

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

The Dubuque City Council met in special session at 5:00 p.m. on February 15, 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), 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

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 update and Travel Dubuque update.

**WORK SESSIONS (2)
1. COVID-19 Pandemic Update**

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 and Ryan Feller, Self Sufficiency Coordinator
- Greater Dubuque Development Corporation Update: Rick Dickinson, President/CEO
- Community Foundation of Greater Dubuque Update: Jenna Manders, Director of Strategic Relations

The presenters responded to questions from the City Council following their presentations.

This work session concluded at 5:50 p.m.

2. Travel Dubuque Update

Travel Dubuque President and CEO Keith Rahe presented a report from 3rd and 4th quarter of calendar year 2020. Topics included:

- Travel Dubuque Mission
- Travel Related Expenditures
- Hotel/Motel Tax Records and Occupancy
- Impact from COVID-19
- Marketing and Sales Efforts
- Sports and Events

- Guest Services
- Community Engagement
- Inclusivity
- Fiscal Year 2022 Budget

Responding to a question from City Council regarding Travel Dubuque’s efforts to promote Dubuque to residents, Mr. Rahe stated that Travel Dubuque has focused on promoting local opportunities for residents through social media.

There being no further business, Mayor Buol declared the meeting adjourned at 6:22 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 February 15, 2021.

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.

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

PROCLAMATION(S)

1. Captain Robert L. Martin Proclamation (February 2021) was accepted by Dawnelle Gordon, Gabrielle Martin, Dominique Martin, and R.R.S. Stewart on behalf of the Captain Robert L. Martin Commemoration Committee and the Dubuque Branch of the NAACP.

2. Dubuque Eagles Aerie & Auxiliary Month (February 2021) was accepted by Mayor Buol on behalf of the Dubuque Fraternal Order of Eagles.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Sprank. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 2/1; Community Development Advisory Commission of 2/4; Housing Commission of 2/1; Human Rights Commission of 1/11; Library Board of Trustees of 12/17; Library Board of Trustees Council Update #206 on 1/28; Zoning Advisory Commission of 2/3; Proof of Publication of City Council Proceedings of 1/19. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Jennifer Connolly for property damage; Dennis Day for property damage; Ashley Johnson for property damage; Biniv Maskay for personal/property damage. Upon motion the documents were received, filed, and referred to the City Attorney.

3. Disposition of Claims: Dennis Day for property damage and Biniv Maskay for personal/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. 32-21 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. Preliminary Plat of Cedar Ridge Commercial Park: Zoning Advisory Commission recommended approval of the Preliminary Plat of Cedar Ridge Commercial Park. Upon motion the documents were received, filed and approved.

6. Agreement between the City of Dubuque and ITC Midwest, LLC to operate an Electric Transmission System in the City of Dubuque: Senior Counsel recommended adoption of a resolution approving the Agreement authorizing ITC Midwest, LLC to operate an electric transmission system in the City of Dubuque until December 31, 2021. Upon motion the documents were received and filed, and Resolution No. 33-21 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.

7. Accepting a Special Warranty Deed from Roasting Solutions, LLC: City Manager recommended acceptance of a Special Warranty Deed from Roasting Solutions, LLC reconveying the Expansion Property to the City of Dubuque. Upon motion the documents were received and filed, and Resolution No. 34-21 Accepting a Special Warranty Deed from Roasting Solutions, LLC was adopted.

8. Seventh Amendment to Amended and Restated Development Agreement between the City of Dubuque, Iowa, and Dubuque Racing Association, LTD: City Manager recommended approval of the Seventh Amendment to Amended and Restated Development Agreement between the City of Dubuque, Iowa, and Dubuque Racing Association, LTD. Upon motion the documents were received and filed, and Resolution No. 35-21 Approving the Seventh Amendment to Amended and Restated Lease Agreement between the Dubuque Racing Association and the City of Dubuque was adopted.

9. Digmann. vs. City of Dubuque Board of Review 2020 Property Tax Appeal: Senior Counsel provided a copy of the Stipulation of Settlement regarding a tax assessment appeal filed by Steven Digmann with the Property Assessment Appeal Board. Upon motion the documents were received and filed.

10. December 31, 2020 Quarterly Investment Report: City Manager transmitted the December 31, 2020 Quarterly Investment Report. Upon motion the documents were received and filed.

11. Certify 2020 Urban Revitalization Improvements: City Manager recommended approval of a resolution approving property tax abatement applications for 24 residential properties filed in accordance with the Urban Revitalization ordinance and authorizes transmittal to the City Assessor for processing of the tax abatement. Upon motion the documents were received and filed, and Resolution No. 36-21 Approving Property Tax Abatement Applications submitted by property owners in recognized Urban Revitalization Areas and authorizing the transmittal of the approved applications to the City Tax Assessor was adopted.

12. Competitive Revitalize Iowa's Sound Economy (RISE) Application for Road Improvements to the East Entrance to the Dubuque Industrial Center West on Chavenelle Road between the Northwest Arterial and Radford Road: City Manager recommended approval of a resolution endorsing a \$1,876,907 Revitalize Iowa's Sound Economy (RISE) grant application for road improvements to the east entrance to the Dubuque Industrial Center West on Chavenelle Road. Upon motion the documents were received and filed, and Resolution No. 37-21 Endorsing the submission of a Revitalize Iowa's Sound Economy (RISE) application to the Iowa Department of Transportation for roadway improvements to the east entrance of the Dubuque Industrial Center West on Chavenelle Road in the City of Dubuque was adopted.

13. Valentine Park Community Garden Approval: City Manager recommended approval to proceed with a community garden at Valentine Park with community volunteers taking the lead on the project. Upon motion the documents were received, filed and approved.

14. Bee Branch Creek Greenway Featured in Landscape Architect and Specifier News Magazine: City Manager transmitted information on the Bee Branch Creek Greenway being featured in the January 2021 edition of Landscape Architect and

Specifier News Magazine. Upon motion the documents were received and filed.

15. Spahn and Rose Lumber Co. Property Radford Road Right of Way Plat and Dedication: City Manager recommended approval of the Acquisition Plat of Lot A of Lot 2-1 of Wolff Place No. 2, in the City of Dubuque, Iowa, and acceptance of the dedication of said lot for street right of way and public utilities purposes. Upon motion the documents were received and filed, and Resolution No. 38-21 Approving the Acquisition Plat of Lot A of Lot 2-1 of Wolff Place No. 2, in the City of Dubuque, Iowa was adopted.

16. Memo Recording Award of the 2021 Asphalt Overlay Curb Ramp Project 1: City Manager recommended that the award for the 2021 Asphalt Overlay Curb Ramp Project 1 be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

17. Memo Recording Award of the Multicultural Family Center Sidewalk Replacement Project: City Manager recommended that the award for the Multicultural Family Center Sidewalk Replacement Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

18. Chavenelle Road Hike Bike Trail Phase 1 Iowa DOT Project No. EDP-2100(695)-7Y-31 Acceptance of Public Improvement Project CIP 3602273: City Manager recommended acceptance of the public improvement construction contract for the Chavenelle Road Hike-Bike Trail – Phase 1 Project, as completed by Midwest Concrete, Inc., in the final contract amount of \$728,158.12, which is a 14% increase from the original contract amount of \$638,840.15. Upon motion the documents were received and filed, and Resolution No. 39-21 Accepting the Chavenelle Road Hike-Bike Trail – Phase 1 Project Iowa DOT Project No. EDP-2100(695)—7Y-31 and authorizing the payment to the contractor was adopted.

19. Acceptance of Dedication of Sanitary Easement across Jesse E. Kemp and Jessica P. Kemp Property at 3400 Nightengale Lane in Dubuque: City Manager recommended acceptance of a dedication of sanitary easement from Jesse E. Kemp and Jessica P. Kemp for an E1 sewer pump station across property at 3400 Nightengale Lane. Upon motion the documents were received and filed, and Resolution No. 40-21 Accepting the Dedication of Sanitary Easement through, under and across Part of Lot 1 of Julian's Hill, in the City of Dubuque, Iowa was adopted.

20. Agreement with the U.S. Department of the Army for an Engineering Analysis on the Force Main Stabilization Project: City Manager recommended authorization to enter into an agreement with the U.S. Department of the Army in order for the U.S. Army Corps of Engineers to provide a planning and design analysis of the Force Main Stabilization Project. Upon motion the documents were received and filed, and Resolution No. 41-21 Authorizing the execution of an Agreement with the Department of the Army to collaborate on stabilization and protection of the Force Main along the Mississippi River was adopted.

21. Acceptance of Water Main Improvement in the Right of Way Adjacent to Lot 1 and Lot 2 Third Union Addition in the City of Dubuque, Iowa, common address 821 - 877 Oak Street (Routley Property): City Manager recommended acceptance of the public improvements that the developer, Routley Construction, has recently completed in the right-of-way adjacent to 821-877 Oak Street (Routley Property). Upon motion the documents were received and filed, and Resolution No. 42-21 Accepting Public Water Main Improvements in the Row Adjacent to Lot 1 and Lot 2 Third Union Addition in the City of Dubuque, Iowa, Common Address 821 -887 Oak Street (Routley Property) was adopted.

22. Signed Contract(s): Asbury Road Fiber Optic Collaboration - Phase 2 Project; Chaplain Schmitt Island Fiber Option Collaboration Project. Upon motion the documents were received and filed.

23. Update of Mutual Aid Agreement with East Dubuque: City Manager recommended approval to update the Mutual Aid Agreement with the East Dubuque Fire Department to address fire and EMS responses. Upon motion the documents were received, filed and approved.

24. 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. 43-21 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

Motion by Jones 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 Resnick. Motion carried 7-0.

1. Human Rights Commission Request for Commissioner Removal: Human Rights Commission requested City Council schedule a public hearing to remove Commissioner Ashley Regan from the Human Rights Commission pursuant to Title 8, Chapter 2, Section 8-2-6 of the Human Rights Ordinance. Upon motion the documents were received and filed, and Resolution No. 44 -21 Setting a Public Hearing on the intent to consider the removal of a commissioner from the Human Rights Commission was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 1, 2021.

[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.]

PUBLIC HEARINGS

1. Request to Rezone 7869 Commerce Park: Proof of publication on notice of public hearing to consider approval of a request from Kevin Oberbroeckling to rezone property located at 7869 Commerce Park from CS Commercial Service and Wholesale zoning district to C-3 General Commercial zoning 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 Sprank. Planning Services Manager Wally Wernimont provide a staff report. 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. 3-21 Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property located at 7869 Commerce Park from CS Commercial Service and Wholesale District to C-3 General Commercial District. Seconded by Sprank. Motion carried 7-0.

2. Proceedings for Public Hearing on the Issuance of Not to Exceed \$1,600,000, Sewer Revenue Capital Loan Notes (Interim Financing) State Revolving Funds, Planning and Design Loan Applications: Proof of publication on notice of public hearing to consider approval of the suggested proceedings for a public hearing on the of the issuance of not to exceed \$1,600,000 in Sewer Revenue Capital Loan Notes (Interim Financing) State Revolving Loan Fund Program, the proceeds of which will be used to pay planning and design costs for Auburn and Custer, Center Place Area, Maiden Lane Area, Hawthorne to Fengler Street “track Line” sewer, Catfish Creek Lift Station and Force Main, and Sanitary Asset Management Master Plan projects, and City Manager recommended approval. Motion by Jones to receive and file the documents and adopt Resolution No. 45-21 Instituting proceedings to take additional action for the authorization of Loan and Disbursement Agreements and the issuance of not to exceed \$1,600,000 Sewer Revenue Capital Loan Notes; Resolution No. 46-21 Approving and authorizing a form of Interim Loan and Disbursement Agreement by and between the City of Dubuque, Iowa, and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of \$970,000 Sewer Revenue Capital Loan Notes Anticipation Project Note, Series 2021A, of the City of Dubuque, Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of said Notes; Resolution No. 47-21 Approving and authorizing a form of Interim Loan and Disbursement Agreement by and between the City of Dubuque, Iowa, and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of \$350,000 Sewer Revenue Capital Loan Notes Anticipation Project Note, Series 2021B, of the City of Dubuque, Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of said Notes; and Resolution No. 48-21 Approving and authorizing a form of Interim Loan and Disbursement Agreement by and between the City of Dubuque, Iowa, and the Iowa Finance Authority, and authorizing

and providing for the issuance and securing the payment of \$160,000 Sewer Revenue Capital Loan Notes Anticipation Project Note, Series 2021C, of the City of Dubuque, Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of said Notes. Seconded by Resnick. 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. Set Public Hearing for Resolution Establishing Maximum Property Tax Dollars for Fiscal Year 2022: City Manager recommended the Fiscal Year 2022 Resolution Establishing Maximum Property Tax Dollars be set for public hearing on March 1, 2021. Motion by Resnick to receive and file the documents, adopt the resolution, set the public hearing as indicated, and direct the City Clerk to publish notice as prescribed by law. Seconded by Roussell. City Clerk Breitfelder stated for the record that City Council received updated information regarding this agenda item on February 15, 2021, and the updated information was uploaded to the agenda. City Manager Van Milligen provided information on both his initial and updated recommendation to City Council. City Manager Van Milligen responded to questions from the City Council regarding how the budget relates to Council's goals, the purpose of the General Reserve Fund, the State of Iowa's recent change to the amount that multi-residential properties are assessed, and the City's plan to not add to the reserve fund this year. Jennifer Larson, Director of Finance and Budget, responded to a question from the City Council regarding when the 2021 revaluation of property values would impact taxes. City Council requested clarification on whether they would be able to lower the assessed value rate after this Council meeting and if the current motion needed to be amended to state the assessed value. City Manager Van Milligen stated that Council would only be able to lower the assessed value rate after this meeting. City Clerk Breitfelder stated that the current resolution and motion specify setting the date of the public hearing. Council Member Resnick amended his motion to receive and file the documents, adopt Resolution No. 49-21 Setting a public hearing on the Fiscal Year 2022 maximum property tax dollars for the affected tax levy total, set the public hearing as indicated, direct the City Clerk to publish notice as prescribed by law, and set the property tax rate per the revised recommendation at \$9.98607. Seconded by Roussell. Motion failed 2-5 with Lynch, Cavanagh, Jones, Sprank and Buol voting nay. Motion by Jones to receive and file the documents, adopt Resolution No. 49-21, set the public hearing as indicated,

direct the City Clerk to publish notice as prescribed by law, and set the property tax rate at \$10.0496. Seconded by Cavanagh. Motion carried 5-2 with Resnick and Roussell voting nay. The adoption of the resolution sets a public hearing for a meeting to commence at 6:30 p.m. on March 1, 2021.

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2. Community Development Block Grant (CDBG) Microenterprise Funds: Grant Administration Agreement for the Low- and Moderate-Income (LMI) Business Assistance Grant Program: City Manager recommended approval of a Grant Administration Agreement with The Fountain of Youth Program to administer a grant program using Community Development Block Grant (CDBG) Microenterprise funding for the benefit of existing businesses operated by low- and moderate-income individuals in the City of Dubuque. Motion by Resnick to receive and file the documents and adopt Resolution No. 50-21 Approving a Grant Administration Agreement with The Fountain of Youth Program to administer the Low- And Moderate-Income Small Business Assistance Grant Program. Seconded by Jones. Motion carried 7-0.

3. Long Range Planning Advisory Commission and Housing Commission Membership Ordinance Modifications: City Manager recommended City Council approval of two ordinances for cross representation on the Long Range Planning Advisory Commission and Housing Commission. 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. Responding to a question from the City Council regarding the Housing Trust Fund Advisory Commission, City Attorney Brumwell stated that the City is looking to transfer the commission to a non-profit. Once this transition is confirmed, there will be further changes to the Code regarding the Commission. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 4-21 Amending City of Dubuque Code of Ordinances Title 15 Planning and Zoning, Chapter 2 Long Range Planning Advisory Commission, Sections 15-2-5 Membership and 15-2-7 Terms and Ordinance No. 5-21 Amending City of Dubuque Code of Ordinances Title 2 Boards and Commissions, Chapter 5 Housing Agency and Community Development Commissions, Article B Housing Commission, Sections 2-5B-5 Membership And 2-5B-7 Terms. Seconded by Resnick. Motion carried 7-0.

4. 2020 Equity Report and 2021-2023 Equity Plan: City Manager transmitted the 2020 Equity Report and the 2021-2023 Equity Plan. Motion by Roussell to receive and file the information and view the presentation. Seconded by Cavanagh. Human Rights Director Kelly Larson and Organizational Equity Coordinator Collins Eboh provided a presentation on the Equity Report. Topics included: community equity areas; leading

with race; 2020 major accomplishments; City of Dubuque 2021-2023 equity plan; equitable fine and fee reform; municipal internships; and support for minority owned businesses. Responding to a question from City Council regarding the areas of the plan that Council and City staff should prioritize, Ms. Larson stated that fine and fee reform and data analysis for equity indicators were high priority areas of the plan. Motion carried 7-0.

5. Resilient Community Advisory Commission Letter: City Manager transmitted correspondence from the Resilient Community Advisory Commission regarding the Climate Action Plan. Motion by Cavanagh to receive and file the information. Seconded by Jones. City Council discussed their interest in determining how to better utilize the diverse expertise of the commissioners, the suggestions in the City Manager's memo serving as good areas of direction for the commission, and suggesting the commission participate in the City's budget hearings to provide input on allocating funds. City Manager Van Milligen stated the commission has an opportunity to educate the public on resiliency and suggested the commission work with businesses, schools, and other entities to provide the community with a better understanding of resiliency. Motion carried 7-0.

6. 2021 Federal Legislative Priorities: City Manager recommended City Council adoption of the 2021 Federal Legislative Priorities. Motion by Cavanagh to receive and file the information and approve the priorities. Seconded by Roussell. City Manager Van Milligen introduced former Assistant City Manager Teri Goodmann. Ms. Goodmann provided a high-level summary of the priorities based on her volunteer work with Department Managers and partners to develop the priorities. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Mayor Buol advised citizens to continue following health guidelines and stay healthy.

There being no further business, Mayor Buol declared the meeting adjourned at 9:01 p.m.

/s/Adrienne N. Breitfelder
City Clerk

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