

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, September 28, 2022

The City Council of Davenport, Iowa met in regular session on Wednesday, September 28, 2022 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 (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

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 September 14, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for September 21, 2022.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, September 21, 2022 -- 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 Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

*The following Public Hearings were held: **Community Development:** 1. on the Consolidated Plan Annual Performance Evaluation Report (CAPER) for the year ending June 30, 2022. **Finance:** 1. on granting an underground electric easement to MidAmerican Energy Company across City-owned parcels P1315B04, P1315B03, and P1315B02, with said easement being the west 10 feet of each parcel.*

*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 all items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Ortiz item #2, Third Consideration: Ordinance amending Chapter 10.96 of the Municipal Code of Davenport, Iowa entitled "Schedules" by making various changes to Schedules II, V, and XIV to implement a change in traffic flow for 3rd and 4th Streets between River Drive and Marquette Street, moved to the Discussion Agenda; the St. Paul the Apostle Catholic School Back to School Block Party street closure request under item #3 to be voted on later on the agenda; and all other items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Ortiz item #5, Resolution authorizing the submission of an application to the United States Department of Transportation's Railroad Crossing Elimination Grant Program for assistance for the South Concord Avenue and Water Pollution Control Plant/Compost Facility Overpass and Access Road project, and item #6, Resolution authorizing the submission of a Creative Placemaking*

grant application to the Destination Iowa Program through the Iowa Economic Development Authority, moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderman Ortiz all items moved to the Consent Agenda.

Other Ordinances, Resolutions and Motions: Alderman Dunn moved a motion for suspension of the rules to vote on the Resolution approving a street closure on the listed date and time to hold an outdoor event for St. Paul the Apostle Catholic School, seconded by Alderwoman Dickmann. Upon the roll being called, all Aldermen presented voted aye except Alderwoman Lee and Alderwoman Megnnis with Alderman Jobgen abstaining, and the rules were suspended.

The Resolution approving a street closure for St. Paul the Apostle Catholic School was moved by Alderman Dunn, seconded by Alderman Jobgen. Upon the roll being called, all Aldermen present voted aye with Alderman Jobgen abstaining, and the Resolution was adopted.

1. Resolution approving the following street closure on the listed date and time to hold an outdoor event.

ADOPTED 2022-456

St. Paul the Apostle Catholic School; Back to School Block Party; 1007 East Rusholme Street; Saturday, September 24, 2022 12:00 p.m. - 10:00 p.m.; **Closure:** East Rusholme Street from Arlington Avenue to Carey Avenue. [Ward 5]

Council adjourned at **7:34 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2022-457

1. National Good Neighbor Day | September 28, 2022
2. Fire Prevention Week | October 9 - 15, 2022
3. Hispanic Heritage Month | September 15 - October 15, 2022

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. *Third consideration of the Ordinance was moved by Alderman Jobgen and seconded by Alderwoman Meginnis. During discussion, Alderman Gripp called the question which would end debate and force an immediate vote, seconded by Alderman Condon, and upon the roll being called the following Aldermen voted yes: Alderman Gripp, Alderwoman Meginnis, Alderman Condon, and Alderwoman Dickmann, and the following Aldermen voted nay: Alderman Ortiz, Alderman Cornette, Alderwoman Lee, Alderman Dunn, Alderman Kelly, and Alderman Jobgen. The motion failed and discussion continued.*

Alderman Jobgen moved a motion to amend the proposed Ordinance to have the intersections of 3rd/Iowa, 3rd/Pershing, 4th/Iowa, and 4th/Pershing remain as signalized intersections. The motion did not receive a second and failed.

Upon the roll being called, the following Aldermen voted aye: Ortiz, Gripp, Meginnis, Dickmann, and Condon, and the following Aldermen voted nay: Lee, Cornette, Dunn, Kelly, and Jobgen. Mayor Matson was the tie-breaker vote voting aye, and the Ordinance was adopted.

Third Consideration: Ordinance amending Chapter 10.96 of the Municipal Code of Davenport, Iowa entitled "Schedules" by making various changes to Schedules II, V, and XIV to implement a change in traffic flow for 3rd and 4th Streets between River Drive and Marquette Street.
[Ward 3] **ADOPTED 2022-458**

ORDINANCE NO. **2022-458**

ORDINANCE AMENDING CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY MAKING VARIOUS CHANGES TO SCHEDULES II, V, AND XIV TO IMPLEMENT A CHANGE IN TRAFFIC FLOW FOR 3RD AND 4TH STREETS BETWEEN RIVER DRIVE AND MARQUETTE STREET.

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

Section 1. That Schedule II entitled "One-Way Streets" (10.96.040B) in reference to 3rd and 4th Street is hereby amended as follows:

3rd St from Telegraph Rd to ~~River Dr~~ Marquette St

4th St from ~~River Dr~~ Marquette St to Lincoln Ct

Section 2. That Schedule V entitled "4-Way Stop Intersections" (10.96.040E) is hereby amended by adding the following intersections:

Iowa St at 3rd St

Iowa St at 4th St

Pershing Ave at 3rd St

Pershing Ave at 4th St

Section 3. That Schedule XIV entitled "Intersection Traffic Signals" (10.96.040N) is hereby amended by adding the following intersections:

River Dr at 4th St

Scott St at 4th St

Section 4. That Schedule XIV entitled "Intersection Traffic Signals" (10.96.040N) is hereby amended by deleting the following intersections:

Iowa St at 3rd St

Iowa St at 4th St

Pershing Ave at 3rd St

Pershing Ave at 4th St

Ripley St at 3rd St

Scott St at 3rd St

Warren St at 3rd St

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 as are any motions or resolutions of council that purport to give authority to a council standing committee to make a determination as all such determinations shall henceforth be made by the city council.

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

Adopted 9/28/2022: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

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

Resolution authorizing the submission of an application to the United States Department of Transportation's Railroad Crossing Elimination Grant Program for assistance for the South Concord Avenue and Water Pollution Control Plant/Compost Facility Overpass and Access Road project. [Ward 1]

ADOPTED 2022-459

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

Resolution authorizing the submission of a Creative Placemaking grant application to the Destination Iowa Program through the Iowa Economic Development Authority. [All Wards]

ADOPTED 2022-460

XI. Approval of All Items on the Consent Agenda

On motion by Alderman Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance amending Schedule VII "No Parking" of Chapter 10.96 of the Municipal Code of Davenport, Iowa by adding Busch Avenue along the east side from Middle Road south to the alley. [Ward 5]

ORDINANCE NO. **2022-461**

AN ORDINANCE AMENDING SCHEDULE VII "NO PARKING" OF CHAPTER 10.96 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING BUSCH AVENUE ALONG THE EAST SIDE FROM MIDDLE ROAD SOUTH TO THE ALLEY.

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

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

Busch Ave along the east side from Middle Rd south to the alley.

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 9/28/2022: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. First Consideration: Ordinance expanding the boundaries of the Central City and North Urban Revitalization Areas. [Wards 1, 2, 5, 6, 7, & 8]

MOVED TO SECOND CONSIDERATION

3. First Consideration: Ordinance for Case REZ22-04 being the request of SCI Iowa Funeral Services Inc to establish a Planned Unit Development at 1200 East 39th Street to grant an exception to allow for a reception facility under the S-OS Open Space District. [Ward 7]

MOVED TO SECOND CONSIDERATION

4. Resolution of support for Case ANX22-02 for the annexation of 25.84 acres, more or less, of territory located at the southwest corner of Slopertown Road and Hillandale Road to the City of Davenport, Iowa (Larry Edward Stoltenberg Trust, Petitioner). [Ward 8]

ADOPTED 2022-462

5. Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events.

ADOPTED 2022-463

Davenport Fire Antique and Restoration Society; 8th Annual Fire Muster and Lights & Sirens Parade; Village of East Davenport; Sunday, October 2, 2022 7:00 a.m. - 4:30 p.m.; **Closures**: East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street north to the alley. [Ward 5]

Village of East Davenport Business Association; Village Hops; Village of East Davenport; Saturday, October 8, 2022 12:00 p.m. - 7:30 p.m.; **Closures**: East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from 11th Street north to the alley; Jersey Ridge Road from East 11th Street to East 12th Street. [Ward 5]

St. Paul the Apostle Catholic School; Trunk-or-Treat; 1007 East Rusholme Street; Friday, October 28, 2022 4:00 p.m. - 8:00 p.m.; **Closure**: East Rusholme Street from Arlington Avenue to Carey Avenue. [Ward 5]

6. Resolution approving the submission of updated hazard mitigation actions and hazard scoring for Davenport to the Scott County Emergency Management Agency and Bi-State Regional Commission for the purpose of updating the 2023 Scott County Multi-Jurisdictional Hazard Mitigation Plan. [All Wards]

ADOPTED 2022-464

7. Resolution accepting the pavement associated with Birchwood Grove First Addition. [Ward 6]

ADOPTED 2022-465

8. Resolution accepting the pavement associated with Birchwood South First and Second Additions. [Ward 6]

ADOPTED 2022-466

9. Resolution awarding a sole source contract for the Engine #2 overhaul at the Water Pollution Control Plant to Altorfer Inc of Davenport, Iowa in the amount of \$139,325. [Ward 1]

ADOPTED 2022-467

10. Resolution authorizing the Mayor to execute the necessary documents to grant an underground electric easement to MidAmerican Energy Company across City-owned parcels P1315B04, P1315B03, and P1315B02, with said easement being the west 10 feet of each parcel. [Ward 5]

ADOPTED 2022-468

11. Resolution approving a memorandum of understanding between the City of Davenport and Scott County, Iowa regarding the funding of specified joint projects. [All Wards]

ADOPTED 2022-469

12. Resolution approving the purchase of a Weiler P385C Asphalt Paver from Weiler Incorporated through Altorfer Cat of Davenport, Iowa in the amount of \$295,350 using Sourcewell contract #060122-WLR. [All Wards]

ADOPTED 2022-470

13. Resolution approving the purchase of two 2023 Ford F-450 trucks equipped with utility beds from Stivers Ford of Waukee, Iowa in the amount of \$136,866 using State of Iowa Department of Administrative Services contract #23033. [All Wards]

ADOPTED 2022-471

14. Resolution awarding a contract for the purchase of 13 heart monitor/defibrillator devices to Zoll Medical Corporation of Chelmsford, Massachusetts in the amount of \$344,834.88, CIP #63017. [All Wards]

ADOPTED 2022-472

15. Resolution awarding a contract for the sole source purchase of 11 cardio pulmonary resuscitation (CPR) devices to Physio Control of Redmond, Washington in the amount of \$149,536.89, CIP #63017. [All Wards]

ADOPTED 2022-473

16. Resolution awarding a sole source contract for the Vander Veer Conservatory/ Greenhouse Roof Repair project to Carlin Horticultural Supplies of Milwaukee, Wisconsin in the amount of \$178,956.29, CIP #23065 and #23075. [Ward 5]

ADOPTED 2022-474

17. Motion approving noise variance requests for outdoor events on the listed dates and times.

PASSED 2022-475

Riverfront Improvement Commission; Rolling on the River Car Show; LeClaire Park; Saturday, October 1, 2022 9:00 a.m. - 3:00 p.m.; Outdoor music, over 50 dBA. [Ward 3]

Davenport Peace; Peace Family Day; Emeis Park | 4500 West Locust Street; Saturday, October 1, 2022 11:00 a.m. - 9:00 p.m.; Outdoor music, over 50 dBA. [Ward 1]

International Fire Museum; 8th Annual Fire Muster and Lights & Sirens Parade; Village of East Davenport; Sunday, October 2, 2022 12:00 p.m. - 4:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 5]

Downtown Davenport Partnership; German Fest; Kaiserslautern Square | 119 East 3rd Street; Friday, October 14, 2022 6:00 p.m. - 10:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 3]

18. Motion approving beer and liquor license applications.

PASSED 2022-476

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

Ward 3

German American Heritage Center (German American Heritage Center) – 119 East 3rd Street - Temporary Event License "German Fest at K-Square" October 14 - License Type: Beer/Wine

Ward 6

Nally's Kitchen, Inc (Nally's Kitchen 2, LLC) - 2843 East 53rd Street – License Upgrade - License Type: Class C Liquor

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

Ward 2

Dhakals, LLC (Dhakals, LLC) - 3108 West Central Park Avenue – License Type: Class E Liquor

Rudy's Tacos (Majec, Inc) - 3502 West Kimberly Road #1 - License Type: Class C Liquor

Walgreens #03595 (Walgreen Co) - 1720 West Kimberly Road – License Type: Class E Liquor

Ward 3

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

Armored Gardens (Armored Gardens, LLC) - 315 Pershing Avenue – Outdoor Area - License Type: Class C Liquor

Front Street Brewery (Front Street Brewery, Inc) - 208 East River Drive - Outdoor Area - License Type: Class C Liquor

German American Heritage Center (German American Heritage Center) – 712 West 2nd Street (4th Floor) - License Type: Beer/Wine

Mantra Indian Restaurant (Madan, LLC) - 220 North Harrison Street – License Type: Beer/Wine

The Renwick Mansion, LLC (The Renwick Mansion, LLC) - 901 Tremont Avenue - Outdoor Area - License Type: Class C Liquor

Ward 4

Rio Grande Mexican Restaurant Y Cantina, LLC (Rio Grande Mexican Restaurant Y Cantina, LLC) - 1414 West Locust Street - License Type: Class C Liquor

Walgreens #05239 (Walgreen Co) - 1660 West Locust Street – License Type: Class E Liquor

Ward 5

McClellan Stockade (Koellner Enterprises 6, LLC) - 2124 East 11th Street - Outdoor Area - License Type: Class C Liquor

QC Marts (Bethany Enterprises, Inc) - 1313 East River Drive - License Type: Class C Beer

Walgreens #11709 (Walgreen Co) - 1805 Brady Street - License Type: Class E Liquor

Ward 6

Bad BoyZ Pizza & Pub (3 Bad GirlZ, LTD) - 4706 Utica Ridge Road - Outdoor Area - License Type: Class C Liquor

The Clubhouse (Clubhouse Beverage, LLC) - 4800 Elmore Avenue #100 - Outdoor Area - License Type: Class C Liquor

Costco Wholesale #1325 (Costco Wholesale Corporation) - 2790 East 53rd Street - License Type: Class E Liquor

Lindsay Park Yacht Club (Lindsay Park Yacht Club, Inc) - 2101 East River Drive - Outdoor Area - License Type: Class A Liquor

Staybridge Hotel (Shree Balaji, LLC) - 4729 Progress Drive - License Type: Beer/Wine

Walgreens #06186 (Walgreen Co) - 4011 East 53rd Street - License Type: Class E Liquor

Ward 7

Sanchos (Lorbil Enterprises Inc) - 307 East George Washington Blvd - License Type: Class C Liquor

Walgreens #04041 (Walgreen Co) - 1525 East Kimberly Road – License Type: Class E Liquor

Ward 8

Holiday Inn Express Hotel and Suites (Davenport Lodging Associates, LLC) - 401
Veteran's Memorial Parkway - License Type: Class B Liquor

19. Motion approving an agreement for engineering services for the Howell Street Lift Station Improvements with Veenstra & Kimm Inc in an amount not-to-exceed \$82,500, CIP #33054. [Ward 3] **PASSED 2022-477**

20. Motion ratifying Change Order #7 with Tricon General Construction of Dubuque, Iowa in the amount of \$13,669.20 for the Modern Woodmen Park Floodwall Extension and Workout Room Addition project, CIP #23049. [Ward 3] **PASSED 2022-478**

21. Motion awarding a contract for the Goose Creek Restroom Installation project to WRS Construction Inc of Davenport, Iowa in the amount of \$86,354.86, CIP #64107. [Ward 8] **PASSED 2022-479**

XII. Other Ordinances, Resolutions and Motions

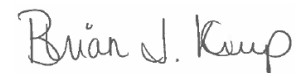
XIII. Public with Business

XIV. Reports of City Officials

Following is a summary of revenue received for the month of August 2022:

Property Taxes	\$120,614
Other City Taxes	\$2,050,055
Special Assessments	\$ -
Licenses & Permits	\$203,901
Intergovernmental	\$2,676,708
Charges for Services	\$2,333,086
Use of Monies & Property	\$124,512
Fines & Forfeits	\$157,255
Bonds/Loan Proceeds	\$ -
Miscellaneous	\$ -

XV. Adjourn **6:59 p.m.**



Brian J. Krup
Deputy City Clerk