City of Davenport, Iowa

City Council Meeting Minutes

Wednesday, February 9, 2022

The City Council of Davenport, Iowa met in regular session on Wednesday, February 9, 2022 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Mike Matson presiding and all Aldermen present (*In person:* Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz; *Via telephone:* Alderwoman Lee).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Condon

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes **APPROVED**

Approval of the City Council Meeting minutes for January 26, 2022.

VI. City Administrator Update

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

Approval of the Report on Committee of the Whole for February 2, 2022.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, February 2, 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 Alderman Gripp. 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 ROW22-01 being the request of Seven Hills Paving LLC to vacate unimproved right-of-way south of East 59th Street and west of Tremont Avenue; 2. on amending the Urban Renewal Plan for the North Urban Renewal Area; and 3. on considering approving an economic development agreement with PB Leiner USA.* ***Public Works:*** *1. on considering the approval of an electric easement and electric vehicle charging equipment agreement with MidAmerican Energy at the RiverCenter Parking Ramp; 2. on the specifications, form of contract, and estimate of cost for the Contract Milling Program, CIP #35401; and 3. on the specifications, form of contract, and estimate of cost for the Root Control Program.* ***Finance:*** *1. on the proposed FY 2023 maximum property tax levy rate and amount.*

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 all items moved to the Consent Agenda.* ***Public Safety:*** *Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Gripp the liquor license application for Brady Mart Food & Liquor at 3107 Brady St (Ward 5) 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 #1, <u>First Consideration:</u> Ordinance providing for the sale and issuance of $38,690,000 General*

Obligation Corporate and Refunding Bonds, Series 2022A, and for the levy of taxes to pay the same, moved to the Discussion Agena with a recommendation from staff for suspension of the rules and passage of second and third considerations; item #3, First Consideration: Ordinance amending Chapters 2.36, 2.42, and 2.90 to change the geographic area in which Civil Service Employees may live, and to include part of Illinois, moved to the Discussion Agenda; and all other items moved to the Consent Agenda.

*Council adjourned at **6:19 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments **APPROVED 2022-66**

1. Parks & Recreation Advisory Board

- Farrah Powell (new appointment | 4th Ward)

2. Plan & Zoning Commission

- Jane Schneider (re-appointment)

- Bob Inghram (re-appointment)

B. Proclamations*

1. Black History Month | February 2022

**Postponed to February 16, 2022 Committee of the Whole based on a request by the individuals who will be receiving the proclamation.*

IX. Presentations **HELD**

A. United Way Quad Cities

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

A motion was introduced to amend the below Ordinance to reflect the results of the bond sale to insert Janney Montgomery Scott LLC as the winning firm at a true interest rate of 1.7908% and a total bond issue of $34,450,000. On motion by Alderwoman Dickmann, second by Alderman Ortiz with all Aldermen present voting aye, the Ordinance was amended.

On motion by Alderwoman Dickmann, second by Alderwoman Meginnis with All Alderman present voting aye, the below amended Ordinance moved to second consideration.

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

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

1. <u>First Consideration:</u> Ordinance providing for the sale and issuance of $38,690,000 General Obligation Corporate and Refunding Bonds, Series 2022A, and for the levy of taxes to pay the same. [All Wards] **ADOPTED 2022-67**

ORDINANCE NO. **2022-67**

An Ordinance providing for the sale and issuance of $34,450,000 General Obligation Corporate and Refunding Bonds, Series 2022A, 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, has previously issued its $23,125,000 General Obligation Corporate Bonds, Series 2014A, dated March 5, 2014 (the "Series 2014A Bonds"), and, in the ordinance authorizing the issuance of the Series 2014A Bonds, the City reserved the right to call for early redemption as of June 1, 2022, the maturities of the Series 2014A Bonds coming due after June 1, 2022 (the "Callable 2014A Bonds"); and

WHEREAS, the City has also previously issued its $10,950,000 General Obligation Refunding Bonds, Series 2014B, dated March 5, 2014 (the "Series 2014B Bonds"), in accordance with the Charter of the City and Chapter 384 of the Code of Iowa, and in the ordinance authorizing the issuance of the Series 2014B Bonds, the City reserved the right to call for early redemption as of June 1, 2022, the maturities of the Series 2014B Bonds coming due after June 1, 2022 (the "Callable 2014B Bonds"); and

WHEREAS, 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, and pursuant to notice duly published and a hearing held thereon on November 3, 2021, has proposed that it is in the best interest of the City that not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A (the "Series 2022A Bonds") be authorized by the City to provide funds to pay costs in connection with making improvements to sanitary sewers, storm 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/fire department, solid waste collection, sewage treatment, and the municipal library; repair and maintenance of bridges; information technology improvements; municipal housing projects (collectively, the "Projects"); and current refunding the Callable Series 2014A Bonds and the Callable 2014B Bonds; and

WHEREAS, a preliminary official statement (the "Preliminary Official Statement") has been prepared in connection with the sale of the Series 2022A 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, sealed bids for the purchase of the Series 2022A 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 2022A Bonds, the bid of Janney Montgomery Scott LLC, Philadelphia, Pennsylvania (the "Purchaser") proposes the lowest interest cost to the City and the City should issue the Series 2022A Bonds in the principal amount of $34,450,000; and

WHEREAS, it is necessary at this time to award the Series 2022A 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 2022A 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 2022A 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 2022A 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 2022A Bonds, dated March 10, 2022, in the denomination of $5,000 each or any integral multiple thereof, are hereby authorized to be issued in the aggregate principal amount of $34,450,000, 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
2023	$5,030,000	5.000%	2031	$1,440,000	4.000%
2024	$2,580,000	5.000%	2032	$1,500,000	3.000%
2025	$2,730,000	5.000%	2033	$1,545,000	3.000%
2026	$2,870,000	5.000%	2034	$1,595,000	2.000%
2027	$3,025,000	5.000%	2035	$1,620,000	2.125%
2028	$2,820,000	5.000%	2036	$1,655,000	2.150%
2029	$2,970,000	5.000%	2037	$1,695,000	2.250%
2030	$1,375,000	5.000%			

Section 4. The CFO/Assistant City Administrator is hereby designated as the Bond Registrar and Paying Agent for the Series 2022A Bonds and may be hereinafter referred to as the “Bond Registrar” or the “Paying Agent”.

All of the interest on the Series 2022A Bonds is payable semiannually on the first day of June and December in each year, commencing December 1, 2022. Payment of interest on the Series 2022A 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 2022A 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 2022A Bond or Bonds at the office of the Paying Agent.

The City reserves the right to call for redemption prior to maturity the Series 2022A Bonds maturing in the years 2031 to 2037, inclusive, in whole or from time to time in part, in one or more units of $5,000, on June 1, 2030, 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 2022A Bonds of any like maturity are to be redeemed, the particular part of those Series 2022A Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2022A Bonds may be called in part in one or more units of $5,000.

If less than the entire principal amount of any Series 2022A 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 2022A 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 2022A 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 2022A 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 2022A Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Series 2022A 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 2022A 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 2022A Bonds shall cease to be such officer before the delivery of the Series 2022A 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 2022A 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 2022A 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 2022A Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Series 2022A 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 2022A Bonds shall be issued initially as Depository Bonds, with one fully registered Series 2022A 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 2022A 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 2022A Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Series 2022A 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 2022A Bonds.

Ownership interest in the Series 2022A Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Series 2022A Bonds as nominees will not receive certificated Series 2022A 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 2022A 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 2022A 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 2022A 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 2022A 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 2022A Bonds acquired. Transfers of ownership interest in the Series 2022A 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 2022A 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 2022A Bonds shall be substantially as follows:

(Form of Series 2022A Bond)

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

GENERAL OBLIGATION CORPORATE AND REFUNDING BOND, SERIES 2022A

No. ____ $_________

RATE	MATURITY DATE	BOND DATE	CUSIP
__________%	March 10, 2022	_____________	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, 2022. 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 and Refunding Bonds, Series 2022A (the "Series 2022A Bonds"), issued by the City in the aggregate principal amount of $34,450,000, 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 2022A 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 and refunding the outstanding balance of the City's General Obligation Corporate Bonds, Series 2014A, dated March 5, 2014.

The City reserves the right to prepay part or all of the principal of the Series 2022A Bonds maturing in each of the years 2031 to 2037, inclusive, prior to and in any order of maturity on June 1, 2030, or on any date thereafter upon terms of par and accrued interest. If less than all of the Series 2022A Bonds of any like maturity are to be redeemed, the particular part of those Series 2022A Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2022A Bonds may be called in part in one or more units of $5,000. If less than the entire principal amount of any Series 2022A 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 2022A 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 2022A 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 2022A 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 March 10, 2022.

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 2022A 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 2022A 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 2022A Bonds is hereby ratified and confirmed in all respects. The proceeds from the sale of the 2022A Bonds shall be used for the purposes identified in the preamble hereof, including the payment of costs of issuance of said Bonds. It has been determined that the City will use such proceeds for the refunding of the Callable 2014A Bonds, but not for the redemption of the 2014B 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 2022A Bonds as it falls due on June 1, 2021, 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 2022A 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, 2022,
sufficient to produce the net annual sum of $6,817,269;

For collection in the fiscal year beginning July 1, 2023,
sufficient to produce the net annual sum of $3,787,495;

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of $3,808,495;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of $3,811,995;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of $3,823,495;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of $3,467,245;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of $3,476,245;

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of $1,732,745;

For collection in the fiscal year beginning July 1, 2030,
sufficient to produce the net annual sum of $1,728,995;

For collection in the fiscal year beginning July 1, 2031,
sufficient to produce the net annual sum of $1,731,395;

For collection in the fiscal year beginning July 1, 2032,
sufficient to produce the net annual sum of $1,731,395;

For collection in the fiscal year beginning July 1, 2033,
sufficient to produce the net annual sum of $1,735,045;

For collection in the fiscal year beginning July 1, 2034, sufficient to produce the net annual sum of $1,728,145;

For collection in the fiscal year beginning July 1, 2035,
sufficient to produce the net annual sum of $1,728,720; and

For collection in the fiscal year beginning July 1, 2036,
sufficient to produce the net annual sum of $1,733,138.

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 2022A 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 2022A 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 2022A 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 2022A Bonds which is applicable to that portion of the total Series 2022A Bond issue applicable to such fund. Each year while any of said Series 2022A Bonds remain outstanding and unpaid, such of said available funds in amounts sufficient to meet the interest on that portion of the Series 2022A Bonds applicable to such fund and to pay the principal becoming due on such portion of the Series 2022A Bonds during each year may be used for that purpose, in accordance with the Series 2022A 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 2022A 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 2022A 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 2022A Bonds. The City hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the Series 2022A 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 2022A 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 2022A 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 2022A 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.
Passed and approved February 9, 2022: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. *On motion by Alderman Dunn, second my Alderwoman Meginnis with all Aldermen present voting aye, the following Ordinance moved to second consideration:*

First Consideration: Ordinance amending Chapters 2.36, 2.42, and 2.90 to change the geographic area in which Civil Service Employees may live, and to include part of Illinois. [All Wards] **MOVED TO SECOND CONSIDERATION**

3. *On motion by Alderman Cornette, second by Alderman Ortiz with all Aldermen present voting aye except Alderwoman Meginnis, Alderman Kelly, and Alderman Gripp, the following Motion passed:*

Motion approving the following liquor license application. **PASSED 2022-68**

A. Annual license renewal:

Ward 5

Brady Mart Food & Liquor (Midwest Stores, LLC) - 3107 Brady St – License Type: Class E Liquor

XII. Approval of All Items on the Consent Agenda

On motion by Alderman Cornette, second by Alderman Gripp with all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. First Consideration: Ordinance for Case ROW22-01 being the request of Seven Hills Paving LLC to vacate unimproved right-of-way south of East 59th Street and west of Tremont Avenue. [Ward 8] **MOVED TO SECOND CONSIDERATION**

2. First Consideration: Ordinance amending Schedule I of Chapter 10.96 entitled "Snow Routes" by adding Duggleby Street between Locust Street and Jersey Ridge Road. [Ward 5] **MOVED TO SECOND CONSIDERATION**

3. First Consideration: Ordinance amending Chapters 13.16.107A and 13.16.107B entitled "Sanitary Sewer Rates – Amount" from $5.45 to $5.72 to $6.01 to $6.31 per one hundred cubic feet of water use as determined by water meter readings; and amending per bill rates for monthly commercial bills from $20.80 to $21.84 to $22.93 to $24.08; and amending per bill rates for monthly residential bills from $20.97 to $11.96 to $12.45 to $12.96; and per bill rates for quarterly residential bills from $28.47 to $29.87 to $31.34 to $32.88 and quarterly commercial bills from $27.97 to $29.37 to $30.84 to $32.38. [All Wards]

MOVED TO SECOND CONSIDERATION

4. Resolution amending the Urban Renewal Plan for the North Urban Renewal Area. [Wards 2, 6, 7, & 8] **ADOPTED 2022-69**

5. Resolution approving an economic development agreement with PB Leiner USA. [Ward 8] **ADOPTED 2022-70**

6. Resolution approving Case F22-01 being the request of C&L Plaza LLC for a final plat of Katie's Eastern Avenue Addition, a 45-lot subdivision on 19.26 acres located north of East 58th Street and east of Eastern Avenue. [Ward 8] **ADOPTED 2022-71**

7. Resolution of support of the Hilltop Campus Village, an Iowa Main Street organization. [Wards 3, 4, & 5] **ADOPTED 2022-72**

8. Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events. **ADOPTED 2022-73**

> Cornbelt Running Club; Chili Chase 4-Mile Run/Walk; Sunday, February 27, 2022 11:00 a.m. - 3:00 p.m.; **Closures (only one lane will be closed and traffic will be allowed to cross when safe to do so):** East Pleasant Street from Fernwood Avenue to Forest Road; Forest Road from East Pleasant Street to East George Washington Boulevard; East George Washington Boulevard from Forest Road to Jersey Ridge Road. [Ward 6]
>
> Center for Active Seniors, Inc; St. Patrick's Day Race; Downtown; Saturday, March 12, 2022; **Closures:** 5:00 a.m. - 12:00 p.m. 2nd Street from Harrison to Brady; 8:00 a.m. - 11:00 a.m. 2nd Street from Harrison to Ripley; 8:30 a.m. - 11:00 a.m. two westernmost travel lanes and parking lane on Brady from 2nd to 3rd; 8:30 a.m. - 11:00 a.m. 3rd Street from Brady to Gaines; 9:30 a.m. - 11:00 a.m. 3rd Street from Gaines to Division; 9:50 a.m. - 10:10 a.m. all lanes of Brady from River to 3rd. [Ward 3]
>
> St. Patrick's Society; Grand Parade XXXVI; Downtown; Saturday, March 12, 2022 11:00 a.m. - 2:00 p.m.; **Closures:** Gaines Street from the Centennial Bridge to 3rd Street; 3rd Street from Gaines Street to the RiverCenter where the parade disbands. [Ward 3]

9. Resolution approving an electric easement and electric vehicle charging equipment agreement with MidAmerican Energy at the RiverCenter Parking Ramp. [Ward 3]
ADOPTED 2022-74

10. Resolution approving the specifications, form of contract, and estimate of cost for the FY 2023 Contract Milling Program, CIP #35041. [Wards 1, 2, 3, 4, 5, & 7 **ADOPTED 2022-75**

11. Resolution approving the specifications, form of contract, and estimate of cost for the FY 2023 Root Control Program. [All Wards] **ADOPTED 2022-76**

12. Resolution awarding a contract for the Division Street Reconstruction | 76th Street to I-80 Bridge and I-80 Bridge to Sterilite Access Road project (RISE No. 1827(689)-9D-82) to KE Flatwork Inc of Eldridge, Iowa in the amount of $1,828,148, CIP #35058. [Ward 8]
ADOPTED 2022-77

13. Resolution awarding the contract for the CDBG Group 2: East 7th Street and LeClaire Street Reconstruction project to Langman Construction Inc of Rock Island, Illinois in the amount of $1,034,690.50, CIP #BG250. [Ward 3] **ADOPTED 2022-78**

14. Resolution awarding the contract for the CDBG Alley Program: 1310 Kirkwood Boulevard to 1818 Esplanade Avenue Reconstruction project to Emery Construction Group Inc of Moline, Illinois in the amount of $286,936.71, CIP #BG250. [Ward 5] **ADOPTED 2022-79**

15. Resolution approving the FY 2023 maximum property tax levy rate and amount. [All Wards]
ADOPTED 2022-80

16. Resolution authorizing the submission of an application to the United States Army Donations Program for conditionally-issued, condemned, or obsolete Army equipment for static display purposes. [All Wards] **ADOPTED 2022-81**

17. Resolution approving the purchase of a 2022 John Deere Model 744L Wheel Loader from Martin Equipment of Rock Island, Illinois in the amount of $379,500 using Sourcewell Contract #032119-JDC, CIP #24031. [All Wards] **ADOPTED 2022-82**

18. Resolution adopting the Internal Revenue Service mileage rate to reimburse employees for use of a personal vehicle for City business. [All Wards] **ADOPTED 2022-83**

19. Motion approving noise variance requests for various events on the listed dates and times.
PASSED 2022-84

> Dam View Inn; St. Patrick's Day Party; 410 East 2nd Street; 8:00 a.m. Saturday, March 12, 2022 - 12:00 a.m. Sunday, March 13, 2022; Outdoor music/band, over 50 dBA. [Ward 3]
>
> St. Patrick's Society; Grand Parade XXXVI; Downtown; Saturday, March 12, 2022 12:00 p.m. - 1:30 p.m.; Outdoor music/performances, over 50 dBA. [Ward 3]

Mississippi Valley Fair, Inc; 2815 West Locust Street; various dates and times April through November 2022 (see attached list); Outdoor events/music, over 50 dBA. [Ward 4]

20. Motion approving beer and liquor license applications. **PASSED 2022-85**

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

Ward 3

Antonella's Trattoria Ristorante (Antonella Trattoria Restaurant, Inc) - 112 W 3rd St - License Type: Beer/Wine

Antonellas II, LLC (Antonellas II, LLC) - 421 W River Dr - Outdoor Area - License Type: Beer/Wine

Carriage Haus (Smoking Haus Entertainment) - 312 W 3rd St - Outdoor Area - License Type: Class C Liquor

Danceland (Danceland, Ltd) - 501 1/2 W 4th St - License Type: Class C Liquor

Embers of Phoenix (Jai Mata Lakshmi, Inc) - 111 W 2nd St - License Type: Class C Liquor

KC Brothers (KC 2 Brothers, Inc) - 214 Myrtle St - License Type: Class E Liquor

Nally's Kitchen, Inc (Nally's Kitchen, Inc) - 1622 Rockingham Rd – License Type: Class B Beer

Sam's Food (Sam Food, LLC) - 648 N Marquette St - License Type: Class E Liquor

Ward 4

The Pour House (Boss Lady, Inc) - 1502 W Locust St - Outdoor Area - License Type: Class C Liquor

SC Mini Mart (SC Minimart, LLC) - 1511 W Locust St- License Type: Class C Beer

Ward 6

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

Homewood Suites (Davenport Lodging Group, LLC) - 4750 Progress Dr - License Type: Beer/Wine

The Mound (Mound QC, LLC) - 1029 Mound St - License Type: Class C Liquor

Ward 7

Pancheros Mexican Grill (FMDAV, LLC) - 902 W Kimberly Rd - Outdoor Area - License Type: Class B Beer

21. Motion approving the contract for the CDBG Alley Rehab: 701 Tremont Avenue to 923 East 6th Street project to Emery Construction Group Inc of Moline, Illinois in the amount of $94,222, CIP #BG250. [Ward 3] **PASSED 2022-86**

22. Motion determining property values for the 2022 50/50 Cost Share Stream Bank Stabilization Program project at West 62nd Street and North Elmwood Avenue. [Ward 2] **PASSED 2022-87**

23. Motion approving Change Order #2 to Tricon General Construction of Dubuque, Iowa in the amount of $70,224 for the Modern Woodmen Park Floodwall Extension and Workout Room Addition project, CIP #23049. [Ward 3] **PASSED 2022-88**

24. Motion awarding a three-year contract for low voltage electrical repair services to Tri-City Electric Co of Davenport, Iowa. [All Wards] **PASSED 2022-89**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **6:08 p.m.**

Brian J. Krup

Brian J. Krup
Deputy City Clerk