

City of Davenport
City Council Meeting Minutes
Wednesday, June 12, 2019

The City Council of Davenport, Iowa met in regular session on Wednesday, June 12, 2019 at 5:30 PM 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 May, 22, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report of the Committee of the Whole for June 5, 2019

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, June 5, 2019--
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 aldermen present except Ald. Meginnis. The following Public Hearings were held: Community Development: (the Public Hearing on the proposed conveyance of vacated public right-of-way known as the east-west portion of Crestline Drive located west of the north-south alley lying west of Marlo Avenue (2950 Crestline, L.L.C., Petitioner) was not held as it was deleted from the agenda per staff recommendation) for the Ordinance for case REZ19-06 being the request of Jasveer Saini to rezone .56 acres, more or less, of property located at 4607 N Pine St from C-1 Neighborhood Commercial Zoning District to C-2 Corridor Commercial Zoning District. Public Works: on the plans, specifications, forms of contract, and estimate of cost for the FY20 Sanitary Sewer Repair Program, CIP #30049; on the plans, specifications, forms of contract, and estimate of cost for the Civic Access (ADA Ramp) Program Project, CIP #28024; on the plans, specifications, forms of contract, and estimate of cost for a permeable paver alley from Pleasant to Lombard between Myrtle and Vine, CIP #33031; on the plans, specifications, forms of contract, and estimate of cost for the construction of a lego block retaining wall along an unnamed tributary of Silver Creek between Pine Street and Hillandale Road. Finance: authorizing the Mayor and City Clerk to execute the necessary documents to convey City-owned parcel G0049-40, 1125 W 7th St, to The One Eighty Zone, Inc; for proposed action by the City of Davenport to authorize the renewal of electric and natural gas franchise agreements with MidAmerican Energy Company.

The following proclamation was issued: Mr. Henry Langrehr Day – June 6, 2019, 2019-219.

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. On motion by Ald. Rawson, second by Ald. Dickmann item #5 was tabled (roll call vote with Ald. Dickmann and Ald. Matson voting nay); on motion by Ald. Rawson, second by Ald.

Dickmann item #7 was deleted per staff recommendation; and on motion by Ald. Ambrose, second by Ald. Dickmann all other items 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. Matson, second by Ald. Dickmann item #3 was deleted per staff recommendation (Ald. Gripp voting nay). On motion by Ald. Clewell, second by Ald. Rawson all other items moved to the Consent Agenda.

Council adjourned at 7:10 p.m.

VIII. Appointments, Proclamations, Etc.

IX. Presentations

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

XII. Approval of All Items on the Consent Agenda

1. Third Consideration: Ordinance for Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-OP Commercial Office Park; property contains 9.58 acres and is located on E 56th St east of Utica Ridge Rd. [Ward 6]

ADOPTED 2019-220

ORDINANCE NO. 2019-220

Ordinance for Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to COP Commercial Office Park 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 from C-T Commercial Transitional District to C-OP Commercial Office Park District.

The Legal Description is as follows:

Lot 1 of Crow Valley Plaza 12th Addition to the City of Davenport, Scott County, Iowa. Part of the Southwest Quarter of Section 12, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, being more particular described as Lot 2 of Ryde High 2nd Addition to the City of Davenport, Scott County, Iowa.

Section 2. The following conditions are hereby imposed upon said rezoning:

1. Building height is limited to 35 feet.
2. The following uses are prohibited:
 - a. Restaurant
 - b. Vehicle dealership (indoor)
 - c. Hotel
 - d. Light Industrial

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 6/12/19; Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance for Case REZ19-03: Request of the City of Davenport for a Zoning Map Amendment from R-MF Multi-Family Residential District to C-T Commercial Transitional Zoning District on 1 acre, more or less, for the property located at 709 East 46th Street. [Ward 7] **ADOPTED 2019-221**

ORDINANCE NO. 2019-221

Ordinance for Case REZ19-03: Request of the City of Davenport for a Zoning Map Amendment from R-MF Multi-Family Residential District to C-T Commercial Transitional Zoning District on 1 acre, more or less, for the property located at 709 East 46th Street.

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 from R-MF Multi-family Residential District to C-T Commercial Transitional Zoning District.

The Legal Description is as follows:

Part of the Southwest Quarter of Section 12, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, being more particular described as Lot 2 of Ryde High 2nd Addition to the City of Davenport, Scott County, Iowa.

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. Approve: 6/12/19; Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Third Consideration: Ordinance for Case REZ19-04: Request of the City of Davenport for Zoning Map Amendment from C-2 Corridor Commercial Zoning District to R-MF Multi-Family Residential District on .25 acres, more or less, for the property located at 641 and 643 East 46th Street (west 60 feet only). [Ward 7] **ADOPTED 2019-222**

ORDINANCE NO. 2019-222

Ordinance for Case REZ19-04: Request of the City of Davenport for a Zoning Map Amendment from C-2 Corridor Commercial Zoning District to R-MF Multi-Family Residential District on .25 acres, more or less, for the property located at 641 and 643 East 46th Street (west 60 feet only).

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 from C-2 Corridor Commercial Zoning District to R-MF Multi-Family Residential District.

The Legal Description is as follows:

Part of the Southwest Quarter of Section 12, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as the west sixty (60) feet of the Plat of 46th Street Condominiums, City of Davenport, Scott County, Iowa.

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: 6/12/19; Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

4. Third Consideration: Ordinance amending Schedule VI of Chapter 10.96 entitled "Speed Limits" by updating the speed limit on 53rd St from Brady St to the east City limits to 40 mph. [Wards 6, 7 & 8] **ADOPTED 2019-223**

ORDINANCE NO. 2019-223

An Ordinance amending Schedule VI of Chapter 10.96 entitled "Speed Limits" by updating the speed limit on 53rd St from Brady St to the east city limits to 40 mph.

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

Section 1. That Schedule VI Speed Limits of the Municipal Code of Davenport Iowa, be and the same is hereby amended by amending the following:

53rd St from Brady St to the east city limits as a 40 mph street.

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: 6/12/19; Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

5. Second Consideration: Ordinance for Case REZ19-05: Request of John Wulf, to rezone 6401 West Kimberly Road from R-1 Single-Family Residential District to I-1 Light Industrial District; property contains 0.42 acres. [Ward 2]

MOVED TO THIRD CONSIDERATION

6. First Consideration: Ordinance granting to MidAmerican Energy Company, its successors and assigns, the right and non-exclusive franchise to acquire, construct, erect, maintain, and operate in the City of Davenport, Iowa an electric system and communications facilities and to furnish and sell electric energy to the City and its inhabitants and authorizing the City to collect franchise fees for a period of 25 years. [All Wards]

MOVED TO SECOND CONSIDERATION

7. First Consideration: Ordinance granting to MidAmerican Energy Company, its successors and assigns, the right and non-exclusive franchise to acquire, construct, erect, maintain, and operate in the City of Davenport, Iowa a natural gas system and to furnish and sell natural gas to the City and its inhabitants and authorizing the City to collect franchise fees for a period of 25 years. [All Wards]

MOVED TO SECOND CONSIDERATION

8. Resolution supporting an Intergovernmental Agreement between the City of Moline, the City of Rock Island, and the City of Davenport to complete a Housing Needs Assessment. [All Wards]

ADOPTED 2019-224

9. Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events.

ADOPTED 2019-225

Cornbelt Running Club; Bix at 6 Training Runs; Thursday, June 13, 2019 5:00 p.m. - 9:00 p.m.; Thursday, June 20, 2019 5:00 p.m. - 9:00 p.m.; Thursday, June 27, 2019 5:00 p.m. - 9:00 p.m.; and Thursday, July 11, 2019 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; eastbound 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]

River Music Experience; Anniversary Concert; 129 N Main St; Friday, June 14, 2019 12:00 p.m. - 12:00 a.m.; **Closure:** 2nd St from Main St to Brady St (with access to CBI Bank & Trust). [Ward 3]

Pamela Morgan; Graduation Party; 1102 Brown St; Saturday, June 15, 2019 12:00 p.m. - 7:00 p.m.; **Closure:** W 11th St from Warren St to Brown St. [Wards 3 & 4]

River Action; Ride the River; Sunday, June 16, 2019 5:30 a.m. - 4:30 p.m.; **Closure:** southernmost parking lane on 2nd St from Gaines St to the Government Bridge. [Ward 3] **Original route was Riverfront Trail but has to be moved due to the flooding.*

Ken Hopper; 31st Quad City Air Show; Thursday, June 27, 2019 12:00 p.m. - 4:00 p.m.; Friday, June 28, 2019 1:30 p.m. - 4:30 p.m.; Saturday, June 29, 2019 12:30 p.m. - 4:30 p.m.; and Sunday, June 30, 2019 12:30 p.m. - 4:30 p.m.; **Closures:** W 76th St from Division St to Slopertown Rd; Slopertown Rd east of the Sterilite entrance to Harrison St; and Northwest Blvd at Hillandale Rd. [Ward 8] ***Pending FAA approval***

10. Resolution approving the updated fee schedule for rental licenses and inspections. [All Wards] **ADOPTED 2019-226**

11. Resolution to purchase three (3) new 35' low floor diesel buses from Gillig of Livermore, CA in the amount of \$1,302,351, CIP #24015. [All Wards] **ADOPTED 2019-227**

12. Resolution approving the blanket contract for the purchase of road salt for the 2019-2020 winter season from Cargill Inc of North Olmsted, OH in the estimated amount of \$1,187,604. [All Wards] **ADOPTED 2019-228**

13. Resolution approving the blanket contract for the purchase of supplemental ice control road salt for the 2019-2020 winter season to Compass Minerals America Inc of Overland Park, KS in the amount of \$78.48 per ton. [All Wards] **ADOPTED 2019-229**

14. Resolution approving the purchase of two (2) Tymco street sweepers from Mid-Iowa Solid Waste Equipment in the amount of \$535,770, CIP #24017. [All Wards] **ADOPTED 2019-230**

15. Resolution approving the contract for the 46th Street Reconstruction from Pine St to 215 feet east on Cheyenne Ave project to CDMI Concrete Contractors of Port Byron, IL in the amount of \$288,760, CIP #35036. [Wards 7 & 8] **ADOPTED 2019-231**

16. Resolution approving the contract for the Downtown Decorative Street Light LED Retrofit to Davenport Electric Contract Co of Davenport in the amount of \$136,771.50, CIP #60020. [Ward 3] **ADOPTED 2019-232**

17. Resolution approving a three-year agreement with Cartegraph Systems LLC of Dubuque, Iowa in the amount of \$216,000. [All Wards] **ADOPTED 2019-233**

18. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the construction of a lego block retaining wall along an unnamed tributary of Silver Creek between Pine Street and Hillandale Road. Funding for this project will be from FY2020 Clean Water Operating Supplies 51251980-520228. [Ward 2] **ADOPTED 2019-234**

19. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the FY20 Sanitary Sewer Lateral Repair Program, CIP #30049. [All Wards] **ADOPTED 2019-235**

20. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the Civic Access (ADA Ramp) Program Project, CIP #28024. [All Wards] **ADOPTED 2019-236**

21. Resolution approving the contract for the Architectural Services for the Design and Preparation of documents for the Renovations to the Main Library Building to Legat Architects of Moline IL, in an amount not-to-exceed \$150,000, CIP #23028. [Ward 3] **PASSED 2019-237**

22. Motion approving noise variance request(s) for various events on the listed dates and times. **PASSED 2019-238**

River Music Experience; Anniversary Concert; 129 N Main St; Friday, June 14, 2019 4:00 p.m. - 10:00 p.m.; Outdoor music, over 50dBa. [Ward 3]

Pamela Morgan; Graduation Party; 1102 Brown St; Saturday, June 15, 2019 12:00 p.m. - 7:00 p.m.; Outdoor music, over 50 dBa. [Wards 3 & 4]

Lesley Larson; Birthday party; 3424 Forest Rd; Saturday, June 22, 2019 2:00 p.m. - 6:00 p.m.; Outdoor music/band, over 50 dBa. [Ward 6]

23. Motion approving beer and liquor license applications. **PASSED 2019-239**

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

Ward 1

Dominga (Dominga's Authentic Mexican Food, Inc.) - 1525 S Concord St. - License Type: B Beer

Kwik Shop #584 (Kwik Shop, Inc.) - 3624 W Locust St. - Ownership Update - License Type: C Beer / B Wine

Ward 3

El Cortez (808 Sunset LLC) - 423 Brady St. - License Type: C Liquor

RME Courtyard (River Music Experience) - 121 W 2nd St. - Expanding Outdoor Area to include 2nd St. between Main St. & Brady St., June 14, 2019 "15th Anniversary Celebration Concert" - License Type: C Liquor

Ward 4

Kwik Star #123 (Kwik Trip, Inc.) - 2850 W Locust St. - Ownership Update - License Type: C Beer

Ward 6

Granite City Food & Brewery (Granite City Restaurant Operations, Inc.) - 5270 Utica Ridge Rd. - Ownership Update - License Type: C Liquor

Steel Plow Burger (Steel Plow Burger II LLC) - 1430 E 52nd St., Ste. 3 - Outdoor Area - License Type: C Liquor

Ward 7

Forasteros (Forasteros, LLC) - 1510 E Kimberly Rd. - License Type: C Liquor

Kwik Star #280 (Kwik Trip, Inc.) - 301 W Kimberly Rd. - Ownership Update - License Type: C Beer / B Wine

Kwik Star #291 (Kwik Trip, Inc.) - 1225 E Kimberly Rd. - Ownership Update - License Type: C Beer / B Wine

Kwik Star #294 (Kwik Trip, Inc.) - 1650 W Kimberly Rd. - Ownership Update - License Type: C Beer / B Wine

Tobacco Outlet Plus Grocery #562 (Kwik Trip, Inc.) - 4619 N Brady St. - Ownership Update - License Type: C Beer / B Native Wine

Ward 8

Kwik Star #167 (Kwik Trip, Inc.) - 2050 E 53rd St. - Ownership Update - License Type: C Beer / B Wine

Kwik Star #215 (Kwik Trip, Inc.) - 100 W 65th St. - Ownership Update - License Type: C Beer / B Wine

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

Ward 1

Casey's General Store #2077 (Casey's Marketing Company) – 3700 W Locust St. – License Type: C Beer / B Native Wine

Emeis Golf Course (City of Davenport) – 4500 W Central Park Ave. – License Type: C Liquor

St. Alphonsus Church Holy Name Society (St. Alphonsus Church of Davenport, Inc.) – 2618 Boies Ave. – Outdoor Area – License Type: B Beer / B Native Wine

Kwik Shop #584 (Kwik Shop, Inc.) – 3624 W Locust St. – License Type: C Beer

Ward 3

Barrel House 211 (Barrelhouse LLC) – 207-211 E 2nd St. – Outdoor Area – License Type: C Liquor

The Current (Putnam Landlord, LLC) – 128-130 W 2nd St. – Outdoor Area – License Type: B Liquor / B Wine

The River's Edge (City of Davenport) – 700 W River Dr. – License Type: B Beer

Ward 4

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

McButts (Hilltop Tavern, Inc.) – 1516 Harrison St. – Outdoor Area – License Type: C Liquor

Ward 5

Harris Pizza (Mister Pizza, Inc.) – 524 E Locust St. – License Type: B Beer

Q.C. Mart (Bethany Enterprises, Inc.) – 412 E Locust St. – License Type: C Beer

Ward 6

Barrel House Three LLC (Barrel House Three LLC) – 5141 Utica Ridge Rd. – Outdoor Area – License Type: C Liquor

Kimberly Mart (Pak Foods, Inc.) – 1714 E Kimberly Rd. – License Type: E Liquor / C Beer / B Wine

Northgate Place (Hy-Vee, Inc.) – 1815 E Kimberly Rd. – Outdoor Area – License Type: C Liquor

Saigon Bistro (Saigon Bistro, LLC) – 2660 E 53rd St., Ste. 8 – License Type: Beer/Wine

Ward 7

Kwik Star #294 (Kwik Trip, Inc.) – 1650 W Kimberly Rd. – License Type: C Beer / B Wine

Smokin' Joe's Tobacco & Liquor Outlet #8 (The Outlet, Inc.) – 902 W Kimberly Rd., Ste. 55-56 – License Type: E Liquor / C Beer / B Wine

Ward 8

Iowa Machine Shed (Machine Shed, LLC) – 7250 Northwest Blvd. – License Type: C Liquor / B Native Wine

Red Hawk Golf Course (City of Davenport) – 6364 Northwest Blvd. – Outdoor Area – License Type: B Beer

23. Motion approving the plans, specifications, forms of contract, and estimate of cost for the Sterilite Drainage Improvements Project, CIP #33043. [Ward 8]

PASSED 2019-240

24. Motion awarding a contract for the Intelligent Traffic Management System project to Mid American Signal Inc (MAS) of Kansas City, KS in an amount not-to-exceed \$85,000, CIP #10153. [All Wards]

PASSED 2019-241

25. Motion approving a reimbursement agreement with Iowa American Water Company for the relocation of water valves, hydrants, and service lines, as part of the Transload Rail Expansion project, in the amount of \$96,000. [Ward 8]

PASSED 2019-242

27. Motion approving the purchase of a one-ton dump truck with options from Courtesy Ford of Davenport, IA in the amount of \$50,178, CIP #10503. [All Wards]

PASSED 2019-243

28. Motion approving the purchase of two (2) replacement 9,300 GVW pickup trucks with options from Stivers Ford in Waukee, IA in the amount of \$76,216. [All Wards]

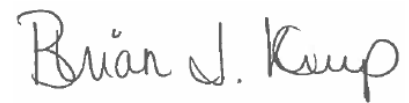
PASSED 2019-244

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **5:50 p.m.**

A handwritten signature in dark ink, reading "Brian J. Krup". The signature is written in a cursive, flowing style.

Brian Krup
Deputy City Clerk