

City of Davenport, Iowa
City Council Meeting Minutes
Tuesday, November 26, 2019

The City Council of Davenport, Iowa met in regular session on Tuesday, November 26, 2019 at 5:29 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Frank Klipsch presiding and all Aldermen present.

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting Minutes for November 13, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on the Committee of the Whole for November 20, 2019

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, November 20, 2019--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 Klipsch presiding and all Aldermen present. The following Public Hearings were held: Community Development: It was noted on the agenda that the Public Hearing on the proposed conveyance of 219 Scott St originally set for this meeting will be rescheduled for January in accordance with Iowa law. Public Works: on the plans, specifications, form of contract, and estimate of cost for Phase I of the E 53rd St Pavement Reconstruction and Widening Project, CIP #35031. Finance: for the purpose of amending the North Urban Renewal Plan.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Rawson reviewed all items listed. Ald. Rawson made a motion to adopt item #3, Ordinance amending various titles, chapters, and sections of the Davenport Municipal Code related to outdated references to the Old Zoning Ordinance, on second consideration which was seconded by Ald. Dickmann with all aldermen present voting aye except Ald. Gripp. On motion by Ald. Ambrose, second by Ald. Dickmann item #1, Ordinance for Case ORD19-03, and item #3 moved to the Discussion Agenda and item #2, Ordinance for case REZ19-10, moved to the Consent Agenda. Public Safety: Ald. Gripp reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Rawson all items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Condon, second by Ald. Rawson all items moved to the Consent Agenda. Finance: Ald. Matson reviewed all items listed. On motion by Ald. Clewell, second by Ald. Rawson all items moved to the Consent Agenda.

On motion by Ald. Meginnis, second by Ald. Rawson with all aldermen present voting aye, Council recessed to Executive Session at 6:47 p.m. to evaluate the performance of individuals in closed session as requested by those

individuals pursuant to Iowa Code Section 21.5(1)(i). Council reconvened in Executive Session at 6:53 p.m. with Mayor Klipsch and all Aldermen present; others present included Human Resources Director Mallory Merritt. On motion by Ald. Dickmann, second by Ald. Rawson Council reconvened in Open Session and adjourned at 7:53 p.m.

VIII. Appointments, Proclamations, Etc.

On motion by Ald. Rawson, second by Ald. Meginnis with all Aldermen present voting aye except Ald. Ambrose voting nay on the Civil Rights Commission appointments, the following appointments were approved:

A. Appointments

APPROVED 2019-509

1. Design Review Board

- Danelle Kvapil (re-appointment)
- Tegan Trees (new appointment)

2. Civil Rights Commission

- Ruby Mateos (re-appointment)
- Janelle Swanberg (new appointment)
- Henry Karp (new appointment)
- Richard Pokora (new appointment)

B. Proclamations

ISSUED 2019-510

1. End Veteran Homelessness

IX. Presentations

HELD

A. Local Business "The Foundation of Our Community": Mid-American Glass

B. Local Business "The Foundation of Our Community": Babe's Termite & Pest Control

X. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update – Alderwoman Meginnis

XI. Individual Approval of Items on the Discussion Agenda

Ald. Ambrose introduced a motion to amend the Ordinance to include a height restriction of 73 feet for Parcel Y0801-02A, which was seconded by Ald. Tompkins. The amendment failed with only Ald. Ambrose and Ald. Tompkins voting aye.

On motion by Ald. Ambrose, second by Ald. Dickmann with all Aldermen present voting aye the following Ordinance was adopted:

1. Third Consideration: Ordinance for Case ORD19-03 being the request of the City of Davenport to reduce the maximum building height in portions of the CE, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6] **ADOPTED 2019-511**

ORDINANCE NO. **2019-511**

An ORDINANCE to amend Title 17 of the Davenport Municipal Code, specifically by amending Table 17.05-5: C-E District Dimensional Standards, by amending the Maximum Building Height requirement to read, "120 feet, 55 feet west and south of Elmore Avenue" (City of Davenport, petitioner), Case No. 19-03. [Ward 6]

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

Section 1. That Table 17.05-5 of the Davenport Municipal Code be added to read as follows:

Table 17.05-5: C-E District Dimensional Standards	
Bulk	C-E
Minimum Lot Area	20,000 sf
Minimum Lot Width	80'
Maximum Building Height	120'; 55' west and south of Elmore Avenue
Minimum Setbacks	
Front Setback	25'
Interior Side Setback	10', unless abutting a residential district then 25'
Corner Side Setback	20'
Rear Setback	10', unless abutting a residential district then 25'

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 upon final passage and publication as by law provided.

Adopted 11/26/19; Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

On motion by Ald. Rawson, second by Ald. Dickmann with all Aldermen present voting aye except Ald. Dunn and Ald. Matson the following Ordinance moved to third consideration.

Ald. Rawson moved a motion to suspend the rules, seconded by Ald. Tompkins, but the motion failed receiving three nays from Ald. Ambrose, Ald. Matson, and Ald. Dunn (a super majority of 3/4, or 8 votes, is required to suspend the rules).

2. Second Consideration: Ordinance amending various titles, chapters, and sections of the Davenport Municipal Code related to outdated references to the old Zoning Ordinance (City of Davenport, petitioner). [All Wards]

MOVED TO THIRD CONSIDERATION

XII. Approval of All Items on the Consent Agenda

On motion by Ald. Dickmann, second by Ald. Rawson with all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance for case REZ19-10 being the request of Larry Whitty on behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of W Locust St and Ripley St from R-4C Single-Family and Two-Family Central Residential Zoning District to C-1 Neighborhood Commercial Zoning District.
[Ward 4]

ADOPTED 2019-512

ORDINANCE NO. **2019-512**

ORDINANCE for case REZ19-10 being the request of Larry Whitty of behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of West Locust Street and Ripley Street from R-4C Single-Family and Two-Family Central Residential Zoning District to C-1 Neighborhood Commercial Zoning District.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to C-1 Neighborhood Commercial Zoning District.

The property has the following legal description:

Part of the Northeast Quarter of Section 26, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, being more particular described as follows:

The west 1/3 of Lot 4, Block 11 of James McIntosh's 2nd Addition, together with west ½ of the east 2/3 of Lot 4, Block 11 of James McIntosh's 2nd Addition, except portion deeded to the City of Davenport, together with the east 1/3 of Lot 4, Block 11 of James McIntosh's 2nd Addition, except portion deeded to the City of Davenport, together with Lot 5, Block 11 of James McIntosh's 2nd Addition, together with the north ½ of the west 95 feet of Lot 6, Block 11 of James McIntosh's 2nd Addition, together with the west 95 feet of the south ½ of Lot 6, Block 11 of James McIntosh's 2nd Addition and together with the east 51 feet of Lot 6, Block 11 of James McIntosh's 2nd Addition,

Said properties contain 32,000 square feet, more or less.

Section 2. The Plan and Zoning Commission considered case REZ19-10 at its October 1, 2019 meeting and voted to forward the request to City Council with a recommendation for approval.

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 11/26/19; Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Resolution closing various street(s), lane(s), or public grounds on the listed dates and times to hold outdoor events.

ADOPTED 2019-513

Evan Esser; Ballet Quad Cities Nutcracker School Program; Adler Theatre 136 E 3rd St; Friday, December 13, 2019 8:30 a.m. - 12:30 p.m.; **Closures (for bus parking):** two northern lanes on E 3rd St from Brady St to LeClaire St (south entrance to Hotel Blackhawk will remain open); southbound portion of Pershing Ave from 4th St to 3rd St. [Ward 3]

3. Resolution awarding the contract to Helm Group Inc, D/B/A Civil Constructors, Inc of Freeport, IL for the N Division St Bridge over Duck Creek Deck Replacement Project in the amount of \$795,888.95, CIP #21004. [Wards 2 & 7] **ADOPTED 2019-514**

4. Resolution of acceptance for the FY18 Contract Sewer Repair Program for Hometown Plumbing and Heating Company of Davenport, IA, CIP #30017 and #30001. [All Wards] **ADOPTED 2019-515**

5. Resolution approving the plans, specifications, form of contract, and estimate of cost for Phase I of the E 53rd St Pavement Reconstruction and Widening Project, CIP #35031. [Wards 7 & 8] **ADOPTED 2019-516**

6. Resolution awarding the contract for the Roosevelt Community Center Window Replacement to Precision Builders Inc of Bettendorf, IA in the amount of \$256,665, CIP #23037. [Ward 1] **ADOPTED 2019-517**

7. Resolution approving the contract for the rehabilitation of the JM Morris Blvd Pump Station 202 to Tri-City Electric Co of Davenport, IA in the amount of \$181,979.60, CIP #30051. [Ward 1] **ADOPTED 2019-518**

8. Resolution adopting a refreshed visual identity and communications strategy for the City of Davenport. [All Wards] **ADOPTED 2019-519**

9. Resolution approving the Davenport Public Transit "Citibus" Title VI Program Report Update. [All Wards] **ADOPTED 2019-520**

10. Resolution approving an internal advance to the Tax Increment Fund for administrative costs. [Wards 2, 6, 7, & 8] **ADOPTED 2019-521**

11. Resolution approving the Shortline Rail and Transload Facility project in the amount of \$450,000. [Ward 8] **ADOPTED 2019-522**

12. Resolution awarding a contract for the purchase of Specific and Aggregate Stop Loss Insurance to Tokio Marine HCC in the amount of \$862,599.12. [All Wards] **ADOPTED 2019-523**

13. Resolution approving the sale of four amusement rides received by gift to Main Street Amusements, LLC. [Ward 3] **ADOPTED 2019-524**

14. Resolution approving a new intergovernmental agreement providing for operations, maintenance, and improvements for the joint use interceptor sewers, regional water pollution control plant, and appurtenances, effective July 1, 2020. [All Wards]

ADOPTED 2019-525

15. Motion approving beer and liquor license applications.

PASSED 2019-526

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

Ward 3

Christkindlmarkt QC (German American Heritage Center) - Parking lot adjacent to 421 W River Dr - Outdoor Area December 6 - 8, 2019 – License Type: Beer / Wine

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

Ward 3

Iowa Mini Mart (Samreet LLC) - 234 W 3rd St - License Type: Class E Liquor / B Wine / C Beer

La Flama Restaurant (Jam Brothers Inc) - 114 Myrtle St Suite F – License Type: Class C Liquor

The New Wooden Nickel, Inc (The New Wooden Nickel, Inc) - 2042 W 3rd St - License Type: Class C Liquor

Ward 5

Brady Oil (Brady Oil LLC) - 3205 N Brady St - License Type: Class C Beer

Los Primos Mexican Grill (Los Primos Mexican Grill LLC) - 1143 E Locust St - License Type: Class C Liquor

Ward 6

Huhot Mongolian Grill (CCW LLC) - 3006 E 53rd St - License Type: Beer / Wine

Hy-Vee Food & Drugstore #3 (Hy-Vee, Inc) - 1823 E Kimberly Rd – License Type: Class E Liquor / C Beer / B Wine

R Bar (KJT Holdings LLC) - 4907 Utica Ridge Rd - Outdoor Area – License Type: Class C Liquor / B Wine

Ward 8

Wise Guy's Pizza and More (Joe Robbie Investments, LLC) - 2408 E 53rd St -
License Type: Beer / Wine

16. Motion approving submission of the City of Davenport Annual Urban Renewal Report for FY19. [All Wards] **PASSED 2019-527**

17. Motion authorizing payment to Visit Quad Cities (formerly known as Quad Cities Convention & Visitors Bureau) for FY20 tourism/marketing services in the amount of \$375,000. [All Wards] **PASSED 2019-528**

18. Motion awarding the contract for the Door Replacement From Flood Damage at Union Station to Swanson Construction Company of Bettendorf, IA in the amount of \$80,476. [Ward 3] **PASSED 2019-529**

XIII. Other Ordinances, Resolutions and Motions

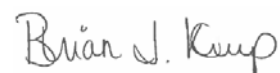
XIV. Public with Business

XV. Reports of City Officials

- The following is a summary of revenue received for the month of October 2019:

Property taxes	30,119,844
Other City taxes	1,909,295
Special assessments	-
Licenses & permits	181,131
Intergovernmental	3,632,055
Charges for services	3,032,898
Use of monies & property	75,474
Fines & forfeits	180,330
Bonds/Loan Proceeds	66,455
Miscellaneous	162,034

XVI. Adjourn **6:41 p.m.**



Brian Krup
Deputy City Clerk