COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, November 3, 2021; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

REVISED NOVEMBER 1, 2021

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Public Works

1. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Public Works High & Low Bay Roof project, CIP #23033. [Ward 7]

B. Finance

1. Public Hearing on the issuance of not-to-exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A. [All Wards]

VII. Petitions and Communications from Council Members and the Mayor

VIII. Action items for Discussion

COMMUNITY DEVELOPMENT

Kyle Gripp, Chair; Judith Lee, Vice Chair

I. COMMUNITY DEVELOPMENT

1. Second Consideration: Ordinance for Case ORD21-02 being the request of the City of Davenport to amend various sections of Chapter 17 of the Municipal Code of Davenport, Iowa entitled "Zoning" by amending various subsections thereto. [All Wards]

2. Second Consideration: Ordinance for Case REZ21-04 being the request of the City of Davenport to rezone 143 acres, more or less, of property located near 320 West Kimberly Road, generally being bounded by Northwest Boulevard, Kimberly Road, Brady Street, East 42nd Street, Welcome Way, and the north lot line of Northpark Mall, from C-3 General Commercial to C-C City Centre District. [Ward 7]

3. Resolution approving Case F21-04 being the request of Speedway, LLC for a final plat of Speedway LLC Davenport Commercial Park Addition, a 2-lot subdivision on

16.74 acres located at 8320 Hillandale Road. [Ward 8]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Ben Jobgen, Chair; Maria Dickmann, Vice Chair

III. PUBLIC SAFETY

1. Second Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Louis Rich Court along both sides from West Lake Boulevard east to its terminus. [Ward 1]
2. Second Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Villa Drive along both sides from Villa Court south 300 feet. [Ward 8]
3. Second Consideration: Ordinance amending Schedules XIV and XV of Chapter 10.96 by changing Marquette Street at 12th Street from Pedestrian Traffic Signals to Intersection Traffic Signals. [Wards 3 & 4]
4. First Consideration: Ordinance amending Schedule XVII of Chapter 10.96 entitled "No Stopping, Standing or Parking" by adding 54th Street along the south side from Pine Street west 550 feet between the hours of 7:00 a.m. and 4:00 p.m. on school days. [Ward 2]
5. Motion approving a noise variance request for an event on the listed date and time.

   J&M Displays Inc; Christmas in the Village Fireworks; Village of East Davenport; Saturday, December 4, 2021 8:30 p.m. - 9:00 p.m.; Fireworks, over 50 dBA. [Wards 5 & 6]
6. Motion approving beer and liquor license applications.

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

   Ward 6

   The Coffee House QC (Area 309 Coffee, LLC) - 1315 Jersey Ridge Rd - New License - License Type: Beer/Wine

   Ward 7

   Yummy Crab (Crab House of Davenport, Inc) - 1235 E Kimberly Rd - New License - License Type: Class C Liquor

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

   Ward 2

   Express Lane Gas & Food Mart #83 (ExpressLane, Inc) - 3636 Hickory Grove Rd -

License Type: Class C Beer

Rudy's Taco's (Majec, Inc) - 3502 W Kimberly Rd Ste 1 - License Type: Class C Liquor

Ward 3

Kilkenny's Pub & Eatery (Kilkenny's, Pub, Inc) - 300 W 3rd St - Outdoor Area - License Type: Class C Liquor

Express Lane Gas & Food Mart #84 (ExpressLane, Inc) - 321 N Division St - License Type: Class C Beer

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

German American Heritage Center (German American Heritage Center) - 712 W 2nd St - License Type: Beer/Wine

Cavort QC (The Key, LLC) - 229 Brady St - License Type: Class C Liquor

Ward 6

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

The Ridge (JAR Hospitality, LLC) - 4750 Utica Ridge Rd - Outdoor Area - License Type: Class C Liquor

Nally’s Kitchen, Inc (Nally’s Kitchen 2, LLC) - 2483 E 53rd St - License Type: Beer/Wine

Ward 7

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

Public House (Public House Davenport) - 5260 Northwest Blvd - Outdoor Area - License Type: Class C Liquor

Ward 8

Express Lane Gas & Food Mart #86 (ExpressLane, Inc) - 7522 Northwest Blvd - License Type: Class C Beer

Kwik Star #167 (Kwik Trip, Inc) - 2050 E 53rd St - License Type: Class C Beer

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chair; Matthew Dohrmann, Vice Chair

V. PUBLIC WORKS

1. First Consideration: Ordinance adding Chapter 13.40 to the Davenport Municipal Code entitled "Public Water Supply Well Protection." [All Wards]
2. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Public Works High & Low Bay Roof project, CIP #23033. [Ward 7]
3. Resolution accepting work completed under the West 43rd Street (Michigan to Elsie) Reconstruction project by Five Cities Construction of Coal Valley, Illinois in the amount of $246,699.76, CIP #35047. [Ward 2]
4. Resolution accepting work completed under the RiverCenter South Roof Replacement project by Economy Roofing & Insulating Company, Inc of Bettendorf, Iowa in the amount of $540,660, CIP #69028. [Ward 3]
5. Resolution awarding the contract for the Goose Creek Shared Use Trail from 53rd Street to 59th and Brady project to Midwest Concrete, Inc of Peosta, Iowa in the amount of $1,486,333.14, CIP #280219. [Ward 7 & 8]
6. Resolution awarding the contract for the Prospect Park Sewer Separation project to Legacy Corporation of East Moline, Illinois in the amount of $498,543.07, CIP #30057. [Ward 5]
7. Resolution authorizing the submission of a grant application to the Federal Transit Administration (FTA) for four (4) battery-powered electric buses to include charging station infrastructure. [All Wards]
8. Motion approving the Davenport Municipal Airport Disadvantaged Business Enterprise (DBE) Program. [Ward 8]
9. Motion considering a waiver (temporary deferral) of sidewalk installation at 3311 Research Parkway. [Ward 8]
10. Motion considering a waiver (temporary deferral) of sidewalk installation along Zenith Avenue south of Northwest Boulevard for Russell-Frye/Armstrong Industrial Park First Addition. [Ward 2]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

JJ Condon, Chair; Joseph Miller, Vice Chair

VII. FINANCE

1. Resolution making provisions for the issuance of not-to-exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A. [All Wards]
2. Resolution authorizing the Mayor to sign the Intergovernmental Agreement with MetroLINK regarding the $1.2M grant award by the Passenger Ferry Grant Program of the Federal Transit Administration Section 5307 for the replacement and

enhancement of the Lindsay Park Channel Cat Dock System. [Ward 6]

3. Resolution approving the payment of $148,849.82 to Tyler Technologies, Inc of Falmouth, Maine for the annual licensing of the Munis software system for the period November 1, 2021 to October 31, 2022. [All Wards]
4. Resolution setting a Public Hearing for the purpose of amending the North Urban Renewal Plan. [Wards 2, 6, 7, & 8]

VIII. Motion recommending discussion or consent for Finance items

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

1. Tri City Electric Co | main breaker upgrade at Compost | Amount: $11,410
2. Hewlett Packard Company | 20 HP workstations | Amount: $23,160
3. Traffic Control Corporation | signal cabinet replacement at 5800 Elmore Avenue | Amount: $32,825

X. Other Ordinances, Resolutions and Motions

XI. Public with Business

PLEASE NOTE: At this time individuals may address the City Council on any matters of City business not appearing on this agenda. This is not an opportunity to discuss issues with the Council members or get information. In accordance with Open Meetings law, the Council cannot take action on any complaint or suggestions tonight, and cannot respond to any allegations at this time.

Please state your Name and Ward for the record. There is a five (5) minute time limit. Please end your comments promptly.

XII. Reports of City Officials

XIII. Adjourn

XIV. Executive Session

1. To discuss strategy with counsel in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c).

City of Davenport

Department: Public Works - Admin
Contact Info: Clay Merritt | 563-888-3055

Action / Date
11/3/2021

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Public Works High & Low Bay Roof project, CIP #23033. [Ward 7]

Recommendation:
Hold the Hearing.

Background:
This project is for the replacement of the roof over the high & low bay area located within the Public Works Center. This section of roof is nearing the end of its useful life and is scheduled to be replaced.

ATTACHMENTS:

	Type	Description
	Resolution Letter	Page 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/27/2021 - 3:24 PM

Resolution No._____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION on the plans, specifications, form of contract, and estimated cost for the Public Works High & Low Bay Roof Replacement project, CIP #23033

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the Deputy City Clerk of Davenport, Iowa, for the Public Works High & Low Bay Roof Replacement project, CIP #23033.

WHEREAS, Notice of Hearing on plans, specifications and form of contract was published as required by law:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport that, said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Public Works High & Low Bay Roof Replacement project, CIP #23033

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson, Mayor

Attest:

_____
Brian Krup, Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
11/3/2021

Subject:
Public Hearing on the issuance of not-to-exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A. [All Wards]

Recommendation:
Hold the Hearing.

Background:
A Public Hearing on the issuance of bonds to finance the FY 2022 Capital Improvement Program (CIP) is required prior to the sale of bonds later in the fiscal year. Several legal proceedings are required in advance of the bond issuance. A Resolution providing for the issuance of bonds and for the levy of taxes in FY 2022 to make debt service payments on the provided bonds is on this council cycle, also. A list of CIP projects is attached.

ATTACHMENTS:

Type	Description
Backup Material	FY 2022 CIP Project List
Backup Material	Publication Proof

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/29/2021 - 11:03 AM
Finance Committee	Merritt, Mallory	Approved	10/29/2021 - 11:04 AM
City Clerk	Admin, Default	Approved	10/29/2021 - 12:20 PM

City of Davenport, Iowa
FY 2022 Bond Issue
($ Thousands)
9/7/2021

15-Year General Obligation Bonds	**Amount**		
Airport Improvements	75		
Bridge Repair and Maintenance	110		
Citizen Health & Welfare	0		
City Facility Improvements	$ 2,830		
Municipal Housing Projects	1,640		
Parks Improvements	2,220		
Public Safety Equipment	1,000		
Sewer Improvements	350		
Street Improvements	8,595		
Streetscape Improvements/Sidewalks & Paths	680		
Subtotal 15-Year GO Bonds		**$**	**17,500**
5-Year Equipment Bonds (GO)			
Acquisition of Parks Vehicles/Equipment	244		
Acquisition of Streets Vehicles/Equipment	130		
City Information Technology Network Improvements	300		
Library Equipment	525		
Public Safety Equipment	0		
Subtotal 5-Year Equipment Bonds		**$**	**1,199**
15-Year Bonds Abated by Other Sources (GO)			
Sewer Improvements (Sewer Fund)	7,000		
Water Pollution Conrol Plant Improvements (WPCP Fund)	0		
Subtotal 15-Year Bonds Abated by Other Sources		**$**	**7,000**
5-Year Bonds Abated by Other Sources (GO)			
Solid Waste Equipment (Solid Waste Fund)	930		
Sewer Equipment (Sewer Fund)	301		
Subtotal 5-Year Bonds Abated by Other Sources		**$**	**1,231**
Total Proposed FY 2022 Bond Issue - Projected		**$**	**26,930**
Estimated Cost of Issuance and Underwriting Discount		**$**	**392**
Total FY 2022 Bond Issue - Not-to-Exceed		**$**	**27,322**

City of Davenport, Iowa
FY 2022 Bond Issue
($ Thousands)
9/7/2021

Essential Corporate Purpose	**Amount**		
Acquisition of Streets Vehicles/Equipment	130		
Airport Improvements	75		
Bridge Repair and Maintenance	110		
Public Safety Equipment	1,000		
Municipal Housing Projects	1,640		
Parks Improvements	2,220		
Sewer Improvements	7,350		
Street Improvements	8,595		
Streetscape Improvements/Sidewalks & Paths	680		
		$	21,800
General Corporate Purpose			
Acquisition of Parks Vehicles/Equipment	244		
City Facility Improvements	2,830		
City Information Technology Network Improvements	300		
Library Equipment	525		
Sewer Equipment	301		
Solid Waste Equipment	930		
		$	5,130
Total Proposed FY 2022 Bond Issue - Projected		$	26,930
Estimated Cost of Issuance and Underwriting Discount		$	392
Total FY 2022 Bond Issue - Not-to-Exceed		$	27,322

FY 2022 Bonding Detail

Funding Source	*Program*	CIP#	Project	Amount
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30007	LIFT STATION REHABILITATION (SANITARY)	$ 60,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30038	1930'S SANITARY SEWER RIVERFRONT INTERCEPTOR	$ 1,300,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30050	SANITARY SEWER LINING PROGRAM	$ 1,000,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30054	CONTRACT SEWER REPAIR PROGRAM (SANITARY)	$ 1,250,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30055	SEWER LATERAL REPAIR PROGRAM	$ 1,200,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30056	NEIGHBORHOOD I&I INVESTIGATION AND REMOVAL	$ 150,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30057	INFLOW AND INFILTRATION REMOVAL PROGRAM	$ 1,400,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30059	WEST LOCUST SEWER PUMP STATION	$ 340,000
BONDS ABATED BY SEWER FUND	*STREETS*	35055	3RD & 4TH STREET REHABILITATION	$ 300,000
BONDS ABATED BY SOLID WASTE FUND	*FLEET*	10503	SOLID WASTE EQUIPMENT REPLACEMENT PROGRAM	$ 930,000
EQUIPMENT BONDS	*FLEET*	24028	DUMP TRUCK REPLACEMENT PROGRAM	$ 130,000
EQUIPMENT BONDS	*FLEET*	24029	GROUND MAINTENANCE REPLACEMENT PROGRAM	$ 244,000
EQUIPMENT BONDS	*INFORMATION TECHNOLOGY*	67002	IT CAPITAL IMPROVEMENT PROGRAM	$ 250,000
EQUIPMENT BONDS	*INFORMATION TECHNOLOGY*	67006	CITY FIBER NETWORK MAINTENANCE PROGRAM	$ 50,000
EQUIPMENT BONDS	*LIBRARY SERVICES*	66016	LIBRARY MATERIALS PROGRAM	$ 415,000
EQUIPMENT BONDS	*LIBRARY SERVICES*	66017	LIBRARY ELECTRONIC REPLACEMENT PROGRAM	$ 110,000
EQUIPMENT BONDS	*SANITARY SEWERS*	30058	CCTV CAMERA CRAWLER SYSTEM	$ 301,000
GO BONDS	*AIRPORT*	20014	PAVEMENT MAINTENANCE PROGRAM	$ 75,000
GO BONDS	*BRIDGES*	21005	PEDESTRIAN BRIDGE REPAIR PROGRAM	$ 50,000
GO BONDS	*BRIDGES*	21009	BRIDGE MAINTENANCE PROGRAM	$ 60,000
GO BONDS	*FACILITIES MAINTENANCE*	23049	CAPITAL IMPROVEMENTS AT MWP	$ 375,000
GO BONDS	*FACILITIES MAINTENANCE*	23058	SKYBRIDGE NORTH TOWER REPAIRS	$ 350,000
GO BONDS	*FACILITIES MAINTENANCE*	23063	FIRE STATION 3 RELOCATION	$ 400,000
GO BONDS	*FACILITIES MAINTENANCE*	23066	PUBLIC WORKS ROOF REPLACEMENT	$ 500,000
GO BONDS	*FACILITIES MAINTENANCE*	23067	CITY HALL EXTERIOR REPAIRS	$ 300,000
GO BONDS	*FACILITIES MAINTENANCE*	23068	AUXILIARY SERVICES SITE	$ 750,000
GO BONDS	*FACILITIES MAINTENANCE*	23069	UNION STATION HVAC REPLACEMENT	$ 30,000
GO BONDS	*FACILITIES MAINTENANCE*	62002	POLICE STATION PUMP REPLACEMENTS	$ 50,000
GO BONDS	*FLEET*	24021	FIRE APPARATUS AND EQUIPMENT REPLACEMENT	$ 1,000,000
GO BONDS	*GENERAL GOVERNMENT*	60030	URBAN REVITALIZATION PROGRAM	$ 740,000
GO BONDS	*GENERAL GOVERNMENT*	61002	DAVENPORT NOW	$ 900,000
GO BONDS	*INFORMATION TECHNOLOGY*	67010	CITY HALL SERVER ROOM AC REPLACEMENT	$ 75,000
GO BONDS	*PARKS & RECREATION*	64070	PARK DEVELOPMENT PROGRAM	$ 350,000
GO BONDS	*PARKS & RECREATION*	64071	PARK AMENITY ADA ACCESS PROGRAM	$ 75,000
GO BONDS	*PARKS & RECREATION*	64101	DUCK CREEK PARK IMPROVEMENTS	$ 50,000
GO BONDS	*PARKS & RECREATION*	64103	PLAYGROUND REPLACEMENT PROGRAM	$ 170,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28026	CIVIC ACCESS PROGRAM	$ 50,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28028	CREATING CONNECTIONS PROGRAM	$ 325,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28029	WEST LOOP PHASE I	$ 30,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28030	RECREATIONAL PATH RECONSTRUCTION PROGRAM	$ 200,000
GO BONDS	*RIVERFRONT*	68015	RIVERFRONT FLOOD RESILIENCY PROGRAM	$ 850,000
GO BONDS	*RIVERFRONT*	68016	VETERANS MEMORIAL PARK IMPROVEMENTS	$ 800,000
GO BONDS	*STORMWATER*	33001	CONTRACT SEWER REPAIR PROGRAM (STORM)	$ 300,000
GO BONDS	*STORMWATER*	33025	LIFTSTATION REHABILITATION (STORM)	$ 50,000
GO BONDS	*STREETS*	35041	CONTRACT MILLING PROGRAM	$ 50,000
GO BONDS	*STREETS*	35052	53RD STREET RECONSTRUCTION PHASE II	$ 2,000,000
GO BONDS	*STREETS*	35053	HIGH VOLUME STREET REPAIR PROGRAM	$ 3,000,000
GO BONDS	*STREETS*	35054	NEIGHBORHOOD STREET REPAIR PROGRAM	$ 3,000,000
GO BONDS	*TRAFFIC ENGINEERING*	38015	BRADY AT LOMBARD TRAFFIC SIGNALS	$ 45,000

Legal Notices

Legals@QCTimes.com

Estate Notices

NOTICE
IN THE IOWA DISTRICT COURT FOR SCOTT COUNTY
CASE NO. EQCE134237
ORIGINAL NOTICE

OHP 1, L.C., Plaintiff
vs.
DESTANY WOLLETT,
DONTE STEWART,
STATE OF IOWA
AND PARTIES IN POSSESSION,
Defendants.

TO THE ABOVE-NAMED DEFENDANTS:

You are notified that a petition has been filed in the office of the clerk of this court naming you as a defendant in this action, which petition prays for foreclosure without redemption of a contract for deed on the following described real estate: South 35 feet of the East 81 feet of Lot 5, Block 93, Antoine LeClaire's 81h Addition to the City of Davenport, Scott County, Iowa.. The name and address of the attorney for the plaintiff is Stephen P Wing, 1503 Brady Street, Davenport, Iowa 52803. The attorney's phone number is 563-323-3000; facsimile number is 563-323-7452.

You must serve a motion or answer on or before April 21, 2022, and within a reasonable time thereafter, file your motion or answer with the Clerk of Court for Scott County, at the courthouse in Davenport, Iowa. If you do not, judgment by default may be rendered against you for the relief demanded in the petition.

You are further notified that the above case has been filed in a county that utilizes electronic filing. Please see Iowa Court Rules Chapter 16 for information on electronic filing and Iowa Court Rules Chapter 16, division VI regarding the protection of personal information in court filings.

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at 563-328-4145. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942)

IMPORTANT: YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS

21-28-4

NOTICE
IN THE IOWA DISTRICT COURT
SCOTT COUNTY
CASE NO. ESPR080899
NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

IN THE MATTER OF
THE ESTATE OF
EVELYN KANG CALFEE MOELLERING,
Deceased.

To All Persons Interested in the Estate of EVELYN KANG CALFEE MOELLERING, Deceased, who died on or about November 27, 2020:

You are hereby notified that on the 12th day of October, 2021, the last will and testament of EVELYN KANG CALFEE MOELLERING, deceased, bearing date of October 14, 2017, was admitted to probate in the above-named court and that KENNETH J. MOELLERING was appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this 14th day of October, 2021.

/s/KENNETH J. MOELLERING
Executor of Estate
5259 306th Street
Dixon, Iowa 52745

Thomas E. Shie, Attorney
ICIS#: AT0007167
Attorney for Executor
Shie Law Office, P.C.
5333 Belle Avenue
Davenport, Iowa 52807

Date of second publication
October 28, 2021

NOTICE
IN THE DISTRICT COURT OF
POLK COUNTY, IOWA
TRUST NOTICE

IN THE MATTER OF
THE J H GARDNER
REVOCABLE TRUST

To all persons regarding J H Gardner, deceased, who died on or about October 12, 2021. You are hereby notified that Sarah Gardner is the trustee of the J H Gardner Revocable Trust.

Any action to contest the validity of the trust must be brought in the District Court of Polk County, Iowa, within the later to occur of four months from the date of second publication of this notice, or thirty days from the date of mailing this notice to all heirs of the decedent settlor and the spouse of the decedent settlor whose identities are reasonably ascertainable. Any suit not filed within this period shall be forever barred.

Notice is further given that any person or entity possessing a claim against the trust must mail proof of the claim to the trustee at the address listed below via certified mail, return receipt requested, by the later to occur of four months from the date of the second publication of this notice or thirty days from the date of mailing this notice if required, or the claim shall be forever barred, unless paid or otherwise satisfied.

Dated this 28th day of October, 2021

J H Gardner Revocable Trust
Sarah Gardner, Trustee
660 33rd St.
Des Moines, IA 50312

Date of second publication
4th day of November, 2021

Miscellaneous Notices

NOTICE
CITY OF BETTENDORF FEES FOR SNOW REMOVAL FOR 2021-2022

Section 7-1-10: SNOW AND ICE REMOVAL FROM SIDEWALKS; ABATEMENT; COSTS:

It shall be the responsibility of the abutting property owner to promptly remove snow and ice with accumulations of 2" or more from the public sidewalks. In the event that such snow, ice or accumulations of 2" or more are permitted to remain on the sidewalks for more than forty-eight (48) hours, the City may remove the snow or ice and assess the actual cost thereof against the property. (2008 Code 27-45)

The minimum hourly rate to be billed to a property owner as a result of the City ordering snow removal from City sidewalks shall be $30.00 per hour for an operator with a snow blower, $30.00 per hour for an operator with a chopper, and $40.00 per hour for an operator with hand tools. The contractor will charge $15.00 per application of chemical ice remover. A $75.00 per hour administrative fee to cover the costs of City staff time and enforcement action will be added. **The minimum fee to be charged shall be $105.00 per occurrence.**

If you have any questions or concerns, please contact the Code Enforcement Department at 563-344-4064.

Thank You,
Code Enforcement
City of Bettendorf
4403 Devils Glen Road
Bettendorf, IA 52722

NOTICE
NOTICE OF SALE
OPEN TO THE PUBLIC

According to the lease by and between the listed tenants and TKG StorageMart and its related parties, assigns and affiliates in order to perfect the lien on the goods contained in their units. The manager has cut the lock on their unit and upon courtesy inspection the unit(s) were found to contain:

Unit #107 – Brandon Besco - 2 wall clocks, air compressor portable, 4 totes, electric fireplace

Unit #215 – Brandon McCarl/Brandon Mccarl/Brandon Scott Mccarl – Incline Genesis Bicycle, push lawn mower, tote, dewalt box, red tool box

Unit #521 – Brenda Yates/Brenda Joyce Yates- Bissel carpet cleaner, bookshelf, 10 speed bike, 2 totes, ps3 game

Unit #808- Jackie Kormann/Jackie L Kormann/Jackie Lynn Kormann - beige cabinet, green dresser, toys, drum, bar stool

Items will be auctioned online at www.storagetreasures.com or disposed of at the site address listed below on 11 /24/21 at 12:00pm at the address listed below to satisfy owner's lien in accordance with state statues. All bid sales are cash only and sold "AS IS"AT THE ADDRESS LISTED BELOW TO SATISFY OWNER'S LIEN IN ACCORDANCE WITH STATE STATUES. TERMS OF SALE ARE CASH ONLY.

Please go to
storagetreasures.com
for all bids

StorageMart #1058
6520 Northwest Boulevard
Davenport, Iowa 52806
(563)445-1152 ext.2
28-4

NOTICE
NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS FOR THE ISSUANCE OF NOT TO EXCEED $41,000,000
GENERAL OBLIGATION CORPORATE AND REFUNDING BONDS, SERIES 2022A

The City Council of the City of Davenport, Iowa, will meet as the Committee-of-the-Whole on November 3, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 p.m., for the purpose of holding a public hearing and instituting proceedings for the issuance of not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A, for the purpose of paying the costs in connection with making improvements to sanitary sewers, storm sewers, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities and municipal parks; acquiring and maintaining vehicles andr equipment for municipal parks, streets, public safety ire department, solid waste collection, sewage treatment, and the municipal library; repair and maintenance of bridges; information technology improvements; municipal housing projects; and current refunding the outstanding maturities of the City's outstanding General Obligation Corporate Bonds, Series 2014A, dated March 5, 2014 and General Obligation Refunding Bonds, Series 2014B, dated March 5, 2014.

At that time and place, oral or written comments from any resident or property owner of the City may be presented, and all comments will be considered by the City Council at its regular meeting to be held at 5:30 p.m., on November 10, 2021, at the Council Chambers, City Hall, at which time the City Council will take additional action for the issuance of the Bonds.

The Bonds, when issued, will constitute general obligations of the City, payable from taxes levied upon all taxable property in the City.

By order of the City Council of Davenport, Iowa.

Brian Krup
Deputy Clerk

NOTICE
WEST KIMBERLY STORAGE LLC
4004 W Kimberly Rd
Davenport IA 52806.

REMOVAL and Sale or Disposal of goods will be November 4th 2021 for Jennifer Christian for unit # 25 at West Kimberly Storage in Davenport IA. Goods in storage will be sold or disposed of for Lien owed on storage unit rental.

21-28

NOTICE
Scott County Kids Early Childhood Iowa Board Meeting of November 2, 2021 12:30pm – 1:30 pm 600 W. 4th Street, Davenport, Iowa 52801 Room 638 or join by Zoom:
https://us02web.zoom.us/j/84925189338?pwd=RThSSDMycmZrekNTL01MRjdvdXQ4dz09

I. Call to Order –Rev. Yolanda Kirk, Chair
A. Introductions

II. Approval of Minutes for October 5, 2021

III. Old Business
A. Fiscal Issues
1. FY22 Expenditures

IV. New Business
A. Presentation: Head Start, Tricia Shannon
B. Committee Reports
1. Contracts Management
a. Committee Report
C. State Early Childhood Iowa
1. State ECI Meetings
2. PROGRESS/Redesignation
D. Legislative Recap

V. Other Business
A. Coordinator Evaluation

VI. Public Input

VII. Next Meeting December 7, 2021

NOTICE
CITY OF BETTENDORF
CITY COUNCIL MINUTES
OCTOBER 19, 2021

The City Council of Bettendorf, Iowa met in regular session on October 19, 2021 at 7:00 p.m., in the Council Chambers at Bettendorf City Hall, 1609 State Street, Bettendorf, Iowa.

The City of Bettendorf continues to follow CDC Guidelines with respect to the current COVID-19 situation. Additionally, the City of Bettendorf broadcasted this public meeting online at
http://www.bettendorf.org/live-meeting.

Council Members Present: Adamson, Brown, Connors, Naumann, Sechser, Baden, Webster
Presiding: Mayor Robert S. Gallagher

Mayor Gallagher opened the meeting with the Pledge of Allegiance led by Boy Scouts Troop 24 followed with an Invocation given by Michelle Spencer.

FIRE PROMOTIONS

Fire Chief Steve Knorrek introduced Lt. Bill McDonald and Firefighter Shane Peitscher. Mayor Gallagher swore in Bill McDonald as Captain and Shane Peitscher as Lieutenant.

PROCLAMATION

Mayor Gallagher read a proclamation requested by Bettendorf Rotary and Rotary International proclaiming October 24, 2021 as World Polio Day in the Bettendorf Community and encouraged all citizens to join him and Rotary International in the fight for a polio-free world. Council Member Naumann, a Bettendorf Rotarian and At-Large Board Member for District 6000, was on hand to receive the proclamation. Mr. Naumann thanked the Mayor and Council and explained that Rotary has changed lives across the world, and that they will not stop until polio has been eradicated completely.

PUBLIC REQUESTS OF COUNCIL

No one addressed the Council and the session was closed.

ORDINANCE – FIRST READING AMENDING BETTENDORF CITY CODE SECTION 6-1-322(B)(2), "VEHICLES ENTERING YIELD INTERSECTION" BY ADDING YIELD INTERSECTIONS ON EMILY ROAD AND EMILY COURT AT 55TH AVENUE

Council Member Baden presented the second reading of an ordinance amending Bettendorf City Code Section 6-1-322(B)(2), "Vehicles Entering Yield Intersection" by adding yield intersections on Emily Road and Emily Court at 55th Avenue, and made a motion to approve the ordinance at its first reading as presented. Council Member Webster seconded the motion. Mayor Gallagher asked for any questions. None presented. Roll call vote indicated Baden (aye); Webster (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); and Sechser (aye). The motion passed unanimously.

ORDINANCE – SECOND READING AMENDING BETTENDORF CITY CODE TITLE 10, CHAPTER 4 ENTITLED "ELECTRICAL CODE AND REGULATIONS" RELATING TO THE 2020 NATIONAL ELECTRICAL CODE

Council Member Webster presented the second reading of an ordinance amending the City Code of the City of Bettendorf, Iowa Title 10, Chapter 4 entitled "Electrical Code and Regulations" relating to the 2020 National Electrical Code, and made a motion to approve the ordinance at its second reading as presented. Council Member Baden seconded the motion. Mayor Gallagher asked for any discussion. None presented. Roll call vote indicated Baden (aye); Webster (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); and Sechser (aye). The motion passed unanimously.

ORDINANCE – THIRD AND FINAL READING AMENDING SECTIONS 2-6-2 AND 2-8-8 OF THE CITY CODE OF THE CITY OF BETTENDORF, IOWA FOR THE PURPOSE OF CREATING THE POSITION OF DIRECTOR OF CULTURE AND RECREATION

Council Member Naumann presented the third and final reading of an ordinance amending Sections 2-6-2 and 2-8-8 of the City Code of the City of Bettendorf, Iowa for the purpose of creating the position of Director of Culture and Recreation, and made a motion to approve the ordinance at its final reading as presented. Council Member Webster seconded the motion. Mayor Gallagher asked for any discussion. None presented. Roll call vote indicated Baden (aye); Webster (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); and Sechser (aye). The motion passed unanimously.

CONSENT AGENDA

Mayor Gallagher asked for a motion to approve the Consent Agenda as presented. Council Member Naumann made a motion to approve the Consent Agenda as presented, and Council Member Webster seconded the motion. Mayor Gallagher asked Council for any questions. Council Member Sechser expressed his concerns with respect to Item E during Committee of the Whole, held just prior to tonight's meeting, and questioned staff regarding same. Mayor Gallagher and City Administrator Decker Ploehn responded. Roll call vote indicated Baden (aye); Webster (aye); Adamson (aye); Brown (aye); Connors (aye); Naumann (aye); and Sechser (aye). The motion passed unanimously.

ADJOURNMENT

There being no further business, Council Member Connors made a motion to adjourn and Council Member Webster seconded the motion. The meeting was adjourned at approximately 7:20 p.m.

Mayor Robert S. Gallagher

Attest:
City Clerk Decker P. Ploehn

CONSENT AGENDA
OCTOBER 19, 2021

ALL ITEMS APPEARING BELOW ARE CONSIDERED ROUTINE BY THE CITY COUNCIL AND SHALL BE ENACTED BY ONE MOTION. IF DISCUSSION IS DESIRED, THAT ITEM SHALL BE REMOVED AND DISCUSSED SEPARATELY

A. Minutes from October 5, 2021 (Approve and Adopt)

B. Resolution approving Change Order #1 for the Public Works Entrance Rehabilitation Project. (Approve and Adopt)

C. Resolution accepting improvements for the Greenbrier Drive Reconstruction Project from Davenshire Drive to Tanglefoot Lane. (Approve and Adopt)

D. Resolution receiving and filing a Private Roads Betterment Program petition for 1019 and 1022 Broadlawn Avenue. (Approve and Adopt)

E. Resolution approving the local match for the Hazard Mitigation Grant Program. (Approve and Adopt)

F. Resolution appointing Mark Hunt as the City's authorized representative to the Iowa Homeland Security and Emergency Management Department (HSEMD) for the purpose of application for and administering of funding through the Hazard Mitigation Grant Program (HMGP). (Approve and Adopt)

G. Resolution establishing fees for snow removal for 2021-2022. (Approve and Adopt)

H. Resolution reappointing Scott Stoltenberg to the Planning & Zoning Commission. (Approve and Adopt)

I. Resolution approving liquor license renewals and requests for Kwik Star #929 (Utica Ridge Place location); Crow Valley Golf Club; 838 Boutique; Red Ginger; The Main Event; and Cornucopia Bar. (Approve and Adopt)

J. Bills (Approve payment and direct City Clerk to issue checks in respective amounts)

VENDOR DESCRIPTION	AMOUNT
A CUT ABOVE LAWN AND LANDSCAPE	
CONTRACTUAL SERVICES	4,102.00
AAA RENTS INC.	
SERVICES & COMMODITIES	415.00
ACE PEST MANAGEMENT, INC.	
CONTRACTUAL SERVICES	120.00
ACE TREE SERVICE, INC.	
CONTRACTUAL SERVICES	4,600.00
ACT II TRANSPORTATION	
SERVICES & COMMODITIES	995.00
ADEL WHOLESALERS, INC.	
REPAIR, MAINT & UTILITIES	148.53
ADVANCE AUTO PARTS	
SERVICES & COMMODITIES	83.64
ADVANTAGE WEED & FEED LLC	
CONTRACTUAL SERVICES	5,500.00
AFLAC	
INSURANCE DEDUCTIONS	1,089.80
ABT	1,198.16
ALEXIS FIRE EQUIPMENT COMPANY	
REPAIR, MAINT & UTILITIES	145.50
ALTORFER MACHINERY COMPANY	
SERVICES & COMMODITIES	150.99
AMERICAN FUNDS ROTH IRA WIRE	
INSURANCE DEDUCTIONS	200.00
AMERICAN FUNDS	
SERVICE COMPANY	
INSURANCE DEDUCTIONS	50.00
ANCHOR NATIONAL LIFE	
INSURANCE CO	
ABT	210.25
AUTHORIZE.NET	
CONTRACTUAL SERVICES	32.40
AXIOM CONSULTANTS, LLC	
CONTRACTUAL SERVICES	3,113.75
B & B EQUIPMENT STORE	
SERVICES & COMMODITIES	244.99
BAUER BUILT, INC.	
SERVICES & COMMODITIES	801.00
BERRYDUNN	
CAPITAL OUTLAY	10,900.00
BETTENDORF OFFICE PRODUCTS,INC	
SERVICES & COMMODITIES	72.55
BETTENDORF POLICE	
BENEVOLENT FUND	
MISCELLANEOUS DEDUCTIONS	98.00
BOEH, JEFFREY	
CONTRACTUAL SERVICES	1,419.50
BOUND TREE MEDICAL, LLC	
SERVICES & COMMODITIES	68.00
BRAY ASSOCIATES-ARCHITECTS, INC	
CONTRACTUAL SERVICES	4,140.00
BREATHING AIR SYSTEMS	
REPAIR, MAINT & UTILITIES	418.25
CARPETLAND USA	
REPAIR, MAINT & UTILITIES	680.00
CARQUEST AUTO PARTS STORE	
SERVICES & COMMODITIES	480.44
SERVICES & COMMODITIES	27.58
SERVICES & COMMODITIES	158.78
CENTENNIAL CONTRACTOR OF QC	
SERVICES & COMMODITIES	1,032.50
REPAIR, MAINT & UTILITIES	255.00
CHAMPS TROPHY	
CONTRACTUAL SERVICES	6.50
CINTAS LOC 23M	
CONTRACTUAL SERVICES	828.64
CONTRACTUAL SERVICES	123.64
CITY OF BETTENDORF	
ORTHO COVERAGE	195.00
MISCELLANEOUS DEDUCTIONS	111.59
EMPLOYEE HEALTH PREMIUM	14,814.73
CITY OF BETTENDORF/125 PLAN	
ABT	7,713.02
COLLECTION SERVICES CENTER	
CHILD SUPPORT	3,992.18
CORNER STORE - LEARNING CAMPUS	
SERVICES & COMMODITIES	15.15
CREATING HEALTHIER COMMUINITIES	
CHARITIES	12.00
CULLIGAN OF DAVENPORT	
SERVICES & COMMODITIES	21.60
D & K PRODUCTS	
SERVICES & COMMODITIES	4,996.80
DAVENPORT ELECTRIC CONTRACT	
SERVICES & COMMODITIES	718.21
CONTRACTUAL SERVICES	8,858.00
DELTA DENTAL	
CONTRACTUAL SERVICES	14,439.93
DES MOINES STAMP MFG COMPANY	
SERVICES & COMMODITIES	80.85
DOORS INC.	
REPAIR, MAINT & UTILITIES	475.00
DULTMEIER SALES LLC	
REPAIR, MAINT & UTILITIES	78.32
EAST MOLINE GLASS COMPANY	
REPAIR, MAINT & UTILITIES	313.00
EASTERN IOWA TIRE, INC.	
REPAIR, MAINT & UTILITIES	1,572.20
ECK'S AUTO SHINE	
REPAIR, MAINT & UTILITIES	180.00
ELLIOTT EQUIPMENT CO.	
SERVICES & COMMODITIES	1,587.61
EMPLOYEE BENEFIT SYSTEM	
CONTRACTUAL SERVICES	3,211.80
CONTRACTUAL SERVICES	821.34
ENERGY SALES, INC.	
REPAIR, MAINT & UTILITIES	978.00
ENVIROMARK	
REPAIR, MAINT & UTILITIES	2,453.30
FASTENAL COMPANY	
SERVICES & COMMODITIES	91.02
FORCE AMERICA, INC.	
SERVICES & COMMODITIES	1,439.86
FRIES, BRIAN	
STAFF DEVELOPMENT	439.08
GEE ASPHALT SYSTEMS INC.	
CONTRACTUAL SERVICES	19,947.20
GIERKE ROBINSON COMPANY	
SERVICES & COMMODITIES	213.60
GLASS BLAST	
SERVICES & COMMODITIES	324.00
GRABER, EDMUND C.	
CONTRACTUAL SERVICES	1,832.00
GRAINGER	
SERVICES & COMMODITIES	2,195.37
SERVICES & COMMODITIES	34.94
GREAT AMERICAN PLAN ADMINISTRATORS	
ABT	1,131.86
GREAT WESTERN SUPPLY CO.INC.	
SERVICES & COMMODITIES	418.40
H & H CAR CARE & TOWING, LLC	
REPAIR, MAINT & UTILITIES	590.00
REPAIR MAINT & UTILITIES	75.00
CONTRACTUAL SERVICES	125.00
HDR ENGINEERING, INC.	
CONTRACTUAL SERVICES	92,078.50
HOGLUND BUS AND TRUCK	
SERVICES & COMMODITIES	139.12
HOGLUND BUS CO., INC.	
SERVICES & COMMODITIES	3,400.74
I.W.I. MOTOR PARTS	
SERVICES & COMMODITIES	89.24
ICMA RETIREMENT TRUST – 457	
INSURANCE DEDUCTIONS	5,997.00
ABT	54,783.20
457 LOANS REPAYMENT	55,192.76
ILLINOIS DEPARTMENT OF REVENUE	
ILL.STATE WITHHOLDING TAX	4,519.80
IMEG CORP	
CONTRACTUAL SERVICES	32,068.95
IMPERIAL	
SERVICES & COMMODITIES	73.35
INFOGROUP	
CAPITAL OUTLAY	785.00
INTERNAL REVENUE SERVICE	
MEDICARE-EMP & CITY SHR	46,408.24
FICA TAXES-EMP & CITY SHR	125,370.52
FEDERAL WITHHOLDING TAXES	147,908.39
ION WAVE TECHNOLOGIES, INC.	
REPAIR, MAINT & UTILITIES	17,500.00
IOWA AMERICAN WATER COMPANY	
REPAIR, MAINT & UTILITIES	304.42
IOWA C.O.P.S.	
MISCELLANEOUS DEDUCTIONS	126.00
IOWA COMMUNITIES ASSURANCE POOL	
CONTRACTUAL SERVICES	569.98
IOWA DEPARTMENT OF REVENUE	
CONTRACTUAL SERVICES	100.73
IOWA DEPARTMENT OF TRANSPORTATION	
SERVICES & COMMODITIES	388.80
IOWA DEPT OF NATURAL RESOURCES	
SERVICES & COMMODITIES	100.00
IOWA LAW ENFORCEMENT ACADEMY	
STAFF DEVELOPMENT	14,200.00
IOWA PUBLIC TRANSIT ASSOCIATION	
STAFF DEVELOPMENT	2,065.00
IPERS COLLECTIONS	
IPERS-EMP & CITY SHARE	162,427.31
IPROMOTEU	
SERVICES & COMMODITIES	229.50
EMPLOYEE BENEFITS & COSTS	56.75
IT SAVVY	
SERVICES & COMMODITIES	1,169.15
KEIL ENTERPRISES	
STAFF DEVELOPMENT	249.00
KILBURG EQUIPMENT, LLC.	
SERVICES & COMMODITIES	1,032.42
KIMBERLY'S KLEANING	
CONTRACTUAL SERVICES	473.00
KTS CAPITAL OUTLAY	1,530.00
LEGALSHIELD	
INSURANCE DEDUCTIONS	112.16
LINCOLN LIFE ABT	1,257.00
LINDQUIST FORD, INC.	
SERVICES & COMMODITIES	704.66
REPAIR, MAINT & UTILITIES	3,753.00
CAPITAL OUTLAY	76,542.00
LOGAN CONTRACTORS SUPPLY, INC.	
REPAIR, MAINT & UTILITIES	108.96
MACQUEEN EQUIPMENT	
SERVICES & COMMODITIES	1,576.66
MANATT'S INC.	
REPAIR, MAINT & UTILITIES	845.26
MANATTS, INC.- EASTERN IOWA ASPHALT	
SERVICES & COMMODITIES	196.13
MEDTRAK SERVICES	
CONTRACTUAL SERVICES	20,591.88
CONTRACTUAL SERVICES	805.00
MERCHANT SERVICES	
CONTRACTUAL SERVICES	10,469.08
MIDWEST MAILWORKS INC.	
SERVICES & COMMODITIES	15,000.00
CONTRACTUAL SERVICES	4,755.66
MILLENNIUM WASTE, INC.	
CONTRACTUAL SERVICES	625.95
MILLS CHEVROLET COMPANY	
SERVICES & COMMODITIES	149.97
REPAIR, MAINT & UTILITIES	626.18
MISCELLANEOUS	
REPAIR, MAINT & UTILITIES	228.80
MOBOTREX, INC.	
CAPITAL OUTLAY	16,358.00
MUNICIPAL FIRE & POLICE EMPLOYEE SHR/FIRE PENSION	18,564.11
EMP SHARE-POLICE PENSION	29,453.21
CITY SHARE POLICE PENSION	82,030.24
CITY SHARE FIRE PENSION	51,703.07
MUNICIPAL PIPE TOOL CO, INC	
CAPITAL OUTLAY	6,643.75
NAPA - DAVENPORT	
SERVICES & COMMODITIES	27.11
NATIONAL PEN COMPANY	
SERVICES & COMMODITIES	82.12
REPAIR, MAINT & UTILITIES	111.82
NATIONWIDE RETIREMENT SOLUTIONS	
ABT	1,063.72
NIGHTWATCH SECURITY SERVICES, INC	
CONTRACTUAL SERVICES	1,290.00
OFFICE EXPRESS OFFICE PRODUCTS	
SERVICES & COMMODITIES	14.83
OHIO NATIONAL LIFE INSURANCE CO	
ABT	827.04
ORKIN EXTERMINATING COMPANY	
CONTRACTUAL SERVICES	82.00
OSTROM PAINTING & SANDBLASTING, INC	
CONTRACTUAL SERVICES	168,730.10
PACIFIC LIFE INSURANCE COMPANY	
ABT	503.81
457 LOANS REPAYMENT	161.62
PLEASANT VALLEY COMMUNITY	
SERVICES & COMMODITIES	36,129.25
PPG ARCHITECTURAL FINISHES	
SERVICES & COMMODITIES	657.12
PROFORMA XTREME	
SERVICES & COMMODITIES	163.06
CONTRACTUAL SERVICES	782.13
PS3 ENTERPRISES, INC	
SERVICES & COMMODITIES	100.00
CONTRACTUAL SERVICES	850.00
QUAD CITIES CHAMBER OF COMMERCE	
CONTRACTUAL SERVICES	25,000.00
QUAD CITY TIMES	
CONTRACTUAL SERVICES	538.75
RACOM	
SERVICES & COMMODITIES	390.00
RAY O'HERRON CO.INC.	
SERVICES & COMMODITIES	550.04
EMPLOYEE BENEFITS & COSTS	3,449.99
RDG PLANNING & DESIGN	
CONTRACTUAL SERVICES	910.00
REXCO EQUIPMENT CO.	
SERVICES & COMMODITIES	105.33
RIVERBEND SIGNWORKS	
SERVICES & COMMODITIES	170.80
RIVERSTONE GROUP INC.	
REPAIR, MAINT & UTILITIES	1,970.47
S J SMITH CO. INC.	
SERVICES & COMMODITIES	195.30
REPAIR, MAINT & UTILITIES	35.39
CONTRACTUAL SERVICES	65.10
SADLER POWER TRAIN	
SERVICES & COMMODITIES	698.70
SANDRY FIRE SUPPLY EMPLOYEE BENEFITS & COSTS	9,245.65
SCOTT COUNTY SHERIFF'S OFFICE	
CONTRACTUAL SERVICES	1,991.52
STAPLES ADVANTAGE	
SERVICES & COMMODITIES	34.99
SERVICES & COMMODITIES	20.67
TERRY-DURIN COMPANY	
SERVICES & COMMODITIES	358.26
THOMPSON TRUCK & TRAILER INC.	
SERVICES & COMMODITIES	880.17
TOTAL AQUARIUM MAINTENANCE	
SERVICES & COMMODITIES	40.00
TREASURER, STATE OF IOWA	
STATE OF IOWA/SALES TAX	20,699.05
TREASURER,STATE OF IOWA	
IA.STATE WITHHOLDING TAX	59,052.73
TRI-CITY ELECTRIC CO	
CAPITAL OUTLAY	7,680.00
TRI-STATE AUTOMATIC SPRINKLER CORP	
REPAIR, MAINT & UTILITIES	1,112.51
TSS THE SAFETY SPECIALISTS	
CONTRACTUAL SERVICES	470.00
ULINE, INC.	
SERVICES & COMMODITIES	3,302.45
UNIFORM DEN, INC.	
EMPLOYEE BENEFITS & COSTS	1,124.45
UNITED WAY OF THE QUAD CITIES AREA	
CHARITIES	1,171.60
VALLEY OUTDOOR LLC	
REPAIR, MAINT & UTILITIES	405.60
VANTIV INTEGRATED PAYMENTS	
CONTRACTUAL SERVICES	9,444.90
VEENSTRA & KIMM, INC.	
CONTRACTUAL SERVICES	19,918.52
WAGEWORKS	
CONTRACTUAL SERVICES	14,905.14
WASHINGTON NATIONAL LIFE INSURANCE	
INSURANCE DEDUCTIONS	35.05
WATERFRONT DELI & RESTAURANT	
STAFF DEVELOPMENT	101.35
WELLMARK BLUE CROSS & BLUE SHIELD	
CONTRACTUAL SERVICES	36,782.40
CONTRACTUAL SERVICES	89,812.20
CONTRACTUAL SERVICES	1,389.60
CONTRACTUAL SERVICES	12,367.20
WITMER PUBLIC SAFETY GROUP, INC.	
SERVICES & COMMODITIES	123.17
7G DISTRIBUTING LLC	
SERVICES & COMMODITIES	4,250.60
A & A A/C & REFRIGERATION, INC.	
SERVICES & COMMODITIES	130.00
ALL STAR PRO GOLF, INC.	
SERVICES & COMMODITIES	355.59
CINTAS FIRST AID & SAFETY #D89	
SERVICES & COMMODITIES	142.99
COCA-COLA ATLANTIC BOTTLING CO	
SERVICES & COMMODITIES	2,352.29
D & K PRODUCTS	
SERVICES & COMMODITIES	5,868.79
CONTRACTUAL SERVICES	235.00
DIMITRI WINE & SPIRITS, INC.	
SERVICES & COMMODITIES	785.70
FRIENDS OF THE BETTENDORF PARK	
OTHER ACTIVITIES	2,202.00
GS MAINTENANCE LLC	
CONTRACTUAL SERVICES	1,200.00
IOWA BEVERAGE SYSTEMS INC	
SERVICES & COMMODITIES	4,059.70
JOHANNES BUS SERVICE, INC.	
SERVICES & COMMODITIES	312.50
K & K HARDWARE	
SERVICES & COMMODITIES	27.95
CONTRACTUAL SERVICES	118.91
LOTA SPIRITS DISTRIBUTING, LLC	
SERVICES & COMMODITIES	1,178.91
MANATTS, INC.- EASTERN IOWA ASPHALT	
CONTRACTUAL SERVICES	23,930.50
MARTIN BROTHERS DISTRIBUTING CO INC	
SERVICES & COMMODITIES	1,090.72
SERVICES & COMMODITIES	10,685.10
MID AMERICAN ENERGY UTILITIES	50.00
REPAIR, MAINT. & UTILITIE	10.00
REPAIR, MAINT & UTILITIES	20,580.91
MILLENNIUM WASTE, INC.	
CONTRACTUAL SERVICES	35.00
CONTRACTUAL SERVICES	360.00
ONMEDIA	
CONTRACTUAL SERVICES	2,389.00
PS3 ENTERPRISES, INC	
CONTRACTUAL SERVICES	179.00
CONTRACTUAL SERVICES	1,666.29
QC ANALYTICAL SERVICES LLC	
SERVICES & COMMODITIES	65.00
SITEONE LANDSCAPE SUPPLY, LLC	
CONTRACTUAL SERVICES	712.78
TPC	
SERVICES & COMMODITIES	56.69
SERVICES & COMMODITIES	690.14
A-1 MARKING PRODUCTS CO.	
SERVICES & COMMODITIES	80.00
AMAZON CAPITAL SERVICES INC.	
CAPITAL OUTLAY	16.98
BAKER & TAYLOR, INC.	
CAPITAL OUTLAY	233.69
CAPITAL OUTLAY	319.37
CAPITAL OUTLAY	327.09
CAPITAL OUTLAY	49.93
BETTENDORF LIBRARY FOUNDATION	
CAPITAL OUTLAY	63.71
BLACKSTONE AUDIO INC	
CAPITAL OUTLAY	92.81
BOOK FARM, INC.	
CAPITAL OUTLAY	20.45
CINTAS FIRST AID & SAFETY #D89	
SERVICES & COMMODITIES	236.60
CROWDER, APRIL	
SERVICES & COMMODITIES	154.36
CULLIGAN OF DAVENPORT	
SERVICES & COMMODITIES	144.00
DAVENPORT PUBLIC LIBRARY	
SERVICES & COMMODITIES	30.00
ENTERTAINMENT EXPRESSIONS, L.L.

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **11/10/2021**

Subject:
Second Consideration: Ordinance for Case ORD21-02 being the request of the City of Davenport to amend various sections of Chapter 17 of the Municipal Code of Davenport, Iowa entitled "Zoning" by amending various subsections thereto. [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
The Plan & Zoning Commission reviewed Case ORD21-02 on October 5, 2021 and voted 6-0 to forward the zoning text amendments to City Council with a recommendation for approval.

In preparation for future programming opportunities, including through the Iowa Economic Development Authority, the City has incorporated corridor planning into the FY 2021 and FY 2022 administrative Work Plan. One of the major potential program opportunities is the Reinvestment District which is designed to assist communities in developing transformative projects that improve the quality of life, create and enhance unique opportunities, and substantially benefit the community, region, and state. Large investments that generate high volumes of sales taxes and draw consumers to utilize the entire development are required to qualify for the program.

In order to ensure the greatest potential for the area, the City has initiated a Zoning Text Change to include the creation of a new zoning district called City Centre. In addition, staff continues to fine-tune the ordinance at regular intervals after adoption. The following amendments are proposed at this time:

Chapter 17.05 Commercial Districts

1. Section 17.05.010 Purpose Statements
- Create a Purpose Statement for a new zoning district titled “City Centre”

2. Section 17.05.030 Dimensional Standards
- Establish Dimensional Standards for the proposed new zoning district "City Centre"
- Alter the C-1 minimum front setback requirements to also allow for new construction to be setback in line with existing buildings.

3. Section 17.05.040 Design Standards
- Establish Design Standards for the proposed new zoning district "City Centre"

Chapter 17.08: Uses

1. Table 17.08-1 Use Matrix
- Create permitted and special uses in the new “City Centre” zoning district;
- Change Bed & breakfast to a Special Use in R-1 and R-2;
- Add Day Care Center as a Special Use in I-1;
- Add Food Bank as a permitted use in I-2;
- Add Parking Lot (Principal Structure) as a Special Use in I-2;
- Change Residential Care Facility to a permitted use in C-1;

- Change Self-Storage Facility: Enclosed to a Special Use in C-3 and remove from C-OP;
- Remove Self-Storage Facility: Outdoor as a Special Use in C-3.

2. Section 17.08.030 Principal Use Standards

- Change the fence height in the Principal Use Standard for Animal Care Facility to allow fences up to 8 feet in height.
- Add to the Principal Use Standard for Car Wash to include distancing exterior vacuum stations from residential districts and not routing exiting traffic into adjacent neighborhoods.
- Add design standards for ancillary structures in the Principal Use Standard for Dwelling-Multi-Family.

3. Section 17.08.040 Temporary Use Standards

- Change language in Temporary Use Standards to reinforce that all municipal code regulations and processes apply.

4. Section 17.08.050 Use Definitions

- Add professional firework displays to the definition of Temporary Outdoor Entertainment.

Chapter 17.09: Site Development Standards

1. Section 17.09.020 Exterior Lighting

- Increase the height of cut-off luminaires to 40 feet in industrial districts and 35 feet in some commercial districts.

2. Section 17.15.050 Nonconforming Site Elements

- In subsection C2 Nonconforming Parking Lot Landscape: Remove the word resurfacing for types of parking lot reconstruction.

Public Input: Staff has received one comment on this item. See attached.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance - Clean
🗋	Ordinance	Ordinance - Strikethrough
🗋	Backup Material	Chapter 17.05 Commercial Districts - Proposed Changes
🗋	Backup Material	Chapter 17.08 Uses - Proposed Changes
🗋	Backup Material	Table 17.08-1 Use Matrix - Proposed Changes
🗋	Backup Material	Chapter 17.09.020 Exterior Lighting - Proposed Changes
🗋	Backup Material	Chapter 17.15.050 Nonconforming Site Elements - Proposed Changes
🗋	Backup Material	Public Comment

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	10/13/2021 - 12:45 PM

ORDINANCE NO. _____

ORDINANCE FOR CASE ORD21-01 AMENDING VARIOUS SECTIONS OF CHAPTER 17 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED "ZONING", BY AMENDING VARIOUS SUBSECTIONS THERETO.

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

Section 1. That subsection 17.05.010 of the Municipal Code of Davenport, Iowa, be and the same is hereby as amended to add a new subsection (E) entitled C-C City Centre Zoning District to be read as follows:

The C-C City Centre Zoning District is intended to position the central part of the city for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.
(the current subsection (E) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

Section 2. That subsection 17.05.030 of the Municipal Code of Davenport, Iowa, be the same is hereby as amended to add a new subsection (C) to be read as follows:

In the C-1 District, where 70% of a blockface has been developed, new construction may exceed the Build-to-Zone limits by no more than the average setback of structures on said blockface.
(the current subsection (C) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

Section 3. That section 17.05.030 Table 17.05-1 entitled Commercial Districts Dimensional Standards of the Municipal Code of Davenport, Iowa, be the same is hereby amended to read as follows:

	Table 17.05-1: Commercial Districts Dimensional Standards					
	C-T	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**
Bulk						
Minimum Lot Area	10,000sf	None	None	20,000sf	None	20,000sf
Minimum Lot Width	60'	None	None	80'	None	70'

Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None	None
Maximum Building Height	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	None unless within 75' of a residential district, then 35'	45'
Setbacks						
Minimum Front Setback	Build-to zone of 0' to 20'	Build-to zone of 0' to 15' unless meeting the standards of Section 17.05.030C	None	25'	None	20'
Front Setback Build-To Percentage	70%	70%	None	None	None	None
Minimum Interior Side Setback	None, unless abutting a residential district then 20'	None, unless abutting a residential district then 10'	None, unless abutting a residential district then 10'	10', unless abutting a residential district then 20'	None, unless abutting a residential district, then 20'	15'
Minimum Corner Side Setback	Build-to zone of 0' to 15'	Build-to zone of 0' to 10' unless meeting the standards of Section 17.05.030C	10'	20'	None	Build-to zone of 0' to 20'
Corner Side Setback Build-To Percentage	60%	60%	None	None	None	60%
Minimum Rear Setback	15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15'	10', unless abutting a residential district then 25'	None, unless abutting a residential district, then 25'	25'

Section 4. That section 17.05.040 Table 17.05-2 entitled Commercial Districts Design Standards of the Municipal Code of Davenport, Iowa, be the same is hereby amended to read as follows:

Table 17.05-2: Commercial Districts Design Standards						
	C-T	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	

Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design						
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.						•
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	

Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

Section 5. That section 17.05.040 image entitled "C-3 District Design Standards" of the Municipal Code of Davenport, Iowa, be the same to read as follows:

C-3 and C-C DISTRICT DESIGN STANDARDS



A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 35% measured between two and ten feet in height from grade

E. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

Section 6. That section 17.08.020 Table 17.08-1 entitled Use Matrix of the Municipal Code of Davenport Iowa, be the same is hereby amended as follow:

Change "Bed and Breakfast" from Permitted to Special Use in R-1 and R-2
Add "Day Care Center" as a Special Use in I-1
Add "Food Bank" as a Permitted in I-2
Add "Parking Lot (Principal Use)" as a Special Use in I-2
Change "Residential Care Facility" from Special Use to Permitted in C-1
Change "Self-Storage Facility: Enclosed" from Permitted to Special Use in C-3
Remove "Self-Storage Facility: Enclosed" as Permitted from C-OP
Remove "Self-Storage Facility: Outdoor" as a Special Use in C-3
Add a column between C-3 and C-OP with the heading C-C.
Add "Amusement Facility – Indoor" as Permitted in C-C
Add "Amusement Facility – Outdoor" as Special Use in C-C
Add "Animal Care Facility – Small Animal" as Permitted in C-C

Add "Art Gallery" as Permitted in C-C
Add "Art and Fitness Studio" as Permitted in C-C
Add "Bar" as Permitted in C-C
Add "Body Modification Establishment" as Permitted in C-C
Add "Community Center" as Permitted in C-C
Add "Community Garden" as Permitted in C-C
Add "Cultural Facility" as Permitted in C-C
Add "Day Care Center" as Permitted in C-C
Add "Drive-Through Facility" as Special Use in C-C
Add "Dwelling – Multi-Family" as Special Use in C-C
Add "Dwelling – Townhouse" as Special Use in C-C
Add "Dwelling – Single-Family Semi-Detached" as Special Use in C-C
Add "Dwelling – Two-Family" as Special Use in C-C
Add "Educational Facility – University of College" as Permitted in C-C
Add "Educational Facility – Vocational" as Permitted in C-C
Add "Financial Institution" as Permitted in C-C
Add "Gas Station" as Special Use in C-C
Add "Government Office/Facility" as Permitted in C-C
Add "Hotel" as Permitted in C-C
Add "Live Performance Venue" as Permitted in C-C
Add "Lodge/Meeting Hall" as Permitted in C-C
Add "Medical/Dental Office" as Permitted in C-C
Add "Micro-Brewery/Distillery/Winery" as Permitted in C-C
Add "Office" as Permitted in C-C
Add "Outdoor Dining" as Permitted in C-C
Add "Parking Lot (Principal Use)" as Special Use in C-C
Add "Parking Structure (Principal Use)" as Permitted in C-C
Add "Personal Service Establishment" as Permitted in C-C
Add "Place of Worship" as Permitted in C-C
Add "Private Recreation Facility" as Permitted in C-C
Add "Public Park" as Permitted in C-C
Add "Public Safety Facility" as Permitted in C-C
Add "Reception Facility" as Permitted in C-C
Add "Residential Care Facility" as Permitted in C-C
Add "Restaurant" as Permitted in C-C
Add "Retail Goods Establishment" as Permitted in C-C
Add "Retail Alcohol Sales" as Special Use in C-C
Add "Specialty Food Service" as Permitted in C-C
Add "Wine Bar" as Permitted in C-C
Add "Wireless Telecommunications" as Special Use in C-C
Add "Wireless Telecommunications – Stealth Design Antenna" as Permitted in C-C
Add "Wireless Telecommunications – DAS Co-Location" as Permitted in C-C
Add "Wireless Telecommunications – DAS New Pole" as Special Use in C-C
Add "Farmer's Market" as Temporary Use in C-C
Add "Real Estate Project Sales Office/Model Unit" as Temporary Use in C-C
Add "Temporary Cell On Wheels (COW)" as Temporary Use in C-C
Add "Temporary Contractor Office and Contractor Yard" as Temporary Use in C-C
Add "Temporary Outdoor Entertainment" as Temporary Use in C-C
Add "Temporary Outdoor Sales (No Fireworks Stand)" as Temporary Use in C-C
Add "Temporary Outdoor Storage Container" as Temporary Use in C-C

Section 7. That section 17.08.030 subsection B entitled "Animal Care Facility – Small Animal and Animal Breeder" of the Municipal Code of Davenport, Iowa, be the same and hereby amended to read as follows:

B. Animal Care Facility – Small Animal, and Animal Breeder

These standards do not apply to any animal shelters operated by a City agency.

1. Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet and a maximum of eight feet in height is required for all exterior exercise areas.

(Note: Numbered subsections 2 and 3 remain unchanged.)

Section 8. That section 17.08.030 subsection G entitled "Car Wash" of the Municipal Code of Davenport, Iowa, be the same and hereby amended to read as follows:

G. Car Wash

When a car wash is adjacent to the lot line of a residential district, it must be screened along the interior side and/or rear lot lines adjacent to the residential lot as follows:

1. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.
2. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.
3. Vacuum stations shall not be located between the carwash structure and a lot line of an abutting residential district.
4. Carwashes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Carwashes on corner lots must not route exiting traffic into adjacent residential neighborhoods.

Section 9. That section 17.08.030 subsection O entitled "Dwelling – Multi-Family" of the Municipal Code of Davenport, Iowa, be the same and hereby amended to read as follows:

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.
4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
    a. The following building materials are prohibited on any part of any façade:
        i. Plain concrete block
        ii. Plastic
        iii. Exterior insulating finish systems (EIFS)

b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
    i. Corrugated metal
    ii. Exposed aggregate (rough finish) concrete wall panels
    iii. T-111 composite plywood siding

5. Ancillary buildings and accessory structures to multiple-family dwellings shall meet the following design standards.
    a. Structures shall maintain the character of the multi-family development.
    b. Structures are encouraged to match the pitch of the roof of the principal dwelling.
    c. Structures utilizing metal siding and/or roofing shall have a matte finish (or similar non-glare finish).
6. Setbacks for accessory structures like garages, carports and sheds shall meet required accessory structure setbacks; ancillary buildings such as offices or community rooms shall meet principal use setbacks.

Section 10. That the unnumbered opening paragraphs of section 17.08.040 of the Municipal Code of Davenport, Iowa, be and the same are hereby amended to read as follows:

Temporary uses are required to comply with the standards of this section, in addition to all other regulations and licensing requirements of the Municipal Code. These regulations are for temporary uses located on private property. A temporary use may require a permit if the requirement is specifically cited in the standards. Temporary uses do not require additional parking unless specifically cited in the temporary use standards or stipulated as a condition of approval. Tents associated with temporary uses that are less than 200 square feet in area are exempt from permits.
(Note: All subsections remain unchanged.)

Section 11. That section 17.08.050 of the Municipal Code of Davenport, Iowa, be the same are hereby amended to be read as follows:

Temporary Outdoor Entertainment. A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows ("Display Fireworks" per the American Pyrotechnic Association only), horse shows, carnivals/circuses, temporary worship services, and others.
(Note: All subsections remain unchanged.)

Section 12. That section 17.09.020 subsection C entitled "Luminaire with Cut Off Standards" of the Municipal Code of Davenport, Iowa, be the same are hereby amended to be read as follows:

C. Luminaire with Cut Off Standards

1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.
2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is:
    a. 25 feet in all residential districts, C-T, C-1, C-V, S-AG and S-OS.
    b. 35 feet in C-2, C-3, C-C, C-OP, C-D, C-E, S-IC, and I-MU
    c. 40 feet in I-1 and I-2.
3. A cut off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.

Section 13. That section 17.15.050 subsection C.2 entitled "Nonconforming Parking Lot Landscape" of the Municipal Code of Davenport, Iowa, be the same are hereby amended to be read as follows:

2. Nonconforming Parking Lot Landscape

When a parking lot of 15 or more spaces does not conform to required parking lot landscape requirements, it must be brought into conformance when such parking lot is fully reconstructed or expanded by an additional 50% or more spaces (viz., the total number of spaces after expansion is 150% or more of the spaces prior to expansion).

a. Resealing or re-striping of an existing parking lot, which does not entail paving or replacement of the asphalt, concrete, or other paving material, is not considered reconstruction.
b. If such action would result in creating a parking area that no longer conforms to the parking regulations of this Ordinance, such existing parking lot is not required to install all or a portion of the required landscape. The applicant is required to show that landscape cannot be accommodated on the site.
c. If only certain requirements are able to be accommodated on the site, those elements are required. The Zoning Administrator will make the determination that all or a portion of required landscape does not have to be installed.

(Note: All other subsections remain unchanged.)

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 _____

Published in the *Quad City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

ORDINANCE NO. 2021-

AN ORDINANCE FOR CASE ORD21-01 AMENDING VARIOUS SECTIONS OF CHAPTER 17 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED "ZONING", BY AMENDING VARIOUS SUBSECTIONS THERETO.

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

Section 1. That subsection 17.05.010 of the Municipal Code of Davenport, Iowa, be and the same is hereby as amended to add a new subsection (E) entitled C-C City Centre Zoning District to be read as follows:

The C-C City Centre Zoning District is intended to position the central part of the city for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.

(the current subsection (E) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

Section 2. That subsection 17.05.030 of the Municipal Code of Davenport, Iowa, be the same is hereby as amended to add a new subsection (C) to be read as follows:

In the C-1 District, where 70% of a blockface has been developed, new construction may exceed the Build-to-Zone limits by no more than the average setback of structures on said blockface.

(the current subsection (C) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

Section 3. That section 17.05.030 Table 17.05-1 entitled Commercial Districts Dimensional Standards of the Municipal Code of Davenport, Iowa, be the same is hereby amended to read as follows:

	Table 17.05-1: Commercial Districts Dimensional Standards					
	C-T	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**
Bulk						
Minimum Lot Area	10,000sf	None	None	20,000sf	None	20,000sf
Minimum Lot Width	60'	None	None	80'	None	70'
Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None	None

Maximum Building Height	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	None unless within 75' of a residential district, then 35'	45'
Setbacks						
Minimum Front Setback	Build-to zone of 0' to 20'	Build-to zone of 0' to 15' unless meeting the standards of Section 17.05.030C	None	25'	None	20'
Front Setback Build-To Percentage	70%	70%	None	None	None	None
Minimum Interior Side Setback	None, unless abutting a residential district then 20'	None, unless abutting a residential district then 10'	None, unless abutting a residential district then 10'	10', unless abutting a residential district then 20'	None, unless abutting a residential district, then 20'	15'
Minimum Corner Side Setback	Build-to zone of 0' to 15'	Build-to zone of 0' to 10' unless meeting the standards of Section 17.05.030C	10'	20'	None	Build-to zone of 0' to 20'
Corner Side Setback Build-To Percentage	60%	60%	None	None	None	60%
Minimum Rear Setback	15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15'	10', unless abutting a residential district then 25'	None, unless abutting a residential district, then 25'	25'

Section 4. That section 17.05.040 Table 17.05-2 entitled Commercial Districts Design Standards of the Municipal Code of Davenport, Iowa, be the same is hereby amended to read as follows:

Table 17.05-2: Commercial Districts Design Standards						
	C-T	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•

All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design						
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.						•
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	

In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

Section 5. That section 17.05.040 image entitled "C-3 District Design Standards" of the Municipal Code of Davenport, Iowa, be the same to read as follows:

C-3 and C-C DISTRICT DESIGN STANDARDS



A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 35% measured between two and ten feet in height from grade

E. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

Section 6. That section 17.08.020 Table 17.08-1 entitled Use Matrix of the Municipal Code of Davenport Iowa, be the same is hereby amended as follow:

Change "Bed and Breakfast" from Permitted to Special Use in R-1 and R-2
Add "Day Care Center" as a Special Use in I-1
Add "Food Bank" as a Permitted in I-2
Add "Parking Lot (Principal Use)" as a Special Use in I-2
Change "Residential Care Facility" from Special Use to Permitted in C-1
Change "Self-Storage Facility: Enclosed" from Permitted to Special Use in C-3
Remove "Self-Storage Facility: Enclosed" as Permitted from C-OP
Remove "Self-Storage Facility: Outdoor" as a Special Use in C-3
Add a column between C-3 and C-OP with the heading C-C.
Add "Amusement Facility – Indoor" as Permitted in C-C
Add "Amusement Facility – Outdoor" as Special Use in C-C
Add "Animal Care Facility – Small Animal" as Permitted in C-C
Add "Art Gallery" as Permitted in C-C
Add "Art and Fitness Studio" as Permitted in C-C
Add "Bar" as Permitted in C-C

Add "Body Modification Establishment" as Permitted in C-C
Add "Community Center" as Permitted in C-C
Add "Community Garden" as Permitted in C-C
Add "Cultural Facility" as Permitted in C-C
Add "Day Care Center" as Permitted in C-C
Add "Drive-Through Facility" as Special Use in C-C
Add "Dwelling – Multi-Family" as Special Use in C-C
Add "Dwelling – Townhouse" as Special Use in C-C
Add "Dwelling – Single-Family Semi-Detached" as Special Use in C-C
Add "Dwelling – Two-Family" as Special Use in C-C
Add "Educational Facility – University of College" as Permitted in C-C
Add "Educational Facility – Vocational" as Permitted in C-C
Add "Financial Institution" as Permitted in C-C
Add "Gas Station" as Special Use in C-C
Add "Government Office/Facility" as Permitted in C-C
Add "Hotel" as Permitted in C-C
Add "Live Performance Venue" as Permitted in C-C
Add "Lodge/Meeting Hall" as Permitted in C-C
Add "Medical/Dental Office" as Permitted in C-C
Add "Micro-Brewery/Distillery/Winery" as Permitted in C-C
Add "Office" as Permitted in C-C
Add "Outdoor Dining" as Permitted in C-C
Add "Parking Lot (Principal Use)" as Special Use in C-C
Add "Parking Structure (Principal Use)" as Permitted in C-C
Add "Personal Service Establishment" as Permitted in C-C
Add "Place of Worship" as Permitted in C-C
Add "Private Recreation Facility" as Permitted in C-C
Add "Public Park" as Permitted in C-C
Add "Public Safety Facility" as Permitted in C-C
Add "Reception Facility" as Permitted in C-C
Add "Residential Care Facility" as Permitted in C-C
Add "Restaurant" as Permitted in C-C
Add "Retail Goods Establishment" as Permitted in C-C
Add "Retail Alcohol Sales" as Special Use in C-C
Add "Specialty Food Service" as Permitted in C-C
Add "Wine Bar" as Permitted in C-C
Add "Wireless Telecommunications" as Special Use in C-C
Add "Wireless Telecommunications – Stealth Design Antenna" as Permitted in C-C
Add "Wireless Telecommunications – DAS Co-Location" as Permitted in C-C
Add "Wireless Telecommunications – DAS New Pole" as Special Use in C-C
Add "Farmer's Market" as Temporary Use in C-C
Add "Real Estate Project Sales Office/Model Unit" as Temporary Use in C-C
Add "Temporary Cell On Wheels (COW)" as Temporary Use in C-C
Add "Temporary Contractor Office and Contractor Yard" as Temporary Use in C-C
Add "Temporary Outdoor Entertainment" as Temporary Use in C-C
Add "Temporary Outdoor Sales (No Fireworks Stand)" as Temporary Use in C-C
Add "Temporary Outdoor Storage Container" as Temporary Use in C-C

Section 7. That section 17.08.030 subsection B entitled "Animal Care Facility – Small Animal and Animal Breeder" of the Municipal Code of Davenport, Iowa, be the same and hereby amended to read as follows:

B. Animal Care Facility – Small Animal, and Animal Breeder

These standards do not apply to any animal shelters operated by a City agency.

1. Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet and a maximum of ~~seven~~ eight feet in height is required for all exterior exercise areas.

(Note: Numbered subsections 2 and 3 remain unchanged.)

Section 8. That section 17.08.030 subsection G entitled "Car Wash" of the Municipal Code of Davenport, Iowa, be the same and hereby amended to read as follows:

G. Car Wash

When a car wash is adjacent to the lot line of a residential district, it must be screened along the interior side and/or rear lot lines adjacent to the residential lot as follows:

1. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.
2. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.
3. Vacuum stations shall not be located between the carwash structure and a lot line of an abutting residential district.
4. Carwashes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Carwashes on corner lots must not route exiting traffic into adjacent residential neighborhoods.

Section 9. That section 17.08.030 subsection O entitled "Dwelling – Multi-Family" of the Municipal Code of Davenport, Iowa, be the same and hereby amended to read as follows:

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.
4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
    a. The following building materials are prohibited on any part of any façade:
        i. Plain concrete block
        ii. Plastic
        iii. Exterior insulating finish systems (EIFS)
    b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:

i. Corrugated metal
ii. Exposed aggregate (rough finish) concrete wall panels
iii. T-111 composite plywood siding

5. Ancillary buildings and accessory structures to multiple-family dwellings shall meet the following design standards.
    a. Structures shall maintain the character of the multi-family development.
    b. Structures are encouraged to match the pitch of the roof of the principal dwelling.
    c. Structures utilizing metal siding and/or roofing shall have a matte finish (or similar non-glare finish).
6. Setbacks for accessory structures like garages, carports and sheds shall meet required accessory structure setbacks; ancillary buildings such as offices or community rooms shall meet principal use setbacks.

Section 10. That the unnumbered opening paragraphs of section 17.08.040 of the Municipal Code of Davenport, Iowa, be and the same are hereby amended to read as follows:

Temporary uses are required to comply with the standards of this section, in addition to all other regulations ~~of this Ordinance~~ and ~~any~~ licensing requirements of the Municipal Code. These regulations are for temporary uses located on private property. A temporary use may require a permit if the requirement is specifically cited in the standards. Temporary uses do not require additional parking unless specifically cited in the temporary use standards or stipulated as a condition of approval. Tents associated with temporary uses that are less than 200 square feet in area are exempt from permits.

(Note: All subsections remain unchanged.)

Section 11. That section 17.08.050 of the Municipal Code of Davenport, Iowa, be the same are hereby amended to be read as follows:

Temporary Outdoor Entertainment. A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows ("Display Fireworks" per the American Pyrotechnic Association only), horse shows, carnivals/circuses, temporary worship services, and others.

(Note: All subsections remain unchanged.)

Section 12. That section 17.09.020 subsection C entitled "Luminaire with Cut Off Standards" of the Municipal Code of Davenport, Iowa, be the same are hereby amended to be read as follows:

C. Luminaire with Cut Off Standards

1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.
2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is: ~~25 feet.~~
    a. 25 feet in all residential districts, C-T, C-1, C-V, S-AG and S-OS.
    b. 35 feet in C-2, C-3, C-C, C-OP, C-D, C-E, S-IC, and I-MU
    c. 40 feet in I-1 and I-2.
3. A cut off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.

Section 13. That section 17.15.050 subsection C.2 entitled "Nonconforming Parking Lot Landscape" of the Municipal Code of Davenport, Iowa, be the same are hereby amended to be read as follows:

2. Nonconforming Parking Lot Landscape

When a parking lot of 15 or more spaces does not conform to required parking lot landscape requirements, it must be brought into conformance when such parking lot is fully reconstructed or expanded by an additional 50% or more spaces (viz., the total number of spaces after expansion is 150% or more of the spaces prior to expansion).

a. Resealing or re-striping of an existing parking lot, which does not entail paving, ~~resurfacing,~~ or replacement of the asphalt, concrete, or other paving material, is not considered reconstruction.
b. If such action would result in creating a parking area that no longer conforms to the parking regulations of this Ordinance, such existing parking lot is not required to install all or a portion of the required landscape. The applicant is required to show that landscape cannot be accommodated on the site.
c. If only certain requirements are able to be accommodated on the site, those elements are required. The Zoning Administrator will make the determination that all or a portion of required landscape does not have to be installed.

(Note: All other subsections remain unchanged.)

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 _____

_____
Mike Matson
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____

CHAPTER 17.05. COMMERCIAL DISTRICTS

Section 17.05.010 Purpose Statements
Section 17.05.020 Uses
Section 17.05.030 Dimensional Standards
Section 17.05.040 Design Standards
Section 17.05.050 C-D District Standards
Section 17.05.060 C-V District Standards
Section 17.05.070 C-E District Standards
Section 17.05.080 General Standards of Applicability

Section 17.05.010 Purpose Statements

A. C-T Commercial Transitional Zoning District

The C-T Commercial Transitional Zoning District is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed.

B. C-1 Neighborhood Commercial Zoning District

The C-1 Neighborhood Commercial Zoning District is intended to provide for commercial uses that predominantly serve the needs of nearby residential neighborhoods, and that are compatible in scale and character with the surrounding residential area. Low intensity mixed-use is encouraged.

C. C-2 Corridor Commercial Zoning District

The C-2 Corridor Commercial Zoning District is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.

D. C-3 General Commercial Zoning District

The C-3 General Commercial Zoning District is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

E. C-C City Centre Zoning District

The C-C City Centre Zoning District is intended to position the central part of the city for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.

~~E.~~ F. C-OP Commercial Office Park Zoning District

The C-OP Commercial Office Park Zoning District is intended to accommodate larger office developments, office parks, and research and development facilities, which may include limited indoor light industrial uses with no outside impacts. The district is oriented toward larger-scale complexes that may include ancillary services for employees such as personal services, restaurants, and retail establishments. District standards are intended to guide the development of campus-like environments, and include provisions for orientation of structures around plazas or public spaces, and the creation of a cohesive appearance.

~~F.~~ G. C-D Downtown Zoning District

The C-D Downtown Zoning District is intended to accommodate the unique development environment of downtown Davenport. The District is intended to reinforce and enhance the existing character of downtown as a point of regional focus, a destination for culture, sports, and entertainment, and a vibrant, pedestrian-friendly mixed-use environment.

~~G.~~ H. C-V Village of East Davenport Zoning District

The C-V Village of East Davenport Zoning District is intended to preserve and enhance the smaller-scale, historic character of the Village of East Davenport, and to ensure future development is compatible with the unique historic and architectural character of the area.

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~~H.~~ I. C-E Elmore Corners Zoning District

The C-E Elmore Corners Zoning District is intended to implement the vision contained in the Elmore Corners Area Plan through the application of site and building design standards that ensure quality, compatible, and coordinated development within the area.

Section 17.05.020 Uses

A. Chapter 17.08 lists permitted, special, and temporary uses for the commercial districts.

B. In the C-V District, only 35% of a blockface can be in the use "bar." This is calculated as a percentage of the number of buildings along a blockface. Where a structure maintains an outdoor seating area, such seating area is counted as part of the building.

Section 17.05.030 Dimensional Standards

A. Table 17.05-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts, with the exception of the C-D, C-V, and C-E Districts. The dimensional standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

B. In the C-T District, new non-residential development is limited to the maximum gross floor area indicated in Table 17.05-1. Any structures existing as of the effective date of this Ordinance are exempt from this limitation. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.

2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.

3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design minimizes potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

C. In the C-1 District, where 70% of a blockface has been developed, new construction may exceed the Build-to-Zone limits by no more than the average setback of structures on said blockface.

D. See Section 17.02.040 for measurement methodologies.

Table 17.05-1: Commercial Districts Dimensional Standards

	C-T	C-1	C-2	C-3	C-C	C-OP
Bulk						
Minimum Lot Area	10,000sf	None	None	20,000sf	None	20,000sf
Minimum Lot Width	60'	None	None	80'	None	70'
Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None	None
Maximum Building Height	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	None unless within 75' of a residential district, then 35'	45'
Setbacks						
Minimum Front Setback	Build-to zone of 0' to 20'	Build-to zone of 0' to 15' unless meeting the standards of Section 17.05.030C	None	25'	None	20'

Table 17.05-1: Commercial Districts Dimensional Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Front Setback Build-To Percentage	70%	70%	None	None	None	None
Minimum Interior Side Setback	None, unless abutting a residential district then 20'	None, unless abutting a residential district then 10'	None, unless abutting a residential district then 10'	10', unless abutting a residential district then 20'	None, unless abutting a residential district, then 20'	15'
Minimum Corner Side Setback	Build-to zone of 0' to 15'	Build-to zone of 0' to 10' unless meeting the standards of Section 17.05.030C	10'	20'	None	Build-to zone of 0' to 20'
Corner Side Setback Build-To Percentage	60%	60%	None	None	None	60%
Minimum Rear Setback	15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15'	10', unless abutting a residential district then 25'	None, unless abutting a residential district, then 25'	25'

Section 17.05.040 Design Standards

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

New construction of any new dwelling shall meet either the Design Standards in Table 17.05-2 or the Use Standards for the applicable dwelling type in Section 17.080.030.

A. Commercial Districts Design Standards

Table 17.05-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a "•" indicates that the standard is applicable in the district indicated. The absence of a "•" indicates that the standard does not apply to the district.

Table 17.05-2: Commercial Districts Design Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design						
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	

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Table 17.05-2: Commercial Districts Design Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.						•
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

B. Building Material Restrictions

In commercial districts (excluding the C-D, C-V, and C-E Districts), the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings (does not apply to C-1 and C-2 Districts)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

C-1 DISTRICT DESIGN STANDARDS



A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 50% measured between two and ten feet in height from grade

E. Upper floor transparency of 15% of the wall area of the story

F. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

Proposed Changes - Section 17.08: Uses

In Section 17.08.030 Principal Use Standards

B. Animal Care Facility – Small Animal, and Animal Breeder

These standards do not apply to any animal shelters operated by a City agency.

1. Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet and a maximum of ~~seven~~ eight feet in height is required for all exterior exercise areas.

2. Animal care facilities must locate all overnight boarding facilities indoors. Outdoor boarding facilities for animal breeders are permitted but must be designed to provide shelter against sun/heat and weather.

3. All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

G. Car Wash

When a car wash is adjacent to the lot line of a residential district, it must be screened along the interior side and/or rear lot lines adjacent to the residential lot as follows:

1. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.

2. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.

3. Vacuum stations shall not be located between the carwash structure and a lot line of an abutting residential district.

4. Carwashes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Carwashes must not route exiting traffic into adjacent residential neighborhoods.

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.

2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.

3. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.

4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.

    a. The following building materials are prohibited on any part of any façade:
        i. Plain concrete block
        ii. Plastic
        iii. Exterior insulating finish systems (EIFS)

b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
   i. Corrugated metal
   ii. Exposed aggregate (rough finish) concrete wall panels
   iii. T-111 composite plywood siding

5. Ancillary buildings and accessory structures to multiple-family dwellings shall meet the following design standards.

6. Structures shall maintain the character of the multi-family development.

7. Structures are encouraged to match the pitch of the roof of the principal dwelling.

8. Structures utilizing metal siding and/or roofing shall have a matte finish (or similar non-glare finish).

9. Setbacks for accessory structures like garages, carports and sheds shall meet required accessory structure setbacks; ancillary buildings such as offices or community rooms shall meet principal use setbacks.

In Section 17.08.040 Temporary Use Standards

Temporary uses are required to comply with the standards of this section, in addition to all other regulations ~~of this Ordinance~~ and ~~any~~ licensing requirements of the Municipal Code. These regulations are for temporary uses located on private property. A temporary use may require a permit if the requirement is specifically cited in the standards. Temporary uses do not require additional parking unless specifically cited in the temporary use standards or stipulated as a condition of approval. Tents associated with temporary uses that are less than 200 square feet in area are exempt from permits.

In Section 17.08.050 Use Definitions:

Temporary Outdoor Entertainment. A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows ("Display Fireworks" per the American Pyrotechnic Association only), horse shows, carnivals/circuses, temporary worship services, and others.

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Adult Use																S	S					Sec. 17.08.030.A
Agriculture																			P			
Amusement Facility - Indoor									P	P	P		P	P	P	P		P				
Amusement Facility - Outdoor										S	S				S	P		S				
Animal Care Facility – Large Animal																			P			
Animal Care Facility – Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B
Animal Breeder																			P			Sec. 17.08.030.B
Art Gallery							P	P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P				
Bar									P	P	P		P	P	P			P				
Bar – Neighborhood								P														Sec. 17.08.030.C
Bed and Breakfast	~~P~~S	~~P~~S	S	S	S														P			Sec. 17.08.030.D
Billboard									P	P						P	P					Sec. 17.08.030.E
Body Modification Establishment								P	P	P	P		P		P			P				
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P	
Campground																			S	P		Sec. 17.08.030.F
Car Wash									P	P					S			P				Sec. 17.08.030.G
Casino															P							
Cemetery																				P		
Children's Home					P				P	P					P			S			P	Sec. 17.08.030.H
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I
Conservation Area																			P	P		
Country Club																				P		
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.K
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H
Dwelling – Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Dwelling – Manufactured Home						P													S			Sec. 17.08.030.N
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P
Dwelling - Single-Family	P	P	P	P			P	P	P					P								Sec. 17.08.030.P
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P
Educational Facility - Primary or Secondary	P	P	P	P	P																P	
Educational Facility - University or College										P	P	P	P		P						P	
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P	
Equine, Keeping of/Equestrian Facility	P																		P			Sec. 17.08.030.Q
Fairground																			S	S	P	
Financial Institution							P	P	P	P	P	P	P	P	P			P				
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R
Food Bank																P	P	P				
Food Pantry									P	S					S			S				
Funeral Home							S	S	S	P					P			P				
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S
Golf Course/Driving Range																				P		
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Greenhouse/Nursery - Retail										P					P			P	S			
Group Home	P	P	P	P	P																	Sec. 17.08.030.T
Halfway House									S	S					S			S			S	Sec. 17.08.030.L
Healthcare Institution																					P	
Heavy Rental and Service																P		P				
Heavy Retail										S					S	P		P				
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L
Hotel									P	P	P	P	P	S	P			P				
Industrial - General																	P					
Industrial - Light												P				P	P	P				
Industrial Design								P	P	P		P	P		P	P	P	P				

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Live Performance Venue										P	P		P	P	P	P		P				
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U
Manufactured Home Park						P																
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P	
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P				
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V
Office							P	P	P	P	P	P	P	P	P	P	P	P			P	
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P	
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P	
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P	
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Works Facility												P				P	P	P	P		P	
Reception Facility	S	S	S	S				S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F
Research and Development												P				P	P	P			P	
Residential Care Facility					P		P	~~S~~P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P	
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P	
PRINCIPAL USE	**R-1**	**R-2**	**R-3**	**R-4**	**R-MF**	**R-MHP**	**C-T**	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**	**C-D**	**C-V**	**C-E**	**I-1**	**I-2**	**I-MU**	**S-AG**	**S-OS**	**S-IC**	**USE STANDARD**
Retail Alcohol Sales									P	P	S		S		P	P						
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z
Salvage Yard																	S					
Self-Storage Facility: Enclosed									S	~~P~~S		~~P~~			P	P	P	P				Sec. 17.08.030.AA
Self-Storage Facility: Outdoor										~~S~~						P	P	S				Sec. 17.08.030.AA
Social Service Center									P	P					P			P			P	
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB
Specialty Food Service								P	P	P	P		P	P	P	P		P				
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC
Truck Stop																P	P					

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Vehicle Dealership – Enclosed										P		S	P		P	S		P				
Vehicle Dealership – With Outdoor Storage/Display										S					S	S		P				
Vehicle Operation Facility																P	P				P	
Vehicle Rental – Enclosed										P		S	P		P	S		P				
Vehicle Rental – With Outdoor Storage/Display										S					S	S		P				
Vehicle Repair/Service– Major										S						P	P	P				Sec. 17.08.030.EE
Vehicle Repair/Service – Minor									P	P					P	P	P	P				Sec. 17.08.030.EE
Warehouse																P	P					
Wholesale Establishment																P	P	S				
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE
Wine Bar								S	P	P	P		P	P	P			P				
Winery																			S			
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
Wireless Telecommunications – Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications – DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications – DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H

Proposed Changes
Section 17.09: Site Development Standards

Section 17.09.020 Exterior Lighting

A. Lighting Plan Required

1. A lighting plan is required for all non-residential uses, multi-family, and townhouse dwellings as part of site plan review. Single-family and two-family dwellings are exempt from a required lighting plan but are subject to applicable lighting requirements.

2. A lighting plan must include the following:

a. A plan showing all light pole locations, building-mounted lights, bollard lights, and all other lighting.
b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
c. Pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.
d. Elevations of the site including all structures and luminaires sufficient to determine the total cut off angle of all luminaires and their relationship to abutting parcels may be required.
e. Photometric plans that show the footcandle measurement at all lot lines.
f. Other information and data reasonably necessary to evaluate the required lighting plan.

B. Maximum Lighting Regulations

1. The maximum allowable footcandle at any lot line is one footcandle.

2. When additional security lighting is required for security reasons in excess of the footcandle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through site plan review.

3. No glare onto adjacent properties is permitted.

C. Luminaire with Cut Off Standards

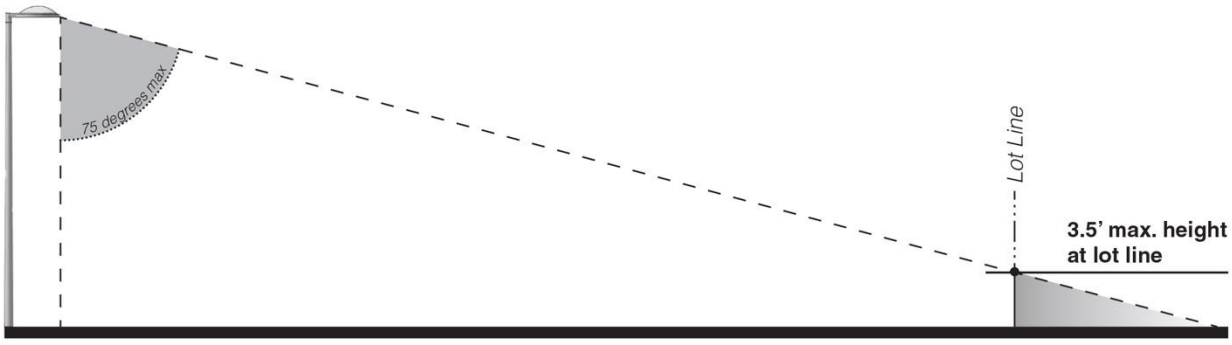
1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.

2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is: ~~25 feet.~~

a. 25 feet in all residential districts, C-T, C-1, C-V, S-AG and S-OS.
b. 35 feet in C-2, C-3, C-C, C-OP, C-D, C-E, S-IC, and I-MU
c. 40 feet in I-1 and I-2.

3. A cut off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.

LUMINAIRE WITH CUT OFF



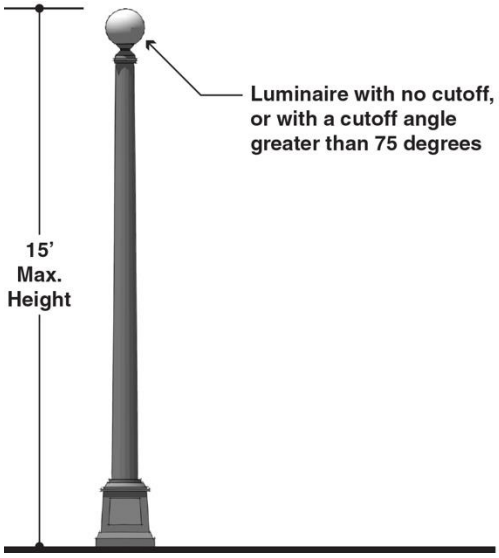
D. Luminaire with No Cut Off Standards

Non-residential uses, multi-family, and townhouse dwellings are allowed decorative and/or architectural lighting with no cut off if approved as part of site plan review, and subject to the following standards:

1. A luminaire is considered to have no cut off if it is unshielded or has a cut off angle greater than 75 degrees.

2. The maximum permitted total height of a luminaire with no cut off is 15 feet.

LUMINAIRE WITH NO CUT OFF



E. Exceptions to Lighting Standards

1. Uplighting of buildings is allowed but all light must be directed onto the façade of the structure and cannot glare onto other properties.

2. Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, show areas, and other similar uses are exempt from the requirements of this section. Recreational facilities are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height may only be approved by special use permit.

3. Temporary uses.

4. Holiday and seasonal lighting is not subject to the requirements of this section.

5. Luminaires used for public roadway illumination are not controlled by this Ordinance.

6. All temporary emergency lighting required by public safety agencies, other emergency services, or construction are exempt from the requirements of this Ordinance.

F. Prohibited Lighting

1. Flickering or flashing lights are prohibited.

2. Searchlights, laser source lights, or any similar high intensity lights are prohibited.

3. Neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited except for the following:

a. In the C-D Downtown Zoning District, subject to Design Review Board approval.

Proposed Changes
Section 17.15: Site Development Standards

Section 17.15.050 Nonconforming Site Elements

A. Definition

A nonconforming site element is a site development element, such as landscape or lighting, that at one time conformed to the requirements of this Ordinance, but because of subsequent amendments, has been made nonconforming.

B. Maintenance

Normal maintenance and incidental repair to a nonconforming site element may be performed. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the previously existing nonconformity.

C. Required Conformance

1. General

All nonconforming site elements must be brought into conformance when the following occurs:

a. A new principal building is constructed on a site. This includes construction of a second principal building on the site.

b. An existing principal building is increased in building footprint square footage by 25% or more.

2. Nonconforming Parking Lot Landscape

When a parking lot of 15 or more spaces does not conform to required parking lot landscape requirements, it must be brought into conformance when such parking lot is fully reconstructed or expanded by an additional 50% or more spaces (viz., the total number of spaces after expansion is 150% or more of the spaces prior to expansion).

a. Resealing or re-striping of an existing parking lot, which does not entail paving, ~~resurfacing,~~ or replacement of the asphalt, concrete, or other paving material, is not considered reconstruction.

b. If such action would result in creating a parking area that no longer conforms to the parking regulations of this Ordinance, such existing parking lot is not required to install all or a portion of the required landscape. The applicant is required to show that landscape cannot be accommodated on the site.

c. If only certain requirements are able to be accommodated on the site, those elements are required. The Zoning Administrator will make the determination that all or a portion of required landscape does not have to be installed.

Berkley, Laura

From: linghram@aol.com
Sent: Monday, October 4, 2021 10:35 AM
To: Planning
Subject: [EXT] City Centre Question/Comment

Good Morning,

I may be way too late to be submitting questions regarding this proposed rezoning, but I figured it couldn't hurt to try.

In looking at the matrix, I'm wondering why "hotel" is coded as "P" rather than "S"? All dwelling types are coded "S" and that seems appropriate. But I don't understand why a hotel could just be put anywhere without having to go through the same special review/approval as dwellings.

My second question also has to do with the matrix and regards all types of entertainment facilities, such as reception, performance, dining, etc. I see "outdoor dining" is specifically permitted. Would the other types of entertainment facilities also be allowed to be outdoors? I can't imagine having to put up with live concerts or DJs on a regular basis. Indoors would not be an issue, but the sound really carries around Northpark. In the past, we've had to listen to outdoor events such as carnivals and car shows, but at least we knew those had a limited time frame.

Thank you for considering my questions, if in fact you are still allowed to do so.

Laurie Inghram
4565 Sheridan Street
Linghram@aol.com

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **11/10/2021**

Subject:
Second Consideration: Ordinance for Case REZ21-04 being the request of the City of Davenport to rezone 143 acres, more or less, of property located near 320 West Kimberly Road, generally being bounded by Northwest Boulevard, Kimberly Road, Brady Street, East 42nd Street, Welcome Way, and the north lot line of Northpark Mall, from C-3 General Commercial to C-C City Centre District. [Ward 7]

Recommendation:
Adopt the Ordinance.

Background:
The Plan & Zoning Commission reviewed Case REZ21-04 at its October 5, 2021 meetings and voted (6-0) to recommend the rezoning be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The zoning map amendment is consistent with the Davenport 2035+ Land Use Plan, which identifies the properties as Regional Commercial (RC) and Commercial Corridor (CC).
2. The proposed district is in keeping with the Council Goals of Fiscal Vitality, Sustainable Infrastructure and Vibrant Region.
3. The proposed map change furthers the purpose of the City Centre Zoning District and meets approval standards for map amendments.

Conditions:

1. The buffer area identified in Exhibit 1 "Original Buffer Yard" shall be preserved.
2. Street connections to West 44th Street, Fairway Drive, Harrison Street, Main Street, Sheridan Street, and Westerfield Road shall be prohibited.
3. There shall be a phased maximum building height restriction established by the setback from a residential zoning district. Structures setback less than 75 feet from a residential zoning district are limited to a maximum building height of 35 feet. Structures setback between 75 feet to 150 feet from a residential zoning district are limited to a maximum building height of 70 feet. Structures setback greater than 150 feet from a residential zoning district have no maximum building height restriction.

Discussion:

The City of Davenport has initiated a rezoning of approximately 143 acres to the proposed "City Centre" Zoning District.

Comprehensive Plan: Within Existing and 2035 Urban Service Area: Yes

Future Land Use Designations: Regional Commercial (RC) – (No changes required)

Zoning:

Existing: C-3 General Commercial District: Intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

Proposed: C-C City Centre District: Intended to position the central part of the City for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.

Public Input:

Property owners within 200 feet of the property have been notified and signs have been placed on the property. Staff has been in contact with impacted property owners regarding the proposed zoning changes and its impacts for redevelopment. The Notice of the September 14, 2021 Public Hearing was published in the Quad City Times. One person spoke at the meeting regarding potential roadway connections from the abutting neighborhood into Northpark Mall as well as impacts to property values. To date, staff has received one letter and one email stating concerns related to connecting residential streets to the mall and preserving the existing greenspace buffer.

Approval Standards for Map Amendments (Chapter 17.14.040)

The Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards. The proposed rezoning meets the approval standards for a map amendment.

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The compatibility with the zoning of nearby property.
3. The compatibility with established neighborhood character.
4. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
5. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.
6. The extent to which the proposed amendment creates nonconformities.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Exhibit	Exhibit 1 Original Buffer Yard
🗋	Exhibit	Zoning and Future Land Use
🗋	Exhibit	Notice Letter
🗋	Exhibit	Public Hearing Notice
🗋	Backup Material	Public Comment

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	10/13/2021 - 12:50 PM

ORDINANCE NO. _____

ORDINANCE FOR CASE REZ21-04 BEING THE REQUEST OF THE CITY OF DAVENPORT TO REZONE 143 ACRES, MORE OR LESS, OF PROPERTY LOCATED NEAR 320 WEST KIMBERLY ROAD, GENERALLY BEING BOUNDED BY NORTHWEST BOULEVARD, KIMBERLY ROAD, BRADY STREET, EAST 42ND STREET, WELCOME WAY, AND THE NORTH LOT LINE OF NORTHPARK MALL, FROM C-3 GENERAL COMMERCIAL TO C-C CITY CENTRE DISTRICT.

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 to "C-C City Centre Zoning District".

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, NORTHPARK ESTATES ADDITION, ALSO BEING A POINT ON THE EAST LINE OF TERRACE RIDGE 8TH ADDITION; THENCE, ALONG SAID EAST LINE, TO THE SOUTHEAST CORNER OF LOT 29 OF SAID ADDITION, A DISTANCE OF 921 FEET; THENCE, ALONG THE SOUTH LINE OF SAID ADDITION AND THE SOUTH LINE OF TERRACE RIDGE 6TH ADDITION, TO THE SOUTHWEST CORNER OF LOT 1 OF SAID 6TH ADDITION, A DISTANCE OF 1,015 FEET, ALSO BEING THE NORTHEAST CORNER OF LOT 12 OF TERRACE RIDGE 3RD ADDITION; THENCE, ALONG THE EAST LINE OF SAID ADDITION 6TH ADDITION TO THE EASTERLY CORNER OF LOT 29 OF TERRACE RIDGE 5TH ADDITION, A DISTANCE OF 433 FEET; THENCE, NORTHWESTERLY 39 FEET, TO A POINT ON THE EASTERLY LINE OF TERRACE RIDGE 5TH ADDITION; THENCE ALONG SAID EASTERLY LINE, TO THE SOUTHEASTERLY CORNER OF LOT 26 OF SAID ADDITION; THENCE, SOUTWESTERLY ALONG THE EASTERLY LINE OF SAID ADDITION THE SOUTHEASTERLY CORNER OF LOT 22 OF SAID ADDITION, A DISTANCE OF 619 FEET; THENCE, NORTHWESTERLY 45 FEET, TO THE SOUTHEASTERLY CORNER OF LOT 21 OF SAID ADDITION; THENCE ALONG THE SOUTH LINE OF SAID LOT OF SAID ADDITION, TO THE CENTERLINE OF NORTHWEST BOULEVARD, A DISTANCE OF 115 FEET; THENCE, SOUTHEASTERLY ALONG THE CENTERLINE OF NORTHWEST BOULEVARD TO THE CENTERLINE OF WEST KIMBERLY ROAD, A DISTANCE OF 1,387 FEET; THENCE, EASTERLY ALONG THE CENTERLINE OF WEST KIMBERLY ROAD TO THE CENTERLINE OF BRADY STREET, A DISTANCE OF 2,763 FEET; THENCE, NORTHERLY ALONG THE CENTER OF BRADY STREET TO THE CENTERLINE OF EAST 42ND AVENUE, A DISTANCE OF 1,255 FEET; THENCE, WESTERLY ALONG THE CENTERLINE OF EAST 42ND STREET TO THE CENTERLINE OF WELCOME WAY, A DISTANCE OF 470 FEET; THENCE, NORTHERLY ALONG THE CENTERLINE OF WELCOME WAY TO THE INTERSECTION OF THE EXTENSION OF THE SOUTH LINE OF NORTHPARK ESTATES 2ND ADDITION AND WELCOME WAY, A DISTANCE OF 1,047.00 FEET; THENCE, WESTERLY ALONG THE SOUTH LINE OF SAID 2ND ADDITION AND THE SOUTH LINE OF NORTHPARK ESTATES ADDITION, A DISTANCE OF 1,171 FEET, TO THE POINT OF BEGINNING, CONTAINING 143 ACRES, MORE OR LESS.

Findings:

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

1. The zoning map amendment is consistent with the Davenport 2035+ Land Use Plan, which identifies the properties as Regional Commercial (RC) and Commercial Corridor (CC).
2. The proposed district is in keeping with the Council Goals of Fiscal Vitality, Sustainable Infrastructure and Vibrant Region.
3. The proposed map change furthers the purpose of the City Centre Zoning District and meets approval standards for map amendments.

Conditions:

1. The buffer area identified in Exhibit 1 Original Buffer Yard shall be preserved.
2. Street connections to West 44th Street, Fairway Drive, Harrison Street, Main Street, Sheridan Street, and Westerfield Road shall be prohibited.
3. There shall be a phased maximum building height restriction established by the setback from a residential zoning district. Structures setback less than 75 feet from a residential zoning district are limited to a maximum building height of 35 feet. Structures setback between 75 feet to 150 feet from a residential zoning district are limited to a maximum building height of 70 feet. Structures setback greater than 150 feet from a residential zoning district have no maximum building height restriction.

Section 3. At its October 5, 2021 meeting, the City Plan and Zoning Commission voted to forward the case to the City Council with a recommendation for approval subject to the listed findings and conditions.

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 _____

Published in the *Quad City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

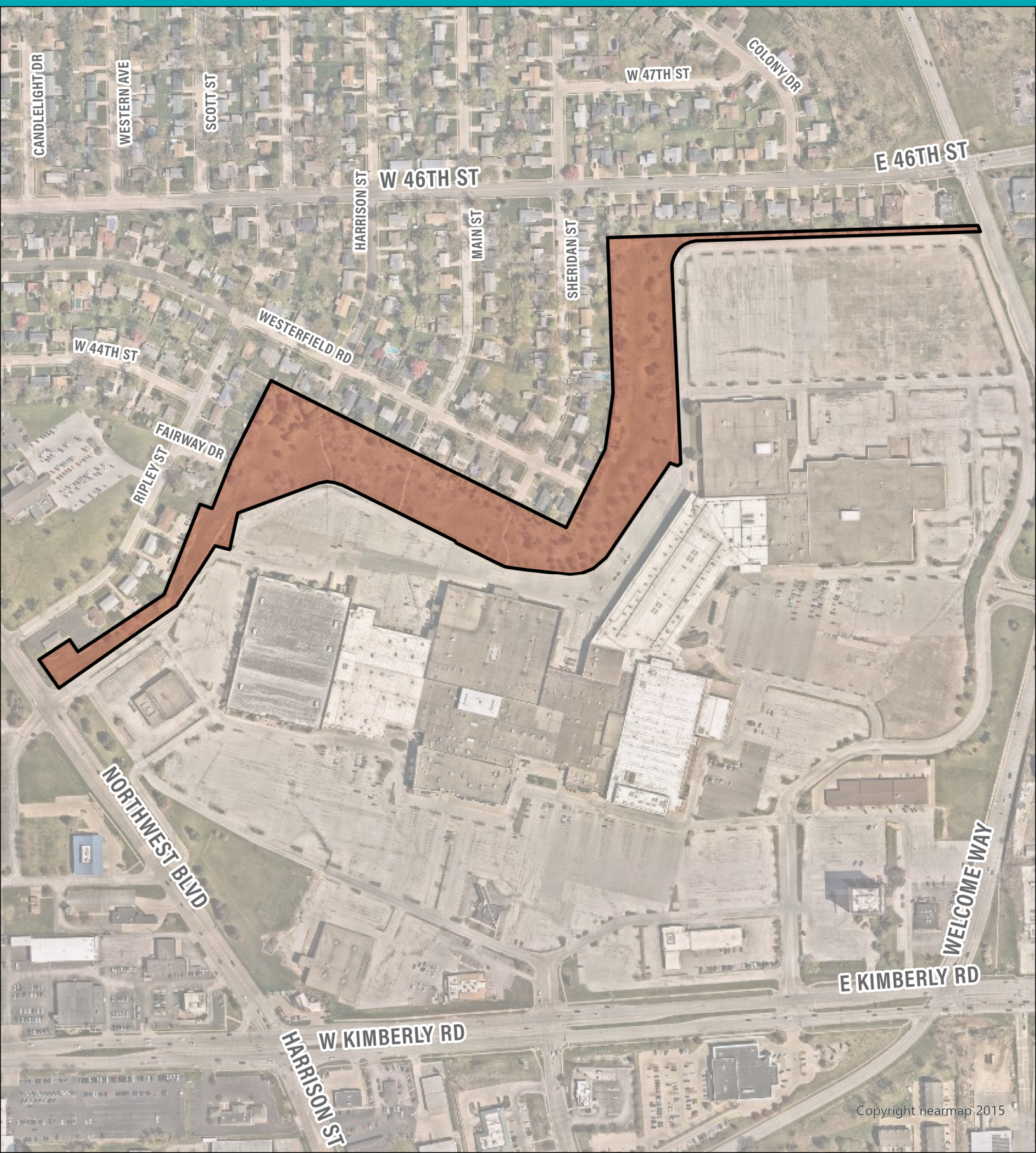
Brian Krup
Deputy City Clerk

THE CITY OF DAVENPORT
IOWA | USA

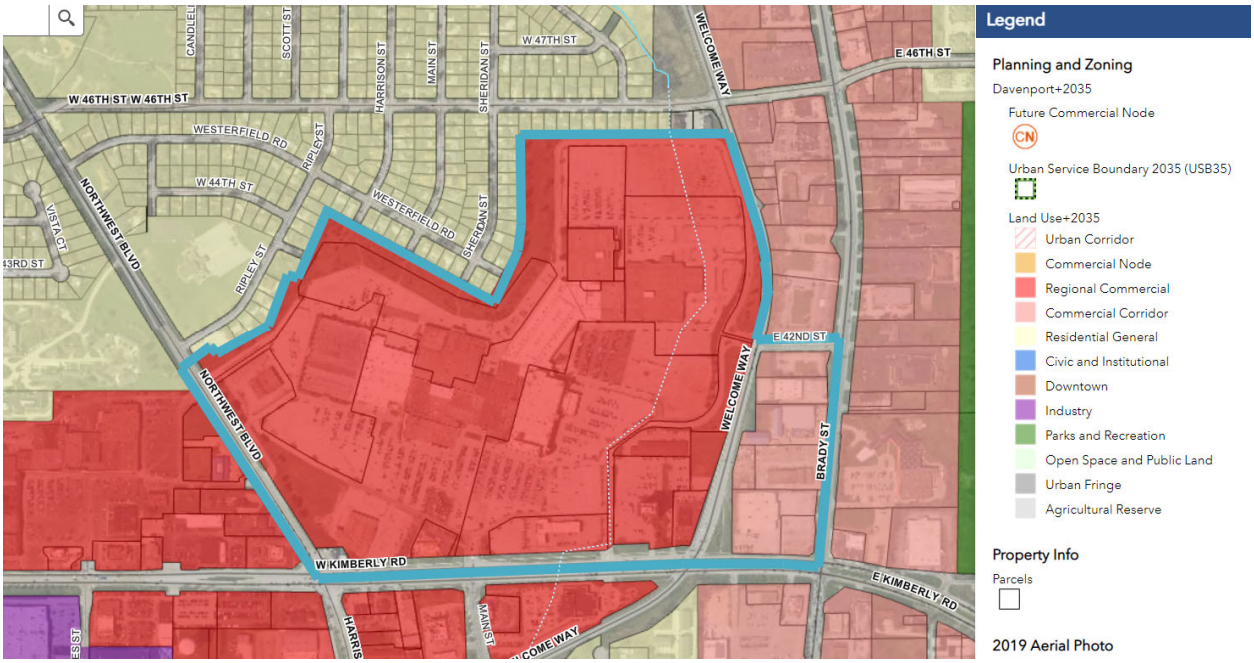
Exhibit 1 - Original Buffer Yard

Buffer

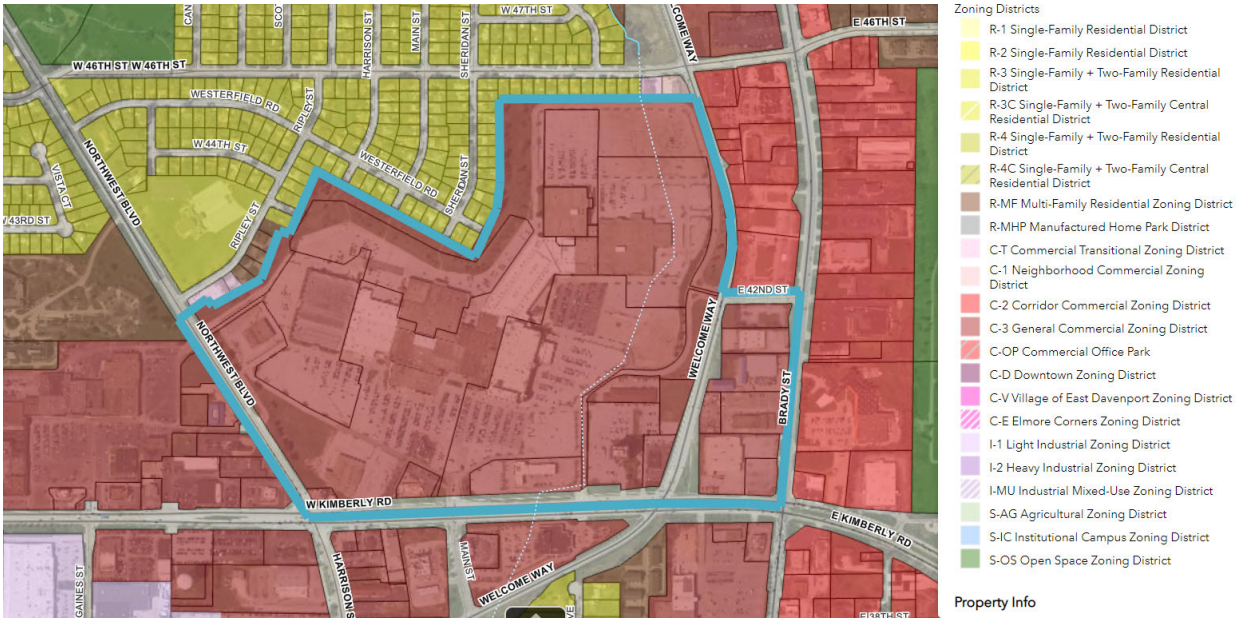
Feet
0 300



Davenport 2035+ Future Land Use: Regional Commercial and Commercial Corridor



Zoning Map: C-3 General Commercial District



DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan & Zoning Commission

Date: 9/14/2021 **Location:** Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:00:00 PM **Subject:** Public Hearing for rezoning request before the Plan & Zoning Commission

[ADDRESS BLOCK LOCATION]

To: All property owners within 200 feet of the subject property located at **Select lots near Northpark Mall.**

What is this About?
This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's allowed uses by changing the zoning classification.

Request/Case Description
Case REZ20-06: Request of the City of Davenport to rezone 143 acres, more or less, of property located near 320 W. Kimberly RD generally being bounded by Northwest BLVD, Kimberly RD, Brady St, E. 42nd St, Welcome Way and by the north lot line of Northpark Mall changing the zoning from C-3 General Commercial to C-C City Centre District to facilitate revitalization oriented toward regional mixed-use and tourism for the central part of the city [Ward 7].

What are the Next Steps after the Public Hearing?
This public hearing is the first step in the review/approval process. The Commission's recommendation from this public hearing will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing as you received this notice. For the specific dates and times of subsequent meetings, please contact the case planner below.

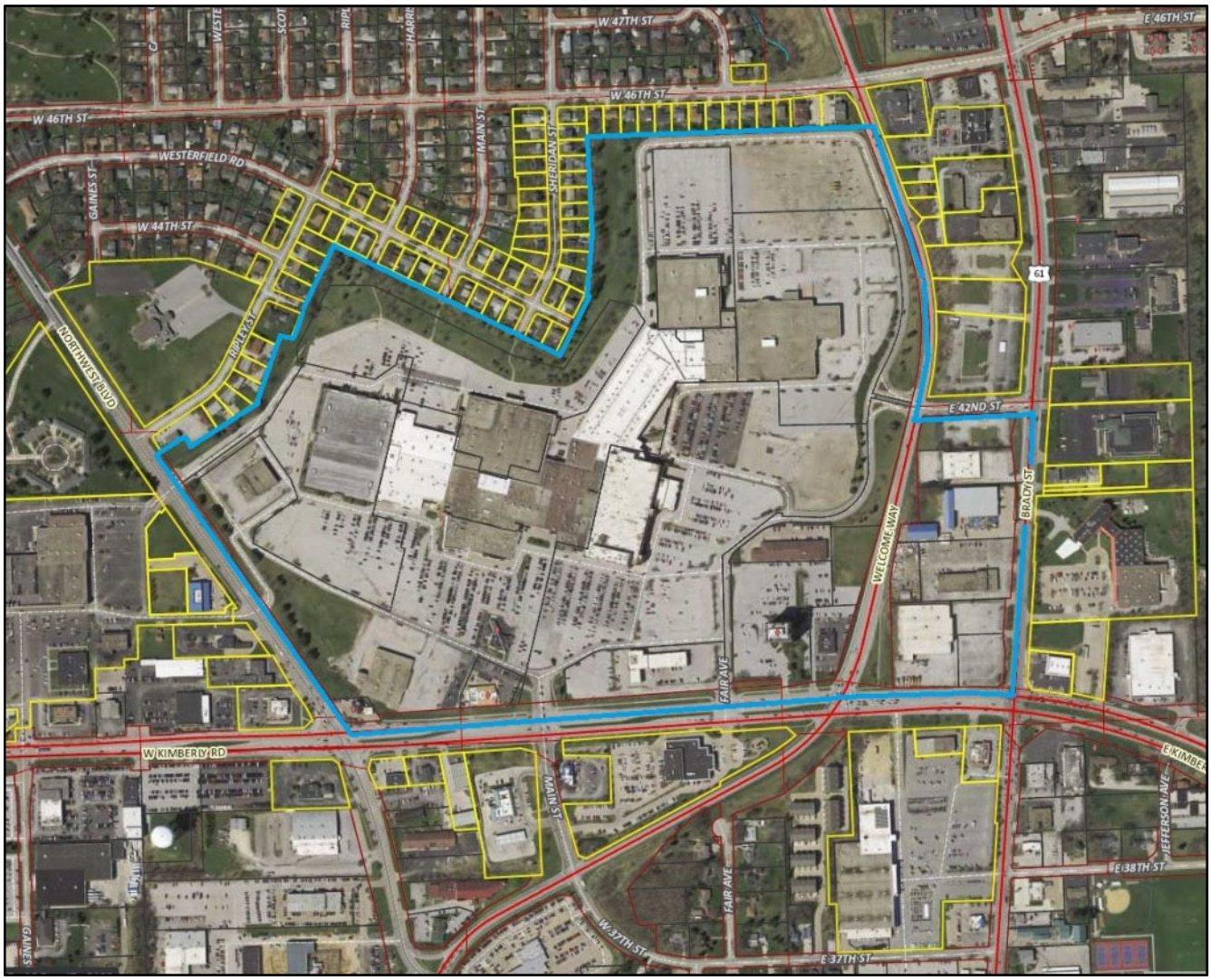
Would You Like to Submit an Official Comment?
As a neighboring property owner/occupant you may have an interest in commenting on the proposed request via email or in person at the public hearing. Official comments must have written signatures sent to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?
If you have any questions you may visit www.davenportiowa.com/zchange for more details or contact the planner below. If special accommodations are needed for any reason, please contact the planner assigned to this project (Laura Berkley) at Laura.Berkley@davenportiowa.com or 563-888-3553. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Plan & Zoning Commission
Adjacent Property Owner Notice Area Map

Area subject to the zoning map change is bounded by the blue outline below;
adjacent properties within 200 feet of the proposed map amendment are shown in yellow.



9/8/21

Public Notices/Accounting

Re: Public Notice

Please publish the following Zoning Board of Adjustment public hearing notice in your next available edition of the Quad City Times per your schedule for Public Notices.

The Purchase Order Number for this notice is PO# 2202002

We would appreciate receiving the proof and the affidavit of publication for our records. If you have any questions, please contact me at the same email address this was sent with or at my phone number listed in my email.

NOTICE
PUBLIC HEARING
TUESDAY, SEPTEMBER 14, 2021, 2021 5:00 P.M.
PLAN & ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA

There is on file in the Development and Neighborhood Services Department (DNSD), on behalf of the Plan and Zoning Commission, the following request:

Case ORD21-02: Request of the City of Davenport to amend Title 17 of the Davenport City Code (hereto referred to as DMC), entitled "Zoning" amending the following sections [All wards]:

17.05 to include a new zoning district entitled "City Centre" including the Purpose Statement, Dimensional Standards and Design Standards. Altering the C-1 minimum front setback to also allow for new construction to be setback in line with existing buildings.
17.08 to include allowed uses in the new zoning district "City Centre" and change Bed & breakfast to a Special Use in R-1 and R-2; add Day Care Center as a Special Use in I-1; Add Food Bank as a permitted use in I-2; Add Parking Lot (Principal Structure) as a Special Use in I-2; change Residential Care Facility to a permitted use in C-1; change Self-Storage Facility: Enclosed to a Special Use in C-3 and remove from C-OP; remove Self-Storage Facility: Outdoor as a Special Use in C-3. Change the fence height in the Principal Use

Standard for Animal Care Facility to allow fences up to 8 feet in height. Add to the Principal Use Standard for Car Wash to include distancing exterior vacuum stations from residential districts and not routing exiting traffic into adjacent neighborhoods. Add design standards for ancillary structures in the Principal Use Standard for Dwelling-Multi-Family. Add professional firework displays to the definition of Temporary Outdoor Entertainment. Change language in Temporary Use Standards to reinforce that all municipal code regulations and processes apply.
17.09 to increase the height of cut-off luminaires to 40 feet in industrial districts and 35 feet in commercial districts.
17.15 to remove the word resurfacing for types of parking lot reconstruction.

Case REZ20-04: Request of the City of Davenport to rezone 143 acres, more or less, of property located near 320 W. Kimberly RD generally being bounded by Northwest BLVD, Kimberly RD, Brady St, E. 42nd St, Welcome way and by the north lot line of Northpark Mall, changing the zoning from C-3 General Commercial to C-C City Centre District to facilitate revitalization oriented toward regional mixed-use and tourism for the central part of the city. [Ward 7]

The public hearing on the above matters are scheduled for 5:00 p.m. on September 14, 2021, in City Hall Council Chambers, 226 West 4th Street, Davenport, Iowa. More detailed information may be found on the City's website: www.davenportiowa.com/zchange. You may submit written comments on the above item or attend the public hearing to express your views, or both; only written comments will be used to calculate comment percentages. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145.

Any written comments to be reported at the public hearing should be received in the Development & Neighborhood Services Department at the Public Works Building, 1200 E. 46th Street, Davenport, Iowa 52807, no later than 12:00 noon on the day of the public hearing. PO No. 2202002

Department of Development & Neighborhood Services
E-MAIL: planning@davenportiowa.com PHONE: 563-326-6198

Berkley, Laura

From: pranjana@mchsi.com
Sent: Tuesday, September 14, 2021 12:05 PM
To: Planning
Cc: PRanjana@mchsi.com
Subject: [EXT] Case REZ20-06/Public Hearing Notice/ Plan & Zoning Commission
Attachments: PHNPZC.pdf; PHNPZC-2.pdf

Dear Sir,

Good Morning.
This is an Official Comments with reference I have received above attached letter regarding a proposed zoning "Case REZ20-6" for Northpark Mall.

We understand the reason for the proposed changes for Northpark Mall.
However, we have serious concern for these changes. We feel that this will affect our life as follows:

(1) Our safety will be effected. Currently our area is calm & quiet even when there is a minimum supervision by Police Officer.

(2) As it is Crime in Davenport is up. However that has been low or none in our area. Proposed Changes may result crimes.

(3) There is a possibility to make through streets through area. This will result in lots of traffic, which would result noise, pollution as well as accidents.

(4) The Proposed changes most probably reduce the cost of our house value.

(5) The boundary of proposed changes is too adjacent to our house. This will effect our privacy.

(6) Last but not least, would our taxes will go up because of this proposal?

Therefore we do not agree to this proposal.

Thanks,
Prakash

Prakash G. Devasthali
130 Westerfield Rd.
Davenport, Iowa 52806
(563)326-0920

Sept 12, 2021

Regarding Case LEZ 20-06:

I am a resident and property owner located well within 200 ft. of the Northpark Mall area.

I ask that the green space areas buffering the residents' properties currently, be retained with any future development of Northpark area.

And I do hope the dead trees will be removed.

Sandra Holdt
4537 Sheridan St.

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **11/10/2021**

Subject:
Resolution approving Case F21-04 being the request of Speedway, LLC for a final plat of Speedway LLC Davenport Commercial Park Addition, a 2-lot subdivision on 16.74 acres located at 8320 Hillandale Road. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
At its June 15, 2021 meeting, the Plan and Zoning Commission voted to accept the listed findings and forward Case F21-04 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The plat (with conditions recommended by City Staff) would achieve consistency with subdivision requirements.

Conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Include ties to two quarter corners or two previously established lot corners.
4. Add a note stating that areas identified as ROW dedication areas are hereby dedicated to the City of Davenport with the recording of the plat.
5. The legend, curve table and line table shall be moved to outside of Lot 1.
6. Remove all references to flood areas.
7. The Dengler Drive right-of-way shall extend an additional 14 feet to the north.
8. That all easements be a minimum of 15 feet or twice the depth of the utility line.
9. A 15 foot utility easement shall be placed along all street frontages including Northwest Boulevard and Dengler Drive.
10. Reference the document recording number for the newly dedicated ROW at the southeast corner of Dengler Drive.
11. Add a note stating that sidewalks shall be constructed as development occurs or when so ordered by the City.
12. Add a note stating blanket underground easements are granted for sewer, water, gas, electric, and communications services.
13. Add a note stating all public utilities shall be located within easements or public ROW.
14. Include stormwater detention area in an easement with appropriate access for maintenance and inspection.
15. Add a note stating that the stormwater easements shall be owned and maintained by the property owner.

16. Add a note stating that Stormwater detention and water quality treatment will be required for this subdivision per City Code Section 13.34 Stormwater Management. Details and required easements shall be provided upon development.

Comprehensive Plan:

Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes
Future Land Use Designation: Industry (I)
Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

The proposed final plat would comply with the Davenport +2035 proposed land use section.

Technical Review:

- Streets. The property has street frontage on Northwest Boulevard, Hillandale Road, and Dengler Drive. Street access is provided via Hillandale Road and Dengler Drive. Northwest Boulevard in this area is also State Highway 130. No street access is permitted to Northwest Boulevard without Iowa Department of Transportation approval. It is unknown at this time where Dengler Drive will expand in the future. Staff has asked to increase the Right-of-Way dedication by 14 feet to align with Lot 1.
- Storm Water. The development in Lot 1 has approved stormwater detention and water quality being installed. The submitted final plat does not show these features, but is required to do so. Stormwater detention and water quality treatment will be required for this subdivision per City Code Section 13.34 Stormwater Management. Details and required easements shall be provided upon development.
- Sanitary Sewer. Sanitary sewers will be extended from existing infrastructure to the northeast within the proposed sewer easement. This improvement has been reviewed and approved as part of the site development.
- Other Utilities. Other normal utility services are available.

Public Input:

No Public Hearing is required for a final plat.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Speedway Final Plat Revised
🗋	Backup Material	Zoning and Future Land Use Map
🗋	Backup Material	Application

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	11/1/2021 - 12:57 PM

Resolution No._____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving Case F21-04 being the request of Speedway, LLC for a final plat of Speedway LLC Davenport Commercial Park Addition, a 2-lot subdivision on 16.74 acres located at 8320 Hillandale Road.

WHEREAS, the Plan and Zoning Commission reviewed Case F21-04 at the June 15, 2021 regularly scheduled meeting with a recommendation for approval subject to five conditions; and

WHEREAS, the conditions have been added to the plat and/or provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the final plat of Speedway LLC Davenport Commercial Park Addition to the City of Davenport, Scott County, Iowa as filed with the City Clerk by Speedway, LLC, an Iowa limited liability company, be the same is hereby approved and accepted; and the granting of easements as shown on said plat and the dedication for public street purposes are accepted and confirmed by the Mayor and Deputy City Clerk of said City be; and be it

FURTHER RESOLVED that the Mayor and Deputy City Clerk are hereby authorized and directed to certify to the adoption of this Resolution on said plat as required by law.

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

Index Legend
COUNTY: SCOTT
SECTION/TOWNSHIP/RANGE: S33-T79N-R3E
QUARTER SECTION: SOUTHWEST OF NORTHWEST
CITY: DAVENPORT
SUBDIVISION: N/A
BLOCK: N/A
LOT(S): N/A
PROPRIETOR: SPEEDWAY LLC
REQUESTED BY: WEIHE ENGINEERS, INDIANAPOLIS, IN

FINAL PLAT
SPEEDWAY LLC DAVENPORT COMMERCIAL PARK

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

GRAPHIC SCALE
0 60 120
SCALE 1 INCH = 60 US FEET

PLAT INFORMATION

OWNER:
SPEEDWAY LLC
500 SPEEDWAY DRIVE
ENON,OHIO 45323

ENGINEER:
WEIHE ENGINEERS
10505 NORTH COLLEGE AVENUE
INDIANAPOLIS, IN 46280

SURVEYOR:
MSA PROFESSIONAL SERVICE, INC.
400 ICE HARBOR DRIVE, SUITE 110
DUBUQUE, IA 52001

ATTORNEY:
KEVIN LEWIS
500 SPEEDWAY DRIVE
ENON, OHIO 45323

APPROVAL SIGNATURES

MAYOR _____ DATE
CITY CLERK _____ DATE
CHAIRMAN, PLANNING AND ZONING _____ DATE
MEDIACOM COMMUNICATION CORPORATION _____ DATE
WINDSTREAM COMMUNICATIONS _____ DATE
MIDAMERICAN ENERGY _____ DATE
CENTRAL SCOTT TELEPHONE _____ DATE
CENTURYLINK _____ DATE
AUREON NETWORK SERVICES _____ DATE
IOWA AMERICAN WATER COMPANY _____ DATE
METRONET _____ DATE

NOTES:

1. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
2. ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
3. COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
4. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
5. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
6. BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
7. THE SUBJECT PROPERTY IS ZONED I-1, INDUSTRIAL DISTRICT.
8. NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAPS #19163C0335G AND #19163C0355G EFFECTIVE DATE MARCH 23, 2021.
9. THE MEASURED BEARINGS SHOWN HEREON AREA BASED ON THE STATE PLANE COORDINATE SYSTEM, IOWA SOUTH ZONE (1402) GEOID 12B, NAD 83 (2011).
10. STORM WATER DETENTION EASEMENT AREA SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER.
11. STORM WATER DETENTION AND WATER QUALITY TREATMENT WILL BE REQUIRED FOR THIS SUBDIVISION PER CITY CODE SECTION 13.34 STORM WATER MANAGEMENT. DETAILS AND REQUIRED EASEMENTS SHALL BE PROVIDE UPON DEVELOPMENT.
12. SIDEWALKS SHALL BE CONSTRUCTED AS DEVELOPMENT OCCURS OR WHEN SO ORDERED BY THE CITY.
13. AREAS IDENTIFIED AS RIGHT-OF-WAY DEDICATION AREAS ARE HEREBY DEDICATED TO THE CITY OF DAVENPORT WITH THE RECORDING OF THIS PLAT.

ZONING INFORMATION

CURRENT ZONING: I-1 LIGHT INDUSTRIAL
MINIMUM LOT AREA: NONE
MAXIMUM BUILDING HEIGHT: 90 FEET
SETBACKS
MINIMUM FRONT SETBACK: 25 FEET
FRONT SETBACK BUILD-TO PERCENTAGE: NONE
MINIMUM INTERIOR SIDE SETBACK: NONE
MINIMUM CORNER SIDE SETBACK: 20 FEET
CORNER SIDE SETBACK BUILD-TO PERCENTAGE: N/A
MINIMUM REAR SETBACK: 15 FEET

LEGEND

- BOUNDARY LINE
- LOT LINE
- EASEMENT LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- SETBACK LINE
- SET 0.75" IRON ROD W/YELLOW CAP "MSA PLS P25547"
- FOUND 0.75" IRON ROD W/YELLOW CAP "MSA LS 14414"
- FOUND 0.625" IRON REBAR W/CAP IF NOTED
- COMPUTED POSITION

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 06° 09' 57" W	18.07'
L2	S 47° 01' 40" E	0.30'
L3	N 47° 05' 24" W	12.34'
L4	S 47° 04' 52" E	12.34'
L5	N 47° 33' 40" W	71.13'
L6	S 88° 35' 07" W	71.05'
L7	N 24° 34' 52" W	7.39'
L8	S 47° 33' 40" E	82.24'

CURVE TABLE					
CURVE #	ARC DISTANCE	RADIUS	CHORD DISTANCE	CHORD BEARING	DELTA ANGLE
C1	23.57'	15.00'	21.22'	S 02° 05' 21" E	90° 00' 58"
C2	109.81'	588.80'	109.65'	S 40° 31' 20" E	10° 41' 07"
C3	19.51'	37.75'	19.29'	S 20° 41' 04" E	29° 36' 33"
C4	10.33'	39.38'	10.30'	S 27° 17' 34" W	15° 02' 10"
C5	26.96'	189.37'	26.94'	S 38° 53' 36" W	8° 09' 28"
C6	23.56'	15.00'	21.21'	N 87° 54' 39" E	89° 59' 02"

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 LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

LICENSED LAND SURVEYOR
ERIC JOHN SCHOOT
25547
IOWA

(signature) 7-1-2021 (date)
PRINTED OR TYPED NAME: ERIC J. SCHOOT
LICENSE NUMBER: 25547
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022
PAGES OR SHEETS COVERED BY THIS SEAL: SHEET 1

		NO.	DATE	REVISION	BY
PROJECT DATE: 2-1-2021	DRAWN BY: EJS	.	.	.	.
		.	.	.	.
	CHECKED BY: EJS	.	.	.	.

PLOT DATE: Thursday, July 1, 2021 11:54:25 AM, G:\20\20013\20013000\CADD\Survey\Drawings\Plat\20013000 Plat.dwg

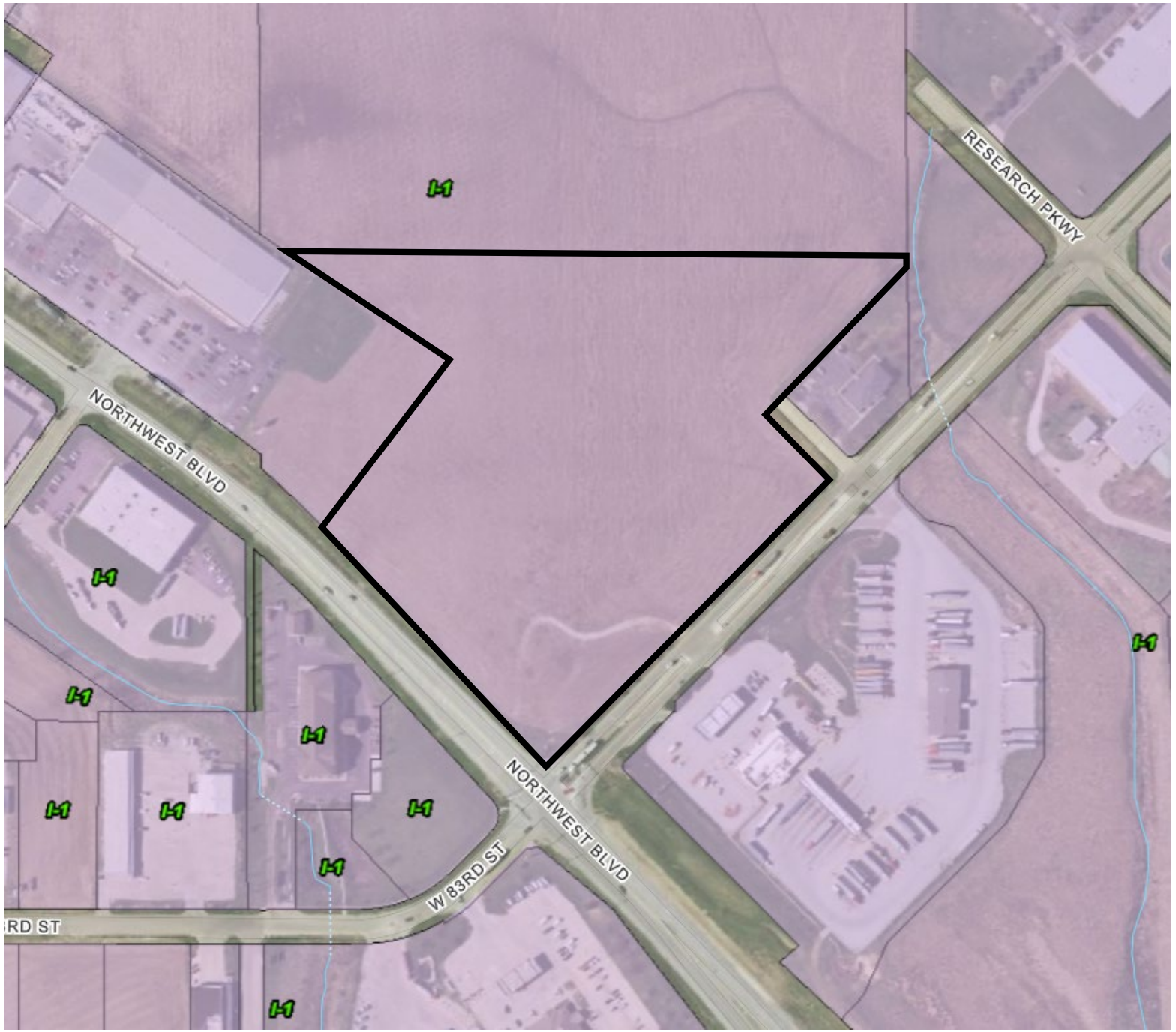
MSA
ENGINEERING | ARCHITECTURE | SURVEYING
FUNDING | PLANNING | ENVIRONMENTAL
400 Ice Harbor Drive, Dubuque IA 52001
(563) 582-3973 www.msa-ps.com
© MSA Professional Services, Inc.

SPEEDWAY LLC DAVENPORT COMMERCIAL PARK
NW BOULEVARD AND HILLANDALE ROAD
CITY OF DAVENPORT, SCOTT COUNTY, IOWA

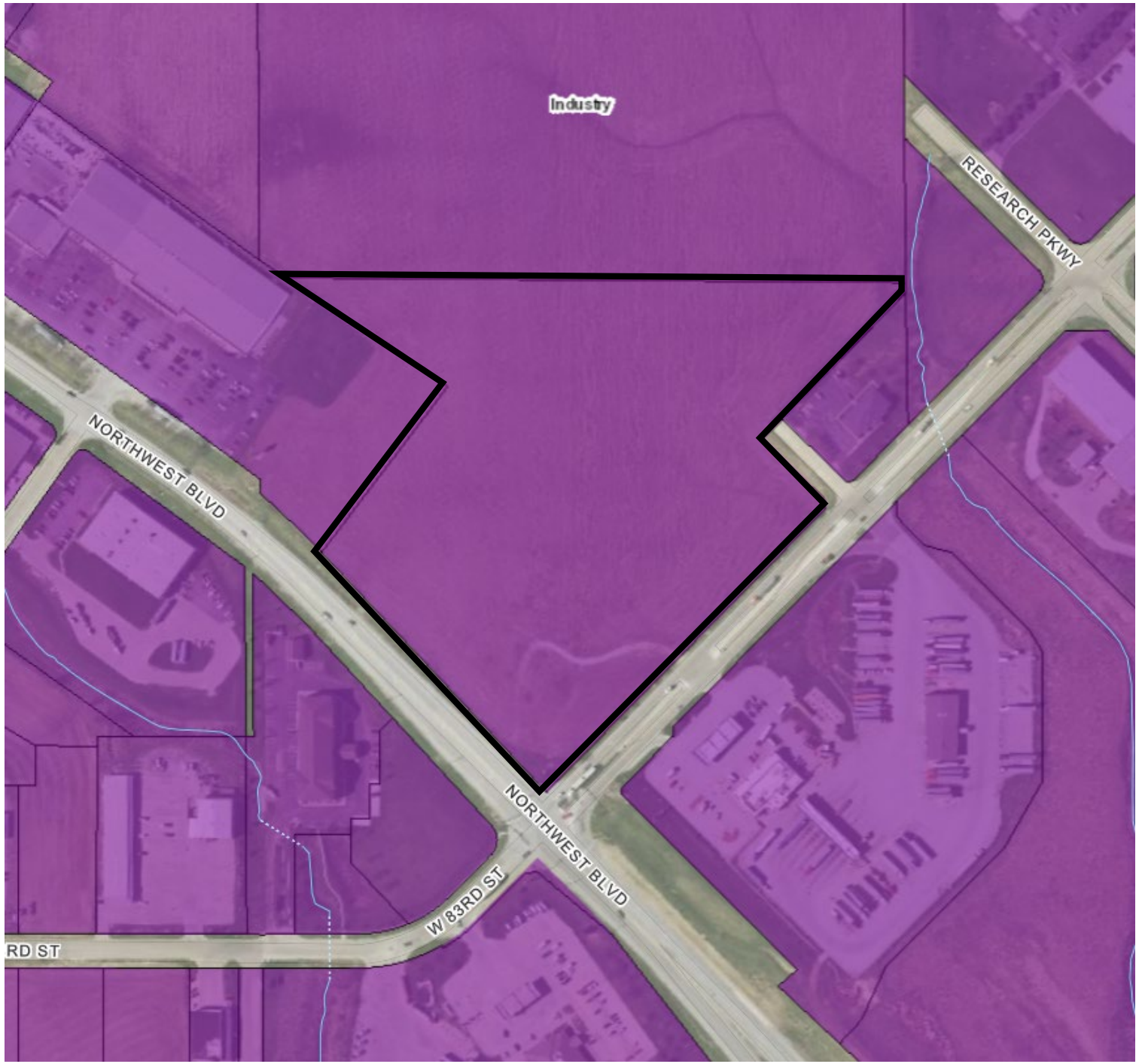
FINAL PLAT

20013000
SHEET 1 OF 1

Case F21-04: Speedway
Zoning Map



Case F21-04: Speedway
Future Land Use Map





1200 E 46th Street
Davenport, Iowa 52807
(563) 326-6198
Planning@davenportiowa.com

Complete application can be emailed to planning@davenportiowa.com

Property Address*
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)
Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Owner (if different from Applicant)
Name:
Company:
Address:
City/State/Zip
Phone:
Email:

Engineer (if applicable)
Name:
Company:
Address:
City/State/Zip
Phone:
Email:

Architect (if applicable)
Name:
Company
Address:
City/State/Zip:
Phone:
Email:

Attorney (if applicable)
Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission
Zoning Map Amendment (Rezoning)
Planned Unit Development
Zoning Ordinance Text Amendment
Right-of-way or Easement Vacation
Voluntary Annexation

Zoning Board of Adjustment
Zoning Appeal
Special Use
Hardship Variance

Design Review Board
Design Approval
Demolition Request in the Downtown
Demolition Request in the Village of East Davenport

Historic Preservation Commission
Certificate of Appropriateness
Landmark Nomination
Demolition Request

Administrative
Administrative Exception
Health Services and Congregate Living Permit

Preliminary Plat – Required for subdivisions of four lots or more.

Property Location:

Total Land Area:
Total Number of Lots:
Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: Yes No

Submittal Requirements:

- The completed application form.
- Required fee:
  Ten or fewer lots - $400 plus $25 per lot.
  Eleven to twenty-five lots - $700 plus $25 per lot.
  More than twenty-five lots - $1,000 plus $25 per lot.
- A PDF of the proposed plat at a scale of not less than one inch per one hundred feet, which depicts the following:
  - The location of existing property lines, section lines, easements, corporate limits and other legally established districts, streets, buildings, watercourses, tree masses and other existing features within the area to be subdivided and similar facts regarding existing conditions on the land.
  - The proposed location and width of streets, alleys, lots, building setback lines and easements.
  - Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
  - Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor.
  - The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land.
  - Existing contours with intervals of five feet or less.
  - North point, scale and date.
  - A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

Final Plat – Required for subdivisions of two lots or more.

Property Location:

Total Land Area:
Total Number of Lots:
Linear Feet of Streets Added:
Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: Yes No

Submittal Requirements:

- The completed application form.
- Required fee:
  Ten or fewer lots - $400 plus $25 per lot.
  Eleven to twenty-five lots - $700 plus $25 per lot.
  More than twenty-five lots - $1,000 plus $25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
  - The boundary lines of the area being subdivided with accurate distances and bearings.
  - The lines of all proposed streets and alleys with their width and names.
  - The accurate outline of any property which is offered for dedication for public use.
  - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
  - All lot lines and an identification system for lots and blocks.
  - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
  - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
  - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
  - All survey monuments and bench marks together with their descriptions.
  - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
  - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
  - Executed platting certificates acceptable to the City of Davenport:
    - Acceptance by the City of Davenport.
    - Hold Harmless Agreement.
    - Assessment waiver (sidewalks and subdivision improvements).
    - Dedication of Owner.
    - Consent to platting where applicable.
    - Certificate of Attorney.
    - Surveyor's Certificate.
    - Certificate of County Treasurer.
    - Certificate of Subdivision Name by Scott County Auditor.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Preliminary Plat:

(1) Application:
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Plan and Zoning Commission's consideration of the proposed preliminary plat:
- Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.

(3) City Council's consideration of the proposed preliminary plat:
- The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Final Plat:

(1) Application:
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Plan and Zoning Commission's consideration of the proposed final plat:
- Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.

(3) City Council's consideration of the final plat:
- Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
  - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
  - Executed platting certificate.
- The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

(4) Recordation:
- After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
- After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
- It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner: Date:

By typing your name, you acknowledge and agree to the aforementioned procedure and requirements.

Received by: Date:

Planning staff

Date of Plan and Zoning Commission Public Hearing:

Plan and Zoning Commission meetings are held the Tuesday prior to City Council Committee of the Whole meetings at 5:00 p.m. in City Hall Council Chambers, 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

I, authorize
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council for the property located at

_____

_____
Signature(s)

State of ,
County of .
Sworn and subscribed to before me

This day of 20 _____
Form of Identification

_____
Notary Public

My Commission Expires:

City of Davenport

Department: Public Safety
Contact Info: Gary Statz | 563-326-7754

Action / Date
11/10/2021

Subject:
Second Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled “No Parking” by adding Louis Rich Court along both sides from West Lake Boulevard east to its terminus. [Ward 1]

Recommendation:
Adopt the Ordinance.

Background:
Parked vehicles along Louis Rich Court have made it difficult for trucks to back into some of the driveways for loading and unloading their materials. Truck drivers have sometimes had to maneuver around parked vehicles in the cul-de-sac on Louis Rich Court where they turn around to exit the industrial park. All of the businesses in this area have ample off-street parking available.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 10:05 AM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 10:05 AM
City Clerk	Admin, Default	Approved	10/14/2021 - 1:20 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII "NO PARKING" THERETO BY ADDING LOUIS RICH COURT ALONG BOTH SIDES FROM WEST LAKE BOULEVARD EAST TO ITS TERMINUS.

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

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

Louis Rich Ct along both sides from West Lake Blvd east to its terminus.

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 _____

Published in the *Quad City Times* on _____

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Safety
Contact Info: Gary Statz | 563-326-7754

Action / Date
11/10/2021

Subject:
Second Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled “No Parking” by adding Villa Drive along both sides from Villa Court south 300 feet. [Ward 8]

Recommendation:
Adopt the Ordinance.

Background:
Vehicles parked along the curved section of Villa Drive are creating congestion and sight distance issues for those exiting Villa Court and the nearby driveways. This zone will go from Villa Court to the Goodwill driveway.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 10:05 AM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 10:06 AM
City Clerk	Admin, Default	Approved	10/14/2021 - 1:26 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII "NO PARKING" THERETO BY ADDING VILLA DRIVE ALONG BOTH SIDES FROM VILLA COURT SOUTH 300 FEET.

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

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

Villa Dr along both sides from Villa Ct south 300 feet.

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 _____

Published in the *Quad City Times* on _____

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Safety
Contact Info: Gary Statz | 563-326-7754

Action / Date
11/10/2021

Subject:
Second Consideration: Ordinance amending Schedules XIV and XV of Chapter 10.96 by changing Marquette Street at 12th Street from Pedestrian Traffic Signals to Intersection Traffic Signals. [Wards 3 & 4]

Recommendation:
Adopt the Ordinance.

Background:
The existing pedestrian signals near Marquette and 12th are only 85 feet south of the intersection. The Manual on Uniform Traffic Control Devices discourages pedestrian signals that are less than 100 feet from a side street or driveway controlled by stop or yield signs. The Marquette Street project will eliminate the pedestrian signals and include intersection traffic signals. The new signals will accommodate both vehicular and pedestrian traffic.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 10:05 AM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 10:05 AM
City Clerk	Admin, Default	Approved	10/14/2021 - 1:45 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULES XIV AND XV BY CHANGING MARQUETTE STREET AT 12TH STREET FROM PEDESTRIAN TRAFFIC SIGNALS TO INTERSECTION TRAFFIC SIGNALS.

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

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

Marquette St at 12th St.

Section 2. That Schedule XV Pedestrian Traffic Signals of the Municipal Code of Davenport Iowa, be and the same is hereby amended by deleting the following:

Marquette St at 12th St.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

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

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Gary Statz | 563-326-7754 **11/10/2021**

Subject:
First Consideration: Ordinance amending Schedule XVII of Chapter 10.96 entitled "No Stopping, Standing or Parking" by adding 54th Street along the south side from Pine Street west 550 feet between the hours of 7:00 a.m. and 4:00 p.m. on school days. [Ward 2]

Recommendation:
Adopt the Ordinance.

Background:
The Davenport Police Department has been working with Truman Elementary School staff regarding congestion and safety issues related to drivers parking along both sides of 54th Street west of Pine Street. The school's driveway exits onto 54th Street and it is unsafe when students walk across the street to their ride waiting along the south side of the street. There are no residences along the south side of the street in this new zone. Parking will remain intact along the north side of the street.

The Davenport Police Department and the Davenport Community School District are requesting that this area be signed as "No Stopping, Standing, or Parking 7:00 a.m. to 400 p.m. on School Days" in order to prevent drivers from waiting in their parked vehicles along the south side of 54th Street.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/27/2021 - 10:42 AM
Public Works Committee	Moses, Trish	Approved	10/27/2021 - 10:42 AM
City Clerk	Admin, Default	Approved	10/27/2021 - 5:36 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SECTIONS OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XVII ENTITLED "NO STOPPING, STANDING OR PARKING" THERETO BY ADDING 54TH STREET ALONG THE SOUTH SIDE FROM PINE STREET WEST 550 FEET BETWEEN THE HOURS OF 7 AM AND 4 PM ON SCHOOL DAYS.

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

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

54th St along the south side from Pine St west 550 feet between the hours of 7:00 a.m. and 4:00 p.m. on school days.

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 _____

Published in the *Quad City Times* on _____

Attest:

_____
Mike Matson
Mayor

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: City Clerk
Contact Info: Brian Krup | 563-326-6163

Action / Date
11/10/2021

Subject:
Motion approving a noise variance request for an event on the listed date and time.

J&M Displays Inc; Christmas in the Village Fireworks; Village of East Davenport; Saturday, December 4, 2021 8:30 p.m. - 9:00 p.m.; Fireworks, over 50 dBA. [Wards 5 & 6]

Recommendation:
Pass the Motion.

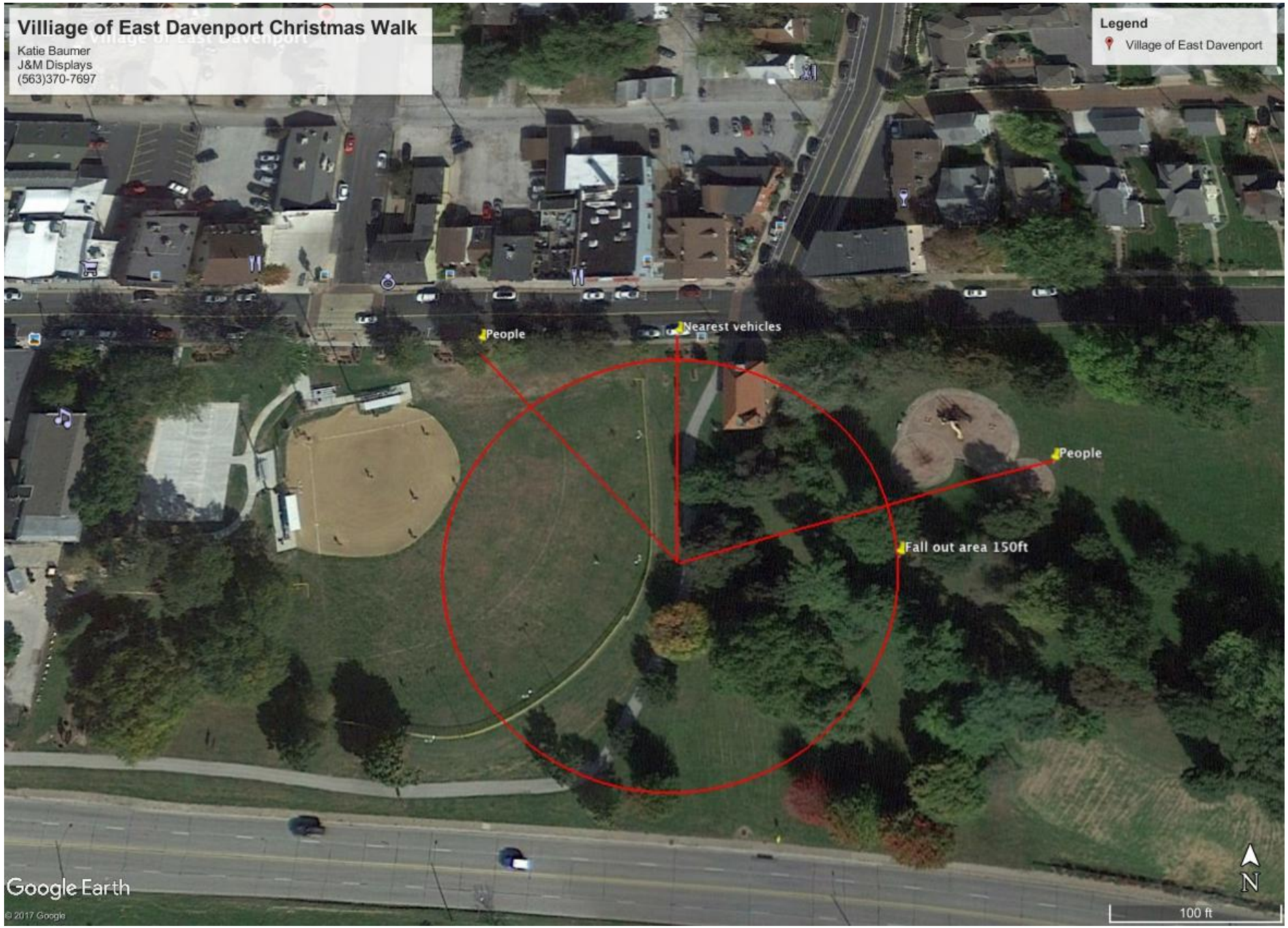
Background:
The following request for a noise variance has been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Christmas in the Village Fireworks Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/28/2021 - 12:01 PM


Villiage of East Davenport Christmas Walk
Katie Baumer
J&M Displays
(563)370-7697
Legend
Village of East Davenport
People
Nearest vehicles
People
Fall out area 150ft
N
100 ft
Google Earth
© 2017 Google

City of Davenport

Department: Public Safety **Action / Date**
Contact Info: Jamie Swanson | 563-326-7795 **11/10/2021**

Subject:
Motion approving beer and liquor license applications.

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

Ward 6

The Coffee House QC (Area 309 Coffee, LLC) - 1315 Jersey Ridge Rd - New License - License Type: Beer/Wine

Ward 7

Yummy Crab (Crab House of Davenport, Inc) - 1235 E Kimberly Rd - New License - License Type: Class C Liquor

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

Ward 2

Express Lane Gas & Food Mart #83 (ExpressLane, Inc) - 3636 Hickory Grove Rd - License Type: Class C Beer

Rudy's Taco's (Majec, Inc) - 3502 W Kimberly Rd Ste 1 - License Type: Class C Liquor

Ward 3

Kilkenny's Pub & Eatery (Kilkenny's, Pub, Inc) - 300 W 3rd St - Outdoor Area - License Type: Class C Liquor

Express Lane Gas & Food Mart #84 (ExpressLane, Inc) - 321 N Division St - License Type: Class C Beer

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

German American Heritage Center (German American Heritage Center) - 712 W 2nd St - License Type: Beer/Wine

Cavort QC (The Key, LLC) - 229 Brady St - License Type: Class C Liquor

Ward 6

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

The Ridge (JAR Hospitality, LLC) - 4750 Utica Ridge Rd - Outdoor Area - License Type: Class C Liquor

Nally's Kitchen, Inc (Nally's Kitchen 2, LLC) - 2483 E 53rd St - License Type: Beer/Wine

Ward 7

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

Public House (Public House Davenport) - 5260 Northwest Blvd - Outdoor Area - License Type: Class C Liquor

Ward 8

Express Lane Gas & Food Mart #86 (ExpressLane, Inc) - 7522 Northwest Blvd - License Type: Class C Beer

Kwik Star #167 (Kwik Trip, Inc) - 2050 E 53rd St - License Type: Class C Beer

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	10/28/2021 - 12:01 PM

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7786

Action / Date
11/10/2021

Subject:
First Consideration: Ordinance adding Chapter 13.40 to the Davenport Municipal Code entitled "Public Water Supply Well Protection." [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
The Scott County Emergency Management Agency (SCEMA) and Iowa American Water Company (IAWC) are partnering to install public water wells to provide a redundant potable water supply for the current IAWC service area. As a requirement for receiving a construction permit for the wells through the Iowa Department of Natural Resources, control of contamination sources adjacent to public water supply wells must be secured. SCEMA is requesting support from the City of Davenport to amend the City Code to provide protection of any future wells to be installed within the city.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/26/2021 - 2:33 PM

ORDINANCE NO. _____

ORDINANCE ADDING CHAPTER 13.40 ENTITLED “PUBLIC WATER SUPPLY WELL PROTECTION.”

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

Section 1. That a new Chapter 13.40 entitled “Public Water Supply Well Protection” is hereby added to the Davenport Municipal Code and reads as follows:

Chapter 13.40 **PUBLIC WATER SUPPLY WELL PROTECTION**

13.40.010 **Separation Distance.**

13.40.010 **Separation Distance**.

No construction of any source of contamination shall be permitted within 200 feet of any public water supply well, except as provided in the section of the Iowa Administrative Code cited below. No alteration to a source of contamination that exists on November 1, 2021 is allowed.

Applicable definition of terms and requirements for separation distances shall be controlled by Chapter 43 of Part 567 of the Iowa Administrative Code (455B), specifically subrule 43.3(7) and Table A as amended and implemented by the Iowa Department of Natural Resources.

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 _____

Published in the *Quad City Times* on _____

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

TABLE A: SEPARATION DISTANCES

SOURCE OF CONTAMINATION	REQUIRED MINIMUM LATERAL DISTANCE FROM WELL AS HORIZONTAL ON THE GROUND SURFACE, IN FEET	
	Deep Well[1]	Shallow Well[1]
WASTEWATER STRUCTURES:		
Point of Discharge to Ground Surface		
Sanitary & industrial discharges	400	400
Water treatment plant wastes	50	50
Well house floor drains	5	5
Sewers & Drains[2]		
Sanitary & storm sewers, drains	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer pipe	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer main pipe
Sewer force mains	0 – 75 feet: prohibited 75 – 400 feet if water main pipe 400 – 1000 feet if sanitary sewer pipe	0 – 75 feet: prohibited 75 – 400 feet if water main pipe 400 – 1000 feet if sanitary sewer main pipe
Water plant treatment process wastes that are treated onsite	0 – 5 feet: prohibited 5 – 50 feet if sanitary sewer pipe	0 – 5 feet: prohibited 5 – 50 feet if sanitary sewer main pipe
Water plant wastes to sanitary sewer	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer pipe	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer main pipe
Well house floor drains to sewers	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer pipe	0 – 25 feet: prohibited 25 – 75 feet if water main pipe 75 – 200 feet if sanitary sewer main pipe
Well house floor drains to surface	0 – 5 feet: prohibited 5 – 50 feet if sanitary sewer pipe	0 – 5 feet: prohibited 5 – 50 feet if sanitary sewer main pipe
Land Disposal of Treated Wastes		
Irrigation of wastewater	200	400
Land application of solid wastes[3]	200	400
Other		
Cesspools & earth pit privies	200	400
Concrete vaults & septic tanks	100	200
Lagoons	400	1000
Mechanical wastewater treatment plants	200	400
Soil absorption fields	200	400
CHEMICALS:		
Chemical application to ground surface	100	200
Chemical & mineral storage above ground	100	200
Chemical & mineral storage on or under ground	200	400

Transmission pipelines (such as fertilizer, liquid petroleum, or anhydrous ammonia)	200	400
ANIMALS:		
Animal pasturage	50	50
Animal enclosure	200	400
Earthen silage storage trench or pit	100	200
Animal Wastes		
Land application of liquid or slurry	200	400
Land application of solids	200	400
Solids stockpile	200	400
Storage basin or lagoon	400	1000
Storage tank	200	400
MISCELLANEOUS:		
Basements, pits, sumps	10	10
Cemeteries	200	200
Cisterns	50	100
Flowing streams or other surface water bodies	50	50
GHEX loop boreholes	200	200
Railroads	100	200
Private wells	200	400
Solid waste landfills and disposal sites[4]	1000	1000

[1]Deep and shallow wells, as defined in 567—40.2(455B): A deep well is a well located and constructed in such a manner that there is a continuous lay
5 feet thick located at least 25 feet below the normal ground surface and above the aquifer from which water is to be drawn. A shallow well is a well l
that there is not a continuous layer of low permeability soil or rock (or equivalent retarding mechanism acceptable to the department) at least 5 feet th
feet below the normal ground surface and above the aquifer from which water is to be drawn.

[2]The separation distances are dependent upon two factors: the type of piping that is in the existing sewer or drain, as noted in the table, and that the pi
with the standards.
[3]Solid wastes are those derived from the treatment of water or wastewater. Certain types of solid wastes from water treatment processes may be land-
an individual, case-by-case basis.
[4]Solid waste means garbage, refuse, rubbish, and other similar discarded solid or semisolid materials, including but not limited to such materials resul
agricultural, and domestic activities.

/er of low permeability soil or rock at least
ocated and constructed in such a manner
ick, the top of which is located at least 25

ping was properly installed in accordance

applied within the separation distance on

ting from industrial, commercial,

City of Davenport

Department: Public Works - Admin
Contact Info: Clay Merritt | 563-888-3055

Action / Date
11/10/2021

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Public Works High & Low Bay Roof project, CIP #23033. [Ward 7]

Recommendation:
Adopt the Resolution.

Background:
This project is for the replacement of the roof over the high & low bay area located within the Public Works Center. This section of roof is nearing the end of its useful life and is scheduled to be replaced.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/27/2021 - 11:27 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Public Works High & Low Bay Roof Replacement project, CIP #23033.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the Deputy City Clerk of Davenport, Iowa for the Public Works High & Low Bay Roof Replacement project; and

WHEREAS, notice of Hearing on plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport that, said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Public Works High & Low Bay Roof Replacement project, CIP #23033.

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Jen Walker | 563-326-6168

Action / Date
11/10/2021

Subject:
Resolution accepting work completed under the West 43rd Street (Michigan to Elsie) Reconstruction project by Five Cities Construction of Coal Valley, Illinois in the amount of $246,699.76, CIP #35047. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
This pavement reconstruction project included installation of drain tile, concrete pavement, and ADA-compliant curb ramps. The total project cost was $246,699.76, which was funded by Capital Improvements Program funds for local roads (CIP #35047) using Government Obligation Bond proceeds.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/27/2021 - 10:44 AM
Public Works Committee	Moses, Trish	Approved	10/27/2021 - 10:44 AM
City Clerk	Admin, Default	Approved	10/27/2021 - 3:01 PM

Resolution No. _____

RESOLUTION offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed under the West 43rd Street Reconstruction (Elsie Avenue to Michigan Avenue) project by Five Cities Construction of Coal Valley, Illinois in the amount of $246,699.76, CIP #35047.

WHEREAS, the City entered into a contract with Five Cities Construction Company; and

WHEREAS, the project limits on West 43rd Street were from Elsie Avenue to Michigan Avenue, and the project limits on Elsie Avenue were from West 43rd Street to West 42nd Street; and

WHEREAS, the scope of work included pavement removal, installation of drain tile, concrete paving, driveway approaches, and new ADA curb ramps; and

WHEREAS, 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

WHEREAS, the final cost of the project was $246,699.76.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the West 43rd Street Reconstruction (Elsie Avenue to Michigan Avenue) project by Five Cities Construction of Coal Valley, Illinois in the amount of $246,699.76 is hereby accepted.

Passed and approved this 10th day of November, 2021.

Approved: Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Kevan Oliver | 563-327-5199

Action / Date
11/10/2021

Subject:
Resolution accepting work completed under the RiverCenter South Roof Replacement project by Economy Roofing & Insulating Company, Inc of Bettendorf, Iowa in the amount of $540,660, CIP #69028. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The roof at the RiverCenter South complex was near the end of its useful life and was scheduled to be replaced. All work has been satisfactorily completed. The total cost was $540,660 paid from CIP #69028.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Application & Certificate for Payment
🗋	Backup Material	Consent of Surety to Final Payment

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/27/2021 - 10:44 AM
Public Works Committee	Moses, Trish	Approved	10/27/2021 - 10:44 AM
City Clerk	Admin, Default	Approved	10/27/2021 - 3:02 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed under the RiverCenter South Roof Replacement project by Economy Roofing & Insulating Company, Inc of Bettendorf, Iowa in the amount of $540,660, CIP #69028.

WHEREAS, the roof on the RiverCenter South complex was nearing the end of its useful life; and

WHEREAS, the City entered into a contract with Economy Roofing & insulating Company; and

WHEREAS, work on the project has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the RiverCenter South Roof Replacement project by Economy Roofing & Insulating Company, Inc of Bettendorf, Iowa in the amount of $540,660 is hereby accepted.

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702 (Instructions on reverse side) Page 1 of 2 Pages

TO: (Owner) City of Davenport, Davenport, IA

PROJECT: RiverCenter South Complex Roof Replacement, Davenport, IA

APPLICATION NO.: 7 FINAL

PERIOD TO: 10/18/2021

Distribution to: OWNER, ARCHITECT, CM

FROM: (SubContractor) Economy Roofing Company, 4121 State Street, PO Box 159, Bettendorf, IA 52722

ARCHITECT: Shive Hattery, Moline, IL

ARCHITECT'S PROJECT NO.:

CONTRACT FOR: Roofing & Sheet Metal

Contract Date: 9/24/2020

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract.

Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM		$641,500.00
2. Net change by Change Orders		($100,840.00)
3. CONTRACT SUM TO DATE (Line 1 +/- 2)		$540,660.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)		$540,660.00
5. RETAINAGE:		
a. 0% of Completed Work (Column D + E on G703)	$0.00	
b. _5__ % of Stored Material (Column F on G703)	$0.00	
Total Retainage (Line 5a + 5b or Total of Column I of G703)		$0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)		$540,660.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)		$513,627.00
8. CURRENT PAYMENT DUE		$27,033.00
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6)		$0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Economy Roofing Company

By: _____ Date: 10/18/2021

Joseph E. Johnson - Vice President

State Of: Iowa

County Of: Scott

Notary Public: Kathryn A. Mack

My Commission expires:

NOTARIAL SEAL IOWA

KATHRYN A. MACK
Commission Number 702535
My Commission Expires
3/31/22

CHANGE ORDER SUMMARY			
Change Orders approved in previous months by Owner		ADDITIONS $0.00	DEDUCTIONS
Approved Number	Date Approved		
1	CO #1	$0.00	$100,840.00
2		$0.00	$0.00
3		$0.00	$0.00
		$0.00	$0.00
TOTALS		$0.00	$100,840.00
Net change by Change Orders		($100,840.00)	

CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site and the data comprising this application, the Construction Manager and Architect certify to the Owner that to the best of their knowledge, informationand belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED 27,033.00

Construction Manager

By: Mike Mollhagen Date: 10-21-21

CONTINUATION SHEET

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER: 7 FINAL
APPLICATION DATE: 10/18/2021
PERIOD TO: 10/31/2021
ARCHITECT'S PROJECT NO:

A	B	C	D	E	F.1	F.2	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED ON SITE (NOT IN D OR E)	MATERIALS PRESENTLY STORED OFF SITE (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G / C)	BALANCE TO FINISH	RETAINAGE 0%
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD						
1	TPO ROOFING									
	LABOR:	$167,000.00	$167,000.00	$0.00			$167,000.00	100.00%	$0.00	$0.00
	MATERIAL:	$263,500.00	$263,500.00	$0.00			$263,500.00	100.00%	$0.00	$0.00
2	SHEET METAL FLASHING									$0.00
	LABOR:	$34,200.00	$34,200.00	$0.00			$34,200.00	100.00%	$0.00	$0.00
	MATERIAL:	$7,000.00	$7,000.00	$0.00			$7,000.00	100.00%	$0.00	$0.00
3	EQUIPMENT, CRANE, WASTE	$55,000.00	$55,000.00	$0.00			$55,000.00	100.00%	$0.00	$0.00
4	WARRANTY, BONDS	$13,600.00	$13,600.00	$0.00			$13,600.00	100.00%	$0.00	$0.00
5	REPAIR METAL DECK 200 SF	$1,200.00	$360.00	$840.00			$1,200.00	100.00%	$0.00	$0.00
6	CONTINGENCY	$100,000.00	$0.00	$100,000.00			$100,000.00	100.00%	$0.00	$0.00
7	CO #1: Deduct Contingency &	$0.00	$0.00	$0.00			$0.00	0.00%	$0.00	$0.00
	Unused metal deck allowance.	($100,840.00)	$0.00	($100,840.00)			($100,840.00)	100.00%	$0.00	$0.00
		$0.00	$0.00	$0.00			$0.00	0.00%	$0.00	$0.00
		$0.00	$0.00	$0.00			$0.00	0.00%	$0.00	$0.00
		$0.00	$0.00	$0.00			$0.00	0.00%	$0.00	$0.00
		$0.00	$0.00	$0.00			$0.00	0.00%	$0.00	$0.00
		$0.00	$0.00	$0.00			$0.00	0.00%	$0.00	$0.00
		$0.00	$0.00	$0.00			$0.00	0.00%	$0.00	$0.00
							$0.00	0.00%	$0.00	$0.00
							$0.00	0.00%	$0.00	$0.00
							$0.00	0.00%	$0.00	$0.00
							$0.00	0.00%	$0.00	$0.00
							$0.00	0.00%	$0.00	$0.00
							$0.00	0.00%	$0.00	$0.00
							$0.00	0.00%	$0.00	$0.00
							$0.00	0.00%	$0.00	$0.00
							$0.00	0.00%	$0.00	$0.00
		$540,660.00	$540,660.00	$0.00	$0.00		$540,660.00	100.00%	$0.00	$0.00

BOND NO. RCN5929545

AIA® Document G707™ – 1994

Consent Of Surety to Final Payment

PROJECT: *(Name and address)* RiverCenter South Complex Roof Replacement Davenport, IA	**ARCHITECT'S PROJECT NUMBER:**	OWNER: ☐
	CONTRACT FOR: General Construction	ARCHITECT: ☐
TO OWNER: *(Name and address)* City of Davenport 226 W. 4th St. Davenport, IA 52801	**CONTRACT DATED:** 9/24/2020	CONTRACTOR: ☐ SURETY: ☐ OTHER: ☐

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Old Republic Surety Company, 1415 - 28th St., #420, West Des Moines, IA 50266

, SURETY,

on bond of
(Insert name and address of Contractor)

Economy Roofing & Insulating Company, Inc.
P. O. Box 159
Bettendorf, IA 52722

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to
(Insert name and address of Owner)

City of Davenport
226 W. 4th St.
Davenport, IA 52801

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: October 1, 2021
(Insert in writing the month followed by the numeric date and year.)

Old Republic Surety Company
(Surety)

Daniel P. Curran
(Signature of authorized representative)

Daniel P. Curran, Attorney-in-Fact
(Printed name and title)

Attest: Gale A. McClean
(Seal): Gale A. McClean, Customer Service Associate

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User Notes:
(4288110839)

OLD REPUBLIC SURETY COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint: DANIEL P. CURRAN OF DAVENPORT, IA

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding $50,000,000, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, ***(other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds),*** as follows:

ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE MILLION ($25,000,000) FOR ANY SINGLE OBLIGATION

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18,1982.

RESOLVED that, the president, any vice-president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

(i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or

(ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or

(iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 6TH day of September, 2018.

OLD REPUBLIC SURETY COMPANY

Jane E. Cherney
Assistant Secretary

Alan Pavlic
President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 6TH day of September, 2018, personally came before me, Alan Pavlic and Jane E. Cherney, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.

Kathryn R. Pearson
Notary Public

My Commission Expires: September 28, 2022

(Expiration of notary's commission does not invalidate this instrument)

CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

40-1817

Signed and sealed at the City of Brookfield, WI this 1st day of October, 2021.

Jane E. Cherney
Assistant Secretary

ORSC 22262 (3-06)

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Tom Leabhart | 563-326-5155 **11/10/2021**

Subject:
Resolution awarding the contract for the Goose Creek Shared Use Trail from 53rd Street to 59th and Brady project to Midwest Concrete, Inc of Peosta, Iowa in the amount of $1,486,333.14, CIP #280219. [Ward 7 & 8]

Recommendation:
Adopt the Resolution.

Background:
This project will extend the existing Goose Creek Trail from south of 53rd Street northward along Goose Creek to the Brady Street Frontage Road at 59th Street. From the northerly end it will connect to the planned Veterans Memorial Parkway Trail extension.

This project has received a Federal Aid grant from Iowa's Transportation Alternative Program (TAP) in the amount of $1,138,000. The grant will reimburse the City for 80% of eligible costs or a maximum of the grant amount.

Nine bids were received by the Iowa Department of Transportation (DOT) on October 19, 2021. Bids ranged from a high of $2,177,756.68 to a low of $1,486,333.14. Funding is available in CIP #280219.

Work is expected to begin in the spring of 2022 and be completed by the end of the 2022 construction season.

The award is subject to Iowa Department of Transportation and Federal Highway Administration concurrence.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Exhibit	Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/27/2021 - 10:43 AM
Public Works Committee	Moses, Trish	Approved	10/27/2021 - 10:43 AM
City Clerk	Admin, Default	Approved	10/27/2021 - 3:03 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION awarding the contract for the Goose Creek Shared Use Trail from 53rd Street to 59th and Brady project to Midwest Concrete, Inc of Peosta, Iowa in the amount of $1,486,333.14, CIP #280219.

WHEREAS, the Goose Creek Shared Use Trail Project from 53rd Street to 59th and Brady was advertised and published according to state law; and

WHEREAS, nine bids were received at the appointed time and place for the bid opening.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that, subject to Iowa Department of Transportation and Federal Highway Administration concurrence, the contract for the Goose Creek Shared Use Trail from 53rd Street to 59th and Brady project is hereby awarded to Midwest Concrete, Inc of Peosta, Iowa in the amount of $1,486,333.14.

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

THE CITY OF
DAVENPORT
IOWA | USA

Proposed Trails

- Goose Creek Project
- VMP Extension
- Existing Trails



City of Davenport

Department: Public Works - Admin
Contact Info: Nicole Gleason | 563-326-7734

Action / Date
11/10/2021

Subject:
Resolution awarding the contract for the Prospect Park Sewer Separation project to Legacy Corporation of East Moline, Illinois in the amount of $498,543.07, CIP #30057. [Ward 5]

Recommendation:
Adopt the Resolution.

Background:
On October 5, 2021, and Invitation to Bid was issued and sent to contractors. On October 26, 2021, the Purchasing Division opened and read seven (7) bids. Legacy Corporation of East Moline, Illinois was the lowest responsive and responsible bidder. See bid tab attached.

This project is the sewer separation (storm & sanitary) project to reduce flows to WPCP. Project is located at Prospect Park which overlooks the Mississippi River just east of the Mississippi Avenue, north of River Drive, and just west of the Iowa American Water Plant.

Funding for this project is from the CIP account number 71583682 530350 30057 Inflow & Infiltration Removal Project. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/28/2021 - 8:49 AM
Public Works Committee	Moses, Trish	Approved	10/28/2021 - 8:50 AM
City Clerk	Admin, Default	Approved	10/28/2021 - 1:01 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION awarding the contract for the Prospect Park Sewer Separation project to Legacy Corporation of East Moline, Illinois in the amount of $498,543.07, CIP #30057.

WHEREAS, the City needs to contract for the Prospect Park Sewer Separation project; and

WHEREAS, Legacy Corporation was the lowest responsive and responsible bidder submitting a bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa, that the contract for the Prospect Park Sewer Separation project is hereby awarded to Legacy Corporation of East Moline, Illinois in the amount of $498,543.07.

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: PROSPECT PARK SEWER SEPARATION PROJECT

BID NUMBER: 22-41

OPENING DATE: OCTOBER 26, 2021

FUNDING: 71583682 530350 30057

RECOMMENDATION: AWARD THE CONTRACT TO LEGACY CORPORATION OF EAST MOLINE IL

VENDOR NAME	BID AMOUNT
Legacy Corporation of East Moline IL	**$498,543.07**
Langman Construction Inc of Rock Island IL	$523,954.05
McCarthy Improvement Company of Davenport IA	$618,427.25
McClintock Trucking & Excavating of Silvis IL	$623,973.25
Fischer Excavating Inc of Freeport IL	$669,519.10
Needham Excavating Inc of Walcott IA	$679,546.75
Miller Trucking & Excavating of Silvis IL	$713,843.00

Approved By Kristi Keller — Purchasing — 10-26-2021 — Date

Approved By Nicole Gleason — Dept. Director — 10-26-2021 — Date

Approved By Brandi Cox — Budget/CIP — 10-27-21 — Date

Approved By Mallory J. Nemitt — Assistant City Administrator/CFO — 10/27/2021 — Date

City of Davenport

Department: Public Works Committee **Action / Date**
Contact Info: Marla Miller | 563-888-2099 **11/10/2021**

Subject:
Resolution authorizing the submission of a grant application to the Federal Transit Administration (FTA) for four (4) battery-powered electric buses to include charging station infrastructure. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport is looking to add electric buses to the current diesel bus fleet to lower emissions and provide a healthier environment to the community; in addition, the City is looking to leverage resources for the replacement of four (4) buses from diesel to electric. The buses allotted for replacement have an average accumulation of over 2 million miles. In order to meet daily service needs, the City will be required to continue utilizing existing bus fleet which is either near or over the end of the useful life.

The award of this grant would mark the first significant investment in electric equipment for the City of Davenport. The purchase of electric buses would support reliability of service to the transit community and decrease road service calls disrupting service.

The City of Davenport Transit Division staff is currently petitioning local stakeholders for full support toward the application and possible monetary donation. Mid-American Energy is the first company to commit if there is a successful grant award in the form of a monetary donation of $160,000.

The estimated total project cost is up to $5,325,6544 with the grant amount request up to $4,492,543. The City anticipates using the monetary donation from Mid-American Energy of $160,000 and CIP funding to cover the local matching funds up to $675,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works Committee	Miller, Marla	Approved	10/27/2021 - 11:01 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RRESOLUTION authorizing the submission of a grant application to the Federal Transit Administration (FTA) for four (4) battery powered electric buses to include charging station infrastructure.

WHEREAS, the City of Davenport (the "City") is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the "State"); and

WHEREAS, the City of Davenport is committed to improving its asset condition, lowering the continuous maintenance of the bus fleet inventory, and lowering emissions and providing health benefits to the community; and

WHEREAS, a $160,000 monetary donation from Mid-American Energy has been committed if there is a successful grant award, and with the requirement of the FTA local matching funds, the City is committing an amount up to $673,111 to the project and such funds will be readily available and unencumbered; and

WHEREAS, the City endorses the application and has estimated the total project cost to be up to $5,325,654 with the grant amount request up to $4,492,543.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davenport endorses said electric bus project and that City Transit Division staff is authorized to submit an application to the Federal Transit Administration, authorizes the City Administrator to be the Designated Authorized Representative, and acknowledges that the City's matching funds in the amount of up to $673,111 are readily available and unencumbered.

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Thomas Vesalga | 563-326-7783 **11/10/2021**

Subject:
Motion approving the Davenport Municipal Airport Disadvantaged Business Enterprise (DBE) Program. [Ward 8]

Recommendation:
Pass the Motion.

Background:
To accept federal grant funding through the Airport Improvement Program, the Davenport Municipal Airport must have an approved Disadvantaged Business Enterprise (DBE) Program on file with the Federal Aviation Administration. This program is created at the local level with help from the Iowa Department of Transportation Aviation Bureau and must be updated every three years. The current program for the Airport has reached the end of it's three year life cycle.

The Airport has taken the time to update it's current DBE percentage totals to reflect upcoming federal projects throughout the next three years. The Airport percent totals have increased from 1.17 percent to 1.87 percent of the total federal dollar expenditures expected at the Davenport Municipal Airport for this period.

The City approved DBE program for the Airport will be kept on file with the Federal Aviation Administration in Washington, DC.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/27/2021 - 4:23 PM
Public Works Committee	Moses, Trish	Approved	10/27/2021 - 4:23 PM
City Clerk	Admin, Default	Approved	10/27/2021 - 5:38 PM

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Tom Leabhart | 563-327-5155 **11/10/2021**

Subject:
Motion considering a waiver (temporary deferral) of sidewalk installation at 3311 Research Parkway. [Ward 8]

Recommendation:
Pass the Motion.

Background:
Section 12.12.030 of the Davenport Municipal Code requires that sidewalks be constructed along the right-of-way of each public street prior to building occupancy unless a waiver is granted by City Council.

The owner of the subject property at the southwest corner of Hillandale and Research Parkway has requested a waiver. Although currently vacant, Corn Belt Capital LLC has plans to construct an office/warehouse on the site. Historically no other properties in the vicinity of the subject property have been required to construct sidewalk. An area map is provided along with a letter of request from Corn Belt Capital.

The property is currently owned by the Greater Davenport Redevelopment Corporation and is part of the Eastern Iowa Industrial Center.

If the waiver request is denied, the property owner will be required to construct the sidewalk at the present time, prior to the occupancy permit.

The developer will be required to provide for future sidewalk grade, therefore no additional cost will be incurred by the City for installation.

If the waiver is granted, the property owner will be allowed to postpone sidewalk construction until such time as construction is ordered by Council. The property owner would remain financially obligated for the cost of installation when it takes place.

ATTACHMENTS:

	Type	Description
🗋	Cover Memo	3311 Research Pkway-SW Waiver Request
🗋	Cover Memo	3311 Research Pkwy Waiver Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/27/2021 - 10:42 AM
Public Works Committee	Moses, Trish	Approved	10/27/2021 - 10:43 AM
City Clerk	Admin, Default	Approved	10/27/2021 - 5:39 PM

October 14th, 2021

Davenport City Council
Sidewalk Variance Request

Dear City Council,

This request is in reference to Parcel ID #W3319-11, a 1.94-acre plot located within the Eastern Iowa Industrial Center (EIIC). Corn Belt Capital (CBC) is proposing to construct a 17,100 Square Foot Office/Warehouse facility on this property. This letter serves as Corn Belt Capitals submission of a sidewalk variance request to waive the requirement to construct sidewalk along the streets named: Research Parkway & Hillandale Road.
Currently our plans are showing a sidewalk, if this variance is accepted, we will be grading these sidewalk areas for a future sidewalk install.

The justification for this request is there are presently no sidewalks in the EIIC, and the EIIC is not requiring sidewalks (at this time).

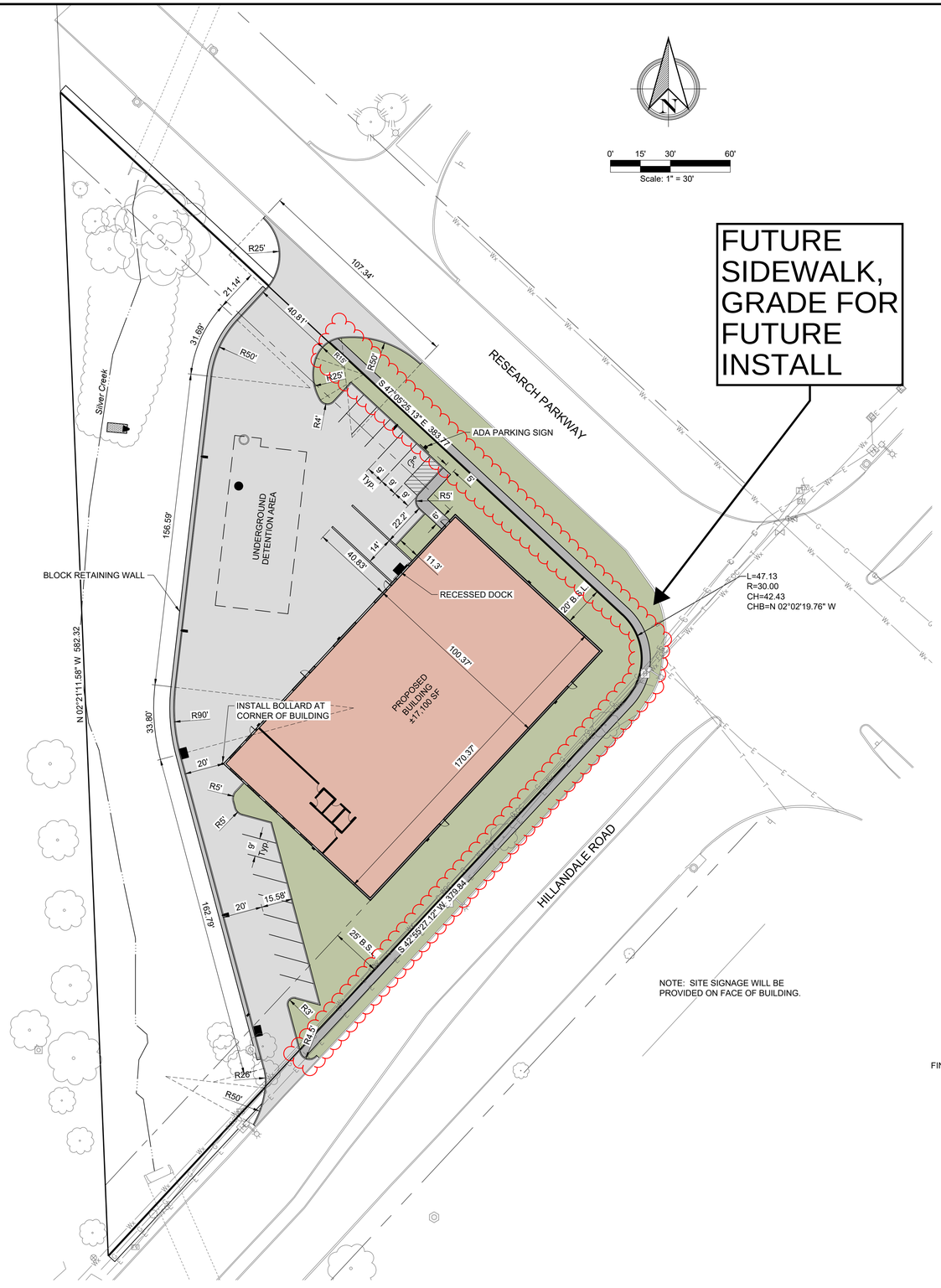
Please advise if there is any further information I can provide so that you may properly evaluate this variance request. Thank you for your consideration.

This project is currently in E-plan, the plan number is as follows: **PRJ-2887**.

Sincerely,



Ryan Hintze
Owner/Operator
Corn Belt Capital LLC



NOTE: SITE SIGNAGE WILL BE PROVIDED ON FACE OF BUILDING.

PCC PAVING NOTES:

1. SUBMIT PRODUCT DATA, MATERIAL CERTIFICATES, AND MIX DESIGN FROM CERTIFIED PLANT, IF REQUESTED.
2. OWNER WILL ORDER AND PAY FOR A QUALITY CONTROL AND TESTING FIRM IF DEEMED NECESSARY FOR THE PROJECT TO DETERMINE SLUMP, AIR ENTRAINMENT, AND OBTAIN AND TEST CYLINDERS FOR COMPRESSION STRENGTH.
3. PUBLIC SIDEWALK WITHIN DRIVEWAY PAVEMENT SHALL BE THE SAME THICKNESS AS THE DRIVEWAY.
4. ENSURE THAT THE TOP 1 INCH OF THE AGGREGATE SUBBASE IS UNIFORMLY MOIST PRIOR TO PAVING.
5. PAVEMENT SHALL HAVE THE FOLLOWING MAXIMUM JOINT SPACING: 10' MAXIMUM.
6. VERIFY JOINTING LAYOUTS WITH ENGINEER PRIOR TO CONSTRUCTION.
7. SIDEWALK JOINT SPACING WILL BE 5' OR EQUAL TO THE WIDTH OF THE WALK UNLESS OTHERWISE SPECIFIED ELSEWHERE.
8. IN AREAS ADJACENT TO CURB AND PAVEMENT EDGE, IMMEDIATELY PLACE BACKFILL AFTER THE FORMS ARE REMOVED. ENSURE NO SATURATION OR EROSION OF THE SUBGRADE UNDER OR NEAR THE PAVEMENT.
9. VERIFY LOCATION OF CURB CUTS WITH ENGINEER PRIOR TO CONSTRUCTION.

PAVEMENT MARKING NOTES:

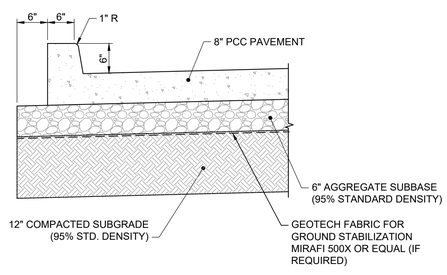
1. PAINT SHALL COMPLY WITH IOWA DOT SECTION 4183 FOR WATERBORNE OR SOLVENT BASED PAINT.
2. VERIFY FINAL LAYOUT AND COLORS WITH OWNER PRIOR TO PLACEMENT.
3. ALL STRIPING SHALL BE 4" WIDE UNLESS NOTED OTHERWISE.
4. CLEAN AND PREPARE SURFACE TO ELIMINATE LOOSE MATERIAL AND DUST IN ACCORDANCE WITH SUDAS SECTION 8020. PAVEMENT SURFACE SHALL BE DRY.
5. APPLY PAINT WITH MECHANICAL EQUIPMENT TO PRODUCE PAVEMENT MARKINGS OF SPECIFIED DIMENSIONS WITH UNIFORM AND STRAIGHT EDGES. MINIMUM WET FILM THICKNESS SHALL BE 16 MILS.

GENERAL NOTES:

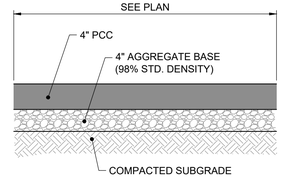
1. ALL IMPROVEMENTS SHOWN SHALL COMPLY WITH THE CURRENT EDITIONS OF THE CITY OF DAVENPORTS STANDARD SPECIFICATIONS, STATEWIDE URBAN DESIGN AND SPECIFICATIONS (SUDAS) (WHERE SPECIFIED), AND CITY OF DAVENPORT CODE OF ORDINANCES, SPECIFICATIONS, AND STANDARDS.
2. IMMEDIATELY NOTIFY ENGINEER OF UNEXPECTED SUB-SURFACE CONDITIONS. DISCONTINUE WORK IN AREA UNTIL NOTIFIED BY ENGINEER TO RESUME WORK.
3. NOTIFY ENGINEER OF DISCREPANCIES BETWEEN EXISTING CONDITIONS AND DRAWINGS BEFORE PROCEEDING WITH WORK.
4. OWNER RESPONSIBLE FOR ALL FIELD TESTING FOR COMPACTION, MOISTURE AND CONCRETE STRENGTH.
5. CONSTRUCTION ADMINISTRATION AND INSPECTION SHALL BE THE RESPONSIBILITY OF OWNER/DEVELOPER.
6. ALL CONSTRUCTION DEBRIS SHALL BE DISPOSED OF PROPERLY OFF-SITE.
8. CONTRACTOR SHALL KEEP CONSTRUCTION AREAS AND OPEN EXCAVATIONS SECURE WHEN FENCING OR OTHER BARRIERS ARE NECESSARILY REMOVED.
9. TOPOGRAPHIC SURVEY AND BOUNDARY LOCATION FOR THE SITE WAS PROVIDED BY ABBITT SURVEY & DEVELOPMENT, PLLC

CONSTRUCTION STAKING AND LAYOUT NOTES:

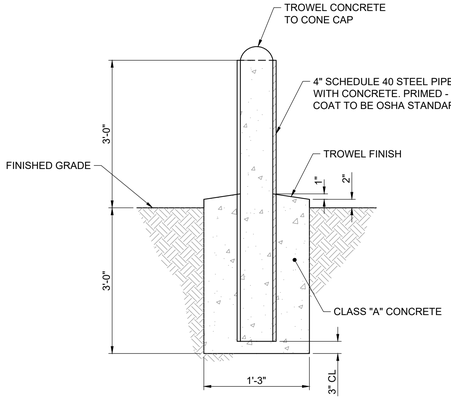
1. CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING CONSTRUCTION LAYOUT FOR ALL CONSTRUCTION.
2. CONTRACTOR SHALL PROTECT ALL LAND CORNERS, PROPERTY PINS, AND PERMANENT REFERENCE MARKERS UNLESS NOTED OTHERWISE. LAND CORNERS, PROPERTY PINS, AND PERMANENT REFERENCE MARKERS DISTURBED BY THE CONTRACTOR SHALL BE REPLACED BY A REGISTERED LAND SURVEYOR IN THE STATE OF IOWA AT THE CONTRACTOR'S EXPENSE.
3. STAKING ELEVATIONS SHALL BE OBTAINED FROM THE PRINTED PLANS. IMMEDIATELY NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE PRINTED PLANS AND THE ELECTRONIC FILES BEFORE PROCEEDING WITH WORK.
4. ELECTRONIC AUTODESK CIVIL3D FILES WILL BE PROVIDED TO AID CONSTRUCTION LAYOUT. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LAYOUT THE LOCATIONS AND GRADES BASED ON THE PRINTED PLANS, USING THE PROVIDED ELECTRONIC FILES FOR ASSISTANCE. IMMEDIATELY NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE PRINTED PLANS AND THE ELECTRONIC FILES BEFORE PROCEEDING WITH WORK.
5. VERIFY ALL COORDINATES PRIOR TO CONSTRUCTION. CHECK HORIZONTAL AND VERTICAL INFORMATION INCLUDING BUT NOT LIMITED TO ALIGNMENTS, LOCATIONS, ELEVATIONS, AND DIMENSIONS, THAT EITHER THE PLANS SHOW OR THE ENGINEER PROVIDES, FOR COMPATIBILITY WITH EXISTING FIELD CONDITIONS. NOTIFY ENGINEER OF ANY DISCREPANCIES OR CONFLICTS FOR REVIEW PRIOR TO STAKING.
6. NOTIFY ENGINEER OF DISCREPANCIES BETWEEN EXISTING CONDITIONS AND DRAWINGS BEFORE PROCEEDING WITH WORK.
7. PAVING DIMENSIONS SHOWN ARE TO BACK OF CURB AND EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
8. RADII ARE TO EDGE OF PAVEMENT OR TO BACK OF CURB LINE LOCATION UNLESS NOTED OTHERWISE.
9. SIDEWALK CURB RAMPS SHALL BE BUILT IN ACCORDANCE WITH FEDERAL AND STATE ACCESSIBILITY STANDARDS AND LOCAL JURISDICTIONAL CODES.



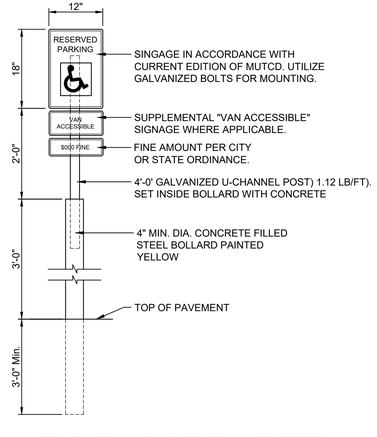
PCC PAVEMENT WITH CURB
N.T.S.



PCC SIDEWALK DETAIL
N.T.S.



BOLLARD DETAIL
N.T.S.



ADA PARKING SIGN AND BOLLARD DETAIL
N.T.S.

rtm
engineering consultants
5137 utica ridge road
davenport, ia 52807
www.rtmec.com

revision	date	no.

NOT FOR CONSTRUCTION

INDUSTRIAL BUILDING
Davenport, IA
Corn Belt Capital

jmcd project no.	21.CBC.C01
designed by:	cam
drawn by:	cam
checked by:	mhm
date:	09.15.2021

SITE PLAN

C-1

THE CITY OF DAVENPORT
IOWA | USA

Sidewalk Waiver

3311 Research Pkwy

Map Date: 10/22/2021



City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Tom Leabhart | 563-327-5155 **11/10/2021**

Subject:
Motion considering a waiver (temporary deferral) of sidewalk installation along Zenith Avenue south of Northwest Boulevard for Russell-Frye/Armstrong Industrial Park First Addition. [Ward 2]

Recommendation:
Pass the Motion.

Background:
Section 12.12.030 of the Davenport Municipal Code requires that sidewalks be constructed along the right-of-way of each public street prior to building occupancy unless a waiver is granted by City Council.

The owner of the subject property has requested a waiver along Zenith Avenue within the proposed Russell-Frye/Armstrong Industrial Park First Addition. This addition is currently undergoing the review and approval process. An area map is provided along with a letter of request from Origin Design on behalf of Russell Construction.

If the waiver request is denied, as each lot develops the owner will be required to construct the sidewalk prior to occupancy permits being issued.

The developer will be required to provide for future sidewalk grade, therefore no additional cost will be incurred by the City for installation.

If the waiver is granted, the property owners will be allowed to postpone sidewalk construction until such time as construction is ordered by Council. The property owner would remain financially obligated for the cost of installation when it takes place.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Map_Russell Frye_Zenith Ave-Sidewalk
🗋	Backup Material	Request Russell_Zenith Ave-Sidewalk

REVIEWERS:

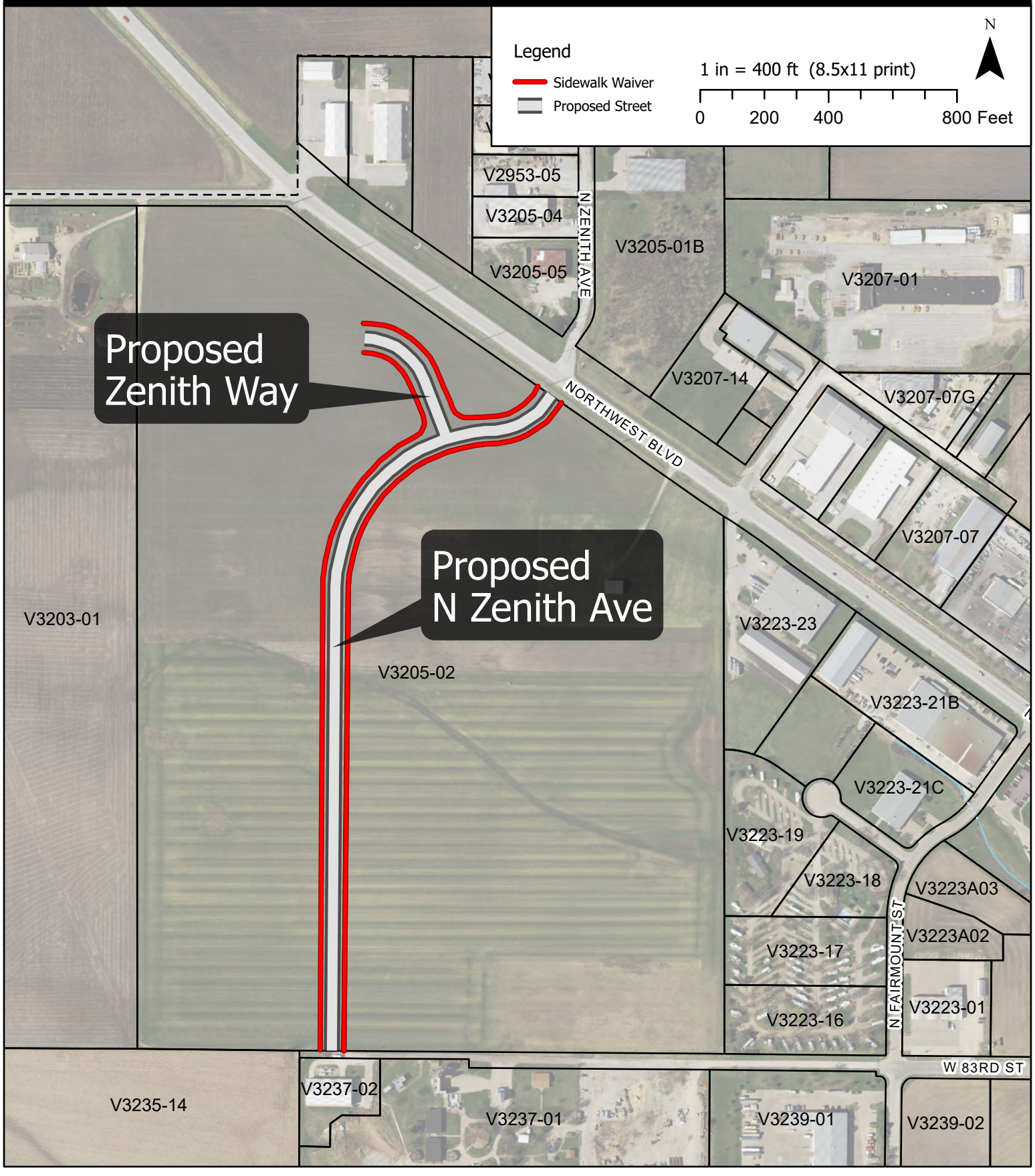
Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/27/2021 - 10:43 AM
Public Works Committee	Moses, Trish	Approved	10/27/2021 - 10:43 AM
City Clerk	Admin, Default	Approved	10/27/2021 - 5:50 PM

THE CITY OF DAVENPORT
IOWA | USA

Sidewalk Waiver

N Zenith Ave & Zenith Way
Between Northwest Blvd & W 83rd St

Map Date: 10/22/2021



September 21, 2021

Laura Berkley
City of Davenport
1200 East 46th Street
Davenport, IA 52807

RE: **Russell Frye/Armstrong Industrial Park**
City of Davenport
Project No.: 20068

Dear Laura:

On behalf of Russell Construction, Origin Design is submitting this sidewalk deferment request on the extension of Zenith Avenue. The 2400-foot extension of Zenith Avenue will extend from Northwest Boulevard to the South to create a new intersection at W. 83rd Street at some point in the future. Zenith Avenue will serve as the primary access to the proposed Industrial Park.

Our justification for this request is currently there are no sidewalks along Northwest Boulevard or any other sidewalks on this property. Also, the nature of the development and use isn't conducive to sidewalks due to safety concerns with pedestrians and heavy truck traffic.

If you have any questions you can contact me at 303-641-2552 or by email at kristin.crawford@origindesign.com

Sincerely,
Origin Design Co.

Kristin Crawford

Kristin Crawford, PE, LEED AP
Civil Engineer

Copy: Damen Trebilcock and Jennifer Smith of Russell Construction.
dtrebilcock@russellco.com, jsmith@russellco.com

p:\20\068\project admin\agencies\sidewalk deferment request.docx

QUAD CITIES OFFICE
5405 Utica Ridge Road, #200
Davenport, IA 52807

origindesign.com
800 556-4491

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
11/10/2021

Subject:
Resolution making provisions for the issuance of not-to-exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City's FY 2022 Capital Improvement Program became effective July 1, 2021. The Series 2022 A bond sale will be used to fund a variety of capital projects in the FY 2022 CIP and allow refunding opportunities for callable bonds Series 2014A and Series 2014B. Attached is a summary of major projects included in the FY 2022 CIP.

ATTACHMENTS:

	Type	Description
🗋	Cover Memo	Resolution
🗋	Cover Memo	FY2022 CIP

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/28/2021 - 2:38 PM
Finance Committee	Merritt, Mallory	Approved	10/28/2021 - 2:39 PM
City Clerk	Thorndike, Tiffany	Approved	10/28/2021 - 4:48 PM

HEARING ON GENERAL OBLIGATION CORPORATE AND REFUNDING BONDS, SERIES 2022A

629872-91

Davenport, Iowa

November 10, 2021

The City Council of the City of Davenport, Iowa, met pursuant to law and the rules of the City Council, at 5:30 o'clock p.m. on November 10, 2021. The meeting was called to order and upon the roll being called, the following named Aldermen were in attendance:

Present: _____

Absent: _____

The City Council investigated and found that pursuant to notice duly published, the City Council had met as the Committee-of-the-Whole on November 3, 2021, to permit residents or property owners of the City to present oral or written objections to the proposed issuance of not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A, of the City. After receiving and considering all comments and objections, the hearing had been closed and the meeting had been adjourned until the regular meeting of the City Council at the current time.

Alderman _____ introduced and moved the adoption of the resolution hereinafter set out making provisions for the issuance of such bonds. The motion was seconded by Alderman _____ and the Mayor put the question on the motion and, the roll being called, the following named Aldermen voted:

Ayes: _____

Nays: _____

Whereupon, the Mayor declared the motion duly carried and said resolution adopted, as hereinafter set out.

RESOLUTION NO. _____

Making provisions for the issuance of not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A

WHEREAS, the City of Davenport (the "City"), in Scott County, Iowa, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, has previously issued its $23,125,000 General Obligation Corporate Bonds, Series 2014A, dated March 5, 2014 (the "Series 2014A Bonds"), and, in the ordinance authorizing the issuance of the Series 2014A Bonds, the City reserved the right to call for early redemption as of June 1, 2022, the maturities of the Series 2014A Bonds coming due after June 1, 2022 (the "Callable 2014A Bonds"); and

WHEREAS, the City has also previously issued its $10,950,000 General Obligation Refunding Bonds, Series 2014B, dated March 5, 2014 (the "Series 2014B Bonds"), in accordance with the Charter of the City and Chapter 384 of the Code of Iowa, and in the ordinance authorizing the issuance of the Series 2014B Bonds, the City reserved the right to call for early redemption as of June 1, 2022, the maturities of the Series 2014B Bonds coming due after June 1, 2022 (the "Callable 2014B Bonds"); and

WHEREAS, the City, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, and pursuant to notice duly published and a hearing held thereon on November 3, 2021, has proposed that it is in the best interest of the City that not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A (the "Bonds") be authorized by the City to provide funds to pay costs in connection with making improvements to sanitary sewers, storm sewers, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities and municipal parks; acquiring and maintaining vehicles and/or equipment for municipal parks, streets, public safety/fire department, solid waste collection, sewage treatment, and the municipal library; repair and maintenance of bridges; information technology improvements; municipal housing projects; and current refunding the Callable Series 2014A Bonds and the Callable 2014B Bonds.

NOW, THEREFORE, Be It Resolved by the City Council of the City of Davenport, Iowa, as follows:

Section 1. All objections received or made at the hearing are hereby overruled, and the Bonds are hereby ordered to be issued in the future in a principal amount not to exceed $41,000,000.

The Bonds shall bear interest, shall be payable as to principal and interest on the dates and in the amounts, may be subject to prepayment prior to maturity and may contain such other terms and provisions as shall be determined by the City Council at the time the Bonds are sold.

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved November 10, 2021.

_____

Mayor

Attest:

_____

Deputy City Clerk

STATE OF IOWA

COUNTY OF SCOTT SS:

CITY OF DAVENPORT

I, the undersigned, Deputy City Clerk of the City of Davenport, Iowa, do hereby certify that as such Deputy City Clerk I have in my possession or have access to the complete corporate records of the City and of its Council and officers and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of the corporate records related to that portion of a meeting of the Council held on November 10, 2021, at which the Council adopted a resolution ordering the future issuance of not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A, and that the transcript hereto attached contains a true, correct and complete copy of such resolution.

WITNESS MY HAND this _____ day of _____, 2021.

_____

Deputy City Clerk

City of Davenport, Iowa
FY 2022 Bond Issue
($ Thousands)
9/7/2021

15-Year General Obligation Bonds	**Amount**		
Airport Improvements	75		
Bridge Repair and Maintenance	110		
Citizen Health & Welfare	0		
City Facility Improvements	$ 2,830		
Municipal Housing Projects	1,640		
Parks Improvements	2,220		
Public Safety Equipment	1,000		
Sewer Improvements	350		
Street Improvements	8,595		
Streetscape Improvements/Sidewalks & Paths	680		
Subtotal 15-Year GO Bonds		**$**	**17,500**
5-Year Equipment Bonds (GO)			
Acquisition of Parks Vehicles/Equipment	244		
Acquisition of Streets Vehicles/Equipment	130		
City Information Technology Network Improvements	300		
Library Equipment	525		
Public Safety Equipment	0		
Subtotal 5-Year Equipment Bonds		**$**	**1,199**
15-Year Bonds Abated by Other Sources (GO)			
Sewer Improvements (Sewer Fund)	7,000		
Water Pollution Conrol Plant Improvements (WPCP Fund)	0		
Subtotal 15-Year Bonds Abated by Other Sources		**$**	**7,000**
5-Year Bonds Abated by Other Sources (GO)			
Solid Waste Equipment (Solid Waste Fund)	930		
Sewer Equipment (Sewer Fund)	301		
Subtotal 5-Year Bonds Abated by Other Sources		**$**	**1,231**
Total Proposed FY 2022 Bond Issue - Projected		**$**	**26,930**
Estimated Cost of Issuance and Underwriting Discount		**$**	**392**
Total FY 2022 Bond Issue - Not-to-Exceed		**$**	**27,322**

City of Davenport, Iowa
FY 2022 Bond Issue
($ Thousands)
9/7/2021

Essential Corporate Purpose	**Amount**		
Acquisition of Streets Vehicles/Equipment	130		
Airport Improvements	75		
Bridge Repair and Maintenance	110		
Public Safety Equipment	1,000		
Municipal Housing Projects	1,640		
Parks Improvements	2,220		
Sewer Improvements	7,350		
Street Improvements	8,595		
Streetscape Improvements/Sidewalks & Paths	680		
		$	21,800
General Corporate Purpose			
Acquisition of Parks Vehicles/Equipment	244		
City Facility Improvements	2,830		
City Information Technology Network Improvements	300		
Library Equipment	525		
Sewer Equipment	301		
Solid Waste Equipment	930		
		$	5,130
Total Proposed FY 2022 Bond Issue - Projected		$	26,930
Estimated Cost of Issuance and Underwriting Discount		$	392
Total FY 2022 Bond Issue - Not-to-Exceed		$	27,322

FY 2022 Bonding Detail

Funding Source	*Program*	CIP#	Project	Amount
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30007	LIFT STATION REHABILITATION (SANITARY)	$ 60,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30038	1930'S SANITARY SEWER RIVERFRONT INTERCEPTOR	$ 1,300,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30050	SANITARY SEWER LINING PROGRAM	$ 1,000,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30054	CONTRACT SEWER REPAIR PROGRAM (SANITARY)	$ 1,250,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30055	SEWER LATERAL REPAIR PROGRAM	$ 1,200,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30056	NEIGHBORHOOD I&I INVESTIGATION AND REMOVAL	$ 150,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30057	INFLOW AND INFILTRATION REMOVAL PROGRAM	$ 1,400,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30059	WEST LOCUST SEWER PUMP STATION	$ 340,000
BONDS ABATED BY SEWER FUND	*STREETS*	35055	3RD & 4TH STREET REHABILITATION	$ 300,000
BONDS ABATED BY SOLID WASTE FUND	*FLEET*	10503	SOLID WASTE EQUIPMENT REPLACEMENT PROGRAM	$ 930,000
EQUIPMENT BONDS	*FLEET*	24028	DUMP TRUCK REPLACEMENT PROGRAM	$ 130,000
EQUIPMENT BONDS	*FLEET*	24029	GROUND MAINTENANCE REPLACEMENT PROGRAM	$ 244,000
EQUIPMENT BONDS	*INFORMATION TECHNOLOGY*	67002	IT CAPITAL IMPROVEMENT PROGRAM	$ 250,000
EQUIPMENT BONDS	*INFORMATION TECHNOLOGY*	67006	CITY FIBER NETWORK MAINTENANCE PROGRAM	$ 50,000
EQUIPMENT BONDS	*LIBRARY SERVICES*	66016	LIBRARY MATERIALS PROGRAM	$ 415,000
EQUIPMENT BONDS	*LIBRARY SERVICES*	66017	LIBRARY ELECTRONIC REPLACEMENT PROGRAM	$ 110,000
EQUIPMENT BONDS	*SANITARY SEWERS*	30058	CCTV CAMERA CRAWLER SYSTEM	$ 301,000
GO BONDS	*AIRPORT*	20014	PAVEMENT MAINTENANCE PROGRAM	$ 75,000
GO BONDS	*BRIDGES*	21005	PEDESTRIAN BRIDGE REPAIR PROGRAM	$ 50,000
GO BONDS	*BRIDGES*	21009	BRIDGE MAINTENANCE PROGRAM	$ 60,000
GO BONDS	*FACILITIES MAINTENANCE*	23049	CAPITAL IMPROVEMENTS AT MWP	$ 375,000
GO BONDS	*FACILITIES MAINTENANCE*	23058	SKYBRIDGE NORTH TOWER REPAIRS	$ 350,000
GO BONDS	*FACILITIES MAINTENANCE*	23063	FIRE STATION 3 RELOCATION	$ 400,000
GO BONDS	*FACILITIES MAINTENANCE*	23066	PUBLIC WORKS ROOF REPLACEMENT	$ 500,000
GO BONDS	*FACILITIES MAINTENANCE*	23067	CITY HALL EXTERIOR REPAIRS	$ 300,000
GO BONDS	*FACILITIES MAINTENANCE*	23068	AUXILIARY SERVICES SITE	$ 750,000
GO BONDS	*FACILITIES MAINTENANCE*	23069	UNION STATION HVAC REPLACEMENT	$ 30,000
GO BONDS	*FACILITIES MAINTENANCE*	62002	POLICE STATION PUMP REPLACEMENTS	$ 50,000
GO BONDS	*FLEET*	24021	FIRE APPARATUS AND EQUIPMENT REPLACEMENT	$ 1,000,000
GO BONDS	*GENERAL GOVERNMENT*	60030	URBAN REVITALIZATION PROGRAM	$ 740,000
GO BONDS	*GENERAL GOVERNMENT*	61002	DAVENPORT NOW	$ 900,000
GO BONDS	*INFORMATION TECHNOLOGY*	67010	CITY HALL SERVER ROOM AC REPLACEMENT	$ 75,000
GO BONDS	*PARKS & RECREATION*	64070	PARK DEVELOPMENT PROGRAM	$ 350,000
GO BONDS	*PARKS & RECREATION*	64071	PARK AMENITY ADA ACCESS PROGRAM	$ 75,000
GO BONDS	*PARKS & RECREATION*	64101	DUCK CREEK PARK IMPROVEMENTS	$ 50,000
GO BONDS	*PARKS & RECREATION*	64103	PLAYGROUND REPLACEMENT PROGRAM	$ 170,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28026	CIVIC ACCESS PROGRAM	$ 50,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28028	CREATING CONNECTIONS PROGRAM	$ 325,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28029	WEST LOOP PHASE I	$ 30,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28030	RECREATIONAL PATH RECONSTRUCTION PROGRAM	$ 200,000
GO BONDS	*RIVERFRONT*	68015	RIVERFRONT FLOOD RESILIENCY PROGRAM	$ 850,000
GO BONDS	*RIVERFRONT*	68016	VETERANS MEMORIAL PARK IMPROVEMENTS	$ 800,000
GO BONDS	*STORMWATER*	33001	CONTRACT SEWER REPAIR PROGRAM (STORM)	$ 300,000
GO BONDS	*STORMWATER*	33025	LIFTSTATION REHABILITATION (STORM)	$ 50,000
GO BONDS	*STREETS*	35041	CONTRACT MILLING PROGRAM	$ 50,000
GO BONDS	*STREETS*	35052	53RD STREET RECONSTRUCTION PHASE II	$ 2,000,000
GO BONDS	*STREETS*	35053	HIGH VOLUME STREET REPAIR PROGRAM	$ 3,000,000
GO BONDS	*STREETS*	35054	NEIGHBORHOOD STREET REPAIR PROGRAM	$ 3,000,000
GO BONDS	*TRAFFIC ENGINEERING*	38015	BRADY AT LOMBARD TRAFFIC SIGNALS	$ 45,000

City of Davenport

Department: Finance
Contact Info: Steve Ahrens | 563-888-2235

Action / Date
11/10/2021

Subject:
Resolution authorizing the Mayor to sign the Intergovernmental Agreement with MetroLINK regarding the $1.2M grant award by the Passenger Ferry Grant Program of the Federal Transit Administration Section 5307 for the replacement and enhancement of the Lindsay Park Channel Cat Dock System. [Ward 6]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport is working with MetroLINK on the implementation of the successful $1.2M grant award by the Passenger Ferry Grant Program of the Federal Transit Administration. The Intergovernmental Agreement is required. While the grant award was announced some time ago, there has been a backlog for federal program administration. The required local share match is 20%, or $300,000, which already is budgeted in the City CIP Budget.

The new passenger ferryboat dock will allow MetroLINK to better serve its Channel Cat riders by providing much-needed upgrades to its busiest public dock, located in Lower Lindsay Park in Davenport, Iowa. Built in 1995, the existing dock is 26 years old and is in need of replacement, and lacks basic amenities such as safety/security lighting, passenger railings, and surveillance equipment. The existing dock also has worn infrastructure due to longevity and past ice damage. In addition, the passenger waiting area is in the direct sunlight with no shade.

From a rider perspective, the construction of a replacement dock will provide new and improved passenger amenities, such as ADA-accessible railings, lighting, next boat arrival information, wayfinding signage, and an awning covering the plaza area as riders wait to board. New restroom facilities recently have been added in an adjacent area to the plaza. Riders will continue to have the ability to make multi-modal connections with the riverfront trail system, fixed-route and paratransit operations, and intercity bus service. Bicycle racks are available near the proposed dock location, and all Channel Cat vessels are equipped to carry up to eight (8) bicycles.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	10/29/2021 - 11:26 AM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing the Mayor to sign the Intergovernmental Agreement with MetroLINK regarding the $1.2M grant award by the Passenger Ferry Grant Program of the Federal Transit Administration Section 5307 for the replacement and enhancement of the Lindsay Park Channel Cat Dock System.

WHEREAS, the City of Davenport (the "City") is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the "State"); and

WHEREAS, the City is committed to improving its infrastructure and recognizes that quality of life plays a vital role in economic development; and

WHEREAS, the components of the project are dedicated to public use which the City will adequately maintain; and

WHEREAS, the City has committed $300,000 in FY2022 for the project as the required 20% local share match; and

WHEREAS, the City endorsed the application and has estimated the total project cost to be $1.5 million, and the grant award is $1.2 million.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Mayor sign the Intergovernmental Agreement with MetroLINK to implement the Federal Transit Administration grant assistance award for the replacement and enhancement of the Lindsay Park Channel Cat Dock System.

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

INTERGOVERNMENTAL AGREEMENT

The agreement is made as of the 10th day of November, 2021,

by and between CITY OF DAVENPORT, IOWA
An Iowa municipal
corporation, ("City")

And

ROCK ISLAND COUNTY METROPOLITAN MASS TRANSIT DISTRICT
A Special Governmental
District ("MetroLINK")

SECTION 1: Recitals and Authority.

1.1. The above Parties desire to participate in this Intergovernmental Agreement (IGA) for certain public purposes as hereinafter described.

1.2. This IGA is authorized by and pursuant to the Illinois Local Mass Transit District Act (70 ILCS Section 3610/5 et seq, Article VII), the Illinois Constitution (Article VII, Section 10), the Illinois Intergovernmental Cooperation Act (5 ILCS 220/5) and Chapter 28E of the Code of Iowa.

1.3. The IGA is subject to all applicable Illinois, Iowa, and Federal statutory and related regulatory requirements.

1.4 MetroLINK is a multi-city public transit provider situated in and serving a portion of the Quad Cities. MetroLINK presently furnishes the Quad Cities passenger ferryboat service operating on the Mississippi River, with docking facilities at various points along the riverfront of the States of Iowa and Illinois. More specifically, MetroLINK's contribution to transportation within the Quad Cities presently includes the provision and operation of various boats bearing the name of "Channel Cat"; with passenger service being performed at fixed times, generally from May through October.

1.5. Both the City and MetroLINK are current grantees of the Federal Transit Administration (FTA) and direct recipients of FTA Section 5307 Urbanized Area Grant Program funds, among other funding assistance, for their respective fixed-route transit systems.

SECTION 2: Purpose.

2.1. The Parties desire to arrange for the construction of a Channel Cat terminal at the Village of East Davenport Landing on the Mississippi River in Davenport, Iowa.

2.2. The implementation of the Parties' mutual desire as hereinabove described in Section 2.1 shall include the replacement of the existing passenger ferryboat terminal including

replacement and/or enhancement to safety, security, passenger amenities and Americans With Disabilities Act accessibility; and shall hereinafter be referred to as the "Project", all as described in MetroLINK's Passenger Ferry Section 5307 Grant Program Application to the Federal Transit Administration (FTA).

2.3. The existing dock was built in 1995. Construction of a replacement dock will provide new and improved passenger amenities, such as ADA-accessible railings, lighting, next boat arrival information, wayfinding signage and an enhanced boarding area. Ferryboat passengers will have an improved facility from which they will be able to make multi-modal connections with the riverfront trail system, fixed-route and paratransit operations, and intercity bus service; and bicycle racks and restroom facilities are provided nearby, with each Channel Cat vessel equipped to carry bicycles.

SECTION 3: Effective Date and Duration.

3.1. Term. The base term for this IGA shall commence on the date of execution and be for a term of forty (40) years from when project construction is deemed substantially complete. An extension of the original/base term, if any, shall be at the discretion of the Parties on terms negotiated between the Parties.

3.2. Projection Completion. The Project shall be completed according to the Project timeline identified in Exhibit "A". Unless approved in writing, neither MetroLINK nor FTA shall be obligated to disburse any payments after the date of completion specified in this IGA.

SECTION 4: Authorized Representatives.

4.1. Authorized representative for City of Davenport ("City") is:

Steve Ahrens
Executive Officer
Riverfront Improvement Commission
226 West 4th Street
Davenport, Iowa 52802
Steve.Ahrens@davenportiowa.com

4.2. Authorized presentative for Rock Island County Metropolitan Mass Transit District ("MetroLINK") is:

Jeffrey Nelson
Chief Executive Officer (CEO)
MetroLINK
1515 River Drive
Moline, Illinois 61265
jnelson@qcmetrolink.com

4.3. A Party may designate a new Authorized Representative by written notice to the

other Party.

SECTION 5: Responsibilities of Each Party.

5.1. Responsibilities of MetroLINK.

5.1.1. Project Timeline. MetroLINK is responsible for its respective tasks as specified in the Project timeline for all dates and activities outlined therein under the designation of "MetroLINK" as identified in Exhibit "A". It is noted that some tasks, particularly those related to environmental approvals, are at the discretion of local, State, and Federal resource agencies and the dates shown are estimates based on typical response times. Additionally, a timeline for construction may have variables relative to the COVID-19 pandemic and/or river level conditions that are outside the control of MetroLINK and the City.

5.1.2. Cash Funds. MetroLINK shall contribute the amount of $1.2 million or the amount received through the FTA Grant Application (whichever is the lesser amount) toward the design, engineering, environmental expenses, and construction of the Project. The funds shall be disbursed by and through MetroLINK according to the performance of separate contracts administered by and through MetroLINK's standard procurement and construction administration process.

5.1.3. Non-Cash Resources. MetroLINK shall contribute administrative staff resources as necessary for MetroLINK's performance of its duties under this IGA, all at MetroLINK's sole discretion and without expenditure of cash funds outside MetroLINK's budgeting process performed in the normal course of MetroLINK's business.

5.1.4. Construction. MetroLINK shall award and monitor each contractor's performance under any construction contract or consultant contract reasonably necessary to achieve compliance with the Project plans and specifications. Any construction contract award as part of this project will include the requirement that the contractor obtain Builder's Risk Insurance, among other insurance requirements, with both the City and MetroLINK listed as additional insured.

5.1.5. Type of Service. MetroLINK shall endeavor to administer the construction phase of the Project in such a way to benefit Channel Cat passengers and other public transit passengers. MetroLINK shall have no obligation to participate in any design, construction or maintenance activity which is for the benefit of recreational boaters, fishermen, or commercial uses.

5.1.6. Project Signage. MetroLINK may post in a conspicuous location at the Project site a sign identifying the participants in the Project, to include MetroLINK, City of Davenport and FTA, all at MetroLINK's sole discretion. Additionally, MetroLINK may post additional signage at the dock slip, gangway, walkway, boarding area, and other reasonable areas to inform boaters that access is not authorized for non-ferryboat vessels, to inform the public of operating protocols and safety requirements of ferryboat service, and to post operating schedules and service information.

5.1.7. Publications and Advertising. MetroLINK may design and implement any report, news release or publication regarding the Project, all at MetroLINK's sole discretion.

5.1.8. Public Access to Project. During the construction phase of the Project, MetroLINK will endeavor to allow public access to the Project to all persons without regard to race, color, religious or political beliefs, sex, national origin, or place of primary residence; all subject to access and safety restrictions attendant to the construction process.

5.1.9. Fees. MetroLINK may require and collect fares from Channel Cat passengers, all according to MetroLINK's then-current fare schedules in effect at any given time.

5.1.10. Maintenance. Upon the completion of the construction phase of the Project, MetroLINK shall have no obligation in connection with the maintenance of the Project outside the duties which MetroLINK routinely performs in connection with the Channel Cat vessels.

5.1.11. Payments.

a. MetroLINK agrees to make payment to contractors, subcontractors, vendors or any other persons supplying labor and materials in connection with the construction phase of the Project.

b. MetroLINK's obligations under this Section 5.1.11. shall be subject to the following: payments shall be limited to the extent authorized and approved by MetroLINK through MetroLINK's customary procurement process; payments shall be subject to contract requirements developed and imposed by MetroLINK in accordance with MetroLINK's customary procurement process.

5.2. Responsibilities of City.

5.2.1. Project Timeline. City is responsible for its respective tasks as specified in the Project timeline for all dates and activities outlined therein under the designation of "City" as identified in Exhibit "A".

5.2.2. Cash Funds. City shall contribute the amount of $300,000 in local matching funds that are not sourced by the Federal Transit Administration toward the construction of the Project. The funds shall be paid at the direction of MetroLINK according to the performance of separate contacts administered by and through MetroLINK's standard procurement and construction administration process.

5.2.3. Non-Cash Resources. City shall contribute administrative staff resources as necessary for City's performance of its duties under this IGA.

5.2.4. Construction and Maintenance. City shall cooperate with MetroLINK in connection with the construction phase of the Project, to include the following (as examples): consultation and attendance at meetings or conferences scheduled by MetroLINK; approvals and

execution of documents as MetroLINK deems necessary for the receipt of FTA funds and administration of the FTA Grant and City's matching funds. Upon completion of the construction phase of the Project, City shall thereafter be responsible for the costs associated with the maintenance of the Project Area.

5.2.5. Type of Service. City shall cooperate with MetroLINK in connection with MetroLINK's efforts to administer the construction phase of the Project to benefit Channel Cat passengers and other public transit passengers. Upon completion of the construction phase of the Project, City shall allow MetroLINK to access and utilize the dock for Channel Cat ferryboat purposes for the duration of this Agreement. The City shall employ the utmost diligence toward prohibiting the use of the Project Area for recreational boaters, fishermen or commercial uses, or any other non-transit purposes that were not authorized under the original project.

5.2.6. Project Sign. City shall cooperate with MetroLINK in connection with MetroLINK's rights as described in Section 5.1.6 of this IGA.

5.2.7. Publications and Advertising. City shall obtain MetroLINK's prior written approval as to any publications or advertising in connection with the construction, maintenance or operation of the Project or Channel Cat vessels.

5.2.8. Public Access to Project. Upon completion of the construction phase of the Project, City shall allow public access to the Project to all persons without regard to race, color, religious or political beliefs, sex, national origin, or place of primary residence; all subject to access and safety restrictions attendant to the maintenance activities occurring in the Project Area.

5.2.9. Fees. City shall cooperate with MetroLINK in connection with MetroLINK's rights as described in Section 5.1.9 of this IGA; and City shall not assess or collect any additional fees from Channel Cat passengers or other public transit passengers, unless City obtains prior written approval from MetroLINK.

5.2.10. Maintenance. Upon completion of the construction phase of the Project, City shall have the obligation to provide the labor, materials and funding for all activities and projects associated with the maintenance and repairs of the boat dock and Project Area, including preventive maintenance as well as flood mitigation and flood debris clean-up. The quantity and quality of the materials, workmanship and other activities arising from the City's performance of its obligation shall meet a standard which MetroLINK may reasonably require or as MetroLINK or other governmental entity may determine arises through regulatory compliance.

5.2.11. Payments. City agrees to make payments as requested by MetroLINK from time-to-time during the duration of this IGA.

SECTION 6: Conditions to Disbursement.

6.1. Conditions Precedent to Reimbursement. MetroLINK shall not be obligated to disburse any grant funds to reimburse any Party unless the following occurs:

a. MetroLINK has received documentation in form and substance satisfactory to MetroLINK.

b. MetroLINK has determined compliance with all regulatory approvals.

6.2. Conditions Precedent to Partial Progress Payment(s). MetroLINK shall not be obligated to make partial progress reimbursement payments unless MetroLINK has received documentation in form and substance satisfactory to MetroLINK, in its sole discretion. In no event shall MetroLINK disburse more than the amount of its percentage of the respective cash contributions set forth in Section 5 and Section 7.

6.3. Conditions Precedent to Final Payment. MetroLINK shall not be obligated to make final payment until the following events occur:

a. Supporting documentation in form and content determined by MetroLINK, has been received reviewed and approved by MetroLINK, in its sole discretion; and

b. MetroLINK has determined compliance with all regulatory approvals.

SECTION 7: Compensation and Payment Terms.

7.1. Grant Funds. The Parties shall contribute funds as hereinabove described in Section 5.

7.2. Payments. MetroLINK anticipates awarding contracts for the Project, and upon receipt of MetroLINK's request for payment, City shall disburse funds to MetroLINK in accordance with the terms of MetroLINK's request.

7.3. Payment Allocation and Cost Savings. The Parties agree to the refunding, disallowance of costs per audit, and proration of cost savings, all as may from time-to-time be appropriate pursuant to the terms of this IGA.

SECTION 8: Representations and Warranties. [Reserved]

SECTION 9: Governing Law, Consent to Jurisdiction.

This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively "Claim") involving the Parties that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Rock Island County, Illinois; provided, however, if a Claim must be brought in a federal forum, then it shall be brought and conducted solely and exclusively within the United States District Court, Central District, Illinois.

SECTION 10: Ownership.

10.1. Work Product Documentation Relating to Procurement, Construction and As-Builts. The Parties acknowledge and agree that the documents specified in this subsection shall be owned by MetroLINK.

10.2. Physical Aspects of Docking Facility. The Parties acknowledge and agree that the physical aspects of the docking facility shall be owned and controlled by the City.

10.3 Temporary Construction Easement. The City will grant MetroLINK a temporary easement over, upon, along, under through, and across the project easement premises depicted and legally described on Exhibit B for the purpose of completing the anticipated improvements to the dock facility. The temporary easement granted herein shall expire one (1) year from the commencement of on-site construction activities, or when construction and final restoration has been completed, whichever comes first, unless extended by written agreement of the parties hereto.

The temporary easement granted herein entitles MetroLINK and any of MetroLINK's officers, agents, representatives, employees, contractors, licensees, successors, and assigns the right, privilege, and authority to enter upon the Easement Premises described herein, either by vehicle or on foot, to survey, remove, install, construct, reconstruct, test, repair, inspect, and renew the demolition and construction described herein, together with the right of access across the Easement Premises for necessary workers and equipment to do any of the required work until the expiration of this temporary easement.

10.3. Compliance With Regulatory Requirements Relating to Originally Authorized Purpose and Property Disposition. The Parties understand that any disposal of the improvements, or use of the docking facility for a purpose unrelated to the ferryboat transit service originally authorized under the project and funded by Federal or State assistance, will be subject to prior FTA and other governmental approvals. Shall the City decide to dispose of or use such improvements for a different purpose, the City will be responsible for compliance with FTA's disposition requirements, including calculating the fair market value of Project improvements and any subsequent FTA reimbursement that may be required.

SECTION 11: No Duplicate Payment.

Neither Party shall be compensated for, or receive any other form of duplicate, overlapping or multiple payments for the same work performed by that Party for fulfillment of its respective obligations under this Agreement.

SECTION 12: Contribution.

If any third party makes any claim in the nature of a tort (a "Third Party Claim") against a Party (the "Notified Party") with respect to which the other Party (the "Other Party") may have liability, the Notified Party shall promptly notify the Other Party in writing of the Third Party

Claim and deliver to the Other Party, along with the written notice, a copy of the claim, process and all legal pleadings with respect to the Third Party Claim that have been received by the Notified Party. Each Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by the Other Party of the notice and copies required in this Section and a meaningful opportunity for the Other Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to the Other Party's contribution obligation under this Section 12 with respect to the Third Party Claim.

SECTION 13: Remedies.

13.1 In the event MetroLINK is in default under Section 16.3, City may, at its option, pursue any or all of the remedies available to it under this Agreement and at law or in equity, including, but not limited to: (a) termination of this Agreement under Section 16, (b) reducing or withholding payment for work or Work Product that MetroLINK has failed to deliver within any scheduled completion dates or has performed inadequately or defectively, (c) requiring MetroLINK to perform, at MetroLINK's expense, additional work necessary to satisfy its performance obligations or meet performance standards under this Agreement, (d) initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief, or (e) exercise of its right of recovery of overpayments under Section 14 (in addition to the remedies provided in Section 7.3) of this Agreement or setoff, or both. These remedies are cumulative to the extent the remedies are not inconsistent, and City may pursue any remedy or remedies singly, collectively, successively or in any order whatsoever.

13.2 In the event City is in default under Section 16.3, MetroLINK may, at its option, pursue any or all of the remedies available to it under this Agreement and at law or in equity, including, but not limited to: (a) termination of this Agreement under Section 16, (b) reducing or withholding payment for work or Work Product that City has failed to deliver within any scheduled completion dates or has performed inadequately or defectively, (c) requiring City to perform, at City's expense, additional work necessary to satisfy its performance obligations or meet performance standards under this Agreement, (d) initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief, or (e) exercise of its right of recovery of overpayments under Section 14 (in addition to the remedies provided in Section 7.3) of this Agreement or setoff, or both. These remedies are cumulative to the extent the remedies are not inconsistent, and MetroLINK may pursue any remedy or remedies singly, collectively, successively or in any order whatsoever.

SECTION 14: Recovery of Overpayments. [RESERVED – The parties are presently without knowledge of any conditions which might cause the parties to address the subject matter applicable to the above-title of this Section.]

SECTION 15: Limitation of Liability. EXCEPT FOR LIABILITY ARISING UNDER OR RELATED TO SECTION 12, NEITHER PARTY WILL BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR OTHER INDIRECT DAMAGES ARISING OUT OF OR RELATED TO THIS AGREEMENT, REGARDLESS OF WHETHER THE LIABILITY CLAIM IS BASED IN CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY,

PRODUCT LIABILITY OR OTHERWISE. NEITHER PARTY WILL BE LIABLE FOR ANY DAMAGES OF ANY SORT ARISING SOLELY FROM THE TERMINATION OF THIS AGREEMENT IN ACCORDANCE WITH ITS TERMS.

SECTION 16: Termination.

16.1 Termination for Convenience. MetroLINK may terminate this Agreement at any time upon thirty (30) days prior written notice to City; provided, however, that MetroLINK shall, within thirty (30) days of such termination, reimburse City for all funds contributed by City to the Project; provided further that until MetroLINK has fully reimbursed City for such funds, MetroLINK shall comply with the terms hereof.

16.2 Termination Because of Non-Appropriation or Project Ineligibility. In the event insufficient funds are appropriated for the payments under this Agreement and MetroLINK has no other lawfully available funds, then MetroLINK may terminate this Agreement at the end of its current fiscal year, with no further liability to City. MetroLINK shall deliver written notice to City of such termination no later than 30 days from the determination by MetroLINK of the event of non-appropriation. City shall pay for all authorized Project costs expended up to the date of written notice of termination.

16.3 Termination for Default. Conditions of a Party's default shall consist of the following:

a. A Party does not abide by the non-discrimination and affirmative action provisions of this Agreement.

b. A Party, without the prior written approval of the other Party, uses funds toward any endeavor other than the Project described in the final drawings mutually approved as a part of the Project.

c. During the term of this Agreement, a Party fails to perform any of its respective obligations or requirements under this Agreement.

SECTION 17: Nonappropriation. [RESERVED – Except for conditions which might arise subsequent to the execution of this Agreement (whereby Section 16.2 of this Agreement might be applicable), the Parties are without knowledge of any conditions which might cause the failure of the parties to meet their respective obligations under this Agreement.]

SECTION 18: Amendments. The terms of this Agreement may not be altered, modified, supplemented or otherwise amended, except by written agreement of the Parties.

SECTION 19: Notice. Except as otherwise expressly provided in this Agreement, any notices to be given relating to this Agreement must be given in writing by facsimile, email, personal delivery, or postage prepaid mail, to a Party's Authorized Representative at the physical address, fax number or email address set forth in this Agreement, or to such other addresses as either Party may indicate pursuant to this Section 19. Any notice so addressed and mailed becomes effective

five (5) days after mailing. Any notice given by personal delivery becomes effective when actually delivered. Any notice given by email becomes effective upon the sender's receipt of confirmation generated by MetroLINK's email system that the notice has been received by MetroLINK's email system. Any notice given by facsimile becomes effective upon electronic confirmation of successful transmission to the designated fax number.

SECTION 20: Survival. All rights and obligations of the Parties under this Agreement will cease upon termination of this Agreement, other than the rights and obligations arising under Sections 9, 10, 12, 14, 15 and 20 hereof and those rights and obligations that by their express terms survive termination of this Agreement; provided, however, that termination of this Agreement will not prejudice any rights or obligations accrued to the Parties under this Agreement prior to termination.

SECTION 21: Severability. The Parties agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected, and the rights and obligations of the Parties will be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

SECTION 22: Counterparts. This Agreement may be executed in several counterparts, all of which when taken together shall constitute one agreement, notwithstanding that all Parties are not signatories to the same counterpart Each copy of the Agreement so executed constitutes an original.

SECTION 23: Compliance With Law.

23.1 Compliance with Law Generally. The Parties agree to comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the respective parties.

23.2 Tax Compliance. [RESERVED – The parties are presently without knowledge of any conditions which might cause the parties to address the subject matter applicable to the above-title of this Section.]

SECTION 24: Independent Contractors. The Parties agree and acknowledge that their relationship is that of independent contracting parties and that MetroLINK is not an officer, employee, or agent of the City as those terms are used as a matter of law.

SECTION 25: Persons Not to Benefit. No member of or delegate to Congress, officer, agent or employee of the United States of America, or official, agent, or employee of the State, or elected member, officer, agent, or employee of any political subdivision, municipality or municipal corporation of the State shall be admitted to any share or part of this Agreement or derive any financial benefit that may arise therefrom.

SECTION 26: Intended Beneficiaries. City and MetroLINK are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement provides, is intended to provide, or may be construed to provide any direct or indirect benefit or

right to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of this Agreement.

SECTION 27: Force Majeure. Neither Party is responsible for another Party's failure to perform or any delay in performance of any obligations under this Agreement caused by fire, civil unrest, labor unrest, pandemic, emergency orders (issued by the President of the United States or the respective Governor of either Iowa or Illinois based upon natural causes), or war; each of such causes being beyond the non-performing Party's reasonable control. Each Party shall, however, make all reasonable efforts to remove or eliminate such cause of failure to perform or delay in performance and shall, upon the cessation of the cause, diligently pursue performance of its obligations under this Agreement.

SECTION 28: Assignment and Successors in Interest. Neither Party may assign or transfer its interest in this Agreement without the prior written consent of the other Party and any attempt to assign or transfer interest in this Agreement without such consent will be void and of no force or effect. A consent to assignment or transfer of interest in this Agreement will not relieve the assigning Party of any of its duties or obligations under this Agreement. The provisions of this Agreement will be binding upon and inure to the benefit of the Parties hereto, and their respective successors and permitted assigns.

SECTION 29: Subcontracts. Neither Party shall, without the other Party's prior written consent, enter into any subcontracts for any of the work under this Agreement. A Party's consent to any subcontract will not relieve the Party to the master contract of any of its duties or obligations under this Agreement.

SECTION 30: Time Is of the Essence. Time is of the essence in each Party's performance of respective obligations under this Agreement.

SECTION 31: Merger, Waiver. This Agreement and all exhibits and attachments, if any, constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver or consent under this Agreement binds either Party unless in writing and signed by both Parties. Such waiver or consent, if made, is effective only in the specific instance and for the specific purpose given. EACH PARTY, BY SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES THAT IT HAS READ THIS AGREEMENT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

SECTION 32: Records Maintenance and Access. The parties, as governmental entities, will endeavor to promote and maintain compliance with applicable collection, retention and access rights and obligations relating to public records generated by or directed to any Party to the Agreement.

SECTION 33: Headings. The headings and captions to sections of this Agreement have been inserted for identification and reference purposes only and may not be used to construe the meaning or to interpret this Agreement.

SECTION 34: Additional Requirements. [RESERVED – The parties are presently without knowledge of any conditions which might cause the parties to address the subject matter applicable to the above-title of this Section.]

SECTION 35: Agreement Documents. This Agreement consists of the following documents, which are listed in descending order of precedence: this Agreement less all exhibits, applicable grant application-related documents, MetroLINK's staff reports, attached Exhibit A (the Project Timeline), and additional requirements as may be agreed to pursuant to Section 34 of this Agreement.

SECTION 36: Attorney Fees. In the event that either Party to this Agreement shall take any action, judicial or otherwise, to enforce or interpret any of the terms of this Agreement each Party shall be wholly responsible for its own expenses which it may incur in taking such action, including costs and attorney fees, whether incurred in a suit or action or appeal from a judgment or decree therein or in connection with any nonjudicial action.

SECTION 37: Signatures.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the dates set forth below.

CITY OF DAVENPORT

_____ _____

By: Date:

ROCK ISLAND COUNTY METROPOLITAN MASS TRANSIT DISTRICT (MetroLINK)

_____ _____

By: Date:

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
11/10/2021

Subject:
Resolution approving the payment of $148,849.82 to Tyler Technologies, Inc of Falmouth, Maine for the annual licensing of the Munis software system for the period November 1, 2021 to October 31, 2022. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The Munis software system is the system that enables the Finance Department to track and administer the accounting functions of all departments within the City. The Munis software requires a yearly support contract for annual licensing. The contract supplies the City with the appropriate licensing for vital HR Management, Payroll, Accounts Payable, and Accounts Receivable systems.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	10/29/2021 - 11:35 AM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the payment of $148,849.82 to Tyler Technologies, Inc of Falmouth, Maine for the annual licensing of the Munis software system for the period November 1, 2021 to October 31, 2022. [All Wards]

WHEREAS, the Munis software system is used for Human Resources Management, Payroll, and Accounts Payable and Receivable functions; and

WHEREAS, the City needs to renew its annual licensing agreement with Tyler Technologies, Inc for the period November 1, 2021 to October 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa, that the payment to Tyler Technologies, Inc of Falmouth, Maine for the annual licensing of the Munis software system for the period November 1, 2021 to October 31, 2022 is hereby approved.

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **11/10/2021**

Subject:
Resolution setting a Public Hearing for the purpose of amending the North Urban Renewal Plan. [Wards 2, 6, 7, & 8]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport is seeking to amend the North Urban Renewal Area Plan. The amendment will add the 2021 Internal TIF project in the amount of $275,000.

Approval of this Resolution will set the Public Hearing for Wednesday, November 17, 2021 at the Committee of the Whole Meeting in Council Chambers at Davenport City Hall, 226 West 4th Street, beginning at 5:30 p.m..

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	11/1/2021 - 1:41 PM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION setting a Public Hearing for the purpose of amending the North Urban Renewal Plan.

WHEREAS, the City of Davenport has established the North Urban Renewal Area to support economic development growth for the City; and

WHEREAS, in accordance with Section 403.9 of the Code of Iowa, a Public Hearing must be held prior to amending the Urban Renewal Area Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a Public Hearing for the purpose of amending the North Urban Renewal Plan is hereby called to be held on Wednesday, November 17, 2021 at the Committee of the Whole Meeting in Council Chambers at Davenport City Hall, 226 West 4th Street, beginning at 5:30 p.m.

Passed and approved this 10th day of November, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk