

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, March 25, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, March 25, 2020 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Mike Matson presiding and all Aldermen present (the following Aldermen were present via telephone: Ald. Dickmann, Ald. Dohrmann, Ald. Jobgen, Ald. Lee, Ald. Meginnis, and Ald. Peacock). A partially electronic meeting was held because a fully "in person" meeting was impossible or impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation directing social distancing and placing restrictions on gatherings.

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting minutes for March 11, 2020.

VI. City Administrator Update

COVID-19 Status Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for March 18, 2020.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, March 18, 2020--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:32 p.m. with Mayor Matson presiding and all Aldermen present (the following Aldermen were present via telephone: Ald. Meginnis, Ald. Lee, Ald. Condon, Ald. Peacock, Ald. Dickmann, and Ald. Jobgen). It should be noted that this was a partially electronic meeting because a fully "in person" meeting was impossible or impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation directing social distancing and placing restrictions on gatherings.

The following Public Hearings were held: Community Development: 1) on the recommendations for Year 46 (July 1, 2020 – June 30, 2021) Community Development Block Grant (CDBG) funds; Public Works: 1) on the plans, specifications, form of contract, and estimate of cost for the RiverCenter Door & Hardware Replacement Project, CIP #69014; and Finance: 1) on the proposed conveyance of the vacated right-of-way known as part of Dugan & Rauch's 2nd Addition lying northwesterly of Lot 14 of Dugan & Rauch's 2nd Addition; and 2) on the FY21 Operating Budget, FY21 Capital Improvement Budget, and the FY21 - FY26 Capital Improvement Plan.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Gripp reviewed all items listed. On motion by Ald. Ambrose, second by Ald. Dunn all items moved to the Consent Agenda. Public Safety: Ald. Ambrose reviewed all items listed. On motion by Ald. Ambrose, second by Ald. Meginnis all items moved to the Consent Agenda except

*the annual liquor license renewal for Pints which will be voted on later on the agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Dohrmann, second by Ald. Gripp all items moved to the Consent Agenda. Finance: Ald. Dohrmann reviewed all items listed. On motion by Ald. Dohrmann, second by Ald. Ambrose item #1 (First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$51,225,000 General Obligation Corporate and Refunding Bonds, Series 2020, and for the levy of taxes to pay the same), item #2 (First Consideration: Ordinance amending various sections in Chapter 2.58 to ban the practice of conversion therapy in the City of Davenport), and item #4 (Resolution approving a First Amendment to the Letter of Agreement dated April 24, 2019 with Main Street Iowa, LLC to insert the Workout Room Addition Project into the list of capital improvement projects to be completed at Modern Woodmen Park and directing the City Administrator to amend the FY20 Budget to provide the necessary funding) moved to the Discussion Agenda and all other items moved to the Consent Agenda. Other Ordinances, Resolutions, and Motions: On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye except Ald. Lee, the rules were suspended to vote on the Motion approving the annual liquor license renewal for Pints (Pub @ Utica, LLC) – 5268 Utica Ridge Rd – Outdoor Area – License Type: C Liquor. On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye, that Motion passed, **2020-127**.
Council adjourned at 6:47 p.m.*

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2020-128

1. Riverfront Improvement Commission

- Neil Kosman (5th Ward - New Appointment)
- William Ashton (6th Ward - Re-Appointment)

2. Citizens Advisory Committee

- Mark Holloway (Mayoral - Re-Appointment)
- Dave Woods (Mayoral - New Appointment)
- Joseph Obleton (Mayoral - Re-Appointment)
- Austin Bird (Mayoral - Re-Appointment)
- Tushar Patel (Mayoral - New Appointment)
- Jim Hoepner (At-Large 1 - Re-Appointment)
- Regen Johnson (At-Large 2 - Re-Appointment)
- Tami Lord (1st Ward - Re-Appointment)
- Chad Kiefer (2nd Ward - Re-Appointment)
- Joseph Winckler (3rd Ward - New Appointment)
- Elizabeth Hodges (4th Ward - Re-Appointment)
- Kristi Miller (5th Ward - Re-Appointment)

- Dale Gilmour (6th Ward - Re-Appointment)
- Fred Classon (7th Ward - Re-Appointment)
- Christina Kelly (8th Ward - Re-Appointment)

3. Design Review Board

- George Rashid (New Appointment)

4. Plan & Zoning Commission

- Stephen Garrington (Re-Appointment)
- Barbara Maness (Re-Appointment)

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. A motion was introduced to amend the Ordinance reflecting that all bids were rejected as the City plans to pursue a private placement option. That motion was moved by Ald. Ambrose, seconded by Ald. Gripp with all Aldermen voting aye.

On motion by Ald. Gripp, second by Ald. Condon with all Aldermen present voting aye, the Ordinance moved to second consideration as amended.

First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$51,225,000 General Obligation Corporate and Refunding Bonds, Series 2020, and for the levy of taxes to pay the same. [All Wards] **ADOPTED 2020-129**

STAFF RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE OF SECOND AND THIRD CONSIDERATIONS

i. On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye, the rules were suspended for passage of second and third considerations of the Ordinance.

ii. On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye (Ald. Peacock was attending the meeting electronically and lost the connection during this vote), the Ordinance was adopted as amended.

ORDINANCE NO. **2019-129**

An Ordinance providing for the sale and issuance of \$51,225,000 General Obligation Corporate and Refunding Bonds, Series 2020, and for the levy of taxes to pay the same

WHEREAS, the City of Davenport, in Scott County, Iowa (the "City"), in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, has previously issued its General Obligation Corporate Bonds, Series 2012 (the "Series 2012 Bonds"), and, in the ordinance authorizing the issuance of the Series 2012 Bonds, the City reserved the right to call for early redemption as of June 1,

2020, the maturities of the Series 2012 Bonds coming due after June 1, 2020 (the "Callable Series 2012 Bonds"); and

WHEREAS, the City also has previously issued its General Obligation Refunding Bonds, Series 2012D (the "Series 2012D Bonds"), and, in the ordinance authorizing the issuance of the Series 2012D Bonds, the City reserved the right to call for early redemption as of June 1, 2020, the maturities of the Series 2012D Bonds coming due after June 1, 2020 (the "Callable Series 2012D Bonds"); and

WHEREAS, the City also has previously issued its Taxable General Obligation Refunding Bonds, Series 2012B (the "Taxable Series 2012B Bonds"), and, in the ordinance authorizing the issuance of the Taxable Series 2012B Bonds, the City reserved the right to call for early redemption as of June 1, 2020, the maturities of the Taxable Series 2012B Bonds coming due after June 1, 2020 (the "Callable Taxable Series 2012B Bonds"); and

WHEREAS, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, notice duly published and a hearing held thereon, the City Council of the City has determined it to be in the best interests of the City to issue General Obligation Corporate and Refunding Bonds, Series 2020 (the "Series 2020 Bonds") for the purpose of paying costs in connection with various improvements and projects in the City and refunding the Callable Series 2012 Bonds and the Callable Series 2012D Bonds; and

WHEREAS, sealed bids for the purchase of the Series 2020 Bonds were received and canvassed on behalf of the City; and

WHEREAS, PFM Financial Advisors, LLC, municipal advisor for the City, has recommended that, upon review of all bids received for the purchase of the Series 2020 Bonds, all competitive bids be rejected; and

WHEREAS, it is necessary at this time to reject all competitive bids for the Series 2020 Bonds to adopt an ordinance consistent with that recommendation to allow for private placement consideration, and to direct the notification of the holders of such bonds;

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

Section 1. The bids referred to in the preamble hereof are hereby rejected, and the Series 2020 Bonds are not awarded to any Purchaser. Further, the City Council will explore private placement options for consideration.

Section 2. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
Approved: 3/25/2020, Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. On my motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye, the following Ordinance moved to second consideration:

First Consideration: Ordinance amending various sections in Chapter 2.58 to ban the practice of conversion therapy in the City of Davenport. [All Wards]

MOVED TO SECOND CONSIDERATION

3. Ald. Gripp introduced a Motion to amend the First Amendment to the Letter of Agreement to state that the City's obligation to perform under this First Amendment shall be terminated if the team's affiliation with Minor League Baseball is contracted or terminated due to Professional Baseball Agreement negotiations, seconded by Ald. Condon with all Aldermen present voting aye except Ald. Dunn and Ald. Meginnis.

On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye except Ald. Dunn and Ald. Meginnis, the following Resolution was adopted as amended:

Resolution approving a First Amendment to the Letter of Agreement dated April 24, 2019 with Main Street Iowa, LLC to insert the Workout Room Addition Project into the list of capital improvement projects to be completed at Modern Woodmen Park and directing the City Administrator to amend the FY20 Budget to provide the necessary funding. [Ward 3]

ADOPTED 2020-130

XI. Approval of All Items on the Consent Agenda

****NOTE:** These are routine items and will be enacted at the City Council Meeting by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

On motion by Ald. Ambrose, second by Ald. Gripp with All Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance for Case ROW20-01 being the request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of right-of-way located at N Elsie Ave extending north of W 3rd Pl. [Ward 1]

ADOPTED 2020-131

ORDINANCE NO. **2020-131**

ORDINANCE for Case ROW20-01: Request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of Right-of-Way located at North Elsie Avenue extended north of W. 3rd Street Place. [Ward 1]

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 vacated (abandoned). The property has the following legal description:

A portion of the subdivision for J.B. Eads as recorded in Book N on page 535 in the office of the Scott County Recorder, more particularly the platted street lying between Lots 1 and 2 of said J.B. Eads and is located in the South ½ of the Southwest ¼ of Section 28 and in the North ½ of the Northwest ¼ of Section 33 all of Township 78 North Range 3 East of the 5th P.M., City of Davenport, Iowa and is more particularly described as follows:

Beginning at the Northeast corner of Lot 2 of the subdivision for J.B. Eads as is recorded in Book N on page 535 in the office of the Scott County Recorder; thence N 88 degrees 10 minutes 21 seconds E along the North line of said J.B. Eads; a distance of 60.22 feet to the Northwest corner of Lot 1 of said J.B. Eads; thence S 00 degrees 27 minutes 38 seconds W along the W line of said Lot 1, a distance of 604.22 feet to the Southwest corner of said Lot 1; thence S 88 degrees, 45 minutes 3 seconds W along the Westerly extension of the South line of said Lot 1, a distance of 60.21 feet to a point on the West line of said Lot 2; thence N 00 degrees 27 minutes 38 seconds E along the East line of said Lot 2, a distance of 603.61 feet to the point of Beginning; containing 0.835 acre.

At its public hearing held on January 21, 2020, the Plan and Zoning Commission vote to recommend approval of the right-of-way vacation.

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.

Approved: 3/25/2020, Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. First Consideration: Ordinance amending Davenport Municipal Code Section 12.12.080.
[All Wards] **MOVED TO SECOND CONSIDERATION**

3. Resolution approving Case F19-20 being the request of Build to Suit for a final plat of Crow Valley Plaza 14th Addition on 2.1 acres, being a replat of part of Lot 3 Crow Valley Plaza 2nd Addition located at 5445 & 5465 Utica Ridge Road containing 2 commercial lots.
[Ward 6] **ADOPTED 2020-132**

4. Resolution closing various streets, lanes, or public grounds on the listed dates and times to hold outdoor events. **ADOPTED 2020-133**

Davenport Community School District; High School District Track Meet; Brady Street Stadium, 3603 Brady St; Thursday, May 14, 2020 2:30 p.m. - 7:00 p.m.; **Closure:** E 36th St between Brady St and Davenport Ave. [Ward 7]

5. Resolution accepting the Main St Landing Phase I project completed by Hawkeye Paving Corporation of Bettendorf, IA. The project was completed with a final contract amount of \$625,317.47, CIP #68004. [Ward 3] **ADOPTED 2020-134**

6. Resolution on the plans, specifications, form of contract, and estimate of cost for the RiverCenter Door & Hardware Replacement Project, CIP #69014. [Ward 3] **ADOPTED 2020-135**

7. Resolution introducing the Proposed Resolution of Necessity covering the FY20 Alley Resurfacing Program, CIP #35038. [Wards 4 & 6] **ADOPTED 2020-136**

8. Resolution approving the contract for the Slopertown Reconstruction Division to Harrison, RISE Grant # RMX-1827(682)-9E-82, to K E Flatwork Inc of Eldridge, IA in the amount of \$1,032,197.16, CIP #35033. [Ward 8] **ADOPTED 2020-137**

9. Resolution approving the contract for the Intake Repair Program to Hometown Plumbing & Heating Co Inc of Davenport, IA in the amount of \$149,425.50, CIP #33034. [All Wards] **ADOPTED 2020-138**

10. Resolution awarding a contract to the lowest responsive and responsible vendors for the provision of street materials. [All Wards] **ADOPTED 2020-139**

11. Resolution approving the contract for the CY20 Crack and Seat Program to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$1,253,852.80, CIP #35042. [All Wards] **ADOPTED 2020-140**

12. Resolution approving the contract for the City Hall Basement Waterproofing project to Emery Construction Group Inc of Moline, IL in the amount of \$176,111, CIP #23047. [Ward 3] **ADOPTED 2020-141**

13. Resolution approving the contract for the FY21 Iowa DOT Full Depth Patch Program to Langman Construction Inc of Rock Island, IL in the amount of \$157,000, CIP #35045. [All Wards]

ADOPTED 2020-142

14. Resolution condemning hatred and divisiveness in all forms in the City of Davenport. [All Wards]

ADOPTED 2020-143

15. Resolution setting a Public Hearing authorizing the City to convey City-owned parcels X1101A23B, X1101A24B, X1101A25B, X1101B02B, X1101B03B, X1101B04B, X1101B05B, and the north 15 feet of parcel X1101A22 to the owners of the adjacent original parent parcel. [Ward 8]

ADOPTED 2020-144

16. Resolution authorizing the conveyance of vacated right of way known as part of Dugan & Rauch's 2nd Addition lying northwesterly of Lot 14 of Dugan & Rauch's 2nd Addition. [Ward 4]

ADOPTED 2020-145

17. Resolution adopting the FY21 Operating Budget, FY21 Capital Improvement Budget, and the FY21 - FY26 Capital Improvement Plan. [All Wards]

ADOPTED 2020-146

18. Resolution adopting the City Administrator's Workplan for CY20 and CY21. [All Wards]

ADOPTED 2020-147

19. Motion approving the allocations for Year 46 (July 1, 2020 – June 30, 2021) Community Development Block Grant (CDBG) funds and HOME Investment Partnership (HOME) funds. [All Wards]

PASSED 2020-148

20. Motion approving noise variance requests for various events on the listed dates and times.

PASSED 2020-149

J&M Displays Inc; QC River Bandits Post Game Fireworks; Modern Woodmen Park
209 S Gaines St; various dates April through September (see attached list);
Fireworks, over 50 dBa. [Ward 3]

21. Motion approving beer and liquor license applications.

PASSED 2020-150

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

Ward 2

Applebee's Neighborhood Grill & Bar (Apple Corps, LP) - 3005 W Kimberly Rd -
License Type: C Liquor

Ward 3

Palmer College of Chiropractic (Palmer College Foundation) - 1000 Brady St -
Outdoor Area - License Type: Beer/Wine

Ward 4

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2351 W Locust St - License Type: C Liquor

Ward 5

W-Mart (Kuntidharma LLC) - 1205 & 1207 E Locust St - License Type: E Liquor

Ward 6

Camp McClellan Cellars (Julie Keehn) - 2302 E 11th St - License Type: C Beer

Ward 8

Fareway Stores, Inc #987 (Fareway Stores, Inc) - 1635 W 53rd St – License Type: E Liquor

22. Motion approving the contract for the Seawall Railing Repairs contract to Ihrig Works, LLC of Long Grove, IA in the amount of \$99,997. [Ward 3] **PASSED 2020-151**

XII. Other Ordinances, Resolutions and Motions

1. *On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye, the rules were suspended to add and vote on the items below:*

2. *On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye, the following Resolution was adopted:*

Resolution authorizing the debt service levy for FY21. [All Wards] **ADOPTED 2020-152**

3. *On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye, the following Motion passed:*

Motion authorizing the Human Resources Director to implement COVID-19 personnel items as identified, including an emergency leave policy, and authorization to adjust any related collective bargaining agreements as necessary and as required by state or federal legislation. [All Wards] **PASSED 2020-153**

XIII. Public with Business

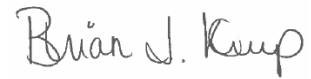
XIV. Reports of City Officials

Following is a summary of revenue received for the month of February 2020:

Property taxes	409,280
Other City taxes	2,303,028
Special assessments	-
Licenses & permits	144,136
Intergovernmental	2,228,061

Charges for services	3,370,930
Use of monies & property	141,460
Fines & forfeits	26,576
Bonds/Loan Proceeds	30,198
Miscellaneous	299,391

XV. Adjourn **7:20 p.m.**



Brian J. Krup
Deputy City Clerk