

**ROLL CALL ORDER FOR MEETING OF
September 5, 2023**

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

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 and ImOn channel 5), 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. It is strongly recommended that all members of the public who intend to provide in-person or virtual public input contact the City Clerk at least 24 hours prior to the meeting to provide notice of intent to provide public input. This will help City staff anticipate participation levels at the meeting. Contact the City Clerk at ctyclerk@cityofdubuque.org or 563-589-4100.

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
United States: +1 (571) 317-3129
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.

September 5, 2023

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

REGULAR SESSION

6:30 PM

PLEDGE OF ALLEGIANCE

PROCLAMATION(S)

1. **Nathaniel and Charlotte Morgan Peace Week (September 4-8)**
2. **Days of Peace and Nonviolence (September 6 to October 1)**
3. **Childhood Cancer Awareness Month (September)**

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 8/1/23, 8/21/23, 8/22/23, 8/24/23; Proof of Publication of City Council Proceedings of 7/31/23, 8/7/23

Suggested Disposition: Receive and File

2. Expenses submitted for City Council Approval

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)

3. September/October 2023 Issue of City News Newsletter

City Manager providing a copy of the September/October 2023 Issue of City News Newsletter

Suggested Disposition: Receive and File

4. 2023 City Services Guide Brochure

City Manager providing a copy of the 2023 City Services Guide brochure.

Suggested Disposition: Receive and File

5. National Endowment for the Arts (NEA) Local Arts Agency (LAA) American Rescue Plan Act (ARPA) Creative Empowerment Subgrant Funding Recommendation for Round 2

City Manager recommending City Council concurrence with the Arts & Cultural Affairs Advisory Commission's recommendation to fund the NEA ARPA Creative Empowerment Round 2 subgrant applications at the aforementioned levels.

Suggested Disposition: Receive and File; Concur

6. City of Dubuque Employment Brochure

City Manager providing a copy of the City of Dubuque Employment brochure.

Suggested Disposition: Receive and File

7. Employment and Empowerment Expo Flyer

City Manager providing a copy of the Employment and Empowerment Expo flyer being held September

16, 2023

Suggested Disposition: Receive and File

8. Updated Local Housing Creation, Access, & Affordability Programs & Incentives Brochure

City Manager providing a copy of the Updated Local Housing Creation, Access, & Affordability Programs & Incentives Brochure

Suggested Disposition: Receive and File

9. Creating Housing Opportunities: New Housing Units Approved and/or Under Review – 2,029 Lots/Units

City Manager providing a copy of the Creating Housing Opportunities: New Housing Units Approved and/or Under Review – 2,029 Lots/Units Handout.

Suggested Disposition: Receive and File

10. Carnegie-Stout Public Library Fall Program Guide Brochure

City Manager providing a copy of the Carnegie-Stout Public Library Fall Program Guide brochure.

Suggested Disposition: Receive and File

11. Fall 2023 "Let's Go!" Activities Flyer

City Manager providing a copy of the Fall 2023 "Let's Go!" Activities Flyer

Suggested Disposition: Receive and File

12. Multicultural Family Center section of Let's Go Activities Guide Fall 2023

City Manager providing a copy of the Multicultural Family Center section of Let's Go Activities Guide Fall 2023 brochure.

Suggested Disposition: Receive and File

13. The Creation of a Neighborhood Association Toolkit

City Manager sharing with City Council the Neighborhood Association Toolkit that serves as a guide to help passionate residents who live in proximity to one another come together to establish a neighborhood association.

Suggested Disposition: Receive and File

14. Iowa Grocer's Assoc. Fireworks Permit Request

City Manager recommending City Council approval to issue a permit to J&M Displays, Inc for a fireworks display on September 12, 2023, on the Riverwalk between the Star Brewery and the Grand River Center.

Suggested Disposition: Receive and File; Approve

15. 2024 Boating Infrastructure Tier 1 Grant Application Authorization to Submit Grant Application to Assist with Funding to Perform Maintenance Dredging at Dubuque Marina

City Manager recommending City Council adopt a resolution authorizing the filing of the application with the US Fish and Wildlife Service and Iowa Department of Natural Resources for the 2024 Boating Infrastructure Tier 1 Grant (BIG Tier 1) to assist with funding to perform maintenance dredging at Dubuque Marina.

RESOLUTION Authorizing the filing of a Grant Application with the U.S. Fish And Wildlife Service and Iowa Department Of Natural Resources for the 2024 Boating Infrastructure Tier 1 Grant to assist with funding to perform maintenance dredging at Dubuque Marina

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

16. Fiscal Year 2024 Purchase of Services Grant Amendment and Reallocated Agreement

City Manager recommending City Council approve the attached Purchase of Services Grant Amendment

with St. Mark Youth Enrichment and Purchase of Services Agreement with St. John's Almost Home and authorize the Mayor to execute the agreements on behalf of the City.

Suggested Disposition: Receive and File; Approve

17. CDBG-CV Subrecipient Agreement for Credit Repair Program with Catholic Charities

City Manager recommending City Council approve the attached CDBG-CV Subrecipient Agreement with Catholic Charities and authorize the Mayor to execute the contract on behalf of the City.

RESOLUTION Authorizing Execution of CDBG-CV Subrecipient Agreement with Catholic Charities

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

18. FY 24 Cooperative Agreement Proposal

City Manager recommending City Council approve a contract authorizing the mayor's signature with the Iowa Civil Rights Commission (ICRC) to assist local agencies in resolving discrimination complaints and to reduce case backlogs without compromising quality or the integrity of the system.

Suggested Disposition: Receive and File; Approve

19. Accepting the Foothill Court Drain Tile Project 2023

City Manager recommending City Council adopt the attached resolution to accept the public improvements and the authorize the payment of the final contract amount of \$63,325.52 to Temperley Excavating Company, Inc. of East Dubuque, IL, for the Foothill Court Drain Tile Project 2023.

RESOLUTION Accepting the Foothill Court Drain Tile Project 2023 and Authorizing the Payment to the Contractor

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

20. Funding Agreement Between City and American Marine 2023 Maintenance Dredging Project

City Manager recommending City Council approve the Funding Agreement between the City and American Marine for the partnership agreement to complete the 2023 Maintenance Dredging Project, and hereby authorize the City Manager to execute said agreement, through adoption of the attached resolution.

RESOLUTION Approving the Funding Agreement between the City of Dubuque and American Marine for the 2023 Maintenance Dredging Project

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

21. Project Based Voucher Contract Renewal with The Rose of Dubuque

City Manager recommending City Council approval for the Housing & Community Development Director to execute a two-year contract renewal agreement with The Rose of Dubuque for the Project Based Voucher Program.

RESOLUTION Authorizing the Director of Housing and Community Development to execute a Renewal Contract Agreement between the City of Dubuque and The Rose of Dubuque L.P. for the Project Based Voucher Program and authorizing the Director of Housing and Community Development and the City Manager to approve the contract renewal

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

22. Acceptance Green Alley Retaining Wall Project for 2406, 2408, 2410 Queen Street Between Queen Street and Windsor Avenue CIP 5524000003

City Manager recommending City Council adopt the attached resolution to accept the public improvements and the authorize the payment of the final contract amount of \$70,379.25 to MDE, LLC DBA McDermott Excavating of Dubuque, IA, for the Green Alley Retaining Wall – 2406, 2408, 2410 Queen Street between Queen Street and Windsor Avenue Project.

RESOLUTION Accepting the Green Alley Retaining Wall – 2406, 2408, 2410 Queen Street Between Queen Street and Windsor Avenue Project and Authorizing the Payment to the Contractor

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

23. Civil Service Certified List for Police Officer

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

Suggested Disposition: Receive and File; Make Matter of Record

24. Tobacco Compliance Civil Penalties for Tobacco License Holders – Dubuque Tobacco & Grocery, 1248 Iowa St. and Pink Cloud Smoke Shop, 3301 Pennsylvania Ave.

City Manager recommending City Council approval and Mayor signature on the following Tobacco Compliance Settlement Agreements between the City of Dubuque and the following retailers: for Dubuque Tobacco & Grocery located at 1248 Iowa St. and Pink Cloud Smoke Shop located at 3301 Pennsylvania Ave.

Suggested Disposition: Receive and File; Approve

ITEMS SET FOR PUBLIC HEARING

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

1. Proposed Development Agreement by and between the City of Dubuque, Iowa and HG APT LLC Providing for the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement for Property located at 2901 Central Ave. formally the Holy Ghost School, to Create 18 New Market-rate Rental Units

City Manager recommending City Council adopt the attached resolution setting a public hearing for September 18, 2023, on a proposed Development Agreement by and between the City of Dubuque, Iowa and HG APT LLC 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 a Development Agreement by and between the City of Dubuque, Iowa, and HG APT LLC, Including the proposed issuance of Urban Renewal Tax Increment Revenue Obligations relating thereto and providing for the publication of notice thereof

Suggested Disposition:

Receive and File; Adopt Resolution(s), Set Public Hearing for September 18, 2023

2. Maus Lake Pumping Station Culvert Repair Project #5586500032

City Manager recommending City Council adopt the attached resolution preliminarily approving the proposed plans, specifications, form of contract, and construction estimate of \$741,300; establishing the date of the public hearing as September 18, 2023; and authorizing advertisement of bids for the Maus Park Lake Pump Station Culvert Repair Project.

RESOLUTION The Maus Park Lake Pump Station Culvert Repair Project - 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 September 18, 2023

3. Proceedings for Public Hearing on the Issuance of Not to Exceed \$1,000,000, Sewer Revenue Capital Loan Notes (Interim Financing) State Revolving Funds, Planning and Design Loan Applications

City Manager recommending that a public hearing be set for September 18, 2023, on the proposition of selling not to exceed \$1,000,000 in Sewer Revenue Capital Loan Notes (Interim

Financing) State Revolving Loan Fund Program. \$1,000,000 of the proceeds will be used to fund the planning and design of the improvements to various elements of the existing Cedar Street Lift Station, Terminal Street Lift Station, and the associated FMs between the two and to the City's public wastewater treatment facility.

RESOLUTION To fix a date for a Public Hearing on Proposal to enter into a Sewer Revenue Loan and Disbursement Agreement and to Borrow Money Thereunder in a Principal Amount Not to Exceed \$1,000,000 (Lift Stations)

Suggested Disposition:

Receive and File; Adopt Resolution(s), Set Public Hearing for September 18, 2023

4. Proceedings for Public Hearing on the Issuance of Not to Exceed \$430,000, Sewer Revenue Capital Loan Notes (Interim Financing) State Revolving Funds, Planning and Design Loan Applications

City Manager recommending that a public hearing be set for September 18, 2023, on the proposition of selling not to exceed \$430,000 in Sewer Revenue Capital Loan Notes (Interim Financing) State Revolving Loan Fund Program. \$430,000 of the proceeds will be used to fund the planning and design of the improvements on Laurel Street, on Grove Terrace, on Center Grove, and the inspection and condition assessment of other aging sewer infrastructure.

RESOLUTION To fix a date for a Public Hearing on Proposal to enter into a Sewer Revenue Loan and Disbursement Agreement and to Borrow Money Thereunder in a Principal Amount Not to Exceed \$430,000 (Grove).

Suggested Disposition:

Receive and File; Adopt Resolution(s), Set Public Hearing for September 18, 2023

BOARDS/COMMISSIONS

1. Boards and Commission Applicant 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.

Equity and Human Rights Commission

One, 3-Year Term through January 1, 2024 (Vacant term of Herrion) and

One, 3-Year Term through January 1, 2025 (Vacant term of Williams)

Applicants:

Michaela Freiburger, 1718 Diane Court

David Heiar, 805 Carriage Hill Drive

This commission is subject to the State of Iowa Gender Balance Law, §69.16A.

9 Commissioners total; currently 4 males /3 females /2 openings

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. Proposed Development Agreement by and between the City of Dubuque, Iowa and Farley & Loetscher, LLC Providing for the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement

Proof of Publication on notice of public hearing to consider Development Agreement by and between the City of Dubuque, Iowa and Farley & Loetscher, LLC providing for the issuance of Urban Renewal Tax Increment Revenue Grant Obligations. and City Manager recommending approval.

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

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

2. Development Agreement by and Between the City of Dubuque, Iowa and Chadwick Block, LLC

Proof of Publication on notice of public hearing to consider Development Agreement by and between the City of Dubuque, Iowa and Chadwick Block, LLC providing for the issuance of Urban Renewal Tax Increment Revenue Grant Obligations for a project at 249 W 1st Street. and City Manager recommending approval.

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

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

3. Chaplain Schmitt Island Trail Connection Project Iowa DOT Project No. EDP-2100(704)--7Y-31

Proof of Publication on notice of public hearing to consider Chaplain Schmitt Island Trail Connection Project Iowa DOT Project No. EDP-2100(704)--7Y-31 and City Manager recommending approval.

RESOLUTION Approval of Plans, Specifications, Form of Contract, and Estimated Cost for the Chaplain Schmitt Island Trail Connection Project, Iowa DOT Project No. EDP-2100(704)—7Y-31

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. City of Dubuque Park & Recreation Facility Naming Policy Review

Correspondence from Park and Recreation Advisory Commission requesting City Council review and update the City of Dubuque Park and Recreation Facility Naming Policy.

Suggested Disposition: Receive and File; Council

2. City of Dubuque COVID-19 After Action Report (AAR) Summary

Public Health Director Mary Rose Corrigan will present a review of the City of Dubuque COVID-19 After Action Report

Suggested Disposition:

Receive and File; Presentation

3. 2023-25 City Council Goals & Priorities

Assistant City Manager Cori Burbach is submitting the City Council affirmed 15-year vision

statement and mission statement, identified eight five-year goals for the city, and the also identified top and high priorities for the 2023-2025 policy agenda as well as in-progress projects and capital projects for 2023-2025.

Suggested Disposition: Receive and File

**4. 2023 Maintenance Dredging Project Award Public Improvement Construction Contract
Project Number: 5546000001-304-67990 Harbor Area Dredging**

City Manager recommending City Council award the Public Improvement Construction Contract for the 2023 Maintenance Dredging Project to Newt Marine Service, in the amount of \$493,840.00.

RESOLUTION Awarding Public Improvement Construction Contract for the 2023 Maintenance Dredging Project

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

5. Eagle Valley, Westbrook, and English Ridge Subdivision Park Design, Development, and Construction Management Services RFP Update

City Manager providing an update to City Council regarding the Eagle Valley, Westbrook, & English Ridge Subdivision Park Design, Development, and Construction Management Services Request for Proposal (RFP) and development process.

Suggested Disposition: Receive and File

6. Amending City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 2 Sewers and Sewage Disposal, Article D Industrial Pretreatment Program, Section 13-2D-10 Fees and Charges

City Manager recommending City Council amend the City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 2 Sewers and Sewage Disposal, Article D Industrial Pretreatment Program, Section 13-2D-10.

ORDINANCE Amending City of Dubuque Code of Ordinances Title 13 Public Utilities, Chapter 2 Sewers and Sewage Disposal, Article D Industrial Pretreatment Program, Section 13-2D-10 Fees and Charges

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

7. Fiscal Year 24 Bee Branch Green Alley Projects

City Manager providing the Mayor and City Council information based on the established redevelopment of the Central Avenue Corridor as a priority and has approved the following three alleys for improvement to Green Alley pavers over the next year; 1. Alley between Central Avenue and White Street from 17th Street to 18th Street. 2. Alley between Central Avenue and Iowa Street from 15th Street to 16th Street. 3. Alley between Central Avenue and Iowa Street from 16th Street to 17th Street.

Suggested Disposition: Receive and File

8. Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) Infrastructure Planning Grant Consultant Selection

City Manager recommending City Council approve the selection of AECOM Technical Services, Inc., of Waterloo, Iowa, as the Professional Services Consultant to complete the Engineering Design and NEPA / Environmental Study Phase to advance development for the Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) Infrastructure Planning Grant for the project entitled "Building Bridges to Employment and Equity (B2E2)".

Suggested Disposition: Receive and File; Approve

9. Bee Branch Stormwater Pumping Station - Phase IV of the Bee Branch Watershed Flood Mitigation Project

City Manager recommending City Council adoption of the attached resolution pledging local, matching funds in the amount of \$19,012,000 for improvements associated with the Bee Branch

Stormwater Pumping Station Project (Phase V of the Bee Branch Watershed Flood Mitigation Project).

RESOLUTION Pledging the Local Match in the Amount of \$19,012,000 Using \$16,412,000 in General Obligation Bonds and \$2,600,000 in SRF Loan Proceeds for Construction of a New Stormwater Pumping Station at the 16th Street Detention Basin

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

10. Dubuque Awarded the Iowa Thriving Communities Designation

City Manager recommending City Council receive and file the attached documentation recognizing the award from IFA as a Thriving Community, clarifying the benefits of the designation and encouraging developers to pursue housing projects in the Central Avenue Corridor Area.

Suggested Disposition: Receive and File

11. U.S. Department of Housing and Urban Development Section 8 Compliance Review

City Manager recommending City Council receive and file the U.S. Department of Housing and Urban Development Compliance Monitoring Review and approve the city's response to the findings in the review.

Suggested Disposition: Receive and File; Approve

12. Sustainable Dubuque Quarterly Work Session Request

City Manager recommending City Council revise the start time of the previously scheduled October 16, 2023, Sustainable Dubuque work session to begin at 5:15 p.m. and end at 6:00 pm (45 minutes).

Suggested Disposition: Receive and File; Council

13. Spanish Testimonial Videos for City Life Fall 2023 and Flyer

City Manager providing a copy of the City Life Fall 2023 Flyer and Media Services will show two videos of City Life Testimonials in Spanish.

The videos were produced by Media Services staff in the Public Information Office and can be viewed at <https://www.youtube.com/watch?v=qNo6AKhzLJw> and at <https://www.youtube.com/watch?v=gmhQX1CFuXs>.

Suggested Disposition:

Receive and File; Videos

14. Dubuque Police Department School Resource Officers - 2023-2024 Video

Media Services staff from the Public Information Office worked with the Dubuque Police Department to produce a video featuring this year's School Resources Officers. The video can also be viewed at <https://youtu.be/7fFSa0LNvtg?si=XVbWLAqilagz0QYx>

Suggested Disposition:

Receive and File; Video

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 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.