

ROLL CALL ORDER FOR MEETING OF
April 17, 2023

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

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:

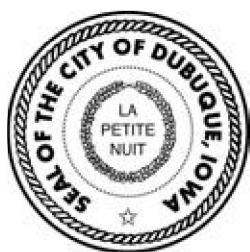
- Log into GoToMeeting using the login links, phone numbers and access code below. This option includes audio input and written "chat" input. If you are participating via computer, indicate which item you would like to speak to in the Chat function, or note you would like to speak during the appropriate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

April 17, 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

PRESENTATION(S)

1. Presentation of the Iowa Park and Recreation Association Claude Ahrens Community Service Award to Park and Recreation Commission member Jennifer Tigges

City staff will recognize Park and Recreation Commission member Jennifer Tigges for receiving the Iowa Park and Recreation Association Claude Ahrens Community Service Award.

2. COVID-19 Update

Public Health Director Mary Rose Corrigan will provide an after action report on the COVID-19 pandemic and response activities. First report given on March 16, 2020, last report given on this day, April 17, 2023.

PROCLAMATION(S)

1. Arbor Day (April 28, 2023)

On behalf of Dubuque Trees Forever.

2. No Mow May (May 2023)

On behalf of No Mow May Dubuque.

3. Building Safety Month (May 2023)

On behalf of the Housing and Community Development Department.

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

Building Code Advisory and Appeals Board of 3/2/23; City Council Proceedings of 4/3/23; Resilient Community Advisory Commission of 4/6/23; Parks and Recreation Commission of 3/21/23; Zoning Board of Adjustment of 3/23/23; Zoning Advisory Commission of 04/05/23; Proof of Publication for City Council Proceedings of 3/20/23, 3/21/23, 3/22/23, and 3/23/23.

Suggested Disposition: Receive and File

2. 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)

3. Sustainable Dubuque Grant Recommendations

City Manager recommending City Council approval of the Resilient Community Advisory Commission recommendations for funding seven projects from the Sustainable Dubuque Community Grant Program Round 27 at a total funding amount of \$12,650.00.

RESOLUTION Awarding Sustainable Dubuque Grant to Centrally Rooted Mission, Inc

RESOLUTION Awarding Sustainable Dubuque Grant to Convivium Urban Farmstead

RESOLUTION Awarding Sustainable Dubuque Grant to the Four Mounds Foundation

RESOLUTION Awarding Sustainable Dubuque Grant to the Nova Elite Youth Basketball

RESOLUTION Awarding Sustainable Dubuque Grant to St. Mark Youth Enrichment

RESOLUTION Awarding Sustainable Dubuque Grant to the Tri-State Christian School

RESOLUTION Awarding Sustainable Dubuque Grant to the Valentine Park Community Garden

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

4. Recommendation to Reallocate National Endowment of the Arts American Rescue Plan Act Funds from Underutilized Budgeted Line Items to Supplement the Creative Empowerment Subgrant Program

City Manager recommending City Council approval to reallocate \$12,000 from underutilized budget line item costs to raise the available funding amount from \$15,000 to \$27,000 to assist in addressing the gap in eligible requests received through Round 1 and projected asks in Round 2 of the National Endowment for the Arts Local Arts Agency Creative Empowerment subgrant program administered through the Office of Arts and Cultural Affairs.

Suggested Disposition: Receive and File; Approve

5. National League of Cities City Inclusive Entrepreneurship \$15,000 Implementation Grant Award Update

City Manager sharing information on the National League of Cities' (NLC) "City Inclusive Entrepreneurship" program that City staff are participating in this fiscal year, and an update on a \$15,000 grant available through the program.

Suggested Disposition: Receive and File

6. 2021 Traffic Deaths Article

City Manager providing a copy of an Associated Press article on increased traffic deaths in 2021 resulting from distraction, speeding, and alcohol.

Suggested Disposition: Receive and File

7. Approval of Preconstruction Agreement for South Grandview US 61-151 Bridge Replacement

City Manager recommending City Council adopt a resolution authorizing the Mayor to execute a Local Public Agency (City) Preconstruction Agreement (No. 2023-12-047) with the Iowa Department of Transportation (Iowa DOT) for the South Grandview Bridge over US Highway 61-151 Bridge Replacement Project.

RESOLUTION Approving a Preconstruction Agreement (No. 2023-12-047) with the Iowa Department of Transportation for the South Grandview Bridge Over US Highway 61-151 Bridge Replacement Project

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

8. Acceptance of North Cascade Road Reconstruction Project

City Manager recommending City Council adopt the resolution accepting the Public Improvement Construction Contract and to authorize the payment of the contract amount of \$1,617,366.68 to Top Grade Excavating, Inc. for the North Cascade Road Reconstruction Project, Phase 1 from the bridge over Catfish Creek to Edval Lane, Iowa DOT Project No. STBG-SWAP-2100 (669)--SG-31.

RESOLUTION Accepting the North Cascade Road Reconstruction Project, Phase 1 from the bridge over Catfish Creek to Edval Lane, Iowa DOT Project No. STBG-SWAP-2100 (669)--SG-31 and

authorizing the final payment to the contractor

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

9. Approval of Plat of Survey Lot 1 & Lot 2 of Boys and Girls Club Place, 1299 Locust Street and 1257 Locust Street

Zoning Advisory Commission recommending City Council approval of a simple subdivision with a waiver of bulk regulations at 1299 Locust Street and 1257 Locust Street to allow a 0' side yard setback where a minimum 3' side yard setback is required in an OR-Office Residential zoning district.

RESOLUTION Approving the Plat of Survey of: Lot 1 & Lot 2 of Boys and Girls Club Place in the City of Dubuque, Iowa

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

10. Approval of Final Plat of Valentine Place No. 4

Zoning Advisory Commission recommending City Council approval of the Final Plat of Valentine Place No. 4, located at 11429 Edval Lane, Dubuque County, IA.

RESOLUTION Approving the Final Plat of Valentine Place No. 4, in the city of Dubuque and in Dubuque County, Iowa.

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

11. Pre-Annexation Agreement - 10400 Timothy Street, Dubuque County with Gary F. and Ann M. Kluesner

City Manager recommending City Council approval of a Pre-Annexation Agreement with Gary F. and Ann M. Kluesner property owner, of Lot 3, In "Twin Ridge Subdivision No. 2", In Table Mound Township, Dubuque County, Iowa, according to the Plat Recorded as Instrument No. 7519-75, Records of Dubuque County, Iowa known as 10400 Timothy Street, and authorize the Mayor to sign the agreement on behalf of the City of Dubuque.

RESOLUTION Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and Gary F. and Ann M. Kluesner

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

12. Signed Contracts for 812 Garfield and 514 Angella Projects

City Manager recommending City Council approve and file the signed contracts for 821 Garfield and 514 Angella, which are currently under construction by the Four Mound HEART programs. Approval will authorize payments to Four Mounds on a weekly basis.

Suggested Disposition: Receive and File; Approve

13. Signed Contract(s)

Lease Agreement with Dubuque Water Sports Club for a section of Miller Riverview Park.

Suggested Disposition: Receive and File

14. First Amendment to Development Agreement by and between the City of Dubuque, Iowa and Switch Development, LLC.

City Manager recommending City Council adopt a resolution approving the First Amendment to a Development Agreement by and between the City of Dubuque, Iowa and Switch Development LLC., revising the Closing Date to take place June 30, 2023, and also set a new deadline of June 30, 2023, for funding the Escrow Agreement for the intersection improvements required by the Development Agreement.

RESOLUTION Approving the First Amendment to Development Agreement by and between the City of Dubuque, Iowa and Switch Development, LLC

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

15. Approval of Retail Alcohol Licenses

City Manager recommending City Council approval of retail alcohol licenses 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

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

16. Resolution Approving the Consent to Assignment and Assumption Agreement Between the Hotel Dubuque L.L.C., and Novelty Iron Landlord, LLC and Approving the Eight Amendment to Development Agreement Between and among the City of Dubuque, Iowa, The Hotel Dubuque L.L.C., and Novelty Iron Landlord, LLC

City Manager recommending City Council adopt a resolution approving the Assignment and Assumption of Contract Rights and Obligations between the Hotel Dubuque L.L.C., and Novelty Iron Landlord LLC and approves the attached Eighth Amendment to Development Agreement between and among the City of Dubuque, Iowa, The Hotel Dubuque L.L.C., and Novelty Iron Landlord LLC.

RESOLUTION Approving the Consent to Assignment and Assumption Agreement between the Hotel Dubuque L.L.C., and Novelty Iron Landlord LLC and approving the Eighth Amendment to Development Agreement between and among the City of Dubuque, Iowa, the Hotel Dubuque L.L.C., and Novelty Iron Landlord LLC

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

17. Final Plat of Asbury Plaza No. 22

City Manager recommending City Council approval of the resolution for the Final Plat of Asbury Plaza No 22 as it is in compliance with the City of Dubuque's Unified Development Code and the Imagine Dubuque Comprehensive Plan.

RESOLUTION Authorizing approval of the Final Plat of Asbury Plaza No. 22, in the City of Dubuque, Iowa

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 the Proposed First Amendment to Development Agreement by and between the City of Dubuque and Seippel Warehouse, 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 May 1, 2023 on the proposed First Amendment to Development Agreement by and between the City of Dubuque and Seippel Warehouse, LLC (Developer) providing for the issuance of Urban Renewal Tax Increment Revenue Grant Obligations.

RESOLUTION Setting a public hearing on the First Amendment to Development Agreement between the City of Dubuque, Iowa and Seippel Warehouse, LLC

Suggested Disposition:

Receive and File; Adopt Resolution(s), Set Public Hearing for May 1, 2023

BOARDS/COMMISSIONS

1. Boards and Commission Appointments

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

Equity and Human Rights Commission

Three, 3-Year terms through January 1, 2026 (Expired terms of Dixon, Durnin, and Kurczek)
One, 3-Year term through January 1, 2024 (Vacant term of Branch)

Applicants:

Pamela Birch, 1550 Butterfields
Michaela Freiburger, 1718 Diane Crt. Additional Applicant
Jake Kurczek, 1110 Victoria Pl.
Kristen Leffler, 159 Julien Dubuque Dr.
Lauren Link, 535 West 5th St.
Candace Raymond, 1155 Tressa St.
Enoc Sanchez, 2130 Morningview Rd.
Theresa Sampson Brown, 2285 Clydesdale Crt.
Nina Streauslin, 3904 Cora Dr.
Matt Zanger, 261 Southgate Dr. Additional Applicant

*This commission is subject to the State of Iowa Gender Balance Law, §69.16A.
9 Commissioners total; currently 1 male/3 females/ 5 openings*

**Openings were advertised for 90 days while non-female identifying applicants were sought in adherence with Iowa Code 69.16A Gender Balance.*

**One additional 3-Year term through January 1, 2024 (Vacant term of Evans) will be presented for applicant review at the May 1, 2023, City Council meeting. This term is being advertised for 90 days while non-female identifying applicants are sought in adherence with Iowa Code 69.16A Gender Balance.*

Park and Recreation Advisory Commission

One, 3-Year term through June 30, 2025 (Vacant term of Wood)

Applicants:

Jason Henkel, 1888 Saint Joseph St.
Ericson Hilbun, 1430 Oeth Crt. Additional Applicant
Shirley Snow, 779 University Ave.

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. Voluntary Annexation Request - John and Diane Brehm (property owners) and Seippel Warehouse LLC (applicant and future property owner)

Proof of Publication on notice of public hearing to consider approving an application for voluntary annexation of territory to the City of Dubuque, Iowa 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)

2. Request to Rezone Brehm Acres

Proof of publication on notice of public hearing to consider a request from John and Dianne Brehm to rezone Brehm Acres from AG-Agriculture to Planned Unit Development with PI-Planned Industrial zoning designation, to construct a 250,000 square foot warehouse on the

subject property 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. 2-13 which established regulations for a PUD Planned Unit Development with a PI Planned Industrial Designation and adopting an amended PUD Ordinance that expands the district by incorporating an additional parcel of land

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

3. Request to Rezone 1061 Cedar Cross Road

Proof of publication on notice of public hearing to consider a request from Nemmers Cedar Ridge Farm Limited Partnership to rezone property at 1061 Cedar Cross Road, from CS Commercial Service and Wholesale to C-3 General 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 located at 1061 Cedar Cross Road from CS Commercial Service and Wholesale District to C-3 General Commercial District

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

4. Request to Rezone 900 Alta Vista Street

Proof of publication on notice of public hearing to consider City Council approval of a request from Affordable Housing Network Inc. to rezone property located at 900 Alta Vista Street from ID Institutional District to OR Office Residential District, 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 located at 900 Alta Vista Street from ID Institutional District to OR Office Residential District

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

5. Request to Rezone 1301 Central Avenue

Proof of publication on notice of public hearing to consider approval of a request from Scott Kwiencinski to rezone property located at 1301 Central Avenue from C-4 Downtown Commercial to OR Office Residential to allow for residential uses on the first floor, 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 Central Avenue, Loras Boulevard, West 13th Street, and Iowa Street within the city of Dubuque from C-4 Downtown Commercial District to OR Office Residential District

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

6. Proceedings for the Public Hearing on the Issuance of Not to Exceed \$6,250,000 Taxable General Obligation Bonds, Series 2023A

Proof of publication on notice of public hearing to consider City Council approval of the suggested proceedings for the public hearing on the issuance of selling not to exceed \$6,250,000 in Taxable General Obligation Bonds, and City Manager recommending approval.

RESOLUTION Taking additional action on proposals to enter into Loan Agreements and combining Loan Agreements

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

7. Public Hearing for Sale of City-Owned Property at 2407 Queen Street

Proof of publication on notice of public hearing to consider City Council hold a public hearing

and approve the purchase agreement for 2407 Queen Street to Melissa Sarazin for the submitted offer of \$145,000, and City Manager recommending approval.

RESOLUTION Disposing of city interest in real property at 2407 Queen Street, in the City of Dubuque, Iowa

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. Resolution of Support for Proposed Low Income Housing Project – Horizon Development

City Manager recommending City Council approval of a resolution of support for a proposed 30-unit low-income housing project by Horizon Development at 1301 Central Avenue.

RESOLUTION Providing a Letter of Support for a Low-Income Housing Tax Credit Project proposed by Horizon Development

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

2. Resolution of Support for Proposed Low Income Housing Project – Gronen Development

City Manager recommending City Council approval of a resolution of support for a proposed rehabilitation of low-income housing at the Henry Stout Apartments, 125 W 9th Street by Gronen Development.

RESOLUTION Providing a Letter of Support for a Low-Income Housing Tax Credit Project proposed by Gronen Development

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

3. 2022 Most Dynamic Metros Publication

City Manager providing a copy of Heartland Forward's 2022 Most Dynamic Metros publication.

Suggested Disposition: Receive and File

4. Leisure Services Temporary Employee Recruitment & Hiring Update

City Manager providing an update on the recruitment and hiring of temporary staff with the Leisure Services Department.

Suggested Disposition: Receive and File

5. Work Session Request: Achievelt and Imagine Dubuque

City Manager recommending City Council schedule a work session on Monday, June 5th, 2023, at 5:30 p.m. at the Historic Federal Building for the purpose of hearing a presentation on the Achievelt performance management system and an Imagine Dubuque Comprehensive Plan update.

Suggested Disposition: Receive and File; Council

6. Delivering Dubuque: Trash Tipper Carts Video

Media Services will show the Delivering Dubuque episode featuring trash tipper carts.

This video can be viewed at: <https://youtu.be/kg3H0hTomoo>

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 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.