

City of Davenport
City Council Meeting Minutes
Wednesday, May 8, 2019

The City Council of Davenport, Iowa met in regular session on Wednesday, May 8, 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 except Ald. Clewell.

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 24, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report of the Committee of the Whole for May 1, 2019

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, May 1, 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. The following Public Hearings were held: Community Development: 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 East 56th Street east of Utica Ridge Road; for Case REZ19-03: Request of the City of Davenport for a Zoning Map Amendment from R-MF Multi-Family Residential District to CT Commercial Transitional Zoning District on 1 acre, more or less, for the property located at 709 East 46th Street; 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). Finance: on not-to-exceed \$51,225,000 General Obligation Corporate and Refunding Bonds, Series 2020.

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. Meginnis items #1 and #2 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. Rawson item #2 moved to the Discussion Agenda, with recommendation for suspension of the rules and passage on first consideration (Ald. Gripp voting nay),

and all other 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. Clewell, second by Ald. Dickmann all items moved to the Consent Agenda.

Council adjourned at 6:41 PM.

VIII. Appointments, Proclamations, Etc.

A. Appointments

1. Civil Service Commission

APPROVED 2019-168

-Michael Schertz (New Appointment)

B. Proclamations

1. Kids to Parks Day, Saturday, May 18, 2019

ISSUED 2019-169

2. Military Appreciation Week, May 12 - 18, 2019

ISSUED 2019-170

IX. Presentations

A. Swearing In Ceremony - Davenport Fire Department

HELD

- Zachary Mickelwright

- Andrew De Vita

- James Rodgers II

- Wesley Doering

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. Second 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.

[All Wards]

MOVED TO THIRD CONSIDERATION

2. First Consideration: 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]

MOVED TO SECOND CONSIDERATION

3. First Consideration: Ordinance amending Schedule XV of Chapter 10.96 entitled "Pedestrian Traffic Signals" by adding Hickory Grove Road across from 2705 Hickory Grove Road. [Ward 2]

ADOPTED 2019-171

COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE

RULES AND PASSAGE ON FIRST CONSIDERATION

- i. Motion for suspension of the rules.
- ii. Motion for passage of second and third considerations.

ORDINANCE NO. 2019-171

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XV PEDESTRIAN TRAFFIC SIGNALS THERETOBY ADDING HICKORY GROVE ROAD ACROSS FROM 2705 HICKORY GROVE ROAD.

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 adding the following:

Hickory Grove Road across from 2705 Hickory Grove Road.

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 5/8/19, Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

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 to change the name of a section of E 60th St to Duggleby Ave located in Eastern Avenue Farms 5th Addition (City of Davenport, petitioner). [Ward 8]

ADOPTED 2019-172

ORDINANCE NO. 2019-172

ORDINANCE to change the name of a section of East 60th Street to Duggleby Avenue located in Eastern Avenue Farms 5th Addition (City of Davenport, petitioner).

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

WHEREAS Renaming the portion of East 60th Street stretching from lot 9 and Lot 10 to Parkview Dr to Duggleby Avenue;

WHEREAS This change adheres to typical City street naming standards as the section has a north/south bearing and East 60th St is exclusively an east/west 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 5/8/19, Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second 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. [Ward 3] **MOVED TO THIRD CONSIDERATION**

3. First Consideration: 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] **MOVED TO SECOND CONSIDERATION**

4. First Consideration: Case REZ19-04: Request of the City of Davenport for Zoning Map Amendment from C-2 Corridor Commercial Zoning District to RMF 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] **MOVED TO SECOND CONSIDERATION**

5. First 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] **MOVED TO SECOND CONSIDERATION**

6. Resolution for Case F19-04: Request of Jarrod Mahaffey, of CESO, Inc, for a Final Plat of a Replat of Lot 33 of Spring Village Addition, a single-lot subdivision located northwest of the intersection of Kimberly Rd and Belle Ave. [Ward 6] **ADOPTED 2019-173**

7. Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events. **ADOPTED 2019-174**

Scott Tunnicliff; Hilltop Hidden Treasures Fest Pirate Run; Saturday, May 25, 2019 7:00 AM - 10:00 AM; **Closure:** Main St from W Locust St to W 5th St.

[Wards 3 & 5]

Bucktown Center for the Arts; ArtWorks Expo Pastel Competition; Saturday, May 25, 2019 8:00 AM - 5:00 PM; **Closure:** Pershing Ave between E 2nd St and Emerson Pl. [Ward 3]

Robert Stansberry; Quad Cities Pride Festival; 832 W 2nd St; 12:00 PM Friday, May 31st – 7:00 PM Sunday, June 2nd; **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. [Ward 3]

8. Resolution of acceptance for the Sterilite & EIIC Sewer Extension Project, completed by Legacy Corporation of East Moline, IL with a final cost of \$573,981.50, CIP #30040. [Ward 8] **ADOPTED 2019-175**

9. Resolution awarding the contract for the 2nd St & Marquette St Sewer Improvements to Miller Trucking & Excavating of Silvis, IL in the amount of \$1,067,626, CIP #30016. [Ward 3] **ADOPTED 2019-176**

10. Resolution to approve the contract for the Jersey Ridge Rd and Cromwell Circle Turn Lanes Phase II to Langman Construction of Rock Island, IL in the amount of \$223,673, CIP #35000. [Wards 6 & 8] **ADOPTED 2019-177**

11. Resolution approving the contract for the DOT Full Depth Patching Program to CDMI Concrete Contractors Inc of Port Byron, IL in the amount of \$133,950, CIP #35035. [All Wards] **ADOPTED 2019-178**

12. Resolution approving the contract for the East 36th St Reconstruction project to CDMI Concrete Contractors Inc of Port Byron, IL in the amount of \$297,581, CIP #35036. [Ward 7] **ADOPTED 2019-179**

13. Resolution approving the contract award for the West High Street Flood Mitigation project to N J Miller Inc of Bettendorf, IA in the amount of \$155,413.50, CIP #33020. [Ward 4] **ADOPTED 2019-180**

14. Resolution approving the contract for repairs to the Parks and Recreation Department maintenance building at Vander Veer to Bi-State Masonry Inc. of Rock Island IL, in the amount of \$156,718.60, CIP #10519. [Ward 7] **ADOPTED 2019-181**

15. Resolution establishing the method and timing of interest rates for special assessments. [All Wards] **ADOPTED 2019-182**

16. Resolution making provisions for the issuance of not-to-exceed \$51,225,000 General Obligation Corporate and Refunding Bonds, Series 2020. [All Wards] **ADOPTED 2019-183**

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

PASSED 2019-184

Scott Tunnicliff; Hilltop's Hidden Treasures Fest; Saturday, May 25, 2019 8:00 AM - 10:00 PM; 1702 N Main St and 1600 N Harrison St; Outdoor music and car show, over 50 dBa. [Wards 4 & 5]

Robert Stansberry; Quad Cities Pride Festival; 832 W 2nd St; Friday, May 31st 4:00 PM – 12:00 AM; Saturday, June 1st 12:00 PM – 12:00 AM; Sunday, 12:00 PM – 4:00 PM; Outdoor music/performances, over 50 dBa. [Ward 3]

18. Motion approving beer and liquor license applications.

PASSED 2019-185

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

Ward 3

Rubys (Infamous LLC) - 429 E 3rd St., Ste. 2 - Premise Update to Extend Permanent Outdoor Area - License Type: C Liquor

Ward 6

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

Ward 7

CASI (Center for Active Seniors. Inc.) - 1035 W Kimberly Rd. (Parking Lot Only) - Outdoor Area June 14, 2019 "Rock the Lot" - License Type: B Beer

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

Ward 1

Frackies (Frackie's Pub, Inc.) – 2820 Rockingham Rd. – License Type: C Liquor

Ward 2

Hy-Vee Wine and Spirits (Hy-Vee, Inc.) – 3301 W Kimberly Rd. – License Type: E Liquor / C Beer / B Wine

Ward 3

Chuck's Tap (White T. Corporation) – 1731 W 6th St. – License Type: C Liquor

Cru 221 (Cru 221, LLC) – 221 Brady St. – License Type: C Liquor

Golden Mart (Golden Mart Inc.) – 1026 W River Dr. – License Type: E Liquor / C Beer / B Wine

Gravy's (Gravy's Bar and Grill, Inc.) – 1902 Rockingham Rd. – License Type: C Liquor

Sippis Restaurant (Sippis Inc.) – 406 W 2nd St. – Outdoor Area – License Type: C Liquor

Triple Crown Whiskey Bar and Raccoon Motel (Triple Crown Whiskey Bar LLC) – 304 E 3rd St. – Outdoor Area – License Type: C Liquor

Ward 4

CVS/Pharmacy #8659 (Iowa CVS Pharmacy, LLC) – 1777 Division St. – License Type: E Liquor / C Beer / B Wine

Sun Mart LLC (Sun Mart LLC) – 2920 W Locust St. – License Type: E Liquor

Washington Street Mini Mart (Nazar, LLC) – 1601 Washington St. – License Type: E Liquor / C Beer / B Wine

Ward 6

Camp McClellan Cellars (Julie Keehn) – 2302 E 11th St. – License Type: C Beer / B Wine

Panchero's Mexican Grill (Central Coast Hospitality, Inc.) – 4888 Utica Ridge Rd. – License Type: B Beer

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

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

Rhythm City Casino (Rhythm City Casino, LLC) – 7077 Elmore Ave. – Outdoor Area – License Type: B Liquor / C Beer

Ward 7

CVS Pharmacy #8658 (Iowa CVS Pharmacy, LLC) – 1655 W Kimberly Rd. – License Type: E Liquor / C Beer / B Wine

Lunardi's (T.S. Lunardi, Inc.) – 102 E Kimberly Rd., Ste. E – License Type: C Liquor

Ward 8

Thunder Bay Grille (Thunder Bay Grille, LLC) – 6511 Brady St. – Outdoor Area – License Type: C Liquor

19. Motion approving a change order in the amount of \$49,088 for the Veterans Memorial Parkway Project from Jersey Ridge RD to I-74, CIP #02418. [Ward 6]

PASSED 2019-186

20. Motion approving a contract amendment to the 4th and LeClaire Sewer Separation Project with Langman Construction in the amount of \$53,000, CIP #30016. [Ward 3]

PASSED 2019-187

21. Motion approving the contract for the demolition of four structures to Central State Contractors Inc of Marion, IA in the amount of \$59,960, CIP #22005. [Wards 3 & 5]

PASSED 2019-188

22. Motion directing the City Administrator to complete various parks projects with the \$350,000 allocated in the Parks Development project in the FY 2020 Capital Improvement Program. [All Wards]

PASSED 2019-189

XIII. Other Ordinances, Resolutions and Motions

1. Motion for suspension of the rules to add and vote on the following item:

2. Motion approving a noise variance request for the following even.

Joanie Steil; Family Care Solutions Flood Victim Fundraiser; 4893 Utica Ridge Rd;

Saturday, May 11, 2019 4:00 PM – 9:00 PM; Outdoor music, over 50 dBa. [Ward 6]

PASSED 2019-190

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **6:28 PM**



Brian Krup

Deputy City Clerk