



**CITY OF DUBUQUE, IOWA
CITY COUNCIL MEETING**
Historic Federal Building: 350 W. 6th
Street - Second-Floor Council
Chambers.
December 16, 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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Access Code: 337-661-181

ROLL CALL ORDER FOR MEETING

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

WORK SESSION

5:15 P.M. - Greater Dubuque Development Corporation - Retail Strategies Findings and Recommendations

Greater Dubuque Development Corporation will be presenting along with Retail Strategies their findings and recommendations for opportunities to enhance the retail and hospitality sectors in the community.

REGULAR SESSION

6:30 PM

PLEDGE OF ALLEGIANCE

CONSENT ITEMS

1. Minutes and Reports Submitted

City Council Proceedings of December 2, 2024; Five Flags Civic Center Advisory Commission of September 9, 2024; Historic Preservation Commission of October 17, 2024; Long Range Planning Advisory Commission Draft Minutes of November 20, 2024; Park and Recreation Commission of November 12, 2024; Resilient Community Advisory Commission of October 3, 2024; Proof of Publication for City Council Proceedings of November 4, 2024.

Suggested Disposition: Receive and File

2. Notice of Claims and Suits

Lois Kamp for vehicle damage; Laura Schroeder 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: Sierra Eversoll for vehicle damage; Bryn Kittle for vehicle damage; Laura Schroeder 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. Kohl's Department Store 2023 & 2024 Property Tax Appeal Stipulation of Settlement Approval

Senior Counsel recommending approval of the 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; Approve

6. 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 June 30, 2025.

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)

7. Public, Educational, and Governmental (PEG) Access Equipment Grant

Program and PEG Channel Guidelines Updates

City Manager recommending City Council approval of changes to the policies and procedures related to the Public, Educational, and Governmental (PEG) Access Equipment Grant Program and guidelines for Dubuque's PEG channels as attached.

Suggested Disposition: Receive and File; Approve

8. FY2025 Main Street Iowa Program Agreement

City Manager recommending City Council adopt a resolution approving the Program Agreement among Dubuque Main Street Ltd., the City of Dubuque, and the Iowa Economic Development Authority.

RESOLUTION Approving An Agreement By And Among The Iowa Economic Development Authority, Dubuque Main Street, Ltd. And The City Of Dubuque Providing For The Dubuque Main Street Program In The City Of Dubuque

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

9. State of Iowa Business Financial Assistance Contract among Universal Tank & Fabrication Inc., the City of Dubuque, and the Iowa Economic Development Authority

City Manager recommending City Council adopt the attached resolution approving Economic Development Assistance Contract 25-HQJP-006 by and among Universal Tank & Fabrication, Inc., the City of Dubuque, and IEDA for an investment of approximately \$4,925,000 for the expansion of its operations in Dubuque.

RESOLUTION Approving The Contract For State Business Financial Assistance By And Among Universal Tank & Fabrication Inc., The City Of Dubuque, Iowa, And The Iowa Economic Development Authority

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

10. FY24/PY23 End-of-Year Review for the Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER)

City Manager providing information to summarize an End-of-Year Review the City of Dubuque received from the U.S. Department of Housing and Urban Development (HUD) regarding the Community Development Block Grant (CDBG) funds for FY24/PY23.

Suggested Disposition: Receive and File

11. Lead & Healthy Home Program Grant Agreement

City Manager recommending City Council accept the Lead and Healthy Homes Program Grant awarded to the City of Dubuque in the amount of \$5,197,053 to administer the Lead and Healthy Homes Program, partnering with Visiting Nurses Association to help evaluate the health needs in the home, and authorize the Mayor to execute the agreement.

RESOLUTION Resolution Authorizing The City Manager Or His Designee To Execute An Agreement And Any Further Documents Required For The Execution Of The Lead And Healthy Homes Grant Award

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

12. Request for Approval of Pet Licensing Service RFP

City Manager recommending City Council approval to publish a Request for Proposal (RFP) and solicit proposals for a Pet Licensing Service in the Health Services Department Animal Control Activity.

Suggested Disposition: Receive and File; Approve

13. Acceptance of Certain Subdivision Improvements in Silver Oaks Estates #3 (Phase 2 of Silver Oaks Subdivision)

City Manager recommending City Council adopt the attached resolution accepting certain public improvements in Silver Oaks Estates # 3 (Phase 2 of Silver Oaks Subdivision).

RESOLUTION Accepting Public Improvements in Silver Oaks Estates # 3 (Silver Oaks Phase 2), in the City of Dubuque, Iowa

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

14. Union at the Marina, LP Property Right of Way Plat and Dedication for Proposed Parking Lot Improvements on Hawthorne Street

City Manager recommending City Council approve the Acquisition Plat of Lot A of Lot 1-2 of Block 2 in River Front Subdivision No. 3, in the City of Dubuque, Iowa, which provides additional right of way needed to accommodate the proposed public parking lot improvements on Hawthorne Street.

RESOLUTION Approving the Acquisition Plat of Lot A of Lot 1-2 of Block 2 in River Front Subdivision No. 3, in the City of Dubuque, Iowa

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

15. Approval for Amendment #2 with Vidl Solutions

City Manager recommending City Council approval to issue a second amendment to the contract with Vidl Solutions in the amount of \$157,800.

Suggested Disposition: Receive and File; Approve

16. Signed Contract(s)

Tschiggfrie Excavating, Co. for the Broadway Sanitary Sewer Improvements Project.

Suggested Disposition: Receive and File

17. Drug and Alcohol Policy - DBA The Jule

City Manager recommending City Council adopts and approves the Drug and Alcohol Policy for the City of Dubuque Transit Division (DBA) The Jule.

Suggested Disposition: Receive and File; Approve

18. 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)

19. Approval of Retail Tobacco, Tobacco Products, Alternative Nicotine Products, Vapor Products, and Device Permit Applications

City Manager recommending City Council approval of the retail tobacco, tobacco products, alternative nicotine products, vapor products, and device permits as submitted.

RESOLUTION Approving Applications For Retail Tobacco, Tobacco Products, Alternative Nicotine Products, Vapor Products, And Device Permits, As Required By Iowa Code 453A.47A And Senate File 345

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 with Dubuque and Jackson County Habitat for Humanity

City Manager recommending City Council adopt the attached resolution setting a public hearing for January 6, 2025, on the proposed Development Agreement by and between the City of Dubuque, Iowa and Dubuque and Jackson County Habitat for Humanity.

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 Dubuque And Jackson County Habitat For Humanity, Including The Proposed Issuance Of Urban Renewal Tax Increment Revenue Grant Obligations Relating Thereto And Providing For The Publication Of Notice Thereof

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for January 6, 2025

2. Setting a Public Hearing on a Proposed Purchase Agreement by and between the City of Dubuque and Theisen's Warehouse, LLC providing for the Sale of City-owned Real Estate

City Manager recommending City Council adopt the attached resolution setting a public hearing for January 6, 2025, on a proposed Purchase Agreement by and between the City of Dubuque and Theisen's Warehouse, LLC providing for the sale of City-owned real estate.

RESOLUTION Intent To Dispose Of An Interest In City Of Dubuque Real Estate By Sale To Theisen's Warehouse, LLC Pursuant To A Purchase Agreement By And Between The City Of Dubuque And Theisen's Warehouse, LLC And Fixing The Date For A Public Hearing Of The City Council Of The City Of Dubuque, Iowa On The Purchase Agreement And Providing For The Publication Of Notice Thereof

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for January 6, 2025

3. Proceedings to Set Public Hearing on the Issuance of Not to Exceed \$24,250,000 General Obligation Bonds, Series 2025ABC

City Manager recommending that a public hearing be set for January 6, 2025, on the proposition of selling not to exceed \$24,250,000 in General Obligation Bonds.

RESOLUTION Setting The Date For Public Hearings On Proposals To Enter Into General Obligation Loan Agreements And To Borrow Money Thereunder

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for January 6, 2025

4. Dubuque Gate & Pump Station Flood Mitigation (16th St Detention Basin) Initiate Public Bidding Process and Setting Date for a Public Hearing

City Manager recommending City Council adopt the attached resolution authorizing the public bidding process through the advertisement for bids; setting a public hearing for January 21, 2025; and preliminarily approving the proposed plans, specifications, form of contract, and construction estimate of \$25,400,000.00 for the Dubuque Gate & Pump Station Flood Mitigation (16th St Detention Basin) project.

RESOLUTION 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 For The Dubuque Gate & Pump Station Flood Mitigation (16th St Detention Basin)

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for January 21, 2025

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, 2025 (Vacant Business Professional, lives or works inside cultural district term of Robins)

One, 3-Year term through June 30, 2026 (Vacant Public Member 3 term of Riedel)

One, 3-Year term through June 30, 2027 (Vacant Business Professional Term of Neuhaus)

Applicants:

	Business Professional, lives or works inside cultural district 6/30/25 Term	Public Member 3 6/30/26 Term	Business Professional 6/30/27 Term
David Barba, 2400 Central Ave.		X	X
Gail Chavenelle, 1155 Kelly Ln.		X	X
Aaron Hefel, 515 1/2 W. 8th St.	X	X	X
Bree Hernandez, 1298 Locust St.	X	X	X
Jessica Ochoa, 1970 Hale St.		X	X

Equity and Human Rights Commission

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

Applicants:

DeLano Cain-Watson, 994 Patricia Ann Dr.

Traci Phillipson, 2120 Rhomberg Ave

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. Resolution Approving a Proposed Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal Area, Version 2024.3

Proof of Publication on notice of public hearing to consider City Council adopt the resolution approving an Amended and Restated Urban Renewal Plan, Version 2024.3, for the Greater Downtown Urban Renewal Area, and City Manager recommending approval.

RESOLUTION Approving The Amended And Restated Urban Renewal Plan For The Greater Downtown Urban Renewal Area, Version 2024.3

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. Adoption of the 2024 Chaplain Schmitt Island Development Plan

City Manager recommending City Council adopt the resolution approving the 2024 Development Plan for Chaplain Schmitt Island.

RESOLUTION Adopting A Development Plan For Chaplain Schmitt Island

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

2. Iowa Amphitheater on Schmitt Island Project Bid Package No. 2 (Utilities, Paving & Amphitheater Stage) Award Public Improvement Contract Project Code: 5575000022

City Manager recommends awarding the public improvement contract for the Iowa Amphitheater on Schmitt Island Project - Bid Package No. 2 to Conlon Construction Co. of Dubuque, IA in the base bid amount of \$8,169,000.00 and due to savings in the award of Bid Package No. 1 and No. 2, include in the bid award Amenities 1-4 & 7 in the amount of \$1,104,538.00 for a total award of \$9,273,538.00.

RESOLUTION Awarding Public Improvement Contract 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. Resolution Approving an Amended and Restated Development Agreement with Walter Development, LLC

City Manager recommending City Council adopt the attached resolution approving the Amended and Restated Development Agreement with Walter Development, LLC.

RESOLUTION Approving An Amended And Restated Development Agreement By And Between The City Of Dubuque, Iowa And Walter Development, LLC

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

4. Ruby Sutton Building 2nd Floor Renovation Project - Award Public Improvement Contract Project No. 5565000021

City Manager recommending City Council award the Public Improvement Construction Contract for the Ruby Sutton Building 2nd Floor Renovation Project to Portzen Construction, Inc. in the base bid amount of \$739,000.00 and the alternate bid #1 elevator for the total bid award of \$1,034,000.000 through adoption of the attached resolution.

RESOLUTION Awarding Public Improvement Contract For The Ruby Sutton Building 2nd Floor Renovation Project

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

5. Leisure Services Comprehensive Master Plan Consultant Selection Approval and Authorization of Contract

City Manager recommending City Council approval of Kimley-Horn for the Leisure Services Comprehensive Master Plan and authorize the City Manager to negotiate and execute the contract for services.

RESOLUTION Authorizing The City Manager To Negotiate And Execute A Contract With Kimley-Horn For The Leisure Services Comprehensive Master Plan

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

6. Hawks Goodmann & Associates Independent Contractor Agreement

City Manager recommending City Council approval to contract with Hawks Goodmann & Associates to assist with strategic partnerships at the federal level.

Suggested Disposition: Receive and File; Approve

7. Controlled Livestock Grazing Ordinance Amendment

City Clerk recommending that the City Council adopt the ordinance amendment on Controlled Livestock Grazing to provide greater flexibility in grazing timeframes and ensure consistent terminology.

ORDINANCE Amending City Of Dubuque Code Of Ordinances Title 7 Police, Fire And Public Safety, Chapter 6 Animal Control, Article A Miscellaneous Provisions, Section 7-6A-2 Restrictions On Maintaining Livestock

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

8. Ordinance No. 52-24-A Correcting the Title of Ordinance No. 52-24

City Manager recommending City Council approve Ordinance 52-24-A which amends Ordinance 52-24 to correct the Ordinance title by removing property from the division of revenues in the Greater Downtown Urban Renewal Area.

ORDINANCE Amending Ordinance No. 8-22, As Amended, Providing That General Property Taxes Levied And Collected Each Year On All Property Located Within The Greater Downtown Urban Renewal District Of 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 The Amended And Restated Urban Renewal Plan For The Greater Downtown Urban Renewal District, To Correct The Title Of Ord. No. 52-24 By Removing Certain Property From the Division Of Revenues

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

9. Ordinance No. 53-24-A Correcting the Title of Ordinance No. 53-24

City Manager recommending City Council approve Ordinance 53-24-A which

amends Ordinance 53-24 to correct the Ordinance title by adding the Hawthorne Street Subarea and the Locust Street Subarea to the division of revenues in the Greater Downtown Urban Renewal Area.

ORDINANCE Amending Ordinance No.52-24-A, As Amended, Providing That General Property Taxes Levied And Collected Each Year On All Property Located Within The Greater Downtown Urban Renewal District Of 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 The Amended And Restated Urban Renewal Plan For The Greater Downtown Urban Renewal District, To Correct The Title Of Ord. No. 53-24 By Adding The Hawthorne Street And Locust Street Subareas To The Division Of Revenues

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

10. Proposed Ordinance change to update the rental license cycle to two- years

City Manager recommending City Council approve an update to Ordinance 14-1J-3 Rental licenses, to implement a two-year rental license cycle.

ORDINANCE Amending City Of Dubuque Code Of Ordinances Title 14 Building And Development, Chapter 1 Building Codes, Article J Property Maintenance Code, Section 14-1J-3 Rental Licenses

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

11. Work Session Request: Capital Improvement Projects GIS Application

City Manager recommending City Council schedule a work session at 6:00 p.m. on January 21, 2025, to introduce the Capital Improvement Projects GIS application.

Suggested Disposition: Receive and File; Council

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 or at the City Clerk's Office at ctyclerk@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 ctyclerk@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, ctyclerk@cityofdubuque.org. Deaf or hard-of-hearing individuals can use Relay Iowa by dialing 711 or (800) 735-2942.