

City of Davenport

Committee: Public Safety  
Department: Traffic Engineering  
Contact Info: Gary Statz 563-326-7754

Action / Date  
PS 07/27/2006

*cc No Quorum* AUG 2 2006

*1* AUG 16 2006  
*2* SEP 6 2006

Subject:

Ordinance amending Schedule VI of Chapter 10.96 entitled Speed Limits by adding Kimberly Road from 635 feet west of Pine St to 300 feet east of Marquette St as a 40 mph street.

Recommendation:

Approve the ordinance.

Relationship to Goals:

Background:

The City requested approval from the Iowa Department of Transportation (IDOT) to install an automated speed camera for eastbound traffic on W. Kimberly Road (US 6) near Pacific Street. Before the IDOT would give the City permission to install the camera for traffic on their highway, they wanted to be sure that the speed limit was set properly. Based on data collected by City and State staff, the IDOT has recommended that the speed limit on W. Kimberly from west of Pine Street (near Silver Creek) to just east of Marquette Street be raised from 35 mph to 40 mph. The 85<sup>th</sup> percentile speeds, which are normally used to determine speed limits, were consistently between 42 and 43 mph along this 35 mph corridor. The 85<sup>th</sup> percentile speed just west of Silver Creek in the 45 mph zone was 47 mph.

The IDOT believes that a 40 mph speed zone would more appropriately reflect the 85<sup>th</sup> percentile speeds. They also believe that the road conditions are good enough to support a raise from 35 to 40 mph. The new zone would end just east of Marquette because traffic was generally slowing down at that point and there is more shopping activity and congestion east of Marquette. This change in speed limit is not only supported by the IDOT, but also by City staff.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SECTION SCHEDULE VI SPEED LIMITS THERETO BY ADDING KIMBERLY RD FROM 635 FT WEST OF PINE ST TO 300 FT EAST OF MARQUETTE ST AS A 40 MPH STREET

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

Section 1. That Schedule VI Speed Limits of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

Kimberly Rd from 635 ft west of Pine St to 300 ft east of Marquette St as a 40 mph 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.

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Edwin G. Winborn  
Mayor

Attest: \_\_\_\_\_

Jackie Holecek, CMC  
Deputy City Clerk

City of Davenport

Committee: Public Safety  
Department: Traffic Engineering  
Contact Info: Gary Statz 563-326-7754

Action / Date  
PS 07/27/2006

*CC NO QUORUM*

AUG 2 2006  
1. AUG 16 2006  
2. SEP 6 2006

Subject:

Ordinance amending Schedule VI of Chapter 10.96 entitled Speed Limits by adding River Dr from 120 ft east of Federal St to Mound St as a 40 mph street.

Recommendation:

Approve the ordinance.

Relationship to Goals:

Background:

The City requested approval from the Iowa Department of Transportation (IDOT) to install an automated speed camera for westbound traffic on E. River Drive (US 67) near College Avenue. Before the IDOT would give the City permission to install the camera for traffic on their highway, they wanted to be sure that the speed limit was set properly. Based on data collected by City and State staff, the IDOT has recommended that the speed limit on E. River from 120 feet east of Federal Street to Mound Street be raised from 35 mph to 40 mph. The speed limit east of Mound Street is currently 40 mph. The 85<sup>th</sup> percentile speeds, which are normally used to determine speed limits, were as follows (going from west to east along River Drive): Western Ave 38.5 mph, Arsenal Bridge 39.5, Federal St 39.9, Carey St 40.2, Esplanade Ave 43.6, Mississippi Ave 42.8 and Mound St 40.0 mph.

The IDOT believes that a 40 mph speed zone would more appropriately reflect the 85<sup>th</sup> percentile speeds. They also believe that the road conditions are good enough to support a raise from 35 to 40 mph. The new zone would extend from Mound Street to 120 feet east of Federal Street based on the speed data collected. It was at this point where the 85<sup>th</sup> percentile speeds were at 40 mph or higher. Traffic west of this proposed zone was generally slower because of more activity and congestion in the downtown corridor. This change in speed limit is not only supported by the IDOT, but also by City staff.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SECTIONS OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VI SPEED LIMITS THERETO BY ADDING RIVER DR FROM 120 FT EAST OF FEDERAL ST TO MOUND ST AS A 40 MPH STREET

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

Section 1. That Schedule VI Speed Limits of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

River Dr from 120 ft east of Federal St to Mound St as a 40 mph 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.

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Edwin G. Winborn  
Mayor

Attest: \_\_\_\_\_

Jackie Holecek, CMC  
Deputy City Clerk

City of Davenport

Committee: Public Safety  
Department: Traffic Engineering  
Contact Info: Gary Statz 563-326-7754

Action / Date  
PS 07/27/2006  
*CC QUORUM 08/02/06*  
*1. AUG 16 2006*  
*2. SEP 6 2006*

Subject:

Ordinance amending Schedule IV of Chapter 10.96 entitled "3-Way Stop Intersections" by adding 46<sup>th</sup> St at Forest Rd.

Recommendation:

Discuss the ordinance.

Relationship to Goals:

Background:

UPDATE (8/2/06):

During the prior committee meeting, Alderman Meyer asked about the current traffic volume on the newly constructed portion of E. 46<sup>th</sup> St. between Jersey Ridge and Elmore. A count taken by City staff shows a 2-way volume of 2100 vehicles at a point 500 feet west of Elmore. The 2002 DOT traffic count map showed an average daily count of 1260 at the same location. Therefore, traffic has increased approximately 65% at this location in the past 4 years.

The Manual on Uniform Traffic Control Devices (MUTCD) states that an all-way stop is warranted if the major street traffic volume averages 300 vehicles per hour during the highest 8 hours of the day and the minor street volume averages 200 vehicles + pedestrians during those same 8 hours. Manual counts were recently taken at 46<sup>th</sup> and Forest from 11:30 AM to 12:30 PM and from 1:45 PM to 3:45 PM. The average volume on 46<sup>th</sup> Street during those three hours was 135 vehicles and the average on Forest Road was 28 vehicles, far short of the 300/200 threshold stated in the MUTCD. The Manual also allows all-way stop signs where a crash problem, defined as 5 or more in a 12-month period, can be corrected by the stop signs. Our accident files go back to 2002 and there were zero reported crashes at this intersection since 2002.

The reason many people want all-way stop signs on streets is to slow down drivers on the major street. The recently installed 4-way stops on Hillandale Road at 34<sup>th</sup> and 35<sup>th</sup> Streets resulted in a 2 mph drop at a point 200 feet north of 35<sup>th</sup> Street and 200 feet south of 34<sup>th</sup> Street. The drop was 4 mph halfway between the stop signs. Many drivers will accelerate faster after stopping at an unjustified stop sign to make up for lost time. If stop signs are installed on 46<sup>th</sup> Street at Forest, there will be more noise from braking and accelerating, more pollution and there will be no gain in safety since the intersection has been crash-free for many years. Should a driver run the stop sign on 46<sup>th</sup> Street when a driver from Forest is entering the intersection (thinking that

the traffic on 46<sup>th</sup> is stopping for him), the result would be much worse than the current situation. I do not recommend the installation of a 3-way stop at this intersection for all of the reasons listed above.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE IV 3-WAY STOP INTERSECTIONS THERETO BY ADDING 46<sup>TH</sup> ST AT FOREST RD

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

Section 1. That Schedule IV 3-Way Stop Intersections of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

46<sup>th</sup> St at Forest Rd

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.

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Edwin G. Winborn  
Mayor

Attest: \_\_\_\_\_

Jackie Holecek, CMC  
Deputy City Clerk

City of Davenport

Committee: Public Safety  
Department: Parks & Recreation/Legal  
Contact Info: Dan Sherman 326-7817; Brian Heyer 326-7735

Action / Date  
August 10, 2006

*/.* AUG 16 2006  
*2.* SEP 6 2006

Subject: AN ORDINANCE AMENDING SECTION 9.40.010 OF THE DAVENPORT MUNICIPAL CODE ENTITLED "UNLAWFUL USE".

Recommendation: Consider adopting the ordinance.

Relationship to Goals:

Background:

For the past several years the city has been the recipient of increasing complaints concerning deer depredation. In response to the increasing number of complaints the city amended Chapter 9.40 a few years ago to allow owners of certain property to obtain deer depredation permits from the Iowa Department of Natural Resources.

The deer population has increased within our urban setting faster than deer depredation permit hunting and deer/vehicle accidents have reduced it. For that reason the city has discussed implementing a deer management program to replace the depredation permit procedure.

The deer management program would allow deer hunting on more land within the city than was allowed under deer depredation permit hunting. The deer management program would allow for bow hunting on city-owned property which would include: along the bike path from Duck Creek Golf Course to Marquette Street; along the bike path from Emeis Golf Course to Pine Street; Southwest Park between Ricker Hill and Telegraph Road; and privately owned land with the landowner's written consent. All hunters would be required to pass a proficiency test and agree to comply with all Iowa hunting regulations and the city's deer management plan which is attached.

The goal of the deer management program is to reduce the number of female deer within the city limits which should reduce the urban deer population over a period of time. Adoption of the proposed ordinance would implement the deer management program.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 9.40.010 ENTITLED "UNLAWFUL USE" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA.

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

Section 1. That Section 9.40.010 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

9.40.010 Unlawful use.

It is unlawful for any person to play ball, throw stones or snowballs or other things in any street, alley or public place; or to shoot with or use a bow and arrow, or use any toy commonly known as a slingshot or rubber band gun or any other dangerous toy or instrument anywhere within the limits of the city; provided however, that the foregoing shall not apply to playing ball in public parks. Any person violating this section shall be guilty of a simple misdemeanor.

Nothing in this section shall prohibit the hunting of deer with bow and arrow pursuant to and during a municipally declared urban deer control hunt in accordance with the city's deer management program provided the bow hunter has obtained proper licensing from the State of Iowa and been issued a permit to bow hunt by the city prior to engaging in a deer hunt. Bow hunters shall at all times abide by the city's deer management plan while engaged in a deer control hunt within the city.

~~—The provisions of this section shall not prohibit any person who has a valid hunting license, deer hunting license and habitat stamp, or who otherwise meets the requirements of the state of Iowa to be eligible to hunt deer within the state, from hunting deer utilizing a bow and arrow during bow hunting season within the city subject to the following requirements:~~

~~—A. Such use occurs on private, nonpublic property zoned for use as "A-1" Agricultural District and not less than three acres in area;~~

~~—B. All bow hunting activity shall be limited to the owner of said land and his or her immediate family;~~

~~—C. The property on which the bow hunting is occurring is posted with signs warning the public that bow hunting is taking place on the property;~~

- ~~—D. A hunter cannot hunt within three hundred feet of any dwelling or building;~~
- ~~—E. A hunter cannot carry an uncased bow or loaded bow within three hundred feet of any dwelling, building, public right of way or public property;~~
- ~~—F. A hunter cannot position or use an elevated stand within three hundred feet of any dwelling, building, public right of way or public property;~~
- ~~—G. Every person hunting pursuant to this section shall, while hunting, show the person's license to any peace officer when requested to do so;~~
- ~~—H. No hunter under the age of eighteen years of age shall be permitted to bow hunt within the city.~~

**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.

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
 Edwin G. Winborn  
 Mayor

Attest: \_\_\_\_\_  
 Jackie Holecek, CMC  
 Deputy City Clerk

City of Davenport

Committee: Public Safety  
Department: Traffic Engineering  
Contact Info: Gary Statz 563-326-7754

Action / Date  
PS 08/31/2006  
/. SEP 6 2006

Subject:

Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by deleting West 10<sup>th</sup> St along the north side from Madison St to Fillmore St.

Recommendation:

Adopt the ordinance.

Relationship to Goals:

Revitalized Neighborhoods & Corridors

Background:

Parking was removed from the north side of 10<sup>th</sup> Street between Division and Madison in early 2005. After that no parking zone was enacted, I received some calls asking that the zone be extended all the way to Fillmore. After polling the residents, we received only one objection from a resident on the south side. She didn't want her neighbors on the north side parking in front of her home.

Since the parking was removed from Madison to Fillmore late last year, I have received calls from some of the residents claiming that there is now a shortage of parking on the street. When the ordinance was enacted last year, I stated that I was willing to let the neighborhood decide the parking issue on the street because safety was not an overriding factor in the decision. Many people who did not respond to our survey last year are responding now, and they want the parking restored. Even though the street is fairly narrow, I believe that it can accommodate the extra parking, as it did for many years before the ordinance was changed last year.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SECTIONS OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII NO PARKING THERETO BY DELETING W 10<sup>TH</sup> ST ALONG THE NORTH SIDE FROM MADISON ST TO FILLMORE ST.

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

Section 1. That Schedule VII No Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by deleting the following:

W 10<sup>th</sup> St along the north side from Madison St to Fillmore St

**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.

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Edwin G. Winborn  
Mayor

Attest: \_\_\_\_\_  
Jackie Holecek, CMC  
Deputy City Clerk

City of Davenport

Committee: Public Safety  
Department: Traffic Engineering  
Contact Info: Gary Statz 563-326-7754

Action / Date  
PS 08/31/2006  
/ **SEP 6 2006**

**Subject:**

Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding E 59<sup>th</sup> St along the south side from 1550 ft east of Brady St east 290 ft from 4 AM to 7 PM.

**Recommendation:**

City Administrator recommends denial.

**Relationship to Goals:**

A Growing Local Economy

**Background:**

In 2004, a parking zone was created in front of the Links Gentlemen's Club at 643 E. 59<sup>th</sup> Street to accommodate spillover parking from the establishment's parking lot. The zone is only available from 7:00 PM to 2:00 AM and on one side of the street adjacent to the club. Traffic is fairly light and the other businesses along 59<sup>th</sup> Street are closed during that time. The Links is now called the Amsterdam and they have changed to a "bring your own beer/wine" establishment. With that change, they can stay open until 4:00 AM. The owners have requested that the time on the zone be extended so that their customers aren't forced to move their cars before 2:00 AM.

From a traffic engineering standpoint, it doesn't matter if those vehicles are on the street for another two hours. Our goal is to have the parking limited to the one side of the street, keep it in front of the club and to have the street clear before the morning commute begins. There have been issues with littering and parking in no parking zones, thus causing problems for through traffic. The owners have recently reached an agreement with Capri College to lease 100 spaces for nighttime parking. I don't anticipate more parking problems if the time were to be extended to 4:00 AM on the street.

Notwithstanding the foregoing analysis by the Traffic Engineer, the City Administrator recommends denial.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SECTIONS OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII NO PARKING THERETO BY ADDING E 59<sup>TH</sup> ST ALONG THE SOUTH SIDE FROM 1550 FT EAST OF BRADY ST EAST 290 FT FROM 4 AM TO 7 PM.

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

Section 1. That Schedule VII No Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

E 59<sup>th</sup> St along the south side from 1550 ft east of Brady St east 290 ft from 4 AM to 7 PM.

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.

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Edwin G. Winborn  
Mayor

Attest: \_\_\_\_\_

Jackie Holecek, CMC  
Deputy City Clerk

City of Davenport

Committee: Public Safety  
Department: Traffic Engineering  
Contact Info: Gary Statz 563-326-7754

Action / Date  
PS 09/14/2006

**Subject:**

Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Zenith Ave along the west side from Central Park Ave south 260 ft.

**Recommendation:**

Adopt the ordinance.

**Relationship to Goals:**

Revitalized Neighborhoods & Corridors

**Background:**

Zenith Avenue is a 20 foot wide seal coat road with narrow gravel shoulders. Allowing parking on both sides of the street makes it difficult to travel through this corridor, especially in the winter. A petition was submitted with 18 signatures asking for this parking to be removed. Everyone directly affected by the parking change had signed the petition.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SECTIONS OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII NO PARKING THERETO BY ADDING ZENITH AVE ALONG THE WEST SIDE FROM CENTRAL PARK AVE SOUTH 260 FT.

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

Section 1. That Schedule VII No Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Zenith Ave along the west side from Central Park Ave south 260 ft.

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.

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Edwin G. Winborn  
Mayor

Attest: \_\_\_\_\_

Jackie Holecek, CMC  
Deputy City Clerk

City of Davenport

Committee: Public Safety  
Department: City Clerk's Office  
Contact Info: Jackie E. Holecek, Deputy City Clerk

Action / Date  
PS 09/14/06

**Subject:**

Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).

**Recommendation:**

Approve the resolution.

**Relationship to Goals:**

Support of local activities.

**Background:**

The attached resolution list(s) various requests received for street(s), lane(s) or public grounds to be temporarily closed to hold outdoor events.

RESOLUTION NO. 2006-

Resolution offered by Alderman Barnhill

Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).

RESOLVED by the City Council of the City of Davenport.

Whereas, the City through its Special Events Policy has accepted the following application(s) to hold an outdoor event(s) on the following date(s), and

Whereas, upon review of the application(s) it has been determined that the street(s), lane(s) or public grounds listed below will need to be closed, and

NOW, THEREFORE, BE IT RESOLVED that the City Council approves and directs the staff to proceed with the temporary closure of the following street(s), lane(s) or public grounds on the following date(s) and time(s):

*Entity: Paddy's Pub, Carriage Haus and Mac's*

*Event: Fall Pub Crawl*

*Date: Thursday, September 28, 2006*

*Time: 4:00 p.m. - 2:00 a.m.*

*Closure Location: Third Street between Ripley and Harrison (parking lane and one travel lane)*

Approved this 20th day of September, 2006.

Attest:

Approved:

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Jackie E. Holecek, CMC  
Deputy City Clerk

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Edwin G. Winborn  
Mayor