THE DUBUQUE CITY COUNCIL PROCEEDINGS
SPECIAL SESSION

The Dubuque City Council met in special session at 5:30 p.m. on May 16, 2022, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Cavanagh (attended virtually); Mayor Pro Tem Resnick; Council Members Farber, Jones, Roussell, Sprank, Wethal; City Manager Van Milligen, City Attorney Brumwell (attended virtually).

Mayor Pro Tem Resnick 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 National Mississippi River Museum and Aquarium Curator of Conservation Programs Jared McGovern.

WORK SESSION
SUSTAINABLE DUBUQUE

Sustainable Community Coordinator Gina Bell introduced National Mississippi River Museum and Aquarium Curator of Conservation Programs Jared McGovern, who made a presentation. Mr. McGovern responded to questions from the City Council following the presentation.

There being no further business, Mayor Pro Tem Resnick declared the meeting adjourned at 6:10 p.m.

/s/Trish L. Gleason
Assistant City Clerk
The Dubuque City Council met in regular session at 6:30 p.m. on May 16, 2022, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Cavanagh (attended virtually); Mayor Pro Tem Resnick; Council Members Farber, Jones, Roussell, Sprank, Wethal; City Manager Van Milligen, City Attorney Brumwell (attended virtually).

Mayor Pro Tem Resnick 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. Foundation for Dubuque Public Schools Distinguished Alumni Award Recognition for Council Member Susan R. Farber: Amy Unmacht, Executive Director of the Foundation for Dubuque Public Schools, recognized Council Member Susan R. Farber for receiving the 2020 Distinguished Alumni Award.

PROCLAMATION(S)

1. Apples for Students Months (May, June, and July 2022) was accepted by Beth McGorry, Director of Donor Relations, on behalf of St. Mark Youth Enrichment.

2. Building Safety Month (May 2022) was accepted by Assistant Housing Director Michael Belmont on behalf of the Housing and Community Development Department.

3. Public Works Week (May 15 - 21, 2022) was accepted by Public Works Director John Klostermann and Public Works Foreman Paul Davis on behalf of the Public Works Department.

4. AAPI Day Against Bullying and Hate (May 18, 2022) was accepted by Dustin Alfred on behalf of Crescent Community Health Center.

5. Kids to Parks Day (May 21, 2022) was accepted by Parks Division Manager Steve Fehsal and Leisure Services Manager Marie Ware on behalf of the Leisure Services Department.

CONSENT ITEMS

Council Member Farber requested item no. 16 be held for separate discussion. Motion by Jones to receive and file the documents, adopt the resolutions, and dispose of as indicated except for item no. 16. Seconded by Roussell. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 5/2; Airport Commission of 4/26; Civil Service Commission of 5/3; Five Flags Civic Center Advisory Commission of 4/25; Library Board of Trustees Update of 4/28; Parks and Recreation Commission of 3/8 and 4/12; Resilient Community Advisory Commission of 5/5; Zoning Advisory Commission of 5/4; Zoning Board of Adjustment of 4/28; Proof of publication for City Council Proceedings of 4/18; Proof of publication for List of Claims and Summary of Revenues for Month Ended 3/31. Upon motion
the documents were received and filed.

2. 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: Michael Boen for vehicle damage. Upon motion the documents were received, filed, and concurred.

3. Approval of City Expenditures: Upon motion the documents were received and filed, and Resolution No. 184-22 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. March 31, 2022 Quarterly Investment Report: Upon motion the documents were received and filed.

5. Letter of Support for the Destination Iowa Economically Significant Development City of Dyersville’s Application: Upon motion the documents were received, filed, and approved.

6. Dubuque Golf and Country Club Fireworks Request 2022: Upon motion the documents were received, filed, and approved.

7. Code of Ordinances – Adoption of Supplement No. 2022 S-7: Upon motion the documents were received and filed, and Resolution No. 185-22 Adopting Supplement No. 2022 S-7 to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

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

9. Appointment of Liaisons to the Airport Zoning Board of Adjustment: Correspondence from the Zoning Board of Adjustment requesting approval of Commissioners Keith Ahlvin and Bethany Golombeski to be appointed as liaisons to the Airport Zoning Board of Adjustment. Upon motion the documents were received, filed, and approved.

10. FFY 2023 Iowa Governor’s Traffic Safety Bureau (GTSB) Grant Funds: Upon motion the documents were received, filed, and approved.

11. IEDA Business Assistance Contract 22-HQJP-020: Upon motion the documents were received and filed, and Resolution No. 186-22 Approving the Contract for State Business Financial Assistance by and among Klauer Manufacturing Company, the city of Dubuque, Iowa, and the Iowa Economic Development Authority was adopted.

12. Acceptance of the Flood Control Levee Repair Project: Upon motion the documents were received and filed, and Resolution No. 187-22 Accepting the Flood Control Levee Repair Project and authorizing payment to the contractor was adopted.

13. Final Plat of Adams Acres: Upon motion the documents were received and filed, and Resolution No. 188-22 Approving the Final Plat: Adams Acres, Dubuque County, Iowa was adopted.

14. Approval of Plat of Survey (ROW Vacation) of Lot 599A of North Dubuque, in the City of Dubuque, Iowa for Vacation Petition (The Bible Baptist Church) Upon motion the documents were received and filed, and Resolution No. 189-22 Approving Plat of Proposed Vacated 20-Foot-Wide Alley between Lots 599 Thru 610 of North Dubuque, in the City of Dubuque, Iowa, to
be known as Lot 599A of North Dubuque, in the City of Dubuque, Iowa was adopted.

15. Chavenelle Road Reconstruction Project - Consent to Assignment of Contract: Upon motion the documents were received and filed, and Resolution No. 190-22 Consenting to the Assignment of the Public Improvement Contract for the Chavenelle Road Reconstruction Project – Radford Road to NW Arterial by Horsfield Construction, Inc. to BM-H Acquisition Entity, LLC, an Iowa Limited Liability Company, a wholly-owned subsidiary of Dyersville Ready Mix, Inc. was adopted.

16. John F. Kennedy Road Safe Routes to School Project: Responding to questions from the City Council, City Engineer Gus Psihoyos stated that the residents’ costs for the project are fixed and that staffing issues at the state level are resulting in delayed implementation of the project. City Manager Van Milligen stated that the costs assessed to the residents are the maximum amount that residents will pay. Motion by Farber to receive and file the documents and adopt Resolution No. 191-22 Approving a Funding Agreement (22-TAP-112) with the Iowa Department of Transportation for a Transportation Alternatives Program (TAP-U-2100(703)—8I-31) for the John F. Kennedy Sidewalks Installation Project. Seconded by Sprank. Motion carried 7-0.

17. Engineering Technician Additional Position Request: City Manager recommended creation of an additional full-time Engineering Technician position to save money and help meet the demands of the engineering department’s growing project list by reducing the need to hire consultants for design and inspection services. Upon motion the documents were received, filed, and approved.

18. Four Mounds Adult HEART (Housing Education And Rehabilitation Training) Program – Contract for Rehab of 821 Garfield: Upon motion the documents were received and filed, and Resolution No. 192-22 Approving a Contract with Four Mounds Foundation/Heart Program for the rehabilitation of 821 Garfield Avenue was adopted.

19. Recreation Division Seasonal Staffing Update Related to Positions with Approved Recent Wage Adjustment: Upon motion the documents were received and filed.

20. Signed Contract(s): Services Agreement with Business Information Group, Inc for AmeriCorps Member Background Checks. Upon motion the documents were received and filed.

21. Alcohol and Tobacco License Applications: Upon motion the documents were received and filed, and Resolution No. 193-22 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 and Resolution No. 194-22 Approving applications for retail cigarette/tobacco sales/nicotine/vapor permits, as required by Iowa Code Chapter 453A.47A were 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. Petition to Vacate and Dispose of City Interest in the 20-Foot-Wide Alley South of Walker Street and East of Oneida Avenue, in North Dubuque Subdivision, in the City of Dubuque, Iowa for Vacation Petition (The Bible Baptist Church): Upon motion the documents were received and filed and Resolution No. 195-22 Intent to vacate and dispose of City interest in the 20-Foot-Wide Alley between Lots 599 thru 610 of North Dubuque, in the City of Dubuque, Iowa, to be known as Lot 599A of North Dubuque, in the City Of Dubuque, Iowa 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.

2. Request for Public Hearing: State Revolving Fund (SRF) Environmental Review – Old Mill Road Lift Station and Force Main project, Granger Creek Sanitary Sewer System Improvements, and Water System Improvements 2022: Upon motion the documents were received and filed and Resolution No. 196-22 State Revolving Fund (SRF) Loan - Environmental Review Old Mill Road Lift Station and Force Main Project, Granger Creek Sanitary Sewer System Improvements, and Water System Improvements 2022: Preliminary approval of an Environmental Review as provided by SRF’s Department of Natural Resources for the Old Mill Road Lift Station and Force Main Project, Granger Creek Sanitary Sewer System Improvements, and Water System Improvements 2022 and ordering the advertisement for public notice was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 20, 2022, in the Historic Federal Building.

PUBLIC HEARINGS

1. Resolution of Adoption for the Amendment of the Dubuque Industrial Center Economic Development District Urban Renewal Plan, Version 2022.1: Motion by Jones to receive and file the documents and adopt Resolution No. 197-22 Approving the Amended and Restated Urban Renewal Plan, Version 2022.1, for the Dubuque Industrial Center Economic Development District. Seconded by Farber. Motion carried 7-0.

2. Amendment to the Unified Development Code Section 16-8-5.10.1 “Accessory Dwelling Unit”: 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 Manager Wally Wernimont provided a staff report and responded to questions from the City Council. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 20-22 Amending Title 16 of the City Of Dubuque Code of Ordinances, Unified Development Code, by amending Chapter 16-8-5-10.1, Accessory Dwelling Units, and by amending Articles 16-5-3 (R-2), 16-5-4 (R-2A), 16-5-5 (R-3), 16-5-6 (R-4), 16-5-7 (OR), 16-5-9 (OC), And 16-5-10 (C-1) by adding Accessory Dwelling Unit to the list of Conditional Uses Seconded by Sprank. Motion carried 7-0.

PUBLIC INPUT

Joel Pusateri, 3530 Hillcrest Rd., and Tom Billmeyer, 1357 W 5th St., spoke in opposition to Action Item No. 2, expressing concern about the amount of money proposed for the investment and the return on investment for Dubuque residents.

ACTION ITEMS


2. Travel Dubuque Request for Funding for Field of Dreams Project: City Manager recommended Mayor and City Council approval of a $1,000,000 investment in the Field of Dreams project through Travel Dubuque and that the City Manager be authorized to negotiate the terms of this contribution. Motion by Farber to receive and file the documents and approve the presentation. Seconded by Jones. City Manager Vann Milligen and Keith Rahe, President
and CEO of Travel Dubuque, respectively made presentations. Mr. Rahe responded to questions from the City Council following the presentation. City Council Members expressed support for the project. Motion amended by Farber to receive and file the documents, approve the recommendation, and view the presentation. Seconded by Jones. Motion carried 7-0.

3. Flora Pool Shuttle: City Manager recommended that the city establish a free shuttle bus between Sutton Pool and Flora Pool this summer seven days a week while Flora pool is open. Motion by Sprank to receive and file the documents and approve the recommendation. Seconded by Jones. Transportation Services Director Ryan Knuckey presented on the shuttle plan. Leisure Services Manager Marie Ware and Recreation Division Manager Dan Kroger responded to questions from the City Council. Motion carried 7-0.

4. Mystique Community Ice Center Ice Rink Concrete Subfloor Project - Award Public Improvement Construction Contract: Motion by Jones to receive and file the documents and adopt Resolution No. 198-22 Awarding Public Improvement Construction Contract for the Mystique Ice Center Settlement Remediation Project. Seconded by Roussell. Motion carried 7-0.

5. Mystique Community Ice Center Settlement Remediation Project: Award Public Improvement Construction Contract: Motion by Roussell to receive and file the documents and adopt Resolution No. 199-22 Awarding Public Improvement Construction Contract for the Mystique Ice Center Settlement Remediation Project. Seconded by Farber. Motion carried 7-0.

6. Amendment to the Radford Road Amended Urban Revitalization Area Plan: Motion by Jones to receive and file the documents and adopt Resolution No. 200-22 Approving the adoption of an Amended Urban Revitalization Plan for the Radford Road Urban Revitalization Area. Seconded by Sprank. Motion carried 7-0.

7. Amending Tax Increment Ordinance 37-21 for the Dubuque Industrial Center Economic Development District, as amended by Version 2022.1 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 Jones. Motion carried 7-0.

Motion by Roussell for final consideration and passage of Ordinance No. No. 21-22 Amending Ordinance No. 37-21, previously amended, providing that general property taxes levied and collected each year on all property located within the Amended and Restated Dubuque Industrial Center Economic Development District Urban Renewal Area 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 Dubuque Industrial Center Economic Development District Urban Renewal Redevelopment Project by removing Subarea P from the Division of Revenues and Adding Subarea Q to the Division Of Revenues. Seconded by Jones. Motion carried 7-0.

8. Proceedings for Directing Sale of $2,525,000 Tax Exempt General Obligation Bonds, Series 2022A and $7,055,000 Taxable General Obligation Bonds, Series 2022B and Awarding Bonds to Best Bidder: Motion by Farber to receive and file the documents and adopt Resolution No. 201-22 Directing Sale of $2,525,000* (Subject To Adjustment Per Terms of Offering) General Obligation Bonds, Series 2022A and Resolution No. 202-22 Directing Sale of $7,055,000* (Subject To Adjustment Per Terms of Offering) Taxable General Obligation Bonds, Series 2022B. Seconded by Roussell. Tionna Pooler, of Independent Public Advisors, made a presentation on the bond sale. City Council Members commended the bond rating. Motion
carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported on attending a recent dedication for Jean Marie Cardinal hosted by Sons of the American Revolution.

Mayor Cavanagh reported on his current activities in Washington D.C., including participating in National League of Cities panels on disaster mitigation and best practices in infrastructure and attending meetings with Director of Strategic Partnerships Teri Goodmann and Director of the Office of Shared Prosperity and Neighborhood Support Anderson Sainci.

Mayor Pro Tem Resnick reported on attending the Midwest Gang Investigators Conference and attending Dubuque Chorale’s 50th Anniversary concert.

Council Member Wethal reported on attending NICC’s graduation ceremony.

Council Member Sprank reported that Fulton School is hosting a celebration event on May 22nd.

CLOSED SESSION

Motion by Jones to convene in closed session at 9:13 p.m. to discuss Purchase or Sale of Real Estate - Chapter 21.5(1)(j) Code of Iowa. Seconded by Sprank. Mayor Pro Tem Resnick 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 9:51 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 9:53 p.m.

/s/Trish L. Gleason
Assistant City Clerk