

**CITY OF DUBUQUE, IOWA
CITY COUNCIL PROCEEDINGS
REGULAR SESSION**

The Dubuque City Council met in regular session at 6:30 p.m. on December 2, 2024, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Cavanagh; Council Members Farber, Jones, Resnick, Roussell, Sprank, Wethal; City Manager Van Milligen, City Attorney Brumwell.

Mayor Cavanagh read the call and stated this is a regular session of the City Council called for the purpose of conducting such business that may properly come before the City Council.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. Eradication of Generational Poverty Day (December 7, 2024) was accepted by Samantha Hastings on behalf of the Fountain of Youth Program.

CONSENT ITEMS

Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated. Seconded by Farber. Motion carried 7-0.

1. Minutes and Reports Submitted: Cable TV Commission of October 23, 2024; City Council Proceedings of November 18, 2024; Community Development Advisory Commission of October 16, 2024; Equity and Human Rights Commission of October 8, 2024; Five Flags Civic Center Advisory Commission of September 9, 2024; Historic Preservation Commission of October 17, 2024; Library Board of Trustees Update of October 24, 2024; Park and Recreation Commission of October 15, 2024; Zoning Advisory Commission of October 2, 2024; Zoning Board of Adjustment of October 24, 2024. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Denise Ellison for personal injury; Bryn Kittle for vehicle damage. Upon motion the documents were received, filed, and referred to the City Attorney.

3. Disposition of Claims: City Attorney advised that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: Jamie Doyle for personal injury and vehicle damage; Denise Ellison for personal injury. Upon motion the documents were received, filed, and concurred.

4. Approval of City Expenditures: Upon motion the documents were received and filed, and Resolution No. 388-24 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 was adopted.

5. Investment and Debt Management Software Recommendation: City Manager recommended City Council approval of SymPro Treasury Management Solutions for the City's investment and debt management software. Upon motion the documents were received, filed, and approved.

6. Fiscal Year 2024 City Street Financing Report: Upon motion the documents were received and filed.

7. Application for EPA Brownfields Assessment Grant: City Manager recommended City Council approval to apply for a 2025 round of EPA Brownfields Assessment Grant in an amount of \$500,000. Upon motion the documents were received, filed, and approved.

8. Updated Boards and Commissions Application and Demographic Information: Upon motion the documents were received and filed.

9. 2024 Maintenance Dredging Project No. 1 - Acceptance of Public Improvement Construction Contract - Project Number: 5546000001-304-67990 Harbor Area Dredging: Upon motion the documents were received and filed, and Resolution No. 389-24 Accepting The 2024 Maintenance Dredging Project No. 1 And Authorizing Final Payment To The Contractor was adopted.

10. Seippel Road Water Main Lowering Project - Acceptance of Public Improvement Construction Contract - Project Code: 4281000059: Upon motion the documents were received and filed, and Resolution No. 390-24 Accepting The Seippel Road Water Main Lowering Project And Authorizing Final Payment To The Contractor was adopted.

11. Travel Dubuque Request for Funding for Field of Dreams Project: City Manager recommended City Council approval of the Memorandum Agreement with Travel Dubuque regarding funding for the Field of Dreams Project. Upon motion the documents were received, filed, and approved.

12. Signed Contract(s): Strand Associates, Inc. for Amendment No. 2 to Task Order No. 22-03 for the Water Treatment Plant and Water Distribution System Supervisory Control and Data Acquisition System Upgrade. Upon motion the documents were received and filed.

BOARDS/COMMISSIONS

Applications were reviewed for the following Boards and Commissions. Applicants were invited to address the City Council regarding their desire to serve on the following Boards/Commissions.

1. 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: David Barba, 2400 Central Ave. (qualifies for Public Member 3 and Business Professional terms); Gail Chavenelle, 1155 Kelly Ln. (qualifies for Public Member 3 and Business Professional terms); Aaron Hefel, 515 1/2 W. 8th St. (qualifies for Business Professional, lives or works inside cultural district; Public Member 3 and Business Professional terms); Bree Hernandez, 1298 Locust St. (qualifies for Business Professional, lives or works inside cultural district; Public Member 3 and Business Professional terms); and Jessica Ochoa, 1970 Hale St. (qualifies for Public Member 3 and Business Professional terms). Briana Thompson, 1268 Locust St., spoke in support of applicants Barba and Hernandez. Hefel spoke in support of his application.

2. 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. Cain-Watson spoke in support of his application.

Appointments were made to the following boards/commissions.

1. Housing Appeals and Mediation Board: One, 3-Year term through January 1, 2027 (Vacant term of Spence). Applicant: Cole Hansen, 408 Burch St. Motion by Roussell to appoint Hansen to the term. Seconded by Sprank. Motion carried 7-0.

2. Housing Commission: Two, 3-Year terms through August 17, 2027 (Vacant terms of White and Wooden). Applicants: Matt Henick, 2115 Golden Eagle Dr. (Additional Applicant); David Wall, 1710 ½ White St. Motion by Jones to appoint Henick and Wall to the terms. Seconded by Roussell. Motion carried 7-0.

3. Resilient Community Advisory Commission: One, 3-Year term through July 1, 2026 (Vacant term of Chamberland). Applicant: David McDermott, 919 Kirkwood St. Motion by Jones to appoint McDermott to the term. Seconded by Farber. Motion carried 7-0.

PUBLIC HEARINGS

1. Resolution Approving a Proposed Development Agreement with Miller Companies, LLC: Motion by Resnick to receive and file the documents and adopt Resolution No. 391-24 Approving 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. Seconded by Jones. City Council Members expressed excitement about the number of Development Agreements up for consideration at tonight's meeting and the positive impact they are expected to have. Motion carried 7-0.

2. Resolution Approving a Proposed Development Agreement with Limestone Legacy, LLC: Motion by Sprank to receive and file the documents and adopt Resolution No. 392-24 Approving 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. Seconded by Wethal. In response to a question about the Downtown Rehabilitation Grant and competition for funding, Van Milligen and Economic Development Director Jill Connors noted the grant's \$200,000 annual budget. While the façade grant is fully allocated, staff have identified additional funds for any projects that may apply for the grant before the fiscal year ends. City Council Members highlighted the grant's positive community impact and expressed concern that future state funding restrictions could limit program support. Motion carried 7-0.

3. Resolution Approving a Proposed Development Agreement with 1400 Central, LLC: Motion by Jones to receive and file the documents and adopt Resolution No. 393-24 Approving 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. Seconded by Wethal. Leisha Schumacher, co-owner of 1400 Central LLC, 315 E 5th St., Suite 200, Waterloo, provided an overview of the building's history and planned updates. Van Milligen confirmed, in response to a question, that the façade grant applies to this project and that developers proposed grant modifications to city staff which were incorporated into recent updates. City Council Members thanked the developers for their input and city staff for acting on the recommendations. Motion carried 7-0.

4. Resolution Approving a Proposed Development Agreement with Nia Neighborhoods Opportunity Zone Fund, LLC: Motion by Roussell to receive and file the documents and adopt Resolution No. 394-24 Approving 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. Seconded by Sprank. Developer Yindra Dixon, 251 Hidden Oaks Ct., provided an overview of the building and commended the updates to the façade grant program. City

Council Members noted improvements in the development process and city staff's efforts to address concerns. Motion carried 7-0.

5. Approving a Proposed Development Agreement with SJR Properties, L.L.C. and Universal Tank & Fabrication, Inc.: Motion by Farber to receive and file the documents and adopt Resolution No. 395-24 Approving A Development Agreement By And Among The City Of Dubuque, Iowa, SJR Properties, L.L.C., And Universal Tank & Fabrication, Inc., Including The Issuance Of Urban Tax Increment Revenue Obligations. Seconded by Wethal. Jason White, Vice President of Business Services at Greater Dubuque Development Corporation (GDDC), 224 4th Ave. SE, Dyersville, spoke about GDDC's involvement with Universal Tank & Fabrication, Inc. He relayed thanks from Dan Davis, Principal of Universal Tank & Fabrication, Inc., who was unable to attend, for the city's support. In response to a question about the job commitment terms in the Development Agreement, Van Milligen explained that such language is standard. If the company falls below 50 full-time equivalent positions at any point during the 10-year agreement, the rebate is reduced proportionally. Employers must provide annual certification of their employee numbers. Motion carried 7-0.

6. Public Hearing and Approval of Second Amendment to the Lease Agreement by and Between the City of Dubuque, Iowa and the Dubuque County Historical Society: Motion by Sprank to receive and file the documents and adopt Resolution No. 396-24 Approving A Second Amendment To The Lease Agreement By And Between The City Of Dubuque, Iowa, And Dubuque County Historical Society. Seconded by Wethal. Motion carried 7-0.

ACTION ITEMS

1. Kerper Boulevard Lift Station Project - Award Public Improvement Contract - Project No. 5581500047: Motion by Sprank to receive and file the documents and adopt Resolution No. 397-24 Awarding Public Improvement Construction Contract For The Kerper Boulevard Lift Station Project. Seconded by Wethal. In response to questions about the estimated cost, Van Milligen and City Engineer Gus Psihoyos clarified that the estimate represents the maximum amount, excluding change orders. Psihoyos noted that while staff review all potential scenarios when developing project plans and specifications, unforeseen work may still arise for any project. Motion carried 7-0.

2. Council Member Susan Farber Appointment to National League of Cities (NLC) Information Technology and Communications Committee: Motion by Roussell to receive and file the documents and congratulate Farber on her appointment as vice chair of NLC 2025 Information Technology and Communications Federal Advocacy Committee. Seconded by Resnick. City Council Members commended Farber for her service. Farber expressed that it is an honor to represent the City and showcase our use cases. Motion carried 7-0.

3. Work Session Request: Sustainable Dubuque: Motion by Resnick to receive and file the documents and schedule the work session for February 17, 2025, at 5:30 p.m. Seconded by Roussell. Motion carried 7-0.

4. Work Session Request: Iowa Jobs for America's Graduates (iJAG) City Life Student Presentation to City Council: Motion by Resnick to receive and file the documents and schedule the work session for May 5, 2025 at 5:30 p.m. Seconded by Jones. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Jones reported on the recent Dubuque Racing Association (DRA) board meeting and the recent opening of Island Social at Q Casino.

Council Member Resnick reported that Cathy Goodman has been performing the annual SnowBiz holiday show for 15 years, and that this year's performance will be her last one.

Council Member Wethal reported on Santa's recent visit to Bluff St. and encouraged residents to shop local.

Mayor Cavanagh commended Dubuque Main Street's efforts to support local businesses on Small Business Saturday.

CLOSED SESSION

Motion by Jones to convene in closed session at 7:30 p.m. to discuss Confidential Records, Pending Litigation, and Purchase or Sale of Real Estate – Chapter 21.5(1)(a),(c),(j) Code of Iowa. Seconded by Roussell. Mayor Cavanagh stated for the record that the attorney who will consult with City Council on the issues to be discussed in the closed session is City Attorney Brumwell. Motion carried 7-0.

The City Council reconvened in open session at 9:19 p.m. stating that staff had been given proper direction.

ADJOURNMENT

There being no further business, Mayor Cavanagh declared the meeting adjourned at 9:19 p.m.
/s/Adrienne N. Breitfelder, CMC
City Clerk