

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

The Dubuque City Council met in special session at 5:30 p.m. on May 2, 2022, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Cavanagh; Council Members Farber (attended virtually), 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 to receive an update from the Hawkeye Area Community Action Program (HACAP).

**WORK SESSION
Hawkeye Area Community Action Program (HACAP) Update**

Jane Drapeaux, HACAP CEO, and Mitch Finn, HACAP Deputy Director, made a presentation. The presenters responded to questions from the City Council regarding their process for identifying community needs, their partnerships, and the challenges they faced the past two years of the COVID-19 pandemic.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:06 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 May 2, 2022, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Cavanagh; Council Members Farber (attended virtually), Jones, Resnick, Rousell, 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.

City Clerk Breitfelder stated that the following presentation was removed from the meeting and will be rescheduled to a future City Council meeting: Foundation for Dubuque Public Schools Distinguished Alumni Award Recognition for Council Member Susan R. Farber.

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.

2. Iowa Association of Professional Fire Chiefs/Waldorf University Award Scholarship: Interim Fire Chief Cal Motsch recognized Fire Department Lieutenant Jesse Coulson for receiving the 2022 Waldorf University/Iowa Association of Professional Fire Chiefs Lt. Eric Hosette Memorial Scholarship.

PROCLAMATION(S)

1. Mental Health Month (May 2022) was accepted by Diane Heiken on behalf of Mental Health America of Dubuque County.

2. Preservation Month (May 2022) was accepted by Historic Preservation Commission Chairperson Bill Doyle.

3. Dubuque Noon Lions Club 100th Anniversary Week (May 1 - May 7, 2022) was accepted by Nelson Klavitter on behalf of the Dubuque Noon Lions Club.

4. Public Service Recognition Week (May 1 - 7, 2022) was accepted by Assistant City Manager Cori Burbach on behalf of the City of Dubuque.

CONSENT ITEMS

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

1. Minutes and Reports Submitted: City Council proceedings of 4/18; Historic Preservation Commission of 4/21; Proof of publication for City Council proceedings of 3/29 and 4/4. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Michael Scott Boen II for vehicle damage; Wayne Bonnett for property damage. Upon motion the documents were received, filed, and referred to the City Attorney.

3. Approval of City Expenditures: Upon motion the documents were received and filed, and Resolution No. 162-22 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.

4. Proceedings to Direct Advertisement for Sale of \$2,525,000 Tax-Exempt General Obligation Bonds, Series 2022A and \$7,055,000 Taxable General Obligation Bonds, Series 2022B, Approval of the Preliminary Official Statement, and Approval of Electronic Bidding Procedures: Upon motion the documents were received and filed, and Resolution No. 163-22 Directing the advertisement for sale of \$2,525,000* (subject to adjustment per terms of offering) General Obligation Bonds, Series 2022A, and approving electronic bidding procedures and distribution of preliminary official statement; and Resolution No. 164-22 Directing the advertisement for sale of \$7,055,000* (subject to adjustment per terms of offering) Taxable General Obligation Bonds, Series 2022B, and approving electronic bidding procedures and distribution of preliminary official statement were adopted.

5. First Amendment to Grant Agreement between the City of Dubuque, Iowa, and JTM Properties, L.L.C.: Upon motion the documents were received and filed, and Resolution No. 165-22 Approving the First Amendment to Grant Agreement between the City of Dubuque, Iowa and JTM Properties, L.L.C. was adopted.

6. Proposed Downtown Rehabilitation Grant Award: Upon motion the documents were received and filed, and Resolution No. 166-22 Approving a Grant Agreement by and between the City of Dubuque, Iowa and MVO LLC for the redevelopment of 105 Locust Street was adopted.

7. Pre-annexation Agreement – Andrew R. Finn and Jessica M. Curran Finn: Upon motion the documents were received and filed, and Resolution No. 167-22 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Andrew R. Finn and Jessica M. Curran Finn was adopted.

8. Pre-annexation Agreement – Lee and Jennifer Smith: Upon motion the documents were received and filed, and Resolution No. 168-22 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Lee and Jennifer Smith was adopted.

9. 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. 169-22 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.

10. Stoneman Road Reconstruction Project - Agreement with Hills and Dales Child Development Center, Inc.: Upon motion the documents were received and filed, and Resolution No. 170-22 Approving an Agreement for Utility and Road Improvements on Stoneman Road between the City of Dubuque, Iowa and Hills and Dales Child Development Center, Inc.

11. 2022 Pavement Marking Project: Upon motion the documents were received and filed, and Resolution No. 171-22 Awarding Public Improvement Contract for the 2022 Pavement Marking Project was adopted.

12. Wilbricht Lane Detention Basin Project: Upon motion the documents were received and filed, and Resolution No. 172-22 Awarding the Public Improvement Contract for the Wilbricht Lane Detention Basin Project was adopted.

13. 2022 Asphalt Overlay Curb Ramp Project 3: Upon motion the documents were received, filed and made a Matter of Record.

14. Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) Infrastructure Planning Grant Application: Upon motion the documents were received and filed, and Resolution No. 173-22 Approving application for Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) Grant Funding for the planning and design of a Multimodal Transportation Corridor Project for proposed improvements to the Elm Street Corridor, 16th Street Corridor, Kerper Blvd, Chaplain Schmitt Island Connectors, and the proposed 14th Street Railroad Overpass Project was adopted.

15. NICC Business Training Grant Approval and Acceptance of grant award: Upon motion the documents were received, filed, and approved.

16. Crescent Community Health Center (CCHC) Community Health Letter of Support to establish a Community Health Worker (CHW) to improve health equity in the Black/African American community: Upon motion the documents were received, filed, and approved.

17. Liquor License Renewals: Upon motion the documents were received and filed, and Resolution No. 174-22 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. Jule Iowa Department of Transportation's Consolidated Funding Application: Upon motion the documents were received and filed and Resolution No. 175-22 Setting the date for a public hearing on Iowa DOT Consolidated Funding Application was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 6, 2022, in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointments were made to the following boards/commissions.

i. 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. Motion by Jones to appoint Mr. Sweet to the three-year term through July 1, 2024. Seconded by Roussell. Motion carried 7-0.

PUBLIC HEARINGS

1. Resolution of Approval for the Proposed Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District, Version 2022.3: Motion by Resnick to receive and file the documents and adopt Resolution No. 176-22 Approving the Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District, Version 2022.3. Seconded by Roussell. Motion carried 7-0.

2. Bee Branch Stormwater Pumping Station Project (Phase V of the Bee Branch Watershed Flood Mitigation Project): Motion by Sprank to receive and file the documents and adopt Resolution No. 177-22 Approval of plans, specifications, form of contract, and estimated cost for the Bee Branch Stormwater Pumping Station Project. Seconded by Jones. City Council members discussed the significance of the project and referenced the City Engineer's memo explaining the multiple phases of the Bee Branch project. Motion carried 7-0.

3. Mystique Ice Center Ice Rink Concrete Subfloor Project Public Hearing: Motion by Roussell to receive and file the documents and adopt Resolution No. 178-22 Approval of plans, specifications, form of contract, and estimated cost for the Mystique Ice Center Ice Rink Concrete Subfloor Project. Seconded by Resnick. Responding to a question from the City Council, Assistant City Engineer Bob Schiesl stated that the consultant WHKS assisted the city in preparing the performance specifications for the project. Motion carried 7-0.

4. Proceedings for 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): Motion by Resnick to receive and file the documents and adopt Resolution No. 179-22 Instituting proceedings to take additional action for the authorization of a Loan and Disbursement Agreement and the issuance of not to exceed \$1,950,000 Sewer Revenue Capital Loan Notes. Seconded by Jones. Motion carried 7-0.

5. Fiscal Year 2022 Second Budget Amendment: Motion by Roussell to receive and file the documents and adopt Resolution No. 180-22 Amending the Current Budget for Fiscal Year Ending June 2022. Seconded by Sprank. Responding to questions from the City Council, City Manager Van Milligen and Leisure Services Manager Marie Ware stated that this budget amendment does not impact the city's ability to operate both city pools and that staffing shortages are the reason that Sutton pool will tentatively not open this summer. Motion carried 7-0.

PUBLIC INPUT

Regarding Action Item No. 2, Rod Bakke, Five Flags Civic Center Commissioner, 3030 Karen St.; Tony Pfohl, President of Dubuque Main St., 1053 Shady Oaks Dr.; Mark Wahlert, Dubuque Symphony Orchestra Executive Director, 2728 Asbury Rd.; Bryce Parks, Five Flags Civic Center Commissioner, 2770 Van Buren St., and Dan LoBianco, Executive Director of Dubuque Main

St., 3503 West Way, all spoke in support of the Five Flags Civic Center Commission's recommendation for a March 2023 referendum. Earl Brimeyer, 2595 Rhomberg Ave., requested that Five Flags permit temporary pickle ball nets so that area pickle ball players have a location to play. John Pregler, 1525 Pego Ct., and Tim Hitzler, 2655 Fulton St., spoke in opposition to the referendum.

ACTION ITEMS

1. City of Dubuque Fire Chief Recommendation: Motion by Jones to receive and file the documents and approve the appointment of Naperville, Illinois Assistant Fire Chief Amy Scheller as the new City of Dubuque Fire Chief. Seconded by Roussell. City Council members expressed enthusiasm for the appointment. Ms. Scheller provided brief remarks. Motion carried 7-0.

2. Five Flags Civic Center Commission Referendum Recommendation: Five Flags Civic Center Commission recommended that a bond referendum date be set for March 2023 for an amount not to exceed \$89,700,000 for the Five Flags reconstruction project. Motion by Jones to receive and file the documents, concur with the commission's recommendation, and set the referendum for March 2023. Seconded by Roussell. City Council members discussed at length the various scenarios offered by the consultant CSL, resident feedback on the referendum, and the benefits of hosting the referendum in March of 2023. City Attorney Brumwell stated that the City Council will need to approve a resolution confirming the ballot language for the referendum, and that the ballot language could be amended up until 46 days before the referendum. Jones amended the motion to include refer to City staff for preparation of the resolution. Seconded by Roussell. Motion carried 5-2 with Resnick and Sprank voting opposed.

3. 2022 Ken Kringle Awards Presentation: Motion by Resnick to receive and file the documents and view the presentation. Seconded by Roussell. Historic Preservation Commission Chairperson Bill Doyle and Assistant Planner Chris Olson gave a brief presentation on the 2022 Ken Kringle award recipients. City Council Members congratulated the award recipients. Motion carried 7-0.

4. Recreation Division Seasonal Staffing Wage Recommendation: Motion by Resnick to receive and file the documents and approve hourly wage increases for lifeguards at \$15 for first year guards, \$17 for returning lifeguards and \$20 for pool managers with an estimated impact to the budget of up to \$60,781. Seconded by Sprank. City Council Members discussed the importance of the positions, their support of the wage increases, and the impact of having Sutton pool closed this summer due to staffing shortages. City Manager Van Milligen stated that he is working with city staff to establish a continuous Jule shuttle loop from Sutton pool to Flora pool during the summer so that residents in the Sutton area could easily access Flora pool. Motion carried 7-0.

5. Proposed Ordinance Amendments for Grass/Weed Addendum: 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 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 19-22 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article J Property Maintenance Code, Section 14-1J- 2 International Property Maintenance Code Amendments. Seconded by Resnick. Motion carried 7-0.

6. Mystique Community Ice Center: Rink Ice System Removal and Replacement Project-Award Public Improvement Construction Contract: Motion by Roussell to receive and file the documents and adopt Resolution No. 181-22 Awarding Public Improvement Construction Contract for the Mystique Ice Center Rink Ice System Removal and Replacement Project. Seconded by Resnick. Motion carried 7-0.

7. Stoneman Road Reconstruction Project: Award Construction Contract: Motion by Jones to receive and file the documents and adopt Resolution No. 182-22 Awarding Public Improvement Contract for the Stoneman Road Reconstruction Project. Seconded by Sprank. Motion carried 7-0.

8. Northwest Arterial - State of Good Repair Project: US Highway 20 to John F. Kennedy Road - Concurrence in Award of Public Improvement Contract: Motion by Jones to receive and file the documents and adopt Resolution No. 183-22 Concurrence in award of the Public Improvement Construction Contract for the "Improving the Northwest Arterial / John Deere Road Corridor for Freight Mobility" Project. Seconded by Resnick. Responding to a question from the City Council, Assistant City Engineer Bob Schiesl stated that the required timelines for the project are listed in the documentation for this agenda item. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Resnick reported on the City Council volunteering during Dubuque Days of Caring.

Mayor Cavanagh thanked Assistant City Manager Cori Burbach for her help in coordinating Dubuque Days of Caring.

CLOSED SESSION

Motion by Jones to convene in closed session at 9:41 p.m. to discuss Purchase or Sale of Real Estate – Chapter 21.5(1)(j) Code of Iowa. Seconded by Resnick. 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 7-0.

The City Council reconvened in open session at 10:18 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 10:18 p.m.

/s/Adrienne N. Breitfelder
City Clerk

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