

ROLL CALL ORDER FOR MEETING OF  
April 1, 2024

Resnick, Jones, Roussell, Wethal, Sprank, Farber, Cavanagh

**Viewing and Participation Options**

The public has the option to view and participate in the meeting in City Council Chambers or virtually. The meeting will be aired live on CityChannel Dubuque (Mediacom cable channels 8 and 117.2), streamed live and archived on the City's website at [www.cityofdubuque.org/media](http://www.cityofdubuque.org/media), and streamed live on the City's Facebook page at [www.facebook.com/cityofdubuque](https://www.facebook.com/cityofdubuque).

The public can provide in-person, audio, and written input during sections of the agenda where public input is accepted. For in-person input, please reference the instructions on speaking within the **Consent Items, Public Hearing, and Public Input** sections.

Virtual input options during the live meeting include:

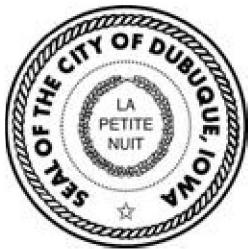
- Log into GoToMeeting using the login links, phone numbers and access code below. This option includes audio input and written "chat" input. If you are participating via computer, indicate which item you would like to speak to in the Chat function, or note you would like to speak during the appropriate section. If you are participating via phone, indicate which item you would like to speak to during the appropriate section. All comments, whether audio or written, must be accompanied by a name and address.

Please join the meeting from your computer, tablet or smartphone.

- [www.CityOfDubuque.org/VirtualMeeting](http://www.CityOfDubuque.org/VirtualMeeting)
- You can also dial in using your phone.
- United States (Toll Free): [1 877 568 4106](tel:18775684106)  
United States: [+1 \(571\) 317-3129](tel:+15713173129)  
Access Code: 337-661-181

Additionally, written public input can be accepted prior to or during the meeting by:

- Contacting the City Council directly from the City's webpage at [www.cityofdubuque.org/councilcontacts](http://www.cityofdubuque.org/councilcontacts)
- Through the City Clerk's Office email at [ctyclerk@cityofdubuque.org](mailto:ctyclerk@cityofdubuque.org)



CITY OF DUBUQUE, IOWA

CITY COUNCIL MEETING

Historic Federal Building: 350 W. 6th Street -  
Second-Floor Council Chambers.

Virtual participation options are also available. Please  
see the information above for options.

April 1, 2024

Council meetings are video streamed live and archived at [www.cityofdubuque.org/media](http://www.cityofdubuque.org/media) and on Dubuque's CityChannel on the Mediacom cable system at cable channel 8 and digital 117.2

**REGULAR SESSION**

**6:30 PM**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION(S)**

1. Sexual Assault Awareness Month (April 2024)

On behalf of the Riverview Center.

**2. Community Development Week (April 1-5, 2024)**

On behalf of the Housing & Community Development Department.

**3. Junior Achievement Day (April 4, 2024)**

On behalf of Junior Achievement of the Heartland.

**4. Saint 4 Life Foundation - Fighting Saints Alumni Celebration (April 5 - 6, 2024)**

On behalf of the Saint 4 Life Foundation.

**5. Dubuque YP Days of Caring (April 26, 2024)**

On behalf of the Dubuque YP Days of Caring Board.

### **CONSENT ITEMS**

The consent agenda items are considered to be routine and non-controversial and all consent items will be normally voted upon in a single motion without any separate discussion on a particular item. If you would like to discuss one of the Consent Items, please go to the microphone and be recognized by the Mayor and state the item you would like removed from the Consent Agenda for separate discussion and consideration.

**1. Minutes and Reports Submitted**

City Council Proceedings of March 18, 2024; Civil Service Commission of March 7, 2024; Equity and Human Rights Commission of February 13, 2024; Historic Preservation Commission of February 15, 2024; Housing Commission of April 25, 2023; Library Board of Trustees of March 23, 2023, April 27, 2023, May 25, 2023, June 22, 2023, July 27, 2023, August 23, 2023, August 24, 2023, September 28, 2023, October 19, 2023, October 26, 2023, and November 16, 2023; Park and Recreation Commission of February 13, 2024; Zoning Advisory Commission Draft Minutes of March 6, 2024 and March 13, 2024; Proof of Publication for City Council Proceedings of March 4, 2024 and March 7, 2024.

**Suggested Disposition: Receive and File**

**2. Notice of Claims and Suits**

Deann Bergfeld for vehicle damage.

**Suggested Disposition: Receive and File; Refer to 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: Deann Bergfeld for vehicle damage; Azariah Martin for vehicle damage; Kirtland Thayer for vehicle damage.

**Suggested Disposition: Receive and File; Concur**

**4. Approval of City Expenditures**

City Manager recommending City Council approval for payment of City expenditures.

**RESOLUTION** 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

**Suggested Disposition: Receive and File; Adopt Resolution(s)**

**5. Arts & Cultural Affairs Advisory Commission Special Projects Grant Modification**

City Manager recommending City Council review and approve the modifications to the Special Projects grant program as submitted by the Arts & Cultural Affairs Advisory Commission Grants Committee to the Arts & Cultural Affairs Commission.

**Suggested Disposition: Receive and File; Approve**

**6. Resolution Approving the Acquisition of Real Estate Owned by Ace Construction-Dubuque, L.L.C. by Eminent Domain and Establishing the Fair Market Value of the Real Estate**

City Manager recommending City Council adopt the attached resolution authorizing acquisition of the property owned by Ace Construction-Dubuque, L.L.C. by eminent domain if necessary and establishing the fair market value of the property.

**RESOLUTION** Approving the acquisition of real estate owned by Ace Construction-Dubuque, L.L.C. by eminent domain and establishing the fair market value of the real estate

**Suggested Disposition: Receive and File; Adopt Resolution(s)**

**7. Greater Dubuque Development Corporation's Distinctively Dubuque Brochure**

City Manager providing a copy of Greater Dubuque Development Corporation's brochure on the Distinctively Dubuque Program.

**Suggested Disposition: Receive and File**

**8. Acceptance of a Grant of Public Utility Easement and Dedications of Right of Way across Dubuque Community School District Property as part of the Althauser Street Watermain and Sanitary Sewer Reconstruction Project**

City Manager recommending City Council adopt a resolution accepting the Grant of Public Utility Easement from Dubuque Community School District and approval of the Acquisition Plats for Althauser Street Watermain and Sanitary Sewer Reconstruction project and acceptance of the dedications of said parcels for Right of Way for street and utility purposes through the adoption of the enclosed resolution.

**RESOLUTION** Accepting a Grant of Public Utility Easement and Dedications of Right of Way along Althauser Street and Eagle Street as part of the Althauser Street Watermain and Sanitary Sewer Reconstruction Project, in the City of Dubuque, Iowa

**Suggested Disposition: Receive and File; Adopt Resolution(s)**

**9. 2023 Maintenance Dredging Project: Acceptance of Public Improvement Construction Contract - Project Number: 5546000001-304-67990 Harbor Area Dredging**

City Manager recommending City Council adopt the attached resolution to accept the Public Improvement Construction Contract and to authorize the payment of the contract amount of \$546,823.00 to Newt Marine Service for 2023 Maintenance Dredging Project.

**RESOLUTION** Accepting the 2023 Maintenance Dredging Project and Authorizing Final Payment to the Contractor

**Suggested Disposition: Receive and File; Adopt Resolution(s)**

**10. Acceptance of Quit Claim Deed from Iowa Department of Transportation Lot A, Lot 4, and Lot 5 of Weber Acres 2nd Addition**

City Manager recommending City Council acceptance of the Quit Claim Deed from the State of Iowa, Iowa Department of Transportation (Iowa DOT) for Lot A, Lot 4, and Lot 5 of Weber Acres 2nd Addition, Dubuque County, Iowa.

**RESOLUTION** Accepting Quit Claim Deed from State of Iowa, Iowa Department of Transportation for Lot A, Lot 4, and Lot 5 of Weber Acres 2nd Addition, Dubuque County, Iowa

**Suggested Disposition: Receive and File; Adopt Resolution(s)**

**11. Acceptance of Quit Claim Deed from Iowa Department of Transportation Lot B ISAAC Hanna 2nd Addition**

City Manager recommending City Council acceptance of the Quit Claim Deed from the State of Iowa, Iowa Department of Transportation (Iowa DOT) for Lot B ISAAC Hanna 2nd Addition, Dubuque County, Iowa.

**RESOLUTION** Accepting Quit Claim Deed from State of Iowa, Iowa Department of Transportation for Lot B Isaac Hanna 2nd Addition, Dubuque County, Iowa

**Suggested Disposition: Receive and File; Adopt Resolution(s)**

**12. Request to post Request for Proposal to update the Unified Development Code**

City Manager recommending City Council review and approve the enclosed Request for Proposal for the update to the Unified Development Code.

**Suggested Disposition: Receive and File; Approve**

**13. Suspension of Iowa Talent Bank Pilot Program for City Boards and Commissions**

Correspondence from Kimberly Baxter, Human Rights Advocacy Chief for the Iowa Department of Health and Human Services, regarding the suspension of the Iowa Talent Bank Pilot Program for City Boards and Commissions.

**Suggested Disposition: Receive and File**

**14. Signed Contract(s)**

J&R Supply, Inc. for the Ring & Lids - Metal Supply Project; Origin Design Co. for the Kerper Boulevard Lift Station Replacement; UPS Technologies for Odor Abatement Analysis.

**Suggested Disposition: Receive and File**

**15. 3000 Jackson Dubuque Brewing and Malting Project Update**

City Manager submitting a status update on the Dubuque Brewing and Malting project at 3000 Jackson Street.

**Suggested Disposition: Receive and File**

**ITEMS SET FOR PUBLIC HEARING**

**These agenda items are being scheduled for a future public hearing on the date indicated.**

**1. Dubuque Racing Association Lease: Dubuque Racing Association Phase 2 Financing, Amended Leasehold Mortgage**

City Attorney recommending City Council set a public hearing for April 9, 2024, on the amendment to the lease and the consent to the amended leasehold mortgage.

**RESOLUTION** Intent to dispose of an interest in real property through an amendment to the existing lease agreement with the Dubuque Racing Association, LTD. and approving an amendment to the leasehold mortgage between the Dubuque Racing Association, LTD and MidWestOne Bank

**Suggested Disposition:**

**Receive and File; Adopt Resolution(s), Set Public Hearing for April 9, 2024**

**2. 2024 Maintenance Dredging Project No. 1: Initiate Public Improvement Bidding Process**

City Manager recommending City Council grant preliminary approval to the dredge construction plans and specifications; and establish April 15, 2024, as the date of the public hearing; and hereby authorized to advertise for bid proposals for the 2024 Maintenance Dredging Project No. 1 through adoption of the attached resolution.

**RESOLUTION** 2024 Maintenance Dredging Project No. 1: 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

**Suggested Disposition:**

**Receive and File; Adopt Resolution(s), Set Public Hearing for April 15, 2024**

## BOARDS/COMMISSIONS

### 1. Boards and Commission Application Review

Applicants are invited to address the City Council regarding their desire to serve on the following Boards/Commissions. Applicant appointments will be made at the next City Council meeting.

#### **Mayoral selection of appointment to the Civil Service Commission to be made at this meeting**

*Iowa Code §400.1 requires publication of the name(s) of person(s) selected by the Mayor for appointment to the Civil Service Commission no less than thirty (30) days prior to a vote by the city council. Vote on appointment to occur at the May 6, 2024, city council meeting.*

#### **Civil Service Commission**

One, 4-Year term through April 6, 2028 (Expiring term of Heathcote)

Applicant:

- Carla Heathcote, 2529 Stafford St.

*This commission is subject to the State of Iowa Gender Balance Law, §69.16A.  
3 Commissioners total; currently 2 males /0 females*

## PUBLIC HEARINGS

**Residents are invited to address the City Council regarding the following agenda items.**

**Please come to the podium and state your name and address when the item you wish to speak to is being considered.**

### 1. Hold Public Hearing and approve the Revised Administrative Plan for the Housing Choice Voucher Program

Proof of publication on notice of public hearing to consider City Council hold a public hearing and then adopt the revised Administrative Plan for the Housing Choice Voucher Program and grant the Housing & Community Development Director permission to submit the revised Public Housing Authority Administrative plan to the U.S. Department of Housing and Urban Development (HUD) as required for final approval and adoption, and City Manager recommending approval.

**RESOLUTION** Approving the revision of the Public Housing Authority (PHA) Administrative Plan for the Housing Choice Voucher Program

**Suggested Disposition: Receive and File; Adopt Resolution(s)**

### 2. Submission of Annual Public Housing Agency (PHA) Plan – Federal Fiscal Year 2024 (PHA Fiscal Year 2025) Annual Plan

Proof of publication on notice of public hearing to consider City Council approval to submit the Federal Fiscal Year 2024 Annual PHA Plan along with the Certification for Consistency with the Consolidated Plan, and City Manager recommending approval.

**RESOLUTION** Authorizing the Mayor to execute the Certification by State or Local Office of Public Housing Agency (PHA) Plan's consistency with the Consolidated Plan and approval of the PHA 2024 Annual Plan

**Suggested Disposition: Receive and File; Adopt Resolution(s)**

### 3. Resolution Approving a Development Agreement by and between City of Dubuque and CBDC, LLC

Proof of publication on notice of public hearing to consider City Council adopt the attached resolution approving a proposed Development Agreement by and between the City of Dubuque and CBDC, LLC for the development of a childcare facility at 781 Locust Street, and City

Manager recommending approval.

**RESOLUTION** Approving a Development Agreement by and between the City of Dubuque, Iowa and CBDC, LLC, including the issuance of Urban Tax Increment Revenue Obligations

**Suggested Disposition: Receive and File; Adopt Resolution(s)**

#### **PUBLIC INPUT**

At this time, anyone in the Council Chambers may address the City Council on the Action Items on the agenda or on matters under the control of the City Council. Residents are asked to approach the podium and state their name and address before proceeding with their comments. Individual remarks are limited to five minutes, and the overall Public Input period is limited to 30 minutes. Under the Iowa Open Meetings Law, the City Council can take no formal action on comments given during Public Input which do not relate to Action Items on the Agenda.

#### **ACTION ITEMS**

**These are items where discussion is held by the City Council - public comments are not allowed except as authorized by the Mayor.**

**1. Canadian Pacific Kansas City Limited Railroad Request to Close 15th Street Railroad Crossing**

City Manager recommending the Mayor and City Council schedule a decision on closing the 15th Street railroad crossing for the June 3, 2024, City Council Meeting.

**Suggested Disposition: Receive and File; Council**

#### **COUNCIL MEMBER REPORTS**

#### **CLOSED SESSION**

**Pending Litigation and Purchase or Sale of Real Estate – Chapter 21.5(1)(c),(j) Code of Iowa**

#### **ADJOURNMENT**

The agenda with supporting documents may be accessed at [www.cityofdubuque.org](http://www.cityofdubuque.org) or at the City Clerk's Office, 50 W. 13th Street, during regular business hours.

This notice is given pursuant to Chapter 21, Code of Iowa, and applicable local regulations of the City of Dubuque, Iowa and/or governmental body holding the meeting.

Written comments regarding the above items may be submitted to the City Clerk's Office, 50 W. 13th St., Dubuque, IA 52001, before or at said time of meeting.

Individuals with limited English proficiency, vision, hearing or speech impairments or requiring special assistance should contact the City Clerk's Office as soon as feasible at (563) 589-4100, [ctyclerk@cityofdubuque.org](mailto:ctyclerk@cityofdubuque.org) . Deaf or hard-of-hearing individuals can use Relay Iowa by dialing 711 or (800) 735-2942.