

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, November 16, 2016; 5:30 PM

City Hall, 226 West 4th Street

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing for the Ordinance for Case No. REZ16-10 being the petition of Derrick Nix for the rezoning of 0.753 acre (32,800 sqft), more or less, of real property located at the southeast corner of West 53rd and Marquette Streets (Lot 1 of Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential development. [Ward 7]

THE PROTEST RATE EXCEEDS 20% (REQUIRES EIGHT VOTES FOR PASSAGE, THREE-FOURTHS VOTE IF ABSTENTION FOR CONFLICT OF INTEREST) THE PROTEST RATE IS 33.7%.

2. Public Hearing for the Ordinance for Case No. ORD16-02 being the petition of the City of Davenport for a Zoning Ordinance Text Amendment to Chapter 17.23, entitled "Historic Preservation" by amending eligibility and composition requirements. [All Wards]

B. Finance

1. Public hearing for the purpose of amending the North Urban Renewal Area Plan. [Wards 2, 6, 7 & 8]
2. Public hearing for the transit route changes implemented on July 5, 2016. [All Wards]

VII. Presentations

VIII. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update - Alderman Rawson, Chair

IX. Action items for Discussion

COMMUNITY DEVELOPMENT

Bill Boom, Chairman; Kyle Gripp, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. First Consideration: Ordinance for Case No. REZ16-10 being the petition of Derrick Nix for the rezoning of 0.753 acre (32,800 sq. ft.), more or less, of real property located at the southeast corner of West 53rd and Marquette Streets (Lot 1 Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential development.
[Ward 7]

THE PROTEST RATE EXCEEDS 20% (REQUIRES EIGHT VOTES FOR PASSAGE, THREE-FOURTHS VOTE IF ABSTENTION FOR CONFLICT OF INTEREST) THE PROTEST RATE IS 33.7%.

2. First Consideration: Ordinance for Case No. ORD16-02 being the petition of the City of Davenport for a Zoning Ordinance Text Amendment to Chapter 17.23, entitled "Historic Preservation" by amending eligibility and composition requirements. [All Wards]
3. Resolution approving a Collaboration & Intergovernmental Agreement among Moline, Rock Island, Davenport, and Public Housing Authorities to prepare a joint Assessment of Fair Housing plan. [All Wards]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Mike Matson, Chairman; Maria Dickmann, Vice Chairman

III. PUBLIC SAFETY

1. Motion approving beer and liquor license applications.
 - A. New license, new owner, temporary permit, temporary outdoor area, location transfer, etc. (as noted):

Ward 3

Front Street Brewery, Inc. (Front Street Brewery, Inc.) - 421 W River Dr., Suite 3 & 4) -
Premise update to add Suite 3 to licensed premise - License Type: C Liquor

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

Ward 1

Jimmie O's Saloon (Oldham Enterprizes LLC) - 2735 Telegraph Rd. - License Type:
C Liquor

Lulac Club (LULAC Council #10 Inc.) - 4224 Ricker Hill Rd. - License Type: C Liquor

Sub Express & Gas (Janki Food Mart, Inc.) - 4307 W Locust St. - License Type: E Liquor / B Native Wine / C Beer

Ward 2

Probstei Bar & Grill (Probstei Bar and Grill Inc.) - 6315 W Kimberly Rd. - License Type: C Liquor

Ward 3

The Col Ballroom (Leigh Reitz) - 1012 W 4th St. - License Type: C Liquor

Dam View Inn (VanDamQC LLC) - 410 E 2nd St. - Outdoor Area - License Type: C Liquor

Falbo Bros. Pizzeria (BMG Pizza LLC) - 131 W 2nd St., Suite 100 - Outdoor Area - License Type: C Liquor

Fresh Deli By Nostalgia Farms (Nostalgia Farms Market Inc.) - 421 W River Dr., Suite 2 - Outdoor Area - License Type: C Liquor

Mac's Tavern (Failte, Inc.) - 316 W 3rd St. - Outdoor Area - License Type: C Liquor

The New Wooden Nickel, Inc. (The New Wooden Nickel, Inc.) - 2042 W 3rd St. - License Type: C Liquor

Ward 4

Azteca Express Restaurant, Inc. (Azteca Express Restaurant, Inc.) - 1902 N Division St., Suite 5 - License Type: C Liquor

Ward 5

Riverside Liquor (Vardaan Inc.) - 826 E River Dr. - License Type: E Liquor / B Native Wine / C Beer

Ward 6

Bleyart's Tap (Bleyart's Tap, Inc.) - 2218 E 11th St. - Outdoor Area - License Type: C Liquor

Huhot Mongolian Grill (CCW, LLC) - 3006 E 53rd St. - License Type: Beer / Wine

Ward 7

Bley's Tap (JBCW, LLC) - 215 E 29th St. - License Type: C Liquor

Brady Oil (Brady Oil LLC) - 3205 N Brady St. - License Type: C Beer

The Gallery (Nelson Securities, Inc.) - 3727 Esplanade Ave. - Outdoor Area - License Type: C Liquor

Q C Mart (Bethany Enterprises, Inc.) - 3545 Eastern Ave. - License Type: C Beer

Rivals Sports Bar and Grill (Rivals Sports Bar and Grill LLC) - 1720 E Kimberly Rd. - License Type: C Liquor

Ward 8

Casey's General Store #2168 (Casey's Marketing Company) - 1691 W 53rd St. - License Type: C Beer

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Ray Ambrose, Chairman; Rick Dunn, Vice Chairman

V. PUBLIC WORKS

1. Second Consideration: Ordinance amending Chapter 15.12 by adopting the 2015 International Building Code and the 2015 International Residential Code as published by the International Code Council. [All Wards]
2. Second Consideration: Ordinance amending Chapter 15.24 by adopting the 2015 International Mechanical Code as published by the International Code Council and as adopted by the State of Iowa. [All Wards]
3. Second Consideration: Ordinance amending chapter 15.28 by adopting the 2015 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials and as adopted by the State of Iowa Plumbing Code. [All Wards]
4. Second Consideration: An ordinance to repeal Chapter 15.30 of the 2000 Municipal Code of Davenport, Iowa, entitled "Contractor Licenses - Bond - Insurance Required" and enact as a replacement a new chapter 15.30 entitled "Contractor License - Bond - Insurance Required ". [All Wards]
5. Resolution accepting the work completed under the FY2015 resurfacing contract with Langman Construction, Inc. Total cost was \$1,340,000 budgeted in CIP #10550. [Wards 4, 5, 7 & 8]
6. Motion approving change order #1 in the amount of \$28,000 for additional design cost for the Runway 15/33 Reconstruction Project, CIP #20003. The city will be reimbursed up to 90% by the Airport Improvement grant. [Ward 8]
7. Motion approving the submittal of the FAA Airport Improvement Program grant pre-application for FY2018 through FY2020. [Ward 8]
8. Motion to approve the purchase agreement for the acquisition of right-of-way and temporary construction easement from Heather L. Wilkerson in the amount of

\$59,000. This parcel of land is located in Woodland Ct and the acquisition is for the Veterans Memorial Parkway project, CIP #02418. [Ward 6]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

Jason Gordon, Chairman; Kerri Tompkins, Vice Chairman

VII. FINANCE

1. Second Consideration: Ordinance amending Chapter 5.21 entitled "Vehicles for Hire in Title 5, Business Licensing and Regulation. [All Wards]
2. Resolution approving an internal advance to the Tax Increment Fund for Administrative Costs. [Wards 2, 6, 7 & 8]
3. Resolution amending rates for the RiverCenter, Redstone, and Harrison Street Parking Ramps effective January 1, 2017. [Ward 3]
4. Motion approving the transit route changes first implemented on July 5, 2016. [All Wards]
5. Motion allowing staff to negotiate and execute a professional services contract for zoning rewrite services with Camiros of Chicago, IL. [All Wards]
6. Motion approving the purchase of two pumps from Xylem Dewatering Solutions of Bridgeport, NJ in the amount of \$89,300. [All Wards]
7. Motion awarding the purchase of five Police SUVs to Courtesy Ford of Davenport in the amount of \$165,000. [All Wards]
8. Motion approving the purchase of police squad SUV equipment from Keltek, Inc. of Baxter, IA in the amount of \$51,082. [All Wards]
9. Motion awarding a contract for snow hauling services for the 2016-17 winter season to all responding contractors. [All Wards]

VIII. Motion recommending discussion or consent for Finance items

X. PURCHASES OF \$10,000 TO \$50,000 (For Information Only)

1. Graybar Electric - LED fixtures for River's Edge - Amount: \$22,293
2. David McAdam & Associates - Demolition of 641 E. Locust Street - Amount: \$22,000
3. Continental Fire - 15 PTAC units for Heritage - Amount: \$18,975
4. eGov Strategies - eGov website module for payments - Amount: \$13,804

XI. Other Ordinances, Resolutions and Motions

XII. Public with Business

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

Agenda Group: Committee of the Whole
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 7th

Action / Date
11/16/2016

Subject:

Public Hearing for the Ordinance for Case No. REZ16-10 being the petition of Derrick Nix for the rezoning of 0.753 acre (32,800 sqft), more or less, of real property located at the southeast corner of West 53rd and Marquette Streets (Lot 1 of Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential development. [Ward 7]

THE PROTEST RATE EXCEEDS 20% (REQUIRES EIGHT VOTES FOR PASSAGE, THREE-FOURTHS VOTE IF ABSTENTION FOR CONFLICT OF INTEREST) THE PROTEST RATE IS 33.7%.

Recommendation:

The Commission has reviewed the concept plan and elevations and feels that these address the concerns of the neighbors relating to the character of development and compatibility to the surrounding properties.

Findings:

- The rezoning is compatible with the Comprehensive Plan RG designation. The proposal supports infill development.
- The concept plan and elevations are compatible with the existing residential development.

Recommendation:

The Plan and Zoning Commission accepts the findings and forwards Case No. REZ16-10 to the City Council for approval subject to the following conditions:

1. That the final development plan substantially conform to the proposed renderings and site plan (conformance may allow for reconfiguration of the footprint and layout on the property);
2. That significant deviation from the proposed renderings and site plan will require revision to the concept plan following the rezoning process with public hearing.

The Commission vote was 8-yes, 1-no (Reinartz) and 0-abstention.

**THE PROTEST RATE EXCEEDS 20% (REQUIRES EIGHT VOTES FOR PASSAGE, THREE-FOURTHS VOTE IF ABSTENTION FOR CONFLICT OF INTEREST)
THE PROTEST RATE IS 33.7%.**

Relationship to Goals:

Welcome investment.

Background:

The Planned Unit Development (PUD) does require a final development plan review also submitted for Council review and approval. The petitioner has submitted renderings, a concept

plan and likely floor layouts for the proposed development (concepts attached). Two 2-unit buildings are being proposed. Each unit would contain approximately 2,200 square feet including the finished basement areas. The above ground habitable area would be slightly over 1,300 square feet. Both these square foot totals exclude the garage footprint. The developer has indicated his preference to keep the deeper setback off of 53rd Street. Note: with the addition of a berm and judicious landscaping to reduce traffic noise a reduced setback would provide additional play area in the rear yard. Also there are window types that can reduce the impact of traffic noise. Either way, a replat or re-subdivision would be necessary to remove the setback line.

Density - According to the Comprehensive Plan's future land use designation for Residential General: Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

This location is a transition area between an older larger lot single family area (Stewarts Additions) and a newer smaller lot development (Oakbrook Additions). Some of the adjacent larger lots appear due to remnant land that could not be accessed by a public street. It also appears to have been a practice to have larger lots along the major roadways, such as Northwest Boulevard. Also several of the homes south of 53rd Street were built prior to the area being annexed into the City and under County requirements.

As a transition area along the edge of this "neighborhood area" the RG designation allows for increased density to be considered. Density can have the effects of adding children to declining school enrollments and increasing ridership on transit routes. Density near commercial nodes increases their viability as well as creating more walkable and connected developments. The one and one-half story design is in keeping with the neighborhood character.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Exhibit	REZ16-10 Public hearing notice
▣ Backup Material	REZ16-10 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	11/8/2016 - 5:08 PM
Community Development Committee	Berger, Bruce	Approved	11/8/2016 - 5:09 PM
City Clerk	Admin, Default	Approved	11/8/2016 - 5:29 PM

TO BE PUBLISHED IN THE WEDNESDAY NOVEMBER 09, 2016 ADDITION OF THE QUAD CITY TIMES, HAVING THE NOTICE BILLED TO PO NO. 1706535 AND RECEIVING THE PROOF OF PUBLICATION PRIOR TO THE PUBLIC HEARING

TO WHOM IT MAY CONCERN:

There is on file in the Community Planning and Economic Development Department of the City of Davenport, the following petitions:

Case No. REZ16-10 being the petition of Derrick Nix for the rezoning of 0.753 acre (32,800 sqft), more or less, of real property located at the southeast corner of West 53rd and Marquette Streets (Lot1 Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential development. [Ward 7]

The property has the following legal description:

Part of the Southwest Quarter of Section 11, Township 78 North, Range 03 East of the 5th P.M. being more particularly described as follows:

Lot 1 of Thornburg First Addition to the City Of Davenport, Scott County, Iowa. Said tract contains 0.75 acre, more or less.

The City Plan and Zoning Commission forwards Case No. REZ16-01 to the City Council with a recommendation for approval subject to the following conditions:

1. That the final development plan substantially conform to the proposed renderings and site plan (conformance may allow for reconfiguration of the footprint and layout on the property)
2. That significant deviation from the proposed renderings and site plan will require revision to the concept plan following the rezoning process with public hearing.

A public hearing on this ordinance will be held before the Committee of the Whole in the Council Chambers, City Hall, Davenport, Iowa on Wednesday, November 16, 2016, at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances. PO NO. 1706535.

Department of Community Planning & Economic Development

Phone: (563) 326-7765

Email: planning@ci.davenport.ia.us



November 01, 2016

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of November 01, 2016, the City Plan and Zoning Commission considered Case No. REZ16-10 being the request of Derrick Nix for the rezoning of 0.753 acre (32,800 sqft) or real property located at the southeast corner of West 53rd and Marquette Streets (Lot1 Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential condominium development.

The Commission has reviewed the concept plan and elevations and feels that these address the concerns of the neighbors relating to the character of development and compatibility to the surrounding properties.

Findings:

- The rezoning is compatible with the Comprehensive Plan RG designation.
- The proposal supports infill development.
- The concept plan and elevations are compatible with the existing residential development.

Recommendation:

The Plan and Zoning Commission accepts the findings and forwards Case No. REZ16-10 to the City Council for approval subject to the following conditions:

1. That the final development plan substantially conform to the proposed renderings and site plan (conformance may allow for reconfiguration of the footprint and layout on the property)
2. That significant deviation from the proposed renderings and site plan will require revision to the concept plan following the rezoning process with public hearing.

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED						
Name:	Roll Call	REZ16-10 Derrick Nix 53rd & Marquette Sts	CrowValley Plaza 10th						
Connell	P	Y	Y						
Hepner	P	Y	ABST						
Inghram	P								
Kelling	P	Y	Y						
Lammers	P	Y	Y						
Maness	P	Y	Y						
Martinez	P	Y	Y						
Medd	Ex								
Quinn	P	Y	ABST						
Reinartz	P	N	Y						
Tallman	P	Y	Y						
		8-YES 1-NO 0-ABSTAIN	7-YES 0-NO 2-ABSTAIN						

REZ16-10
DERRICK NIX

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
FORMAT ROW	0.00	0.0%		0.0%				
W1023C05	395	0.1%		0.0%	1316 W 53RD ST	BRYAN F PURDY	208 FAIRWAY CIR	ELDRIDGE IA 52748
W1023C06	6032	2.2%		0.0%	5306 MARQUETTE ST	THAC DANG	5836 HEATHER AVE	DAVENPORT IA 52807-2781
X1117D09	10628	3.9%		0.0%	5311 MARQUETTE ST	GUS J PAPPAS	5311 MARQUETEE ST	DAVENPORT IA 52806
X1117D10	9600	3.6%	NO	0.0%		DIANA F BRUEMMER REV TRUST	DONALD J BRUEMMER REV TRUS	9 W 54TH ST
X1117D11	9342	3.5%	YES	3.5%	1212 W 53RD ST	AUNDREA L WHITE	1212 W 53RD ST	DAVENPORT IA 52806
X1117D12	7163	2.7%	YES	2.7%	1206 W 53RD ST	WALTER T CUSTER	1206 W 53RD ST	DAVENPORT IA 52806
X1117-08A	720	0.3%		0.0%	1130 W 53RD ST	LUTHERAN HOME FOR THE AGED	PO BOX 559	VINTON IA 52349-0559
P1109-11	26209	9.7%	YES	9.7%	1207 W 53RD ST	LESTER R BAKER	GLENNYS E BAKER	1207 W 53RD ST
P1109-10	30694	11.4%		0.0%	1135 W 53RD ST	RONALD W VOORHIES	1135 W 53RD ST	DAVENPORT IA 52806
P1109-13A	28398	10.5%	YES	10.5%	5135 MARQUETTE ST	STEVEN T HIRSCH	MERIDETH K HIRSCH	2408 WILLOW BROOK DR
P1109-14	15904	5.9%	YES	5.9%	5125 MARQUETTE ST	STEVEN T HIRSCH	MERIDETH K HIRSCH	2408 WILLOW BROOK DR
P1109-15	1617	0.6%		0.0%	5115 MARQUETTE ST	KENNETH W LORENZ	& WIFE	5115 MARQUETTE ST
M1039-02	4070	1.5%		0.0%	5205 MARQUETTE ST	TODDL WATTS	SUSAN K WATTS	5202 MARQUETTE ST
M1039-03	5121	1.9%		0.0%	1311 W 53RD ST	JOHN W GOSLOWSKY II	LETICIA M GOSLOWSKY	1311 W 53RD ST
M1039-04	120	0.0%	YES	0.0%	1321 W 53RD ST	GREGORY D HOLST	BRITTENY A HOLST	1321 W 53RD ST
M1039-09B	3548	1.3%	YES	1.3%	1315 W 53RD ST	CATHERINE M IANNUZZELI	1315 W 53RD ST	DAVENPORT IA 52806
M0139-09A	13579	5.0%		0.0%	1305 W 53RD ST	DEBBIE L BECK	1305 W 53RD ST	DAVENPORT IA 52806
FORMAT ROW	0.00	#REF!		0.0%				

PARCELS 173,140.0 64.3%
ROW 96,174.0 35.7%

Alderman: TOMPKINS & MATSON

TOTAL
NOTICE AREA 269,314.0 100% **33.7% PROTEST RATE**

Protests: 7

Properties: 17



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

Meeting Date: November 01, 2016
October 18, 2016 - tabled
Request: Rezone 0.753 acre from R-2 to R-3 PUD
Address: Lot 1 Thornburg First Addition (SE corner 53rd & Marquette Sts.)
Case No.: REZ16-10
Applicant: Derrick Nix

Recommendation:

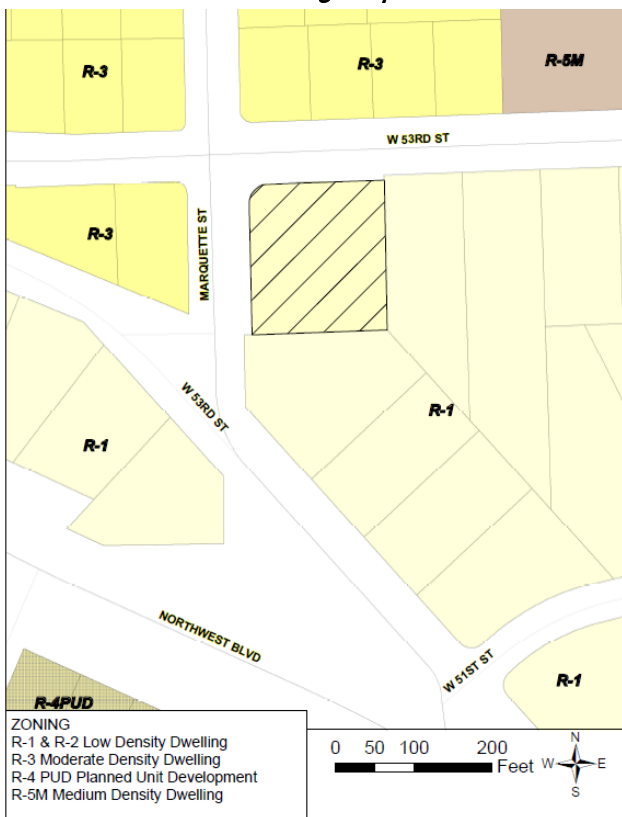
Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. REZ16-10 to the City Council for approval subject to the listed conditions.

Introduction:

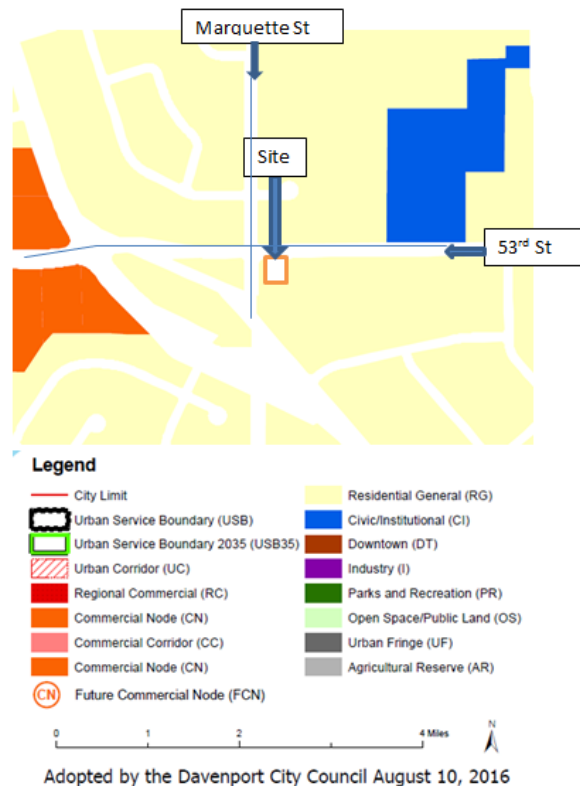
Request of Derrick Nix for the rezoning of 0.753 acre (32,800 sqft) or real property located at the southeast corner of West 53rd and Marquette Streets (Lot1 Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential condominium development.

AREA CHARACTERISTICS:

Zoning Map



Future Land Use Map





Aerial Photo 2014

0 50 100 200 Feet



Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Boundary +2035: Yes

Future Land Use Designation: *Residential General (RG)* - Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, *with the exception along edges and transition areas, where higher intensity may be considered. (italics added)*

Relevant Goals to be considered in this Case:

Identify and reserve land for current and future development – *encourage a full range of development.*

Zoning:

The property is currently zoned “R-2” Low Density Dwelling District.

Technical Review:

Streets. The property is located at the southeast corner of the intersection of West 53rd and Marquette Streets. No direct access to 53rd Street is allowed and access to Marquette is restricted to 150 feet south of 53rd Street by platting conditions.

Storm Water. Stormwater infrastructure appears to be by overland flow of surface run-off.

Sanitary Sewer. Sanitary sewer service is located in West 53rd Street and Marquette Street to the south.

Other Utilities. This is an urban area and normal utility services are available.

Emergency Services. The property is located approximately 1-1/2 miles from both Fire Stations No. 3 at 3506 Harrison Street and No. 7 at 2302 West 67th Street.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

Public Input & commentary:

The public hearing before the Plan and Zoning Commission is held October 04th. A neighborhood meeting was held on September 27th and ten (10) members of the public were present. The primary concerns were the type of residential proposed, whether it would begin as owner occupied or strictly rental, and whether the style (architecture) of the building(s) would fit, be compatible, with the surrounding development. Lighting and traffic at the intersection was also mentioned.

At the public hearing concerns related to ownership vs rentals, income of tenants, increased traffic and current accidents at intersection, vandalism in the area, quality of the building(s), number of units creating smaller play area for children, and the building compatibility (fit) with the neighborhood. Most agreed that two houses would be okay. Submitted protests mirror the comments at the public hearing.

- Ownership vs rental - The City cannot legally restrict a homeowner from renting their single family home. According to the City Assessor's records it appears there are four existing single family rental units within the 200-foot notice area.
- Accidents - Over the past three years there have been a total of 12 accidents: 7-right-angle, 5-rear-end and 1-pedestrian. According to the reports the right-angle accidents were combinations of weather conditions, vehicle malfunction and red-light turning. The rear-end accidents were due to weather conditions and following too closely, while the pedestrian accident was a bicyclist disobeying the traffic signal.
- Traffic: According to Iowa DOT counts, traffic on this segment of Marquette Street (south of 53rd) actually decreased from 2011 to 2014 with minor increases on adjacent major street.
- Building compatibility – The proposed building elevations show a 1-1/2 story configuration (see attached concepts). This should be in keeping with the surrounding homes as opposed to a 2- or 2-1/2 story look. The surrounding properties contain 1, 1-1/2 and 2 story residences.
- Vehicle speed: This is a posted school zone with a 25 MPH speed limit that extends west of the signaled intersection at Marquette St. During no school hours the speed limit is posted as 35 MPH. Marquette Street is posted as 25 MPH.

A second neighborhood meeting was held with the developer sharing the concept plans as shown in the discussion portion of the report.

Selected History:

The property was zoned to the R-2 designation and platted for two single family lots in 1997 in anticipation of additional residential development (2-detached houses). It was subsequently replatted as one lot in 1998 by the Lighthouse Christian Church. The 50 and 30 foot building setback lines were added with the first plat.

Discussion:

The petitioner has submitted renderings, a concept plan and likely floor layouts for the proposed development (concepts attached). Two 2-unit buildings are being proposed.



Each unit would contain approximately 2,200 square feet including the finished basement areas. The above ground habitable area would be slightly over 1,300 square feet. Both these square foot totals exclude the garage footprint.

Density - According to the Comprehensive Plan's future land use designation for Residential General: Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

This location is a transition area between an older larger lot single family area (Stewarts Additions) and a newer smaller lot development (Oakbrook Additions). Some of the adjacent larger lots appear due to remnant land that could not be accessed by a public street. It also appears to have been a practice to have larger lots along the major roadways, such as Northwest Boulevard. Also several of the homes south of 53rd Street were built prior to the area being annexed into the City and under County requirements.

As a transition area along the edge of this "neighborhood area" the RG designation allows for increased density to be considered. Density can have the effects of adding children to declining school enrollments and increasing ridership on transit routes. Density near commercial nodes increases their viability as well as creating more walkable and connected developments.

The one and one-half story design is in keeping with the neighborhood character.

Staff Recommendation:

Staff has reviewed the concept plan and elevations and feels that these address the concerns of the neighbors relating to the character of development and compatibility to the surrounding properties. Findings:

- The rezoning is compatible with the Comprehensive Plan RG designation.
- The proposal supports infill development.
- The concept plan and elevations are compatible with the existing residential development.

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. REZ16-10 to the City Council for approval subject to the following conditions:

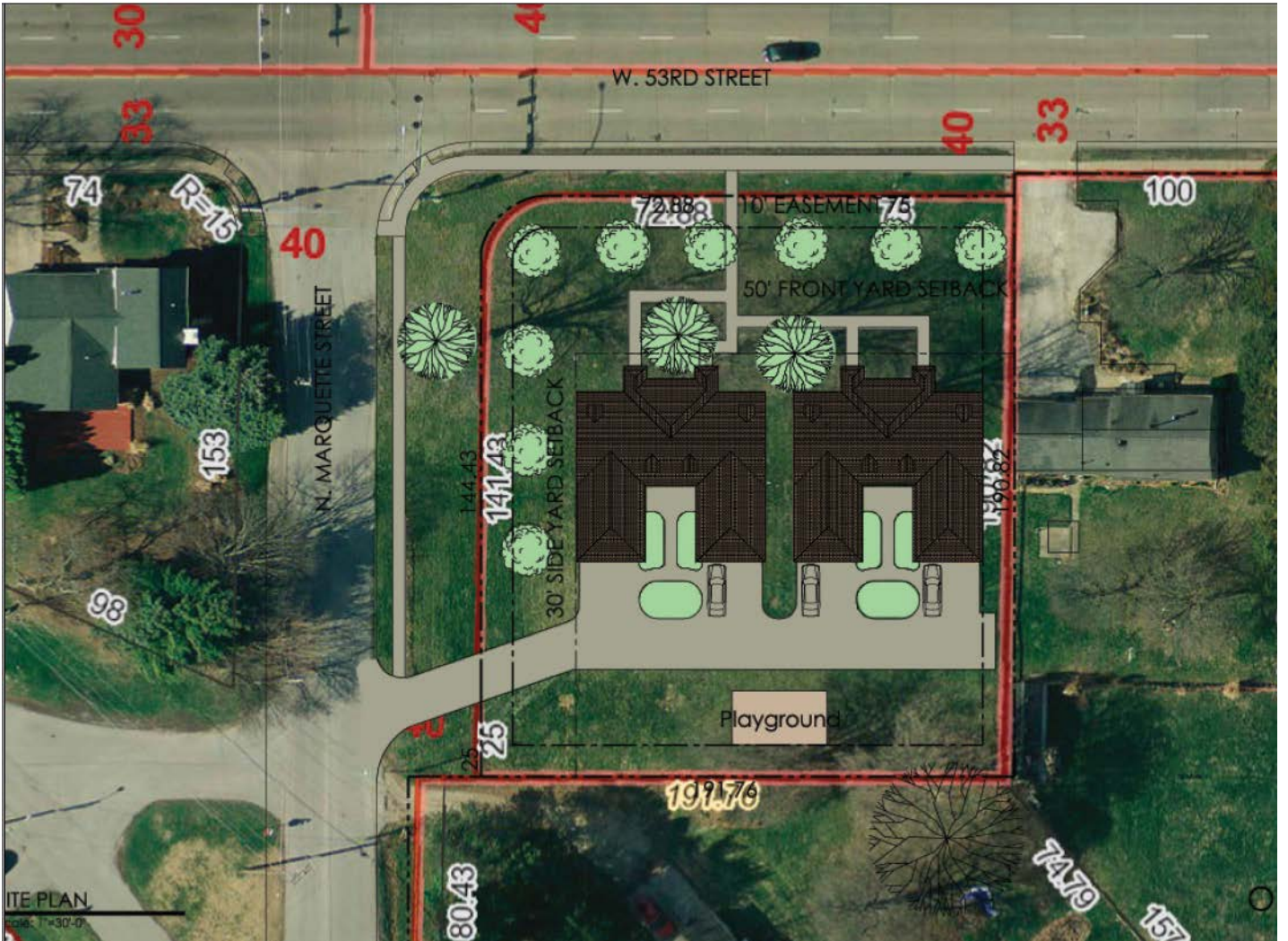
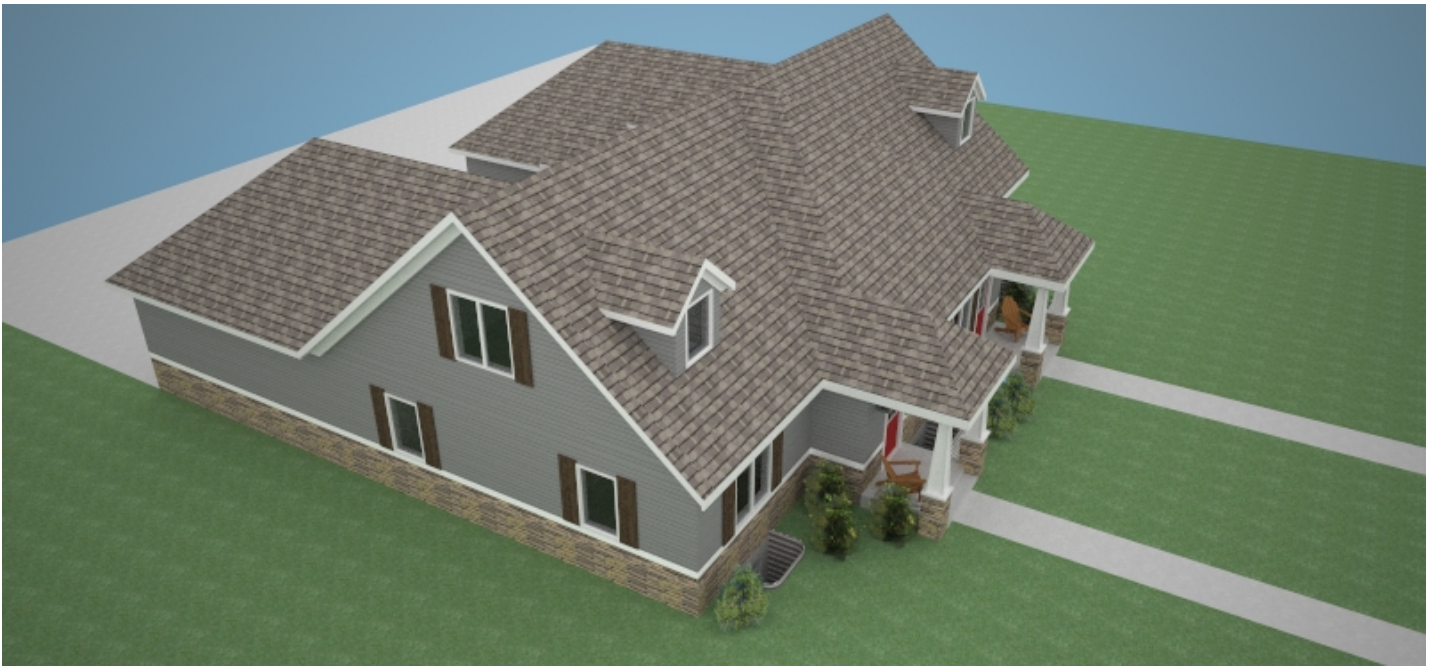
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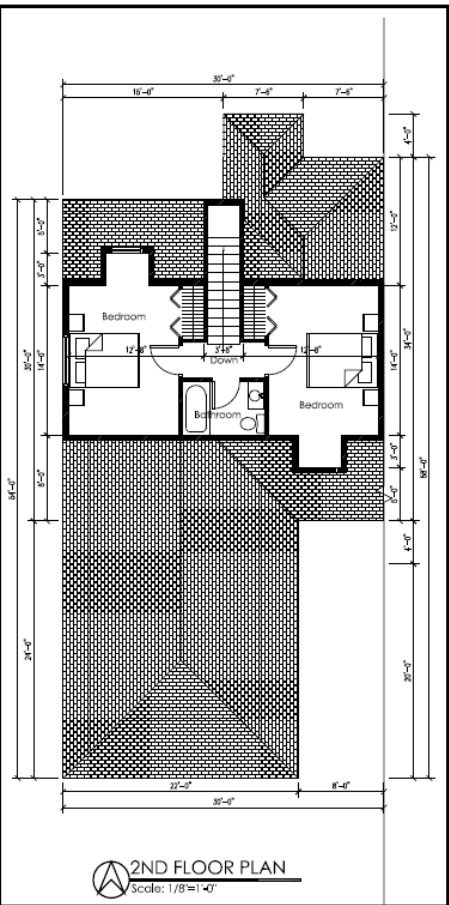
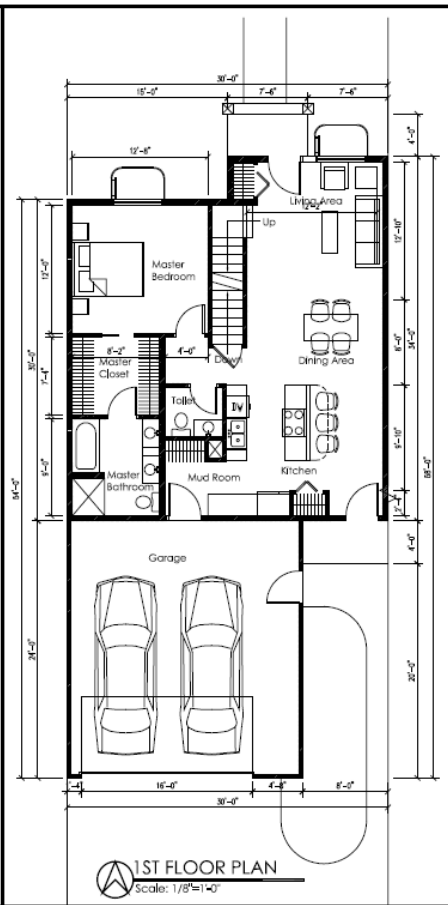
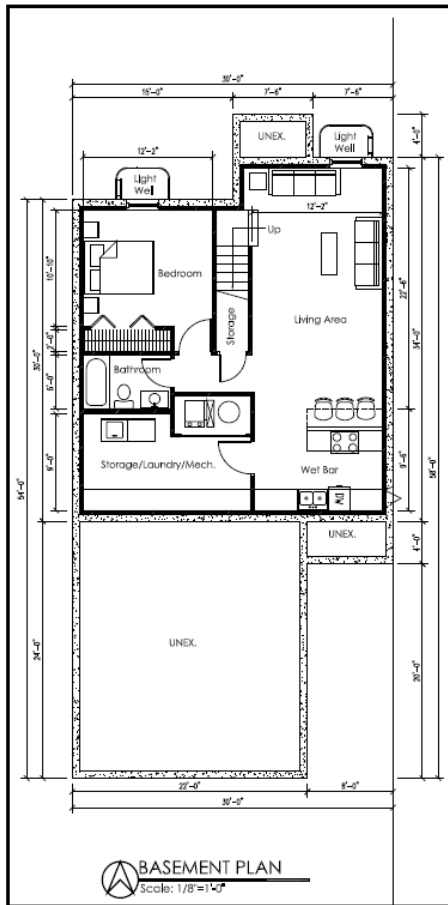
Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division











ITALO MILANI ARCHITECT, P.C., AIA 2801 12TH AVE, ROCK ISLAND, IL PH: (309) 798-5304 FAX: (309) 798-5108 italomilani@aol.com	DERRICK NIX W 53RD ST & N MARQUETTE ST DAVENPORT, IA	I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE THEY COMPLY WITH THE CITY OF DAVENPORT, ILLINOIS ZONING ORDINANCES.	DATE 10-4-16 REVISIONS 1	PROJECT 2016-85	NUMBER A-1
---	--	---	--	----------------------------	-----------------------



Photo Index (locations)



Photo 1 - East of Marquette North of 53rd



Photo 2 - East of Marquette South of 53rd



Photo 3 - West of Marquette South of 53rd



Photo 4 - West of Marquette North of 53rd



Photo 5 - Southwest of Site



Photo 6 - South of Site

(detach here)

The undersigned - opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments:

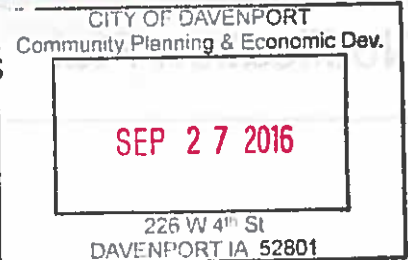
*until I know what will be built
I will not put my signature. I cannot attend meeting.
I know this I do not want any low housing with addicts
& teenagers - we have children walking to school.*

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME C. Iannuzzelli
ADDRESS 1315 W 53rd St.
DATE Davenport, IA 52806
(pl)

Thank you! Catherine Iannuzzelli

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



(detach here)

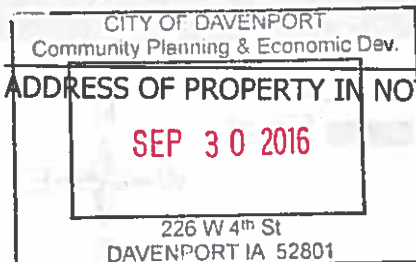
The undersigned - opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments:

*While a residential PUD may be appropriate this
project is not developed enough to give us confidence that
it will be beneficial for our neighborhood. More ^{plans} are needed.*

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Don + Dee Bruegger
ADDRESS 9 West 54th St. Court
DATE Sept 29, 2016
(please print legibly)



ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

HAS BEEN WITHDRAWN
11-01-16

10.1.16

I'am Very opposed! I have lived next to this property for 50 years. We bought our house for its big yard & peaceful single family neighborhood, which we will not have living next door to a fourplex.

It will decrease the value of all the homes around this.

There are a lot of car wrecks at Marquette & 53rd, this will increase with a fourplex at that corner.

Please do not rezone & add this burden to the neighbors living around this property & to me, living right next door. Don't take away my peaceful back yard!

(detach here)

The undersigned opposes does not oppose (circle one) Petition of Derrick Nix (RFZ16-107)

OCT 4 2016

226 W 4th St
DAVENPORT IA 52801

Comments:

See att. letter

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Glennys Baker
ADDRESS 1207 W. 53rd St.
DATE 10.1.16

(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

(detach here)

The undersigned opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments: Our area consists of all ~~single~~ single family residences and a multi family unit will bring inconsistency, instability, and inconvenience to our neighborhood.

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Gregory + Britney Host
ADDRESS 1321 W. 53rd St.
DATE October 1, 2016
(please print legibly)

CITY OF DAVENPORT
Community Planning & Economic Dev.

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

OCT 4 2016

226 W 4th St
DAVENPORT IA 52801

(detach here)

The undersigned opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments: one single family home non low income

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME WALTER F. CUSTER JR
ADDRESS 1206 W. 53RD ST. DAV. IA 52801
DATE SEPT 30 - 2016
(please print legibly)

CITY OF DAVENPORT
Community Planning & Economic Dev.

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

OCT 4 2016

226 W 4th St
DAVENPORT IA 52801

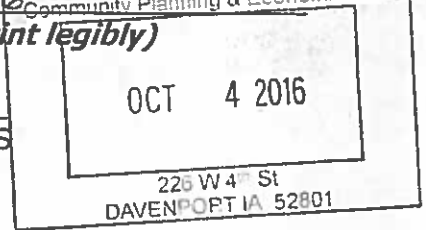
(detach here)

The undersigned - opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Due to the following reasons: 1) Significant increase population in small area
Comments: 2) Devaluation of property in area 3) Create safety hazard due
to increase in traffic esp. for kids 4) Decrease visibility at intersection
5) Increase in number of students in area schools 6) Large
building will overshadow present single family homes 7) Lack of
play / recreation area for PUD 8) 53rd St is presently heavily traveled
without the increase of a PUD

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Steven Hirsch
ADDRESS 2408 Willow Brook Dr
DATE 9/22/16
(please print legibly)



ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

5135 and 5125 Marquette

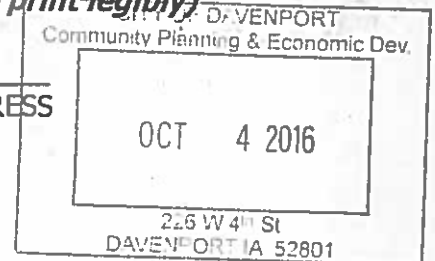
(detach here)

The undersigned - opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments: _____

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Aundrea White
ADDRESS 1212 West 53rd Street
DATE 9-28-16
(please print legibly)



ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743 mflynn@ci.davenport.ia.us
Wards: All

Action / Date
CD11/16/2016

Subject:

Public Hearing for the Ordinance for Case No. ORD16-02 being the petition of the City of Davenport for a Zoning Ordinance Text Amendment to Chapter 17.23, entitled "Historic Preservation" by amending eligibility and composition requirements. [All Wards]

Recommendation:

The Historic Preservation Commission unanimously recommended approval of ORD16-02 at its October 11, 2016 public meeting.

The Commission vote was 6-yes and 0-no with 0-abstention.

The Plan and Zoning Commission considered case No. ORD16-02 at its October 18, 2016 meeting and voted to forward Case No. ORD16-02 to the City Council with a recommendation for approval without any special conditions.

The Commission vote was 10-yes and 0-no with 0-abstention.

Relationship to Goals:

High performing government.

Background:

There are currently two vacancies on the Historic Preservation Commission. It has become increasingly difficult to find citizens with knowledge in the field of historic preservation and willing to serve on the Historic Preservation Commission. The proposed Ordinance would reduce the number of Commission members from nine to seven, amend the position requirements and allow members who own a historic property in the City to serve on the Commission.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Ordinance	Proposed Ordinance
▣ Backup Material	ORD16-02 - Plan and Zoning Commission Letter
▣ Backup Material	ORD16-02 - Plan and Zoning Commission Vote Results
▣ Backup Material	ORD16-02 - Plan and Zoning Commission Staff Report
▣ Backup Material	ORD16-02 - Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	11/8/2016 - 4:10 PM
Community Development Committee	Berger, Bruce	Approved	11/8/2016 - 4:10 PM

City Clerk

Admin, Default

Approved

11/8/2016 - 4:14 PM

ORDINANCE NO. 2016 -

An ORDINANCE to amend Title 17 of the Davenport Municipal Code, entitled "Zoning" by amending Section 17.23.040 of the Davenport City Code, entitled "historic preservation commission" by reducing the number of members from nine to seven, amending the position requirements and allowing members with businesses located within the City to serve on the Commission (City of Davenport, petitioner Case No. ORD16-02).

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

Section 1. That Chapter 17.23.040 of the Davenport Municipal Code be amended to read as follows:

17.23.040 Historic preservation commission.

The historic preservation commission of the city of Davenport is hereby established.

- A. Eligibility. All members of the commission shall be legal residents of the city of Davenport or own a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.
- B. Composition. The commission shall consist of seven members. They shall demonstrate a positive interest in historic preservation and/or cultural resource management issues and possess an interest, knowledge, competence or expertise in one or more of the following: architecture, history, archeology, historic preservation, urban planning, building rehabilitation, cultural resource conservation or real estate development.
- C. Method of appointment. Members shall be appointed by the mayor, with the approval of the city council.
- D. Terms. Members shall serve terms of three years, provided however that all members shall hold over until their successors are appointed and approved. Appointments shall be staggered such that no more than three members are appointed and approved each year. Appointments for non-reappointed members shall begin from the date of the expired term of the non-reappointed member. Vacancies occurring on the commission, other than those due to the normal expiration of term of office, shall be filled only for the unexpired portion of the former member's term.

- E. Forfeiture of appointment. A member will forfeit his/her appointment to the commission if he/she fails to satisfy any of the following requirements:
1. The commission member changes his/her legal address to outside the city's corporate limits or no longer owns a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.
 2. Commission members must attend in person at least one-half of, or attend and have excused absences for at least two-thirds of, all regularly scheduled or specially-called meetings convened by the commission chairperson during the calendar year.

- F. Meetings. Meetings shall be held at regularly scheduled times as determined by the commission. They shall be open to the public. A public record of the meetings shall contain the minutes, attendance records, voting results and summaries of all pertinent action of the commission. A copy shall be filed in the City Clerk's office and the Community Planning and Economic Development department for public review.

Special meetings of the commission may be called by the chairperson and held at any time or place fixed in the call.

A special meeting of the commission may also be called at the request, in writing, of any three or more members of the commission and if the chairperson shall fail to comply with such request, said members so requesting shall call such meeting, all signing the notice.

- G. Quorum. The presence of a majority of the official members of the commission shall constitute a quorum to legally transact commission business.
- H. Officers. At its first meeting of each calendar year, the commission shall elect from its membership a chairperson and vice chairperson who shall serve terms of one year and who shall be eligible for reelection. The chairperson shall preside over commission meetings. In the absence of the chairperson, the vice chairperson shall perform the duties of the chairperson. If both are absent and a quorum is present, a temporary chairperson for that one meeting will be elected by those members in attendance. The chairperson shall be the spokesperson for the commission.
- I. Commission secretary. The commission secretary shall be the director of community planning and economic development or his/her designee. The secretary's duties shall include:
1. The recording of the minutes of each commission meeting; and
 2. The preparation and distribution of copies of the minutes, reports and decisions of the commission to its members and other interested parties; and
 3. Satisfying all notice requirements established by city policy; and
 4. Preparing and submitting to the mayor and city council a record of the commission's proceedings which involves city council action; and
 5. Advising the mayor of vacancies on the commission and the expiring terms of its members; and
 6. Providing all general administrative, technical and staff support to assist the commission in the performance of its duties.

J. Conflict of interest. No commission member shall participate in the discussion nor vote on any matter that appears to have a current or anticipated financial or material effect on his/her property or personal/business interests. The commission member shall be responsible for notifying the chairperson and commission secretary of such a situation prior to the commission taking any action on the issue.

K. Compensation. Members shall serve without compensation.

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 upon final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch,
Mayor

Attest: _____

Jackie Holecek, MMC
Deputy City Clerk

Published in the *Quad City Times* on _____

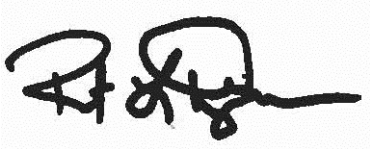
October 19, 2016

Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

At its regular meeting on October 18, 2016, the City Plan and Zoning Commission considered Case No. ORD16-02, being the petition of the City of Davenport for a Zoning Ordinance Text Amendment to Chapter 17.23, entitled "Historic Preservation" by amending eligibility and composition requirements.

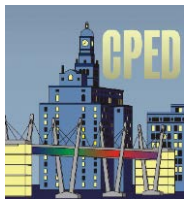
The Plan and Zoning Commission forwards case ORD16-02 to the City Council with a recommendation for approval without any special conditions.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

[illegible]



Community Planning & Economic Development Department
City of Davenport

FINAL STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: October 18, 2016
Request: Zoning Ordinance Text Amendment of Chapter 17.23, entitled "Historic Preservation" by reducing the number of members from nine to seven, amending the position requirements and allowing members with businesses located within the City to serve on the Commission.
Case No.: ORD16-02
Applicant: City of Davenport

Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No. ORD16-02 to the City Council with a recommendation for approval.

Background:

The Historic Preservation Commission is required by Ordinance to have nine members. Currently, there are two vacancies on the Commission and finding Davenport residents with both technical expertise and willing to serve has been difficult. Additionally, the Ordinance is prescriptive with respect to Commission position requirements.

Public Input:

The plan and Zoning Commission held a public hearing on the proposed Ordinance at its October 4, 2016 public hearing. The Historic Preservation Commission held a public meeting on the proposed Ordinance at its October 11, 2016 meeting.

Discussion:

The Historic Preservation Commission unanimously recommended approval of the proposed Ordinance at its October 11, 2016 public meeting subject to a change in eligibility (17.23.040A) being owners of historic properties rather than being employed by a business or nonprofit organization. Staff concurs with this amendment. The proposed Ordinance would reduce the number of Commission members from nine to seven, amend the position requirements and allow members who own a historic property in the City to serve on the Commission. See proposed Ordinance for more information.

Staff Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No. ORD16-02 to the City Council with a recommendation for approval.

Prepared by:

Ryan Rusnak, AICP
Planner III

Attachment: Proposed Ordinance

ORDINANCE NO. 2016

An ORDINANCE to amend Title 17 of the Davenport Municipal Code, entitled "Zoning" by amending Section 17.23.040 of the Davenport City Code, entitled "historic preservation commission" by reducing the number of members from nine to seven, amending the position requirements and allowing members with businesses located within the City to serve on the Commission (City of Davenport, petitioner Case No. ORD16-02).

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

Section 1. That Chapter 17.23.040 of the Davenport Municipal Code be amended to read as follows:

17.23.040 Historic preservation commission.

The historic preservation commission of the city of Davenport is hereby established.

- A. Residency Eligibility. All members of the commission shall be legal residents of the city of Davenport or own a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.
- B. Composition. The commission shall consist of ~~nine~~ seven members. They shall demonstrate a positive interest in historic preservation and/or cultural resource management issues and possess an interest, knowledge, competence or expertise in one or more of the following: architecture, history, archeology, historic preservation, urban planning, building rehabilitation, cultural resource conservation or real estate development. ~~One position shall be reserved for an architect, one position shall be reserved for a person in real estate development, two positions shall be reserved for owner-occupants of property in officially designated districts and three positions shall be reserved for professionals representing the disciplines of architecture, archeology, history, urban planning, building rehabilitation, law, sociology, or cultural re-source conservation. The remaining two positions shall be at-large appointments.~~

~~For the initial commission, two owner-occupants from one or more of the thirteen National Register of Historic Places historic districts shall be appointed. They shall serve until owners-occupants are appointed to represent local historic districts that have been designated by the city council.~~

- C. Method of appointment. Members shall be appointed by the mayor, with the approval of the city council.
- D. Terms. Members shall serve terms of three years, provided however that all members shall hold over until their successors are appointed and approved. ~~The initial appointees shall serve the following terms: three members for three years; three members for two years and three members for one year.~~ Appointments shall be staggered such that no more than three members are appointed and approved each year. Appointments for non-reappointed members shall begin from the date of the expired term of the non-reappointed member. Vacancies occurring on the commission, other than those due to the normal expiration of term of office, shall be filled only for the unexpired portion of the former member's term.
- E. Forfeiture of appointment. A member will forfeit his/her appointment to the commission if he/she fails to satisfy any of the following requirements:
 - 1. The commission member changes his/her legal address to outside the city's corporate limits or no longer owns a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.

~~2. The commission member(s) representing the historic districts relinquishes residency in and/or all ownership rights to properties located within a designated historic district. The mayor shall appoint a new member(s) to represent that constituency. The length of the terms for the new appointees shall be treated as normal vacancies discussed in Section 17.23.040F.~~

~~3.2.~~ Commission members must attend in person at least one-half of, or attend and have excused absences for at least two-thirds of, all regularly scheduled or specially-called meetings convened by the commission chairperson during the calendar year.

~~F. Vacancies. Vacancies occurring on the commission, other than those due to the normal expiration of term of office, shall be filled only for the unexpired portion of the former member's term. Vacancies shall be filled by a person(s) satisfying the same eligibility requirements as the former member. This includes the composition requirements contained in Section 17.23.040B, and the appointment procedure contained in Section 17.23.040C.~~

~~G.F.~~ Meetings. Meetings shall be held at regularly scheduled times as determined by the commission. They shall be open to the public. A public record of the meetings shall contain the minutes, attendance records, voting results and summaries of all pertinent action of the commission. A copy shall be filed in the city clerk's office and the ~~department of community planning~~ and economic development department for public review.

Special meetings of the commission may be called by the chairperson and held at any time or place fixed in the call.

A special meeting of the commission may also be called at the request, in writing, of any three or more members of the commission and if the chairperson shall fail to comply with such request, said members so requesting shall call such meeting, all signing the notice.

~~H.G.~~ Quorum. The presence of a majority of the official members of the commission shall constitute a quorum to legally transact commission business.

~~I.H.~~ Officers. At its first meeting of each calendar year, the commission shall elect from its membership a chairperson and vice-chairperson who shall serve terms of one year and who shall be eligible for re-election. The chairperson shall pre-side over commission meetings. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. If both are absent and a quorum is present, a temporary chairperson for that one meeting will be elected by those members in attendance. The chairperson shall be the spokesperson for the commission.

~~J~~.I. Commission secretary. The commission secretary shall be the director of community planning and economic development or his/her designee. The secretary's duties shall include:

1. The recording of the minutes of each commission meeting; and
2. The preparation and distribution of copies of the minutes, reports and decisions of the commission to its members and other interested parties; and
3. Satisfying all notice requirements established by city policy; and
4. Preparing and submitting to the mayor and city council a record of the commission's proceedings which involves city council action; and
5. Advising the mayor of vacancies on the commission and the expiring terms of its members; and
6. Providing all general administrative, technical and staff support to assist the commission in the performance of its duties.

~~K~~.J. Conflict of interest. No commission member shall participate in the discussion nor vote on any matter that appears to have a current or anticipated financial or material effect on his/her property or personal/business interests. The commission member shall be responsible for notifying the chairperson and commission secretary of such a situation prior to the commission taking any action on the issue.

~~L~~.K. Compensation. Members shall serve without compensation.

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 upon final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, MMC
Deputy City Clerk

Published in the *Quad City Times* on _____

TO BE PUBLISHED IN THE EARLIEST EDITION OF THE QUAD CITY TIMES, HAVING THE NOTICE BILLED TO PO# 1706535 AND RECEIVING THE PROOF OF PUBLICATION PRIOR TO THE PUBLIC HEARING

TO WHOM IT MAY CONCERN:

NOTICE OF PUBLIC HEARING - WEDNESDAY NOVEMBER 16, 2016 - 5:30 P.M.
DAVENPORT COMMITTEE OF THE WHOLE COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA

There is on file in the office of the City Clerk of Davenport, Iowa , the following petitions:

Case No. ORD16-02: Request of the City of Davenport to amend Title 17 “Zoning” by amending Section 17.23.040 of the Davenport City Code, entitled “historic preservation commission” by amending the composition and the eligibility requirements.

ORDINANCE NO. 2016 -

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

Section 1. That Chapter 17.23.040 of the Davenport Municipal Code be amended to read as follows:

17.23.040 Historic preservation commission.

The historic preservation commission of the city of Davenport is hereby established.

- A. Eligibility. All members of the commission shall be legal residents of the city of Davenport or own a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.
- B. Composition. The commission shall consist of seven members. They shall demonstrate a positive interest in historic preservation and/or cultural resource management issues and possess an interest, knowledge, competence or expertise in one or more of the following: architecture, history, archeology, historic preservation, urban planning, building rehabilitation, cultural resource conservation or real estate development.
- C. Method of appointment. Members shall be appointed by the mayor, with the approval of the city council.
- D. Terms. Members shall serve terms of three years, provided however that all members shall hold over until their successors are appointed and approved. Appointments shall be staggered such that no more than three members are appointed and approved each year. Appointments for non-reappointed members shall begin from the date of the expired term of the non-reappointed member. Vacancies occurring on the commission, other than those due to the normal expiration of term of office, shall be filled only for the unexpired portion of the former member's term.
- E. Forfeiture of appointment. A member will forfeit his/her appointment to the commission if he/she fails to satisfy any of the following requirements:
 - 1. The commission member changes his/her legal address to outside the city's corporate limits or no longer owns a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.
 - 2. Commission members must attend in person at least one half of, or attend and have excused absences for at least two thirds of, all regularly scheduled or specially called meetings convened by the commission chairperson during the calendar year.

- F. Meetings. Meetings shall be held at regularly scheduled times as determined by the commission. They shall be open to the public. A public record of the meetings shall contain the minutes, attendance records, voting results and summaries of all pertinent action of the commission. A copy shall be filed in the city clerk's office and the community planning and economic development department for public review.

Special meetings of the commission may be called by the chairperson and held at any time or place fixed in the call.

A special meeting of the commission may also be called at the request, in writing, of any three or more members of the commission and if the chair-person shall fail to comply with such request, said members so requesting shall call such meeting, all signing the notice.

- G. Quorum. The presence of a majority of the official members of the commission shall constitute a quorum to legally transact commission business.
- H. Officers. At its first meeting of each cal-endar year, the commission shall elect from its membership a chairperson and vice chairperson who shall serve terms of one year and who shall be eligible for re-election. The chairperson shall pre-side over commission meetings. In the absence of the chairperson, the vice chairperson shall perform the duties of the chairperson. If both are absent and a quorum is present, a temporary chairperson for that one meeting will be elected by those members in attendance. The chairperson shall be the spokesperson for the commission.
- I. Commission secretary. The commission secretary shall be the director of community planning and economic development or his/her designee. The secretary's duties shall include:
1. The recording of the minutes of each commission meeting; and
 2. The preparation and distribution of copies of the minutes, reports and decisions of the commission to its members and other interested parties; and
 3. Satisfying all notice requirements established by city policy; and
 4. Preparing and submitting to the mayor and city council a record of the commission's proceedings which involves city council action; and
 5. Advising the mayor of vacancies on the commission and the expiring terms of its members; and
 6. Providing all general administrative, technical and staff support to assist the commission in the performance of its duties.
- J. Conflict of interest. No commission member shall participate in the discussion nor vote on any matter that appears to have a current or anticipated financial or material effect on his/her property or personal/business interests. The commission member shall be responsible for notifying the chairperson and commission secretary of such a situation prior to the commission taking any action on the issue.
- K. Compensation. Members shall serve without compensation.

Public hearings on the above matters are scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday November 16, 2016 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

PO # 1706535

Department of Community Planning & Economic Development

E-MAIL: planning@ci.davenport.ia.us PHONE: 563-326-7765

City of Davenport

Agenda Group: Finance
Department: Finance
Contact Info: Bruce Berger
Wards: 2, 6, 7 & 8

Action / Date
FIN11/16/2016

Subject:

Public hearing for the purpose of amending the North Urban Renewal Area Plan. [Wards 2, 6, 7 & 8]

Recommendation:

Hold the public hearing.

Relationship to Goals:

Diversify revenue and eliminate liabilities.

Background:

The City of Davenport is seeking to amend the North Urban Renewal Area Plan to add the 2016 Internal TIF project in the amount of \$275,000.

ATTACHMENTS:

Type	Description
▣ Exhibit	North URA Public Notice and Plan

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/7/2016 - 1:44 PM
Finance Committee	Watson-Arnould, Kathe	Approved	11/7/2016 - 1:44 PM
City Clerk	Admin, Default	Approved	11/8/2016 - 9:40 AM

City of Davenport, Iowa

Urban Renewal Plan Amendment
North Urban Renewal Area

October 2016

The Urban Renewal Plan (the “Plan”) for the North Urban Renewal Area (the “Area”) is being amended for the purposes of 1) identifying new urban renewal projects to be undertaken therein.

- 1) **Identification of Projects.** By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following described project descriptions:

- a. **Name:** Internal TIF

- Cost:** \$275,000

- Rationale:** To reimburse the General Fund for Economic Development staff costs and other economic development related activities such as economic research tools and training.

- 2) **Required Financial Information** The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

- Outstanding General Obligation Debt of the City: \$ 219,950,000

- Remaining Constitutional Debt Capacity of the City: \$ 94,600,270

- Proposed Debt to be incurred in the Urban Renewal Area: \$275,000

NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN
AMENDMENT

Notice Is Hereby Given: That at 5:30 o'clock p.m., at City Council Chambers on the first floor of City Hall, 226 W. 4th Street, Davenport, Iowa, on the 16th day of November, 2016, there will be conducted a public hearing on the question of amending the North Urban Renewal Area Plan pursuant to Chapter 403, Code of Iowa.

North Urban Renewal Plan Amendment

1) Internal TIF: North Urban Renewal Area: \$275,000

The proposed amendment to the urban renewal plan brings the property described above under the plan and makes it subject to the provisions of the plan.

A copy of the proposed amendment is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Jackie Holecek
Deputy City Clerk

City of Davenport

Agenda Group: Finance
Department: Public Works/Citibus
Contact Info: John Powell; (563) 888-2151
Wards: All

Action / Date
PW11/16/2016

Subject:
Public hearing for the transit route changes implemented on July 5, 2016. [All Wards]

Recommendation:
Hold the hearing

Relationship to Goals:
Enhanced Quality of Life

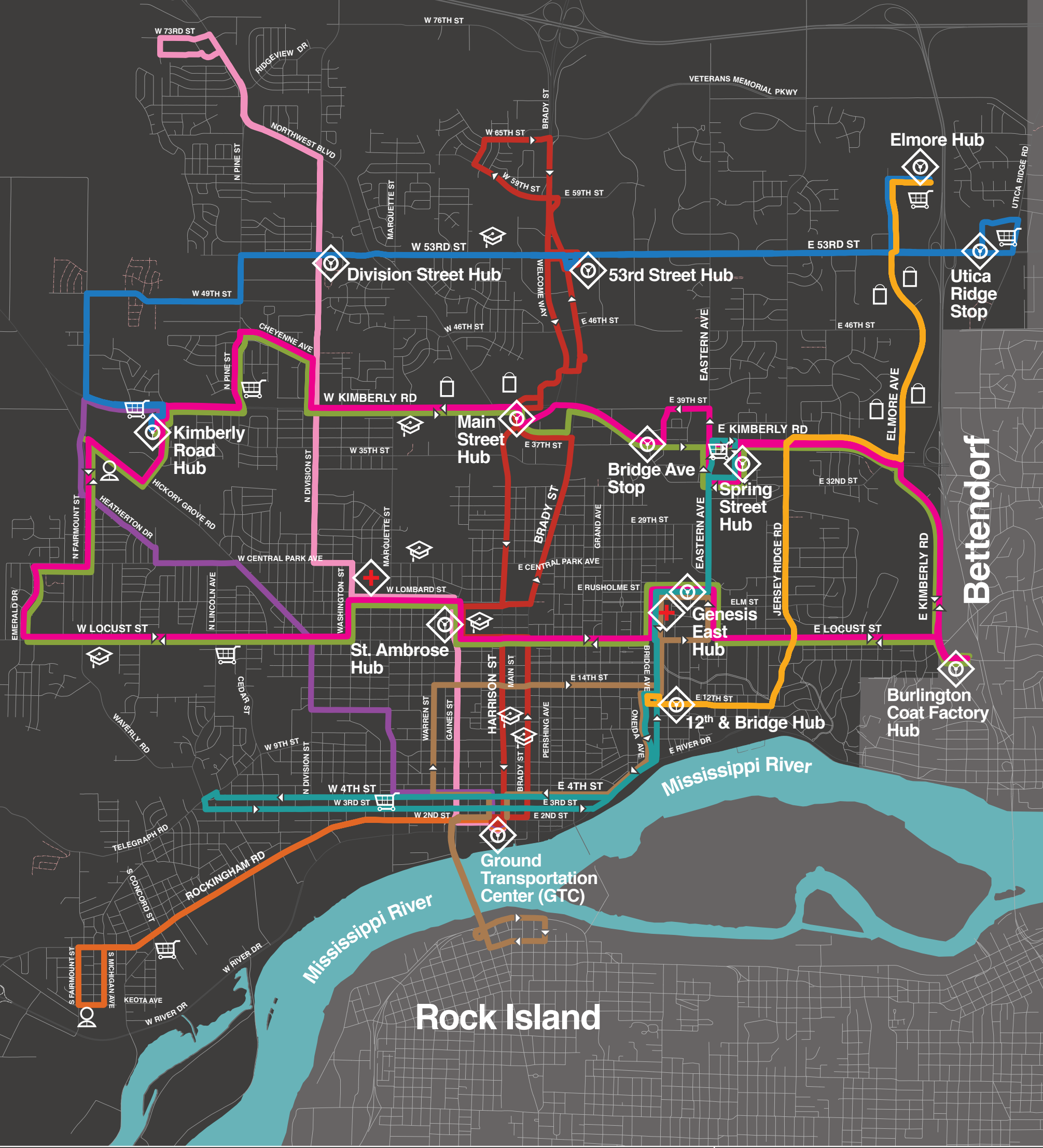
Background:
On July 5, 2016 the City of Davenport changed the CitiBus route structure. On November 6, 2016 additional modifications were implemented based on rider feedback during the first few months of deployment. This session is to provide a recap of these changes and to allow for public comments.

ATTACHMENTS:

Type	Description
▣ Backup Material	Map
▣ Backup Material	hearing notice

REVIEWERS:

Department	Reviewer	Action	Date
Finance Committee	Lechvar, Gina	Approved	11/9/2016 - 3:59 PM



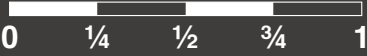
Legend City of Davenport CitiBus Route Map

CitiBus Routes

- Orange Line 1 Rockingham Rd
- Teal Line 2 Eastern Ave / Downtown
- Yellow Line 3 Elmore Ave
- Red Line 4 Brady St / Harrison St
- Blue Line 5 53rd St
- Pink Line 6 Division St / Gaines St
- Brown Line 7 14th St / River Crossing
- Green Line 8 Locust St / Kimberly Rd
- Magenta Line 8A Kimberly Rd / Locust St
- Purple Line 9 Hickory Grove Rd

Points of Interest

- Hub / Stop
- Human Services
- Grocery
- Hospital
- Retail Center
- School



9
Purple
Line

8A
Magenta
Line

8
Green
Line

7
Brown
Line

6
Pink
Line

5
Blue
Line

4
Red
Line

3
Yellow
Line

2
Teal
Line

1
Orange
Line

citidbus.com
(563) 888-2151

NOTICE OF PUBLIC HEARINGS FOR TRANSIT ROUTE CHANGES

Notice is hereby given that the City of Davenport (CitiBus) will conduct a public hearing on November 16, 2016 at the Committee of the Whole meeting in Council Chambers on the first floor of City Hall, 226 W 4th Street, Davenport, Iowa at 5:30 p.m. Transportation officials will be available before and after the meeting.

On July 5, 2016, the City of Davenport changed the CitiBus route structure. On November 6, 2016 additional modifications will be implemented based on rider feedback during the first few months of deployment. This session is to provide a recap of these changes and to allow for public comments.

Please contact CitiBus if you desire more information at 563-888-2151.

City of Davenport

Agenda Group: Committee of the Whole
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 7

Action / Date
CD11/16/2016

Subject:

First Consideration: Ordinance for Case No. REZ16-10 being the petition of Derrick Nix for the rezoning of 0.753 acre (32,800 sq. ft.), more or less, of real property located at the southeast corner of West 53rd and Marquette Streets (Lot 1 Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential development.

[Ward 7]

THE PROTEST RATE EXCEEDS 20% (REQUIRES EIGHT VOTES FOR PASSAGE, THREE-FOURTHS VOTE IF ABSTENTION FOR CONFLICT OF INTEREST) THE PROTEST RATE IS 33.7%.

Recommendation:

The Commission has reviewed the concept plan and elevations and feels that these address the concerns of the neighbors relating to the character of development and compatibility to the surrounding properties.

Findings:

- The rezoning is compatible with the Comprehensive Plan RG designation.
- The proposal supports infill development.
- The concept plan and elevations are compatible with the existing residential development.

Recommendation:

The Plan and Zoning Commission accepts the findings and forwards Case No. REZ16-10 to the City Council for approval subject to the following conditions:

1. That the final development plan substantially conform to the proposed renderings and site plan (conformance may allow for reconfiguration of the footprint and layout on the property);
2. That significant deviation from the proposed renderings and site plan will require revision to the concept plan following the rezoning process with public hearing.

The Commission vote was 8-yes, 1-no (Reinartz) and 0-abstention.

THE PROTEST RATE EXCEEDS 20% (REQUIRES EIGHT VOTES FOR PASSAGE, THREE-FOURTHS VOTE IF ABSTENTION FOR CONFLICT OF INTEREST)

THE PROTEST RATE IS 33.7%.

Relationship to Goals:

Grow Tax Base

Background:

The Planned Unit Development (PUD) does require a final development plan review also submitted for Council review and approval. The petitioner has submitted renderings, a concept plan and likely floor layouts for the proposed development (concepts attached). Two 2-unit buildings are being proposed. Each unit would contain approximately 2,200 square feet including the finished basement areas. The above ground habitable area would be slightly over 1,300 square feet. Both these square foot totals exclude the garage footprint. The developer has indicated his preference to keep the deeper setback off of 53rd Street. Note: with the addition of a berm and judicious landscaping to reduce traffic noise a reduced setback would provide additional play area in the rear yard. Also there are window types that can reduce the impact of traffic noise. Either way, a replat or re-subdivision would be necessary to remove the setback line.

Density - According to the Comprehensive Plan's future land use designation for Residential General: Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

This location is a transition area between an older larger lot single family area (Stewarts Additions) and a newer smaller lot development (Oakbrook Additions). Some of the adjacent larger lots appear due to remnant land that could not be accessed by a public street. It also appears to have been a practice to have larger lots along the major roadways, such as Northwest Boulevard. Also several of the homes south of 53rd Street were built prior to the area being annexed into the City and under County requirements.

As a transition area along the edge of this "neighborhood area" the RG designation allows for increased density to be considered. Density can have the effects of adding children to declining school enrollments and increasing ridership on transit routes. Density near commercial nodes increases their viability as well as creating more walkable and connected developments.

The one and one/half story design is in keeping with the neighborhood character.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	REZ16-10 Ordinance only
☐ Backup Material	REZ16-10 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	11/8/2016 - 5:06 PM
Community Development Committee	Berger, Bruce	Approved	11/8/2016 - 5:06 PM
City Clerk	Admin, Default	Approved	11/8/2016 - 5:29 PM

ORDINANCE NO.

Ordinance for Case No. REZ16-10 being the petition of Derrick Nix for the rezoning of 0.753 acre (32,800 sqft), more or less, of real property located at the southeast corner of West 53rd and Marquette Streets (Lot1 Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential development. [Ward 7]

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 Southwest Quarter of Section 11, Township 78 North, Range 03 East of the 5th P.M. being more particularly described as follows:

Lot 1 of Thornburg First Addition to the City of Davenport, Scott County, Iowa. Said tract contains 0.75 acre, more or less.

The Plan and Zoning Commission accepts the findings and forwards Case No. REZ16-10 to the City Council for approval subject to the following conditions:

1. That the final development plan substantially conform to the proposed renderings and site plan (conformance may allow for reconfiguration of the footprint and layout on the property);
2. That significant deviation from the proposed renderings and site plan will require revision to the concept plan following the rezoning process with public hearing.

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 _____

Frank Klipsch
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____



November 01, 2016

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of November 01, 2016, the City Plan and Zoning Commission considered Case No. REZ16-10 being the request of Derrick Nix for the rezoning of 0.753 acre (32,800 sqft) or real property located at the southeast corner of West 53rd and Marquette Streets (Lot1 Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential condominium development.

The Commission has reviewed the concept plan and elevations and feels that these address the concerns of the neighbors relating to the character of development and compatibility to the surrounding properties.

Findings:

- The rezoning is compatible with the Comprehensive Plan RG designation.
- The proposal supports infill development.
- The concept plan and elevations are compatible with the existing residential development.

Recommendation:

The Plan and Zoning Commission accepts the findings and forwards Case No. REZ16-10 to the City Council for approval subject to the following conditions:

1. That the final development plan substantially conform to the proposed renderings and site plan (conformance may allow for reconfiguration of the footprint and layout on the property)
2. That significant deviation from the proposed renderings and site plan will require revision to the concept plan following the rezoning process with public hearing.

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED						
Name:	Roll Call	REZ16-10 Derrick Nix 53rd & Marquette Sts	CrowValley Plaza 10th						
Connell	P	Y	Y						
Hepner	P	Y	ABST						
Inghram	P								
Kelling	P	Y	Y						
Lammers	P	Y	Y						
Maness	P	Y	Y						
Martinez	P	Y	Y						
Medd	Ex								
Quinn	P	Y	ABST						
Reinartz	P	N	Y						
Tallman	P	Y	Y						
		8-YES 1-NO 0-ABSTAIN	7-YES 0-NO 2-ABSTAIN						

REZ16-10
DERRICK NIX

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
FORMAT ROW	0.00	0.0%		0.0%				
W1023C05	395	0.1%		0.0%	1316 W 53RD ST	BRYAN F PURDY	208 FAIRWAY CIR	ELDRIDGE IA 52748
W1023C06	6032	2.2%		0.0%	5306 MARQUETTE ST	THAC DANG	5836 HEATHER AVE	DAVENPORT IA 52807-2781
X1117D09	10628	3.9%		0.0%	5311 MARQUETTE ST	GUS J PAPPAS	5311 MARQUETEE ST	DAVENPORT IA 52806
X1117D10	9600	3.6%	NO	0.0%		DIANA F BRUEMMER REV TRUST	DONALD J BRUEMMER REV TRUS	9 W 54TH ST
X1117D11	9342	3.5%	YES	3.5%	1212 W 53RD ST	AUNDREA L WHITE	1212 W 53RD ST	DAVENPORT IA 52806
X1117D12	7163	2.7%	YES	2.7%	1206 W 53RD ST	WALTER T CUSTER	1206 W 53RD ST	DAVENPORT IA 52806
X1117-08A	720	0.3%		0.0%	1130 W 53RD ST	LUTHERAN HOME FOR THE AGED	PO BOX 559	VINTON IA 52349-0559
P1109-11	26209	9.7%	YES	9.7%	1207 W 53RD ST	LESTER R BAKER	GLENNYS E BAKER	1207 W 53RD ST
P1109-10	30694	11.4%		0.0%	1135 W 53RD ST	RONALD W VOORHIES	1135 W 53RD ST	DAVENPORT IA 52806
P1109-13A	28398	10.5%	YES	10.5%	5135 MARQUETTE ST	STEVEN T HIRSCH	MERIDETH K HIRSCH	2408 WILLOW BROOK DR
P1109-14	15904	5.9%	YES	5.9%	5125 MARQUETTE ST	STEVEN T HIRSCH	MERIDETH K HIRSCH	2408 WILLOW BROOK DR
P1109-15	1617	0.6%		0.0%	5115 MARQUETTE ST	KENNETH W LORENZ	& WIFE	5115 MARQUETTE ST
M1039-02	4070	1.5%		0.0%	5205 MARQUETTE ST	TODDL WATTS	SUSAN K WATTS	5202 MARQUETTE ST
M1039-03	5121	1.9%		0.0%	1311 W 53RD ST	JOHN W GOSLOWSKY II	LETICIA M GOSLOWSKY	1311 W 53RD ST
M1039-04	120	0.0%	YES	0.0%	1321 W 53RD ST	GREGORY D HOLST	BRITTENY A HOLST	1321 W 53RD ST
M1039-09B	3548	1.3%	YES	1.3%	1315 W 53RD ST	CATHERINE M IANNUZZELI	1315 W 53RD ST	DAVENPORT IA 52806
M0139-09A	13579	5.0%		0.0%	1305 W 53RD ST	DEBBIE L BECK	1305 W 53RD ST	DAVENPORT IA 52806
FORMAT ROW	0.00	#REF!		0.0%				

PARCELS 173,140.0 64.3%
ROW 96,174.0 35.7%

Alderman: TOMPKINS & MATSON

TOTAL
NOTICE AREA 269,314.0 100% **33.7% PROTEST RATE**

Protests: 7

Properties: 17



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

Meeting Date: November 01, 2016
October 18, 2016 - tabled
Request: Rezone 0.753 acre from R-2 to R-3 PUD
Address: Lot 1 Thornburg First Addition (SE corner 53rd & Marquette Sts.)
Case No.: REZ16-10
Applicant: Derrick Nix

Recommendation:

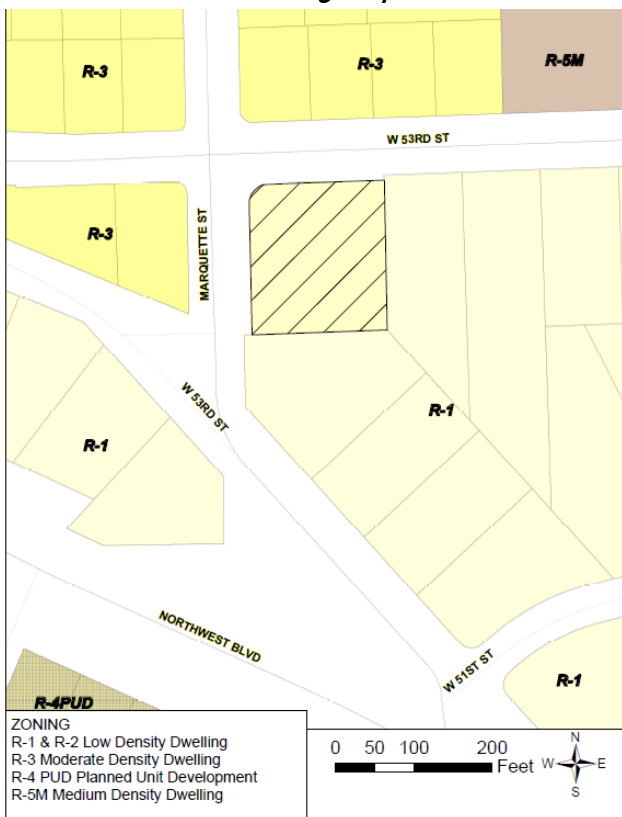
Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. REZ16-10 to the City Council for approval subject to the listed conditions.

Introduction:

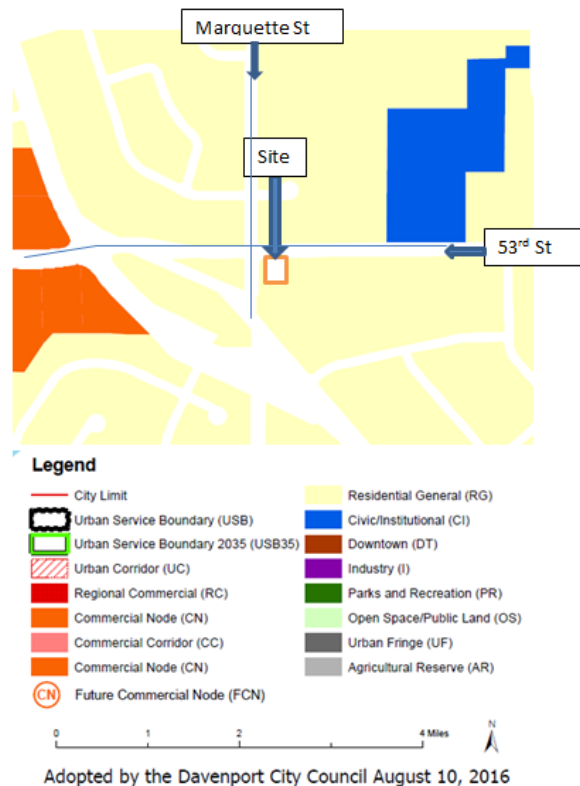
Request of Derrick Nix for the rezoning of 0.753 acre (32,800 sqft) or real property located at the southeast corner of West 53rd and Marquette Streets (Lot1 Thornburg 1st Addition) from R-2 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate residential condominium development.

AREA CHARACTERISTICS:

Zoning Map



Future Land Use Map





Aerial Photo 2014

0 50 100 200 Feet



Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Boundary +2035: Yes

Future Land Use Designation: *Residential General (RG)* - Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, *with the exception along edges and transition areas, where higher intensity may be considered. (italics added)*

Relevant Goals to be considered in this Case:

Identify and reserve land for current and future development – *encourage a full range of development.*

Zoning:

The property is currently zoned “R-2” Low Density Dwelling District.

Technical Review:

Streets. The property is located at the southeast corner of the intersection of West 53rd and Marquette Streets. No direct access to 53rd Street is allowed and access to Marquette is restricted to 150 feet south of 53rd Street by platting conditions.

Storm Water. Stormwater infrastructure appears to be by overland flow of surface run-off.

Sanitary Sewer. Sanitary sewer service is located in West 53rd Street and Marquette Street to the south.

Other Utilities. This is an urban area and normal utility services are available.

Emergency Services. The property is located approximately 1-1/2 miles from both Fire Stations No. 3 at 3506 Harrison Street and No. 7 at 2302 West 67th Street.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

Public Input & commentary:

The public hearing before the Plan and Zoning Commission is held October 04th. A neighborhood meeting was held on September 27th and ten (10) members of the public were present. The primary concerns were the type of residential proposed, whether it would begin as owner occupied or strictly rental, and whether the style (architecture) of the building(s) would fit, be compatible, with the surrounding development. Lighting and traffic at the intersection was also mentioned.

At the public hearing concerns related to ownership vs rentals, income of tenants, increased traffic and current accidents at intersection, vandalism in the area, quality of the building(s), number of units creating smaller play area for children, and the building compatibility (fit) with the neighborhood. Most agreed that two houses would be okay. Submitted protests mirror the comments at the public hearing.

- Ownership vs rental - The City cannot legally restrict a homeowner from renting their single family home. According to the City Assessor's records it appears there are four existing single family rental units within the 200-foot notice area.
- Accidents - Over the past three years there have been a total of 12 accidents: 7-right-angle, 5-rear-end and 1-pedestrian. According to the reports the right-angle accidents were combinations of weather conditions, vehicle malfunction and red-light turning. The rear-end accidents were due to weather conditions and following too closely, while the pedestrian accident was a bicyclist disobeying the traffic signal.
- Traffic: According to Iowa DOT counts, traffic on this segment of Marquette Street (south of 53rd) actually decreased from 2011 to 2014 with minor increases on adjacent major street.
- Building compatibility – The proposed building elevations show a 1-1/2 story configuration (see attached concepts). This should be in keeping with the surrounding homes as opposed to a 2- or 2-1/2 story look. The surrounding properties contain 1, 1-1/2 and 2 story residences.
- Vehicle speed: This is a posted school zone with a 25 MPH speed limit that extends west of the signaled intersection at Marquette St. During no school hours the speed limit is posted as 35 MPH. Marquette Street is posted as 25 MPH.

A second neighborhood meeting was held with the developer sharing the concept plans as shown in the discussion portion of the report.

Selected History:

The property was zoned to the R-2 designation and platted for two single family lots in 1997 in anticipation of additional residential development (2-detached houses). It was subsequently replatted as one lot in 1998 by the Lighthouse Christian Church. The 50 and 30 foot building setback lines were added with the first plat.

Discussion:

The petitioner has submitted renderings, a concept plan and likely floor layouts for the proposed development (concepts attached). Two 2-unit buildings are being proposed.



Each unit would contain approximately 2,200 square feet including the finished basement areas. The above ground habitable area would be slightly over 1,300 square feet. Both these square foot totals exclude the garage footprint.

Density - According to the Comprehensive Plan's future land use designation for Residential General: Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

This location is a transition area between an older larger lot single family area (Stewarts Additions) and a newer smaller lot development (Oakbrook Additions). Some of the adjacent larger lots appear due to remnant land that could not be accessed by a public street. It also appears to have been a practice to have larger lots along the major roadways, such as Northwest Boulevard. Also several of the homes south of 53rd Street were built prior to the area being annexed into the City and under County requirements.

As a transition area along the edge of this "neighborhood area" the RG designation allows for increased density to be considered. Density can have the effects of adding children to declining school enrollments and increasing ridership on transit routes. Density near commercial nodes increases their viability as well as creating more walkable and connected developments.

The one and one-half story design is in keeping with the neighborhood character.

Staff Recommendation:

Staff has reviewed the concept plan and elevations and feels that these address the concerns of the neighbors relating to the character of development and compatibility to the surrounding properties. Findings:

- The rezoning is compatible with the Comprehensive Plan RG designation.
- The proposal supports infill development.
- The concept plan and elevations are compatible with the existing residential development.

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. REZ16-10 to the City Council for approval subject to the following conditions:

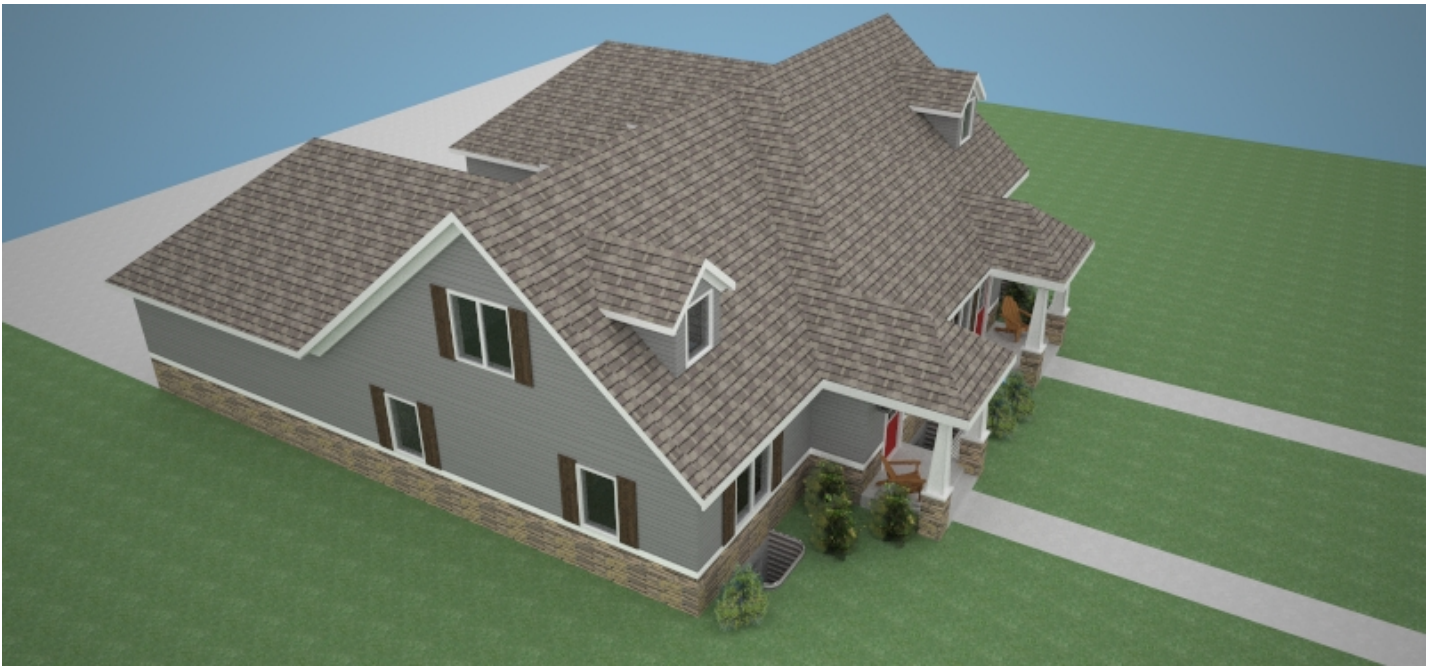
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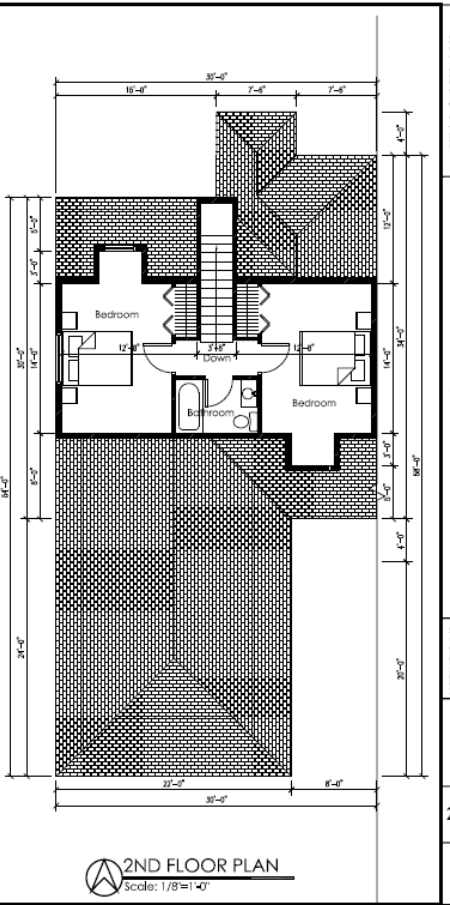
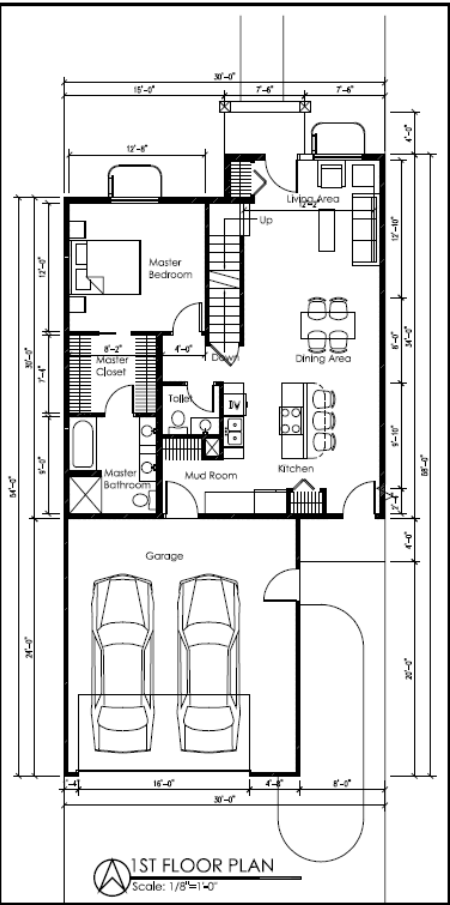
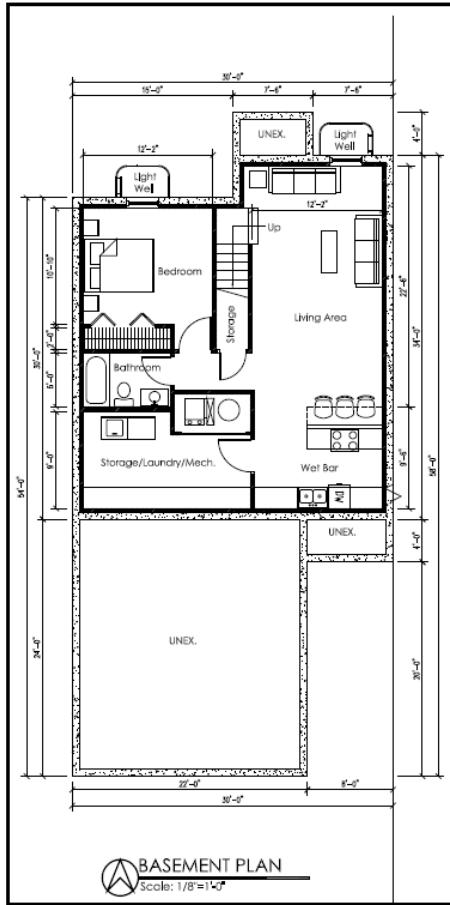
Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division









ITALO MILANI
ARCHITECT, L.L.C.
280 LITZ AVENUE, ROCK HILL, SC 29730
PH: 803.782.1111 FAX: 803.782.1112

DERRICK NIX
W 53RD ST & N MARQUETTE ST
DAVENPORT, IA

DATE	10-1-16
REVISIONS	
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SITE PLAN
Scale: 1"=30'-0"

ITALO MILANI ARCHITECT, P.C., AIA 2801 12TH AVE, ROCK ISLAND, IL PH: (309) 798-5304 FAX: (309) 798-5108 italmilani@aol.com	DERRICK NIX W 53RD ST & N MARQUETTE ST DAVENPORT, IA	I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE THEY COMPLY WITH THE CITY OF DAVENPORT, IOWA BUILDING CODES AND ORDINANCES.
DATE 10-4-16 REVISIONS . . .	PROJECT 2016-85 NUMBER	SHEET A-1 NUMBER



Photo Index (locations)



Photo 1 - East of Marquette North of 53rd



Photo 2 - East of Marquette South of 53rd



Photo 3 - West of Marquette South of 53rd



Photo 4 - West of Marquette North of 53rd



Photo 5 - Southwest of Site



Photo 6 - South of Site

(detach here)

The undersigned - opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments:

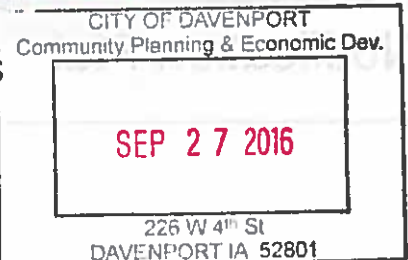
*until I know what will be built
I will not put my signature. I cannot attend meeting.
I know this I do not want any low housing with addicts
& teenagers - we have children walking to school.*

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME C. Iannuzzelli
ADDRESS 1315 W 53rd St.
DATE Davenport, IA 52806
(pl)

Thank you! Catherine Iannuzzelli

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



(detach here)

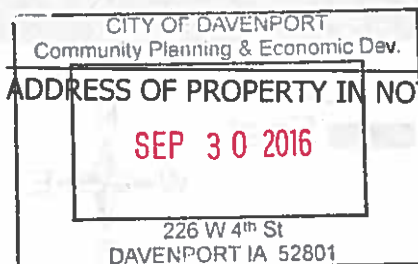
The undersigned - opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments:

*While a residential PUD may be appropriate this
project is not developed enough to give us confidence that
it will be beneficial for our neighborhood. More ^{plans} are needed.*

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Don + Dee Bruegger
ADDRESS 9 West 54th St. Court
DATE Sept 29, 2016
(please print legibly)



ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

HAS BEEN WITHDRAWN
11-01-16

10.1.16

I'am Very opposed! I have lived next to this property for 50 years. We bought our house for its big yard & peaceful single family neighborhood, which we will not have living next door to a fourplex.

It will decrease the value of all the homes around this.

There are a lot of car wrecks at Marquette & 53rd, this will increase with a fourplex at that corner.

Please do not rezone & add this burden to the neighbors living around this property & to me, living right next door. Don't take away my peaceful back yard!

(detach here)

The undersigned opposes does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments:

See att. letter

OCT 4 2016

226 W 4th St
DAVENPORT IA 52801

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Glennys Baker
ADDRESS 1207 W. 53rd St.
DATE 10.1.16

(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

(detach here)

The undersigned opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments: Our area consists of all ~~single~~ single family residences and a multi family unit will bring inconsistency, instability, and inconvenience to our neighborhood.

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Gregory + Britney Host
ADDRESS 1321 W. 53rd St.
DATE October 1, 2016
(please print legibly)

CITY OF DAVENPORT
Community Planning & Economic Dev.

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

OCT 4 2016

226 W 4th St
DAVENPORT IA 52801

(detach here)

The undersigned opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments: one single family home non low income

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME WALTER F. CUSTER JR
ADDRESS 1206 W. 53RD ST. DAV. IA 52801
DATE SEPT 30 - 2016
(please print legibly)

CITY OF DAVENPORT
Community Planning & Economic Dev.

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

OCT 4 2016

226 W 4th St
DAVENPORT IA 52801

(detach here)

The undersigned - opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

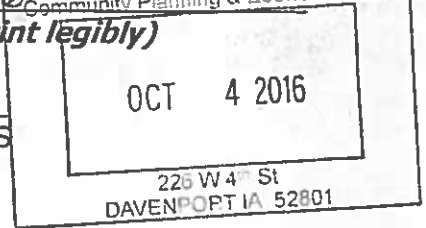
Due to the following reasons: 1) Significant increase population in small area
Comments: 2) Devaluation of property in area 3) Create safety hazard due
to increase in traffic esp. for kids 4) Decrease visibility at intersection
5) Increase in number of students in area schools 6) Large
building will overshadow present single family homes 7) Lack of
play / recreation area for PUD 8) 53rd St is presently heavily traveled
without the increase of a PUD

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Steven Hirsch
ADDRESS 2408 Willow Brook Dr
DATE 9/22/16
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

5135 and 5125 Marquette



(detach here)

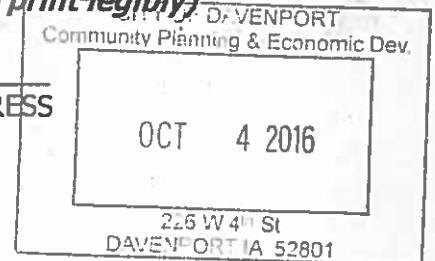
The undersigned - opposes / does not oppose (circle one) Petition of Derrick Nix (REZ16-107)

Comments: _____

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Aundrea White
ADDRESS 1212 West 53rd Street
DATE 9-28-16
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743 mflynn@ci.davenport.ia.us
Wards: All

Action / Date
CD11/16/2016

Subject:

First Consideration: Ordinance for Case No. ORD16-02 being the petition of the City of Davenport for a Zoning Ordinance Text Amendment to Chapter 17.23, entitled "Historic Preservation" by amending eligibility and composition requirements. [All Wards]

Recommendation:

The Historic Preservation Commission unanimously recommended approval of ORD16-02 at its October 11, 2016 public meeting.

The Commission vote was 6-yes and 0-no with 0-abstention.

The Plan and Zoning Commission considered case No. ORD16-02 at its October 18, 2016 meeting and voted to forward Case No. ORD16-02 to the City Council with a recommendation for approval without any special conditions.

The Commission vote was 10-yes and 0-no with 0-abstention.

Relationship to Goals:

High performing government.

Background:

There are currently two vacancies on the Historic Preservation Commission. It has become increasingly difficult to find citizens with knowledge in the field of historic preservation and willing to serve on the Historic Preservation Commission. The proposed Ordinance would reduce the number of Commission members from nine to seven, amend the position requirements and allow members who own a historic property in the City to serve on the Commission.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	ORD16-02 - Plan and Zoning Commission Letter
▣ Backup Material	ORd16-02 - Plan and Zoning Commission Vote Results
▣ Backup Material	ORD16-02 - Plan and Zoning Commission Staff Report

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	11/8/2016 - 4:11 PM
Community Development Committee	Berger, Bruce	Approved	11/8/2016 - 4:11 PM
City Clerk	Admin, Default	Approved	11/8/2016 - 4:14 PM

ORDINANCE NO. 2016 -

An ORDINANCE to amend Title 17 of the Davenport Municipal Code, entitled "Zoning" by amending Section 17.23.040 of the Davenport City Code, entitled "historic preservation commission" by reducing the number of members from nine to seven, amending the position requirements and allowing members with businesses located within the City to serve on the Commission (City of Davenport, petitioner Case No. ORD16-02).

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

Section 1. That Chapter 17.23.040 of the Davenport Municipal Code be amended to read as follows:

17.23.040 Historic preservation commission.

The historic preservation commission of the city of Davenport is hereby established.

- A. Eligibility. All members of the commission shall be legal residents of the city of Davenport or own a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.
- B. Composition. The commission shall consist of seven members. They shall demonstrate a positive interest in historic preservation and/or cultural resource management issues and possess an interest, knowledge, competence or expertise in one or more of the following: architecture, history, archeology, historic preservation, urban planning, building rehabilitation, cultural resource conservation or real estate development.
- C. Method of appointment. Members shall be appointed by the mayor, with the approval of the city council.
- D. Terms. Members shall serve terms of three years, provided however that all members shall hold over until their successors are appointed and approved. Appointments shall be staggered such that no more than three members are appointed and approved each year. Appointments for non-reappointed members shall begin from the date of the expired term of the non-reappointed member. Vacancies occurring on the commission, other than those due to the normal expiration of term of office, shall be filled only for the unexpired portion of the former member's term.

- E. Forfeiture of appointment. A member will forfeit his/her appointment to the commission if he/she fails to satisfy any of the following requirements:
1. The commission member changes his/her legal address to outside the city's corporate limits or no longer owns a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.
 2. Commission members must attend in person at least one-half of, or attend and have excused absences for at least two-thirds of, all regularly scheduled or specially-called meetings convened by the commission chairperson during the calendar year.

- F. Meetings. Meetings shall be held at regularly scheduled times as determined by the commission. They shall be open to the public. A public record of the meetings shall contain the minutes, attendance records, voting results and summaries of all pertinent action of the commission. A copy shall be filed in the City Clerk's office and the Community Planning and Economic Development department for public review.

Special meetings of the commission may be called by the chairperson and held at any time or place fixed in the call.

A special meeting of the commission may also be called at the request, in writing, of any three or more members of the commission and if the chairperson shall fail to comply with such request, said members so requesting shall call such meeting, all signing the notice.

- G. Quorum. The presence of a majority of the official members of the commission shall constitute a quorum to legally transact commission business.
- H. Officers. At its first meeting of each calendar year, the commission shall elect from its membership a chairperson and vice chairperson who shall serve terms of one year and who shall be eligible for reelection. The chairperson shall preside over commission meetings. In the absence of the chairperson, the vice chairperson shall perform the duties of the chairperson. If both are absent and a quorum is present, a temporary chairperson for that one meeting will be elected by those members in attendance. The chairperson shall be the spokesperson for the commission.
- I. Commission secretary. The commission secretary shall be the director of community planning and economic development or his/her designee. The secretary's duties shall include:
1. The recording of the minutes of each commission meeting; and
 2. The preparation and distribution of copies of the minutes, reports and decisions of the commission to its members and other interested parties; and
 3. Satisfying all notice requirements established by city policy; and
 4. Preparing and submitting to the mayor and city council a record of the commission's proceedings which involves city council action; and
 5. Advising the mayor of vacancies on the commission and the expiring terms of its members; and
 6. Providing all general administrative, technical and staff support to assist the commission in the performance of its duties.

J. Conflict of interest. No commission member shall participate in the discussion nor vote on any matter that appears to have a current or anticipated financial or material effect on his/her property or personal/business interests. The commission member shall be responsible for notifying the chairperson and commission secretary of such a situation prior to the commission taking any action on the issue.

K. Compensation. Members shall serve without compensation.

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 upon final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch,
Mayor

Attest: _____

Jackie Holecek, MMC
Deputy City Clerk

Published in the *Quad City Times* on _____

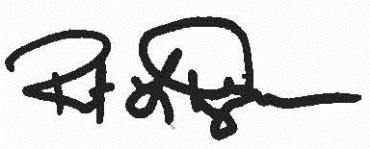
October 19, 2016

Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

At its regular meeting on October 18, 2016, the City Plan and Zoning Commission considered Case No. ORD16-02, being the petition of the City of Davenport for a Zoning Ordinance Text Amendment to Chapter 17.23, entitled "Historic Preservation" by amending eligibility and composition requirements.

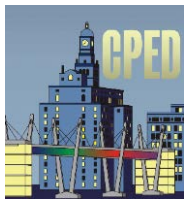
The Plan and Zoning Commission forwards case ORD16-02 to the City Council with a recommendation for approval without any special conditions.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

[illegible]



Community Planning & Economic Development Department
City of Davenport

FINAL STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: October 18, 2016
Request: Zoning Ordinance Text Amendment of Chapter 17.23, entitled "Historic Preservation" by reducing the number of members from nine to seven, amending the position requirements and allowing members with businesses located within the City to serve on the Commission.
Case No.: ORD16-02
Applicant: City of Davenport

Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No. ORD16-02 to the City Council with a recommendation for approval.

Background:

The Historic Preservation Commission is required by Ordinance to have nine members. Currently, there are two vacancies on the Commission and finding Davenport residents with both technical expertise and willing to serve has been difficult. Additionally, the Ordinance is prescriptive with respect to Commission position requirements.

Public Input:

The plan and Zoning Commission held a public hearing on the proposed Ordinance at its October 4, 2016 public hearing. The Historic Preservation Commission held a public meeting on the proposed Ordinance at its October 11, 2016 meeting.

Discussion:

The Historic Preservation Commission unanimously recommended approval of the proposed Ordinance at its October 11, 2016 public meeting subject to a change in eligibility (17.23.040A) being owners of historic properties rather than being employed by a business or nonprofit organization. Staff concurs with this amendment. The proposed Ordinance would reduce the number of Commission members from nine to seven, amend the position requirements and allow members who own a historic property in the City to serve on the Commission. See proposed Ordinance for more information.

Staff Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No. ORD16-02 to the City Council with a recommendation for approval.

Prepared by:

Ryan Rusnak, AICP
Planner III

Attachment: Proposed Ordinance

ORDINANCE NO. 2016

An ORDINANCE to amend Title 17 of the Davenport Municipal Code, entitled "Zoning" by amending Section 17.23.040 of the Davenport City Code, entitled "historic preservation commission" by reducing the number of members from nine to seven, amending the position requirements and allowing members with businesses located within the City to serve on the Commission (City of Davenport, petitioner Case No. ORD16-02).

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

Section 1. That Chapter 17.23.040 of the Davenport Municipal Code be amended to read as follows:

17.23.040 Historic preservation commission.

The historic preservation commission of the city of Davenport is hereby established.

- A. Residency Eligibility. All members of the commission shall be legal residents of the city of Davenport or own a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.
- B. Composition. The commission shall consist of ~~nine~~ seven members. They shall demonstrate a positive interest in historic preservation and/or cultural resource management issues and possess an interest, knowledge, competence or expertise in one or more of the following: architecture, history, archeology, historic preservation, urban planning, building rehabilitation, cultural resource conservation or real estate development. ~~One position shall be reserved for an architect, one position shall be reserved for a person in real estate development, two positions shall be reserved for owner-occupants of property in officially designated districts and three positions shall be reserved for professionals representing the disciplines of architecture, archeology, history, urban planning, building rehabilitation, law, sociology, or cultural re-source conservation. The remaining two positions shall be at-large appointments.~~

~~For the initial commission, two owner-occupants from one or more of the thirteen National Register of Historic Places historic districts shall be appointed. They shall serve until owners-occupants are appointed to represent local historic districts that have been designated by the city council.~~

- C. Method of appointment. Members shall be appointed by the mayor, with the approval of the city council.
- D. Terms. Members shall serve terms of three years, provided however that all members shall hold over until their successors are appointed and approved. ~~The initial appointees shall serve the following terms: three members for three years; three members for two years and three members for one year.~~ Appointments shall be staggered such that no more than three members are appointed and approved each year. Appointments for non-reappointed members shall begin from the date of the expired term of the non-reappointed member. Vacancies occurring on the commission, other than those due to the normal expiration of term of office, shall be filled only for the unexpired portion of the former member's term.
- E. Forfeiture of appointment. A member will forfeit his/her appointment to the commission if he/she fails to satisfy any of the following requirements:
 - 1. The commission member changes his/her legal address to outside the city's corporate limits or no longer owns a property within the city of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.

~~2. The commission member(s) representing the historic districts relinquishes residency in and/or all ownership rights to properties located within a designated historic district. The mayor shall appoint a new member(s) to represent that constituency. The length of the terms for the new appointees shall be treated as normal vacancies discussed in Section 17.23.040F.~~

~~3.2.~~ Commission members must attend in person at least one-half of, or attend and have excused absences for at least two-thirds of, all regularly scheduled or specially-called meetings convened by the commission chairperson during the calendar year.

~~F. Vacancies. Vacancies occurring on the commission, other than those due to the normal expiration of term of office, shall be filled only for the unexpired portion of the former member's term. Vacancies shall be filled by a person(s) satisfying the same eligibility requirements as the former member. This includes the composition requirements contained in Section 17.23.040B, and the appointment procedure contained in Section 17.23.040C.~~

~~G.F.~~ Meetings. Meetings shall be held at regularly scheduled times as determined by the commission. They shall be open to the public. A public record of the meetings shall contain the minutes, attendance records, voting results and summaries of all pertinent action of the commission. A copy shall be filed in the city clerk's office and the ~~department of community planning~~ and economic development department for public review.

Special meetings of the commission may be called by the chairperson and held at any time or place fixed in the call.

A special meeting of the commission may also be called at the request, in writing, of any three or more members of the commission and if the chairperson shall fail to comply with such request, said members so requesting shall call such meeting, all signing the notice.

~~H.G.~~ Quorum. The presence of a majority of the official members of the commission shall constitute a quorum to legally transact commission business.

~~I.H.~~ Officers. At its first meeting of each calendar year, the commission shall elect from its membership a chairperson and vice-chairperson who shall serve terms of one year and who shall be eligible for re-election. The chairperson shall pre-side over commission meetings. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. If both are absent and a quorum is present, a temporary chairperson for that one meeting will be elected by those members in attendance. The chairperson shall be the spokesperson for the commission.

~~J~~.I. Commission secretary. The commission secretary shall be the director of community planning and economic development or his/her designee. The secretary's duties shall include:

1. The recording of the minutes of each commission meeting; and
2. The preparation and distribution of copies of the minutes, reports and decisions of the commission to its members and other interested parties; and
3. Satisfying all notice requirements established by city policy; and
4. Preparing and submitting to the mayor and city council a record of the commission's proceedings which involves city council action; and
5. Advising the mayor of vacancies on the commission and the expiring terms of its members; and
6. Providing all general administrative, technical and staff support to assist the commission in the performance of its duties.

~~K~~.J. Conflict of interest. No commission member shall participate in the discussion nor vote on any matter that appears to have a current or anticipated financial or material effect on his/her property or personal/business interests. The commission member shall be responsible for notifying the chairperson and commission secretary of such a situation prior to the commission taking any action on the issue.

~~L~~.K. Compensation. Members shall serve without compensation.

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 upon final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, MMC
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Rita Pribyl, 563-326-6171
Wards: All

Action / Date
CD11/16/2016

Subject:

Resolution approving a Collaboration & Intergovernmental Agreement among Moline, Rock Island, Davenport, and Public Housing Authorities to prepare a joint Assessment of Fair Housing plan. [All Wards]

Recommendation:

Approve the resolution.

Relationship to Goals:

Revitalized neighborhoods and corridors.

Background:

Pursuant to recently published Final Rule at 24 CFR Part 5, an Assessment of Fair Housing (AFH) is required for entitlement cities to continue to receive Community Development Block Grant (CDBG) and HOME Partnership Program funding.

In 2011 the Cities of Davenport, Moline and Rock Island worked together to develop an Analysis of Impediments to Fair Housing Choice. With the recently published Final Rule by HUD, new requirements were established to include area Public Housing Authorities in development of the AFH. The PHAs which have indicated they will participate are identified in Attachment A of the agreement. Their fiscal years and next 5-year plan dates will be included in the documents submitted to HUD.

The scope of work will include analysis of fair housing data, assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals.

Moline, Rock Island, and Davenport have different fiscal years and different years when their next 5 year plans are due. HUD determined that the due date for collaborative AFH plans is based when the lead entity's next five year plan is due. Among the three cities, Davenport's due date is the latest. Therefore, it is proposed that Davenport serve as lead entity to allow the most time for completion and submission of the AFH.

The assessment is an eligible expense for CDBG and HOME funds; and Davenport's portion of the AFH will be covered by these federal funds. The attached agreement details the split of the anticipated cost of up to \$80,000 among the three entitlements (50% or \$13,350 each) and six public housing authorities (50% or \$6,650 each)

Approval of the resolution will authorize the Mayor and City clerk to execute the Collaboration & Intergovernmental Agreement for the AFH and authorize staff to issue an RFQ/RFP for services to prepare the AFH.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	11/8/2016 - 4:12 PM
Community Development Committee	Berger, Bruce	Approved	11/8/2016 - 4:12 PM
City Clerk	Admin, Default	Approved	11/8/2016 - 4:15 PM

Resolution No. _____

Resolution offered by Alderman Boom

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a Collaboration & Intergovernmental Agreement among Moline, Rock Island, Davenport, and Public Housing Authorities to prepare a joint Assessment of Fair Housing (AFH) plan.

WHEREAS, the City of Davenport as the lead entity of the collaboration will send out Requests for Qualifications and Requests for Proposal in efforts to prepare the Assessment of Fair Housing; and

WHEREAS, new final rule by HUD requires the AFH to be submitted by 270 days before the submission deadline of Davenport's next Five Year Consolidated Plan, which is October 2019; and

WHEREAS, partnering with Moline, Rock Island and the Public Housing Authorities will reduce Davenport's cost to prepare the AFH and meet the HUD requirement of collaboration in the city's Core Based Statistical Area;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Davenport Iowa that the attached Collaboration & Intergovernmental Agreement be approved and the appropriate City officials be authorized and directed to execute the agreement.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

**COLLABORATION & INTERGOVERNMENTAL AGREEMENT AMONG THE
CITIES OF MOLINE AND ROCK ISLAND, ILLINOIS, CITY OF DAVENPORT IOWA
AND THE PUBLIC HOUSING AUTHORITIES IDENTIFIED IN ATTACHMENT
FOR
THE 2019 – 2024 ASSESSMENT OF FAIR HOUSING**

This agreement among the City of Moline, Illinois, a municipal corporation, (hereinafter “Moline”), the City of Rock Island, Illinois, a municipal corporation, (hereinafter “Rock Island”), and the City of Davenport, Iowa, a municipal corporation, (hereinafter “Davenport”), and list of six Public Housing Authorities identified in Attachment A (hereinafter PHAs) in consideration of the cost share identified, the mutual promises and covenants exchanged herein and in accordance with all appropriate Iowa and Illinois constitutional and statutory sections related to the enactment or adoption of intergovernmental and collaboration agreements hereby enter into the following agreement.

WHEREAS, the City of Davenport is a consolidated plan program participant with a program year start date of July 1 and the next 5-year consolidated plan cycle will begin in July 2020; and

WHEREAS, the City of Moline is a consolidated plan program participants with a program year start date of January 1 and the next 5-year consolidated plan cycle will begin in January 2020; and

WHEREAS, the City of Rock Island is a consolidated plan program participant with a program year start date of April 1 and the next 5-year consolidated plan cycle will begin in April 2018; and

WHEREAS, the PHAs as identified in Attachment A are public housing authorities with fiscal years and next 5-year plan cycles beginning as identified in Attachment A; and

WHEREAS, the Program participants are subject to the affirmatively furthering fair housing requirements found at 24 CFR 5.150 through 5.180 and required to submit an Assessment of Fair Housing (AFH);

WHEREAS, the AFH requires an analysis of a region’s Core Based Statistical Area (CBSA) for the entitlements and PHA’s which includes Scott County Iowa, Rock Island, Mercer, and Whiteside Counties in Illinois; and

WHEREAS, the Program Participants wish to collaborate to submit the AFH.

NOW THEREFORE, it is agreed among the parties hereto that:

LEAD ENTITY

The City of Davenport will serve as the lead entity of the collaboration and will be responsible for submitting the regional AFH on behalf of all the collaborating Program Participants.

PROGRAM YEAR ALIGNMENT

Alignment of program year(s) and fiscal years(s) is not possible. As such, the AFH will be submitted in accordance with the lead entity’s (City of Davenport) next 5-year consolidated plan program year start date of July, 2020. The AFH will be submitted by October, 2019.

ROLES/RESPONSIBILITIES OF PROGRAM PARTICIPANTS

The City of Davenport will serve as the lead entity and as such will, after consultation with Program Participants, issue an RFQ to obtain the services of a consultant. Each Program Participant will be responsible for providing information, data, assisting with public input meetings, etc. as required by the consultant and identified in the agreed upon scope of work.

WITHDRAWAL

Prior to the selection of the consultant a Program Participant may withdraw from the collaboration. However, once the consultant is chosen, scope of work identified and financial obligation of each program participant identified, a participant will be held responsible, as stated in the contract, for their share of the AFH. Participants are to submit, in writing withdrawing from the regional AFH to the lead entity. Participants are also responsible for notifying HUD of their decision to withdraw.

SPECIAL CONDITIONS

In consideration of the mutual covenants and promises herein contained, the Program Participants hereby agree as follows:

1. The recitals hereto are incorporated herein by this reference thereto as if fully set out herein.
2. The City of Davenport will serve as the lead entity of the collaboration and the AFH will be submitted (by October 1, 2019) in accordance with Davenport's next five year plan program year start date of July 1, 2020; and
3. The City of Davenport will pay consulting cost for which the City of Davenport will be reimbursed from the Program Participants. At this time the cost of the AFH is estimated to be in the range of \$80,000. The cost of the AFH will be divided as follows: The three entitlements splitting 50% of the estimated cost, or approximately \$13,350 each and the six Public Housing Authorities splitting 50%, or approximately \$6,650 each. It is anticipated that payments to the consultant may be arranged to fall over two fiscal years for participants. If the selected consultants estimated proposal exceeds \$80,000 the collaborators retain the right to revise the scope of work to reduce the consultant costs associated with the AFH.
4. Each section of this Agreement and each sentence, clause or phrase contained in such section shall be considered severable and, if for any reason, any section or sentence, clause or phrase contained in such section is determined to be invalid or contrary to any existing or future laws, such invalidity shall not impair the operation of or affect that portion of this Agreement which is valid.
5. This instrument contains the sole agreement of the parties hereto and all prior negotiations or correspondence shall be deemed merged into this

Agreement; and the terms of this Agreement shall govern the rights of the parties exclusively.

6. This Agreement shall be governed by the laws of the State of Iowa, and the sole and exclusive venue for any disputes arising out of this Agreement shall be any state court located within Scott County, Iowa, or federal court located within the appropriate venue. A waiver of any part of this Agreement shall be limited to that specific event and shall not be a waiver of the entire Agreement.
7. The roles/responsibilities of the collaborating program participants will be identified as part of the agreement with the consultant.
8. Program participants will be responsible for ensuring that their jurisdiction's analysis, priorities, and goals are sufficient and suitable for inclusion in the AFH. In addition, program participants will collaborate and provide input on joint goals and priorities to be included in the AFH. The scope of the responsibilities to be carried out by the participants, individually and jointly, will ultimately be established during negotiations regarding the specific scope of work with the selected consultant.

SECTION HEADINGS AND SUBHEADINGS

The section headings and subheadings contained in this Agreement are included for convenience only and shall not limit or otherwise affect the terms of this agreement.

WAIVER

A Program Participant's failure to act with respect to a breach by another Program Participant does not waive its right to act with respect to subsequent or similar breaches. The failure of the Program Participant to exercise or enforce any right or provision shall not constitute a waiver of such right or provision.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates as indicated.

CITY OF DAVENPORT, IOWA,
a municipal corporation:

By: _____
Mayor

Attest: _____
City Clerk

Approved as to Form:

City Attorney

Date

CITY OF MOLINE, ILLINOIS,
a municipal corporation:

By: _____
Mayor

Attest: _____
City Clerk

Approved as to Form:

City Attorney

Date

City OF ROCK ISLAND, ILLINOIS, a municipal corporation:

By: _____
Mayor

Attest: _____
City Clerk

Approved as to Form:

City Attorney

Date

Attachment A

Contacted Public Housing Authorities	Fiscal year	Next 5-year plan	Collaborating
Office of Assisted Housing – Davenport Iowa	July 1	July,2021	yes
Mercer County Housing Authority		October, 2020	yes
Moline Housing Authority			yes
Rock Island Housing Authority			yes
Greater Metropolitan Area Housing Authority of RI County			yes
Henry County Housing Authority			yes

Davenport Housing Commission IA

NAME _____

Commission Chair

State of _____)
County of _____) S.S.

On this _____ day of _____ 2016, before me, a Notary Public in the State of _____, personally appeared **NAME**, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they signed the same as their voluntary act and deed, for the uses and purposes therein mentioned.

Notary Public in and for _____ County, _____

NAME

State of _____)
County of _____) S.S.

Notary Public in and for _____ County, _____

NAME

State of _____)
County of _____) S.S.

Notary Public in and for _____ County, _____

NAME

State of _____)
County of _____) S.S.

Notary Public in and for _____ County, _____

NAME _____

State of _____)
County of _____) S.S.

Notary Public in and for _____ County, _____

Henry County Housing Authority

NAME

Commission Chair

State of _____)
County of _____) S.S.

On this _____ day of _____ 2016, before me, a Notary Public in the State of _____, personally appeared **NAME**, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they signed the same as their voluntary act and deed, for the uses and purposes therein mentioned.

Notary Public in and for _____ County, _____

City of Davenport

Agenda Group: Public Safety
Department: Finance/Revenue
Contact Info: Sherry Eastman 326-7795
Wards: Various

Action / Date
PS11/16/2016

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

Front Street Brewery, Inc. (Front Street Brewery, Inc.) - 421 W River Dr., Suite 3 & 4) - Premise update to add Suite 3 to licensed premise - License Type: C Liquor

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

Ward 1

Jimmie O's Saloon (Oldham Enterprizes LLC) - 2735 Telegraph Rd. - License Type: C Liquor

Lulac Club (LULAC Council #10 Inc.) - 4224 Ricker Hill Rd. - License Type: C Liquor

Sub Express & Gas (Janki Food Mart, Inc.) - 4307 W Locust St. - License Type: E Liquor / B Native Wine / C Beer

Ward 2

Probstei Bar & Grill (Probstei Bar and Grill Inc.) - 6315 W Kimberly Rd. - License Type: C Liquor

Ward 3

The Col Ballroom (Leigh Reitz) - 1012 W 4th St. - License Type: C Liquor

Dam View Inn (VanDamQC LLC) - 410 E 2nd St. - Outdoor Area - License Type: C Liquor

Falbo Bros. Pizzeria (BMG Pizza LLC) - 131 W 2nd St., Suite 100 - Outdoor Area - License Type: C Liquor

Fresh Deli By Nostalgia Farms (Nostalgia Farms Market Inc.) - 421 W River Dr., Suite 2 - Outdoor Area - License Type: C Liquor

Mac's Tavern (Failte, Inc.) - 316 W 3rd St. - Outdoor Area - License Type: C Liquor

The New Wooden Nickel, Inc. (The New Wooden Nickel, Inc.) - 2042 W 3rd St. - License Type: C Liquor

Ward 4

Azteca Express Restaurant, Inc. (Azteca Express Restaurant, Inc.) - 1902 N Division St., Suite 5
- License Type: C Liquor

Ward 5

Riverside Liquor (Vardaan Inc.) - 826 E River Dr. - License Type: E Liquor / B Native Wine / C Beer

Ward 6

Bleyart's Tap (Bleyart's Tap, Inc.) - 2218 E 11th St. - Outdoor Area - License Type: C Liquor

Huhot Mongolian Grill (CCW, LLC) - 3006 E 53rd St. - License Type: Beer / Wine

Ward 7

Bley's Tap (JBCW, LLC) - 215 E 29th St. - License Type: C Liquor

Brady Oil (Brady Oil LLC) - 3205 N Brady St. - License Type: C Beer

The Gallery (Nelson Securities, Inc.) - 3727 Esplanade Ave. - Outdoor Area - License Type: C Liquor

Q C Mart (Bethany Enterprises, Inc.) - 3545 Eastern Ave. - License Type: C Beer

Rivals Sports Bar and Grill (Rivals Sports Bar and Grill LLC) - 1720 E Kimberly Rd. - License Type: C Liquor

Ward 8

Casey's General Store #2168 (Casey's Marketing Company) - 1691 W 53rd St. - License Type: C Beer

Recommendation:
Consider the license applications.

Relationship to Goals:
Support local businesses.

Background:
The following applications have been reviewed by the Police, Fire and Zoning Departments.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/10/2016 - 9:42 AM
Finance Committee	Watson-Arnould, Kathe	Approved	11/10/2016 - 9:42 AM
City Clerk	Admin, Default	Approved	11/10/2016 - 9:56 AM

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Mike McGee; (563)326-7745
Wards: All

Action / Date
PW11/2/2016

Subject:

Second Consideration: Ordinance amending Chapter 15.12 by adopting the 2015 International Building Code and the 2015 International Residential Code as published by the International Code Council. [All Wards]

Recommendation:

Adopt the ordinance.

Relationship to Goals:

Welcome Investment

Background:

This ordinance will amend Chapter 15.12 of the 2000 Davenport Municipal Code by the adoption of the 2015 International Building Code and the 2015 International Residential Code as published by the International Code Council.

Reference to the 2015 Codes will allow the City of Davenport to participate in uniform and a consistent code reference throughout the metropolitan Quad City area among local city and county jurisdictions. Input from citizens and contractor associations and individuals has been sought and included in the revisions.

Adoption of the 2015 Codes is recommended and supported by the Association of General Contractors and the Quad Cities Homebuilders.

ATTACHMENTS:

Type	Description
▣ Ordinance	PW_ORD

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/8/2016 - 4:26 PM

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL CHAPTER 15.12 OF THE 2000 MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED "BUILDING CODE" AND ENACT AS A REPLACEMENT A NEW CHAPTER 15.12 ENTITLED "INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO- FAMILY DWELLINGS".

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

Section 1. That Chapter 15.12 of the Municipal Code of Davenport, Iowa, be and the same is hereby repealed and deleted in its entirety and replaced by a new Chapter 15.12 as follows:

CHAPTER 15.12

International Building Code

And International Residential Code For One-And Two-Family Dwellings

Construction Rules And Regulations For The City Of Davenport

15.12.010 Adoption by reference

The specifications and regulations which are mentioned by title and date below are hereby adopted and declared to be a part of this title when not in conflict with a specific statement contained herein.

15.12.020 The International Building Code

The International Building Code, 2015 edition as published by the International Code Council is hereby adopted by reference as the building code for the City of Davenport.

15.12.030 The International Residential Code

The International Residential Code 2015 edition as published by the International Code Council is hereby adopted by reference as the residential building code for the City of Davenport.

15.12.032 The International Existing Building Code

The International Existing Building Code 2015 edition as published by the International Code Council and as adopted and amended by the State of Iowa IAC 661-301.7(103A) is hereby adopted by as the existing building code for the City of Davenport.

15.12.034 *RESERVED*

15.12.036 Scope and application

The provisions of the International Residential Code for One- and Two- Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy of detached one- and two- family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.

The Provisions of the International Building Code and The International Existing Building Code shall apply to all other buildings and structures except as otherwise exempted in this code and as otherwise provided for above under the International Residential Code for One- and Two- Family Dwellings

15.12.040 Additions, deletions and amendments to the International Building Code

- A.** Chapters 1, 12, 13, 27, 28, 29, 30, 32, and 33 of the International Building Code, 2015 edition are deleted in their entirety and replaced by the codes and rules referenced by this Chapter and the Administrative Code contained in this Title as Chapter 15.08 and the Iowa Administrative Code.
- B.** Appendix chapters C, I, of the International Building Code, 2015 edition are hereby adopted as part of this Chapter all other appendix chapters are deleted.
- C.** Delete all references to the International Plumbing Code and insert in lieu thereof "State Plumbing Code"
- D.** Delete all references to the International Mechanical Code and insert in lieu thereof "State Mechanical Code"
- E.** Delete all references to the International Fire Code and insert in lieu thereof "Fire Code as adopted by the City of Davenport".
- F.** Delete all references to National Fuel Gas Code and insert in lieu thereof "Fuel Gas Piping requirements of Iowa Administrative Code 641—25.3(105) Fuel gas piping. Fuel gas piping shall comply with the State Plumbing Code.

NOTE:

1. All permits and regulations for the construction, encroachment and installation or maintenance within the public right-of-way and upon dedicated storm, sewer and access easements and the installation of public sidewalks, curb cuts, and drives are administered by the Department of Construction and Engineering.
2. See the Sign Ordinance of the City of Davenport for limitations on the encroachment of signs onto public property.
3. See Chapter 17.24 of the Davenport Municipal Code for development for construction within a flood plain district.
4. See Iowa Administrative Code 641 Chapter 25 for the regulation of plumbing, potable water supply, drain, waste and venting and hydronic systems servicing buildings.
5. See Iowa Administrative Code 641 Chapter 61 for the regulation of heating, air conditioning and mechanical systems for environmental conditions and process within buildings.

6. See Iowa Administrative Code 661 Chapter 504 and Chapter 15.16 of the Davenport Municipal Code for standards for electrical work.

15.12.042 Chapter 18 International Building Code Modified

A. Add a new paragraph to Section 1807.3 as follows:

All buildings or portions of buildings containing mechanical installations and connected to underground utilities shall be supported on a continuous, frost-free foundation capable of resisting the movement of the slab-on-grade.

15.12.44 Reserved

15.12.46 Chapter 33 International Building Code Modified

A. Delete Chapter 33 of the 2015 International Building Code in its entirety and replace as follows:

CHAPTER 33 - DEMOLITION PROCEDURES

3314.1 Completion. All demolition work shall be completed within thirty (30) days from the commencing date of demolition. An extension of time may be granted by the building official.

3314.2 Site Work. A Construction Site Erosion and Sediment Control (COSESCO) Demolition permit application must be obtained from the Natural Resources Division of Public Works and submitted for review. The fee for a COSESCO demolition permit is \$75 per lot and is valid for one year: By obtaining a COSESCO Demolition permit the contractor agrees to meet the terms and specifications outlined in Section 13.38 of Davenport Municipal Code. And this section as follows:

3314.2.1 Site clearing. The demolition site shall be cleared of all debris associated with the structures being removed. All mechanical groundwork shall be removed from the site of demolition. Foundation walls may be used as solid fill and in all cases shall be removed or collapsed so as to allow burial below grade. Basement and on grade concrete slabs shall be removed or substantially pulverized to allow adequate drainage.

3314.2.2 Backfill and site finish. Demolition work shall include site work as necessary to fill all excavations and to create a smooth and even finish grade capable of supporting vegetation. Materials and specifications for filling and final site work are as follows: Only material that will not decompose in the ground

shall be used for filling all excavations to within one (1) foot of the top of the surrounding grade. The top one (1) foot of fill material shall be tillable soil, of which the formed aggregate does not exceed 1-1/2 inches. An earthen crown shall be provided at the center of the demolition site to allow for proper site drainage. Final site work shall include the spreading of a grass seed blend suitable for the site and able to provide adequate ground cover and protection from erosion of soil.

3314.2.3 Excavations. The top and bottom of cut slopes shall be made no closer than two feet to the site boundaries. All excavated sites with a difference in elevation from the adjoining grade level of thirty inches or more shall be filled and graded to a maximum slope of two horizontal to one vertical. Sloped sites exceeding 12' vertical height shall be graded to a maximum slope of three horizontal to one vertical or shall be held in place by permanent retaining walls equipped with guardrails. The Building Official may require engineered designs for any retaining system.

3314.2.4 Utility abandonment. The demolition shall not commence and no permit shall be granted prior to the abandonment of the gas and electric and water service by the serving utility and abandonment of the sewer service at the street, alley, or other location as approved by the Department of Construction and Engineering. Care must be exercised not to cut off any sewer or water service that may serve another building or installation. A permit secured from the Construction and Engineering Department will be required for the excavation in a public way. The Building Official may waive this requirement.

B. Add a new section to Chapter 33 as follows:

SECTION 3315 - MOVING OF BUILDINGS

3315.1 Permit authorization. No permit for foundation work, excavation, or site development shall be granted by the building official for the relocation of a moved building and no permit for moving of any structure shall be granted without the written approval of the Director of the Transportation Department. Such written approval shall designate the approved route, designate the time and duration of the move along public streets and any other restrictions deemed necessary by the Director of Transportation. Such approvals shall be subject to review by any public utility having property along the proposed route. The Director of Transportation shall also notify the fire chief and police chief of the intended route and shall continue such notification for the duration of the moving, indicating any change in the route and any pause in the moving procedure.

3315.2 Use of public right-of-way. No building or structure shall be allowed to remain over night upon any street or public right-of-way, nor shall any such moving restrict, at any time, access to any fire hydrant or necessary emergency equipment.

3315.3 Notification. Every person receiving a permit to move a building shall, within one day after the building reaches its destination, report that fact to the Director of Transportation. The Director of Transportation shall thereupon inspect the streets, alleys or public ground over which the house or building has been moved and shall ascertain the condition of same. If the moving has caused any damage to said public right-of-way repairs shall be made and all costs shall be assessed against the party having been granted the permit for the moving of the building or structure.

15.12.050 Additions, deletions and amendments to the International Residential Code

- A.** Chapter 1 of the International Residential Code 2015 edition is deleted and replaced by the codes and rules referenced by this Chapter and the Administrative Code contained in this Title as Chapter 15.08 and the Iowa Administrative Code.
- B.** Part IV, Part V, Part VI, (fuel gas code) Part VII, Part VIII, of the 2015 International Residential are deleted in their entirety and replaced by applicable Chapters of this Title.
- C.** Appendix Chapter H, of the 2015 International Residential Code is hereby adopted as part of this Chapter all other appendix chapters are deleted.
- D.** Delete all references to the International Plumbing Code and insert in lieu thereof "State Plumbing Code"
- E.** Delete all references to the International Mechanical Code and insert in lieu thereof "State Mechanical Code"
- F.** Delete all references to the International Fire Code and insert in lieu thereof "Fire Code as adopted by the City of Davenport"
- G.** Delete all references to National Fuel Gas Code and insert in lieu thereof "Fuel Gas Piping requirements of Iowa Administrative Code 641—25.3(105) Fuel gas piping. Fuel gas piping shall comply with the State Plumbing Code.

15.12.052 Chapter 3 International Residential Code modified

A. Table R301.2(1) is amended by adding the following information:

Table R301.2(1) Climatic and Geographic Criteria

Ground Snow Load	Wind Design				Seismic Design Category ^f	Subject to Damage From		
	Speed ^d (mph)	Topographic Effects ^k	Special Wind Region ⁱ	Wind- borne Debris Zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c
p _s = 30 psf, except that calculations for additional drift loads shall use a ground snow load p _g = 25 psf	115	YES	YES	NO	A	SEVERE	42"	Moderate to Heavy

Winter Design Temp ^e	Ice Barrier Underlayme nt Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
-4° F	YES	Initial NFIP 04/14/1978 FIRM #170582 04/05/2010	2000	50.5° F

B. Delete Paragraph R302.13 in its entirety.

C. Delete Paragraph R310.1 and insert in lieu thereof the following new section:

R310.1 "Emergency Escape and Rescue Required". Basements, habitable attics and every sleeping room shall have at least one operable emergency rescue opening. Such opening shall open directly into a public street, public alley, yard or court. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement when so provided. Where

emergency escape and rescue openings are provided, they shall have a sill height of not more than 44 inches (1118 mm) above an adjacent permanent interior standing surface. The adjacent permanent interior standing surface shall be no less than 36 inches wide and 18 inches deep and no more than 24 inches high. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with section R310.3. The net clear opening dimension required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

EXCEPTION: Basements used only to house mechanical equipment and not exceeding total floor areas of 200 square feet

- D.** Delete Paragraph R313.1 "Townhouse automatic fire sprinkler systems.
- E.** Delete Paragraph R313.2 "One and two family dwellings automatic fire systems" in its entirety.
- F.** Delete Section R322 "Flood Resistant Construction" in its entirety.

Note: Chapter 17.24 of the Davenport Municipal Code for development or construction within a flood plain district.

- G.** Delete Section R323 in its entirety. (FEMA regulations apply for storm shelter)
- H.** Delete Section R326 in its entirety and insert in lieu thereof the following new section:

R326 "Swimming Pools, Spas and Hot Tubs". The design and construction of pools and spas shall comply with the International Swimming Pool and Spa Code Chapter 305 entitled "Barrier Requirements".

- H.1** Section 305.4 Modified. Delete all reference to windows.

15.12.054 Chapter 4 International Residential Code modified

- A. Delete table R403.1(1) table 403.1(2) and table 403.1(3), and replace with the following table R403.1

TABLE R403.1

CONCRETE, PRECAST OR MASONRY FOOTINGS AND FOUNDATION				
Number of Floors Supported by the Foundation	Thickness of Foundation Walls (inches)	Minimum Width Footing (inches)	Thickness of Footing (inches)	Minimum Depth of Foundation Below Natural Surface of Ground or Finish Grade (whichever is lower) (inches)
1	8	16	8	42
2	8	16	8	42
3	10	18	12	42

Note:

1. Foundations may support a roof in addition to the stipulated number of floors. Foundations supporting roofs only shall be as required for supporting one floor.
2. Footings shall be continuous and contain a minimum of two, ½" inch reinforcement bars, and shall have a minimum compressive strength of 2,500 pounds per square inch at 28 days.
3. A one story wood frame building used for private garage, and accessory to a single family residential use and not exceeding 720 square feet in floor area may be constructed on a floating slab-on-grade provided the following conditions are met: A concrete perimeter grade-beam, twelve inches deep and twelve inches wide and reinforced with two, ½ inch reinforcement bars shall be installed to support the exterior walls. A minimum four-inch thick concrete floor slab reinforced with wire mesh or fiber mesh shall be installed within the perimeter beam and shall be formed to allow a continuous pour consisting of the required grade beam and floor.
4. Buildings or portions of buildings containing mechanical installations and connected to underground utilities shall be supported on a continuous, frost-free foundation capable of resisting the movement of the slab-on-grade.
5. Cast-in-place concrete foundation walls shall be concrete having a minimum compressive strength at 28 days of not less than 3,000 pounds per square inch. The minimum thickness of a wall shall be 7 1/2 inches.

Walls shall be reinforced with no less than three, one half-inch diameter deformed ASTM A615 grade 40 steel bars placed horizontally at the center of the wall, with one bar located near the top, one bar located near the bottom, and one bar located near mid-height of the wall.

- B.** Delete Paragraph R403.1 "General" in its entirety and replace in lieu thereof the following:

All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings which shall be of sufficient design to accommodate all loads according to Section R301 of the 2015 International Residential Code. Footings shall be supported on undisturbed natural soil or engineered fill.

- C.** Amend Section R403 by adding the following paragraph(s):

R403.1.1(2) Deck Footings. Deck footings NOT supporting a roof or over head structure may be a minimum 12 inches in diameter and 42 inches below finished grade.

R403.1.1(3) Covered Deck and Room Addition Footings. All covered decks, screened porches; three season rooms, four season rooms, room additions, and similar structures, shall be supported on foundations compliant with Table R403.1 or conforming to one of the following methods:

1. Pier footings designed by a design professional.
2. 12 inch wide reinforced trench footing 42 inches in depth.
3. Spread footings 42 inches in depth with a minimum 8 inch masonry wall or concrete foundation wall as per Figure 404.1.3.1 (A)

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 _____,

Third Consideration _____,

Frank Klipsch
Mayor

Attest: _____
Jackie E. Holecek, MMC, ICMFO
Deputy City Clerk

Published in the Quad-City Times on _____.

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Mike McGee; (563)326-7745
Wards: All

Action / Date
PW11/2/2016

Subject:

Second Consideration: Ordinance amending Chapter 15.24 by adopting the 2015 International Mechanical Code as published by the International Code Council and as adopted by the State of Iowa. [All Wards]

Recommendation:

Adopt the ordinance.

Relationship to Goals:

Welcome Investment

Background:

This ordinance will amend Chapter 15.24 of the 2000 Davenport Municipal Code by the adoption of the International Mechanical Code as published by the International Code Council and Adopted by the State of Iowa.

The adoption and use of this Code and the associated amendments by the State of Iowa Administrative Code 641 are mandated by State Code Chapter 105.

Reference to the 2015 Codes will allow the City of Davenport to participate in uniform and a consistent code reference throughout the metropolitan Quad City area among local city and county jurisdictions.

Adoption of the 2015 Codes is recommended and supported by the Association of General Contractors and the Quad Cities Homebuilders.

ATTACHMENTS:

Type	Description
▣ Ordinance	PW_ORD

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/8/2016 - 4:26 PM

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL CHAPTER 15.24 OF THE 2000 MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED "IAPMO Uniform Mechanical Code" AND ENACT AS A REPLACEMENT A NEW CHAPTER 15.24 ENTITLED "Mechanical Code".

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

Section 1. That Chapter 15.24 of the 2000 Municipal Code of Davenport, Iowa, be and the same is hereby repealed and deleted in its entirety and replaced by a new chapter 15.24 as follows:

CHAPTER 15.24

Mechanical Code

Construction Rules And Regulations For

The City of Davenport

Sections:

15.24.010 Mechanical Code.

15.24.010 The Mechanical Code

The State Mechanical Code as adopted and amended by the State of Iowa Administrative Code 641 Chapter 61 is hereby adopted by reference as the mechanical code for the City of Davenport, Iowa, subject to the amendments and adoptions by the State of Iowa Department of Public Safety.

15.28.020 Administrative Application

- A. The administration, scope, application, permit regulation, permit fees, inspection and enforcement of the mechanical code for the City of Davenport shall be as set forth in Chapter 15.08 of the 2000 Davenport Municipal Code for Administrative Regulations.

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 _____,
Third Consideration _____,

Frank Klipsch
Mayor

Attest: _____
Jackie E. Holecek, MMC, ICMFO
Deputy City Clerk

Published in the Quad-City Times on _____.

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Mike McGee; (563)326-7745
Wards: All

Action / Date
PW11/2/2016

Subject:

Second Consideration: Ordinance amending chapter 15.28 by adopting the 2015 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials and as adopted by the State of Iowa Plumbing Code. [All Wards]

Recommendation:

Adopt the ordinance.

Relationship to Goals:

Welcome Investment

Background:

This ordinance will amend Chapter 15.28 of the 2000 Davenport Municipal Code by the adoption of the Plumbing Code as adopted by the State of Iowa. Use of this code and the associated amendments by the State of Iowa Administrative Code 641 are Mandated by State Code Chapter 105.

Reference to the 2015 Codes will allow the City of Davenport to participate in uniform and a consistent code reference throughout the metropolitan Quad City area among local city and county jurisdictions.

Adoption of the 2015 Codes is recommended and supported by the Association of General Contractors and the Quad Cities Homebuilders.

ATTACHMENTS:

Type	Description
▣ Ordinance	PW_ORD

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/8/2016 - 4:26 PM

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL CHAPTER 15.28 OF THE 2000 MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED “IAPMO Uniform Plumbing Code” AND ENACT AS A REPLACEMENT A NEW CHAPTER 15.28 ENTITLED “Plumbing Code”.

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

Section 1. That Chapter 15.28 of the 2000 Municipal Code of Davenport, Iowa, be and the same is hereby repealed and deleted in its entirety and replaced by a new chapter 15.28 as follows:

CHAPTER 15.28

Plumbing Code

Sections:

15.28.010 Plumbing Code.

15.28.020 Administrative Application

15.28.010 Plumbing Code

The Plumbing Code as adopted and amended by the State of Iowa Administrative Code 641 Chapter 25 is hereby adopted by reference as the plumbing code for the City of Davenport, Iowa, subject to the amendments and adoptions by the State of Iowa Department of Public Safety.

15.28.020 Administrative Application

- A. The administration, scope, application, permit regulation, permit fees, inspection and enforcement of the plumbing code for the City of Davenport shall be as set forth in Chapter 15.08 of the 2000 Davenport Municipal Code for Administrative Regulations.

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 _____,

Third Consideration _____,

Frank Klipsch
Mayor

Attest: _____
Jackie E. Holecek, MMC, ICMFO
Deputy City Clerk

Published in the Quad-City Times on _____.

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Mike McGee; (563)326-7745
Wards: All

Action / Date
PW11/2/2016

Subject:

Second Consideration: An ordinance to repeal Chapter 15.30 of the 2000 Municipal Code of Davenport, Iowa, entitled "Contractor Licenses - Bond - Insurance Required" and enact as a replacement a new chapter 15.30 entitled "Contractor License - Bond - Insurance Required".
[All Wards]

Recommendation:

Adopt the ordinance.

Relationship to Goals:

Welcome Investment.

Background:

This ordinance will amend Chapter 15.30 of the 2000 Davenport Municipal Code. Specific changes to the code include revisions to the language for contractor licensing compliance with the new State Code Chapter 105 mandated to jurisdictional subdivisions and State Licensing of Mechanical, Electrical and Plumbing Contractors.

ATTACHMENTS:

Type	Description
▣ Ordinance	PW_ORD

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/8/2016 - 4:26 PM

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL CHAPTER 15.30 OF THE 2000 MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED “Contractor License Bond Insurance Required” AND ENACT AS A REPLACEMENT A NEW CHAPTER 15.30 ENTITLED “Contractor License Bond Insurance Required”.

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

Section 1. That Chapter 15.30 of the 2000 Municipal Code of Davenport, Iowa, be and the same is hereby repealed and deleted in its entirety and replaced by a new chapter 15.30 as follows:

CHAPTER 15.30
Contractor License Bond Insurance Required

Sections:

Subchapter I

- 15.30.010 Licensing generally.
- 15.30.020 Building Contractor licensing and regulation.
- 15.30.030 Plumbing licensing and regulation.
- 15.30.040 Electrical licensing and regulation.
- 15.30.050 Mechanical licensing and regulation.
- 15.30.060 (reserved)

Subchapter II

- 15.30.070 Application for licenses.
- 15.30.080 Examination for license.
- 15.30.090 (reserved)
- 15.30.100 (reserved)
- 15.30.110 Examination waived.
- 15.30.120 Issuance of license, fees and renewals.
- 15.30.130 License revocation or suspension.
- 15.30.140 Revocation and suspension procedures.
- 15.30.150 Summary suspension.

Subchapter III

- 15.30.170 Bond and Insurance required.
- 15.30.180 Liability Insurance required.

Subchapter I

LICENSING GENERALLY

15.30.010 Licensing generally.

- A. No person, firm, partnership or corporation shall engage in construction contracting without having a current valid license or certificate issued in accordance with this chapter. The term construction contracting shall mean being engaged in the performance or supervision of work regulated by provisions of any of the technical codes as defined in Chapter 15.08 of the Davenport Municipal Code and shall include persons contracting to perform such work in the conduct of a business.

EXCEPTION: No license is required for the owner of an existing single family dwelling who occupies the dwelling as his own residence. Owner occupants may perform repair or remodel or new construction work regulated by any of the above named codes on said dwelling together with any existing accessory buildings not used for commercial purposes only if:

1. The owner has secured a valid permit prior to commencement of the repair work;
 2. The owner calls for all of the required inspections normally required as a part of performing such work;
 3. The owner has not applied for a dwelling improvement license at more than two dwellings within a period of four years nor is engaged in the business of remodeling dwellings other than his own dwelling.
 4. The owner can demonstrate adequate knowledge and ability in the area of work for which applied.
- B. No person, firm, partnership or corporation shall engage in sign contracting without having a current valid license issued in accordance with this chapter. The term sign contracting shall mean being engaged in the performance or supervision of work regulated by the provisions of Chapter 17.45 of the Davenport Municipal Code, Sign Ordinance.
- C. Restriction on transfer. No license may be loaned, rented, assigned or transferred. No holder of a valid license shall obtain a permit under his license and then subcontract, sell or otherwise assign the work covered by the permit to a person or firm who does not have a valid license.

15.30.020 Building Contractor licensing and regulation thereof.

- A. Building contractor licensing.

1. No person, firm or corporation shall engage in building contracting in the city without having a valid building contractor's license.
2. The term "building contracting" shall be defined as being engaged in the performance or supervision of work regulated by provisions of the building code and shall include the business of contracting such work for hire.

3. A corporation desiring to engage in building contracting shall, by affidavit of the president or secretary of the corporation, appoint one or more of the corporate officers to act for the corporation, to apply for, be examined, and be licensed as an individual under the terms of this chapter. Such officer(s) or director(s) shall be actively engaged in conducting the affairs of the corporation and shall be directly in charge of the planning and supervision of any and all construction work done by that corporation. Such corporation may continue in the business of building contracting only so long as it has at least one officer or director so licensed and engaged. In case of sudden or unexpected severance from employment by the corporation of the licensee, the corporation may continue to operate for thirty days, and within the thirty days shall accomplish appointment, examining and licensing of another director or officer to act as above.
4. A partnership desiring to engage in building contracting shall, by affidavit of all the partners, appoint one or more partners to act for the partnership, to apply for, be examined, and be licensed as an individual under the terms of this chapter. Such partner(s) shall be actively engaged in conducting the affairs of the partnership and shall be directly in charge of the planning and supervision of any and all work done by that partnership. Such partnership may continue in the business of contracting only so long as it has at least one active partner so licensed and engaged. In case of sudden or unexpected severance from the partnership of the licensee, the partnership may continue to operate for thirty days, and within the thirty days shall accomplish appointment, examining and licensing of another partner to act as above.
5. An individual desiring to engage in building contracting shall apply for, be examined, and be licensed as an individual under the terms of this chapter. Such person shall be actively engaged in conducting the affairs of the business and shall be directly in charge of the planning and supervision over any and all work done as a part of that business. If at any time he sells his interest in the business, or ceases to be active in the business, that business may continue no more than thirty days as a contractor, unless another individual who obtains an interest in and is active in that business obtains an individual license as required herein.
 - a. A commercial building contractor shall obtain a Class A license. A commercial building contractor is a contractor engaged in the performance or supervision of work regulated by the building code. Such work is not exclusively limited to work described in this subsection or exclusively limited to a line of work contemplated in subsection B or C hereunder and may include the moving or demolition of buildings.
 - b. A residential building contractor shall obtain a Class B license. A “residential building contractor” is a contractor limited to the construction, remodeling or demolition of one- or two-family residences or of auxiliary facilities including car ports and garages intended for one-family or two-family residential uses.
 - c. A specialty contractor shall obtain a Class C license. A “specialty contractor” is a contractor performing work regulated by the building code whose scope of work is limited to a specialty but does not include construction or installation of a building or addition thereto. Such work shall include the performance or

installation of the following items: metal awnings and canopies, decks, concrete, roofing, signs, siding, steel erection and fabricating, swim pools, sprinkler systems, tuck pointing, water proofing.

EXCEPTION: 1. No Building Contractor License is required for a person having legal title and ownership for a building or structure. Owners may perform general contracting work on such properties. The scope of work allowed under this exception shall be limited to work pertaining to new construction, remodeling or renovation. This exception shall not apply to work pertaining mechanical, electrical or plumbing installations nor shall this exception pertain to the licensing requirements for mechanical, plumbing and electrical contractors.

15.30.030 Plumbing licensing and regulation thereof.

A. Plumbing Contractor's License.

1. Upon the effective date of enforcement determined by the State of Iowa Plumbing & Mechanical Systems Board, no person, firm or corporation shall engage in plumbing contracting or the installation of plumbing systems within the City of Davenport without the appropriate licensing as issued by the State of Iowa under Iowa Code Chapter 105.

Exception: 1. A plumbing contractor's license shall not be required for sewer construction work where such sewers are public sewers on public property, or, as in the case of subdivision development work, where such sewers are intended for future acceptance by the city as public sewers on public property. All such work is directly under the jurisdiction of the department of public construction and engineering.

15.30.040 State Of Iowa Electrical licensing and regulation thereof

A State of Iowa Electrical Contractor License required

1. Upon the effective date of enforcement determined by the State of Iowa Electrical Examining Board, no person, firm or corporation shall engage in electrical contracting or the installation of electrical systems within the City of Davenport without the appropriate licensing as issued by the State of Iowa under Iowa Code Chapter 103 or the City Of Davenport..
2. Class "B" Master Electrician and Class "B" Journeyman Electrician licenses shall not be recognized as valid to perform work as Master Electricians or Journeyman Electricians, respectively, within the City of Davenport.
3. Class "B" license holders would have rights and privileges equal to those of a licensed "Unclassified" person.
4. Persons holding a Special Electrician license with a "Residential Electrician" endorsement shall be supervised by a Class "A" Master Electrician per 2007 Iowa Acts, Chapter 197, Section 21; or an electrical contractor licensed by the City of Davenport.

15.30.050 Mechanical licensing and regulation thereof.

A. Mechanical Contractor's License.

1. Upon the effective date of enforcement determined by the State of Iowa Plumbing & Mechanical Systems Board, no person, firm or corporation shall engage in mechanical contracting or the installation of mechanical systems within the City of Davenport without the appropriate licensing as issued by the State of Iowa under Iowa Code 105.

15.30.060 RESERVED.

Subchapter II

APPLICATION FOR LICENSE

15.30.070 Application for licenses.

- A. Any person who desires to be licensed as a building contractor as defined in this chapter shall make application to the Building Official. The Building Official shall provide application forms for this purpose. The completed forms shall include the name of the applicant and the applicant's employer, if any, applicant's home and business addresses, employer's address and a brief resume of his training and experience. The completed forms must be accompanied by any affidavits and documentation required by other provisions of this chapter.

15.30.080 Examination for license

- A. Any person who desires to be licensed as a building contractor shall be tested by examination. The Building Official may appoint a person or agency to administer the preparation, conducting and grading of examinations. Examinations shall be of such a nature as to uniformly test the capabilities of all applicants for each specific type of license. The applicant shall score a passing test result of seventy percent (70%) in order to secure a license. All associated fees for examination services, grading and administration shall be paid at the time of application by the individual desiring to be tested.

15.30.090

-----RESERVED-----

15.30.100

-----RESERVED-----

15.30.110 Examination waived

Any building contractor having been tested elsewhere by an examination of equal standards or who produces proper credentials showing accreditation or avadavat of training and experience may upon review by the building official, be excused from the examination required by this Chapter.

15.30.120 Issuance of license, fees and renewals.

- A. No license shall be issued to a firm, partnership or corporation.
- B. No license shall be issued, and no contractor's license shall remain valid unless a current, approved bond shall be on file in the office of the Building Official as provided in the code.
- C. Licenses and renewals shall be issued by the Building Official. All fees shall be paid to the City. Initial licenses shall be issued on approval by the Secretary of the licensing board or the Building Official. Renewal licenses shall be issued on presentation of a renewal application, a receipt for renewal fee and approval by the Building Official that the applicant is in full compliance with all applicable provisions of the Davenport Municipal Code and all lawful orders of compliance and notices or citations issued by the City of Davenport.
- D. All licenses shall expire on March 31st of each year. Renewals may be secured in the thirty days preceding the expiration date. Expired licenses may be renewed at any time within the license year upon payment of the required fee and penalty, if any. After one license year has elapsed without license renewal, a new application must be submitted with examination fee, and the applicant must be reexamined. The term "license year" means the twelve month period, commencing April 1st of any year.
- E. Application, license and registration fees shall be charged according to the following schedule:

TABLE E.1

Annual Fee

Building Contractor licenses:

Commercial Building Contractor	
Class "A"	\$300.00
Residential Building Contractor	
Class "B"	\$200.00
Specialty Contractor	
Class "C"	\$100.00

- F. In all cases where licenses and registrations are not renewed on or before April 30th of each year and the licensee has performed work regulated by this chapter, a penalty of one-half the annual fee may be added to the annual fee.

15.30.130 License revocation or suspension.

In addition to penalties otherwise provided, violations of Title 15 of the City of Davenport Municipal Code shall authorize the Building Official, to order, in accordance with the provisions of Section 15.30.140, revocation or suspension of any license issued under this chapter.

15.30.140 Revocation and suspension procedures.

Under certain conditions or by actions of the license holder for failure to comply with the requirements of Title 15 of the Davenport Municipal Code any contractor license issued in and for the City of Davenport may be revoked by order of the building official. No order of license revocation or suspension shall be lawful unless the following requirements have been satisfied:

- A. The licensee shall be served with written notice issued by the building official containing assertions of fact or conduct which warrant the intended action and reference the provisions of law violated and causing the revocation order and the effective date of the revocation of license.
- B. The licensee has the right of appeal of license revocation to the City Council.

Subchapter III

BOND AND INSURANCE REQUIRED

15.30.170 Bond Required.

- A. Contractor Bonds. Contractor Bonds. Any person, firm or corporation desiring to engage in the business of contracting, of the several types as set forth in Table III-A of this subchapter, conditioned on the faithful performance of all the provisions of the Administrative Code, shall post a bond which is guaranteed by a surety. The term 'business of contracting' as contained in this section shall mean being engaged in the business of doing work regulated by provisions of the technical codes and the Administrative Code. Such surety to be a company authorized to transact business in the state of Iowa.

TABLE III-A

Type of Contracting	Sum of Bond
General contracting	\$25,000.00
Mechanical contracting	\$5,000.00
Electrical contracting	\$5,000.00
Plumbing contracting	\$5,000.00
Refrigeration and/or air-conditioning contracting	\$5,000.00
Sign contracting	\$5,000.00
Excavation contracting	\$5,000.00
Moving buildings	\$25,000.00
Blasting	See Uniform Fire Code
Demolition and wrecking	\$25,000.00

15.30.180 Liability Insurance Required.

- A. Contractors Insurance. Any person, firm or corporation desiring to engage in the moving or demolition of buildings shall file with the building official a duplicate copy of a liability insurance policy covering such operations. Such policy shall provide bodily injury limits of three hundred thousand/five hundred thousand dollars and property damage limits of three hundred thousand dollars. The City of Davenport shall be named in the policy as additionally insured. Said policy shall be issued by a legally

authorized surety transacting business in the State of Iowa. Required property damage limits may be increased by the building official.

- B. Sign Liability Insurance. Liability insurance is required covering all billboards, wherever located and all signs on or over public property, and all signs over walkways, parking lots and all road ways on private commercial property where such areas are in use by the public. Liability insurance shall provide for the principal sum of not less than \$50,000.00 liability to any one person or \$300,000.00 liability on account of any one accident. Such policy shall be written in accordance with standard form now in general use. Said policy shall further carry an endorsement protecting the City of Davenport as its interest may appear as the result of any accident or injury for which it might become in any manner liable. Should such insurance be terminated for any reason or owner of the sign fail to keep such insurance in force at any time, the permit for the maintenance of any such sign shall automatically terminate and such sign be forthwith removed by the owner or his agent.
- C. Marquee and other projections, Liability Insurance. Every person, firm or corporation desiring to erect or maintain a marquee shall first procure public liability insurance thereon in a company authorized to transact business in the State of Iowa, for the principal sum of not less than \$50,000.00 liability to any one person or \$300,000.00 liability on account of any one accident. Such policy shall be written in accordance with standard form now in general use. Said policy shall further carry an endorsement protecting the City of Davenport as its interest may appear as the result of any accident or injury for which it might become in any manner liable. Should such insurance be terminated for any reason or should the holder of the permit fail to keep such insurance in force at any time, the permit for the maintenance of any such canopy or marquee shall automatically terminate and such canopy or marquee shall be forthwith removed by the owner or his agent. If not removed by the owner or his agent, then the marquee may be removed by the building official and the expense thereof shall be recovered from said owner or owner's agent.

Exception: 1. Canvas type awnings shall be exempt from this insurance requirement.

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 _____,
Third Consideration _____.

Frank Klipsch
Mayor

Attest: _____
Jackie E. Holecek, MMC, ICMFO
Deputy City Clerk

Published in the Quad-City Times on _____.

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Jen Walker; (563) 326-6168
Wards: 4, 5, 7 & 8

Action / Date
PW11/16/2016

Subject:

Resolution accepting the work completed under the FY2015 resurfacing contract with Langman Construction, Inc. Total cost was \$1,340,000 budgeted in CIP #10550. [Wards 4, 5, 7 & 8]

Recommendation:

Pass the resolution

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities

Background:

The Resurfacing Program maintains streets and sewer infrastructure throughout the City. When streets have reached their useful life where overlay, cape seal, or micro surfacing are no longer viable options, milling and resurfacing is necessary. To minimize disruption to the traveling public, necessary sewer repairs and upgrades are completed in conjunction with resurfacing. Also completed are improvements to curb and sidewalk, including accessible pedestrian ramps.

Repairs to four streets were accomplished under the 2015 Resurfacing Contract with Langman Construction, Inc.:

- Eastern Avenue (Rusholme to Locust),
- Lombard Street (Harrison to Western),
- 53rd Street (emergency repair at Grand Ave.), and
- Marquette Street (12th to 17th).

Total cost was approximately \$1,340,000. Funding sources included a combination of Road Use Tax, Government Obligation Bonds, and Local Option Sales Tax.

ATTACHMENTS:

Type	Description
□ Resolution Letter	PW_RES_Complete streets pg2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	11/10/2016 - 9:56 AM
Public Works Committee	Lechvar, Gina	Approved	11/10/2016 - 9:56 AM
City Clerk	Admin, Default	Approved	11/10/2016 - 9:57 AM

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION accepting the work completed under the FY2015 resurfacing contract with Langman Construction, Inc. Total cost was \$1,340,000 budgeted in CIP #10550.

- Eastern Avenue (Rusholme to Locust),
- Lombard Street (Harrison to Western),
- 53rd Street (emergency repair at Grand Ave.), and
- Marquette Street (12th to 17th).

The scope of work included sewer repairs, street resurfacing, improved sidewalks, and pedestrian curb ramps. Final cost of the four projects was approximately \$1,340,000 using a combination of Road Use Tax, Government Obligation Bonds, and Local Option Sales Tax.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that

Section 1. That it is hereby found and determined that the work of constructing the above-named project has been duly and fully completed by the contractor in accordance with the terms of the contract, and the same is hereby accepted and approved.

Section 2. That it is hereby found and determined that the total construction cost of said project is approximately \$1,340,000.

Section 3. That except for the retainage held by the City pursuant to Chapter 563 of the Code of Iowa, which shall be paid to the contractor not less than thirty (30) days after the acceptance of the work, the amount due the contractor is hereby ordered paid by the issuance to the contractor of anticipatory warrant or warrants, in accordance with Section 384.57 of the Code of Iowa, 2013, as amended, or from such other fund or funds as may be available for that purpose, such warrant or warrants and amounts paid from any such fund or funds to be paid and replaced to the extent possible from the proceeds of special assessments and the sale of special assessment bonds.

Section 4. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

Passed and approved this 22nd day of November, 2016.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Thomas Vesalga; (563) 326-7783
Wards: 8

Action / Date
PW11/16/2016

Subject:

Motion approving change order #1 in the amount of \$28,000 for additional design cost for the Runway 15/33 Reconstruction Project, CIP #20003. The city will be reimbursed up to 90% by the Airport Improvement grant. [Ward 8]

Recommendation:

Approve the motion

Relationship to Goals:

Welcome Investment

Background:

The FAA required a redesign and realignment on two taxiways that were not included in the original scope. The additional cost of \$28,000 is funded from CIP #20003, Airport Improvement Grant funding will cover \$24,624 (90%) and the remaining cost of \$2,736 (10%) will be paid by the city.

Summary of Contract Amount:

Original Contract: \$501,600

Change order #1: \$27,360

Amended Contract Amount: \$528,960

ATTACHMENTS:

Type	Description
▣ Backup Material	Change Order #1
▣ Backup Material	Supplemental Agreement #1 to Amendment #7

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	11/9/2016 - 11:35 AM
Public Works Committee	Lechvar, Gina	Approved	11/10/2016 - 10:43 AM
City Clerk	Admin, Default	Approved	11/10/2016 - 10:44 AM



City of Davenport
Public Works Department

1200 East 46th Street • Davenport, Iowa 52807
Telephone: 563-326-7923 Fax: 563-327-5182

CERTIFICATIONS

CITY ENGINEER _____
(Work is Required)

CIP MANAGEMENT ANALYST _____
(Funds are Available)

CHIEF OF CONSTRUCTION _____
(Work is Constructible)

PUBLIC WORKS DIRECTOR _____
(Approval)

CONTRACTOR: **McClure Engineering Company**
CONTRACTING COMPANY: **McClure Engineering Company**
ADDRESS: **705 First Avenue North**
CITY, STATE, AND ZIP CODE: **Fort Dodge, IA 50501**

RE: PROJECT TITLE, CHANGE ORDER #, CIP #, ORG #, AND OBJECT # **Runway 15/33 Reconstruction (Design), Change Order #1, CIP # 20003, ORG # 73516675, OBJECT # 530350**

Dear: **McClure Engineering Company**

Description to Contractor: **This change Order is in response to Aeronautical Engineering design cost incurred from recent changes to the design criteria dictated by the Federal Aviation Administration as outlined in McClure Engineering Supplemental Agreement No 1 to Amendment No 7 for the Runway 15/33 Reconstruction (Design) contract.**

CHANGE ORDER DESCRIPTION:

- 1. Supplemental Agreement No 1 to Amendment No 7:**
 - a. Derive RWY 15/33 Fleet Mix & Complete Pavement Design (for Runway 15/33 Section 2 & 4 & TWY A1)**
 - b. Additional Geotechnical Laboratory Testing Coordination**
 - c. Reconstruct and Realign Existing TWY D (Proposed TWY C)**

Cost: **\$27,360**
Working Days Adjustment: **0**

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$ 501,600
Previous Change Orders	\$ 0.00
<u>This Change Order</u>	\$ 27,360
Amended Contract Amount:	\$ 528,960

Recommend/Approved: _____
(Up to \$5,000) Project Manager

Date: _____

Recommend/Approved: _____
Contractor

Date: _____

Recommend/Approved: _____
(Up to \$15,000) Public Works Director

Date: _____

Recommend/Approved: _____
(Up to \$25,000) City Administrator

Date: _____

Recommend/Approved: _____
(Up to \$100,000) Chair, Public Works Committee

Date: _____

Required: Green Sheet Motion to Approve

Council Meeting Date: _____

Recommend/Approved: _____
(Over \$100,000) City Clerk, City of Davenport

Date: _____

Required: Green Sheet Resolution to Approve

Council Meeting Date: _____

Project No. DAV-1511003-07
Project Name: Runway 15/33 Reconstruction: Additional Design Services
Davenport Municipal Airport
Project Manager: Andrew C. Maysent, P.E.

**SUPPLEMENTAL AGREEMENT NO. 1
TO AMENDMENT NO. 7
RUNWAY 15/33 RECONSTRUCTION: DESIGN AND BIDDING SERVICES
DAVENPORT MUNICIPAL AIRPORT
FAA AIP NO. 3-19-0024-019 (FY16)**

This **SUPPLEMENTAL AGREEMENT NO. 1**, made on the _____ day of _____, 2016, shall amend the original **Amendment No. 7** dated the 27th day of January, 2016, by and between **McClure Engineering Company, of Clive, Iowa** (herein referred to as "**Engineer**") and **Davenport Municipal Airport, Davenport, Iowa** (hereinafter referred to as "**Owner**"). Services shall be performed per the fees, terms and conditions outlined in this Supplemental Agreement No. 1. The **Engineer** shall provide additional Engineering and Consulting Services at the request of the **Owner** which consists of the following items outlined below, located at the **Davenport Municipal Airport**.

PROJECT DESCRIPTION:

Three (3) additional primary tasks have been requested by the **Owner** and FAA beyond the original scope of services. The three additional tasks are outlined below:

Task #1: Derive Runway 15/33 Fleet Mix & Complete Pavement Designs (for Runway 15/33 Sections 2 and 4 & Taxiway A1)

As a result of FAA comments on the pre-design meeting minutes (dated October 20, 2015), Amendment No. 7 was originally scoped to assume the Runway 15/33 and Taxiway A1 pavement sections would be the same as the Runway 15/33 Section 3 (designed under the Runway 3/21 Reconstruction Project) as shown in **Figure 1** of Exhibit B. As a result, Amendment No. 7 did not include deriving and re-evaluating the Runway 15/33 fleet mix, preparing pavement designs on Runway 15/33 Sections 2 and 4 and Taxiway A1, and completing a life cycle cost analysis (LCCA) for Runway 15/33 Sections 2 and 4 and Taxiway A1 due to the understanding from the pre-design meeting the same pavement section from the Runway 3/21 Reconstruction project would be maintained.

On July 11, 2016 the FAA issued email correspondence stating the fleet mix submitted from the Runway 3/21 Reconstruction project was not approved for use as the fleet mix needed to be based on reliable data. This change contradicted the comments received on the pre-design meeting (dated October 20, 2015) and Amendment No. 7 approved by the FAA on February 12, 2016.

Task #2: Additional Geotechnical Laboratory Testing Coordination

On January 27, 2016, the **Engineer** submitted a draft geotechnical scope of services for FAA approval indicating proctors and California Bearing Ratio lab tests would be completed utilizing lime or fly ash. Subsequently, the FAA reviewed and provided approval on the scope of services on February 5, 2016.

On July 28, 2016, the FAA provided comments on the 30% Engineer's Report stating the chemical stabilization needs to be re-visited to investigate if cement stabilization would be more appropriate for the soil types. A conference call conducted with the FAA on August 19, 2016 recommended performing additional soil samples utilizing cement and these additional lab tests would be AIP eligible costs.

As a result, the **Engineer** was required to perform additional coordination for additional lab testing with the geotechnical firm.

Task #3: Reconstruct and Realign Existing Taxiway D (Proposed Taxiway C)

As shown in **Figure 1**, Amendment No. 7 was scoped to perform pavement maintenance/rehabilitation (joint sealing and misc. patching) on the existing Taxiway D (proposed Taxiway C) up to the edge of the Runway 15/33 RSA. On August 19, 2016 a conference call conducted with the FAA stated the existing Taxiway D shall be reconstructed and realigned to be perpendicular to Runway 15/33 as shown in **Figure 2**.

As a result, additional design services were required to adjust the geometric layouts for the existing Taxiway D centerline and edge of pavements.

Due to funding constraints, the FAA also requested the reconstruction/realignment of the existing Taxiway D be bid separately as a bid alternate in the event additional discretionary funding is not available. A bid alternate approach will require the **Engineer** to develop two (2) separate design scenarios and track two (2) separate cost estimates. The two scenarios are as follows:

1. Plans for reconstructing/realigning the existing Taxiway D
2. Plans for only performing pavement maintenance/rehabilitation (as originally planned)

Project No. DAV-1511003-07
Project Name: Runway 15/33 Reconstruction: Additional Design Services
Davenport Municipal Airport
Project Manager: Andrew C. Maysent, P.E.

1. The **Engineer** shall provide the additional following services and prepare, for approval by the **Owner**, Plans and Specifications, Construction Documents, including:

Item	Included	Not Included
B. Final Design		
1. 30% Design Phase		
a. Perform Airfield Pavement Design		
1. Review and analyze FAA supplied traffic data from FAA's Traffic Flow Management System Counts (TFMSC) Database for 2000-2015	☒	☐
2. Coordination and participation in conference calls with FAA re: operational data	☒	☐
3. Revise fleet mix tables per FAA requests and submit to FAA for approval. Include both local/itinerant operations.	☒	☐
4. Develop estimates for total annual operations. Coordinate estimates with FAA for approval.	☒	☐
5. Develop estimates for total IFR operations. Coordinate estimates with FAA for approval.	☒	☐
6. Develop estimates for VFR and non-captured IFR operational levels. Coordinate estimates with FAA for approval.	☒	☐
7. Revise total annual operations based on new FAA methodology with adjusted scale factors	☒	☐
8. Coordination with FBO to review fuel sales and/or FBO logs.	☒	☐
9. Coordination with Owner and John Deere on number of DC-8 operations and the DC-8 takeoff-weights	☒	☐
10. Determine and calculate adjusted takeoff weights for critical design aircraft.	☒	☐
11. Perform FAARFIELD pavement designs using FAA approved fleet mix		
i. Perform Civilian only pavement design (for both lime and cement soil stabilization)	☒	☐
ii. Perform Civilian + Military pavement design	☒	☐
12. Conduct sensitivity analysis that excludes the Sponsor-added A320, DC9, and C130 aircraft from the fleet mix.	☒	☐
13. Submit pavement designs to FAA for approval	☒	☐
14. Respond to FAA revisions and comments	☒	☐
2. 60% Design Phase		
a. Perform Airfield Design (for reconstruction and realignment of existing Taxiway D)		
1. Develop Horizontal Alignment	☒	☐
2. Develop Vertical Profile and edge of pavement profiles	☒	☐
3. Develop two (2) fillets geometry for Taxiway D/Runway intersection	☒	☐
4. Develop Intersection Geometrics and Proposed Elevations	☒	☐
5. Develop Civil 3D typical section/template	☒	☐
6. Perform 3-D Modeling and generate proposed contours	☒	☐
7. Develop underdrain plan including horizontal and proposed flowlines	☒	☐
8. Calculate earthwork requirements	☒	☐
9. Develop concrete jointing layout	☒	☐
10. Develop adjusted marking layout	☒	☐
b. Prepare 60% Project Drawings		
1. Taxiway D Plan and Profile Sheet	☒	☐
c. Prepare separate 60% "Opinion of Probable Costs" (for reconstruction and realignment of existing Taxiway D bid alternate)	☒	☐
3. 90% Design Phase		
a. Perform Airfield Electrical Design (additional MITL layout required for bid alternate scenario)		
1. Develop taxiway edge light layout	☒	☐
2. Develop guidance sign layout	☒	☐
3. Develop cable, conduit, and counterpoise layout	☒	☐
b. Prepare 90% Project Drawings (for reconstruction and realignment of existing Taxiway D)		
1. Taxiway D Plan and Profile Sheet	☒	☐
2. Taxiway D Intersection Geometric Plan Sheet	☒	☐
3. Taxiway D Jointing Plan Sheet	☒	☐
4. Taxiway D Cross Section Sheet	☒	☐
5. Taxiway D Electrical Layout (additional sheet required for bid alternate scenario)	☒	☐
6. Taxiway D Electrical Wiring Plan (additional sheet required for bid alternate scenario)	☒	☐
c. Prepare separate 90% "Opinion of Probable Costs" (for reconstruction and realignment of existing Taxiway D bid alternate)	☒	☐
H. Soil Boring Coordination		
1. Prepare additional scope of services request to Geotechnical Firm. Coordinate and submit to FAA.	☒	☐
2. Coordinate additional lab testing with Geotechnical Firm	☒	☐
3. Review additional lab test results and provide comments	☒	☐
4. Update Engineer's Report to reflect additional lab test results	☒	☐

Project No. DAV-1511003-07
Project Name: Runway 15/33 Reconstruction: Additional Design Services
Davenport Municipal Airport
Project Manager: Andrew C. Maysent, P.E.

2. Payment to the **Engineer** shall be made per the following basis:

2.1. Basis of Compensation

2.1.1. In return for the performance of the foregoing obligations detailed in Section 1, the **Owner** shall pay the additional lump sum amount of \$27,360.00, raising the total compensation under Part I: FAA AIP Eligible Work (Elements 1-5) from \$463,770.00 to the lump sum amount of \$491,130.00. The compensation under Part II: FAA AIP Ineligible Work (Element 6) remains unchanged at a lump sum amount of \$10,750.00.

☒ B.	Final Design		
	1. 30% Design Phase	Lump Sum	\$9,860
	2. 60% Design Phase	Lump Sum	\$8,870
	3. 90% Design Phase	Lump Sum	\$8,250
☒ H.	Soil Boring Coordination	Lump Sum	\$380
Total Additional Fee			\$27,360

2.2. Additional Services

2.2.1. Any services rendered by the **Engineer** beyond those described in Section 1: Scope of Services shall be compensated on an additional lump sum basis.

2.2.2. The Engineer's estimate of the amount that will become payable for Additional Services is only an estimate. If it becomes apparent that this estimated compensation amount will be exceeded, the **Engineer** and **Owner** shall mutually negotiate in writing to additional compensation exceeding said estimated amount.

2.3. Other Payment Provisions

2.3.1. Progress Payments: Payment to the **Engineer** shall be made on a monthly basis, within 30 days of invoice for work completed to date. Amounts unpaid 30 days after invoice date shall bear interest from the date payment is due at a rate of 1.5% per month compounded and shall include costs for attorney fees and other collection fees related to collecting fees for service. The amounts due for Additional Services will also be invoiced monthly.

2.3.2. Reimbursable Expense Definition: Reimbursable expenses include, but are not limited to, transportation, subsistence, reproduction of reports, drawings, specifications, and other Project documents, courier services, materials, supplies, equipment rental and other costs specific to the Project.

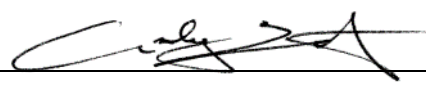
3. This Supplemental Agreement No. 1 represents the entire and integrated Agreement between the **Owner** and the **Engineer**. This Supplemental Agreement No. 1 may be amended only by written instrument by both the **Owner** and the **Engineer**.

	Included	Not Included
Exhibit 'A' Hourly Rate Schedule	☐	☒
Exhibit 'B' Project Limits	☒	☐
Exhibit 'C' Owner's Responsibilities	☐	☒
Exhibit 'D' Duties, Responsibilities and Limitations of Authority of the Resident Project Representative	☐	☒
Exhibit 'E' Federal Provisions	☐	☒
Exhibit 'F' Estimated Costs for Consultant Services	☒	☐
Exhibit 'G' Project Schedule	☐	☒

OWNER: Davenport Municipal Airport
Davenport, Iowa

Engineer: McClure Engineering Company
Clive, Iowa

By: _____

By:  _____

Name: _____

Name: Andrew Maysent, P.E.

Title: _____

Title: Aviation Team Leader

EXHIBIT 'B'
PROJECT LIMITS

Figure 1. Project Limits

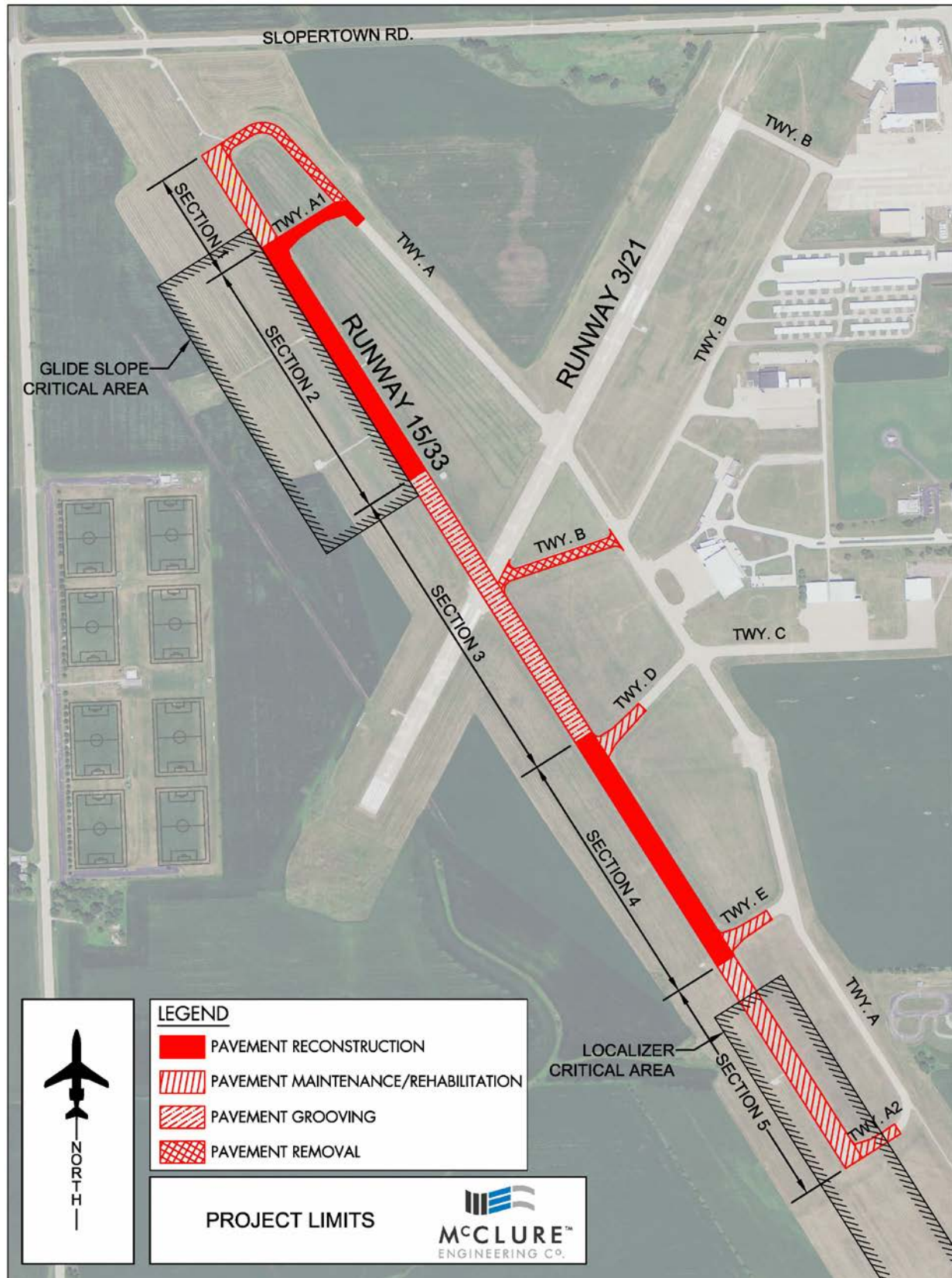


Figure 2. Reconstruct and Realignment of Existing Taxiway D

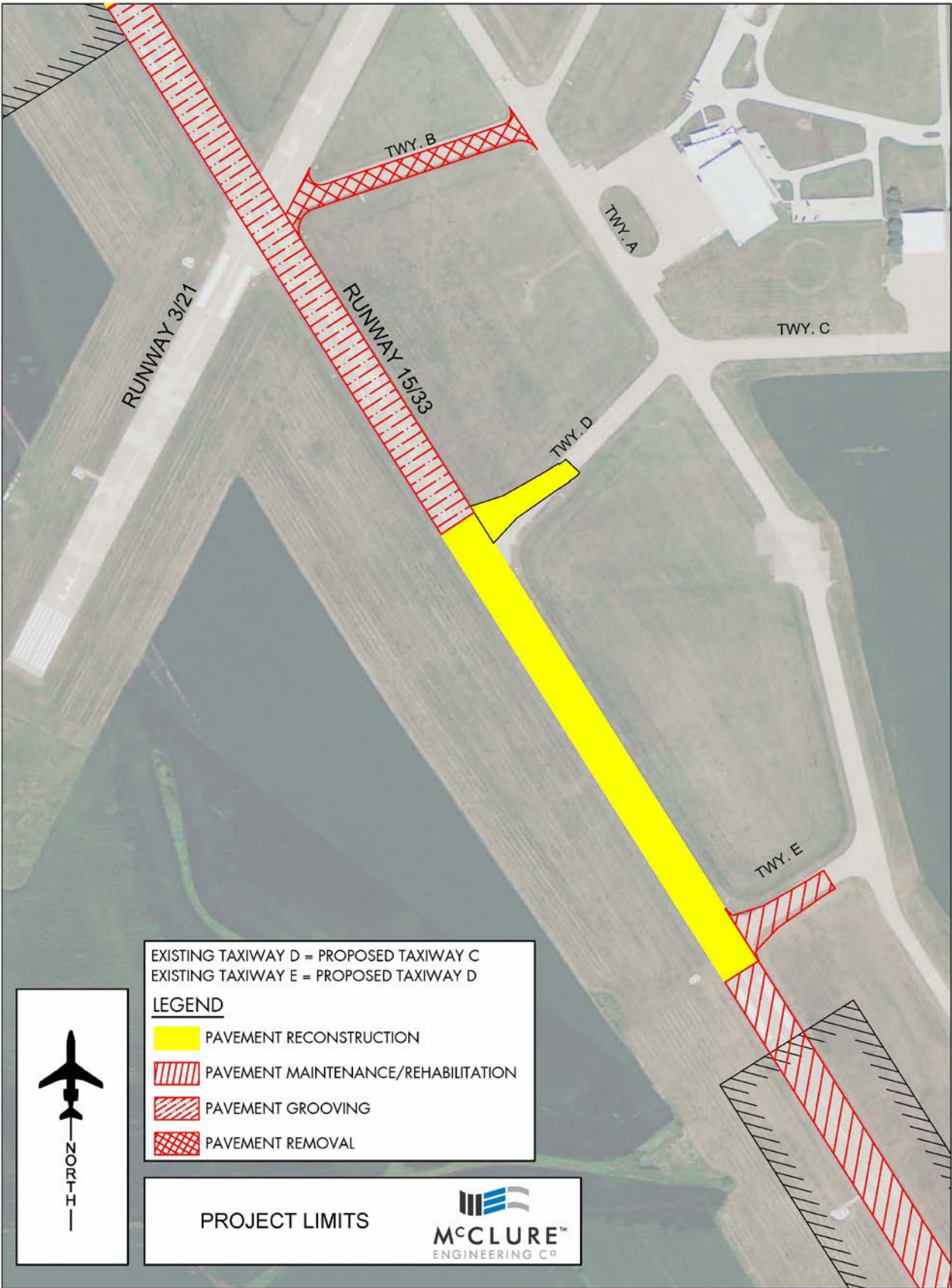


Exhibit F

Estimated Costs for Consultant Services

I. Direct Salary Costs

Title	Hours	Rate	Cost
Principal		\$62.50	\$ -
Project Manager	30	\$52.50	\$ 1,575
Sr. Project Engineer	74	\$43.25	\$ 3,201
Staff Engineer	92	\$32.84	\$ 3,021
CAD Technician	45	\$26.25	\$ 1,181
Administrative Assistant		\$22.50	\$ -
Total Direct Salary Costs			\$ 8,978

II. Labor and General Administrative Overhead*

Percentage of Direct Salary Costs	164.90%	\$ 14,805
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III. Subtotal

Items I and II	\$ 23,783
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IV. Profit

15% of Item III	\$ 3,567
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V. Direct Non-Salary Expenses

8.5x11	40 sheets	@ \$ 0.10 per sheet	\$ 4
11x17	30 sheets	@ \$ 0.20 per sheet	\$ 6
Vehicle Mileage	miles	@ \$ 0.56 per mile	\$ -
Lodging	nights	@ \$ 89.00 per night	\$ -
Meals	days	@ \$ 10.00 per meal	\$ -
Total Direct Non-Salary Expenses			\$ 10

VI. Subcontract Costs

N/A	
Total Subcontract Costs	\$ -

VII. Total Amount (NTE) (III+IV+V+VI)

\$ 27,360

*Overhead rate is fixed for the duration of this agreement

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Thomas Vesalga; (563) 326-7783
Wards: 8

Action / Date
PW11/16/2016

Subject:

Motion approving the submittal of the FAA Airport Improvement Program grant pre-application for FY2018 through FY2020. [Ward 8]

Recommendation:

Approve the motion

Relationship to Goals:

Welcome Investment

Background:

As part of the Federal Aviation Administration's (FAA) Airport Improvement Program (AIP), General Aviation Airports are required to submit a grant pre-application to be eligible for federal grant funding consideration. This pre-application is used by the FAA to create their Airport Capital Improvement Program (ACIP) for the next three fiscal years and informs them FAA of long-range needs for a period of up to ten years.

The Davenport Municipal Airport intends to submit two projects to be included into the FAA ACIP. The first project is for the rehabilitation of the main terminal apron and will replace deteriorating concrete, install an adequate stormwater drainage system, and upgrade the lighting. If accepted, the FAA is expected to fund \$856,008 (90%) of the \$951,120 estimated project cost.

The second project is the rehabilitation of taxiway A. This project will bring a on a 2000 foot long segment of the taxiway up to FAA minimum standards by replacing deteriorating concrete, regrade the shoulder to improve stormwater drainage and install an upgraded lighting system. If accepted, the FAA is expected to fund \$1,407,951 (90%) of the \$1,564,390 estimated project cost.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	11/9/2016 - 12:42 PM
Public Works Committee	Lechvar, Gina	Approved	11/10/2016 - 9:46 AM
City Clerk	Admin, Default	Approved	11/10/2016 - 9:57 AM

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Mike Atchley; (563) 327-5149
Wards: 6

Action / Date
PW11/16/2016

Subject:

Motion to approve the purchase agreement for the acquisition of right-of-way and temporary construction easement from Heather L. Wilkerson in the amount of \$59,000. This parcel of land is located in Woodland Ct and the acquisition is for the Veterans Memorial Parkway project, CIP #02418. [Ward 6]

Recommendation:

Approve the motion.

Relationship to Goals:

Enhance Quality of Life

Background:

This parcel is 6632 Woodland Court, located at the southeast corner of the roundabout for Jersey Ridge Road and Veterans Memorial Parkway (Jersey Ridge Rd. to I-74). At this location we need 13,600 sf. of right-of-way and 3,882 sf. of temporary construction easement. The agreed amount for right-of-way, temporary construction easement is \$58,653.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Wilkerson Purchase Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Rejected	11/9/2016 - 11:00 AM
Public Works - Engineering	Atchley, Mike	Approved	11/9/2016 - 11:36 AM
Public Works - Engineering	Lechvar, Gina	Approved	11/10/2016 - 10:10 AM
Public Works Committee	Lechvar, Gina	Approved	11/10/2016 - 10:10 AM
City Clerk	Admin, Default	Approved	11/10/2016 - 10:14 AM

PURCHASE AGREEMENT
For
Right-of-Way, Temporary Construction Easement
and Acceptance

PARCEL NO. 1-A & TCE

COUNTY: Scott

PROJECT NAME or NO. Veterans Memorial Parkway Project CITY: Davenport

SELLER: Heather L. Wilkerson

THIS AGREEMENT made and entered into this 7 day of November, 2016, by and between Seller and the City of Davenport, Iowa, a Municipal Corporation, hereinafter, Buyer.

1a. SELLER AGREES to sell the below described property for right-of-way 1-A and furnish to Buyer conveyance documents, on form(s) furnished by Buyer described as:

TRACT NO. 1-A RIGHT OF WAY ACQUISITION

Fee simple title granted to the City of Davenport, Iowa is to land described as follows:

A parcel of land located in part of Lot 6 of Jersey Farms Fourth Addition being situated in part of the Southeast Quarter of Section 6, Township 78 North, Range 4 East of the 5th Principal Meridian in the City of Davenport, Scott County, Iowa, shown as Tract No. 1-A on the attached Plat of Right of Way Acquisition, Sheet No. 1 of 3, attached hereto and by this reference made a part hereof, and being more particularly described as follows:

Beginning at the Northeast corner of Lot 6 of said Jersey Farms Fourth Addition said corner being on the present Southerly Right of Way line of Veterans Memorial Parkway (formerly East 67th Street); Thence South 10°27'24" East 47.40 feet along the Easterly line of Lot 6 of said Jersey Farms Fourth Addition to the New Southerly Right of Way line of said Veterans Memorial Parkway; Thence 86.51 feet along the arc of a 214.94 foot radius curve concave Northerly (the chord of said curve bears South 84°31'56" West 85.93 feet) along the said New Southerly Right of Way line of Veterans Memorial Parkway; Thence North 83°56'14" West 17.90 feet along the said New Southerly Right of Way line of Veterans Memorial Parkway; Thence 107.38 feet along the arc of a 146.41 foot radius curve concave Southerly (the chord of said curve bears South 75°03'05" West 104.99 feet) along the said New Southerly Right of Way line of Veterans Memorial Parkway; Thence South 54°02'23" West 10.47 feet along the said New Southerly Right of Way line of Veterans Memorial Parkway; Thence 26.20 feet along the arc of a 42.12 foot radius curve concave Southeasterly (the chord of said curve bears South 36°13'04" West 25.78 feet) along the said New Southerly Right of Way line of Veterans Memorial Parkway; Thence South 17°05'45" West 28.60 feet along the said New Southerly Right of Way line of Veterans Memorial

Parkway and the New Easterly Right of Way line of Jersey Ridge Road to the intersection with the Present Easterly Right of Way line of Jersey Ridge Road; Thence North 01°37'14" West 104.87 feet along the said Present Easterly Right of Way line of Jersey Ridge Road; Thence 31.16 feet along the arc of a 20.00 foot radius curve concave Southeasterly (the chord of said curve bears North 42°56'07" East 28.10 feet) along the said Present Easterly Right of Way line of Jersey Ridge Road and the Present Southerly Right of Way line of Veterans Memorial Parkway; Thence North 87°36'06" East 212.30 feet along the said Present Southerly Right of Way line of Veterans Memorial Parkway to the Point of Beginning.

The above described tract of land contains 13,600 sq. ft., more or less.

For purposes of this description the present Southerly Right of Way line of Veterans Memorial Parkway and the North line of Lot 6 of Jersey Farms Fourth Addition is assumed to bear North 87°36'06" East.

- 1b. SELLER AGREES to sell the below described property for temporary construction easement 1-TCE (the temporary construction easement would be needed for 1 year) and furnish to Buyer conveyance documents, on form(s) furnished by Buyer described as:

TRACT 1 –TCE Temporary Construction Easement

3,882 sq. ft. +/-

As Shown on Attached Plat (Page 7)

- 1c. The temporary construction easement (TCE) is for the purpose of such encroaching, grading, sloping, shaping, cutting, filling and constructing as may be required for the proper construction of the "Veterans Memorial Parkway Paving Project" over, across, through and under Parcel Y0637-06A, in Scott County, Iowa. Said temporary construction easement shall terminate when the City approves and accepts said project or 12 months from the date construction (grading for the new road bed) encroaches on the SELLER'S property whichever comes first.
- 1d. The grant of easement described above shall include before the construction encroachment take place, the right to survey the property, the right of ingress and egress and the right to trim, cut down and remove such trees, brush, saplings, and bushes as may be necessary for the purposes for which this easement is granted, in, over, across, and along the easement. This easement shall survive a transfer or grant of property rights affecting the previously described real estate upon execution.
2. The Right-of-Way (ROW) and Temporary Construction Easement (TCE) are conveyed upon the following express understanding and condition that the temporary construction easement area is used for grading purposes and not for the parking of construction equipment; City of Davenport will be responsible for the mowing from the curb to the retaining wall; that the terminus of the west end of the fence will be place as directed by the SELLER so long that it adds no more than 50 ft. of additional fencing; that the retaining wall is the city's responsibility and to the fullest extent permitted by the law, the city shall defend, indemnify, and hold harmless the SELLER and their successors from and against all claims, damages, losses and expenses, including but not limited to, all attorneys' fees arising out of or resulting from damage or injury as result of the retaining wall, provided that any such claim, damage, loss or expense were not of the SELLER's doing. On the completion of any and all construction work by the City of Davenport, all denuded areas will be sodded by the City's contractor and maintained in accordance with Special Provision for Sodding as used by Linn County and approved by the Iowa DOT (See Exhibit A). In addition should the privacy fence be damaged during construction the entire privacy fence shall be replaced to avoid the mismatch of weathered fencing and new fencing

3. SELLER and successors shall have five years from the date the council approves and accepts the "Veterans Memorial Parkway Project," to renegotiate any conditions stated in Section 2 to which the Buyer did not comply or fulfill and any construction or maintenance damages not apparent at the time this document is signed.
4. Possession of the premises is the essence of this agreement and Buyer may enter and assume full use and enjoyment of the premises per the terms of this agreement. SELLER grants Buyer the immediate right to enter the premises for the purpose of gathering survey and soil data.
5. Buyer agrees to pay and SELLER AGREES to grant the right of possession to areas as dictated by the right-of-way and easements, as described and shown on Pages 6 and 7, on or before the **Date Of Performance** listed below in the Itemization of Acquisition.
6. Time for Acceptance. If this offer is not accepted by SELLER on or before **October 20, 2016**, this purchase agreement may be void at the BUYER's discretion; however this agreement may not be void once the conveyance documents have been received by the BUYER.

ITEMIZATION OF ACQISITION

<u>PAYMENT AMOUNT</u>	<u>AGREED PERFORMANCE</u>	<u>DATE OF PERFORMANCE</u>
\$ <u>36,802.00</u>	on conveyance of ROW	<u>Within 60-days from when buyer receives this document</u>
\$ <u>1,051.00</u>	on conveyance of TCE	<u>Within 60-days from when buyer receives this document</u>
\$ <u>20,800.00</u>	payment for additional damages	<u>Same as above</u>
\$ <u>0.00</u>	on surrender of possession	<u>NA</u>
\$ <u>0.00</u>	on possession and conveyance	<u>NA</u>
\$ <u>58,653.00</u>	TOTAL LUMP SUM	

<u>Breakdown</u>	<u>Ac./Sq. Ft.</u>
Land by Fee Title	<u>13,600</u> Sq. Ft.
Underlying Fee Title	<u>NA</u> Sq. Ft.
Temporary Construction Easement	<u>3,882</u> Sq. Ft.

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the Buyer, we the undersigned claimants certify the Total Lump Sum payment shown herein is just and unpaid.

City of Davenport, Buyer

Frank Klipsch
Mayor, City of Davenport

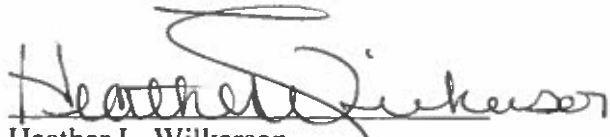
STATE OF IOWA)
) ss:
COUNTY OF SCOTT)

On this _____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Frank Klipsch, to me personally known, who being by me duly sworn did say that that person is the Mayor, for the City of Davenport, and that said instrument was signed and sealed on behalf of the said City of Davenport, and said Frank Klipsch, acknowledged the execution of said instrument to be the voluntary act and deed of City of Davenport, by it voluntarily executed.

WITNESS my hand and notarial seal on the day and year last above written.

Notary Public in and for
State of Iowa

This offer is accepted by the Seller's signature on the line below as of the date indicated on the line below.

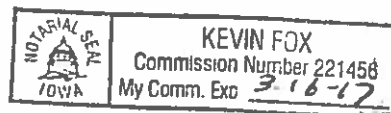

Heather L. Wilkerson

STATE OF IOWA)
) ss:
COUNTY OF SCOTT)

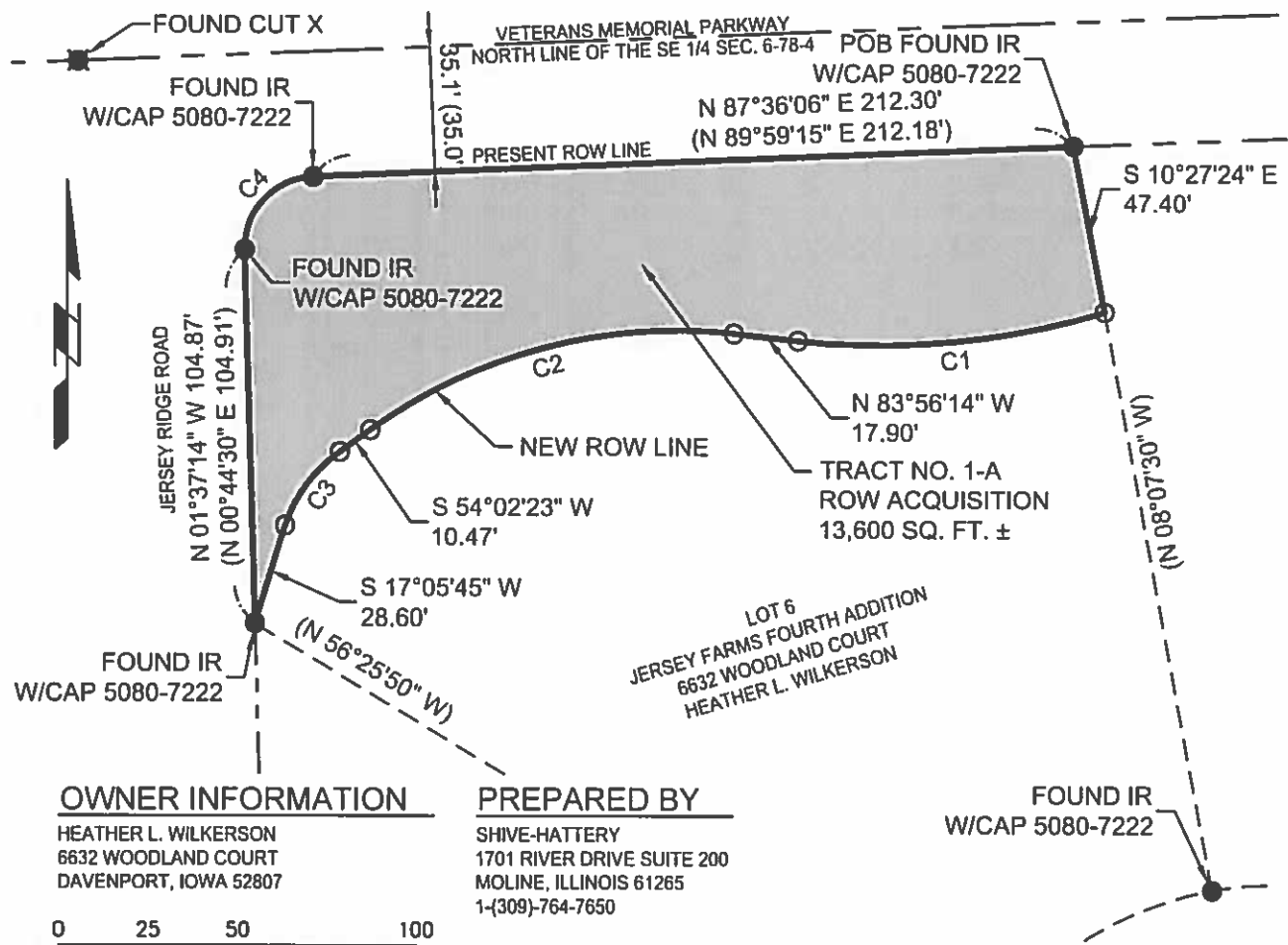
On this 7th day of November, 2016, before me, a Notary Public, personally appeared Heather L. Wilkerson, to be known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Notary Public in and for
State of Iowa



PLAT OF
RIGHT-OF-WAY ACQUISITION
TRACT NO. 1-A

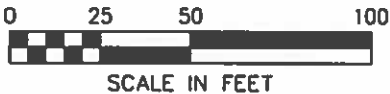


OWNER INFORMATION

HEATHER L. WILKERSON
6632 WOODLAND COURT
DAVENPORT, IOWA 52807

PREPARED BY

SHIVE-HATTERY
1701 RIVER DRIVE SUITE 200
MOLINE, ILLINOIS 61265
1-309-764-7650



SCALE IN FEET

LEGEND

SURVEY	
PLAN MARK	DESCRIPTION
●	IRON ROD - FOUND
○	IRON ROD - SET
✕	X CUT FOUND
(00)	RECORD BEARING/DISTANCE
00	MEASURED BEARING/DISTANCE
POB	POINT OF BEGINNING
POR	POINT OF REFERENCE

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BRG	CHORD
C1	86.51'	214.94'	S 84°31'56" W	85.93
C2	107.38'	146.41'	S 75°03'05" W	104.99
C3	26.20'	42.12'	S 36°13'04" W	25.78
C4	31.16'	20.00'	N 42°56'07" E	28.10

PROFESSIONAL LAND SURVEYOR

GARY D. GROSS

16850

IOWA

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNATURE: GARY D. GROSS

DATE: _____ LICENSE NUMBER: 16850

MY LICENSE RENEWAL DATE IS: DECEMBER 31, 2016

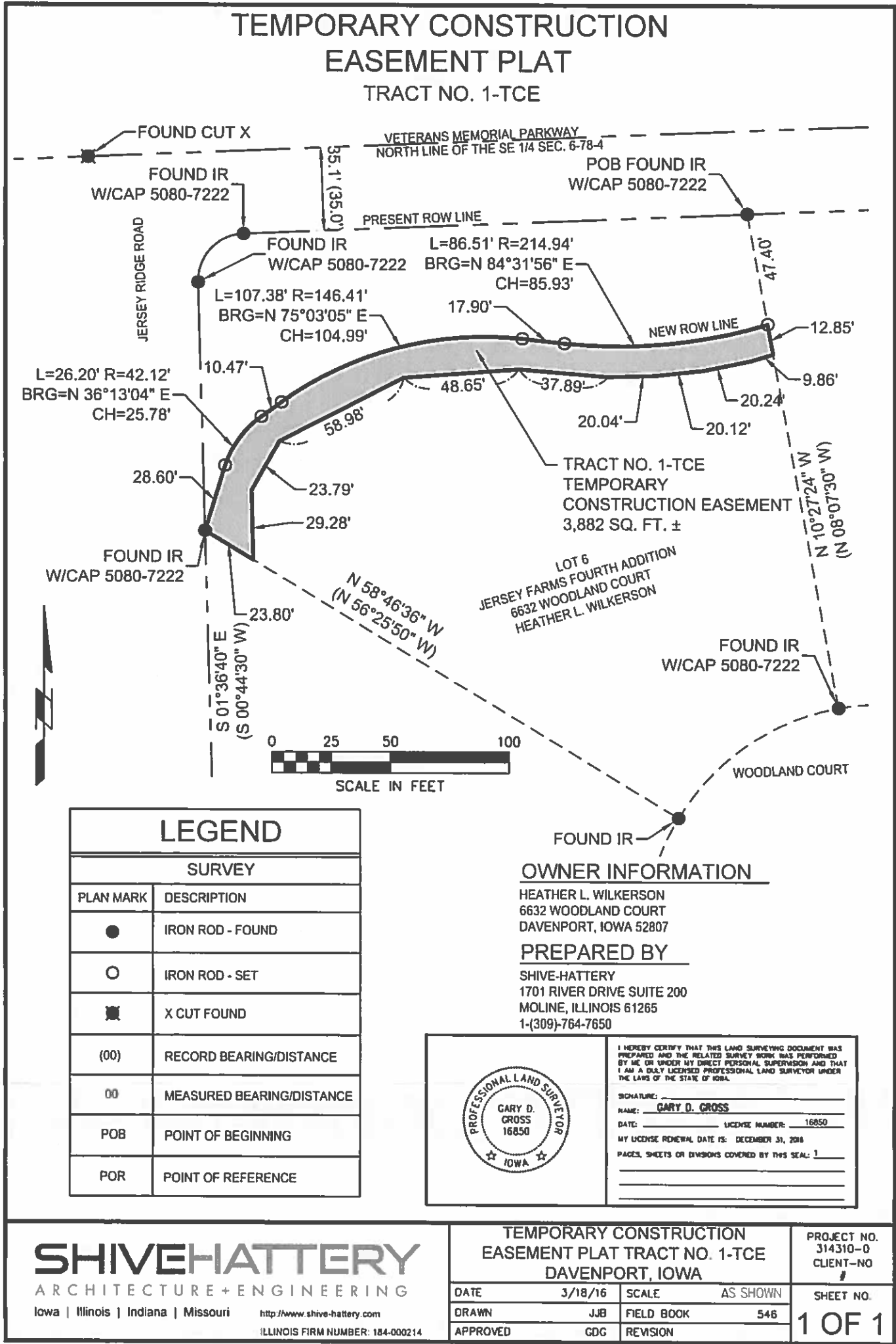
PAGES, SHEETS OR DIVISIONS COVERED BY THIS SEAL: 1, 2, 3

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ROW ACQUISITION PLAT TRACT NO. 1-A DAVENPORT, IOWA			
DATE	3/17/16	SCALE	AS SHOWN
DRAWN	JJB	FIELD BOOK	546
APPROVED	GDC	REVISION	

PROJECT NO.
314310-0
CLIENT-NO

SHEET NO.
1 OF 3



City of Davenport

Agenda Group: Finance
Department: Finance/Revenue
Contact Info: Jim Odean 326-7739
Wards: All

Action / Date
FIN11/2/2016

Subject:

Second Consideration: Ordinance amending Chapter 5.21 entitled "Vehicles for Hire in Title 5, Business Licensing and Regulation. [All Wards]

Recommendation:

Pass the ordinance.

Relationship to Goals:

Business Friendly Community

Background:

The City of Davenport currently requires all vehicles for hire, including taxi and limousine drivers, to obtain a Vehicle for Hire permit annually. The Chapter requires that drivers have automobile liability insurance, take a test and be knowledgeable of places of interest in Davenport, have a clean driving record, and not be a felon or convicted of a misdemeanor involving assault on a person.

We propose keeping the regulations of Chapter 5.21 and eliminating the Vehicle for Hire permit. Since this ordinance was enacted, the state has made it mandatory for all drivers to have liability insurance; GPS devices allow drivers to easily find all locations in Davenport and the Quad-City area. There is also a municipal exemption that allows companies with permits from other municipalities to operate in Davenport. Lastly, Uber has significantly changed the vehicle for hire business model. They perform background checks on their drivers, verify their vehicles are road-worthy, make patrons aware of fees for the transaction prior to arrival, and make sure their drivers are insured.

By removing the permit requirement, it will provide a level field for all vehicles for hire since we are currently requiring taxi and limousine services that operate in Davenport to obtain a license, but we do not require that of Uber drivers. The onus needs to be on taxi services to hire employees and provide vehicles that are not a hazard to the citizens of Davenport, which will continue to be in place with the regulations. The Iowa Department of Transportation requires that to obtain a chauffeur's license the applicant must have a clean driving record for the previous two years, and the State of Iowa requires all drivers to have liability insurance.

This ordinance duplicates regulations in place by other governmental authorities while offering no mechanism to enforce compliance. Ultimately, businesses offering an unsatisfactory vehicle for hire service will go out of business due to market pressures. Staff recommends that Council approve the updates to this section.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance Amending 5.21

REVIEWERS:

Department
City Clerk

Reviewer
Admin, Default

Action
Approved

Date
11/8/2016 - 4:26 PM

ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 5.21 ENTITLED "VEHICLES FOR HIRE"

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

Chapter 5.21 VEHICLES FOR HIRE

Sections:

- 5.21.010 Definitions.**
- 5.21.020 Regulations.**
- 5.21.030 Vehicle requirements.**
- 5.21.040 Commercial automobile liability insurance.**
- 5.21.050 Driver requirements.**
- 5.21.060 Party bus regulations.**

5.21.010 Definitions.

The following words and phrases as used in this chapter shall have the meanings as set out herein:

A. "Advertising" shall mean to advise, announce, give notice of, publish, or call attention by use of oral, written, or graphic statements made in newspapers, telephone directories or other publications or on radio or television, any electronic medium, or contained in any notice, handbill, catalog, newsletter, poster, sign, flyer, business card or letter.

B. "Compensation" shall mean a return in money, property, or anything of value for the rendition of vehicle for hire service.

C. "Commercial business office" shall mean the primary place of business where management and employees perform office work for a vehicle for hire company and which shall meet the following requirements: a) properly zoned, b) customer/employee parking, c) sufficient commercial vehicle parking, d) sanitary facilities/restrooms, e) dedicated wired phone line with a unique/dedicated number, f) identifying signage, and g) central dispatch. The address of the commercial business office must match the address on the local business tax receipt.

D. "Driver" shall mean the individual who is driving or physically operating the taxicab, limousine, shuttle, or other passenger vehicle for hire and includes the term "chauffeur."

E. "Limousine" shall mean a chauffeur-driven motor vehicle, modified-for-the-purpose as a luxury stretch vehicle, regardless of length and which contains a fixed partition used to separate the driver and passenger seating areas. A limousine is prohibited from using a taximeter and toplight unless it is being used as a taxicab.

F. "Manifest" shall mean written or electronic/digital documentation prepared by the vehicle for hire business providing individual trip logs for each pickup/drop-off of passengers that can be viewed upon request by law enforcement officers. The "manifest" shall be in the possession of the vehicle for hire driver and central dispatch and shall include the business name, business phone number, name of the passenger (if provided/known), pickup/drop-off address and dates/times involved.

G. "Municipal exemption" shall mean the recognition by city of certain vehicle for hire businesses authorized to operate through municipal ordinances and which may be exempt from paying certain fees required by this chapter. In order to exercise this exemption, such businesses must be physically located, operating and dispatching within the city limits of the municipality approving the business to operate. Such exempt businesses must meet all other requirements of this chapter.

H. "Nonmedical, wheelchair and stretcher transportation service" shall mean the transportation of persons while on stretchers or wheelchairs, or persons whose handicap, illness, injury, or other incapacitation makes it impractical to be transported by a regular common carrier such as a bus, taxicab, or other vehicle for hire. Such persons do not need, nor are likely to need, any medical attention during transport.

I. "Passenger" shall mean a person utilizing a vehicle for hire for the purpose of being transported to a destination, or a person who is awaiting the arrival of a dispatched vehicle for hire, and does not include the chauffeur.

J. "Prearranged" shall mean a written, e-mail, fax or telephone reservation made at least thirty minutes in advance by the person requesting service from a vehicle for hire business. Such reservations shall be documented in written form by the business. The written documentation requested herein shall be made available immediately upon the request of authorized personnel or law enforcement.

K. "Sedan" shall mean any pre-arranged vehicle for hire, not equipped with a taximeter, which is not a limousine, SUV, transport van/shuttle, nonmedical wheelchair and stretcher transportation vehicle or taxi. Sedans shall include all other commercially manufactured passenger vehicles not already defined herein. Such vehicles shall not display the word "taxicab," "taxi," or "cab" on the vehicle exterior or interior. A sedan is prohibited from using a taximeter and toplight unless it is being used as a taxicab.

L. "Sport utility vehicle or SUV" shall mean a type of passenger vehicle which combines the load-hauling and passenger-carrying capacity of a large station wagon or minivan. An SUV is prohibited from using a taximeter and toplight unless it is being used as a taxicab.

M. "Taxicab" shall mean a motorized vehicle, equipped with a taximeter, engaged in the transportation of passengers for compensation, and where the route or destination is controlled by the passenger.

N. "Taximeter" shall mean any device permanently and internally mounted in a taxicab and which records and indicates a charge or fare measured by distance traveled, waiting time or other traditionally compensable activities of taxicab service.

O. "Top light" shall mean a permanently installed roof mounted lighted device which shall be illuminated whenever the taximeter is on. The top light must be a minimum size of ten inches by four inches permanently mounted on the vehicle roof and display or include the word "taxi," "taxicab" or "cab."

P. "Transport van/shuttle" shall mean a motor vehicle not equipped with a taximeter, with a seating capacity for at least four passengers, exclusive of the driver, where there is no separation of the driver and

passenger compartments and not modified from the manufacturer's specifications. A functioning seat belt must be available for each passenger.

Q. Reserved.

R. "Vehicle for hire" shall mean any motorized, self-propelled vehicle engaged in the transportation of persons upon the streets of the city with the intent to receive compensation for providing such transportation, and shall include, but not be limited to, nonmedical, wheelchair and stretcher transportation services, taxicabs, transport vans/shuttles, SUVs and limousines. The term shall not be construed to include ambulances.

S. "Vehicle for hire company" shall mean any individual, partnership, association, corporation, broker or other legal entity which holds business permits for or contracts with one or more vehicles for hire, provides vehicles or services to drivers of vehicles for hire, or which operates a central dispatch for one or more vehicles for hire.

T. "Vehicle for hire driver's I.D. badge (I.D. badge)" shall mean a permit authorizing the holder thereof to utilize the motor vehicle(s) described in said permit for the transportation of passengers as authorized pursuant to this chapter.

U. "Vehicle for hire service standards" shall mean a summary of "passenger" and "driver" expectations prominently displayed within every vehicle for hire passenger compartment. (Ord. 2012-332 (part)).

5.21.020 Regulations.

A. Compliance with the provisions of this chapter shall in no way relieve an individual or vehicle for hire company from compliance with all municipal, county, state and federal laws.

B. Vehicle for hire businesses and ~~permitted~~ drivers shall cooperate fully at all times with ~~the finance department and~~ law enforcement personnel in furnishing information required in connection with requests for proof of insurance, vehicle registration, driver's I.D. badge, manifest inspection or investigations of consumer complaints. Further, vehicle for hire businesses and ~~permitted~~ drivers shall not obstruct, hamper or interfere with an investigation of alleged violations of this chapter conducted by the finance department or a law enforcement officer. At no time shall a vehicle for hire ~~permitted~~ driver use abusive language or display discourteous, hostile, aggressive or other inappropriate behavior toward passengers, other vehicle for hire drivers, finance department personnel, any law enforcement officer or any agency authorized to enforce this chapter.

C. All taxicabs and nonmedical wheelchair and stretcher transportation service vehicles shall clearly display on the exterior of the driver and passenger side of the vehicle, permanent vinyl or painted lettering at least four inches high and in clearly visible bold contrasting colors, the vehicle for hire company's name and telephone number. Magnetic signage is not permitted.

D. Law enforcement officers are authorized to seize and impound any vehicle for hire which such employee or officer has probable cause to believe is being operated without commercial liability insurance and in violation of this chapter. (Ord. 2012-332 (part)).

5.21.030 Vehicle requirements.

A. It shall be a violation of this chapter to fail to meet the requirements of vehicles described in this section and in any section pertinent to that particular type of vehicle.

1. The windshield and all side and rear windows shall provide clear visibility and operate according to the manufacturer's specifications. The windshield and all windows shall possess no breakage, cracks or pits that impair visibility or hinder the safety of passengers. All window cranks/power window switches

shall be complete, intact and functioning. Windows on vehicles for hire shall not be covered by, or treated with, a material which would cause the vehicle to be in violation of local ordinance or state law.

2. All standard manufacturer's interior equipment shall be complete, intact and functioning; including, but not limited to interior lights, dashboard, trim, gear shifts and head rests. Vehicle interiors must not contain loose objects and must be clean, sanitary, and free of broken seats/protruding sharp edges or torn or damaged upholstery, headliner, or floor coverings. The vehicle's interior must be free of offensive odors. The floor board shall be free of rust and holes. Trunks and luggage compartments must be kept clean and free of debris.

3. All doors must have operating handles, which allow opening from both the inside and outside, and door hinges and latches must function properly. Door locks must be operable by passengers at all times. Door seals and gaskets must be intact/operating and prevent water, odor and fumes from entering the vehicle from outside. All door panels must be intact to prevent accidental injuries on door and window mechanisms.

4. Seat belts shall be available for all passengers (according to manufacturer's specifications and Iowa law). Seat belts shall be in operating condition, easily accessible, clean and free of grease and other objectionable substances.

5. All vehicles shall be equipped with a fully functioning heating and air-conditioning system which controls the temperature of the inside of the vehicle between sixty-eight and seventy-eight degrees Fahrenheit. The vehicle shall be equipped with a fully functioning windshield defrost or defogging system.

6. All vehicles shall be equipped with a light capable of illuminating the interior of the vehicle, controlled by the operation of the doors, or manually controlled by the driver.

7. The transportation of children shall be in accordance with child safety seats and restraints as provided by state law and local ordinance.

8. Those vehicles and operations, which are subject to the Americans with Disabilities Act (ADA), shall comply with the applicable provisions of said Act.

9. The vehicle's body, fenders, doors, trim, grill and paint must be free from cracks, breaks, rust, and body damage that detracts from the overall appearance of the vehicle or could result in harm or injury to the passenger or his/her personal belongings.

10. The vehicle must be equipped with safe tires of the same size. No recaps shall be used. Maximum allowable tread wear shall be where tread is level with the wear bar, or 2/32" when measured at three random places in the tire tread. The tires shall be inflated to manufacturer's specifications and free of cuts, cracks, bulges, or exposed belts.

11. Windshield wipers must be operational according to the manufacturer's specifications. Wiper blades shall be in such a condition as to make firm contact with the windshield when operational, and shall not be torn or worn.

12. Reflectors and lenses shall not be cracked or missing and must be the correct color and properly positioned.

13. Low and high beam headlights, turn signals, brake, tail and reverse lights shall be operable as required by state or local law. Each vehicle shall have a white light on the vehicle to illuminate the rear license plate so that it is clearly visible.

14. The vehicle suspension shall function as designed by the manufacturer.

15. The vehicle shall be equipped with an operating horn with the actuating button mounted in the location designated by the vehicle manufacturer and operated in the manner designed and assembled by the vehicle manufacturer.

16. Each vehicle shall contain an operating parking brake and a primary brake system which acts on all four vehicle wheels. There shall be no visible leaks in the brake line, hoses, wheel cylinders or any part of the brake system and no frayed cables. Brake linings and/or disc pads, when measured at the thinnest point shall not be less than one-sixteenth of an inch and firmly attached to the brake shoe or disc. Disc brake rotors and brake drums shall be of a size and type appropriate for the vehicle, with no cracks or other damage which change or impair the functional surface. All primary brake systems shall demonstrate a reasonable total braking force when conducting a rolling stop.

17. There shall be no leakage of exhaust gas from the exhaust manifold, muffler or any other point in the exhaust system as determined through a visual and audible inspection. The tail pipe shall discharge exhaust from the rear of the vehicle according to manufacturer specifications.

18. Belts shall show no signs of excessive wear and be free of cracks and frays. Hoses shall be firm and in good condition, free of leaks and cracks.

19. All fluid levels shall be maintained according to manufacturer's specifications.

20. Vehicles must be equipped with functioning speedometer and odometer.

21. Vehicles must receive routine maintenance according to the manufacturer's recommendations pertaining to service intervals.

22. Businesses must assure that each vehicle or driver has a means of communicating to a central dispatch or to emergency agencies with a two-way radio and/or cellular mobile telephone. (Ord. 2012-332 (part)).

5.21.040 Commercial automobile liability insurance.

A. It shall be unlawful for any vehicle for hire company or driver to operate and transport passengers for compensation unless it has in effect a currently valid liability insurance policy covering each vehicle which shall insure such vehicle for commercial automobile liability insurance for passenger transportation and shall meet or exceed minimum insurance limits as established by law of the company's state of domicile.

B. Each vehicle for hire driver shall be able to produce proof of insurance coverage upon demand by a law enforcement officer. (Ord. 2012-332 (part)).

5.21.050 Driver requirements.

~~A. No person shall operate a vehicle for hire/taxicab within the city without having obtained a vehicle for hire/taxicab driver's license pursuant to the provisions of this section.~~

~~B. No owner or operator shall permit the operation of a vehicle for hire/taxicab within the city without the driver having obtained a vehicle for hire/taxicab driver's license pursuant to the provisions of this chapter.~~

~~(Ord. 91-104 § 20).~~

~~C. A person desiring a vehicle for hire/taxicab driver's license shall file with the finance department a signed and sworn application on forms provided by the city, containing the following information: (a) the name and address of the applicant; addresses for the past five years; date of birth; race; height; color of hair and eyes; place of birth; social security number and driver's license number, (b) the experience of the applicant in the transportation of passengers; including any previous cities in which the applicant has operated a cab, (c) whether the applicant's motor vehicle license has been suspended or revoked and if so the reasons therefor and the dates and periods of suspension or revocation, (d) a list of all felony and misdemeanor convictions including traffic violations for the past seven years. The application shall be accompanied by a copy of the applicant's driving record certified by the appropriate state agency of the person's state of domicile. (Ord. 2000-200 § 1; Ord. 91-104 § 21).~~

~~D.—All applicants for a vehicle for hire/taxicab driver's license required by this chapter shall be: (a) over eighteen years of age, (b) able to read and write the English language, (c) issued a motor vehicle license by the person's state of residence, which license would allow the person to operate a vehicle for hire pursuant to the laws of said state, (d) otherwise qualified and of good morals, character and reputation. (Ord. 91-104 § 22).~~

~~E.—The finance director or his designee, upon recommendation of the police department, may approve or reject an application. If an application is rejected, the applicant may request a hearing under Chapter 2.86 within ten days of the date of the written notice of the rejection of the applicant's driver's license. At the hearing the applicant and the finance director or his designee shall present evidence concerning the rejection of the license application.~~

F. ~~No~~ A vehicle for hire/taxicab driver's license shall be issued if the applicant is not qualified if:

1. ~~Is not qualified as required by this chapter;~~

21. Is under the care of a physician who has prescribed a drug for the applicant for which one of the contraindications is a prohibition on driving a motor vehicle and the prescriptive period is still open.

32. Has been convicted of a felony;

43. Has been convicted of a misdemeanor involving assault on a person;

54. Has been convicted of the offense of operating while intoxicated or under the influence of drugs or alcohol within the last three years or two such convictions in the last six years;

65. Has been convicted of three traffic violations in the past twelve months or five traffic violations in the last thirty-six months;

~~7. Gave incomplete, false or misleading information on the application;~~

~~8. Was unable to obtain a passing score upon examination.~~

G. ~~An applicant who is disqualified by reason of Section 5.21.060(F)(4) or (6) may be issued a probationary license as long as they are otherwise qualified and of good moral character and have not previously been issued a probationary license. The probationary license period will last one year, and if the licensee completes the one year probation without being charged with a violation of the law, then the licensee will be eligible for a regular license under this chapter. However, if a licensee is charged with a violation of the law within the one year probationary period, the probationary license will immediately and automatically be revoked. (Ord. 2010-132; Ord. 2000-200 § 2; Ord. 91-104 § 23).~~

H.—~~The finance director or his designee shall submit a written examination to every applicant on the applicant's initial application for a vehicle for hire/taxicab driver's license which examination shall concern the applicant's knowledge of the provisions of this chapter, the traffic ordinances of the city, geography of the city, location of streets and public places within the city. A licensed driver shall be subject to re-examination once every three years for any renewals sought thereafter. An applicant or driver must successfully answer seventy percent of the examination questions prior to receiving a driver's license. (Ord. 2000-200 § 3; Ord. 91-104 § 24).~~

I.—~~Upon the approval of an application for a vehicle for hire/taxicab driver's license and payment of the license fee, the finance department shall issue a vehicle for hire/taxicab driver's license to the applicant which shall bear the name, address, race, date of birth, signature and photograph of the applicant. A person may renew a driver's license thirty days before its expiration date, however, the initial date of issuance will remain as its expiration date. A person shall not be considered to be driving without a license during a period of thirty days following the license expiration date. A duplicate license may be obtained upon the filing of a signed and sworn statement by the person that the original license was lost, stolen or destroyed and the payment of a five dollar fee. (Ord. 91-104 § 25).~~

J.—~~Every driver licensed under this chapter shall post the vehicle for hire driver's license in such a place as to be in full view of all passengers while such driver is operating a vehicle for hire. A driver~~

~~operating a vehicle for hire shall have said driver's license in immediate possession at all times when operating the vehicle for hire and shall display the same upon the demand of a police officer. (Ord. 91-104 § 26).~~

~~K. The finance director shall have the authority to suspend any vehicle for hire/taxicab driver's license issued under this chapter for any violation of this chapter. The suspension may last for a period not to exceed one year. The finance director shall notify the person in writing by certified mail of the suspension, time period of suspension, to surrender said license to city clerk, reason for suspension and right to appeal. At the conclusion of a suspension period the person may retrieve the taxicab driver's license from the city clerk.~~

~~The finance director shall have the authority to revoke a vehicle for hire/taxicab driver's license for repeated violations of this chapter, failure to surrender a suspended vehicle for hire/taxicab driver's license, commission of an act or acts which would be grounds for a denial of a driver's license, or operating a taxicab while a taxicab driver's license or state motor vehicle license is under suspension. The revocation shall be effective for a period not exceeding one year. The finance director or designee shall notify the person in writing by certified mail of the revocation, time period of revocation, to surrender said license to city clerk, reason for revocation and right to appeal. At the conclusion of a revocation period the person may reapply for a taxicab driver's license. A person may appeal a suspension or revocation of a vehicle for hire/taxicab driver's license to the hearing officer under Chapter 2.86 within ten days of the date of the written notice. The decision of the hearing officer is final. The suspension or revocation becomes effective if no appeal is requested. (Ord. 2015-117 § 9; Ord. 2012-332 (part); Ord. 91-104 § 27).~~

5.21.060 Party bus regulations.

In addition to complying with all other applicable sections of this title, a party bus may only be operated on the streets of the city subject to the following regulations:

- A. No passenger who is under the age of twenty-one may possess or consume alcoholic beverages.
- B. No passenger may engage in disorderly conduct.
- C. No passenger may hurl any projectile from the vehicle for hire.
- D. No passenger on a vehicle for hire shall commit an indecent exposure.
- E. No passenger on a vehicle for hire may litter.
- F. No passenger shall possess or use a controlled substance as defined by state law. (Ord. 2012-332 (part)).

SEVERABILITY CLAUSE: If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of the ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained not illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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.

EFFECTIVE DATE. This ordinance shall be in full force and effective May 1, 2017.

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch

Mayor

Attest: _____

Jackie Holecek, CMC

Deputy City Clerk

Published in the Quad City Times on _____

City of Davenport

Agenda Group: Finance
Department: Finance
Contact Info: Bruce Berger
Wards: 2, 6, 7 & 8

Action / Date
FIN11/16/2016

Subject:

Resolution approving an internal advance to the Tax Increment Fund for Administrative Costs.
[Wards 2, 6, 7 & 8]

Recommendation:

Approve the resolution.

Relationship to Goals:

Diversify revenue and eliminate liabilities.

Background:

By law, Davenport can certify with Scott County an internal monetary advance to our Tax Increment Fund. On the advice of City's bond counsel, Bob Josten of Dorsey and Whitney, in 2010, the City Council initiated the program to fund Economic Development Staff and administrative activities through TIF proceeds. This process works like a typical Tax Increment Financing (TIF) project, with the internal advance based upon an increase in the base assessed valuation in Urban Renewal Areas. This request must be approved by the City Council annually. Funding of the internal TIF comes from the increment generated from the North Davenport Urban Renewal Area.

In order to offset Economic Development related personnel costs, currently paid from the City's General Fund, staff is recommending an internal advance of TIF funding of \$275,000. This money will then be utilized to reimburse the General Fund for Economic Development staff costs and other economic development related activities. Staff costs spent administratively each year include activities such as current TIF project monitoring, debt certification and working with new TIF projects. These funds are critical to ensure program staffing given continued cutbacks in federal allocations and a greater emphasis on economic development.

As required by State Code, notice of this meeting was published in the Quad City Times.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	RES Internal TIF

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/7/2016 - 1:45 PM
Finance Committee	Watson-Arnould, Kathe	Approved	11/7/2016 - 1:46 PM
City Clerk	Admin, Default	Approved	11/8/2016 - 9:40 AM

Resolution No. _____

Resolution offered by Alderman _____

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving an internal advance to the Tax Increment Fund for Administrative Costs.

WHEREAS, the City of Davenport, Iowa (the "City"), has established the North Davenport Urban Renewal Area (the "Urban Renewal Area") and has established the Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and

WHEREAS, the City has undertaken various urban renewal projects (the "Projects") within the Urban Renewal Areas for the promotion of economic development and has incurred in the 2016 Fiscal Year, and will incur in the 2017 Fiscal Year, substantial administrative costs (the "Administrative Costs") in connection with carrying out these projects; and

WHEREAS, in order to make the Administrative Costs (including staff salaries and associated economic development related activities such as special studies, consultants, marketing and technical assistance) eligible to be reimbursed from future incremental property tax revenues, it is necessary to make an internal advance to the Tax Increment Fund;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Davenport, Iowa, as follows:

Section 1. It is hereby directed that an amount not to exceed Two Hundred and Seventy Five Thousand Dollars (\$275,000) be advanced to the Tax Increment Fund from the General Fund (the "Advance") for the payment of the Administrative Costs. The Advance shall be repaid to the General Fund without interest out of future incremental property tax revenues received into the Tax Increment Fund. This amount authorized to ensure continuity of programming in the event of a future reduction of federal funding and to cover additional marketing efforts.

To the extent that there are funds available for this purpose in the Tax Increment Fund, payments on the Advance may be made on June 1 of each year. Repayment of the Advance is subject to the determination of the City Council each year that there are incremental property tax revenues available for such purpose which have been

allocated to or accrued in the Tax Increment Fund relative to the Advance, and the City Council reserves the right to appropriate funds, or to withhold such appropriation, at its discretion.

Section 2. A copy of this Resolution shall be filed in the office of the County Auditor of Scott County, Iowa to evidence the Advance. Pursuant to Section 403.19 of the Code of Iowa, the City Clerk is hereby directed to certify, no later than December 1, 2016, the full original amount of the Advance as provided for herein.

Section 3. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Agenda Group: Finance
Department: Public Works
Contact Info: Nicole Gleason; (563) 327-5150
Wards: 3

Action / Date
PW11/16/2016

Subject:
Resolution amending rates for the RiverCenter, Redstone, and Harrison Street Parking Ramps effective January 1, 2017. [Ward 3]

Recommendation:
Adopt the resolution.

Relationship to Goals:
Upgraded City Infrastructure & Public Facilities

Background:
The City's three downtown parking ramps are being equipped with new LUKE II Parking Pay Stations from T2 Systems, Inc. The pay stations will provide pay-by-license plate stations and are anticipated to improve customer convenience in multiple ways at all three locations. In addition, the mobile license plate reader (LPR) will be used to improve the monitoring of on-street parking. The attached fee schedule is proposed for all customers.

UPDATE: City staff met with several businesses and received feedback regarding the four parking rate options proposed in Resolution #2016-521 which was adopted at the City Council meeting on October 26, 2016. After review, staff has elected to amend the four rates to two rates. One rate is for 24/7 signed parking spaces and one rate is for 24/7 unsigned spaces as indicated on the attached fee schedule. After one year, staff will conduct a review of the processes and rates and provide findings back to the City Council.

Parking Structure	Current Fee	New Fee	Notes
24/7 signed space in a single ramp	\$110-RiverCenter \$100-Redstone & Harrison	\$105	Initial set up fee of \$30 for sign
24/7 unsigned space in a single ramp	Various	\$65	Unsigned currently offered at various rate. Universal rate is proposed
Hourly rate with min 2 hours and max daily cap of \$10/day	\$0.75/hour (mixed)	\$1 per 2-hours	\$1 for every 2 hour increment with a "hot button" of \$5 for 12 hr block of time
Downtown resident parking unassigned space	\$35-RiverCenter & Redstone \$45-Harrison	\$40	Current structure has various fees, propose uniform fee
Block rates for evenings after 5 p.m.-6 a.m. in any ramp	Previously offered as hourly rate or \$5 event parking rate	\$5	This \$5 flat fee is proposed to encourage downtown evening business
Park in ramp without paying (ticket fee)	\$20	\$30	Customer could receive up to one ticket/day for each 24 hour period
On-street universal daily permit	\$5	\$15	Increased to encourage residents to park in the parking ramps
On-street universal weekly permit (7 calendar days not working)	\$20	\$50	Increased to encourage residents to park in the parking ramps
On-street universal monthly permit (30 consecutive days not working)	\$80	\$150	Increased to encourage residents to park in the parking ramps

ATTACHMENTS:

Type	Description
☐ Backup Material	Proposed Parking Rates
☐ Resolution Letter	Parking Rate Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/10/2016 - 10:42 AM
Finance Committee	Watson-Arnould, Kathe	Approved	11/10/2016 - 10:43 AM
City Clerk	Admin, Default	Approved	11/10/2016 - 10:44 AM

Parking Structure	Current Fee	New Fee	Notes
24/7 signed space in a single ramp	\$110-RiverCenter \$100-Redstone & Harrison	\$105	Initial set up fee of \$30 for sign
24/7 unsigned space in a single ramp	Various	\$65	Unsigned currently offered at various rate. Universal rate is proposed
Hourly rate with min 2 hours and max daily cap of \$10/day	\$0.75/hour (mixed)	\$1 per 2-hours	\$1 for every 2 hour increment with a "hot button" of \$5 for 12 hr block of time
Downtown resident parking unassigned space	\$35-RiverCenter & Redstone \$45-Harrison	\$40	Current structure has various fees, propose uniform fee
Block rates for evenings after 5 p.m.-6 a.m. in any ramp	Previously offered as hourly rate or \$5 event parking rate	\$5	This \$5 flat fee is proposed to encourage downtown evening business
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Resolution No. _____

Resolution offered by Alderman Gordon:

RESOLVED by the City Council of the City of Davenport.

RESOLUTION amending rates for the RiverCenter, Redstone, and the Harrison Street Parking Ramps effective January 1, 2017.

WHEREAS, the City's three downtown parking ramps are being equipped with new LUKE II Parking Pay Stations from T2 Systems, Inc. The pay stations will provide pay-by-license plate stations and are anticipated to improve customer convenience in multiple ways at all three locations. In addition, the mobile license plate reader (LPR) will be used to improve the monitoring of on-street parking. The fee schedule below is proposed for all customers.

WHEREAS, City staff met with several businesses and received feedback regarding the four parking rate options proposed in Resolution #2016-521 which was adopted at the City Council meeting on October 26, 2016. After review staff has elected to amend the four rates to two rates. One rate is for 24/7 signed parking spaces and one rate is for 24/7 unsigned spaces as indicated below. After one year, staff will conduct a review of the processes and rates and provide the findings back to the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that effective January 1, 2017, downtown parking ramp rates shall be as shown below:

Parking Structure	Current Fee	New Fee	Notes
24/7 signed space in a single ramp	\$110-RiverCenter \$100-Redstone & Harrison	\$105	Initial set up fee of \$30 for sign
24/7 unsigned space in a single ramp	Various	\$65	Unsigned currently offered at various rate. Universal rate is proposed
Hourly rate with min 2 hours and max daily cap of \$10/day	\$0.75/hour (mixed)	\$1 per 2-hours	\$1 for every 2 hour increment with a "hot button" of \$5 for 12 hr block of time
Downtown resident parking unassigned space	\$35-RiverCenter & Redstone \$45-Harrison	\$40	Current structure has various fees, propose uniform fee
Block rates for evenings after 5 p.m.-6 a.m. in any ramp	Previously offered as hourly rate or \$5 event parking rate	\$5	This \$5 flat fee is proposed to encourage downtown evening business
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On-street universal monthly permit (30 consecutive days not working)	\$80	\$150	Increased to encourage residents to park in the parking ramps

Approved:

Frank Klipsch, Mayor

Attest:

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Finance
Department: Public Works/Citibus
Contact Info: John Powell; (563) 888-2151
Wards: All

Action / Date
PW11/2/2016

Subject:
Motion approving the transit route changes first implemented on July 5, 2016. [All Wards]

Recommendation:
Approve the motion.

Relationship to Goals:
Enhanced Quality of Life

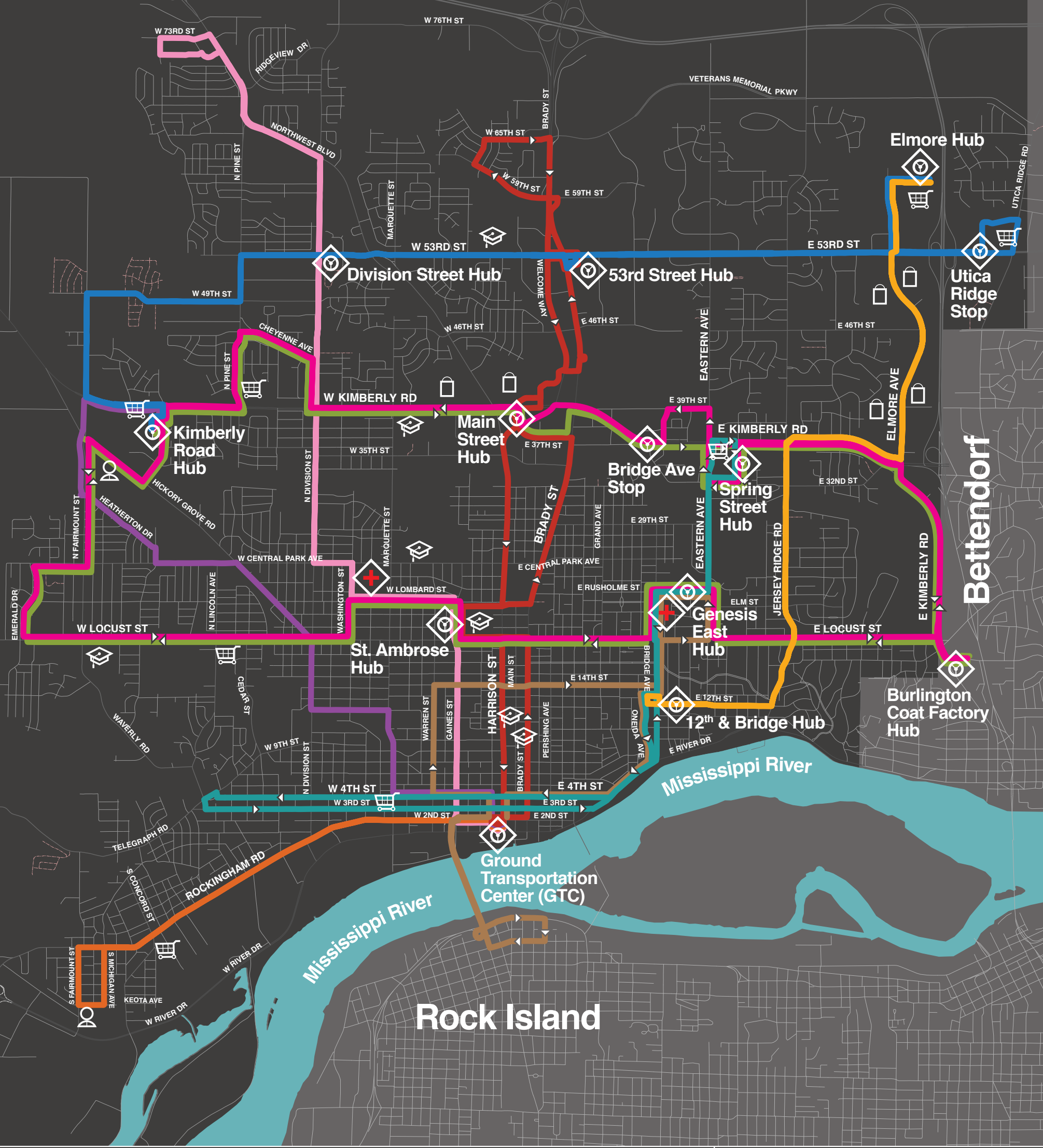
Background:
On July 5, 2016 the City of Davenport changed the CitiBus route structure. On November 6, 2016 additional modifications were implemented based on rider feedback during the first few months of deployment.

ATTACHMENTS:

Type	Description
▢ Backup Material	Map

REVIEWERS:

Department	Reviewer	Action	Date
Finance Committee	Lechvar, Gina	Approved	11/9/2016 - 5:02 PM



Legend City of Davenport CitiBus Route Map

CitiBus Routes

- Orange Line 1 Rockingham Rd
- Teal Line 2 Eastern Ave / Downtown
- Yellow Line 3 Elmore Ave
- Red Line 4 Brady St / Harrison St
- Blue Line 5 53rd St
- Pink Line 6 Division St / Gaines St
- Brown Line 7 14th St / River Crossing
- Green Line 8 Locust St / Kimberly Rd
- Magenta Line 8A Kimberly Rd / Locust St
- Purple Line 9 Hickory Grove Rd

Points of Interest

- Hub / Stop
 - Human Services
 - Grocery
 - Hospital
 - Retail Center
 - School
- 0 1/4 1/2 3/4 1

9
Purple
Line

8A
Magenta
Line

8
Green
Line

7
Brown
Line

6
Pink
Line

5
Blue
Line

4
Red
Line

3
Yellow
Line

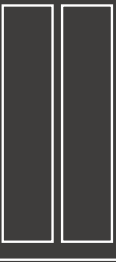
2
Teal
Line

1
Orange
Line

City of
Davenport







citidbus.com

(563) 888-2151

City of Davenport

Agenda Group: Finance
Department: CPED
Contact Info: Bruce Berger 326-7769
Wards: All

Action / Date
FIN11/16/2016

Subject:

Motion allowing staff to negotiate and execute a professional services contract for zoning rewrite services with Camiros of Chicago, IL. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

A Request for Proposals was issued on June 16, 2016 and was sent to 142 vendors. On August 22, 2016 the Purchasing Division received and opened six proposals.

Firms submitting proposals for the zoning rewrite project were evaluated based on relevant experience with similar cities, the ability to relate to and work with staff and stakeholders in Davenport, and the capability to deliver the work in a timely basis. Six proposals were received and three firms were selected for final presentations. A review team consisting of representatives of Community Planning & Economic Development staff, Plan and Zoning Commission, Design Review Board, and City Council participated in the final interviews.

Staff will work to negotiate a contract not to exceed the budget amount.

Funding for this project is from FY17 CIP 61003 with an available balance of \$125,000. Another \$125,000 is budgeted for FY18.

ATTACHMENTS:

Type	Description
Backup Material	RFP Respondents

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/10/2016 - 9:40 AM
Finance Committee	Watson-Arnould, Kathe	Approved	11/10/2016 - 9:40 AM
City Clerk	Admin, Default	Approved	11/10/2016 - 9:56 AM

CITY OF DAVENPORT, IOWA
PROPOSAL TABULATION

DESCRIPTION: ZONING REWRITE PROFESSIONAL SERVICES
RFP NUMBER: 16-112
OPENING DATE: AUGUST 22, 2016
RECOMMENDATION: AWARD THE CONTRACT TO CAMIROS OF CHICAGO, IL.

<u>VENDOR NAME</u>	<u>LOCATION</u>
CAMIROS	CHICAGO, IL
DUNCAN ASSOCIATES	CHICAGO, IL
KENDIG KEAST COLLABORATIVE	SUGAR LAND, TX
MAKERS ARCHITECTURE AND URBAN DESIGN	SEATTLE, WA
MARVIN PLANNING CONSULTANTS	DAVID CITY, NE
PLACEMAKERS, LLC	ALBUQUERQUE, NM

Prepared By Cindy Whitaker
Purchasing

Approved By Bruce Berger
Department Director

Approved By BW
Budget/CIP

Approved By BW
Finance Director

City of Davenport

Agenda Group: Finance
Department: Public Works
Contact Info: Ron Hocker; (563) 327-5169
Wards: All

Action / Date
FIN11/16/2016

Subject:

Motion approving the purchase of two pumps from Xylem Dewatering Solutions of Bridgeport, NJ in the amount of \$89,300. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

Two 6" Godwin Dri-Prime 150M portable diesel pumps are being purchased from a General Services Administration (GSA) contract (#GS07F9491G). Xylem Dewatering Solution makes the Godwin pumps. The cost for two pumps is \$89,300.

These pumps will be used for bypass pumping of storm and sewer lines and to supplement the existing pump fleet during floods and are used by the sewer division.

Funding for this purchase is from account #51252065-530303 Clean Water Fund. The source of funding is from sewer fees.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/9/2016 - 5:13 PM
Finance Committee	Watson-Arnould, Kathe	Approved	11/9/2016 - 5:13 PM
City Clerk	Admin, Default	Approved	11/9/2016 - 5:31 PM

City of Davenport

Agenda Group: Finance
Department: Public Works/Fleet
Contact Info: Jonathan Meeks; (563 326-7922
Wards: All

Action / Date
FIN11/16/2016

Subject:

Motion awarding the purchase of five Police SUVs to Courtesy Ford of Davenport in the amount of \$165,000. [All Wards]

Recommendation:

Approve the Motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

On October 17, 2016, an Invitation to Bid was issued for five Police Interceptor SUVs. The invitation was sent to 71 vendors. On November 3, 2016, the Purchasing Division opened and read three bids. A bid tab is attached.

The lowest bidder, Charles Gabus Ford, of Des Moines, did not include the two specified service manual CD sets. Their extra fee for these service manuals was \$275 each. When that number was added to their bid, it totaled \$162,771.70. Courtesy Ford's bid did include the service manuals. Because we have the 1% local preference, and Courtesy Ford's bid was closer to the low bid than 1%, Courtesy Ford became the new low bidder.

Funding for four of the vehicles is from the Police Investigation fund for motor vehicle equipment, account #54912540 530302. These funds are from LST funds. The fifth vehicle is being paid for from the Risk Fund - 50470460 520236.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Bid Tab - Five PD SUVs

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/9/2016 - 5:10 PM
Finance Committee	Watson-Arnould, Kathe	Approved	11/9/2016 - 5:10 PM
City Clerk	Admin, Default	Approved	11/9/2016 - 5:30 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: FIVE (5) POLICE INTERCEPTOR SUVs

BID NUMBER: 17-39

OPENING DATE: NOVEMBER 3, 2016

ACCOUNT: 54912540 530302 and 50470460 520236

RECOMMENDATION: AWARD THE CONTRACT TO COURTESY FORD OF DAVENPORT

<u>VENDOR NAME</u>	<u>BID AMOUNT W/TRADE</u>
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Courtesy Ford of Davenport	\$164,075*
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Charles Gabus Ford of Des Moines	\$162,221.70*
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Reynolds Motor Company of East Moline IL	\$163,115.70
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* Courtesy's price included 2 sets of service manual CDs, plus we took into consideration the 1% local preference. Charles Gabus' bid did NOT include 2 sets of service manual CDs; they were an additional \$275 each

Prepared By Kristi Keller 11-9-16
Purchasing Date

Approved By Heather Cleason 11-9-16
Department Director Date

Approved By Brandi Coz 11-9-16
Budget/CIP Date

Approved By BW 11-9-2016
Finance Director Date

City of Davenport

Agenda Group: Finance
Department: Police
Contact Info: Mark Hanssen 888-3566
Wards: All

Action / Date
FIN11/2/2016

Subject:

Motion approving the purchase of police squad SUV equipment from Keltek, Inc. of Baxter, IA in the amount of \$51,082. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

The Police Department is in the process of purchasing five new SUV squad units. This purchase is for the up-fitting of the five vehicles to convert them into patrol squad units.

The purchase from Keltek, Inc is off of the State of Iowa DAS contract #5090-15A.

Funding for this purchase is from account 54912510-530303 with an available amount of \$165,883.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/9/2016 - 5:48 PM
Finance Committee	Watson-Arnould, Kathe	Approved	11/9/2016 - 5:48 PM
City Clerk	Admin, Default	Approved	11/9/2016 - 5:55 PM

City of Davenport

Agenda Group: Finance
Department: Public Works
Contact Info: Eric Longlett
Wards: All

Action / Date
FIN11/16/2016

Subject:

Motion awarding a contract for snow hauling services for the 2016-17 winter season to all responding contractors. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

An Invitation to Bid was issued on October 7, 2016 and was sent to 204 contractors. The Purchasing Division received and opened eight bids on October 26, 2016. A bid tabulation is attached.

The bid was done on an hourly rate for services when called upon. The Streets Division of Public Works has asked to award to all the vendors that submitted bids. In the event of heavy snow this winter, the City will have haulers under contract. Last winter approximately \$50,000 was spent on hauling snow.

Funding for this project is available from the FY17 Street Maintenance Budget, account 54702031-520217 and 54702031-520201. The source of funding is from Road Use Tax.

ATTACHMENTS:

Type	Description
▢ Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/10/2016 - 5:03 PM
Finance Committee	Watson-Arnould, Kathe	Approved	11/10/2016 - 5:03 PM
City Clerk	Holecek, Jackie	Approved	11/10/2016 - 5:23 PM

CITY OF DAVENPORT, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: SNOW HAULING 2016-17

BID NUMBER: 17-32

OPENING DATE: OCTOBER 26, 2016

RECOMMENDATION: AWARD TO ALL HAULING COMPANIES

<u>VENDOR NAME</u>	<u>LOCATION</u>	<u>PER HOUR</u>
NEEDHAM EXCAVATING	WALCOTT, IA	\$78.00
TIM BACLET TRUCKING	PRINCETON, IA	\$80.00
RIVER VALLEY TRUCKING	STOCKTON, IA	\$80.00
RON HERMISTON TRUCKING & EXCAVATING	WHEATLAND, IA	\$80.00
GRONEWOLD TRUCKING	DONAHUE, IA	\$80.00
GERALD A. BOLDT, LLC	DAVENPORT, IA	\$80.00
MCCABE TRUCKING	DAVENPORT, IA	\$80.00
KENDALL TRUCKING	BETTENDORF, IA	\$80.00

Prepared By

Cindy Whitaker
Purchasing

Approved By

Nicole Wleasien
Department Director

11-8-16

Approved By

BW
Budget/CIP

Approved By

BW
Finance Director

City of Davenport

Agenda Group: Finance
Department: Finance/Purchasing
Contact Info: Kristi Keller 888-2077
Wards: All

Action / Date
FIN11/16/2016

Subject:

1. Graybar Electric - LED fixtures for River's Edge - Amount: \$22,293
2. David McAdam & Associates - Demolition of 641 E. Locust Street - Amount: \$22,000
3. Continental Fire - 15 PTAC units for Heritage - Amount: \$18,975
4. eGov Strategies - eGov website module for payments - Amount: \$13,804

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	11/10/2016 - 11:19 AM
Finance Committee	Watson-Arnould, Kathe	Approved	11/10/2016 - 11:19 AM
City Clerk	Admin, Default	Approved	11/10/2016 - 11:41 AM