

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, February 13, 2019---
The Council observed a moment of silence. Pledge of Allegiance. The Council met in regular session at 5:30 PM with Mayor Klipsch presiding and all aldermen present.

The minutes of the January 23, 2019 City Council meeting were approved as printed.

The report of the Committee of the Whole was as follows: COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, February 6, 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 alderman present. The following Public Hearings were held: Community Development: for Case REZ18-18: Request by Ahmed Ismail, for WK Development, to rezone 0.83 acres, more or less, of property located immediately northwest of the intersection of Elsie Avenue and West Kimberly Road from R-5M Medium Density Residential to C-2, General Commercial District; Public Works: on the plans, specification, form of contract, and estimated cost to replace the storm water pump system at 11th and Warren CIP #33016; on the plans, specifications, form of contract, and estimated cost for the FY 2019/2020 Manhole Rehabilitation & Replacement Program CIP #30045; on the plans, specifications, form of contract, and estimated cost for the construction of a permeable alley – east-west alley between E River Dr and Isabel Bloom Way from Federal St to Tremont Ave, CIP #33032. 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. Rawson all 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. Rawson all items moved to the Consent Agenda. On motion by Ald. Rawson, second by Ald. Ambrose the rules were suspended (all aldermen voting aye) and the following motion was passed: setting a Public Hearing for the FY 2020 Operating Budget, FY 2020 Capital Improvement Budget, and the FY 2020-FY 2025 Capital Improvement Program for February 13, 2019 (all aldermen voting aye). Council adjourned at 6:17 PM.

The following presentation was given: Sister Cities Update.

The following Public Hearing was held: on the FY 2020 Operating Budget, FY 2020 Capital Improvement Budget, and the FY 2020 - FY 2025 Capital Improvement Plan.

The Discussion Agenda items were as follows: NOTE: The votes on all ordinances and resolutions were by roll call vote. The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.

Community Development: On motion by Ald. Clewell, second by Ald. Ambrose Ordinance for Case REZ18-16: Request of Rob Davis with Bush Construction to rezone 5.93 acres, more or less, of property located north of East 58th Street and east of Utica Ridge Road from C-O, Office-Shop District to R-5M, Medium Density Residential District was amended by adding the following conditions: 1) That development on the site be limited to one multifamily structure not to exceed four (4) stories of dwelling units above grade and one (1) level of underground parking. The maximum story height shall not exceed twelve (12) feet floor to floor and 2) That said structure be located in the southwest portion of the site, with no portion being closer than forty to fifty (40-50) feet from any property line (Ald. Meginnis voting nay). Ordinance for Case REZ18-16 was adopted as amended (Ald. Meginnis voting nay), 29.

ORDINANCE NO. 2019-29

ORDINANCE for Case REZ18-16 being the request of Rob Davis of Bush Construction to rezone 5.93 acres, more or less, of property located north of East 58th Street and east of Utica Ridge Road from C-O, Office Shop District to R-5M, Medium Density Dwelling District. [Ward 6]

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 “R-5M”, Medium Density Dwelling District.

Lot 3 of Crow Valley Plaza Tenth Addition, City of Davenport, Iowa.

Section 2. That the following findings and conditions are hereby imposed upon said rezoning:

Findings:

1. The rezoning request is consistent with the Comprehensive Plan for the following reasons:

- a. The property is located along an edge of an area designated RG - Residential General.
 - b. The property is located adjacent to an arterial street, where higher density development is appropriate.
 - c. Traffic generation from this property will not burden the local street network.
2. Rezoning to multifamily will increase housing variety and choice within the vicinity and City in general.

Conditions:

1. That the property be zoned R-MF, Residential, Multifamily District, upon adoption of the new code.
2. That development on the site be limited to one multifamily structure not to exceed four (4) stories of dwelling units above grade and one (1) level of underground parking. The maximum story height shall not exceed twelve (12) feet floor to floor.
3. That said structure be located in the southwest portion of the site, with no portion being closer than forty to fifty (40-50) feet from any property line.

Section 3. At its December 4, 2018 meeting, the Plan and Zoning Commission voted to forward the case to the City Council with a recommendation to approve.

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 2/13/2019 Frank Klipsch, Mayor; Brian Krup, Deputy City Clerk

The Consent Agenda was as follows: NOTE: These are routine items and are enacted at the City Council meeting by one roll call vote. The vote was unanimous unless otherwise noted.

Community Development: The following Ordinances were adopted: for Case REZ18-17: Request of Tim Shaffer, Dale's Service Center, to rezone 1915 Zenith Avenue from R-4 Moderate Density Dwelling District to C-2, General Commercial District, 30; for Case REZ18-19: Request of St. Ambrose University for a rezoning from R-4 Moderate Density Dwelling District and C-2 General Commercial District to PID Planned Institutional District on .675 acres, more or less, and an amendment to a PID Planned Institutional District Land Use Plan for the property located west of Harrison Street, north of West Locust Street, east of Brown Street and south of West Lombard Street, 31.

ORDINANCE NO. 2019-30

ORDINANCE for Case REZ18-17 being the request of Tim Shaffer to rezone 0.20 acres, more or less, of property located at 1915 Zenith Avenue from R-3, Low Density Dwelling District to C-2, General Commercial District. [Ward 1]

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-2" General Commercial District.

Part of the East Half (1/2) of the Southeast Quarter (1/4) of Section 20, Township 78 North Range 3 East of the 5th P.M., and more particularly described as follows: Commencing at a point Four Hundred Sixty-two (462) feet West and One Hundred Fifty (150) feet North of the Southeast corner of said Section 20; thence North Fifty (50) feet; thence West parallel with the South line of said Section 20, One Hundred Eighty one and 5/10 (181.5) feet to the east line of a roadway; thence South along the East Line of said roadway, Fifty (50) feet; thence East parallel with the south line of said Section 20, One Hundred Eighty One and 5/10 (181.50) to the place of beginning.

Exempting therefrom that portion conveyed to the City of Davenport, Iowa, by Quit Claim Deed dated July 23, 1962 and filed October 7, 1965 at Book 282 Deeds, Page 8.

Section 2. That the following findings and conditions are hereby imposed upon said rezoning:

Findings:

1. The property is consistent with the Comprehensive Plan as it is a limited commercial development along an edge of a node designated RG, Residential General.

2. The property has access and frontage along Locust Street, a major arterial street.
3. Rezoning will facilitate the expansion of a healthy, growing business in West Davenport.

Conditions:

1. Screening along the north property line will meet zoning requirements but at a minimum contain a 6 foot high wood fence.
2. Upon adoption of the new zoning ordinance, the property shall be zoned C-2, Corridor Commercial Zoning District.

Section 3. At its December 18, 2018 meeting, the Plan and Zoning Commission voted to forward the case to the City Council with a recommendation to approve.

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 2/13/19 Frank Klipsch, Mayor; Brian Krup, Deputy City Clerk

ORDINANCE NO. 2019-31

ORDINANCE for Case No. REZ18-19 being the request of St. Ambrose University for a rezoning from R-4 Moderate Density Dwelling District and C-2 General Commercial District to PID Planned Institutional District on .675 acres, more or less, and an amendment to a PID Planned Institutional District Land Use Plan for the property located west of Harrison Street, north of West Locust Street, east of Brown Street and south of West Lombard Street. [Wards 4 & 5]

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. The property has the following legal description: Part of the South Half of Section 23, Township 78 North, Range 3 East of the 5th P.M. being more particularly described as follows: Real property located within the boundaries of West Lombard Street to the north,

West Locust Street to the south, Brown Street to the west and Harrison Street to the east. Said property contains 53.13 acres, more or less.

Section 2. That the following findings and condition is hereby imposed upon said rezoning (see Plan and Zoning Commission letter dated December 19, 2018 letter for findings in its recommendation for approval):

In the event that the "PID" Planned Institutional District is supplanted by the "S-IC" Institutional Campus District classification, the City shall rezone the property to the "S-IC" Institutional Campus District classification.

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: 2/13/19 Frank Klipsch, Mayor; Brian Krup, Deputy City Clerk

The following Ordinance moved to second consideration: for Case REZ18-18: Request by Ahmed Ismail, for W K Development, to rezone 0.83 acres, more or less, of property located immediately northwest of the intersection of Elsie Avenue and West Kimberly Road from R-5M Medium Density Residential to C-2, General Commercial District.

Public Safety: The following Ordinances moved to third consideration: amending Schedule VI of Chapter 10.96 entitled "Speed Limits" by adding Jason Way from Veterans Memorial Parkway to the end of Jason Way Court as a 35 mph street; amending Schedule VI of Chapter 10.96 entitled "Speed Limits" by adding 76th Street from Northwest Boulevard to Division Street as a 40 mph street.

The following ordinance moved to second consideration: amending Schedule I of Chapter 10.96 entitled "Snow Routes" by adding and deleting various streets.

The following resolution was adopted: closing various street(s), lane(s), or public grounds on the provided date(s) to hold outdoor events, 32.

Public Works: The following Ordinances moved to third consideration: amending various sections of Chapter 8.14 (Tree Ordinance) to perform general language clean-up and clarify the following: definition of trees in the right of way, maintenance of city owned trees, permitting, licensing, and nuisance tree abatement process; amending various sections of Chapter 10 (Vehicles and Traffic) for the purposes of allowing the City of Davenport the ability to immobilize vehicles in lieu of towing and simplifying fine schedules.

The following resolutions were adopted: acceptance for the FY18 Sewer Lateral Repair Program, completed by Petersen Plumbing & Heating of Davenport, IA with a final cost of \$562,296.57 budgeted in CIP #30031, 33; acceptance for the FY18 Sewer Lateral Repair Program, completed by Hometown Plumbing and Heating of Davenport, IA with a final cost of \$188,466.03 budgeted in CIP #30031, 34; acceptance for the FY18 Sewer Lateral Repair Program, completed by Tappendorf Plumbing of Davenport, IA with a final cost of \$130,534.99 budgeted in CIP #30031, 35; acceptance for the FY18 Sewer Lateral Repair Program, completed by River Bend Plumbing of Bettendorf, IA with a final cost of \$94,677.99 budgeted in CIP #30031, 36; acceptance for the FY18 Sewer Lateral Repair Program, completed by Hagerty Earthworks of Muscatine, IA with a final cost of \$98,477.21 budgeted in CIP #30031, 37; acceptance for the 29th, Lorton and Fairhaven Drainage Improvement Project, completed by Legacy Corporation of East Moline, IL with a final cost of \$1,419,420.67 budgeted in CIP #10131, 38; approving the plans, specifications, form of contract, and estimated cost for the FY 2019/2020 Manhole Rehabilitation & Replacement Program CIP #30045, 39; acceptance for the Duck Creek South Interceptor Rehabilitation Project, completed by SAK Construction, LLC of O'Fallon, MO with a final cost of \$4,399,619.84 budgeted in CIP #00200, 40; accepting work completed under the 2018 Microsurfacing and Cape Seal Program, CIP #35026. The total contract with Lionmark Corporation (d.b.a. Missouri Petroleum) was \$474,275.22, 41; acceptance for the Federal Street Sewer Improvement Project, completed by Hawkeye Paving Corporation of Bettendorf, IA with a final cost of \$752,579.55 budgeted in CIP #30001, 42; approving the plans, specifications, form of contract, and estimated cost for the construction of a permeable alley – east-west alley between E River Dr and Isabel Bloom Way from Federal St to Tremont Ave, CIP #33032, 43; approving the plans, specification, form of contract and estimated cost to

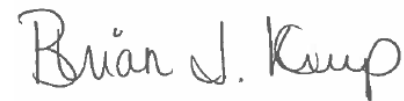
replace the storm water pump system at 11th and Warren, CIP #33016, 44; approving the contract for the Miracle Field of the Quad Cities Phase II to Precision Builders, Inc. of Bettendorf, IA in the amount of \$113,238.35. CIP #64030, 45.

The following motion was passed: approving change order #1 to McClure Engineering Company in the amount of \$89,578 for the Davenport Municipal Airport Runway 15/33 Reconstruction Project, CIP #20010, 46.

Finance: The following resolutions were adopted: setting February 27, 2019 as the date for the sale of General Obligation Corporate Bonds, Series 2019 and approving the Preliminary Official Statement, 47; approving the contract for Printer Maintenance Services to Managed Solutions Group of Dubuque, IA, 48.

The following motions were passed: approving professional service agreements for golf professional services with Brant McGivern, Matthew Hasley, and Ronnie Thrapp at Red Hawk, Duck Creek, and Emeis Golf Courses, respectively, 49; approving a four-year collective bargaining agreement between the City of Davenport and the Union of Professional Police, Inc of Davenport, Iowa for the term of July 1, 2019 through June 30, 2023, 50.

On motion Council adjourned at 6:57 P.M.

A handwritten signature in dark ink, reading "Brian J. Krup". The signature is written in a cursive, flowing style.

Brian J. Krup
Deputy City Clerk