

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

The Dubuque City Council met in special session at 6:00 p.m. on April 21, 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 (attended virtually), 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 to receive an update from Greater Dubuque Development Corporation.

**WORK SESSION
Greater Dubuque Development Corporation Quarterly Update**

President and CEO Rick Dickinson and Director of Workforce Programming Nic Hockenberry presented a quarterly update on Greater Dubuque Development Corporation (GDDC). In response to a question about potential uncertainty surrounding federal Head Start funding, Dickinson noted that GDDC and childcare providers are actively monitoring the situation.

There being no further business, Mayor Cavanagh declared the meeting adjourned at 6:29 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 April 21, 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 (attend 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

Breitbart announced that the presentation recognizing LaMetra Murdock's Women's Leadership Network Women of Achievement Award was removed from this meeting and will be rescheduled to a future meeting.

PROCLAMATIONS

1. Community Development Week (April 21-25, 2025) was accepted by Catholic Charities Executive Director Tracy Morrison on behalf of the Housing and Community Development Department.

2. Arbor Day (April 25, 2025) was accepted by Tom Kramer on behalf of Dubuque Trees Forever.

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 31, and April 2, April 3, April 7, April 8, April 9, and April 10, 2025; Airport Commission of February 25, 2025; Community Development Advisory Commission of March 26, 2025; Library Board of Trustees Update of March 27, 2025; Equity and Human Rights Commission of February 11, 2025; Proof of Publication for City Council Proceedings of March 25, 2025. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Nathan and Shauna Peterson for vehicle damage; Susan Schueller 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. 123-25 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. Sustainable Dubuque Community Grant Award Recommendation: Upon motion the documents were received and filed, and Resolution No. 124-25 Awarding Sustainable Dubuque Grant To American Legion Auxiliary; Resolution No. 125-25 Awarding Sustainable Dubuque Grant To The Grand River Center; Resolution No. 126-25 Awarding Sustainable Dubuque Grant To Saint Vincent De Paul; Resolution No. 127-25 Awarding Sustainable Dubuque Grant To The Bike Coop; Resolution No. 128-25 Awarding Sustainable Dubuque Grant To Roosevelt Middle School; Resolution No. 129-25

Awarding Sustainable Dubuque Grant To Westminster Presbyterian Church; and Resolution No. 130-25 Awarding Sustainable Dubuque Grant To Saint Mark Youth Enrichment were adopted.

5. First Amendment to Development Agreement between the City of Dubuque and Wilson House Apts, LLC for the Rehabilitation of 1243 Locust Street: Upon motion the documents were received and filed, and Resolution No. 131-25 Approving The First Amendment To Development Agreement By And Between The City Of Dubuque, Iowa And Wilson House Apts, LLC was adopted.

6. Final Plat of Kellhoff Addition: Upon motion the documents were received and filed, and Resolution No. 132-25 Approving The Final Plat Of Kellhoff Addition, In The City Of Dubuque, Iowa was adopted.

7. Final Plat of Hy-Vee Subdivision No. 2: Upon motion the documents were received and filed, and Resolution No. 133-25 Approving The Final Plat Of Hy-Vee Subdivision No. 2, In The City Of Dubuque, Iowa was adopted.

8. 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; Lease Agreement with Dubuque Water Sports Club. Upon motion the documents were received and filed.

9. Improvement Contract(s), Performance, Payment, and Maintenance Bonds: Tricon General Construction, Inc. for the Bunker Hill Foundation Repair Project. Upon motion the documents were received, filed, and approved.

10. Approval of Retail Alcohol Licenses: Upon motion the documents were received and filed, and Resolution No. 134-25 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.

11. 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. 135-25 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 Wethal. Motion carried 7-0.

1. 2025 Repair and Maintenance of the Iowa Street Parking Garage - Initiate Public Bidding Process and Setting Date for a Public Hearing: Upon motion the documents were received and filed and Resolution No. 136-25 2025 Repair And Maintenance Of The Iowa Street Parking Garage: 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 was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on May 5, 2025 in the Historic Federal Building.

2. Resolution Setting Public Hearing on a Proposed Development Agreement with FitzGerald EnterpriZes, L.L.C.: Upon motion the documents were received and filed and Resolution No. 137-25 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 Fitzgerald EnterpriZes, L.L.C., Including The Proposed Issuance Of Urban Renewal Tax Increment Revenue 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 May 5, 2025 in the Historic Federal Building.

3. Proceedings to Set Public Hearing on June 2, 2025, for the Issuance of Not to Exceed \$761,000 Stormwater Revenue Loan and Disbursement Agreement – Sponsorship Project Amendment 2024 Green Alley Project: Upon motion the documents were received and filed and Resolution No. 138-25 To fix a date for a public hearing on proposal to enter into a Stormwater Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$761,000 was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 2, 2025 in the Historic Federal Building.

4. Proceedings to Set Public Hearing on June 2, 2025 for the Issuance of Not to Exceed \$1,600,000 Stormwater Revenue Capital Loan Notes (State Revolving Loan Fund Program) Bee Branch Gate and Pump Project: Upon motion the documents were received and filed and Resolution No. 139-25 To fix a date for a public hearing on proposal to enter into a Stormwater Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$1,600,000 was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on June 2, 2025 in the Historic Federal Building.

BOARDS/COMMISSIONS

Mayoral Selection of Appointment to the Civil Service Commission: One, 4-Year term through April 6, 2029 (Expired term of White). Applicants: Miquel Jackson, 2827 Pennsylvania Ave.; Dan White, 3580 Pennsylvania Ave. Mayor Cavanagh announced that he intends to appoint Jackson to the term. City Council vote on the appointment will occur at the June 2, 2025, City Council meeting in accordance with Iowa Code §400.1.

Appointments were made to the following boards/commissions.

Zoning Board of Adjustment: One, 5-Year term through March 25, 2030 (Expired term of Ahlvin). Applicant: Keith Ahlvin, 264 S. Grandview. Motion by Jones to appoint Ahlvin to the term. Seconded by Resnick. Motion carried 7-0.

PUBLIC HEARINGS

1. Planned Unit Development Amendment - 3125 Pennsylvania Avenue: 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. Applicant Jim Gantz, 12241 Forest Meadow Dr., who owns the property, summarized the reason for amending the PUD as the expiration of Low-Income Housing Tax Credits (LIHTC) for the property under Section 42 of the Internal Revenue Code. Howard Riedel, 3125 Pennsylvania Ave. Apt. 112, Suzanne Rubenbauer, 3125 Pennsylvania Ave.; and Pat Willis, 3125 Pennsylvania Ave. Apt. 212, spoke in opposition to the amendment, citing the importance of the Applewood I Apartment Complex providing affordable housing to seniors. Rick Dickinson, 205 Hill St., spoke in favor of the amendment, emphasizing the communities need for housing. In response to a question from the City Council, Gantz clarified that Section 42 was not a subsidy but provided incentives such as favorable assessments. In response to a question about why a member of the Zoning Advisory Commission (ZAC) voted against the amendment, Commissioner Rich Russell, 2045 Embassy West Dr., stated he could not recall the specific reason but believed it may have been related to traffic

concerns. City Council stated that understanding commissioners' reasons for opposing a request would be helpful. City Council Members noted that they have no control over the expiration of Section 42 and expressed support for the amendment, emphasizing the city's continued need for housing. They also highlighted the careful consideration given to rezonings of this nature and encouraged open communication between property owners and tenants. Responding to questions, Brumwell stated that other provisions of the Fair Housing Act allow for certain qualifications of tenant populations and that landlords should consult with private legal counsel for guidance. In response to questions, Planning Services Director Wally Wernimont stated that the apartment's proximity to nearby playgrounds had been reviewed and noted that a pedestrian access point to Carter Rd. is available. He also confirmed that the apartment complex will meet all requirements for multi-family residential use once additional parking is added. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 9-25 Amending Title 16 Of The Unified Development Code Of The City Of Dubuque Code Of Ordinances By Rescinding Ordinance 23-93 And Adopting A PUD Planned Unit Development With A PR Planned Residential District Designation And Conceptual Development Plan. Seconded by Farber. Motion carried 7-0.

2. Resolution Adopting an Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal Area, Version 2025.1: Motion by Roussell to receive and file the documents and adopt Resolution No. 140-25 Adopting an Amended and Restated Urban Renewal Plan for the Greater Downtown Urban Renewal Area, Version 2025.1. Seconded by Wethal. Motion carried 6-0 with Farber not present at the dais when the vote was taken.

3. Old Mill Lift Station and Force Main Project - Phase II Public Hearing: Motion by Jones to receive and file the documents and adopt Resolution No. 141-25 Giving final approval to, and confirmation of, plans, specifications, form of contract and estimate of cost for the Old Mill Lift Station and Force Main Project - Phase II. Seconded by Wethal. Van Milligen summarized the need for a sewer rate increase and stated that all current users within the Catfish Creek sewer shed may continue utilizing the system, though each new project will require individual analysis. He noted that projects unable to obtain a permit from the Iowa Department of Natural Resources' (IDNR) due to sewer shed capacity limitations could still pursue temporary solutions. While the City learned earlier this year that new hookups had to be restricted, Van Milligen stated that the City had previously anticipated capacity challenges, which have been accelerated by recent development, and that developers were engaged as soon as the capacity issues were confirmed. Brumwell referenced Iowa Code Section 567.64, which outlines wastewater regulations and specifies circumstances under which a construction permit is not required. City Engineer Gus Psihoyos stated that the replacement pipes will be wider and capable of handling increased flow. He also confirmed that the project is supported by secured American Rescue Plan Act (ARPA) funds. City Council Members acknowledged residents' frustrations with the capacity issues and stated that the project is costly and will take time to complete. Motion carried 7-0.

PUBLIC INPUT

Clark Schloz, 2925 Burlington St., spoke on Action Item No. 2, providing input on the raises, longevity scale, and the sick leave benefit.

ACTION ITEMS

1. Heeb Street Reconstruction Project - Award Public Improvement Project: Motion by Roussell to receive and file the documents and adopt Resolution No. 142-25 Awarding Public Improvement Contract For The Heeb Street Reconstruction Project. Seconded by Wethal. Motion carried 7-0.

2. Request for City Council Ratification of Teamsters Local 120, Bus Operators, July 1, 2025 Collective Bargaining Agreement (CBA): Motion by Jones to receive and file the documents and ratify the City of Dubuque/Teamsters Local 120 Bus Operators (BU-1158) Collective Bargaining Agreement to become effective July 1, 2025. Seconded by Farber. City Council Members emphasized the lengthy process involved in contract negotiations and the critical need to attract and retain high-quality employees. Motion carried 7-0.

3. Caldwell-Designed Structures at Eagle Point Park Historic Structure Report – Receive and File: Motion by Jones to receive and file the documents and adopt Resolution No. 143-25 To Receive And File The Historic Structures Report (HSR) For The Caldwell-Designed Structures At Eagle Point Park, Funded In Part By The Jeffris Family Foundation Heartland Fund. Seconded by Sprank. City Council Members praised the report and Heritage Works' involvement. Wernimont recognized Assistant Planner Chris Happ Olson, Park Division Manager Steve Fehsal, and Project and Facilities Manager Jared Charland for their work on this. Motion carried 7-0.

4. Parks and Recreation Advisory Commission Recommendation for Naming Rustic Point Subdivision Park: Motion by Roussell to receive and file the documents and approve the Parks and Recreation Advisory Commission recommendation for naming Rustic Point subdivision park Rustic Point Park. Seconded by Farber. Motion carried 7-0.

5. Submission of Fiscal Year Ended June 30, 2024 Annual Comprehensive Financial Report (ACFR): Motion by Jones to receive and file the documents and hear the presentation. Seconded by Resnick. Finance Manager Brian DeMoss gave a presentation on the ACFR. David Irwin, Partner with the City's auditing firm Mauldin and Jenkins, spoke virtually about the annual audit. DeMoss confirmed that the ACFR is a public document and will be accessible on the City's website within the Finance Department's reports section. Assistant City Manager Cori Burbach confirmed that the reports available on the website date back to 1991. City Council congratulated city staff on the unmodified audit opinion. Motion carried 7-0.

6. Delivering Dubuque Video: Parks & Recreation: Motion by Jones to receive and file the documents and view the video. Seconded by Wethal. City Communications Office staff showed the "Delivering Dubuque" episode on the Parks and Recreation Department. The video can be viewed on the City of Dubuque YouTube channel at <https://youtu.be/Kxb1lvV38W4?si=KO5N9KAzt0JCcoEW>. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Roussell reported on attending the Main Street America conference and Dubuque Trees Forever volunteers assisting at a Branching Out Dubuque event.

Jones reported on attending ribbon cuttings for Iowa Power and Wildflower Kids Dentistry, meetings for the Travel Dubuque Board and Dubuque Metropolitan Area Solid Waste Agency (DMASWA) Board, and the annual Dubuque County Emergency Responder Training Facility fundraising event.

Farber reported on the Dubuque Fighting Saints in the Clarke Cup playoffs, the start of the Julien Dubuque International Film Festival (JDIFF), and co-presenting with Information Technology Special Projects Manager Chris Kohlmann to the National League of Cities (NLC) on the City's data center.

Cavanagh reported on Envision 2030, the Great Easter Egg Hunt at Comiskey Park, JDIFF, the Dubuque Fighting Saints, and attending numerous state legislative meetings.

CLOSED SESSION

Motion by Jones to convene in closed session at 9:39 p.m. to discuss Purchase or Sale of Real Estate – Chapter 21.5(1)(j) Code of Iowa. Seconded by Wethal. 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 9:58 p.m. stating that staff had been given proper direction.

ADJOURNMENT

There being no further business, Mayor Cavanagh declared the meeting adjourned at 9:58 p.m.
/s/Adrienne N. Breitfelder, CMC
City Clerk