

City of Davenport, Iowa
City Council Meeting Minutes
Tuesday, November 21, 2023

The City Council of Davenport, Iowa met in regular session on Tuesday, November 21, 2023 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Matson presiding and all Aldermen present except Alderman Ortiz (*In person*: Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Condon, Alderwoman Lynch, and Alderman Jobgen; *Via telephone*: Alderman Gripp and Alderwoman Dickmann).

I. Moment of Silence

II. Administration of Oath of Office

1. Mhisho Lynch | Seventh Ward Alderman

III. Pledge of Allegiance | Led by Mayor Matson

IV. Roll Call

V. Meeting Protocol and Decorum

VI. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for November 8, 2023.

VII. City Administrator Update

VIII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for November 15, 2023.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, November 15, 2023 -- 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 Alderman Kelly. Upon the roll being called, all Aldermen were present except Alderwoman Dickmann and Alderman Ortiz (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, and Alderman Jobgen).

*The following Public Hearings were held: **Community Development:** 1. on the proposed conveyance of vacated public right-of-way containing approximately 25,900 square feet, more or less, known as Spring Street located south of East 53rd Street between Scott County Parcel Numbers N0709A01 and N0709A02 (53rd Luxury, LLC, Petitioner).*

*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 Alderman Jobgen item #1, Third Consideration: Ordinance for Case REZ23-05 being the request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District, moved to the Discussion Agenda with a recommendation for denial by the Plan and Zoning Commission and all other items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderman Gripp, second by Alderman Dunn all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Gripp item #11, Motion approving a waiver of sidewalk installation for Birdie's Nest Daycare at 2627 Hickory Grove Road, and that said waiver is valid as long as certain conditions remain in effect, moved to the Discussion Agenda with a recommendation for denial by staff and all other items moved to the Consent Agenda. **Finance:** Alderman*

Condon reviewed all items listed. On motion by Alderman Gripp, second by Alderman Dunn all items moved to the Consent Agenda.

*Council adjourned at **6:48 p.m.***

IX. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2023-481

1. Combined Construction Code Board of Appeals & Review

- Tim Koehler (re-appointment)
- Andrew Dasso (re-appointment)

2. Civil Rights Commission

- Charlene Upchurch-Taylor (re-appointment)
- Frank Holley (re-appointment)
- Angela Fritz-Reyes (re-appointment)

B. Proclamations

ISSUED 2023-482

1. Small Business Saturday | November 25, 2023

X. Presentations

HELD

A. Municipal Equality Index

XI. Petitions and Communications from Council Members and the Mayor

XII. Individual Approval of Items on the Discussion Agenda

1. Alderwoman Lee moved a motion to add the following conditions to the below Ordinance for Case REZ23-05:

- 1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and east property lines. The buffer yard shall meet design standards as outlined in Section 17.11.080(C) of the Davenport Municipal Code.*
- 2. The developer shall obtain approval from all utilities to install signage within the designated utility easement.*
- 3. The developer shall install signage near the driveway entrance to the development. The signage shall be a minimum of six square feet and illuminated.*

The motion for amendment was seconded by Alderwoman Meginnis and upon the roll being called, all Aldermen present voted aye.

Third consideration of the Ordinance was moved by Alderman Jobgen, second by Alderwoman Meginnis. Upon the roll being called, all Aldermen present voted aye except Alderman Dunn and the Ordinance was adopted as amended:

Third Consideration: Ordinance for Case REZ23-05 being the request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont

Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District.
[Ward 8]

ADOPTED 2023-483

**PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. 8 VOTES REQUIRED
FOR PASSAGE.**

ORDINANCE NO. **2023-483**

AN ORDINANCE FOR CASE REZ23-05 BEING THE REQUEST OF ANTHONY PROPERTIES TO REZONE THE 10.17 ACRES OF LOT 1 OF PHOENIX CENTRE 6TH ADDITION IN THE 5600 BLOCK OF TREMONT AVENUE (PARCEL X1203-01) FROM I-1 LIGHT INDUSTRIAL ZONING DISTRICT TO R-MF MULTIFAMILY RESIDENTIAL DISTRICT.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "RMF Multi-Family Residential" District:

LOT 1 OF PHOENIX CENTRE 6TH ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

Section 2. That the following findings are hereby imposed upon said rezoning:

Findings:

1. The proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan and adopted land use policies.
2. The introduction of a residential use in an industrial area is not compatible with the zoning and land uses or character of nearby property.
3. The proposed amendment may have factors that could impact public health, safety, and welfare of the City.
4. Rezoning the property to R-MF does create nonconformities.

Section 3. At its October 3, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-05 to the City Council with a recommendation for denial subject to the listed findings.

Section 4. At its November 21, 2023 meeting, the City Council voted to impose the following conditions upon said rezoning:

1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and east property lines. The buffer yard shall meet design standards as outlined in Section 17.11.080(C) of the Davenport Municipal Code.
2. The developer shall obtain approval from all utilities to install signage within the designated utility easement.
3. The developer shall install signage near the driveway entrance to the development. The signage shall be a minimum of six square feet and illuminated.

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.

Adopted 11/21/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. *Consideration of the below Motion was moved by Alderman Jobgen and seconded by Alderman Dunn. Alderman Jobgen moved a motion to table the item for one cycle, seconded by Alderwoman Meginnis, and upon the roll being called, all Aldermen present voted aye.*

Motion approving a waiver of sidewalk installation for Birdie's Nest Daycare at 2627 Hickory Grove Road, and that said waiver is valid as long as certain conditions remain in effect. [Ward 2] **TABLED**

STAFF RECOMMENDS DENIAL.

XIII. Approval of All Items on the Consent Agenda

Alderman Kelly requested that the Topsy Village (Topsy Village, LLC) annual liquor license renewal at 1117 Mound Street under section B of item #18 be removed from the Consent Agenda and considered separately. Alderman Jobgen moved a motion to remove the item from the Consent Agenda to consider it separately, seconded by Alderwoman Meginnis, and upon the roll being called, all Aldermen present voted aye.

On motion by Alderman Jobgen, second by Alderman Kelly and all Aldermen present voting aye, the Topsy Village annual liquor license renewal was tabled for one cycle.

Consideration of the Consent Agenda was moved by Alderman Dunn, second by Alderwoman Meginnis. Upon the roll being called, all Aldermen present voted aye and the Consent Agenda was approved as follows:

1. Second Consideration: Ordinance amending Schedule VII No Parking of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding West 47th Street along the north side from Pine Street west to the dead end thereto. [Ward 2]

MOVED TO THIRD CONSIDERATION

2. Resolution of support and financial commitment for the Main Street Iowa Program in the Hilltop Campus Village neighborhood in Davenport, Iowa. [Wards 3, 4, & 5]

ADOPTED 2023-484

3. Resolution setting a Public Hearing on the proposed conveyance of City-owned property located at 1216 Warren Street to Top Notch Real Estate, LLC, Petitioner. [Ward 4]

ADOPTED 2023-485

4. Resolution authorizing the conveyance of vacated public right-of-way containing approximately 25,900 square feet, more or less, known as Spring Street located south of East 53rd Street between Scott County Parcel Numbers N0709A01 and N0709A02 (53rd Luxury, LLC, Petitioner). [Ward 8]

ADOPTED 2023-486

5. Resolution approving a street closure request on the listed date and time to hold an outdoor event.

ADOPTED 2023-487

Project Renewal; Groundbreaking; 513 Warren Street; 2:00 p.m. - 6:00 p.m. Wednesday, November 29, 2023; **Closure:** Warren Street from West 5th Street to West 6th Street. [Ward 3]

6. Resolution accepting work completed under the East Central Park Avenue (Brady Street to Pershing Avenue) Reconstruction and Farnam Street/East Central Park Avenue Intersection Overlay project by N.J. Miller, Inc of Bettendorf, Iowa in the amount of \$592,135.10, CIP #35061. [Ward 5] **ADOPTED 2023-488**

7. Resolution accepting work completed under the Fulton Court to East Locust Street Alley Reconstruction project by Emery Construction Group, Inc of Moline, Illinois in the amount of \$201,838.83, CIP #35038. [Ward 5] **ADOPTED 2023-489**

8. Resolution accepting the sanitary sewer, storm sewer, and pavement associated with the Birchwood Grove 2nd Addition. [Ward 6] **ADOPTED 2023-490**

9. Resolution assessing the cost of boarding up buildings at various lots and tracts of real estate. [All Wards] **ADOPTED 2023-491**

10. Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate. [All Wards] **ADOPTED 2023-492**

11. Resolution assessing the cost of condemned property demolitions at various lots and tracts of real estate. [All Wards] **ADOPTED 2023-493**

12. Resolution assessing the cost of tree removal at various lots and tracts of real estate. [All Wards] **ADOPTED 2023-494**

13. Resolution assessing the cost of weed cutting at various lots and tracts of real estate. [All Wards] **ADOPTED 2023-495**

14. Resolution approving the purchase of three Godwin CD-150S trailer mounted pumps from Central Service and Supply of Des Moines, Iowa in the amount of \$153,474 using State of Iowa Department of Administrative Services contract #22152A. [All Wards] **ADOPTED 2023-496**

15. Resolution approving the amended fee schedule for Parks and Recreation programs, rentals, and services. [All Wards] **ADOPTED 2023-497**

16. Resolution approving the purchase of four public safety vehicles from Stivers Ford of Waukee, Iowa in the amount of \$195,219 using State of Iowa Department of Administrative Services contract #24051, CIP #24032. [All Wards] **ADOPTED 2023-498**

17. Motion approving a noise variance request on the listed date and time for an outdoor event. **PASSED 2023-499**

J&M Fireworks; Christmas in the Village Fireworks Show; Village of East Davenport; 9:00 p.m. for approximately 15-20 minutes Saturday, December 2, 2023; Fireworks, over 50 dBA. [Ward 5]

18. Motion approving beer and liquor license applications. **PASSED 2023-500**

A. New license, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

Ward 3

Chill Vibe Lounge, LLC (Chill Vibe Lounge, LLC) 114 Myrtle Street Unit A - New License - License Type: Class C Liquor (On-Premises)

Palmer College of Chiropractic (Palmer College Foundation) - 1000 North Brady Street - Temporary License December 15 - License Type: Special Class C Beer/Wine (On-Premises)

Palmer College of Chiropractic (Palmer College Foundation) - 1001 North Brady Street - Temporary License December 14 - License Type: Special Class C Beer/Wine (On-Premises)

The Vintage Wine Bar (The Vintage Wine Bar, LLC) - 421 West River Drive (Parking Lot) - Temporary License November 29-December 3 – License Type: Special Class C Beer/Wine (On-Premises)

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

Ward 3

Cavort QC (The Key, LLC) - 229 Brady Street - License Type: Class C Liquor (On-Premises)

Dam View Inn (VanDamQC, LLC) - 410 East 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Double Tree (Bucktown Lodging, LLC) - 111 East 2nd Street - License Type: Class C Liquor (On-Premises)

Kilkenny's Pub & Eatery (Kilkenny's Pub, Inc) - 300 West 3rd Street – Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

Firehouse Bar & Grill (Firehouse Bar & Grill, Inc) - 2006 Hickory Grove Road - Outdoor Area - License Type: Class C Liquor (On-Premises)

Stoeger's Bar and Grill (Stoeger's, Inc) - 1520 Washington Street – License Type: Class C Liquor (On-Premises)

Ward 5

Save More (Guru Nanak Food Mart, Inc) - 405 East Locust Street – License Type: Class E Liquor (Carry-Out)

WMart (KHM, LLC) - 1205/1207 East Locust Street - License Type: Class E Liquor (Carry-Out)

19. Motion approving the purchase of a compact excavator from Martin Equipment of Rock Island, Illinois in the amount of \$91,129.70 using Sourcewell contract #011723-JDC. [All Wards] **PASSED 2023-501**

20. Motion awarding a contract for the purchase of a built-to-order rescue watercraft to Oquawka Boats & Fabrication, Inc of Oquawka, Illinois in an amount not to exceed \$95,000. [All Wards] **PASSED 2023-502**

21. Motion approving the purchase of 3D laser scanner equipment from Seiler Geospatial of St. Louis, Missouri in the amount of \$56,648.43. [All Wards] **PASSED 2023-503**

22. Motion approving a one-year contract for virus and intrusion protection software to Carahsoft Technology Corp of Reston, Virginia in the amount of \$79,190.68 using OMNIA Partners contract #R191902. [All Wards] **PASSED 2023-504**

23. Motion approving a one-year extension of the contract with IDEA Analytics of Phoenix, Arizona for crime analysis consulting services in the amount of \$76,000. [All Wards] **PASSED 2023-505**

24. Motion approving submission of the City of Davenport Annual Urban Renewal Report for FY 2023. [All Wards] **PASSED 2023-506**

XIV. Other Ordinances, Resolutions and Motions

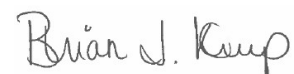
XV. Public with Business

XVI. Reports of City Officials

The following is a summary of revenue received for the month of October 2023:

Property Taxes	\$ 31,438,349
Other City Taxes	\$ 2,185,035
Special Assessments	\$ -
Licenses & Permits	\$ 232,661
Intergovernmental	\$ 2,383,470
Charges for Services	\$ 3,925,671
Use of Monies & Property	\$ 201,218
Fines & Forfeits	\$ 153,704
Bonds/Loan Proceeds	\$ 47,953
Miscellaneous	\$ 225,507

XVII. Adjourn **6:41 p.m.**



Brian J. Krup
Deputy City Clerk