

City of Davenport
City Council Meeting Minutes
Wednesday, May 22, 2019

The City Council of Davenport, Iowa met in regular session on Wednesday, May 22, 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 8, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Report on the Committee of the Whole for May 15, 2019

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, May 15, 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 (Ald. Condon present via phone until 6:18 PM after discussion of Community Development item #1). The following Public Hearings were held: Community Development: Public Hearing for the Ordinance for Case REZ19-05 being the 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; Public Works: the plans, specifications, forms of contract, and estimated cost for the N Lincoln Ave Reconstruction Project, CIP #35035; Finance: to amend the FY2019 Operating and Capital Improvement Budget.

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. Ambrose, second by Ald. Dickmann item #1 moved to the Discussion Agenda and all other items moved to the Consent Agenda. Public Safety: Ald. Gripp reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Ambrose the Purgatory's Pub Bike Night noise variance and liquor license items for May 16, 2019 moved to be voted on later on the agenda, the City of Davenport Party in the Park noise variance moved to the Discussion Agenda, and all other items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Gripp, second by Ald. Rawson all items moved to the Consent Agenda. Finance: Ald. Matson reviewed all items listed. On motion by Ald. Clewell, second by Ald. Rawson item #1 moved to be voted on later on the agenda, item #5 moved to the Discussion Agenda, and all other items moved to the Consent Agenda. Other Ordinances, Resolutions, and Motions: On motion by Ald. Rawson, second by Ald. Tompkins the rules were suspended (all aldermen present voting aye) to vote on three items where the following Motions passed: noise variance request for Purgatory's Pub; McGrath Quad Cities Bike Night at 5320 Corporate Park Dr on Thursday May 16, 2019 from 5:00 PM – 9:00

PM, 2019-191; temporary outdoor liquor license for for Purgatory's Pub; McGrath Quad Cities Bike Night at 5320 Corporate Park Dr on Thursday May 16, 2019, 2019-192; and the following Ordinance amending Section 2.12.140 entitled "Public and operating emergencies" was adopted on first consideration, upon suspension of the rules and passage of second and third considerations, 2019-193.

Council adjourned at 6:47 PM.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. National Public Works Week, May 19-25, 2019

ISSUED 2019-194

IX. Presentations

HELD

A. Local Business "The Foundation of Our Community": Seiffert Building Supplies

B. DavenportU Citizens Academy - Cohort V Graduation

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

1. Third Consideration: Ordinance for Case ORD19-01 being the request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled "Zoning," by correcting scrivener errors and amending certain dimensional standards.

(Ald. Ambrose voting nay)

ADOPTED 2019-195

On motion by Ald. Condon, second by Ald. Rawson the following amendments were made to Section 17.08.030.O (all Aldermen voting aye):

***3.** A 15% minimum transparency requirement applies to any façade and is calculated on the basis of the entire area of the façade.*

***4.** Front-loaded attached garages are limited to 50% of the width of the front building line or 24 feet, whichever is greater. Garage width is measured between the edges of the garage door(s); in the case of garages designed with multiple garage doors the distance is measured between the edge of the outermost doors.*

Transition Rule for Section 17.07.030.O.3

The changes below are considered part of a Transition Rule. As such, any previously permitted plans must be followed as approved.

1. In case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

2. A 5% minimum transparency requirement applies to the front façade and is calculated on the basis of the entire area of the façade. In addition to the primary building material, a minimum of

one accent material is required on the front façade. Permitted accent materials include brick and stone, wood or simulated wood, vinyl siding, aluminum siding and stucco. Accent materials not referenced may be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

3. The transition rule will sunset on September 1, 2019.

On motion by Ald. Dunn, second by Ald. Rawson the following amendment was made (Ald. Ambrose voting nay):

17.09.030(K)(4) by adding d. Pole-barn type construction is prohibited in all residential districts.

ORDINANCE NO. **2019-195**

Case ORD19-01: Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code, entitled "Zoning", by amending Section 17.02.030, entitled "Definition of General Terms" by amending the definition of multi-tenant retail center to multi-tenant commercial center, by amending Section 17.02.030, entitled "Definition of General Terms" by amending the definition of porch by adding language regarding steps, by amending Section 17.05.030, entitled "Dimensional Standards" (Table 17.05-1 only) by increasing the maximum building height in the C-2 District, by amending Section 17.08.030, entitled "Uses" (Section 17.08.030.O.3 only) by applying the transparency requirement only to the front façade and (Section 17.08.030.O.4 only) by altering how garage width is measured and by adding a transition rule for Section 17.08.030.O.3 and adding a sunset for this transition rule, by amending Section 17.09.030, entitled "Accessory Structures and Uses" (Section 17.09.030.K.4 only) by prohibiting pole-barn type construction in any residential district and adding a sunset for this prohibition, by amending Section 17.09.040, entitled "Permitted Encroachments" (Table 17.09-1 only) by clarifying that a deck is not permitted to encroach into a front setback, by amending Section 17.10.040, entitled "Required Off-Street Vehicle and Bicycle Parking Spaces" (Table 17.10-2 only) by reducing the minimum required vehicles spaces for a hotel to 1.0 per room, by amending Section 17.14.020 entitled "Notice" (Table 17.14-1 only) by removing the requirement for a posted notice for design review, by amending Section 17.14.020 of the Davenport Municipal Code, entitled "Notice" (Section 17.14.020.C.3.a only) by clarifying that notice be mailed to property owners, by amending Section 17.14.070, entitled "Administrative Exception" (Section 17.14.070.E only) by removing three of the approval standards, and by amending Section 17.17 of the Davenport Municipal Code, entitled "Reservations of Previously Approved Conditions and Plans" (Section 17.17.010.J only) by amending language referring to the former Zoning Ordinance. [Ward All]

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

Section 1. Section 17.02.030 of the Davenport Municipal Code, entitled "Definition of General Terms" (definition of multi-tenant retail center and porch only) is hereby amended to read as follows:

Multi-Tenant Commercial Center. A group of two or more commercial establishments that is planned, owned, and/or managed as a single property. The two main configurations of multi-tenant commercial centers are large shopping centers/malls and strip centers.

Porch. An architectural feature that projects from the exterior wall of a structure, often with steps leading up to it, has direct access to the street level of the building, and is covered by a roof or eaves.

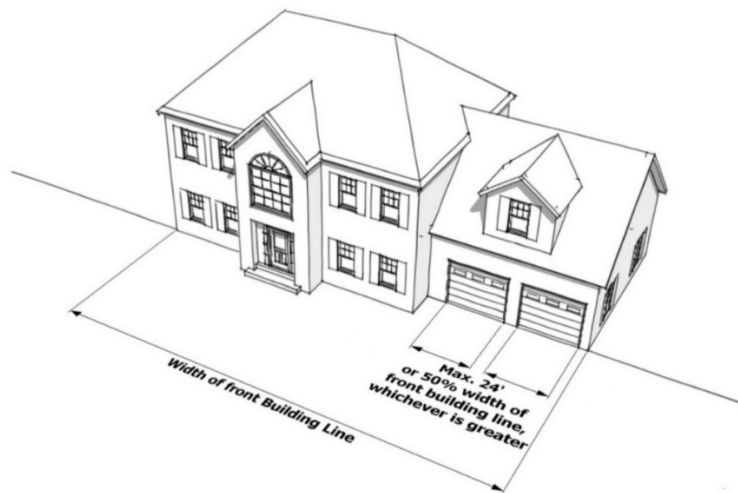
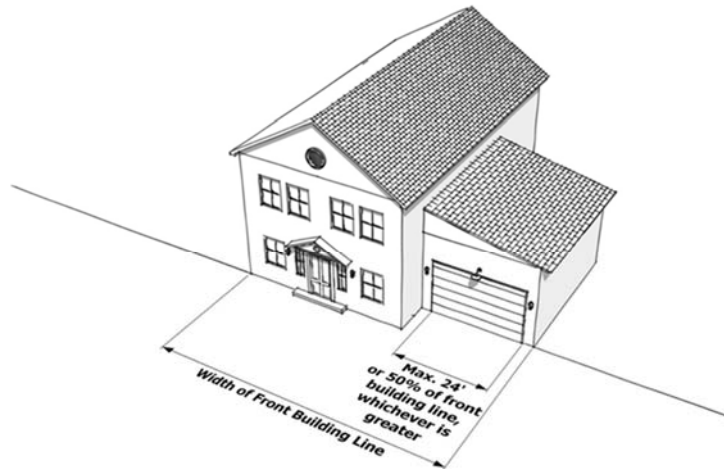
Section 2. Section 17.05.030 of the Davenport Municipal Code, entitled "Dimensional Standards" (Table 17.05-1 only) is hereby amended to read as follows:

Table 17.05-1: Commercial Districts Dimensional Standards					
	C-T	C-1	C-2	C-3	C-OP
Bulk					
Minimum Lot Area	10,000sf	None	None	20,000sf	20,000sf
Minimum Lot Width	60'	None	None	80'	70'
Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None
Maximum Building Height	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	45'
Setbacks					
Minimum Front Setback	Build-to zone of 0' to 20'	Build-to zone of 0' to 15'	None	25'	20'
Front Setback Build-To Percentage	70%	70%	None	None	None
Minimum Interior Side Setback	None, unless abutting a residential district then 20'	None, unless abutting a residential district then 10'	None, unless abutting a residential district then 10'	10', unless abutting a residential district then 20'	15'
Minimum Corner Side Setback	Build-to zone of 0' to 15'	Build-to zone of 0' to 10'	10'	20'	Build-to zone of 0' to 20'
Corner Side Setback Build-To Percentage	60%	60%	None	None	60%
Minimum Rear Setback	15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15'	10', unless abutting a residential district then 25'	25'

Section 3. Section 17.08.030 of the Davenport Municipal Code, entitled "Uses" (Sections 17.08.030.O.3 and 17.08.030.O.4 only) is hereby amended to read as follows:

3. A 15% minimum transparency requirement applies to the front façade and is calculated on the basis of the entire area of the façade.
4. Front-loaded attached garages are limited to 50% of the width of the front building line or 24 feet, whichever is greater. Garage width is measured between the garage door(s).

ATTACHED GARAGE WIDTH



Transition Rule for Section 17.08.030.O.3:

The changes below are considered part of a transition rule. As such, any previously permitted plans must be followed as approved.

1. In case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.
2. A 5% minimum transparency requirement applies to the front façade and is calculated on the basis of the entire area of the façade. In addition to the primary building material, a minimum of one accent material is required on the front façade. Permitted accent materials include brick and stone, wood or simulated wood, vinyl siding, aluminum siding and stucco. Accent materials not referenced may be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.
3. This transition rule will sunset on September 1, 2019.

Section 4. Section 17.09.030 of the Davenport Municipal Code, entitled "Accessory Structures and Uses" (Section 17.09.030.K.4 only) is hereby amended to read as follows:

4. Detached garages are subject to the following:
 - a. Detached garages are encouraged to match the pitch of the roof of the principal dwelling.

- b. The area above vehicle parking spaces in a detached garage may not contain a cooking facilities or plumbing. This does not apply if an accessory dwelling unit use has been approved, in which case those standards control.
- c. If a lot abuts an improved public alley that provides adequate access to a street, a detached garage must be constructed so that access is from the public alley.
- d. Pole-barn type construction is prohibited in all residential districts.

Sunset for Section 17.09.030.K.4.d:

This provision will sunset on September 1, 2019.

Section 5. Section 17.09.040 of the Davenport Municipal Code, entitled "Permitted Encroachments" (Section 17.09.040 – Table 17.09-1 only) is hereby amended to read as follows:

Table 17.09-1: Permitted Encroachments Into Required Setbacks Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Accessibility Ramp	Y	Y	Y	Y
Air Conditioner Window Unit Max. projection of 18" from building wall No building permit required	Y	Y	Y	Y
Arbor No building permit required	Y	Y	Y	Y
Awning or Sunshade Max. of 2' from building wall Does not include awnings used as a sign (See Chapter 17.12)	Y	Y	Y	Y
Balcony Max. of 6' into front, interior side, or corner side setback Max. of 8' into rear setback Min. of 4' from any lot line Min. vertical clearance of 8'	Y	Y	Y	Y
Bay Window Max. of 5' into any setback Min. of 24" above ground	Y	Y	Y	Y
Canopy (Residential Uses) Max. of 5' into any setback Min. of 4' from any lot line Max. 15' width or no more than 3' extension on either doorway side, whichever is less Does not include canopies used as a sign (See Chapter 17.12)	Y	Y	Y	Y
Canopy (Non-Residential Uses) Max. of 18" from the curb line Max. 15' width or no more than 3' extension on either doorway side, whichever is less Does not include canopies used as a sign (See Chapter 17.12)	Y	Y	Y	Y

Table 17.09-1: Permitted Encroachments Into Required Setbacks Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Chimney <i>Max. of 18" into setback</i>	Y	Y	Y	Y
Deck <i>Max. of 5' into corner side, or interior side setback</i> <i>Max. of 10' into rear setback</i> <i>Prohibited in front yard</i> <i>Max. height of 5' above grade</i>	N	Y	Y	Y
Dog House <i>Prohibited in front or corner side yard</i> <i>No building permit required</i>	N	N	N	Y
Eaves <i>Max. of 4' into setback</i>	Y	Y	Y	Y
Exterior Stairwell <i>Max. of 6' into setback</i> <i>Prohibited in front yard</i>	N	Y	Y	Y
Fire Escape <i>Max. of 3' into setback</i> <i>Prohibited in front yard</i>	N	Y	Y	Y
Gazebo or Pergola <i>Prohibited in front yard</i>	N	N	Y	Y
Greenhouse <i>Min. of 5' from any lot line</i> <i>Prohibited in front and corner side yard</i>	N	N	Y	Y
Personal Recreation Game Court <i>Prohibited in front and corner side yard</i> <i>Min. of 4' from any lot line</i>	N	N	N	Y
Playground Equipment <i>Prohibited in front and corner side yard</i> <i>Min. of 4' from any lot line</i> <i>(This does not apply to backstops & portable basketball nets, which are allowed in any yard)</i>	N	N	N	Y
Porch - Unenclosed <i>Max. of 5' into front, interior side, or corner side setback</i> <i>Max. of 10' into rear setback</i> <i>Enclosed porches are considered part of the principal structure</i>	Y	Y	Y	Y
Shed <i>Prohibited in front yard</i> <i>Min. of 4' from any lot line</i>	N	N	Y	Y
Sidewalk <i>No min. setback from lot lines</i>	Y	Y	Y	Y
Sills, belt course, cornices, and ornamental features <i>Max. of 3' into setback</i>	Y	Y	Y	Y
Stoop <i>Max. of 4' into setback</i>	Y	Y	Y	Y

Section 6. Section 17.10.040 of the Davenport Municipal Code, entitled "Required Off-Street Vehicle and Bicycle Parking Spaces" (Section 17.10.040 - Table 17.10-2 only) is hereby amended to read as follows:

Table 17.10-2: Off-Street Vehicle Parking Requirements	
USE	MINIMUM REQUIRED VEHICLE SPACES
Amusement Facility, Indoor	1 per 500sf GFA
Amusement Facility, Outdoor	1 per 1,000sf GFA
Animal Care Facility – Large Animal	1 per 500sf GFA
Animal Care Facility – Small Animal	1 per 500sf GFA
Art Gallery	1 per 500sf GFA
Art and Fitness Studio	1 per 300sf GFA
Bar	1 per 300sf GFA
Bed and Breakfast	2 spaces + 1 per guestroom
Body Modification Establishment	1 per 500sf GFA
Broadcasting Facility	1 per 1,000sf GFA
Campground	2 per campsite
Car Wash	1 per car wash bay + 3 stacking spaces per bay
Cemetery	1 per 200sf of GFA of office and/or chapel/parlor
Children's Home	1 per 200sf GFA of office
Community Center	1 per 500sf GFA
Country Club	Calculated as the cumulative number required per facilities offered (golf course, driving range, restaurant, bar, etc.)
Cultural Facility	1 per 500sf GFA
Day Care Center	1 per 500sf GFA
Domestic Violence Shelter	1 per 300sf GFA of office
Drug Treatment Clinic	1 per 500sf GFA
Drug/Alcohol Treatment Facility, Residential	1 per patient room
Dwelling – Manufactured Home	2 spaces
Dwelling – Multi-Family	1.5 per du
Dwelling – Single-Family (Detached)	2 per du
Dwelling – Townhouse	2 per du
Dwelling – Two-Family	2 per du
Educational Facility – Primary or Secondary	
<i>Educational Facility – Elementary and/or Junior High</i>	<i>3 per each classroom + 3 per office</i>
<i>Educational Facility – High School</i>	<i>6 per classroom + 4 per office</i>
Educational Facility – University	2 per classroom + 2 per office + 1 per 4 students of maximum enrollment
Educational Facility – Vocational	2 per classroom + 2 per office + 1 per 8 students of maximum enrollment
Financial Institution	1 per 500sf GFA
Financial Institution, Alternative (AFS)	1 per 500sf GFA
Food Bank	1 per 300sf of office
Food Pantry	1 per 500sf GFA
Funeral Home	1 per 200sf GFA of public space
Gas Station	2 per pump island + 1 per 500sf GFA of structure + 5 stacking spaces per car wash bay
Golf Course/Driving Range	4 per golf hole and/or 4 per tee of driving range
Government Office/Facility	1 per 500sf GFA
Greenhouse/Nursery - Retail	1 per 500sf GFA of indoor space + 1 per 1,000sf of outdoor space
Group Home	1 per 2 rooms

Table 17.10-2: Off-Street Vehicle Parking Requirements

USE	MINIMUM REQUIRED VEHICLE SPACES
Halfway House	1 per 2 rooms
Healthcare Institution	1 per 3 beds
Heavy Retail, Rental, and Service	1 per 500sf GFA of indoor space + 1 per 1,000sf of outdoor display space
Homeless Shelter	1 per 300sf of office
Hotel	1.0 per room
Industrial – Light	1 per 1,000sf GFA up to 40,000sf, then 1 per 2,500sf for additional GFA above 40,000sf (excludes any outdoor storage)
Industrial – General	1 per 1,000sf GFA up to 40,000sf, then 1 per 2,500sf for additional GFA above 40,000sf (excludes any outdoor storage)
Industrial Design	1 per 500sf GFA
Live Performance Venue	1 per 5 persons based on maximum capacity
Lodge/Meeting Hall	1 per 500sf GFA
Manufactured Home Park	2 per manufactured home site
Medical/Dental Clinic	1 per 500sf GFA
Micro-Brewery	1 per 500sf GFA
Micro-Distillery	1 per 500sf GFA
Micro-Winery	1 per 500sf GFA
Office	1 per 500sf GFA
Personal Service Establishment	1 per 500sf GFA
Place of Worship	1 per 10 seats
Public Safety Facility	1 per 300sf GFA
Public Works Facility	1 per 500sf GFA
Reception Facility	1 per 300sf GFA
Recreational Vehicle (RV) Park	1 per RV site
Research and Development (R&D)	1 per 500sf GFA
Residential Care Facility	<i>To be calculated on the type of facility or combination of facilities provided below</i>
Independent Living Facility	<i>0.75 per dwelling unit</i>
Assisted Living Facility	<i>0.5 per dwelling unit</i>
Nursing Home or Hospice	<i>0.5 per patient room</i>
Restaurant	1 per 300sf GFA
Retail Goods Establishment	1 per 500sf GFA
Retail Alcohol Sales	1 per 500sf GFA
Retail Sales of Fireworks	1 per 500sf GFA
Self-Service Storage Facility	1 per 25 storage units
Social Service Center	1 per 500sf GFA
Specialty Food Service	1 per 500sf GFA
Storage Yard (Outdoor)	1 per 2,500sf of lot area
Vehicle Dealership	1 per 500sf of indoor sales and display area + 4 per service bay
Vehicle Operation Facility	1 per 2,500sf of lot area
Vehicle Rental	1 per 500sf GFA of indoor area (excluding indoor storage)
Vehicle Repair/Service – Major or Minor	2 per service bay
Wine Bar	1 per 300sf GFA

Table 17.10-2: Off-Street Vehicle Parking Requirements	
USE	MINIMUM REQUIRED VEHICLE SPACES
Warehouse & Distribution	1 per 500sf of office area + 1 per 30,000sf GFA of warehouse
Wholesale Establishment	1 per 500sf of office area + 1 per 15,000sf GFA of warehouse

Section 7. Section 17.14.020 of the Davenport Municipal Code, entitled “Notice” (Section 17.14.020.A - Table 17.14-1 only) is hereby amended to read as follows:

A. Required Notice

Table 17.14-1: Required Notice indicates the types of notice required for public hearings on the zoning applications. Certain applications may contain additional notice requirements within their specific provisions.

Table 17.14-1: Required Notice				
Zoning Application	Type			
	Published Notice	Mailed Courtesy Notice	Mailed Required Notice	Posted Notice
Zoning Text Amendment	•			
Zoning Map Amendment	•	•		•
Special Use	•	•		•
Hardship Variance	•	•		•
Design Review				
Planned Unit Development	•	•		•
Administrative Exception			•	
Zoning Appeals	•			

Section 8. Section 17.14.020 of the Davenport Municipal Code, entitled “Notice” (Section 17.14.020.C.3.a only) is hereby amended to read as follows:

3. Mailed Required Notice

Per Table 17.14-1, administrative exceptions require mailed notice.

- a. Notice will be mailed to property owners abutting the subject property as well as the property owner(s) located directly across the street.

Section 9. Section 17.14.070 of the Davenport Municipal Code, entitled “Administrative Exception” (Section 17.14.070.E only) is hereby amended to read as follows:

E. Approval Standards

The decision of the Zoning Administrator must make findings to support the following conclusion:

1. The administrative exception, if granted, will not alter the essential character of the locality.

Section 10. Section 17.17 of the Davenport Municipal Code, entitled “Reservations of Previously Approved Conditions and Plans” (Section 17.17.010.J only) is hereby amended to read as follows:

J. Ordinance 2017-520.

1. Condition 5. That a fifty (50) foot landscape buffer and 6 foot high fence be established along the south end of the property. The landscape buffer shall be developed with the following plantings: four canopy trees, six

understory trees and 24 shrubs or 12 evergreens/conifers per 100 linear feet. Note: Condition 5 was modified to remove reference to previous Zoning Ordinance.

2. Condition 6. Lighting shall consist of LED Dark Sky fixtures not higher than twenty five feet. Fixtures shall be shielded from view from properties to the south and shall be powered down within one-half hour of closing to a level necessary to provide security lighting only.

3. Condition 7. Routine use of PA systems outside of buildings on the property shall not be permitted.

4. Condition 8. Car washes on the property shall not be located closer than one hundred twenty five (125) feet from the south property line, oriented so entrances and exits be oriented in an east-west direction and operate only when the dealership is open for business.

5. Condition 9. The following uses shall not be closer than three hundred (300) feet from the south property line:

- a. Automobile and service and oil change facilities not part of an automobile dealership.
- b. Any use utilizing drive-through window(s).

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: 5/22/19 Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Motion approving a noise variance request for the following event on the listed dates and times.

PASSED 2019-196

On motion by Ald. Meginnis, second by Ald. Rawson Party in the Park on Thursday, August 8, 2019 5:30 PM – 7:30 PM in Tyler Park was added.

City of Davenport; Party in the Park; Thursday, June 13, 2019 5:30 PM - 7:30 PM
Cork Hill Park; Thursday, June 27, 2019 5:30 PM - 7:30 PM Van Buren Park;
Thursday, July 11, 2019 5:30 PM - 7:30 PM Peterson Park; Thursday, July 18,
2019 5:30 PM - 7:30 PM Whalen Park; Thursday, August 22, 2019 5:30 PM -
7:30 PM Slattery Park; and Thursday, September 5, 2019 5:30 PM - 7:30 PM
Prairie Heights Park; Outdoor music, over 50 dBa.

3. Motion authorizing the Public Works Director to waive permit fees for residents and businesses impacted by flooding during the Spring 2019 events for those properties with a completed damage assessment by the City of Davenport. **PASSED 2019-197**

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.

1. Third Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding 4th Street along the north side from Ripley Street west to the Scott County Courthouse driveway. **ADOPTED 2019-198**

ORDINANCE NO. **2019-198**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII NO PARKING THERETO BY ADDING 4TH STREET ALONG THE NORTH SIDE FROM RIPLEY STREET WEST TO THE SCOTT COUNTY COURTHOUSE DRIVEWAY.

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

Section 1. That Schedule VII No Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

4th Street along the north side from Ripley Street west to the Scott County Courthouse driveway.

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 5/22/19 Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second 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.

MOVED TO THIRD CONSIDERATION

3. Second 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.

MOVED TO THIRD CONSIDERATION

4. Second 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).

MOVED TO THIRD CONSIDERATION

5. Second 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.

MOVED TO THIRD CONSIDERATION

6. First 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.

MOVED TO SECOND CONSIDERATION

7. Resolution setting a Public Hearing on the proposed conveyance of vacated right-of-way known as the east-west portion of Crestline Drive located west of the north-south alley lying west of Marlo Ave (2950 Crestline, LLC, Petitioner). **ADOPTED 2019-199**

8. Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events. **ADOPTED 2019-200**

United Way of the Quad Cities; Well Suited Tuxedo Event; Sunday, June 9, 2019
2:00 PM - 2:30 PM; **Closure:** N Division St at W 12th St.

Jeanne Schwab; Block Party; 2655 Middle Rd; Saturday, June 15, 2019 3:00 PM -
9:00 PM; **Closure:** Kenwood Ave between Middle Rd and McClellan Blvd.

Michelle Royal; 2nd Annual Quad Cities Pride Parade; Saturday, June 22, 2019
9:00 AM - 12:30 PM; **Closure:** Staging: 2nd St between Pershing Ave and Iowa

St; Parade route: 2nd St from Pershing Ave to the entrance of the Centennial Bridge (*pending IDOT approval for bridge closure*).

Robert Stansberry; Quad Cities Pride Festival; 832 W 2nd St; 12:00 PM Friday, June 28 – 12:00 AM Sunday, June 30; **Closure:** W 2nd St from Mary's on 2nd to Post Office parking lot; Warren St from alley to alley between River Dr and 3rd St. ****Rescheduled from May 31 - June 2 due to flooding****

9. Resolution accepting the Junge Park Bike Path Reconstruction Project completed by Langman Construction, Inc. of Rock Island, IL. This project was completed with a final contract amount of \$173,595.17, CIP #64044. **ADOPTED 2019-201**

10. Resolution approving the contract for the 4th Street & Brady Street Streetscaping to Emery Construction Group Inc. of Moline, IL in the amount of \$302,645.48, CIP #35022. **ADOPTED 2019-202**

11. Resolution approving a contract for design and preparation of bid documents for a new Tremont Basin Sanitary Sewer Interceptor to Donohue & Associates, Inc in an amount not-to-exceed \$137,000, CIP #30048. **ADOPTED 2019-203**

12. Resolution approving the plans, specifications, forms of contract, and estimated cost for the N Lincoln Ave Reconstruction Project, CIP #35035. **ADOPTED 2019-204**

13. Resolution assessing the cost of boarding up building at various lots and tracts of real estate. **ADOPTED 2019-205**

14. Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate. **ADOPTED 2019-206**

15. Resolution assessing the cost of replacing sidewalk at various lots and tracts of real estate. **ADOPTED 2019-207**

16. Resolution assessing the cost of condemned property demolition at various lots and tracts of real estate. **ADOPTED 2019-208**

17. Resolution assessing the cost of snow removal at various lots and tracts of real estate. **ADOPTED 2019-209**

18. Resolution assessing the cost of tree removal at various lots and tracts of real estate. **ADOPTED 2019-210**

19. Resolution assessing the cost of weed cutting at various lots and tracts of real estate.

ADOPTED 2019-211

20. Resolution setting a Public Hearing on the proposed conveyance of a City-owned parcel G0049-40, 1125 W 7th St, to The 180 Zone, Inc (Petitioner, The 180 Zone, Inc).

ADOPTED 2019-212

21. Resolution amending the FY 2019 Operating and Capital Improvement Budgets.

ADOPTED 2019-213

22. Resolution approving the blanket contract for the purchase of hot mix asphalt from Tri City Blacktop of Bettendorf, IA in the amount of \$53.50 per ton, and a back-up contractor McCarthy Improvement Company of Davenport, IA in the amount of \$55 per ton, CIP #35034.

ADOPTED 2019-214

23. Motion approving the Annual Action Plan for Year 45 (July 1, 2019 - June 30, 2020) for the CDBG and HOME Programs, the updated CAC recommendations for Year 45 CDBG allocations, and authorizing the City Administrator or her designees to sign necessary documents and agreements. [All Wards]

PASSED 2019-215

24. Motion approving noise variance request(s) for various events on the listed dates and times.

PASSED 2019-216

Purgatory's Pub; McGrath Quad Cities Harley-Davidson Bike Night; 5320 Corporate Park Dr; Thursday, June 2, 2019 5:00 PM - 9:00 PM; Thursday, July 18, 2019 5:00 PM - 9:00 PM; and Thursday, August 15, 2019 5:00 PM - 9:00 PM; Outdoor music, over 50 dBa. [Ward 6]

Circle Tap; Class of 1956; 1345 W Locust St; Friday, June 14, 2019 7:00 PM - 12:00 AM; Outdoor music, over 50 dBa. [Ward 4]

CASI; Rock the Lot fundraiser; 1035 W Kimberly Rd; Friday, June 14, 2019 8:00 PM - 12:00 AM; Outdoor music, over 50 dBa. [Ward 7]

Circle Tap; Wedding reception; 1345 W Locust St; Saturday, June 15, 2019 7:00 PM - 12:00 AM; Outdoor music, over 50 dBa. [Ward 4]

Robert Stansberry; Quad Cities Pride Festival; 832 W 2nd St; Friday, June 28, 2019 4:00 PM – 12:00 AM and Saturday, June 29 12:00 PM – 12:00 AM; Outdoor

music/performances, over 50 dBa. [Ward 3] **Rescheduled from May 31 - June 2 due to flooding**

25. Motion approving beer and liquor license applications.

PASSED 2019-217

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

Ward 3

Front Street Brewery (Front Street Brewery, Inc.) - 421 W River Dr. – Outdoor Area *rescheduled for* May 25, 2019 "Tour De Brew" - License Type: B Beer

Chuck's Tap (White T. Corporation) - 1731 W 6th St - Outdoor Area - June 1, 2019 "Golf Outing" - License Type: C Liquor (*Pending departmental approval*)

Ward 5

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

Ward 6

Purgatory's Pub (Purgatory's Pub, Inc.) - 5320 Corporate Park Rd. including parking lot - Outdoor Area "McGrath's Harley Davidson Bike Nights" June 20, 2019, July 18, 2019, and August 15, 2019 - License Type: B Beer

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

Ward 2

Jeno's Little Hungary (Jeno's Little Hungary, Inc.) - 4908 N Pine St – Outdoor Area - License Type: Class C Liquor - On Premise

Ward 3

Front Street Brewery, Inc. (Front Street Brewery Inc.) - 421 W River Drive Ste 3 & 4- Outdoor Area - License Type: Class C Liquor - On Premise / Brew Pub

Ward 5

Bicycle Rack Sports Grill (Sports Station Inc.) - 3303 Brady St - Outdoor Area - License Type: Class C Liquor - On Premise

Brady Mart Food & Liquor (Midwest Stores LLC) - 3107 Brady St - License Type: Class E Liquor - Carry Out /BC/WB

Express Lane Gas & Food Mart # 77 (Express Lane Inc.) - 1208 E Locust St - License Type: Class C Beer - Carry Out

Grumpy's Saloon (2118-2120, Inc.) - 2120 E 11th St. - License Type: Class C Liquor - On Premise

Ward 6

Red Lantern Fine Chinese Cuisine (Red Lantern Fine Chinese Cuisine Inc.) - 4009 E 53rd St. #107 - Outdoor Area - License Type: Class C Liquor – On Premise

Ward 7

Express Lane Gas and Food Mart (Expresslane Inc.) - 3622 Brady St - License Type: Class C Beer - Carry Out / B Native Wine

Ward 8

Express Lane # 76 (Expresslane Inc.) - 6268 Brady St - License Type: Class C Beer - Carry Out / B Native Wine

Holiday Inn Express Hotel and Suites (Davenport Lodging Associates, LLC) - 401 Veteran's Memorial Pkwy - License Type: Class B Liquor - On Premise / B Wine

26. Motion accepting the Utica Ridge Sidewalks Phase II completed by Smith Seeding, Inc of Eldridge, IA. This project was completed with a final contract amount of \$89,720.97, CIP #28011. [Ward 8]

PASSED 2019-218

XIII. Other Ordinances, Resolutions and Motions

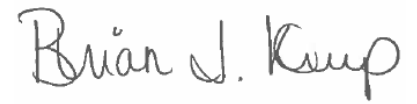
XIV. Public with Business

XV. Reports of City Officials

Property taxes	25,990,617
Other City taxes	1,690,889
Special assessments	-
Licenses & permits	162,091

Intergovernmental	7,337,558
Charges for services	2,659,370
Use of monies & property	579,792
Fines & forfeits	99,229
Bonds/Loan Proceeds	107,880
Miscellaneous	244,340

XVI. Adjourn **6:38 PM**

A handwritten signature in cursive script that reads "Brian J. Krup".

Brian Krup
Deputy City Clerk