

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, August 10, 2022

The City Council of Davenport, Iowa met in regular session on Wednesday, August 10, 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 except Alderwoman Dickmann (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderman Jobgen, and Alderman Ortiz).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Jobgen

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for July 27, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for August 3, 2022.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, August 3, 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 Dickmann. Upon the roll being called, all Aldermen were present except Alderman Jobgen (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann**, and Alderman Ortiz).*

** Arrived at 5:32 p.m. after roll call; ** Left at 6:00 p.m.*

*The following Public Hearings were held: **Community Development:** 1. for Case REZ22-04 being the request of SCI Iowa Funeral Services Inc to rezone 1200 East 39th Street from S-OS Open Space District to C-1 Neighborhood Commercial District with a recommendation for denial by the Plan and Zoning Commission. **Public Works:** 1. on the plans, specifications, and estimate of cost for the West 66th Street and Madison Street Sump Pump Abatement project, CIP #33051; and 2. on the plans, specifications, form of contract, and estimate of cost for the Mound Street (East Locust Street to Elm Street) Resurfacing project, CIP #35054.*

*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 Condon item #2, First Consideration: Ordinance for Case REZ22-04 being the request of SCI Iowa Funeral Services Inc to rezone 1200 East 39th Street from S-OS Open Space District to C-1 Neighborhood Commercial District, moved to the Discussion Agenda with a recommendation for denial by the Plan and Zoning Commission; item #4, Motion approving Community Investment and Settlement Agreement with Canadian Pacific Railway Company and authorizing the City Administrator to sign the same, moved to the Discussion Agenda; and all other items moved to the Consent Agenda. **Public Safety:** Mayor Matson reviewed all items listed. On motion by Alderman Gripp, second by Alderman Condon the premises update to include the entire store for all three Hy-Vee Market Café liquor licenses (2200 West Kimberly Road, 2351 West Locust Street, and 4064 East 53rd Street) 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 Kelly, second by Alderman Gripp all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderman Gripp all items moved to the Consent Agenda.
Council adjourned at **6:57 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2022-389

1. Historic Preservation Commission
 - John Higgins (new appointment)
2. Zoning Board of Adjustment
 - Michael Galliard (new appointment)

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. *First consideration of the Ordinance for Case REZ22-04 was moved by Alderman Gripp and seconded by Alderwoman Meginnis. Alderman Gripp moved to refer the case back to Plan and Zoning, seconded by Alderwoman Lee. Upon the roll being called, all Aldermen present voted aye and Case REZ22-04 was referred back to Plan and Zoning.*

First Consideration: Ordinance for Case REZ22-04 being the request of SCI Iowa Funeral Services Inc to rezone 1200 East 39th Street from S-OS Open Space District to C-1 Neighborhood Commercial District. [Ward 7] **REFERRED BACK TO PLAN AND ZONING**

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

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

Motion approving Community Investment and Settlement Agreement with Canadian Pacific Railway Company and authorizing the City Administrator to sign the same. [All Wards]

ADOPTED 2022-390

3. *The Motion approving liquor license premise updates to include the entire store for three Hy-Vee locations was moved by Alderman Jobgen and seconded by Alderwoman Meginnis. Alderman Jobgen moved to table the Motion for one cycle, seconded by Alderman Ortiz. Upon the roll being called, all Aldermen present voted aye and the following Motion was tabled for one cycle:*

Motion approving beer and liquor license applications.

TABLED

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

Ward 2

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2200 West Kimberly Road (Cafe Area) - Premises Update to Include Entire Store - License Type: Class C Liquor

Ward 4

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2351 West Locust Street (Cafe Area) - Premises Update to Include Entire Store - License Type: Class C Liquor

Ward 6

Hy-Vee Market Cafe (Hy-Vee, Inc) - 4064 East 53rd Street (Cafe Area) – Premises Update to Include Entire Store - License Type: Class C Liquor

XI. Approval of All Items on the Consent Agenda

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

1. Second Consideration: Ordinance for Case ROW22-04 being the request of Shawn Struck to vacate unimproved alley right-of-way located west of 2727 Glaspell Street. [Ward 1]

MOVED TO THIRD CONSIDERATION

2. Second Consideration: Ordinance amending Chapter 9.08 entitled "Disorderly Conduct" of the Municipal Code of Davenport, Iowa by repealing Sections 9.08.050 and 9.08.080 due to a recent trend in federal court decisions restricting the City's ability to regulate activities that involve person-to-person donation requests. [All Wards]

MOVED TO THIRD CONSIDERATION

3. Resolution setting a Public Hearing on the proposed additions to the Davenport 2022 Urban Revitalization Area Plan for the Central City and North Areas. [Wards 1, 2, 5, 6, 7, & 8]

ADOPTED 2022-391

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

ADOPTED 2022-392

Downtown Davenport Partnership; Alternating Currents; Downtown; 6:00 a.m. Thursday, August 18, 2022 - 12:00 p.m. Sunday, August 21, 2022; **Closure:** Dillon Fountain east parking lot | 100 West River Drive. [Ward 3]

Davenport Public Library; QCBeats - Alternating Currents; Main Library Branch | 321 North Main Street; Thursday, August 18, 2022 1:00 p.m. - 8:00 p.m.; **Closure:** Main Street from West 4th Street south to north of the alley. [Ward 3]

Davenport Community School District; Davenport Central Open House; 1120 Main Street; Thursday, August 18, 2022 3:30 p.m. - 7:00 p.m.; **Closure:** West 12th Street between Harrison Street and Main Street. [Ward 3]

Place of Refuge Ministries; Back to School Party; 518 Brown Street; Saturday, August 27, 2022 8:00 a.m. - 4:00 p.m.; **Closure:** east-west alley between Brown and Warren Streets and West 5th and 6th Streets. [Ward 3]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; Sunday, September 11, 2022 9:00 a.m. - 6:00 p.m.; **Closure:** Main Street from West 4th Street to West 5th Street. [Ward 3]

Quad City Arts; Riverssance Festival of Fine Art; Lindsay Park | 2200 East 11th Street; 8:00 a.m. Friday, September 16, 2022 - 7:00 p.m. Sunday, September 18, 2022; **Closure:** East 11th Street from Jersey Ridge Road to Hillcrest Avenue. [Ward 5]

5. Resolution approving the plans, specifications, and estimate of cost for the West 66th Street and Madison Street Sump Pump Abatement project, CIP #33051. [Ward 8]

ADOPTED 2022-393

6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Mound Street (East Locust Street to Elm Street) Resurfacing project, CIP #35054. [Ward 5]

ADOPTED 2022-394

7. Resolution awarding a contract for the Gaines Street (West 30th Street to West 32nd Street) and West 32nd Street (Gaines Street to Western Avenue) Resurfacing project to Langman Construction Inc of Rock Island, Illinois in the amount of \$264,757, CIP #35054. [Ward 7]

ADOPTED 2022-395

8. Resolution awarding a contract for the Sealcoat Road Rehabilitation Program to CDMI Concrete Contractors Inc of Port Byron, Illinois in an amount not-to-exceed \$600,000, CIP #35054. [All Wards]

ADOPTED 2022-396

9. Resolution awarding a contract for the Retaining Wall Replacement at 510 West 6th Street project to Legacy Corporation of East Moline, Illinois in the amount of \$138,880.10, CIP #28031. [Ward 3]

ADOPTED 2022-397

10. Resolution awarding a contract for engineering services for the Flood Mitigation | River Drive and Marquette Street project to HR Green, Inc of Cedar Rapids, Iowa in an amount not-to-exceed \$195,000, CIP #68015. [Ward 3]

ADOPTED 2022-398

11. Resolution accepting the sanitary sewer, storm sewer, and pavement associated with the Speer Commercial Park 1st Addition. [Ward 8]

ADOPTED 2022-399

12. Resolution accepting work completed under the 2nd Street Streetscaping project by Centennial Contractors of the Quad Cities of Moline, Illinois in the amount of \$280,179.01, CIP #60031. [Ward 3]

ADOPTED 2022-400

13. Resolution approving and authorizing the execution of an agreement between the City of Davenport and the Iowa Department of Transportation (DOT) covering the provision of federal-aid funding for the Utah Avenue Bridge Over Duck Creek Replacement project, CIP #21011. [Wards 1 & 2]

ADOPTED 2022-401

14. Resolution of support for the Nahant Marsh Education Center's submission of an application to the Destination Iowa program for grant assistance for the Nahant Marsh Wetland Restoration and Phase III Trail System Enhancement project. [Ward 1] **ADOPTED 2022-402**

15. Resolution approving the Statement of Work and Project Change Request with Worldgate LLC for the modernization of Fair Labor Standards Acts (FLSA) calculations. [All Wards]

ADOPTED 2022-403

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

PASSED 2022-404

Davenport Community School District; Davenport Central Open House; 1120 Main Street; Thursday, August 18, 2022 3:30 p.m. - 6:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 3]

The Pour House; Woofstock; 1502 West Locust Street; Saturday, August 27, 2022 4:00 p.m. - 11:30 p.m.; Outdoor music/band, over 50 dBA. [Ward 4]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; Sunday, September 11, 2022 10:00 a.m. - 5:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 3]

Mississippi Valley Blues Society; Mississippi Valley Blues Fest; LeClaire Park; 4:00 p.m. - 11:30 p.m. Friday, September 16, 2022 and 10:30 a.m. - 11:30 p.m. Saturday, September 17, 2022; Outdoor music/band, over 50 dBA. [Ward 3]

Quad City Arts; Riverssance Festival of Fine Art; Lindsay Park | 2200 East 11th Street; Saturday, September 17, 2022 10:00 a.m. - 5:00 p.m. and Sunday, September 18, 2022 10:00 a.m. - 4:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 5]

Quad Cities Pride Festivals; Fall Pride; LeClaire Park; Friday, September 23, 2022 2:00 p.m. - 11:30 p.m. and Saturday, September 24, 2022 12:00 p.m. - 11:30 p.m.; Outdoor music/performances, over 50 dBA. [Ward 3]

17. Motion approving beer and liquor license applications.

PASSED 2022-405

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

Ward 4

The Pour House (Boss Lady, Inc) - 1502 West Locust Street - Extended Outdoor Area, August 27 - License Type: Class C Liquor

Ward 6

Hy-Vee Market Cafe (Hy-Vee, Inc) - 4064 East 53rd Street (Cafe Area) - Extended Outdoor Area, August 27 - License Type: Class C Liquor

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

Ward 3

Barrel House 211 (Barrelhouse, LLC) - 207-211 East 2nd Street – Outdoor Area -
License Type: Class C Liquor

The Office (Local 563 Cocktail Lounge, LLC) - 116 West 3rd Street - Outdoor Area -
License Type: Class C Liquor

18. Motion awarding a contract for the Lindsay Park Restroom Remodel project to Olde Town Roofing of Moline, Illinois in the amount of \$47,800, CIP #64015. [Ward 6]

PASSED 2022-406

XII. Other Ordinances, Resolutions and Motions

1. *On motion by Alderman Jobgen, second by Alderman Ortiz and all Aldermen present voting aye except Alderwoman Lee, the rules were suspended to add and vote on the item below.*

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

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

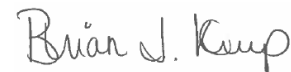
ADOPTED 2022-407

Third Missionary Baptist Church; Fellowship Picnic; 222 West 14th Street; Sunday, August 14, 2022 8:00 a.m. - 2:00 p.m.; **Closure:** portion of the north south alley west of the church between West 14th and West 15th Streets and Harrison and Main Streets. [Ward 5]

XIII. Public with Business

XIV. Reports of City Officials

XV. Adjourn **7:10 p.m.**



Brian J. Krup
Deputy City Clerk