

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, March 22, 2023

The City Council of Davenport, Iowa met in regular session on Wednesday, March 22, 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 Gripp

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for March 8, 2023.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for March 15, 2023.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, March 15, 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 Alderwoman Lee. Upon the roll being called, all Aldermen were present except Alderman Jobgen (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, and Alderman Ortiz).

*The following Public Hearings were held: **Community Development:** 1. on the recommended allocations for Year 49 (July 1, 2023 – June 30, 2024) Community Development Block Grant (CDBG) funds. **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the Redstone Parking Garage Stair Tower Masonry Improvements project, CIP #23062; 2. on the plans, specifications, form of contract, and estimate of cost for the Annie Wittenmyer Aquatic Center Roof Replacement project, CIP #23072; and 3. on the plans, specifications, form of contract, and estimate of cost for the Davenport Municipal Airport South Ramp Reconstruction project, CIP #20015. **Finance:** 1. on the FY 2024 Operating Budget, FY 2024 Capital Improvement Budget, and the FY 2024 - FY 2029 Capital Improvement Plan.*

*The following Proclamation was issued: National Day of Empathy | March 15, 2023, **2023-127**.*

*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. **Public Safety:** Alderwoman Dickmann 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 Alderman Ortiz all items moved to the Consent Agenda.*

*On motion by Alderman Dunn, second by Alderman Gripp and all Aldermen present voting aye, Council recessed to Executive Session at **6:21 p.m.** to discuss strategy with counsel on matters involving litigation pursuant to Iowa Code Section 21.5(1)(c). Council reconvened in Executive Session at **6:25 p.m.** with Mayor Matson and all Aldermen present except Alderman Jobgen (Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Dunn, Alderman Gripp, Alderman Kelly, Alderwoman Lee, Alderwoman Meginnis, and Alderman Ortiz). Others present included City Administrator Corri Spiegel, Corporation Counsel Tom Warner, and Attorney Jason O'Rourke from Lane & Waterman LLP. On motion by Alderman Gripp, second by Alderman Ortiz, Council went back into open session and adjourned at **6:46 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2023-128

1. Civil Service Commission
 - Michael Schertz (re-appointment)
2. Plan and Zoning Commission
 - Dave Tallman (re-appointment)
 - Regen Johnson (re-appointment)
3. Riverfront Improvement Commission
 - Angela Stone (new appointment | 4th Ward)

B. Proclamations

ISSUED 2023-129

1. National Work Zone Awareness Week | April 17 - 21, 2023
2. Child Abuse Prevention Week | April 2 - 8, 2023

IX. Presentations

HELD

A. FY 2023 GFOA Distinguished Budget Presentation Award

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

XII. Approval of All Items on the Consent Agenda

On motion by Alderman Dunn, second by Alderman Ortiz and all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance amending Section 13.16.109 entitled "Fees" of the Municipal Code of Davenport, Iowa to allow fees to be set by resolution of the City Council for Compost tipping, Water Pollution Control Plant hauled waste, Water Pollution Control Plant permits for hauled waste, and the sale of Compost goods. [All Wards]

ADOPTED 2023-130

ORDINANCE NO. **2023-130**

AN ORDINANCE AMENDING SECTION 13.16.109 ENTITLED "FEES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO ALLOW FEES TO BE SET BY RESOLUTION OF THE CITY COUNCIL FOR COMPOST TIPPING, WATER

POLLUTION CONTROL PLANT HAULED WASTE, WATER POLLUTION CONTROL PLANT PERMITS FOR HAULED WASTE, AND THE SALE OF COMPOST GOODS.

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

Section 1. That Section 13.16.109 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.16.109 Fees.

Fees for Compost tipping, Water Pollution Control Plant hauled waste, Water Pollution Control Plant permits for hauled waste, and the sale of Compost goods shall be set by resolution of the City Council.

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 3/22/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

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

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

4. First 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 SECOND CONSIDERATION**

5. Resolution of support for Case ANX23-01 for the annexation of 182.35 acres, more or less, of territory located south of Slopertown Road and west of Hillandale Road to the City of Davenport, Iowa (RIVALDD Farms, Inc, Petitioner). [Adjacent to Ward 8]

ADOPTED 2023-131

6. Resolution adopting the Extreme DREAM Project utilizing \$2,100,000 from the sale proceeds of the Heritage. [Wards 3 & 4] **ADOPTED 2023-132**

7. Resolution approving street, lane, or public ground closure requests for the listed dates and times to hold outdoor events. **ADOPTED 2023-133**

Michelle Russell; The Heights of the Era; Lindsay Park | 2200 East 11th Street; 9:30 a.m. Friday, July 28, 2023 – 11:00 p.m. Saturday, July 29, 2023; **Closures:** East 11th Street from Jersey Ridge Road to Hillcrest Avenue; River Street between Hillcrest Avenue and Edgehill Terrace. [Ward 5]

Cornbelt Running Club; Bix 7 and Quick Bix; Saturday, July 29, 2023 4:00 a.m. – 12:00 p.m. **Closures:** Brady Street from River Drive to Kirkwood Boulevard; Kirkwood Boulevard from Brady Street to Jersey Ridge Road; Jersey Ridge Road from Kirkwood Boulevard to Middle Road; Middle Road from Kirkwood Boulevard to McClellan Boulevard; McClellan Boulevard from Middle Road to River Drive; East 4th St from Main Street to River Drive (East 4th Street from Pershing Avenue to River Drive closed beginning at 1:00 p.m. Friday, July 28); East 3rd Street from Main Street to River Drive (East 3rd Street from Iowa Street to River Drive closed beginning at 1:00 p.m. on Friday, July 28 to set up finish line); East 2nd Street from Main Street to Perry Street; East 15th Street from Brady Street to Perry Street; Perry Street from East 15th Street to East 4th Street; LeClaire Street from East 2nd Street to East 4th Street (beginning at 12:00 p.m. on Friday, July 28); Iowa Street from East 3rd Street to East 4th Street (beginning at 1:00 p.m. Friday, July 28); River Street from McClellan Boulevard to Hillcrest Avenue. [Wards 3 & 5]

8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Redstone Parking Garage Stair Tower Masonry Improvements project, CIP #23062. [Ward 3] **ADOPTED 2023-134**

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Annie Wittenmyer Aquatic Center Roof Replacement project, CIP #23072. [Ward 5] **ADOPTED 2023-135**

10. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Davenport Municipal Airport South Ramp Reconstruction project, CIP #20015. [Ward 8] **ADOPTED 2023-136**

11. Resolution awarding a three-year contract with an annual extension not to exceed five years in total length for vehicle telematic services to Telus Communications Inc of St. Johns, Canada using Sourcewell contract #020221-SKY. [All Wards] **ADOPTED 2023-137**

12. Resolution awarding a contract for the Carriage Hill Drive Reconstruction project to N.J. Miller Inc of Bettendorf, Iowa in the amount of \$239,296.35, CIP #35062. [Ward 6] **ADOPTED 2023-138**

13. Resolution awarding a contract for the East Locust Street and Eastern Avenue Intersection Reconstruction project to Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$734,500, CIP #35061. [Ward 5] **ADOPTED 2023-139**

14. Resolution awarding a contract for the East Central Park Avenue (Brady Street to Pershing Avenue) Reconstruction and Farnam Street/East Central Park Avenue Intersection Overlay project to N.J. Miller, Inc of Bettendorf, Iowa in the amount of \$550,172, CIP #35061. [Ward 5] **ADOPTED 2023-140**

15. Resolution awarding a contract for the CY 2023 Contract Milling Program to Manatts Inc - Eastern Iowa Division of Camanche, Iowa in the amount of \$193,967.40, CIP #35041. [All Wards] **ADOPTED 2023-141**

16. Resolution awarding a contract for the Tremont Sanitary Sewer Interceptor project to Langman Construction Inc of Rock Island, Illinois in the amount of \$3,078,755.76, CIP #30048. [Ward 3] **ADOPTED 2023-142**

17. Resolution awarding a contract for construction inspection services for the Tremont Sanitary Sewer Interceptor project to Veenstra & Kimm, Inc of Rock Island, Illinois in an amount not to exceed \$105,167.48, CIP #30048. [Ward 3] **ADOPTED 2023-143**

18. Resolution awarding a contract for a sanitary sewer condition assessment within the Robin Creek and Northpark Basin to Strand & Associates Inc of Madison, Wisconsin in an amount not to exceed \$505,590, CIP #30057. [Ward 7] **ADOPTED 2023-144**

19. Resolution authorizing the submission of a Land and Water Conservation Fund (LWCF) Program grant application to the Iowa Department of Natural Resources for financial assistance with outdoor recreation area development for the Goose Creek Park Stream Restoration and Access project. [Ward 8] **ADOPTED 2023-145**

20. Resolution approving the Response and Recovery Assessment Plan and Substantial Damage Management Plan to address damage that may be caused to property due to a disaster. [All Wards] **ADOPTED 2023-146**

21. Resolution setting fees for Compost tipping, Water Pollution Control Plant hauled waste, Water Pollution Control Plant permits for hauled waste, and the sale of Compost goods. [All Wards] **ADOPTED 2023-147**

22. Resolution adopting the FY 2024 Operating Budget, FY 2024 Capital Improvement Budget, and the FY 2024 - FY 2029 Capital Improvement Plan. [All Wards] **ADOPTED 2023-148**

23. Resolution setting April 12, 2023, as date for sale of General Obligation Corporate Bonds, Series 2023 and approving preliminary official statement. [All Wards] **ADOPTED 2023-149**

24. Resolution to fix a date for a public hearing on proposal to enter into an amended Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$11,287,000. [All Wards] **ADOPTED 2023-150**

25. Resolution approving the purchase of new Pure Storage hardware from Insight Public Sector of Des Moines, Iowa in the amount of \$193,271.34. [All Wards] **ADOPTED 2023-151**

26. Motion approving the recommended allocations for Year 49 (July 1, 2023 – June 30, 2024) Community Development Block Grant (CDBG) funds and HOME Investment Partnership (HOME) funds. [All Wards] **PASSED 2023-152**

27. Motion approving a noise variance request for the listed dates and times for an outdoor event. **PASSED 2023-153**

Michelle Russell; The Heights of the Era; Lindsay Park | 2200 East 11th Street; 3:00 p.m. - 10:00 p.m. Friday, July 28, 2023 and 10:00 a.m. - 10:00 p.m. Saturday, July 29, 2023; Outdoor music/bands, over 50 dBA. [Ward 5]

28. Motion approving beer and liquor license applications.

PASSED 2023-154

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

Ward 3

RME Courtyard (River Music Experience) - 121 West 2nd Street – Temporary License April-November - Outdoor Area - License Type: Class C Liquor (On-Premises)

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

Ward 3

Taste of Ethiopia (Taste of Ethiopia, LLC) - 102 South Harrison Street #300 - Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Ward 5

Brew in the Village (3 Blessings, Inc) - 1104 Jersey Ridge Road – Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 6

Combine, A Midwest Restaurant (Bass Street Grille, LLC) - 5266 Utica Ridge Road - Outdoor Area - License Type: Class C Liquor - (On-Premises)

Panchero's Mexican Grill (Central Coast Hospitality, Inc) - 4888 Utica Ridge Road - License Type: Special Class C Beer/Wine (On-Premises)

QC Mart (Bethany Enterprises, Inc) - 2415 Est 53rd Street - Class B Beer (Carry-Out)

C. Request for 19/20-year-old Exemption

Ward 3

RME Courtyard (River Music Experience) - 121 West 2nd Street – Temporary License April-November - Outdoor Area - License Type: Class C Liquor (On-Premises)

29. Motion approving the payment to Insight Public Sector of Des Moines, Iowa for Pure Storage annual license renewal in the amount of \$74,844.12. [All Wards] **PASSED 2023-155**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

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

Property Taxes	\$965,087
Other City Taxes	\$3,036,820

Special Assessments	\$ -
Licenses & Permits	\$205,823
Intergovernmental	\$3,761,090
Charges for Services	\$4,143,823
Use of Monies & Property	\$86,222
Fines & Forfeits	\$134,645
Bonds/Loan Proceeds	\$62,693
Miscellaneous	\$305,188

XVI. Adjourn **5:56 p.m.**


 Brian J. Krup
 Deputy City Clerk