

**CITY OF DUBUQUE, IOWA
CITY COUNCIL PROCEEDINGS
SPECIAL SESSION**

The Dubuque City Council met in special session at 5:00 p.m. on November 16, 2020.

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually via GoToMeeting and aired live on CityChannel Dubuque (Mediacom cable channels 8 and 117.2), streamed live on the city's website at www.cityofdubuque.org/media, and streamed live on the City's Facebook page at www.facebook.com/cityofdubuque.

Present: Mayor Buol; Council Members Cavanagh, Jones, Lynch, Resnick, Roussell, Sprank; City Manager Van Milligen, City Attorney Brumwell

Absent:

Mayor Buol read the call and stated this is a special session of the City Council called for the purpose of conducting work sessions on the COVID-19 Pandemic Monthly Update and the Inclusive Dubuque Quarterly Update.

WORK SESSIONS (2)

1. Updates on the internal and community-facing responses to the COVID-19 pandemic: City staff and network partners provided updates on the internal and community-facing responses to the COVID-19 pandemic.

- Community COVID-19 Update & Communication Response: Mary Rose Corrigan, Public Health Specialist
 - Community Foundation of Greater Dubuque Update: Jenna Manders, Director of Strategic Relations
 - Greater Dubuque Development Corporation: Rick Dickinson, President/CEO
- This work session concluded at 5:50 p.m.

2. Inclusive Dubuque Quarterly Update: Representatives of The Community Foundation of Greater Dubuque presented the quarterly report for Inclusive Dubuque. Clara Lopez Ortiz, Equity Coordinator; Oather Taylor, DEI Consultant/Advisor; Cynthia Wehrenberg, Youth Impact Coordinator. Topics included:

- Network partner meetings
- Cultural resource guide
- DEI toolkit
- Community equity profile
- Business leader equity cohort
- Every child reads

There being no further business, Mayor Buol declared the meeting adjourned at 6:14 p.m.

/s/Adrienne N. Breitfelder
City Clerk

1t 11/25

**CITY OF DUBUQUE, IOWA
CITY COUNCIL PROCEEDINGS
REGULAR SESSION**

The Dubuque City Council met in regular session at 6:30 p.m. on November 16, 2020.

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually and aired live on CityChannel Dubuque (Mediacom cable channels 8 and 117.2), streamed live on the city's website at www.cityofdubuque.org/media, and streamed live on the City's Facebook page at www.facebook.com/cityofdubuque.

Present: Mayor Buol; Council Members Cavanagh, Jones, Lynch, Resnick, Roussell, Sprank; City Manager Van Milligen, City Attorney Brumwell

Absent:

Mayor Buol read the call and stated this is a regular session of the City Council called for the purpose of conducting such business that may properly come before the City Council.

PLEDGE OF ALLEGIANCE

PRESENTATION(S)

1. Certified Venue Executive Recognition for H.R. Cook: Marie Ware, Leisure Services Manager, made a presentation recognizing H.R. Cook, General Manager of Five Flags Civic Center, for achieving certification as a Certified Venue Executive.

2. Iowa Primary Care Association Award Recognition for Mary Rose Corrigan: Gary Collins, CEO of Crescent Community Health Center, presented Public Health Specialist Mary Rose Corrigan with the 2020 Carl Kulczyk Memorial Award from the Iowa Primary Care Association.

PROCLAMATION(S)

1. Pancreatic Cancer Awareness Day (November 19, 2020) was accepted by Diane Oglesby-Rambousek of the Michael W. Oglesby Foundation.

2. Small Business Saturday (November 28, 2020) was accepted by Justine Paradiso of the Dubuque Area Chamber of Commerce.

3. Civil Air Patrol Day (December 1, 2020) was accepted by Colonel Jonathan Lartigue of the Civil Air Patrol.

CONSENT ITEMS

Motion by Lynch to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Sprank. Staff stated that no online public comments were received related to the Consent Agenda. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 11/2/20; Historic Preservation Commission of 10/15/20; Investment Oversight Advisory Commission of 10/28/20; Long Range Planning Advisory Commission of 10/21/20; Zoning Advisory Commission of 11/4/20; Zoning Board of Adjustment of 10/22/20; Proof of Publication for City Council Proceedings of 10/5/20, 10/6/20, 10/7/20; Proof of publication for List of Claim and Summary of Revenues for month ending 9/30. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Black Hills Energy for property damage; Mackenzie Weber for vehicle damage; Michael J. Vondal 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: Black Hills Energy for property damage; MacKenzie Weber for Vehicle Damage; Michael J. Vondal for Vehicle Damage. Upon motion the documents were received, filed, and concurred.

4. Approval of City Expenditures: City Manager recommended City Council approval for payment of City expenditures. Upon motion the documents were received and filed, and Resolution No. 337-20 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. Dollars & Cents Public Information Brochure: City Manager provided a copy of the Fiscal Year 2021 Dollars & Cents public information brochure. Upon motion the documents were received and filed.

6. Final Plat of Survey for CN Davis Place: Zoning Advisory Commission recommended approval of the Final Plat of Survey for CN Davis Place (16335 Humke Road/13389 BMR Drive). Upon motion the documents were received and filed, and Resolution No. 338-20 Approving the Final Plat of Survey of CN Davis Place, Dubuque County, Iowa was adopted.

7. Plat of Survey for Yiannias Place: Zoning Advisory Commission recommended approval of the Plat of Survey for Lot 1 & Lot 2 of Yiannias Place No. 5 190 John F. Kennedy Rd. Upon motion the documents were received and filed, and Resolution No. 339-20 Approving the Plat of Survey of Lot 1 and Lot 2 Of Yiannias Place No. 5 in the City of Dubuque, Iowa was adopted.

8. Pre-Annexation Agreement with Timothy J & Cynthia McAndrew: City Manager recommended approval of a Pre-Annexation Agreement between the City of Dubuque, Iowa and Timothy J. and Cynthia McAndrew in conjunction with a request for approval of a Final Plat of Survey for property located at 16335 Humke Road. Upon motion the documents were received and filed, and Resolution No. 340-20 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Timothy J. and Cynthia McAndrew was adopted.

9. Pre-Annexation Agreement with Clarence C. and Nancy L. Davis: City Manager recommended approval of a Pre-Annexation Agreement with Clarence C. and Nancy L. Davis in conjunction with a request for approval of a Final Plat of Survey for property located at 13389 BMR Lane. Upon motion the documents were received and filed, and Resolution No. 341-20 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Clarence C. And Nancy L. Davis was adopted.

10. Quarterly Investment Report as of September 30, 2020: City Manager transmitted the September 30, 2020 Quarterly Investment Report. Upon motion the documents were received and filed.

11. Fiscal Year 2020 Urban Renewal Report: City Manager recommended approval of the Fiscal Year 2020 Iowa Urban Renewal Report for the City of Dubuque. Upon motion the documents were received and filed, and Resolution No. 342-20 Approving the Fiscal Year 2020 Urban Renewal Report for the City of Dubuque was adopted.

12. Fiscal Year 2022 County Tax Increment Finance Report: City Manager transmitted the Annual Tax Increment Financing (TIF) Report that has been filed with Dubuque County Auditor Denise Dolan. Upon motion the documents were received and filed.

13. Accepting the Roosevelt Street Water Tower Contract B Project: City Manager recommended acceptance of the construction contract for the Roosevelt Street Water Tower Contract B Eagle Point Plant & Water Distribution Improvements Project, as completed by Portzen Construction, Inc. Upon motion the documents were received and filed, and Resolution No. 343-20 Accepting the Roosevelt Street Water Tower Contract B Eagle Point Water Plant and Water Distribution Improvements and authorizing final payments to the contractor was adopted.

14. Accepting 2020 Asphalt Overlay Access Ramp Project 3-B: City Manager recommended acceptance of the construction contract for the 2020 Asphalt Overlay Access Ramp Project 3-B, as completed by S&S Builders. Upon motion the documents were received and filed, and Resolution No. 344-20 Accepting the 2020 Asphalt Overlay Access Ramp Project 3-B and authorizing the final payment to the contractor was adopted.

15. Dubuque Regional Humane Society Contract Renewal: City Manager recommended approval of a new two-year agreement with the Dubuque Regional

Humane Society for contracted services related to animal control. Upon motion the documents were received, filed and approved.

16. Liquor License Renewals: City Manager recommended approval of annual beer, liquor and wine licenses as submitted. Upon motion the documents were received and filed, and Resolution No. 345-20 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.

PUBLIC HEARINGS

1. Merge Urban Development - 2nd Amendment to Development Agreement: City Manager recommended approval of a Second Amendment to Development Agreement with Port of Dubuque LLC. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 346-20 Approving a Second Amendment to Development Agreement by and between the City Of Dubuque, Iowa and Port Of Dubuque LLC, including the proposed issuance of additional Urban Renewal Tax Increment Revenue Obligations for the development at 480 Ice Harbor Drive. Seconded by Jones. Staff stated that no online public comments were received regarding this public hearing. Motion carried 7-0.

2. Request to Rezone 801 Rhomberg Avenue - Traditional Zoning Request: Proof of publication on notice of public hearing to consider approval of a request from Jeffrey Morton Architects to rezone property at 801 Rhomberg Ave from C-1 Neighborhood Commercial to C-2 Neighborhood Commercial Shopping Center District to allow for a carryout restaurant, and Zoning Advisory Commission recommended approval. 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. Jeff Morton, 206 Bluff Street, and Chef Kevin Scharpf, 819 Shadow Bluff, Galena, IL, spoke in support of the request and provided a brief description of the project. Staff stated that no public input was received regarding this item. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 43-20 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 801 Rhomberg Avenue from C-1 Neighborhood Commercial District to C-2 Neighborhood Shopping Center District. Seconded by Resnick. Motion carried 7-0.

PUBLIC INPUT

Due to the COVID-19 pandemic and mandates for social distancing, public input was made available through GoToMeeting phone and chat functions, City Council and City Clerk email accounts, and the City of Dubuque's Facebook Live page.

The City Clerk confirmed receipt of an email correspondence from Bob Hartig, 1804 Creekwood Drive, expressing his opposition to Action Item No. 1: Plat of Survey of Annabel Lee Barn Lot Place.

Larry Vogt, 1750 Creekwood Drive; Bob Hartig, 1804 Creekwood Drive; Peter Arling, 1744 Creekwood Drive; Matt Horsfield, 1720 Creekwood Drive, spoke in opposition of Action Item No. 1: Plat of Survey of Annabel Lee Barn Lot Place.

Kristen and Steve Vaasseen, 2319 Manson Road, spoke in support of Action Item No. 1: Plat of Survey of Annabel Lee Barn Lot Place.

ACTION ITEMS

1. Plat of Survey of Annabel Lee Barn Lot Place: Zoning Advisory Commission recommended approval of the Plat of Survey of Annabel Lee Barn Lot Place subject to waiving the lot frontage requirement for Lot 1. Motion by Rousell to receive and file the documents and adopt Resolution No. 347-20 Approving the Plat of Survey of Annabel Lee Barn Lot Place, City of Dubuque, Dubuque County, Iowa. The motion did not receive a second. Motion by Jones to receive and file the documents and deny the request. Seconded by Sprank. Motion carried 7-0.

2. Dubuque Bank and Trust, CDC - Engine House #1 Settlement Agreement and Release: City Attorney recommended approval of the Dubuque Bank & Trust Community Development Corporation Settlement Agreement and Release. Motion by Jones to receive and file the documents and approve the agreement. Seconded by Lynch. City Attorney Brumwell provided a summary of the agreement. Jones provided a summary of the City's partnership with Dubuque Bank and Trust on Engine House #1. Motion carried 7-0.

3. Request for Work Session - Arts and Culture Master Plan Update: City Manager requested that the City Council schedule a work session on the Arts and Culture Master Plan Update for Tuesday, January 19, 2021, at 5:00 p.m. Motion by Cavanagh to receive and file the documents and schedule the work session as recommend. Seconded by Rousell. No schedule conflicts were noted. Motion carried 7-0.

4. Bee Branch Creek Railroad Culverts Project Presentation and Video Update: Steve Brown, Engineering Project Manager, and Deron Muehring, Civil Engineer II, presented an update of the Bee Branch Creek Railroad Culverts Project. Media Services showed a video update of the Project. Motion by Sprank to receive and file the information and view the video. Seconded by Resnick. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Sprank reported on volunteering with the Dubuque Labor Harvest food giveaway on Saturday. Mr. Sprank stated that the organization distributed over 347 boxes of food, demonstrating that COVID-19 is affecting more people. Mr. Sprank

expressed interest in the upcoming food scarcity study to understand food issues affecting the North End.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:39 p.m. to discuss pending litigation and the purchase or sale of real estate pursuant to Chapter 21.5(1)(c),(j) Code of Iowa. Seconded by Cavanagh. Mayor Buol stated for the record that the attorneys who will consult with City Council on the issues to be discussed in the closed session are City Attorney Crenna Brumwell and Attorney Dave Schrock. Motion carried 7-0.

Upon motion the City Council reconvened in open session at 9:38 p.m. having been updated by staff.

There being no further business, Mayor Buol declared the meeting adjourned at 9:39 p.m.

/s/Adrienne N. Breitfelder
City Clerk

1t 11/25