

ROLL CALL ORDER FOR MEETING OF
November 21, 2022

Wethal, Jones, Farber, Resnick, Cavanagh, Roussell, 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 when phone lines are unmuted. All phone lines will be unmuted during the Consent Items, Public Hearings, and Public Input periods, and City staff will determine the speaking order of attendees who would like to speak. 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.

November 21, 2022

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 11/07/22; Library Board of Trustees of 9/19/22, 9/20/22, 9/22/22; Zoning Board of Adjustment of 10/27/22.

Suggested Disposition: Receive and File

2. Notice of Claims and Suits

Ethan Bever for vehicle damage; Jenny Cribbs on behalf of Barbara Callhan for vehicle damage; Debra Heim for property 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: Ethan Bever for vehicle damage; Barbara Callhan 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 Director of Finance and Budget/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. Fiscal Year 2022 Iowa Urban Renewal Annual Report

City Manager recommending approval of the Fiscal Year 2022 Iowa Urban Renewal Report for the City of Dubuque.

RESOLUTION Approving the Fiscal Year 2022 Urban Renewal Report for the City of Dubuque

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

6. Fiscal Year 2024 Annual Tax Increment Financing Report

City Manager transmitting the Annual Tax Increment Financing Report that has been filed with Dubuque County Auditor Kevin Dragotto.

Suggested Disposition: Receive and File

7. 2023 State Legislative Priorities

City Manager recommending City Council adopt the 2023 State Legislative Priorities.

Suggested Disposition: Receive and File; Approve

8. Iowa Arts Council Creative Places Project Grant Application

City Manager recommending City Council approval of a grant application submitted on November 1, 2022, to the Iowa Arts Council's (IAC) Creative Places Project grant program to support the Winter Arts Snow Sculpting Festival and Competition (Winter Arts).

Suggested Disposition: Receive and File; Approve

9. Letter of Support on Behalf of Dubuque Museum of Art to Institute of Museum and Library Services Museums for America Grant Program

City Manager recommending City Council approval of a letter of support to be provided to the Dubuque Museum of Art (DuMA) to accompany its application to the Institute of Museum and Library Services' (IMLS) Museums for America grant program.

Suggested Disposition: Receive and File; Approve

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

Senior Counsel recommending City Council adopt 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 February 1, 2023.

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)

11. Approval for Organizational Culture Change Consulting Services Request for Proposal (RFP)

City Manager recommending City Council approval to issue a Request for Proposals (RFP) for an Organizational Culture Change Consultant.

Suggested Disposition: Receive and File; Approve

12. Equity and Human Rights Department Restructuring

City Manager recommending that the vacant Human Rights Intake Specialist position be eliminated and that a new Equity and Human Rights Specialist position be created.

Suggested Disposition: Receive and File; Approve

13. Certified List: Firefighter-Paramedic/Firefighter-EMT

Civil Service Commission submitting the certified list for the position of Firefighter-Paramedic/Firefighter-EMT

Suggested Disposition: Receive and File; Make Matter of Record

14. Liquor License Renewals

City Manager recommending City Council approval of annual beer, liquor and wine licenses as submitted.

RESOLUTION Approving applications for beer, liquor, and/or wine permits, 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)

ITEMS SET FOR PUBLIC HEARING

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

1. Flora Pool Filter Tanks and Recirculation Pump Replacement – Initiate Bidding Process

and Set Public Hearing

City Manager recommending approval of the proposed plans, specifications, form of contract and estimated cost for the Flora Pool Filter Tank and Recirculation Pump Replacement Project, in the estimated cost amount of \$215,000 and set the public hearing for December 5, 2022.

RESOLUTION Flora Pool Filter Tank and Recirculation Pump Replacement 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 December 5, 2022

BOARDS/COMMISSIONS

1. Boards and Commission Appointments

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

Community Development Advisory Commission

One 3-Year term through February 15, 2023 (Vacant term of Hammel Jr.)

Applicant:

Gabriel Mozena, 196 Bluff St.

Park and Recreation Advisory Commission

One 3-Year term through June 30, 2023 (Vacant term of Hochberger)

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

Applicants:

Ron Axtell, 1895 Norland Dr.

Josh Jorgenson, 3030 Judson Crt.

Shirley Snow, 779 University Ave.

Resilient Community Advisory Commission

City Code 2-6-7 requires 3 members of the Resilient Community Advisory Commission to also be a member of one of the following boards or commissions: Arts & Culture Advisory Commission, Catfish Creek Watershed Management Authority, Community Development Advisory Commission, Historic Preservation Commission, Housing Commission, Human Rights Commission, Long Range Planning Advisory Commission, Parks & Recreation Advisory Commission, Transit Advisory Commission, and/or Zoning Advisory Commission

One Cross Representative whose term will coincide with their term on the cross represented board or commission (Vacant Cross Representative Member term of Reber)

Applicants:

Thea Dement, 375 Alpine St. - *Current member of Historic Preservation Commission – Term Expires 7/1/23*

Steven Drahozal, 683 West 11th St. - *Current member of Catfish Creek Watershed Management Authority - Term Expires 7/16/24*

Lori Ollendick, 1390 Oak Park Pl. - *Current member of Park and Recreation Advisory Commission – Term Expires 7/1/25*

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. Upper Bee Branch Creek Restoration Railroad Sanitary Interceptor Crossing Project (part of Phase IV of the Bee Branch Watershed Flood Mitigation Project)

Proof of publication on notice of public hearing to consider City Council adoption of a resolution approving the proposed plans, specifications, form of contract, and construction estimate in the amount of \$3,203,300 for the Upper Bee Branch Creek Restoration Railroad Sanitary Interceptor Crossing Project, and City Manager recommending approval.

RESOLUTION Approval of plans, specifications, form of contract, and estimated cost for the Upper Bee Branch Creek Railroad Sanitary Interceptor Crossing Project

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

2. Public Hearing and Approval of Plaza Drive Urban Revitalization Plan

Proof of publication on notice of public hearing to consider City Council approve the Plaza Drive Urban Revitalization Plan, and City Manager recommending approval.

ORDINANCE Amending City of Dubuque Code of Ordinances Title 3, Revenue and Taxation, Chapter 2 Revitalization Areas, by adopting a new Section 9 Plaza Drive, establishing the Plaza Drive Urban Revitalization Area, and establishing requirements for qualifying property owners

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. Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award

City Manager transmitting the notification of the City of Dubuque receiving the Government Finance Officers Association Distinguished Budget Presentation Award for the 17th consecutive year.

Suggested Disposition: Receive and File

2. Approval of an Ordinance to Remove the Area Bounded by 7th Street, 8th Street, Bluff Street, and Locust Street from the Conservation District

City Manager recommending City Council approval of an ordinance removing from the Conservation District the block bounded by 7th Street, 8th Street, Bluff Street, and Locust Street.

ORDINANCE Amending Title 16 of the City of Dubuque Code of Ordinances, Unified Development Code, by amending Article 10-8-A-8 pertaining to alteration of the Downtown Neighborhood Conservation District to remove the city block bounded by 7th/Locust/8th/Bluff Streets

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

3. Resolution Approving the Fourth Amendment to Development Agreement by and among the City of Dubuque, Roshek Property, LLC, Cottingham & Butler, Inc., and Heartland Financial USA, Inc.

City Manager recommending City Council approval of a Fourth Amendment to the Development Agreement by and among the City of Dubuque, Roshek Property, LLC, Cottingham & Butler,

Inc., and Heartland Financial USA, Inc. (now known as HTLF).

RESOLUTION Approving the Fourth Amendment to Development Agreement by and among the City of Dubuque, Roshek Property, LLC, Cottingham & Butler, Inc. and Heartland Financial USA, Inc.

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

4. Work Session Request - Five Flags

City Manager requesting City Council schedule a work session for Monday, December 5, 2022 at 5:30 p.m. to discuss how to move forward with the Five Flags Project.

Suggested Disposition: Receive and File; Council

5. Dubuque County Watershed Partnership – 28E Agreement

City Manager providing information about the Watershed Agreement with the County of Dubuque (County) and the Dubuque Soil and Water Conservation District (District) that has allowed the City to continue to collaborate on addressing stormwater flooding and water quality issues on a watershed basis, beyond the limits of its jurisdictional boundary.

Civil Engineer II Deron Muehring and Watershed Program Director Eric Schmechel will make a presentation outlining some of the successes of the Watershed Agreement partnership.

Suggested Disposition:

Receive and File; Presentation

6. Bee Branch Creek Trail Phase 1 Project

City Manager recommending City Council adopt a resolution to award the public improvement contract for the Bee Branch Creek Trail Project – Phase 1 Project, Iowa DOT Project TAP-2100(697)—8I-31 to Tschiggfrie Excavating Co., of Dubuque, IA, in the amount of \$604,809.62 subject to Iowa DOT concurrence and approval of award.

RESOLUTION Awarding Public Improvement Contract for the Bee Branch Creek Trail Project – Phase 1 Project, Iowa DOT Project No. Tap-2100(697)—8I-31

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

7. Amending Ordinance 38-22 for the Derby Grange Road Housing Urban Renewal Area

City Manager recommending City Council adopt an amendment to Ordinance 38-22 for the Derby Grange Road Housing Urban Renewal Plan by removing property from the division of revenues within the Derby Grange Urban Renewal Area.

ORDINANCE Amending Ordinance No. 38-22 providing that general property taxes levied and collected each year on all property located within the Derby Grange Road 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 Derby Grange Road Housing Urban Renewal Area by revising the boundaries of the Derby Grange Road Housing Urban Renewal Area as described herein

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

8. Trash Cart Distribution Update

Public Works Director John Klostermann and Assistant Public Works Director Arielle Swift will provide an update on the city's trash cart distribution.

Suggested Disposition:

Receive and File; Presentation

9. Work Session Request - Central Avenue Corridor Streetscape Master Plan Draft

City Manager requesting City Council schedule a work session for a Central Avenue Corridor Streetscape Master Plan Draft review to be held Monday, December 19, 2022, at 5:30 p.m.

Suggested Disposition: Receive and File; Council

10. Request to Reschedule July 3, 2023 City Council meeting to July 5, 2023

Mayor Cavanagh requesting City Council reschedule the July 3, 2023, City Council meeting to July 5, 2023.

Suggested Disposition: Receive and File; Council

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.

/s/Adrienne N. Breitfelder
City Clerk