

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

The Dubuque City Council met in regular session at 6:30 p.m. on March 6, 2023, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6<sup>th</sup> Street.

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

Mayor Cavanagh 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**

City Clerk Breitfelder announced that Public Hearing No. 2: Public Hearing for Sale of City-Owned Property at 612 Lincoln Avenue, was removed from the meeting.

**PRESENTATION(S)**

1. 2023 Governor's Arts Award for Arts Service Recognition for Arts & Cultural Affairs Manager Jenni Petersen-Brant: David Schmitz, Administrator with the Iowa Arts Council; and Nick Halder, Chair of the Arts and Cultural Affairs Advisory Commission, recognized Arts & Cultural Affairs Manager Jenni Petersen-Brant for receiving a 2023 Governor's Arts Award for Arts Service.

**PROCLAMATION(S)**

1. Irish American Heritage Month (March 2023) was accepted by Patrick Leonard on behalf of the Ancient Order of Hibernians Dubuque Division #2.

2. National Kidney Month (March 2023) was accepted by Mary and Barry Murphy on behalf of the National Kidney Foundation.

3. AmeriCorps Week (March 12 - 18, 2023) was accepted by AmeriCorps and Volunteer Services Coordinator Sarah Berna and Community Impact Director Heather Satterly on behalf of the City of Dubuque AmeriCorps Program.

4. Honey Bee Day (March 16, 2023) was accepted by H.R. Cook on behalf of the Iowa Honey Producers Association and Swiss Valley Bee Club.

**CONSENT ITEMS**

Council Member Jones requested Item No. 5 be held for separate discussion. Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated, except for Item No. 5. Seconded by Wethal. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of 2/20/23 and 2/21/23; Civil Service Commission of 2/8/23 and 2/20/23; Resilient Community Advisory Commission of

1/5/23 and 2/2/23; Proof of Publication for City Council Proceedings of 2/6/23. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Brenda Atkinson for property damage; Jacqueline Budde for vehicle damage; Colin Hollenback for vehicle damage; Victor Mowery for vehicle damage; Tonia Nicholson for vehicle damage; Wayne Ramaker for vehicle 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: Brenda Atkinson for property damage; Jacqueline Budde for vehicle damage; Steven Grutzmacher for property damage; Colin Hollenback for vehicle damage; Michael Lange for vehicle damage; John Lockwood for vehicle damage; Victor Mowery for vehicle damage; Tonia Nicholson for vehicle damage; Wayne Ramaker for vehicle damage. Upon motion the documents were received, filed, and concurred.

4. Approval of City Expenditures: Upon motion the documents were received and filed, and Resolution No. 57-23 Authorizing the Chief Financial Officer/City Treasurer to make certain payments of bills that must be paid and approved for payment in accordance with City procedures was adopted.

5. Announcement of Solid Waste Agency Administrator Ken Miller serving as incoming President of the North American Hazardous Materials Management Association (NAHMMA): Council Member Jones congratulated Solid Waste Agency Administrator Ken Miller for serving as incoming President of NAHMMA. Motion by Jones and receive and file the documents. Seconded by Roussell. Motion carried 7-0.

6. 2023 Asphalt Overlay Curb Ramp Project 2: Upon motion the documents were received, filed, and made a matter of record.

7. Submittal of Fiscal Year 2022/Program Year 2021 Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER): Upon motion the documents were received and filed, and Resolution No. 58-23 Acknowledging the submission of a Consolidated Annual Performance and Evaluation Report (CAPER) for the period commencing July 1, 2021 and concluding June 30, 2022 was adopted.

8. Community Development Block Grant Fiscal Year 2023 Annual Action Plan Amendment #1: Upon motion the documents were received and filed, and Resolution No. 59-23 Adopting the Fiscal Year 2023 (Program Year 2022) Community Development Block Grant (CDBG) Annual Action Plan Amendment #1 was adopted.

9. Notice of Award and Request for Execution of Agreement for Volunteer DBQ: City Volunteer Engagement Initiative: Upon motion the documents were received, filed, and approved.

10. Assistance to Firefighters Grant: Upon motion the documents were received, filed, and approved.

11. Menard Inc. Property Tax Appeal Stipulation of Settlement: Senior Counsel transmitted

notice of a stipulation of settlement and the proposed settlement agreement for a property tax appeal filed by Menard Inc. for their property located at 5300 Westside Drive. Upon motion the documents were received and filed.

12. Mediacom Communications Corporation Correspondence on Rate Adjustments: Correspondence from Lee Grassley, Senior Manager of Government Relations for Mediacom Communications Corporation, informing the city of rate adjustments being implemented on or about April 1, 2023. Upon motion the documents were received and filed.

13. Approval of 2022 City Council Official Proceedings: Upon motion the documents were received, filed, and approved.

14. Approval of Retail Alcohol Licenses: Upon motion the documents were received and filed, and Resolution No. 60-23 Approving applications for retail alcohol licenses, 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 Roussell to receive and file the documents, adopt the resolutions, and set the public hearings as indicated. Seconded by Farber. Motion carried 7-0.

1. Vacating of a portion of certain Sanitary Sewer Easements across a Part of Lot 1 of Dubuque Industrial Center 14th Addition, in the City of Dubuque, Iowa: Upon motion the documents were received and filed and Resolution No. 61-23 Intent to vacate and dispose of City interest in a portion of Easements for Sanitary Sewer Utilities over and across a part of Lot 1 of Dubuque Industrial Center 14th Addition, in the City of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on March 20, 2023 in the Historic Federal Building.

2. Resolution of Necessity for the Proposed Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal District, Version 2023.1: Upon motion the documents were received and filed and Resolution No. 62-23 Authorizing and directing the City Manager to prepare an Amended and Restated Urban Renewal Plan, Version 2023.1 for the Greater Downtown Urban Renewal District and setting the date for a public hearing and consultation on the proposed Amended and Restated Urban Renewal Plan, Version 2023.1 for said district was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on April 3, 2023 in the Historic Federal Building.

### **PUBLIC HEARINGS**

1. Petition to Vacate and Dispose of City Interest a portion of the Stoneman Road Right of Way, in the City of Dubuque, Iowa for Vacation Petition (to Hills and Dales Childhood Development Center) as part of the Stoneman Road Reconstruction Project: Motion by Resnick to receive and file the documents and adopt Resolution No. 63-23 Vacating a portion of Stoneman Road, in the City of Dubuque, Iowa, known as Lot 2-2-1-2-1-2-2-2-2-2-B of the Northeast Quarter of the Northeast Quarter of Section 28, T89N, R2E of the 5th P.M., in the City of Dubuque, Iowa; and Resolution No. 64-23 Disposing of City interest in Lot 2-2-1-2-1-2-2-2-2-2-B of the Northeast Quarter of the Northeast Quarter of Section 28, T89N, R2E of the

5th P.M., in the City of Dubuque, Iowa. Seconded by Wethal. City Council Members expressed enthusiasm for the project and partnership with the Hills and Dales Childhood Development Center. Motion carried 7-0.

### **ACTION ITEMS**

1. Greater Dubuque Development Corporation - Quarterly Update: Motion by Roussell to receive and file the documents and listen to the presentation. Seconded by Farber. President and CEO Rick Dickinson presented the quarterly update on the activities of the Greater Dubuque Development Corporation and responded to questions from the City Council. Motion carried 7-0.

2. Request to Reschedule Public Hearing on Fiscal Year 2024 City Budget: City Manager Van Milligen requested this item be removed from the meeting, as city staff anticipate that the public hearing can occur on the originally scheduled date of March 23, 2023.

3. Authorize City Manager to negotiate a final agreement with the selected consultant for the Eagle Valley, Westbrook, & English Ridge Subdivision Park Development, Jackson Park Restrooms and Amenities, & Murphy and Madison Park Playground Replacement Design and Construction Management Services Request for Proposal: Motion by Sprank to receive and file the documents and approve authorizing the City Manager to negotiate a final agreement with the selected consultant of the Request for Proposal (RFP) for the Eagle Valley, Westbrook, & English Ridge Subdivision Park Development, Jackson Park Restrooms and Amenities, & Murphy and Madison Park Playground Replacement Design and Construction Management Services. Seconded by Wethal. City Council Members relayed public input provided to them in support of the proposed park developments and stated that parks are an important amenity for workforce attraction and retention. Motion carried 7-0.

4. City of Dubuque Employment Recruitment Brochure: Motion by Roussell to receive and file the documents. Seconded by Jones. City Council Members complimented the brochure. Motion carried 7-0.

5. Request for Work Session: Dubuque Regional Bicycle & Pedestrian Plan: Motion by Jones to receive and file the documents and schedule the work session for Monday, March 20, 2023, at 6:00 p.m. Seconded by Sprank. No schedule conflicts were expressed. Motion carried 7-0.

6. Request for Work Session: Carnegie-Stout Public Library Strategic Plan: Motion by Jones to receive and file the documents and schedule the work session for Monday, April 3, 2023, at 6:00 p.m. Seconded by Roussell. No schedule conflicts were expressed. Motion carried 7-0.

7. Second Annual Dubuque Police Department Awards & Recognition Night Video: Motion by Farber to receive and file the documents and view the video. Seconded by Roussell. Media Services showed a video of the Dubuque Police Department's second annual awards and recognition ceremony that honors members of the police force that go above and beyond in service to the community, complete acts beyond the call of duty, perform acts which an officer placed his/her life in jeopardy, and carry out other heroic measures. This video was produced by Media Services staff in the Public Information Office and can be viewed at: <https://www.youtube.com/watch?v=0QxEP8t2FQA>. Motion carried 7-0.

8. Dubuque Fire Academy Begins Video: Motion by Jones to receive and file the documents and view the video. Seconded by Resnick. Media Services showed a video of Dubuque Fire Department candidates beginning an 8-week training course, which covers policies and procedures, equipment handling, and everything needed to serve the Dubuque community. This video was produced by Media Services staff in the Public Information Office and can be viewed at: <https://www.youtube.com/watch?v=9NC8fOHO8l0>. City Council Members congratulated the Fire Department on their number of new recruits. Motion carried 7-0.

### **COUNCIL MEMBER REPORTS**

Council Member Sprank reported on recent state legislation targeting the LGBTQ+ community and urged residents to contact their legislators.

Council Member Jones reported on Dubuque Senior High School's recent opening celebration of their renovated theatre.

Council Member Wethal expressed enthusiasm for the local high school students who participated in peaceful demonstrations in support of the LGBTQ+ community.

Mayor Cavanagh reported on his various opportunities to travel to Des Moines and Washington D.C. to build partnerships with the legislatures and advocate for the city.

Council Member Farber reported on her recent IT Committee meeting with the National League of Cities (NLC).

### **CLOSED SESSION**

Motion by Jones to convene in closed session at 7:44 p.m. to discuss Pending Litigation and Purchase or Sale of Real Estate – Chapter 21.5(1)(c),(j) Code of Iowa. Seconded by Sprank. Mayor Cavanagh 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.

The City Council reconvened in open session at 8:46 p.m. stating that staff had been given proper direction.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 8:46 p.m.

/s/Adrienne N. Breitfelder, CMC  
City Clerk

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