. No schedule conflicts were expressed. Motion carried 6-0.

8. Fiscal Year 2023 Budget Recommendation: Motion by Farber to receive and file the documents. Seconded by Jones. City Manager Van Milligen made a presentation and responded to questions from the City Council. Motion carried 6-0.

COUNCIL MEMBER REPORTS

Mayor Cavanagh reported on attending the Iowa League of Cities’ Day on the Hill meeting and Executive Board meeting in Des Moines.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 7:49 p.m.

/s/Adrienne N. Breitfelder
City Clerk

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