

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, February 8, 2023

The City Council of Davenport, Iowa met in regular session on Wednesday, February 8, 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 Jobgen

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for January 25, 2023.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for February 1, 2023.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, February 1, 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 Dickmann. Upon the roll being called, all Aldermen were present (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).*

** Arrived at 5:33 p.m.*

*The following Public Hearings were held: **Public Works:** 1. on the specifications, form of contract, and estimate of cost for the CY 2023 50/50 Sidewalk Repair Program, CIP #28028; 2. on the specifications, form of contract, and estimate of cost for the CY 2023 ADA Ramp Program, CIP #28024; 3. on the specifications, form of contract, and estimate of cost for the CY 2023 Contract Milling Program, CIP #35041; 4. on the plans, specifications, forms of contract, and estimate of cost for the FY 2024 State Patching Program, CIP #35045; 5. on the plans, specifications, form of contract, and estimate of cost for the West 54th Street (Kelling Street to North Howell Street) Reconstruction project, CIP #35062; 6. on the plans, specifications, form of contract, and estimate of cost for the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction project, CIP #35053; 7. on the plans, specifications, form of contract, and estimate of cost for the Independence Drive Reconstruction project, CIP #35062; 8. on the plans, specifications, form of contract, and estimate of cost for the West 75th Place Mill and Overlay project, CIP #35054; and 9. on the plans, specifications, form of contract, and estimate of cost for the Alley Reconstruction from East Fulton Court to 1517 East Locust Street project, CIP #35038. **Finance:** 1. on the proposed FY 2024 maximum property tax levy rate and amount.*

*The following Proclamation was issued: Black History Month | February 2023, **2023-44.***

*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 item #1, Second Consideration: Ordinance for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-*

*Family and Two-Family Central Residential District to R-MF Multi-Family Residential District, moved to the Discussion Agenda and all other items moved to the Consent 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 Alderman Jobgen all items moved to the Consent Agenda.*

*Council adjourned at **6:03 p.m.***

VIII. Petitions and Communications from Council Members and the Mayor

IX. Individual Approval of Items on the Discussion Agenda

1. Alderwoman Meginnis moved a motion to amend the Ordinance to add the following three conditions: 1) The number of dwelling units for the subject property is capped at three dwelling units total; for clarity, future subdivision of the property will not result in any increase to this original total, it shall always be an aggregate total of three regardless of how the underlying property is divided; 2) If the existing structure is razed or demolished or in the event that the existing structure is damaged or destroyed - intentionally, accidentally or by neglect, to the extent of 50% or more of its assessed value, then the structure shall only be restored or rebuilt to be a single-family dwelling or a two-family (duplex) dwelling. If the existing structure is damaged or destroyed - intentionally, accidentally or by neglect, to the extent of less than 50% of its assessed value, it may be repaired and reconstructed provided that the three dwelling unit cap is not exceeded. A building permit must be obtained for such rebuilding, restoration, repair, or reconstruction within one year of the date of damage or destruction. In the event that the building permit is not obtained within one year, then the rules pertaining to damage or destruction of 50% or more shall apply moving forward.; and 3) The prior legal nonconformity to operate a day-care is hereby surrendered by the landowner petitioner, and no day-care home or center will be allowed; additionally, no children's home, domestic violence shelter or residential care facility will be allowed. The motion was seconded by Alderman Jobgen, and upon the roll being called, all Aldermen present voted aye except Alderman Cornette.

On motion by Alderman Jobgen, second by Alderwoman Dickmann and all Aldermen present voting aye, the Ordinance moved to third consideration as amended:

Second Consideration: Ordinance for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

MOVED TO THIRD CONSIDERATION

X. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule V Four-Way Stop Intersections by adding Lombard Street at Jebens Avenue thereto. [Ward 4]

ADOPTED 2023-45

ORDINANCE NO. **2023-45**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY AMENDING SCHEDULE V FOUR-WAY STOP INTERSECTIONS BY ADDING LOMBARD STREET AT JEBENS AVENUE THERETO.

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

Section 1. That Schedule V Four-Way Stop Intersections of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

Lombard Street at Jebens 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 2/8/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second Consideration: Ordinance amending Schedule XIV Intersection Traffic Signals of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding three intersections thereto. [Wards 2 & 6] **MOVED TO THIRD CONSIDERATION**

3. First Consideration: Ordinance amending Schedule VII No Parking of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Fairmount Street along the east side from Locust Street to Garfield Street thereto. [Ward 1] **MOVED TO SECOND CONSIDERATION**

4. Resolution approving Case P23-01 being the request of RY Holdings LLC for a preliminary plat of Ryder Villas, a 16-lot subdivision on 3.73 acres located at 4600 Eastern Avenue. [Ward 7] **ADOPTED 2023-46**

5. Resolution approving the issuance of the National Finance Authority bonds for the purpose of acquiring, rehabilitating, and equipping the Heritage Apartments (Flagstone Community Foundation, Inc, Petitioner). [Ward 3] **ADOPTED 2023-47**

THESE BONDS ARE BEING ISSUED UNDER FEDERAL LAW AND DO NOT CREATE A FINANCIAL OBLIGATION FOR THE CITY.

6. Resolution approving street, lane, or public ground closure requests for the listed dates and times. **ADOPTED 2023-48**

Cornbelt Running Club; Chili Chase 4-Mile Run/Walk; 11:00 a.m. - 3:00 p.m. Sunday, February 26, 2023; **Closures (only one lane of each street):** 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]

The Office; St. Patrick's Day Celebration; 116 West 3rd Street; approximately 2:00 p.m. (after the parade) until 8:30 p.m. Saturday, March 18, 2023; **Closure:** northernmost parking lane and two travel lanes on West 3rd Street from Main Street to 116 West 3rd Street. [Ward 3]

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; St. Patrick's Day Celebration; Downtown; approximately 2:00 p.m. (after the parade) Saturday, March 18, 2023 - 6:00 a.m. Sunday, March 19, 2023; **Closure:** West 3rd Street from Ripley Street to Harrison Street. [Ward 3]

7. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 Sidewalk Repair Program, CIP #28028. [All Wards] **ADOPTED 2023-49**

8. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 ADA Ramp Program, CIP #28024. [All Wards] **ADOPTED 2023-50**

9. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 Contract Milling Program, CIP #35041. [All Wards] **ADOPTED 2023-51**

10. Resolution approving the plans, specifications, form of contract, and estimate of cost for the FY 2024 State Patching Program, CIP #35045. [1, 2, 3, 6, & 7] **ADOPTED 2023-52**

11. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 54th Street (Kelling Street to North Howell Street) Reconstruction project, CIP #35062. [Ward 8] **ADOPTED 2023-53**

12. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction project, CIP #35053. [Wards 1 & 3] **ADOPTED 2023-54**

13. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Independence Drive Reconstruction project, CIP #35062. [Ward 7] **ADOPTED 2023-55**

14. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 75th Place Mill and Overlay project, CIP #35054. [Ward 8] **ADOPTED 2023-56**

15. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Alley Reconstruction from East Fulton Court to 1517 East Locust Street project, CIP #35038. [Ward 5] **ADOPTED 2023-57**

16. Resolution amending the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038. [Wards 3, 5, & 6] **ADOPTED 2023-58**

17. Resolution overruling objections for the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038. [Wards 3, 5, & 6] **ADOPTED 2023-59**

18. Resolution adopting the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038. [Wards 3, 5, & 6] **ADOPTED 2023-60**

19. Resolution ordering preparation of detailed plans, specifications, notice of hearing, notice to bidders, form of contract, and publication of the notice to bidders and notice of hearing covering the FY 2023 Alley Resurfacing Program. [Wards 3, 5, & 6] **ADOPTED 2023-61**

20. Resolution accepting work completed under the CDBG Group 2: East 7th Street and LeClaire Street Reconstruction project by Langman Construction Inc of Rock Island, Illinois in the amount of \$957,367.07, CIP #BG250. [Ward 3] **ADOPTED 2023-62**

21. Resolution authorizing and approving the use of condemnation and commencement of condemnation proceedings, if necessary, for right-of-ways and easements associated with the Duck Creek Sewer Interceptor Extension project, #ARP18. [Wards 1 & 2] **ADOPTED 2023-63**

22. Resolution approving the FY 2024 maximum property tax levy rate and amount. [All Wards] **ADOPTED 2023-64**

23. Resolution approving the purchase of a John Deere 320 P-Tier Backhoe Loader from Martin Equipment of Rock Island, Illinois in the amount of \$141,735 using Sourcewell contract #032119-JDC. [All Wards] **ADOPTED 2023-65**

24. Resolution approving the purchase of three chassis and three bodies for solid waste trucks, with three trade-ins, from Elliot Equipment Company of Davenport, Iowa in the amount of \$761,780.55 using Sourcewell contracts #091219-NWY and #060920-CRN. [All Wards] **ADOPTED 2023-66**

25. Motion approving noise variance requests on the listed dates and times to hold outdoor events. **PASSED 2023-67**

Kilkenny's; St. Patrick's Day Celebration; 300 West 3rd Street; 8:00 p.m. Friday, March 17, 2023 - 12:00 a.m. Saturday, March 18, 2023 and 8:00 a.m. Saturday, March 18, 2023 - 12:00 a.m. Sunday, March 19, 2023; Outdoor music/band, over 50 dBA. [Ward 3]

Mississippi Valley Fair, Inc; 2815 West Locust Street; various dates and times (no later than 11:00 p.m.) March through October 2023 (see attached list of events); Outdoor races/music, over 50 dBA. [Ward 4]

26. Motion approving beer and liquor license applications. **PASSED 2023-68**

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

Ward 3

Rodriguezhope (Alfredo Rodriguez) - 226 West 3rd Street - New License - License Type: Class C Retail On-Premises

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

Ward 3

Double Tree (Bucktown Lodging, LLC) - 111 East 2nd Street - License Type: Class B Retail On-Premises

Embers of Phoenix (Jai Mata Lakshmi, Inc) - 111 West 2nd Street – License Type: Class C Retail On-Premises

Kcbrothers (Kc 2 Brothers, Inc) - 214 Myrtle Street - License Type: Class E Retail Carryout

Ward 4

Circle Tap, The (Circle Tap, Inc) - 1345 West Locust Street - Outdoor Area - License Type: Class C Retail On-Premises

The Pour House (Boss Lady, Inc) - 1502 West Locust Street - Outdoor Area - License Type: Class C Retail On-Premises

SC Mini Mart (SC Minimart, LLC) - 1511 West Locust Street - License Type: Class B Retail Carryout

Wise Guys Pizza & Pub (PB&B, LLC) - 2824 West Locust Street Unit 3A - Outdoor Area - License Type: Class C Retail On-Premises

Ward 5

Stadium Club (Sis, Inc) - 2828 Brady Street - License Type: Class C Retail On-Premises

Ward 6

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

Mart Stop No 1 (Mart Stop #1) - 3527 Spring Street - License Type: Class E Retail Carryout

Rave Davenport 53 & Imax (Cinemark USA, Inc) - 3601 East 53rd Street - License Type: Beer/Wine On-Premises

Ward 8

Davenport Chapter Izaak Walton League of America (Davenport Chapter IWLA) - 8402 North Harrison Street - Outdoor Area - License Type: Class C Retail On-Premises

27. Motion approving the Disadvantaged Business Enterprise (DBE) Program for the Davenport Transit Division. [All Wards] **PASSED 2023-69**

28. Motion approving the payment for VMWare licensing annual renewal to CDWG of Chicago, Illinois in the amount of \$80,044 using National Association of State Procurement Officers (NASPO) contract #ADSPO16-130652. [All Wards] **PASSED 2023-70**

29. Motion approving a four-year collective bargaining agreement between the City of Davenport and the Union of Professional Police, Inc of Davenport, Iowa for the term beginning July 1, 2023 through June 30, 2027. [All Wards] **PASSED 2023-71**

XI. Other Ordinances, Resolutions and Motions

XII. Public with Business

XIII. Reports of City Officials

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

A handwritten signature in black ink that reads "Brian J. Krup". The signature is written in a cursive, flowing style.

Brian J. Krup
Deputy City Clerk