City of Davenport, Iowa

City Council Meeting Minutes

Wednesday, April 12, 2023

The City Council of Davenport, Iowa met in regular session on Wednesday, April 12, 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 (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 Cornette

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes **APPROVED**

Approval of the City Council Meeting minutes for March 22, 2023.

VI. City Administrator Update

VII. Report on Committee of the Whole **APPROVED**

Approval of the Report on Committee of the Whole for April 5, 2023.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, April 5, 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 Condon. 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. for Case REZ23-01 being the request of Midwest Fidelity Partners LLC to rezone 1930 and 1934 North Division Street and 1711 West Pleasant Street from R-4C Single-Family and Two-Family Central Residential District to C-2 Corridor Commercial District; and 2. for Case ROW23-01 being the request of Midwest Fidelity Partners LLC to vacate the alley right-of-way located west of Division Street between West Pleasant Street and Hickory Grove Road.* ***Public Works:*** *1. on the plans, specifications, form of contract, and estimate of cost for the Fire Station #3 Furniture, Fixtures, and Equipment project, CIP #63012; and 2. on the plans, specifications, form of contract, and estimate of cost for the Davenport Police Department Parking Garage Repair project, CIP #23031.* ***Finance:*** *1. on an amended Sewer Revenue Loan and Disbursement Agreement and providing for the issuance and securing the payment of $9,607,376.46 Sewer Revenue Improvement and Refunding Bond, Series 2023.*

The following Proclamations were issued: Fair Housing Month | April 2023; National Community Development Week | April 10 - 14, 2023; and Junior Achievement Day | April 6, 2023, ***2023-156.***

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 both items moved to the Discussion Agenda.* ***Public Safety:*** *Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Ortiz all 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 #1,* *First Consideration: Ordinance providing for the sale and issuance of $35,155,000 General Obligation Corporate Bonds, Series 2023, and for the levy of taxes to pay the same, moved to the Discussion Agenda with a staff recommendation for suspension of the rules and passage of second and third considerations, and all other items moved to the Consent Agenda.*

*Council adjourned at **6:17 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments **APPROVED 2023-157**

1. Historic Preservation Commission

- Christopher Kretz (new appointment)

B. Proclamations **ISSUED 2023-158**

1. Earth Week | April 18 - 24, 2023
2. Arbor Day | April 28, 2023

IX. Presentations **HELD**

A. Davenport Fire Department Swearing-In Ceremony

- Kyle Davis
- Nicholas Marino
- Kayla Jones
- Nevin Goettsch
- Megan Frey
- Justinian (Kelan) Keimig
- Logan Sehie
- Aiden Gonzalez
- Caleb Trier
- Zackary Caddell

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. *On motion by Alderman Jobgen, second by Alderman Ortiz and all Aldermen present voting aye except Alderman Cornette, the following Ordinance moved to second consideration:*

First Consideration: Ordinance for Case REZ23-01 being the request of Midwest Fidelity Partners LLC to rezone 1930 and 1934 North Division Street and 1711 West Pleasant Street from R-4C Single-Family and Two-Family Central Residential District to C-2 Corridor Commercial District. [Ward 4] **MOVED TO SECOND CONSIDERATION**

2. *On motion by Alderwoman Dickmann, second by Alderman Gripp and all Aldermen present voting aye, the following Ordinance moved to second consideration:*

First Consideration: Ordinance for Case ROW23-01 being the request of Midwest Fidelity Partners LLC to vacate the alley right-of-way located west of North Division Street between

West Pleasant Street and Hickory Grove Road. [Ward 4]

MOVED TO SECOND CONSIDERATION

3. *A motion was introduced to amend the Ordinance below to reflect the results of the bond sale to insert TD Securities as the winning firm with a true interest rate of 2.8377% and a total bond issue of $31,880,000, moved by Alderwoman Dickman and seconded by Alderman Ortiz. Upon the roll being called, all Aldermen present voted aye.*

On motion by Alderwoman Dickmann, second by Alderman Ortiz and all Aldermen present voting aye, the amended Ordinance moved to second consideration.

Per recommendation by staff to suspend the rules for passage of second and third considerations, a motion was moved by Alderman Ortiz and seconded by Alderwoman Dickmann. Upon the roll being called and all Aldermen present voting aye, the rules were suspended.

On motion by Alderman Ortiz, second by Alderwoman Meginnis and all Aldermen present voting aye, the Ordinance was adopted.

First Consideration: Ordinance providing for the sale and issuance of $35,155,000 General Obligation Corporate Bonds, Series 2023, and for the levy of taxes to pay the same. [All Wards]

ADOPTED 2023-159

ORDINANCE NO. **2023-159**

An Ordinance providing for the sale and issuance of $31,880,000 General Obligation Corporate Bonds, Series 2023, and for the levy of taxes to pay the same

WHEREAS, the City of Davenport (the "City"), in Scott County, Iowa, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, and pursuant to notice duly published and a hearing held thereon on June 15, 2022, has proposed that it is in the best interest of the City that not to exceed $45,000,000 General Obligation Bonds be authorized by the City to provide funds to pay costs in connection with making improvements to sanitary sewers, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities, and municipal parks; acquiring and maintaining vehicles and/or equipment for municipal parks, streets, public safety department, solid waste collection, and the municipal library; repair and maintenance of bridges; information technology improvements; municipal housing projects; and current refunding (the "Refunding") the City's outstanding $17,715,000 General Obligation Corporate Bonds, Series 2015, dated May 10, 2015; and

WHEREAS, a preliminary official statement (the "Preliminary Official Statement") has been prepared in connection with the sale of the General Obligation Corporate Bonds, Series 2023 (the "Series 2023 Bonds"), and the City Council has made provision for the approval of the Preliminary Official Statement and has authorized its use by PFM Financial Advisors LLC (the "Financial Advisor"), as municipal financial advisor to the City; and

WHEREAS, in order to pay the costs of the purposes set forth above except for the Refunding, sealed bids for the purchase of the Series 2023 Bonds were received and canvassed on behalf of the City; and

WHEREAS, the Financial Advisor has reported that, upon review of all bids received for the purchase of the Series 2023 Bonds, the bid of TD Securities, New York, NY, (the "Purchaser") proposes the lowest interest cost to the City and the City should issue the Series 2023 Bonds in the principal amount of $31,880,000; and

WHEREAS, it is necessary at this time to award the Series 2023 Bonds to the Purchaser and to adopt an ordinance to provide for the principal amount, interest rates and other terms of issuance of the Series 2023 Bonds and the levy of taxes to pay the same;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The bid referred to in the preamble hereof is hereby accepted, and the Series 2023 Bonds are hereby awarded to the Purchaser at the price specified in such bid, together with accrued interest.

Section 2. The form of agreement of sale of the Series 2023 Bonds is hereby approved, and the Mayor and Deputy City Clerk are hereby authorized to execute the same for and on behalf of the City.

Section 3. The Series 2023 Bonds, dated May 10, 2023, in the denomination of $5,000 each or any integral multiple thereof, are hereby authorized to be issued in the aggregate principal amount of $31,880,000, and shall mature on June 1 in each of the years, in the respective principal amounts and bear interest at the respective rates, as follows:

Year	Principal Amount	Interest Rate Per Annum	Year	Principal Amount	Interest Rate Per Annum
2024	$9,565,000	5.00%	2032	$1,495,000	5.00%
2025	$1,455,000	5.00%	2033	$1,565,000	5.00%
2026	$1,530,000	5.00%	2034	$1,645,000	4.00%
2027	$1,610,000	5.00%	2035	$1,710,000	4.00%
2028	$1,685,000	5.00%	2036	$1,780,000	4.00%
2029	$1,290,000	5.00%	2037	$1,850,000	4.00%
2030	$1,355,000	5.00%	2038	$1,925,000	4.00%
2031	$1,420,000	5.00%			

Section 4. The CFO/Assistant City Administrator is hereby designated as the Bond Registrar and Paying Agent for the Series 2023 Bonds and may be hereinafter referred to as the "Bond Registrar" or the "Paying Agent".

All of the interest on the Series 2023 Bonds is payable semiannually on the first day of June and December in each year, commencing December 1, 2023. Payment of interest on the Series 2023 Bonds shall be made in lawful money of the United States of America to the registered owners appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Series 2023 Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Series 2023 Bond or Bonds at the office of the Paying Agent.

The City reserves the right to call for redemption prior to maturity the Series 2023 Bonds maturing in the years 2032 to 2038, inclusive, in whole or from time to time in part, in one or more units of $5,000, on June 1, 2031, or on any date thereafter prior to and in any order of maturity (and within a maturity by lot), upon terms of par and accrued interest. If less than all of the Series 2023 Bonds of any like maturity are to be redeemed, the particular part of those Series 2023 Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2023 Bonds may be called in part in one or more units of $5,000.

If less than the entire principal amount of any Series 2023 Bond in a denomination of more than $5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2023 Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2023 Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Series 2023 Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Series 2023 Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Series 2023 Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

The Series 2023 Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Deputy City Clerk, and shall be fully registered bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Series 2023 Bonds shall cease to be such officer before the delivery of the Series 2023 Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

The Series 2023 Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Bond Registrar. Each Series 2023 Bond shall be transferable only upon the registration books of the City upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Series 2023 Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Series 2023 Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 5. Notwithstanding anything above to the contrary, the Series 2023 Bonds shall be issued initially as Depository Bonds, with one fully registered Series 2023 Bond for each maturity date, in aggregate principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Series 2023 Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Series 2023 Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Series 2023 Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of $5,000 or integral multiples of $5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Series 2023 Bonds.

Ownership interest in the Series 2023 Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Series 2023 Bonds as nominees will not receive certificated Series 2023 Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Series 2023 Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Series 2023 Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for which they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for which the Participant acquires an interest in the Series 2023 Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Series 2023 Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Series 2023 Bonds acquired. Transfers of ownership interest in the Series 2023 Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Series 2023 Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The form of the Series 2023 Bonds shall be substantially as follows:

(Form of Series 2023 Bond)

UNITED STATES OF AMERICA
STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

GENERAL OBLIGATION CORPORATE BOND, SERIES 2023

No. ____ $_________

RATE	MATURITY DATE	BOND DATE	CUSIP
__________%	May 10, 2023	_____________	238388-___

The City of Davenport (the "City"), in Scott County, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, New York

or registered assigns, the principal sum of

DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of the CFO/Assistant City Administrator, Davenport, Iowa (hereinafter referred to as the "Bond Registrar" or the "Paying Agent"), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2023. Interest on this Bond is payable to the registered owner appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owner at the address shown on such registration books.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Bond Registrar.

This Bond is one of a duly authorized series of General Obligation Corporate Bonds, Series 2023 (the "Series 2023 Bonds"), issued by the City in the aggregate principal amount of $31,880,000, pursuant to and in strict compliance with the laws of the State of Iowa and the special Charter of the City, and all laws amendatory thereof and supplementary thereto, and in conformity with an ordinance (the "Ordinance") adopted by the City Council of the City providing for the issuance of the Series 2023 Bonds and for the levy of taxes to pay the same for the purpose of paying costs in connection with various improvements and projects in the City.

The City reserves the right to prepay part or all of the principal of the Series 2023 Bonds maturing in each of the years 2032 to 2038, inclusive, prior to and in any order of maturity on June 1, 2031, or on any date thereafter upon terms of par and accrued interest. If less than all of the Series 2023 Bonds of any like maturity are to be redeemed, the particular part of those Series 2023 Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2023 Bonds may be called in part in one or more units of $5,000. If less than the entire principal amount of any Series 2023 Bond in a denomination of more than $5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2023 Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2023 Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. All of such Series 2023 Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Bond Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Bond Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purposes of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Bond Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional, statutory or Charter limitations or provisions.

IN TESTIMONY WHEREOF, the City of Davenport, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its Deputy City Clerk, all as of May 10, 2023.

CITY OF DAVENPORT, IOWA

By (DO NOT SIGN) ______________________
Mayor

Attest:

(DO NOT SIGN)____________________
Deputy City Clerk

Registration Date: (Registration Date)

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Series 2023 Bonds described in the within-mentioned Ordinance.

By (DO NOT SIGN) ______________________
CFO/Assistant City Administrator

ABBREVIATIONS

TEN COM	-	as tenants in common	UTMA______________________
TEN ENT	-	as tenants by the entireties	______________________ (Custodian)
JT TEN	-	as joint tenants with right of survivorship and not as tenants in common	As Custodian for______________ (Minor) under Uniform Transfers to Minors Act ______________________ (State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint ______________________________, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: ____________________

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 7. The Series 2023 Bonds shall be executed as herein provided as soon after the adoption of this ordinance as may be possible, and thereupon they shall be delivered to the Bond Registrar for registration, authentication and delivery to or upon the order of the Purchaser, upon confirmation of receipt by the Bond Registrar of the purchase price thereof, with accrued interest thereon, and all action heretofore taken in connection with the sale and award of the Series 2023 Bonds is hereby ratified and confirmed in all respects. The proceeds from the sale of the 2023 Bonds shall be used for the purposes identified in the preamble hereof, including the payment of costs of issuance of said Bonds.

Section 8. As required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Series 2023 Bonds as it falls due on December 1, 2023, and on each interest payment date thereafter to maturity, and also to pay and discharge the principal thereof at maturity, there is hereby ordered levied on all the taxable property in the City in each of the years while the Series 2023 Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the City the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2023,

sufficient to produce the net annual sum of $11,157,686;

For collection in the fiscal year beginning July 1, 2024,

sufficient to produce the net annual sum of $2,481,650;

For collection in the fiscal year beginning July 1, 2025,

sufficient to produce the net annual sum of $2,483,900;

For collection in the fiscal year beginning July 1, 2026,

sufficient to produce the net annual sum of $2,487,400;

For collection in the fiscal year beginning July 1, 2027,

sufficient to produce the net annual sum of $2,481,900;

For collection in the fiscal year beginning July 1, 2028,

sufficient to produce the net annual sum of $2,002,650;

For collection in the fiscal year beginning July 1, 2029,

sufficient to produce the net annual sum of $2,003,150;

For collection in the fiscal year beginning July 1, 2030,

sufficient to produce the net annual sum of $2,000,400;

For collection in the fiscal year beginning July 1, 2031,

sufficient to produce the net annual sum of $2,004,400;

For collection in the fiscal year beginning July 1, 2032,

sufficient to produce the net annual sum of $1,999,650;

For collection in the fiscal year beginning July 1, 2033,

sufficient to produce the net annual sum of $2,001,400;

For collection in the fiscal year beginning July 1, 2034,

sufficient to produce the net annual sum of $2,000,600;

For collection in the fiscal year beginning July 1, 2035,

sufficient to produce the net annual sum of $2,002,200;

For collection in the fiscal year beginning July 1, 2036,

sufficient to produce the net annual sum of $2,001,000; and

For collection in the fiscal year beginning July 1, 2037,

sufficient to produce the net annual sum of $2,002,000.

Section 9. A certified copy of this ordinance shall be filed with the County Auditor of Scott County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Series 2023 Bonds hereby authorized and for no other purposes whatsoever. The amounts received by the City as accrued interest shall be deposited into such special account and used to pay interest due on the Series 2023 Bonds on the first interest payment date.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 11. The City has heretofore determined that certain revenues from special funds shall be available for retirement of that portion of the Series 2023 Bonds utilized to defray the costs of certain projects related to such funds. Therefore, such funds may be employed and used to the extent available from year to year for the payment of that portion of the principal of and interest on the Series 2023 Bonds which is applicable to that portion of the total Series 2023 Bond issue applicable to such fund. Each year while any of said Series 2023 Bonds remain outstanding and unpaid, such of said available funds in amounts sufficient to meet the interest on that portion of the Series 2023 Bonds applicable to such fund and to pay the principal becoming due on such portion of the Series 2023 Bonds during each year may be used for that purpose, in accordance with the Series 2023 Bond Financing Plan on file with the CFO/Assistant City Administrator, and in that event, the tax hereinbefore provided for the payment of such interest and principal may be reduced by the amount so used. The Deputy City Clerk is hereby authorized and directed to certify to the County Auditor of Scott County as to the remission or reduction of said ad valorem tax so that said tax, to the extent such fund is actually available and set aside for such purpose, shall not be extended or entered upon the tax rolls for collection.

It is hereby declared to be the purpose and intent of the City to issue the Series 2023 Bonds hereby authorized as general municipal obligations, but at the same time permitting the use of such funds for the payment of the principal of and interest on that portion of the Series 2023 Bonds issued with respect to such funds.

Section 12. All funds held in any fund or account created or required to be maintained under the terms of this ordinance shall be deposited in lawful depositories of the City or invested in accordance with Chapters 12B and 12C of the Code of Iowa and continuously held and secured as provided by the laws of the State of Iowa relating to the depositing, securing, holding and investing of public funds, or as may be otherwise required to comply with the rebate provisions of the Internal Revenue Code.

All interest received by the City as a result of investments under this section in excess of the amount, if any, required to be paid to the United States Government in order to comply with the rebate provisions of the Internal Revenue Code, shall be deposited into or transferred to the Debt Service Fund subaccount referred to herein and used solely and only for the purpose of paying principal of and/or interest on the Series 2023 Bonds. The City hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the Series 2023 Bonds to become taxable as "arbitrage bonds" pursuant to the provisions of Section 148 of the Internal Revenue Code.

Section 13. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of $1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, it has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Series 2023 Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 14. It is the intention of the City that interest on the Series 2023 Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Series 2023 Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

Section 15. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
Adopted 4/12/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

XII. Approval of All Items on the Consent Agenda

Approval of the Consent Agenda was moved by Alderwoman Meginnis and seconded by Alderman Ortiz. Alderman Jobgen requested to remove item #12 from the Consent Agenda for further discussion. After discussion the item was placed back on the consent agenda. Upon the roll being called, all Aldermen presented voted aye with Alderman Kelly, Alderwoman Lee, Alderman Jobgen, and Alderman Cornette voting nay to item #12 and Alderman Jobgen abstaining from the Assumption High School - Temporary Event "April Knight" liquor license application under item #22.

1. Third Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" by adding 6th Street along the south side from 75 feet east of Ripley Street, east 80 feet thereto. [Ward 3] **ADOPTED 2023-160**

ORDINANCE NO. **2023-160**

AN ORDINANCE AMENDING SCHEDULE XI RESIDENT PARKING ONLY OF CHAPTER 10.96 ENTITLED "SCHEDULES" BY ADDING 6TH STREET ALONG THE SOUTH SIDE FROM 75 FEET EAST OF RIPLEY STREET, EAST 80 FEET THERETO.

Section 1. That Schedule XI Resident Parking Only of Chapter 10.95 entitled "Schedules" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

6th Street along the south side from 75 feet east of Ripley Street, east 80 feet.

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 4/12/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" by adding Bridge Avenue along the frontage of 1032 Bridge Avenue thereto. [Ward 5] **ADOPTED 2023-161**

ORDINANCE NO. **2023-161**

AN ORDINANCE AMENDING SCHEDULE XI RESIDENT PARKING ONLY OF CHAPTER 10.96 ENTITLED "SCHEDULES" BY ADDING BRIDGE AVENUE ALONG THE FRONTAGE OF 1032 BRIDGE AVENUE THERETO.

Section 1. That Schedule XI Resident Parking Only of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

Bridge Avenue along the frontage of 1032 Bridge Avenue.

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 4/12/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Second Consideration: Ordinance amending Schedule I Snow Routes of Chapter 10.96 entitled "Schedules" by deleting various streets throughout the city therefrom. [Wards 1, 3, & 8] **MOVED TO THIRD CONSIDERATION**

4. First Consideration: Ordinance amending Chapter 5.10 entitled "Alcoholic Beverage Control" by repealing the current Chapter 5.10 and enacting a new Chapter 5.10 entitled "Alcoholic Beverage Control" in its place. [All Wards] **MOVED TO SECOND CONSIDERATION**

5. Resolution approving street, lane, or public ground closure requests for the listed dates and times to hold outdoor events. **ADOPTED 2023-162**

Knights of Columbus/St. Paul the Apostle; Blue Mass; 916 East Rusholme Street; Tuesday, May 16, 2023 4:30 p.m. - 8:00 p.m.; **Closure:** East Rusholme Street from Arlington Avenue to Carey Avenue. [Ward 5]

Quad Cities Bicycle Club; Kwik Star Criterium; Village of East Davenport; Monday, May 29, 2023 5:00 a.m. – 9:00 p.m.; **Closures:** Mound Street from East 11th Street to East 12th Street; East 12th Street/Fulton Avenue from Mound Street to Glenwood Avenue; Glenwood Avenue from Fulton Avenue to Hillcrest Avenue; Hillcrest Avenue from Glenwood Avenue to River Street; East 11th Street from Mound Street to River Street. [Ward 5]

Village of East Davenport Business Association; Village Hops; Village of East Davenport; Saturday, June 17, 2023 12:00 p.m. - 8:00 p.m.; **Closures:** East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street north to the alley; Jersey Ridge Road from East 11th Street north to the alley. [Ward 5]

6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Fire Station #3 Furniture, Fixtures, and Equipment project, CIP #63012. [Ward 7]
ADOPTED 2023-163

7. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Davenport Police Department Parking Garage Repair project, CIP #23031. [Ward 3]
ADOPTED 2023-164

8. Resolution awarding a contract for the 3rd and Brady Streetscaping project to Centennial Contractors of the Quad Cities of Moline, Illinois in the amount of $456,273, CIP #60035. [Ward 3] **ADOPTED 2023-165**

9. Resolution awarding a contract for the North Clark Street (West 11th Street to West 13th Street) Reconstruction project to Five Cities Construction Company of Coal Valley, Illinois in the amount of $821,083.90, CIP #35062. [Wards 1, 3, & 4] **ADOPTED 2023-166**

10. Resolution awarding a contract for the West 36th Street (Pacific Street to North Division Street) Reconstruction project to Hawkeye Paving Corporation of Davenport, Iowa in the amount of $816,730.10, CIP #35062. [Ward 2] **ADOPTED 2023-167**

11. Resolution awarding a contract for the Fairmount Community Center project to Precision Builders, Inc of Bettendorf, Iowa in the amount of $2,868,972, ARP #09. [Ward 1]
ADOPTED 2023-168

12. Resolution approving Amendment #1 to Sasaki Associates, Inc of Denver, Colorado in the amount of $1,106,665 for the Destination Iowa | Main Street Landing project, ARP #12. [Ward 3] **ADOPTED 2023-169**

13. Resolution approving Change Order #1 to CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $200,000 for the FY 2023 Sealcoat Road Rehabilitation Program, CIP #35054. [Wards 1 & 2] **ADOPTED 2023-170**

14. Resolution awarding a contract with the Center for Transportation and the Environment (CTE) of Atlanta, Georgia for consulting services regarding the purchase and deployment of four electric buses and related infrastructure in an amount not-to-exceed $495,000. [All Wards] **ADOPTED 2023-171**

15. Resolution approving and adopting Davenport's contributions to and submission of an updated 5-year Scott County Multi-Jurisdictional Hazard Mitigation Plan to the Federal Emergency Management Agency (FEMA) by the Bi-State Regional Commission and the Scott County Emergency Management Agency for the purpose of updating and renewing the plan. [All Wards] **ADOPTED 2023-172**

16. Resolution authorizing the submission of a Hazard Mitigation Assistance (HMA) grant application to the Federal Emergency Management Agency (FEMA) for financial assistance with the River Drive and Marquette Street Flood Mitigation project. [Ward 3]
ADOPTED 2023-173

17. Resolution to fix meeting date for hearing on the issuance of not-to-exceed $31,000,000 General Obligation Corporate Bonds, Series 2024. [All Wards] **ADOPTED 2023-174**

18. Resolution setting a Public Hearing on amending the FY 2023 Operating and Capital Improvement Budgets. [All Wards] **ADOPTED 2023-175**

19. Resolution authorizing and approving an amended Sewer Revenue Loan and Disbursement Agreement and providing for the issuance and securing the payment of $9,607,376.46 Sewer Revenue Improvement and Refunding Bond, Series 2023. [All Wards] **ADOPTED 2023-176**

20. Resolution approving six 2023 Open Prairie/Forest Cover property tax exemptions. [Wards 1, 6, & 8] **ADOPTED 2023-177**

21. Motion approving a noise variance request for the listed date and time for an outdoor event. **PASSED 2023-178**

German American Heritage Center and Museum; Best of the Wurst; 712 West 2nd Street; Saturday, June 17, 2023 11:00 a.m. - 3:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 3]

22. Motion approving beer and liquor license applications. **PASSED 2023-179**

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

Ward 7

Assumption High School (Assumption High School) - Temporary Event "April Knight" April 22 - 1020 West Central Park Avenue - License Type: Class C Liquor (On-Premises)

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

Ward 1

QC Mart (Bethany Enterprises, Inc) - 2747 Rockingham Road – License Type: Class B Beer (Carry-Out)

Ward 2

The Devil's Door (The Devil's Door, LLC) - 4908 North Pine Street – Outdoor Area - License Type: Class C Liquor (On-Premises)

Rina Mart, LLC (Rina Mart, LLC) - 3815 West Kimberly Road - License Type: Class E Liquor (Carry-Out)

Ward 3

Antonella's II, LLC (Antonella's II, LLC) - 421 West River Drive #5 – Outdoor Area - License Type: Beer/Wine (On-Premises)

At the Stardust (At the Stardust, LLC) - 218 Iowa Street - License Type: Class C Liquor (On-Premises)

Cru 221 (Cru 221, LLC) - 221 Brady Street - License Type: Class C Liquor (On-Premises)

Geezer's Drafthouse (Geezers, Inc) - 1654 West 3rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Iowa Mini Mart (Samreet, LLC) - 234 West 3rd Street - License Type: Class E Liquor (Carry-Out)

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

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License Type: Class C Liquor (On-Premises)

Ward 4

Cedar Street Inn (Fleetfood, Inc) - 810 Cedar Street - License Type: Class C Liquor (On-Premises)

Famous Liquors (Jay Liquor, Inc) - 2604 West Locust Street - License Type: Class E Liquor (Carry-Out)

Hy-Vee Fast and Fresh #5 (Hy-Vee, Inc) - 2353 West Locust Street – License Type: Class E Liquor (Carry-Out)

Ward 5

Grilled Cheese Bar (Tbs Enterprises, LLC) - 1019 Mound Street – License Type: Class C Liquor (On-Premises)

Ward 6

Aldi Inc #80 (Aldi, Inc - Corporation) - 5262 Elmore Avenue - License Type: Class B Retail (Carry-Out)

Biaggi's Ristorante Italiano, LLC (Biaggi's Ristorante Italiano, LLC) – 5195 Utica Ridge Road - License Type: Class C Liquor (On-Premises)

Fresh Thyme Farmers Market (Lakes Venture, LLC) - 2130 East Kimberly Road - License Type: Class B Beer (Carry-Out)

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

Pints (Pub @ Utica, LLC) - 5268 Utica Ridge Road - Outdoor Area – License Type: Class C Liquor (On-Premises)

Your Pie (The Gizzeria Group, Inc) - 4520 East 53rd Street #400 – Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Ward 7

Mo Brady's (DRC Ventures, Inc) - 4830 North Brady Street - License Type: Class C Liquor (On-Premises)

Ward 8

Big 10 Mart (Molo Oil Company) - 5310 North Brady Street - License Type: Class B Beer (Carry-Out)

QC Marts (Bethany Enterprises, Inc) - 6807 Northwest Boulevard - License Type: Class B Beer (Carry-Out)

C. Request For 19/20-Year-Old Exemption

Ward 3

At the Stardust (At the Stardust, LLC) - 218 Iowa Street - License Type: Class C Liquor (On-Premises)

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License Type: Class C Liquor (On-Premises)

23. Motion awarding a contract for the We-Go Swing Installation at Vander Veer Botanical Park to The Henley Group, LLC of Muscatine, Iowa in the amount of $71,955, CIP #64070. [Ward 5] **PASSED 2023-180**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **6:29 p.m.**

Brian J. Krup

Brian J. Krup
Deputy City Clerk