

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

The Dubuque City Council met in special session at 5:00 p.m. on January 19, 2021.

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) and streamed live on the City's Facebook page at www.facebook.com/cityofdubuque. The meeting was scheduled to stream live on the City's website at www.cityofdubuque.org/media, but the live stream did not occur due to technical difficulties. The archived meeting video is available on the City's website.

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

Mayor Buol 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 Arts and Culture Master Plan.

**WORK SESSION
ARTS & CULTURE MASTER PLAN UPDATE**

Arts & Cultural Affairs Coordinator Jenni Petersen-Brant and network partners provided an update on the implementation of the City's Arts and Culture Master Plan. Network partners who spoke were: Kurt Strand, President and CEO, Dubuque County Historical Society; Erin Dragotto, National Mississippi River Museum and Aquarium; Ali Levasseur, Chairwoman, Dubuque County Fine Arts Society; Gary Stoppelman, Executive Director, Dubuque Museum of Art; and Sandy Helgerson, Executive Director, Dubuque Arboretum and Botanical Gardens. Topics included:

- Arts & Cultural Affairs Coordinator and Advisory Commission
- Task Force & Working Group Volunteers
- Arts & Culture Partners in Dubuque
- The need for an Arts & Culture Master Plan and Timeline
- Goals, Priorities, Strategies, and Other Considerations
- Priority #1: Promote and Support Arts & Culture as Dubuque's Competitive Edge
 - Art on the River, Voices Murals
- Priority #2: Boost Capacity for Arts & Culture to Thrive
 - City Grant Programs, Private and Other Investment
- Priority #3: Foster Engagement at All Levels
 - Dubuque Renaissance Project, Cultural Asset Mapping, Northeast Iowa School of Music
- Priority #4: Cultivate Connections
 - Art En Route, Solidarity Mural
- Recommendations

Ms. Petersen-Brant responded to questions from the City Council following the presentation.

There being no further business, Mayor Buol declared the meeting adjourned at 6:20 p.m.

/s/Adrienne N. Breitfelder
City Clerk

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

The Dubuque City Council met in regular session at 6:30 p.m. on January 19, 2021.

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) and streamed live on the City's Facebook page at www.facebook.com/cityofdubuque. The meeting was scheduled to stream live on the City's website at www.cityofdubuque.org/media, but the live stream did not occur due to technical difficulties. The archived meeting video is available on the City's website.

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

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. COVID-19 Update: Mary Rose Corrigan, Public Health Specialist for the City of Dubuque, provided an update on the COVID-19 pandemic and response activities.

PROCLAMATION(S)

1. Dubuque Eagles "Eyes on the Future" Month (January 2021) was accepted by Michael Duehr of the Dubuque Fraternal Order of Eagles

CONSENT ITEMS

Request by Council Member Sprank to hold Consent Item #13, Iowa Department of Inspections and Appeals New Interagency Agreement, for separate discussion. Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated except for Consent Item #13. Seconded by Sprank. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council proceedings of 1/4; Community Development Advisory Commission of 1/6; Historic Preservation Commission of 12/17; Zoning Advisory Commission of 1/6; Zoning Board of Adjustment of 12/17; Proof of publication on City Council proceedings of 12/7, 12/11; Proof of publication for List of Claims and Summary of Revenues for month ending 11/30. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Jayne David for personal injury; Shane and April Hanson for property damage; Jordan Koehler for vehicle damage; Nathan and Amanda Salzmann for property damage; Becky Wolf and Chuck Minnick for property 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: Jayne David for personal injury; Jordan Koehler for property damage; Nathan and Amanda Salzmann for property damage; Becky Wolf and Chuck Minnick for property 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. 7-21 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. Memo Recording Award of Chaplain Schmitt Island Fiber Collaboration Project: City Manager recommended that the award for the Chaplain Schmitt Island Fiber Collaboration Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

6. Modifications to Original Approval Plans and the Final Plat of North Grandview Estates No. 2 in 2006, in the City of Dubuque, Iowa: City Manager recommended approval of a resolution for modification to the original approval plans and the Final Plat of North Grandview Estates No. 2 in 2006. Upon motion the documents were received and filed, and Resolution No. 8-21 Approving modifications to the original approval of plans and the Final Plat of North Grandview Estates No. 2 in 2006, in the City of Dubuque, Iowa was adopted.

7. Acceptance of Sanitary Sewer Improvements across Part of Lot 1 of Sara S. and Edward R. Bartels Addition, in the City of Dubuque, Iowa: City Manager recommended acceptance of the public sanitary sewer improvements that the developer, Ichiban Realty, LLC, has recently completed across Part of Lot 1 of Sara

S. and Edward R. Bartels Addition in the City of Dubuque, Iowa. Upon motion the documents were received and filed, and Resolution No. 9-21 Accepting Public Sanitary Sewer Improvements across Part of Lot 1 of Sara S. and Edward R. Bartels Addition, in the City of Dubuque, Iowa was adopted.

8. Acceptance of Cedar Street Force Main Air Vacuum Release Valve Replacement Project: City Manager recommended acceptance of the public improvement contract for the Cedar Street Force Main Air Vacuum Release Valve Replacement Project, as completed by Tschiggfrie Excavating Co., in the final contract amount of \$185,397.81. Upon motion the documents were received and filed, and Resolution No. 10-21 Accepting the Cedar Street Force Main Air Vacuum Release Valve Replacement Project and authorizing the payment to the contractor was adopted.

9. Acceptance of 2020 Pavement Marking Project: City Manager recommended acceptance of the construction contract for the 2020 Pavement Marking Project, as completed by Selco, Inc., in the final contract amount of \$153,227.31, which is a 0.53% decrease from the original contract amount of \$154,043.29. Upon motion the documents were received and filed, and Resolution No. 11-21 Accepting the 2020 Pavement Marking Project and authorizing the payment to the contractor was adopted.

10. Southwest Arterial / U.S. 52 Intelligent Transportation System Corridor – HDR Professional Service Agreement: City Manager recommended approval and authorization for the City Manager to execute a consultant Professional Service Agreement with HDR Engineering, Inc. to assist in providing design services for the development and implementation of an Intelligent Transportation System (ITS) along the Southwest Arterial / U.S. 52 Corridor. Upon motion the documents were received and filed, and Resolution No. 12-21 Approving the Consultant Professional Services Agreement between the City of Dubuque and HDR Engineering, Inc. for the development and implementation of an Intelligent Transportation System (ITS) along the Southwest Arterial / U.S. 52 Corridor was adopted.

11. Adoption of Code of Ordinances Supplement No. 2020 S-2: City Clerk recommended adoption of Supplement No. 2020 S-2 to the City of Dubuque Code of Ordinances that codifies Ordinances Nos. 32-20 through 51-20. Upon motion the documents were received and filed, and Resolution No. 13-21 Adopting Supplement No. 2020 S-2 to the Code of Ordinances of the City of Dubuque, Iowa was adopted.

12. Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting: City Manager transmitted the notification of the City of Dubuque receiving the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for the 31st consecutive year. Upon motion the documents were received and filed.

13. Iowa Department of Inspections and Appeals New Interagency Agreement: City Manager recommended approval of the renewal 28E Agreement with the Iowa Department of Inspections and Appeals for performance of food and hotel licensing, inspections, and enforcement with respect to retail food establishments. Council Member Sprank requested clarification on whether this agreement will change the nature of inspections due to COVID-19. City Manager Van Milligen stated that this renewal is a continuation of the City's annual agreement. Public Health Specialist Mary Rose Corrigan added that since this agreement is an extension of the current agreement, there are no changes to the inspections process. Motion by Resnick to receive, file and approve the documents. Second by Sprank. Motion carried 7-0.

14. Growing Sustainable Communities Conference Management Contract with Travel Dubuque: City Manager recommended approval of a one-year conference management contract with Travel Dubuque to host the 2021 Growing Sustainable Communities Conference. Upon motion the documents were received, filed and approved.

15. Signed Contract(s): Public Improvement Contract: Asbury Road Fiber Optic Collaboration - Phase 1 Project. Upon motion the documents were received and filed.

16. Alcohol License Applications: City Manager recommended approval of annual liquor, beer, and wine license applications as submitted. Upon motion the documents were received and filed, and Resolution No. 14-21 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

City Council referenced citizen correspondence regarding Item Set For Public Hearing #2. Sale of City-Owned Property at 1293 Walnut, in which the citizen requested verification on whether the property will be owner occupied. Responding to questions from the City Council, Housing and Community Development Director Alexis Steger stated that the property contains two lots, one currently vacant and the other containing a residence, and the property is intended to be owner occupied. Ms. Steger stated she will provide the zoning classification of the property at the February 1, 2021 public hearing. Motion by Roussell to receive and file the documents, adopt the resolutions, set the public hearings as indicated, and direct the City Clerk to publish notice as prescribed by law. Seconded by Cavanagh. Motion carried 7-0.

1. Ehrlich Properties, L.L.C. Housing TIF Agreement (North Grandview Estates Housing Urban Renewal Area): City Attorney recommended the City Council set a public hearing for February 1, 2021 regarding the Ehrlich Properties, L.L.C. Housing TIF Agreement (North Grandview Estates Housing Urban Renewal Area). Upon motion the documents were received and filed, and Resolution No. 15-21 Intent to approve an Agreement between the City of Dubuque and Ehrlich Properties, L.L.C. and fixing the date for a public hearing of the City Council of the City of Dubuque, Iowa on the

proposed reimbursement of Ehrlich Properties L.L.C. for certain infrastructure improvements as described in the agreement with Urban Renewal Tax Increment Revenue 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 1, 2021 in the Historic Federal Building.

2. Sale of City-Owned Property at 1293 Walnut: City Manager recommended approval of a resolution declaring the City's intent to dispose of property at 1293 Walnut Street and setting the date for public hearing for February 1, 2021. Upon motion the documents were received and filed, and Resolution No. 16-21 Intent to dispose of an interest in City of Dubuque real estate, 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 February 1, 2021 in the Historic Federal Building.

[Due to the ongoing COVID-19 pandemic, the City Council will meet virtually through GoToMeeting. The official agenda will be posted on Friday prior to the meeting and will contain listening, viewing, and public input options. The City Council agenda can be accessed at <https://cityofdubuque.novusagenda.com/AgendaPublic/> or by contacting the City Clerk's Office at 563-589-4100, ctyclerk@cityofdubuque.org.]

BOARDS/COMMISSIONS

Boards and Commission Applicant Review: Applicants were invited to address the City Council regarding their appointment to the following Boards/Commissions.

1. Building Code and Advisory Appeals Board: Seven, 3-Year terms and five alternate, 3-Year terms through January 1, 2024. Special experience and training qualifications: One member must be a residential construction professional; One member must be a commercial construction professional; One member must be an electrical construction professional; One member must be a plumbing construction professional; One member must be a heating, ventilation, and air conditioning (HVAC) construction professional; Two multidisciplinary representatives, which could be an architect, engineer, building designer, or general construction professional. Alternates: One alternate must be a residential construction professional; One alternate must be a commercial construction professional; One alternate must be an electrical construction professional; One alternate must be a plumbing construction professional; One alternate must be a heating, ventilation, and air conditioning (HVAC) construction professional. Applicants: (Note: all applicants qualify as a multidisciplinary representative in addition to the qualification listed by their name) Adam Brown, 686 S. Grandview Ave. (Qualifies as electrical construction professional or electrical construction professional alternate); Mitchell Haufe, 1233 Miller Rd. (Qualifies as electrical construction professional or electrical construction professional alternate); Daniel McNamer, 2891 Northridge Dr. (Qualifies as plumbing construction professional or plumbing construction professional alternate); Thomas Townsend, 1940 Amelia Dr. (Qualifies as electrical construction professional or electrical construction professional alternate); Katrina Wilberding, 3715

Asbury Rd. (Qualifies as a multidisciplinary representatives). Mr. Brown spoke in support of his appointment and provided a brief biography. Mayor Buol made note of correspondence received by Mr. Haufe and Mr. Townsend in favor of their appointments.

2. Housing Appeals and Mediation Board – Newly Amended Board: Three, 3-Year term through January 1, 2024 (Special experience and training qualifications: residents with an interest in fair and equitable housing with an emphasis on the balance of landlords, tenants, and other interested citizens.) Applicants: Mary Gotz, 1844 Bennett St. (Qualifies as a Landlord); Jeff Lenhart, 1274 Locust St. (Qualifies as a tenant); Gil Spence, 975 Grove Terr. (Qualifies as an interested citizen).

3. Human Rights Commission: One, 3-Year term through January 1, 2022 (Vacant term of Breitfelder) and One, 3-Year term through January 1, 2024 (Expiring term of Keeler). Applicants: Pamala Birch, 1550 Betterfield Rd.; Klanea Evans, 691 ½ Lorimer St. *This commission is subject to the State of Iowa Gender Balance Law. 9 Commissioners total; currently 3 males/3 females/3 vacancies*

4. Long Range Planning Advisory Commission: One, 3-Year term through July 1, 2022 (Vacant term of Winterwood) and One, 3-Year term through July 1, 2023 (Vacant term of Peroski). Applicants: Justin Gross, 1225 Kelly Ln.; Mark Ward, 2758 Tiffany Crt.

PUBLIC HEARINGS

1. Request to Rezone Dubuque Industrial Center, Chavenelle Road/Northwest Arterial: Proof of publication on notice of public hearing to consider approval of a request from Robert Hartig/Medical Associates to rezone property located at Dubuque Industrial Center, Chavenelle Road/Northwest Arterial from PI Planned Industrial district to C-3 General Commercial district, and Zoning Advisory Commission recommended approval. Motion by Cavanagh 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 Jones. Planning Services Manager Wally Wernimont provide a staff report. Robert (Bob) Hartig, 1804 Creekwood Drive, 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 Cavanagh for final consideration and passage of Ordinance No. 1-21 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying property described as Lot 1 Dubuque Industrial Center Second Add, all in the City of Dubuque, from PI Planned Industrial District to C-3 General Commercial District. Seconded by Jones. Motion carried 7-0.

2. Petition to Vacate a Portion of Flexsteel Way between Lots 4 and 5 in Dubuque Industrial Center South First Addition, in the City of Dubuque, Iowa For Vacating Petition (Simmons Pet Food Inc. Development Agreement): Proof of publication on notice of public hearing for approval of the vacation of a portion of Flexsteel Way

between Lots 4 and 5 in Dubuque Industrial Center South First Addition, in the City of Dubuque, Iowa, and City Manager recommended approval. City Manager Van Milligen responded to a question from the City Council regarding renaming the street from Flexsteel Way to Simmons Way. Mr. Van Milligen stated that Simmons' Development Agreement contains a clause to rename the street. Once this petition to vacate is approved, the renaming of the street to Simmons Way will occur and will be on a future Council agenda. Motion by Jones to receive and file the documents and adopt Resolution No. 17-21 Vacating a portion of Flexsteel Way, in the City of Dubuque, Iowa, to be known as Lot 5A of Dubuque Industrial Center South First Addition, in the City of Dubuque, Iowa. Seconded by Cavanagh. Staff stated that no public input was received regarding this item. Motion carried 7-0.

PUBLIC INPUT

Due to the COVID-19 pandemic and mandates for social distancing, public input was made available through GoToMeeting chat function, City Council and City Clerk email accounts, and the City of Dubuque's Facebook Live page. Staff stated that no online public input was received.

ACTION ITEMS

1. Commission Recommended Actions for Analysis of Impediments to Fair Housing: City Manager transmitted recommendations from the Human Rights Commission, the Housing Commission and the Community Development Advisory Commission for prioritizations from the Analysis of Impediments to Fair Housing. Motion by Sprank to receive and file for staff for FY22 consideration. Point of order by Resnick that the item must first be removed from the table. City Attorney Brumwell confirmed that Council must first motion to remove the item from the table before they can take further action. Motion by Sprank to remove Commission Recommended Actions for Analysis of Impediments to Fair Housing from the table. Seconded by Resnick. Motion carried 7-0. City Council expressed interest in reviewing housing data as part of the Equitable Poverty Prevention Plan and Council goal setting. City Council expressed support of the inclusion of mobile home parks in the commissions' recommendations and appreciated the collaborative efforts of the commissions. Council Member Roussell asked if the motion needed to include adopting a resolution. Mayor Buol clarified that a resolution was not included with this item, and the suggested disposition for the item is to receive and file. Motion by Sprank to receive and file for staff for FY22 consideration. Seconded by Roussell. Motion carried 7-0.

2. Asbury Road Fiber Optic Collaboration – Phase 2 Project: City Manager recommended award of the Asbury Road Fiber Optic Collaboration – Phase 2 Project construction contract to the low bidder, TD&I Cable Maintenance in the amount of \$226,691.66, which is 5.8% below the engineer's estimate. Responding to a question from the City Council, Civil Engineer Dave Ness stated that this project is a partnership with Alliant Energy and that the project supports the City's long-term goals of broadband expansion and connecting fiber infrastructure together. Motion by Resnick to receive

and file the documents and adopt Resolution No. 18-21 Awarding Public Improvement Contract for the Asbury Road Fiber Optic Collaboration – Phase 2 Project. Seconded by Roussell. Motion carried 7-0.

3. Proceedings to Amend the 2010G Stormwater Utility Revenue Capital Loan Notes (State Revolving Fund Loan) for a Rate Reset (Refinancing) – Lower Bee Branch Restoration Project: City Manager recommended approval of an amendment to the City Stormwater Utility Revenue State Revolving Fund (SRF) loan agreement entered into as of October 27, 2010. Motion by Jones to receive and file the documents and adopt Resolution No. 19-21 Approving and authorizing Amendment to Loan and Disbursement Agreement by and between the City of Dubuque and the Iowa Finance Authority, and authorizing and providing for the reissuance of the Stormwater Utility Revenue Capital Loan Note, Series 2010G (Rate Reset). Seconded by Resnick. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Roussell reported on attending the NAACP Martin Luther King Jr. (MLK) Student Tribute. As part of the tribute, students in grades K-12 shared how their lives were positively impacted by MLK. Ms. Roussell also reported on attending the annual MLK breakfast on Monday, January 18 and encouraged everyone to attend next year's event.

Council Member Jones reported on Council Member Lynch recently being elected as Chairman of the Board for the Dubuque Racing Association (DRA). The DRA also approved grants for charities at its recent meeting. Mr. Jones also reported on Ward 1 residents receiving a letter from one of the Ward 1 Special Election candidates that lists City Council as the return address. Mr. Jones stated that the letter was sent by the candidate, and that City Council is not associated with the letter in any way. Mr. Jones stated that any citizens who are concerned about the letter should express their concerns to the candidate who sent the letter.

Council Member Cavanagh congratulated the Finance Department for their recent award on Excellence in Financial Reporting. Mr. Cavanagh reported that he also attended the MLK breakfast and that he looks forward to future breakfasts where the community can safely gather in-person.

Mayor Buol wished everyone a Happy New Year and advised that citizens continue to practice public health measures including social distancing, wearing masks, and frequently washing hands.

There being no further business, Mayor Buol declared the meeting adjourned at 7:57 p.m.

/s/Adrienne N. Breitfelder
City Clerk