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

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

Absent: Council Member Jones

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.

SWEARING IN


2. Swearing In Fire Chief Scheller: City Manager Van Milligen swore in Fire Chief Amy Scheller.

PRESENTATION(S)

1. Golden Post Award Finalist for Best LinkedIn Presence: Communications Specialist Trevor Fannon was recognized for the City of Dubuque’s LinkedIn presence recently named one of three 2022 finalists for “Best LinkedIn Presence” Golden Post Award from Government Social Media.

2. Anderson Sainci Individual Governor’s Volunteer Service Award: Director of Office of Shared Prosperity and Neighborhood Support Anderson Sainci was recognized for receiving an Individual Governor's Volunteer Service Award.

3. Tessie Strohm Individual Governor's Volunteer Service Award: AmeriCorps Teen Specialist Tessie Strohm was recognized for receiving an Individual Governor's Volunteer Service Award.

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

PROCLAMATION(S)

1. Men’s Health Month (June 2022) was accepted by Permit Clerk Pam McCarron on behalf of the City of Dubuque Wellness Committee and the Men’s Health Network.

2. Pride Month (June 2022) was accepted by Indigo Channing and City Council member Danny Sprank on behalf of the Dubuque LGBTQ+ Resource Network and the Multicultural Family Center.
3. World Elder Abuse Awareness Day (June 15, 2022) was accepted by Stacie Speirs on behalf of the Northeast Iowa Area Agency on Aging.

CONSENT ITEMS

Motion by Roussell 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: Library Board of Trustees of 3/24; Proof of publication for City Council Proceedings of 5/2; Proof of publication for List of Claims and Summary of Revenues for Month Ended 4/30. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Missouri Employers Mutual for personal injury. 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: Missouri Employers Mutual for personal injury. 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. 203-22 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. Proceedings to Complete Action on Issuance of $2,345,000 Tax-Exempt General Obligation Bonds, Series 2022A and $7,220,000 Taxable General Obligation Bonds, Series 2022B: Upon motion the documents were received and filed, and Resolution No. 204-22 Appointing UMB Bank, N.A. of West Des Moines, Iowa, to serve as Paying Agent, Bond Registrar, and Transfer Agent, approving the Paying Agent and Bond Registrar and Transfer Agent Agreement and authorizing the execution of the agreement; Resolution No. 205-22 Authorizing and providing for the issuance of $2,345,000 General Obligation Bonds, Series 2022A, and levying a tax to pay said bonds; approval of the Tax Exemption Certificate and Continuing Disclosure Certificate; Resolution No. 206-22 Appointing UMB Bank, N.A. of West Des Moines, Iowa, to serve as Paying Agent, Bond Registrar, and Transfer Agent, approving the Paying Agent and Bond Registrar and Transfer Agent Agreement and authorizing the execution of the agreement; and Resolution No. 207-22 Authorizing and providing for the Issuance of $7,220,000 Taxable General Obligation Bonds, Series 2022B, and levying a tax to pay said bonds; approval of the Continuing Disclosure Certificate were adopted.

6. Resolution Approving Fund Transfers for Capital Projects and Other Expense Reimbursements in Fiscal Year 2022 – Period 12: Upon motion the documents were received and filed, and Resolution No. 208-22 Authorizing the Director of Finance and Budget to make the appropriate interfund transfers of sums and record the same in the appropriate manner for the FY 2022 for the City of Dubuque, Iowa was adopted.

7. Audit Service Recommendation: City Manager recommended the selection of BKD LLP, to replace the City’s current auditor Eide Bailly LLP, to provide the City’s auditing services for the next five fiscal years and authorize the City Manager to sign the audit service agreement. Upon motion the documents were received, filed, and approved.
8. First Amendment to Grant Agreement for Dubuque Dream Center Improvements: Upon motion the documents were received and filed, and Resolution No. 209-22 Approving the First Amendment to Grant Agreement between the City of Dubuque, Iowa and Dubuque Dream Center, Inc. was adopted.

9. State of Iowa Business Financial Assistance Contract among Hormel Foods Corporation and Progressive Processing, LLC, the City of Dubuque, Iowa, and Iowa Economic Development Corporation: Upon motion the documents were received and filed, and Resolution No. 210-22 Approving the Contract for State Business Financial Assistance by and among Hormel Foods Corporation and Progressive Processing, LLC, the City of Dubuque, Iowa, and the Iowa Economic Development Authority was adopted.

10. Sculptures for 2022-23 Art on the River Rotating Public Art Exhibition: City Manager recommended City Council approve the Arts & Cultural Affairs Advisory Commission’s recommendation as noted, related to the 2022-23 Art on the River exhibit. Upon motion the documents were received, filed, and approved.

11. Asset Purchase Agreement between the City of Dubuque and Twin Ridge Water, Inc. Reconveyance of Well Parcel: Upon motion the documents were received and filed, and Resolution No. 211-22 Approving a Quit Claim Deed to Linda S. Schuster was adopted.

12. Memorandum of Understanding – City Water Service to Briarwood Residential Subdivision: Upon motion the documents were received and filed, and Resolution No. 212-22 Approving a Memorandum of Understanding between the City of Dubuque and Briarwood Homeowners Association for improvements and connection to its water distribution system was adopted.

13. 2022 Asphalt Overlay Curb Ramp Project 4: Upon motion the documents were received, filed, and made a Matter of Record.

14. 2021 Asphalt Overlay Access Ramp Project 4: Upon motion the documents were received and filed, and Resolution No. 213-22 Accepting the 2021 Asphalt Overlay Access Ramp Project 4 and authorizing the payment to the contractor was adopted.

15. Smart Traffic Routing with Efficient and Effective Traffic Systems (STREETS) Professional Consultant Services Contract: Upon motion the documents were received and filed, and Resolution No. 214-22 Approving Professional Services Consultant Contract with Parsons Transportation Group, Inc. to design and implement the Smart Traffic Routing with Efficient and Effective Traffic System (STREETS) was adopted.

16. Improvement Contracts / Performance, Payment and Maintenance Bonds: BCD Contractors, LLC for the 2022 Asphalt Overlay Ramp Project Two; BCD Contractors, LLC for the 2022 Asphalt Overlay Ramp Project Three; McDermott Excavating for the Stoneman Road Reconstruction Project; Portzen Construction, Inc. for the Mystique Ice Center Ice Rink Concrete Subfloor Project; Portzen Construction, Inc. for the Mystique Ice Arena Stadium Seating Removal and Replacement Project; Rink-Tec International, Inc. for the Mystique Ice Center Rink Ice System Removal and Replacement Project; SELCO, Inc. for the 2022 Pavement Marking Project. Upon motion the documents were received, filed, and approved.

17. Signed Contract(s): Electric Service Agreement with Interstate Power and Light Company. Upon motion the documents were received and filed.
18. Proposed 11th Amendment to Master Co-location and Shared Services Agreement between the City of Dubuque and ImOn Communications LLC: Upon motion the documents were received, filed, and approved.

19. Jule Low Emission/No Emission Grant Application: City Manager submitted the Letter of Financial Commitment by the City Manager to be included in the 2022 FTA Low Emission / No Emission Grant Application. Upon motion the documents were received and filed.

20. 2022 Water Quality Report: City Manager provided a copy of the 2022 Water Quality Report Public Information Brochure. Upon motion the documents were received and filed.

21. Field of Dreams Project Brochure: City Manager provided a copy of Travel Dubuque's Field of Dreams Project Brochure. Upon motion the documents were received and filed.

22. Alcohol and Tobacco License Applications: Upon motion the documents were received and filed, and Resolution No. 215-22 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. 216-22 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 Sprank to receive and file the documents, adopt the resolutions, and set the public hearings as indicated. Seconded by Wethal. Motion carried 6-0.

1. FY 2023 Annual Action Plan Set for Public Hearing: Upon motion the documents were received and filed, and Resolution No. 217-22 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 July 5, 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. Applicants indicated (spoke) in favor of their application and provided a short biography. Other applicant provided written statement supporting their application and short biographies.

i. Arts and Cultural Affairs Advisory Commission: Four, 3-Year terms through June 30, 2025 (Expanding terms of Levasseur, Decker, Riedel, and Halder) Applicants: Shirley Davis-Orwoll, 2635 West 32nd St. (spoke), Doug Donald, 2920 Arbor Oaks Ct. (spoke), Ali Levasseur, 1318 Jackson St. Nick Halder, 876 S. Grandview Ave. Aaliyah Herrion, 2761 Broadway St. (spoke), Susan Riedel, 282 Kelly’s Bluff Brianna Thompson, 1691 Main St. Miles Turner, 1129 Center Pl.

iii. Equity and Human Rights Commission: One, 3-Year term through January 1, 2023 (Vacant term of Gardiner) and Two, 3-Year terms through January 1, 2024 (Vacant terms of Merfeld and McCarthy) and One, 3-Year term through January 1, 2025 (Vacant term of Grant) Applicants: Carla Anderson, 1131 Main St. (spoke), Pamela Birch, 1550 Butterfields Dr. Janelle Branch, 325 ½ West 1st St. Yindra Dixon, 251 Hidden Oaks Ct. Aaliyah Herrion, 2761 Broadway St. Kristen Leffler, 159 Julien Dubuque Dr. Lauren Link, 535 West 5th St. (spoke), Candace Raymond, 1155 Tressa St. Nina Streuslin, 3904 Cora Dr. Nichole Weber, 535 South Grandview Ave. This commission is subject to the State of Iowa gender Balance Law. 9 Commissioners total; Currently 3 males / 3 females / 3 openings

iv. Historic Preservation Commission: Two, 3-Year terms through July 1, 2025 (Expiring terms of Stuter; West 11th District and Esser; Jackson Park District) Applicants: Janice Esser, 1072 Locust St. (Qualifies as Jackson Park District Representative) Rick Stuter, 1296 Prairie St. (Qualifies as West 11th District Representative) This commission is subject to the State of Iowa gender Balance Law. 9 Commissioners total; Currently 4 males / 3 females / 2 openings

v. Investment Oversight Advisory Commission: One, 3-Year term through July 1, 2025 (Expiring terms of Merritt) Applicant: Joshua Merritt, 2454 Pennsylvania Ave.

vi. Library Board of Trustees (Mayoral Appointment): Two, 4-Year terms through July 1, 2026 (Expiring terms of Kramer and Poggemiller) Applicants: A. Alanda Gregory, 653 White St. (spoke). Andrew Bland, 1227 Timber Hyrst Court, (spoke). Nicole Klar, 2437 Matthew John Dr. This commission is subject to the State of Iowa gender Balance Law. 7 Commissioners total; Currently 3 males / 2 females / 2 openings


viii. Resilient Community Advisory Commission: One, 3-Year term through July 1, 2025 (Expiring term of Kohlhaas) Applicant: Sandra Evans, 1276 South Grandview Ave.

PUBLIC HEARINGS

1. 32nd Street and Northwest Arterial Rezoning Request: 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 Sprank. Paul Baker, 2945 Breck Rd. Spoke regarding a conflict of interest for the Zoning Advisory Commission and the slope of the proposed street. Chad Cox, 2742 Tiffany Crt. Spoke on behalf of himself and neighbors regarding concerns of traffic and safety. Keith Lucy, 3065 Huntington Dr. Spoke regarding postponing until after studies are complete. Larry Bergquist, 2797 Tiffany Crt. Spoke regarding the desire for a more confident plan moving forward. Emily Ward, 2758 Tiffany Crt., Christian Peterson, 2745 Tiffany Crt., Ray Herzog, 2717 Tiffany Crt., all spoke regarding safety issues with traffic. Wally Wernimont, Planning Services Manager responded to questions from council and provided additional information regarding the zoning process and explained the process that is followed if there appears to be a conflict of interest for members on the Zoning Advisory Commission. Motion Failed 4-2 with Roussell and Farber voting Nay.

Motion by Cavanagh to approve fist reading for the proposed Ordinances No. 22-22 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located between 32nd Street and Northwest Arterial
(Parcel 1015276004) from AG Agriculture District to R-1 Single-Family Residential and R-4 Multi-Family Residential Developments District as shown on rezoning Exhibit A. Motion failed due to lack of second.

Motion by Wethal to separately evaluate the R1 and R4 zoning portions of Ordinance 22-22 and to receive and file and approve the first reading of an amendment of Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located between 32nd Street and Northwest Arterial (Parcel 1015276004) from AG Agriculture District to R-1 Single-Family Residential Developments District as shown on rezoning Exhibit A. Cavanagh seconded. Council discussion ensued.

Amended motion by Russell to include the requirement of a traffic study. Seconded by Farber. Amendment passes 4-2 with Wethal and Cavanagh voting nay.

Mayor Pro Tem restated the motion on the floor as motion by Wethal to separately evaluate the R1 and R4 zoning portions of Ordinance 22-22 and to receive and file and approve the first reading of an Amendment of Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located between 32nd Street and Northwest Arterial (Parcel 1015276004) from AG Agriculture District to R-1 Single-Family Residential Developments District as shown on rezoning Exhibit A. including the requirement of a traffic study as amended. Motion carried 4-2 with Wethal and Cavanagh voting nay.

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 for the R4 Zoning Request. Seconded by Farber. Motion failed 5-1 with Wethal voting nay.

Motion by Cavanagh to approve first reading on an amendment of Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located between 32nd Street and Northwest Arterial (Parcel 1015276004) from AG Agriculture District to R-4 Multi-Family Residential Developments District as shown on rezoning Exhibit A. Seconded by Farber. Motion carried 6-0.

2. 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: Motion by Sprank to receive and file the documents and adopt Resolution No. 218-22 Vacating 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 and Resolution No. 219-22 Disposing of City interest in Lot 599A of North Dubuque, in the City of Dubuque, Iowa. Seconded by Roussell. Motion carried 6-0.

3. Jule Consolidated Funding Application from the Iowa Department of Transportation (DOT) as submitted: Motion by Farber to receive and file the documents and adopt Resolution No. 220-22 Approval of Consolidated Funding Application to Iowa DOT. Seconded by Roussell. Motion Carried 6-0

PUBLIC INPUT

John Pregler, 1525 Pego Ct. spoke regarding action item #3 Five flags Referendum requesting more information be provided.

ACTION ITEMS

1. Report on Preparations for Critical Incident Response to Dubuque Schools: Motion by Roussell to receive and file and listen to the presentation. seconded by Farber. Police Chief Jeremy Jensen provided a report on preparations for critical incident response to Dubuque
2. Greater Dubuque Development Corporation - Quarterly Update: Motion by Roussell to receive and file and listen to the presentation. Seconded by Sprank. President and CEO Rick Dickinson presented the quarterly update on the activities of the Greater Dubuque Development Corporation. Motion carried 6-0.

3. Five Flags Referendum: Motion by Roussell to receive and file the documents and adopt Resolution Calling for a Special City Election. Seconded by Cavanagh. Discussion ensued. Amended motion by Roussell to receive and file and refer to staff to review Five Flags scenario 2 and 3. Seconded by Cavanagh. Marie Ware, Leisure Services Manager provided input regarding options City Council could consider on how to move forward regarding providing staff with direction. Amended motion to receive and file and refer to staff. Seconded by Cavanagh. Russell motion to amend the amended motion by Russell to receive and file and refer to staff to schedule a work session on Monday July 11 at 6:00 p.m. Seconded by Cavanagh. Motion carried 6-0.

4. Bee Branch Stormwater Pumping Station Project (Phase V of the Bee Branch Watershed Flood Mitigation Project) – Reject Bids: Motion by Sprank to receive and file and adopt Resolution No. 222-22 Rejecting Bid Proposals received for the Bee Branch Stormwater Pumping Station Project. Seconded by Roussell. Teri Goodmann, Director of Strategic Partnerships provided information regarding intentions to request a grant extension due to extenuating circumstances. Motion carried 6-0.

5. Appointment to Dubuque County Emergency Management Commission: Motion by Farber to receive and file and approve Mayor Cavanagh’s recommendation to appoint Fire Chief Amy Scheller as the representative to the Dubuque County Emergency Management Commission. Seconded by Roussell. Motion carried 6-0.

6. Work Session Request - Inclusive Dubuque Quarterly Update: Motion by Roussell, to receive and file and schedule a work session for Monday, June 20, 2022, at 6:00 p.m. for the Inclusive Dubuque 2nd Quarter report from 2022. seconded by Farber. Motion carried 6-0.

7. Work Session Request - Workforce Housing Needs Session #2: Motion by Sprank, to receive and file and schedule a work session for Monday, August 1, 2022, at 5:30 p.m. for a report on efforts and strategies to address the shortage of workforce housing in Dubuque. seconded by Roussell. Motion carried 6-0.

8. Work Session Request – Historic Building Rehabilitation and Preservation: Motion by Roussell to receive and file and schedule a work session for Monday, August 1, 2022 at 6:00 p.m. for a report on current efforts and strategies to address historic building rehabilitation and preservation in Dubuque. seconded by Wethal. Motion carried 6-0.

9. Work Session Request - Imagine Dubuque Update: Motion by Sprank to receive and file and schedule a work session for Monday, August 15, 2022, at 6:00 p.m. for an update on the Imagine Dubuque 2037: A Call-to-Action Comprehensive Plan. Seconded by Farber. Motion carried 6-0.

Motion by Wethal to move action items No. 10 "Delivering Dubuque" Video Series: Episodes One and Two and No. 11 Congratulations Class of 2022 Video to the June 20, 2022 City Council agenda. seconded by Farber. Motion carried 6-0.
COUNCIL MEMBER REPORTS

Mayor Cavanagh reported on currently attending The U.S. Conference of Mayors in Reno Nevada.

Council Member Wethal reported that; 1. She participated in a ride-a-long with a member of the Dubuque Police department. 2. The Early Childhood Board is working on vaccine distribution for children and resources to reginal daycare providers. 3. She attended the opening of Frannie’s BBQ on Central Ave.

CLOSED SESSION

Motion by Roussell to convene in closed session at 10:53 p.m. to discuss Pending Litigation and Purchase or Sale of Real Estate – Chapter 21.5(1)(c),(j) Code of Iowa. Seconded by Wethal. 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 6-0.

The City Council reconvened in open session at 11:26 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Pro Tem Resnick declared the meeting adjourned at 11:27 p.m.

/s/Trish L. Gleason
Assistant City Clerk