

ROLL CALL ORDER FOR MEETING OF July 1, 2024

Resnick, Cavanagh, Roussell, Jones, Wethal, Farber, 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. 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.

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- www.CityOfDubuque.org/VirtualMeeting
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- United States (Toll Free): [1 877 568 4106](tel:18775684106)
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- Contacting the City Council directly from the City's webpage at www.cityofdubuque.org/councilcontacts
- Through the City Clerk's Office email at cityclerk@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 1, 2024

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

WORK SESSION

1. [5:30 PM - Central Avenue and White Street Corridor Traffic Study](#)

Representatives from Bolton & Menk will be presenting stakeholder outreach, vision/goals, existing conditions results and concepts that are being considered for the Central Avenue and White Street corridor.

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 June 17 and June 18, 2024; Civil Service Commission of June 12, 2024; Equity and Human Rights Commission of April 9, 2024; Five Flags Civic Center Commission of March 4, 2024; Library Board of Trustees Council Update of May 23, 2024; Proof of Publication for City Council Proceedings of May 29, 2024.

Suggested Disposition: Receive and File

2. **Approval of City Expenditures**

City Manager recommending 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. **FY 2025 Arts & Culture Operating Support & Capacity Building Grants Funding Recommendation**

City Manager recommending concurrence with the Arts & Cultural Affairs Advisory Commission for the recommended recipients and funding levels of the FY2025 Arts & Culture Operating Support & Capacity Building grant applicants as provided.

Suggested Disposition: Receive and File; Concur

4. **Approving Fund Transfers for Capital Projects and Other Expense Reimbursements in Fiscal Year 2024 – Period 13**

City Manager recommending approval of the suggested proceedings approving a transfer of funds for capital projects and other expense reimbursements.

RESOLUTION Authorizing the Chief Financial Officer to make the Appropriate Interfund Transfers of Sums and Record the Same in the Appropriate Manner for the FY 2024 for the City Of Dubuque, Iowa

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

5. **Multicultural Family Center Board Receives Iowa Governor's Volunteer Award**

City Manager providing a copy of the press release announcing that the Multicultural Family Center Board of Directors received the Iowa Governor's Volunteer Award.

Suggested Disposition: Receive and File

6. **Seippel Road Water Main Lowering Project Award**

City Manager recommending to award the construction contract for the Seippel Road Water Main Lowering Project to Top Grade Excavating of Farley, Iowa in the amount of \$186,275.20 which is 27.64% under the estimate of probable cost, through adoption of the attached resolution.

RESOLUTION Awarding Public Improvement Contract for the Seippel Road Water Main Lowering Project

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

7. **Walmart, Inc. and Wal-Mart Real Estate Business Trust 2023 Property Tax Appeal Stipulation of Settlement Approval**

Senior Counsel recommending approval of the Stipulation of Settlement for a 2023 property tax appeal filed by Walmart, Inc. and Wal-Mart Real Estate Business Trust for their property located at Parcel No. 1028352901.

Suggested Disposition: Receive and File; Approve

8. [Walmart, Inc. and Sam's Real Estate Business Trust 2023 Property Tax Appeal Stipulation of Settlement Approval](#)

Senior Counsel recommending approval of the Stipulation of Settlement for a 2023 property tax appeal filed by Walmart, Inc. and Sam's Real Estate Business Trust for their property located at 4400 Asbury Road.

Suggested Disposition: Receive and File; Approve

9. [J & M Fireworks Permit Request](#)

City Manager recommending approval of a Fireworks Permit for a private fireworks display at Dubuque Golf and Country Club on July 12, 2024. Aerial fireworks displays require the approval of the City Council prior to permit issuance.

Suggested Disposition: Receive and File; Approve

10. [Q Casino and Beartooth Fireworks Permit Request](#)

City Manager recommending approval of a Pyrotechnics Permit to use pyrotechnics at the Beartooth music performance at the Q Casino on July 18, 2024. Pyrotechnic permits require the approval of the City Council prior to permit issuance.

Suggested Disposition: Receive and File; Approve

11. [Letter of Support for Crescent Community Health Center](#)

City Manager providing a copy of a letter of support on behalf of the City of Dubuque in support of the Crescent Community Health Center's (Crescent's) proposal for the HRSA grant opportunity for Expanded Hours.

Suggested Disposition: Receive and File; Approve

12. [Approve FY25 Four Mounds Foundation Community Development Block Grant Agreement](#)

City Manager recommending to approve the attached Community Development Block Grant Agreement for the payment of up to \$56,905 for the Leisure Services Four Mounds Adventure Day Camp Program with the Four Mounds Foundation and authorize the Mayor to execute the contract on behalf of the City.

Suggested Disposition: Receive and File; Approve

13. [Iowa Health and Human Services \(Iowa HHS\) Childhood Lead Poisoning and Healthy Homes Funding and Agreement with the Visiting Nurse Association \(VNA\) and the Dubuque County Board of Health](#)

City Manager recommending to approve the contract with the Dubuque County Board of Health and the Iowa Health and Human Services (Iowa HHS) for continued funding of the Childhood Lead Poisoning Prevention Program (CLPPP), a renewed agreement with the Visiting Nurse Association for services related to CLPPP and Health Homes Program and authorize the City Manager to sign.

Suggested Disposition: Receive and File; Approve

14. [Bee Branch Stormwater Pumping Station \(Phase IV of the Bee Branch Watershed Flood Mitigation Project\) Project #5586500007 FEMA PDM Grant](#)

City Manager recommending to adopt the attached resolutions authorizing an application for a FEMA PDM grant, pledging matching funds in the amount of \$18,619,820, and establishing Chief Financial Officer Jenny Larson and Water & Resource Recovery Center Director Deron Muehring as authorized City representatives in order to submit the application for \$8,690,000 in funding for the Bee Branch Stormwater Pumping Station (Phase IV of the Bee Branch Watershed Flood Mitigation Project).

RESOLUTION Approving a Federal Emergency Management Agency Pre-Disaster Mitigation Grant Application Construction of the Dubuque Flood Mitigation Gates and Pumps Project and Establishing Authorized City Representatives as Required to Submit the Application

RESOLUTION Local Match for Hazard Mitigation Assistance Program

Suggested Disposition: Receive and File; Adopt Resolution(s)**15. East-West Corridor Capacity Improvements Professional Consultant Services Contract - Supplemental Agreement No.2 Preliminary Engineering Design and Environmental Clearance Phase Iowa DOT Project No. STBG-SWAP-2100 (698)--SG-31**

City Manager recommending City Council authorize the City Manager to execute the Consultant Professional Services - Supplemental Agreement No. 2 with HDR, Inc. which approves revisions to the original scope of services to perform supplemental Phase 1 architectural investigation survey to complete the Preliminary Engineering Design and Environmental Clearance Phase to advance the development of East-West Corridor Capacity Improvements, subject to the concurrence of the Iowa Department of Transportation, through adoption of the enclosed resolution.

RESOLUTION Approving the Consultant Professional Services - Supplemental Agreement No. 2 Between HDR Inc. and the City of Dubuque for the East-West Corridor Capacity Improvements

Suggested Disposition: Receive and File; Adopt Resolution(s)**16. East-West Corridor Capacity Improvements Approve Amended Federal-Aid SWAP Funding Agreement Iowa DOT Project Iowa DOT Agreement**

City Manager recommending approval and authorization for the Mayor to execute an Amended Federal-Aid SWAP Funding Agreement (Agreement No. 6-19-STBG-SWAP-040-A) with the Iowa Department of Transportation (Iowa DOT) for the development and advancement of East-West Corridor Capacity Improvements.

RESOLUTION Approving an Amended Federal-Aid Swap Funding Agreement (6-19-STBG-SWAP-040-A) with the Iowa Department of Transportation for the Development and Advancement of East-West Corridor Capacity Improvements

Suggested Disposition: Receive and File; Adopt Resolution(s)**17. Accepting Grant of Permanent Embankment Easement across Rockdale Church Property off Old Mill Road in Dubuque as Part of Phase One of the Old Mill Road Lift Station Project**

City Manager recommending City Council adopt a resolution accepting the Grant of Permanent Embankment Easement through, under and across Part of Lot 1 of the Subdivision of Mineral Lot 513, Lot 1 of Lot 1 of Mineral Lot 507, and "Grave Yard Lot", in the City of Dubuque, Iowa, as shown on Exhibit A on the attached Grant of Easement.

RESOLUTION Accepting a Grant of Permanent Embankment Easement through, under and across Part of Lot 1 of the Subdivision of Mineral Lot 513, Lot 1 of Lot 1 of Mineral Lot 507, and "Grave Yard Lot", in the City of Dubuque, Iowa

Suggested Disposition: Receive and File; Adopt Resolution(s)**18. Accepting the Grant of Easements from Rabbit Hollow Nature Conservancy, Inc.**

City Manager recommending to adopt the resolution accepting the Grant of Easements from Rabbit Hollow Nature Conservancy, Inc. for the Sanitary Sewer Utility and Sanitary Sewer Access for Phase One Old Mill Rd. Lift Station.

RESOLUTION Accepting the Grant of Easements from Rabbit Hollow Nature Conservancy, Inc.

Suggested Disposition: Receive and File; Adopt Resolution(s)**19. Purchase Agreement between the City of Dubuque, Rabbit Hollow Nature Conservancy, Inc. and Iowa Natural Heritage Foundation.- Accepting the Warranty Deed**

City Manager recommending to adopt a resolution Accepting the Deed to satisfy the terms of the Purchase Agreement between the City of Dubuque, Rabbit Hollow Nature Conservancy, Inc. and Iowa Natural Heritage Foundation to purchase property necessary for the construction of Phase One of the Old Mill Rd. Lift Station Project.

RESOLUTION Accepting the Deed from Rabbit Hollow Nature Conservancy, Inc. to Certain Real Estate In Dubuque County, Iowa

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

20. [Pickett Street Rehabilitation Award Recording Memo](#)

City Manager recommending to award the Public Improvement Construction Contract for the Pickett Street Rehabilitation Project to Valentine Construction Co., LLC in the low bid amount of \$60,000 through adoption of the attached resolution and is also requesting the attached petition and waiver agreements be signed by the Mayor and City Clerk.

RESOLUTION Awarding Public Improvement Construction Contract for the Pickett Street Rehabilitation Project

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

21. [Schmitt Island Sanitary Improvements Project Consulting Engineering Services \[CIP# 5581500049\]](#)

City Manager recommending the approval to negotiate and execute a contract with Strand Associates for engineering services for the design of the Schmitt Island Sanitary Improvements Project with an appropriation amount of \$218,380.

Suggested Disposition: Receive and File; Approve

22. [Request for City Council Ratification of Two Amendments to current Collective Bargaining Agreements \(Teamsters Mixed and Teamsters \(Bus Operators\)\)](#)

City Manager recommending to ratify the following Amendments to two of the existing union/collective bargaining agreements (CBA's) which have been proposed to and have been ratified by the respective unions: 1. Second Amendment to Teamsters Local 120 (Mixed) [BU 0229 and BU 0503] July 1, 2022 through June 30, 2025 CBA replaces the current Article 19 – VACATIONS and 2. Third Amendment to Teamsters Local No. 120 Bus Operators [BU 1158] July 1, 2022 through June 30, 2025 CBA amends Article 16 VACATIONS.

Suggested Disposition: Receive and File; Approve

23. [3000 Jackson Dubuque Brewing and Malting Project Update](#)

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

Suggested Disposition: Receive and File

24. [Improvement Contracts / Performance, Payment and Maintenance Bonds](#)

Eastern Iowa Excavating & Concrete, LLC for the North Grandview Avenue Pavement Rehabilitation Project - Phase 1.

Suggested Disposition: Receive and File; Approve

25. [Signed Contracts](#)

Ostrom Painting & Sandblasting, Inc. for 2024 Pavement Marking Project

Suggested Disposition: Receive and File

ITEMS SET FOR PUBLIC HEARING

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

1. [Initiate Public Improvement Bidding Process and Set Public Hearing Jefferson Park Retaining Wall Project](#)

City Manager recommending to preliminary approval of the construction plans and specifications, adopt the resolution, initiate the bidding process, set the public hearing for July 15, 2024, and advertise bids for the Jefferson Park Retaining Wall Replacement Project.

RESOLUTION Setting a Public Hearing for the Jefferson Park Retaining Wall Project**Suggested Disposition:****Receive and File; Adopt Resolution(s), Set Public Hearing for July 15, 2024****2. [Locust Street Parking Ramp Repairs Project - Initiate Public Bidding Process and Setting Date for Public Hearing Project](#)**

City Manager recommending to authorize the public bidding process and set a public hearing for July 15, 2024, and to approve the plans, specifications, form of contract, and estimated cost of \$250,000.00 for the Locust Street Parking Ramp Repairs Project through the adoption of the attached resolution.

RESOLUTION Locust Street Parking Ramp Repairs 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 July 15, 2024****3. [Resolution of Necessity for the Proposed Urban Renewal Plan for the Mount Pleasant Place Housing Urban Renewal Area](#)**

City Manager recommending adoption of a Resolution of Necessity that: 1) finds that a proposed Urban Renewal Plan ("Plan") for the Mount Pleasant Place Housing Urban Renewal Area is both necessary and appropriate; and 2) sets a public hearing on the proposed Plan for August 5, 2024.

RESOLUTION of Necessity Finding that Certain Property in and Near Mount Pleasant Place Subdivision is an Economic Development Area and that the Development of said area is Necessary in the Interest of the Residents of the City of Dubuque, Iowa, and Setting a Date for Hearing on a Proposed Urban Renewal Plan For Said District

Suggested Disposition:**Receive and File; Adopt Resolution(s), Set Public Hearing for August 5, 2024****BOARDS/COMMISSIONS****1. [Boards and Commission Appointments](#)**

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

Arts and Cultural Affairs Advisory Commission

One, 3-Year term through June 30, 2027 (Expiring Business Professional term of Chesney)

Applicants:

- Georgina Guerrero, 245 Princeton Pl. - Application pulled by applicant
- Fraco Menchaca, 2685 Raven Oaks
- Nikkole Nutter, 305 Clarke Dr.

Board of Library Trustees

One, 4-Year term through July 1, 2028 (Expiring term of Monk)

Applicant:

- Christina Monk, 2770 Van Buren St.

Cable Television Commission

One, 3-Year term through July 1, 2027 (Expiring term of Tigges)

Applicant:

- Jennifer Tigges, 4927 Wild Flower Dr.

Civic Center Advisory Commission

Two, 3-Year terms through June 29, 2027 (Expiring terms of Jacobs and Parks)

Applicants:

- Pamela Birch, 1910 Amelia Dr.

- Bryce Parks, 2770 Van Buren St.

Equity and Human Rights Commission

Two, 3-Year terms through January 1, 2027 (Expired terms of Heiar and Link)

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

Applicants:

- Rick Baumhover, 601 Garfield Ave.
- David Heiar, 805 Carriage Hill Dr.
- Nikkole Nutter, 305 Clarke Dr.
- Ashley Regan, 1100 N. Booth St.
- Luzelena Bravo, 781 Cottage Pl. - Additional Applicant

Historic Preservation Commission

One, 3-Year term through July 1, 2027 (Expiring term of Gau)

Applicant:

- Tim Gau, 2529 Windsor Ave.

Housing Appeals and Mediation Board

One, 3-Year term through January 1, 2027 (Vacant term of Spence)

Applicant:

- January Tylor, 2828 Jackson St.

Investment Oversight Advisory Commission

One, 3-Year term through July 1, 2027 (Expiring term of Valaskey)

Applicant:

- Molly Valaskey, 1385 Alta Vista St.

Long Range Planning Advisory Commission

One, 3-Year term through July 1, 2027 (Expiring term of Stoffel)

Applicant:

- Aaron Miller, 75 Fremont Ave.

Park and Recreation Advisory Commission

One, 3-Year term through June 30, 2027 (Expiring term of Tigges)

Applicants:

- Tyler Dahlstrom, 1085 Vernon St.
- Jennifer Tigges, 4927 Wild Flower Dr.

Zoning Advisory Commission

One, 3-Year term through July 1, 2027 (Expiring term of Russell)

Applicant:

- Rich Russell, 2045 Embassy Way Dr.

Airport Zoning Commission

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

Applicant:

- Rich Russell, 2045 Embassy Way Dr.

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. [New Dubuque Developer's Guide Available](#)

City Manager sharing a Dubuque Developer's Guide publication and webpage to provide a comprehensive outline for all aspects of development projects in the City of Dubuque.

Suggested Disposition:

Receive, file and approve; Presentation

2. [Dubuque Awarded \\$25 million Federal RAISE Infrastructure Grant to Build Railroad Overpass at 14th Street](#)

City Manager providing a copy of a press release announcing the City of Dubuque has been awarded a \$25 million Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Infrastructure Implementation Grant from the U.S. Department of Transportation for a major, multi-phase infrastructure project in downtown Dubuque.

Suggested Disposition: Receive and File

3. [Repeal of the Dubuque Historic Building Code](#)

City Manager recommending to approve the repeal of the Dubuque Historic Building Code (HBC), Title 14, Chapter 5 of the City of Dubuque, IA, Code of Ordinances.

ORDINANCE Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 5 Historic Buildings

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

4. [Ordinance Amendment: Abutting Property Owner Liability for Defective Sidewalks](#)

City Manager recommending to adopt an amendment to correctly state Iowa law for Ordinance Section 10-1-2: Sidewalk Installation and Repair deleting liability of the abutting property owner for failure to repair sidewalks.

ORDINANCE Amending City of Dubuque Code of Ordinances Section 10-1-2: Sidewalk Installation and Repair Deleting Liability of the Abutting Property Owner for Failure to Repair Sidewalks

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

5. [Remedy for Fire Department Manager/Administration Wage Compression](#)

City Manager recommending the approval of salary percentage increases effective July 1, 2024, in order to remedy the wage/salary compression that would exist for the management/administration ranks of Assistant Fire Chief/Division Chief/Bureau Chief, Deputy Fire Chief, and Fire Chief related to the percentage wage increases provided to union-represented Fire ranks per the CBA effective on July 1, 2024.

Suggested Disposition: Receive and File; Approve

COUNCIL MEMBER REPORTS

CLOSED SESSION

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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 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.