



**CITY OF DUBUQUE, IOWA
CITY COUNCIL MEETING**
Historic Federal Building: 350 W. 6th
Street - Second-Floor Council
Chambers.
November 18, 2024 at 6:30 PM

**Council meetings are streamed live and archived at
www.cityofdubuque.org/media and broadcast on CityChannel Dubuque
Mediacom cable channel 8 or digital 117.2 and ImOn channel 5.**

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ROLL CALL ORDER FOR MEETING

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

WORK SESSION

5:15 PM: Introduction to the Office of Community Impact and Review of the Equitable Fine and Fee Service Program

Community Impact Director Antonio Mouzon will introduce the newly established Office of Community Impact and provide an update on the equitable fines and fees service program.

REGULAR SESSION

6:30 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. **The 35th Anniversary Of The Dubuque Branch Of The NAACP (2024)**
On behalf of the Dubuque Branch of the NAACP.
2. **Small Business Saturday (November 30, 2024)**
On behalf of the Small Business Saturday Coalition and the Dubuque Area Chamber of Commerce.

CONSENT ITEMS

1. **Minutes and Reports Submitted**
City Council Proceedings of September 30, October 7, October 21, and November 4, 2024; Equity and Human Rights Commission of October 8, 2024; Proof of Publication for City Council Proceedings of October 21, 2024.
Suggested Disposition: Receive and File
2. **Notice of Claims and Suits**
Halanier Holmes for vehicle damage; Jamie Joe Doyle for vehicle damage; Keon Killins 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:
Halanier Holmes 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. **Audit Services Recommendation**
City Manager recommending the selection of Mauldin & Jenkins Certified Public Accountants, to provide the City's auditing services for the next three fiscal years, Fiscal Year 2024 through 2026, and authorize the City Manager to sign the audit service agreement.
Suggested Disposition: Receive and File; Approve
6. **Fiscal Year 2024 State Urban Renewal Report**
City Manager recommending approval of the Fiscal Year 2024 Iowa Urban Renewal Report for the City of Dubuque.

RESOLUTION Approving The Fiscal Year 2024 Urban Renewal Report For The City Of Dubuque

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

7. Fiscal Year 2024 State of Iowa Annual Financial Report

City Manager recommending approval to file the Fiscal Year 2024 State of Iowa Annual Financial Report with the State of Iowa Auditor.

Suggested Disposition: Receive and File; Approve

8. Fiscal Year 2026 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

9. Kohl's Department Store, Inc. 2023 & 2024 Property Tax Appeal Stipulation of Settlement Notice

Senior Counsel transmitting notice of a Stipulation of Settlement for a 2023 and 2024 property tax appeal filed by Kohl's Department Store, Inc. for their property located at 2595 NW Arterial.

Suggested Disposition: Receive and File

10. Sublease by Dubuque Racing Association (DRA)

City Attorney recommending approval and adoption of the resolution consenting to the sublease between the Dubuque Racing Association Ltd. and Pinseekers Dubuque RE, LLC, and Pinseekers Dubuque Operations, LLC.

RESOLUTION Consenting To The Sublease Between The Dubuque Racing Association Ltd. And Pinseekers Dubuque Re, LLC, And Pinseekers Dubuque Operations, LLC.

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

11. Contracted Services Agreement - Crescent Community Health Center

City Manager recommending City Council approve the attached Contracted Services Agreement with Crescent Community Health Center and authorize the Mayor to execute the contract on behalf of the City.

Suggested Disposition: Receive and File; Approve

12. Intent to Apply for National Environmental Health Administration – Food and Drug Administration 2025 Track 3 Maintenance and Advancement Base Grant.

City Manager recommending approval to apply for 2025, Track 3 Maintenance and Advancement Base Grant and a Capacity Building Grant in the amount of \$307,222.

Suggested Disposition: Receive and File; Approve

13. Proposed Conduit Licensing Authority for Iowa Power & Light/Alliant Energy

City Manager recommending approval to amend the existing Master Co-Location

and Shared Services Agreement between the City of Dubuque and Interstate Power and Light (IPL) to provide IPL with authority to license excess “conduit” in addition to “dark fiber” presently in their Dubuque conduit system.

Suggested Disposition: Receive and File; Approve

14. Acceptance 2024 ADA Sidewalk Curb Ramp Project One

City Manager recommending the acceptance of the Public Improvement Construction Contract and to authorize the payment of the contract amount of \$97,023.35 to Midwest Concrete, of Peosta, IA, for the 2024 ADA Sidewalk Curb Ramp Project One

RESOLUTION Accepting The 2024 ADA Sidewalk Curb Ramp Project One And Authorizing Final Payment To The Contractor

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

15. Acceptance 2024 ADA Sidewalk Curb Ramp Project Two - PROJECT 5421000002

City Manager recommending the acceptance of the Public Improvement Construction Contract and to authorize the payment of the contract amount of \$156,388.18 to Midwest Concrete, of Peosta, IA, for the 2024 ADA Sidewalk Curb Ramp Project Two.

RESOLUTION Accepting The 2024 ADA Sidewalk Curb Ramp Project Two And Authorizing Final Payment To The Contractor

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

16. Acceptance 2024 ADA Sidewalk Curb Ramp Project Three

City Manager recommending the acceptance of the Public Improvement Construction Contract and to authorize the payment of the contract amount of \$212,562.24 to Valentine Construction Co., LLC, of Dubuque, IA, for the 2024 ADA Sidewalk Curb Ramp Project Three.

RESOLUTION Accepting The 2024 Ada Sidewalk Curb Ramp Project No. 3 And Authorizing Final Payment To The Contractor

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

17. Acceptance 2024 ADA Sidewalk Curb Ramp Project Four

City Manager recommending the acceptance of the Public Improvement Construction Contract and to authorize the payment of the contract amount of \$102,140.14 to Drew Cook and Sons Excavating Co., of Dubuque, IA, for the 2024 ADA Sidewalk Curb Ramp Project N. 4.

RESOLUTION Accepting The 2024 ADA Sidewalk Curb Ramp Project No. 4 And Authorizing Final Payment To The Contractor

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

18. Acceptance 2024 Airport ADA Ramp Replacement Project

City Manager recommending the acceptance of the Public Improvement Construction Contract and to authorize the payment of the contract amount of \$63,976.29 to Midwest Concrete, of Peosta, IA, for the 2024 Airport ADA Ramp

Replacement Project.

RESOLUTION Accepting The 2024 Airport ADA Ramp Replacement Project And Authorizing Final Payment To The Contractor

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

19. Acceptance Bunker Hill Golf Course Sinkhole Remediation Project

City Manager recommending the acceptance of the Public Improvement Construction Contract and to authorize the payment of the contract amount of \$29,775.63 to Valentine Construction Co. for the Bunker Hill Golf Course Sinkhole Remediation Project.

RESOLUTION Accepting The Bunker Hill Golf Course Sinkhole Remediation Project And Authorizing Final Payment To The Contractor

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

20. Maturity Extensions of Water Revenue Capital Loan Notes (Interim Financing) State Revolving Fund Planning and Design Loans

City Manager recommending approval of the suggested proceedings to enable the City to extend the maturity date of the Water Revenue Capital Loan Notes (Interim Financing) State Revolving Fund Planning and Design Loans.

RESOLUTION Extending the maturity date of the City's Water Revenue Capital Loan Note Anticipation Project Note R-1, Series 2022

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

21. Progress Update: 3000 Jackson Street, Dubuque Brewing and Malting Building

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

Suggested Disposition: Receive and File

22. Adoption of Supplement Numbers 2024 S-13 and S-14

City Clerk recommending City Council approval of the resolution adopting Supplement Numbers 2024 S-13 and S-14 as part of the Code of Ordinances of the City of Dubuque.

RESOLUTION Adopting Supplement Nos. 2024 S-13 And S-14 To The Code Of Ordinances Of The City Of Dubuque, Iowa

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

23. Signed Contract(s)

Origin Design Co. for the Dubuque Well Fields Fiber 408 Permitting.

Suggested Disposition: Receive and File

24. Tobacco Permit Refund Request - United Cigar and Tobacco

United Cigar and Tobacco requesting a refund of Tobacco Permit No. DBQ2025-74 located at 333 East 10th St. due to the applicant no longer operating at that location.

Suggested Disposition: Receive and File; Approve

25. 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)

ITEMS SET FOR PUBLIC HEARING

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

1. Resolution Setting Public Hearing on a Proposed Development Agreement with Miller Companies, LLC

City Manager recommending City Council approval of a resolution setting a public hearing for December 2, 2024, for a proposed Development Agreement by and between the City of Dubuque, Iowa and Miller Companies, LLC for the redevelopment of 744 Main Street.

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 Miller Companies, 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 December 2, 2024

2. Resolution Setting Public Hearing on a Proposed Development Agreement with Limestone Legacy, LLC

City Manager recommending City Council approval of a resolution setting a public hearing for December 2, 2024, for a proposed Development Agreement by and between the City of Dubuque, Iowa and Limestone Legacy, LLC for the redevelopment of 1602 Central Avenue.

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 Limestone Legacy, 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 December 2, 2024

3. Resolution Setting Public Hearing on a Proposed Development Agreement with 1400 Central, LLC

City Manager recommending City Council approval a resolution setting a public hearing for December 2, 2024, for a proposed Development Agreement by and between the City of Dubuque, Iowa and 1400 Central, LLC for the redevelopment

of 1400 Central Avenue.

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 1400 Central, 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 December 2, 2024

4. Resolution Setting Public Hearing on a Proposed Development Agreement with Nia Neighborhoods Opportunity Zone Fund, LLC

City Manager recommending City Council approval of a resolution setting a public hearing for December 2, 2024, for a proposed Development Agreement by and between the City of Dubuque, Iowa and Nia Neighborhoods Opportunity Zone Fund, LLC (Nia Neighborhoods) for the redevelopment of 1390 White Street.

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 Nia Neighborhoods Opportunity Zone Fund, 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 December 2, 2024

5. Resolution Setting a Public Hearing on a Proposed Development Agreement with SJR Properties, L.L.C. and Universal Tank & Fabrication, Inc.

City Manager recommending City Council approval of a resolution setting a public hearing for December 2, 2024, for a proposed Development Agreement by and among the City of Dubuque, Iowa, SJR Properties, L.L.C. and Universal Tank & Fabrication, Inc.

RESOLUTION Fixing The Date For A Public Hearing Of The City Council Of The City Of Dubuque, Iowa On A Development Agreement By And Among The City Of Dubuque, Iowa, SJR Properties, L.L.C., And Universal Tank & Fabrication, Inc., Including The Proposed Issuance Of Urban Renewal Tax Increment Revenue Obligations To SJR Properties, L.L.C., And Providing For The Publication Of Notice Thereof

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for December 2, 2024

6. Setting a Public Hearing on Proposed Second Amendment to Lease Agreement by and Between the City of Dubuque, Iowa and the Dubuque County Historical Society

City Manager recommending City Council adopt the attached resolution setting a public hearing for December 2, 2024, on a proposed Second Amendment to the Lease Agreement between the City of Dubuque, Iowa and the Dubuque County Historical Society.

RESOLUTION Fixing The Date For A Public Hearing Of The City Council Of The

City Of Dubuque, Iowa On The Second Amendment To The Lease Agreement By And Between The City Of Dubuque, Iowa, And Dubuque County Historical Society And Providing For The Publication Of Notice Thereof

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for December 2, 2024

7. Resolution of Necessity for the Proposed Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal Area, Version 2024.3

City Manager recommending City Council adopt a resolution that 1) authorizes and directs the City Manager to prepare a proposed Amended and Restated Urban Renewal Plan, Version 2024.3 ("Plan") for the Greater Downtown Urban Renewal Area ("Area") and 2) sets a public hearing on the proposed Amended and Restated Urban Renewal Plan, Version 2024.2 for December 16, 2024.

RESOLUTION Authorizing And Directing The City Manager To Prepare An Amended And Restated Urban Renewal Plan, Version 2024.3, For The Greater Downtown Urban Renewal Area And Setting The Date For A Public Hearing And Consultation On The Proposed Amended And Restated Urban Renewal Plan, Version 2024.3, For Said Area

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for December 16, 2024

BOARDS/COMMISSIONS

1. Boards and Commission Application 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.

Housing Appeals and Mediation Board

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

Applicant:

Cole Hansen, 408 Burch St.

Housing Commission

One, 3-Year term through August 17, 2027 (Vacant term of White)

Applicant:

Davis Wall, 1710 ½ White St.

Resilient Community Advisory Commission

One, 3-Year term through July 1, 2026 (Vacant At Large term of Chamberland)

Applicant:

David McDermott, 919 Kirkwood St

PUBLIC HEARINGS

Residents are invited to address the City Council on 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. Approving a Development Agreement with Dubuque Racing Association, Ltd.

Proof of publication on notice of public hearing to consider City Council approve a Development Agreement by and between the City of Dubuque, Iowa Dubuque Racing Association, Ltd. (DRA) for the redevelopment of a lease area lying within parts of Lot 1, Lot 2, and Lot 3 of Chaplain Schmitt Island in the City of Dubuque (the Property), including the development of a PinSeekers facility, and providing for the issuance of Urban Renewal Tax Increment Revenue Grant Obligations, and City Manager recommending approval.

RESOLUTION Approving A Development Agreement By And Between The City Of Dubuque, Iowa, And Dubuque Racing Association, LTD., Including The Issuance Of Urban Tax Increment Revenue Obligations

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

2. Iowa Amphitheater on Schmitt Island - Bid Package 2 (Utilities, Paving & Amphitheater Stage)

Proof of Publication on notice of public hearing to consider the approval of the plans, specifications, form of contract and construction estimate of \$9,702,000.00 for the Iowa Amphitheater on Schmitt Island Project - Bid Package No. 2 and City Manager recommending approval

RESOLUTION Approval Of Plans, Specifications, Form Of Contract, And Estimated Cost For The Iowa Amphitheater On Schmitt Island Project – Bid Package No. 2 (Utilities, Paving & Amphitheater Stage)

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

3. Bunker Hill Irrigation Replacement Project Phase 3 Public Hearing

Proof of publication on notice of public hearing to consider City Council approval of the construction plans and specifications, form of contract, and estimated cost of \$360,000.00 for the Bunker Hill Irrigation Replacement Project Phase 3 through adoption of the attached resolution, and City Manager recommending approval.

RESOLUTION Approval Of Plans, Specifications, Form Of Contract, And Estimated Cost For The Bunker Hill Irrigation Replacement Project Phase 3

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 5 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 where authorized by the Mayor.

1. Central Avenue and White Street Corridor Traffic Study Preferred Alternative Engagement Results

City Manager recommending City Council approval on the preferred alternative for the Central Avenue and White Street Corridor Traffic Study as developed by Bolton & Menk.

Suggested Disposition: Receive and File; Approve; Presentation

2. Submission of EPA Grant Application for the Dubuque Community Resilience Hub Project

City Manager recommending approval of a grant application to the U.S. Environmental Protection Agency (EPA)'s Community Change grant program.

Suggested Disposition: Receive and File; Approve

3. 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 19th consecutive year.

Suggested Disposition: Receive and File

4. 2025 State Legislative Priorities

City Manager recommending Mayor and City Council adoption of the 2025 State Legislative Priorities.

Suggested Disposition: Receive and File; Approve

5. Updated Equity and Human Rights Commission Ordinance

City Manager recommending adoption of an amended Equity and Human Rights ordinance.

ORDINANCE Amending City Of Dubuque Code Of Ordinances Title 8 Equity And Human Rights, Chapter 2 Equity And Human Rights Commission

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

6. Award 2024 SRF Green Alley Project

City Manager recommending awarding the public improvement construction contract for the 2024 SRF Green Alley Project to McDermott Excavating Inc. in the amount of \$1,202,512.00, which is 10.4% below the engineer's estimate of probable cost, through the adoption of the enclosed resolution.

RESOLUTION Awarding Public Improvement Construction Contract For The 2024 SRF Green Alley Project

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

7. Award Broadway Sanitary Sewer Improvement Project

City Manager recommending awarding the Public Improvement Construction Contract for the Broadway Sanitary Sewer Improvements Project to Tschiggfrie

Excavating Co. in the amount of \$266,668.30 through the adoption of the attached resolution.

RESOLUTION Awarding Public Improvement Construction Contract For The Broadway Street Sanitary Sewer Improvement Project

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

8. Eagle Point Water Plant Supervisory Control and Data Acquisition (SCADA) Upgrade Award Construction Contract

City Manager recommending City Council award the construction contract for Eagle Point Water Plant Supervisory Control and Data Acquisition (SCADA) Upgrade, through the adoption of the enclosed resolution, to Westphal & Company, Inc. of Dubuque, Iowa, in the amount of \$1,345,500.

RESOLUTION Awarding Public Improvement Construction Contract For The Eagle Point Water Plant Supervisory Control And Data Acquisition (SCADA) Upgrade Project

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

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 at cityclerk@cityofdubuque.org or by mail to 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 at cityclerk@cityofdubuque.org or by mail to 50 W. 13th St., Dubuque, IA 52001, before said time of meeting.

Individuals requiring special assistance should contact the City Clerk's Office as soon as feasible at (563) 589-4100, cityclerk@cityofdubuque.org. Deaf or hard-of-hearing individuals can use Relay Iowa by dialing 711 or (800) 735-2942.