The Dubuque City Council met in special session at 5:30 p.m. on October 3, 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 to receive an update on the Police Department’s taser implementation.

**WORK SESSION**

**Police Taser Implementation Update**

Police Chief Jeremy Jensen, Assistant Police Chief Joe Messerich, and Police Captain Brad Shannon presented on the Police Department taser implementation. Responding to a question from the City Council, Police Chief Jensen stated that all sworn officers are required to carry a taser. Responding to a question from the City Council about the city's liability for taser situations that result in injury, City Attorney Brumwell stated that city staff would review each situation in terms of the policy and the circumstances of the specific situation. Police Captain Shannon responded to questions from the City Council regarding the technical aspects of the tasers.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:21 p.m.

/s/Adrienne N. Breitfelder
City Clerk
The Dubuque City Council met in regular session at 6:30 p.m. on October 3, 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. Government Finance Officers Association (GFOA) 2022 Hero Award Recognition: Katie Ludwig and Mark Mack, Senior Managers with GFOA, recognized Director of Finance and Budget Jenny Larson for receiving the 2022 Hero Award.

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

PROCLAMATION(S)

1. Energy Efficiency Day (October 5, 2022) was accepted by Michela Freiburger on behalf of the Dubuque County Energy District.

2. White Cane Safety Day (October 15, 2022) was accepted by Brianna Hanson and Nick Brown on behalf of the Tri-State Independent Blind Society.

3. Trick-or-Treat Night (October 31, 2022) was accepted by Mayor Cavanagh on behalf of the City of Dubuque.

4. Dubuque Rescue Mission 90th Anniversary (2022) was accepted by Director Rick Mihm and Board President Morgan Frazer on behalf of the Dubuque Rescue Mission.

5. Dubuque Eagles "Eyes on the Future" Fundraising Milestone was accepted by Michael Duehr on behalf of the Dubuque Eagles "Eyes on the Future" Committee.

6. Arts and Humanities Month (October 2022) was accepted by Arts & Cultural Affairs Coordinator Jenni Petersen-Brandt and Arts & Cultural Affairs Advisory Commission Chair Nick Halder on behalf of the Arts & Cultural Affairs Division.

CONSENT ITEMS

Council Member Farber requested Item No. 6 be held for separate discussion. Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated, except for Item No. 6. Seconded by Roussell. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 9/19/22; Building Code
Advisory and Appeals Board of 7/7/22; Equity and Human Rights Commission of 8/8/22; Historic Preservation Commission of 9/15/22; Long Range Planning Advisory Commission of 9/21/22. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Beidler Towing for vehicle damage; Juanita Gates for vehicle damage; Debra Heim 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. 310-22 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. Community Development Block Grant CARES Act (CDBG-CV) Subrecipient Agreement with Dubuque Area Labor Harvest: Upon motion the documents were received and filed, and Resolution No. 311-22 CDBG-CV Subrecipient Agreement with Dubuque Area Labor Harvest was adopted.

5. First Amendment to Subrecipient Agreement between the City of Dubuque and Crescent Community Health Center: Upon motion the documents were received and filed, and Resolution No. 312-22 Authorizing the First Amendment to the Subrecipient Agreement between the City of Dubuque and Crescent Community Health Center was adopted.

6. Approval of Plat of Survey (ROW Vacation) of Lot AA and Lot BB of Grand View Place, in the City of Dubuque, Iowa (Per Agreement with Dubuque Golf and Country Club at 1800 Randall Place): Council Member Farber stated she would abstain from voting on this item due to owning property that is included in the plat. Motion by Resnick to receive and file the documents and adopt Resolution No. 313-22 Approving Plat Of Survey of Vacated Streets and Alleys, Being Part Of St. Joseph Street; All Of Altman Street; All Of Kiene Street; All Of The Unnamed Streets Situated Between Lots 149 And 150 In Grand View Place; All Of Mcpherson Street; All Of Sterling Street; A Part Of Perry Street; All Of Morgan Street; A Part Of Park Street (Now Called Randall Place); A Part Of Dunning Street; A Part Of Henderson Street; A Part Of Rider St Eet; All Of The Alley In Grand View Place Between Altman And Kiene Streets; A Part Of The Alley Between Perry And Bradley Streets; All Of The Alley Lying Through Block Eight (8) Of Grand View Park; All Of The Alley In Grand View Park Lying Easterly Of Block Sixteen (16); All Of The Alley Located In The Easterly Part Of Grand View Place; And All Of The Alley Extending Through Block Fourteen (14); All Being In The City Of Dubuque, Iowa, And All As Per 1923 Dubuque City Council Special Ordinance, Document No. 1295-96, To Be Known As Lot Aa And Lot Bb Of Grand View Place, In The City Of Dubuque, Iowa. Seconded by Jones. Motion carried 6-0 with abstention from Farber.

7. Acceptance of Storm Water Detention Facility Improvements in Rustic Point Estates Subdivision (Phase 1): Upon motion the documents were received and filed, and Resolution No. 314-22 Accepting Public Storm Water Detention Facility Improvements in Rustic Point Estates Subdivision (Phase 1), in the City of Dubuque, Iowa was adopted.

8. Approve Professional Consultant Services Contract for Retime LLC related to Smart Traffic Routing with Efficient & Effective Traffic Systems (STREETS): Upon motion the documents were received, filed, and approved.

9. Improvement Contracts / Performance, Payment and Maintenance Bonds: All Clear Inc. / All Clear Window Cleaning for the Mystique Ice Arena - Construction Site Clean Up; Tschiggfrie
Excavating for the West Blum Site-Capping and Remediation Project. Upon motion the documents were received, filed, and approved.

10. Signed Contract(s): Dubuque Community School District for School Resource Officers for School Year 2022-2023; Dubuque Community School District for Drug Abuse Resistance Education Cooperative Program from School Year 2022-2023; Experienced Roofing for the Municipal Services Center Roof Repair; Gavilon Grain, LLC for salt transfer and handling services; Graymont Western Lime, Inc. for the Eagle Point Water Plant High Calcium Quicklime; Hawkins Inc. for the Eagle Point Water Plant Sodium Hypochlorite; James Orr Coating Inspection, LLC for multiple water tank inspections; MSA Professional Services, Inc. for the Briarwood Subdivision Water Connection; W/K Construction for the 2022 Asphalt Milling Project - Project Number 2022-6. Upon motion the documents were received and filed.

11. Travel Dubuque Fall and Winter Adventure Guides: Upon motion the documents were received.

12. Liquor License Renewals: Upon motion the documents were received and filed, and Resolution No. 315-22 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. Council Member Farber asked if she should abstain from this vote due to a potential conflict of interest. City Attorney Brumwell stated there is no conflict with this vote since it is only to set the public hearings. Motion carried 7-0.

1. Disposal of City Interest in Previously Vacated Street and Alley Right of Way Areas, in the City of Dubuque, Iowa: Upon motion the documents were received and filed and Resolution No. 316-22 Intent to dispose of City interest in vacated streets and alleys, Being Part Of St. Joseph Street; All Of Altman Street; All Of Kiene Street; All Of The Unnamed Streets Situated Between Lots 149 And 150 In Grand View Place; All Of Mcpherson Street; All Of Sterling Street; A Part Of Perry Street; All Of Morgan Street; A Part Of Park Street (Now Called Randall Place); A Part Of Dunning Street; A Part Of Henderson Street; A Part Of Rider St Eet; All Of The Alley In Grand View Place Between Altman And Kiene Streets; A Part Of The Alley Between Perry And Bradley Streets; All Of The Alley Lying Through Block Eight (8) Of Grand View Park; All Of The Alley In Grand View Park Lying Easterly Of Block Sixteen (16); All Of The Alley Located In The Easterly Part Of Grand View Place; And All Of The Alley Extending Through Block Fourteen (14); All Being In The City Of Dubuque, Iowa, And All As Per 1923 Dubuque City Council Special Ordinance, Document No. 1295-96, To Be Known As Lot Aa And Lot Bb Of Grand View Place, In The City Of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on October 17, 2022 in the Historic Federal Building.

2. Set Public Hearing for Sale of City-Owned Property at 2414 Windsor Avenue: Upon motion the documents were received and filed and Resolution No. 317-22 Intent to dispose of an interest in City of Dubuque Real Estate to Darnell Meekins, setting a time and place for hearing, and providing for the publication of notice thereof was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on October 17, 2022 in the Historic Federal Building.

3. Fiscal Year 2023 First Budget Amendment: Upon motion the documents were received and filed and Resolution No. 318-22 Setting the date for the public hearing on Amendment No.
1 to the Fiscal Year 2023 Budget for the City of Dubuque was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on October 17, 2022 in the Historic Federal Building.

**BOARDS/COMMISSIONS**

Civil Service Commission: Mayoral selection of appointment. One, 4-Year term through April 6, 2026 (Vacant term of Baskerville). Applicants: Scott Crabill, 2757 Balboa Dr.; Michelle Hinke, 973 Patricia Ann Dr. This commission is subject to the State of Iowa Gender Balance Law, §69.16A. 3 Commissioners total; currently 1 male /1 female. Mayor Cavanagh announced that Mr. Crabill has been selected for appointment to the commission. Iowa Code §400.1 requires publication of the name(s) of person(s) selected for appointment to the Civil Service Commission no less than thirty (30) days prior to a vote by the city council. Vote on appointment to occur at the November 7, 2022, city council meeting.

Appointments were made to the following boards/commissions.

Community Development Advisory Commission: One, 3-Year term through February 15, 2024 (Vacant Low/Mod Income Area Rep term of Craddieth). Applicant: Gerald Hammel Jr., 1225 Rhomberg Ave. - Qualifies as Low/Mod Income Area Rep. Motion by Jones to appoint Mr. Hammel to the three-year term through February 15, 2024. Seconded by Sprank. Motion carried 7-0.

Housing Commission: One, 3-Year term through August 17, 2025 (Expired term of Dickens). Applicant: Cathy Dickens, 431 Alpine St. Motion by Roussell to appoint Ms. Dickens to the three-year term through August 17, 2025. Seconded by Farber. Motion carried 7-0.

**PUBLIC HEARINGS**

1. 2022 John F. Kennedy Road Sidewalk Installation Project: Motion by Jones to receive and file the documents and adopt Resolution No. 319-22 Approval of plans, specifications, form of contract, and estimated cost for the 2022 John F. Kennedy Road Sidewalk Installation Project - Iowa DOT Project No. TAP-U- 2100-703-61-31. Seconded by Roussell. Motion carried 7-0.

2. Park and Recreation Advisory Commission Member Removal Recommendation: Motion by Roussell to receive and file the documents and adopt Resolution No. 320-22 Removing a Commissioner from the Park and Recreation Advisory Commission. Seconded by Jones. Motion carried 7-0.

3. Approving a Sixth Amendment to a Development Agreement between the City of Dubuque, Iowa and The Hotel Dubuque, L.L.C.: Motion by Farber to receive and file the documents and adopt Resolution No. 321-22 Approving the Sixth Amendment to Development Agreement by and between the City of Dubuque, Iowa and the Hotel Dubuque L.L.C., including the issuance of Urban Renewal Tax Increment Revenue Grant Obligations to the Dubuque Hotel L.L.C. Seconded by Sprank. Susan Hess from Hammer Law Firm and David Elias Rachie of The Hotel Dubuque L.L.C. provided a brief overview of the proposed development and responded to questions from the City Council. Motion carried 7-0.

**PUBLIC INPUT**

City Clerk Breitfelder stated that written input was received from the Dubuque Area Chamber of Commerce, the Dubuque Racing Association, and Greater Dubuque Development Corporation in support of Action Item No. 1.
ACTION ITEMS

1. Support for Minimum Revenue Guarantee to attract an Ultra Low Cost Carrier to Dubuque Regional Airport: Motion by Roussell to receive and file the documents; approve the recommendation to budget $250,000 a year for two years for a total of $500,000 towards a Minimum Revenue Guarantee to get an Ultra Low Cost Carrier to provide four flights a week, two to Orlando, Florida and two to Fort Myers, Florida on a 737-800, 180-seat aircraft; and view the presentation. Seconded by Jones. Airport Director Todd Dalsing and Dubuque Area Chamber of Commerce President and Dubuque Area Chamber Air Service Task Force Lead Molly Grover made a presentation. Responding to questions from the City Council, Mr. Dalsing stated that flights could be available in the first quarter of 2023 at a price competitive to a $70 one-way ticket. Mr. Dalsing emphasized that other flight options are being considered. City Council Members expressed support for the flight option and stressed the importance of returning air service to Dubuque. City Council Members also underscored that this option is one component of the multi-pronged approach of air service in Dubuque. Motion carried 7-0.

2. Experience Schmitt Island: Mississippi River Outdoor Amphitheater and Island Trails Project Destination Iowa Grant Application: Motion by Jones to receive and file the documents and approve the grant application. Seconded by Sprank. Director of Strategic Partnerships Teri Goodmann introduced Dubuque Racing Association (DRA) President and CEO Alex Dixon, who made a presentation. Responding to questions from the City Council, City Manager Van Milligen summarized the debt financing strategy for the project, the city’s debt reduction strategy, and the amount of DRA funds comprised in the city’s budget. City Council Members expressed support for the project, stating that increasing amenities is crucial to attracting and retaining residents. Motion carried 7-0.

3. Work Session Request: Update on Housing Choice Voucher Program: Motion by Jones to receive and file the documents and schedule the work session for Monday, November 7, 2022, at 5:30 p.m. Seconded by Roussell. No schedule conflicts were expressed. Motion carried 7-0.

4. 16th Edition of Art on the River Video: Motion by Roussell to receive and file the documents and view the video. Seconded by Farber. Media Services displayed a video highlighting the 16th edition of Art on the River. The video can be viewed at: https://www.youtube.com/watch?v=DPV6ZENohkk. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Farber reported on attending the America in Bloom National Awards Program with Parks and Recreation Commission member Jennifer Tigges and Leisure Services Lead Administrative Assistant Kristen Dietz.

Council Member Resnick reported on attending the Latinx Festival.

Council Member Roussell reported on attending the Iowa League of Cities Annual Conference and Exhibit, speaking at the Marshallense Cultural Day, and the recent volunteer efforts of Dubuque Trees Forever.

Council Member Wethal reported on attending the Dubuque Museum of Art’s Annual Gala.

Council Member Sprank reported on the Dubuque Area Labor Harvest’s upcoming food giveaway event and the Bluff Strokes public art sale event.

Mayor Cavanagh reported on participating in a US Conference of Mayors discussion around Federal Emergency Management Agency (FEMA) funding, in which he shared how Dubuque has used FEMA funding for the Bee Branch Watershed Flood Mitigation Project.
CLOSED SESSION

Motion by Jones to convene in closed session at 9:17 p.m. to discuss Pending Litigation and Purchase or Sale of Real Estate – Chapter 21.5(1)(c),(j) Code of Iowa. Seconded by Sprank. 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 10:44 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 10:44 p.m.

/s/Adrienne N. Breitfelder
City Clerk