

City of Davenport, Iowa
City Council Meeting Minutes

Wednesday, December 8, 2021

The City Council of Davenport, Iowa met in regular session on Wednesday, December 8, 2021 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Mike Matson presiding and all Aldermen present (Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ambrose).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Gripp

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for November 23, 2021.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for December 1, 2021.

*CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, **Wednesday, December 1, 2021** -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderwoman Lee. Upon the roll being called, all Aldermen were present (Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ambrose.).*

*There were no **Public Hearings** scheduled.*

*Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderwoman Lee, second by Alderwoman Dickmann item #2, Resolution opposing any plans to redevelop the site at West 4th and Warren Streets for a new, larger Scott County Juvenile Detention Center, moved to the Discussion Agenda and the other item moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Dunn the liquor license for Hilltop Grocery under item #3 moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderwoman Dickmann all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderwoman Dickmann item #1, Second Consideration: Ordinance amending Chapter 2.04 of the Davenport Municipal Code entitled "Precincts and Wards" to establish precinct and ward boundaries based upon the 2020 Census, moved to the Discussion Agenda with a recommendation from staff for suspension of the rules and passage of third consideration and all other items moved to the Consent Agenda.*

*Council adjourned at **7:11 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2021-465

1. Affirmative Action Advisory Commission

- Ruby Batimana (new appointment)

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. On motion by Alderwoman Dickmann, second by Alderman Gripp and all Aldermen present voting aye, the Ordinance below moved to third consideration with a recommendation by staff for suspension of the rules and passage of third consideration.

On motion by Alderwoman Meginnis, second by Alderman Dunn and all Aldermen present voting aye, the rules were suspended.

On motion by Alderwoman Meginnis, second by Alderwoman Dickmann and all Aldermen present voting yes, the following Ordinance was adopted.

Second Consideration: Ordinance amending Chapter 2.04 of the Davenport Municipal Code entitled "Precincts and Wards" to establish precinct and ward boundaries based upon the 2020 Census. [All Wards]

ADOPTED 2021-466

2. On motion by Alderwoman Dickmann, second by Alderman Dunn and all Aldermen present voting aye, the following Resolution was adopted:

Resolution opposing any plans to redevelop the site at West 4th and Warren Streets for a new, larger Scott County Juvenile Detention Center. [Ward 3]

ADOPTED 2021-467

3. On motion by Alderman Ambrose, second by Alderman Dunn and all Aldermen present voting aye, the following Motion passed:

Motion approving the following beer and liquor license application. **PASSED 2021-468**

Ward 4

Hilltop Grocery (Hilltop Grocery LLC) - 1312 Harrison St - License Type: Class E Liquor

XI. Approval of All Items on the Consent Agenda

On motion by Alderman Ambrose, second by Alderwoman Dickmann and all Aldermen present voting aye with Alderman Dohrmann abstaining from item #5 and Alderman Ambrose voting nay to items #2 and #19, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance amending Schedule XVII of Chapter 10.96 entitled "No Stopping, Standing or Parking" by adding 54th Street along the south side from Pine Street west 550 feet between the hours of 7:00 a.m. and 4:00 p.m. on school days. [Ward 2]

ADOPTED 2021-469

Ordinance No. **2021-469**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SECTIONS OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XVII ENTITLED "NO STOPPING, STANDING OR PARKING" THERETO BY ADDING 54TH STREET ALONG THE SOUTH SIDE FROM PINE STREET WEST 550 FEET BETWEEN THE HOURS OF 7 AM AND 4 PM ON SCHOOL DAYS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That Schedule XVII No Stopping, Standing or Parking of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

54th St along the south side from Pine St west 550 feet between the hours of 7:00 a.m. and 4:00 p.m. on school days.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

Approved 12/8/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance adding Chapter 13.40 to the Davenport Municipal Code entitled "Public Water Supply Well Protection." [All Wards]

ADOPTED 2021-470

ORDINANCE NO. **2021-470**

ORDINANCE ADDING CHAPTER 13.40 ENTITLED "PUBLIC WATER SUPPLY WELL PROTECTION."

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That a new Chapter 13.40 entitled "Public Water Supply Well Protection" is hereby added to the Davenport Municipal Code and reads as follows:

Chapter 13.40 **PUBLIC WATER SUPPLY WELL PROTECTION**

13.40.010 **Separation Distance and allowable locations.**

13.40.020 **Public meetings required.**

13.40.010 **Separation Distance and allowable locations.**

A. No construction of any source of contamination shall be permitted within 200 feet of any public water supply well, except as provided in the section of the Iowa Administrative Code cited below. No alteration to a source of contamination that exists on November 1, 2021 is allowed.

Applicable definition of terms and requirements for separation distances shall be controlled by Chapter 43 of Part 567 of the Iowa Administrative Code (455B), specifically subrule 43.3(7) and Table A as amended and implemented by the Iowa Department of Natural Resources.

B. In addition to the separation requirements in subsection A above, the location(s) of public water supply wells within the City of Davenport are restricted to:

- 1) "Genesis East Well" - specific location is on file with the City Engineer.

13.40.020 **Public meetings required.**

Should the water company wish to request the council add another allowable location for a public water supply well, it must first hold two public meetings at least three weeks apart, and the water company must provide reasonable notice by mail of such meeting to all residents within 500 feet of the parcel upon which the proposed well will be located.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

Approved 12/8/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Resolution approving Case P21-06 being the request of C&L Plaza for a preliminary plat of Prairie Pointe 2nd Addition for a 45-lot subdivision on 19.26 acres, located north of East 58th Street and east of Eastern Avenue. [Ward 8] **ADOPTED 2021-471**

4. Resolution approving the following lane closures on the listed dates and times.

ADOPTED 2021-472

Evan Esser; Ballet Quad Cities Nutcracker School Program 2021; Adler Theatre | 136 East 3rd Street; Friday, December 10, 2021 7:00 a.m. - 1:30 p.m.; **Closure:** northernmost parking lane and northernmost and middle travel lanes on East 3rd Street from Brady Street to Iowa Street. [Ward 3]

5. Resolution introducing the proposed Resolution of Necessity for the FY 2022 Alley Resurfacing Program. [Wards 3 & 5] **ADOPTED 2021-473**

6. Resolution approving and authorizing the use of condemnation and commencement of condemnation proceedings, if necessary, for rights-of-way and easements associated with the Veterans Memorial Parkway (VMP) Trail Extension project, CIP #28027. [Ward 8]

ADOPTED 2021-474

7. Resolution approving and authorizing the execution of an agreement between the City of Davenport and the Iowa Department of Transportation (DOT) that would provide State

funding through the City Bridge Construction Program for the West 46th Street Bridge Over Cardinal Creek Replacement project, CIP #21010. [Ward 2] **ADOPTED 2021-475**

8. Resolution awarding the contract for the Partial Roof Replacement at Public Works project to White Roofing Co, Inc of Eldridge, Iowa in the amount of \$555,779, CIP #23033. [Ward 7] **ADOPTED 2021-476**

9. Resolution accepting work performed under the FY 2021 Contract Sewer Repair Program by Petersen Plumbing & Heating Co, Inc of Davenport, IA in the amount of \$527,668.47, CIP #30053 and #33001. [All Wards] **ADOPTED 2021-477**

10. Resolution accepting work completed under the CY 2021 ADA Ramp Program by Kelly Construction of Davenport, Inc of Davenport, Iowa in the amount of \$259,616.48, CIP #28026. [All Wards] **ADOPTED 2021-478**

11. Resolution assessing the cost of boarding up building at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-479**

12. Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-480**

13. Resolution assessing the cost of condemned property demolitions at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-481**

14. Resolution assessing the cost of sidewalk repair at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-482**

15. Resolution assessing the cost of tree removal at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-483**

16. Resolution assessing the cost of weed cutting at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-484**

17. Resolution setting a Public Hearing on granting an easement to Iowa American Water Company across the southernmost 46 feet of City-owned parcel X0155-27J. [Ward 8] **ADOPTED 2021-485**

18. Resolution awarding a service contract for occupational health services to Genesis Occupational Health of Davenport, Iowa. [All Wards] **ADOPTED 2021-486**

19. Resolution awarding a sole source contract to National Network for Safe Communities at John Jay College for technical advising and assistance to implement Group Violence Intervention in Davenport with a 2-year project cost of \$385,000. [All Wards] **ADOPTED 2021-487**

20. Motion approving beer and liquor license applications. **PASSED 2021-488**

A. Annual license renewals (with outdoor area renewals as noted):

Ward 1

A&S Food and Gas (Kuljeet Kaur) - 2365 Rockingham Rd - License Type: Class E Liquor

Ward 3

Analog Arcade Bar (Analog LLC) - 302 Brady St - License Type: Class C Liquor

Third Street Bar & Grill (Michael D Hauser) - 831 W 3rd St - Outdoor Area - License Type: Class C Liquor

Ward 4

St. Ambrose University (Sodexo America, LLC) - 518 W Locust St - Outdoor Area - License Type: Class C Liquor

Stoeger's Bar and Grill (Stoeger's, Inc) - 1520 Washington St - License Type: Class C Liquor

21. Motion approving Change Order #2 to AmeriCore LLC of Blue Grass, Iowa in the amount of \$75,000 for the CY 2021 Sidewalk Repair Program, CIP #28025. [All Wards]

PASSED 2021-489

XIII. Other Ordinances, Resolutions and Motions

1. *On motion by Alderman Ambrose, second by Alderman Dunn with all Aldermen present voting aye, the rules were suspended to add and vote on the item below.*

2. *On motion by Alderman Ambrose, second by Alderman Dunn and all Aldermen present voting aye, the following Motion passed:*

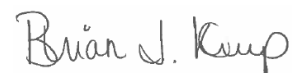
Motion awarding an engineering contract for design services associated with the West Central Park Avenue and Hickory Grove Road Reconstruction Project to Klingner & Associates of Davenport, Iowa in the amount of \$63,500, CIP #35053. [Ward 2 & 4]

PASSED 2021-490

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **6:09 p.m.**



Brian J. Krup
Deputy City Clerk