

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, October 23, 2024

The City Council of Davenport, Iowa met in regular session on Wednesday, October 23, 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 Burkholder

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting Minutes for October 9, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for October 16, 2024.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, October 16, 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 Jobgen. Upon the roll being called, all Aldermen were present except Alderwoman Lynch (In person: Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderwoman Newton, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; Via telephone: Alderman Gripp).

*The following **Public Hearings** were held: **Community Development:** 1. on amending and expanding the North Urban Renewal Area Plan to include the Fair Oaks Foods project; 2. amending the North Urban Renewal Plan to include the Internal TIF; and 3. on approving an Economic Development Agreement with Fair Oaks Foods.*

***Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the West Loop Trail Phase I project, CIP #28029; and 2. on the plans, specifications, form of contract, and estimate of cost for the Modern Woodmen Park Concrete and Flood Maintenance Repair project, CIP #23076.*

***Action Items for Discussion:** (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Reinartz reviewed all items listed. Alderman Reinartz moved a motion to table item #4, Resolution approving a development agreement with 227 LeClaire, LLC for the Riverwatch Place project, and authorizing the Acting City Administrator or designee to execute necessary documents, for two cycles. The motion was seconded by Alderwoman Meginnis and upon the roll being call, all Aldermen present voted aye except Alderman Gripp and the item was tabled for two cycles. On motion by Alderwoman Meginnis, second by Alderman Jobgen item #2, **First Consideration:** Ordinance providing for the division of taxes levied on taxable property in the North Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa, moved to the Discussion Agenda 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 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 Burkholder all items moved to the Consent Agenda. **Finance:** Alderwoman Newton reviewed all items listed. On motion by Alderwoman Burkholder, second by Alderman R. Dunn all items moved to the Consent Agenda.*

Other Ordinances, Resolutions and Motions: Alderman Jobgen moved a motion to reconsider the motion tabling Community Development item #4, Resolution approving a development agreement with 227 LeClaire, LLC for the Riverwatch Place project, and authorizing the Acting City Administrator or designee to execute necessary documents. The motion was seconded by Alderwoman Newton, and upon the roll being called, all Aldermen present voted aye except Alderwoman Meginnis and Alderman Reinartz. After discussion, a motion was moved by Alderwoman Newton and seconded by Alderman Jobgen to table the item for two cycles. Upon the roll being called, all Aldermen present voted aye except Alderman Gripp and the item was tabled for two cycles.

*Council adjourned at **6:47 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2024-433

1. Combined Construction Code Board of Appeals & Review

-Frank Ehrecke (re-appointment)

2. Historic Preservation Commission

-Gale Hoff (new appointment)

3. Library Board of Trustees

-Shelley Klaas (new appointment)

IX. Presentations

HELD

1. 2024 Summer Reading Program Winners

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 Alderwoman Meginnis and all Aldermen present voting aye, the following Ordinance moved to second consideration.*

First Consideration: Ordinance providing for the division of taxes levied on taxable property in the North Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa. [Ward 8]

MOVED TO SECOND CONSIDERATION

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 for Case ROW24-04 being the request of Jacks Home Improvements Company to vacate the unimproved right-of-way located west of Marquette Street between West 7th Street and the mid-block alley. [Ward 3]

ADOPTED 2024-434

ORDINANCE NO. **2024-434**

AN ORDINANCE FOR CASE ROW24-04 BEING THE REQUEST OF JACKS HOME IMPROVEMENTS COMPANY TO VACATE THE UNIMPROVED RIGHT-OF-WAY LOCATED WEST OF MARQUETTE STREET BETWEEN WEST 7TH STREET AND THE MID-BLOCK ALLEY.

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:

A public alley that is ten (10') feet wide by approximately one hundred fifty (150') feet long located in Davenport, Scott County Iowa, and described as follows: commencing at the northwest corner of a Lot in Mitchell's Third Addition to City of Davenport Iowa that is described in a Real Estate Contract dated May 21, 1986, filed with the Scott County Iowa Recorder on May 27, 1986 at document no # 8703-86 (which Lot is described as "The North 40 feet of the East 118 feet of Lots 5 and Lot 6 in Block 16 of Mitchell's Third Addition to the City of Davenport, Scott County Iowa") and continuing in a southerly direction along a line that is one hundred eighteen (118') feet west of and parallel to Marquette St., Davenport Iowa a distance of approximately one hundred fifty (150') feet south to a point on the north side of a public street, now known as West 7th St, in Davenport Iowa, which point is adjacent to the southwest corner of a Lot described in a Deed dated November 10, 1987 and filed of record with the Scott County Recorder on December 29, 1987 as document no #24198-97, and thence West a distance of ten (10') feet along the north side of West 7th St, and thence in a northerly direction approximately one hundred fifty (150') feet to a point in the south side of public alley, and thence East a distance of ten (10') feet to the point of beginning.

Section 2. At its September 3, 2024 meeting, the Plan and Zoning Commission unanimously recommended Case ROW24-04 be forwarded to the City Council with a recommendation for approval subject to the following finding: The existing public right-of-way is not required for city purposes.

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 10/23/2024: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second Consideration: Ordinance amending various sections of Title 8 entitled "Health and Safety" and Title 15 entitled "Buildings and Construction" of the Municipal Code of Davenport, Iowa to adopt the 2021 International Building Code, the 2021 International Residential Code, and the 2021 International Property Maintenance Code, and to incorporate recommendations from the Code evaluation performed by The White Birch Group and SOCOTEC. [All Wards]

MOVED TO THIRD CONSIDERATION

3. Second Consideration: Ordinance amending Chapter 8.15 entitled "Neighborhood Enhancement - Property Maintenance" of the Municipal Code of Davenport, Iowa to add requirements for rent abatement. [All Wards]

MOVED TO THIRD CONSIDERATION

4. Second Consideration: Ordinance to repeal and replace Chapter 15.32 entitled "International Fire Code" of the Municipal Code of Davenport, Iowa to allow for comprehensive formatting changes and adopt the 2021 International Fire Code. [All Wards]

MOVED TO THIRD CONSIDERATION

5. Resolution approving an internal advance to the Tax Increment Fund for administrative costs. [Wards 2, 6, 7, & 8]

ADOPTED 2024-435

6. Resolution setting a Public Hearing on the proposed conveyance of the vacated portion of unimproved Marquette Street located south of West 76th Street to the Waste Commission of Scott County, Petitioner. [Ward 8]

ADOPTED 2024-436

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

ADOPTED 2024-437

Madison Elementary School; Trunk or Treat; 116 East Locust Street; 3:00 p.m. - 7:30 p.m. Thursday, October 24, 2024; **Closure:** East Pleasant Street from Brady Street to Perry Street. [Ward 5]

Lisa Rush; Halloween Block Party; 1423 East 34th Street; 4:00 p.m. - 9:00 p.m. Saturday, October 26, 2024; **Closure:** East 34th Street from Mississippi Avenue to 1411 East 34th Street. [Ward 7]

Project Renewal; 50th Anniversary Celebration & Ribbon Cutting; 513 Warren Street; 3:00 p.m. - 6:00 p.m. Friday, November 1, 2024; **Closure:** Warren Street from West 5th Street to West 6th Street. [Ward 3]

Tom Simmons; Veterans Day Parade; Downtown (see attached parade route); 7:00 a.m. - 12:00 p.m. Monday, November 11, 2024; **Closures:** (beginning at 7:00 a.m.) Western Avenue from West 5th Street to West 4th Street; (beginning at 10:00 a.m.) Western Avenue from West 4th Street to West 2nd Street; West 2nd Street from Western Avenue to Main Street; Main Street from West 2nd Street to West 4th Street; West 4th Street from Main Street to the finish at the Scott County Courthouse (400 West 4th Street). [Ward 3]

Quad City Arts; Festival of Trees Holiday Parade; Downtown (see attached parade route); 4:00 a.m. - 1:00 p.m. Saturday, November 23, 2024; **Staging area closures (beginning at 4:00 a.m.):** East 3rd Street from Pershing Avenue to LeClaire Street; Pershing Avenue and Iowa Street from East 2nd Street to East 4th Street; **Parade route (in place by 9:15 a.m.):** 3rd Street from Pershing Avenue to Scott Street; Scott Street from West 3rd Street to West 2nd Street; 2nd Street from Scott Street to the finish at Iowa Street. [Ward 3]

8. Resolution accepting work completed under the FY 2025 DOT Full Depth Patching project by Langman Construction, Inc of Rock Island, Illinois in the amount of \$150,284, CIP #35045. [Wards 1, 2, 6, & 7]

ADOPTED 2024-438

9. Resolution approving Change Order #3 in the amount of \$400,000 to Langman Construction of Rock Island, Illinois for the 2023-2024 Sewer and Manhole Rehabilitation Program, CIP #30057. [All Wards]

ADOPTED 2024-439

10. Resolution approving Change Order #1 in the amount of \$102,250 to Midwest Concrete, Inc of Peosta, Iowa for the Lorton Place Intersection (at Lombard Street and Lorton Avenue) Reconstruction project, CIP #35062. [Ward 6]

ADOPTED 2024-440

11. Resolution awarding a contract for the Harrison Street and 15th Street Traffic Signal Replacement project to Davenport Electric Contract Company of Davenport, Iowa in the amount of \$175,175, CIP #38018. [Ward 5]

ADOPTED 2024-441

12. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West Loop Trail Phase I project, CIP #28029. [Ward 1]

ADOPTED 2024-442

13. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Modern Woodmen Park Concrete and Flood Maintenance Repair project, CIP #23076. [Ward 3]

ADOPTED 2024-443

14. Resolution accepting the Energy Efficiency and Conservation Block Grant (EECBG) from the United States Department of Energy for an amount up to \$155,580. [All Wards]

ADOPTED 2024-444

15. Resolution assessing the cost of boarding up buildings at various lots and tracts of real estate. [All Wards]

ADOPTED 2024-445

16. Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate. [All Wards]

ADOPTED 2024-446

17. Resolution assessing the cost of condemned property demolitions at various lots and tracts of real estate. [All Wards]

ADOPTED 2024-447

18. Resolution assessing the cost of tree removal at various lots and tracts of real estate. [All Wards]

ADOPTED 2024-448

19. Resolution assessing the cost of weed cutting at various lots and tracts of real estate. [All Wards]

ADOPTED 2024-449

20. Resolution assessing the cost of Downtown Streetscaping Program improvements at various lots and tracts of real estate. [Ward 3]

ADOPTED 2024-450

21. Resolution to fix a date for a public hearing on proposal to enter into an amended Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$7,485,000. [All Wards]

ADOPTED 2024-451

22. Resolution setting a Public Hearing on the proposed conveyance of a portion of City-owned property located in the 3200 block of Marquette Street to James M. Harland, Petitioner. [Ward 7]

ADOPTED 2024-452

23. Resolution authorizing the Interim Finance Director to make the appropriate interfund transfers for the City's FY 2024 financial records as required by the Iowa Administrative Code, City Finance Committee Agency Chapter 2. [All Wards]

ADOPTED 2024-453

24. Resolution approving an addendum to the towing services contract between Fred's Towing Inc and the City of Davenport. [All Wards]

ADOPTED 2024-454

25. Resolution approving the purchase of two Class A fire pumpers to Reliant Fire Apparatus of Slinger, Wisconsin in the approximate amount of \$1,893,296, CIP #24021. [All Wards]

ADOPTED 2024-455

26. Resolution approving a payment of \$183,120.39 to Tyler Technologies, Inc of Plano, Texas for the annual licensing of the Munis software system for the period November 1, 2024 to October 31, 2025. [All Wards]

ADOPTED 2024-456

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

PASSED 2024-457

Tom Simmons; Veterans Day Parade; Downtown (see attached parade route); 10:00 a.m. - 12:00 p.m. Monday, November 11, 2024; Outdoor music, over 50 dBA. [Ward 3]

Quad City Arts; Festival of Trees Holiday Parade; Downtown (see attached parade route); 10:00 a.m. - 12:00 p.m. Saturday, November 23, 2024; Outdoor music, over 50 dBA. [Ward 3]

28. Motion approving beer and liquor license applications.

PASSED 2024-458

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

Ward 1

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

Ward 3

Analog Arcade Bar (Analog, LLC) - 302 Brady Street - License Type: Class C Liquor (On-Premises)

Armored Gardens (Armored Gardens, LLC) - 315 Pershing Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

Cavort QC (The Key, LLC) - 229 Brady Street - License Type: Class C Liquor (On-Premises)

Double Tree (Bucktown Lodging, LLC) - 111 East 2nd Street - License Type: Class C Liquor (On-Premises)

Ward 4

La Duena Mexican Restaurant (Rene Sanchez) - 1330 Washington Street – License Type: Class C Liquor (On-Premises)

Ward 6

Chili's Grill & Bar (Brinker Restaurant Corporation) - 4020 East 53rd Street #2700 - License Type: Class C Liquor (On-Premises)

Kimberly Mart (Pak Foods, Inc) - 1714 East Kimberly Road - License Type: Class E Liquor (Carry-Out)

Pho Fusion, LLC (Pho Fusion, LLC) - 5266 Utica Ridge Road - Outdoor Area – License Type: Class C Liquor (On-Premises)

Quad Cities Board & Brush (Brooks & Christina, LLC) - 5159 Utica Ridge Road - License Type: Special Class C Beer/Wine (On-Premises)

Ward 7

Kwik Star #291 (Kwik Trip, Inc) - 1225 East Kimberly Road - License Type: Class B Beer/Wine (Carry-Out)

Smoke Vibez (Smoke Vibez, LLC) - 3819 North Brady Street - License Type: Class E Liquor (Carry-Out)

29. Motion awarding an engineering services contract for the Water Pollution Control Plant Blower Replacement project to HR Green, Inc of Cedar Rapids, Iowa in the amount of \$64,800. [All Wards] **PASSED 2024-459**

30. Motion approving a payment of \$59,722 to the Bi-State Regional Commission for FY 2025 membership dues. [All Wards] **PASSED 2024-460**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

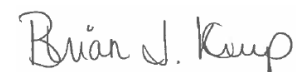
XV. Reports of City Officials

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

Property Taxes	\$9,438,533
Other City Taxes	\$2,199,446
Licenses & Permits	\$252,680
Intergovernmental	\$2,137,784
Charges for Services	\$5,649,290
Use of Monies & Property	\$105,679
Fines & Forfeits	\$159,483
Bonds/Loan Proceeds	\$24,139
Miscellaneous	\$303,703

XVI. Executive Session

On motion by Alderman Reinartz, second by Alderwoman Meginnis and all Aldermen present voting aye, Council recessed to Executive Session at **5:50 p.m.** to discuss a real estate transaction pursuant to Iowa Code Section 21.5(1)(j) and to discuss strategy with counsel in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c). Council reconvened in Executive Session at **5:56 p.m.** with Mayor Matson and all Aldermen present (Alderwoman Burkholder, Alderman R. Dunn, Alderman T. Dunn, Alderman Gripp, Alderman Jobgen, Alderman Kelly, Alderwoman Lynch, Alderwoman Meginnis, Alderwoman Newton, and Alderman Reinartz). Others present included Acting City Administrator Nicole Gleason and Corporation Counsel Sam Huff. On motion by Alderwoman Meginnis, second by Alderwoman Lynch Council went back into open session at **6:58 p.m.** On motion by Alderwoman Lynch, second by Alderwoman Burkholder Council adjourned at **6:58 p.m.**



Brian J. Krup
Deputy City Clerk