

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

The Dubuque City Council met in special session at 5:00 p.m. on May 3, 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, Farber, Jones, 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 to receive updates on cyber security and the COVID-19 pandemic.

**WORK SESSIONS (2)
1. CYBER SECURITY UPDATE**

Information Services Manager Chris Kohlmann provided a cyber security update. Topics included:

- Threat Landscape: In the News
- Threat Landscape: Statistics
- Components of a Cyber Attack
- Motive of a Cyber-Threat
- Best Practices:
 - Prevention
 - Public Wifi
 - Phish response
 - How to Spot a Scam
 - Information Sharing
 - Data and Device Sharing
- Equity Impact by Age
- Cybersecurity and Race
- Addressing the Risk
- Fiscal Year 2021 Action Steps
- Fiscal Year 2021 Capital Improvement Projects having Cyber Security Impact
- Fiscal Year 2022 Recommended Improvement Requests having Cyber Security Impact
- Fiscal Year 2022 Capital Improvement Projects having Cyber Security Impact

This work session concluded at 5:29 p.m.

2. COVID-19 PANDEMIC MONTHLY 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

- Update on vaccine distribution, call center and outreach to marginalized communities: Rick Steines, Fire Chief; Cori Burbach, Assistant City Manager; and Kelly Larson, Human Rights Director.
- Community Partner Presentations: Jenna Manders, Director of Strategic Relations at the Community Foundation of Greater Dubuque

The presenters responded to questions from the City Council following their presentations. City Council expressed interest in coordinating with the Dubuque County Board of Supervisors on the sunset date of the Face Covering Ordinance. Mayor Buol requested the next City Council meeting contain an agenda item or work session related to the Face Covering Ordinance.

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 May 3, 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, Farber, Jones, Resnick, Rousell, 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

SWEARING IN

1. Swearing-In - Mayor Pro Tem Sprank: Mayor Buol administered the Oath of Office to Mayor Pro Tem Danny Sprank.

PRESENTATION(S)

1. Women's Leadership Network - Woman of Achievement Awards: This item was rescheduled to the May 17, 2021 City Council Meeting.

2. Iowa and Minnesota Campus Compact Engaged Campus Award Winners: Human Rights Director Kelly Larson presented the Iowa and Minnesota Campus Compact Engaged Campus Awards to Temwa Phiri, Community Engagement Coordinator; Mallory Gardiner, Loras College student and Chair of the Dubuque Human Rights Commission; Emma Earles, Loras College student; and Dr. Jake Kurczek, PhD, Loras College Assistant Professor of Neuroscience and Psychology.

PROCLAMATION(S)

1. Preservation Month Proclamation was accepted by Bill Doyle on behalf of the Historic Preservation Commission.

2. Public Works Week Proclamation (May 16-22, 2021) was accepted by Arielle Swift, Assistant Public Works Director, on behalf of the Public Works Department.

3. Bike Week Proclamation (May 17-23, 2021) was accepted by David Klavitter on behalf of behalf of Dupaco and Tri-State Trail Vision.

CONSENT ITEMS

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

1. Minutes and Reports Submitted: City Council Proceedings of 4/19; Arts and Cultural Affairs Commission of 3/23; Library Board of Trustees Council Update of 4/22; Proof of Publication for City Council Proceedings of 3/15, 4/5, and 4/6; Proof of Publication for List of Claims and Summary of Revenues for Month Ending 3/31. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Andy Bradley for vehicle damage; Allyssa Krier for vehicle 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: Andy Bradley for vehicle damage; Allyssa Krier 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. 133-21 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. Resolution Approving the Consent to Assignment and Assumption in the Matter of the Development Agreement by and among the City of Dubuque, Giese Properties, L.L.C., and Giese Manufacturing Company, Inc.: City Manager recommended approval of the consent to the assignment by the Developer, Giese Properties, L.L.C., of its rights and obligations in the Development Agreement dated April 19, 2021, by and among the City of Dubuque, Giese Properties, L.L.C., and Giese Manufacturing Company, Inc., to MBMSD, LLC. Upon motion the documents were received and filed and Resolution No. 134-21 Approving the assignment of the Development Agreement by and among the City of Dubuque, Giese Properties, L.L.C. and Giese Manufacturing Company, Inc by Giese Properties, L.L.C. to MBMSD, LLC was adopted.

6. First Amendment to Grant Agreement between the City of Dubuque and Friends of Paradise Church to Redevelop Property at 2501 Jackson Street: City Manager recommended City Council approval of a First Amendment to Grant Agreement between the City of Dubuque and Friends of Paradise Church for rehabilitation of 2501 Jackson Street. Upon motion the documents were received and filed and Resolution No. 135-21 Approving the First Amendment to Grant Agreement between the City of Dubuque, Iowa and Friends of Paradise Church was adopted.

7. University of Iowa Data Transfer and Use Agreement: City Manager recommended approval for the Bee Branch and Healthy Homes Program to enter into a Data Transfer and Use Agreement with the University of Iowa. Upon motion the documents were received and filed and Resolution No. 136-21 Approving a Data Transfer and Use Agreement with the University of Iowa for the National Disaster Resiliency Grant Review requested by the US Department of Housing and Urban Development was adopted.

8. FY2022 Planning Services Department - Increased Fees (4%): City Manager recommended approval of a 4% increase for Fiscal Year 2022 Planning Services Department fees. Upon motion the documents were received and filed and Resolution No. 137-21 Rescinding Resolution No. 46-18, Establishing a Schedule of Development Services Fees, and adopting in lieu thereof a new Schedule of Development Services Fees as provided in Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code was adopted.

9. Recommendation in Response to City of Sageville Annexation Proposal: City Manager transmitted information about the City of Sageville annexation history and recommends that the City Council direct the City Manager to forward this information onto the City Development Review Board. It is further recommended, regarding the most recent annexation request from the Sageville City Clerk/Treasurer, that the City of Dubuque take a neutral position (neither for nor against) the proposed annexation. Upon motion the documents were received, filed and approved.

10. Thank You Letter to Greater Dubuque Development Corporation (GDDC) from the Dubuque County Public Health Incident Management Team (IMT): Correspondence from the Dubuque County Public Health Incident Management Team (IMT) acknowledging Greater Dubuque Development Corporation (GDDC) and its partners in assisting the IMT with vaccination of essential workers in the community. Upon motion the documents were received and filed.

11. Improvement Contracts / Performance, Payment and Maintenance Bonds: 2021 Asphalt Overlay Ramp Project Two; 2021 Asphalt Overlay Ramp Project Three; Eagle Point Park Bridge Pavilion Roof Replacement Project. Upon motion the documents were received, filed and approved.

12. Signed Contract(s): Vendor Service Agreement with Graymont Western Lime for Eagle Point Water Plant High Calcium Quicklime. Upon motion the documents were received and filed.

13. DuRide Financial Support Related to Free Rides to COVID-19 Vaccine Clinics: City Manager recommended a one-time payment to DuRide for \$5,000, recognizing them for the free rides they have been providing all Dubuque area residents to COVID-19 vaccine clinics. Upon motion the documents were received, filed and approved.

14. Acceptance of the City Hall Sidewalk Heating Boilers and Sensor System: City Manager recommended acceptance of the construction contract for the City Hall Sidewalk Heating Boilers and Sensor System, as completed by Portzen Construction, in the final contract amount of \$77,106. Upon motion the documents were received and filed and Resolution No. 138-21 Accepting the City Hall Sidewalk Heating Boilers and Sensor System and authorizing the payment to the contractor was adopted.

15. Dubuque Smart Traffic Routing with Efficient & Effective Traffic System (STREETS) Project Vendor Selection: City Manager recommended approval of the selection of PARSONS as the consultant to provide services to design and implement the Smart Traffic Routing with Efficient & Effective Traffic System (STREETS) project and authorize initiation of contract negotiations with PARSONS. Upon motion the documents were received, filed and approved.

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. 139-21 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 Resnick to receive and file the documents, adopt the resolutions, and set the public hearings as indicated. Seconded by Farber. Motion carried 7-0.

1. Agreement with Affordable Housing Network Inc (AHNI) for Re-Development of Bishop Block, 90 Main Street: City Manager recommended the City Council set a public hearing for May 17, 2021 on a Development Agreement with Affordable Housing Network Inc (AHNI) for the re-development of Bishop Block, 90 Main Street. Upon motion the documents were received and filed and Resolution No. 140-21 Intent to dispose of an interest in City of Dubuque real estate pursuant to a Development Agreement with Affordable Housing Network, Inc. providing for the release of a mortgage and 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 May 17, 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.]

BOARDS/COMMISSIONS

Applications were reviewed for the following Boards and Commissions. Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

1. Zoning Advisory Commission: One, 3-Year term through July 1, 2023 (Vacant term of Smith) Applicant: Teri Zuccaro, 1765 Plymouth Ct. *This commission is subject to the State of Iowa Gender Balance Law. 7 Commissioners total; currently 3 males/3 females/1 opening*

Appointments were made to the following commission:

1. Human Rights Commission: One, 3-Year term through January 1, 2022 (Vacant term of Hammel Jr.) Applicants: Jake Kurczek, 1110 Victoria Pl.; Nichole Weber, 535 South Grandview Ave. *This commission is subject to the State of Iowa Gender Balance Law. 9 Commissioners total; currently 3 males/5 females/1 opening.* Upon roll call vote, the City Council unanimously appointed Mr. Kurczek to the 3-year term.

PUBLIC HEARINGS

1. Fiscal Year 2021 Second Budget Amendment: Proof of publication on notice of public hearing to consider City Council approval of the second Fiscal Year 2021 Budget Amendment, which amends the Fiscal Year 2021 budget for City Council actions since the first amendment to the Fiscal Year 2021 budget was adopted in September 2020 and adjustments to reflect new grants, and City Manager recommended approval. Motion by Jones to receive and file the documents and adopt Resolution No. 141-21 Record of Hearing and Adoption of Budget

Amendment. Seconded by Cavanagh. Staff stated that no online public input had been received for this item. Motion carried 7-0.

2. Sale of City-Owned Property at 1659 Iowa Street: Proof of publication on notice of public hearing to consider City Council approval of the disposition of City-owned real property located at 1659 Iowa Street to GT Investments for \$100, and City Manager recommended approval. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 142-21 Disposing of City interest in real estate located at 1659 Iowa Street, in the City of Dubuque, Iowa. Seconded by Roussell. Tim Johnstad, 1255 Southern Ave., questioned the low price of the property sale and requested the City Council reject this proposal and issue a new RFP. Housing and Community Development Director Alexis Steger stated that this property must be rehabilitated quickly due to the roof collapsing. City Manager Van Milligen stated that the City often acquires properties that are not in a good state, frequently leading to demolishing the properties or paying property owners to acquire them. City Attorney Brumwell provided an overview of the petition process. City Council expressed concern over acquiring properties with significant disrepair and referenced City Council's recent discussions on historic properties. Motion carried 7-0.

3. 2021 Asphalt Overlay Ramp Project 4: Proof of publication on notice of public hearing to consider City Council approval of the plans, specifications, form of contract and the estimated cost of \$196,699.29 for the 2021 Asphalt Overlay Ramp Project 4, and City Manager recommended approval. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 143-21 Approval of plans, specifications, form of contract, and estimated cost for the 2021 Asphalt Overlay Ramp Project 4. Seconded by Sprank. Staff stated that no online public input had been received for 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 and the City Clerk email account. Tim Johnstad, 1255 Southern Ave., requested City Council modify the Face Covering Ordinance to a strong mask recommendation, and referenced recent recommendations from the Centers for Disease Control (CDC).

ACTION ITEMS

1. Dubuque Community School District Recognition of Mary Rose Corrigan: City Manager transmitted correspondence from Stan Rheingans, Superintendent of Dubuque Community School District, recognizing Public Health Specialist Mary Rose Corrigan for her service as the district's primary liaison with the Dubuque County Public Health Incident Management Team. Motion by Resnick to receive and file the information. Seconded by Roussell. Motion carried 7-0.

2. 2021 Ken Kringle Awards Presentation: Historic Preservation Commission Chairperson Bill Doyle and Assistant Planner Chris Olson gave a power point presentation on the 2021 Ken Kringle Award winners. Locations of the award winners were: 245 West 1st Street-Montana House; 278 West 17th Street – Howie Block; 2501 Jackson Street; 2243 Central Avenue; 1175 Langworthy Street – Whitney House; 1638 Central Avenue. Motion by Resnick to receive and file the information and view the presentation. Seconded by Cavanagh. Motion carried 7-0.

3. Moody's Investors Service Credit Opinion Report on General Obligation Bonds: City Manager submitted the credit opinion report from Moody's Investors Service on the outstanding general obligation bonds in conjunction with the issuance of Series 2021A and Series 2021B general obligation bonds. Motion by Cavanagh to receive and file the information. Seconded by Farber. Motion carried 7-0.

4. Proceedings for Directing Sale of \$29,395,000 Tax Exempt General Obligation Bonds, Series 2021A and \$12,495,000 Taxable General Obligation Bonds, Series 2021B and Awarding Bonds to Best Bidder: City Manager recommended City Council approval of the suggested proceedings for directing sale of the \$29,395,000 Tax Exempt General Obligation Bonds, Series 2021A and \$12,495,000 Taxable General Obligation Bonds, Series 2021B and awarding bonds to the best bidder. Motion by Resnick to receive and file the documents and adopt Resolution No. 144-21 Directing sale of \$29,395,000* (subject to adjustment per terms of offering) General Obligation Bonds, Series 2021A; Resolution No. 145-21 Directing Sale of \$12,945,000* (subject to adjustment per terms of offering) Taxable General Obligation Bonds, Series 2021B; Resolution No. 146-21 Authorizing the Redemption of Outstanding General Obligation Urban Renewal Bonds, Series 2012A, of the City of Dubuque, State of Iowa, dated March 15, 2012, and directing notice be given; Resolution No. 147-21 Authorizing the Redemption of Outstanding General Obligation Bonds, Series 2012B, of the City of Dubuque, State of Iowa, dated March 15, 2012, and directing notice be given; Resolution No. 148-21 Authorizing the Redemption of Outstanding General Obligation Bonds, Series 2012E, of the City of Dubuque, State of Iowa, Dated December 10, 2012, and directing notice be given; Resolution No. 149-21 Authorizing the Redemption of Outstanding General Obligation Urban Renewal Bonds, Series 2012H, of the City of Dubuque, State of Iowa, dated December 10, 2012, and directing notice be given; Resolution No. 150-21 Authorizing the Redemption of Outstanding Taxable General Obligation Bonds, Series 2012C, of the City of Dubuque, State of Iowa, dated June 28, 2012, and directing notice be given; Resolution No. 151-21 Authorizing the Redemption of Outstanding Taxable General Obligation Bonds, Series 2012F, of the City of Dubuque, State of Iowa, dated December 10, 2012, and directing notice be given; Resolution No. 152-21 Authorizing the Redemption of Outstanding General Obligation Capital Loan Notes, Series 2014B, of the City of Dubuque, State of Iowa, dated December 8, 2014, and directing notice be given; Resolution No. 153-21 Authorizing the Redemption of Outstanding Taxable General Obligation Capital Loan Notes, Series 2014C, of the City of Dubuque, State of Iowa, dated December 8, 2014, and directing notice be given. Seconded by Jones. Director of Finance and Budget Jenny Larson introduced Tionna Pooler, President of Independent Public Advisors, who provided a verbal presentation on the award of bids. Motion carried 7-0.

5. Proposed Change to Building Code Amendments Modifying Window Sill Height Requirements for Existing Properties: City Manager recommended City Council approval of an amended ordinance to adopt changes to the International Property Maintenance Code and the International Existing Building Code. 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 Cavanagh. City Council expressed support of the amendments as a solution to necessary changes that considers the City's diverse housing inventory. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 17-21 Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article J Property Maintenance Code, Section 14-1J- 2 International Property Maintenance Code Amendments; and Ordinance No. 18-21 Amending City of Dubuque

Code of Ordinances Title 14 Building and Development, Chapter 1 Building Codes, Article K International Existing Building Code, Section 14-1K-2 International Existing Building Code Amendments. Seconded by Cavanagh. Motion carried 7-0.

6. Greater Dubuque Development Corporation - Board of Directors Membership: Correspondence from the Greater Dubuque Development Corporation requesting confirmation of City of Dubuque representation on it's Board of Directors for terms starting July 1, 2021 through June 30, 2022. Motion by Roussell to receive and file the information and refer to City Council. Seconded by Farber. Council Members Roussell and Resnick both confirmed their interested in continuing to serve on the Board of Directors. Council Member Jones suggested Council Member Roussell amend the motion to re-appoint the members currently serving on the Board of Directors. Council Member Roussell amended the motion for Mr. Resnick and herself to continue serving in their roles on the Board of Directors. Seconded by Farber. Motion carried 7-0.

7. City Council Salary Compensation Review Process Initiation: City Clerk submitted information for initiating the process of reviewing City Council salary compensation beginning January 1, 2022. Motion by Cavanagh to receive and file the information and refer to the City Council. Seconded by Sprank. City Council discussed the history, previous recommendations, and significance of the City Council Compensation Task Force. Mayor Buol requested each City Council Member provide the name and contact information of their selected representative to the City Clerk by May 17. Point of Order by Cavanagh that his original motion was to receive and file the information and refer to City Council. Council Member Cavanagh requested clarification from Mayor Buol if he should amend his motion to reference the process. After receiving confirmation from the Mayor, Council Member Cavanagh amended his motion to receive and file the information and initiate the City Council Compensation discussion using the previous process for determining Compensation. Seconded by Sprank. Motion carried 7-0.

8. City Council Hybrid Meetings in Council Chambers: City Clerk transmitted information for initiating the discussion of City Council returning to Council Chambers for City Council meetings in a hybrid meeting format. Motion by Cavanagh to receive and file the information and refer to the City Council. Seconded by Farber. City Clerk Breitfelder responded to questions from the City council regarding the process for selecting City Council voting order and security in Council Chambers. Council Members expressed support of the hybrid meeting proposal. Mayor Buol requested additional information, including a potential date for implementing this option, at the next City Council Meeting. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Sprank reported on the Farmer's Market occurring this past Saturday and the Labor Harvest's Annual Food Giveaway occurring this Saturday. Council Member Cavanagh reported on his recent attendance at the Iowa League of Cities Executive Board Meeting and the discussion centering around the challenges and responses to COVID-19.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:35 p.m. to discuss pending litigation and purchase or sale of real estate – Chapter 21.5(1)(c),(j) Code of Iowa. Seconded by Resnick. 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 Les Reddick. Motion carried 7-0.

Upon motion, the City Council reconvened in open session at 9:37 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Buol declared the meeting adjourned at 9:38 p.m.

/s/Adrienne N. Breitfelder
City Clerk

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