

ROLL CALL ORDER FOR MEETING OF
March 18, 2024

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

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, and streamed live on the City's Facebook page at 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:

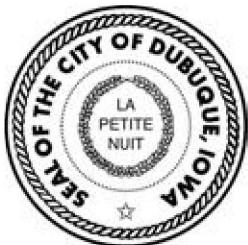
- Log into GoToMeeting using the login links, phone numbers and access code below. This option includes audio input and written "chat" input. If you are participating via computer, indicate which item you would like to speak to in the Chat function, or note you would like to speak during the appropriate 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
- 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
- Through the City Clerk's Office email at 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.

March 18, 2024

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

SPECIAL SESSION

1. * Occurring before official City Council meeting

5:15 pm to 5:45 pm, Viewing of Offices located on the second floor of the Historic Federal Building

Chief of Police Jeremy Jensen is providing an opportunity for viewing of the new

- Community Oriented Policing,

- School Resource Officer, and
- Critical Incident Team

offices located on the second floor of the Historic Federal Building.

NOTE: This viewing opportunity is NOT part of the official City Council meeting.

WORK SESSION

1. 5:45 PM - Secondary Responder Work Session

Chief of Police Jeremy Jensen is providing information for the Secondary Responder Work Session.

REGULAR SESSION

6:30 PM

PLEDGE OF ALLEGIANCE

PROCLAMATION(S)

1. AmeriCorps Week (March 10 - 16, 2024)

On behalf of the City of Dubuque AmeriCorps Program and Green Iowa AmeriCorps within the Office of Sustainability.

2. Honey Bee Day (March 27, 2024)

On behalf of the Iowa Honey Producers Association and Swiss Valley Bee Club.

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

Cable TV Commission of January 24, 2024; City Council Proceedings of March 4 and March 7, 2024; Five Flags Civic Center Advisory Commission of December 5, 2023; Library Board of Trustees Update of February 22, 2024; Proof of Publication for City Council Proceedings of February 12 and February 19, 2024.

Suggested Disposition: Receive and File

2. Notice of Claims and Suits

Latoya Eubanks for property damage; Ronald Lindblom and Catherine Dunning for property damage; Azariah Martin for vehicle damage; Kirtland Thayer 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: Latoya Eubanks for property damage; Ronald Lindblom and Catherine Dunning for property 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. Civil Service Commission's Certified List - Police Officer

Civil Service Commission submitting the certified list for the position of Police Officer.

Suggested Disposition: Receive and File; Make Matter of Record

6. Letters of Support for HOME ARP Funds

City Manager recommending approval to provide a letter of support to developers of projects at 1301 Central Avenue and 1739-1763 Central Avenue for submission with their application for HOME ARP funds. These letters also will strengthen the City's application for the RAISE Implementation Grant related to the 14th Street Overpass.

Suggested Disposition: Receive and File; Approve

7. 2024 – Q1 Update on Childcare Challenges and Collaborations

City Manager is providing a quarterly update on the status of collaboration efforts among partners in Dubuque to address a need for sufficient quality, affordable childcare options in the community.

Suggested Disposition: Receive and File

8. Brewing and Malting Project Update - 3000 Jackson Dubuque

Housing & Community Development Director Alexis Steger is submitting a status update on the Dubuque Brewing and Malting project at 3000 Jackson Street.

Suggested Disposition: Receive and File

9. Water & Resource Recovery Center Odor Abatement Efforts Update

Water & Resource Recovery Center Director Deron Muehring is providing an update on odor abatement efforts at the Water & Resource Recovery Center.

Suggested Disposition: Receive and File

10. First Amendment to Development Agreement by and between the City of Dubuque, Iowa, and Farley & Loetscher, LLC

City Manager recommending adoption of the attached resolution approving the First Amendment to Development Agreement by and between the City of Dubuque, Iowa, and Farley & Loetscher, LLC.

RESOLUTION Approving a First Amendment to Development Agreement by and Between the City of Dubuque, Iowa, and Farley & Loetscher, LLC

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

11. Right of Way Platting – Merge (The Stacks) Project in the Port of Dubuque

City Manager recommending approval of the Acquisition Plat of Lot 1A of Adams Company's 5th Addition, in the City of Dubuque, Iowa which dedicates the roadway area between the Port of Dubuque Parking Ramp and Ice Harbor Drive as public street right of way by the adoption of the attached resolution.

RESOLUTION Approving the Acquisition Plat of Lot 1A of Adams company's 5th Addition, in the City of Dubuque, Iowa

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

12. Plat of Survey of Pechous Place, locally known as 410 and 414 Raymond Place

Zoning Advisory Commission recommending approval of the Simple Subdivision Plat of Pechous Place, subject to waiving the frontage requirement of Lot 1 and contingent on an approved Parking Variance for

414 Raymond Place.

RESOLUTION Approving the Simple Subdivision Plat of Pechous Place, Dubuque, Iowa

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

13. Temporary Agreement Between the City of Dubuque and ITC Midwest, LLC to Operate an Electric Transmission System in the City of Dubuque

Barry A. Lindahl, Senior Counsel recommending adoption of the attached resolution approving the temporary Agreement authorizing ITC Midwest, LLC to operate an electric transmission system in the City of Dubuque until the franchise agreement takes effect but no later than September 15, 2024

RESOLUTION Approving an Agreement Between the City of Dubuque and ITC Midwest, LLC to Operate an Electric Transmission System in the City of Dubuque

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

14. Grant Agreement with 917 Motorsport LLC for Rehabilitation of 243 W 10th Street

City Manager recommending City Council approve the proposed Downtown Rehabilitation Grant application to 917 Motorsport, LLC owner of 243 W 10th Street for funding as follows: façade grant at \$10,000 maximum, and the planning & design grant at \$10,000 maximum. The total grant award would be \$20,000 maximum.

RESOLUTION Approving a Grant Agreement by and Between the City of Dubuque, Iowa and 917 Motorsport LLC for the Redevelopment of 243 W 10th Street

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

15. Tobacco Compliance Settlement Agreements for Tobacco License Holders - Fuel Express Food Mart and EZ Stop 1

City Manager recommending approval and the Mayor's signature on the following Tobacco Compliance Settlement Agreements between the City of Dubuque and the following retailers: Fuel Express Food Mart, 250 W. 1st Street, First and Second Violations and EZ Stop 1, 1101 Rhomberg Ave, First Violation.

Suggested Disposition: Receive and File; Approve

16. Approval of Retail Alcohol Licenses and Retail Tobacco, Alternative Nicotine, and Vapor Product Permit Applications

City Manager recommending approval of the Retail Alcohol Licenses and the Tobacco, Alternative nicotine, and Vapor product Permits as submitted.

RESOLUTION 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

RESOLUTION Approving applications for retail permits to sell Tobacco, Tobacco Products, Alternative Nicotine Products, and Vapor Products, as required by Iowa Code §453A.47A

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

ITEMS SET FOR PUBLIC HEARING

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

1. Development Agreement by and between the City of Dubuque, Iowa and CBDC, LLC

City Manager recommending adoption of the attached resolution setting a public hearing for April 1, 2024, on a proposed Development Agreement by and between the City of Dubuque and CBDC, LLC, including providing for the issuance of Urban Renewal Tax Increment Revenue

Grant Obligations.

RESOLUTION Fixing the date for a Public Hearing of the City Council of the City of Dubuque, Iowa on the proposed Development Agreement by and between the City of Dubuque, Iowa and CBDC, LLC, including the proposed issuance of Urban Renewal Tax Increment Revenue Grant Obligations to CBDC, LLC, and providing for the publication of notice thereof

Suggested Disposition:

Receive and File; Adopt Resolution(s), Set Public Hearing for April 1, 2024

BOARDS/COMMISSIONS

1. Boards and Commission Application Appointments

Appointments to the following commissions to be made at this meeting.

Housing Appeals and Mediation Board

One, 3-Year Term through January 1, 2027 (Vacant term of Lenhart)

Applicant:

- Jeff Lenhart, 1085 Main St.

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. Request to Rezone Property at 35 Locust Street from C-3 General Commercial to C-4 Downtown Commercial.

Proof of publication on notice of public hearing to consider approval of a request from Joshua Jansen to rezone property located at 35 Locust Street from C-3 General Commercial to C-4 Downtown Commercial, and Zoning Advisory Commission recommending approval.

ORDINANCE Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by reclassifying hereinafter described property from C-3 General Commercial to C-4 Downtown Commercial

Suggested Disposition: Receive and File; Motion B; Motion A

2. Request to Amend a Planned Unit Development (PUD) to Allow Pet Daycare or Grooming as a Permitted Use.

Proof of publication on notice of public hearing to consider approval of a request from Natalie Hazewinkel to to amend a Planned Unit Development to allow Pet Daycare or Grooming as a Permitted Use for property located at 4995 Radford Court and Zoning Advisory Commission recommending approval.

ORDINANCE Amending Title 16 of the City Of Dubuque Code of Ordinances Unified Development Code by Rescinding Ordinance No. 82-04 Which Provides Regulations for the PUD Planned Unit Development District with a Planned Commercial Designation and now being amended to modify the list of permitted uses to include Pet Daycare or Grooming.

Suggested Disposition: Receive and File; Motion B; Motion A

3. State Revolving Fund (SRF) Loan - Environmental Review Bipartisan Infrastructure Law and State Revolving Fund (SRF) Private Lead Service Line Replacement Pilot Program and Presentation

City Manager recommending approval of the resolution authorizing the mayor to sign the EID and direct staff to submit the required documentation and Water Department Director Christopher Lester will provide a presentation.

RESOLUTION State Revolving Fund (SRF) Loan - Environmental Review Private Lead Service Line Replacement Pilot Program - Approval of an Environmental Review as Provided By SRF's Department of Natural Resources for the Private Lead Service Line Replacement Pilot Program

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. Barry Lindahl Appointment to the Public Information Board, Iowa

Correspondence from Governor Kim Reynolds regarding Senior Counsel Barry Lindahl's appointment as a member of the Public Information Board, Iowa.

Suggested Disposition: Receive and File

2. Request for Ratification of Dubuque Police Protective Association (DPPA) July 1, 2024 Collective Bargaining Agreement (CBA)

City Manager recommending the ratification of the City of Dubuque/Dubuque Police Protective Association (DPPA) Collective Bargaining Agreement to become effective on July 1, 2024.

Suggested Disposition: Receive and File; Approve

3. Bryan Porter, a Seasonal Employee in the City of Dubuque Parks Division Video

Media Services staff will show a video they recently produced featuring Bryan Porter, a seasonal employee in the City of Dubuque Parks Division. The video can also be viewed on the City's YouTube channel at <https://youtu.be/5etUK6cArgo>

Suggested Disposition:

Receive and File; Video

COUNCIL MEMBER REPORTS

CLOSED SESSION

Purchase or Sale of Real Estate – Chapter 21.5(1)(j) Code of Iowa

ADJOURNMENT

The agenda with supporting documents may be accessed at 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 . Deaf or hard-of-hearing individuals can use Relay Iowa by dialing 711 or (800) 735-2942.