

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, May 26, 2021

The City Council of Davenport, Iowa met in regular session on Wednesday, May 26, 2021 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Mike Matson presiding and all Aldermen present except Alderman Dohrmann (Alderman Dunn, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ambrose).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Dunn

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for May 12, 2021.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for May 19, 2021.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, May 19, 2021 -- The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ambrose).

*The following Public Hearings were held: **Community Development:** 1) for Case REZ21-02 being the request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road, containing 5.37 acres more or less, from C-2 Corridor Commercial to C-3 General Commercial District to allow heavy retail of commercial electronic components. **Public Works:** 1) on the plans, specifications, form of contract, and estimate of cost for the Johnson Avenue Reconstruction (Fairmount to Gayman) project, CIP #35047; 2) on the plans, specifications, form of contract, and estimate of cost for the West 54th Street Reconstruction (Davie to Howell) project, CIP #35047; 3) on the plans, specifications, form of contract, and estimate of cost for the CDBG Replenishment - Group 1: Hoover Road, Appomattox Road, and North Ripley Street project, #BG250; and 4) on the plans, specifications, form of contract, and estimate of cost for the FY 2022 Sanitary Sewer Lateral Repair Program, CIP #30055. **Finance:** 1) to amend the FY 2021 Operating and Capital Improvement Budgets.*

*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 Alderwoman Lee, second by Alderwoman Dickmann items #1, Second Consideration: Ordinance for Case ORD21-01 amending various sections of Chapter 17 of the Municipal Code of Davenport, Iowa entitled "Zoning", and #2, First Consideration: Ordinance for case REZ21-02 being the request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road, containing 5.37 acres more or less, from C-2 Corridor Commercial to C-3 General Commercial District to allow heavy retail of commercial electronic components, moved to the Discussion Agenda and the remaining item moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Dunn item #1, First*

Consideration: Ordinance amending Subsection 9.40.030(D) of the Davenport Municipal Code providing penalties for fireworks violations, moved to the Discussion Agenda with a staff recommendation for suspension of the rules and passage of second and third considerations and all other items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderwoman Dickmann all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Dohrmann, second by Alderman Dunn all items moved to the Consent Agenda.
Council adjourned at **6:19 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2021-196

1. Citizens Advisory Committee

- Rev. Jay Wolin (new appointment | 5th Ward)

2. Parks & Recreation Advisory Board

- Christopher Meyer (new appointment | At-Large/Condon)

- Robby Ortiz (new appointment | 4th Ward)

B. Proclamations

ISSUED 2021-197

1. Motorcycle Awareness Month | May 2021

2. Asian Pacific American Heritage Month | May 2021

3. Posttraumatic Stress Disorder Awareness Month | June 2021

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. *On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye, the following Ordinance moved to third consideration:*

Second Consideration: Ordinance for Case ORD21-01 amending various sections of Chapter 17 of the Municipal Code of Davenport, Iowa entitled "Zoning." [All Wards]

MOVED TO THIRD CONSIDERATION

2. *On motion by Alderman Ambrose, second by Alderman Dunn with all Aldermen present voting aye, the following Ordinance moved to second consideration:*

First Consideration: Ordinance for case REZ21-02 being the request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road, containing 5.37 acres more or less, from C-2 Corridor Commercial to C-3 General Commercial District to allow heavy retail of commercial electronic components. [Ward 7] **MOVED TO SECOND CONSIDERATION**

3. *On motion by Alderwoman Dickmann, second by Alderwoman Meginnis with all Aldermen present voting aye, the below Ordinance moved to second consideration with a recommendation for suspension of the rules and passage of second and third considerations.*

i. On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye, the rules were suspended.

ii. On motion by Alderwoman Dickmann, second by Alderwoman Meginnis with all Aldermen present voting aye, the following Ordinance was adopted:

First Consideration: Ordinance amending Subsection 9.40.030(D) of the Davenport Municipal Code providing penalties for fireworks violations. [All Wards] **ADOPTED 2021-198**

ORDINANCE NO. **2021-198**

Ordinance amending Subsection 9.40.030(D) providing penalties for fireworks violations.

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

Section 1. That Subsection 9.40.030(D) is hereby amended to read as follows:

D. Use of any consumer firework at a date or time other than those allowed pursuant to subsection B or the use of display fireworks without a permit is prohibited and a simple misdemeanor punishable as a scheduled violation as follows:

| | |
|----------------------|-------|
| First offense | \$250 |
| Second offense | \$400 |
| Third and subsequent | \$625 |

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 as are any motions or resolutions of council that purport to give authority to a council standing committee to make a determination as all such determinations shall henceforth be made by the city council.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

Approved 5/26/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

XI. Approval of All Items on the Consent Agenda

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

1. Resolution placing a moratorium upon establishing car washes, enclosed and outdoor self-storage facilities, and vehicle dealerships with outdoor display in the area bound by Brady Street, Kimberly Road, Northwest Boulevard, and 46th Street until November 27, 2021. [Ward 7] **ADOPTED 2021-199**

2. Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events.

ADOPTED 2021-200

Jennifer Beecher; End of School Neighborhood Block Party; 4600 block of Amesbury Drive; Friday, June 4, 2021 4:00 p.m. - 10:00 p.m.; **Closure:** Amesbury Drive between East 48th Street and Crow Creek Road. [Ward 6]

St. Paul the Apostle Catholic Church; Celebrate St. Paul; 916 East Rusholme Street; Saturday, June 12, 2021 12:00 p.m. - 10:00 p.m.; **Closure:** East Rusholme Street between Carey Avenue and Arlington Avenue. [Ward 5]

Cornbelt Running Club; Bix at 6 Training Runs; Thursday, June 24, 2021 5:00 p.m. - 9:00 p.m.; Thursday, July 1, 2021 5:00 p.m. - 9:00 p.m.; and Thursday, July 8, 2021 5:00 p.m. - 9:00 p.m.; **Closure:** E 4th St from Pershing Ave to River Dr; Pershing Ave from E 4th St to Kirkwood Blvd; Kirkwood Blvd from Pershing Ave to Jersey Ridge Rd; Jersey Ridge Rd from Kirkwood Blvd to Middle Rd; McClellan Blvd from Middle Rd to River Dr. [Wards 3, 5, & 6]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; Sunday, September 12, 2021 10:00 a.m. - 6:00 p.m.; **Closure:** Main Street between 4th Street and 5th Street. [Ward 3]

3. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Johnson Avenue Reconstruction (Fairmount to Gayman) project, CIP #35047. [Ward 1]

ADOPTED 2021-201

4. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 54th Street Reconstruction (Davie to Howell) project, CIP #35047. [Ward 8]

ADOPTED 2021-202

5. Resolution approving the plans, specifications, form of contract, and estimate of cost for the CDBG Replenishment - Group 1: Hoover Road, Appomattox Road, and North Ripley Street project, #BG250. [Ward 8]

ADOPTED 2021-203

6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the FY 2022 Sanitary Sewer Lateral Repair Program, CIP #30055. [All Wards]

ADOPTED 2021-204

7. Resolution awarding the contract for the Marquette Street and West 12th Street Replacement projects to CDMI Concrete Contractors of Port Byron, Illinois in the amount of \$1,658,802.80, CIP #35046. [Ward 3]

ADOPTED 2021-205

8. Resolution awarding the contract for the Sunderbruch Park Bridge Over Black Hawk Creek Replacement project to General Constructors Inc of Bettendorf, Iowa in the amount of \$252,871.80, CIP #21005. [Ward 1]

ADOPTED 2021-206

9. Resolution appointing Joseph Miller to fill the 7th Ward Alderman vacancy until the winner of this fall's regular City election is determined and sworn in. [Ward 7]

ADOPTED 2021-207

10. Resolution amending the FY 2021 Operating and Capital Improvement Budgets. [All Wards] **ADOPTED 2021-208**

11. Resolution approving a purchase agreement with Phelps Family, LLC in the amount of \$50,050 for the acquisition of land necessary for the Goose Creek Trail project, CIP #28019. [Ward 8] **ADOPTED 2021-209**

12. Resolution approving the purchase of three (3) full-size SUVs for the Fire Department from Stivers Ford of Waukee, Iowa in the amount of \$107,631, CIP #24022. [All Wards] **ADOPTED 2021-210**

13. Resolution approving the purchase of a van for the Police Department and two pickup trucks for the Sewer Division in the amount of \$139,812.50 from Stew Hansen's Dodge City of Des Moines, Iowa using a state contract. [All Wards] **ADOPTED 2021-211**

14. Motion approving noise variance requests for various events on the listed dates and times. **PASSED 2021-212**

Riverfront Improvement Commission; Music on the River; Petersen Pavilion | LeClaire Park; 7:00 p.m. - 9:00 p.m. (unless otherwise noted) on various dates June 2021 through August 2021 (see attached list); Outdoor music, over 50 dBA. [Ward 3]

City of Davenport Parks and Recreation; Party in the Park; Lafayette Park | 700 West 4th Street on Thursday, July 8, 2021 5:30 p.m. - 7:30 p.m.; Garfield Park | 1224 East 29th Street on Thursday, July 22, 2021 5:30 p.m. - 7:30 p.m.; Glen Armit Park | 2355 Lillie Avenue on Thursday, July 29, 2021 5:30 p.m. - 7:30 p.m.; Van Buren Park | 201 South Elmwood Avenue on Thursday, August 12, 2021 5:30 p.m. - 7:30 p.m.; Northwest Park | 3400 North Division Street on Thursday, August 19, 2021 5:30 p.m. - 7:30 p.m.; Goose Creek Park | 6000 Scott Street on Thursday, September 16, 2021 5:30 p.m. - 7:30 p.m.; and Junge Park | 3250 Western Avenue on Thursday, September 23, 2021 5:30 p.m. - 7:30 p.m.; Outdoor music, over 50 dBA. [Wards 1, 2, 3, 4, 7, & 8]

Front Street Brewery; Luau at the Freight House; 421 West River Drive; Saturday, July 10, 2021 4:00 p.m. - 9:00 p.m.; Outdoor music, over 50 dBA. [Ward 3]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; Sunday, September 12, 2021 10:00 a.m. - 4:00 p.m.; Outdoor music, over 50 dBA. [Ward 3]

15. Motion approving beer and liquor license applications. **PASSED 2021-213**

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

Ward 3

RME Courtyard (River Music Experience) - Main St between River Dr and 2nd St - Temporary Location Transfer June 8-9, 2021 "QCCT Donor Reception" - License Type: Class C Liquor

Ward 6

New Ground Theatre (New Ground Theatre) - 2113 E 11th St - License Type: Class C Liquor

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

Ward 1

Frackies (Frackie's Pub, Inc) - 2820 Rockingham Rd - License Type: Class C Liquor

Ward 2

Applebee's Neighborhood Grill & Bar (Apple Corps, LP) - 3005 W Kimberly Rd - License Type: Class C Liquor

Express Lane Gas & Food Mart # 83 (ExpressLane, Inc) - 3636 Hickory Grove Rd - License Type: Class C Beer

Hy-Vee Food & Drugstore #2 (Hy-Vee, Inc) - 2200 W Kimberly Rd – License Type: Class E Liquor

Hy-Vee Wine and Spirits (Hy-Vee, Inc) - 3301 W Kimberly Rd – License Type: Class E Liquor

Jeno's Little Hungary (Jeno's Little Hungary, Inc) - 4908 N Pine St – Outdoor Area - License Type: Class C Liquor

Pilot Travel Center #636 (Pilot Travel Centers, LLC) - 8200 Northwest Blvd - License Type: Class C Beer

Ward 3

Sippis Restaurant (Sippis, Inc) - 406 W 2nd St - Outdoor Area – License Type: Class C Liquor

Thirsty's on 3rd (T on Third, Inc) - 2202 W 3rd St - Outdoor Area – License Type: Class C Liquor

Ward 4

The Gardens (Washington Gardens, LLC) - 1301 W 13th St - Outdoor Area - License Type: Class C Liquor

Ward 6

Granite City Food & Brewery (Granite City, Inc) - 5270 Utica Ridge Rd - Outdoor Area
- License Type: Class C Liquor

Homewood Suites (Davenport Lodging Group, LLC) - 4750 Progress Dr - License Type:
Beer/Wine

Hy-Vee #4 (Hy-Vee, Inc) - 4064 E 53rd St - License Type: Class E Liquor

Pints (Pub @ Utica, LLC) - 5268 Utica Ridge Rd - Outdoor Area – License Type: Class
C Liquor

Ward 7

CVS Pharmacy #8658 (Iowa CVS Pharmacy, LLC) - 1655 W Kimberly Rd - License
Type: Class E Liquor

Ward 8

Dollar General Store #19449 (DolGenCorp, LLC) - 7510 NW Blvd – License Type: Class
C Beer

16. Motion approving a waiver (temporary deferral) of sidewalk installation for a proposed
warehouse and distribution facility at 2022 Research Parkway. [Ward 8] **PASSED 2021-214**

17. Motion directing the completion of various parks projects in the FY 2022 Park Development
Program in the amount of \$350,000. [All Wards] **PASSED 2021-215**

XII. Administration of Oath of Office

HELD

A. Dr. Joseph Miller | Seventh Ward Alderman

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

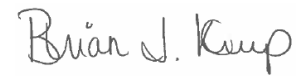
XV. Reports of City Officials

The following is a summary of revenue received for the month of April 2021:

| | |
|----------------------|------------|
| Property taxes | 28,766,197 |
| Other City taxes | 1,787,130 |
| Special assessments | - |
| Licenses & permits | 252,926 |
| Intergovernmental | 5,957,833 |
| Charges for services | 4,990,420 |

| | |
|--------------------------|---------|
| Use of monies & property | 78,098 |
| Fines & forfeits | 166,582 |
| Bonds/Loan Proceeds | 836,693 |
| Miscellaneous | 296,636 |

XVI. Adjourn **5:59 p.m.**



Brian J. Krup
Deputy City Clerk