

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, June 28, 2023

The City Council of Davenport, Iowa met in regular session on Wednesday, June 28, 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 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 June 14, 2023.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for June 21, 2023.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, June 21, 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 Cornette. Upon the roll being called, all Aldermen were present except Alderwoman Dickmann (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderman Jobgen, and Alderman Ortiz).*

**Arrived at 5:35 p.m.*

*The following Public Hearings were held: **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the West 83rd Street and North Zenith Avenue Extension project, CIP #36063; 2. on the plans, specifications, form of contract, and estimate of cost for the 2023-2024 Sewer and Manhole Rehabilitation Program, CIP #30057; 3. on the plans, specifications, form of contract, and estimate of cost for the South Clark Street (Rockingham Road to Black Hawk Creek) Rehabilitation project, CIP #35062; 4. on the plans, specifications, form of contract, and estimate of cost for the Duck Creek Trail Mill and Overlay project, CIP #28030; 5. on the plans, specifications, form of contract, and estimate of cost for the 2023 Commercial Alley Program, CIP #35038; 6. on the plans, specifications, form of contract, and estimate of cost for the 2023 Residential Alley Program, CIP #35038; and 7. on the plans, specifications, form of contract and estimate of cost covering the Dohse Splash and Play project, #ARP 10. **Finance:** 1. on amending the FY 2023 Operating Budget.*

*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 #5, Motion approving the appeal to overturn the Historic Preservation Commission's decision to deny Case COA23-18, a request to install vinyl windows at the J. Monroe Parker-Ficke House, located at 1208 Main Street, a locally designated historic landmark within the College Square Historic District (Lane & Waterman LLP, on behalf of Delt 100 Alumni Counsel LLC) moved to the Discussion*

*Agenda and all other items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderman Jobgen, second by Alderman Ortiz all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. Alderwoman Meginnis moved a motion to amend item #1, Third Consideration: Ordinance amending Chapter 2.34 entitled "Department of Public Works" and Section 2.30.080 entitled "City Administrator – Additional Duties" of the Municipal Code of Davenport, Iowa to state again the existing ability to align operational areas with organizational resources and needs, so that Section 2 reads as follows: Any other department head not mentioned above whose appointment, removal, and supervision is not otherwise specified in the Davenport Municipal Code, seconded by Alderman Jobgen and all Aldermen present voting aye. On motion by Alderman Kelly, second by Alderman Jobgen item #1 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 Dunn all items moved to the Consent Agenda with Alderwoman Lee voting no to item #3, Resolution ratifying the emergency purchase for the two-phased demolition project of 324 North Main Street to D.W. Zinser Company Inc of Walford, Iowa in the amount of \$1,247,732.81, being moved to the Consent Agenda.*

*Council adjourned at **7:14 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2023-270

1. Parks & Recreation Advisory Board

- Aarsal Shareef (2nd Ward | new appointment)
- Andrew Dasso (At-Large | new appointment)

B. Proclamations

ISSUED 2023-271

1. Red, White and Boom Military & Arsenal Appreciation Day | July 3, 2023

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. On motion by Alderman Dunn, second by Alderman Gripp and all Aldermen present voting aye except Alderman Cornette and Alderwoman Lee, the following Ordinance was adopted:

Third Consideration: Ordinance amending Chapter 2.34 entitled "Department of Public Works" and Section 2.30.080 entitled "City Administrator – Additional Duties" of the Municipal Code of Davenport, Iowa to state again the existing ability to align operational areas with organizational resources and needs. [All Wards]

ADOPTED 2023-272

ORDINANCE NO. **2023-272**

ORDINANCE AMENDING CHAPTER 2.34 ENTITLED "DEPARTMENT OF PUBLIC WORKS" AND SECTION 2.30.080 ENTITLED "CITY ADMINISTRATOR – ADDITIONAL DUTIES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO STATE AGAIN THE EXISTING ABILITY TO ALIGN OPERATIONAL AREAS WITH ORGANIZATIONAL RESOURCES AND NEEDS.

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

Section 1. That Chapter 2.34 entitled "Department of Public Works" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding a new section 2.34.070 that reads as follows:

2.34.070 Realignment.

Pursuant to Section 2.30.070(15), the department may be realigned and the lines of business may be consolidated or separated into departments and divisions by the city administrator. The city administrator shall memorialize any such changes in writing to be filed with human resources. The document filed shall consist of an organizational chart and a description of service scope, reporting structure and duty consolidation or separation.

Section 2. That Subsection 2.30.080(A) of the Municipal Code of Davenport, Iowa be and the same is hereby amended to add the following:

9. Any other department head not mentioned above whose appointment, removal, and supervision is not otherwise specified in the Davenport Municipal Code.

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 6/28/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

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

Resolution amending the FY 2023 Operating Budget. [All Wards] **ADOPTED 2023-273**

3. On motion by Alderman Dunn, second by Alderwoman Meginnis and all Aldermen present voting nay, the following Motion failed:

Motion approving the appeal to overturn the Historic Preservation Commission's decision to deny Case COA23-18, a request to install vinyl windows at the J. Monroe Parker-Ficke House, located at 1208 Main Street, a locally designated historic landmark within the College Square Historic District (Lane & Waterman LLP, on behalf of Delt 100 Alumni Counsel LLC). [Ward 3]

FAILED

XI. Approval of All Items on the Consent Agenda

Alderwoman Lee requested that item #19 be removed for discussion. After discussion, the item was placed back on the Consent Agenda. On motion by Alderman Gripp, second by Alderman Jobgen and all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. First Consideration: Ordinance amending Schedule V Four-Way Stop Intersections of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Utah Avenue at Telegraph Road thereto. [Ward 1] **MOVED TO SECOND CONSIDERATION**

2. First Consideration: Ordinance amending Chapter 13.28 entitled "Surface Drains" of the Municipal Code of Davenport, Iowa by amending Subsection 13.28.030 for language clean-up and clarity. [All Wards] **MOVED TO SECOND CONSIDERATION**

3. Resolution approving Case CP23-01 being the request of the City of Davenport to amend the Davenport +2035 Comprehensive Plan by assigning Future Land Use Map classifications to the approximately 475 acres of land roughly bounded by Slopertown Road, Hillandale Road, Northwest Boulevard, and 130th Avenue. [Ward 8] **ADOPTED 2023-274**

4. Resolution approving Case F23-05 being the request of Macerich North Park Mall LLC for a final plat of NorthPark Office Max Addition, a 1-lot subdivision on 2.1 acres located at 320 West Kimberly Road. [Ward 7] **ADOPTED 2023-275**

5. Resolution setting a Public Hearing on the proposed conveyance of City-owned property located at 626 Taylor Street to The 180 Zone, Inc (Petitioner). [Ward 3] **ADOPTED 2023-276**

6. Resolution setting a Public Hearing on the proposed conveyance of City-owned property located in the 300 block of West 16th Street to Davis Priority Properties, LLC (Petitioner). [Ward 5] **ADOPTED 2023-277**

7. Resolution approving street, lane, or public ground closures on the listed dates and times for outdoor events. **ADOPTED 2023-278**

Elaine Folker; Fun on the First; 2300 block of Ripley Street; 4:00 p.m. - 9:00 p.m. Saturday, July 1, 2023; **Closure:** Ripley Street from West Dover Court to West Rusholme Street. [Ward 4]

Tim Shea; Belle Court 4th of July Block Party; 6123 Belle Court; 11:00 a.m. - 11:00 p.m. Tuesday, July 4, 2023; **Closure:** Belle Court from East 61st Street to Parkview Lane. [Ward 8]

Quad City Arts; Riverssance Festival of Fine Art; Lindsay Park | 2200 East 11th Street; 8:00 a.m. Friday, September 15, 2023 - 7:00 p.m. Sunday, September 17, 2023; **Closure:** East 11th Street from Jersey Ridge Road to Hillcrest Avenue. [Ward 5]

8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 83rd Street and North Zenith Avenue Extension project, CIP #36063. [Ward 2] **ADOPTED 2023-279**

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2023-2024 Sewer and Manhole Rehabilitation Program, CIP #30057. [All Wards] **ADOPTED 2023-280**

10. Resolution approving the plans, specifications, form of contract, and estimate of cost for the South Clark Street (Rockingham Road to Black Hawk Creek) Rehabilitation project, CIP #35062. [Ward 1] **ADOPTED 2023-281**

11. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Duck Creek Trail Mill and Overlay project, CIP #28030. [Ward 7] **ADOPTED 2023-282**

12. Resolution approving the plans, specifications, form of contract, and estimate of cost the 2023 Commercial Alley Program, CIP #35038. [Ward 3] **ADOPTED 2023-283**

13. Resolution approving the plans, specifications, form of contract, and estimate of cost the 2023 Residential Alley Program, CIP #35038. [Wards 3, 5, & 6] **ADOPTED 2023-284**

14. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Dohse Splash and Play project, #ARP 10. [Ward 1] **ADOPTED 2023-285**

15. Resolution awarding a contract for the Village of East Davenport Lighting project to Davenport Electric Contract Company of Davenport, Iowa in the amount of \$261,597.99, CIP #60037. [Ward 5] **ADOPTED 2023-286**

16. Resolution accepting work completed under the FY 2023 Sealcoat Road Rehabilitation Program by CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of \$761,039.08, CIP #35062. [Wards 1 & 2] **ADOPTED 2023-287**

17. Resolution authorizing the submission of an application to the United States Department of Transportation's Safe Streets and Roads for All Grant Program for assistance to improve safe, multi-modal transportation throughout the City. [Wards 6, 7, & 8] **ADOPTED 2023-288**

18. Resolution approving the renewal of general and auto liability, property, and workers' compensation insurance as well as related professional services for FY 2024 with multiple insurance companies in the amount of \$1,864,565. [All Wards] **ADOPTED 2023-289**

19. Resolution ratifying the emergency purchase for the two-phased demolition project of 324 North Main Street to D.W. Zinser Company Inc of Walford, Iowa in the amount of \$1,247,732.81. [Ward 3] **ADOPTED 2023-290**

20. Motion approving noise variance requests on the listed dates and times for outdoor events. **PASSED 2023-291**

Tim Shea; Belle Court 4th of July Block Party; 6123 Belle Court; 11:00 a.m. - 11:00 p.m. Tuesday, July 4, 2023; Outdoor music/band, over 50 dBA. [Ward 8]

Dam View Inn; Bix Party; 410 East Second Street; 8:00 a.m. Saturday, July 29, 2023 - 12:00 a.m. Sunday, July 30, 2023; Outdoor music/band, over 50 dBA. [Ward 3]

Quad City Arts; Riverssance Festival of Fine Art; Lindsay Park | 2200 East 11th Street; 10:00 a.m. - 5:00 p.m. Saturday, September 16, 2023 and 10:00 a.m. - 4:00 p.m. Sunday, September 17, 2023; Outdoor music/band, over 50 dBA. [Ward 5]

21. Motion approving beer and liquor license applications. **PASSED 2023-292**

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

Ward 3

The Garrison (Endeavor Management Group, LLC) - 131 West 2nd Street - New License with Outdoor Area - License Type: Class C Liquor (On-Premises)

The River's Edge (City of Davenport) - 700 West River Drive – License Upgrade - License Type: Class C Liquor (On-Premises)

Ward 8

Red Hawk Golf Course (City of Davenport) - 6364 Northwest Boulevard - License Upgrade with Outdoor Area - License Type: Class C Liquor (On-Premises)

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

Ward 1

Emeis Golf Course (City of Davenport) - 4500 West Central Park Avenue - License Type: Class C Liquor (On-Premises)

Smokin' Joe's Tobacco and Liquor Outlet #1 (The Outlet, Inc) – 3120 Rockingham Road - License Type: Class E Liquor (Carry-Out)

Ward 4

Smokin' Joe's Tobacco and Liquor Outlet #2 (The Outlet, Inc) - 1606 West Locust Street - License Type: Class E Liquor (Carry-Out)

Ward 6

Duck Creek Golf Course (City of Davenport) - 3000 East Locust Street - License Type: Class C Liquor

Ward 7

Kwik Star #294 (Kwik Trip, Inc) - 1650 West Kimberly Road - License Type: Class B Retail Alcohol (Carry-Out)

Smokin' Joe's Tobacco and Liquor Outlet #8 (The Outlet, Inc) - 902 West Kimberly Road #55-56 - License Type: Class E Liquor (Carry-Out)

22. Motion approving a contract for engineering services for the Modern Woodmen Park Fire Suppression System Replacement project with IMEG Corp of Rock Island, Illinois in the amount of \$54,900, CIP #23049. [Ward 3] **PASSED 2023-293**

23. Motion approving the purchase of a Crafcro SS125 Crack Sealer from Logan Contractors Supply of Davenport, Iowa in the amount of \$63,049.60 using Sourcewell contract #080521-CFC. [All Wards] **PASSED 2023-294**

24. Motion approving Change Order #1 to N.J. Miller, Inc of Bettendorf, Iowa in the amount of \$81,145 for the East Central Park Avenue (Brady Street to Pershing Avenue) Reconstruction project , CIP #35061. [Ward 5] **PASSED 2023-295**

25. Motion considering a waiver (temporary deferral) of sidewalk installation for the River Bend Foodbank project located at 4010 Kimmel Drive. [Ward 1] **PASSED 2023-296**

XII. Other Ordinances, Resolutions and Motions

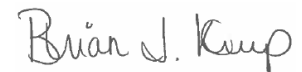
XIII. Public with Business

XIV. Reports of City Officials

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

Property Taxes	\$ 4,258,541
Other City Taxes	\$ 3,050,716
Special Assessments	\$ -
Licenses & Permits	\$ 263,971
Intergovernmental	\$ 2,914,493
Charges for Services	\$ 4,521,652
Use of Monies & Property	\$ 67,457
Fines & Forfeits	\$ 122,090
Bonds/Loan Process	\$ 26,719,483
Miscellaneous	\$ 8,391,929

XV. Adjourn **6:37 p.m.**



Brian J. Krup
Deputy City Clerk