

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

The City Council of Davenport, Iowa met in regular session on Wednesday, July 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 (Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderman Gripp, Alderwoman Newton, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderwoman Lynch

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for June 26, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for July 2, 2024.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Tuesday, July 2, 2024 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Pro Tem Meginnis presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderwoman Newton. Upon the roll being called, all Aldermen were present except Alderwoman Lynch (Alderman R. Dunn, Alderman Kelly, Alderman Reinartz, Alderman Gripp, Alderwoman Meginnis, Alderwoman Newton, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder).

*The following Public Hearings were held: **Community Development:** 1. for Case ORD24-03 being the request of Grace Real Estate to amend the Principal Use Standards in Subsection 17.08.030(V) Neighborhood Commercial Establishment of the Municipal Code of Davenport, Iowa by adding Day Care Center and Medical/Dental Office as permitted uses within a Neighborhood Commercial Establishment; and 2. for Case REZ24-02 being the request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District (Note: Plan and Zoning Commission recommends denial. Protest rate is over 20%. 8 votes required for passage.) **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the Davenport Freight House Roof Replacement project, CIP #23073; and 2. on the plans, specifications, form of contract, and estimate of cost for the 2024 Residential Alley Program, CIP #35038.*

*Action Items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) *At 6:23 p.m., City Council took a recess during the Community Development agenda due to severe weather warnings. City Council reconvened in regular session at 7:10 p.m. **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderman Reinartz, second by Alderman Jobgen item #2, First Consideration: Ordinance for Case ORD24-03 being the request of Grace Real Estate to amend the Principal Use Standards in Section 17.08.030(V) Neighborhood Commercial Establishment of the Municipal Code of Davenport, Iowa by adding Day Care Center and Medical/Dental Office as permitted uses within a Neighborhood Commercial Establishment; moved to the Discussion Agenda; item #3, First Consideration: Ordinance for Case REZ24-02 being the request of Riverview Heights, LLC to rezone approximately*

1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District, moved to the Discussion Agenda with a recommendation for denial from the Plan and Zoning Commission and a protest rate over 20% requiring 8 votes for passage; and all other items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderman T. Dunn, second by Alderman R. Dunn all items moved to the Consent Agenda except the street closure request from the Freight House Farmers' Market under item #4 and the noise variance request from the Southeast Little League under item #5 that would be voted on later on the agenda. **Public Works:** Alderman R. Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Gripp all items moved to the Consent Agenda. **Finance:** There were no items on the Finance agenda.

Other Ordinances, Resolutions and Motions: A motion for suspension of the rules to vote on the listed items was moved by Alderwoman Newton and seconded by Alderman Reinartz. Upon the roll being called, all Aldermen present voted aye and the rules were suspended.

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

Resolution approving a street closure request on the listed dates and times for an outdoor event.

ADOPTED 2024-287

Freight House Farmers' Market; Temporary Market due to flooding; Scott County Administrative Center | 600 West 4th Street; 4:00 a.m. Saturday, July 6, 2024 - 3:00 p.m. Sunday, July 7, 2024 and 4:00 a.m. Saturday, July 13, 2024 - 3:00 p.m. Sunday, July 14, 2024; **Closure:** Western Avenue from West 4th Street to West 5th Street. [Ward 3]

On motion by Alderman Reinartz, second by Alderman Gripp 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 2024-288

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 Sunday, July 7, 2024; Fireworks, over 50 dBA. [Ward 8]

On motion by Alderman Gripp, second by Alderman Reinartz and all Aldermen present voting aye, Council recessed to Executive Session at **7:30 p.m.** to discuss strategy with counsel in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c). Council reconvened in Executive Session at **7:35 p.m.** with all Aldermen present except Alderwoman Lynch (Alderwoman Burkholder, Alderman R. Dunn, Alderman T. Dunn, Alderman Gripp, Alderman Jobgen, Alderman Kelly, Alderwoman Meginnis, Alderwoman Newton, and Alderman Reinartz). Others present included Attorneys Brett Marshall and Richard Davidson from Lane & Waterman LLP and Interim City Administrator Mallory Merritt. On motion by Alderman Gripp, second by Alderman R. Dunn Council went back into open session at **8:40 p.m.** On motion by Alderman Reinartz, second by Alderman Gripp Council adjourned at **8:40 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2024-289

1. Housing Commission

-Joyce Miller (re-appointment)

2. Citizens Advisory Committee

-Jessica Noles (new appointment | Eighth Ward)

B. Proclamations

ISSUED 2024-290

1. Park and Recreation Month | July 2024 and Park and Recreation Professionals Day | July 19, 2024

IX. Presentations

HELD

1. Firefighter Swearing-In Ceremony

- Jared DeGeeter
- Cole Buhman
- Prestyn Woods
- Shane Polzin
- Benjamin Danielson
- Robert Robson
- Wesley Larson
- Nathan Lacourse

2. QC Chamber Update

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. *On motion by Alderman Gripp, second by Alderman Jobgen and all Aldermen present voting aye, the following Ordinance moved to second consideration.*

First Consideration: Ordinance for Case ORD24-03 being the request of Grace Real Estate to amend the Principal Use Standards in Subsection 17.08.030(V) Neighborhood Commercial Establishment of the Municipal Code of Davenport, Iowa by adding Day Care Center and Medical/Dental Office as permitted uses within a Neighborhood Commercial Establishment. [All Wards]

MOVED TO SECOND CONSIDERATION

2. *On motion by Alderman Gripp, second by Alderman Jobgen and all Aldermen present voting aye, the following Ordinance moved to second consideration.*

First Consideration: Ordinance for Case REZ24-02 being the request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District. [Ward 3]

MOVED TO SECOND CONSIDERATION

PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. THE PROTEST RATE IS OVER 20%. 8 VOTES REQUIRED FOR PASSAGE.

XII. Approval of All Items on the Consent Agenda

Alderman Jobgen requested that items #6 and #12 be removed for further discussion. After discussion, both items were placed back on the Consent Agenda.

On motion by Alderwoman Newton, second by Alderwoman Meginnis and all Aldermen present voting aye except Alderman Kelly who was not in the Council Chambers for the vote, the Consent Agenda was approved as follows.

1. Second 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 THIRD CONSIDERATION

2. Second 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 THIRD CONSIDERATION

3. Second 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 THIRD CONSIDERATION

4. Second 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 THIRD CONSIDERATION

5. Resolution setting a Public Hearing on the proposed conveyance of vacated alley right-of-way located west of North Division Street between West Pleasant Street and Hickory Grove Road to Wallicks Auto Service LLC and IA12 Davenport LLC, Petitioners. [Ward 4] **ADOPTED 2024-291**

6. Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events. **ADOPTED 2024-292**

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; Bix Block Party; 300 block of West 3rd Street; 9:00 a.m. Friday, July 26, 2024 - 3:00 a.m. Sunday, July 28, 2024; **Closure:** West 3rd Street from Ripley Street to Harrison Street. [Ward 3]

The Office; Bix Party; 116 West 3rd Street; approximately 11:00 a.m. (or whenever the Bix 7 is over) - 11:30 p.m. Saturday, July 27, 2024; **Closure:** northern parking lane and travel lane in front of 116 West 3rd Street. [Ward 3]

Mississippi River Distilling Company Downtown Lounge; Garage Band Night; 318 East 2nd Street; 3:00 p.m. - 11:00 p.m. Saturday, August 10, 2024; **Closure:** east-west alley between East 2nd Street and East 3rd Street from Iowa Street to the MidAmerican parking lot. [Ward 3]

Sweet Delite Ice Cream; Car Show; 1901 West 4th Street; 3:00 p.m. - 6:00 p.m. Sunday, September 29, 2024; **Closure:** Howell Street from West 3rd Street to West 4th Street. [Ward 3]

7. Resolution accepting work completed under the Goose Creek Trail (46th Street to 53rd Street) Overlay project by Langman Construction, Inc of Rock Island, Illinois in the amount of \$196,943.50, CIP #28030. [Ward 7] **ADOPTED 2024-293**

8. Resolution awarding a contract for the Colony Drive (Brown Street to Gaines Street) Reconstruction project to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$419,155.08, CIP #35062. [Ward 7] **ADOPTED 2024-294**

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Davenport Freight House Roof Replacement project, CIP #23073. [Ward 3]

ADOPTED 2024-295

10. Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2024 Residential Alley Program, CIP #35038. [Ward 3 & 5]

ADOPTED 2024-296

11. Motion approving noise variance requests on the listed dates and times for outdoor events.

PASSED 2024-297

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; Bix Block Party; 300 block of West 3rd Street; 7:30 p.m. - 10:30 p.m. Friday, July 26, 2024 and 11:00 a.m. Saturday, July 27, 2024 - 12:00 a.m. Sunday, July 28, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

The Office; Bix Party; 116 West 3rd Street; approximately 11:00 a.m. (or whenever the Bix 7 is over) - 11:30 p.m. Saturday, July 27, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

Mississippi River Distilling Company Downtown Lounge; Garage Band Night; 318 East 2nd Street; 6:00 p.m. - 10:00 p.m. Saturday, August 10, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

Sweet Delite Ice Cream; Car Show; 1901 West 4th Street; 3:00 p.m. - 6:00 p.m. Sunday, September 29, 2024; Outdoor music, over 50 dBA. [Ward 3]

12. Motion approving beer and liquor license applications.

PASSED 2024-298

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

Ward 3

Daiquiri Factory (DaqFaq, LLC) - 303 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

Hy-Vee Bettendorf Post Race (Hy-Vee, Inc) - 500 East 3rd Street - Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Kilkenny's Pub & Eatery (Kilkenny's Pub, Inc) - 300 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

Mac's Tavern (Failte, Inc) - 316 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

The Office (Local 563 Cocktail Lounge, LLC) - 116 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

Ward 5

Wide River Winery X of 6 (Wide River Winery, LLC) – 1128 Mound Street – Temporary Event with Outdoor Area August 6-10 – License Type: Special Class C Beer/Wine (On-Premises)

Ward 6

Candy's Backbar (BB Hospitality, LLC) – 4751 Progress Drive – New License with Outdoor Area – License Type: Class C Liquor (On-Premises)

Ward 7

Chipotle Mexican Grill (Chipotle Mexican Grill of Colorado, LLC) – 1020 West Kimberly Road – New License – License Type: Special Class C Beer/Wine (On-Premises)

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

Ward 1

Casey's General Store #2077 (Casey's Marketing Company) - 3700 West Locust Street - License Type: Class B Beer/Wine (Carry-Out)

Ward 3

Frick's Tap (LBLN, LLC) - 1402 West 3rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Miss Phay Cafe (Miss Phay Cafe, Inc) - 510/512 Brady Street - License Type: Class C Liquor (On-Premises)

Ward 5

Express Lane Gas & Food Mart, Inc (Express Lane, Inc) - 1208 East Locust Street - License Type: Class B Beer/Wine (Carry-Out)

Ward 7

Filling Station, The (Bar Management, LLC) - 305 East 35th Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Vans Pizza Pub and Grill (Reedcan, LLC) - 3333 North Harrison Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 8

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

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

13. Motion approving an engineering agreement with Canadian Pacific Kansas City Railway (CPKC) for the Riverfront Quiet Zone project in an amount not-to-exceed \$70,000, #ARP12. [Wards 3 & 5] **PASSED 2024-299**

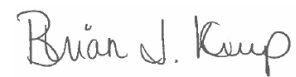
14. Motion approving Change Order #4 with Sasaki Associates Inc, of Denver, Colorado for the design of a new play feature for the Main Street Landing | Destination Iowa project in an amount not-to-exceed \$85,000, #ARP12. [Ward 3] **PASSED 2024-300**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **7:43 p.m.**



Brian J. Krup
Deputy City Clerk