

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, June 23, 2021

The City Council of Davenport, Iowa met in regular session on Wednesday, June 23, 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 (*In person:* Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ambrose; *Via telephone:* Alderman Miller).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Gripp

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for June 9, 2021.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for June 16, 2021.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, June 16, 2021 -- The Council observed a moment of silence. Pledge of Allegiance led by Alderwoman Lee. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present except Alderman Dohrmann and Alderman Ambrose (Alderman Dunn, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Miller, Alderwoman Dickmann, and Alderman Jobgen).

*The following Public Hearings were held: **Public Works:** 1) on the plans, specifications, form of contract, and estimate of cost for the MWP Flood Wall, Workout Room Addition, and Clubhouse Renovation project, CIP #23049.*

*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 item #2, Second Consideration: Ordinance for Case REZ21-01 being the request of Dan Lorentzen on behalf of Rock Church Ministries Inc to rezone Lot 2 of Nims Acres from S-OS Open Space District to R-1 Single-Family Residential District, moved to the Discussion Agenda with a recommendation for denial by the Plan and Zoning Commission and all other items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Miller the new liquor license for Chuck E. Cheese under item #3 moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderwoman Meginnis, second by Alderwoman Dickmann all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Miller, second by Alderwoman Dickmann all items moved to the Consent Agenda.*

*Council adjourned at **6:12 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2021-236

1. Red, White and Boom Military & Arsenal Appreciation Day | July 3, 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 Dickmann with all Aldermen present voting aye except Alderwoman Dickmann voting nay, the following Ordinance moved to third consideration:*

Second Consideration: Ordinance for Case REZ21-01 being the request of Dan Lorentzen on behalf of Rock Church Ministries Inc to rezone Lot 2 of Nims Acres from S-OS Open Space District to R-1 Single-Family Residential District. [Ward 7]

MOVED TO THIRD CONSIDERATION

**PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. 8 VOTES
REQUIRED FOR PASSAGE.**

2. *On motion by Alderman Ambrose, second by Alderman Dunn with all Aldermen voting aye except Alderman Miller who abstained, the following Motion passed:*

Motion approving the following beer and liquor license application.

PASSED 2021-237

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

Ward 7

Chuck E. Cheese's #957 (CEC Entertainment, LLC) - 903 E Kimberly Rd - License Type: Beer/Wine

XI. Approval of All Items on the Consent Agenda

On motion by Alderman Ambrose, second by Alderman Dunn with all Aldermen present voting aye except Alderman Ambrose voting nay to item #7, the Consent Agenda was approved as follows:

1. Third 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]

ADOPTED 2021-238

ORDINANCE NO. **2021-238**

ORDINANCE for Case REZ21-01 being the request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road from C-2 Corridor Commercial to C-3 General Commercial District to allow Heavy Retail of commercial electronic components; containing 5.37 acres more or less.

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-3 General Commercial Zoning District":

LOT 3 OF THE FINAL PLAT OF OLD KAY'S SUBDIVISION, IN PART BEING A REPLAT OF LOT 1 OF VICTORY ACRES, PART OF THE NE QUARTER OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M. TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

Section 2. That the following findings and conditions are hereby imposed upon said rezoning:

Findings:

1. The zoning map amendment is consistent with the Davenport 2035+ Land Use Plan, which identifies the property as Residential General (RG) which allows for commercial uses along corridors and edges. The vicinity was developed in the early to mid-70's and is compatible with RG as is the proposed retail use with outdoor storage at the subject property which was built in 1987.
2. The proposed C-3 General Commercial District is compatible with the zoning of nearby property along Marquette Street and Kimberly Road, as well as other C-3 zoning located in the Village Shopping Center, at the car dealerships, the mall, and the Lujack's properties along Welcome way. Industrial uses are located at Gaines and West Kimberly Road.
3. Rezoning the property to C-3 General Commercial District does not create any nonconformities.
4. Required Special Use approval for some of the additional uses allowed in the C-3 District offers further levels of review for the protection of adjacent properties.

Conditions:

1. The proposed outdoor storage enclosure shall be limited to 50 feet by 50 feet or less and shall not be allowed to be expanded unless approved by a modification to the Special Use for heavy retail.
2. Within 90 days of approval of this request the site shall come into compliance with required buffer yard landscaping/fencing per 17.11.080 along the west property line where fencing is not provided by the property owner. The existing privacy fencing abutting residential properties shall be repaired and maintained by the owner for as long as there are abutting residential uses and/or districts, so that all portions of these abutting properties are screened with privacy fencing.

Section 3. At its May 4, 2021 meeting, the City Plan and Zoning Commission voted to forward the case to the City Council with a recommendation for approval subject to the listed findings and conditions.

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 6/23/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second Consideration: Ordinance for Case REZ21-03 being the request of Build to Suit on behalf of Elmore Storage LLC to rezone 6403 Elmore Avenue from C-E Elmore Corners

to C-3 General Commercial District to allow for the expansion of the existing outdoor storage units. [Ward 6]

MOVED TO THIRD CONSIDERATION

3. Resolution approving Case F21-02 being the request of Prairie Heights Development, LLC for a final plat of Prairie Heights Fourth Addition for a 21-lot subdivision on 17.13 acres located west of Olde Brandy Lane and Mississippi Avenue. [Ward 8]

ADOPTED 2021-239

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

ADOPTED 2021-240

Andrew Kaufman; Oak Street Block Party; 4415 Oak Street; Saturday, July 3, 2021 3:00 p.m. - 11:00 p.m.; **Closure:** Oak Street from West 43rd Street to West 45th Street. [Ward 7]

City of Davenport; Red, White & Boom!; LeClaire Park; Saturday, July 3, 2021 2:00 p.m. - 11:00 p.m.; **Closures:** Ripley and Harrison Streets south of River Drive. [Ward 3]

Joseph Mendez Sr; Neighborhood Block Party; 6918 Wilkes Avenue; Sunday, July 4, 2021 7:00 a.m. - 10:00 p.m.; **Closure:** Wilkes Avenue between West 69th and West 70th Streets. [Ward 8]

Cornbelt Running Club; Bix 7 and Quick Bix; Saturday, July 24, 2021 4:00 a.m. – 12:00 p.m. **Closures:** Brady St from River Dr to Kirkwood Blvd, eastbound Kirkwood Blvd from Brady St to Jersey Ridge Rd, Jersey Ridge Rd from Kirkwood Blvd to Middle Rd, Middle Rd from Kirkwood Blvd to McClellan Blvd, McClellan Blvd from Middle Rd to River Dr, E 4th St from Main St to River Dr (4th St from Pershing Ave to River Dr closed beginning at 1:00 p.m. Friday), E 3rd St from Main St to River Dr (E 3rd St from Iowa St to River Dr closed beginning at 2:00 p.m. on Friday, July 23 to set up finish line), E 2nd St from Main St to Perry St, E 15th St from Brady St to Perry St, Perry St from E 15th St to 4th St, LeClaire St from E 2nd St to E 4th St (beginning at noon on Friday, July 23), Iowa St from E 3rd St to 4th St (beginning at 1:00 p.m. Friday, July 23). [Wards 3, 5, & 6]

Top-Notch Productions, Inc; Riverfront Pops 2021; LeClaire Park; 12:00 p.m. Friday, August 20, 2021 - 12:00 p.m. Sunday, August 22, 2021; **Closures:** Ripley and Harrison Streets from River Drive to Beiderbecke Drive. [Ward 3]

Village of East Davenport Business Association; Farm Days in the Village; Village of East Davenport; Saturday, August 28, 2021 8:00 a.m. - 6:00 p.m. and Sunday, August 29, 2021 8:00 a.m. – 6:00 p.m.; **Closures:** East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street north to the alley. [Wards 5 & 6]

5. Resolution approving the plans, specifications, form of contract, and estimate of cost for the MWP Flood Wall, Workout Room Addition, and Clubhouse Renovation project, CIP #23049. [Ward 3] **ADOPTED 2021-241**

6. Resolution awarding the contract for construction of a maintenance facility at Emeis Golf Course to Bill Bruce Builders of Eldridge, Iowa in the amount of \$374,888.20, CIP #64073. [Ward 1] **ADOPTED 2021-242**

7. Resolution approving the Quad Cities Chamber Business & Economic Growth Partnership Agreement. [All Wards] **ADOPTED 2021-243**

8. Resolution authorizing the Finance Director to exceed the General Fund unassigned reserve maximum of 25% of operating expenditures through June 30, 2022. [All Wards] **ADOPTED 2021-244**

9. Resolution approving the renewal of general and auto liability, property, and workers' compensation insurance, as well as related professional services for FY 2022 with multiple insurance companies in the amount of \$1,589,023. [All Wards] **ADOPTED 2021-245**

10. Motion approving noise variance requests for various events on the listed dates and times. **PASSED 2021-246**

City of Davenport; Red, White & Boom!; LeClaire Park; Saturday, July 3, 2021 4:00 p.m. - 10:00 p.m.; Outdoor music and fireworks, over 50 dBA. [Ward 3]

Center for Active Seniors, Inc; Rock the Lot; CASI | 1035 West Kimberly Road; Saturday, July 17, 2021 1:30 p.m. - 12:00 a.m.; Outdoor music/band, over 50 dBA. [Ward 7]

Top-Notch Productions, Inc; Riverfront Pops 2021; LeClaire Park; Saturday, August 21, 2021 3:00 p.m. - 9:00 p.m.; Outdoor music, over 50 dBA. [Ward 3]

11. Motion approving beer and liquor license applications. **PASSED 2021-247**

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

Ward 3

Stompbox Brewing (JPX2ME, LLC) - 210 E River Dr Unit 101 Parking Lot July 3-4 - Outdoor Area - License Type: Class C Liquor

Ward 5

Your Private Bar (Your Private Bartender, LLC) – Lindsay Park | 2200 E 11th St – “Red Ribbon Gala” June 26, 2021 - Outdoor Area - License Type: Class C Liquor

Ward 8

Save More Super Market (Guru Nanak Food Mart) - 6723 Northwest Blvd - License Type: Class E Liquor

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

Ward 1

Casey's General Store #2077 (Casey's Marketing Company) - 3700 W Locust St - License Type: Class C Beer

Ward 3

Radisson (Bucktown Lodging, LLC) - 111 E 2nd St - License Type: Class B Liquor

Stompbox Brewing (JPX2ME, LLC) - 210 E River Dr Unit 101 – Outdoor Area - License Type: Class C Beer

Ward 4

Sun Mart LLC (Sun Mart, LLC) - 2920 W Locust St - License Type: Class E Liquor

Washington St Mini Mart (Nazar, LLC) - 1601 Washington St - License Type: Class E Liquor

Ward 6

Red Lobster #0133 (Red Lobster Restaurants, LLC) - 3420 E Kimberly Rd - License Type: Class C Liquor

Ward 7

Olive Garden Italian Restaurant #1144 (GMRI, Inc) - 330 W Kimberly Rd - License Type: Class C Liquor

Ward 8

Love's Travel Stop #476 (Love's Travel Stops & Country Stores, Inc) – 8255 Northwest Blvd - License Type: Class C Beer

12. Motion approving the plans, specifications, form of contract, and estimate of cost for the Sunderbruch Trail Reconstruction project, CIP #28030. [Ward 1] **PASSED 2021-248**

13. Motion approving the annual renewal for the license and support of the City's records management system, OnBase, in the amount of \$53,368.46. [All Wards]

PASSED 2021-249

XII. Other Ordinances, Resolutions and Motions

1. *On motion by Alderman Ambrose, second by Alderman Gripp with all Aldermen present voting aye except Alderwoman Lee voting nay, the rules were suspended to add and vote on the item below.*

2. *On motion by Alderman Ambrose, second by Alderman Dohrmann with all Aldermen present voting aye except Alderwoman Lee and Alderman Miller voting nay, the following Motion passed:*

Motion approving the following noise variance request for an event on the listed date and time.

Southeast Little League; End of Season Picnic; Prairie Heights Park | 5600 Eastern Avenue; Friday, June 25, 2021 approximately 8:45 p.m. for 10-15 minutes; Fireworks, over 50 dBA. [Ward 8] **PASSED 2021-250**

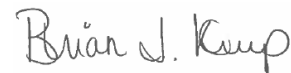
XIII. Public with Business

XIV. Reports of City Officials

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

Property taxes	3,492,425
Other City taxes	2,323,101
Special assessments	-
Licenses & permits	301,188
Intergovernmental	22,355,230
Charges for services	3,823,270
Use of monies & property	110,243
Fines & forfeits	136,247
Bonds/Loan Proceeds	2,413,834
Miscellaneous	1,323,182

XV. Adjourn **6:51 p.m.**



Brian J. Krup
Deputy City Clerk