

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, June 9, 2021

The City Council of Davenport, Iowa met in regular session on Wednesday, June 9, 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 except Alderman Ambrose (Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Miller, Alderwoman Dickmann, and Alderman Jobgen).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderwoman Meginnis

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for May 26, 2021.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for June 2, 2021.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, June 2, 2021 -- The Council observed a moment of silence. Pledge of Allegiance led by Alderman Dohrmann. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Miller, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ambrose).

*The following Public Hearings were held: **Community Development:** 1) 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; and 2) on the corrections for Year 47 (July 1, 2021 – June 30, 2022) Community Development Block Grant (CDBG) funds. **Public Works:** 1) on the plans, specifications, form of contract, and estimate of cost for the CDBG Replenishment - Group 2: East 7th Street and LeClaire Street Reconstruction projects, #BG250.*

*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 items #1, Third Consideration: Ordinance for Case ORD21-01 amending various sections of Chapter 17 of the Municipal Code of Davenport, Iowa entitled "Zoning"; #2, Second 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; and #3, First 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, moved to the Discussion Agenda 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 Ambrose all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderman Gripp all items*

*moved to the Consent Agenda. **Finance:** Alderman Condon reviewed the one item listed. On motion by Alderman Miller, second by Alderman Ambrose the item moved to the Consent Agenda.
Council adjourned at **6:01 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2021-216

1. Citizens Advisory Committee
 - Adela Rasso (new appointment)
2. Historic Preservation Commission
 - Karen Miranda (re-appointment)
 - Bob McGivern (re-appointment)
3. Housing Commission
 - Matt Wissing (re-appointment)
 - Yolanda Roberts (re-appointment)
4. Parks & Recreation Advisory Board
 - Richard Thomas (re-appointment | Mayor)
 - Jerry Coiner (re-appointment | 1st Ward)
 - Wendy Peterson (re-appointment | 6th Ward)
5. Plan & Zoning Commission
 - James Stelk (new appointment)
6. Zoning Board of Adjustment
 - Bridget Boyd-Carlson (new appointment)
 - Dan Darland (re-appointment)

B. Proclamations

ISSUED 2021-217

1. Alzheimer's and Brain Awareness Month | June 2021
2. LGBTQ+ Pride Month | June 2021

IX. Presentations

HELD

A. 2021 Art in City Hall

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. *On motion by Alderwoman Dickmann, second by Alderwoman Meginnis with all Aldermen present voting aye, the following Ordinance was adopted:*

Third Consideration: Ordinance for Case ORD21-01 amending various sections of Chapter 17 of the Municipal Code of Davenport, Iowa entitled "Zoning." [All Wards]

ADOPTED 2021-218

ORDINANCE NO. **2021-218**

AN ORDINANCE FOR CASE ORD21-01 AMENDING VARIOUS SECTIONS OF CHAPTER 17 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED "ZONING", BY AMENDING VARIOUS SUBSECTIONS THERETO.

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

Section 1. That subsection 17.04.020(B)(2) of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

Conversion of a structure from a single-family dwelling into a two-dwelling is prohibited.

Section 2. That the unnumbered opening paragraphs of section 17.05.040 of the Municipal Code of Davenport, Iowa, be and the same are hereby amended to read as follows:

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

New construction of any new dwelling shall meet either the Design Standards in Table 17.05-2 or the Use Standards for the applicable dwelling type in Section 17.080.030.

(Note: Lettered subsections A and B remain unchanged.)

Section 3. That section 17.08.020 Table 17.08-01 entitled Use Matrix of the Municipal Code of Davenport, Iowa, be the same is hereby amended as follows:

Remove "Bar" as a Special Use in C-1

Add "Bar – Neighborhood" as Permitted in C-1 with a Use Standard reference to Sec. 17.08.030

Remove "Drive-Through Facility: as a Special Use in C-1 and I-MU

Remove "Dwelling – Two-Family (Conversion)" as a Special Use in R-3 and R-4

Add "Live Performance Venue" as Permitted in I-1

Add "Outdoor Dining" as Permitted in S-IC

Add "Place of Worship" as Permitted in I-1 and I-MU

Add "Private Recreation Facility" as Permitted in C-OP and I-MU

Add "Vehicle Repair/Service – Major" as Special Use in C-3

Remove "Vehicle Repair/Service – Minor" as Special Use in C-1

Section 4. That section 17.08.030 of the Municipal Code of Davenport, Iowa, be the same as amended to add a new subsection (C) to be read as follows:

C. Bar - Neighborhood

1. The property must be within one of the following geographic locations.
 - a. Harrison Street from 14th Street to Locust Street.
 - b. Washington Street from 14th Street to Locust Street.
 - c. West Locust from Fillmore Street to Division Street.
2. A Class C license, as defined under Chapter 5.10 of the Davenport City Code, shall have been issued ten years prior to July 1, 2021.

3. Eligible neighborhood bars shall not be reestablished after July 1, 2031.

(the current subsection (C) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate, and the relettered alphabetical changes shall be reflected as amended in the Use Standard column of Table 17.08-1 of Section 17.08.020)

Section 5. That section 17.08.050 of the Municipal Code of Davenport, Iowa, shall be the same and amended to add where alphabetically appropriate or to read as follows:

Bar – Neighborhood – A bar that is eligible for reestablishment.

Retail Alcohol Sales. A retail establishment that sells beer, wine, or liquor.

Section 6. That section 17.17.010 of the Municipal Code of Davenport, Iowa, add a new subsection shall be the same and amended to read as follows:

B. Ordinance 2002-177

1. Condition 1. That the uses be limited to apartments (with a maximum density of 192 units) and 8 condominiums in 4 buildings buffering the adjacent single family homes. All structures shall be limited to 2 ½ stories in height.
2. Condition 9. That parking lot lighting be limited to downcast luminaries.
3. Condition 14. That the developer shall construct the eight condominium units in four two-family structures on the eastern end of the of the subject property.

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 6/9/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. On motion by Alderwoman Dickmann, second by Alderman Gripp with all Aldermen present voting aye, the following Ordinance moved to third consideration:

Second 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] **MOVED TO THIRD CONSIDERATION**

3. On motion by Alderwoman Meginnis, second by Alderman Gripp with all Aldermen present voting aye, the following Ordinance moved to second consideration:

First 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 SECOND CONSIDERATION

XII. Approval of All Items on the Consent Agenda

On motion by Alderwoman Dickmann, second by Alderman Dunn with all Aldermen present voting aye with Alderwoman Lee abstaining from item #15, the Consent Agenda was approved as follows:

1. Resolution approving Case P21-01 being the request of Dan Dolan Homes on behalf of Sophie Foster Revocable Trust for a preliminary plat of Birchwood Grove for a 73-lot subdivision on 20 acres located at 4607 East 53rd Street. [Ward 6] **ADOPTED 2021-219**

2. Resolution approving Case P21-02 being the request of S.J. Russell, L.C. on behalf of Sophie Foster Revocable Trust for a preliminary plat of Birchwood South First Addition for an 11-lot subdivision on 17.92 acres located at 4607 East 53rd Street. [Ward 6] **ADOPTED 2021-220**

3. Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events. **ADOPTED 2021-221**

Humility Homes & Services; Open House and Community Block Party; 519 Fillmore Street; Saturday, June 26, 2021 9:00 a.m. - 4:00 p.m.; **Closure:** Fillmore Street from West 6th Street south to just north of the alley. [Ward 3]

Cornbelt Running Club; Bix 7 Events; Brady Street Sprints Thursday, July 22, 2021 6:00 p.m. - 9:00 p.m.; **Closure:** Brady Street from 5th Street to 11th Street; Jr Bix 7 Friday, July 23, 2021 2:00 p.m. - 9:00 p.m.; **Closures:** East 4th and East 3rd Streets from Pershing Avenue to River Drive; Iowa and LeClaire Streets from East 3rd to East 4th Streets. [Ward 3]

Village of East Davenport Business Association; Wine Walk; Village of East Davenport; Saturday, August 21, 2021 1:00 p.m. - 8:00 p.m.; **Closures:** East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street north to the alley; Jersey Ridge Road from East 11th Street north to the alley. [Wards 5 & 6]

Davenport Community School District; State Marching Band Competition; Brady Street Stadium | 3603 Brady Street; Saturday, October 16, 2021 8:00 a.m. - 5:00 p.m.; **Closure:** East 36th Street between Brady Street and Davenport Avenue. [Ward 7]

4. Resolution approving the Public Transportation Agency Safety Plan (PTASP) for Davenport CitiBus as required by the Federal Transit Administration (FTA). [All Wards]

ADOPTED 2021-222

5. Resolution approving the plans, specifications, form of contract, and estimate of cost for the CDBG Replenishment - Group 2: East 7th Street and LeClaire Street project, #BG250. [Ward 3]

ADOPTED 2021-223

6. Resolution awarding the contract for the Emerald Drive Reconstruction project to Langman Construction of Rock Island, Illinois in the amount of \$499,302.75, CIP #35046. [Ward 1]

ADOPTED 2021-224

7. Resolution awarding the contract for the 2021 Alley Resurfacing Program (West 15th Street and Iowa Street alleys) to Manatts Inc - Eastern Iowa Division of Camanche, Iowa in the amount of \$132,655, CIP #35038. [Wards 4 & 5] **ADOPTED 2021-225**

8. Resolution awarding a blanket contract for the purchase of road salt for the 2021-2022 winter season to Compass Minerals America, Inc of Overland Park, Kansas in the amount of \$571,372.50 for the base purchase and \$199,100 for the supplemental order. [All Wards] **ADOPTED 2021-226**

9. Resolution awarding the contract for traffic signalization at Hickory Grove Road and Central Park Avenue to Davenport Electric Contract Company of Davenport, Iowa in the amount of \$254,300, CIP #35046. [Wards 2 & 4] **ADOPTED 2021-227**

10. Resolution awarding the contract for the Hickory Grove Road Resurfacing project to Hawkeye Paving Corporation of Bettendorf, Iowa in the amount of \$452,430, CIP #35053. [Ward 2] **ADOPTED 2021-228**

11. Resolution authorizing adoption of amended and restated policies and procedures regarding municipal securities disclosure. [All Wards] **ADOPTED 2021-229**

12. Motion approving the corrections for Year 47 (July 1, 2021– June 30, 2022) Community Development Block Grant (CDBG) funds. [All Wards] **PASSED 2021-230**

13. Motion approving noise variance requests for events on the listed dates and times. **PASSED 2021-231**

Ed Hildebrand; Neighborhood Party; 834 North Pine Street; Saturday, June 12, 2021 12:00 p.m. - 3:00 p.m.; Outdoor band/music, over 50 dBA. [Ward 3]

Village of East Davenport Business Association; Wine Walk; Village of East Davenport; Saturday, August 14, 2021 2:00 p.m. - 6:00 p.m.; Outdoor music, over 50 dBA. [Wards 5 & 6]

14. Motion approving beer and liquor license applications. **PASSED 2021-232**

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

Ward 3

Front Street Brewery (Front Street Brewery, Inc) - Quinlan Court - "Mercado en el Rio" June 12, July 10, August 14, September 11, and October 9, 2021 - Outdoor Area - License Type: Special Class C Liquor

Zeke's Island Café (Lumpy's) - 131 W 2nd St - License Type: Class C Liquor

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

Ward 1

Emeis Golf Course (City of Davenport) - 4500 W Central Park Ave – Outdoor Area -
License Type: Class C Liquor

Smokin' Joe's Tobacco and Liquor Outlet # 1 (The Outlet, Inc) – 3120 Rockingham Rd
- License Type: Class E Liquor

Ward 2

Hickory Garden Restaurant (Fazliu, Inc) - 3311 Hickory Grove Rd – Outdoor Area -
License Type: Beer/Wine

Ward 3

Duck City Delicatessen & Bistro (Moskowitz Llewellyn Restaurant Systems, Inc) - 115
E 3rd St - Outdoor Area - License Type: Class C Liquor

Half Nelson (Bucktown Restaurant Company, LLC) - 321 E 2nd St – Outdoor Area -
License Type: Class C Liquor

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

Ruby's (Infamous, LLC) - 429 E 3rd St - Outdoor Area - License Type: Class C Liquor

Ward 4

Smokin' Joe's Tobacco and Liquor Outlet # 2 (The Outlet, Inc) - 1606 W Locust St -
License Type: Class E Liquor

Ward 5

McClellan Stockade (Koellner Enterprises 6, LLC) - 2124 E 11th St – Outdoor Area -
License Type: Class C Liquor

Ward 6

Applebee's Neighborhood Grill & Bar (Apple Corps, LP) - 3838 Elmore Ave - License
Type: Class C Liquor

Biaggi's Ristorante Italiano LLC (Biaggi's Ristorante Italiano, LLC) – 5195 Utica Ridge
Rd - License Type: Class C Liquor

Duck Creek Golf Course (City of Davenport) - 3000 E Locust St – Outdoor Area -
License Type: Class C Liquor

QC Marts (Bethany Enterprises, Inc) - 2845 E 53rd St - License Type: Class C Beer

Rave Davenport 53 & IMAX (Cinemark USA, Inc) - 3601 E 53rd St – License Type:
Beer/Wine

Red Robin America's Gourmet Burgers & Spirits (Red Robin International, Inc) - 3903 E 53rd St - Outdoor Area - License Type: Class C Liquor

Rhythm City Casino (Rhythm City Casino, LLC) - 7077 Elmore Ave – Outdoor Area - License Type: Class B Liquor

Sam's Club #8238 (Sam's West, Inc) - 3887 Elmore Ave - License Type: Class E Liquor

Ward 7

Costa Del Mar Mexican Grill and Seafood (Costa Del Mar, Inc) - 3852 N Brady St - License Type: Class C Liquor

Kwik Star #294 (Kwik Trip, Inc) - 1650 W Kimberly Rd - License Type: Class C Beer

Mo Brady's (DRC Ventures, Inc) - 4830 N Brady St - License Type: Class C Liquor

Van's Pizza Pub and Grill (Reedcan, LLC) - 3333 N Harrison St – Outdoor Area - License Type: Class C Liquor

Ward 8

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

15. Motion accepting work completed by Americore LLC of Blue Grass, Iowa for the Kelling Subdrain Installation in the amount of \$57,536.20. [Ward 8] **PASSED 2021-233**

16. Motion considering a waiver (temporary deferral) of sidewalk installation for the MidAmerican Energy Davenport Service Center located at 9005 Hillandale Road. [Ward 8] **PASSED 2021-234**

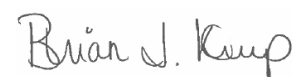
17. Motion awarding the contract for construction-related services for the Marquette Street (12th Street to 5th Street) Reconstruction project to Veenstra & Kimm, Inc of Rock Island, Illinois in an amount not-to-exceed \$90,396, CIP #35046. [Ward 3] **PASSED 2021-235**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **6:22 p.m.**



Brian J. Krup
Deputy City Clerk