

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, February 26, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, February 26, 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.

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 February 12, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for February 19, 2020.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. NAWIC National Women in Construction Week

ISSUED 2020-75

IX. Public with Business

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

On motion by Ald. Meginnis, second by Ald. Peacock with all Aldermen present voting aye, the following Resolution was adopted:

1. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Pine St Sidewalk Project, CIP #28021. [Ward 2]

ADOPTED 2020-76

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

2. Motion approving the Main Street Landing Destination Play Area Design Competition RFQ and directing staff to execute the proposed procedures contained within. [Ward 3]

PASSED 2020-77

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.

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

1. Third Consideration: Ordinance for Case REZ19-13 being the request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 E 11th St from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5] **ADOPTED 2020-78**

ORDINANCE NO. **2020-78**

ORDINANCE for case REZ19-13 being the request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning 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 to C-T, Commercial Transition District.

The property has the following legal description:

The East 45 feet of Lot 1 in Block 10 in the Village of East Davenport, now a part of the City of Davenport, Iowa.

and

The West Half of Lot 2, and that part of the East Half of said Lot 2, particularly described as follows: Commencing at the Northeast corner of said Lot 2, and running thence West 40 feet, more or less, along the South Line of the alley to the center of said Lot 2; thence South 150 feet to the East 11th Street (Formerly Main Street); thence in a northeasterly direction to the place of beginning, all in Block 10 in the Plat of East Davenport Proper, also called the Village of East Davenport, and now in the City of Davenport, Scott County, Iowa.

and

The South 30 feet of Lot 8 in Block 10 in the Village of East Davenport (now within the corporate limits of the City of Davenport, Iowa), as shown by the Plat recorded in Book "I" Land Deeds page 180, records of the Recorder's Office of Scott County, Iowa.

At its December 17, 2019 meeting, the Davenport Plan and Zoning Commission voted to recommend approval of the proposed rezoning.

Section 2. At its December 17, 2019 meeting, the Plan and Zoning Commission unanimously in favor of forwarding Case REZ19-13 to the City Council with a recommendation for denial with the following findings:

1. Rezoning the property would not be consistent with the Comprehensive Plan as it would allow for higher intensity development allowed in an area designated RG Residential General.
2. There is little demand for commercial development in this vicinity. More than 15 acres of vacant land zoned C-2 exists to the east of the site.
3. Additional commercially zoned land may have a negative impact on nearby neighborhoods and Ridgeview Park.

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: 2/26/2020; Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance for Case ROW19-02 being the request to vacate a portion of the original Division St right-of-way located between Ridgeview Dr and W 76th St (Earle Glaus, petitioner). [Ward 8] **ADOPTED 2020-79**

ORDINANCE NO. **2020-79**

ORDINANCE for Case ROW19-02: Request of Earle Glaus to vacate a portion of the original Division Street right-of-way located between Ridgeview Drive and W. 76th 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 vacated (abandoned).

The property has the following legal description:

Part of the Right of Way of the old Division Street adjacent to Lot 10, Ridgeview Park Addition, an official plat in the City of Davenport, Scott County, Iowa described as follows:

Commencing of the North Corner of said section 3; thence South 88 degrees 06' 05" West along the North line of the Northwest ¼ of Section 3 Township 78 North Range 3 East of the 5th P. M., a distance of 33' to the East Line of said Lot 10; thence South 0 degrees 43'03" to the North Right of Way Line of Ridgeview Drive, Thence East along the North ROW line of Ridgeview Drive a distance of approximately 33 feet to a point on the East line of Section 3 Township 78 North Range 3 East of the 5th P. M. to a point; thence North 00 degrees, 00' – 38" East to a point on the South Line of 76th Street, Thence Westerly along the South line of 76th Street along a curve with a radius of 802 feet a distance of approximately 33 feet to the point of beginning containing 0.4712 acres, more or less.

At its public hearing held on January 7, 2020, the Plan and Zoning Commission voted to recommend approval of the right-of-way vacation.

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: 2/26/2020; Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Second Consideration: Ordinance amending Chapter 2.18 to add urban planning functions to the Neighborhood Services Department and rename it "Development and Neighborhood Services Department." [All Wards] **MOVED TO THIRD CONSIDERATION**

4. Second Consideration: Ordinance amending Chapter 2.32 entitled "Department of Community Planning and Economic Development" to redefine duties and rename the department. [All Wards]

MOVED TO THIRD CONSIDERATION

5. First Consideration: Ordinance for Case ROW20-01 being the request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of right-of-way located at N Elsie Ave extending north of W 3rd Pl. [Ward 1]

MOVED TO SECOND CONSIDERATION

6. Resolution authorizing the Mayor to sign the 2019 Certified Local Government Annual Report. [All Wards]

ADOPTED 2020-80

7. Resolution supporting a Workforce Housing Tax Credit (WHTC) application to the State for the Roosevelt Building project located at 307 W 6th St and approving an Urban Revitalization Tax Exemption (URTE) application for the same (Andrew Wold Investments, LLC, petitioner). [Ward 3]

ADOPTED 2020-81

8. Resolution approving 2020 Urban Revitalization Tax Exemption (URTE) Projects. [All Wards]

ADOPTED 2020-82

**Ald. Meginnis abstained from the projects at 736 Federal St, 800 Isabel Bloom Way, 421-423 Brady St, 425-427 Brady St, 506 W 8th St, and 707 Gaines St.*

9. Resolution closing various streets, lanes, or public grounds on the listed dates and times to hold outdoor events.

ADOPTED 2020-83

Carriage Haus/Kilkenny's; St. Patrick's Day Event; 300 W 3rd St; Saturday, March 14, 2020 after parade – 11:30 p.m.; Closures: parking lane and west travel lane on Harrison St adjacent to Kilkenny's (beginning Friday, March 13, 2020 at 5:00 p.m.) and W 3rd St between Ripley St and Harrison St. [Ward 3]

The Office; St. Patrick's Day Event; 116 W 3rd St; Saturday, March 14, 2020 after parade - 10:00 p.m.; Closure: parking lane and two north travel lanes on W 3rd St in front of establishment. [Ward 3]

Stickman Racing Group; Easter Egg Scramble 5K; Saturday, April 11, 2020 6:30 a.m. – 11:30 a.m.; Closures: Christie St from E 11th to E 12th; E 11th St from Christie to Jersey Ridge; Jersey Ridge from 11th to Middle; Middle from Jersey Ridge to Eastmere to Bettendorf City Limits; Wood Ln from Bettendorf City Limits to Forest Rd; Forest Rd between Wood Ln; Wood Ln from Forest Rd to McClellan Blvd; McClellan Blvd from Wood Ln to River St (alternate route: McClellan Blvd from Wood Ln to Edgehill Ter; Edgehill Ter from McClellan Blvd to River St); River St from McClellan Blvd to the finish at 2132 E 11th St. [Wards 5 & 6]

Ganzo's Mexican Restaurant; Cinco de Mayo Fiesta; 3923 Marquette St; Saturday, May 2, 2020 12:00 p.m. - 12:00 a.m.; Closure: northbound Marquette St from Kimberly Rd to 3923 Marquette St. [Ward 7]

St. Paul Lutheran Church; Mayfest; 2136 Brady St; Sunday, May 17, 2020 8:00 a.m. - 3:00 p.m.; Closure: Lombard St from Main St to Brady St. [Ward 5]

City of Davenport Parks and Recreation; Youthfest; Fejervary Park; Wednesday, July 8, 2020 7:00 a.m. - 3:00 p.m.; Closure: W 12th St from Wilkes Ave through Fejervary Park to just north of the Fejervary Family Aquatic Center parking lot.
[Ward 4]

10. Resolution accepting work completed under the Green Alley Project, CIP #33031. The total contract with Hawkeye Paving Corp of Bettendorf, IA was \$143,043. [Ward 4]

ADOPTED 2020-84

11. Resolution accepting the Underground Storage Tank Removal project at the Davenport Municipal Airport completed by Impact7G, Inc of Clive, IA. The project was completed with a final contract amount of \$135,740.37, CIP #20011. [Ward 8]

ADOPTED 2020-85

12. Resolution approving contract amendment #1 for the Sanitary Sewer Condition Assessment within Canadian Pacific and Iowa Interstate Railroad right-of-ways to Veenstra & Kimm, Inc, in an amount not-to-exceed \$201,843.21 budgeted in CIP #30047. [All Wards]

ADOPTED 2020-86

13. Resolution awarding the contract for E 39th St and Forest Rd Intersection Reconstruction project to CDMI Concrete Contractors Inc of Port Byron, IL in the amount of \$137,987.90, CIP #35040. [Ward 6]

ADOPTED 2020-87

14. Resolution awarding the contract for the W 29th St Pavement Reconstruction project to Centennial Contractors of the Quad Cities of Moline, IL in the amount of \$154,092.05, CIP #35040. [Ward 7]

ADOPTED 2020-88

15. Resolution accepting the Forest Grove Rd Paving project from Utica Ridge Rd to the east corporate limits completed by McCarthy Improvement Company of Davenport, IA. The project was completed with a final contract amount of \$6,422,584.92, CIP #01145. [Ward 6]

ADOPTED 2020-89

16. Resolution approving the plans, specifications, form of contract, and estimate of cost for the CY20 Crack and Seat Program, CIP #35042. [Wards 2 & 7]

ADOPTED 2020-90

17. Resolution awarding the contract to Manatt's Inc of Brooklyn, IA for the E 53rd St Pavement Reconstruction Project Phase I in the amount of \$6,274,672.69, CIP #35031. [Wards 7 & 8]

ADOPTED 2020-91

18. Resolution accepting the Lincoln Ave Reconstruction (W Locust St to W Central Park Ave) Project, CIP #35035. [Ward 4]

ADOPTED 2020-92

19. Resolution approving the contract for the Elmwood Avenue 61st St to 62nd St Reconstruction to Manatts, Inc of Camanche, IA in the amount of \$225,492.03, CIP #35040. [Ward 2]

ADOPTED 2020-93

20. Resolution setting a Public Hearing on Wednesday, March 4, 2020 at 5:30 p.m. to convey the following property to Hawkeye Paving Corporation, LLC: 4241 W 83rd Street, Tax

Parcel ID No V3237-02, City of Davenport, County of Scott, State of Iowa. [Ward 2]

ADOPTED 2020-94

21. Resolution setting a Public Hearing for the FY21 Operating Budget, FY21 Capital Improvement Budget, and the FY21 - FY26 Capital Improvement Program for March 18, 2020. [All Wards]

ADOPTED 2020-95

22. Motion approving noise variance requests for various events on the listed dates and times.

PASSED 2020-96

Carriage Haus/Kilkenny's; St. Patrick's Day Event; 300-312 W 3rd St; Friday, March 13, 2020 6:00 p.m. - 11:00 p.m. and Saturday, March 14, 2020 6:00 a.m. - 11:30 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Dam View Inn; St. Patrick's Day Event; 410 E 2nd St; Saturday, March 14, 2020 7:00 a.m. - 12:00 a.m.; Outdoor music, over 50 dBa. [Ward 3]

Circle Tap; St. Patrick's Day Party on the Patio; 1345 W Locust St; Saturday, March 14, 2020 2:00 p.m. - 12:00 a.m.; Outdoor music/band, over 50 dBa. [Ward 4]

The Office; St. Patrick's Day Event; 116 W 3rd St; Saturday, March 14, 2020 after parade - 10:00 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Ganzo's Mexican Restaurant; Cinco de Mayo Fiesta; 3923 N Marquette St; Saturday, May 2, 2020 12:00 p.m. - 12:00 a.m.; Outdoor music, over 50 dBa. [Ward 7]

23. Motion approving beer and liquor license applications.

PASSED 2020-97

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

Ward 3

The Office (Local 563 Cocktail Lounge, LLC) - 116 W 3rd St – Temporary Outdoor Area March 14, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Carriage Haus (Carriage Haus, Inc) - 312 W 3rd St - Temporary Outdoor Area March 13-15, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Mac's Tavern (Failte, Inc) - 316 W 3rd St - Temporary Outdoor Area March 14-15, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Dam View Inn (VanDamQC LLLC) - 410 E 2nd St - Outdoor area March 13-15, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Ward 4

Eddy's Snack Bar (Qiurong Chen) - 1132 W Locust St - Outdoor Area - License Type: C Liquor

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

Ward 1

Happy Joe's Pizza (Dynamic Restaurant Acquisitions, Inc) - 817 S Farragut St -
License Type: B Beer

Ward 3

The Office (Local 563 Cocktail Lounge, LLC) - 116 W 3rd St - License Type: C Liquor

Super Saver Liquor (MNE, Inc) - 1610 Rockingham Rd - License Type: E Liquor

Ward 4

Happy Joe's Pizza (Dynamic Restaurant Acquisitions, Inc) - 1616 W Locust St -
Outdoor Area - License Type: C Liquor

Ward 5

Bootleggers (Lola K, LLC) - 2228 E 11th St - Outdoor Area - License Type: C Liquor

Eleven 17 (Big Dill, Inc) - 1117 Mound St - Outdoor Area - License Type: C Liquor

EZ Stop (Shivco Inc) - 2923 Brady St. - License Type: E Liquor

Ward 6

Big 10 Mart (Molo Oil Company) - 5310 Corporate Park Dr - License Type: C Beer

Hy-Vee #4 (Hy-Vee, Inc) - 4064 E 53rd St - License Type: E Liquor

Ward 8

Davenport Chapter Izaak Walton League of America (Davenport Chapter IWLA) -
8402 N Harrison St - Outdoor Area - License Type: C Liquor

Happy Joe's Pizza (Dynamic Restaurant Acquisitions, Inc) - 201 W 50th St - License
Type: Beer / Wine

24. Motion determining property values for the east-west alley between E River Dr and
Wood Ln from Forest Rd for the FY20 Alley Resurfacing Program. [Ward 6]

PASSED 2020-98

25. Motion awarding the contract for replacement of the HVAC system at the Credit Island
Lodge to Schebler Company of Bettendorf, IA in the amount of \$77,200, CIP #23040. [Ward
1]

PASSED 2020-99

26. Motion approving change order #1 for the First Floor Elevation Structural Inventory project with Townsend Engineering in the amount of \$40,000, CIP #60022. [Ward 1]

PASSED 2020-100

27. Motion awarding a five-year contract for mechanical and plumbing services to Crawford Company of Rock Island, IL. [All Wards]

PASSED 2020-101

XIII. Other Ordinances, Resolutions and Motions

1. *On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye the rules were suspended to add and vote on the Resolution below.*

2. *On motion by Ald. Ambrose, second by Ald. Dickmann with all Aldermen present voting aye except Ald. Ambrose the following Resolution was adopted:*

Resolution opposing Iowa Senate Study Bill 3180 which removes the ability of cities to place certain restrictions on pet stores or implement protections for companion animals in their care. [All Wards]

ADOPTED 2020-102

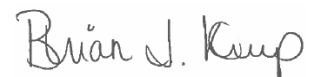
XIV. Public with Business

XV. Reports of City Officials

Following is a summary of revenue received for the month of January 2020:

Property taxes	649,559
Other City taxes	1,632,076
Special assessments	-
Licenses & permits	133,714
Intergovernmental	1,916,377
Charges for services	3,178,470
Use of monies & property	103,109
Fines & forfeits	171,137
Bonds/Loan Proceeds	-
Miscellaneous	428,172

XVI. Adjourn **6:31 p.m.**



Brian Krup
Deputy City Clerk