

## ROLL CALL ORDER FOR MEETING OF June 3, 2024

Cavanagh, Resnick, Sprank, Roussell, Jones, Wethal, 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), streamed live and archived on the City's website at [www.cityofdubuque.org/media](http://www.cityofdubuque.org/media), and streamed live on the City's Facebook page at [www.facebook.com/cityofdubuque](http://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](http://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](http://www.cityofdubuque.org/councilcontacts)
- Through the City Clerk's Office email at [ctyclerk@cityofdubuque.org](mailto: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.

June 3, 2024

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

### WORK SESSION

#### 1. [5:15 PM - City Prevention and Response to an Active Aggressor Situation](#)

Police and Fire Department staff, representatives of the Dubuque Community School District, City Council Member Katy Wethal and the Community Foundation of Greater Dubuque will discuss prevention and response to active aggressor situations.

### REGULAR SESSION

6:30 PM

**PLEDGE OF ALLEGIANCE****PRESENTATION(S)****1. 2024 Employee SPIRIT Awards Recognition**

Assistant City Manager Cori Burbach will make a presentation on the 2024 City of Dubuque SPIRIT Awards. As part of the presentation, Public Information Office staff will show a video on the May 9, 2024, City Employee Celebration Event held in conjunction with Public Service Recognition Week.

The video can be viewed at: <https://youtu.be/5fUeiAGqdLo>

**PROCLAMATION(S)****1. Upper Mississippi River Wildlife and Fish Refuge Day (June 7, 2024)**

On behalf of the National Mississippi River Museum & Aquarium.

**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 May 20, 2024; Community Development Advisory Commission of April 17, 2024.

**Suggested Disposition: Receive and File**

**2. Notice of Claims and Suits**

Chicago, Central & Pacific Railroad for property damage; Edward & Diane Claycomb 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: Chicago, Central & Pacific Railroad for property damage; Edward & Diane Claycomb 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. Letter of Support: Local College/Career Access Network (LCAN)**

City Attorney recommending City Council approval to provide a letter of support for the Local College/Career Access Network (LCAN) grant to the Community Foundation of Greater Dubuque.

**Suggested Disposition: Receive and File; Approve**

**6. North Grandview Avenue Pavement Rehabilitation Project**

City Manager recommending City Council adopt a resolution awarding the construction contract for the North Grandview Avenue Pavement Rehabilitation Project to Eastern Iowa Excavating and Concrete LLC in the amount of \$448,766.75.

**RESOLUTION** Awarding Public Improvement Contract for the North Grandview Avenue Pavement Rehabilitation Project

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

7. **2024 ADA Sidewalk Curb Ramp Project Three Award Recording Memo**

City Manager recommending City Council award the construction contract for the 2024 ADA Sidewalk Curb Ramp Project Three through the adoption of the attached resolution to Valentine Construction Co., LLC in the amount of \$169,806.00.

**RESOLUTION** Awarding Public Improvement Contract for the 2024 ADA Sidewalk Curb Ramp Project Three

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

8. **2024 ADA Sidewalk Curb Ramp Project Four Award Recording Memo**

City Manager recommending City Council adopt a resolution awarding the construction contract for the 2024 ADA Sidewalk Curb Ramp Project Four to Drew Cook & Sons Excavating Co. in the amount of \$109,878.25.

**RESOLUTION** Awarding Public Improvement Contract for the 2024 ADA Sidewalk Curb Ramp Project Four

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

9. **3000 Jackson, Dubuque Brewing and Malting Building Update**

City Manager submitting a status update on the Dubuque Brewing and Malting project at 3000 Jackson Street.

**Suggested Disposition: Receive and File**

10. **New Housing Units Highlighting Affordable Projects Handout**

City Manager providing a copy of a handout highlighting affordable housing units among new units approved, under review, under construction, or completed.

**Suggested Disposition: Receive and File**

11. **First Amendment to Lease Agreement by and Among The City of Dubuque, Iowa, Dubuque Metropolitan Area Solid Waste Agency, and Radio Dubuque, Inc.**

City Manager recommending City Council approval of the First Amendment to Lease Agreement by among The City of Dubuque, Iowa, Dubuque Metropolitan Area Solid Waste Agency, and Radio Dubuque, Inc.

**Suggested Disposition: Receive and File; Approve**

12. **Public Works Custodian Staffing Change Recommendation**

City Manager recommending City Council approval to increase the Public Works Department Part-Time Custodian position (0.68 FTE) to a Full-Time Custodian (1.00 FTE).

**Suggested Disposition: Receive and File; Approve**

13. **Signed Contract(s)**

Landmark Turf Services, LLC for the Weed Control Flood Control System Spraying 2024; First Amendment to Access Easement Agreement with Butler Children's Garden Foundation, Inc.; Amended and Restated Parking Agreement with Wanderwood Gardens and Dubuque Arboretum and Botanical Gardens.

**Suggested Disposition: Receive and File**

14. **Equitable Community Grant Recommendation**

City Manager recommending City Council approve the recommendations to fund the following Equitable Community Grant applications for The Red Basket Project in the amount of \$5,000 and Hills & Dales Childcare Center in the amount of \$5,000.

**RESOLUTION** Awarding Equitable Community Grant to Hills & Dales Childcare Center

**RESOLUTION** Awarding Equitable Community Grant to Red Basket Project

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

**15. Final Plat of South Pointe #2**

City Manager recommending City Council approval of the resolution for the Final Plat of South Pointe #2 as it is in compliance with the City of Dubuque's Unified Development Code and the Imagine Dubuque Comprehensive Plan and is in substantial compliance with the approved preliminary plat.

**RESOLUTION** Authorizing approval of the Final Plat of South Pointe #2 in the City of Dubuque, Iowa

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

**16. Improvement Contracts / Performance, Payment and Maintenance Bonds**

Midwest Concrete Inc. for the 2024 ADA Sidewalk Curb Ramp Project One and 2024 ADA Sidewalk Curb Ramp Project Two.

**Suggested Disposition: Receive and File; Approve**

**17. Approval of Retail Tobacco, Alternative Nicotine, and Vapor Product Permit Applications**

City Manager recommending City Council approval of annual tobacco, alternative nicotine, and vapor product permits as submitted.

**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 Millwork Flats, L.L.C. Providing for the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement**

City Manager recommending City Council approve the attached resolution setting a public hearing for June 17, 2024, on a proposed Development Agreement by and between the City of Dubuque, Iowa and Millwork Flats, L.L.C. 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 Millwork Flats, L.L.C., 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 June 17, 2024**

**2. Resolution Setting a Public Hearing on a Proposed First Amendment to Development Agreement by and between the City of Dubuque, Iowa and South Pointe, L.L.C. and Providing for the Issuance of Urban Renewal Tax Increment Revenue Obligations Pursuant to the Development Agreement**

City Manager recommending City Council adopt the attached resolution setting a public hearing for June 17, 2024 on a proposed First Amendment to the Development Agreement by and

between the City of Dubuque, Iowa and South Pointe, L.L.C., providing for the issuance of Urban Renewal Tax Increment Revenue Obligations.

**RESOLUTION** Fixing the date for a public hearing of the City Council of the City of Dubuque, Iowa on the First Amendment to Development Agreement by and between the City of Dubuque, Iowa and South Pointe, L.L.C., including the proposed reimbursement of South Pointe, L.L.C. for certain infrastructure improvements with urban renewal tax increment revenue and providing for the publication of notice thereof

**Suggested Disposition:**

**Receive and File; Adopt Resolution(s), Set Public Hearing for June 17, 2024**

3. **Seippel Road Water Main Lowering Project Initiate Public Bidding Process and Setting Date for Public Hearing - Project Code: 4281000059**

City Manager recommending City Council approval to initiate the public bidding process and set a public hearing on June 17, 2024, and to approve the plans, specifications, form of contract and estimated cost of \$322,500.00 for the Seippel Road Water Main Lowering Project through the adoption of the attached resolution.

**RESOLUTION** Seippel Road Water Main Lowering 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 June 17, 2024**

## 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. **First Amendment to Grant Agreement with Forward Investments Group LLC**

Proof of publication on notice of public hearing to consider City Council adopt the resolution approving a First Amendment to Grant Agreement with Forward Investments Group LLC for the rehabilitation of 1047 Bluff Street, and City Manager recommending approval.

**RESOLUTION** Approving a First Amendment to Grant Agreement by and between the City of Dubuque, Iowa and Forward Investments Group 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)**

2. **Resolution Approving a Subordination Agreement for Downtown Rehabilitation Loan Program Loan #2-23 - 1199 Central Avenue**

Proof of publication on notice of public hearing to consider City Council adopt the attached resolution approving a Subordination Agreement with Virtual Velocity, LLC (Developer), Dubuque Initiatives, Michael and Denise Erschen (Erschens), and the City of Dubuque, Iowa (City) for interest in property located at 1199 Central Avenue, and City Manager recommending approval.

**RESOLUTION** Approving a Subordination Agreement by and among Virtual Velocity, LLC, Dubuque Initiatives, Michael and Denise Erschen, and the City of Dubuque, Iowa for interest in property located at 1199 Central Avenue

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

3. **Public Hearing for the 2024 Pavement Marking Project - Project Code: 5521000013**

Proof of publication on notice of public hearing to consider City Council approve the plans, specifications, form of contract and estimated cost of \$247,500.00 for the 2024 Pavement Marking Project through the adoption of the attached resolution, and City Manager recommending approval.

**RESOLUTION** Approval of plans, specifications, form of contract, and estimated cost for the 2024 Pavement Marking Project

**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. Adoption of Historic Millwork District Master Plan Update**

City Manager recommending City Council approval of the attached resolution adopting the Historic Millwork District Master Plan Update.

**RESOLUTION** Adopting a Master Plan Update for the Historic Millwork District

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

**2. Request for City Council Ratification of IUOE July 1, 2024 Collective Bargaining Agreement (CBA)**

City Manager recommending City Council ratify the City of Dubuque/The International Union of Operating Engineers/AFL-CIO, Local #234 (IUOE) Collective Bargaining Agreement to become effective on July 1, 2024.

**Suggested Disposition: Receive and File; Approve**

**3. Resolutions of Support for Workforce Housing Tax Credit Applications**

City Manager recommending City Council approve the following resolutions of support for Workforce Housing Tax Credit Applications to the Iowa Economic Development Department being submitted by:

- Millwork Flats, L.L.C. for redevelopment of property at 1065 Jackson Street.
- Wilson House Apts, LLC for redevelopment of property at 1243 Locust Street in Dubuque.
- JB Lofts, LLC for development of property at 1301 Central Avenue in Dubuque.
- Corridordbq, LLC for development of property at 1527 Central Avenue in Dubuque.
- Dubuque Initiatives for development of property at 1701 Central Avenue in Dubuque.
- Plastic Center, Inc. for development of property at 408 W. 5th Street in Dubuque.
- Miller Companies for development of property at the intersection of Flint Hill Drive and Cross Hill Drive in Dubuque.

**RESOLUTION** Supporting the submission of an Iowa Economic Development Authority (IEDA) application to the Workforce Housing Tax Credit Program by Millwork Flats, L.L.C.

**RESOLUTION** Supporting the submission of an Iowa Economic Development Authority (IEDA) application to the Workforce Housing Tax Credit Program by Miller Companies

**RESOLUTION** Supporting the submission of an Iowa Economic Development Authority (IEDA) application to the Workforce Housing Tax Credit Program by Corridordbq, LLC

**RESOLUTION** Supporting the submission of an Iowa Economic Development Authority (IEDA) application to the Workforce Housing Tax Credit Program by Dubuque Initiatives

**RESOLUTION** Supporting the submission of an Iowa Economic Development Authority (IEDA) application to the Workforce Housing Tax Credit Program by Plastic Center, Inc.

**RESOLUTION** Supporting the submission of an Iowa Economic Development Authority (IEDA) application to the Workforce Housing Tax Credit Program by JB Lofts, LLC

**RESOLUTION** Supporting the submission of an Iowa Economic Development Authority (IEDA) application to the Workforce Housing Tax Credit Program by Wilson House Apts, LLC

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

4. **Recommendation to Close 15th Street Railroad At-Grade Crossing - Canadian Pacific Kansas City Limited Railroad Request**

City Manager recommending City Council adopt the attached resolution approving the permanent closure of the existing 15th Street railroad at-grade crossing and authorize the City Manager to develop and execute an agreement with Canadian Pacific Kansas City Limited Railroad and Iowa Department of Transportation for said closure.

**RESOLUTION** Authorizing to permanently close the 15th Street railroad at-grade crossing

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

5. **Recommendation for Replacement Agenda and Meeting Management System**

City Clerk recommending Mayor and City Council approval to execute the agreement with CivicPlus for their Agenda and Meeting Management Select software to replace NovusAGENDA as the city's software for City Council meeting agendas.

**Suggested Disposition: Receive and File; Approve**

6. **Work Session Request: Chaplain Schmitt Island Redevelopment Plan**

City Manager recommending City Council schedule a work session on Monday, July 15, 2024, at 5:30 p.m. to present the Redevelopment Plan for Chaplain Schmitt Island to City Council.

**Suggested Disposition: Receive and File; Council**

7. **Work Session Request: Four Mound Foundation**

City Manager recommending City Council schedule a work session on Monday, August 5, 2024, at 6:00 p.m. for the Four Mounds Foundation to present an annual overview of their work.

**Suggested Disposition: Receive and File; Council**

8. **Delivering Dubuque Video - Housing & Community Development**

Public Information Office staff will show the newest edition of Delivering Dubuque video series, which focuses on the programs offered by the Housing & Community Development Department.

The video can be viewed at <https://youtu.be/WFBsvZZOmnY?si=EpZbXOb0iVxBHbG3>

**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](http://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](mailto:ctyclerk@cityofdubuque.org) . Deaf or hard-of-hearing individuals can use Relay Iowa by dialing 711 or (800) 735-2942.