The Dubuque City Council met in special session at 5:30 p.m. on December 19, 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 (attended virtually at 5:33 p.m.), 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 on the Central Avenue Corridor Streetscape Master Plan.

WORK SESSION
CENTRAL AVENUE CORRIDOR STREETSCAPE MASTER PLAN
Jill Connors, Economic Development Director; Ryan Peterson, Senior Partner with RDG Planning & Design; and Dave Lyons, Sustainable Innovation Consultant with Greater Dubuque Development Corporation, made a presentation on the Central Avenue Corridor Streetscape Master Plan. The presenters responded to questions from the City Council regarding the future traffic study, discussions with businesses regarding impacts from potential truck traffic rerouting, and next steps for the plan. City Council Members provided input on their preferred option for the gathering space proposed for 18th Street and certain features they would like to see included in the plan.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:24 p.m.

/s/Adrienne N. Breitfelder
City Clerk
The Dubuque City Council met in regular session at 6:30 p.m. on December 19, 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 (attended virtually), 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

CONSENT ITEMS

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

1. Minutes and Reports Submitted: Building Code Advisory and Appeals Board of 9/15/22; Civil Service Commission of 12/5/22; City Council Proceedings of 11/30/22 and 12/5/22; Five Flags Civic Center Advisory Commission of 11/28/22; Housing Commission of 10/25/22; Zoning Advisory Commission of 12/7/22; Proof of Publication for City Council Proceedings of 11/21/22. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: CEI ASO Mediacom Communications Corporation for vehicle damage; Jackson Rahman for vehicle 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: CEI ASO for vehicle damage; Julie Fry for property damage; Jackson Rahman for vehicle damage; Beth Whisler for vehicle 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. 378-22 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. Intent to Apply for City of Dubuque AmeriCorps Program: Upon motion the documents were received and filed, and Resolution No. 379-22 Authorizing the Mayor to execute an application for the City of Dubuque AmeriCorps Program and authorizing the Leisure Services Manager and the City Manager to approve the application was adopted.

6. Intent to Apply for Volunteer DBQ 2023: Upon motion the documents were received and filed, and Resolution No. 380-22 Authorizing the Mayor to execute an application for the Volunteer DBQ 2023 and authorizing the Leisure Services Manager and the City Manager to
approve the application was adopted.

7. Iowa Amphitheater on Schmitt Island Project Resubmission of Destination Iowa Outdoor Recreation Fund Grant and Resolution: Upon motion the documents were received and filed, and Resolution No. 381-22 Authorizing the Mayor to execute an application resubmission for the Destination Iowa Outdoor Recreation Fund Grant and authorizing the City Manager to approve the application for the Iowa Amphitheater on Schmitt Island was adopted.

8. Tree City USA Application Approval Request: Upon motion the documents were received, filed, and approved.

9. Pollinator/Wildlife Friendly Areas on City Property: Upon motion the documents were received and filed.

10. Fiscal Year 2023 Community Development Block Grant Funding Agreement: Upon motion the documents were received and filed, and Resolution No. 382-22 Authorizing execution of FY23/PY22 Community Development Block Grant Agreement was adopted.

11. First Amendment to Community Development Block Grant (CDBG) Subrecipient Agreement between the City of Dubuque and Opening Doors - Maria House: Upon motion the documents were received and filed, and Resolution No. 383-22 Authorizing the First Amendment to the CDBG Subrecipient Agreement between the City of Dubuque and Opening Doors was adopted.

12. Plat of Survey of Shagbark Estates Plat 3: Upon motion the documents were received and filed, and Resolution No. 384-22 Approving the Plat of Survey of Shagbark Estates Plat 3, City of Dubuque, Dubuque County, Iowa was adopted.

13. Plat of Survey of Kane Business Park Plat 2: Upon motion the documents were received and filed, and Resolution No. 385-22 Approving the Final Plat of Kane Business Park Plat 2, in Dubuque County, Iowa was adopted.

14. Participation in National League of Cities “City Inclusive Entrepreneurship” Program: Upon motion the documents were received and filed.

15. Greater Dubuque Child Care Analysis Report: Upon motion the documents were received and filed.

16. Award for the English Lane Sanitary and Storm Repair: Upon motion the documents were received, filed, and made a matter of record.

17. Award for the Foothill Court Drain Tile Project 2023: Upon motion the documents were received, filed, and made a matter of record.

18. Award for the Green Alley Retaining Wall – 2406, 2408, 2410 Queen Street Between Queen Street and Windsor Avenue: Upon motion the documents were received, filed, and made a matter of record.

19. Award for the 8th Street Brick Pavers Remediation Project: Upon motion the documents were received, filed, and made a matter of record.
20. Chavenelle Road - Northwest Arterial to Radford Road Reconstruction Project: Upon motion the documents were received and filed, and Resolution No. 386-22 Approving Water Main Change Order for the Chavenelle Road – NW Arterial to Radford Road Reconstruction Project was adopted.

21. Agreement with Kwik Trip, Inc. - Kwik Trip, Inc. Convenience Store/Gas Station at Intersection of Kerper Boulevard and Kerper Court: Upon motion the documents were received and filed, and Resolution No. 387-22 Approving an Agreement between the City of Dubuque, Iowa and Kwik Trip, Inc. for construction of certain off-site public roadway improvements at the intersection of Kerper Boulevard and Kerper Court related to the proposed site improvements at said intersection was adopted.

22. Iowa Department of Transportation (DOT) Project Notification Letters: Correspondence from Jesse Tibodeau, P.E., Assistant District Engineer with the Iowa DOT, informing the City Council of upcoming Bridge Cleaning projects and a PCC Pavement Patching Project. Upon motion the documents were received and filed.

23. Carbon Disclosure Project - 2022 Scorecard: Upon motion the documents were received and filed.

24. Resilient Community Advisory Commission Letter about Plant Heights: Upon motion the documents were received, filed, and approved.

25. Signed Contract(s): Administrative Agreement with Iowa Municipalities Workers’ Compensation Association; Origin Design Co. for Municipal Services Center, Reception Renovations Project. Upon motion the documents were received and filed.

26. Verified Claim Extending Restrictions On Use Of Property On Kerper Court: Upon motion the documents were received and filed, and Resolution No. 388-22 Approving a verified claim pursuant to Iowa Code Section 614.24 to renew use restrictions was adopted.

27. Kwik Trip, Inc. Clarification of Use Restrictions at Lot 2 of Kerper Industrial Park No. 2: Upon motion the documents were received and filed, and Resolution No. 389-22 Approving the Clarification of Use Restrictions at Lot 2 of Kerper Industrial Park No. 2 was adopted.

28. City Focus Magazine - Fall/Winter 2022 Issue: Upon motion the documents were received and filed.

29. Proposed Amendment to Master Co-location and Shared Services Agreement Between the City of Dubuque and Dubuque County: Upon motion the documents were received, filed, and approved.

30. Adoption of Supplement Number 2022 S-8 Part Two to the City of Dubuque Code of Ordinances: Upon motion the documents were received and filed, and Resolution No. 390-22 Adopting Supplement No. 2022 S-8 Part Two to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

31. Certified List - Police Officer: Upon motion the documents were received, filed, and made a matter of record.
32. Liquor License Renewals: Upon motion the documents were received and filed, and Resolution No. 391-22 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. Resolution Setting a Public Hearing on a Proposed Development Agreement by and between the City of Dubuque, Iowa and McCoy Group, Inc. for the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement: Upon motion the documents were received and filed and Resolution No. 392-22 Fixing the date for a public hearing of the City Council of the City of Dubuque, Iowa on the proposed Development Agreement between the City of Dubuque and McCoy Group, Inc., including the proposed issuance of Urban Renewal Tax Increment Revenue Grant Obligations to McCoy Group, Inc., 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 January 3, 2023 in the Historic Federal Building.

2. Resolution of Necessity for the Proposed Urban Renewal Plan for the Twin Valley Urban Renewal Area: Upon motion the documents were received and filed and Resolution No. 393-22 Authorizing and directing the City Manager to prepare an Urban Renewal Plan for the Twin Valley Urban Renewal Area, 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 February 6, 2023 in the Historic Federal Building.

PUBLIC HEARINGS

1. Rezoning Rosedale Avenue/Saint Ambrose 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 Sprank. Planning Services Manager Wally Wernimont provided a staff report. Applicant Tom Kelzer, 9565 Royalwood Dr., spoke in favor of the request, providing input on availability of parking for the proposed apartment complex and traffic volumes. Richard Motor, 2080 Rosedale Ave.; and Austen Clark, 2020 Rosedale Ave., spoke in opposition to the request, citing potential negative impacts to the neighborhood resulting from the proposal. Dan Sampson, 2501 Jackson St., spoke in support of the request. City Clerk Breitfelder stated that written input was received from Marian Morris, 1440 South Grandview Ave.; and Mr. Clark. Responding to questions from the City Council, Mr. Wernimont summarized the responsibilities of the city’s development review team, provided Zoning Advisory Commission input regarding their divided vote on this request, and summarized the conditional rezoning process. Responding to a question from the City Council, Mr. Kelzer stated that Saint Anthony’s Church has covenants on the property that prevent any uses that are against their doctrine. City Council Members expressed support for the request, emphasizing the need for housing and highlighting the property’s proximity to many schools and businesses. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 43-22 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying
hereinafter described parcels of land located along Clarke St. Ambrose and Rosedale Streets within the City of Dubuque from R-1 Single Family Residential District to OR Office Residential District. Seconded by Sprank. Motion carried 7-0.

2. Amending the Dubuque Industrial Center Planned Unit Development: 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 provided a staff report. Rick Dickinson, President and CEO of Greater Dubuque Development Corporation (GDDC), spoke in favor of the request. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 44-22 Amending Title 16, the Unified Development Code of the City of Dubuque Code of Ordinances by adopting a revised Planned Unit Development Ordinance for the Dubuque Industrial Center Phases I and II located at the southwest corner of Highway 32 (Northwest Arterial) and Chavenelle Road and by recinding Ordinance 22-07. Seconded by Resnick. Motion carried 7-0.

3. Recommendation for Approval of an Amended Lease with the Dubuque Racing Association: Motion by Sprank to receive and file the documents and adopt Resolution No. 394-22 Disposing of an interest in real property owned by the City of Dubuque by lease between the City of Dubuque, Iowa and Dubuque Racing Association, LTD. Seconded by Roussell. Alex Dixon, President and CEO of the Dubuque Racing Association (DRA), made a presentation. City Council Members expressed support for the amended lease. Motion carried 7-0.

Motion by Roussell for final consideration and passage of Ordinance No. 45-22 Amending City of Dubuque Code of Ordinances Title 3, Revenue and Taxation, Chapter 2 Revitalization Areas, by adopting a new Section 9 Plaza Drive, establishing the Plaza Drive Urban Revitalization Area, and establishing requirements for qualifying property owners. Seconded by Wethal. Motion carried 7-0.

4. Public Hearing and Approval of Plaza Drive Urban Revitalization 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 Wethal. Motion carried 7-0.

Motion by Roussell for final consideration and passage of Ordinance No. 45-22 Amending City of Dubuque Code of Ordinances Title 3, Revenue and Taxation, Chapter 2 Revitalization Areas, by adopting a new Section 9 Plaza Drive, establishing the Plaza Drive Urban Revitalization Area, and establishing requirements for qualifying property owners. Seconded by Wethal. Motion carried 7-0.

PUBLIC INPUT

Dave Overby, 13078 Swiss Valley Rd., provided a handout on a federal notice of funding opportunity for an intercity passenger rail program and requested the City Council consider the opportunity.

City Clerk Breitfelder announced receipt of written input regarding Action Item No. 1 from Joel Pusateri and T. Huson, 1165 Bluff St.

ACTION ITEMS

1. Five Flags Improvement Project: Motion by Jones to receive and file the documents and adopt Resolution No. 394-22-A Authorizing initiation of Five Flags Improvement Project through the capital improvement budget process. Seconded by Roussell. City Council Members expressed support for the project and thanked city staff and the Civic Center Advisory Commission for their work. Motion carried 7-0.

2. Dubuque’s Cultural & Entertainment District Presentation: Motion by Roussell to receive
and file the documents and view the presentation. Seconded by Jones. Economic Development Director Jill Connors; Arts & Cultural Affairs Manager Jenni Petersen-Brant; Planning Services Manager Wally Wernimont; Jon Berg, Arts in Community Development Program Manager at the Iowa Department of Cultural Affairs; and Danielle Jacobs, Executive Director at Dubuque Main Street, made a presentation on Dubuque’s Cultural and Entertainment District, its history, benefits, and the future. Responding to a question from the City Council, Ms. Petersen-Brant and Mr. Wernimont stated that while it is unclear how local arts and culture assets are using the cultural & entertainment district designation, the designation can help organizations bolster their grant applications. Motion carried 7-0.

3. City of Dubuque Programs that Support Historic Preservation Efforts: Motion by Jones to receive and file the documents and view the presentation. Seconded by Resnick. Economic Development Director Jill Connors, Planning Services Manager Wally Wernimont, and Housing and Community Development Director Alexis Steger made a presentation on the decades of support a variety of City department programs have provided to ensure the preservation of our downtown’s historic building stock. City Council Members thanked the Historic Preservation Commission for their involvement in Dubuque's preservation efforts. Motion carried 7-0.

4. Smart Parking Mobility Update and Commuter Shuttle Update: Motion by Jones to receive and file the documents and view the presentation. Seconded by Sprank. Director of Transportation Services Ryan Knuckey made a presentation on the Smart Parking & Mobility Management Plan and Implementation Project and a Commuter Shuttle update to inform City Council of the addition of the route and potential opportunity for ridership. Responding to questions from the City Council, Mr. Knuckey stated that the department is engaging a large number of stakeholders on the plan and that discussions are occurring on e-scooters and electric vehicle (EV) charging stations. Mr. Knuckey stated the department will evaluate the number of riders on each commuter shuttle for feedback on the routes. Motion carried 7-0.

5. Local Housing Trust Fund Grant Award Acceptance: Motion by Roussell to receive and file the documents and adopt Resolution No. 395-22 Accepting Local Housing Trust Fund Allocation from Iowa Finance Authority for Fiscal Year 2023. Seconded by Jones. Responding to a question from the City Council, Housing and Community Development Director Alexis Steger stated that this year’s award is an increase compared to previous years. Motion carried 7-0.

6. Solar Renewable Energy Credit (SREC) Agreements: Motion by Sprank to receive and file the Solar Renewable Energy Credit (SREC) Agreements with Chris Berntgen, Rebecca Hoist, Bob McCurdy, Thomas Unsen, and Joan Wehrspann. Seconded by Jones. City Council Members expressed support for the program and hoped it can expand. Motion carried 7-0.

7. Code of Ordinance Amendments on Appointments to the Board of Library Trustees and Civil Service Commission: 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 Wethal. City Clerk Breitfelder clarified that Civil Service Commission appointments will be conducted by the Mayor with a vote by the City Council based on state code requirements. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 46-22 Amending City of Dubuque Code of Ordinances Title 2 Boards and Commissions, Chapter 7 Board of Library Trustees, Section 2-7-5 Membership and Ordinance No. 47-22 Amending City of Dubuque Code of Ordinances Title 2 Boards and Commissions, Chapter 2 Civil Service Commission, Section
2-2-5 Membership. Seconded by Wethal. Motion carried 7-0.

8. Upper Bee Branch Creek Restoration Railroad Sanitary Interceptor Crossing Project (part of Phase IV of the Bee Branch Watershed Flood Mitigation Project): Motion by Sprank to receive and file the documents and adopt Resolution No. 396-22 Awarding the Public Improvement Contract for the Upper Bee Branch Creek Restoration Railroad Sanitary Interceptor Crossing Project. Seconded by Resnick. Motion carried 7-0.

9. Temporary Staff Wage Increase Recommendations - Leisure Services: Motion by Roussell to receive and file the documents. Seconded by Wethal. Responding to a question from the City Council, City Attorney Brumwell and Leisure Services Manager Marie Ware stated that the term “seasonal” employee is often used in place of “temporary” employee, but that temporary employee is the proper term and that the wage increase is for temporary employees. Motion carried 7-0.

10. Fire Department Reorganization/Memorandum of Understanding: Motion by Jones to receive and file the documents and approve the Memorandum of Understanding with the Dubuque Association of Professional Fire Fighters, Local #353 and an organizational structure realignment related to the city ambulance service. Seconded by Roussell. Responding to a question from the City Council, Fire Chief Amy Scheller summarized the supervision changes resulting from the structure realignment. Motion carried 7-0.

11. Coordinated Entry & Community Solutions of Eastern Iowa (CSEI) Street Outreach: Motion by Roussell to receive and file the documents and listen to the presentation. Seconded by Sprank. Housing & Community Development Director Alexis Steger made a presentation on city staff’s work on the issue of unhoused in Dubuque and displayed the U.S. Department of Housing and Urban Development’s 2022 Annual Homelessness Assessment Report (AHAR) to Congress. Responding to questions from the City Council, Ms. Steger summarized the limitations of palate shelters and stated that while the number of unhoused has remained stable, the number of encampments has increased due to movement. Motion carried 7-0.

12. Work Session Request: Black Heritage Survey: Motion by Jones to receive and file the documents and schedule the work session for Tuesday, January 3, 2023, at 5:30 pm. Seconded by Sprank. No schedule conflicts were expressed. Motion carried 7-0.

13. Work Session Request: Federal and State Grant Update: Motion by Resnick to receive and file the documents and schedule the work session for Tuesday, January 17, 2023, at 5:30 p.m. Seconded by Jones. No schedule conflicts were expressed. Motion carried 7-0.

14. Work Session Request: Travel Dubuque Annual Presentation: Motion by Roussell to receive and file the documents and schedule the work session for Monday, February 20, 2023, at 6:00 p.m. Seconded by Resnick. Council Member Jones stated that he will be out of town. Motion carried 7-0.

15. Public Works Snow Plow Operator Training Video: Motion by Resnick to receive and file the documents and view the video. Seconded by Sprank. Media Services displayed a video of the Public Works Department's Snow Plow Operator trainings. The video can be viewed at the following link: https://youtu.be/lgEU7-Vsmbw. Motion carried 6-0 as Renick stepped away momentarily.
16. Dubuque Ice Arena Improvements Project Video: Motion by Roussell to receive and file the documents and view the video. Seconded by Sprank. Media Services displayed a video on the recent improvements completed at the Dubuque Ice Arena. The video can be viewed at the following link: https://youtu.be/0iwZRAhoRyE. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Roussell reported on attending a National League of Cities (NLC) webinar on civility.
Council Member Jones reported that Public Hearing No. 1 demonstrated civility by all participants.
Council Member Wethal reported that this season is a great time to enjoy the arts.
Mayor Cavanagh thanked everyone for a great year.

The scheduled closed session was cancelled.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 10:09 p.m.

/s/ Adrienne N. Breitfelder
City Clerk

1t 12/30