

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

The Dubuque City Council met in special session at 5:15 p.m. on March 17, 2025, 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 the Schmitt Island Development & Sports Complex Feasibility Study.

WORK SESSION

Public Presentation of the Schmitt Island Development & Sports Complex Feasibility Study

Dubuque Racing Association (DRA) Interim President & CEO and Chief Operating and Financial Officer Brian Rakestraw introduced Ryan Peterson and Tom Ohle of RDG Planning & Design and Brandon Dowling of Johnson Consulting, who presented on the Schmitt Island Development & Sports Complex Feasibility Study. In response to questions, the presenters explained how they assessed the economic impact and potential funding mechanisms and described a funding model used by a nearby community. The presenters also suggested that the City could conduct a deeper analysis of how the facility could specifically benefit residents, such as offering discounts for resident groups. City Council Members expressed appreciation to the DRA for conducting and donating the study to the City, discussed the community demand for a center, and emphasized the importance of public-private partnerships to bring this type of project to fruition. City Manager Van Milligen emphasized that the study was commissioned by the DRA and is not intended to initiate a City-led project. He emphasized that the presentation is for informational purposes only and stated that the project could be discussed as a potential priority during the Council's goal-setting session later this year.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:18 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 March 17, 2025, 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. Junior Achievement Day (April 3, 2025) was accepted by Scott Ellerbach on behalf of Junior Achievement of the Heartland.

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: Arts and Cultural Affairs Advisory Commission of January 21, 2025; Cable TV Commission of November 20, 2024; City Council Proceedings from March 3, 2025; Equity and Human Rights Commission of January 14 and January 20, 2025; Zoning Advisory Commission Draft Minutes of March 5, 2025; Zoning Board of Adjustment of January 23, 2025; Proof of publication for City Council Proceedings of February 17, 2025. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Tim Connolly for personal injury; Amy Keierleber Grochala for vehicle damage. Upon motion the documents were received, filed, and referred to the City Attorney.

3. Approval of City Expenditures: Upon motion the documents were received and filed, and Resolution No. 90-25 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.

4. US 61-151 Interchange ITS Improvements - Cooperative Funding Agreement with Iowa Department of Transportation - Iowa DOT Cooperative Agreement No. 2025-16-054: Upon motion the documents were received and filed, and Resolution No. 91-25 Approving Cooperative Agreement No. 2025-16-054 Between The Iowa Department Of Transportation And The City Of Dubuque For The Installation Of Intelligent Transportation System (ITS) Improvements At The US 61 - 151 Interchange was adopted.

5. Acceptance of a Grant of Easement for Street Right of Way and Public Utilities over Francis T. McClain Property at 2019 Heeb Street, Dubuque, Iowa: Upon motion the documents were received and filed, and Resolution No. 92-25 Accepting A Grant Of Easement For Street Right Of Way And Public Utilities Through, Over And Across The Easterly 10' Of The South 10' Of Lot 6, The Easterly 10' Of Lot 7, And The Easterly 10' Of The Northerly 20' Of Lot 8, In Marsh's Addition, In The City Of Dubuque,

Iowa was adopted.

6. Acceptance of a Grant of Easement for Water Main Utility over The Butler Children's Garden Foundation, Inc. property in the City of Dubuque, Iowa as part of the Wanderwood Gardens Project: Upon motion the documents were received and filed, and Resolution No. 93-25 Accepting A Grant Of Easement For Water Main Utility Through, Over And Across Part Of Lot 2 Of Y-Camp Place No. 3, In The City Of Dubuque, Iowa was adopted.

7. Acceptance of Water Main Utility Improvements across The Butler Children's Garden Foundation, Inc. Property North of the Dubuque Arboretum in Dubuque: Upon motion the documents were received and filed, and Resolution No. 94-25 Accepting Public Water Main Utility Improvements Across Part Of Lot 2 Of Y-Camp Place No. 3, In The City Of Dubuque, Iowa was adopted.

8. Direct City Staff to Create a Plan for Urban Revitalization on Cedar Cross Road: Upon motion the documents were received and filed, and Resolution No. 95-25 Approving A Development Of A Plan For A New Urban Revitalization District On Cedar Cross Road was adopted.

9. Final Plat of Cedar Ridge Commercial Park: Upon motion the documents were received and filed, and Resolution No. 96-25 Approving The Final Plat Of Cedar Ridge Commercial Park, In The City Of Dubuque, Iowa was adopted.

10. PEG Fund Expenditures: City Manager recommended City Council approve requests not to exceed \$85,210.84 in Public, Educational, and Government (PEG) Equipment Grant Program Fund expenditures. Upon motion the documents were received, filed, and approved.

11. Signed Contract(s): James Orr Coating Inspection, LLC for the IADNR Water Tank Security Inspections Projects. Upon motion the documents were received and filed.

12. Proposed Amendment to Master Agreement for Shared Use Projects to License Additional Fiber Capacity to the Iowa Communications and Technology Commission (ICN): Upon motion the documents were received, filed, and approved.

13. Proposed Amendment to I-NET agreement between the City of Dubuque and MCC Iowa LLC (Mediacom) to add City of Dubuque Data Center: Upon motion the documents were received, filed, and approved.

14. Certified Lists - Police Officer and Fire Promotional Positions: Civil Service Commission submitted certified lists for the positions of Police Officer, Fire Equipment Operator, Fire Lieutenant, Fire Captain, EMS Supervisor, Assistant Fire Marshal, and Division/Bureau Chief. Upon motion the documents were received, filed, and made a Matter of Record.

15. Tobacco Compliance Settlement Agreement: City Manager recommended City Council approval of the Tobacco Compliance Settlement Agreement with Family Dollar, 2031 Central Ave. Upon motion the documents were received, filed, and approved.

16. Approval of Retail Alcohol Licenses: Upon motion the documents were received and filed, and Resolution No. 97-25 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.

17. 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. 98-25 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. Private Lead Service Line Replacement Pilot Program - Phase 1 Initiate Public Bidding and Set the Public Hearing Date: Upon motion the documents were received and filed and Resolution No. 99-25 To provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the Lead Service Line Replacement - Phase 1 Project, and the taking of bids therefor was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on April 7, 2025 in the Historic Federal Building.

2. Resolution Setting Public Hearing on a Subordination Agreement for DRLP Loan #2-23 - 1199 Central Avenue: Upon motion the documents were received and filed and Resolution No. 100-25 Setting A Public Hearing For A Subordination Agreement By And Among The City Of Dubuque, Iowa, Virtual Velocity, LLC, And New Silver Lending LLC For Interest In City Property Located At 1199 Central Avenue was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on April 7, 2025 in the Historic Federal Building.

3. Resolution of Necessity for the Proposed Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal Area, Version 2025.1: Upon motion the documents were received and filed and Resolution No. 101-25 Authorizing And Directing The City Manager To Prepare An Amended And Restated Urban Renewal Plan, Version 2025.1, 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 2025.1, For Said Area was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on April 21, 2025 in the Historic Federal Building.

PUBLIC HEARINGS

1. Request to Rezone 405 and 575 Cedar Cross Road: 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 Resnick. Applicant Luke Merfeld, 10713 Cottingham Rd., stated that rezoning could improve the properties' potential for sale. Mike Reinhart, 401 Cedar Cross Rd.; Carol Maas, 3095 Nightengale Ln.; and Kevin Donovan, 15 Nightengale Ln., spoke in opposition to the rezoning, citing traffic concerns, erosion, lack of green space, and questioned whether R-4 was an appropriate zoning. In response to a question about infrastructure improvements related to the planned 180-unit apartment complex nearby, Van Milligen summarized site-specific upgrades, including a turn lane and sewer extensions. Planning Services Director Wally Wernimont noted that a traffic study for the nearby apartment complex confirmed only a turn lane was necessary for that site. When questioned about the choice of R-4 over another residential zoning classification for the properties, Wernimont referenced the staff report and the city's housing needs, adding that the applicant could better address that question. He also explained that the Development Review Team (DRT) process allows for discussion of development options and that specific structures will not be confirmed until a physical plan is submitted. Van Milligen emphasized that zoning decisions should not be based on assumptions about future outcomes. Regarding community engagement, Wernimont and Van Milligen clarified that developer-led neighborhood meetings are required if city funds are involved and

recommended even when they are not, with guidance provided in the zoning application. City Council Members reflected on the Zoning Advisory Commission's concerns about infrastructure and the feasibility of 12-unit structures on the properties, while also expressing support for the DRT process and proactive neighborhood communication. Motion failed 4-3 with Wethal, Resnick, and Sprank voting nay.

Motion by Jones to receive and file the communications and approve first reading of an ordinance Amending Title 16 Of The City Of Dubuque Code Of Ordinances, Unified Development Code, By Reclassifying Hereinafter Described Property Located At 405 Cedar Cross Road And 595 Cedar Cross Road From R-1 Single- Family Residential District To R-4 Multiple-Family Residential District. Seconded by Farber. Motion carried 4-3 with Wethal, Resnick, and Sprank voting nay.

2. Resolution Approving a Proposed Development Agreement between the City of Dubuque, Iowa and Gronen Development, Inc. Providing for the Sale of City-owned Real Estate and the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement: Motion by Jones to receive and file the documents and adopt Resolution No. 102-25 Approving A Development Agreement By And Between The City Of Dubuque And Gronen Development, Inc. Including The Sale Of City-Owned Real Estate And The Issuance Of Urban Renewal Tax Increment Revenue Grant Obligations To Gronen Development, Inc. Seconded by Sprank. Emily Sewell, 14247 N. Cascade Rd., Project Architect for Gronen Development, Inc., (Gronen) gave a presentation on the proposed project. In response to a question, she stated the current plan includes approximately 102 units. Brooklyn Williams, 250 W. 6th St., Apt. 605, shared that she had spoken with Gronen about her concerns regarding potential impacts to alley access from the project. In response to questions, City Manager Van Milligen stated he was not aware of any provisions in the development agreement that would exempt Gronen from downtown architectural guidelines. Planning Services Director Wally Wernimont explained that while the guidelines are broad and do not involve a formal architectural review board, his department has met with Gronen and their consultants through the DRT process. Regarding short-term rentals, Van Milligen noted that while Iowa law prevents cities from banning them outright, a clause limiting the number of short-term rentals can be included in the development agreement due to Gronen purchasing city-owned property and receiving city incentives. Economic Development Director Jill Connors added that there have not been discussions on how to monitor such a requirement, and current oversight is based on circumstantial or anecdotal information. City Council Members expressed enthusiasm for the project, noting its perfect timing with the upcoming University of Dubuque Medical School in the downtown area. City Council Members also recognized the community collaboration achieved so far. Motion carried 7-0.

3. Resolution of Adoption for the Amendment of the Dubuque Industrial Center Economic Development District Urban Renewal Plan, Version 2025.1: Motion by Roussell to receive and file the documents and adopt Resolution No. 103-25 Approving The Amended And Restated Urban Renewal Plan, Version 2025.1, For The Dubuque Industrial Center Economic Development District. Seconded by Resnick. Motion carried 7-0.

4. Resolution of Adoption for the Amendment of the Dubuque Industrial Center Economic Development District Urban Renewal Plan, Version 2025.2: Motion by Jones to receive and file the documents and adopt Resolution No. 104-25 Approving The Amended And Restated Urban Renewal Plan, Version 2025.2, For The Dubuque Industrial Center Economic Development District. Seconded by Farber. Motion carried 7-0.

ACTION ITEMS

1. Amending Tax Increment Ordinance 5-24 for the Dubuque Industrial Center Economic Development District, as amended by Version 2025.2 of the Amended and Restated Plan: 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 Jones. Motion carried 7-0.

Motion by Roussell for final consideration and passage of Ordinance No. 8-25 An Ordinance Correcting And Amending Ordinance No. 5-24, Previously Amended, Providing That General Property Taxes Levied And Collected Each Year On All Property Located Within The Amended And Restated Dubuque Industrial Center Economic Development District Urban Renewal Area 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 Dubuque Industrial Center Economic Development District Urban Renewal Redevelopment Project By Adding Subarea T To The Division Of Revenues. Seconded by Jones. Motion carried 7-0.

2. Award of Public Improvement Construction Contract for Bunker Hill Foundation Repair Project: Motion by Sprank to receive and file the documents and adopt Resolution No. 105-25 Awarding The Public Improvement Construction Contract For The Bunker Hill Foundation Repair Project. Seconded by Wethal. Motion carried 7-0.

3. Fuel Station Rehabilitation Project - Award Public Improvement Contract: Motion by Jones to receive and file the documents and adopt Resolution No. 106-25 Awarding Public Improvement Construction Contract For The Fuel Station Rehabilitation Project. Seconded by Resnick. Motion carried 7-0.

4. Request to Initiate Process for Mayor and City Council Salary Compensation: Motion by Farber to receive and file the documents and refer to City Council for discussion. Seconded by Roussell. City Council Members expressed their appreciation for the process and emphasized the importance of considering long-term compensation planning. They considered whether ward representatives should be required to select a Task Force member from within their own wards but ultimately determined that this requirement was not necessary. When asked about precedent for selecting representatives, Breitfelder stated she would need to review past records to confirm. Motion amended by Farber to receive and file the documents and direct City Council Members to provide Breitfelder with the name of their Task Force representative by April 7. Seconded by Roussell. Motion carried 7-0.

5. Utility Bill Insert Promoting Seasonal Employment Opportunities and Boards & Commissions Vacancies: Motion by Jones to receive and file a copy of the March City utility bill insert promoting the City's seasonal/temporary employment opportunities and current vacancies on the City's boards and commissions, which will be mailed to City utility customers from March 12 - April 9. Seconded by Sprank. City Council Members encouraged residents to apply for the various opportunities. Motion carried 7-0.

6. 2024 Dubuque Police Department Annual Report: Motion by Jones to receive and file a copy of the 2024 Dubuque Police Department Annual Report, which will be mailed to all addresses within the city limits. Seconded by Resnick. City Council Members commended the department for its efforts in ensuring Dubuque remains a safe community. Motion carried 7-0.

7. Work Session Request: Community Foundation Contracted Service Agreement Update: Motion by Roussell to receive and file the documents and schedule the work session from 6:00 p.m. to 6:30 p.m. on Monday, May 19, 2025. Seconded by Wethal. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Council Member Roussell reported on attending the Iowa League of Cities Local Leaders Day, meeting with the new director of the Almost Home Shelter, touring the Open Closet, and attending Presentation Lantern Center's annual dinner.

Council Member Sprank reported on traveling to Des Moines with representatives from Table Mound and Alpine Mobile Home Parks to advocate to state legislators.

Council Member Farber reported on attending the National League of Cities (NLC) Congressional City Conference and recent meetings with the NLC technology committee, Federal Communications Commission (FCC) committee, and Google.

Council Member Jones reported on the recent passing of Bill Whitey Kemp, who was the Commander of the East Dubuque Drum and Bugel Corps.

Mayor Cavanagh reported on the City developing strong relationships with state legislators, the Iowa Governor, and federal partners, and underscored the need to ensure the completion of grants initiated under the prior presidential administration. Cavanagh also reported on speaking about the Bee Branch project at a flood conference in Quebec.

Council Member Resnick reported on the upcoming Dubuque Night in Des Moines.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:35 p.m. to discuss Purchase or Sale of Real Estate – Chapter 21.5(1)(j) Code of Iowa. Seconded by Resnick. 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 9:55 p.m. stating that staff had been given proper direction.

ADJOURNMENT

There being no further business, Mayor Cavanagh declared the meeting adjourned at 9:55 p.m.

/s/Adrienne N. Breitfelder, CMC
City Clerk