

City of Davenport, Iowa
City Council Meeting Minutes

Wednesday, May 13, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, May 13, 2020 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Mike Matson presiding and all Aldermen present (the following Aldermen were present via telephone: Ald. Dickmann, Ald. Dohrmann, Ald. Jobgen, Ald. Lee, Ald. Meginnis, and Ald. Peacock). A partially electronic meeting was held because a fully "in person" meeting was impossible or impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation directing social distancing and placing restrictions on gatherings.

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 April 22, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for May 6, 2020.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, May 6, 2020 -- The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (the following Aldermen were present via telephone: Ald. Dickmann, Ald. Dohrmann, Ald. Gripp, Ald. Jobgen, Ald. Meginnis, and Ald. Peacock). A partially electronic meeting was held because a fully "in person" meeting was impossible or impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation directing social distancing and placing restrictions on gatherings.

*The following **Public Hearings** were held: Community Development: 1) for Case ORD20-01 being the request of the City of Davenport to amend several sections of Title 17 of the Municipal Code entitled "Zoning" and 2) for Case REZ20-01 being the request of the City of Davenport to rezone the properties located at all four corners of the intersection of N Pine St and W 3rd St from R-4C, Single and Two-Family Central Residential District, to C-1, Neighborhood Commercial District. Public Works: 1) on the FY21 Iowa Department of Transportation State Transit Assistance (STA) Grant application in the amount of \$417,211; 2) on the plans, specifications, form of contract, and estimate of cost for the FY21 Sidewalk Program, CIP #28025; 3) on the plans, specifications, form of contract, and estimate of cost for the 46th St Patching - Marquette to Warren project, CIP #35042; and 4) on the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant UV Disinfection Project, CIP #39005.*

***Action items for Discussion:** (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Lee reviewed all items listed. On motion by Ald. Lee, second by Ald. Ambrose item #1, First Consideration: Ordinance for Case ORD20-01 being the request of the City of Davenport to amend several sections of Title 17 of the Municipal Code entitled "Zoning," moved to the Discussion Agenda and all other items moved to the Consent Agenda. Public Safety: Ald. Ambrose reviewed all items listed. On motion by Ald.*

Jobgen, second by Ald. Dunn all items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Dohrmann, second by Ald. Ambrose all items moved to the Consent Agenda. Finance: Ald. Condon reviewed all items listed. On motion by Ald. Peacock, second by Ald. Ambrose all items moved to the Consent Agenda. Council adjourned at 6:04 p.m.

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2020-186

1. Civil Rights Commission

- Michael Guster (New Appointment)

- Ethelene Boyd (New Appointment)

B. Proclamations

ISSUED 2020-187

1. National Police Week: May 10-16, 2020 (Peace Officer Memorial Day: May 15, 2020)

2. Military Appreciation Week: May 11-16, 2020

3. Public Works Week: May 17-23, 2020

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye, the following Ordinance moved to second consideration:

1. First Consideration: Ordinance for Case ORD20-01 being the request of the City of Davenport to amend several sections of Title 17 of the Municipal Code entitled "Zoning." [All Wards]

MOVED TO SECOND CONSIDERATION

XI. Approval of All Items on the Consent Agenda

****NOTE:** These are routine items and will be enacted at the City Council Meeting by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

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

1. Third Consideration: Ordinance amending Schedule XV of Chapter 10.96 entitled "Pedestrian Traffic Signals" by deleting 2nd Street east of Fillmore Street. [Ward 3]

ADOPTED 2020-188

ORDINANCE NO. **2020-188**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XV PEDESTRIAN TRAFFIC SIGNALS THERETO BY DELETING 2ND STREET EAST OF FILLMORE STREET.

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

Section 1. That Schedule XV Pedestrian Traffic Signals of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by deleting the following:

2nd Street east of Fillmore 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: 5/13/2020; Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. First Consideration: Ordinance for Case REZ20-01 being the request of the City of Davenport to rezone the properties located at all four corners of the intersection of N Pine St and W 3rd St from R-4C, Single and Two-Family Central Residential District to C-1, Neighborhood Commercial District. [Ward 3] **MOVED TO SECOND CONSIDERATION**

3. Resolution for Case F20-01 being the request of Townsend Engineering for a final plat of Interstate 80 Airport Industrial Park (I80AIP) 11th Addition on 11.6 acres, being a replat of lot 1 of I80AIP 9th Addition located at 2805 Research Parkway containing 2 industrial lots to facilitate development. [Ward 8] **ADOPTED 2020-189**

4. Resolution for Case F20-02 being the request of Townsend Engineering for a final plat for a 21-lot subdivision on 18.19 acres, more or less, of property located on the west side of Northwest Blvd approximately 725 feet north of W 46th St. [Ward 7] **ADOPTED 2020-190**

5. Resolution setting a Public Hearing regarding the proposed sale of vacated former public right-of-way located at N Elsie Ave extended north of W 3rd Pl (Schuetzenpark Gilde, petitioner). [Ward 1] **ADOPTED 2020-191**

6. Resolution approving the contracts and bonds for the FY21 Contract Sewer Repair Program to three contractors, each in the amount of \$250,000, and allowing the Public Works Director/Assistant City Administrator the ability to change order a contract with a maximum contract value of \$1,050,000, CIP #30053 and #33001. [All Wards] **ADOPTED 2020-192**

7. Resolution approving the FY21 Iowa Department of Transportation State Transit Assistance (STA) Grant application in the amount of \$417,211. [All Wards] **ADOPTED 2020-193**

8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the FY21 Sidewalk Program, CIP #28025. [All Wards] **ADOPTED 2020-194**

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the 46th St Patching - Marquette to Warren project, CIP #35042. [Ward 7]

ADOPTED 2020-195

10. Resolution accepting the Duck Creek Streambank Stabilization project completed by Legacy Corporation of East Moline, IL. The project was completed with a final contract amount of \$339,998.60, CIP #33030. [Wards 2 & 7]

ADOPTED 2020-196

11. Resolution accepting the River Dr Median Removal project completed by Langman Construction, Inc of Rock Island, IL. The project was completed with a final contract amount of \$228,172.09 funded in CIP #35044. [Ward 3]

ADOPTED 2020-197

12. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant Ultraviolet Disinfection Project, CIP #39005. [Ward 1]

ADOPTED 2020-198

13. Resolution approving the contract for the Water Pollution Control Plant Ultraviolet Disinfection Project – Bidding and Construction Related Services to Strand Associates, Inc in the amount not-to exceed \$747,000, CIP #39005. [Ward 1]

ADOPTED 2020-199

14. Resolution awarding the contract for the Caterpillar Engine #1 bottom end overhaul at the Water Pollution Control Plant to Altorfer Inc in the amount of \$198,226.95. [All Wards]

ADOPTED 2020-200

15. Resolution awarding a contract to purchase and install new playground equipment at Junge Park to Cunningham Recreation of Ankeny, IA in the amount of \$124,982.71, CIP #64079. [Ward 7]

ADOPTED 2020-201

16. Motion approving the Five-Year Consolidated Plan for Federal Fiscal Years 2020-2024 and the Annual Plan for Year 46 (July 1, 2020 - June 30, 2021). [All Wards]

PASSED 2020-202

17. Motion approving the following noise variance request for various events on the listed dates and times.

PASSED 2020-203

Mississippi Valley Fair, Inc; 2815 W Locust St; various dates/times in 2020 May through September (see attached list); Outdoor events/music, over 50 dBa. [Ward 4]

18. Motion approving an engineering and architectural service contract to Studio 483 Architects of Davenport, IA in the amount of \$87,100 for the Modern Woodman Park Floodwall Extension and Workout Room Addition project, CIP #23049. [Ward 3]

]PASSED 2020-204

19. Motion authorizing payment to Bi-State Regional Commission for FY20 membership dues in the amount of \$57,042. [All Wards]

PASSED 2020-205

XII. Other Ordinances, Resolutions and Motions

1. *On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye (except Ald. Lee), the rules were suspended to add and vote on the following items:*

2. *Ald. Lee made a motion to amend the Motion by adding an end date of November 1, 2020, seconded by Ald. Dickmann. The motion failed with only Ald. Lee, Ald. Peacock, and Ald. Dickmann voting aye.*

On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye (except Ald. Lee), the following Motion passed:

Motion directing the City Administrator or designees to allow the temporary use of the public sidewalk from 8:00 a.m. - 11:30 p.m. daily by downtown food establishments for additional seating so long as they maintain proper social distancing and do not materially impede the use of the public sidewalk by pedestrians and others, subject to observation and adherence of all applicable federal, state, and local regulations. [Ward 3]

PASSED 2020-206

3. *On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye (except Ald. Lee), the following Motion passed:*

Motion directing the City Administrator or designees to allow the temporary use of the public sidewalk from 8:00 a.m. - 11:30 p.m. daily by Village of East Davenport food establishments for additional seating so long as they maintain proper social distancing and do not materially impede the use of the public sidewalk by pedestrians and others, subject to observation and adherence of all applicable federal, state, and local regulations. [Ward 5]

PASSED 2020-207

4. *On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye (except Ald. Lee), the following Motion passed:*

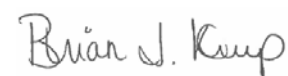
Motion directing the City Administrator or designees to allow the temporary use of the public sidewalk from 8:00 a.m. - 11:30 p.m. daily by Hilltop Campus Village food establishments for additional seating so long as they maintain proper social distancing and do not materially impede the use of the public sidewalk by pedestrians and others, subject to observation and adherence of all applicable federal, state, and local regulations. [Wards 3, 4, & 5]

PASSED 2020-208

XIII. Public with Business

XIV. Reports of City Officials

XV. Adjourn **6:43 p.m.**



Brian Krup
Deputy City Clerk