

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, August 26, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, August 26, 2020 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Mike Matson presiding and all Aldermen present (Alderman Condon present via telephone).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Jobgen

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting Minutes for August 12, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for August 19, 2020.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, August 19, 2020 -- The Council observed a moment of silence. Pledge of Allegiance led by Mayor Matson. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present except Alderman Gripp (Alderman Jobgen present via telephone).

The following Public Hearings were held: Community Development: 1) on the proposed conveyance of City-owned parcels H0023-33, 1412 W 14th St, to Kerry and Misha Davis, petitioners; and A0060-21, 1619 W Pleasant St, to Brealynn and Donald Dickerson, petitioners. Public Works: 1) on the Resolution of Necessity for the 2020 Alley Resurfacing Program covering the north-south alley between Pershing Ave and Iowa St from E Columbia Ave to E Garfield St. Finance: 1) authorizing the City to convey City-owned parcel W0453-OLD to the owners of 3207 Fieldcrest Dr, the adjacent parcel to the northeast; 2) authorizing the City to convey City-owned parcel X1101B06B, to the owners of 927 W 60th St, the adjacent parcel to the north; 3) authorizing the City to convey City-owned parcel F0046-16 to Francisco Brown, petitioner and resident of 817 Farnam St; and 4) authorizing the City to convey City-owned parcel G0038-36B, located on the north side of the 300 block of W 9th St, to Lisa Avila, petitioner and owner of 908 Harrison St.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Alderwoman Lee reviewed all items listed. On motion by Alderman Dunn, second by Alderman Peacock all items moved to the Consent Agenda. Public Safety: Alderman Ambrose reviewed all items listed. On motion by Alderman Jobgen, second by Alderwoman Dickmann all 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 Peacock, second by Alderwoman Dickmann item #8, Resolution authorizing a request for reimbursement for eligible costs related to the COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund, would be voted on later on the agenda and all other items moved to the Consent Agenda.

Other Ordinances, Resolutions and Motions: On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye, the rules were suspended to vote on the following item:

*Resolution authorizing a request for reimbursement for eligible costs related to the COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund. On motion by Alderman Ambrose, second by Alderman Peacock with all Aldermen present voting aye, the Resolution was adopted, **2020-348**.*

*Council adjourned at **6:42 p.m.***

VIII. Appointments, Proclamations, Etc.

IX. Presentations

HELD

A. Davenport Fire Department Awards Ceremony

- E Locust St Structure Fire Rescue

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

XII. 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.

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

1. Third Consideration: Ordinance amending Schedule XIII of Chapter 10.96 entitled "7-Ton Truck Restrictions" by adding 59th St from Main St to 61st St. [Ward 8]

ADOPTED 2020-349

ORDINANCE NO. **2020-349**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XIII 7-TON TRUCK RESTRICTIONS THERETO BY ADDING 59TH ST FROM MAIN ST TO 61ST ST.

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

Section 1. That Schedule XIII 7-Ton Truck Restrictions of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

59th St from Main St to 61st St.

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 8/26/2020: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance amending Chapter 15.32 of the Davenport Municipal Code titled "Uniform Fire Code" to adopt the International Code Council's 2015 International Fire Code with amendments. [All Wards] **ADOPTED 2020-350**

ORDINANCE NO. **2020-350**

Ordinance amending Chapter 15.32 of the Davenport Municipal Code to adopt the International Code Council's 2015 International Fire Code with amendments.

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

Section 1. That Chapter 15.32 entitled "International Fire Code" is hereby amended to read as follows:

15.32.010 International Fire Code (2015) adopted.

Except as hereinafter modified, the International Code Council's 2015 International Fire Code, including appendices, is adopted by reference as the fire code of the City of Davenport, Iowa and hereby incorporated by reference into this chapter.

15.32.020 Modifications to 2015 International Fire Code.

The 2015 International Fire Code is modified as follows:

A..Amendment – Section 101.1: The City of Davenport.

These regulations shall be known as the Fire Code of the City of Davenport, hereinafter referred to as this code. The following definitions shall be in place:

Wherever the word "jurisdiction" is used in the International Fire Code, it is the City of Davenport.

Wherever the party responsible for the enforcement of the International Fire Code is given a title of "Fire Marshal" and the following definition: "Fire Marshal is the Code Official of the Fire Prevention Bureau" or a duly authorized representative.

Whenever the words "Department of Fire Prevention" are used, they shall be held to mean "Fire Prevention Bureau".

The word "shall" is mandatory, and the word "may" is permissive.

B..Amendment – Section 202 (M): Commercial Cooking Appliances.

Appliances used in a commercial food service establishment for heating or cooking food and which produce grease vapors, steam, fumes, smoke, or odors that are required to be removed through a local exhaust ventilations system. Such appliances include deep fat fryers; upright broilers; griddles; broilers; steam-jacketed kettles; hot-top ranges; under-fired broilers (Charbroilers); ovens; barbecues; rotisseries; residential stoves/ovens and similar appliances. For the purpose of this definition, a food service establishment shall include any commercial building or portion thereof used for the preparation and serving of food including for employee purposes.

C. Amendment – Section 503.2.1: Dimensions.

Fire apparatus access roads shall have a minimum unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4268 mm).

D. Amendment – Section 507.5.1: Where required.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

E. Amendment – Section 507.5.1.1: Hydrant for fire department connections.

Buildings equipped with a fire department connection installed in accordance with Section 912 shall have a fire hydrant located on a fire access road within 100 feet (30 m) of the fire department connection as measured by an approved route around the exterior of the building.

Exception: The distance shall be permitted to exceed 100 feet (30 m) where approved by the fire code official.

F. Addition (New Section to IFC) – Section 604.8: Shutdown of Emergency and Standby Power Systems.

In addition to the requirements of NFPA 10 for a remote manual stop, a keyed switch to shut down the generator shall be located at the remote annunciator panel or fire panel. The Code Official shall determine its location. If there is no annunciator or fire alarm panel or the location of these panels is determined to be inadequate for this shut down button, the Code Official shall determine its location.

G. Addition (New Section to IFC) – Section 901.4.6.1: Fire Sprinkler Riser Room.

A fire sprinkler riser room shall be separated from the electrical room. The riser room shall have no electrical panels, devices, or apparatus inside the room other than the outlets or support equipment (lighting, air compressor, and heater) required for the use of the fire sprinkler system and/or the fire alarm panel. The sprinkler riser room shall not be exclusively accessed from the electrical room, but the electrical room may be accessed from the riser room.

H. Amendment – Section 903.3.1.2.1 – Group R Balconies and Decks.

Sprinkler protection shall be provided for all exterior balconies, decks, and ground floor patios of dwelling units where the building is required to have a fire sprinkler system installed. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members and a maximum distance of 14 inches below the deck of the exterior balconies and decks.

I. Addition – Section 903.3.1.2.3 – Fire Sprinklers for Canopies.

A canopy covering a door that is required to be marked as an exit shall be required to have fire sprinklers installed outside that door if the canopy extends more than 4 feet out from the door and is 12 feet or less in height from the ground regardless of whether the canopy is combustible or non-combustible. Canopies that have vehicle access under them with door openings shall be required to have fire sprinklers installed under the total canopy regardless of whether the canopy is combustible or non-combustible.

Exception: If the Code does not require a building to have a fire sprinkler system, section 903.3.1.2.3 does not apply.

J. Addition (New Section to IFC) – Section 904.12.2.1 – Ventilation Operation.

The ventilation system shall shut down the make up air to the hood and continue to exhaust upon activation of the hood fire extinguishing system. Supply air openings other than part of the hood system shall be a minimum of 6 feet from any part of a Type I Hood. Supply air openings closer than 6 feet must shut down upon activation of the extinguishing system.

K. Amendment – Section 905.1 – General.

Standpipe systems shall be provided in new buildings and structures in accordance with Sections 905.2 through 905.10. In buildings used for *high-piled combustible storage*, fire protection shall be in accordance with Chapter 32. For the purposes of this Section 905 "Standpipe Systems", Sections 905.3.1 through 905.6.2 shall be amended by deleting all references to Class II and Class III standpipe systems and inserting Class I standpipe systems in their place.

L. Amendment – Section 905.2 – Installation standard.

A Class I standpipe system shall provide 2 ½ inch (63.5 mm) hose connections to supply water for use by fire departments and those trained in handling heavy fire streams. Also, 2 ½ inch to 1 ½ inch reducers with 1 ½ inch caps shall be provided on each standpipe outlet. 2 ½ inch and 1 ½ inch threads shall be National Standard Threads (NST). No hose is to be provided.

Exception: Hose may be provided when the facility has an assigned and trained fire brigade.

M. Deletion – Section 905.3.4.1 – Hose and cabinet.

This section shall be deleted.

N. Deletion – Section 905.5.3 – Class II system 1-inch hose.

This section shall be deleted.

O. Addition (New Section to IFC) – Section 905.3.9 – Building Footprint and Access.

Where the most remote portion of a floor or story is more than 400 feet from a hose connection or fire department access road, the fire code official is authorized to require standpipes to be provided in approved locations.

P. Amendment – Section 907.2 – Where Required – New Buildings and Structures.

An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5.

Not fewer than one manual fire alarm box shall be provided in an *approved* location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the *fire code official* to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.

Q. Addition (New Section to IFC) – Section 907.2 (a) – Manual Fire Alarm Pull Boxes.

Manual fire alarm pull boxes ("pull stations") shall be required where deemed necessary by the Code Official.

R. Addition (New Section to IFC) – Section 907.2 (b) – Monitoring.

All fire alarm systems shall be monitored by a UL listed monitoring station.

S. Amendment – Section 907.2.1 – Fire Alarms in Group A Occupancies.

A manual and automatic fire alarm system shall be installed in accordance with NFPA 72 in Group A Occupancies have an occupant load of 300 or more. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

T. Amendment – 907.2.3 – Group E

In the absence of a complete automatic sprinkler system, a complete automatic detection system utilizing an emergency voice/alarm communication system shall be installed throughout the entire Group E occupancy. A Group E occupancy with a complete automatic sprinkler system shall be provided with a fire alarm system utilizing an emergency voice/alarm communication system in compliance with Section 907.5.2.2 and installed in accordance with Section 907.6. As a minimum, smoke detection shall be provided in corridors at a maximum spacing of 30 feet on center, and heat or smoke detection shall be provided in any hazardous or non-occupied areas in all new or existing Group E occupancies.

Exceptions:

1. Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
 - 2.1. Interior corridors are protected by smoke detectors with alarm verification.
 - 2.2. Auditoriums, cafeterias, gymnasiums, and the like are protected by heat detectors or other approved detection devices.
 - 2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
 - 2.4. Off-premises monitoring is provided.
 - 2.5. The capability to activate the evacuation signal from a central point is provided.
 - 2.6. In buildings where normally occupied spaces are provided two-way communication system between such spaces and a constantly attended receiving station from which a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.
3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification appliances will activate on sprinkler water flow, and manual activation is provided from a normally occupied location.
4. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the fire alarm system initiates an approved occupant notification signal in accordance with Section 907.5.

U. Amendment – 907.2.9 – Group R-2

An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies.

1. Common spaces outside of *dwelling units and sleeping units*
2. Laundry rooms, mechanical equipment rooms, and storage rooms
3. All interior corridors serving *sleeping units or dwelling units*

Exception: An automatic smoke detection system is not required in buildings that do not have interior *corridors* serving *sleeping units or dwelling units* and where each *sleeping unit or dwelling unit* either has a *means of egress* door opening directly to an exterior *exit access* that leads directly to an *exit* or a *means of egress* door opening directly to an *exit*.

Required smoke alarms in *dwelling units* and *sleeping units* in Group R-2 occupancies shall be interconnected with the fire alarm system in accordance with NFPA 72.

V. Addition (New Section to IFC) – 1028.6 – Exit Discharge Pathways.

Exit discharge pathways shall be paved from all required exits of a building to a public way or parking lot.

15.32.030 Open fires and burning.

A. Definitions.

1. OPEN FIRE – Shall mean any burning of combustible materials where the products of combustion are emitted into the open air without passing through a chimney or stack. Open fire as used in this section shall not be interpreted to include recreational fires or cooking fires which may be conducted without permit of the fire department.

2. RECREATIONAL FIRE – Shall mean the burning of wood for pleasure, cooking or similar purposes, either contained in a receptacle originally designed and manufactured for such purpose; or uncontained so long as the fire being burned has a total wood fuel area of not more than eight feet in diameter and four feet in height, and the fire is being used in conjunction with camping in a publicly- or privately-owned campground or at least 25 feet from the nearest structure or combustible material.

3. COOKING FIRE – Shall mean the burning of conventional fuel materials such as charcoal, natural or propane gas to cook food in a receptacle such as a barbecue grill or barbecue pit, which was originally designed and manufactured for that purpose.

4. GARBAGE – Shall mean animal and vegetable waste resulting from the handling, preparing, cooking, storing or serving of food or of material intended for use as food.

5. RUBBISH – Shall include, but is not limited to, nonputrescible (not subject to rotting or decay) solid waste consisting of combustible and noncombustible wastes such as ashes, paper, cardboard, tin cans, wood, glass, bedding and crockery.

6. REFUSE – Shall mean putrescible (subject to decay or rotting) and nonputrescible wastes including, but not limited to, garbage, rubbish, household waste, incinerator residue, street cleanings, market and industrial solid wastes and sewage treatment wastes in dry or semi-solid form, organic growth such as vines, weeds, grass, flowers, leaves, plant stems or stalks, or similar growth.

7. BUILDING MATERIALS – Shall mean any material including but not limited to lumber, brick, concrete, plaster, plaster board, gutters, floor coverings, or similar substances accumulated as a result of repairs or additions to existing structures, construction of new buildings, or demolition of existing structures.

8. PROHIBITED MATERIALS – Shall include, but not be limited to, dead animals, waste oil, plastic material, rubber products or materials, tires, tar or tar-based products or materials, asbestos containing materials, creosote containing materials, styrofoam, plastic- or rubber-coated wire, and similar substances.

9. WOOD – As used in this section, shall mean that part of a tree or shrub that consists of a more or less hard and compact substance which makes up the bulk of the trunk and branches of the tree or shrub, and which is concealed from view by the bark, and which when cut transversely is found to consist of concentric layers. Wood does not include tree stumps, shrub stumps, roots, wood products or items manufactured or consisting of processed wood such as lumber, plywood and similar items.

B. Open Fires Prohibited. No person shall ignite, cause or permit to be ignited, allow or maintain an open fire containing any garbage, rubbish, refuse, building materials, business waste as defined in Chapter 8.08, or prohibited material.

C. Exceptions to Prohibition on Open Fires.

1. The prohibition against open fires shall not be construed to prohibit the open burning of wood, as defined in section 15.32.030 A9, subject to the other requirements imposed by this section. The City, however, does not encourage the burning of wood and will collect wood not larger than six inches in diameter nor longer than five feet in length at curbside during normal solid waste collection if it is securely tied together in a bundle of 50 pounds or less in weight.

2. The fire department may, at its discretion, issue an open burning permit, subject to the other requirements of this section, for the following types of fires:

a. Controlled ceremonial bonfires.

b. Disaster rubbish. Disaster rubbish includes yard waste and other similar organic waste that may otherwise be prohibited as refuse and building material, which occurs as a result of a community disaster. Disaster rubbish may be burned only when an official declaration has been made that an emergency disaster condition exists and then, only during the period of time designated in the emergency disaster declaration.

c. Prescribed agricultural or natural areas. The open burning of fields or other areas planted with vegetation native to this region, may be permitted if necessary for the maintenance of native plants and controlling growth of invasive plant species. Such prescribed burns may only be conducted by personnel approved by the fire marshal or fire chief and with an approved burn plan and burn permit.

d. Bona fide training fires. Fires set for the purpose of bona fide training of public, institutional or industrial employees in methods of fire fighting.

e. Flare stacks. Open burning or flaring of waste gases may be permitted.

D. Regulation of Open Fires.

1. Prohibited on Public Property. No person shall ignite, cause or permit to be ignited, allow, maintain or burn a fire in any manner on publicly owned or publicly controlled property. Publicly owned or controlled property includes, but is not limited to, bridges, streets, alleys, sidewalks, boulevards, public rights-of-way, and other public property or places which have not been approved in writing by the fire chief or his designee. This section shall not be construed to prohibit cooking fires in public parks unless otherwise prohibited in this code, recreational fires as allowed on publicly-owned campgrounds unless otherwise prohibited by this code, or approved burning of fields and natural areas, pursuant to Section 15.32.030 C2c.

2. Attending to Fire Required. All open fires, cooking fires and recreational fires shall be continuously attended to by a competent person until the fire is extinguished. A person attending to an open fire, cooking fire or recreational fire must have a garden hose connected to a water supply or an approved fire extinguisher readily available to control the fire.

3. Distance from Structures. Open fires shall not be located, ignited, allowed, permitted or maintained less than 50 feet from any structure or combustible material.

4. Prohibited During Hazardous Conditions. When atmospheric conditions or local circumstances make the burning of open fires hazardous, the fire chief and/or fire marshal may prohibit any or all open fires by issuing a proclamation banning open fires. Such proclamation shall remain in effect until such time as the fire chief and/or fire marshal recalls or cancels the same.

5. Sunrise to Sunset. Open burning is permitted only between sunrise and sunset. All open fires must be completely extinguished at sunset.

6. Burn Days. The burning of wood in an open fire on private property shall be prohibited unless the fire chief or his designee has declared a particular day a "burn day" by recorded message on the telephone.

7. Burning to Clear Land. Notwithstanding Section 15.32.030 C1, no person shall ignite, cause or permit to be ignited, allow or maintain the burning of refuse, wood, trees, brush, shrubs, or similar organic growth for the purpose of clearing the land of trees, shrubs, brush or similar organic growth for development.

E. Nuisance Fire Conditions. No person shall burn any matter which the Fire Chief or his designee determines is causing:

1. Dense, thick, or heavy smoke, or
2. A strong odor, or
3. Constitutes a hazardous condition to life or property.

15.32.040 Penalty.

A. Anyone violating the provisions of this chapter is guilty of a simple misdemeanor and shall upon conviction be subjected to a fine not to exceed \$625.

B. Anyone violating the provisions of this chapter is guilty of a municipal infraction and shall upon conviction be subjected to a civil fine not to exceed \$750 for a first offense or \$1000 for a repeat offense; additionally the City also may seek an appropriate injunctive remedy to abate or correct further violations of this chapter.

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 8/26/2020: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Third Consideration: Ordinance amending Chapter 16.28.050 entitled "Improvement - Sewers" of the Davenport Municipal Code. By amending section 16.28.060 thereto relating to the City collecting compensation for televising services performed in the process of sanitary sewer acceptance. [All Wards] **ADOPTED 2020-351**

ORDINANCE NO. **2020-351**

ORDINANCE amending Chapter 16.28.050 entitled "Improvements - Sewers" of the Municipal Code of Davenport, Iowa, by amending Section 16.28.050 thereto relating to the City collecting compensation for televising services performed in the process of sanitary sewer acceptance.

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

That Chapter 16.28.050 entitled "Improvements - Sewers" is hereby amended to read as follows:

Where a public sanitary sewer is reasonably accessible, the subdivider shall connect or provide for the connection with such sanitary sewer and shall provide within the subdivision the sanitary sewer system required to make

the sewer accessible to each lot in his subdivision. Sewers on public property or easements shall have the approval of the Iowa State Board of Health. Adequate provision shall be made for the disposal of stormwater, subject to the approval of the city engineer and the city council. Prior to acceptance of sanitary sewer installed by private contractor, the City of Davenport Sewer Division must televise the lines to ensure that they meet acceptable city standards. Fees for this service shall be set from time to time by city council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

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 not 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 8/26/2020: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

4. Second Consideration: Ordinance amending Chapter 15.08.300 of the Davenport Municipal Code entitled "Permits." [All Wards] **MOVED TO THIRD CONSIDERATION**

5. Second Consideration: Ordinance amending Chapter 15.16 of the Davenport Municipal Code entitled "Electrical Code." [All Wards] **MOVED TO THIRD CONSIDERATION**

6. First Consideration: Ordinance amending Chapter 13.38.100 entitled "Construction Site Erosion and Sediment Control - Enforcement" of the Davenport Municipal Code to allow City Council to set the schedule of fines by Resolution. [All Wards]

MOVED TO SECOND CONSIDERATION

7. Resolution authorizing the Mayor to execute documents necessary to convey City-owned parcels H0023-33, 1412 W 14th St, to Kerry and Misha Davis, petitioners; and A0060-21, 1619 W Pleasant St, to Brealynn and Donald Dickerson, petitioners. [Ward 4]

ADOPTED 2020-352

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

ADOPTED 2020-353

Timm Dalman; Festival of Praise; LeClaire Park; 8:00 a.m. Friday, September 4, 2020 - 11:30 p.m. Saturday, September 5, 2020; **Closure:** Harrison St and Ripley St south of River Dr. [Ward 3]

Top-Notch Productions, Inc; Quad City Bank & Trust and QCSO Riverfront Pops; LeClaire Park; 8:00 a.m. Thursday, September 10, 2020 - 3:00 p.m. Sunday, September 13, 2020; **Closure:** Harrison St and Ripley St south of River Dr. [Ward 3]

9. Resolution of acceptance for the E 39th St and Forest Rd Intersection Reconstruction project completed by CDMI Concrete Contractors of Port Byron, IL with a final cost of \$126,355.20, CIP #35040. [Ward 6] **ADOPTED 2020-354**

10. Resolution of acceptance for the rehabilitation of the JM Morris Blvd Pump Station 202 project, CIP #30051. [Ward 1] **ADOPTED 2020-355**

11. Resolution of acceptance for the Adler Theatre Floor Replacement project, CIP #69015. [Ward 3] **ADOPTED 2020-356**

12. Resolution awarding the contract for the CB&Q Parking Lot Reconstruction project to Hawkeye Paving Corporation of Davenport & Bettendorf in the amount of \$390,188.20, CIP #68012. [Ward 3] **ADOPTED 2020-357**

13. Resolution establishing the fee for closed circuit televising of newly constructed sanitary sewers prior to acceptance by the City. [All Wards] **ADOPTED 2020-358**

14. Resolution setting the Stormwater Management Maintenance and Repair Agreement Recording fee at \$100. [All Wards] **ADOPTED 2020-359**

15. Resolution approving Change Order #1 to the 2nd & Marquette Sewer Improvement project with Miller Trucking & Excavating in the amount of \$170,000, CIP #30016. [Ward 3] **ADOPTED 2020-360**

16. Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcel W0453-OLD to the owners of 3207 Fieldcrest Dr, the adjacent parcel to the northeast. [Ward 2] **ADOPTED 2020-361**

17. Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcel X1101B06B to the owners of 927 W 60th St, the adjacent parcel to the north. [Ward 8] **ADOPTED 2020-362**

18. Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcel F0046-16 to Francisco Brown, petitioner and resident of 817 Farnam St. [Ward 3] **ADOPTED 2020-363**

19. Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcel G0038-36B, located on the north side of the 300 block of W 9th St, to Lisa Avila, petitioner and owner of 908 Harrison St. [Ward 3] **ADOPTED 2020-364**

20. Resolution accepting the 2020-2021 (year one of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount of \$498,783 and authorizing the Finance Director or designee to sign the grant agreement to be managed and implemented by the Davenport Parks and Recreation Department. [All Wards] **ADOPTED 2020-365**

21. Resolution establishing the date and time for trick-or-treat for Saturday, October 31, 2020 4:30 p.m. - 7:00 p.m. [All Wards] **ADOPTED 2020-366**

22. Resolution approving three assistance programs through the State COVID (CDBG-CV) application process to assist with the impact of the pandemic on Davenport residents (City of Davenport, petitioner). [All Wards] **ADOPTED 2020-367**

23. Resolution approving the Small Business Resiliency Project with CDBG CARES Act funding to provide financial relief to assist small businesses as a result of the COVID-19 pandemic (City of Davenport, petitioner). [All Wards] **ADOPTED 2020-368**

24. Motion approving noise variance requests for various events on the listed dates and times. **PASSED 2020-369**

Off Point Pub; Kevin Soppe Memorial Ride; 2025 Hickory Grove Rd; Sunday, September 6, 2020 6:00 p.m. - 9:00 p.m.; Outdoor music, over 50 dBa. [Ward 4]

Top-Notch Productions, Inc; Quad City Bank & Trust and QCSO Riverfront Pops; LeClaire Park; Saturday, September 12, 2020 8:00 a.m. - 10:00 p.m.; Outdoor music, over 50 dBa. [Ward 3]

J&M Displays Inc; Riverfront Pops Fireworks Show; LeClaire Park; Saturday, September 12, 2020 9:00 p.m. - 10:00 p.m.; Fireworks, over 50 dBa. [Ward 3]

Jacob Harry; Cruise-In for a Cause; Parking lot west of Modern Woodmen Park; Sunday, September 20, 2020 2:00 p.m. - 6:30 p.m.; Outdoor music, over 50 dBa. [Ward 3]

25. Motion approving the petition for an alley light in back of 211 S Pine St. [Ward 3] **PASSED 2020-370**

26. Motion approving beer and liquor license applications. **PASSED 2020-371**

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

Ward 3

Zeke's Island Cafe (Lumpy's Inc) - 225 W 2nd St (Inside Figge) – replacing existing license - Outdoor Area - License Type: C Liquor

Ward 5

Jesses Mart (Guru Nanak Petro Mart Inc) - 412 E Locust St - new owner - License Type: C Beer

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

Ward 7

Hi Ho Mongolian Grill (Hi Ho Mongolian Grill, Inc) - 901 E Kimberly Rd, Ste 15 - Outdoor Area - License Type: Beer/Wine

27. Motion directing staff to hire an engineering firm for the design of the CDBG Replenishment projects, pending environmental approval from HUD. [Wards 3 & 8] **PASSED 2020-372**

28. Motion authorizing payment to Visit Quad Cities for FY21 tourism/marketing services in the amount not-to-exceed \$375,000. [All Wards] **PASSED 2020-373**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

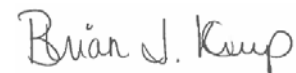
Following is a summary of revenue received for the month of July 2020:

Property taxes	\$1,864,411
Other City taxes	\$72,917
Special assessments	-
Licenses & permits	\$250,433
Intergovernmental	\$521,016
Charges for services	\$3,328,021
Use of monies & property	\$117,218
Fines & forfeits	\$106,337
Bonds/Loan Proceeds	\$586,924
Miscellaneous	\$53,909

XVI. Adjourn **6:52 p.m.**

XVII. Executive Session – **Not voted on, session not held.**

1. To discuss a real estate transaction pursuant to Iowa Code Section 21.5(1)(j).



Brian J. Krup
Deputy City Clerk