The Dubuque City Council met in special session at 6:00 p.m. on April 3, 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 the Carnegie-Stout Public Library Strategic Plan.

WORK SESSION
CARNEGIE-STOUT PUBLIC LIBRARY STRATEGIC PLAN

Carnegie-Stout Public Library Director Nick Rossman presented on the Board of Trustees approved Strategic Plan for the Carnegie-Stout Public Library. Mr. Rossman responded to questions from the City Council regarding the availability of free parking options near the library, how parking availability factors into the library’s accreditation, and the previous time a strategic plan was adopted. Responding to a question from the City Council regarding how smart parking options can factor into the library’s parking, City Manager Van Milligen stated that the city will issue a Request for Proposals (RFP) to learn what smart parking options firms can provide.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:26 p.m.

/s/Adrienne N. Breitfelder, CMC
City Clerk
The Dubuque City Council met in regular session at 6:30 p.m. on April 3, 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

PROCLAMATION(S)

1. Sexual Assault Awareness Month (April 2023) was accepted by Sarah McKenzie and Sarah Fitzgerald on behalf of the Riverview Center.

2. Junior Achievement Day (April 6, 2023) was accepted by Scott Ellerbach on behalf of Junior Achievement of the Heartland.

3. Community Development Week (April 10-14, 2023) was accepted by Theresa Caldwell, Executive Director of the Dubuque Food Pantry, on behalf of the Housing and Community Development Department.

4. Dubuque YP Days of Caring (April 28, 2023) was accepted by Carnegie-Stout Public Library Director Nick Rossman on behalf of the Dubuque Area Chamber of Commerce's Young Professionals.

5. Clarke University Women's Basketball Team 2023 NAIA National Champions was accepted by Clarke University Women's Basketball Head Coach Courtney Boyd and basketball team members Emma Kelchen and Athena Ubl on behalf of Clarke University.

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.


2. Notice of Claims and Suits: Rebecca Ambrosy for vehicle damage; Connie Carroll for property damage; Tony Cross for property damage; Susan Harris for vehicle damage; James Hauber for property damage; Ruth McEnany for property damage; Alex Pfeiffer 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: Rebecca Ambrosy for vehicle damage; Connie Carroll for property damage; Tony Cross for property damage; Susan Harris for vehicle damage; James Hauber for property damage; Ruth McEnany for property damage; Alex Pfeiffer 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. 79-23 Authorizing the Chief Financial Officer/City Treasurer to make certain payments of bills that must be paid and approved for payment in accordance with City procedures was adopted.

5. Fiscal Year 2024 Community Development Block Grant Annual Action Plan: Upon motion the documents were received and filed, and Resolution No. 80-23 Adopting the Fiscal Year 2024 (Program Year 2023) Community Development Block Grant (CDBG) Annual Action Plan for Approval was adopted.

6. Second Amendment to Community Development Block Grant (CDBG) Subrecipient Agreement between the City of Dubuque and Dubuque Community School District: Upon motion the documents were received and filed, and Resolution No. 81-23 Authorizing the Second Amendment to the CDBG Subrecipient Agreement between the City of Dubuque and Dubuque Community School District was adopted.

7. First Amendment to the Housing TIF Agreement with Affordable Housing Network Inc (AHNI): Upon motion the documents were received and filed, and Resolution No. 82-23 Approving the First Amendment to an Agreement with Affordable Housing Network, Inc. for the rehabilitation of residential property within the City of Dubuque for resale or rental to low and moderate-income families was adopted.

8. Grass and Weed Cutting and Garbage Collection Assessments: Upon motion the documents were received and filed, and Resolution No. 83-23 Authorizing the city to collect delinquent grass and weed cutting and garbage collection charges in accordance with Title 6-4-3A and Title 6-8-2 of the Code of Ordinances of the City of Dubuque, Iowa was adopted.

9. Problem Property Assessment: Upon motion the documents were received and filed, and Resolution No. 84-23 Authorizing the city to collect delinquent problem property charges in accordance with 14-1J1 International Property Maintenance Code Section 106.5 and/or Section 109.5 Code of Ordinances of the City of Dubuque, Iowa was adopted.

10. Resolution of Support for Proposed Low Income Housing Project in the Amended Radford Road Urban Revitalization Area: Upon motion the documents were received and filed, and Resolution No. 85-23 Providing a Letter of Support for a Low-Income Housing Tax Credit Project proposed by Dubuque Housing Group was adopted.

11. Authorizing the Filing of an Application and Letter of Support to the Iowa Economic Development Authority Community Catalyst Building Remediation Grant Program on behalf of Nia Neighborhoods Opportunity Zone Fund, LLC: Upon motion the documents were received and filed, and Resolution No. 86-23 Authorizing the filing of an application and letter of support
with the Iowa Economic Development Authority for the application by the City of Dubuque on behalf of Nia Neighborhoods Opportunity Zone Fund, LLC for a Community Catalyst Building Remediation Grant was adopted.

12. Transmission of Application Guidelines for Fiscal Year 2024 Arts & Culture Special Projects Grant Program: Upon motion the documents were received and filed.

13. Transmission of Application Guidelines for Fiscal Year 2024 Arts & Culture Operating Support Grant Program: Upon motion the documents were received and filed.

14. Fiscal Year 2024 Planning Services Department - Increased Fees: Upon motion the documents were received and filed, and Resolution No. 87-23 Rescinding Resolution No. 137-21, Establishing a Schedule of Development Services Fees, and adopting in lieu thereof a New Schedule of Development Services Fees as provided in Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code was adopted.

15. 2022 Pavement Marking Project: Acceptance of Public Improvement Construction Contract: Upon motion the documents were received and filed, and Resolution No. 88-23 Accepting the 2022 Pavement Marking Project and authorizing the payment to the contractor was adopted.

16. 2023 Asphalt Overlay Curb Ramp Project 3: Upon motion the documents were received, filed, and made a matter of record.

17. English Lane Sanitary Replacement Project: Upon motion the documents were received, filed, and made a matter of record.

18. Rebuilding Bridges to Equity & Employment (RAISE) Grant Publication: Upon motion the documents were received and filed.

19. Signed Contract(s): Engineering & Construction Innovations, Inc. for the Upper Bee Branch Creek Restoration Railroad Sanitary Interceptor Crossing Project; Yamaha Motor Finance Corporation, U.S.A., for Amendment #2 to Equipment Schedule #116561. Upon motion the documents were received and filed.

20. Improvement Contracts / Performance, Payment and Maintenance Bonds Midwest Concrete, Inc. for the 2023 Asphalt Overlay Ramp Project Two. Upon motion the documents were received, filed, and approved.

21. Adoption of the March 2023 Replacement Supplement to the City of Dubuque Code of Ordinances: Upon motion the documents were received and filed, and Resolution No. 89-23 Adopting March 2023 Replacement Supplement to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

22. Amended 2022 City Council Official Proceedings: Upon motion the documents were received, filed, and approved.

23. Approval of Retail Alcohol Licenses: Upon motion the documents were received and filed, and Resolution No. 90-23 Approving applications for retail alcohol licenses, as required by City
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 Wethal. Motion carried 7-0.

1. Proceedings to Set Public Hearing on the Issuance of Not to Exceed $5,800,000 General Obligation Bonds, Series 2023: Upon motion the documents were received and filed, and Resolution No. 91-23 Setting the date for public hearing and additional action on proposal to enter into General Obligation Loan Agreements and to borrow money thereunder was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on April 17, 2023 in the Historic Federal Building.

2. Set Public Hearing for Sale of City-Owned Property at 2407 Queen Street: Upon motion the documents were received and filed and Resolution No. 92-23 Intent to dispose of an interest in City of Dubuque Real Estate to Melissa Sarazin, 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 April 17, 2023 in the Historic Federal Building.

3. Resolution of Necessity for the Proposed Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District, Version 2023.2: Upon motion the documents were received and filed and Resolution No. 93-23 Authorizing and directing the City Manager to prepare an Amended and Restated Urban Renewal Plan, Version 2023.2 for the Greater Downtown Urban Renewal District and setting the date for a public hearing and consultation on the proposed Amended and Restated Urban Renewal Plan, Version 2023.2 for said district was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 1, 2023 in the Historic Federal Building.

BOARDS/COMMISSIONS

Boards and Commission Applicant Review: 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. Equity and Human Rights Commission: Three, 3-Year terms through January 1, 2026 (Expired terms of Dixon, Durnin, and Kurczek); One, 3-Year term through January 1, 2024 (Vacant term of Branch). Applicants: Pamela Birch, 1550 Butterfields Dr.; Jake Kurczek, 1110 Victoria Pl.; Kristen Leffler, 159 Julien Dubuque Dr.; Lauren Link, 535 West 5th St.; Candace Raymond, 1155 Tressa St.; Enoc Sanchez, 2130 Morningview Rd.; Theresa Sampson Brown, 2285 Clydesdale Crt.; Nina Streauslin, 3904 Cora Dr. This commission is subject to the State of Iowa Gender Balance Law, §69.16A. 9 Commissioners total; currently 1 male/3 females/ 5 openings. *Openings were advertised for 90 days while non-female identifying applicants were sought in adherence with Iowa Code 69.16A Gender Balance. *One additional 3-Year term through January 1, 2024 (Vacant term of Evans) will be presented for applicant review at the May 1, 2023 City Council meeting. This term is being advertised for 90 days while non-female identifying applicants are sought in adherence with Iowa Code 69.16A Gender Balance. City Clerk Breitfelder announced that Equity and Human Rights Commission Chairperson Carla
Anderson, 1131 Main St. Apt. 1, submitted written input in support of Mr. Sanchez’s application.


PUBLIC HEARINGS

1. Submission of Annual Public Housing Agency (PHA) Plan – Federal Fiscal Year 2023 (PHA Fiscal Year 2024) Annual Plan: Motion by Resnick to receive and file the documents and adopt Resolution No. 94-23 Authorizing the Mayor to execute the Certification by State or Local Office of Public Housing Agency (PHA) Plan’s Consistency with the Consolidated Plan and approval of the PHA Fiscal Year 2024 Annual Plan. Seconded by Roussell. Anthony Allen, Dubuque NAACP President; and R.R.S. Stewart, 460 Summit St. and 741 W. 3rd St., Dubuque NAACP Treasurer, spoke in opposition to the proposed plan, referencing the United States Department of Housing and Urban Development’s (HUD) past conclusion that the city’s previous policy on granting preference for housing choice vouchers (HCVs) to local residents was discriminatory. Tom LoGuidice, 786 Stoneridge Pl., expressed concerns that low-income residents cannot find quality housing and provided information on subsidized housing under Section 42. Responding to a question from the City Council, Housing and Community Development Director Alexis Steger stated that the city added 110 affordable housing units last year. Ms. Steger stated that the city has not yet implemented residency preference for HCVs and that the department has ongoing conversations with HUD regarding the proposed residency preference. City Manager Van Milligen stated that HUD authorizes the city for over 1100 HCVs but only funds around 800, and that if the city does not use all of the allocated HCVs then the city may receive less funding the following year. City Manager Van Milligen also stated that HUD provided names of cities that currently have residency preference provisions. City Attorney Brumwell referenced Code of Federal Regulations (CFR): 24 CFR 960.206, which states that residency requirements are prohibited but residency preferences are permitted. City Attorney Brumwell further stated that the plan is renewed on an annual basis and that the City Council has more control over the day-to-day operations of the administrative plan. Ms. Steger stated that the department will receive a Section 8 audit from HUD this June and will also receive eight hours of technical assistance on any topic of their choice, both of which will provide the department with key data and feedback for the plan. City Council members discussed the perceptions of residency preference and whether the plan should include it. City Council members also discussed the need for affordable housing and the importance of maintaining their allocated federal funding for HCVs. Motion carried 5-2 with Resnick and Wethal voting nay.


3. Public Hearing for Sale of City-Owned Property at 612 Lincoln Avenue: Motion by Sprank to receive and file the documents and adopt Resolution No. 96-23 Disposing of city interest in real property at 612 Lincoln, in the City of Dubuque, Iowa. Seconded by Jones. Motion carried 7-0.
PUBLIC INPUT

Jim Gantz, 12241 Forest Meadow Dr., spoke regarding his Union Park Place Town Apartments and Townhomes Development Plan that he submitted to the city and the proposed access to the property on the Northwest Arterial.

ACTION ITEMS

1. Subdivision Development Agreement for a Portion of Asbury Plaza Subdivision along Plaza Drive to be known as Asbury Plaza No. 22: Motion by Roussell to receive and file the documents and adopt Resolution No. 97-23 Approving a Subdivision Development Agreement for a portion of Asbury Plaza by and among the City of Dubuque, Iowa, Talon Development, LLC, Eagle Construction, Inc., and Fox Hills Apartments, LLC. Seconded by Wethal. Motion carried 7-0.

2. Work Session Request: Flock Safety Automated License Plate Reader Presentation: Motion by Jones to receive and file the documents and schedule the work session for 5:15 p.m. on Monday, May 15, 2023. Seconded by Resnick. No schedule conflicts were expressed. Motion carried 7-0.

3. Rightsize Your Trash Cart Video: Motion by Roussell to receive and file the documents and view the video. Seconded by Farber. Media Services showed a video on rightsizing your trash cart that was launched in advance of the citywide deployment of 35-gallon carts in early April. The video was produced by Media Services staff in the Public Information Office and can be viewed at: https://youtu.be/-8VuB3EjyGk. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Mayor Cavanagh and Council Members Farber, Jones, and Wethal reported on the City Council’s recent trip to Washington, D.C. to meet with federal legislators and agencies.

Mayor Cavanagh and Council Member Jones also reported on the recent severe weather. Additionally, Council Member Jones reported on receiving a book on Ted Ellsworth from a group of residents advocating that Pyatigorsk Park be renamed in honor of Ted Ellsworth. Council Member Jones stated he was unable to accept the book due to the Gift Law provision of Iowa Code but has provided it to Carnegie-Stout Public Library for public view.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:20 p.m. to discuss Purchase or Sale of Real Estate – Chapter 21.5(1)(j) Code of Iowa. Seconded by Roussell. Mayor Cavanagh stated for the record that the attorney who will consult with the 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 9:14 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 9:14 p.m.

/s/Adrienne N. Breitfelder
City Clerk