

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, September 25, 2019

The City Council of Davenport, Iowa met in regular session on Wednesday, September 25, 2019 at 5:29 p.m. 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 September 11, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on the Committee of the Whole for September 18, 2019

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, September 18, 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 Pro Tem Tompkins presiding and all aldermen present. The following Public Hearings were held: Community Development: Public Hearing on the Consolidated Plan Annual Performance Evaluation Report for the fiscal year ending June 30, 2019; Public Hearing on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). Public Works: Public Hearing on amending Ordinance Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in redevelopment areas where otherwise infeasible and for the Commercial Downtown and congruently adjacent I-1, I-2, and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention, and clarification on the Unified Sizing Criteria staged release rates; Public Hearing on the plans, specifications, forms of contract, and estimate of cost covering the Main Street Landing, Phase III Electrical Construction Project, CIP #68004; Public Hearing on the plans, specifications, forms of contract, and estimate of cost covering the Kaiserslautern Square Upgrades Project, CIP #68004.

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 all items moved to the Discussion Agenda with Committee of the Whole recommending suspension of the rules and passage on second consideration for item #1. Public Safety: Ald. Gripp reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Ambrose item #3 moved to the Discussion Agenda with Committee of the Whole recommending suspension of the rules and passage on second consideration; all other items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Condon, second by Ald. Ambrose 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. Other

*Ordinances, Resolutions, and Motions: On motion by Ald. Rawson, second by Ald. Dickmann the rules were suspended, with all aldermen present voting aye, and the following Motion passed: extended outdoor area liquor license for Rookie's Sports Bar (Rookies, Inc.) – 2818 Brady St. – extended outdoor area September 21 "Customer Appreciation Event" – License Type: C Liquor, **2019-388.***

Council adjourned at 6:33 p.m.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2019-389

1. Hispanic Heritage Month, September 15 - October 15
2. Fire Prevention Week, October 6 - October 12
3. Be A Good Neighbor Day – September 28, 2019

IX. Presentations

HELD

A. Summer Reading Program Trophy Presentation

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

On motion by Ald. Rawson, second by Ald. Meginnis the rules were suspended, with all Aldermen presenting voting aye, and the following Ordinance was adopted on second consideration:

1. Second Consideration: Ordinance for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Ave. [Ward 5]

ADOPTED 2019-390

ORDINANCE NO 2019-390

ORDINANCE AMENDMENT FOR CASE PUD19-01 ALLOWING FOR A MAJOR MODIFICATION OF AN EXISTING PLANNED UNIT DEVELOPMENT LOCATED AT 1002 BRIDGE AVENUE THAT WAS PREVIOUSLY APPROVED IN ORDINANCE NO. 2016-483.

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

Section 1. The previously approved planned unit development (Ord. No. 2016-483) for the following described real estate, to-wit: Part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 78 North, Range 3 East of the 5th P.M., more particularly described as Lot 1 of Block 7 of Part of G. C. Churchill's Resurvey of Churchill's Addition to the City of Davenport is hereby amended by increasing the maximum height of the previously approved building structure to a height of twenty- seven (27) feet. All other conditions in Ordinance No. 2016-483 remain in effect.

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: 9/25/19 Frank Klipsch, Mayor; Brian Krup, Deputy City Clerk

On motion by Ald. Dickmann, second by Ald. Rawson the rules were suspended, with all Aldermen presenting voting aye, and the following Ordinance was adopted on second consideration:

2. Second Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled "Intersection Traffic Signals" by adding Hickory Grove Rd at the northernmost Cobham driveway. [Ward 2]

ADOPTED 2019-391

ORDINANCE NO 2019-391

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XIV INTERSECTION TRAFFIC SIGNALS THERETO BY ADDING HICKORY GROVE ROAD AT THE NORTHERNMOST COBHAM DRIVEWAY.

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

Section 1. That Schedule XIV Intersection Traffic Signals of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

Hickory Grove Road at the northernmost Cobham 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: 9/25/19 Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Resolution on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). [Ward 3]

ADOPTED 2019-392

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 V of Chapter 10.96 entitled "Four-Way Stop Intersections" by deleting Eastern Ave at Elm St. [Ward 5]

ADOPTED 2019-393

ORDINANCE NO 2019-393

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE V FOUR-WAY STOP INTERSECTIONS THERETO BY DELETING EASTERN AVENUE AT ELM STREET.

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

Section 1. That Schedule V Four-Way Stop Intersections of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by deleting the following:

Eastern Avenue at Elm 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: 9/25/19 Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Rusholme St along the north side from Ripley St west to the alley. [Ward 4] **MOVED TO THIRD CONSIDERATION**

3. Second Consideration: Ordinance amending Schedule X of Chapter 10.96 entitled "Two Hour Parking" by deleting Harrison St along the east side from 4th St to 5th St. [Ward 3] **MOVED TO THIRD CONSIDERATION**

4. First Consideration: Ordinance amending Chapter 5.24 of the Davenport Municipal Code entitled "Massage Business Information Requirement." [All Wards] **MOVED TO SECOND CONSIDERATION**

5. First Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in redevelopment areas where otherwise infeasible, including verbiage for a flat rate stormwater fee for the CD and congruently adjacent I-1, I-2, and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention and clarification on the Unified Sizing Criteria staged release rates. [All Wards] **MOVED TO SECOND CONSIDERATION**

6. Resolution closing various streets, lanes, or public grounds on the listed dates to hold outdoor events. **ADOPTED 2019-394**

Davenport Schools; West Homecoming Parade; Thursday, September 26, 2019
5:30 p.m. - 6:30 p.m.; **Parade Route** (police controlled intersections): west on

W 17th St from N Clark to N Elsie; north on N Elsie to W Lombard; west on W Lombard to N Nevada; south on N Nevada to finish in the West High School parking lot. [Ward 1]

Scott Tunnidcliff; Hilltop Retrofest/Zeke's Pirate Run; Saturday, September 28, 2019; **Closures:** 8:00 a.m. - 12:00 p.m. Main St between Locust St and 5th St; 8:00 a.m. - 10:00 p.m. 15th St between Harrison St and Main St. [Ward 3 & 5]

Todd Thomas; Progressive Baptist Church Friends and Family Day; 1302 E 12th St; Saturday, September 28, 2019 11:00 a.m. - 4:00 p.m.; **Closure:** E 12th St between College Ave and Esplanade Ave. [Ward 5]

Davenport Schools; Central Homecoming Parade; Thursday, October 3, 2019 5:00 p.m. – 8:30 p.m.; **Closure:** Staging: 5:00 p.m. – 6:00 p.m. Woodland Ave and 18th St in front of McKinley Elementary; **Parade Route** (police controlled intersections): 6:00 p.m. – 7:00 p.m. east on 18th St to Fernwood Ave; south on Fernwood Ave to Forest Rd; north on Forest Rd to Middle Rd; west on Middle Rd to Woodland Ave; north on Woodland Ave to 18th St; east on 18th St to finish at McKinley Elementary. [Ward 6]

Amy Kay; Neighborhood Block Party; 2322 Harrison St; Saturday, October 5, 2019 3:00 p.m. - 7:00 p.m.; **Closure:** Ripley St between W Dover Ct and W Rusholme St. [Ward 4]

Davenport Association of Professional Firefighters; Lights and Sirens Parade and Annual Fire Muster; Village of East Davenport; Sunday, October 6, 2019 12:00 p.m. - 4:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from E 11th St to E 12th St. [Wards 5 & 6]

Village of East Davenport; Christmas in the Village; Friday, December 6, 2019 and Saturday, December 7, 2019 5:00 p.m. - 10:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from 11th St north to alley. [Wards 5 & 6]

7. Resolution authorizing the submission of an Iowa Clean Air Attainment Program application for grant assistance to replace the Elm Street Bridge over the Canadian Pacific Railway. [Ward 5]

ADOPTED 2019-395

8. Preliminary Resolution for the FY20 Alley Resurfacing Program. [Ward 4]

ADOPTED 2019-396

9. Resolution awarding the 1930's Interceptor Flow Diversion Project to Langman Construction, Inc of Rock Island, IL in the amount of \$9,479,387.51, CIP #30038. [Wards 3, 5, & 6]

ADOPTED 2019-397

10. Resolution approving the Inspection and Construction Engineering contract for the 1930's Interceptor Flow Diversion Project to Veenstra & Kimm in the amount not-to-exceed \$268,546, CIP #30038. [Wards 3, 5, & 6] **ADOPTED 2019-398**

11. Resolution accepting the Miracle Field of the Quad Cities Phase II project completed by Precision Builders, Inc of Bettendorf, IA. This project was completed with a final contract amount of \$113,642.95, CIP #64030. [Ward 8] **ADOPTED 2019-399**

12. Resolution of acceptance for the Elmore Avenue Patching Project, completed by CDMI Concrete Contractors Inc of Port Byron, IL with a final cost of \$243,276.44 budgeted in CIP #35035. [Ward 6] **ADOPTED 2019-400**

13. Resolution of acceptance for the 4th and LeClaire Street Sewer Separation Project, completed by Langman Construction Inc of Rock Island, IL with a final cost of \$513,998.64 budgeted in CIP #30016. [Ward 3] **ADOPTED 2019-401**

14. Resolution to purchase ten (10) Chevy Tahoe Police SUVs from Karl Chevrolet Inc of Ankeny, IA in the amount of \$356,413.40, CIP #24011 and #24013. [All Wards] **ADOPTED 2019-402**

15. Resolution approving the plans, specifications, forms of contract, and estimate of cost covering the Main Street Landing Phase III Electrical Construction Project, CIP #68004. [Ward 3] **ADOPTED 2019-403**

16. Resolution approving the plans, specifications, forms of contract, and estimate of cost covering the Kaiserslautern Square Upgrades Project, CIP #68004. [Ward 3] **ADOPTED 2019-404**

17. Resolution approving a Memorandum of Understanding between the City of Davenport and the Davenport Community School District. [All Wards] **ADOPTED 2019-405**

18. Resolution to set the date for a Public Hearing on a proposal to enter into a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not-to-exceed \$10,500,000. [All Wards] **ADOPTED 2019-406**

19. Motion approving noise variance request(s) for various events on the listed dates and times. **PASSED 2019-407**

Scott Tunnicliff; Hilltop Retrofest/Zeke's Pirate Run; Saturday, September 28, 2019 8:00 a.m. - 10:00 p.m.; Outdoor music/performances, over 50 dBa. [Wards 3 & 5]

Davenport Schools; West Homecoming Parade; Thursday, September 26, 2019 4:00 p.m. - 6:30 p.m.; See attached information for parade route; Outdoor music/performances, over 50 dBa. [Ward 1]

Todd Thomas; Progressive Baptist Church Friends and Family Day; 1302 E 12th St; Saturday, September 28, 2019 12:00 p.m. - 3:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Davenport Schools; Central Homecoming Parade; Thursday, October 3, 2019 5:00 p.m. – 7:30 p.m.; See attached information for parade route; Outdoor music/performances, over 50 dBa. [Ward 6]

Matt Madril; Fall Crawl; 2224 Harrison St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Clare Nicholas; Fall Crawl; 2208 N Ripley St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Delbert Todd; Fall Crawl; 1920 N Main St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Amy Kay; Neighborhood Block Party; Ripley St between W Dover Ct and W Rusholme St; Saturday, October 5, 2019 4:30 p.m. - 7:00 p.m.; Outdoor music, over 50 dBa. [Ward 4]

Davenport Association of Professional Firefighters; Lights and Sirens Parade and Annual Fire Muster; Village of East Davenport; Sunday, October 6, 2019 12:00 p.m. - 4:00 p.m.; Sirens/Outdoor music, over 50 dBa. [Wards 5 & 6]

Village of East Davenport; Christmas in the Village; Friday, December 6, 2019 and Saturday, December 7, 2019 6:00 p.m. - 10:00 p.m.; Outdoor music/fireworks, over 50 dBa. [Wards 5 & 6]

20. Motion approving beer and liquor license applications.

PASSED 2019-408

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

Ward 3

Lumpy's Inc. (Zeke's Island Café) – 1509 N Harrison St. – Outdoor area
September 28th, 2019 "Retrofest" – License Type: B Beer

Cathedral Ale (Sacred Heart Cathedral) - 422 E 10th St - Outdoor Area - License Type: B Beer

Ward 4

Wise Guys Pizza/Next Door Pub (PB&B, LLC) - 2720 W Locust St, Unit B-15 - Outdoor Area - License Type: C Liquor

Ward 6

Cabos Cantina and Grill 2 (Cabos Cantina and Grill, LLC) - 5717 Elmore Ave, Suite E - License Type: C Liquor

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

Ward 1

Davenport Elks Lodge #298 (Benevolent And Protective Order Of Elks #298) - 4400 W Central Park Ave - License Type: Class C Liquor

Kwik Shop #583 (Kwik Shop, Inc) - 3129 Rockingham Rd - License Type: Class C Beer

Ward 2

Dhakals LLC (Dhakals LLC) - 3108 W Central Park Ave - License Type: Class E Liquor - C Beer/B Wine

Ward 3

Analog Arcade Bar (Analog LLC) - 302 Brady St - License Type: Class C Liquor

Armored Gardens (Armored Gardens LLC) - 315 Pershing Ave - Outdoor Area License Type: Class C Liquor

German American Heritage Center (German American Heritage Center) - 712 W 2nd St (Fourth Floor Only)- License Type: Special Class C - Beer/ Wine

Radisson (Bucktown Lodging Llc) - 111 E 2nd St - License Type: Class B Liquor

The Diner (The Diner LLC) - 421 West River Drive Suite 6 - Outdoor Area License Type: Class C Liquor

The Renwick Mansion, LLC (The Renwick Mansion, LLC) - 901 Tremont Ave - Outdoor Area License Type: Class C Liquor

Ward 4

Kwik Shop # 593 (Kwik Shop, Inc) - 303 W Locust St - License Type: Class C Beer - B Wine

Kwik Shop #577 (Kwik Shop, Inc) - 1732 Marquette St - License Type: Class C Beer

Ward 5

Locust Street Tavern (Locust Street Tavern, Inc) - 331 East Locust St - License Type: Class C Liquor

Ward 6

Cactus LLC (Cactus LLC) - 2843 East 53rd St - License Type: Class C Liquor

Hy-Vee Fast And Fresh (Hy-Vee, Inc) - 3200 East Kimberly Rd Parking Lot Gas Station - License Type: Class E Liquor - B Wine/C Beer

The Clubhouse (Clubhouse Beverage LLC) - 4800 Elmore Ave Ste 100 - Outdoor Area - License Type: Class C Liquor

The Grape Life (The Grape Life Wine Store & Lounge, LLC) - 3402 Elmore Ave - License Type: Class C Liquor

Ward 7

CASI (Center For Active Seniors, Inc) - 1035 W Kimberly Rd - Outdoor Area License Type: Beer/Wine

Kwik Shop #586 (Kwik Shop, Inc) - 201 W 53rd St - License Type: Class C Beer

Kwik Shop #587 (Kwik Shop, Inc) - 1670 W Kimberly Rd - License Type: Class C Beer

Tantra Asian Bistro (Zhangs Trading Inc) - 589 E 53rd St - Outdoor Area License Type: Class C Liquor

21. Motion awarding a blanket contract for the purchase of calcium chloride to Sicalco, Ltd of Hinsdale, IL. [All Wards] **PASSED 2019-409**

22. Motion awarding a blanket contract for the purchase of anti-icing chemicals from Ossian, Inc of Davenport, IA. [All Wards] **PASSED 2019-410**

23. Motion awarding the contract for the FY20 Root Control Program to Duke's Root Control of Syracuse, NY for an amount not-to-exceed \$50,000. [All Wards] **PASSED 2019-411**

24. Motion awarding a contract for the Housing Needs Assessment to Western Economic Services LLC of Portland, OR in an amount not-to-exceed \$60,000. [All Wards] **PASSED 2019-412**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

Following is a summary of revenue received for the month of August 2019:

Property taxes	159,886
Other City taxes	1,472,568
Special assessments	-
Licenses & permits	128,774
Intergovernmental	4,479,579
Charges for services	1,076,636
Use of monies & property	149,620
Fines & forfeits	147,696
Bonds/Loan Proceeds	167,623
Miscellaneous	209,282

XVI. Adjourn **6:10 p.m.**



Brian Krup
Deputy City Clerk