

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, January 24, 2024

The City Council of Davenport, Iowa met in regular session on Wednesday, January 24, 2024 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 (*In person:* Alderman R. Dunn, Alderman Kelly, Alderman Reinartz, Alderman Gripp, Alderwoman Newton, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; *Via telephone:* Alderwoman Meginnis).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Reinartz

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for January 10, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for January 17, 2024.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, January 17, 2024 -- 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 Meginnis. Upon the roll being called, all Aldermen were present (Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderman Gripp, Alderwoman Newton, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder).

*The following Public Hearings were held: **Community Development:** 1. for Case REZ23-06 being the request of Larry Edward Stoltenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District; and 2. on the proposed conditional conveyance of a portion of City-owned property located in the 2800 block of Eastern Avenue (known as the Annie Wittenmyer Campus) to AW Holdings, LLC, Petitioner. **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the Lorton Avenue Overlay and Drainage Improvement project, CIP #35062; 2. on the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant Flood Mitigation Phase I | Clearing & Grubbing project, CIP #39012; 3. on the specifications, form of contract, and estimate of cost for the CY 2024 Sidewalk Program, CIP #28028; and 4. on the specifications, form of contract, and estimate of cost for the CY 2024 ADA Ramp Program, CIP #28024.*

*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 Alderman Reinartz, second by Alderman Jobgen item #2, Resolution conditionally conveying a portion of City-owned property located in the 2800 block of Eastern Avenue (known as the Annie Wittenmyer campus) to AW Holdings, LLC, Petitioner, 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 Alderman Jobgen, second by Alderwoman Meginnis the German American Heritage Center annual liquor license renewal from item #3 was removed as it was approved at the January 10 City Council Meeting. On motion by Alderman T. Dunn, second by Alderman R. Dunn all items moved to the Consent Agenda. **Public Works:** Alderman R. Dunn reviewed all*

items listed. On motion by Alderman Kelly, second by Alderman Jobgen all items moved to the Consent Agenda.
Finance: Alderwoman Newton reviewed the one item listed. On motion by Alderwoman Lynch, second by Alderman Gripp the item moved to the Consent Agenda.
Council adjourned at **7:04 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2024-31

1. Housing Commission
 - Tory Stahler (new appointment)
2. Civil Rights Commission
 - Glenn Peterson (new appointment)
3. Riverfront Improvement Commission
 - Andrea Olson (new appointment | Alderman At-Large Gripp)
4. Design Review Board
 - Nicholas Cox (new appointment)

IX. Presentations

HELD

A. FY 2023 Audit

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

On motion by Alderman Gripp, second by Alderman R. Dunn and all Aldermen present voting aye, the following Resolution was adopted:

1. Resolution conditionally conveying a portion of City-owned property located in the 2800 block of Eastern Avenue (known as the Annie Wittenmyer campus) to AW Holdings, LLC, Petitioner. [Ward 5]

ADOPTED 2024-32

XII. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" by adding Scott Street along the west side from West 17th Street south to the alley thereto. [Ward 4]

ADOPTED 2024-33

ORDINANCE NO. **2024-33**

AN ORDINANCE AMENDING SCHEDULE XI RESIDENT PARKING ONLY OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING SCOTT STREET ALONG THE WEST SIDE FROM WEST 17TH STREET SOUTH TO THE ALLEY THERETO.

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

Scott Street along the west side from West 17th Street south to the alley.

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 1/24/2024: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. First Consideration: Ordinance for Case REZ23-06 being the request of Larry Edward Stoltenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8] **MOVED TO SECOND CONSIDERATION**

3. Resolution approving a lane closure request for the listed date and time.

ADOPTED 2024-34

Quad City Symphony Orchestra; Symphony Day; RiverCenter/Adler Theatre | 136 East 3rd Street; 8:00 a.m. - 2:30 p.m. Wednesday, February 28, 2024; **Closure**: northernmost parking lane and two travel lanes on East 3rd Street from Brady Street to Iowa Street. [Ward 3]

4. Resolution accepting work completed under the Redstone Parking Garage Stair Tower Masonry Repairs project by TNT Tuckpointing & Building Restoration LLC of Stockton, Iowa in the amount of \$163,981, CIP #23062. [Ward 3] **ADOPTED 2024-35**

5. Resolution accepting work completed under the West Locust Street (Division Street to Marquette Street) Resurfacing project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$874,631.76, CIP #35061. [Ward 4] **ADOPTED 2024-36**

6. Resolution accepting work completed under the Mound Street (East Locust Street to Elm Street) Resurfacing project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$343,193.97, CIP #35062. [Ward 5] **ADOPTED 2024-37**

7. Resolution accepting work completed under the RiverCenter Electrical Upgrades project by Tri-City Electric Company of Davenport, Iowa in the amount of \$325,138, CIP #69014. [Ward 3] **ADOPTED 2024-38**

8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Lorton Avenue Overlay and Drainage Improvement project, CIP #35062. [Ward 6] **ADOPTED 2024-39**

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant Flood Mitigation Phase I | Clearing & Grubbing project, CIP #39012. [Ward 1] **ADOPTED 2024-40**

10. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2024 Sidewalk Program, CIP #28028. [All Wards] **ADOPTED 2024-41**

11. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2024 ADA Ramp Program, CIP #28024. [All Wards] **ADOPTED 2024-42**

12. Resolution introducing the Proposed Resolution of Necessity covering the 2024 Alley Resurfacing Program. [Ward 3 & 5] **ADOPTED 2024-43**

13. Resolution awarding a contract for preliminary engineering services for the South Concord Railroad Grade Separation project to HR Green, Inc of Cedar Rapids, Iowa in an amount not to exceed \$805,000. [Ward 1] **ADOPTED 2024-44**

14. Resolution authorizing the submission of a Building Resilient Infrastructure and Communities (BRIC) grant program application to the Federal Emergency Management Agency (FEMA) for financial assistance with the Water Pollution Control Plant Flood Mitigation Northern Levee System project. [Ward 1] **ADOPTED 2024-45**

15. Resolution approving the purchase of inclusive playground equipment from Play Pro Recreation of Clive, Iowa in an amount not to exceed \$250,000, CIP #ARP10. [Ward 1] **ADOPTED 2024-46**

16. Motion approving the Citizens Advisory Committee's recommendations for the reprogramming of the unspent and unobligated Community Development Block Grant (CDBG) funds from CDBG Year 48 ending June 30, 2023. [All Wards] **PASSED 2024-47**

17. Motion approving beer and liquor license applications. **PASSED 2024-48**

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

Ward 6

Los Amigos (Los 3 Amigos 3, LLC) - 2843 East 53rd Street – New License/Owner - License Type: Class C Liquor (On-Premises)

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

Ward 3

Newman's Nightclub & Lounge (Newman's Arcade & Amusement, LLC) – 822 West 2nd Street - License Type: Class C Liquor (On-Premises)

Quad Cities River Bandits (Main Street Iowa, LLC) - 209 South Gaines Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

Off Point Pub (Triple 8 Enterprises, LLC) - 2025 Hickory Grove Road - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 6

Big 10 Mart #18 (Molo Oil Company) - 5310 Corporate Park Drive – License Type: Class E Liquor (Carry-Out)

HuHot Mongolian Grill (CCW, LLC) - 3006 East 53rd Street - License Type: Special Class C Beer/Wine (On-Premises)

Hy-Vee #4 (Hy-Vee, Inc) - 4064 East 53rd Street - License Type: Class E Liquor (Carry-Out)

Ward 7

Happy Joe’s Pizza (Dynamic Restaurant Acquisition, Inc) - 201 West 50th Street - License Type: Special Class C Beer/Wine (On-Premises)

Columbus Club of Davenport Iowa (Columbus Club of Davenport) – 1111 West 35th Street - License Type: Class C Liquor (On-Premises)

Yummy Crab (Crab House of Davenport, Inc) - 1235 East Kimberly Road - License Type: Class C Liquor (On-Premises)

Ward 8

Thunder Bay Grille (Thunder Bay Grille, LLC) - 6511 Brady St - Outdoor Area - License Type: Class C Liquor (On-Premises)

18. Motion awarding a contract for the Compost Facility Lot Repairs project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$71,260.09. [Ward 1]

PASSED 2024-49

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

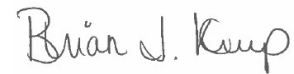
XV. Reports of City Officials

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

Property Taxes	\$ 1,051,337
Other City Taxes	\$ 2,029,211
Special Assessments	\$ -
Licenses & Permits	\$ 152,083
Intergovernmental	\$ 1,793,283
Charges for Services	\$ 4,188,107
Use of Monies & Property	\$ 1,909,058
Fines & Forfeits	\$ 172,315
Bonds/Loan Proceeds	\$ 49,633
Miscellaneous	\$ 613,927

XVI. Executive Session

*On motion by Alderman R. Dunn, second by Alderman Gripp and all Aldermen present voting aye, Council recessed to Executive Session at **7:33 p.m.** Council reconvened in Executive Session at **7:42 p.m.** to discuss strategy with counsel in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c) with Mayor Matson and all Alderman present except Alderwoman Meginnis (Alderwoman Burkholder, Alderman R. Dunn, Alderman T. Dunn, Alderman Gripp, Alderman Jobgen, Alderman Kelly, Alderwoman Lynch, Alderwoman Newton, and Alderman Reinartz). Others present included Attorneys Jason O'Rourke, Dick Davidson, and Brett Marshall from Lane & Waterman; Interim City Administrator/CFO Mallory Merritt; and Interim Corporation Counsel Brian Heyer. On motion by Alderman Jobgen, second by Alderwoman Lynch, Council went back into open session and adjourned at **9:10 p.m.***



Brian J. Krup
Deputy City Clerk