



**CITY OF DUBUQUE, IOWA
CITY COUNCIL MEETING**
Historic Federal Building: 350 W. 6th
Street - Second-Floor Council
Chambers.
October 7, 2024 at 6:30 PM

Council meetings are video streamed live and archived at www.cityofdubuque.org/media and on Dubuque's CityChannel on the Mediacom cable system at cable channel 8 and digital 117.2.

PROVIDING VIRTUAL PUBLIC INPUT

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Access Code: 337-661-181

ROLL CALL ORDER FOR MEETING

Resnick, Roussell, Sprank, Farber, Jones, Wethal, Cavanagh

WORK SESSION

5:30 PM - Smart Parking Mobility Management Plan

Walker Consulting will present on the progress of the Smart Parking Mobility Management Plan.

REGULAR SESSION

6:30 PM

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. ICMA YSEALI Fellow Introduction

Assistant City Manager Cori Burbach will introduce International City/County Management Association (ICMA) Young Southeast Asian Leaders Initiative (YSEALI) Fellow May Hadee.

PROCLAMATIONS

1. Domestic Violence Awareness Month (October 2024)

On behalf of Waypoint Services.

2. Arts and Humanities Month (October 2024)

On behalf of the Arts and Cultural Affairs Division.

3. Community Planning Month (October 2024)

On behalf of the Planning Services Department.

CONSENT ITEMS

1. Minutes and Reports Submitted

Airport Commission of August 27, 2024; Arts and Cultural Affairs Advisory Commission Minutes of July 23, 2024 and Report of August 27, 2024; City Council Proceedings of September 16, 2024; Historic Preservation Commission of August 15, 2024; Long Range Planning Advisory Commission of July 17, 2024; Zoning Advisory Commission of September 4, 2024; Zoning Board of Adjustment of August 22, 2024; Proof of Publication for City Council Proceedings of August 19, August 20, August 21, August 21, and September 3, 2024.

Suggested Disposition: Receive and File

2. Notice of Claims and Suits

Kira Kieffer and John Liphardt for vehicle damage; Jacob Ludwig for vehicle damage; Dennis Thein for vehicle damage.

Suggested Disposition: Receive and File; Refer to City Attorney

3. Disposition of Claims

City Attorney advising that the following claims have been referred to Public Entity Risk Services of Iowa, the agent for the Iowa Communities Assurance Pool: Kira Kieffer and John Liphardt for vehicle damage; Jacob Ludwig for vehicle damage; Dennis Thein for vehicle damage.

Suggested Disposition: Receive and File; Concur

4. Approving Expenditures

City Manager recommending City Council approval for payment of City expenditures.

RESOLUTION 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

Suggested Disposition: Receive and File; Adopt Resolution(s)

5. North Grandview Avenue Pavement Rehabilitation Project - PROJECT 5521000018

City Manager recommending City Council adopt the attached resolution to accept the Public Improvement Construction Contract and to authorize the payment of the contract amount of \$382,449.82 to Eastern Iowa Excavating and Concrete, LLC, of Cascade, IA, for the North Grandview Avenue Pavement Rehabilitation Project.

RESOLUTION Accepting the North Grandview Avenue Pavement Rehabilitation Project and authorizing final payment to the contractor

Suggested Disposition: Receive and File; Adopt Resolution(s)

6. Acceptance of Grants of Easement for Access and Maintenance as Part of the 2024 SRF Green Alley Project

City Manager recommending City Council accept the Grants of Easement for Access and Maintenance from Phillip M. Brown, Mid-America Property Management, LLC, and Rider Lacey Block, LLC, as identified on the attached resolution as property owners of properties in the city block bounded by E. 17th, E 18th, Central and White Streets as part of the 2024 SRF Green Alley Project and as shown on the exhibits on attached the Grants of Easement.

RESOLUTION Accepting Grants of Easement for Access and Maintenance Associated with the 2024 SRF Green Alley Project, in the City of Dubuque, Iowa

Suggested Disposition: Receive and File; Adopt Resolution(s)

7. 2024 Boating Infrastructure Tier 1 Grant - Dredge Dubuque Marina: Approve Iowa Department of Natural Resources Subrecipient Grant Agreement: Iowa DNR Agreement No. 25CRDFBGSCO-0001: USFWS Agreement No. F24AP01981

City Manager recommending City Council approval and authorization for the Mayor to execute the Subrecipient Grant Agreement (Agreement No. 25CRDFBGSCO-0001) with the Iowa Department of Natural Resources (Iowa DNR) for the 2024 Boating Infrastructure Tier 1 Grant (BIG Tier 1) to assist with funding to perform maintenance dredging at Dubuque Marina.

RESOLUTION Approving a 2024 Boating Infrastructure Tier 1 Grant Subrecipient Agreement (Agreement No. 25CRDFBGSCO-0001) with the Iowa Department of Natural Resources to assist with maintenance dredging at Dubuque Marina

Suggested Disposition: Receive and File; Adopt Resolution(s)

8. 15th Street Railroad At-Grade Crossing Closure: CPKC Railroad Roadway At-Grade Crossing Closure Agreement: State of Iowa Section 130 Crossing Closure Incentive Agreement

City Manager providing information to City Council on the executed agreements with both the Canadian Pacific Kansas City (CPKC) Limited Railroad and Iowa Department of Transportation (Iowa DOT) for the permanent closure of the 15th Street Railroad At-Grade Crossing.

Suggested Disposition: Receive and File

9. Improvement Contracts / Performance, Payment, and Maintenance Bonds

Eastern Iowa Excavating and Concrete, LLC for the Keymont Drive Pavement Rehabilitation Project.

Suggested Disposition: Receive and File; Approve

10. Pre-annexation Agreement – 10675 Key West Dr., David Herbst

City Manager recommending City Council approval of a pre-annexation agreement with David Herbst, property owner of 10675 Key West Drive in Dubuque County, in conjunction with his request to connect to City water and authorize the Mayor to sign the agreement on behalf of the City of Dubuque.

RESOLUTION Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and David Herbst

Suggested Disposition: Receive and File; Adopt Resolution(s)

11. Pre-annexation Agreement – 10270 Key West Dr., St. Joseph's Church

City Manager recommending City Council approval of a pre-annexation agreement with St. Joseph's Church, Key West & St. Josephs Church Corp (Key West), property owner of 10270 Key West Drive, in conjunction with their request to connect to City water and authorize the Mayor to sign the agreement on behalf of the City of Dubuque.

RESOLUTION Approving a Pre-Annexation Agreement between the City of Dubuque, Iowa and St. Joseph's Church, Key West & St. Josephs Church Corp (Key West)

Suggested Disposition: Receive and File; Adopt Resolution(s)

12. Approving the Assignment and Assumption of the Lease Agreement by and among the City of Dubuque, Iowa, David S. Hartig Jr., and Rabbit Hollow Nature Conservancy Inc.

City Manager recommending City Council adoption of a resolution approving the Assignment and Assumption of the Lease Agreement between David Hartig Jr. and Rabbit Hollow Nature Conservancy Inc. for the real estate shown on the attached photo.

RESOLUTION Approving the Assignment and Assumption of the Lease Agreement by and among the City of Dubuque, Iowa, David S. Hartig Jr., and Rabbit Hollow Nature Conservancy Inc.

Suggested Disposition: Receive and File; Adopt Resolution(s)

ITEMS SET FOR PUBLIC HEARING

These agenda items are being scheduled for a future public hearing on the date indicated.

1. Proceedings to Set Public Hearing on October 21, 2024, for the Issuance of Not to Exceed \$27,000,000 Sewer Revenue Capital Loan Notes (State Revolving Loan Fund Program) Old Mill Rd. Lift Station and Force Main Project – Phase I

City Manager recommending that a public hearing be set for October 21, 2024, on the issuance of a not to exceed \$27,000,000 Sewer Revenue Capital Loan Notes,

State Revolving Loan Fund Program, the proceeds of which will be used to fund the Old Mill Road Lift Station and Force Main Project projects.

RESOLUTION To fix a date for a public hearing on proposal to enter into a Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$27,000,000

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for October 21, 2024

2. **Equity and Human Rights Commission Request for Commissioner Removal**
Equity and Human Rights Commission requesting City Council schedule a public hearing to consider the removal of Commissioner Enoc Sanchez from the Commission for noncompliance with the attendance requirement of the City Code of Ordinances.

RESOLUTION Setting a public hearing on the intent to consider the removal of a commissioner from the Equity and Human Rights Commission

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for October 21, 2024

3. **2024 SRF Green Alley Project: Initiate Public Bidding Process and Set Date for Public Hearing - Project No: 5581500018, 4281000045, 5581500020**

City Manager recommending City Council authorize initiating the public bidding process and set a public hearing on November 4, 2024, and to approve the plans, specifications, form of contract, with an estimated cost of \$1,342,614.00, and authorize the City Engineer to advertise for bid proposals for the 2024 SRF Green Alley Project through the adoption of the enclosed resolutions.

RESOLUTION 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

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for November 4, 2024

4. **2024 SRF Green Alley Project Special Assessments - Project No: 5581500018, 4281000045, 5581500020**

City Manager recommending City Council set a public hearing on November 4, 2024, and to approve the Resolution of Necessity and the Preliminary Schedule of Assessments for the 2024 SRF Green Alley Project through the adoption of the enclosed resolutions.

RESOLUTION Approving the preliminary plats, schedule of assessments and estimate of total cost for the 2024 SRF Green Alley Project

RESOLUTION Of necessity for the 2024 SRF Green Alley Project

RESOLUTION Fixing date of public hearing on resolution of necessity

Suggested Disposition: Receive and File; Adopt Resolution(s), Set Public Hearing for November 4, 2024

BOARDS/COMMISSIONS

1. **Boards and Commission Application Review**

Applicants are invited to address the City Council regarding their desire to serve on the following Boards/Commissions. Applicant appointments will be made at the next City Council meeting.

Resilient Community Advisory Commission

One, 3-Year term through July 1, 2027 (Vacant term of Hoffman)

Applicant:

- Rachel Schmidt Boeke, 1241 Jackson St.

Zoning Advisory Commission

One, 5-Year term through July 1, 2027 (Vacant term of Sempf)

Applicant:

- Troy Froistad, 477 West 3rd St.

2. Boards and Commission Appointments

Appointments to the following commissions to be made at this meeting.

Civic Center Advisory Commission

One, 3-Year term through June 29, 2027 (Expired term of Jacobs)

Applicant:

- Danielle Jacobs, 3130 Shiras Ave.

Community Development Advisory Commission

One, 3-Year term through February 15, 2026 (Vacant At-Large term of Mozena)

One, 3-Year term through February 15, 2027 (Vacant Low to Moderate Income Representative term of Woodyard)

Applicants:

- Gabriel Mozena, 196 Bluff St. (Qualifies for Low to Moderate Income Representative and At Large)
- Julie Woodyard, 1950 Coates St. (Qualities for At- Large)

PUBLIC HEARINGS

Residents are invited to address the City Council on the following agenda items. Please come to the podium and state your name and address when the item you wish to speak to is being considered.

1. Iowa Amphitheater on Schmitt Island Project Bid Package No. 1 (Site Demolition & Mass Grading) Public Hearing

Proof of publication on notice of public hearing to consider City Council approve the plans, specifications, form of contract and construction estimate of \$1,018,000.00 for the Iowa Amphitheater on Schmitt Island Project - Bid Package No. 1, and City Manager recommending approval.

RESOLUTION Approval of Plans, Specifications, Form of Contract, and Estimated Cost for the Iowa Amphitheater on Schmitt Island Project – Bid Package No. 1 (Site Demolition & Mass Grading)

Suggested Disposition: Receive and File; Adopt Resolution(s)

PUBLIC INPUT

At this time, anyone in the Council Chambers may address the City Council on the Action Items on the agenda or on matters under the control of the City Council. Residents are asked to approach the podium and state their name and address before proceeding with their comments. Individual remarks are limited to 5 minutes and the overall Public Input period is limited to 30 minutes. Under the Iowa Open Meetings Law, the City Council can take no formal action on comments given during Public Input which do not relate to Action Items on the Agenda.

ACTION ITEMS

These are items where discussion is held by the City Council - public comments are not allowed except where authorized by the Mayor.

1. Off-Premises Sign Regulations

City Manager recommending City Council approve one of the following on the current off-premises sign regulations to ensure that our signage policies effectively balance commercial interests with the aesthetic and functional integrity of our neighborhoods:

- 1) Provide direction to Planning Staff to prepare an amendment to 16-15-12 Off Premises Signs of the Unified Development Code; or
- 2) Adopt the attached ordinance approving a Temporary Building Permit Moratorium to allow time for off-premises signs to be analyzed through the Unified Development Code Update Process

ORDINANCE Amending City of Dubuque Code of Ordinances Title 14 Building and Development, Chapter 2 Building Construction, Demolition and Moving, Section 14-2-4 Moratorium for Construction or other work on certain streets, areas, or facilities by adding Section B Off Premises Sign Study Area

; or

- 3) Take no action and review as part of the Unified Development Code Update.

Suggested Disposition: Receive and File; Council

2. Request for Proposals for Historic Millwork District Outdoor Community Space Engagement, Design, Construction Management

City Manager recommending that the City Council approve the RFP for Historic Millwork District Outdoor Community Space Engagement, Design, and Construction Management, and then direct staff to post the RFP and initiate the

consultant selection process.

Suggested Disposition: Receive and File; Approve

3. Public Safety Software Recommendation

City Manager recommending City Council approval to enter into a contract with CentralSquare Technologies for public safety software for the City of Dubuque and its partner public safety agencies and give authorization to the Mayor to sign the contract.

Suggested Disposition: Receive and File; Approve

4. Work Session Request: Automated License Plate Reader (ALPR) Update

City Manager recommending City Council schedule a work session on October 21, 2024 at 5:30 p.m. to provide an update on the Automated License Plate Readers (ALPR).

Suggested Disposition: Receive and File; Council

COUNCIL MEMBER REPORTS

CLOSED SESSION

Purchase or Sale of Real Estate – Chapter 21.5(1)(j) Code of Iowa

ADJOURNMENT

The agenda with supporting documents may be accessed at www.cityofdubuque.org or at the City Clerk's Office at ctyclerk@cityofdubuque.org or by mail to 50 W. 13th Street, during regular business hours.

This notice is given pursuant to Chapter 21, Code of Iowa, and applicable local regulations of the City of Dubuque, Iowa and/or governmental body holding the meeting.

Written comments regarding the above items may be submitted to the City Clerk's Office at ctyclerk@cityofdubuque.org or by mail to 50 W. 13th St., Dubuque, IA 52001, before said time of meeting.

Individuals with limited English proficiency, vision, hearing or speech impairments or requiring special assistance should contact the City Clerk's Office as soon as feasible at (563) 589-4100, ctyclerk@cityofdubuque.org. Deaf or hard-of-hearing individuals can use Relay Iowa by dialing 711 or (800) 735-2942.