

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

The Dubuque City Council met in special session at 5:00 p.m. on August 16, 2021, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol (attended via phone); Mayor Pro Tem Sprank (chaired the meeting due to Mayor Buol's attendance via phone); Council Members Cavanagh, Farber, Jones, Resnick, Roussell; City Manager Van Milligen (attended via phone), City Attorney Brumwell.

Mayor Pro Tem Sprank read the call and stated this is a special session of the City Council called for the purpose of conducting work sessions on the Inclusive Dubuque quarterly update and Black Hills Energy project updates.

WORK SESSIONS (2)

1. Inclusive Dubuque Quarterly Update

Staff from the Community Foundation of Greater Dubuque presented the Inclusive Dubuque 2nd Quarter 2021 report. Paul Duster, Director of Community Initiatives, and Clara Lopez Ortiz, Equity Coordinator, made a presentation. Topics included:

- Vision and Values
- Business Leader Equity Cohort
- Recent Inclusive Dubuque Activities
- New Diversity, Equity and Inclusion (DEI) Resources
- Future Initiatives

Ms. Ortiz displayed the inclusivedubuque.org website and discussed the DEI toolkit and the Cultural Resource Guide webpages.

The presenters responded to questions from the City Council regarding the targeted audience for the DEI toolkit, defining equity, and plans for the youth employment coalition.

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

2. Black Hills Energy Project Updates

Representatives from Black Hills Energy provided updates on recent projects and potential partnerships that support the city's climate action goals. Jeff Staudenmaier, Eastern Iowa Operations Manager; Nicole Breitbach, Senior Community Affairs Manager; and Katie Fleming, Director of Sustainability and ESG, made a presentation. Topics included:

- Safe Digging
- Iowa Gas
- Statistics Across Iowa in 2020
- Environmental Stewardship
- Sustainability at Black Hills Energy
- Clean Energy Goals
- Electric Utilities
- Natural Gas Utilities

- Natural Gas Emissions Reduction Strategies
- EPA Methane Challenge
- Renewable Gas Energy (RNG)
- Energy Efficiency
- Emerging Technology
- Dubuque Energy Study
- Dubuque Home Heat Energy Mix
- Impact of Residential Electrification on Electricity use in Iowa

The presenters responded to questions from the City Council regarding electric charging stations, Black Hills Energy's partnership with the Dubuque Metropolitan Area Solid Waste Agency (DMASWA), future initiatives, best practices in other communities, and recommendations for home efficiency.

There being no further business, Mayor Pro Tem Sprank declared the meeting adjourned at 6:19 p.m.

/s/Adrienne N. Breitfelder
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 August 16, 2021, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Buol (attended via phone); Mayor Pro Tem Sprank (chaired the meeting due to Mayor Buol's attendance via phone); Council Members Cavanagh, Farber, Jones, Resnick, Roussell; City Manager Van Milligen (attended via phone), City Attorney Brumwell.

Mayor Pro Tem Sprank 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

CONSENT ITEMS

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

1. Minutes and Reports Submitted: City Council Proceedings of 8/2 and 8/9; Civil Service Commission of 7/15; Five Flags Civic Center Commission of 7/26; Library Board of Trustees of 5/27 and 6/24; Library Board of Trustees Update of 7/22; Zoning Board of Adjustment of 7/22; Proof of Publication for City Council Proceedings of 7/19; Proof of Publication for List of Claims and Summary of Revenues for month ended 6/30. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Ken Hanson for vehicle damage; Luke Morarend for vehicle damage; John Sweeney 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: Masud Hamid for personal injury; Ken Hanson for vehicle damage; Luke Morarend for vehicle damage; John Sweeney 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. 277-21 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. New Gillig and Para Transit Buses To Be Displayed at City Council Meeting on September 7, 2021: City Manager transmitted information about four new 29-foot Heavy Duty Gillig buses purchased in the spring of 2020, and seven new Ford Glaval Universal Gas minibuses purchased in the spring of 2021. One bus of each style will be displayed in front of the Historic Federal Building at 4:30 pm on September 7, 2021, to allow City Council Members and citizens an opportunity to explore these new buses. Upon motion the documents were received and filed.

6. Recommend Approval of Service Agreement with Vermont Systems Inc. for Park and Recreation Management System: City Manager recommended approval of the Service Agreement with Vermont Systems Inc. for the new Park and Recreation Management System. Upon motion the documents were received, filed and approved.

7. Five Flags Civic Center Commission Correspondence to City Council: Correspondence from the Five Flags Civic Center Commission (FFCCC) regarding the Five Flags reconstruction project. Upon motion the documents were received and filed.

8. Approval to Execute Agreement for City of Dubuque AmeriCorps Program: Creating Opportunities: City Manager recommended approval to execute an agreement for the City of Dubuque AmeriCorps Program: Creating Opportunities grant award in the amount of \$110,000. Upon motion the documents were received, filed and approved.

9. Interim Management Agreement With Dubuque Community Ice & Recreation, Inc.: City Manager recommended approval of a one-month (August 2021) Interim Management Agreement with Dubuque Community Ice & Recreation, Inc. Upon motion the documents were received, filed and approved.

10. Miracle League of Dubuque Naming Recognition Signage Approval: City Manager recommended approval of the naming recognition signage to be placed at the Miracle League of Dubuque Complex. Upon motion the documents were received, filed and approved.

11. Iowa Department of Inspections and Appeals New Interagency Agreement: City Manager recommended approval of the 28E agreement with the Iowa Department of Inspections and Appeals for inspection, licensing, and enforcement for the period July 1, 2021-June 30, 2024. Upon motion the documents were received, filed and approved.

12. Flood Control Levee Repair Project Contract Award - CIP 7202155: City Manager recommended that the award for the Flood Control Levee Repair Project be officially recorded in the minutes of the City Council. Upon motion the documents were received, filed and made a Matter of Record.

13. Notice of Appeals for 2021 Assessments: Correspondence from Troy Patzner, City Assessor, informing the City Council of five appeals from the Dubuque City Board of Review decisions for the 2021 assessment of values. Upon motion the documents were received and filed.

14. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panels: Correspondence from Luis V. Rodriguez, P.E., Director of Engineering and Modeling Division from the Federal Insurance and Mitigation Administration, stating that the Federal Emergency Management Agency (FEMA) has issued revised Flood Insurance Rate Map (FIRM) panels within the city. Upon motion the documents were received and filed.

15. Iowa Department of Transportation Five-Year (2021-2026) Agreement for Maintenance and Repair of Primary Roads in Municipalities: City Manager recommended approval of the execution of the Five Year (2021-2026) Agreement for Maintenance and Repair of Primary Roads in Municipalities between the Iowa Department of Transportation and the City of Dubuque. Upon motion the documents were received, filed and approved.

16. Approval of Plat of Survey of Lot 14A of O'Hare's Subdivision, in the City of Dubuque, Iowa For Vacating Petition (University of Dubuque Grace Street Vacate Agreement): City Manager recommended approval of the Plat of Survey of Lot 14A of O'Hare's Subdivision in the City of Dubuque, Iowa. Upon motion the documents were received and filed, and Resolution No. 278-21 Approving plat of proposed vacated portion of Grace Street, in the City of Dubuque, Iowa, to be known as Lot 14A of O'hare's Subdivision, in the City of Dubuque, Iowa was adopted.

17. Final Plat of Stone Brook Center Third Addition: City Manager recommended approval of the Final Plat of Stone Brook Center Third Addition as it is in compliance with the City of Dubuque's Unified Development Code. Upon motion the documents were received and filed, and Resolution No. 279-21 Authorizing approval of the Final Plat of Stone Brook Center Third Addition in the City of Dubuque, Iowa was adopted.

18. Final Plat of Country View Estates: City Manager recommended approval of the final plat of Country View Estates subject to allowing 22-foot paving width for Hales Mill Road, and waiving Sections 11-20 Water Supply, 11- 21 Sanitary Sewer, 11-23 Obligation to Install Improvements, and 11-24 Improvement Guarantees. Upon motion the documents were received and filed, and Resolution No. 280-21 Approving the final plat of Country View Estates in Dubuque County, Iowa was adopted.

19. Final Plat of Rustic Point Estates #2: City Manager recommended approval of the Final Plat of Rustic Point Estates #2 as it is in compliance with the City of Dubuque's Unified Development Code and the City's policy for sustainability points when receiving public assistance. Upon motion the documents were received and filed, and Resolution No. 281-21 Authorizing approval of the Final Plat of Rustic Point Estates #2 in the City of Dubuque, Dubuque County, Iowa was adopted.

20. Liquor License Renewals: City Manager recommended approval of annual beer, liquor and wine licenses as submitted. Upon motion the documents were received and filed, and Resolution No. 282-21 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 Jones. Motion carried 7-0.

1. Proceedings for Public Hearing on the Issuance of Not to Exceed \$290,000, Sewer Revenue Capital Loan Notes (Interim Financing) State Revolving Funds, Planning and Design Loan Applications: City Manager recommended that a public hearing be set for September 7, 2021, on the proposition of selling not to exceed \$290,000 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 High Strength Waste Receiving & Storage Project. Upon motion the documents were received and filed, and Resolution No. 283-21 Fixing date for a meeting on the authorization of a Loan and Disbursement Agreement and the issuance of not to exceed \$290,000 Sewer Revenue Capital Loan Notes of the City of Dubuque, Iowa, and providing for publication of notice thereof was adopted, setting a public hearing for a meeting to commence at 6:30 p.m. on September 7, 2021, in the Historic Federal Building.

2. Petition to Vacate a portion of Grace Street, in the City of Dubuque, Iowa University of Dubuque - Grace Street Vacate Agreement: City Manager recommended that a public hearing be set for September 7, 2021 on the disposal of Lot 14A of O'Hare's Subdivision for a purchase price of \$80,491.50, plus publication and filing fees. Upon motion the documents were received and filed, and Resolution No. 284-21 Intent to vacate a portion of Grace Street, in the City of Dubuque, Iowa, to be known as Lot 14A of O'Hare's Subdivision, in the City of Dubuque, Iowa was adopted, setting a public hearing for a meeting to commence at 6:30 p.m. on September 7, 2021, in the Historic Federal Building.

3. Sale of City-owned property at 654 Clarke Drive: City Manager recommended the City Council set a public hearing for September 7, 2021, on the disposition of City-owned real property located at 654 Clarke Drive to Torrent Property Management LLC for the amount of \$35,250. Upon motion the documents were received and filed, and Resolution No. 285-21 Intent to dispose of an interest in City of Dubuque real estate to Torrent Property Management LLC, 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 September 7, 2021, in the Historic Federal Building.

4. Resolution of Necessity for the Amendment of the Dubuque Industrial Center Economic Development District Urban Renewal Plan, Version 2021.4: City Manager recommended City Council approval of a Resolution of Necessity that finds that an Amended and Restated Urban Renewal Plan for the Dubuque Industrial Center Economic Development District is both necessary and appropriate and sets a public hearing on the proposed amendment for September 20, 2021. Upon motion the documents were

received and filed, and Resolution No. 286-21 Authorizing and directing the City Manager to prepare an Amended and Restated Urban Renewal Plan for the Dubuque Industrial Center Economic Development District and setting dates for the public hearing and consultation process on the proposed Amended and Restated Urban Renewal Plan for said district was adopted, setting a public hearing for a meeting to commence at 6:30 p.m. on September 20, 2021 in the Historic Federal Building.

5. Resolution of Necessity for the Amendment of the Dubuque Industrial Center Economic Development District Urban Renewal Plan, Version 2021.5: City Manager recommended City Council approval of a Resolution of Necessity that finds that an Amended and Restated Urban Renewal Plan for the Dubuque Industrial Center Economic Development District is both necessary and appropriate and sets a public hearing on the proposed amendment for September 20, 2021. Upon motion the documents were received and filed, and Resolution No. 287-21 Authorizing and directing the City Manager to prepare an Amended and Restated Urban Renewal Plan for the Dubuque Industrial Center Economic Development District and setting dates for the public hearing and consultation process on the proposed Amended and Restated Urban Renewal Plan for said district was adopted, setting a public hearing for a meeting to commence at 6:30 p.m. on September 20, 2021, in the Historic Federal Building.

BOARDS/COMMISSIONS

1. Boards and Commission Appointments: Appointments were made to the following commissions.

i. Historic Preservation Commission: One, 3-Year term through July 1, 2024 (Vacant term of Klavitter). Applicant: Tim Gau 2529 Windsor Ave. *This commission is subject to the State of Iowa Gender Balance Law. 9 Commissioners total; currently 4 males/2 females/3 openings. *Openings were advertised for 90 days while non-male identifying applicants were sought in adherence with Iowa Code 69.16A Gender Balance. Additional openings on the commission are being advertised for 90 days while nonmale identifying applicants are sought in adherence with Iowa Code 69.16A Gender Balance.* Motion by Cavanagh to appoint Mr. Gau to the three-year term through July 1, 2024. Seconded by Roussell. Motion carried 7-0.

ii. Housing Commission: Three, 3-Year terms through August 17, 2024 (Expiring terms of Dalton, Weitz and Wooden). Applicants: Hilary Dalton, 1629 Washington St.; Gail Weitz, 1630 Lori Ct.; and Sam Wooden, 1135 Rosedale Ave. Motion by Jones to appoint Ms. Dalton, Ms. Weitz, and Mr. Wooden to the three-year terms through August 17, 2024. Seconded by Farber. Motion carried 7-0.

iii. Housing Trust Fund Advisory Committee: One, 3-Year term through August 17, 2024 (Expiring term of Becwar). Applicant: Michelle Becwar, 2115 Coates St. Motion by Jones to appoint Ms. Becwar to the three-year term through August 17, 2024. Seconded by Resnick. Motion carried 7-0.

ACTION ITEMS

1. Grant Application for the U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA) Funding for the Deployment of Broadband Infrastructure: City Manager recommended the City Council submit an application to the National Telecommunications and Information Administration (NTIA) for funding for the Deployment of Broadband Infrastructure for deployment of broadband internet services in the project area containing portions of Census Tracts 1, 3, 4 and 5. Motion by Jones to receive and file the documents and adopt Resolution No. 288-21 Approving Application for U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA) Funding for the deployment of Broadband Infrastructure. Seconded by Roussell. Information Services Manager Chris Kohlmann and ImOn Communications Vice President of Network Operations & Engineering Bernard Dutchik made a presentation. Topics included: NTIA's Broadband Infrastructure Program; Dubuque Community Equitable Poverty Reduction and Prevention Plan; Digital equity; Affordability; Accessibility; Analysis; Snapshot of proposed project area; Covered partnerships; and Removal of barriers. The presenters responded to questions from the City Council regarding the selection process for the broadband provider and confirmed that there is no cost to the city for this program. Dave Lyons, Sustainable Innovation Consultant with Greater Dubuque Development Corporation (GDCC), responded to questions via phone regarding the city and GDCC's partnership with ImOn Communications, best practices for training the community on technology, and opportunities to engage the community about broadband. City Council members expressed support for the program and stated the importance of expanding broadband access in the community. Motion carried 7-0.

2. Amendment to City of Dubuque Code of Ordinances Title 4 Business and License Regulations, Chapter 2 Liquor Control: City Clerk recommended City Council adoption of an ordinance amending Title 4 Business and License Regulations, Chapter 2 Liquor Control to coincide with the Iowa Alcoholic Beverage Division's documentation and fee procedures and to authorize the City Clerk's Office to issue provisional approval for new and renewal applicants prior to regularly scheduled City Council meetings when the applicants have met all provisions of the city and state codes. 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 Farber. City Clerk Breitfelder summarized the changes that would result from the ordinance amendment and responded to questions from the City Council regarding the approval process for liquor license applications. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 29-21 Amending 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, Sections 4-2B-7 Proof of Financial Responsibility, 4-2B-8 Fees and Surcharges, and 4-2B-9 Action by Council; forwarding of documents to state. Seconded by Farber. Motion carried 7-0.

3. Pledge Agreement and Letter of Support: City Manager recommended approval of a Pledge Agreement and Letter of Support for inclusion in the Minnesota Board of Water

and Soil Resources' application for a USDA Natural Resources Conservation Service Conservation Innovation Grant. Motion by Cavanagh to receive and file the documents and approve the agreement and letter. Seconded by Resnick. Motion carried 7-0.

4. Orchard Drive, Cider Ridge and Jonathan Lane Water Main Project 2021 Award Resolution: City Manager recommended award of the contract for the Orchard Drive, Cider Ridge and Jonathan Lane Water Main Project 2021 to the low bidder, Temperley Excavating, in the amount of \$432,316.50. Motion by Jones to receive and file the documents and adopt Resolution No. 289-21 Awarding Public Improvement Contract for the Jonathan Lane, Cider Ridge and Orchard Drive Water Main Replacement Project 2021. Seconded by Roussell. Water Department Manager Christopher Lester responded to a question from the City Council regarding changes to the bid amount. Motion carried 7-0.

5. Intent to Apply for Expansion of Four Mounds Park: Acquisition of Four Mounds Farm and Negotiate Purchase Agreement: City Manager recommended City Council approval to apply for expansion of Four Mounds Park: acquisition of Four Mounds Farm, a 40.47-acre farm located at 4392 Peru Road, and authorize the City Manager to negotiate a purchase agreement with the Four Mounds Foundation. Motion by Cavanagh to receive and file the documents and adopt Resolution No. 290-21 Authorizing the Mayor to execute an application for the expansion of Four Mounds Park: acquisition of Four Mounds Farm and authorizing the Leisure Services Manager and the City Manager to approve the application. Seconded by Farber. Park Division Manager Stephen Fehsal responded to a question from the City Council regarding plans for FDR park. City Council members expressed support for the potential expansion of Four Mounds and suggested a work session be scheduled in the future to review the Master Plan for FDR park. Motion carried 7-0.

6. City Fiscal Year 2022 Update to Dubuque County REAP 5-Year Plan and City Council Representative to REAP Committee: City Manager recommended City Council approval of the City of Dubuque's Fiscal Year 2022 update to the Dubuque County 5-Year REAP Plan and confirm City Council Member Danny Sprank as the City's representative to the County REAP Committee. Motion by Jones to receive and file the documents and approve the recommendation. Seconded by Resnick. Mayor Pro Tem Sprank confirmed that he would like to continue serving on the REAP Committee. Motion carried 7-0.

7. Question & Answer Follow-up to August 2 Work Session on the City's 2021-2023 Equity Plan: City Manager requested time on the August 16, 2021, City Council agenda for follow-up questions from the August 2, 2021, work session on the City's 2021-2023 Equity Plan. Motion by Cavanagh to receive and file the documents and refer to City Council for discussion. Seconded by Resnick. Human Rights Director Kelly Larson responded to questions from the City Council on the equity plan's relationship to other city plans and methods to track progress. Ms. Larson stated that additional data collection for the equitable fine and fee reform project will be important. Responding to a question from the City Council, City Attorney Brumwell stated that court fine and fee reform was a

legislative priority for the past two years, and that court data is tracked through the state judicial branch at the county level. Responding to a question from the City Council, Housing and Community Development Director Alexis Steger stated that the city continues discussions with local organizations to potentially create a volunteer group to assess properties. In response to a question from the City Council about the new Director of Shared Prosperity role, City Manager Van Milligen stated that the Equitable Poverty Reduction and Prevention Plan advised that a city staff person was needed for implementation of the plan's recommendations. Responding to a question from the City Council, Chief of Police Mark Dalsing stated that city staff plan to begin the hiring process for the Community Diversion and Prevention Coordinator position in the next few months. Motion carried 7-0.

8. City of Dubuque Summer 2021 AmeriCorps Core Values Video: Media Services showed a video highlighting the Summer 2021 AmeriCorps Program. Motion by Roussell to receive and file the information and view the video. Seconded by Farber. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones complimented the team responsible for the recent Field of Dreams game in Dyersville. Mr. Jones also reported on the Miracle League of Dubuque ribbon cutting ceremony and the recent passing of Mike Ironside.

Mayor Pro Tem Sprank also reported on the Miracle League of Dubuque ribbon cutting ceremony and stated that Crescent Community Health Center also had a ribbon cutting recently.

There being no further business, Mayor Pro Tem Sprank declared the meeting adjourned at 8:07 p.m.

/s/Adrienne N. Breitfelder
City Clerk

1t 8/25