

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, June 22, 2022

The City Council of Davenport, Iowa met in regular session on Wednesday, June 22, 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 Alderwoman Lee

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for June 8, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for June 15, 2022.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, June 15, 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 Meginnis. 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).*

**Arrived at 5:32 p.m. after the roll call.*

*The following **Public Hearings** were held: **Community Development:** 1. on the proposed conveyance of vacated public right-of-way known as a portion of the alleyway in Block 1 of A.M. Cooks Addition lying between Boies Avenue and Rockingham Road (The Overland Group, Petitioner); 2. for Case CP22-01 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 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the City Limit to the east; and 3. on the Annual Action Plan for Year 48 (July 1, 2022 - June 30, 2023) for the CDBG and HOME Programs.*

***Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the West 43rd Street (Lincoln Avenue to Linwood Avenue) Reconstruction project, CIP #35054; 2. on the plans, specifications, form of contract, and estimate of cost for the Retaining Wall Replacement project at 510 West 6th Street, CIP #28031; 3. on the plans, specifications, and estimate of cost for the FY 2023 50/50 Cost Share Stream Bank Stabilization Program, CIP #33041; 4. on the plans, specifications, form of contract, and estimate of cost for the State Revolving Fund Best Management Practices Parks projects, CIP #33041; and 5. on the plans, specifications, form of contract, and estimate of cost for the State Revolving Fund Duck Creek Golf Course Wetland project, CIP #33041. **Finance:** 1. on the proposed issuance of not to exceed \$45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023.*

***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 Dunn all items moved to the Consent Agenda except item #9, Resolution providing preliminary approval for economic development assistance through tax increment financing to Fair Oaks Farms, LLC doing business*

as Fair Oaks Foods for the construction of a state-of-the-art food production facility located at 2951 Enterprise Way, which would be voted on later on the agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. Alderwoman Meginnis moved a motion to amend the Yoshi's Bar and Filipino Canteen noise variance under item #4 to end at midnight instead of 1:00 a.m. The motion was seconded by Alderman Gripp with all Aldermen present voting aye. On motion by Alderwoman Dickmann, second by Alderwoman Meginnis the Southeast Little League noise variance under item #4 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 Alderwoman Dickmann all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderwoman Dickmann item #6, Resolution awarding a contract for architectural and engineering services for the Main Street Landing / Destination Play Area project to Sasaki Associates, Inc of Denver, Colorado in an amount not-to-exceed \$761,815, ARP #12, moved to the Discussion Agenda and all other items moved to the Consent Agenda.

Other Ordinances, Resolutions and Motions: On motion by Alderman Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the rules were suspended to vote on the listed item.

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

Resolution providing preliminary approval for economic development assistance through tax increment financing to Fair Oaks Farms, LLC doing business as Fair Oaks Foods for the construction of a state-of-the-art food production facility located at 2951 Enterprise Way. [Ward 8]

ADOPTED 2022-312

Council adjourned at **7:17 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2022-313

1. Housing Commission
 - Joyce Miller (re-appointment)
 - Gary Susich (re-appointment)
2. Zoning Board of Adjustment
 - Angela Loebach (re-appointment)
3. Historic Preservation Commission
 - Diane Franken (re-appointment)

B. Proclamations

ISSUED 2022-314

1. LGBTQ+ Pride Month | June 2022
2. Red, White and Boom Military & Arsenal Appreciation Day | July 3, 2022

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. On motion by Alderwoman Dickmann, second by Alderman Gripp and all Aldermen present voting aye except Alderman Jobgen and Alderman Kelly, the following Resolution was adopted:

Resolution awarding a contract for architectural and engineering services for the Main Street Landing | Destination Play Area project to Sasaki Associates, Inc of Denver, Colorado in an amount not-to-exceed \$761,815, ARP #12. [Ward 3] **ADOPTED 2022-315**

2. On motion by Alderman Gripp, second by Alderwoman Meginnis and all Aldermen present voting aye except Alderwoman Lee, the following Motion passed:

Motion approving a noise variance request for an outdoor event on the listed date and time.

PASSED 2022-316

Southeast Little League; End of Season Picnic; Prairie Heights Park | 5600 Eastern Avenue; Friday, June 24, 2022 approximately 8:45 p.m. for 10-15 minutes; Fireworks, over 50 dBA. [Ward 8]

XI. Approval of All Items on the Consent Agenda

Alderwoman Lee requested item #27 be removed for further discussion. After discussion, the item was placed back on the Consent Agenda.

On motion by Alderman Dunn, second by Alderman Ortiz and all Aldermen present voting aye with Alderwoman Meginnis abstaining from item #9, the Consent Agenda was approved as follows:

1. Second 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] **MOVED TO THIRD CONSIDERATION**

2. Second 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] **MOVED TO THIRD CONSIDERATION**

3. First 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 SECOND CONSIDERATION**

4. First 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 SECOND CONSIDERATION**

5. Resolution authorizing the conveyance of the vacated public right-of-way known as a portion of the alleyway in Block 1 of A.M. Cooks Addition lying between Boies Avenue and Rockingham Road (The Overland Group, Petitioner). [Ward 1] **ADOPTED 2022-317**

6. Resolution approving Case CP22-01 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 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the City Limit to the east. [Ward 6] **ADOPTED 2022-318**

7. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 324 Main Street – The Davenport Project. [Ward 3]

ADOPTED 2022-319

8. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 311 West 3rd Street – Dorothea Project. [Ward 3]

ADOPTED 2022-320

9. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 628 Harrison Street – Raphael's Emporium Project. [Ward 3]

ADOPTED 2022-321

10. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 307 West 6th Street – Roosevelt Project. [Ward 3]

ADOPTED 2022-322

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

ADOPTED 2022-323

Brandelyn Avants; Graduation Party; 906 Northbrook Drive; Saturday, June 25, 2022 6:30 a.m. - 11:00 p.m.; **Closure:** Northbrook Drive from Mount Vernon Drive to 916 Northbrook Drive. [Ward 7]

Andrew Kaufman; Oak Street 4th of July Block Party; 4415 North Oak Street; Sunday, July 3, 2022 3:00 p.m. - 11:00 p.m.; **Closure:** Oak Street from West 43rd Street to West 45th Street. [Ward 2]

Tim Shea; Belle Court 4th of July Block Party; 6123 Belle Court; Monday, July 4, 2022 10:00 a.m. - 10:00 p.m.; **Closure:** Belle Court from East 61st Street to Parkview Lane. [Ward 8]

Beertini's; Fundraiser; 3803 Rockingham Road; Sunday, July 10, 2022 2:00 p.m. - 10:00 p.m.; **Closure:** South Gayman Avenue from Rockingham Road south to just north of the alley. [Ward 1]

12. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 43rd Street (Lincoln Avenue to Linwood Avenue) Reconstruction project, CIP #35054. [Ward 2]

ADOPTED 2022-324

13. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Retaining Wall Replacement project at 510 West 6th Street, CIP #28031. [Ward 3]

ADOPTED 2022-325

14. Resolution approving the plans, specifications, and estimate of cost for the FY 2023 50/50 Cost Share Stream Bank Stabilization project, CIP #33041. [Ward 2]

ADOPTED 2022-326

15. Resolution approving the plans, specifications, form of contract, and estimate of cost for the State Revolving Fund Best Management Practices Parks projects, CIP #33041. [Wards 2, 7, & 8] **ADOPTED 2022-327**

16. Resolution approving the plans, specifications, form of contract, and estimate of cost for the State Revolving Fund Duck Creek Golf Course Wetland project, CIP #33041. [Ward 6] **ADOPTED 2022-328**

17. Resolution authorizing the submission of a grant application to the State Recreational Trails (SRT) Program for the construction of the Nahant Marsh Trail System project. [Ward 1] **ADOPTED 2022-329**

18. Resolution awarding a contract for the manufacture and installation of two generator heat recovery/silencer units at the Water Pollution Control Plant to Altorfer Inc of Cedar Rapids, Iowa in the amount of \$269,994. [Ward 1] **ADOPTED 2022-330**

19. Resolution awarding a contract for the Fire Station 3 project to Tricon General Construction of Dubuque Iowa, in the amount of \$10,784,000, CIP #63012. [Ward 7] **ADOPTED 2022-331**

20. Resolution awarding a contract for paratransit and other transit services to River Bend Transit of Davenport, Iowa. [All Wards] **ADOPTED 2022-332**

21. Resolution awarding a contract for the West 7th Street (Taylor Street to Washington Street) Inflow and Infiltration Removal project to Hawkeye Sewer & Water Construction of Bettendorf, Iowa in the amount of \$267,898, CIP #30057. [Ward 3] **ADOPTED 2022-333**

22. Resolution approving Change Order #1 to the Goose Creek Trail Phase II project with Midwest Concrete, Inc of Peosta, Iowa in the amount of \$378,670, CIP #28019. [Wards 7 & 8] **ADOPTED 2022-334**

23. Resolution making provision for the issuance of not to exceed \$45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023. [All Wards] **ADOPTED 2022-335**

24. Resolution approving an agreement with the Humane Society of Scott County for animal protection services. [All Wards] **ADOPTED 2022-336**

25. Resolution naming the City park on North Marquette Street as Robin Creek Park. [Ward 7] **ADOPTED 2022-337**

26. Resolution approving the renewal of general and auto liability, property, and workers' compensation insurance, as well as related professional services for FY 2023 with multiple insurance companies in the amount of \$1,725,999. [All Wards] **ADOPTED 2022-338**

27. Resolution approving a 28D Intergovernmental Agreement between the City of Davenport and the Davenport Community School District for the purpose of providing School Resource Officers at Davenport schools. [All Wards] **ADOPTED 2022-339**

28. Resolution adopting the Internal Revenue Service mileage rate to reimburse employees for use of a personal vehicle for City business. [All Wards] **ADOPTED 2022-340**

29. Motion approving noise variance requests for outdoor events on the listed dates and times. **PASSED 2022-341**

Brandelyn Avants; Graduation Party; 906 Northbrook Drive; Saturday, June 25, 2022 4:00 p.m. - 11:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 7]

Yoshi's Bar and Filipino Canteen; The Egg Drop at Yoshi's; 831 West 3rd Street; Saturday, June 25, 2022 and Saturday, July 30, 2022 7:00 p.m. - 12:00 a.m.; Outdoor music/band, over 50 dBA. [Ward 3]

Tim Shea; Belle Court 4th of July Block Party; 6123 Belle Court; Monday, July 4, 2022 10:00 a.m. - 10:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 8]

Coffee House; Brian Skow & Sons; 1315 Jersey Ridge Road; Saturday, July 9, 2022 5:00 p.m. - 8:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 5]

CASI; Rock the Lot; 1035 West Kimberly Road; Saturday, July 16, 2022 4:30 p.m. - 12:00 a.m.; Outdoor music/band, over 50 dBA. [Ward 7]

Michelle Russell; The Heights of the Era; Lindsay Park | 2200 East 11th Street; Saturday, July 30, 2022 9:00 a.m. - 10:30 p.m.; Outdoor music/bands, over 50 dBA. [Ward 5]

Dam View Inn; Bix Party; 410 East 2nd Street; Saturday, July 30, 2022 10:00 a.m. - 11:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 3]

30. Motion approving beer and liquor license applications. **PASSED 2022-342**

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

Ward 3

Palmer College of Chiropractic (Palmer College Foundation) - 1000 Brady Street - Temporary License with Outdoor Service - September 14-18 - License Type: Beer/Wine

Palmer College of Chiropractic (Palmer College Foundation) - 1005 Brady Street - Temporary License with Outdoor Service - September 14-18 - License Type: Beer/Wine

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

Ward 1

Casey's General Store #2077 (Casey's Marketing Company) - 3700 West Locust Street - License Type: Class B Liquor

Ward 4

Washington St Mini Mart (Nazar, LLC) - 1601 Washington Street - License Type: Class E Liquor

Ward 6

New Ground Theatre (New Ground Theatre) - 2113 East 11th Street – License Type: Class C Liquor

Ward 7

Chuck E Cheese's #957 (CEC Entertainment, LLC) - 903 East Kimberly Road - License Type: Beer/Wine

Ward 8

Save More Super Market (Guru Nanak Food Mart) - 6723 Northwest Boulevard - License Type: Class E Liquor

Iowa Machine Shed (Machine Shed, LLC) - 7250 Northwest Boulevard - License Type: Class C Liquor

C. Request for exemptions for 19- and 20-year-olds on-premises:

Ward 3

Varieties Nightclub (Newman's Arcade & Amusement, LLC) - 822 West 2nd Street - Event with Outdoor Area July 1-2 - License Type: Class C Liquor

31. Motion approving the Annual Action Plan for Year 48 (July 1, 2022 - June 30, 2023) for the CDBG and HOME Programs, and authorizing the City Administrator or her designees to sign necessary documents and agreements. [All Wards] **PASSED 2022-343**

32. Motion ratifying Change Orders #1 & #2 with CDMI Concrete Contractors of Port Byron, Illinois for the Jackson Avenue (Clark Street to Farragut Street) Overlay and Intersection Reconstruction project in the amount of \$52,348.20, CIP #35054. [Ward 1] **PASSED 2022-344**

33. Motion awarding a contract for the West 69th Street and Jebens Avenue Resurfacing project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$98,039.25, CIP #35054. [Ward 8] **PASSED 2022-345**

34. Motion approving the purchase of fiber vaults for 53rd Street Phase II from Graybar Electric Company Inc of Davenport, Iowa in the amount of \$77,108.50, CIP #67007. [Wards 6 & 8] **PASSED 2022-346**

35. Motion approving the renewal of a facility management agreement for the RiverCenter and Adler Theater through August 31, 2026 with VenuWorks, Inc of Ames, Iowa. [Ward 3]

PASSED 2022-347

XII. Other Ordinances, Resolutions and Motions

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

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

Motion approving the following noise variance request on the listed date and time.

Davenport North Little League; End of Season Event; Ridgeview Park | 1700 West 70th Street; Friday, June 24, 2022 beginning at sunset for 10-20 minutes; Fireworks, over 50 dBA. [Ward 8]

PASSED 2022-348

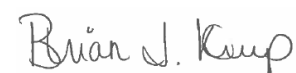
XIII. Public with Business

XIV. Reports of City Officials

The following is a summary of revenue received for the month of May 2022:

Property Taxes	\$3,259,118
Other City Taxes	\$2,847,606
Special Assessments	\$-
Licenses & Permits	\$152,153
Intergovernmental	\$1,316,005
Charges for Services	\$4,103,115
Use of Monies & Property	\$73,816
Fines & Forfeits	\$152,971
Bonds/Loan Proceeds	\$22,617
Miscellaneous	\$829,435

XV. Adjourn **6:24 p.m.**



Brian J. Krup
Deputy City Clerk