

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

The Dubuque City Council met in special session at 5:30 p.m. on November 4, 2024, 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 work sessions on Microsoft Co-Pilot Implementation and a Grant Initiatives and Grant Funding update.

WORK SESSIONS

Microsoft Co-Pilot Implementation

Chief Information Officer Chris Kohlmann presented on the City's strategy and plans for the implementation of Microsoft CoPilot. City Council Members discussed the upcoming launch of the National League of Cities (NLC) Pilot on Artificial Intelligence (AI), anticipated future developments in AI, and expressed interest in learning more about the training that will be provided to city staff. This work session concluded at 5:59 p.m.

Update on Grant Initiatives and Grant Funding

Director of Strategic Partnerships Teri Goodman, Technical Grant Analyst/Assistant Justin Thiltgen, and Andrew Seth of Sustainable Strategies DC provided an update on grant initiatives and grant funding. A video message from President Joe Biden congratulating Goodman on her upcoming retirement was also shown.

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 November 4, 2024, 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. Hospice and Palliative Care Month (November 2024) was accepted by Executive Director Lavonne Noel and Board Member Carole Carroll on behalf of Hospice of Dubuque.

2. National League of Cities Centennial Day (November 7, 2024) was accepted by Mayor Cavanagh on behalf of the City of Dubuque.

3. The 150th Anniversary Year of the Sisters of the Presentation (November 13, 2024) was accepted by Sisters Carmen Hernandez, Marilyn Breen and Marilou Irons on behalf of the Sisters of the Presentation of the Blessed Virgin Mary of Dubuque, Iowa.

4. Pancreatic Cancer Awareness Day (November 21, 2024) was accepted by President Diane Oglesby on behalf of the Michael W. Oglesby Foundation.

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: Airport Commission of September 24, 2024; Arts & Cultural Affairs Advisory Commission of September 24, 2024; Cable Television Commission of February 28, 2024; Community Development Advisory Commission of September 4, 2024; Equity and Human Rights Commission of September 10, 2024; Five Flags Civic Center Commission of June 13, 2024; Historic Preservation Commission of September 19, 2024; Housing Commission of July 23, 2024; Park and Recreation Commission of August 13 and September 10, 2024; Resilient Community Advisory Commission of September 5, 2024. Upon motion the documents were received and filed.

2. Notice of Claims and Suits: Jacqueline Fetter for personal injury; Roger Wilming for vehicle damage; State Farm Mutual Insurance a/s/o Casey Smith for vehicle damage. Upon motion the documents were received, filed, and referred to the 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: Jacqueline Fetter

for personal injury; Roger Wilming for vehicle 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. 342-24 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. Reimbursement Resolution – Fire Facilities and Equipment: Upon motion the documents were received and filed, and Resolution No. 343-24 Relating to the financing of proposed projects and acquisitions to be undertaken by the City of Dubuque, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code was adopted.

6. Tschiggfrie Parcel: Upon motion the documents were received and filed, and Resolution No. 344-24 Accepting The Deed To Certain Real Estate In Dubuque County, Iowa From Edward And Joan Tschiggfrie was adopted.

7. City Hall Annex Roof Replacement Project - Project Code: 5565000001: Upon motion the documents were received and filed, and Resolution No. 345-24 Accepting The City Hall Annex Roof Replacement Project And Authorizing Final Payment To The Contractor was adopted.

8. 2024-2026 Dubuque City Council Goals & Priorities Handout: Upon motion the documents were received and filed.

9. Updated Housing Incentives - New Units Handout: Upon motion the documents were received and filed.

10. Housing Commission Cross Representation Appointment: Housing Commission requested City Council approval on the appointment of commissioner Renee Kehoe, 1209 Lincoln Ave., to the Cross Representation term on the Community Development Advisory Commission that will expire on August 17, 2027. Upon motion the documents were received, filed, and approved.

11. Grass and weed cutting and garbage collection assessments: Upon motion the documents were received and filed, and Resolution No. 346-24 Authorizing The City To Collect Delinquent Grass And Weed Cutting And Garbage Collection Charges In Accordance With Title 6-4-3A And Title 6-8-2 Of The Code Of Ordinances Of The City Of Dubuque, Iowa was adopted.

12. School Resource Officer Contract with Dubuque Community School District: Upon motion the documents were received, filed, and approved.

13. Iowa Department of Transportation HMA Resurfacing and Paved Shoulders Project Notification: Correspondence from Jesse Tibodeau, Assistant District Engineer, notifying the City Council of HMA resurfacing and HMA paved shoulders on US-20 from Swiss Valley to Old Highway Road. Upon motion the documents were received and filed.

14. Signed Contract(s): Tricon General Construction, Inc. for the Old Mill Road Lift Station and Force Main Project - Phase 1. Upon motion the documents were received and filed.

15. Improvement Contracts / Performance, Payment, and Maintenance Bonds: Eastern Iowa Excavating & Concrete, LLC for the Iowa Amphitheater at Schmitt Island Bid Package 1: Site Preparation. Upon motion the documents were received, filed, and approved.

16. Approval of 2023 City Council Official Proceedings: Upon motion the documents were received, filed, and approved.

17. Approving a Third Amendment to Development Agreement by and between the City of Dubuque, Iowa and Union at the Marina, LP adding Impact Housing Indiana Corp. as a Party: Upon motion the documents were received and filed, and Resolution No. 347-24 Approving A Third Amendment To Development Agreement By And Between The City Of Dubuque, Iowa And Union At The Marina, LP 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. Resolution Setting a Public Hearing on a Proposed Development Agreement by and between the City of Dubuque and Dubuque Racing Association, Ltd. Providing for the Issuance of Urban Renewal Tax Increment Revenue Grant Obligations Pursuant to the Development Agreement: Upon motion the documents were received and filed and Resolution No. 348-24 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 Dubuque Racing Association, Ltd., 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 November 18, 2024 in the Historic Federal Building.

2. Iowa Amphitheater on Schmitt Island Project - Bid Backage No. 2 (Utilities, Paving & Amphitheater Stage) - Initiate Public Bidding Process and Setting Date for Public Hearing: Upon motion the documents were received and filed and Resolution No. 349-24 Iowa Amphitheater On Schmitt Island Project - Bid Package No. 2 (Utilities, Paving & Amphitheater Stage): 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 November 18, 2024 in the Historic Federal Building.

3. Initiate Bid Process and Set Public Hearing for the Bunker Hill Irrigation Replacement Project Phase 3: Upon motion the documents were received and filed and Resolution No. 350-24 Bunker Hill Golf Course – Phase 3 Irrigation Project: 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 was adopted setting a public hearing for a meeting to commence at 6:30 p.m. on November 18, 2024 in the Historic Federal Building.

BOARDS/COMMISSIONS

Appointments were made to the following boards/commissions.

1. Catfish Creek Watershed Management Authority: One, 4-Year term through July 16, 2028 (Vacant term of McGovern). Applicant: William H. Hendricks, 1801 S. Grandview. Motion by Jones to appoint Hendricks to the term. Seconded by Roussell. Motion carried 7-0.

2. Equity and Human Rights Commission: One, 3-Year term through January 1, 2026 (Vacant term of Sanchez). Applicants: Luselena Bravo, 781 Cottage Place; Traci Phillipson, 2120 Rhomberg Ave. Upon roll call vote, Bravo was appointed to the term, receiving all 7 votes.

PUBLIC HEARINGS

1. 2024 SRF Green Alley Project Public Hearing: Motion by Wethal to receive and file the documents and adopt Resolution No. 351-24 Approval Of Plans, Specifications, Form Of Contract, And Estimated Cost For The 2024 SRF Green Alley Project. Seconded by Sprank. Motion carried 7-0.

2. 2024 SRF Green Alley Project Special Assessments: Motion by Jones to receive and file the documents and adopt Resolution No. 352-24 With Respect To The Adoption Of The Resolution Of Necessity Proposed For The SRF Green Alley Bid 2024 SRF Green Alley Project and Resolution No. 353-24 Approving Schedule Of Assessments And Estimate Of Total Cost For The 2024 SRF Green Alley Bid Project. Seconded by Wethal. Motion carried 7-0.

3. Petition to Vacate the Alley Right of Way in the block bounded by Finley Street, Green Street, and Bunker Hill Road in Finley's Addition in the City of Dubuque, Iowa For Vacating Petition (Agreement Between City of Dubuque and Interstate Power and Light): Motion by Roussell to receive and file the documents and adopt Resolution No. 354-24 Vacating The Alley Between The West Line Of Finley Street And The East Line Of Bunker Hill Road, In Finley's Addition To The City Of Dubuque, In The City Of Dubuque, Iowa, To Be Known As Lot 186A Finley's Addition In The City Of Dubuque, Iowa and Resolution No. 355-24 Disposing Of City Interest In Lot 186A Finley's Addition In The City Of Dubuque, Iowa. Seconded by Wethal. Motion carried 7-0.

4. Kerper Boulevard Lift Station Project Public Hearing: Motion by Sprank to receive and file the documents and adopt Resolution No. 356-24 Approval Of Plans, Specifications, Form Of Contract, And Estimated Cost For The Kerper Blvd Lift Station Project. Seconded by Jones. Motion carried 7-0.

5. Broadway Sanitary Sewer Improvements Project Public Hearing: Motion by Jones to receive and file the documents and adopt Resolution No. 357-24 Approval Of Plans, Specifications, Form Of Contract, And Estimated Cost For The Broadway Street Sanitary Sewer Improvement Project. Seconded by Farber. Motion carried 7-0.

6. Ruby Sutton Building 2nd Floor Renovation Project Public Hearing: Motion by Sprank to receive and file the documents and adopt Resolution No. 358-24 Approval Of Plans, Specifications, Form Of Contract, And Estimated Cost For The Ruby Sutton Building 2nd Floor Renovation Project. Seconded by Jones. Motion carried 7-0.

7. Resolution Approving a Development Agreement by and between the City of Dubuque, Iowa and Dubuque Housing, LLC: Motion by Roussell to receive and file the documents and adopt Resolution No. 359-24 Approving A Development Agreement By And Between The City Of Dubuque, Iowa And Dubuque Housing, LLC, Including The Issuance Of Urban Renewal Tax Increment Revenue Obligations. Seconded by Wethal. Megan Carr, speaking on behalf of the developer, shared that they aim to complete the project by fall 2025. Motion carried 7-0.

8. Public Hearing to approve the revised Administrative Plan for the Housing Choice Voucher Program: Motion by Jones to receive and file the documents and adopt Resolution No. 360-24 Resolution Approving The Revision Of The Public Housing Authority (PHA) Administrative Plan For The Housing Choice Voucher Program. Seconded by Resnick. In response to City Council questions,

Housing and Community Development Director Alexis Steger explained that the minor plan revision adjusts the small area market rate to align with the federal rate. Steger also provided an overview of the voucher allotment review process. Motion carried 7-0.

PUBLIC INPUT

Dan Walsh, 1219 Arrowhead Dr.; Tut Fuller, 1145 S. Grandview; and Tyson Leyendecker, 1760 Overview Ct., all representing Capra Bank, spoke regarding Action Item No. 1, expressing concerns with the recommendation of Dubuque Bank and Trust as the City's financial services provider. They cited Dubuque Bank and Trust's impending sale to an out-of-state entity and stressed the importance of partnering with local banks. Mr. Walsh noted that Capra submitted a dispute regarding Dubuque Bank and Trust's Request for Proposals (RFP) submission on October 18, which was denied by the City Manager on October 23. He suggested that the City Council consider tabling the action item. Kevin Finke, 6447 Torrey Pines Dr., of Dubuque Bank and Trust, read a letter on behalf of Drew Townsend, the bank's President and CEO, thanking the City for its recommendation. John Schmidt, 1075 Bonnie Ct.; and Thomas Flynn, 21475 Girl Scout Rd., also spoke in support of Dubuque Bank and Trust, highlighting the local employment base of the bank.

ACTION ITEMS

1. Commercial Banking Services Recommendation: Motion by Roussell to receive and file the documents and approve Dubuque Bank and Trust as the bank to provide financial services to the City of Dubuque for a five-year period. Seconded by Jones. Chief Financial Officer Jennifer Larson made a presentation. Brumwell confirmed that Iowa Code §362.5 specifies that a city official is not in conflict of interest when voting on a contract with a corporation in which they or their immediate family own less than five percent of the corporation's stock. Mayor Cavanagh stated that some of his family members hold stock in HTLF, the parent company of Dubuque Bank and Trust, but clarified that this does not create a conflict of interest, as their holdings are below the 5% threshold. Van Milligen summarized the city's investment process, including the involvement of the Investment Oversight Advisory Commission, and explained that other priorities, such as the Enterprise Resource Planning (ERP) implementation and the recently completed pay and classification study, had delayed a re-evaluation of the city's banking services. He noted that the RFP required a bank to have a staffed local branch. In response to questions, Larson explained that various financial records have different retention requirements. City Council Members expressed interest in learning how other Iowa cities solicit banking services and how to assess the reinvestment of the bank's funds within the community. Van Milligen committed to city staff researching these areas for the next RFP. Larson stated that while most cities conduct an RFP for banking services, she was unsure of the typical contract terms. Historically, the city has used a five-year contract period but has not adhered to it recently due to ERP implementation. Van Milligen noted that the extensive process involved in changing financial institutions warranted the five-year timeframe. The City Council discussed the expertise of the RFP review committee and the strong evaluation criteria used in making this recommendation. They also indicated their preference for the re-evaluation of banking services through an RFP every five years. Motion carried 7-0.

2. Proposed Modification to the Downtown Rehabilitation Program Awards: Motion by Jones to receive and file the documents and adopt Resolution No. 361-24 Authorizing The City Manager To Amend The City Of Dubuque Downtown Rehabilitation Grant Award Program. Seconded by Resnick. City Council Members praised the changes, noting they had received positive feedback. Motion carried 7-0.

3. Resolution Authorizing the Submission of an Iowa Economic Development Authority Business Financial Assistance Application by Universal Tank & Fabrication Inc.: Motion by Resnick to receive and file the documents and adopt Resolution No. 362-24 Authorizing The Filing Of An Application With The Iowa Economic Development Authority For Business Financial Assistance On Behalf Of Universal Tank & Fabrication, Inc. Seconded by Wethal. City Council Members expressed enthusiasm for the expansion. Motion carried 7-0.

4. Pest Infestation Enforcement, Including Bed Bugs: 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. Steger summarized the proposed changes that clarify the responsibility for treating pest infestations and stated that another treatment will be required for several units at the Roosevelt West apartment complex that is currently experiencing an infestation. Brumwell referenced Iowa Code §562A regarding landlord and tenant financial responsibilities regarding infestations. City Council Members commended residents for relaying their concerns to the city. Motion carried 7-0.

Motion by Jones for final consideration and passage of Ordinance No. 60-24 Amending City Of Dubuque Code Of Ordinances Title 14 Building And Development, Chapter 1 Building Codes, Article J Property Maintenance Code, Section 14-1J-2 International Property Maintenance Code Amendments. Seconded by Farber. Motion carried 7-0.

5. Work Session Request: Introduction to the Office of Community Impact and Review of the Equitable Fine and Fee Service Program: Motion by Resnick to receive and file the documents and schedule the work session for November 18, 2024, at 5:15 p.m. Seconded by Sprank. Motion carried 7-0.

6. New Housing Projects Update Video: Motion by Jones to receive and file the documents and view the video. Seconded by Resnick. Public Information Office staff showed a video featuring footage of examples of new housing projects throughout the community. The video can be seen at: <https://youtu.be/0PHmgW1v-Ro?si=YTr6tpUnoZa6BHUL>. Motion carried 7-0.

COUNCIL MEMBER REPORTS

Mayor Cavanagh reported on the first Denver Air Connection commercial flight to Dubuque and recent fundraisers for the Dubuque Museum of Art and the National Mississippi River Museum and Aquarium.

Council Member Jones reported on the recent passing of former Fire Chief Bill Miller.

Council Member Farber reported on the upcoming retirement of Goodmann and the upcoming election.

Council Member Roussell reported on William Intriligator's 25th anniversary as Music Director and Conductor of the Dubuque Symphony Orchestra.

Council Member Wethal thanked candidates running for political office.

CLOSED SESSION

Motion by Jones to convene in closed session at 8:49 p.m. to discuss Purchase or Sale of Real Estate – Chapter 21.5(1)(j) Code of Iowa. Seconded by Wethal. 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 9:30 p.m. stating that staff had been given proper direction.

ADJOURNMENT

There being no further business, Mayor Cavanagh declared the meeting adjourned at 9:30 p.m.
/s/Adrienne N. Breitfelder, CMC
City Clerk