

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, January 10, 2024

The City Council of Davenport, Iowa met in regular session on Wednesday, January 10, 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, Alderwoman Meginnis, Alderman Reinartz, Alderman Gripp, Alderwoman Newton, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; *Via telephone:* Alderwoman Lynch).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Kelly

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for December 13, 2023.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for January 3, 2024.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, January 3, 2024 – The Committee of the Whole Meeting began at 5:30 p.m. with the Presentation of Colors by the Central High School Army JROTC Color Guard. National Anthem performed by Mia Roldan and Emily Winn. Administration of Oaths of Office by the Honorable Justice Thomas D. Waterman to Mike Matson, Mayor; Rick Dunn, First Ward; Tim Dunn, Second Ward; Marion Meginnis, Third Ward; Jade Burkholder, Fourth Ward; Tim Kelly, Fifth Ward; Ben Jobgen, Sixth Ward; Mhisho Lynch, Seventh Ward; Paul Reinartz, Eighth Ward; Kyle Gripp, At-Large; and Jazmin Newton, At-Large. Mayor Matson called the meeting to order at 5:56 p.m. with an invocation performed by Father Juarez followed by a moment of silence. Pledge of Allegiance led by Alderman R. Dunn. 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: **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the 2024 Sewer Lateral and Nuisance Water Service Repair Program, CIP #30062; 2. on the plans, specifications, form of contract, and estimate of cost for the 2024 Pedestrian Curb Ramp Retrofit Program, CIP #35063; 3. on the plans, specifications, form of contract, and estimate of cost for the Cork Hill Park Splash Pad project, #ARP 10; and 4. on the plans, specifications, form of contract, and estimate of cost for the Compost Facility Aeration Trench Replacement project, CIP #39016.*

*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 the item listed. On motion by Alderman Reinartz, second by Alderman Dunn the item moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed the items listed. On motion by Alderman T. Dunn, second by Alderman R. Dunn all items under section A. New license, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted) for item #3, Motion approving beer and liquor license applications, 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 Alderman Gripp item #4, Resolution awarding a contract for the Modern Woodmen Park Field Lighting Retrofit project to Musco Lighting of Muscatine, Iowa in the amount of \$365,000, CIP #23049, moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Finance:** Alderwoman Newton reviewed all items listed. A motion was moved by Alderwoman Newton to table item #8, Motion directing the City Administrator and related staff to implement an internal Animal Services Unit and negotiate any related contracts or agreements, for two cycles, seconded by Alderman Reinartz. Upon the roll being called, all Aldermen present voted aye, and the Motion was tabled for two cycles. On motion by Alderwoman Lynch, second by Alderman Gripp, all other items moved to the Consent Agenda.*

*Council adjourned at **8:08 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2024-01

1. Design Review Board
 - Lana Tylka (re-appointment)
 - Matt Stinocher (re-appointment)
 - Gale Hoff (re-appointment)
2. Library Board of Trustees
 - Michael Hustedde (new appointment)
3. Affirmative Action Advisory Commission
 - Troy Farley (re-appointment)
 - Leslie Wilson (new appointment)

B. Proclamations

ISSUED 2024-02

1. National Mentoring Month | January 2024
2. Slavery and Human Trafficking Prevention Month | January 2024

IX. Presentations

HELD

A. Davenport Police Department Swearing-In Ceremony

- Stuart Chamberlayne
- Xavier McClure
- Andrew Troje
- Aaron Gilliland

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

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

Resolution awarding a contract for the Modern Woodmen Park Field Lighting Retrofit project to Musco Lighting of Muscatine, Iowa in the amount of \$365,000, CIP #23049. [Ward 3]

ADOPTED 2024-03

2. On motion by Alderman Gripp, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Motion passed:

Motion approving beer and liquor license applications.

PASSED 2024-04

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

Ward 1

LPT #5523 (L.P.T. Retail Management Services, LLC) – 3624 West Locust Street – New License/Owner – License Type: Class B Beer (Carry-Out)

LPT #5524 (L.P.T. Retail Management Services, LLC) – 2805 Telegraph Road – New License/Owner – License Type: Class B Beer (Carry-Out)

LPT #5525 (L.P.T. Retail Management Services, LLC) – 3129 Rockingham Road – New License/Owner – License Type: Class B Beer (Carry-Out)

Ward 4

LPT #5522 (L.P.T. Retail Management Services, LLC) – 1732 North Marquette Street – New License/Owner – License Type: Class B Beer (Carry-Out)

Ward 5

LPT #5519 (L.P.T. Retail Management Services, LLC) – 1136 East Locust Street – New License/Owner – License Type: Class B Beer (Carry-Out)

LPT #5520 (L.P.T. Retail Management Services, LLC) – 2242 East 12th Street – New License/Owner – License Type: Class B Beer (Carry-Out)

LPT #5521 (L.P.T. Retail Management Services, LLC) – 303 West Locust Street – New License/Owner – License Type: Class B Beer (Carry-Out)

Ward 7

LPT #5517 (L.P.T. Retail Management Services, LLC) – 201 West 53rd Street – New License/Owner – License Type: Class B Beer (Carry-Out)

LPT #5518 (L.P.T. Retail Management Services, LLC) – 1670 West Kimberly Road – New License/Owner – License Type: Class B Beer (Carry-Out)

XII. Approval of All Items on the Consent Agenda

Alderman T. Dunn requested that item #12 be removed from the Consent Agenda for discussion. After discussion, the item was placed back on the Consent Agenda.

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

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

2. Resolution setting a Public Hearing 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. [Ward 5] **ADOPTED 2024-05**

3. Resolution accepting work completed under the 2023 ADA Ramp Program by Collins Concrete Ltd of Davenport, Iowa in the amount of \$151,810.59, CIP #28024. [All Wards] **ADOPTED 2024-06**

4. Resolution awarding a contract for the 2024 Commercial Alley Resurfacing Program to Valley Construction of Rock Island, Illinois, in the amount of \$110,590, CIP #35038. [Ward 3] **ADOPTED 2024-07**

5. Resolution awarding a contract for the Goose Creek Trail (46th Street to 53rd Street) Overlay project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$199,958.34, CIP #28030. [Ward 7] **ADOPTED 2024-08**

6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2024 Sewer Lateral and Nuisance Water Service Repair Program, CIP #30062. [All Wards] **ADOPTED 2024-09**

7. Resolution approving the specifications, form of contract, and estimate of cost for the 2024 Pedestrian Curb Ramp Retrofit Program, CIP #35063. [All Wards] **ADOPTED 2024-10**

8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Cork Hill Park Splash Pad project, #ARP 10. [Ward 3] **ADOPTED 2024-11**

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Compost Facility Aeration Trench Replacement project, CIP #39016. [Ward 1] **ADPOTED 2024-12**

10. Resolution approving and adopting preliminary plans and specifications and plats and schedules for the 2024 Alley Resurfacing Program. [Wards 3 & 5] **ADOPTED 2024-13**

11. Resolution approving the purchase of four new 35' electric low-floor buses from Gillig LLC of Livermore, California in the amount of \$4,595,876, CIP #24035. [All Wards] **ADOPTED 2024-14**

12. Resolution ratifying the grant agreement for the Destination Iowa Creative Placemaking Grant (Award Number 23-DCP-002) through the Iowa Economic Development Authority. [Ward 3] **ADOPTED 2024-15**

13. Resolution adopting the City of Davenport's 2024 State Legislative Program. [All Wards]

ADOPTED 2024-16

14. Resolution awarding a contract for the Urban Homestead Program New Construction at 1838 West 4th Street project to Clark Design & Development of Bettendorf, Iowa in the base bid amount of \$341,887.84 and a not to exceed amount of \$356,887.84 for contingencies. [Ward 3]

ADOPTED 2024-17

15. Resolution approving a payment of \$171,880.14 to Tyler Technologies, Inc of Falmouth, Maine for the annual licensing of the Munis software system for the period November 1, 2023 to October 31, 2024. [All Wards]

ADOPTED 2024-18

16. Resolution adopting the Internal Revenue Service mileage rate to reimburse employees for use of a personal vehicle for City business. [All Wards]

ADOPTED 2024-19

17. Resolution establishing the interest rate for special assessments. [All Wards]

ADOPTED 2024-20

18. Resolution accepting the FY 2023 Port Security Grant Program (PSGP) grant from the Federal Emergency Management Agency (FEMA) in the amount of \$600,000. [All Wards]

ADOPTED 2024-21

19. Resolution approving an amendment to the existing agreement with the Humane Society of Scott County, Iowa in the amount of \$250,000 for services provided through June 30, 2024. [All Wards]

ADOPTED 2024-22

20. Motion approving a noise variance on the listed date and time for an outdoor event.

PASSED 2024-23

Downtown Davenport Partnership; Icestravaganza; Freight House | 421 West River Drive; 5:00 p.m. - 9:00 p.m. Saturday, January 13, 2024; Outdoor music, over 50 dBA. [Ward 3]

21. Motion approving beer and liquor license applications.

PASSED 2024-24

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

Ward 1

A&S Food & Gas (Kuljeet Kaur) - 2365 Rockingham Road - License Type: Class E Liquor (Carry-Out)

Beertini's (Beertini's, LLC) - 3801 Rockingham Road - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 2

Probstei Inn Bar & Grill (Mayberry Homestead, Inc) - 6315 West Kimberly Road - License Type: Class C Liquor (On-Premises)

Ward 3

Chuck's Tap (White T Corporation) - 1731 West 6th Street - License Type: Class C Liquor (On-Premises)

German American Heritage Center (German American Heritage Center) – 712 West 2nd Street - License Type: Special Class C Beer/Wine (On-Premises)

M Lounge (Alleyah, LLC) - 217 Brady Street - License Type: Class C Liquor(On-Premises)

Ward 4

Happy Joe's Pizza (Dynamic Restaurant Acquisition, Inc) - 1616 West Locust Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

St. Ambrose University (Sodexo America, LLC) - 518 West Locust Street - License Type: Class C Liquor (On-Premises)

Washington St Mini Mart (Nazar, LLC) - 1601 Washington Street – License Type: Class E Liquor (Carry-Out)

Ward 5

Bley's Tap (JBCW, LLC) - 215 East 29th Street - License Type: Class C Liquor (On-Premises)

Ward 6

Buffalo Wild Wings (Blazin' Wings, Inc) - 4860 Utica Ridge Road – Outdoor Area - License Type: Class C Liquor (On-Premises)

The Grape Life (The Grape Life Wine Store & Lounge, LLC) - 3402 Elmore Avenue - License Type: Class C Liquor (On-Premises)

Hy-Vee (Hy-Vee, Inc) - 1823 East Kimberly Road - Outdoor Area – License Type: Class C Liquor (On-Premises)

Hy-Vee Food & Drugstore #3 (Hy-Vee, Inc) - 1823 East Kimberly Road - License Type: Class E Liquor (Carry-Out)

Steel Plow Burger (Steel Plow Burger II, LLC) - 1430 East 52nd Street #3 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 7

Ganzo's (Ganzo's, Ltd) - 3923 North Marquette Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

R & C Brazilian Steakhouse, LLC (R & C Brazilian Steakhouse, LLC) – 320 West Kimberly Road #53 - License Type: Class C Liquor (On-Premises)

Ward 8

Best Western Plus Steeplegate Inn (Global Brothers Davenport, LLC) – 100 West 76th Street - License Type: Class C Liquor (On-Premises)

Exotic Thai Restaurant (Exotic Thai Restaurant, Inc) - 2303 East 53rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Girl + Food By Cafe Fresh (Girl + Food, LLC) - 5345 Belle Avenue – Outdoor Area - License Type: Class C Liquor (On-Premises)

Loves Travel Stop #476 (Loves Travel Stops & Country Stores, Inc) – 8255 Northwest Boulevard - License Type: Class C Beer (Carry-Out)

22. Motion accepting asphalt paving services completed under the Veterans Memorial Park Phase II project by Hawkeye Paving Corporation, Inc of Davenport, Iowa in the amount of \$47,695, CIP #68016. [Ward 3] **PASSED 2024-25**

23. Motion awarding a contract for the Freight House West Brick Wall Repairs project to Bi-State Masonry, Inc of Rock Island, Illinois in the amount of \$80,442, CIP #23073. [Ward 3] **PASSED 2024-26**

24. Motion approving the purchase of play equipment for the Credit Island Nature Play project to Crouch Recreation, Inc of Elkhorn, Nebraska in the amount of \$89,440 using OMNIA Partners contract #2017001135, CIP #64103. [Ward 1] **PASSED 2024-27**

25. Motion approving the purchase of picnic tables to Boland Recreation of Marshalltown, Iowa in the amount of \$61,662 using Sourcewell contract #010521-LTS-5. [All Wards] **PASSED 2024-28**

26. Motion awarding a contract for the purchase of a new dance floor for the RiverCenter to MityLite, Inc of Orem, Utah in the amount of \$62,829, CIP #69014. [All Wards] **PASSED 2024-29**

27. Motion approving a payment of \$84,195 to CDW-G of Chicago, Illinois for the annual renewal of VMware licensing and support using Sourcewell Contract #081419-CDW. [All Wards] **PASSED 2024-30**

XIII. Other Ordinances, Resolutions and Motions

1. *A motion for suspension of the rules was moved by Alderman Jobgen, seconded by Alderwoman Meginnis. Upon the roll being called, the following Aldermen voted aye: Meginnis, Gripp, Kelly, Lynch, and Jobgen; and the following Aldermen voted nay: Burkholder, T. Dunn, R. Dunn, Reinartz, and Newton. The motion for suspension of the rules failed due to lack of a super majority (8 votes) and the items listed were not considered.*

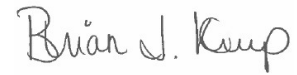
2. Motion to reconsider: Motion directing the City Administrator and related staff to implement an internal Animal Services Unit and negotiate any related contracts or agreements. [All Wards]

NOT CONSIDERED

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **6:37 p.m.**

A handwritten signature in cursive script that reads "Brian J. Krup".

Brian J. Krup
Deputy City Clerk