The Dubuque City Council met in special session at 6:00 p.m. on February 6, 2023, 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 on Sustainable Dubuque.

WORK SESSION
SUSTAINABLE DUBUQUE WORK SESSION

Sustainable Community Coordinator Gina Bell provided an update of the Renew Dubuque Solar program. Responding to a question from the City Council, Ms. Bell stated that five-year maintenance of the solar panels is included in the contracts and is an industry standard.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:17 p.m.

/s/Adrienne N. Breitfelder, CMC
City Clerk
The Dubuque City Council met in regular session at 6:30 p.m. on February 6, 2023, 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

PRESENTATIONS

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

PROCLAMATION(S)

1. Kiwanis Club of Dubuque 103rd Anniversary Week (February 12-18, 2023) was accepted by Nora McCarville on behalf of the Kiwanis Club of Dubuque.

CONSENT ITEMS

Council Member Wethal requested Item No. 11 be held for separate discussion. Council Member Roussell requested Item No. 5 be held for separate discussion. Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated, except for Items No. 5 and 11. Seconded by Farber. Motion carried 7-0.

1. Minutes and Reports Submitted: Airport Commission of 11/29/22; City Council Proceedings of 1/17/23; Civil Service Commission of 1/11/23; Long Range Planning Advisory Commission of 1/18/23; Proof of Publication for City Council Proceedings of 1/3/23. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Tara Behnke for vehicle damage; Dubuque County for personal injury/property damage; Gerardo Flores for property damage; Richard and Julie Hardorff for property damage; Lindsey Hoyne for vehicle damage; Laura Knabel for personal injury/vehicle damage; Kelly Otting for personal injury/property damage; Brian Ward 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: Tara Behnke for vehicle damage; Dubuque County for personal injury/property damage; Gerardo Flores for property damage; Richard and Julie Hardorff for property damage; Lindsey Hoyne for vehicle damage; Laura Knabel for vehicle damage and personal injury; Mark Laird for vehicle damage; Kelly Otting for personal injury/property damage; Brian Ward 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. 21-23 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. Council Member Susan R. Farber Appointment to National League of Cities’ Information Technology and Communications Committee: City Council Members congratulated Council Member Farber on her committee appointment. Motion by Roussell to receive and file the documents. Seconded by Resnick. Motion carried 7-0.

6. City of Dubuque Named a Best-in-Class Employer: Upon motion the documents were received and filed.

7. 2023 Federal Legislative Priorities: Upon motion the documents were received, filed, and approved.

8. Map of Iowa Population by County – 2021: Upon motion the documents were received and filed.

9. "How to Avoid Right of Way Violation Charges" Public Works Flyer: Upon motion the documents were received and filed.

10. Second Amendment to Grant Agreement between the City of Dubuque, Iowa and Dub Jones Real Estate, LLC for the Redevelopment of 2900 Central Avenue: Upon motion the documents were received and filed, and Resolution No. 22-23 Approving the Second Amendment to Grant Agreement between the City of Dubuque, Iowa and Dub Jones Real Estate, LLC was adopted.

11. Amendment to Contracted Services Agreement – Greater Dubuque Development Corporation: Council Member Wethal announced she would abstain from voting on this item due to her father serving as President and CEO of Greater Dubuque Development Corporation. Motion by Jones to receive and file the documents and approve the agreement. Seconded by Sprank. Motion carried 6-0 with abstention from Wethal.

12. 2023 – Q1 Update on Childcare Challenges and Collaborations: Upon motion the documents were received and filed.

13. Intent to Apply for Bloomberg Philanthropies’ Public Art Challenge: Upon motion the documents were received, filed, and approved.

14. Water Main Extension to Tamarack Park (Phase 2) Amendment to change date of project completion: Upon motion the documents were received, filed, and approved.

15. New Hazardous Materials Command Vehicle: Upon motion the documents were received and filed.

16. 2023 Asphalt Overlay Curb Ramp Project 1: Upon motion the documents were received, filed, and made a matter of record.
17. Mystique Ice Arena: Becker Arena Products - Dasher Board and Shielding System Project - Acceptance of Equipment, Goods, and Services Contract: Upon motion the documents were received and filed, and Resolution No. 23-23 Accepting the Mystique Ice Arena Dasher Board and Shielding System Project and authorizing the payment to the vendor / service provider was adopted.

18. Mystique Ice Arena Construction Site Cleanup: Acceptance of Public Improvement Construction Contract: Upon motion the documents were received and filed, and Resolution No. 24-23 Accepting the Mystique Ice Arena Construction Site Cleanup was adopted.

19. Mechanical Electrical and Plumbing (MEP) Systems Assessment and Design Project – Request to Distribute a Request for Qualifications (RFQ) and Create an RFQ Review Committee: Upon motion the documents were received, filed, and approved.

20. Stoneman Road Right of Way Platting and Dedication - Hills and Dales Child Development Center property in Dubuque, Iowa as part of the Stoneman Road Reconstruction Project: Upon motion the documents were received and filed, and Resolution No. 25-23 Approving the Acquisition Plat of Lot 2-2-1-2-1-2-2-2-2-2-A of the Northeast Quarter of the Northeast Quarter of Section 28, T89N, R2E of the 5th P.M., in the City of Dubuque, Iowa was adopted.

21. Acceptance of a Grant of Easement for Public Utilities over Hills and Dales Child Development Center property in Dubuque, Iowa as part of the Stoneman Road Reconstruction Project: Upon motion the documents were received and filed, and Resolution No. 26-23 Accepting a Grant of Easement for public utilities through, over and across part of Lot 2-2-1-2-1-2-2-2-2-2 of the Northeast Quarter of the Northeast Quarter of Section 28, T89N, R2E of the 5th P.M., in the City of Dubuque, Iowa was adopted.

22. Proceedings for final action on the Issuance of Not to Exceed $1,950,000, Sanitary Sewer Revenue Capital Loan Notes (State of Iowa – Water Quality Financing Program): Upon motion the documents were received and filed, and Resolution No. 27-23 Authorizing and providing for the issuance and securing the payment of $1,950,000 Taxable Sewer Revenue Capital Loan Notes, Series 2023A by the City of Dubuque, Iowa under the provisions of Chapter 384 of the Code of Iowa, providing for a method of payment thereof, approving the Loan and Disbursement Agreement and other related matters was adopted.

23. Proposed Dark Fiber Licensing Authority for Interstate Power & Light/Alliant Energy: Upon motion the documents were received, filed, and approved.

24. Temporary Agreement Between the City of Dubuque and ITC Midwest, LLC to Operate an Electric Transmission System in the City of Dubuque: Upon motion the documents were received and filed, and Resolution No. 28-23 Approving an Agreement between the City of Dubuque and ITC Midwest, LLC to operate an Electric Transmission System in the City of Dubuque was adopted.

25. Award of Calendar Year 2023 Family Self Sufficiency Coordinator Grant: Upon motion the documents were received and filed, and Resolution No. 29-23 Authorizing the Director of Housing and Community Development to execute the Acceptance of the Notice of Award for the HUD Family Self-Sufficiency Program Grant was adopted.
26. Adoption of Supplement Number 2023 S-9 to the City of Dubuque Code of Ordinances: Upon motion the documents were received and filed, and Resolution No. 30-23 Adopting Supplement No. 2023 S-9 to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

27. Proclamation Guidelines Public Information Brochure: Upon motion the documents were received and filed.

28. Approval of Retail Alcohol Licenses: Upon motion the documents were received and filed, and Resolution No. 31-23 Approving applications for retail alcohol licenses, 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

1. Set Public Hearing for Resolution Establishing Maximum Property Tax Dollars for Fiscal Year 2024: Motion by Roussell to receive and file the documents, listen to the presentation, and set the maximum property tax rate. Seconded by Wethal. City Manager Van Milligen summarized his recommendation for the Fiscal Year 2024 maximum property tax dollars. Responding to a question from the City Council, City Manager Van Milligen stated that a main difference in this year’s recommendation is the wage increases he is recommending for employees in alignment with City Council’s priority of employee recruitment and retention. Chief Financial Officer Jenny Larson and City Attorney Brumwell confirmed that proposed rate increases should be specified in total dollar amount per guidance by the Iowa Department of Management. The City Council and City Manager Van Milligen discussed the City Council’s approach in the previous year of increasing the maximum property tax dollars prior to the public hearing but not adopting the full increase in the budget. City Manager Van Milligen also summarized the State of Iowa’s error in the state rollback factor, which will result in less money for local governments to correct the error. City Manager Van Milligen stated that the Fiscal Year 2024 recommended budget incorporates the City’s anticipated reduction from the rollback. City Council Members discussed the various options for the maximum property tax dollars. City Attorney Brumwell confirmed that any increase above 2% would require a super majority vote to pass and advised that changing the maximum property tax dollars be a motion to amend the budget year total tax levy. Responding to a question from the City Manager, Ms. Larson stated that the total tax levy listed in the memos includes the service levy. Motion amended by Farber to increase the recommended levy by $225,000. Seconded by Roussell. Motion carried 5-2 with Resnick and Cavanagh voting nay.

The City Council then returned to the original motion, which carried 7-0.

Motion by Jones to receive and file the documents, adopt Resolution No. 32-23 Setting a Public Hearing on the Fiscal Year 2024 Maximum Property Tax Dollars for the affected tax levy total, and set the public hearing for February 20, 2023. Seconded by Sprank. Motion carried 7-0.

For the remaining 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 Jones. Motion carried 7-0.

2. Resolution Setting a Public Hearing on a Proposed Development Agreement by and between the City of Dubuque and Seippel Warehouse, LLC providing for the Sale of City-owned Real Estate to Seippel Warehouse, LLC and 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. 33-23 Intent to dispose of an interest in City of Dubuque real estate by sale to Seippel Warehouse, LLC pursuant to a Development Agreement by and between the City of Dubuque and Seippel Warehouse, LLC and fixing the date for a public hearing of the City Council of the City of Dubuque, Iowa on the Development Agreement including the proposed issuance of Urban Renewal Tax Increment Revenue Grant Obligations to Seippel Warehouse, LLC 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 February 20, 2023, in the Historic Federal Building.

3. Setting a Public Hearing for the Adoption of the Public Housing Authority Annual Plan for Fiscal Year 2024: Upon motion the documents were received and filed and Resolution No. 34-23 Setting a public hearing to review and approve the Public Housing Authority Fiscal Year 2024 Annual Plan was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on April 3, 2023, 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.

Zoning Board of Adjustments: One, 5-Year term through March 25, 2027 (Vacant term of Golombeski). Applicant: Rena Stierman, 390 Moore Heights. This commission is subject to the State of Iowa Gender Balance Law, §69.16A. 5 Commissioners total; currently 3 males/1 female/ 1 opening. City Clerk Breitfelder stated that Ms. Stierman submitted written input to the City Council in support of her application.

Appointments were made to the following boards/commissions.

Civic Center Advisory Commission: One, 3-Year term through June 29, 2024 (Vacant term of Daugherty). Applicants: Jesse Gavin, 1120 Main St.; Peter Gaul, 2311 Central Ave.; Danielle Jacobs, 3130 Shiras Ave. Upon roll call vote, Mr. Gavin was appointed to the three-year term through June 29, 2024. Mr. Gaul received one vote (Resnick), Ms. Jacobs received two votes (Sprank and Cavanagh), and Mr. Gavin received the remaining four votes.

Community Development Advisory Commission: Two, 3-Year terms through February 15, 2026 (Expiring Low/Moderate Income term of Fox and At-Large term of Mozena). Applicants: Kelly Fox, 838 Althauser St. - Qualifies as Low/Moderate Income Rep. and At-Large; Gabriel Mozena, 196 Bluff St. - Qualifies as At-Large. Motion by Jones to appoint Ms. Fox to the Low/Moderate Income three-year term through February 15, 2026, and Mr. Mozena to the At-Large three-year term through February 15, 2026. Seconded by Sprank. Motion carried 7-0.

Housing Commission: Two, 3-Year terms through August 17, 2024 (Vacant At-Large term of Weitz and Vacant Section 8 Term of Turpin). Applicants: Ross Janes, 2741 Muscatine St. - Qualifies as At-Large; Calvin Jones, 522 Rhomberg Ave. - Qualifies as At-Large and Section 8 Rep. (Additional Applicant); Julietta Scott, 2455 Woodlawn St. - Qualifies as At-Large (Additional Applicant). Upon roll call vote, Mr. Jones was appointed to the Section 8 three-year term through August 17, 2024, and Mr. Janes was appointed to the At-Large three-year term through August 17, 2024. Mr. Jones received all seven votes for the Section 8 term. Regarding the At-Large term, Ms. Scott received three votes (Sprank, Wethal, Resnick), and Mr. Janes received the
remaining four votes.

**PUBLIC HEARINGS**

1. Resolution of Adoption for the Proposed Urban Renewal Plan for the Twin Valley Urban Renewal Area: Motion by Jones to receive and file the documents and adopt Resolution No. 35-23 Approving an Urban Renewal Plan for the Twin Valley Urban Renewal Area. Seconded by Resnick. Motion carried 7-0.

2. Resolution Approving a Proposed Development Agreement by and between the City of Dubuque, Iowa, and Switch Development, LLC for the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement: Motion by Roussell to receive and file the documents and adopt Resolution No. 36-23 Approving a Development Agreement by and between the City of Dubuque and Switch Development, LLC, including the issuance of Urban Renewal Tax Increment Revenue Grant Obligations to Switch Development, LLC. Seconded by Farber. Motion carried 7-0.

**PUBLIC INPUT**

Regarding Action Item No. 3, Rob McDonald, 3399 Eagle Point Dr.; Tom Kedzie, 1810 Amella Dr.; and Neil Henson, 350 W. 6th St. No. 11, spoke in opposition to automated speed cameras. Paul Uzel, 61 N. Algona, spoke in support of Action Item No. 3. Ryan Sempf of the Dubuque Area Chamber of Commerce, 300 Main St., requested the City Council delay Action Item No. 3 so the organization can obtain feedback on the proposal from the business community.

City Clerk Breitfelder stated that written input was received regarding Action Item No. 3 from the following individuals: Paul Kern; Terry Mozena, 196 Bluff St.; Frank Belcastro; Paul Hemmer, 2375 Simpson St.; Tim and Amanda Powers, 255 Southgate Dr.; Rob McDonald; Jamie Carr, 945 Clarke Dr.; Keith Wolff, 3188 Highland Park Dr.; and Randy Hefel.

**ACTION ITEMS**

1. Dubuque Police Department Awards and Recognition Program: Motion by Jones to receive and file the documents and listen to the presentation. Seconded by Sprank. Police Chief Jeremy Jensen introduced Police Lieutenant Brendan Welsh, who made a presentation on the Dubuque Police Department Awards and Recognition Program. City Council Members commended the recognition program as an important opportunity to recognize police officers. Motion carried 7-0.

2. 2022 Police Recruiting, Hiring, and Retention: Motion by Jones to receive and file the documents and listen to the presentation. Seconded by Farber. Police Chief Jensen provided information on police department recruiting, hiring, and retention. Responding to questions from the City Council, Chief Jensen stated that he anticipates five upcoming retirements and that many challenges exist to the job that need to be addressed. City Council Members discussed the value of police officers and the importance of retention. Motion carried 7-0.

3. Automated Speed Cameras: Motion by Jones to receive and file the documents, listen to the presentation, and approve implementing automated speed cameras in the City of Dubuque. Seconded by Sprank. Police Chief Jensen made a presentation on automated speed cameras. Chief Jensen then introduced Dorian Grubaugh of Jenoptik who made a presentation on the technology of automated speed cameras. Responding to questions from the City Council, Chief Jensen summarized the process that occurs after fatal crashes, that public input would be
incorporated in the automated speed camera implementation process, and that various reporting options will be considered. Chief Jensen further stated that radar technology is a limited tool since it cannot cover all traffic lanes. Responding to a question regarding the Iowa legislature’s previous interpretations on automated speed cameras and alternative measures to them, Chief Jensen stated he interprets police officers as an alternative measure to speed cameras. Responding to questions, Mr. Grubaugh stated that a revenue threshold for automated speed cameras does not exist, that the goal of automated speed cameras is about achieving the best value, that there is no minimum number of cameras required, and that the technology only registers license plates of vehicles classified as speeding. Mr. Grubaugh further stated that the average contact for automated speed cameras is five years, followed by automatic one-year renewals, and that contract language exists to address if automated speed cameras become illegal via state legislation. Responding to a question from the City Council, City Manager Van Milligen stated that tonight’s recommendation is for City Council to continue the implementation process. Per that process, an ordinance would be drafted for the next City Council meeting, with City Council Members determining what requirements to include in the ordinance. After the ordinance follows the three-meeting procedure and is adopted, the City will issue a request for proposal (RFP) for the automated speed cameras. City Council Members discussed at length the importance of safety, the revenue collected from issuing tickets, and the process for considering this recommendation, with some City Council Members stating that additional time and more specific details to the recommendation were necessary. Motion carried 5-2 with Wethal and Resnick voting nay.

4. Teri Goodmann Appointment to National Capital Planning Commission: Motion by Farber to receive and file the documents. Seconded by Roussell. Motion carried 7-0.

5. Tax Increment Ordinance for the Twin Valley Urban Renewal Area: 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. 4-23 Providing that general property taxes levied and collected each year on all property located within the Twin Valley 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 Twin Valley Urban Renewal Area Redevelopment Project. Seconded by Roussell. Motion carried 7-0.

6. National Endowment for the Arts (NEA) Local Arts Agency (LAA) American Rescue Plan Act (ARPA) Arts Operating Recovery Subgrant Funding Recommendation: Motion by Resnick to receive and file the documents and approve the funding recommendation from the Arts & Cultural Affairs Advisory Commission (Arts Commission) for awards to non-profit organizations through the NEA LAA ARPA-funded Arts Operating Recovery Subgrant program. Seconded by Sprank. Arts and Cultural Affairs Manager Jenni Petersen-Brant summarized the program. Motion carried 7-0.

7. Application Guidelines for the Creative Empowerment Subgranting Program funded by the National Endowment for the Arts American Rescue Plan Act: Motion by Resnick to receive and file the documents and approve the Creative Empowerment subgranting program administration materials. Seconded by Farber. Motion carried 7-0.
8. Proposed Amendment to Arts & Cultural Affairs Advisory Commission Ordinance Regarding Term Expirations: 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 Council Members expressed support for the term changes. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 5-23 Amending City of Dubuque Code of Ordinances Title 2 Boards and Commissions, Chapter 8 Arts and Cultural Affairs Advisory Commission, Section 2-8-7 Terms. Seconded by Wethal. Motion carried 7-0.

9. Marketing and Staffing Update for Leisure Services Seasonal Employees: Motion by Roussell to receive and file the documents. Seconded by Resnick. City Council Members thanked City staff for their work on recruitment and shared that the City is hosting a Seasonal and Summer Job Fair at the Multicultural Family Center on February 8, 2023, from 5:30 p.m. to 7:30 p.m. Motion carried 7-0.

10. Water & Resource Recovery Center Odor Reduction Update: Motion by Resnick to receive and file the documents and listen to the presentation. Seconded by Farber. Water and Resource Recovery Manager William O'Brien provided an update on odor reduction efforts at the Water & Resource Recovery Center. Responding to questions from the City Council, Mr. O'Brien stated that more microbial action may occur in warmer weather and that hydrogen peroxide implementation can occur immediately, which is low-cost and efficient. City Council Members thanked Mr. O'Brien for the update and voiced their desire to accelerate the process of reducing and eliminating odors. Motion carried 7-0.

11. Update to the Administrative Plan for Assisted Housing Programs: Motion by Jones to receive and file the documents, listen to the presentation, and adopt Resolution No. 37-23 Approving the revision of the Public Housing Authority (PHA) Administrative Plan for the Housing Choice Voucher Program. Seconded by Roussell. Housing and Community Development Director Alexis Steger made a presentation on the updated Administrative Plan for the Public Housing Authority. Responding to questions from the City Council, Ms. Steger stated that her department has not received a response on the administrative plan from the United States Department of Housing and Urban Development (HUD) and that the city needs to spend its allocated funding. City Attorney Brumwell stated that the City is following the best guidance based on the available information. City Council Members suggested contacting HUD for an in-person meeting in March, as City Council Members will be taking trips to Washington, D.C. that month. City Manager Van Milligen stated that City staff will try to set up a meeting with HUD. Ms. Steger advised that the regional HUD office is in Kansas City, MO., and that City Council has the option to strike the residency preference from the plan but approve everything else. If City Council took that action, Ms. Steger could bring the residency preference back to the City Council later for approval. City Manager Van Milligen summarized the potential benefits of the local preference option. City Manager Van Milligen and Ms. Steger also spoke about the challenges of contractors and developers accepting housing choice vouchers. Motion carried 6-1 with Resnick voting nay.

12. Delivering Dubuque: Fire Department Video: Motion by Jones to receive and file the documents and view the video. Seconded by Roussell. Media Services showed the Delivering Dubuque episode featuring the Fire Department. This video was produced by the Public Information Office and can be viewed at: https://youtu.be/rEkCrLWhAtk. Motion carried 7-0.
COUNCIL MEMBER REPORTS

Council Member Farber reported on reading to students at Washington Middle School as part of World Read Aloud Day on February 1st.

CLOSED SESSION

Motion by Jones to convene in closed session at 11:27 p.m. to discuss Purchase or Sale of Real Estate – Chapter 21.5(1)(j) Code of Iowa. Seconded by Wethal. 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 12:06 a.m. stating that staff had been given proper direction.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 12:06 a.m.

/s/Adrienne N. Breitfelder, CMC
City Clerk