The Dubuque City Council met in special session at 5:30 p.m. on July 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 (virtually joined two minutes after the session began), 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 work sessions to receive updates from Fountain of Youth and the Four Founds Foundation.

WORK SESSIONS (2)

1. FOUNTAIN OF YOUTH

Fountain of Youth Executive Director Caprice Jones and Operations Manager Sarah Coble made a presentation on updates to the organization’s programs. Mr. Jones responded to questions from the City Council following the presentation.

This work session concluded at 5:59 p.m.

2. FOUR MOUNDS FOUNDATION

Four Mounds Foundation Program Manager Becky Bodish and Executive Director Jill Courtney made a presentation on the foundation’s past, current, and future work and initiatives. Ms. Courtney responded to questions from the City Council following the presentation.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:16 p.m.

/s/Adrienne N. Breitfelder
City Clerk
The Dubuque City Council met in regular session at 6:30 p.m. on July 18, 2022, in the second-

Present: Mayor Cavanagh; Council Members Farber, Jones, Resnick, Roussell, Sprank, Wethal; City Manager Van Milligen (virtually joined and experienced technical difficulties at the
beginning of the meeting), 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

PROCLAMATION(S)

1. Dubuque County Fair Week (July 26 - 31, 2022) was accepted by Dubuque County
Fairgrounds General Manager Kevin Kotz on behalf of the Dubuque County Fair Association.

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.

1. Minutes and Reports Submitted: City Council proceedings of 07/05/22; Arts and Cultural
Affairs Commission of 4/26/22 and 5/24/22; Equity and Human Rights Commission of 5/9/22;
Historic Preservation Commission of 6/16/22; Zoning Advisory Commission of 7/6/22; Zoning
Board of Adjustment of 6/23/22; Proof of publication for City Council proceedings of 6/20/22 and
6/27/22. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Patricia Quade for property 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:
Bridget Heer for property damage; Patricia Quade for property 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. 246-22 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. Creation of Assistant Director of Finance and Budget Position: Upon motion the documents
were received, filed, and approved.

6. Resolution Approving Fund Transfers for Capital Projects and Other Expense
Reimbursements in Fiscal Year 2022 – Period 13: Upon motion the documents were received
and filed, and Resolution No. 247-22 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. Pre-annexation Agreement – Patrick and Marion Marshall: Upon motion the documents were received and filed, and Resolution No. 248-22 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Patrick and Marion Marshall was adopted.

8. Intent to apply for Cities & Counties for Fines and Fee Justice - Second Cohort Application: Upon motion the documents were received and filed, and Resolution No. 249-22 Authorizing the application for the Cities & Counties for Fines and Fee Justice - Second Cohort Application and authorizing the Leisure Services Manager and the City Manager to approve the application was adopted.

9. America in Bloom (AIB) Community Profile Submission: Upon motion the documents were received and filed.

10. Approval of Bunker Hill Golf Course Cart Five Year Lease Agreement: Upon motion the documents were received, filed, and approved.

11. Approval of Fiscal Year 2023 Special Services Grant Program Agreement with Hills & Dales Senior Center and Community Development Block Grant Agreement with the Four Mounds Foundation: Upon motion the documents were received, filed, and approved.

12. Growing Sustainable Communities Conference Keynote Speaker Contract: City Manager recommended City Council approval of a contract with Ana Garcia Doyle of One Earth Film Festival as the breakfast keynote speaker on October 18, 2022, at the 2022 Growing Sustainable Communities Conference. Upon motion the documents were received, filed, and approved.

13. Recommendation for Regranting of GARE Arts & Culture Innovation and Implementation Grant Award: Upon motion the documents were received, filed, and approved.

14. Letter of Support for Talon Development’s Workforce Housing Tax Credit Application to Iowa Economic Development Authority: Upon motion the documents were received, filed, and approved.

15. Tiffany Court - Lead Mine Sinkhole Remediation Project: Acceptance of Public Improvement Construction Contract: Upon motion the documents were received and filed, and Resolution No. 250-22 Accepting the Tiffany Court - Lead Mine Sinkhole Remediation Project and authorizing the payment to the contractor was adopted.

16. ETALYC Partnership Statewide Transportation Innovation Council (STIC) Grant Application: Upon motion the documents were received, filed, and approved.

17. Liquor License Renewals: Upon motion the documents were received and filed, and Resolution No. 251-22 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. Comiskey Park – Phase 1 Redevelopment Project Initiate Public Improvement Bidding Process and Set Public Hearing: Upon motion the documents were received and filed and Resolution No. 252-22 Comiskey Park – Phase 1 Redevelopment 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 August 1, 2022, in the Historic Federal Building.

2. Resolution of Necessity for the Amendment of the Dubuque Industrial Center Economic Development District Urban Renewal Plan, Version 2022.2: Upon motion the documents were received and filed and Resolution No. 253-22 Authorizing and directing the City Manager to prepare an Amended and Restated Urban Renewal Plan for the Dubuque Industrial Center Economic Development District and setting dates for the public hearing and consultation process on the proposed Amended and Restated Urban Renewal Plan was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on September 6, 2022, in the Historic Federal Building.

3. Resolution of Necessity for the Amendment of the Dubuque Industrial Center Economic Development District Urban Renewal Plan, Version 2022.3: Upon motion the documents were received and filed and Resolution No. 254-22 Authorizing and directing the City Manager to prepare an Amended and Restated Urban Renewal Plan for the Dubuque Industrial Center Economic Development District, setting a date for the public hearing and directing the consultation process on the proposed Amended and Restated Urban Renewal Plan for said district was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on September 6, 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.

1. Housing Commission: One, 3-Year term through August 17, 2024 (Vacant term of Dalton) and two, 3-Year terms through August 17, 2025 (Expiring terms of Baumhover and White). Applicants: Rick Baumhover, 601 Garfield Ave.; Rick Merfeld, 2718 Andrew Ct.; and Margie White, 3197 Highland Park Dr. Mr. Baumhover spoke in support of his application and provided a brief biography.

Appointments were made to the following boards/commissions.

1. Investment Oversight Advisory Commission: One 3-Year term through July 1, 2025 (Expired Term of Ruden) Applicant: Gary Ruden, P.O. Box 835 - Address verified to be within corp. city limits. Motion by Jones to appoint Mr. Ruden to the three-year term through July 1, 2025. Seconded by Sprank. Motion carried 7-0.

2. Resilient Community Advisory Commission: Two, 3-Year terms through July 1, 2025
(Vacant term of Sanger and Expired term of Chamberland). Applicants: Joshua Chamberland, 2145 Delaware St. (Additional Applicant); Jacob Kohlhaas, 1125 Richards Rd. Motion by Roussell to appoint Mr. Chamberland and Mr. Kohlhaas to the two three-year terms through July 1, 2025. Seconded by Farber. Motion carried 7-0.

PUBLIC HEARINGS

1. Request to Rezone 620 South Grandview & 333 Bryant Street: 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. Planning Services Manager Wally Wernimont made a presentation. City Council Members expressed support for the proposed development of the property. Motion carried 7-0.

   Motion by Jones for final consideration and passage of Ordinance No. 24-22 Amending Title 16 of the Unified Development Code of the City of Dubuque Code of Ordinances by reclassifying hereinafter described property located at 620 S. Grandview Avenue and 333 Bryant Street from C-1 Neighborhood Commercial and R-3 Moderate Density Multiple-Family Residential to PUD Planned Unit Development District with a PC Planned Commercial Designation and adopting a Conceptual Development Plan. Seconded by Resnick. Motion carried 7-0.

2. Amendment to Westmark Planned Unit Development for 1515 Delhi Street, Suite 100: 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 Farber. Planning Services Manager Wally Wernimont provided a staff report and responded to questions regarding signage size limits and shut-off time requirements for illuminated signs. Motion carried 7-0.

   Motion by Roussell for final consideration and passage of Ordinance No. 25-22 Amending Title 16 of the Unified Development Code of the City of Dubuque Code of Ordinances by rescinding Ordinance 34-21 which provides regulations for a PUD Planned Unit Development District with a PC Planned Commercial Designation for the Westmark Corporate Center and adopting amended PUD Ordinance to allow internally illuminated secondary signs. Seconded by Farber. Motion carried 7-0.


4. Sale of City-owned property at 917 Garfield Avenue: Motion by Sprank to receive and file the documents and adopt Resolution No. 256-22 Disposing of city interest in real estate located at 917 Garfield Avenue, in the City of Dubuque, Iowa. Seconded by Jones. Motion carried 7-0.

PUBLIC INPUT

Regarding Action Item No. 1, Kristen and Steve Vaassen, 2319 Manson Rd.; Jim Kieffer, 8056 Southern Hill Cir.; and Jan Bell, 2333 Manson Rd., spoke in support of approving the plat.
Peter Arling, 1744 Creekwood Dr., also serving as legal counsel on behalf of Matthew Horsfield; Bob Hartig, 1804 Creekwood Dr.; Larry Vogt, 1750 Creekwood Dr.; David Curtis, legal counsel on behalf of Greg and Christie McCoy, 1834 Creekwood Dr.; and Nathan Duccini, 1605 Manson Rd., spoke in opposition to the proposed plat.

Regarding Action Item No. 2, Rick Dickinson, President and CEO of Greater Dubuque Development Corporation, spoke in support of the city’s proposed funding allocation to the Dream Center.

**ACTION ITEMS**

1. Plat of Survey of Annabel Lee Barn Lot: Motion by Resnick to receive and file the documents and adopt Resolution No. 257-22 Approving the Plat of Survey of: Annabel Lee Barn Lot, in the City of Dubuque, Dubuque County, Iowa. Seconded by Farber. Planning Services Manager Wally Wernimont made a presentation and responded to questions regarding the definition of residential units, regulations on short-term rentals, the city’s noise ordinance, the plat review process, and the different aspects of the various plat requests of this property. City Council Members discussed their limitations on regulating short-term rentals based on state code, the options residents have for reporting noise complaints, and the differences between this plat request and previous plat requests for the property. Motion carried 7-0.

2. City Support for Dream Center Acquisition of Fulton School and Support for State of Iowa Future Ready Iowa Grant Application: City Manager recommended City Council approval of an allocation of $300,000 to the Dream Center to include toward their bid to acquire Fulton School from the Dubuque Community School District. Motion by Roussell to receive and file the documents and approve the recommendation. Seconded by Sprank. City Council Members expressed their support for the Dream Center’s proposed expansion and encouraged the Dubuque Community School District to sell Fulton School to the Dream Center for one dollar. Motion carried 7-0.

3. East-West Corridor Moratorium Extension: 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. Motion carried 7-0.

   Motion by Jones for final consideration and passage of Ordinance No. 26-22 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 2 Building Construction, Demolition and Moving, Section 14-2-4 Moratorium for Construction or other work on certain Streets, Areas, or Facilities. Seconded by Roussell. Motion carried 7-0.

4. Work Session Request: Environmental Protection Agency Reuse Study City-Owned 5th Street Site in the Port of Dubuque: Motion by Roussell to receive and file the documents and schedule the work session for Monday, July 25, 2022, at 7:00 p.m. Seconded by Resnick. Council Members Farber and Jones stated that they will not be able to attend due to scheduling conflicts. Motion carried 7-0.

5. Work Session Request: Police Taser Implementation: Motion by Jones to receive and file the documents and schedule the work session Monday, October 3, 2022, at 5:30 p.m. Seconded by Sprank. No schedule conflicts were expressed. Motion carried 7-0.

6. Delivering Dubuque Video: Northwest Arterial State of Good Repair Project: Motion by Farber to receive and file the documents and view the video. Seconded by Resnick. Media
services displayed a video of the Northwest Arterial State of Good Repair Project as part of the "Delivering Dubuque" video series. Link to video: https://youtu.be/x4zxfn5isFY. Motion carried 7-0.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:59 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 9:20 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 9:20 p.m.

/s/Adrienne N. Breitfelder
City Clerk

1t 7/27