

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, June 26, 2024

The City Council of Davenport, Iowa met in regular session on Wednesday, June 26, 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 except Alderwoman Newton (*In person*: Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; *Via telephone*: Alderman Gripp and Alderwoman Lynch).

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 June 12, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for June 18, 2024.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Tuesday, June 18, 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 Gripp. Upon the roll being called, all Aldermen were present except Alderman Reinartz and Alderwoman Lynch (Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Gripp, Alderwoman Newton, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder).

*The following Public Hearings were held: **Community Development:** 1. on the Annual Action Plan for Year 50 (July 1, 2024 - June 30, 2025) for the CDBG and HOME Programs; and 2. for Case ROW24-03 being the request of the Davenport Community School District to vacate West 5th Street between Cedar Street and Howell Street. **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the West 3rd Street and West 4th Street (Telegraph Road to Fillmore Street) Traffic Signal Upgrades project, CIP #38021; 2. on the plans, specifications, form of contract, and estimate of cost for the 3rd Street (Telegraph Road to Harrison Street) Rehabilitation project, CIP #35055; 3. on the plans, specifications, form of contract, and estimate of cost for the East High Street and Forest Road Storm Sewer Realignment project, CIP #33001; and 4. on the plans, specifications, form of contract, and estimate of cost for the Black Hawk Creek Gates Replacement project, CIP #68015.*

*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 Jobgen, second by Alderman R. Dunn all items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderman T. Dunn, second by Alderman Gripp the two liquor license applications for Yoshi's Bar and Filipino Canteen under item #6 (new permanent extended outdoor area under section A and the annual renewal with outdoor area under section B) moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Public Works:** Alderman R. Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Jobgen items #5, Resolution awarding a contract for the Southern Levee System / Water Pollution Control Plant Flood Protection Project - Levee and Pump Station (Phase*

1) to Langman Construction, Inc of Rock Island, Illinois in the amount of \$13,947,499.16 (EDA #06-79-06258), CIP #39012; #8, Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 3rd Street and West 4th Street (Telegraph Road to Fillmore Street) Traffic Signal Upgrades project, CIP #38021; #9, Resolution approving the plans, specifications, form of contract, and estimate of cost for the 3rd Street (Telegraph Road to Harrison Street) Rehabilitation project, CIP #35055; and #15, Motion awarding a contract for architectural and engineering services for the Main Street Landing | Enhanced Lighting project to Sasaki Associates, Inc of Denver, Colorado in an amount not-to-exceed \$67,500, CIP #68022, moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Finance:** Alderwoman Newton reviewed all items listed. On motion by Alderwoman Burkholder, second by Alderman Jobgen all items moved to the Consent Agenda.

Council adjourned at **6:44 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2024-259

1. Community Is Stronger Than Cancer Day | June 28, 2024

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

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

Resolution awarding a contract for the Southern Levee System | Water Pollution Control Plant Flood Protection Project - Levee and Pump Station (Phase 1) to Langman Construction, Inc of Rock Island, Illinois in the amount of \$13,947,499.16 (EDA #06-79-06258), CIP #39012. [Ward 1]

ADOPTED 2024-260

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

Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 3rd Street and West 4th Street (Telegraph Road to Fillmore Street) Traffic Signal Upgrades project, CIP #38021. [Ward 3]

ADOPTED 2024-261

3. *On motion by Alderman Jobgen, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Resolution was adopted.*

Resolution approving the plans, specifications, form of contract, and estimate of cost for the 3rd Street (Telegraph Road to East River Drive) Rehabilitation project, CIP #35055. [Ward 3]

ADOPTED 2024-262

4. *On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Motion passed.*

Motion approving beer and liquor license applications.

PASSED 2024-263

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

Ward 3

Yoshi's Bar And Filipino Canteen (Yoshi's Bar And Filipino Canteen, LLC) - 831 West 3rd Street
- Permanent Extended Outdoor Area - License Type: Class C Liquor (On-Premises)

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

Ward 3

Yoshi's Bar and Filipino Canteen (Yoshi's Bar and Filipino Canteen, LLC) - 831 West 3rd Street
- Outdoor Area - License Type: Class C Liquor (On-Premises)

5. On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Motion passed.

Motion awarding a contract for architectural and engineering services for the Main Street Landing | Enhanced Lighting project to Sasaki Associates, Inc of Denver, Colorado in an amount not-to-exceed \$67,500, CIP #68022. [Ward 3] **PASSED 2024-264**

XI. Approval of All Items 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. **Third Consideration:** Ordinance for Case ROW24-02 being the request of the City of Davenport, Iowa to vacate a portion of Lorton Place between Lorton Avenue and Lombard Court. [Ward 6]

ADOPTED 2024-265

ORDINANCE NO. **2024-265**

AN ORDINANCE FOR CASE ROW24-02 BEING THE REQUEST OF THE CITY OF DAVENPORT, IOWA TO VACATE A PORTION OF LORTON PLACE BETWEEN LORTON AVENUE AND LOMBARD COURT.

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

Section 1. The following described units of Scott County, Iowa real estate are hereby vacated (abandoned). The property has the following legal description:

Part of Lorton Place located in The Third Annex to Fairhaven, an addition to the City of Davenport, Scott County, Iowa being more particularly described as follows:

Commencing at the Southwest corner of Lot 1 of said Third Annex to Fairhaven, said corner is also on the east right of way line of a public roadway designated as Lorton Avenue;

Thence, North 01 degrees 39 minutes 18 seconds West, 10.00 feet on said east right of way line to the Point of Beginning;

Thence, North 01 degrees 39 minutes 18 seconds West, 174.48 feet continuing on said east right of way line to the beginning of a concave curve to the southeast, said curve having a radius of 5.00 feet, a central angle of 106 degrees 41 minutes 53 seconds to the right, and a chord that bears North 51 degrees 41 minutes 39 seconds East, 8.02 feet;

Thence on said curve 9.31 feet to a point on the south right of way line of a public roadway designated as Lombard Court;

Thence, South 74 degrees 57 minutes 24 seconds East, 76.03 feet on said south right of way line to the beginning of a non-tangent curve :on cave to the southeast, said curve having a radius of 20.00 feet, a

central angle of 78 degrees 17 minutes 13 seconds to the left, and a chord that bears South 65 degrees 53 minutes 59 seconds West, 25.25 feet.

Thence on said curve 27.33 feet;

Thence, South 26 degrees 45 minutes 23 seconds West, 74.61 feet to the beginning of a concave curve to the east, said curve having a radius of 171.22 feet, a central angle of 28 degrees 37 minutes, 32 seconds to the left, and a chord that bears South 12 Degrees 18 minutes 12 seconds West, 84.66 feet;

Thence on said curve 85.54 feet to the point of beginning.

The above-described parcel contains 4,548 square feet. Bearings are based on the Iowa Real Time Network (IARTN) Iowa South Zone State Plane Coordinate System (2011 Adj.)

Section 2. At its April 30, 2024 meeting, the Plan and Zoning Commission recommended Case ROW24-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition.

Findings

1. Vacating the right-of-way facilitates a roadway reconstruction project that improves safety, addresses deteriorated pavement conditions, and mitigates drainage problems at the intersection.
2. Based on the design for the roadway reconstruction, the existing public right-of-way is not required for City purposes.
3. A utility easement would preserve the rights for utility providers to maintain existing and future infrastructure.

Conditions

1. All existing utilities located within the right-of-way, which are subject to vacation, shall be granted a blanket utility and access easement for the maintenance of such utilities.

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 6/26/2024: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. First Consideration: Ordinance for Case ROW24-03 being the request of the Davenport Community School District to vacate West 5th Street between Cedar Street and Howell Street. [Ward 3] **MOVED TO SECOND CONSIDERATION**

3. First Consideration: Ordinance amending Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 49th Street from Fairmount Street to Pine Street as a 35 mph street thereto. [Ward 2] **MOVED TO SECOND CONSIDERATION**

4. First Consideration: Ordinance amending Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 60th Street from Wisconsin

Avenue to Fairmount Street as a 35 mph street thereto. [Ward 2]

MOVED TO SECOND CONSIDERATION

5. First Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Spalding Boulevard along the frontage of 707 and 708 Spalding Boulevard thereto. [Ward 4]

MOVED TO SECOND CONSIDERATION

6. Resolution approving Case F24-06 being the request of Fair Oaks Foods, LLC for a final plat of Interstate 80 Airport Industrial Park 13th Addition, a 2-lot subdivision on 31.58 acres located at 2951 Enterprise Way. [Ward 8]

ADOPTED 2024-266

7. Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events.

ADOPTED 2024-267

City of Davenport; Red, White and Boom!; LeClaire Park | 400 Beiderbecke Drive; 2:00 p.m. - 11:00 p.m. Wednesday, July 3, 2024; **Closures: (starting at 2:00 p.m.)** Marquette, Gaines, Ripley, and Harrison Streets south of West River Drive; **(starting at approximately 7:00 p.m.)** Marquette Street, Myrtle Street, Warren Street, Western Avenue, Scott Street, Ripley Street, and Main Street from West River Drive to West 2nd Street. [Ward 3]

LeeAnn Mendez; Mendez Block Party; 6918 Wilkes Avenue; 8:00 a.m. - 11:00 p.m. Thursday, July 4, 2024; **Closure:** Wilkes Avenue from West 69th Street to West 70th Street. [Ward 8]

Tim Shea; Belle Court 4th of July Party; 8:30 p.m. - 11:00 p.m. Thursday, July 4, 2024; **Closure:** Belle Court from East 61st Street to Parkview Lane. [Ward 8]

Davenport Parks and Recreation; YouthFest; Fejervary Park | 1800 West 12th Street; 6:30 a.m. - 1:30 p.m. Wednesday, July 10, 2024; **Closure:** Park road from the intersection of Wilkes Avenue and West 12th Street to north of the Aquatics Center parking lot. [Ward 4]

8. Resolution accepting work completed under the Hickory Grove Road and Central Park Avenue Reconstruction project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$1,733,081.09, CIP #35052. [Wards 2 & 4]

ADOPTED 2024-268

9. Resolution accepting work completed under the Black Hawk Creek and Walnut Creek Clearing and Grubbing project by Ihrig Works LLC of Long Grove, Iowa in the amount of \$248,575, CIP #68015. [Ward 1]

ADOPTED 2024-269

10. Resolution approving Change Order #1 in the amount of \$200,000 to Langman Construction of Rock Island, Illinois for the 2023-2024 Sewer and Manhole Rehabilitation Program, CIP #30057. [All Wards]

ADOPTED 2024-270

11. Resolution approving Change Order #1 in the amount of \$150,000 to Kline Sewer & Drain, LLC of Long Grove, Iowa for On-Call Sewer Televising, Inspecting, and Cleaning Services, CIP #30057 & #35061. [All Wards]

ADOPTED 2024-271

12. Resolution awarding a contract for the Colony Drive (Western Avenue to Ripley Street) Reconstruction project to Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$411,964, CIP #35061. [Ward 7] **ADOPTED 2024-272**

13. Resolution awarding a contract for the RiverCenter Ramp Interior Pedestrian Walkway Demolition and Upgrades project to Reed Construction LLC of Dewitt, Iowa in the amount of \$113,000, CIP #60039. [Ward 3] **ADOPTED 2024-273**

14. Resolution approving the plans, specifications, form of contract, and estimate of cost for the East High Street and Forest Road Storm Sewer Realignment project, CIP #33001. [Ward 6] **ADOPTED 2024-274**

15. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Black Hawk Creek Gates Replacement project, CIP #68015. [Ward 1] **ADOPTED 2024-275**

16. Resolution of acceptance covering an assessment for the FY 2024 Commercial Alley Program in accordance with the Alley Cost Share Program, CIP #35038. [Ward 3] **ADOPTED 2024-276**

17. Resolution approving the renewal of general and auto liability, property, and workers' compensation insurance with multiple insurance companies and related professional services for FY 2025 in the amount of \$2,242,433 in accordance with the attached Schedule of Insurance in Force; approving the renewal of workers' compensation insurance with Midwest Employers Casualty Co and related professional services for FY 2026 in the amount of \$188,969; and authorizing the Human Resources Director to execute any related documents. [All Wards] **ADOPTED 2024-277**

18. Motion approving the Annual Action Plan for Year 50 (July 1, 2024 - June 30, 2025) for the CDBG and HOME Programs, and authorizing the Interim City Administrator or her designees to sign necessary documents and agreements. [All Wards] **PASSED 2024-278**

19. Motion approving noise variance requests on the listed dates and times for outdoor events. **PASSED 2024-279**

Southeast Little League; End of Season Celebration; Prairie Heights Park | 5600 Eastern Avenue; 10-15 minutes or less between 8:45 p.m. and 9:30 p.m. on Friday, June 28, 2024; Fireworks, over 50 dBA. [Ward 8]

Tim Shea; Belle Court 4th of July Party; 8:30 p.m. - 11:00 p.m. Thursday, July 4, 2024; Outdoor music/band, over 50 dBA. [Ward 8]

20. Motion approving beer and liquor license applications. **PASSED 2024-280**

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

Ward 2

Hickory Creek Event Center (Chariot, LLC) - 3504 Hickory Grove Road – Permanent Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 3

Figge Art Museum (Figge Art Museum) - 225 West 2nd Street - New Owners/License with Outdoor Area - License Type: Class C Liquor (On-Premises)

Palmer College of Chiropractic (Palmer College Foundation) - 1000/1005 North Brady Street - Temporary Event with Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Ward 4

Dollar General Store #30700 (DolGenCorp, LLC) - 1777 North Division Street – License Type: Class B Beer/Wine (Carry-Out)

Ward 6

Kobe Sushi and Hibachi, LLC (Kobe Sushi and Hibachi, LLC) - 5242 Elmore Avenue - License Type: Class C Liquor (On-Premises)

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

Ward 2

Hickory Creek Event Center (Chariot, LLC) - 3504 Hickory Grove Road - License Type: Class C Liquor (On-Premises)

Ward 5

Grilled Cheese Bar (Tbs Enterprises, LLC) - 1019 Mound Street - License Type: Class C Liquor (On-Premises)

21. Motion approving Change Order #1 in the amount of \$70,912 to Americore LLC of Blue Grass, Iowa for the 2024 Pedestrian Curb Ramp Retrofit Program, CIP #35063. [All Wards]

PASSED 2024-281

22. Motion awarding a contract for the CY 2024 City Sidewalk Program to C-2 Creative Concrete of Dekalb, Illinois in an amount not to exceed \$80,000, CIP #28028. [All Wards]

PASSED 2024-282

23. Motion awarding a two-year contract with an optional one-year extension for traffic signal maintenance to Davenport Electric Contract Company of Davenport, Iowa. [All Wards]

PASSED 2024-283

24. Motion considering a waiver of sidewalk installation along Granite Way and Hillandale Road, and that the waiver is valid as long as certain conditions remain in effect. [Ward 8]

PASSED 2024-284

25. Motion awarding a two-year contract for License Plate Recognition (LPR) infrastructure to Insight Public Sector of Chandler, Arizona in the amount of \$65,550 using OMNIA Partners contract 23-6692-03. [All Wards]

PASSED 2024-285

XII. Other Ordinances, Resolutions and Motions

1. *On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the rules were suspended to add and vote on the listed items.*
2. *On motion by Alderman Reinartz, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Motion passed.*

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

PASSED 2024-286

Sharon Cumberbatch; Backyard Wedding; 3855 Sea Oaks Circle | 7:00 p.m. - 12:00 a.m.
Saturday, July 6, 2024; Outdoor music/DJ, over 50 dBA. [Ward 6]

3. *On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Motion was deleted from the agenda as the applicant withdrew the application with the Iowa Alcoholic Beverages Division (ABD).*

Motion approving a beer and liquor license application.

DELETED

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

Ward 3

Front Street Brewery (Front Street Brewery, Inc) – 400 Beiderbecke Drive – Temporary
Outdoor Event July 3 – License Type: Class C Liquor (On-Premises)

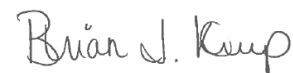
XIII. Public with Business

XIV. Reports of City Officials

The following is a summary of revenue received for the month of May 2024:

Property Taxes	\$4,562,168
Other City Taxes	\$3,102,329
Licenses & Permits	\$193,612
Intergovernmental	\$3,893,315
Charges for Services	\$4,646,879
Use of Monies & Property	\$240,471
Fines & Forfeits	\$164,088
Bonds/Loan Proceeds	\$19,396,510
Miscellaneous	\$1,024,913

XV. Adjourn **6:29 p.m.**



Brian J. Krup
Deputy City Clerk