

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

The Dubuque City Council met in special session at 5:00 p.m. on July 19, 2021 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

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

This was a special session of the City Council called for the purpose of conducting work sessions on The Four Mounds Foundation and Childcare Challenges and Progress.

**WORK SESSIONS (2)**

1. Four Mounds Foundation

Four Mounds Foundation staff Becky Bodish, Program Director, Jill Courtney, Executive Director and Allen Goodman Miller, Development Consultant shared information on their past, current and future work, and initiatives. Topics included:

- Restoring People. Restoring Place
- Mission:
  - Educate. Preserve. Partner. Serve.
- Demographics
- Final Outcomes
- Heart Build Dubuque Pathways
- Vision For Four Mounds & Heart
- Access & Educational Improvement Plan
- Partnership Evolution

Mayor Buol called a recess at 5:20 while waiting for presenters to arrive.

Mayor Buol reconvened the Work Session for Childcare challenges and progress at 5:45.

2. Childcare Challenges and Progress

Economic Development Director Jill Connors, along with several local childcare stakeholders/partners; Abigail Degenhardt, Dubuque County Early Childhood, Tara Roddick, Childcare Resource & Referral, Rick Dickinson, President and CEO Greater Dubuque Development Corp., Wendy Mihm-Herold, Northeast Iowa Community College, and Paul Duster, Community Foundation of Greater Dubuque presented an update on current challenges and progress to date to having sufficient quality, affordable childcare in Dubuque. Topics included:

- Quality Childcare Is Essential
  - Brain Development
  - School Readiness
  - Reduced Stress
  - Needed For Economic Infrastructure
  - Current Workforce –Attract and Retain

- Future Workforce –Proper Brain Development, Education
- What Are the Challenges
  - High Cost for Parents
  - Low Wage for Providers = Turnover Rate Of 60% -94%
  - Transportation Barriers
- Local Coalition's Current Initiatives
- Local Successes
- City of Dubuque Involvement
- Next Steps

There being no further business, Mayor Buol declared the meeting adjourned at 6:27 p.m.

/s/Trish L. Gleason, Assistant City Clerk

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

The Dubuque City Council met in regular session at 6:30 p.m. on July 6, 2021 in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

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 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. Eagles "Eyes on the Future" Citizens of the Year Award: Michael Duehr, Chairman of the Eagles "Eyes on the Future" Committee, presented the Eagles "Eyes on the Future" Citizens of the Year Award to Michael and Nancy Van Milligen.

**PROCLAMATION(S)**

1. Main Street Public/Private Partnership Week Proclamation was accepted by Dan LoBianco, Dubuque Main Street and by Kathy LaPlante, Main Street America on behalf of Dubuque Main Street and Main Street America.

2. US Highway 20 Medal of Honor Highway Proclamation was accepted by American Legion 2<sup>nd</sup> Vice Commander and Past Commander Bob Felderman on behalf of American Legion Post 6 of Dubuque.

**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 7/6; Cable TV Commission of 5/12; Community Development Advisory Commission of 6/6; Zoning Advisory Commission of 7/7; Zoning Board of Adjustment of 6/24; Proof of Publication for City Council Proceedings of 6/21 and 6/23. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Allison Lott for property damage; Janet Smith for property damage: Upon motion the documents were received, filed, and referred to the City Attorney.

3. Disposition of Claims: City Attorney advising that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: Allison Lott for property damage; Janet Smith for property damage; Michael and Jane Thorne 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. 238-21 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 Fund Transfers for Capital Projects and Other Expense Reimbursements in Fiscal Year 2021 – Period 13: City Manager recommended approval of the suggested proceedings approving a transfer of funds for capital projects and other expense reimbursements. Upon motion the documents were received and filed, and Resolution No. 239-21 Authorizing the Director of Finance and Budget to make the appropriate interfund transfers of sums and record the same in the appropriate manner for the FY 2021 for the City of Dubuque, Iowa was adopted.

6. Letter to Iowa Federal Legislators regarding Opportunity Zones: City Manager providing a copy of a letter to be sent to Iowa Federal Legislators regarding the Opportunity Zone program. Upon motion the documents were received and filed.

7. Intent to Apply for 2021 JAG Justice Assistance Grant Application: City Manager recommended approval to apply for the 2021 JAG Justice Assistant Grant Application. Upon motion the documents were received and filed.

8. First Amendment to Grant Agreement Between the City of Dubuque and K&L Leasing, LLC. for the Rehabilitation of 701 Bluff Street: City Manager recommended approval of a First Amendment to Grant Agreement between the City of Dubuque and K&L Leasing, LLC. for rehabilitation of 701 Bluff Street, which extends the completion date to December 31, 2021. Upon motion the documents were received and filed, and Resolution No. 240-21 Approving the First Amendment to Grant Agreement between the City of Dubuque, Iowa and K&L Leasing, LLC was adopted.

9. First Amendment to Grant Agreement Between the City of Dubuque and HG APT, LLC for the Rehabilitation of 2887 Central Avenue: City Manager recommended approval of a First Amendment to Grant Agreement between the City of Dubuque and HG APT, LLC for rehabilitation of 2887 Central Avenue, which extends the completion date to August 31, 2021. Upon motion the documents were received and filed, and Resolution No. 241-21 Approving the First Amendment to Grant Agreement between the City of Dubuque, Iowa, and HG APT, LLC was adopted.

10. Fiscal Year 2022 Historic Resources Development Program (HRDP) Grant Agreement for Dubuque's Black Heritage Survey: City Manager recommended approval of the FY 2022 \$30,000 grant agreement through the Historic Resources Development Program (HRDP) grant program to help the City undertake Dubuque's Black Heritage Survey. Upon motion the documents were received and filed, and Resolution No. 242-21 Approving HRDP Grant Agreement with the Iowa Department of Cultural Affairs for Dubuque's Black Heritage Survey was adopted.

11. Preliminary Plat of Country View Estates: Zoning Advisory Commission recommended approval of the Preliminary Plat of Country View Estates. Upon motion the documents were received, filed, and approved.

12. Pre-Annexation Agreement - Ronald W. and Jessalynn J. Breiner, Country View Estates: City Manager recommended approval of a Pre-Annexation Agreement with Ronald W. and Jessalyn J. Breiner, property owners, for approximately 83.7 acres of property located along Hales Mill Road (Parcels # 1007200003, 1007200006, 1007300005, 1007300006, 1007400001, 1007400002, 1007400010) located within two miles of the City of Dubuque corporate limits. Upon motion the documents were received and filed, and Resolution No. 243-21 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Ronald W. and Jessalynn J. Breiner was adopted.

13. Pre-Annexation Agreement – Genesis Three Holdings, LLC: City Manager recommended approval of a Pre-Annexation Agreement with Genesis Three Holdings, LLC., for approximately 31-acre parcel located at 15016 Depot Ridge in Dubuque County, in conjunction with their request to connect to City water. Upon motion the

documents were received and filed, and Resolution No. 244-21 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Genesis Three Holdings, LLC was adopted.

14. Pre-Annexation Agreement - Mark J. McClain, Ridge View Acres: City Manager recommended approval of a Pre-Annexation Agreement with Mark J. McClain, property owner, for approximately 23.78 acres of property located at the intersection of Derby Grange Road and Hales Mill Road, parcels 1007300011 and 1007400006 located within two miles of the City of Dubuque corporate limits. Upon motion the documents were received and filed, and Resolution No. 245-21 Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Mark J. McClain was adopted.

15. Final Plat of Ridge View Acres: City Manager recommended approval of the final plat of Ridge View Acres. Upon motion the documents were received and filed, and Resolution No. 246-21 Approving the Final Plat of Ridge View Acres in Dubuque County, Iowa was adopted.

16. Southwest Arterial Project: Dubuque County Intergovernmental 28E Funding Agreement Request to Approve Amendment No. 2: City Manager recommended authorization for the mayor to execute Amendment No. 2 to the original 2013 Intergovernmental 28E Funding Agreement with Dubuque County for the Southwest Arterial Project. Upon motion the documents were received and filed, and Resolution No. 247-21 Approving an Intergovernmental 28E Funding Agreement Amendment No. 2 between the City of Dubuque and Dubuque County for the Southwest Arterial Project was adopted.

17. Acceptance of a Grant of Easement for Water Main Utility over James L. Schneider and Sharon M. Schneider Property in Dubuque, Iowa, as part of the Simpson-Southgate Water Main Extension Project: City Manager recommended acceptance of a Grant of Easement for Water Main Utility across James L. Schneider and Sharon M. Schneider property being part of the Lot 1-1-1 of Potterveld Place, in the City of Dubuque, Dubuque County, Iowa, as part of the Simpson-Southgate Water Main Extension Project. Upon motion the documents were received and filed, and Resolution No. 248-21 Accepting a Grant of Easement for Water Main Utility through, over and across part of Lot 1-1-1 of Potterveld Place, in the City of Dubuque, Dubuque County, Iowa was adopted.

18. 2021 Pavement Marking Project (CIP 3002245): City Manager recommended award of the public improvement construction contract to the only bidder, SELCO, Inc., in the amount of \$182,104.92, which is 7.8% under the engineer's estimate. Upon motion the documents were received and filed, and Resolution No. 249-21 Awarding Public Improvement Contract for the 2021 Pavement Marking Project was adopted.

19. Chavenelle Road Water Valve Project: City Manager recommended that the award for the Chavenelle Road Water Valve Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed, and made a Matter of Record.

20. Wood Street Sanitary / Water Project: City Manager recommended that the award for the Wood Street Sanitary/Water Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed, and made a Matter of Record.

21. Snow Removal Assessment: City Manager recommended City Council approval of a resolution providing for the establishment of the final assessments for the 2020-2021 Snow Removal from City Right-of-Way. Upon motion the documents were received and filed, and Resolution No. 250-21 Adopting the Final Assessment Schedule for the 2020 – 2021 Snow Removal Assessment – Right-Of-Way Obstruction Removal Assessment Project was adopted.

22. Signed Contract(s): American Queen Steamboat Company Inc. for Docking Agreement at the Port of Dubuque - American Trust River's Edge Plaza; Celebration Belle for Docking Agreement at Port of Dubuque - Alliant Plaza Docking Facility; Robin Dodd for management of Miller Riverview Park and Campground and Dubuque Water Sports Club; Morton Salt, Inc for Public Works Ice Control Road Salt; WHKS & Co. for the Burlington and National Water Main Replacement Project 2021. Upon motion the documents were received and filed.

23. Housing and Community Development Director Alexis Steger featured in bizTimes: City Manager providing a copy of the July 2021 issue of bizTimes in which Housing and Community Development Director Alexis Steger is featured. Upon motion the documents were received and filed.

24. Alcohol and Tobacco License Applications: City Manager recommended approval of annual liquor, beer, wine and tobacco license applications as submitted. Upon motion the documents were received and filed, and Resolution No. 251-21 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 and Resolution No. 252-21 Approving applications for retail cigarette/tobacco sales/nicotine/vapor permits, as required by Iowa Code Chapter 453A.47A were 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 as recommended by the City Manager. Seconded by Sprank. Motion carried 7-0.

Request no 1 to schedule a Public Hearing on Simmons Pet Food, Inc.: Subordination of Consent Rights Under Development Agreement, Payment Direction and Estoppel Certificate: Upon motion the Resolution No. 253-21 Intent to dispose of an interest in real property by Subordination of Consent Rights Under Development Agreement, Payment Direction and Estoppel Certificate with Simmons Pet Foods, Inc. and Request no. 2 to schedule a Public Hearing on Orchard Drive, Cider Ridge and Jonathan Dr. Water Main Project 2021: Initiate Public Bidding and Set the Public Hearing Date: Upon the same motion Resolution No. 254-21 Preliminary approval of plans, specifications, form of contract, and estimated cost; setting date of public hearing on plans, specifications, form of contract, and estimated cost; and ordering the advertisement for bids were adopted setting both public hearings for a meeting to commence at 6:30 p.m. on August 2, 2021.

### **BOARDS/COMMISSIONS**

Appointments were made to the following boards/commissions.

Motion by Jones to appoint Danita Grant, 2479 LaVista Ct. to One, 3-Year term through February 15, 2024 (Vacant term of Wainwright) on the Community Development Advisory Commission. Seconded by Farber. Motion carried 7-0.

Upon Council concurrence, Mayor Buol appointed Greg Gorton, 1295 Prairie St. to One, 4-Year term through July 1, 2025 (Expiring term of Gorton) on the Library Board of Trustees.

### **PUBLIC HEARINGS**

1. Request to Rezone Lot D of Rustic Point Estates (End of Lasso Court) - Quasi-Judicial Rezoning Request: Proof of publication on notice of public hearing to consider City Council approval of a request from Buesing and Associates, Inc. to rezone property located at Lot D of Rustic Point Estates (End of Lasso Court) from R-1 Single-Family Residential to PUD Planned Unit Development with a PR Planned Residential designation to accommodate a 35-unit single-family residential development, 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. Developer and owner of Vintage-Cooperatives, Jeff Ewing and Patrick Norton representing Buesing and Associates responded to many questions by the City Council. Seconded by Resnick. Motion failed 4-3 with Farber, Roussell, and Resnick voting nay.

Motion by Jones to receive, file, and approve the first reading of a proposed ordinance amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, rezoning a portion of Lot D Rustic Point Estates Subdivision from R-1 Single Family Residential District to PUD Planned Unit Development with a PR Planned Residential Designation for the Vintage Estates of Dubuque Development. Seconded by Resnick. Motion carried 7-0.

## **ACTION ITEMS**

1. Chavenelle Road - Northwest Arterial to Radford Road Reconstruction Project: City Manager recommended award of the construction contract to the low bidder, Horsfield Construction, Inc., in the amount of \$1,864,873.50, which is 29.35% under the estimate of probable cost. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 255-21 Awarding Public Improvement Contract for the Chavenelle Road – NW Arterial to Radford Road Reconstruction Project. Seconded by Farber. Motion carried 6-0 as Council Member Jones had stepped away from the dais momentarily.

2. City Utility Bill Delinquency, Returning to Normal Operations: City Manager recommended a process to use federal American Rescue Plan Act (ARPA) funds to assist with certain overdue City utility accounts and return the Water/City Utility Billing Department to normal operations. Motion by Cavanagh to receive and file the documents and approve. City Staff Responded to questions from the City Council. Seconded by Roussell. Motion Carried 7-0.

3. Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) Infrastructure Planning Grant Application: City Manager recommended approval to submit a \$2,112,000 application to the U.S. Department of Transportation for the Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) Infrastructure Planning Grant to assist with the planning and design of a multimodal transportation corridor project for proposed improvements to the Elm Street corridor, the 16<sup>th</sup> Street corridor, and the proposed 14<sup>th</sup> Street Railroad Overpass bridge project. Motion by Resnick to receive and file the documents and adopt Resolution No. 256-21 Approving application for Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) Grant Funding for the planning and design of a Multimodal Transportation Corridor Project for proposed improvements to the Elm Street Corridor, 16<sup>th</sup> Street Corridor and the proposed 14<sup>th</sup> Street Railroad Overpass Project. Staff responded to questions from the City Council. Seconded by Farber. Motion carried 7-0.

4. Intent to Apply for National Endowment for the Arts American Rescue Plan Local Arts Agencies for Subgranting Funding Program: City Manager recommended approval to submit a \$500,000 grant application to the National Endowment for the Arts (NEA)

American Rescue Plan (ARP) Local Arts Agencies for Subgranting funding program. Motion by Roussell to receive, file, and approve. Seconded by Cavanagh. Motion carried 7-0.

5. Fiscal Year 2022 Arts & Culture Special Projects Grant Funding Recommendation: City Manager recommended City Council concurrence with the Arts & Cultural Affairs Advisory Commission's recommendations to fund the FY 2022 Special Project grant applications. Motion by Jones to receive, file, and concur. Seconded by Resnick. Motion carried 7-0.

6. Agreement with Community Solutions of Eastern Iowa for Rapid Rehousing: City Manager recommended City Council approval of an Agreement with Community Solutions of Eastern Iowa for an expanded Rapid Rehousing Program with CARES Act funds allocation of \$163,968. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 257-21 Approving an Agreement with Community Solutions of Eastern Iowa for the Rapid Rehousing Program. Seconded by Sprank. Motion carried 7-0.

7. Proceedings for Directing Sale of \$3,720,000 Water Revenue Refunding Bonds, Series 2021C and Awarding Bonds to Best Bidder: City Manager recommended City Council approval of the suggested proceedings for directing sale of the \$3,720,000 Water Revenue Refunding Bonds, Series 2021C and awarding bonds to the best bidder. Motion by Jones to receive and file the documents and adopt Resolution No. 258-21 Directing Sale of \$3,720,000\* (subject to adjustment per terms of offering) Water Revenue Refunding Bonds, Series 2021C and Resolution No. 259-21 Authorizing the redemption of outstanding Water Revenue Bonds, Series 2008D, of the City of Dubuque, State of Iowa, dated November 4, 2008, and directing notice be given and Resolution No. 260-21 Authorizing the redemption of outstanding Water Revenue Bonds, Series 2010D, of the City of Dubuque, State of Iowa, dated September 21, 2010, and directing notice be given. Seconded by Farber. Motion carried 7-0.

8. June 2021 Bee Branch Creek Railroad Culverts Project Update Video: The Public Information Office will show a video of the Bee Branch Creek Railroad Project. Motion by Sprank to receive and file the information and view the video. Seconded by Jones. Motion carried 7-0.

## **COUNCIL MEMBER REPORTS**

Council Member Roussell reported that she had attended the National League of Cities Conference and that the mulching event put on by Trees Forever was a big success.

Council Member Jones stated that had he been at the dais to vote on Action Item No. 1, he would have voted in the affirmative. Additionally, he reported that the Historic US Highway 20 Auto Trail signage is posted, and the informal dedication was informative and fun.

Council Member Resnick reported he had attended the production of Roald Dahl's Matilda and will be attending Brigadoon at the Grand Opera House and how important the arts are to the community.

Council Member Sprank thanked the Dubuque Police Department on their speedy response to the tragedy that occurred over the weekend.

## **CLOSED SESSION**

Motion by Jones to convene in closed session at 8:38 p.m. to discuss pending litigation and purchase or sale of real estate – Chapter 21.5(1)(c),(j) Code of Iowa. Seconded by Cavanagh. Mayor Buol stated for the record that the attorney who will



consult with City Council on the issues to be discussed in the closed session is City Attorney Crenna Brumwell. 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 9:39 p.m.

/s/Trish L. Gleason, Assistant City Clerk

1t 7/28