

CITY COUNCIL MEETING

CITY OF DAVENPORT, IOWA

Wednesday, August 14, 2024; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

**\*CORRECTED AUGUST 14, 2024\***

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting Minutes for July 24, 2024.

Approval of the City Council Special Meeting Minutes for July 29, 2024.

Approval of the City Council Special Meeting Minutes for July 31, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for August 7, 2024.

VIII. Appointments, Proclamations, Etc.

A. Appointments

1. Historic Preservation Commission
  - Jeffrey Gomez (new appointment)
  - George Eaton (new appointment)
  - David Adams (new appointment)

B. Proclamations

1. Alternating Currents Week | August 15 - 18, 2024

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. Third 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 as a permitted use within a Neighborhood Commercial Establishment. [All Wards]
2. First Consideration: Ordinance amending various sections of Chapter 6.04 entitled "Animals" of the Municipal Code of Davenport, Iowa to incorporate recommendations from the joint task force between the Humane Society of Scott County and the City of Davenport, Iowa, and to update language regarding fees and roles. [All Wards]
3. Motion approving a beer and liquor license application.

A. Request for Waiver to 600' Child Care Distance Separation Provisions

### **Ward 3**

Palmer College of Chiropractic (Palmer College Foundation) - 1000, 1001, 1005 North Brady Street - New License with Outdoor Area - License Type: Class C Liquor (On-Premises)

4. Motion approving a waiver of installation of sidewalk along the southern portion of 510 and 516 West 35th Street, and that the waiver remain in effect as long certain conditions remain in effect. [Ward 7]

**\*STAFF RECOMMENDS DENIAL\***

## **XI. Approval of All Items on the Consent Agenda**

**\*\*NOTE:** These are routine items and will be enacted at the City Council Meeting by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

1. Second Consideration: Ordinance amending Schedule XIII Seven Ton Weight Limit of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 5th Street from Western Avenue to Gaines Street thereto. [Ward 3]
2. Second Consideration: Ordinance amending various sections of Chapter 13.34 entitled "Stormwater Management" of the Municipal Code of Davenport, Iowa to clearly convey intent and to ensure compliance with recent state legislation regarding regulation of topsoil and stormwater at construction sites. [All Wards]
3. Resolution setting a Public Hearing on the proposed conveyance of vacated West 5th Street between Cedar Street and Howell Street to Davenport Community School District, Petitioner. [Ward 3]
4. Resolution accepting the NorthPark Mall Retail Market Analysis and Use Strategy

Report completed by Leland Consulting Group of Portland, Oregon. [Ward 7]

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

Rachelle Buckwalter; Made Indie Market; Downtown; 6:00 a.m. - 7:00 p.m. Saturday, August 17, 2024; **Closure:** East 2nd Street from Perry Street to Pershing Avenue. [Ward 3]

Teri Logan; Thornwood Good Neighbor Project Block Party; 900-1200 block of North Thornwood Avenue; 10:00 a.m. - 10:30 p.m. Saturday, August 17, 2024; **Closure:** North Thornwood Avenue from North Lincoln Avenue to W Stubbs Lane. [Ward 3]

Place of Refuge Ministries; Back to School Celebration; 518 Brown Street; 9:00 a.m. - 6:00 p.m. Saturday, August 24, 2024; **Closure:** east-west alley from Brown Street to Warren Street between West 5th and West 6th Streets. [Ward 3]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; 6:00 a.m. - 6:30 p.m. Sunday, September 8, 2024; **Closure:** North Main Street from West 4th Street to West 5th Street. [Ward 3]

Heather Davis; Arlington Avenue Block Party; 3000 & 3100 blocks of Arlington Avenue; 12:30 p.m. - 8:00 p.m. Saturday, September 14, 2024; **Closures:** Arlington Avenue from East 30th Street to East 32nd Street; East 32nd Street from Arlington Avenue east to the alley. [Ward 5]

Palmer College of Chiropractic; Homecoming; 1000 Brady Street; 6:00 a.m. Saturday, September 21, 2024 - 10:00 a.m. Sunday, September 22, 2024; **Closure:** two easternmost lanes of Brady Street from 8th Street to Palmer Drive. [Ward 3]

6. Resolution authorizing submission of a grant application to the Iowa Department of Transportation's Traffic Safety Improvement Program for financial assistance to install traffic signals at the intersection of Elmore Avenue and East 46th Street. [Ward 6]
7. Resolution authorizing submission of a grant application to the Iowa Department of Transportation's Traffic Safety Improvement Program for financial assistance to improve the intersection of Kimberly Road and East 36th Street. [Ward 7]
8. Resolution adopting the final assessment schedule for the 2023 Alley Resurfacing Program in accordance with the Alley Cost Share Program and amending, confirming, and levying the assessments, CIP #35038. [Wards 3, 5, & 6]
9. Resolution awarding a contract for the 3rd Street Pavement Rehabilitation project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$4,681,917.45, CIP #35055. [Ward 3]
10. Resolution awarding a contract for the Black Hawk Creek Gates Replacement project to Hagerty Earthworks, LLC of Muscatine, Iowa in the amount of \$549,661.36, CIP

#68015. [Ward 1]

11. Resolution awarding a contract for the East High Street and Forest Road Storm Sewer Realignment project to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$356,943.78, CIP #33062. [Ward 6]
12. Resolution awarding a contract for the Davenport Freight House Roof Replacement project to White Roofing Co, Inc of Eldridge, Iowa in the amount of \$281,055, CIP #23073. [Ward 3]
13. Resolution awarding a contract for the Garfield Park ADA Access Improvements project to Midwest Concrete, Inc of Peosta, Iowa in the amount of \$262,533.50, CIP #64071. [Ward 5]
14. Resolution awarding a contract for the West 3rd Street and West 4th Street (Telegraph Road to Fillmore Street) Traffic Signal Upgrades project to Davenport Electric Contract Company of Davenport, Iowa in the amount of \$198,517, CIP #38022. [Ward 3]
15. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Bus Barn Charging project, CIP #24035. [Ward 7]
16. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Main Library Renovation | Phase II project, CIP #23063. [Ward 3]
17. Resolution approving the purchase of a wheel loader from Martin Equipment of Rock Island, Illinois in the amount of \$214,743.37 using Sourcewell contract #011723-JDC. [All Wards]
18. Resolution approving the purchase of two street sweeper hopper assemblies from Armor Equipment of Johnston, Iowa in the amount of \$185,156, CIP #24038. [All Wards]
19. Resolution appointing Ms. Nicole Gleason as the Acting City Administrator. [All Wards]
20. Resolution adopting the FY 2026 Budget Policies. [All Wards]
21. Resolution approving a five-year extension of the Fairmount Cemetery Assistance Agreement between the Fairmount Cemetery and Crematory Association and the City of Davenport. [Ward 1]
22. Resolution approving a three-year extension of the audit services contract with Eide Bailly LLP of Dubuque, Iowa in the amount of \$265,500. [All Wards]
23. Resolution approving the Memorandum of Understanding outlining a two-year funding agreement between Scott County and the City of Davenport for MEDIC EMS capital expenditures. [All Wards]
24. Resolution awarding a three-year contract with two possible one-year extensions for the third-party administrative services of the employee health plan to UMR, Inc of

Wausau, Wisconsin, and authorizing the Human Resources Director to sign any related documents. [All Wards]

25. Resolution awarding a three-year contract with two possible one-year extensions for pharmacy benefit manager services for the employee health plan to Script Care, LTD of Beaumont, Texas, and authorizing the Human Resources Director to sign any related documents. [All Wards]
26. Resolution approving a five-year Master Government Entity Investment Agreement and the related five-year Government Entity Contribution Agreement between the City of Davenport and the Quad Cities Convention and Visitors Bureau d/b/a Visit Quad Cities. [All Wards]
27. Resolution accepting the 2024-2025 (year two of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount of \$437,207, and authorizing the Interim Finance Director to sign the grant agreement to be managed and implemented by the Davenport Parks and Recreation Department. [All Wards]
28. Motion approving noise variance requests on the listed dates and times for outdoor events.

Rachelle Buckwalter; Made Indie Market; Downtown; 10:00 a.m. - 4:00 p.m.  
Saturday, August 17, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

Place of Refuge Ministries; Back to School Celebration; 518 Brown Street; 9:00 a.m. - 6:00 p.m. Saturday, August 24, 2024; Outdoor music over 50 dBA. [Ward 3]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; 10:00 a.m. - 5:00 p.m. Sunday, September 8, 2024; Outdoor music, over 50 dBA. [Ward 3]

Heather Davis; Arlington Avenue Block Party; 3000 & 3100 blocks of Arlington Avenue; 12:30 p.m. - 8:00 p.m. Saturday, September 14, 2024; Outdoor music, over 50 dBA. [Ward 5]

29. Motion approving beer and liquor license applications.

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

### **Ward 3**

Palmer College of Chiropractic (Palmer College Foundation) - 1000, 1001, 1005 North Brady Street - New License with Outdoor Area - License Type: Class C Liquor (On-Premises)

RiverCenter/Adler Theatre (VenuWorks of Davenport, LLC) - 136 East 3rd Street - Temporary Extended Outdoor Area August 16-17- License Type: Class C Liquor (On-

Premises)

Thunder Bay Grille (Thunder Bay Grille, LLC) - 400 Beiderbecke Drive - Temporary Outdoor Event August 17 - License Type: Class C Liquor (On-Premises)

## **Ward 6**

Links (OMFG, LLC) - 5619 Utica Ridge Road #300 - Outdoor Area - New License/Owner - License Type: Class C Liquor (On-Premises)

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

## **Ward 1**

Lulac Club (Lulac Council #10, Inc) - 4224 Ricker Hill Road - License Type: Class C Liquor (On-Premises)

Rockingham Liquor (Lila, LLC) - 2423 Rockingham Road - License Type: Class E Liquor (Carry-Out)

## **Ward 2**

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2200 West Kimberly Road (Cafe Area) - License Type: Class C Liquor (On-Premises)

Walgreens #03595 (Walgreen Co) - 1720 West Kimberly Road - License Type: Class E Liquor (Carry-Out)

## **Ward 3**

Barrel House 211 (Barrelhouse, LLC) - 207-211 East 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Bootleg Hill Honey Meads (Bootleg Hill, LLC) - 321 East 2nd Street - License Type: Class C Liquor (On-Premises)

Duck City Delicatessen & Bistro (Moskowitz Llewellyn Restaurant Systems, Inc) - 115 East 3rd Street - License Type: Class C Liquor (On-Premises)

Express Lane Gas & Food Mark (Express Lane, Inc) - 1139 North Brady Street - License Type: Class B Beer/Wine (Carry-Out)

The Garrison (Endeavor Management Group, LLC) - 131 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Mary's On 2nd (Birdland, Inc) - 832 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Moti's Food (Qc Diner, LLC) - 1717 West 3rd Street - License Type: Class E Liquor (Carry-Out)

River Center/Adler Theatre (Venuworks of Davenport, LLC) - 136 East 3rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Stompbox Brewing (Jpx2me, LLC) - 210 East River Drive #101 - Outdoor Area - License Type: Class C Liquor (On-Premises)

#### **Ward 4**

Walgreens #05239 (Walgreen Co) - 1660 West Locust Street - License Type: Class E Liquor (Carry-Out)

#### **Ward 5**

Rookie's Sports Bar (Rookies, Inc) - 2818 Brady Street - License Type: Class C Liquor (On-Premises)

Express Lane Gas & Food Mart (Express Lane, Inc) - 1909 North Harrison Street - License Type: Class B Beer/Wine (Carry-Out)

#### **Ward 6**

Applebee's Neighborhood Grill & Bar (Apple Corps LP) - 3838 Elmore Avenue - License Type: Class C Liquor (On-Premises)

Chipotle Mexican Grill (Chipotle Mexican Grill of Colorado, LLC) - 5270 Elmore Avenue #3 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Holiday Inn & Suites / J-Bar (HOA Hotels, LLC) - 4215 Elmore Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

Red Lobster #0133 (Red Lobster Restaurants, LLC) - 3420 East Kimberly Road - License Type: Class C Liquor (On-Premises)

Rudy's Tacos (C.M.E. 1066, Inc) - 3944 Elmore Avenue - License Type: Class C Liquor (On-Premises)

Super Target T-533 (Target Corporation) - 5225 Elmore Ave - License Type: Class E Liquor (Carry-Out)

Walgreens #06186 (Walgreen Co) - 4011 East 53rd Street - License Type: Class E Liquor (Carry-Out)

#### **Ward 7**

CVS Pharmacy #8658 (Iowa CVS Pharmacy, LLC) - 1655 West Kimberly Road - License Type: Class E Liquor (Carry-Out)

Hooters of Davenport (HOA Restaurant Holder, LLC) - 110 East Kimberly Road - Outdoor Area - License Type: Class C Liquor (On-Premises)

Phil & Larry's Saloon (P & L, Inc) - 4811 North Brady Street #2 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Stop-N-Go #562 (Kwik Trip, Inc) - 4619 North Brady Street - License Type: Class B Beer/Wine (Carry-Out)

Walgreens #04041 (Walgreen Co) - 1525 East Kimberly Road - License Type: Class E Liquor (Carry-Out)

## **Ward 8**

Iowa Machine Shed (Machine Shed, LLC) - 7250 Northwest Boulevard - License Type: Class C Liquor (On-Premises)

30. Motion awarding blanket contracts for the purchase of calcium chloride for the 2024-2025 winter season to EnviroTech Services, Inc of Greeley, Colorado as primary supplier and SICALCO, LTD of Hinsdale, Illinois as backup supplier. [All Wards]
31. Motion awarding a contract for audio/visual equipment and services at Fairmount Library to Conference Technologies, Inc of Davenport, Iowa in the amount of \$60,594.99, CIP #23081. [Ward 1]
32. Motion approving the purchase of a compact track loader from Martin Equipment of Rock Island, Illinois in the amount of \$86,843.20 using Sourcewell contract #011723-JDC. [All Wards]
33. Motion approving the purchase of Pure Storage hardware and technical support from Insight Public Sector of Chandler, Arizona in the amount of \$81,649.71 using OMNIA Partners contract #23-6692-03. [All Wards]
34. Motion approving the purchase of 14 sets of turnout gear from Dinges Fire Company of Amboy, Illinois in the amount of \$56,350 using Sourcewell contract #010424-LIO. [All Wards]
35. Motion approving the purchase of annual training and duty ammunition from Kiesler Police Supply, Inc of Jeffersonville, Indiana in the amount of \$54,640.40 using Iowa Department of Administrative Services contract #21298C. [All Wards]

## **XII. Other Ordinances, Resolutions and Motions**

## **XIII. Public with Business**



PLEASE NOTE: At this time individuals may address the City Council on any matters of City business not appearing on this agenda. This is not an opportunity to discuss issues with the Council members or get information. In accordance with Open Meetings law, the Council can not take action on any complaint or suggestions tonight, and can not respond to any allegations at this time.

Please state your name and ward for the record. There is a three (3) minute time limit. Please end your comments promptly.

XIV. Reports of City Officials

XV. Adjourn