

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

The Dubuque City Council met in regular session at 6:30 p.m. on April 7, 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 (attended virtually), Sprank, Wethal; City Manager Van Milligen (attended virtually), 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

PRESENTATIONS

1. Dubuque Police Department Crisis Intervention Team 365ink Impact Award: The Dubuque Police Department's Crisis Intervention Team (CIT) member Brendan Nugent, in attendance with CIT members Joel Cross and Mike McTague, spoke about the CIT recently receiving the Dubuque 365ink Impact Award.

PROCLAMATIONS

1. Hempstead High School 2025 State Men's Swimming Team Championship was accepted by Hempstead High School Men's Swimming Coach Rick Loeffelholz and members of the swim team on behalf of Hempstead High School.

2. National Public Health Week (April 7-12, 2025) was accepted by Environmental Sanitarian Sydney Althoff on behalf of the Health Services Department.

3. Animal Control Appreciation Week (April 13-19, 2025) was accepted by Animal Control Officer McKinzie Flanagan on behalf of the Health Services Department.

4. National Public Safety Telecommunicators Week (April 13-19, 2025) was accepted by Emergency Communications Center Director Jessica George-Rethwisch and Lead Dispatcher Katelyn McDade on behalf of the Emergency Communications Center.

5. Dubuque YP Days of Caring (April 25, 2025) was accepted by Community Service and Outreach Coordinator and YP Days of Caring Co-Chair Brittney Hayes on behalf of Dubuque YP Days of Caring.

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 March 17 and March 25, 2025; Airport Commission of January 28 and February 4, 2025; Arts and Cultural Affairs Advisory Commission of February 25, 2025; Community Development Advisory Commission of February 19, 2025; Housing Commission of January 28, 2025; Library Board of Trustees Update of February 27, 2025; Park and Recreation Commission of February 11, 2025; Resilient Community Advisory Commission of February

6, 2025; Zoning Advisory Commission of March 5, 2025; Proof of Publication for City Council Proceedings of March 3 and 17, 2025. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Susan Less for vehicle damage; Mathew Willis for property 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: Tim Connolly for personal injury; Amy Keierleber Gorchala for vehicle damage; Susan Less for vehicle damage; Mathew Willis for property 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. 107-25 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.

5. Recommended Sculptures for 2025-26 Art on the River Rotating Public Art Exhibition: Upon motion the documents were received, filed, and approved.

6. Community Development Block Grant FY25 Annual Action Plan Amendment #2: Upon motion the documents were received and filed, and Resolution No. 108-25 Adopting The Fiscal Year 2025 (Program Year 2024) Community Development Block Grant (CDBG) Annual Action Plan Amendment #2 was adopted.

7. Disclosure of the Conflict of Interest- CDBG Program Participation: City Manager transmitted information to formally disclose a conflict of interest concerning Dale Campbell, a member of the Community Development Advisory Commission, in relation to his application for a Community Development Block Grant (CDBG) funded microenterprise grant administered by the City's Economic Development Department and Fountain of Youth. Upon motion the documents were received and filed.

8. Rescue Vehicle Grant Application Approval: City Manager recommended City Council approval to apply for the 2025 Homeland Security Grant Program to secure funds to purchase a rescue vehicle, training, and exercises in the amount of \$451,907. Upon motion the documents were received, filed, and approved.

9. Northwest Arterial - State of Good Repair Project: US Highway 20 to John F. Kennedy Road - Acceptance of Public Improvement Contract: Upon motion the documents were received and filed, and Resolution No. 109-25 Accepting The Public Improvement For The Northwest Arterial – State Of Good Repair Project From US20 To John F. Kennedy Road (Iowa DOT Project No. STBG-SWAP-2100 (702)-SG-31) And Authorizing Final Payment To The Contractor was adopted.

10. R22-IA RAISE Infrastructure Planning Grant - Engineering Design and NEPA / Environmental Project Development: Recommend Approval of Grant Agreement Amendment No. 1: Upon motion the documents were received and filed, and Resolution No. 110-25 Approving Grant Agreement Amendment No. 1 With The U.S. Department Of Transportation For The Awarded RAISE Infrastructure Planning Grant was adopted.

11. Switch Development at JFK, LLC Property Right of Way Plat and Dedication - JFK Rd. and West 32nd St. Intersection Improvements Project: Upon motion the documents were received and filed, and Resolution No. 111-25 Approving The Acquisition Plat Of Lot 1A Of Switch Development @ JFK No. 3, In The City Of Dubuque, Iowa was adopted.

12. Iowa Department of Transportation PCC Patching Project Notifications Correspondence from Jesse Tibodeau, Assistant District Engineer with the Iowa Department of Transportation (DOT), notifying the City Council of PCC patching projects on US-20, US-151, and US-61. Upon motion the documents were received and filed.

13. Signed Contract(s): Offtaker Consent and Estoppel Certificate on the assignment of Eagle Point Energy - 1, LLC's interest in the Solar License and Power Purchase to KMDE, LLC. The suggested disposition for this item was omitted from the agenda. Therefore, this item will be included on a future City Council agenda for consideration and action.

14. Improvement Contracts / Performance, Payment, and Maintenance Bonds: Giese Sheet Metal Co. Inc. for the ImOn Ice Arena Dehumidification System Upgrade Project; Tschiggfrie Excavating Co. for the Southgate Drive Sanitary Sewer Improvement Project. Upon motion the documents were received, filed, and approved.

15. Five Flags Civic Center Management Services - Negotiating with Global Spectrum, L.P. d/b/a OVG: Upon motion the documents were received and filed.

ITEMS SET FOR PUBLIC HEARING

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

1. Old Mill Road Lift Station and Force Main Project - Phase II: Initiate Public Bidding Process and Setting Date for a Public Hearing: Upon motion the documents were received and filed and Resolution No. 112-25 To Provide For A Notice Of Hearing On Proposed Plans, Specifications, Form Of Contract And Estimate Of Cost For The Old Mill Lift Station And Force Main Project - Phase II, And The Taking Of Bids Therefor 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.

2. Setting a Public Hearing for The Jule's Iowa Department of Transportation's Consolidated Funding Application: Upon motion the documents were received and filed and Resolution No. 113-25 Setting The Date For A Public Hearing On Iowa DOT Consolidated Funding Application was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 19, 2025 in the Historic Federal Building.

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. Zoning Board of Adjustment: One, 5-Year term through March 25, 2030 (Expired term of Ahlvin). Applicant: Keith Ahlvin, 264 S. Grandview. Ahlvin spoke in support of his application.

PUBLIC HEARINGS

1. Hold a Public Hearing to Adopt the 5-Year Public Housing Authority (PHA) Plan 2025-2029: Motion by Jones to receive and file the documents and adopt Resolution No. 114-25 Authorizing The Mayor To Execute The Certification By State Or Local Office Of The 5-Year Public Housing Agency (PHA) Plan's Consistency With The Consolidated Plan And Approval Of The 5-Year Pha Plan. Seconded by Farber. The City Council thanked the Housing Commission for their work on the plan. Motion carried 7-0.

2. Heeb Street Reconstruction Project Public Hearing: Motion by Wethal to receive and file the documents and adopt Resolution No. 115-25 Approval Of Plans, Specifications, Form Of Contract, And Estimated Cost For The Heeb Street Reconstruction Project. Seconded by Sprank. Responding to a question about the project's impact on residents, Civil Engineer Jon Dienst stated that the selected contractor will be required to accommodate property owners on access to their properties, a requirement that was discussed during the pre-bid meeting. The goal is to complete the project before the start of the school year. Motion carried 7-0.

3. Heeb Street Reconstruction Project Special Assessments: Motion by Jones to receive and file the documents and adopt Resolution No. 116-25 Approving Schedule Of Assessments And Estimate Of Total Cost For The 2025 Heeb Street Reconstruction Project and Resolution No. 117-25 With Respect To The Adoption Of The Resolution Of Necessity Proposed For The Heeb Street Reconstruction Project. Seconded by Farber. Motion carried 7-0.

4. Private Lead Service Line Replacement Pilot Program - Phase 1 Construction Public Hearing: Motion by Jones to receive and file the documents and adopt Resolution No. 118-25 Finally approving and confirming plans, specifications, form of contract and estimate of cost for the Lead Service Line Replacement - Phase 1 Project. Seconded by Wethal. In response to questions, Water Department Director Chris Lester provided an overview of the Iowa Department of Natural Resources' (DNR) State Revolving Fund (Iowa SRF) program, noting that it will forgive 49% of construction costs. He explained that the current phase secures funding for the first 200 of the 585 homes scheduled to participate in the program. While funding is in place for this initial phase, future funding remains uncertain. Lester also confirmed that in-home verification is required to determine whether a service line is made of lead. City Council Members expressed strong support for the program and emphasized its importance. Motion carried 7-0.

5. Public Hearing on a Subordination Agreement for DRLP Loan #2-23 - 1199 Central Avenue: Motion by Sprank to receive and file the documents and adopt Resolution No. 119-25 Approving 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. Seconded by Wethal. In response to a question, Assistant Economic Development Director Ian Hatch confirmed that references to 'DI' refer to Dubuque Initiatives, which is subject to a separate subordination agreement. Motion carried 7-0.

PUBLIC INPUT

Emily Wilson, 3135 Nightengale Ln.; Jesse Kemp, 3400 Nightengale Ln.; and Carol Maas, 3095 Nightengale Ln., spoke in opposition to Action Item No. 1, expressing various concerns with the proposal to rezone the properties to R-4. Applicant Julie Merfeld, 10713 Cottingham Rd., spoke about previous attempts to sell the property and the nature of Cedar Cross Rd.

Breitfelder announced receipt of written input from Carol Maas, 3095 Nightengale Ln., and Clarke and Sharon Payne, 470 Woodland Ridge, regarding Action Item No. 1.

ACTION ITEMS

1. Request to Rezone 405 and 575 Cedar Cross Road - Second Reading: Motion by Jones to receive and file the communications and approve second 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. In response to questions, Planning Services Director Wally Wernimont provided an overview of development on Cedar Cross Road, noting that he could not comment on specific property access without a proposed

site plan. He explained that while the Planning Services Department typically offers guidance to applicants seeking rezoning, they were unable to do so in this case due to the uncertainty on the future use of the properties. City Council Members acknowledged the city's ongoing need for housing and discussed whether R-4 zoning was appropriate for the properties in question, noting that their opinions on the rezoning were divided. Wernimont suggested the City Council could remand the item back to the Zoning Advisory Commission (ZAC), which would prevent an additional application fee for the applicants. If the City Council chose not to remand the item, the applicants would need to submit a new application and pay the associated fee. Brumwell advised that, if the City Council is inclined to pursue Wernimont's recommendation, that motion should be acted on first. Both Brumwell and Wernimont confirmed that remanding the item would initiate a public hearing process before both ZAC and the City Council. Jones withdrew the motion, with concurrence from Farber.

Motion by Roussell to remand the item to the ZAC for an R-3 rezoning recommendation. Seconded by Farber. Wernimont stated that the timing of presenting the item to the ZAC then City Council will depend on the applicant. Motion carried 7-0.

2. First Amendment to Development Agreement with Kinseth Hospitality, Inc.: Motion by Jones to receive and file the documents and adopt Resolution No. 120-25 Approving The First Amendment To Development Agreement By And Between The City Of Dubuque, Iowa And Kinseth Hospitality Company, Inc. Seconded by Resnick. City Council Members acknowledged concerns about project delays caused by various factors affecting many developers, and encouraged local financial institutions to consider how they might help support these efforts. Motion carried 7-0.

3. Work Session Request: Equitable Poverty Reduction & Prevention Plan Update: Motion by Sprank to receive and file the documents and schedule the work session for June 2, 2025, at 5:15 p.m. Seconded by Wethal. Motion carried 7-0.

4. Quarterly Update Video on New Housing Development Projects: Motion by Sprank to receive and file the documents and view the video. Seconded by Wethal. City Communications Office staff showed a video highlighting progress made over the last three months on several local housing creation projects. The video can also be seen at: <https://youtu.be/k1aSY7iA1Ko>. Motion carried 6-0, with Resnick away from the dais during the vote.

COUNCIL MEMBER REPORTS

Sprank reported on the North End Neighborhood Association Family Fun Day.

Jones reported on Dubuque Night in Des Moines, the City's budget meetings, a meeting with Dubuque National Guard families to discuss support networks during an upcoming deployment, a ribbon cutting for Butt's Florist, attending a class on landfill fires, the grand opening of T&T Equipment Rental, and the Dubuque Metropolitan Area Solid Waste Agency (DMASWA) special meeting in which a resolution was signed to proceed with the customer convenience center.

Farber reported on participating in an activity facilitated by Two by Two Character Development at Eisenhower Elementary School and speaking at an event celebrating Dubuque Hempstead High School's men's swim team for their state swimming championship.

Wethal thanked the Public Works Department for displaying refuse trucks outside the Historic Federal Building prior to the meeting and for their work throughout the City. Wethal also reported on the Bluff St. Neighborhood Association placing planters on Bluff St.

Resnick reported on the Dubuque Symphony Orchestra's educational programming and that he was stepping down as wind conductor for their youth program.

Roussell reported on attending the Main Street America Conference as a board member of Dubuque Main Street and congratulated David Barba for being named Executive Director of Dubuque Main Street.

Cavanagh reported on testifying at a subcommittee meeting on property tax legislation at the state capitol, the Iowa League of Cities (ILC) modeling tool on the legislation, engaging with a subcommittee on Tax Increment Financing (TIF) legislation, the Growing Sustainable Communities Conference, meeting with the Iowa Knights of Columbus, the Dubuque Racing Association (DRA) grant kickoff, Envision 2030, and the Midwest Marketplace Conference.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:33 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 8:48 p.m. stating that staff had been given proper direction.

ADJOURNMENT

There being no further business, Mayor Cavanagh declared the meeting adjourned at 8:48 p.m.

/s/Adrienne N. Breitfelder, CMC

City Clerk