

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

The Dubuque City Council met in special session at 5:15 p.m. on August 17, 2026, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Cavanagh; Council Members Leyendecker, Resnick, Roussell, Sprank, Staver, 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 data center information and community input.

**WORK SESSION
Data Center Information & Community Input Report**

City Attorney Brumwell and Assistant City Manager Cori Burbach provided a presentation regarding data center information and community input. City Council Members discussed the constraints associated with hyperscale data centers within the Dubuque city limits, including topographical conditions and limited available land. Council Members identified priorities for a future ordinance, including environmental and operational considerations such as electrical and water usage, noise mitigation, stormwater management, decommissioning requirements, and size thresholds for applicability. Brumwell noted that a formal agreement in addition to an ordinance could provide the City with greater flexibility, options, and accountability, including through requirements for letters of credit or bonds. Brumwell discussed potential legal limitations on regulating development on privately owned property and indicated she would coordinate with appropriate City departments regarding additional ordinance components. While the City may have limited authority to regulate utilities directly, she noted that the City could require companies to report associated usage data. Van Milligen clarified that taxes would be assessed based on property valuation. Council Members expressed support for a hybrid ordinance structure that would use the zoning code to identify data centers and establish size thresholds for review, with a separate section outlining detailed operational requirements. The Council requested a six-month moratorium, with the option for extension if necessary, and directed staff to present the moratorium at the September 8, 2026, City Council meeting. Council Members reiterated that no data center proposal has been submitted within the City of Dubuque and emphasized the importance of allowing sufficient time to establish an appropriate and well-informed review process.

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 August 17, 2026, in the second-floor Council Chambers of the Historic Federal Building, 350 W. 6th Street.

Present: Mayor Cavanagh; Council Members Leyendecker, Resnick, Roussell, Sprank, Staver, 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. Nathaniel and Charlotte Morgan Peace Week (September 1 - 6, 2026) was accepted by Co-Chairs Brian Hallstoos and Ernestine Moss on behalf of the Nathaniel Morgan Memorial Committee.

CONSENT ITEMS

Austin Bodenhofer, 119 W. 23rd St., requested Item No. 2 be held for separate discussion. Sprank requested Item No. 5 be held. Motion by Resnick to receive and file the documents, adopt the resolutions, and dispose of as indicated, except for Item Nos. 2 and 5. Seconded by Wethal. Motion carried 7-0.

1. Minutes and Reports Submitted: City Council Proceedings of August 3, 2026; Community Development Advisory Commission of June 26, 2026; Proof of Publication for City Council Proceedings of July 6 and 20, 2026 and Expenditure Reports for periods of May 1 through July 10 and July 11 through July 16, 2026. Upon motion the documents were received and filed.

2. Notice of Appeal of Claim: Motion by Sprank to receive and file the documents and refer to the City Attorney. Seconded by Resnick. Bodenhofer requested the City Council grant his appeal and summarized the circumstances that resulted in damage to his vehicle. Motion carried 7-0.

3. Approval of City Expenditures: Upon motion the documents were received and filed, and Resolution No. 303-26 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. Notice of Award and Request to Execute Agreement for 2026-2027 City of Dubuque AmeriCorps Program: Creating Opportunities: Upon motion the documents were received, filed, and approved.

5. FY27 Update to Dubuque County Resource Enhancement and Protection Program (REAP) 5-Year Plan: Motion by Sprank to receive and file the documents and approve the City of Dubuque's FY 2027 update to the Dubuque County 5-Year REAP Plan. Seconded by Wethal. At Council's request, Van Milligen read a memo from Parks and Recreation Director Matt Kalcevich regarding updates to Eagle Point Park. Van Milligen also provided information on the Jeffris Family Foundation Grant, for which staff have applied and are pending confirmation on the outcome. Cavanagh noted that

Kalcevich's memo had been requested ahead of goal-setting discussions and asked that it be included with the goal-setting materials. Breitfelder confirmed that the memo can be posted on the City's website until the goal-setting agendas are ready for publication. In response to a question about whether residents could offer input on Eagle Point Park at this time, Brumwell clarified that because the agenda item pertained specifically to REAP, any public comments should address that topic rather than Eagle Point Park improvements. Motion carried 7-0.

6. Fire Headquarters Construction Contract Approval - HQ Bunkroom: Upon motion the documents were received and filed, and Resolution No. 304-26 Awarding The Public Improvement Contract For The Fire Department Bunk Room Remodel was adopted.

7. Final Plat of Swiss Valley Estates: Upon motion the documents were received and filed, and Resolution No. 305-26 Authorizing Approval Of The Final Plat Of Swiss Valley Estates, Dubuque County, Iowa was adopted.

8. Resolution Approving Fund Transfers for Capital Projects and Other Expense Reimbursements in Fiscal Year 2027 – Period 1: Upon motion the documents were received and filed, and Resolution No. 306-26 Authorizing The Chief Financial Officer To Make The Appropriate Interfund Transfers Of Sums And Record The Same In The Appropriate Manner For The FY 2027 For The City Of Dubuque, Iowa was adopted.

9. Adoption of Supplement Number 2026 S-20 to the City of Dubuque Code of Ordinances: Upon motion the documents were received and filed, and Resolution No. 307-26 Adopting Supplement No. 2026 S-20 To The Code of Ordinances Of The City Of Dubuque, Iowa was adopted.

10. Resolution Approving 2026 Dodds and Sinclair Terminal Contaminated Soil Removal Project Award: Upon motion the documents were received and filed, and Resolution No. 308-26 Awarding Public Improvement Contract For The Dodds And Sinclair Terminal Contaminated Soil Removal Project was adopted.

11. Signed Contracts: Bauer Built for Tire Changes/Repairs for Transportation Services buses/vehicles; Dubuque County for enforcement of delinquent parking tickets; Dubuque Forward, LLC for Design and Installation of Lighting on Historic Town Clock; Environmental Systems Research Institute, Inc. for Small Government and Local Utility EA Esri Advantage Program; FIRE RECOVERY USA, LLC for billing services; Graymont Western Lime for the City of Dubuque Water High Calcium Quicklime Bid Documents 2026; Green Valley Landscaping for City Detention Basin Maintenance; Hills and Dales for FY 2027 Special Services Grant Program Agreement; Holy Family Catholic Schools for Temporary Parking License Agreement; KorTerra, Inc. for software-as-a-service; Municipal Well & Pump for Well No. 7 Rehabilitation – Phase 3 Project; Top Grade Excavating, Inc. for the Dodds and Sinclair Terminal Contaminated Soil Removal Project at South Terminal Street. Upon motion the documents were received and filed.

12. Public Improvement Contracts with Performance, Payment, and Maintenance Bonds: Black Hawk Roof Company, Inc. for the Municipal Services Center Roof Replacement Project; Gansen Excavating, Inc. for Historic Millwork Outdoor Community Space Parking; Globalcom Technologies for City Facility Security Upgrade - City Hall Acre-Feenics Installation. Upon motion the documents were received, filed, and approved.

13. Letter of Support for Iowa Redevelopment Tax Credit Application for Property at 360 E. 16th Street: City Manager recommended City Council approval of a letter of support to accompany the

Iowa Redevelopment Tax Credit Application to the Iowa Economic Development Authority being submitted by the developer for redevelopment of 360 E. 16th Street in Dubuque. Upon motion the documents were received, filed, and approved.

14. 1199 Central Avenue, Release of Real Estate Mortgage: Upon motion the documents were received, filed, and approved.

15. Agreement with Eric McFadden for the Sale of City Property on Valeria Street as Part of the Villas on Valeria Subdivision Project: Upon motion the documents were received and filed, and Resolution No. 309-26 Approving An Agreement Between The City Of Dubuque, Iowa And Eric McFadden was adopted.

16. Correction of the 2527 Washington Street Special Warranty Deed and Request for Approval of Revised Document: Upon motion the documents were received and filed, and Resolution No. 310-26 Approving A Corrected Special Warranty Deed And Authorizing Execution And Recording Of The Document was adopted.

17. Approval of Retail Alcohol Licenses: Upon motion the documents were received and filed, and Resolution No. 311-26 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.

18. Approval of Retail Tobacco Permit and Device Retailer Permit Applications: Upon motion the documents were received and filed, and Resolution No. 312-26 Approving Applications for Retail Tobacco Permits and Device Retailer Permits, As Applicable and as Required by Iowa Code 453A.47A and 453E.3 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. Grant of Easement to Holy Family Catholic Schools, Dubuque, Iowa: Upon motion the documents were received and filed and Resolution No. 313-26 Intent To Dispose Of City Interest By Grant Of Embankment Easement To Holy Family Catholic Schools, Dubuque, Iowa, Across Part Of Lot 1 Of Mineral Lot 383 All In The City Of Dubuque, Iowa was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on September 8, 2026 in the Historic Federal Building.

2. Setting Public Hearing for Consenting to the Renewal of Operating Line of Credit between the Dubuque Racing Association LTD. and Nicolet National Bank: Upon motion the documents were received and filed and Resolution No. 314-26 Setting A Date For A Public Hearing To Consent To The Renewal Of The Operating Line Of Credit Between The Dubuque Racing Association LTD. And Nicolet National Bank was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on September 8, 2026 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. Airport Commission: Two, 4-Year terms through September 14, 2030 (Expiring terms of Phillips and Blocker). Applicants: Michael Finnin, 1129 Hunters Ridge; Michael Phillips, 955 Washington St.; Molly Grover, 2245 Green St.; Matthew Mohr, 560 Sunset Ridge. Grover and Mohr spoke in support of their applications.

2. Housing Commission: One, 3-Year term through August 17, 2029 (Expiring term of Eudaley). Amy Eudaley, 950 Wood St.

Appointments were made to the following boards/commissions.

1. Community Development Advisory Commission: One, 3-Year term through February 15, 2028 (Vacant Low/Moderate Income Representative term of Jeter); One, 3-Year term through February 15, 2029 (Vacant At-Large term of Monzena). Applicants: Rakitta Fischer, 2409 Jackson St. (Qualifies for At-Large term and Low/Moderate Income Rep. term); Paul Uzel, 61 North Algona St. (Qualifies for At-Large term). Motion by Roussell to appoint Fischer to the low/moderate income representative term. Seconded by Sprank. Motion carried 7-0.

Motion by Sprank to appoint Uzel to the at-large term. Seconded by Wethal. Motion carried 7-0.

2. Transit Advisory Board: Three, 3-Year terms through July 30, 2029 (Expiring terms of Brown, Orwoll, and Serna). Applicants: Marilyn Cole, 1321 Tomahawk Dr.; Greg Orwoll, 2635 West 32nd St.; Dora Serna, 2160 Marion St. Motion by Roussell to appoint Cole, Orwoll, and Serna to the terms. Seconded by Resnick. Motion carried 7-0.

PUBLIC HEARINGS

1. Wacker Plaza Planned Unit Development Amendment: 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 Wethal. Motion carried 7-0.

Motion by Roussell for final consideration and passage of Ordinance No. 32-26 Amending Title 16, The Unified Development Code Of The City Of Dubuque Code Of Ordinances By Rescinding Ordinance 40-89 And 50-05 Which Provides Regulations For A PUD Planned Unit Development District With A PC Planned Commercial Designation For The Wacker Plaza PUD District At 800 And 806 Wacker Drive And Now Being Amended To Update The Conceptual Development Plan And To Modify Parking And Signage Regulations. Seconded by Wethal. Motion carried 7-0.

2. Approving an Amended and Restated Lease Agreement by and between the City of Dubuque, Iowa, and RG HOSPITALITY, LLC: Motion by Sprank to receive and file the documents and adopt Resolution No. 315-26 Approving An Amended And Restated Lease Agreement By And Between The City Of Dubuque And RG Hospitality, LLC For Real Property In The City Of Dubuque, Iowa. Seconded by Wethal. David Westergaard, Chief Financial Officer of RG HOSPITALITY, LLC, Rapid City, SD, 57701, virtually summarized the proposed updates to the Grand Harbor Hotel. Jimmy Evans of Choice Hotels virtually summarized the company's partnership with the Riddle Group. David Downs, 1070 Main St., questioned the duration of the lease. Economic Development Director Jill Connors stated that the Development Agreement includes a stipulation for annual reviews of the property.

Westergaard explained that the company's financial institution requested a 50-year lease. City Council Members shared that the City only leases riverfront property and expressed support for the lease duration. Motion carried 7-0.

3. Petition to Vacate Lot 25B of Block 11, Dubuque Downtown Plaza, in the City of Dubuque, Iowa For Vacating Petition - Northeast Iowa Community College (NICC) Building Entrance Improvements Project: Motion by Roussell to receive and file the documents and adopt Resolution No. 316-26 Vacating Of A Portion Of City Lot 25A, In The City Of Dubuque, Iowa, Being A Part The West 7th Street And Main Street Right Of Way, Legally Described As Lot 25B, Of Block 11, Dubuque Downtown Plaza, In The City Of Dubuque, Iowa and No. 317-26 Disposing Of City Interest In A Portion Of City Lot 25A, In The City Of Dubuque, Iowa, Being A Part The West 7th Street And Main Street Right Of Way, Legally Described As Lot 25B, Of Block 11, Dubuque Downtown Plaza, In The City Of Dubuque, Iowa. Seconded by Wethal. Motion carried 7-0.

4. JFK Water Tower Interior Piping and Expansion Joint Replacement Project - Conduct Public Hearing and Approve Bidding Documents: Motion by Wethal to receive and file the documents and adopt Resolution No. 318-26 JFK Tower Interior Piping And Expansion Joint Replacement Project: Approval Of Plans, Specifications, Form Of Contract, And Estimated Cost. Seconded by Resnick. Motion carried 7-0.

PUBLIC INPUT

The following individuals provided input on Eagle Point Park, highlighting a variety of concerns with its upkeep and requesting City Council prioritize it during goal setting: George Davis, 120 S. Grandview Ave.; Karl Stieglitz, 533 Lowell St.; William Meyer, 1856 Rhomberg Ave.; Greg Freiburger, 22616 Starview Dr.; Maria McDonald, 1125 Highland Pl.; Katherine Sorenson, 2613 Jackson St.; Karen Rokusek, 12428 Augusta Ct.; Phil Levos, 980 S. Grandview; Mary Bowden, 2069 Avalon; Mike Hoskins, 3052 Westmore Dr.; Leonard Dress, 541 Groveland Pl.; Jeff Small, 13924 Surrey Ln; and David Downs, 1070 Main St.

Nino Erba, 180 W 15th St. Apt. 306, provided comments regarding the timing of City grant programs and recommended approaches for gathering community input related to brownfield site cleanup.

Breitfelder announced receipt of written input from Jill Pankow, 2620 Marquette Pl., regarding concerns about Eagle Point Park.

ACTION ITEMS

1. Resolution Amending Lot Name For Vacating Petition - Northeast Iowa Community College (NICC) Building Entrance Improvements Project: Motion by Roussell to receive and file the documents and adopt Resolution No. 319-26 Resolution Amending City Council Resolution No. 293-26, No. 295-26, No. 316-26 (Resolution Vacating Lot 25B Of Block 11, Dubuque Downtown Plaza, In The City Of Dubuque Iowa), And No. 317-26 (Resolution Disposing Of Lot 25B Of Block 11, Dubuque Downtown Plaza, In The City Of Dubuque Iowa). Seconded by Wethal. Motion carried 7-0.

2. Approving a Development Agreement by and between the City of Dubuque, Iowa and Thunder Valley, LLC: Motion by Sprank to receive and file the documents and adopt Resolution No. 320-26 Approving A Development Agreement By And Between The City Of Dubuque, Iowa, And Thunder Valley, LLC. Seconded by Roussell. Economic Development Director Jill Connors outlined the department's procedure for reviewing a developer's history of compliance with other City departments prior to entering into any agreements. Van Milligen provided an overview of upcoming

state-mandated limitations on the City's ability to capture tax-abatement-related valuation growth. He also stated his intent to recommend that the City Council discontinue housing incentives for market-rate projects outside the downtown district while maintaining incentives for workforce and affordable housing both within and outside the downtown area. City Council Members discussed which incentives remain necessary and emphasized the need for additional data regarding current housing demand and the occupancy levels of existing apartment units. Motion carried 5-2 with Staver and Leyendecker voting nay.

3. North American Trainer Association (NATA) Formation Flight Training at Dubuque Regional Airport Video: Motion by Resnick to receive and file the documents and view the video. Seconded by Leyendecker. City staff showed a video of the North American Trainer Association (NATA) conducting their annual formation flight training at the Dubuque Regional Airport (DBQ) before EAA AirVenture in Oshkosh, Wisconsin. This video can also be viewed at <https://youtu.be/J0eP1YM1Cos?si=HFiosGDIMZTrlbsm>. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Roussell reported on an upcoming Friends of Dubuque Parks event at Eagle Point Park.

Leyendecker reported on the recent Major League Baseball (MLB) game at the Field of Dreams.

Sprank reported on the National Night Out event, Crescent Community Health Center's 20th anniversary celebration, the Art on the River opening reception, DubuqueFest, and the Dubuque Area Labor Harvest's food giveaway.

Resnick reported on DubuqueFest, the Art on the River reception, the Environmental Protection Agency's (EPA) Brownfields welcome event, and service on Four Mounds Foundations' Board.

Wethal reported on an NAACP Housing Commission meeting, Crescent's anniversary, and the MLB game.

Cavanagh welcomed all incoming college students and reported on welcoming the EPA Region 7 Administrator and the MLB game.

CLOSED SESSION

Motion by Wethal to convene in closed session at 8:39 p.m. to discuss Pending Litigation and Purchase or Sale of Real Estate – Chapter 21.5(1)(c),(j) Code of Iowa. Seconded by Leyendecker. Mayor Cavanagh stated for the record that the attorneys who will consult with City Council on the issues to be discussed in the closed session are City Attorney Brumwell and Assistant City Attorney Jason Lehman. Motion carried 7-0.

The City Council reconvened in open session at 10:43 p.m. stating that staff had been given proper direction.

ADJOURNMENT

There being no further business, Mayor Cavanagh declared the meeting adjourned at 10:43 p.m.

/s/Adrienne N. Breitfelder, CMC
City Clerk