

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, August 12, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, August 12, 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 except Alderman Gripp (Alderman Meginnis present via telephone).

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 July 22, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for August 5, 2020.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, August 5, 2020 -- The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (Ald. Dickmann present virtually via GoToMeeting).

The following Public Hearings were held: Public Works: 1) on the plans, specifications, form of contract, and estimate of cost for the City Hall Security Improvements, CIP #23053; and 2) on the plans, specifications, form of contract, and estimate of cost for the RiverCenter South Roof Replacement project, CIP #69028. Finance: 1) regarding the adoption, with amendments, of the International Code Council's 2015 International Fire Code as Chapter 15.32 of the Davenport Municipal Code.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Gripp reviewed all items listed. On motion by Ald. Lee, second by Ald. Ambrose all items moved to the Consent Agenda. Public Safety: Ald. Ambrose reviewed all items listed. On motion by Ald. Jobgen, second by Ald. Gripp the noise variance request for Uncle Norm's Fireworks at the Mississippi Valley Fairgrounds on Saturday, August 8, 2020 under item #3 would be voted on later on the agenda and all other items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Dohrmann, second by Ald. Ambrose item #13, Motion approving the plans, specifications, form of contract, and estimate of cost for the 6th & Vine Traffic Circle, moved to the Discussion Agenda and all other items moved to the Consent Agenda. Finance: Ald. Condon reviewed all items listed. On motion by Ald. Peacock, second by Ald. Ambrose item #7, Motion authorizing the Mayor to sign Intergovernmental 28D Agreements with the Davenport Community School District for the assignment of a School Liaison Officer and a School Resource Officer, moved to the Discussion Agenda and all other items moved to the Consent Agenda.

*Other Ordinances, Resolutions, and Motions: On motion by Ald. Ambrose, second by Ald. Peacock with all Aldermen present voting aye, the rules were suspended to vote on the Motion approving the noise variance request for Uncle Norm's Fireworks after the rodeo at the Mississippi Valley Fairgrounds on Saturday, August 8, 2020 from 9:00 p.m. to 10:00 p.m. On motion by Ald. Ambrose, second by Ald. Peacock with all Aldermen present voting aye, the Motion passed, **2020-323**.*

*Council adjourned at **7:59 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2020-324

1. American Wind Week: August 9 - 15, 2020
2. Water and Wastewater Workers of Iowa Week: August 16 - 22, 2020

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. *On motion by Alderman Ambrose, second by Alderman Peacock with all Aldermen present voting aye, the following Motion passed:*

Motion approving the plans, specifications, form of contract, and estimate of cost for the 6th & Vine Traffic Circle, CIP #38012. [Ward 3]

PASSED 2020-325

2. *On motion by Alderman Peacock, second by Alderwoman Dickmann with all Aldermen present voting aye except Alderman Ambrose, the agreement covering the next two school years at West High School was amended to add a provision that "If the Mayor and School's working group agrees to an acceptable scope of work, said scope shall be put in writing and become part of this agreement. If the City participants in the group determine that the group cannot arrive at a mutually agreed upon scope of work, then the City shall send a 90-day termination to the School District to end the agreement."*

On motion by Alderman Ambrose, second by Alderwoman Dickmann with all Aldermen present voting aye, the following Motion passed as amended:

Motion authorizing the Mayor to sign Intergovernmental 28D Agreements with the Davenport Community School District for the assignment of a School Liaison Officer and a School Resource Officer. [All Wards]

PASSED 2020-326

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 Alderman Ambrose, second by Alderman Peacock with all Aldermen present voting aye, the consent agenda was approved as follows:

1. Third Consideration: Ordinance for Case REZ20-05 being the request of Rev. Richard Hayslett to rezone 508-510 Marquette St from R-4C, Single- and Two-Family Central Residential District, to C-1, Neighborhood Commercial District. [Ward 3]

ADOPTED 2020-327

ORDINANCE NO. **2020-327**

ORDINANCE for Case REZ20-05 being the request of Richard Hayseltt to rezone 508/510 Marquette Street from R-4C, Single and Two Family Residential District to C-1, Neighborhood Commercial District. Alex Kelly to rezone 412 East Locust Street from C-1, Neighborhood Business District to C-2, Corridor Commercial District.

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

Section 1. The following described units of Scott County, Iowa real estate is hereby rezoned to "C-1, Neighborhood Commercial District."

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, COUNTY OF SCOTT, STATE OF IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRD OF THE EAST HALF OF LOT 6, AND THE NORTH THIRD OF LOT 7, ALL IN BLOCK 6, IN G. C. R. MITCHELL'S SECOND ADDITION TO THE CITY OF DAVENPORT. AND THE SOUTH 100 FEET OF LOT 7 IN BLOCK 6, ALL IN G. C. R. MITCHELL'S SECOND ADDITION TO THE CITY OF DAVENPORT.

SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

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

Findings:

1. The rezoning is consistent with the Comprehensive Plan.
2. Additional parking is needed for the church.
3. The rezoning will not negatively impact the surrounding neighborhood.

Section 3. At its June 16, 2020 meeting, the Plan and Zoning Commission this case to the City Council with a recommendation for approval.

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: 8/12/2020; Approved: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second Consideration: Ordinance amending Schedule XIII of Chapter 10.96 entitled "7-Ton Truck Restrictions" by adding 59th St from Main St to 61st St. [Ward 8]

MOVED TO THIRD CONSIDERATION

3. Second Consideration: Ordinance amending Chapter 16.28.050 entitled "Improvement - Sewers" of the Davenport Municipal Code. By amending section 16.28.060 thereto relating to the City collecting compensation for televising services performed in the process of sanitary sewer acceptance. [All Wards]

MOVED TO THIRD CONSIDERATION

4. Second Consideration: Ordinance amending Chapter 15.32 of the Davenport Municipal Code titled "Uniform Fire Code" to adopt the International Code Council's 2015 International Fire Code with amendments. [All Wards]

MOVED TO THIRD CONSIDERATION

5. First Consideration: Ordinance amending Chapter 15.08.300 of the Davenport Municipal Code entitled "Permits." [All Wards] **MOVED TO SECOND CONSIDERATION**

6. First Consideration: Ordinance amending Chapter 15.16 of the Davenport Municipal Code entitled "Electrical Code." [All Wards] **MOVED TO SECOND CONSIDERATION**

7. Resolution setting a Public Hearing on Wednesday, August 19, 2020 at 5:30 p.m. on the proposed conveyance of City-owned parcels H0023-33, 1412 W 14th St, to Kerry and Misha Davis, petitioners; and A0060-21, 1619 W Pleasant St, to Brealynn and Donald Dickerson, petitioners. [Ward 4] **ADOPTED 2020-328**

8. Resolution approving the following street, lane, or public ground closures on the listed dates and times to hold an outdoor event. **ADOPTED 2020-329**

Eric Hayes; Graduation Party; 1451 W 13th St; Saturday, August 22, 2020 1:00 p.m. - 9:30 p.m.; **Closure**: east-west alley from Fillmore St to Washington Ave between W 12th St and W 13th St. [Ward 4]

Tim Shea; Eastern Avenue Farms Block Party; Belle Ct; Sunday, September 6, 2020 12:00 p.m. - 9:30 p.m.; **Closure**: Belle Ct from E 61st St to Parkview Ln. [Ward 8]

9. Resolution of acceptance for the Public Works High Bay Roof Replacement project Bid #20-104, CIP #23033. [Ward 7] **ADOPTED 2020-330**

10. Resolution approving a contract for the Northwest Blvd at N Division Left Turn Lanes project to Langman Construction Inc of Rock Island, IL in the amount of \$431,395.50, CIP #38009. [Ward 8] **ADOPTED 2020-331**

11. Resolution approving the proposed Resolution of Necessity for the 2020 Alley Resurfacing Program covering the north-south alley between Pershing Ave and Iowa St from E Columbia Ave to E Garfield St. [Ward 5] **ADOPTED 2020-332**

12. Resolution awarding the contract for the 13th Street Reconstruction - Zenith to Stark and Zenith to Waverly project to Five Cities Construction Company of Coal Valley, IL in the amount of \$645,090.25, CIP #35047. [Ward 1] **ADOPTED 2020-333**

13. Resolution awarding the contract for the Fire Training Site Preparation project to Valley Construction Company of Rock Island, IL in the amount of \$367,948, CIP #23048. [All Wards] **ADOPTED 2020-334**

14. Resolution approving the one-year contract for the Long-Line Painting 2020- 2021 project to Ostrom Painting & Sandblasting Inc of Rock Island, IL in the amount of \$172,302. [All Wards] **ADOPTED 2020-335**

15. Resolution approving the plans, specifications, form of contract, and estimate of cost for the RiverCenter South Roof Replacement project, CIP #69028. [Ward 3] **ADOPTED 2020-336**

16. Resolution approving the plans, specifications, form of contract, and estimate of cost for the City Hall Security Improvements, CIP #23053. [Ward 3] **ADOPTED 2020-337**

17. Resolution authorizing and approving a Sewer Revenue Loan and Disbursement Agreement and providing for the issuance and securing the payment of \$8,249,000 Sewer Revenue Bonds, Series 2020. [All Wards] **ADOPTED 2020-338**

18. Resolution setting a Public Hearing on Wednesday, August 19, 2020 at 5:30 p.m. to convey City-owned parcel W0453-OLD to the owners of 3207 Fieldcrest Dr, the adjacent parcel to the northeast. [Ward 2] **ADOPTED 2020-339**

19. Resolution setting a Public Hearing on Wednesday, August 19, 2020 at 5:30 p.m. to convey City-owned parcel X1101B06B to the owners of 927 W 60th St, the adjacent parcel to the north. [Ward 8] **ADOPTED 2020-340**

20. Resolution setting a Public Hearing on Wednesday, August 19, 2020 at 5:30 p.m. to convey City-owned parcel F0046-16 to Francisco Brown, petitioner. [Ward 3] **ADOPTED 2020-341**

21. Resolution setting a Public Hearing on Wednesday, August 19, 2020 at 5:30 p.m. to convey City-owned parcel G0038-36B, located on the north side of the 300 block of W 9th St, to Lisa Avila, owner of 908 Harrison St. [Ward 3] **ADOPTED 2020-342**

22. Motion approving noise variance requests for various events on the listed dates and times. **PASSED 2020-343**

Eric Hayes; Graduation Party; 1451 W 13th St; Saturday, August 22, 2020 3:00 p.m. - 9:00 p.m.; Outdoor music, over 50 dBa. [Ward 4]

Timm Dalman; Festival of Praise; LeClaire Park; Saturday, September 5, 2020 5:00 p.m. - 11:00 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Tim Shea; Eastern Avenue Farms Block Party; Belle Ct; Sunday, September 6, 2020 12:00 p.m. - 9:30 p.m.; Outdoor music, over 50 dBa. [Ward 8]

23. Motion approving beer and liquor license applications. **PASSED 2020-344**

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

Ward 1

Kwik Shop #579 (Kwik Shop, Inc) - 2805 Telegraph Rd - License Type: E Liquor

Veterans of Foreign Wars, F.W. Galbraith Post #828 (Veterans of Foreign Wars, F.W. Galbraith Post #828) - 101 S Linwood Ave - License Type: A Liquor

Ward 2

Casey's General Store #2092 (Casey's Marketing Company) - 6278 North Pine St - License Type: C Beer

Ward 3

Express Lane Gas & Food Mart (Expresslane Inc) - 1139 Brady St – License Type: C Beer

Frick's Tap (LBN, LLC) - 1402 W 3rd St - Outdoor Area - License Type: C Liquor

Mary's on 2nd (Birdland, Inc) - 832 W 2nd St - Outdoor Area - License Type: C Liquor

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

Ward 4

The Putnam (Putnam Museum and Science Center) - 1717 W 12th St - Outdoor Area - License Type: C Liquor

Smokin' Joe's Tobacco and Liquor Outlet #2 (The Outlet Inc) - 1606 W Locust St - License Type: E Liquor

Ward 5

Kwik Shop #588 (Kwik Shop, Inc) - 1136 E Locust St - License Type: E Liquor

Ward 6

Northgate Place (Hy-Vee, Inc) - 1815 E Kimberly Rd - Outdoor Area - License Type: C Liquor

Ward 7

Famous Dave's (Elmore Foods, LLC) - 1110 E Kimberly Rd - License Type: C Liquor

Hooters of Davenport (HOA Restaurant Holder, LLC) - 110 E Kimberly Rd - Outdoor Area - License Type: C Liquor

Phil & Larry's Saloon (P & L, Inc) - 4811 N Brady St, Ste 2 - Outdoor Area - License Type: C Liquor

Ridhi Rose Mart LLC (Ridhi Rose Mart LLC) - 3417 Harrison St – License Type: C Beer

24. Motion approving the plans, specifications, form of contract, and estimate of cost for the 51st St Culvert Reconstruction project, CIP #33046. [Ward 8] **PASSED 2020-345**

25. Motion approving a lease extension between the Izaak Walton League of America and the Davenport Municipal Airport through February 28, 2025. [Ward 8] **PASSED 2020-346**

26. Motion authorizing payment to Bi-State Regional Commission for FY21 member dues in the amount of \$51,338. [All Wards]

PASSED 2020-347

XII. Other Ordinances, Resolutions and Motions

XIII. Public with Business

XIV. Reports of City Officials

XV. Adjourn **6:45 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