The Dubuque City Council met in special session at 5:15 p.m. on August 7, 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; Assistant City Manager Burbach, City Attorney Brumwell

Absent: City Manager Van Milligan arrived at 5:17 p.m.

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 – Greenhouse Gas Inventory Update and Energy Efficiency in Commercial Buildings Update and a Four Mounds Foundation Update Work Session.

WORK SESSION #1

1. Sustainable Dubuque – Greenhouse Gas Inventory Update and Energy Efficiency in Commercial Buildings Update: Rachel Meier, Senior Associate, Team Lead on Public Sector GHG Inventories for Lotus Engineering and Sustainability provided a virtual presentation regarding Dubuque’s Greenhouse Gas Inventory and how positive declines have been seen in the data collected. Sustainable Community Coordinator Gina Bell and Climit Action Coordinator Amanda Lewis updated Council on energy efficiency in commercial buildings. All presenters responded to questions from the Council following their presentation.

WORK SESSION #2

2. Four Mounds Foundation Update: Jill Courtney, Four Mounds Executive Director shared information on their past, current, and future work and initiatives, many of which relate to the City Council’s equity goals. Ms. Courtney played a prerecorded presentation by Becky Bodish, Four Mounds Program Manager. Leisure Services Manager Marie Ware was present to answer questions from the City Council. All Council members expressed their appreciation for the great work being done by the Four Mounds Foundation.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:15 p.m.

/s/Trish L. Gleason, Assistant City Clerk
The Dubuque City Council met in regular session at 6:30 p.m. on August 7, 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. National Health Center Week (August 6 -12) was accepted by Cayla Schneider, Director of Mission Advancement and Community Relations on behalf of Mission Advancement and Community Relations and Crescent Community Health Center.

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: Matthew Kline for vehicle damage and personal injury; Donald Sloan for property damage. Upon motion the documents were received, filed, and referred to the City Attorney.

3. Disposition of Claims: City Attorney advising that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: Matthew Kline for vehicle damage and personal injury; Donald Sloan 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. 238-23 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 Updated Dollars and Cents Brochure Including Moody’s Bond rating Upgrade: Upon motion the documents were received and filed.

6. Proposed Downtown Rehabilitation Grant Award: Upon motion the documents were received and filed, and Resolution No. 239-23 Approving a Grant Agreement by and Between
the City of Dubuque, Iowa, and Nia Neighborhoods Opportunity Zone Fund, LLC for the Redevelopment of 1398 White Street was adopted.

7. Authorizing Contract 23-CTBF-012 by and between the City of Dubuque, Iowa, and the Iowa Economic Development Authority for the rehabilitation of 1398 White Street: Upon motion the documents were received and filed, and Resolution No. 240-23 Authorizing Contract 23-CTBF-012 by and between the City of Dubuque, Iowa, and the Iowa Economic Development Authority for a Community Catalyst Building Remediation Grant to Nia Neighborhoods Opportunity Zone Fund, LLC for the Rehabilitation of 1398 White Street in the City of Dubuque, Iowa was adopted.

8. Notice of Application for Iowa Thriving Communities Designation: Upon motion the documents were received and filed, and Resolution No. 241-23 Authorizing the Housing and Community Development Director to execute an application for the Iowa Finance Authority Iowa Thriving Communities’ Designation and authorizing the Housing and Community Development Director and the City Manager to approve the application was adopted.

9. FY 2024 Community Development Block Grant Funding Agreement: Upon motion the documents were received and filed, and Resolution No. 242-23 Authorizing Execution of FY24/PY23 Community Development Block Grant Agreement was adopted.

10. School Resource Officer and DARE Contracts for Dubuque Community School District 2023-2024 Year: Upon motion the documents were received, filed, and approved.

11. Approval of Plat of Survey of Lot 86A in McDaniel’s Park Hill (AKA “Park Hill, City of Dubuque, Iowa 1856), in the City of Dubuque, Iowa For Vacating Petition (Agreement Between City of Dubuque and Dennis R. Walker): This is in response to a request from property owner Dennis R. Walker (Walker) for the vacating of a portion of National Street adjacent to the property at 3009 Burlington Street, in the City of Dubuque, Iowa. Upon motion the documents were received and filed, and Resolution No. 243-23 Approving Plat of Proposed Vacated Portion of National Street, In the City of Dubuque, Iowa, To Be Known as Lot 86A In McDaniel’s Park Hill (Aka “Park Hill, City of Dubuque, Iowa 1856), In the City of Dubuque, Iowa was adopted.

12. Approved FY24 Special Services Grant Program Agreement With Hills & Dales Senior Center: Upon motion the documents were received and filed.

13 Fiscal Year 2024 Detailed Budget for the Five Flags Civic Center submitted by ASM Global: Upon motion the documents were received and filed.

14. Approval of Three Auto Side Loader Solid Waste Truck Purchases FY2024-Modified Recommendation: Upon motion the documents were received, filed, and approved.

15. Recommendation to Reallocate National Endowment of the Arts American Rescue Plan Act Funds from Underutilized Budgeted Line Items to Supplement Round 2 of the Creative Empowerment Subgrant Program: Upon motion the documents were received, filed, and approved.

16. Approval of Final Plat of Chaplain Schmitt Island: Zoning Advisory Commission recommending City Council approval of the Final Plat of Chaplain Schmitt Island. Upon motion
the documents were received and filed, and Resolution No. 244-23 Approving the Plat of Survey of Chaplain Schmitt Island in the City of Dubuque, Iowa was adopted.

17. Request for Proposals for Historic and Architectural Surveys for Deereville and Voelker Highlands Neighborhoods: Upon motion the documents were received, filed, and approved.

18. St. Anne & Avalon Intersection Reconstruction Project Acceptance: Upon motion the documents were received and filed, and Resolution No. 245-23 Accepting the St Anne & Avalon Intersection Reconstruction Project and Authorizing the Payment to the Contractor was adopted.

19. Acceptance of 8th Street Brick Pavers Remediation Project: Upon motion the documents were received and filed, and Resolution No. 246-23 Accepting The 8th Street Brick Pavers Remediation Project and Authorizing the Payment to the Contractor was adopted.

20. Highway 20 - N. Cascade Road Truck Stop - Water Service Connection Project Acceptance of Public Improvement Construction Contract: Upon motion the documents were received and filed, and Resolution No. 247-23 Accepting the Highway 20 - N. Cascade Road Truck Stop Water Service Connection Project and Authorizing the Payment to the Contractor was adopted.

21. 2022 Boating Infrastructure Tier 1 Grant Application - Authorization to submit Grant Application to assist with funding to perform maintenance dredging at Dubuque Marina: Upon motion the documents were received and filed, and Resolution No. 248-23 Authorizing the filing of a Grant Application with the U.S. Fish and Wildlife Service and Iowa Department of Natural Resources for the 2022 Boating Infrastructure Tier 1 Grant to assist with funding to perform maintenance dredging at Dubuque Marina was adopted.

22. Force Main Stabilization Project, USACE Partnership, Request for City Betterment: Authorization to send a letter to the U.S. Department of the Army for the U.S. Army Corps of Engineers (USACE) to include the design and repair of sanitary sewer force main joints as part of the Force Main Stabilization Project. Upon motion the documents were received, filed, and approved.

23. Community Development Block Grant (CDBG) Subrecipient Agreement - SS Event Center LLC - Marita Theisen Childcare Center: Upon motion the documents were received and filed, and Resolution No. 249-23 Authorizing execution of CDBG Subrecipient Agreement with SS Event Center, LLC was adopted.

24. F.H. Black & Company Incorporated Consulting Recommendation: For conversion of Workiva Wdesk budget documents to the new chart of accounts, set up of a style guide, set up of Wdata to eliminate data synching through spreadsheets, grouping and reconciling of data, and set up and configuration of dashboards for data validation and data collection. Upon motion the documents were received, filed, and approved.

25. Improvement Contracts / Performance, Payment, and Maintenance Bonds: Top Grade Excavating, Inc. for the Old Highway Road Water Main Connection Loop. Upon motion the documents were received, filed, and approved.

26. Signed Contract(s): American Queen Steamboat Operating Company, LLC for the
Docking Services Agreement; Celebration Belle for the 2023 Docking Agreement; Dubuqueland Door Company for the Municipal Services Center Salt Shed Door Replacement Project; Graymont Western Lime for the Eagle Point Water Plant High Calcium Quicklime; Iowa Based Milling for the 2023 Asphalt Milling Project; J&R Supply, Inc for the Ring & Lids - Metal Supply; Landmark Turf Services, LLC for the Weed Control Flood Control System Spraying 2023; McDermott Excavating for the Radford Road Concrete Pavement Repair Project; WHKS & Co. for the Burlington St. Water Main Improvement Project. Upon motion the documents were received and filed.

27. Tobacco Compliance Civil Penalty for Tobacco License Holders: These Retailers have elected to forego a public hearing and will instead submit to statutory penalties prescribed by law and have agreed to a $300 fine for a first violation: Big Ten Mart, 1875 John F Kennedy Rd.; Big Ten Mart #12, 405 Rhomberg Ave.; Dollar General #6896, 605 W. Locust St.; Dubuque #3 Hy-Vee, 400 S. Locust St.; Family Dollar #21599, 2013 Central Ave. #4; Hartig Drug #3, 2255 John F. Kennedy Rd.; Kwik Stop #72, 2255 Kerper Blvd.; Kwik Stop #86, 2150 Twin Valley Dr.; Midwest Vapors, 2600 Dodge St., Suite B4; Moondog Music, 806 Wacker Dr. #120. Upon motion the documents were received, filed, and approved.

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 Petition to Vacate a portion of National Street, in the City of Dubuque, Iowa (Agreement Between City of Dubuque and Dennis R. Walker): Upon motion the documents were received and filed and Resolution No. 250-23 Intent to vacate and dispose of a portion of National Street, in the City of Dubuque, Iowa, to be known as Lot 86A in McDaniel’s Park Hill (Aka “Park Hill, City of Dubuque, Iowa 1856), in the City of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on August 21, 2023, in the Historic Federal Building.

2. Resolution Setting a Public Hearing for the Fourth Amendment to Development Agreement Between the City of Dubuque and Port of Dubuque LLC: Upon motion the documents were received and filed and Resolution No. 251-23 Fixing the date for a public hearing of the city council of the City of Dubuque, Iowa on the fourth amendment to Development Agreement between the City of Dubuque, Iowa and Port of Dubuque LLC which provides for the proposed awarding of housing incentive acquisition grants, 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 August 21, 2023, in the Historic Federal Building.

3. Resolution Setting a Public Hearing on the Extension of Fiber Optic Cable Facilities Agreement with Mediacom Iowa LLC. Upon motion the documents were received and filed and Resolution No. 252-23 Setting a public hearing on an amendment to the Fiber Optic Cable Facilities Agreement between the City of Dubuque, Iowa and MCC Iowa LLC was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on August 21, 2023, in the Historic Federal Building.

4. Resolution Setting a Public Hearing for the 2023 Maintenance Dredging Project Initiate Public Improvement Bidding Process Project Number: 5546000001-304-67990 Harbor Area Dredging. Upon motion the documents were received and filed and Resolution No. 253-23
2023 Maintenance Dredging 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; and ordering the advertisement for bids was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on August 21, 2023, in the Historic Federal Building.

5. Resolution Setting a Public Hearing for the Community Development Block Grant FY24 Annual Action Plan Amendment #1: Upon motion the documents were received and filed, and Resolution No. 254-23 Setting a public hearing on the Fiscal Year 2024 (Program Year 2023) Community Development Block Grant (CDBG) Annual Action Plan Amendment #1 was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on August 21, 2023 in the Historic Federal Building.

**BOARD/COMMISSIONS**

Appointments were made to the following boards/commissions.

1. Airport Zoning Commission: City Code §16-9-1(E)(3b) Two (2) members of the Zoning Advisory Commission must be appointed to serve on the Airport Zoning Commission, with city council approval. City Zoning Advisory Commission correspondence requesting City Council’s appointment of: Rich Russel, 2045 Embassy West Dr. for a term to expire on 7-1-24 and Matt Mulligan, 1167 Hunters Ridge with a term to expire on 7-1-25 to the Cross-Representation openings on the Airport Zoning Commission. Motion by Jones to appoint Mr. Russel and Mr. Mulligan as recommended by the City Zoning Advisory Commission. Seconded by Sprank. Motion carried 7-0.

2. Airport Zoning Board of Adjustment: City Code §12-6-5 (B)(1) Two (2) members must be selected by the city council from the City of Dubuque Zoning Board of Adjustment. City Zoning Board of Adjustment correspondence requesting City Council’s appointment of Jonathan McCoy, 263 Main St. for a term to expire on 3-25-26 and Rena Stierman, 390 Moore Heights, for a term to expire on 3-25-27 to the Cross-Representation openings on the Airport Zoning Board of Adjustment. Motion by Jones to appoint Mr. McCoy and Ms. Stierman as recommended by the City of Dubuque Zoning Board of Adjustment. Seconded by Roussell. Motion carried 7-0.

3. Civic Center Commission: One, 3-Year Term through June 29, 2024 (Vacant term of Gavin) Applicant: Danielle Jacobs, 3130 Shiras Ave. Motion by Sprank to appoint Mr. Jacobs to complete the three-year term through June 29, 2024. Seconded by Wethal. Motion Carried 7-0.

4. Historic Preservation Commission: One, interim term due to vacancies of the Cathedral District term and Old Main District term. Applicants: Cole Hansen, 408 Burch St. (Lives outside of historic districts) Heidi Pettitt, 3116 Central Ave. (Lives outside of historic districts) This commission is subject to the State of Iowa Gender Balance Law, §69.16A. 10 Commissioners total; currently 3 males /4 females /2 openings/ 1 Interim. Upon roll call vote, Ms. Pettitt was unanimously appointed to the interim term and will serve until a qualified district resident is appointed or three years from the appointment date, whichever occurs first.

5. Housing Commission: Two, 3-Year Terms through August 17, 2026 (Expiring At-Large terms of Dixon and Eudaley) Applicants: Amy Eudaley, 950 Wood St. - Additional Applicant;
Matthew Henrick, 2115 Golden Eagle Dr.; Juanita Otis, 2509 Jackson St.; Julietta Scott, 2455 Woodlawn St. Upon roll call vote, Ms. Scott and Ms. Eudaley were appointed to the three-year terms through August 17, 2026. Ms. Eudaley received one vote (Roussell), and Ms. Scott received the remaining six votes from Council for one of the terms. Mr. Henrick received one vote (Farber); Ms. Eudaley received the remaining six votes for the other 3-year term.

6. Long Range Planning Advisory Commission: One, 3-Year term through July 1, 2026 (Vacant At-Large term of Vincent) Applicant: Michael Rabagia, 1449 Jackson St. Motion by Roussell to appoint Mr. Rabagia to the three-year term through July 1, 2026. Seconded by Jones. Motion carried 7-0.

PUBLIC HEARINGS

1. Public Hearing Equity and Human Rights Commission Request for Commissioner Removal: Motion by Jones to receive and file the documents and adopt Resolution No. 255-23 Removing a Commissioner from the Equity and Human Rights Commission. Seconded by Wethal. City Attorney explained that City Code allows city council to remove any commissioner for cause upon written charges and after public hearing. The written charges for removal of Ms. Dereka Williams-Robinson are based on City Code 8-2-10D-1 in the event a commissioner has been absent for three (3) or more consecutive meetings of the commission, without being excused by the chairperson, such absence will be grounds for the commission to recommend to the city council that the position be declared vacant. Council members agreed that removing someone from a commission is not a decision they take lightly, but because a quorum is required to hold these types of meetings, attendance is important to the success of the commission. Motion carried 7-0.

2. Public Hearing Petition to Vacate a portion of Bies Drive, in the City of Dubuque, Iowa For Vacating Petition (Agreement Between City of Dubuque and CCI5, LLC): Motion by Farber to receive and file the documents and adopt Resolution No 256-23 Vacating a portion of Bies Drive, in the City of Dubuque, Iowa, to be known as Lot 1B of Roger F. and Kathleen A. Klauer Family Place, in the City of Dubuque, Iowa and Resolution No. 257-23 Disposing of city interest in Lot 1B of Roger F. and Kathleen A. Klauer Family Place, in the City of Dubuque, Iowa. Seconded by Farber. Motion carried 7-0.

3. Public Hearing for Burlington Street Water Main Improvement Project 2023: Motion by Sprank to receive and file the documents and adopt Resolution No 258-23 Approval of Plans, Specifications, Form of Contract, and Estimated Cost for the Old Highway Road Water Main Connection Loop 2023. Seconded by Jones. Water Department Manager Chris Leaster addressed question regarding notification of effected residents of the construction schedule from council. Motion carried 7-0.

ACTION ITEMS

1. Small Business Grant Program Proposed Modifications Approved by the Community Development Advisory Commission: Motion by Jones to receive and file the documents and approve the changes to our existing small business grant program in response to evolving small business needs and entrepreneurial ecosystem development that have been presented to and approved by the Community Development Advisory Commission. Seconded by Wethal. Motion carried 7-0.
2. City of Dubuque Secondary Responder Model (Community Response Model). Motion by Jones to receive and file the documents. Seconded by Sprank. Police Chief Jeremy Jensen responded to questions from the City Council and introduced Captain Steve Radloff and Officer Brandan Nugent as members assigned to the Secondary Responder Unit. Motion carried 7-0.

3. Safety and Security Camera and Automated License Plate Reader Policy: Motion by Farber to receive and file the documents and approve the updated policy on City of Dubuque Traffic Camera use with the addition of Automated License Plate Readers (APLR). Seconded by Jones. Police Chief Jeremy Jenson explained that the cameras only track license plates. No faces or personal travel history is collected. The automated license plate reader is designed to notify local police if a vehicle with a license plate number previously entered into the system because of an arrest warrant or an Amber Alert has passed by the camera. The Chief explained that the data was only allowed to be accessed by certified officers and used for but not limited to such investigations as homicides, burglaries, abducted children, and hit and run accidents. After a lengthy discussion Police Chief Jenson answered questions from the City Council regarding the keeping of the data for 30 (thirty) days before the data is purged. The Chief used an example of a family being on a vacation for a week or two. When they return, they find that their home had been burglarized. In this case having the data for 30 days can help to determine if the car used in the burglary was local or had left town. If the vehicle had left town the license plate information can be entered into the system and possibly located in another city or state. If the license plate information was purged in a shorter amount of time, the data may be gone before the homeowners can report a crime has been committed. City Council requested that presentations be made to them 6 (six) months after the cameras go live. The City Council will review recommendations at that time. Motion carried 6-1 with Resnick voting nay.

4. Award John F. Kennedy and West 32nd St. Intersection Improvement Project: Motion by Resnick to receive and file the documents and adopt Resolution No. 259-23 Awarding Public Improvement Contract for the John F. Kennedy Road and W. 32nd Street Intersection Improvement Project. Seconded by Jones. City Engineer Gus Psihoyos responded to questions by City Council. Motion carried 7-0.

5. Update on Water & Resource Recovery Center (W&RRC) Odor Abatement Efforts: Motion by Roussell to receive and file the documents. Seconded by Farber. Water Resource Center Plant Manager Willy O’Brian updated the City Council on the efforts to abate the odor at the Water and Resource Recovery Center. Motion carried 7-0.

6. Status of the Central Avenue Streetscape Master Plan - Implementation Update: Motion by Sprank to receive and file the documents. Seconded by Jones. City Council expressed their excitement that this plan has reached the implementation stage. Motion carried 7-0.

7. Free Rides for College Students: Motion by Jones to receive and file the documents and approve eliminating bus fares for college students beginning on August 7, 2023. Seconded by Wethal. Motion carried 7-0.

8. Bee Branch Stormwater Pumping Station (Phase IV of the Bee Branch Watershed Flood Mitigation Project) Project #5586500007: Motion by Wethal to receive and file the documents and adopt Resolution No. 260-23 Approving a U.S. Economic Development Administration Disaster Relief Opportunity Grant Application and pledging the local match in the amount of
$19,012,000 From General Obligation Bonds or an SRF Loan for construction of a new stormwater pumping station at the 16th Street Detention Basin. Seconded by Jones. Motion carried 7-0.

9. Safe Routes to School Project Update: Motion by Farber to receive and file the documents. Seconded by Sprank. Council reminded citizens that getting children to and from school safely, especially at Washington Middle School, is a few minutes of inconvenience each day and to please be patient; everyone in line has other places to get to as well. Motion carried 7-0.

10. Amending City of Dubuque Code of Ordinances Title 8 Equity and Human Rights, Chapter 5 Fair Housing, Section 8-5-12 Enforcement by Private Persons: 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. City Attorney Brumwell stated that the ordinance update is to mirror that of the recently amended State of Iowa Code. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No 35-23 Amending City of Dubuque Code of Ordinances Title 8 Equity and Human Rights, Chapter 5 Fair Housing, Section 8-5-12 Enforcement by Private Persons. Seconded by Roussell. Motion carried 6-0. Absent: Wethal

11. Request for Work Session Smart Parking & Mobility Management Plan: City Manager recommending City Council schedule a work session on October 2, 2023, from 5:15-6:30 to present a draft of the Smart Parking & Mobility Management Plan. Motion by Resnick to receive and file the documents and schedule the work session for October 2, 2023, at 5:15 p.m. Seconded by Farber. No schedule conflicts were expressed. Motion carried 6-0. Absent: Wethal

12. Delivering Dubuque: City Services: Motion by Jones to receive and file the documents and view the video. Seconded by Sprank. Media Services played the Delivering Dubuque episode featuring City services. This video can be viewed at: https://youtu.be/GulimOghbjg. Motion carried 7-0.

13. Reimagine Comiskey Park Project Celebration: Motion by Jones to receive and file the documents and view the video. Seconded by Sprank. Media Services played a video of the June 29, 2023, ribbon-cutting ceremony, and community celebration for the completion of the Reimagine Comiskey Park Project. The video can be viewed at https://youtu.be/KmVWvReytHY. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported he had just returned from a cruise on the Mississippi and Dubuque’s port and riverwalk were the best he saw on the cruise.

Council Member Farber reported attending the National League of Cities subcommittee meeting on artificial intelligence (AI)

Council Member Wethal reported attending the Art of the River events.
Council Member Sprank reported that there are so many activities and events occurring in Dubuque that no one should say “There is nothing to do.”

CLOSED SESSION

Motion by Jones to convene in closed session at 9:12 p.m. to discuss Pending Litigation and Purchase or Sale of Real Estate – Chapter 21.5(1)(c),(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 10:53 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 10:55 p.m.

/s/ Trish L. Gleason, MMC, Assistant City Clerk

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