

MINUTES OF THE REGULAR MEETING OF THE DAVENPORT CITY COUNCIL
August 23, 2017

ROLL CALL

Mayor Brad Sweet called the meeting to order at 7:00 p.m. Council Members present were: Alan Coriell, Patrick Katz, Nathan Hansen, Pat Rosman, Pete Schweiger, and Theresa Telford.

Absent: Scott Liebing

Nathan Hansen made a motion to excuse Scott Liebing from the meeting. The motion was seconded by Patrick Katz. The motion carried.

Also present were: Shane Gilthvelt, Margie Hall, Gene Hein, Brian Hicks, Steve Goemmel, David Leath, Todd McLaughlin, Marcia Smith, Mark Smith, and Mark Stauffer

MINUTES

Patrick Katz made a motion to accept the minutes from the August 9, 2017 meeting. The motion was seconded by Nathan Hansen. The motion carried.

POLICE REPORT

Sargent Mike Stauffer briefed the City Council on nocturnal activities in the private parking lots adjacent to the City Park. Mike told the City Council that the Sheriff's office is working on a solution to keep the kids and their cars out of these lots. He said the owners of the lots allow public parking in them after their regular business hours. He encouraged the owners to keep the lots open to the public and promised that the Sheriff's office will solve the problem.

Mayor Sweet thanked Sargent Stauffer for his report and his service to the community.

CONFIRMATION OF AGENDA

No Changes

COMMENT / SIGN IN SHEET

Brian Hicks from Century West Engineering signed in to speak to the City Council about the bids on the Seventh Street Wall Replacement Project. Brian told the City Council that the city got three bids for the project. He said the bids were on average 12% higher than the engineering estimates for the cost of this project. He said that DW Excavating was the apparent low bidder. Brian told the City Council that the City's matching amount for the TIB grant would be \$51,000 and there would be no money available for contingencies. He commented that these bids were consistent with the current bidding environment. Brian said that he contacted TIB to see if more money could be available for this project. TIB told him that there was no more money available for this year unless there is an emergency with the wall. Mayor Sweet asked Brian if the wall was safe. Brian commented that the wall doesn't appear to eroding further and it seems stable.

Brian suggested two courses of action. The City Council can accept DW's bid and award the project with a matching amount of \$51,000 and no money for contingencies or they can reject all the bids and rebid this project in the winter time. Brian said Century West recommends rebidding the project in the winter time in hopes of getting a lower bids. Alan Coriell asked if there was chance that the bids could be higher at that point. Brian said that the bidding environment typically is lower in the winter time but future bids could be higher.

Theresa Telford made a motion to reject all the bids for the Seventh Street Wall Replacement Project and to rebid the project this winter. The motion was seconded by Pat Rosman. The motion carried.

Margie Hall signed in to address the City Council. Margie voiced her concerns about the City Council rezoning the land known as Dugger's Annexation to the City of Davenport. Margie is the director of the EDC in Lincoln County and she is concerned that rezoning this property from R-2 to Industrial would limit the available land in town for people to build houses. She commented that the land was originally annexed into the City as a place for residential housing. Margie told the City Council that the city needs room to expand for future growth.

Shane Giltvelt signed in to address the City Council. Shane urged the City not to rezone the property known as Dugger's Annexation to the City of Davenport. Shane is a local business owner and he wants to preserve this property as a place for the City's housing needs. Shane asked the City Council to keep the R-2 zoning designation on this property.

Todd McLaughlin from Avista Corporation signed in. Todd gave the City Council a brief history on how Avista acquired the property known as Dugger's Annexation to the City of Davenport. He said the driving factor in the purchase of this property was the need to build a new substation for Davenport. He said the old substation is dated and needs replacing so Avista can provide power safely and efficiently to the City of Davenport. He said Avista bought the property in July of 2016. Todd told the City Council that he contacted the City this spring about putting in a pole storage yard and was told that the property was not properly zoned for that use. He applied to have the property rezoned from residential two to industrial. He said that the Davenport Planning Commission approved Avista's request to rezone the property in June and at the July 12, 2017 meeting of the City Council the request for approval from the City Council was tabled because an electric substation is not allowed in an industrial zone. The City Council asked the Planning Commission to consider a recommendation to change the zoning ordinance to allow an electric substation in an industrial zone. Todd expressed Avista's desire to work with the City Council to make this project happen. He asked the City Council to approve the rezone.

COMMITTEE REPORTS

Water/Sewer/Garbage

Alan Coriell reported that the Committee met with Dave Hubbard to negotiate alfalfa prices for this year's crop. Dave farms the ground at the sewer lagoons. Alan reported that Committee recommends accepting a price of \$140 dollars per ton for all grades of the alfalfa. Alan said that the first and second cuttings produced 366.7 tons of alfalfa and the quality ranged from premium to fair. The City will receive payment for 1/3 of the production.

Theresa Telford made a motion to accept \$140 per ton for all grades of alfalfa grown by Dave Hubbard at the sewer lagoons. The motion was seconded by Patrick Katz. The motion carried.

Neighbors Helping Neighbors

Nathan Hansen reported no active applications for aid and a balance of \$500.06 in the fund.

MAYOR'S REPORT

Mayor Sweet reminded everyone that the Lincoln County Fair is August 24th – August 26th at the Fairgrounds. He encouraged everyone to attend. He told the City Council that asphalt patching on the streets of Davenport will start on Monday, August 28, 2017 and said the project should take two or three days. The Mayor updated the status of the airport hangar project and the pool repair bids. He said the pool will close for the season on Saturday, August 26, 2017.

The Mayor briefed the City Council on the meeting that he attended at the Lincoln County Museum. He said it was a community meeting to discuss how to help the Museum solve some of its problems and attract more visitors. The Mayor said it good meeting and that there would be a follow up meeting at a later date.

OLD BUSINESS

1. Avista's Request to Rezone the Property known as "PT W2NW of S22-T25N-R37EWM Dugger's Annexation to the City of Davenport from Residential Two to Industrial."

Todd McLaughlin from Avista asked the City Council to rezone the property from residential two to industrial. Alan Coriell asked Todd if the City Council has any choice in the matter. Alan wondered if there was a federal statute that gives Avista the ability to put the substation in even if the City Council won't rezone the property. Todd told Alan that he did consult their legal department and Avista has the ability put substations in areas of need. Todd stressed that he was hoping to work with the City Council and not get the legal department involved. Patrick Katz commented that there is a shortage of housing in Davenport and there is limited land available for housing. Alan asked Todd if Avista would sell the land to a developer if there was one who wanted to put housing in. He said that typically Avista does not sell parcels of land that they acquire and he didn't know of any developers who were interested in the parcel. Todd stressed the need to update the current substation in Davenport and that the lot was too small for a new substation. He offered to bring the real estate guy and the substation guy to the next City Council meeting so the council could gather as much information as possible before they made their decision.

Mayor Sweet asked Todd to consider splitting the parcel in half and only use the north end for industrial uses and leave the south end of the parcel for R-2 uses. Todd said Avista considered this option but they want to use the whole parcel for their development purposes.

Pat Rosman was concerned that the City Council doesn't have enough information at this time to make a sage decision on the rezone. Patrick Katz made a motion to table this request for a rezone until the September 13, 2017 meeting. The motion was seconded by Alan Coriell. Pat Rosman, Pat Katz, Nathan Hansen, Theresa Telford all voted for the motion. Pete Schweiger voted against the motion. The motion carried five votes to one.

NEW BUSINESS

1. First Reading of Ordinance 1113 Amending the Davenport Municipal Code Title 17 Zoning to Allowing an Electric Sub Station in Industrial Zoning. City Administrator Steve Goemmel told the City Council that the current schedule of uses in the zoning code only allows for an electric substation in commercial zoning.

Davenport Planning Commission Chairman Gene Hein told the City Council that the Planning Commission is recommending that the schedule of uses in the zoning ordinance be changed to allow electrical substations in industrial zones

Alan Coriell made a motion to accept Ordinance 1113 at its first and final reading. The motion was seconded by Pat Rosman. The motion carried.

APPROVAL TO PAY BILLS

Theresa Telford made a motion to approve Claims/Vouchers #13799 - #13811 in the amount of \$12,653.70. The motion was seconded by Pat Rosman. The motion carried.

ADJOURNMENT

Theresa Telford made a motion adjourn the meeting. The motion was seconded by Pete Schweiger. The meeting was adjourned at 8:41 p.m.

David M. Leath City Clerk/Treasurer

Mayor Brad Sweet