

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

The Dubuque City Council met in special session at 5:15 p.m. on December 16, 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 special session of the City Council called for the purpose of conducting a work session on Greater Dubuque Development Corporation and Retail Strategies findings and recommendations.

**WORK SESSION
Greater Dubuque Development Corporation - Retail Strategies Findings and
Recommendations**

Rick Dickinson, President and CEO of Greater Dubuque Development Corporation, and Michael Warsaw, Portfolio Director of Retail Strategies, presented their findings and recommendations on opportunities to enhance the community's retail and hospitality sectors. In response to questions, the presenters explained that the community's makeup influences the types of businesses that can be recruited, noting that it has broadened in recent years. Warsaw discussed the data retailers use to identify new markets and encouraged the City Council to collaborate with developers to reduce lead times.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:27 p.m.

/s/Adrienne N. Breitfelder, CMC
City Clerk

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

The Dubuque City Council met in regular session at 6:30 p.m. on December 16, 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

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: 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. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Lois Kamp for vehicle damage; Laura Schroeder 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: Sierra Eversoll for vehicle damage; Bryn Kittle for vehicle damage; Laura Schroeder for vehicle damage. 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. 398-24 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. Kohl's Department Store 2023 & 2024 Property Tax Appeal Stipulation of Settlement Approval: Senior Counsel recommended 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. Upon motion the documents were received, filed, and approved.

6. Temporary Agreement Between the City of Dubuque and ITC Midwest, LLC to Operate an Electric Transmission System in the City of Dubuque: Upon motion the documents were received and filed, and Resolution No. 399-24 Approving An Agreement Between The City Of Dubuque And ITC Midwest, LLC To Operate An Electric Transmission System In The City Of Dubuque was adopted.

7. Public, Educational, and Governmental (PEG) Access Equipment Grant Program and PEG Channel Guidelines Updates: City Manager recommended 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. Upon motion the documents were received, filed, and approved.

8. FY2025 Main Street Iowa Program Agreement: Upon motion the documents were received and filed, and Resolution No. 400-24 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 was adopted.

9. State of Iowa Business Financial Assistance Contract among Universal Tank & Fabrication Inc., the City of Dubuque, and the Iowa Economic Development Authority: Upon motion the documents were received and filed, and Resolution No. 401-24 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 was adopted.

10. FY24/PY23 End-of-Year Review for the Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER): Upon motion the documents were received and filed.

11. Lead & Healthy Home Program Grant Agreement: Upon motion the documents were received and filed, and Resolution No. 402-24 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 was adopted.

12. Request for Approval of Pet Licensing Service RFP: Upon motion the documents were received, filed, and approved.

13. Acceptance of Certain Subdivision Improvements in Silver Oaks Estates #3 (Phase 2 of Silver Oaks Subdivision): Upon motion the documents were received and filed, and Resolution No. 403-24 Accepting Public Improvements in Silver Oaks Estates # 3 (Silver Oaks Phase 2), in the City of Dubuque, Iowa was adopted.

14. Union at the Marina, LP Property Right of Way Plat and Dedication for Proposed Parking Lot Improvements on Hawthorne Street: Upon motion the documents were received and filed, and Resolution No. 404-24 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 was adopted.

15. Approval for Amendment #2 with Vidl Solutions: Upon motion the documents were received, filed, and approved.

16. Signed Contract(s): Tschiggfrie Excavating, Co. for the Broadway Sanitary Sewer Improvements Project. Upon motion the documents were received and filed.

17. Drug and Alcohol Policy - DBA The Jule: Upon motion the documents were received, filed, and approved.

18. Approval of Retail Alcohol Licenses: Upon motion the documents were received and filed, and Resolution No. 405-24 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 was adopted.

19. Approval of Retail Tobacco, Tobacco Products, Alternative Nicotine Products, Vapor Products, and Device Permit Applications: Upon motion the documents were received and filed, and Resolution No. 406-24 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 was adopted.

ITEMS SET FOR PUBLIC HEARING

Motion by Roussell to receive and file the documents, adopt the resolutions, and set the public hearings as indicated. Seconded by Sprank. Motion carried 7-0.

1. Resolution Setting a Public Hearing on a Proposed Development Agreement with Dubuque and Jackson County Habitat for Humanity: Upon motion the documents were received and filed and Resolution No. 407-24 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 was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on January 6, 2025 in the Historic Federal Building.

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: Upon motion the documents were received and filed and Resolution No. 408-24 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 was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on January 6, 2025 in the Historic Federal Building.

3. Proceedings to Set Public Hearing on the Issuance of Not to Exceed \$24,250,000 General Obligation Bonds, Series 2025ABC: Upon motion the documents were received and filed and Resolution No. 409-24 Setting The Date For Public Hearings On Proposals To Enter Into General Obligation Loan Agreements And To Borrow Money Thereunder was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on January 6, 2025 in the Historic Federal Building.

4. Dubuque Gate & Pump Station Flood Mitigation (16th St Detention Basin) Initiate Public Bidding Process and Setting Date for a Public Hearing: Upon motion the documents were received and filed and Resolution No. 410-24 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) was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on January 21, 2025 in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointments were made to 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). Upon roll call vote, Hefel was appointed to the Business Professional, lives or works inside cultural district term; David Barba was appointed to the Public Member 3 term; and Gail Chavenelle was appointed to the Business Professional term. Hefel received 4 votes (Wethal, Roussell, Cavanagh, Resnick) while Hernandez received the remaining 3 votes for the Business Professional, lives or works inside cultural district term. Barba received 4 votes (Roussell, Cavanagh, Sprank, Jones), Ochoa received 2 votes (Farber and Resnick, and Chavenelle received the remaining vote for the Public Member 3 term. Chavenelle received 5 votes (Wethal, Farber, Roussell, Cavanagh, Jones), Bree Hernandez received one vote (Sprank), and Ochoa received the remaining vote for the Business Professional term.

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. and Traci Phillipson, 2120 Rhomberg Ave. Upon roll call vote, Cain-Watson was appointed to the term, receiving all 7 votes.

PUBLIC HEARINGS

1. Resolution Approving a Proposed Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal Area, Version 2024.3: Motion by Farber to receive and file the documents and adopt Resolution No. 411-24 Approving The Amended And Restated Urban Renewal Plan For The Greater Downtown Urban Renewal Area, Version 2024.3. Seconded by Wethal. Motion carried 7-0.

PUBLIC INPUT

Clark Schloz, 2925 Burlington St., spoke about recent increases in city utility rates and the city's transparency in providing requested information.

ACTION ITEMS

1. Adoption of the 2024 Chaplain Schmitt Island Development Plan: Motion by Roussell to receive and file the documents and adopt Resolution No. 412-24 Adopting A Development Plan For Chaplain Schmitt Island. Seconded by Sprank. City Council Members thanked residents for their input on the plan, emphasizing specific suggestions for adding an additional sheet of ice at the ImOn Arena. In response to questions, Van Milligen outlined the hiring process to replace outgoing DRA President and CEO Alex Dixon and stated that implementing the plan will require multiple funding sources and take time. Council Members expressed gratitude to Dixon for his contributions and stressed the importance of partnerships in bringing the plan to fruition. Motion carried 7-0.

2. Iowa Amphitheater on Schmitt Island Project Bid Package No. 2 (Utilities, Paving & Amphitheater Stage) Award Public Improvement Contract Project Code: 5575000022: Motion by Sprank to receive and file the documents and adopt Resolution No. 413-24 Awarding Public Improvement Contract For The Iowa Amphitheater On Schmitt Island Project – Bid Package No. 2 (Utilities, Paving & Amphitheater

Stage). Seconded by Wethal. In response to a question, Dixon explained that alternative add-on amenities were chosen over stage rigging because they were more cost-effective. Motion carried 7-0.

3. Resolution Approving an Amended and Restated Development Agreement with Walter Development, LLC: Motion by Jones to receive and file the documents and adopt Resolution No. 414-24 Approving An Amended And Restated Development Agreement By And Between The City Of Dubuque, Iowa And Walter Development, LLC. Seconded by Resnick. Motion carried 7-0.

4. Ruby Sutton Building 2nd Floor Renovation Project - Award Public Improvement Contract Project No. 5565000021: Motion by Roussell to receive and file the documents and adopt Resolution No. 415-24 Awarding Public Improvement Contract For The Ruby Sutton Building 2nd Floor Renovation Project. Seconded by Wethal. City Council Members expressed satisfaction that the alternative bid could be incorporated. Motion carried 7-0.

5. Leisure Services Comprehensive Master Plan Consultant Selection Approval and Authorization of Contract: Motion by Farber to receive and file the documents and adopt Resolution No. 416-24 Authorizing The City Manager To Negotiate And Execute A Contract With Kimley-Horn For The Leisure Services Comprehensive Master Plan. Seconded by Sprank. City Council Members noted that understanding the status of each park would be valuable. Leisure Services Director Marie Ware explained that the plan will offer feedback for benchmarking the parks and aid in planning for the future. Motion carried 7-0.

6. Hawks Goodmann & Associates Independent Contractor Agreement: Motion by Wethal to receive and file the documents and approve contracting with Hawks Goodmann & Associates to assist with strategic partnerships at the federal level. Seconded by Sprank. City Council Members expressed their enthusiasm for continuing to collaborate with recently retired Director of Strategic Partnerships Teri Goodmann and emphasized the importance of assessing the best ways to engage with federal and state officials following the recent election. Motion carried 7-0.

7. Controlled Livestock Grazing Ordinance Amendment: Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Wethal. Breitfelder and Brumwell addressed questions about the amendment review process and the businesses currently licensed for controlled livestock grazing. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 62-24 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. Seconded by Wethal. Motion carried 7-0.

8. Ordinance No. 52-24-A Correcting the Title of Ordinance No. 52-24: Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Farber. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 52-24-A 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. Seconded by Farber. Motion carried 7-0.

9. Ordinance No. 53-24-A Correcting the Title of Ordinance No. 53-24: Motion by Roussell to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Sprank. Motion carried 7-0.

Motion by Roussell for final consideration and passage of Ordinance No. 53-24-A 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. Seconded by Sprank. Motion carried 7-0.

10. Proposed Ordinance change to update the rental license cycle to two- years: Motion by Jones to receive and file the documents and that the requirement that a proposed ordinance be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be passed be suspended. Seconded by Roussell. City Council Members commended the updates to the rental license cycle. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 63-24 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. Seconded by Roussell. Motion carried 7-0.

11. Work Session Request: Capital Improvement Projects GIS Application: Motion by Resnick to receive and file the documents and schedule the work session for 6:00 p.m. on January 21, 2025. Seconded by Jones. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Farber highlighted a recent donation from John and Alice Butler to the University of Dubuque (UD) for the creation of a medical school. Farber also reported on attending a recent Federal Communications Commission (FCC) committee meeting.

Council Member Jones also discussed the UD announcement and noted public safety staff's annual holiday visit to Hills and Dales.

Council Member Wethal addressed the recent school shooting in Madison, WI, and commented on the UD announcement.

Council Member Sprank reported on attending neighborhood association meetings, the Merry Millwork Market, and volunteering at a recent food giveaway. Sprank also emphasized the importance of securing a new tenant for the upcoming vacancy on Central Avenue due to Hartig Drug's departure.

Mayor Cavanagh reflected on the Madison school shooting and the UD announcement. He also highlighted the community's current momentum driven by recent projects and initiatives, expressing excitement for the future.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:10 p.m. to discuss Pending Litigation and Purchase or Sale of Real Estate – Chapter 21.5(1)(c),(j) Code of Iowa. Seconded by Wethal. 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 9:57 p.m. stating that staff had been given proper direction.

ADJOURNMENT

There being no further business, Mayor Cavanagh declared the meeting adjourned at 9:57 p.m.

/s/Adrienne N. Breitfelder, CMC
City Clerk