

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, May 8, 2024

The City Council of Davenport, Iowa met in regular session on Wednesday, May 8, 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 Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; *Via telephone*: Alderwoman Newton).

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 Special Meeting minutes for April 16, 2024.

Approval of the City Council Meeting minutes for April 24, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for May 1, 2024.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, May 1, 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 Alderman T. Dunn. Upon the roll being called, all Aldermen were present (In person: Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderman Gripp, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; Via telephone: Alderwoman Newton). *Arrived at 5:32 p.m. after roll call*

*The following Public Hearings were held: **Community Development**: 1. for Case ORD24-02 being the request of the City of Davenport to amend Chapter 17.08 entitled "Uses" of the Municipal Code of Davenport, Iowa by updating the billboard definition and principal use standards. **Public Works**: 1. on the plans, specifications, form of contract, and estimate of cost for the Emerald Drive Reconstruction project, CIP #35062; 2. on the plans, specifications, form of contract, and estimate of cost for the East Locust Street (Grand Avenue to Eastern Avenue) Resurfacing project, CIP #35062; and 3. on the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant & Compost Facility Flood Mitigation, Stormwater, and Effluent Pumping System project (EDA #06-79-06258), CIP #39012.*

*The following Proclamations were issued: Mental Health Awareness Month | May 2024 and Bicycle Safety Awareness Month | May 2024, **2024-191**.*

*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 Meginnis all items moved to the Consent Agenda. **Public Safety**: Alderman Jobgen reviewed all items listed. On motion by Alderman T. Dunn, second by Alderwoman Burkholder the annual liquor license renewal for Rina Mart, LLC (Rina Mart, LLC) – 3815 West Kimberly Road – License Type: Class E Liquor (Carry-Out) was deleted from the agenda. On motion by Alderman T. Dunn, second by Alderwoman Meginnis all items moved to the Consent Agenda. **Public Works**: Alderman R. Dunn reviewed all*

items listed. On motion by Alderman Kelly, second by Alderwoman Meginnis all items moved to the Consent Agenda. **Finance:** Alderwoman Lynch reviewed all items listed. On motion by Alderman T. Dunn, second by Alderman Jobgen all items moved to the Consent Agenda.

Council adjourned at **6:29 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2024-192

1. Military Appreciation Week | May 12 - 18, 2024
2. National Police Week | May 12 - 18, 2024 and Peace Officer Memorial Day | May 15, 2024
3. Public Works Week | May 19 - 25, 2024
4. River Cleanup Day | May 18, 2024
5. Kids to Parks Day | May 18, 2024

IX. Presentations

HELD

1. Police Officer Swearing-In Ceremony

- Nicholas Wood
- Shawn Hackett
- Israel Mora Jr.
- Cody Jones
- Gerod Getty
- Brandon Montero
- Emily Anderson
- Traishondus Bunch

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

XII. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance amending Section 13.16.060 entitled "Local limits for specific pollutants" of the Municipal Code of Davenport, Iowa to revise local discharge limits for specific pollutants. [All Wards]

ADOPTED 2024-193

ORDINANCE NO. **2024-193**

AN ORDINANCE AMENDING SECTION 13.16.060 ENTITLED "LOCAL LIMITS FOR SPECIFIC POLLUTANTS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO REVISE LOCAL DISCHARGE LIMITS FOR SPECIFIC POLLUTANTS.

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

Section 1. That Tables 1, 3, and 4 of Section 13.16.060(B) of the Municipal Code of Davenport, Iowa be and the same are hereby amended to read as follows:

13.16.060 **Local limits for specific pollutants.**

Table 1	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	5405.653
As	3.229
Ba	NA
Cd	4.892
Total Cr	86.373
Cu	61.823
Fe	682.836
Pb	17.432
Hg	1.004
Mo	44.749
Ni	34.532
Se	3.828
Ag	14.771
Zn	125.628
Total Phenols	3018.538
Total Cyanide	8.408

Table 3			
Davenport Water Pollution Control Plant			
2606 South Concord Street			
Tier 1 Significant Industrial User Local Limits			
	PB Leiner USA	Nestle Purina	Kraft Heinz
Pollutant	30 Day Average	30 Day Average	30 Day Average
Al	NA	NA	NA
As	0.17 Pounds	0.04 Pounds	0.10 Pounds
Ba	NA	NA	NA
Cd	0.080 Pounds	0.02 Pounds	0.05 Pounds
Total Cr	0.080 Pounds	0.07 Pounds	0.05 Pounds
Cu	0.17 Pounds	0.33 Pounds	0.10 Pounds
Fe	NA	NA	NA
Pb	0.17 Pounds	0.04 Pounds	0.10 Pounds
Hg	NA	NA	NA

Mo	NA	NA	NA
Ni	0.090 Pounds	0.04 Pounds	0.05 Pounds
Se	0.17 Pounds	0.04 Pounds	0.10 Pounds
Ag	0.08 Pounds	0.02 Pounds	0.05 Pounds
Zn	1.07 Pounds	1.63 Pounds	0.34 Pounds
Total Phenols	0.51 Pounds	0.06 Pounds	0.20 Pounds
Total Cyanide	0.10 Pounds	0.03 Pounds	0.06 Pounds

Table 4	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Tier 2 Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA
As	0.141 mg/L
Ba	NA
Cd	0.242 mg/L
Total Cr	4.441 mg/L
Cu	2.989 mg/L
Fe	NA
Pb	0.629 mg/L
Hg	NA
Mo	NA
Ni	1.770 mg/L
Se	0.121 mg/L
Ag	0.776 mg/L
Zn	5.636 mg/L
Total Phenols	115.828 mg/L
Total Cyanide	0.448 mg/L

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 5/8/2024: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. First Consideration: Ordinance for Case ORD24-02 being the request of the City of Davenport to amend Chapter 17.08 entitled "Uses" of the Municipal Code of Davenport, Iowa by updating the billboard definition and principal use standards. [All Wards]

MOVED TO SECOND CONSIDERATION

3. Resolution approving Case F23-12 being the request of Orville J. Birkestrand for a final plat of Daniel Churchill's 2nd Addition, a 2-lot subdivision on 0.40 acres located at 1203 Jersey Ridge Road. [Ward 5] **ADOPTED 2024-194**

4. Resolution of support for the submission of an application to the State of Iowa High Quality Jobs Program through a partial property tax exemption for the construction of a high-tech data center project (Vemerald LLC, Petitioner). [Ward 8] **ADOPTED 2024-195**

5. Resolution approving street, lane, and public ground closures on the listed dates and times to hold outdoor events. **ADOPTED 2024-196**

CPKC; Final Spike Steam Tour; Riverfront; 8:00 a.m. Thursday, May 9, 2024 - 11:30 p.m. Friday, May 10, 2024; **Closure**: Dillon Fountain east parking lot. [Ward 3]

Mississippi River Distilling Company Downtown Lounge; Final Friday Garage Band and Alternating Currents; 318 East 2nd Street; various dates and times (see attached schedule); **Closure**: east-west alley between East 2nd Street and East 3rd Street from Iowa Street to the MidAmerican parking lot. [Ward 3]

St. Paul Lutheran Church; A St. Paul Farewell Celebration; 2136 North Brady Street; 1:00 p.m. - 8:00 p.m. Sunday, June 2, 2024; **Closure**: West Lombard Street from Main Street to Brady Street. [Ward 5]

6. Resolution awarding a contract for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project to McCarthy Improvement Company of Davenport, Iowa in the amount of \$929,459.70, CIP #35061. [Wards 2, 4, & 7] **ADOPTED 2024-197**

7. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Emerald Drive Reconstruction project, CIP #35062. [Ward 1] **ADOPTED 2024-198**

8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the East Locust Street (Grand Avenue to Eastern Avenue) Resurfacing project, CIP #35062. [Ward 5] **ADOPTED 2024-199**

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant & Compost Facility Flood Mitigation, Stormwater, and Effluent Pumping System project (EDA #06-79-06258), CIP #39012. [Ward 1] **ADOPTED 2024-200**

10. Resolution authorizing the submission of an application to the United States Department of Transportation's Safe Streets and Roads for All Grant Program for assistance to improve transportation safety throughout the City. [Wards 2, 3, 4, 5, & 8] **ADOPTED 2024-201**

11. Resolution accepting the Iowa Department of Transportation Agreement for Traffic Safety Improvement Program (TSIP) Project for the 53rd Street at Utica Ridge Road Intersection Improvements project, CIP #38021. [Ward 6] **ADOPTED 2024-202**

12. Resolution to fix meeting date for hearing on the issuance of not to exceed \$31,000,000 General Obligation Corporate Bonds, Series 2025. [All Wards] **ADOPTED 2024-203**

13. Motion approving noise variance requests on the listed dates and times for outdoor events. **PASSED 2024-204**

Mississippi River Distilling Company Downtown Lounge; Final Friday Garage Band and Alternating Currents; 318 East 2nd Street; various dates and times (see attached schedule); Outdoor music/band, over 50 dBA. [Ward 3]

14. Motion approving beer and liquor license applications. **PASSED 2024-205**

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

Ward 2

Rudy's Tacos (K & J 2024, Inc) – 3502 West Kimberly Road – New Owner/License – License Type: Class C Liquor (On-Premises)

Ward 3

Great River Brewery (AFS GRB BrewCo Davenport, LLC) – 332 East 2nd Street – New License with Outdoor Area – License Type: Class C Liquor (On-Premises)

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

Ward 2

Pilot Travel Center #636 (Pilot Travel Centers, LLC) - 8200 Northwest Boulevard - License Type: Class B Beer (Carry-Out)

Ward 3

The Diner (The Diner, LLC) - 421 West River Drive #6 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Geezer's Drafthouse (Geezers, Inc) - 1654 West 3rd Street - Outdoor Area – License Type: Class C Liquor (On-Premises)

Ward 6

Portillo's Hot Dogs (Portillo's Hot Dogs, LLC) - 2741 East 53rd Street - Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Rhythm City Casino (Rhythm City Casino, LLC) - 7077 Elmore Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

Staybridge Suites (Surya Management, LLC) - 4729 Progress Drive - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 7

American Legion Post 26 (Davenport Post #26, The American Legion, Inc) - 702 West 35th Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Olive Garden Italian Restaurant #1144 (GMRI, Inc) - 330 West Kimberly Road - License Type: Class C Liquor (On-Premise)

15. Motion awarding a five-year contract for Transit Advertising Sales to Houck Transit Advertising of Shoreview, Minnesota. [All Wards] **PASSED 2024-206**

16. Motion awarding a contract for repairs to fire truck T-3 to Legacy Fire Apparatus of Shorewood, Illinois in an amount not to exceed \$75,000. [All Wards] **PASSED 2024-207**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

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



Brian J. Krup
Deputy City Clerk