The Dubuque City Council met in special session at 5:30 p.m. on April 18, 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, Wethal; City Manager Van Milligen, City Attorney Brumwell.

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 the Arts and Culture Master Plan.

WORK SESSION
ARTS AND CULTURE MASTER PLAN

Arts and Cultural Affairs Coordinator Jenni Petersen-Brant made a presentation. Mayor Cavanagh requested the City Council email their questions to Ms. Petersen-Brant due to limited time remaining in the session.

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

/s/Adrienne N. Breitfelder
City Cler
The Dubuque City Council met in regular session at 6:30 p.m. on April 18, 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, Wethal; City Manager Van Milligen, City Attorney Brumwell.

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.

PLEDGE OF ALLEGIANCE

PRESENTATION(S)

1. Dubuque Women’s Leadership Network Women of Achievement Awards Presentation: Justine Bemis, Dubuque Women’s Leadership Network Board President, presented City Attorney Crenna Brumwell with the Unsung Hero Award, and Arts and Cultural Affairs Coordinator Jenni Petersen-Brant with the Up and Coming Leader Award.

PROCLAMATION(S)

1. Dark Sky Week (April 22-30, 2022) was accepted by Julia Rodewald and Olivia Dove on behalf of Green Iowa AmeriCorps.

2. Soil and Water Stewardship Week (April 24 - May 1, 2022) was accepted by Dave Ruden on behalf of the Dubuque Soil & Water Conservation District.

3. Days of Caring Proclamation (April 29, 2022) was accepted by Assistant City Manager Cori Burbach on behalf of the Dubuque YP Days of Caring Board.

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.


2. Notice of Claims and Suits: Wayne Bonnett for property damage; Richard Watson 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:
Wayne Bonnett for property damage; Dubuque Orthodontic Associates for property damage; Lynn Lampe for vehicle damage; Richard Watson 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. 125-22 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. Authorized Depository Institutions: Upon motion the documents were received and filed, and Resolution No. 126-22 Naming depositories was adopted.

6. Renew DBQ – Contract with Dubuque County Energy District: Upon motion the documents were received, filed, and approved.

7. Growing Sustainable Communities Conference Grand River Center Contract: Upon motion the documents were received, filed, and approved.

8. Growing Sustainable Communities Conference Keynote Speaker Contract: Upon motion the documents were received, filed, and approved.

9. State of Iowa Volkswagen Clear Air Act Settlement Grant Application: Upon motion the documents were received, filed, and approved.

10. Intent to Apply for Iowa Department of Natural Resources Community Forestry Grant: Upon motion the documents were received and filed, and Resolution No. 127-22 Authorizing the City Manager to execute an application for the Community Forestry Grant and Authorizing the Park Division Manager and the City Manager to approve the application was adopted.

11. Water Department Operations SCADA System Upgrade Project 2022: Award of Professional Engineering Contract: Upon motion the documents were received, filed, and approved.

12. Signed Contract(s): Origin Design Co. for the Master Services Agreement for the Dubuque Industrial Center Crossroads. Upon motion the documents were received and filed.

13. Updated Water Meter Wireless Network Equipment License Agreements: Upon motion the documents were received, filed, and approved.

14. 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. 128-22 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.

15. Dubuque County - City of Dubuque Intergovernmental 28E Agreement: Northwest Arterial - State of Good Repair Project: Upon motion the documents were received and filed, and Resolution No. 129-22 Approving an Intergovernmental 28E Agreement between the City of Dubuque and Dubuque County for the Build Grant “Improving the Northwest Arterial / John Deere Road Corridor for Freight Mobility” Project was adopted.
16. Plat of Survey of Jaeger & Jaeger Place: Upon motion the documents were received and filed, and Resolution No. 130-22 Approving the Simple Subdivision Plat: Jaeger & Jaeger Place, Dubuque, Iowa was adopted.

17. Plat of Survey of Jackson Park Townhouse: Upon motion the documents were received and filed, and Resolution No. 131-22 Approving the Minor Subdivision Plat: Jackson Park Townhouse, Dubuque, Iowa was adopted.

18. Submission of Annual Public Housing Agency (PHA) Plan: Upon motion the documents were received and filed, and Resolution No. 132-22 Authorizing the Mayor to execute the certification by State or Local Office of Public Housing Agency (PHA) Plan’s Consistency with the Consolidated Plan and approval of the PHA Annual Plan was adopted.

19. City support for Gronen’s application to Iowa Finance Authority for Low-Income Housing Tax Credits: Upon motion the documents were received and filed, and Resolution No. 133-22 Supporting Gronen application for Low-Income Housing Tax Credit for Dubuque Area Revitalization Area Housing Development was adopted.

20. Agreement for the Development of Affordable Family Housing at 2000 Radford Road by Landover Corporation: Upon motion the documents were received and filed, and Resolution No. 134-22 Approving a Development Agreement by and between the City of Dubuque, Iowa and Landover Corporation providing for the issuance of Urban Revitalization Area Designation for the Development of 2000 Radford Road was adopted.

21. Abstract of Votes for the 2022 Ward Four Special Election: Upon motion the documents were received and filed.

22. Liquor License Renewals: Upon motion the documents were received and filed, and Resolution No. 135-22 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 Sprank. Motion carried 7-0.

1. Bee Branch Stormwater Pumping Station Project (Phase V of the Bee Branch Watershed Flood Mitigation Project): Upon motion the documents were received and filed and Resolution No. 136-22 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; and ordering the advertisement for bids for the Bee Branch Stormwater Pumping Station Project was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 2, 2022 in the Historic Federal Building.

2. Mystique Ice Center Ice Rink Concrete Subfloor Project: Initiate Public Improvement Bidding Process: Upon motion the documents were received and filed and Resolution No. 137-22 Mystique Ice Center Ice Rink Concrete Subfloor Project: 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 May 2, 2022 in the Historic Federal Building.

3. Proceedings to Set Public Hearing on the Issuance of Not to Exceed $1,950,000, Sanitary Sewer Revenue Capital Loan Notes (State of Iowa – Water Quality Financing Program): Upon motion the documents were received and filed and Resolution No. 138-22 Fixing date for a meeting on the authorization of a Loan and Disbursement Agreement and the issuance of not to exceed $1,950,000 Sewer Revenue Capital Loan Notes of the City of Dubuque, State of Iowa, and providing for publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 2, 2022, in the Historic Federal Building.

4. Fiscal Year 2022 Second Budget Amendment: Upon motion the documents were received and filed and Resolution No. 139-22 Setting the date for the public hearing on Amendment No. 2 to the Fiscal Year 2022 Budget for the City of Dubuque was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 2, 2022, in the Historic Federal Building.

BOARDS/COMMISSIONS

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.

Zoning Advisory Commission: One, 3-Year term through July 1, 2024 (Vacant term of Loeffelholz). Applicant: Ike Sweet, 333 East 10th St. This commission is subject to the State of Iowa Gender Balance Law. 7 Commissioners total; currently 3 males / 3 females / 1 opening

Appointments were made to the following boards/commissions.

Housing Appeals and Mediation Board: One, 3-Year term through January 1, 2024 (Vacant term of Lenhart). Applicants: George Cooley, 2255 Francis St. (Additional Applicant); Marrichelle Glover, 1635 Catherine St.; Jeff Lenhart, 1085 Main St. (Additional Applicant); Carroll Schuety, 2435 Roosevelt St. Upon roll call vote, Mr. Lenhart was appointed to the three-year term through January 1, 2024. Ms. Schuety received 1 vote (Sprank), Ms. Glover received 2 votes (Farber and Resnick) and Mr. Lenhart received the remaining 4 votes.

i. Housing Commission: One, 3-Year term through August 17, 2022 (Vacant term of Lenhart) and one, 3-Year term through August 17, 2023 (Vacant term of Craddieth). Applicants: Cathy Dickens, 431 Alpine St. (Additional Applicant) and Yindra Dixon, 251 Hidden Oaks Ct. Motion by Roussell to appoint Ms. Dickens to the three-year term through August 17, 2022. Seconded by Jones. Motion carried 7-0.

Motion by Jones to appoint Ms. Dixon to the three-year term through August 17, 2023. Seconded by Resnick. Motion carried 7-0.

PUBLIC HEARINGS

1. Amendment of the Planned Unit Development (PUD) for building height and sign regulations: 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. Planning Services
Planning Services Manager Wally Wernimont provided a staff report. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 15-22 Amending Title 16, the Unified Development Code of the City of Dubuque Code of Ordinances by rescinding Ordinance 25-18 which established regulations for a PUD Planned Unit Development District with a PC Planned Commercial Designation and adopting an amended PUD ordinance to allow for the redevelopment of the zoning district. Seconded by Sprank. Motion carried 7-0.

2. Amend the Unified Development Code Section 16-15-13 Signs in Historic Districts to allow signs in residential zones: 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 Jones. Motion carried 7-0.

Motion by Roussell for final consideration and passage of Ordinance No. 16-22 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by amending Chapter 16-15-13, Signs in Historic Districts, to add Residential Zones (R-1, R-2, R-2A, R-3 And R-4) to the list of zones in historic districts allowed to have signs. Seconded by Jones. Motion carried 7-0.

3. Resolution Approving a Development Agreement by and among the City of Dubuque, Iowa, Scherr Real Estate, L.L.C., and Dubuque Screw Products, Inc. for the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement: Motion by Resnick to receive and file the documents and adopt Resolution No. 140-22 Approving a Development Agreement by and among the City of Dubuque, Scherr Real Estate, L.L.C., and Dubuque Screw Products, Inc. Including the issuance of urban tax increment revenue obligations to Dubuque Screw Products, Inc. Seconded by Farber. Motion carried 7-0.

4. Hold Public Hearing for Radford Road Amended Urban Revitalization Area Plan: At the announcement of this public hearing, City Manager Van Milligen modified his recommendation to receive and file the information and hold the public hearing. Mr. Van Milligen stated that the adoption of the resolution could not occur until the developer hosts a community meeting. Motion by Jones to receive and file the documents and hold the public hearing. Seconded by Roussell. Responding to a question from the City Council, Housing and Community Development Director Alexis Steger stated that the City Council approved the Development Agreement with the developer during tonight’s consent agenda, and that the resolution approving the adoption of the amended urban revitalization plan can be approved at upcoming regular session city council meeting. Ms. Steger also confirmed that the developer would still be required to host a community meeting as part of the process. Motion carried 7-0.

5. Stoneman Road Reconstruction Project: Motion by Roussell to receive and file the documents and adopt Resolution No. 142-22 Approval of plans, specifications, form of contract, and estimated cost for the Stoneman Road Reconstruction Project; Resolution No. 143-22 Approving the plat, schedule of assessments and estimate of total cost for the Stoneman Road Reconstruction Project; and Resolution No. 144-22 With respect to the adoption of the resolution of necessity proposed for the Stoneman Road Reconstruction Project. Seconded by Farber. Motion carried 7-0.

6. 2022 Pavement Marking Project: Motion by Resnick to receive and file the documents and adopt Resolution No. 145-22 Approval of plans, specifications, form of contract, and estimated cost for the 2022 Pavement Marking Project. Seconded by Sprank. Responding to a question from the City Council, City Engineer Gus Psihoyos stated that the department reviews the results
of previous bid tabulations to establish project cost estimates. Motion carried 7-0.

7. Mystique Community Ice Center Settlement Remediation Project Public Hearing: Motion by Sprank to receive and file the documents and adopt Resolution No. 146-22 Approval of plans, specifications, form of contract, and estimated cost for the Mystique Ice Center Settlement Remediation Project. Seconded by Jones. Robin Kennicker, 2929 Elm St., spoke in support of the project and expressed concern that the original construction of the ice center was not foundationally sound. City Council Members spoke in support of the project and referenced the engineering department’s previous statements that the project would resolve the foundation issues. Responding to a question from the City Council, Assistant City Engineer Bob Schiesl stated that specialized geo-technical contractors reviewed the facility to determine a cost estimate for the project. Motion carried 7-0.

8. Mystique Community Ice Center Rink Ice System Removal and Replacement Project Public Hearing: Motion by Resnick to receive and file the documents and adopt Resolution No. 147-22 Approval of plans, specifications, form of contract, and estimated cost for the Mystique Ice Center Rink Ice System Removal and Replacement Project. Seconded by Roussell. Responding to a question from the City Council, Assistant City Engineer Bob Schiesl summarized the process for the project and stated that no additional ice system replacements should be required. Motion carried 7-0.

9. Northwest Arterial - State of Good Repair Project: US Highway 20 to John F. Kennedy Road: Motion by Resnick to receive and file the documents and adopt Resolution No. 148-22 Approval of plans, specifications, form of contract, and estimated cost for the Northwest Arterial – State of Good Repair Project from US20 to John F. Kennedy Road (Iowa DOT Project No. STBG-SWAP-2100 (702)—SG-31). Seconded by Jones. Responding to questions from the City Council, Assistant City Engineer Bob Schiesl stated that reconstruction of Pennsylvania Ave. will occur first, followed by Asbury Rd., and that disruptions will try to be minimized. City Manager Van Milligen stated the city was able to obtain funding from the Federal Better Utilizing Investments to Leverage Development (BUILD) Grant for this project. Motion carried 7-0.

10. Proceedings for the Public Hearing on the Issuance of Not to Exceed $1,990,000 General Obligation Bonds, $700,000 General Obligation Bonds, $700,000 General Obligation Bonds, $975,000 General Obligation Urban Renewal Bonds, and $5,800,000 General Obligation Urban Renewal Bonds, Series 2022AB: Motion by Roussell to receive and file the documents and adopt Resolution No. 149-22 Instituting proceedings to take additional action for the issuance of not to exceed $1,990,000 General Obligation Bonds; Resolution No. 150-22 Instituting proceedings to take additional action for the issuance of not to exceed $700,000 General Obligation Bonds [GCP-2]; Resolution No. 151-22 Instituting proceedings to take additional action for the issuance of not to exceed $700,000 General Obligation Bonds [GCP-3]; Resolution No. 152-22 Instituting proceedings to take additional action for the issuance of not to exceed $975,000 General Obligation Urban Renewal Bonds; and Resolution No. 153-22 Instituting proceedings to take additional action for the issuance of not to exceed $5,800,000 General Obligation Urban Renewal Bonds. Seconded by Jones. Responding to a question from the City Council, City Manager Van Milligen stated that the city continues to follow the debt reduction plan that City Council adopted in Fiscal Year 2015, and stated that Action Item No. 7 references the debt reduction plan. Motion carried 7-0.

PUBLIC INPUT
Regarding Action Item No. 1, Tim Hitzler, 2655 Fulton St.; Keith Gutierrez, 2819 Meadowood Dr.; and Chris Johnson, 2792 Arbor Hills Dr.; all spoke in opposition to an expansion of the Five Flags Civic Center. City Clerk Breitfelder stated that Dubuque Main Street and Clark Scholz submitted written input on Action Item No. 1, and Kathy Gukeisen, 566 Saint George St., submitted written input on Action Item No. 2.

**ACTION ITEMS**

1. Updated Analysis of Capital and Operating Costs for an Expanded/Improved Five Flags Civic Center: Motion by Resnick to receive and file the documents and refer to the City Council for discussion. Seconded by Farber. Five Flags General Manager H.R. Cook provided input on the analysis, stating that the facility’s size is the most important factor. Mr. Cook stated that the Civic Center Advisory Commission is meeting on April 25th to discuss the analysis. City Council Members discussed resident input and their outlook for the center at length. City Council Members collectively expressed support for receiving an updated recommendation from the Civic Center Advisory Commission. City Manager Van Milligen confirmed that the Civic Center Advisory Commission’s recommendation could be included on the May 2, 2022, City Council meeting if the commission submitted their recommendation to the City Clerk no later than the Wednesday before the meeting. City Council Members expressed support for reviewing the recommendation at the next meeting but stated that they are willing to wait until a future meeting if the commission needs additional time. Council Member Resnick amended the motion to receive and file the documents and refer to the Civic Center Advisory Commission. Seconded by Farber. Motion carried 7-0.

2. Aggressive Panhandling Ordinance and ACLU Communication: 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 Roussell. City Council Members expressed disappointment with how the American Civil Liberties Union (ACLU) approached the city regarding the proposed ordinance amendment. City Attorney Brumwell stated that the ordinance was recommended in 2009 and based on the limited availability of City Council documents from that timeframe it is challenging to confirm the impetus for proposing it. City Council Members stated that behaviors that were listed in the ordinance are still illegal per other parts of city code, and that Dubuque will remain a safe city. Motion carried 7-0.

   Motion by Jones for final consideration and passage of Ordinance No. 17-22 Amending City of Dubuque Code of Ordinances Title 7 Police, Fire and Public Safety, Chapter 5 Offenses, Article A General Offenses. Seconded by Roussell. Motion carried 7-0.

3. Section 9-11-321.372 School Buses Discharging Pupils: 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 Jones. Motion carried 7-0.

   Motion by Roussell for final consideration and passage of Ordinance No. 18-22 Amending City of Dubuque Code of Ordinances Title 9 Motor Vehicles and Traffic, Chapter 11 School Buses, Section 9-11-321.372 School Buses Discharging Pupils. Seconded by Jones. Motion carried 7-0.

4. Sustainable Dubuque Community Grant Award Recommendation: Motion by Farber to receive and file the documents and adopt Resolution No. 154-22 Awarding Sustainable Dubuque Grant to the Alternative Learning Center; Resolution No. 155-22 Awarding Sustainable
Dubuque Grant to Bike Coop; Resolution No. 156-22 Awarding Sustainable Dubuque Grant to Convivium Urban Farmstead; Resolution No. 157-22 Awarding Sustainable Dubuque Grant to Dubuque Trees Forever; Resolution No. 158-22 Awarding Sustainable Dubuque Grant to Four Mounds; Resolution No. 159-22 Awarding Sustainable Dubuque Grant to St. Marks Youth Enrichment; and Resolution No. 160-22 Awarding Sustainable Dubuque Grant to Tri-State Christian School. Seconded by Resnick. Council Member Roussell announced that she would abstain from voting due to being President of Dubuque Trees Forever. Motion carried 6-0 with abstention from Roussell.

5. Award 2022 Asphalt Overlay Ramp Project 2: Motion by Sprank to receive and file the documents and adopt Resolution No. 161-22 Awarding the public improvement contract for the 2022 Asphalt Overlay Ramp Project 2. Seconded by Jones. Motion carried 7-0.

6. Mayor and City Council Appointments to Various Boards and Commissions: Motion by Roussell to receive and file the documents and refer to the City Council for discussion. Seconded by Resnick. City Council discussed currently vacant board and commission assignments and determined appointments. Council Member Roussell amended the motion to receive and file the documents and appoint Council Member Wethal to the Dubuque County Early Childhood Board; Council Member Resnick to Dubuque Initiatives; and Council Member Roussell to the Dubuque Main Street Board of Directors and Dubuque Main Street Executive Committee. Seconded by Resnick. Motion carried 7-0.

7. Fiscal Year 2023 Dollars and Cents Public Information Brochure: Motion by Jones to receive and file the documents. Seconded by Sprank. City Council Members praised the brochure for informing residents about the city’s financial standing. Motion carried 7-0.

8. 2022 Winter Arts Snow Sculpting Festival Video: Motion by Jones to receive and file the documents and view the video of the 2022 Winter Arts Snow Sculpting Festival. Seconded by Resnick. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Mayor Cavanagh and Council Members Resnick and Jones reported on the recent passing of former Police Chief Mark Dalsing. Council Member Jones also reported on Robin Kennicker’s nomination to the Women’s Leadership Network Women of Achievement Awards, stating that Ms. Kennicker is involved on multiple city commissions. Council Member Roussell thanked the 77 volunteers who helped plant trees on Jackson St. over the weekend. Council Member Farber reported on the upcoming Foundation for Dubuque Public Schools Annual Fundraising Event. Council Member Sprank reported on his recent involvement with neighborhood associations and food giveaways.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 9:13 p.m.

/s/Adrienne N. Breitfelder
City Clerk