

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

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

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. 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.

July 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

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 6/20/23; Civil Service Commission of 6/14/23; Historic Preservation Commission of 6/15/23; Housing Appeals and Mediation Board of 2/21/23; Long Range Planning Advisory Commission of 6/21/23.

Suggested Disposition: Receive and File

2. Notice of Claims and Suits

Robert Davis for property damage; Juan Lampe for property damage; Matthew Lynch for property damage; Brian Sanger for property damage; LaVonne Steffensmeier 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: Robert Davis for property damage; David Hawkins for vehicle damage; Matthew Lynch for property damage; LaVonne Steffensmeier 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. Iowa Initiative for Sustainable Communities (IISC) Resolution & Memorandum of Understanding (MOU)

City Manager recommending City Council adoption of a resolution authorizing a formal partnership with the University of Iowa's Iowa Initiative for Sustainable Communities program in the 2023-2024 academic year.

RESOLUTION Authorizing a partnership with the Iowa Initiative for Sustainable Communities, a program of the University of Iowa

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

6. West 1st Street Sanitary Repair Project Reject Recommendation

City Manager recommending City Council reject the bids received for the Public Improvement Construction Contract for the W 1st Street Sanitary Repair Project.

RESOLUTION Rejecting all competitive bid proposals for the W 1st Street Sanitary Repair Project

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

7. Royalwood Subdivision Water Main Loop - North Cascade Road Crossing Project: Acceptance of Public Improvement Construction Contract

City Manager recommending City Council adopt the attached resolution accepting the public improvements and authorize the final payment of the contract amount of \$24,885.12 to Midwest Concrete, Inc. for the Royalwood Subdivision Water Main Loop - North Cascade Road Crossing Project.

RESOLUTION Accepting the Royalwood Subdivision Water Main Loop - North Cascade Road Crossing Project and authorizing the payment to the contractor

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

8. First Amendment to an Agreement with Kwik Trip, Inc. - Kwik Trip, Inc. Convenience Store/Gas Station at Intersection of Kerper Boulevard and Kerper Court

City Manager recommending City Council adopt a resolution approving the First Amendment to an Agreement with Kwik Trip, Inc. (KTI) for off-site roadway improvements at the intersection of Kerper Boulevard and Kerper Court related to the proposed Convenience Store/Gas Station site improvements at said intersection and authorizing the City Manager to execute First Amendment to the Agreement.

RESOLUTION Approving the First Amendment to an Agreement between the City of Dubuque, Iowa and Kwik Trip, Inc. for construction of certain off-site public roadway improvements at the intersection of Kerper Boulevard and Kerper Court related to the proposed site improvements at said intersection

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

9. Adoption of the 2023 Edition of the City Supplemental Specifications for the 2023 edition of Iowa Statewide Urban Design and Specifications (SUDAS) Program

City Manager recommending City Council adopt the 2023 edition of the City's Supplemental Specifications to coincide with the most recent update to the Iowa Statewide Urban Design and Specifications (SUDAS) Program, the 2023 edition.

RESOLUTION Approving adoption of the 2023 Edition of City Supplemental Specifications to the Iowa Statewide Urban Design and Specifications (SUDAS) Program's Specification Manual for Public Works Improvements

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

10. CCI5, LLC (Joel Callahan) Property Right of Way Plat and Dedication – Future Improvements at the Intersection of Bies Drive, Sylvan Drive and Century Drive

City Manager recommending City Council approval of the Acquisition Plat of Lot 1A of Roger F. and Kathleen A. Klauer Place, in the City of Dubuque, Iowa, and acceptance of the dedication of said lot for Right of Way for street and utility purposes, through the adoption of the enclosed resolution.

RESOLUTION Approving the Acquisition Plat of Lot 1A of Roger F. and Kathleen A. Klauer Family Place, in the City of Dubuque, Iowa

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

11. Improvement Contracts / Performance, Payment and Maintenance Bonds

Ostrom Painting & Sandblasting, Inc. for the 2023 Pavement Marking Project; Temperly Excavating, Inc. for the Foothill Ct. Drain Tile Project - 2023; Valentine Construction Co., LLC for the 2023 Asphalt Overlay Ramp Project Four.

Suggested Disposition: Receive and File; Approve

12. Grass and Weed Cutting and Garbage Collection Assessments

City Manager recommending City Council adopt a resolution authorizing the City to certify grass and weed cutting and garbage collection charges to the Dubuque County Treasurer in order to establish real property liens for collection of such charges.

RESOLUTION Authorizing the city to collect delinquent grass and weed cutting and garbage collection charges in accordance with Title 6-4-3A and Title 6-8-2 of the Code of Ordinances of the City of Dubuque, Iowa
Suggested Disposition: Receive and File; Adopt Resolution(s)

13. 2095 University Avenue Settlement Agreement

City Attorney recommending approval of a settlement agreement with Metropolitan Life Insurance Company for 2095 University Avenue.

RESOLUTION Approving a Settlement Agreement between the City of Dubuque, Iowa and Metropolitan Life Insurance Company

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

14. Establishing the Compensation for the City Clerk

City Clerk recommending approval of a resolution that formally establishes the City Clerk's compensation.

RESOLUTION Establishing the compensation for the City Clerk

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

15. Retail Permit Approval for Tobacco, Tobacco Products, Alternative Nicotine Products, and Vapor Products

City Manager recommending City Council approve the noted retail permits to sell one or more of the following: Tobacco, Tobacco Products, Alternative Nicotine Products, and Vapor Products.

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. Resolution Setting a Public Hearing on a Proposed Development Agreement by and between the City of Dubuque, Iowa and 799 Main, LLC Providing for the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement

City Manager recommending City Council adopt the attached resolution setting a public hearing for July 17, 2023, on a proposed Development Agreement by and between the City of Dubuque, Iowa and 799 Main, 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 799 Main, 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 July 17, 2023

2. John F. Kennedy Road and West 32nd Street Intersection Improvement Project

City Manager recommending City Council adopt the attached resolution preliminary approving the proposed plans, specifications, form of contract, and construction estimate of \$747,724.49; establishing the date of the public hearing as July 17, 2023; and authorizing the City Engineer to advertise for bids for the John F. Kennedy Road and W. 32nd Street Intersection Improvement Project.

RESOLUTION John F. Kennedy Road and W. 32nd Street Intersection Improvement 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

Suggested Disposition:

Receive and File; Adopt Resolution(s), Set Public Hearing for July 17, 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.

Transit Advisory Board

One, 3-Year Term through July 30, 2026 (Expiring Term of Orwoll)

Applicant:

Greg Orwoll, 2635 West 32nd 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. Resolution of Adoption for the proposed Switch Homes Housing Urban Renewal Area

Proof of publication on notice of public hearing to consider City Council adopt the resolution approving the Urban Renewal Plan for the Switch Homes Housing Urban Renewal Area (Area), and City Manager recommending approval.

RESOLUTION Approving the Urban Renewal Plan for the Switch Homes Housing Urban Renewal Area

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

2. Voluntary Annexation Request - City of Dubuque Engineering Department (applicant) and the Iowa Department of Transportation (property owner)

Proof of publication on notice of public hearing to consider City Council approval of a 100% voluntary annexation request filed by the City of Dubuque Engineering Department (applicant) and the Iowa Department of Transportation (property owner) for approximately 4.56 acres of property, and City Manager recommending approval.

RESOLUTION Approving an application for voluntary annexation of territory to the City of Dubuque, Iowa

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

3. Weber Acres Rezoning Request

Proof of publication on notice of public hearing to consider City Council approve a request from the City of Dubuque Engineering Department to rezone property located at Weber Acres, south of Westside Drive and east of Westside Court from County M-2 Heavy Industrial to City CS Commercial Service and Wholesale concurrently with annexation into the City of Dubuque, 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 parcel of land located along Westside Drive from County M-2 Heavy Industrial to City CS Commercial Service and Wholesale concurrently with annexation into the City of Dubuque

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

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. Update on Water & Resource Recovery Center Odor Abatement Efforts

City Manager providing an update on odor abatement efforts at the Water & Resource Recovery Center.

Suggested Disposition: Receive and File

2. Tax Increment Ordinance for the Switch Homes Housing Urban Renewal Area

City Manager recommending City Council approval of an ordinance attached hereto for the Switch Homes Housing Urban Renewal Area.

ORDINANCE Providing that general property taxes levied and collected each year on all property located within the Switch Homes Housing Urban Renewal Area, in the City of Dubuque, County of Dubuque, State of Iowa, by and for the benefit of the State of Iowa, City of Dubuque, County of Dubuque, Dubuque Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by said city in connection with said Switch Homes Housing Urban Renewal Area

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

3. Fiscal Year 2024 Arts & Culture Operating Support Grant Funding Recommendation

City Manager recommending City Council concurrence with the Arts & Cultural Affairs Advisory Commission recommendation to fund the FY2024 Operating Support grant applications.

Suggested Disposition: Receive and File; Approve

4. Fiscal Year 2024 Arts & Culture Special Projects Grant Funding Recommendation

City Manager recommending City Council concurrence with the Arts & Cultural Affairs Advisory Commission recommendation to fund the FY2024 Special Projects grant applications.

Suggested Disposition: Receive and File; Approve

5. Fiscal Year 2024 Purchase of Services Grant Recommendations & Agreements

City Manager recommending City Council approve the attached Purchase of Services Grant Agreements with the recommended organizations and authorize the Mayor to execute the agreements on behalf of the City.

RESOLUTION Authorizing execution of FY24 Purchase of Services Grant Agreements

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

6. Proceedings to Direct Advertisement for Sale of \$6,250,000 Taxable General Obligation Bonds, Series 2023A, Approval of the Preliminary Official Statement, and Approval of Electronic Bidding Procedures

City Manager recommending City Council approval of the suggested proceedings for approving the advertisement for sale, preliminary Official Statement, and electronic

bidding procedures for the \$6,250,000 Taxable General Obligation Bonds, Series 2023A.

RESOLUTION Setting the date for the sale of Taxable General Obligation Corporate Purpose Bonds, Series 2023A and authorizing the use of a preliminary official statement in connection therewith

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

7. Federal Transit Administration (FTA) 5339 Bus and Bus Facilities Low or No Emission Grant Award

City Manager notifying City Council that the Jule was awarded the Fiscal Year 2023 FTA 5339 Bus and Bus Facilities Low or No Emission Grant.

Suggested Disposition: Receive and File

8. Work Session Request: State Legislation/Property Tax Reform – Impact on City Revenue

City Manager recommending City Council schedule a work session on Monday, July 17, 2023, at 5:30 p.m. for a presentation on State Legislation/Property Tax Reform – Impact on City Revenue.

Suggested Disposition: Receive and File; Council

9. Work Session Request: State and Federal Grant Updates

City Manager recommending City Council schedule a work session on Monday, August 21, 2023, at 5:00 p.m. for a presentation on State and Federal Grants Update.

Suggested Disposition: Receive and File; Council

10. Work Session Request: Travel Dubuque

Travel Dubuque President and CEO Keith Rahe requesting City Council schedule a work session for Monday, August 21, 2023 at 6:00 p.m. to present an update on Travel Dubuque.

Suggested Disposition: Receive and File; Council

11. Marshallese Video on Air Quality

Media Services will show a video of the June 28, 2023 air quality warning delivered in Marshallese.

The video can be viewed at: <https://youtu.be/laQjs93Olaw>

Suggested Disposition:

Receive and File; Video

COUNCIL MEMBER REPORTS

CLOSED SESSION

Professional Evaluation(s) – Chapter 21.5(1)(i) 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 at (563) 589-4100, TDD/TTY (563) 690-6678, ctyclerk@cityofdubuque.org as soon as feasible. Deaf or hard-of-hearing individuals can use Relay Iowa by dialing 711 or (800) 735-2942.