

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, September 14, 2016---The Council observed a moment of silence. Pledge of Allegiance. The Council met in regular session at 5:30 PM with Mayor Klipsch presiding and all aldermen present except Ald. Gordon.

The minutes of the August 24, 2016 City Council meeting were approved as printed.

The report of the Committee of the Whole was as follows: COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, September 7, 2016---The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 PM with Mayor Klipsch presiding and all alderman present. The following Public Hearings were held: Community Development: for the Ordinance for Case No. ROW16-03: Request of Mark Barnes for the vacation (abandonment) of 310 square feet, more or less, of excess public right-of-way located adjacent to the east of 2151 Kirkwood Boulevard; for the Ordinance for Case No. REZ16-07 being the request of Juan Goitia for the rezoning of 0.52 acre (22,500 sqft) of real property located at 1002 Bridge Avenue from "R-4" Moderate Density Dwelling District to "R-4 PUD" Planned Unit Development to allow a two-story detached garage with habitable area (home office and recreational area) on the second level; for the purpose of amending the Downtown Urban Renewal Area Plan; for the purpose of considering the approval of an economic development agreement with New College, LLC; Public Works:. hearing to grant MidAmerican Energy Company electric easements on city property at two locations; Ridgeview Park along Division Street and the north edge of the Transload Facility property; on the plans, specifications, forms of contract and estimated cost for the 2016 Crack Sealing, Crack Filling, and Joint Resealing Project, CIP Project #35015; on the plans, specifications, form of contract and estimated cost for the Junge and Northwest Park ADA Access Improvements Projects, CIP Project #10118. The following Proclamation was issued: Quad Cities Interfaith, 414. Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Boom reviewed all items listed. On motion by Ald. Gripp, second by Ald. Matson items 3 and 4 moved to the Discussion Agenda with a recommendation for suspension of the rules and passage on first consideration; all other

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items moved to the Consent Agenda. Public Safety: Ald. Matson reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Justin all items moved to the Consent Agenda. Public Works: Ald. Ambrose reviewed all items listed. On motion by Ald. Dunn, second by Ald. Matson item 6 moved to the Discussion Agenda; all other items moved to the Consent Agenda. Finance: Ald. Gordon reviewed all items listed. On motion by Ald. Tompkins, second by Ald. Boom all items moved to the Consent Agenda. On motion by Ald. Boom, second by Ald. Rawson (with all Alderman voting aye) the following items were added to the agenda and passed: Resolution approving the street closure request for: West High School - 2016 Homecoming Parade, September 15, 2016, 5:30 PM to 7:00 PM; Closure Location: West 18th St from Clark to Elsie, Elsie from 18th St to Lombard, Lombard from Elsie to Nevada, Nevada from Lombard to Locust, Locust between Nevada and West High School parking lot, 415; approving the street closure request for: Hilltop Village Campus, Retrofest, September 10, 2016 from 7 AM to 10 PM; Closure Location is 15th Street between Harrison and Main Streets, 416; approving noise variance for Hilltop Campus Village, Retrofest on September 10, 2016 from Noon to 9:00 PM, 417; approving Hilltop Campus Village (Hilltop Campus Village Corporation)- Harrison St between 14th and 15th Streets - Outdoor Area September 10, 2016 "Retrofest" - License Type: Beer/Wine, 418. Council adjourned at 6:45 p.m.

The following Proclamations were issued: National Senior Center Month – September; Lions Club 100th Year International Day- September 18, 2016, 419.

The Discussion Agenda items were as follows: NOTE: The votes on all ordinances and resolutions were by roll call vote. The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.

The following ordinances were adopted on first consideration upon a motion to suspend the rules and passage of second and third considerations: for Case No. REZ16-06: Request of Moline Holdings LLC for the proposed rezoning of approximately 8120 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate Density Dwelling District, 420; for Case No. ROW16-03: Request of Mark Barnes for the vacation (abandonment) of 310 square feet, more or less, of excess public right-of-way located adjacent to the east of 2151 Kirkwood Boulevard, 421.

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ORDINANCE NO. 2016-420

ORDINANCE for Case No. REZ16-06 being the petition of Moline Holdings, LLC, for the rezoning of approximately 8100 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate Density Dwelling District. [3rd Ward]

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. The property is legally described as follows: Lot 3 of Block 8 in A.G. Churchill's Addition to the City of Davenport, Scott County Iowa Containing 8100 square feet, more or less. Section 2. That the following condition is hereby imposed on said rezoning: Zoning restrictions including: use, setback, building height, and landscaping shall apply to the properties to the south (F0043-14A and F0043-14B) as if the subject property was zoned C-1, Neighborhood Shopping District.

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.

Approved September 14, 2016

Frank Klipsch Mayor

Attest: Jackie Holecek
MMC Deputy City Clerk

ORDINANCE NO. 2016-421

Case No. ROW16-03: Request of Mark Barnes for the vacation (abandonment) of 310 square feet, more or less, of excess public right-of-way located adjacent to the east of 2151 Kirkwood Boulevard. [5th Ward]

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 vacated (abandoned). The property has the following legal description:

Part of the Southeast Quarter of the Northwest Quarter of Section 30, Township 78 North, Range 4 East of the 5th P.M. being more particularly described as follows:

Commencing in the Southwest corner of Lot 1 of Christie's 2nd Addition to the City of Davenport, Scott County, Iowa, said corner being in the north line of East 13th Street as it currently exists; thence Easterly along the south line of said Lot 1, also being the north line

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of said East 13th Street a distance of 95.00 feet to the point of beginning of the tract hereinafter described; thence North 32.00 feet to the southerly right-of-way line of Kirkwood Boulevard as it currently exists; thence Southeasterly along the southerly right-of-way line of said Kirkwood Boulevard a distance of 19.8 feet, more or less, to a point, said point being 6.00 feet normally distant from the westerly edge of the sidewalk currently existing; thence South and Southwesterly along a curve concave Northwesterly and parallel to and 6.00 feet normally distant from the west line of the sidewalk as it currently exists to the point of beginning. Said tract contains 310 square feet, more or less.

The vacation (abandonment) is subject to the following conditions:

1. A general utility easement be included to maintain, operate, remove, repair, replace, construct, reconstruct or relocate the electric facilities within the entire vacated right-of-way.
2. That six feet of property be maintained in City ownership from the inside edge of the existing sidewalk.

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.

Approved September 14, 2016

Frank Klipsch
Mayor

Attest: Jackie Holecek, MMC
Deputy City Clerk

The following motion failed: considering a waiver (temporary deferral) of sidewalk installation for the proposed Subway Restaurant to be located at the southeast corner of intersection of Northwest Boulevard and W. 76th Street (all Alderman present voting nay).

The Consent Agenda was as follows: NOTE: These are routine items and are enacted at the City Council meeting by one roll call vote. The vote was unanimous unless otherwise noted.

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Community Development: The following ordinance moved to third consideration: for Case No. ORD16-01: Request of the City of Davenport for a text amendment to Title 17 of the Davenport Municipal Code by amending Chapter 17.46 of the Davenport City Code, entitled "nonconforming uses" by adding a section to allow nonconforming agricultural properties containing a minimum of 10 acres within the "R- 1" Low Density Dwelling District to erect fences, accessory buildings and barns in accordance with "A-1" Agricultural District regulations. The following ordinance moved to second consideration: for Case No. REZ16-01 being the request of Juan Goitia for the rezoning of 0.52 acre (22,500 sqft) of real property located at 1002 Bridge Avenue from "R-4" Moderate Density Dwelling District to "R-4 PUD" Planned Unit Development to allow a two story detached garage with habitable area (home office and recreational area) on the second level.

The following resolutions were adopted: approving an amendment for the Downtown Urban Renewal Area plan, 422; approving an economic development agreement with New College, LLC, 423; to set a public hearing to convey the following property: Parcel F0030-10, 1208 Farnam Street to Petitioner, Angela K. Sheets, 424.

The following motion was passed: approving Case No. PP16-01 being the preliminary plat of Westport Addition, located south of West Locust Street between Wisconsin and Utah Avenues, containing 54 residential lots and four (4) outlots, 425.

Public Safety: The following ordinance moved to third consideration: amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Ripley Street along the frontage of 1217 and 1221 Ripley Street.

The following resolution was adopted: closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s), 426.

The following motions were passed: approving all submitted beer and liquor license applications, 427; approving the petition for an alley light behind 3022 Arlington Avenue, 428; affirming the Davenport Fire Department re-accreditation from Center for Public Safety Excellence for years 2016-2021, 429.

Public Works: The following resolutions were adopted: to grant MidAmerican Energy Company electric easements on city property at two locations--Ridgeview Park along Division Street and the north edge of the Transload Facility property, 430; approving

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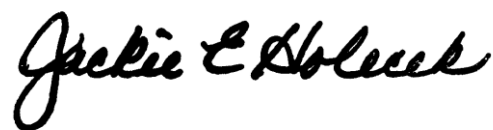
Change Order One for the Fiscal Year 2017 Sewer Lining Program (Bid 16-79) in the amount Not-To-Exceed \$183,923.25; CIP Project #30021, 431; on the plans, specifications, forms of contract and estimated cost for the 2016 Crack Sealing, Crack Filling, and Joint Resealing Project, CIP Project #35015, 432; approving the Fiscal Year 2016 Street Finance Report from July 1, 2015 to June 30, 2016, 433; approving the Plans, Specifications, Form of Contract and Estimate of Cost covering the Junge and Northwest Park ADA Access Improvements Projects, CIP Project #10118, 434.

Finance: The following resolution was adopted: approving a 28E Agreement with the Davenport Community School District for the use of the Adler Theatre and RiverCenter for performing arts programming for the 2016-2017 school year, with option years to follow, 435.

The following motions were passed: directing staff to release a Request for Proposals (RFP) for a Fire and Police Operations & Service Delivery Study, 436; directing staff to issue a Request for Proposals (RFP) to reuse either the floating platform or the porte cochere as part of a commercial redevelopment of Main Street Landing, 437; awarding a bid for the annual street striping contract to Twin City Striping of Delano, MN in the amount of \$168,948, 438; awarding a bid for the Utica Ridge Road sidewalk from 55th Street to Kathleen Way to Little H Construction of Davenport, in the amount of \$94,110, 439; awarding a contract for skatepark renovations to Spohn Ranch Skateparks of Los Angeles CA, in the amount of \$89,950, 440; awarding a three-year contract for millwright and welding services for the Compost Facility to Grisham Industries Inc. of Davenport, 441.

Other Ordinances, Resolutions and Motions: On motion by Ald. Boom, second by Ald. Justin the rules were suspended and the following resolution added to the agenda and adopted: closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s), 442.

On motion Council adjourned at 6:14 P.M.

A handwritten signature in black ink, reading "Jackie E. Holec". The signature is written in a cursive, flowing style.

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Jackie E. Holecek, MMC

Deputy City Clerk