

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, July 13, 2022

The City Council of Davenport, Iowa met in regular session on Wednesday, July 13, 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 Alderman Condon (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Cornette

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for June 22, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for July 6, 2022.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, July 6, 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 Alderman Gripp. Upon the roll being called, all Aldermen were present except Alderman Kelly (Alderman Dunn, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

*The following Public Hearings were held: **Public Works:** 1. on the plans, specifications, and estimate of cost for the Kelling Street and West Central Park Avenue Sump Pump Abatement project, CIP #33050; 2. on the plans, specifications, form of contract, and estimate of cost for the Gaines Street (West 30th Street to West 32nd Street) and West 32nd Street (Gaines Street to Western Avenue) Resurfacing project, CIP #35054; 3. on the plans, specifications, form of contract, and estimate of cost for the FY 2023 Sealcoat Road Rehabilitation Program, CIP #35054; and 4. on the specifications, form of contract, and estimate of cost for the CY 2022 Pedestrian Curb Ramp Retrofit Program, CIP #35059.*

*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 Gripp all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderwoman Meginnis, 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 Alderman Gripp all items moved to the Consent Agenda.*

*Council adjourned at **5:56 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2022-349

1. The 60th Anniversary of the Davenport Civil Rights Commission

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

XI. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance for Case REZ22-03 being the request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

ADOPTED 2022-350

ORDINANCE NO. **2022-350**

AN ORDINANCE FOR CASE REZ22-03 BEING THE REQUEST OF THE CITY OF DAVENPORT ON BEHALF OF VSM HOLDINGS, LLC TO REZONE THE WEST 100 FEET OF LOT 2 OF PHEASANT RIDGE FIRST ADDITION FROM R-2SINGLE-FAMILYRESIDENTIAL DISTRICT TO C-3 GENERAL COMMERCIAL 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 "C-3 General Commercial District":

Part of Lot 2, Pheasant Ridge First Addition to the City of Davenport, Iowa, being more particularly described as follows:

Commencing at the northwest corner of said Lot 2, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 142.21 feet along the north line of said Lot 2;

thence South 00°-18'-15" East 631.49 feet to the northeast corner of Lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 100.00 feet along the north line of Lot 2 of said Lakehurst Commercial Park Fifth Addition to the southwest corner of Lot 2 of said Pheasant Ridge First Addition;

thence North 00°-18'-15" West 732.61 feet along the west line of Lot 2 of said Pheasant Ridge First Addition to the point of beginning.

Containing 1.57 acres, more or less, subject to easement of record.

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

Findings:

1. The proposed rezoning to C-3 General Commercial District is consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character.
4. The proposed amendment promotes the public health, safety, and welfare of the City
5. Rezoning the property to C-3 General Commercial District does not create any nonconformities.

Section 3. At its May 17, 2022 meeting, the City Plan and Zoning Commission voted to forward Case REZ22-03 to the City Council with a recommendation for approval with the listed findings.

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 7/13/2022: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance for Case ROW22-03 being the request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

ADOPTED 2022-351

ORDINANCE NO. **2022-351**

AN ORDINANCE FOR CASE ROW22-03 BEING THE REQUEST OF VSM HOLDINGS, LLC TO VACATE UNIMPROVED RIGHT-OF-WAY WEST OF ELMORE AVENUE AND SOUTH OF PHEASANT CREEK.

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

Section 1. The following described units of Scott County, Iowa real estate are hereby vacated (abandoned). The property has the following legal description:

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the southeast corner of Lot 2 of Pheasant Ridge First Addition to the City of Davenport, Iowa; thence North 00°-08'-28" East (assumed bearing for this description) 241.25 feet along the east line of said Lot 2 to the northwest corner of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing North 00°-08'-25" East 235.54 feet along the east line of said Lot 2;

thence South 44°-59'-10" East 128.78 feet;

thence southerly 105.97 feet along a curve concave westerly having a radius of 1,435.00 feet and a chord bearing and distance of South 02°-11'-15" East 105.95 feet;

thence South 00°-04'-20" East 105.89 feet to a point on the north line of said Lot 1;

thence North 54°-54'-25" West 117.08 feet along the northerly line of said Lot 1 to the point of beginning.

Containing 21,026 square feet, more or less.

Section 2. The vacation (abandonment) is subject to the following condition:

1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

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 7/13/2022: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Second Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Christie Street along the west side from Locust Street to Kirkwood Boulevard. [Ward 5] **MOVED TO THIRD CONSIDERATION**

4. Second Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding various streets along the odd-numbered addresses in Prairie Heights Subdivision. [Ward 8] **MOVED TO THIRD CONSIDERATION**

5. Resolution of support for Case ANX22-01 for the annexation of 48.91 acres, more or less, of territory located southeast of Slopertown Road and Hillandale Road to the City of Davenport, Iowa (RIVALDD Farms, Inc, Petitioner). [Ward 8] **ADOPTED 2022-352**

6. Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events. **ADOPTED 2022-353**

Heather Davis; Arlington Avenue Neighborhood Block Party; 3114 Arlington Avenue; Saturday, July 23, 2022 8:00 a.m. - 6:00 p.m.; **Closure**: Arlington Avenue from East 30th Street to East 32nd Street. [Ward 5]

Tammy Trice; Heatherton Good Neighbor Project Block Party; 3300 block of Heatherton Drive; Saturday, July 23, 2022 9:00 a.m. - 2:00 p.m.; **Closure**: Heatherton Drive from West 29th Street to North Elsie Avenue. [Ward 2]

Kelli Akers; West 43rd Street Neighborhood Block Party; 1315 West 43rd Street; Saturday, July 23, 2022 3:00 p.m. - 7:00 p.m.; **Closure**: West 43rd Street from Washington Street to Taylor Street. [Ward 7]

Daiquiri Factory, Kilkenney's, Carriage Haus, and Mac's; 3rd Street Bix Bash Music Fest; 300 block of West 3rd Street; 9:00 a.m. Friday, July 29, 2022 - 6:00 a.m. Sunday, July 31, 2022; **Closure**: West 3rd Street from Ripley Street to Harrison Street. [Ward 3]

The Office; Bix Party; 116 West 3rd Street; Saturday, July 30, 2022 after the Bix 7 Race until 1:00 a.m.; **Closure**: northernmost parking lane and two travel lanes on 3rd Street from Main Street to 116 West 3rd Street. [Ward 3]

Anissa Quinn; Community Block Party; 1831 Grand Avenue; Saturday, July 30, 2022
2:00 p.m. - 5:00 p.m.; **Closure:** Grand Avenue from Kirkwood Boulevard to Locust
Street. [Ward 5]

7. Resolution approving the plans, specifications, and estimate of cost for the Kelling Street and West Central Park Avenue Sump Pump Abatement project, CIP #33050. [Ward 4]

ADOPTED 2022-354

8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Gaines Street (West 30th Street to West 32nd Street) and West 32nd Street (Gaines Street to Western Avenue) Resurfacing project, CIP #35054. [Ward 7]

ADOPTED 2022-355

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the FY 2023 Sealcoat Road Rehabilitation Program, CIP #35054. [Wards 1 & 2]

ADOPTED 2022-356

10. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2022 Pedestrian Curb Ramp Retrofit Program, CIP #35059. [All Wards]

ADOPTED 2022-357

11. Resolution awarding a contract for the design of the Utah Avenue Bridge Over Duck Creek Replacement project to WHKS & Co of West Des Moines, Iowa in an amount not-to-exceed \$100,425, CIP #21011. [Ward 2]

ADOPTED 2022-358

12. Resolution awarding a contract for the design of the West 46th Street Bridge Over Cardinal Creek Replacement project to Veenstra & Kimm, Inc of West Des Moines, Iowa in an amount not-to-exceed \$63,000, CIP #21010. [Ward 2]

ADOPTED 2022-359

13. Resolution awarding contracts for the FY 2023 Sewer Lateral Repair Program, totaling \$860,000, to five (5) contractors and authorizing the Public Works Director/Assistant City Administrator to increase quantities for each contract within the Capital Improvement Project budget constraints, CIP #30061. [All Wards]

ADOPTED 2022-360

14. Resolution approving Change Order #2 with McClure Engineering Company of North Liberty, Iowa in the amount of \$134,500 for the Duck Creek Interceptor Extension project, ARP #18. [Wards 1 & 2]

ADOPTED 2022-361

15. Resolution accepting work completed under the Elm Street Bridge Replacement project by Brandt Construction Co of Milan, Illinois in the amount of \$2,719,333.27, CIP #21006. [Ward 5]

ADOPTED 2022-362

16. Resolution awarding a contract for the 1413 West 13th Street Rehabilitation to River Valley Homes of Bettendorf, Iowa in an amount not-to-exceed \$300,000. [Ward 4]

ADOPTED 2022-363

17. Resolution awarding a blanket contract for vehicle body repair work to Walcott Collision of Walcott, Iowa and Eriksen Chevrolet-Buick of Milan, Illinois. [All Wards]

ADOPTED 2022-364

18. Resolution accepting the annual Byrne Justice Assistance Grant (JAG) from the federal government for 2022-2023 in the amount of \$89,579. [All Wards] **ADOPTED 2022-365**

19. Motion approving noise variance requests for outdoor events on the listed dates and times. **PASSED 2022-366**

Tammy Trice; Heatherton Good Neighbor Project Block Party; 3300 block of Heatherton Drive; Saturday, July 23, 2022 11:00 a.m. - 1:00 p.m.; Outdoor music, over 50 dBA. [Ward 2]

Heather Davis; Arlington Avenue Block Party; 3114 Arlington Avenue; Saturday, July 23, 2022 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBA. [Ward 5]

Daiquiri Factory, Kilkenny's, Carriage Haus, and Mac's; 3rd Street Bix Bash Music Fest; 300 block of West 3rd Street; 7:00 p.m. - 11:00 p.m. Friday, July 29, 2022 and 10:00 a.m. - 12:00 a.m. Saturday, July 30, 2022; Outdoor music/band, over 50 dBA. [Ward 3]

The Office; Bix Party; 116 West 3rd Street; Saturday, July 30, 2022 12:00 p.m. - 12:00 a.m.; Outdoor music, over 50 dBA. [Ward 3]

Anissa Quinn; Community Block Party; 1831 Grand Avenue; Saturday, July 30, 2022 2:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBA. [Ward 5]

20. Motion approving beer and liquor license applications. **PASSED 2022-367**

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

Ward 3

Stompbox Brewing (JPX2ME, LLC) - 210 East River Dr #101 – Recurring Extended Outdoor Area - July 30-31 - License Type: Class C Liquor

The Office (Local 563 Cocktail Lounge, LLC) - 116 West 3rd Street - Recurring Extended Outdoor Area - July 30-31 - License Type: Class C Liquor

Daiquiri Factory (Daq Fac, LLC) - 303 West 3rd Street - Recurring Extended Outdoor Area - July 29-31 - License Type: Class C Liquor

Mac's Tavern (Failte, Inc) - 316 West 3rd Street - Recurring Extended Outdoor Area - July 29-31 - License Type: Class C Liquor

Carriage Haus (Smoking Haus Entertainment) - 312 West 3rd Street - Recurring Extended Outdoor Area - July 29-31 - License Type: Class C Liquor

Dam View Inn (VanDamQC, LLC) - 410 East 2nd Street – Recurring Extended Outdoor Area - July 28-31 - License Type: Class C Liquor

Kilkennys Pub & Eatery (Kilkennys Pub, Inc) - 300 West 3rd Street - Recurring Extended Outdoor Area - July 29-31 - License Type: Class C Liquor

Ward 6

Rudy's Tacos (CME 1066, Inc) - 3944 Elmore Avenue - New License - License Type: Class C Liquor

Ward 7

CASI (Center for Active Seniors, Inc) - 1035 West Kimberly Road - Recurring Extended Outdoor Area - July 16 "Rock the Lot" – License Type: Class C Liquor

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

Ward 3

Miss Phay Cafe (Miss Phay Cafe, Inc) - 510/512 Brady Street - Outdoor Area - License Type: Class C Liquor

Stompbox Brewing (JPX2ME, LLC) - 210 East River Drive #101 – Outdoor Area - License Type: Class C Liquor

Ward 6

Super Target T-533 (Target Corporation) - 5225 Elmore Avenue – License Type: Class E Liquor

Applebee's Neighborhood Grill & Bar (Apple Corps LP) - 3838 Elmore Avenue - License Type: Class C Liquor

Jersey Grille (Jersey Grille, Inc) - 5255 Jersey Ridge Road - Outdoor Area - License Type: Class C Liquor

Ward 7

Hooters of Davenport (HOA Restaurant Holder, LLC) - 110 East Kimberly Road - Outdoor Area - License Type: Class C Liquor

The Filling Station (Bar Management, LLC) - 305 East 35th Street – Outdoor Area - License Type: Class C Liquor

Kwik Star #280 (Kwik Trip, Inc) - 301 West Kimberly Road - License Type: Class C Beer

Ward 8

Kwik Star #215 (Kwik Trip, Inc) - 100 West 65th Street - License Type: Class C Beer

21. Motion accepting work completed under the revitalization of the Airport T-Hangar Taxilane project performed by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$75,284.50, CIP #20014. [Ward 8] **PASSED 2022-368**

22. Motion approving a professional services contract for subsurface archaeological surveys of three alleys and one street targeted for CDBG-funded improvements with Commonwealth Heritage Group, Inc of Milwaukee, Wisconsin in the amount of \$78,544, BG250. [Wards 3 & 4] **PASSED 2022-369**

23. Motion approving the specifications, form of contract, and estimate of cost for the Riverfront Lighting Repairs project, CIP #68004. [Ward 3] **PASSED 2022-370**

24. Motion authorizing payment to Visit Quad Cities for FY 2023 tourism/marketing services in an amount not-to-exceed \$375,000. [All Wards] **PASSED 2022-371**

25. Motion authorizing payment to Bi-State Regional Commission for FY 2023 membership dues in the amount of \$57,983. [All Wards] **PASSED 2022-372**

26. Motion awarding a contract for Building Security Assessment and Staff Training to Hank Jacobsen - Personnel and Workplace Safety of Davenport, Iowa in an amount not-to-exceed \$59,750. [All Wards] **PASSED 2022-373**

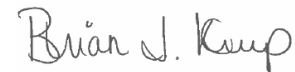
27. Motion directing staff to purchase Parcel #R0451-02A, adjacent to South Concord Street, for the purchase price of \$165,000, and directing the Corporation Counsel and Chief Financial Officer to execute all documents necessary to complete the transaction. [Ward 1] **PASSED 2022-374**

XII. Other Ordinances, Resolutions and Motions

XIII. Public with Business

XIV. Reports of City Officials

XV. Adjourn **5:43 p.m.**



Brian J. Krup
Deputy City Clerk