

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, October 9, 2019; 5:30 PM

City Hall, 226 W 4th Street, Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting Minutes for September 25, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on the Committee of the Whole for October 2, 2019

VIII. Appointments, Proclamations, Etc.

A. Appointments

1. Combined Construction Code Board of Appeals & Review

- Tim Koehler (New Appointment)

B. Proclamations

1. Red Ribbon Week - October 23 - 29, 2019

2. Pregnancy & Infant Loss Remembrance Day - October 15, 2019

IX. Presentations

A. Fire Prevention Award: Becky Rohm

B. Local Business "The Foundation of our Community:" Tri-City Equipment Co

C. Davenport Public Works Snow Presentation

X. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update - Alderwoman Meginnis

XI. Individual Approval of Items on the Discussion Agenda

XII. Approval of All Items on the Consent Agenda

****NOTE:** These are routine items and will be enacted at the City Council Meeting

by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

1. Third Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Rusholme St along the north side from Ripley St west to the alley. [Ward 4]
2. Third Consideration: Ordinance amending Schedule X of Chapter 10.96 entitled "Two Hour Parking" by deleting Harrison St along the east side from 4th St to 5th St. [Ward 3]
3. Second Consideration: Ordinance amending Chapter 5.24 of the Davenport Municipal Code entitled "Massage Business Information Requirement." [All Wards]
4. Second Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in redevelopment areas where otherwise infeasible, including verbiage for a flat rate stormwater fee for the CD and congruently adjacent I-1, I-2, and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention and clarification on the Unified Sizing Criteria staged release rates. [All Wards]
5. Resolution for Case F19-13 being the request of IIW, PC for a final plat of Sheldon Industrial Park on 1.33 acres, being a replat of Lots 5, 6, & 7 of Brady Eighty Industrial Park 1st Addition at 419 E 59th St containing 2 lots zoned light industrial (I-1). [Ward 8]
6. Resolution for Case F19-16 being the request of Cook Real Estate Development for a final plat of A Lot of Storage Subdivision on 5.53 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 2 lots. [Adjacent to Ward 1]
7. Resolution to re-authorize the lease agreements with the Lindsay Park Boat Club. [Wards 5 & 6]
8. Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events.

St. Paul Lutheran Church; Trunk or Treat; 2136 Brady St; Sunday, October 20, 2019 4:00 p.m. - 7:30 p.m.; **Closure:** High St from Main St to Brady St. [Ward 5]

St. Paul the Apostle Catholic School; Trunk or Treat; 1007 E Rusholme St; Wednesday, October 23, 2019 4:00 p.m. - 8:00 p.m.; **Closure:** E Rusholme between Carey Ave and Arlington Ave. [Ward 5]

Charles Stelk; Lagomarcino's Cocoa Beano 5K/10K; Saturday, October 26, 2019; **Closures:** 6:30 a.m. - 9:00 a.m. 11th St from Mound St to Jersey Ridge Rd; 6:30 a.m. - 11:00 a.m. 11th St from Jersey Ridge Rd to Hillcrest Ave; 8:00 a.m. - 10:00 a.m. River St from 11th St to McClellan Blvd; McClellan Blvd from River St to Hillcrest Ave; Hillcrest Ave from McClellan Blvd to Kenwood Ave; Kenwood Ave from Hillcrest Ave to Middle Rd; Middle Rd from

Kenwood Ave to Eastmere Dr; Eastmere Dr from Middle Rd to City limits; Wood Ln from McClellan Blvd to City limits. [Wards 5 & 6]

Project Renewal; Halloween Party; Wednesday, October 30, 2019 2:00 p.m. - 5:30 p.m.: **Closures:** W 6th St between Myrtle St and Warren St, Vine St between W 5th St and W 7th St. [Ward 3]

9. Resolution accepting the E 36th St Reconstruction project completed by CDMI Concrete Contractors, Inc of Port Byron, IL. The project was completed with a final contract amount of \$310,445.65, CIP #35036. [Ward 7]
10. Resolution accepting the W 6th & Oak St Sidewalk Program completed by Hawkeye Paving Corporation of Bettendorf, IA. The project was completed with a final contract amount of \$294,679.80, BG250. [Ward 3]
11. Resolution awarding a contract for the River Drive Median Removal project to Langman Construction Inc of Rock Island, IL in the amount of \$237,914.50, CIP #35044. [Ward 3]
12. Resolution approving the plans, specifications, and forms of contract for the installation of traffic signals at the intersection of Hickory Grove Road at the northernmost Cobham driveway. [Ward 2]
13. Resolution accepting the agreement with Cobham Mission Systems where they pay the full cost, up to \$140,000, to install traffic signals at the intersection of Hickory Grove Road and their northernmost driveway, and authorizing the City to begin work on the project. [Ward 2]
14. Resolution approving the contract for the architecture/engineering services for the Elm St Bridge to WHKS & Co, of East Dubuque, IL in an amount not-to-exceed \$160,000, CIP #21006. [Ward 5]
15. Resolution awarding the contract for constructing a new paint booth at Public Works to Schebler Company of Bettendorf, IA in the amount of \$330,000, CIP #10441. [All Wards]
16. Resolution assessing the cost of weed cutting at various lots and tracts of real estate. [All Wards]
17. Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate. [All Wards]
18. Resolution assessing the cost of sidewalk repair at various lots and tracts of real estate. [All Wards]
19. Resolution assessing the cost of snow removal at various lots and tracts of real estate. [All Wards]
20. Resolution assessing the cost of streetscaping projects at various lots and tracts of real estate in Downtown Davenport. [Ward 3]
21. Resolution assessing the cost of building board up at various lots and tracts of real estate. [All Wards]
22. Resolution authorizing the submission of an application to the Economic Development Administration (EDA) for grant assistance with the design and

- construction of the Silver Creek Parallel Sewer. [Wards 2 & 8]
23. Resolution to set a Public Hearing to convey City-owned parcel G0049-40, 1125 W 7th St, to Brian Morris and Maria Parrow, petitioners and owners of the adjacent property at 1123 W 7th St, parcel G0049-39. [Ward 3]
 24. Resolution expressing intent to institute proceedings to enter into Sewer Revenue Loan and Disbursement Agreement and to issue not-to-exceed \$10,500,000 Sewer Revenue Bonds. [All Wards]
 25. Motion approving noise variance request(s) for various events on the listed dates and times.

St. Paul Lutheran Church; Trunk or Treat; 2136 Brady St; Sunday, October 20, 2019 4:30 p.m. - 7:00 p.m.; Outdoor music, over 50dBa. [Ward 5]

St. Paul the Apostle Catholic School; Trunk or Treat; 1007 E Rusholme St; Wednesday, October 23, 2019 5:30 p.m. - 7:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Project Renewal; Halloween Party; Wednesday, October 30, 2019 3:00 p.m. - 5:30 p.m.; Outdoor music, over 50 dBa. [Ward 3]

26. Motion approving beer and liquor license applications.

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

Ward 4

The Pour House (Boss Lady Inc) - 1502 W Locust St into parking lot - Outdoor Area November 9, 2019 "Annual Hawkeye Tailgate Party" - License Type: C Liquor

Ward 6

Chili's Grill & Bar (Brinker Restaurant Corporation) - 4020 E 53rd Suite 2700 - Ownership Update - License Type: C Liquor

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

Ward 1

K & K Food and Gas (K & K Food and Gas Inc) - 2365 Rockingham Rd - License Type: E Liquor / C Beer

Ward 2

Express Lane Gas & Food Mart # 83 (Expresslane Inc) - 3636 Hickory Grove Rd - License Type: C Beer / B Native Wine

Rudy's Taco's (Majec Incorporated) - 3502 W Kimberly Rd, Suite 1 - License

Type: C Liquor

Ward 3

Express Lane Gas & Food Mart # 84 (Expresslane Inc) - 321 N Division St - License Type: C Beer / B Native Wine

Hotel Blackhawk (Innkeeper Hospitality Services, LLC) - 200 E 3rd St - Outdoor Area License Type: Beer / Wine

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

Me & Billy's (Me and Billy's) - 200 W 3rd St - Outdoor Area License Type: C Liquor

West Side Grocery (RAM S LLC) - 1802 W 7th St - License Type: E Liquor / B Wine / C Beer

Ward 5

Kwik Shop #578 (Kwik Shop Inc) - 2242 E 12th St - License Type: C Beer

Ward 6

Chipotle Mexican Grill (Chipotle Mexican Grill of Colorado, LLC) - 5270 Elmore Ave, Unit 3 - Outdoor Area License Type: C Liquor

Noodles & Company (Iwi Ventures, LLC) - 5345 Elmore Ave - Outdoor Area License Type: Beer / Wine

Staybridge Hotel (Shree Balaji LLC) - 4729 Progress Dr - License Type: Beer / Wine

Ward 7

Chuck E. Cheese's #957 (CEC Entertainment, Inc) - 903 E Kimberly Rd - License Type: B Beer / B Native Wine

Kwik Shop #587 (Kwik Shop Inc) - 1670 W Kimberly Rd - License Type: C Beer

Ward 8

Casey's General Store #2168 (Casey's Marketing Company) - 1691 W 53rd St - License Type: E Liquor / C Beer / B Wine

Express Lane Gas & Food Mart # 86 (Expresslane Inc) - 7522 Northwest Blvd - License Type: C Beer / B Native Wine

27. Motion awarding a contract for tree and debris clearing on streams to Cornerstone Clearing of Bettendorf, IA in the amount of \$70,073.50, CIP #33035. [Wards 1, 2, & 8]
28. Motion approving change order #1 to Duke's Root Control of Syracuse, NY in the amount of \$50,000. [All Wards]
29. Motion approving the contract for the Union Station Interior Flood Repairs to Swanson Construction Co of Bettendorf, IA in the amount of \$73,682. [Ward 3]

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
10/9/2019

Subject:
Approval of the City Council Meeting Minutes for September 25, 2019

ATTACHMENTS:

Type	Description
▣ Cover Memo	CC Min 092519

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/3/2019 - 9:54 AM

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, September 25, 2019

The City Council of Davenport, Iowa met in regular session on Wednesday, September 25, 2019 at 5:29 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Frank Klipsch presiding and all aldermen present.

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting Minutes for September 11, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on the Committee of the Whole for September 18, 2019

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, September 18, 2019--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 PM with Mayor Pro Tem Tompkins presiding and all aldermen present. The following Public Hearings were held: Community Development: Public Hearing on the Consolidated Plan Annual Performance Evaluation Report for the fiscal year ending June 30, 2019; Public Hearing on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). Public Works: Public Hearing on amending Ordinance Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in redevelopment areas where otherwise infeasible and for the Commercial Downtown and congruently adjacent I-1, I-2, and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention, and clarification on the Unified Sizing Criteria staged release rates; Public Hearing on the plans, specifications, forms of contract, and estimate of cost covering the Main Street Landing, Phase III Electrical Construction Project, CIP #68004; Public Hearing on the plans, specifications, forms of contract, and estimate of cost covering the Kaiserslautern Square Upgrades Project, CIP #68004.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Rawson reviewed all items listed. On motion by Ald. Ambrose, second by Ald. Dickmann all items moved to the Discussion Agenda with Committee of the Whole recommending suspension of the rules and passage on second consideration for item #1. Public Safety: Ald. Gripp reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Ambrose item #3 moved to the Discussion Agenda with Committee of the Whole recommending suspension of the rules and passage on second consideration; all other items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Condon, second by Ald. Ambrose all items moved to the Consent Agenda. Finance: Ald. Matson reviewed all items listed. On motion by Ald. Clewell, second by Ald. Rawson all items moved to the Consent Agenda. Other

*Ordinances, Resolutions, and Motions: On motion by Ald. Rawson, second by Ald. Dickmann the rules were suspended, with all aldermen present voting aye, and the following Motion passed: extended outdoor area liquor license for Rookie's Sports Bar (Rookies, Inc.) – 2818 Brady St. – extended outdoor area September 21 "Customer Appreciation Event" – License Type: C Liquor, **2019-388.***

Council adjourned at 6:33 p.m.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2019-389

1. Hispanic Heritage Month, September 15 - October 15
2. Fire Prevention Week, October 6 - October 12
3. Be A Good Neighbor Day – September 28, 2019

IX. Presentations

HELD

A. Summer Reading Program Trophy Presentation

X. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update - Alderwoman Meginnis

XI. Individual Approval of Items on the Discussion Agenda

On motion by Ald. Rawson, second by Ald. Meginnis the rules were suspended, with all Aldermen presenting voting aye, and the following Ordinance was adopted on second consideration:

1. Second Consideration: Ordinance for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Ave. [Ward 5]

ADOPTED 2019-390

ORDINANCE NO 2019-390

ORDINANCE AMENDMENT FOR CASE PUD19-01 ALLOWING FOR A MAJOR MODIFICATION OF AN EXISTING PLANNED UNIT DEVELOPMENT LOCATED AT 1002 BRIDGE AVENUE THAT WAS PREVIOUSLY APPROVED IN ORDINANCE NO. 2016-483.

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

Section 1. The previously approved planned unit development (Ord. No. 2016-483) for the following described real estate, to-wit: Part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 78 North, Range 3 East of the 5th P.M., more particularly described as Lot 1 of Block 7 of Part of G. C. Churchill's Resurvey of Churchill's Addition to the City of Davenport is hereby amended by increasing the maximum height of the previously approved building structure to a height of twenty- seven (27) feet. All other conditions in Ordinance No. 2016-483 remain in effect.

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

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

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

Approved: 9/25/19 Frank Klipsch, Mayor; Brian Krup, Deputy City Clerk

On motion by Ald. Dickmann, second by Ald. Rawson the rules were suspended, with all Aldermen presenting voting aye, and the following Ordinance was adopted on second consideration:

2. Second Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled "Intersection Traffic Signals" by adding Hickory Grove Rd at the northernmost Cobham driveway. [Ward 2]

ADOPTED 2019-391

ORDINANCE NO 2019-391

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XIV INTERSECTION TRAFFIC SIGNALS THERETO BY ADDING HICKORY GROVE ROAD AT THE NORTHERNMOST COBHAM DRIVEWAY.

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:

Hickory Grove Road at the northernmost Cobham driveway.

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

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

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

Approved: 9/25/19 Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Resolution on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). [Ward 3]

ADOPTED 2019-392

XII. Approval of All Items on the Consent Agenda

****NOTE:** These are routine items and will be enacted at the City Council Meeting by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

1. Third Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by deleting Eastern Ave at Elm St. [Ward 5]

ADOPTED 2019-393

ORDINANCE NO 2019-393

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE V FOUR-WAY STOP INTERSECTIONS THERETO BY DELETING EASTERN AVENUE AT ELM STREET.

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

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

Eastern Avenue at Elm Street

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

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

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

Approved: 9/25/19 Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Rusholme St along the north side from Ripley St west to the alley. [Ward 4] **MOVED TO THIRD CONSIDERATION**

3. Second Consideration: Ordinance amending Schedule X of Chapter 10.96 entitled "Two Hour Parking" by deleting Harrison St along the east side from 4th St to 5th St. [Ward 3] **MOVED TO THIRD CONSIDERATION**

4. First Consideration: Ordinance amending Chapter 5.24 of the Davenport Municipal Code entitled "Massage Business Information Requirement." [All Wards] **MOVED TO SECOND CONSIDERATION**

5. First Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in redevelopment areas where otherwise infeasible, including verbiage for a flat rate stormwater fee for the CD and congruently adjacent I-1, I-2, and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention and clarification on the Unified Sizing Criteria staged release rates. [All Wards] **MOVED TO SECOND CONSIDERATION**

6. Resolution closing various streets, lanes, or public grounds on the listed dates to hold outdoor events. **ADOPTED 2019-394**

Davenport Schools; West Homecoming Parade; Thursday, September 26, 2019
5:30 p.m. - 6:30 p.m.; **Parade Route** (police controlled intersections): west on

W 17th St from N Clark to N Elsie; north on N Elsie to W Lombard; west on W Lombard to N Nevada; south on N Nevada to finish in the West High School parking lot. [Ward 1]

Scott Tunnidcliff; Hilltop Retrofest/Zeke's Pirate Run; Saturday, September 28, 2019; **Closures:** 8:00 a.m. - 12:00 p.m. Main St between Locust St and 5th St; 8:00 a.m. - 10:00 p.m. 15th St between Harrison St and Main St. [Ward 3 & 5]

Todd Thomas; Progressive Baptist Church Friends and Family Day; 1302 E 12th St; Saturday, September 28, 2019 11:00 a.m. - 4:00 p.m.; **Closure:** E 12th St between College Ave and Esplanade Ave. [Ward 5]

Davenport Schools; Central Homecoming Parade; Thursday, October 3, 2019 5:00 p.m. – 8:30 p.m.; **Closure:** Staging: 5:00 p.m. – 6:00 p.m. Woodland Ave and 18th St in front of McKinley Elementary; **Parade Route** (police controlled intersections): 6:00 p.m. – 7:00 p.m. east on 18th St to Fernwood Ave; south on Fernwood Ave to Forest Rd; north on Forest Rd to Middle Rd; west on Middle Rd to Woodland Ave; north on Woodland Ave to 18th St; east on 18th St to finish at McKinley Elementary. [Ward 6]

Amy Kay; Neighborhood Block Party; 2322 Harrison St; Saturday, October 5, 2019 3:00 p.m. - 7:00 p.m.; **Closure:** Ripley St between W Dover Ct and W Rusholme St. [Ward 4]

Davenport Association of Professional Firefighters; Lights and Sirens Parade and Annual Fire Muster; Village of East Davenport; Sunday, October 6, 2019 12:00 p.m. - 4:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from E 11th St to E 12th St. [Wards 5 & 6]

Village of East Davenport; Christmas in the Village; Friday, December 6, 2019 and Saturday, December 7, 2019 5:00 p.m. - 10:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from 11th St north to alley. [Wards 5 & 6]

7. Resolution authorizing the submission of an Iowa Clean Air Attainment Program application for grant assistance to replace the Elm Street Bridge over the Canadian Pacific Railway. [Ward 5]

ADOPTED 2019-395

8. Preliminary Resolution for the FY20 Alley Resurfacing Program. [Ward 4]

ADOPTED 2019-396

9. Resolution awarding the 1930's Interceptor Flow Diversion Project to Langman Construction, Inc of Rock Island, IL in the amount of \$9,479,387.51, CIP #30038. [Wards 3, 5, & 6]

ADOPTED 2019-397

10. Resolution approving the Inspection and Construction Engineering contract for the 1930's Interceptor Flow Diversion Project to Veenstra & Kimm in the amount not-to-exceed \$268,546, CIP #30038. [Wards 3, 5, & 6] **ADOPTED 2019-398**

11. Resolution accepting the Miracle Field of the Quad Cities Phase II project completed by Precision Builders, Inc of Bettendorf, IA. This project was completed with a final contract amount of \$113,642.95, CIP #64030. [Ward 8] **ADOPTED 2019-399**

12. Resolution of acceptance for the Elmore Avenue Patching Project, completed by CDMI Concrete Contractors Inc of Port Byron, IL with a final cost of \$243,276.44 budgeted in CIP #35035. [Ward 6] **ADOPTED 2019-400**

13. Resolution of acceptance for the 4th and LeClaire Street Sewer Separation Project, completed by Langman Construction Inc of Rock Island, IL with a final cost of \$513,998.64 budgeted in CIP #30016. [Ward 3] **ADOPTED 2019-401**

14. Resolution to purchase ten (10) Chevy Tahoe Police SUVs from Karl Chevrolet Inc of Ankeny, IA in the amount of \$356,413.40, CIP #24011 and #24013. [All Wards] **ADOPTED 2019-402**

15. Resolution approving the plans, specifications, forms of contract, and estimate of cost covering the Main Street Landing Phase III Electrical Construction Project, CIP #68004. [Ward 3] **ADOPTED 2019-403**

16. Resolution approving the plans, specifications, forms of contract, and estimate of cost covering the Kaiserslautern Square Upgrades Project, CIP #68004. [Ward 3] **ADOPTED 2019-404**

17. Resolution approving a Memorandum of Understanding between the City of Davenport and the Davenport Community School District. [All Wards] **ADOPTED 2019-405**

18. Resolution to set the date for a Public Hearing on a proposal to enter into a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not-to-exceed \$10,500,000. [All Wards] **ADOPTED 2019-406**

19. Motion approving noise variance request(s) for various events on the listed dates and times. **PASSED 2019-407**

Scott Tunnicliff; Hilltop Retrofest/Zeke's Pirate Run; Saturday, September 28, 2019 8:00 a.m. - 10:00 p.m.; Outdoor music/performances, over 50 dBa. [Wards 3 & 5]

Davenport Schools; West Homecoming Parade; Thursday, September 26, 2019 4:00 p.m. - 6:30 p.m.; See attached information for parade route; Outdoor music/performances, over 50 dBa. [Ward 1]

Todd Thomas; Progressive Baptist Church Friends and Family Day; 1302 E 12th St; Saturday, September 28, 2019 12:00 p.m. - 3:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Davenport Schools; Central Homecoming Parade; Thursday, October 3, 2019 5:00 p.m. – 7:30 p.m.; See attached information for parade route; Outdoor music/performances, over 50 dBa. [Ward 6]

Matt Madril; Fall Crawl; 2224 Harrison St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Clare Nicholas; Fall Crawl; 2208 N Ripley St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Delbert Todd; Fall Crawl; 1920 N Main St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Amy Kay; Neighborhood Block Party; Ripley St between W Dover Ct and W Rusholme St; Saturday, October 5, 2019 4:30 p.m. - 7:00 p.m.; Outdoor music, over 50 dBa. [Ward 4]

Davenport Association of Professional Firefighters; Lights and Sirens Parade and Annual Fire Muster; Village of East Davenport; Sunday, October 6, 2019 12:00 p.m. - 4:00 p.m.; Sirens/Outdoor music, over 50 dBa. [Wards 5 & 6]

Village of East Davenport; Christmas in the Village; Friday, December 6, 2019 and Saturday, December 7, 2019 6:00 p.m. - 10:00 p.m.; Outdoor music/fireworks, over 50 dBa. [Wards 5 & 6]

20. Motion approving beer and liquor license applications.

PASSED 2019-408

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

Ward 3

Lumpy's Inc. (Zeke's Island Café) – 1509 N Harrison St. – Outdoor area
September 28th, 2019 "Retrofest" – License Type: B Beer

Cathedral Ale (Sacred Heart Cathedral) - 422 E 10th St - Outdoor Area - License
Type: B Beer

Ward 4

Wise Guys Pizza/Next Door Pub (PB&B, LLC) - 2720 W Locust St, Unit B-15 -
Outdoor Area - License Type: C Liquor

Ward 6

Cabos Cantina and Grill 2 (Cabos Cantina and Grill, LLC) - 5717 Elmore Ave,
Suite E - License Type: C Liquor

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

Ward 1

Davenport Elks Lodge #298 (Benevolent And Protective Order Of Elks #298) -
4400 W Central Park Ave - License Type: Class C Liquor

Kwik Shop #583 (Kwik Shop, Inc) - 3129 Rockingham Rd - License Type: Class C
Beer

Ward 2

Dhakals LLC (Dhakals LLC) - 3108 W Central Park Ave - License Type: Class E
Liquor - C Beer/B Wine

Ward 3

Analog Arcade Bar (Analog LLC) - 302 Brady St - License Type: Class C Liquor

Armored Gardens (Armored Gardens LLC) - 315 Pershing Ave - Outdoor Area
License Type: Class C Liquor

German American Heritage Center (German American Heritage Center) - 712 W
2nd St (Fourth Floor Only)- License Type: Special Class C - Beer/ Wine

Radisson (Bucktown Lodging Llc) - 111 E 2nd St - License Type: Class B Liquor

The Diner (The Diner LLC) - 421 West River Drive Suite 6 - Outdoor Area License
Type: Class C Liquor

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

Ward 4

Kwik Shop # 593 (Kwik Shop, Inc) - 303 W Locust St - License Type: Class C
Beer - B Wine

Kwik Shop #577 (Kwik Shop, Inc) - 1732 Marquette St - License Type: Class C
Beer

Ward 5

Locust Street Tavern (Locust Street Tavern, Inc) - 331 East Locust St - License Type: Class C Liquor

Ward 6

Cactus LLC (Cactus LLC) - 2843 East 53rd St - License Type: Class C Liquor

Hy-Vee Fast And Fresh (Hy-Vee, Inc) - 3200 East Kimberly Rd Parking Lot Gas Station - License Type: Class E Liquor - B Wine/C Beer

The Clubhouse (Clubhouse Beverage LLC) - 4800 Elmore Ave Ste 100 - Outdoor Area - License Type: Class C Liquor

The Grape Life (The Grape Life Wine Store & Lounge, LLC) - 3402 Elmore Ave - License Type: Class C Liquor

Ward 7

CASI (Center For Active Seniors, Inc) - 1035 W Kimberly Rd - Outdoor Area License Type: Beer/Wine

Kwik Shop #586 (Kwik Shop, Inc) - 201 W 53rd St - License Type: Class C Beer

Kwik Shop #587 (Kwik Shop, Inc) - 1670 W Kimberly Rd - License Type: Class C Beer

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

21. Motion awarding a blanket contract for the purchase of calcium chloride to Sicalco, Ltd of Hinsdale, IL. [All Wards] **PASSED 2019-409**

22. Motion awarding a blanket contract for the purchase of anti-icing chemicals from Ossian, Inc of Davenport, IA. [All Wards] **PASSED 2019-410**

23. Motion awarding the contract for the FY20 Root Control Program to Duke's Root Control of Syracuse, NY for an amount not-to-exceed \$50,000. [All Wards] **PASSED 2019-411**

24. Motion awarding a contract for the Housing Needs Assessment to Western Economic Services LLC of Portland, OR in an amount not-to-exceed \$60,000. [All Wards] **PASSED 2019-412**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

Following is a summary of revenue received for the month of August 2019:

Property taxes	159,886
Other City taxes	1,472,568
Special assessments	-
Licenses & permits	128,774
Intergovernmental	4,479,579
Charges for services	1,076,636
Use of monies & property	149,620
Fines & forfeits	147,696
Bonds/Loan Proceeds	167,623
Miscellaneous	209,282

XVI. Adjourn **6:10 p.m.**



Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
10/9/2019

Subject:
Approval of the Report on the Committee of the Whole for October 2, 2019

ATTACHMENTS:

Type	Description
▣ Cover Memo	COW Report 100219

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/3/2019 - 9:53 AM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, October 2, 2019--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 PM with Mayor Klipsch presiding and all aldermen present except Ald. Condon. The following Public Hearings were held: Finance: Public Hearing on a proposal to enter into a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not-to-exceed \$10,500,000.

The following proclamation was issued: Youth Justice Action Month, October 2019, **2019-413**.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Rawson reviewed all items listed. On motion by Ald. Ambrose, second by Ald. Dickmann all items moved to the Consent Agenda. Public Safety: Ald. Gripp reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Rawson all items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Matson, second by Ald. Rawson all items moved to the Consent Agenda. Finance: Ald. Matson reviewed all items listed. On motion by Ald. Clewell, second by Ald. Tompkins all items moved to the Consent Agenda.

Council adjourned at 6:00 p.m.

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Tiffany Thorndike 563-888-2066

Wards:

Action / Date

10/9/2019

Subject:

Combined Construction Code Board of Appeals & Review

- Tim Koehler (New Appointment)

Background:

Tim Koehler is a new appointment, filling a vacancy created by Duane Green's resignation on August 30, 2019. Mr. Koehler's term expiration date is 11/1/2020.

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Thorndike, Tiffany	Approved	10/3/2019 - 9:18 AM

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Tiffany Thorndike 563-888-2066

Wards:

Action / Date

10/9/2019

Subject:

Red Ribbon Week - October 23 - 29, 2019

REVIEWERS:

Department

Reviewer

Action

Date

Office of the Mayor

Thorndike, Tiffany

Approved

9/30/2019 - 8:18 AM

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Tiffany Thorndike 563-888-2066

Wards:

Action / Date

10/9/2019

Subject:

Pregnancy & Infant Loss Remembrance Day - October 15, 2019

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Thorndike, Tiffany	Approved	9/26/2019 - 11:33 AM

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Tiffany Thorndike 888-2066

Wards:

Action / Date

10/9/2019

Subject:

Fire Prevention Award: Becky Rohm

REVIEWERS:

Department

Reviewer

Action

Date

Office of the Mayor

Thorndike, Tiffany

Approved

9/17/2019 - 2:00 PM

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Tiffany Thorndike 888-2066

Wards:

Action / Date

10/9/2019

Subject:

Local Business "The Foundation of our Community:" Tri-City Equipment Co

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Thorndike, Tiffany	Approved	9/26/2019 - 11:37 AM

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
10/9/2019

Subject:
Davenport Public Works Snow Presentation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Admin, Default	Approved	10/3/2019 - 9:45 AM

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
9/4/2019

Subject:

Third Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Rusholme St along the north side from Ripley St west to the alley. [Ward 4]

Recommendation:
Adopt the Ordinance.

Background:

The residents have requested Resident Parking Only on Rusholme Street along the north side from Ripley Street west to the alley to mitigate non-resident owned vehicles from parking on this stretch.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 11:28 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 11:29 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 1:50 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XI RESIDENT PARKING ONLY THERETO BY ADDING RUSHOLME STREET ALONG THE NORTH SIDE FROM RIPLEY STREET WEST TO THE ALLEY.

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

Section 1. That Schedule XI Resident Parking Only of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Rusholme Street along the north side from Ripley Street west to the alley.

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: _____

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
9/4/2019

Subject:

Third Consideration: Ordinance amending Schedule X of Chapter 10.96 entitled "Two Hour Parking" by deleting Harrison St along the east side from 4th St to 5th St. [Ward 3]

Recommendation:
Adopt the Ordinance.

Background:

To improve visitor parking at City Hall, it is being recommended to remove the two hour parking limit on the east side of Harrison St between 4th and 5th Streets and designate it as "City Hall Business Only."

ATTACHMENTS:

Type	Description
▣ Ordinance	PS_ORD_Harrison St 2 hour parking removal_pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 1:10 PM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 1:11 PM
City Clerk	Admin, Default	Approved	8/29/2019 - 1:59 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE X TWO HOUR PARKING THERETO BY DELETING HARRISON STREET ALONG THE EAST SIDE FROM 4TH STREET TO 5TH STREET.

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

Section 1. That Schedule X Two Hour Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by deleting the following:

Harrison Street along the east side from 4th Street to 5th Street.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Sarah Ott 563-326-6167
Wards:

Action / Date
9/18/2019

Subject:
Second Consideration: Ordinance amending Chapter 5.24 of the Davenport Municipal Code entitled "Massage Business Information Requirement." [All Wards]

Recommendation:
Adopt the Ordinance.

Background:

In March 2019, City Council passed an Ordinance requiring certain information from massage therapy business owners and employees, including proof of state licensure and government identification upon request by the City. If an owner and/or employee did not provide the required information, the business would be placarded. This Ordinance was passed in response to the rise of businesses that do not provide legitimate massage therapy services.

Since the Ordinance was adopted, Davenport Police and the Neighborhood Services Division have closed 14 massage businesses that were not licensed, and 3 have since reopened. The Ordinance has largely eradicated the issue of illicit massage businesses within the City of Davenport. The proposed amendment will help close a few loopholes that have been exploited in the current Ordinance.

There are two main objectives with this proposed amendment:

- If a massage business is employing licensed massage therapists, but still providing illicit services, they can be placarded based on the probable cause clause that was added.
- If a business is placarded twice within twelve months, they are not allowed to operate within the City for twelve months after the second placard has been placed. In addition, the building itself may not be occupied by a massage or reflexology business for twelve months. This should alleviate the issues of having illicit businesses reopen only to be placarded again for the same issues.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/12/2019 - 4:30 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 5.24.070 ENTITLED "MESSAGE BUSINESS INFORMATION REQUIREMENT PENALTY."

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

Section 1. That Chapter 5.24.070 entitled Massage Business Information Requirement (Penalty) be amended to read as follows by adding 5.24.070 (B), 5.24.070(D) and 5.24.070 (G):

5.24.070 PENALTY

- A. If the requested business information described in Chapter 5.24.050 is not immediately produced to City staff upon request, the business premises may be placarded. If the business information that is produced is either inaccurate or incomplete, the business may be placarded.
- B. If the City has probable cause that Prostitution, as defined by Chapter 725 of the Iowa Code or Human Trafficking as defined by Chapter 710 of the Iowa Code, has occurred at a property providing Massage Therapy, the business premises may be placarded.
- C. The Chief of Police, Neighborhood Services Director, or designee, shall place in a highly noticeable location a placard stating "Unlicensed Massage Therapy. It is unlawful to provide or receive massage therapy services at this location; and is subject to criminal and/or civil penalty per Davenport Municipal Code Chapter 5.24." This notice shall remain posted until required business information is obtained by the City or other legal use has been established.
- D. The business shall remain placarded for a minimum of two weeks, after such time the business may provide the proper documentation required before the placard may be removed.
- E. No person shall remove the placard posted pursuant to subsection (B) of this section without approval of the Chief of Police, Neighborhood Services Director, or their designees.
- F. No person shall continue to offer or receive "massage therapy" services after a massage therapy business has been placarded unless the Police Chief, Neighborhood Services Director, or their designees has approved the removal of the placard.
- G. If a massage therapy or reflexology business has been placarded twice within a twelve month period, the business shall not be allowed to operate within the City of Davenport for a twelve month period. In addition, the premises on which the business

is located will not be allowed to reopen as any massage therapy or reflexology business for a twelve month period.

- H. Any person or persons in connection with or as principle, agent, or accessory is found continuing to receive or offer "massage therapy" services after that establishment has been placarded may be subject to a simple misdemeanor charge or municipal infraction, punishable as provided in this Chapter or pursuant to state law.

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

REPEALER. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Amy Kay 563-327-5160
Wards:

Action / Date
8/21/2019

Subject:

Second Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in redevelopment areas where otherwise infeasible, including verbiage for a flat rate stormwater fee for the CD and congruently adjacent I-1, I-2, and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention and clarification on the Unified Sizing Criteria staged release rates. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

Stormwater detention may be infeasible in redevelopment areas due to high ground water tables, bedrock, existing infrastructure, brownfields, and topography. A waiver/fee-in-lieu-of process is needed for these circumstances.

Clarification is needed regarding final grading, soil quality restoration, detention basin outlets, and some definitions in order to help facilitate communication and development expectations.

ATTACHMENTS:

Type	Description
▣ Ordinance	Chapter 13..34 Stormwater Management

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/11/2019 - 5:28 PM
Public Works Committee	Lechvar, Gina	Approved	9/11/2019 - 5:28 PM
City Clerk	Admin, Default	Approved	9/12/2019 - 11:25 AM

ORDINANCE NO. _____

Ordinance amending Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in *redevelopment* areas where otherwise infeasible and for the Commercial Downtown and congruently adjacent I-1, I-2 and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention and clarification on the Unified Sizing Criteria staged release rates.
BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That Chapter 13.34 is hereby modified and reads as follows:

Chapter 13.34 STORMWATER MANAGEMENT

Sections:

I. General

- 13.34.010 Purpose.
- 13.34.015 Scope.
- 13.34.020 Incorporation by ordinance.
- 13.34.030 Definitions.
- 13.34.040 Design criteria.
- 13.34.050 Compatibility with other permit and ordinance requirements.
- 13.34.060 Requirements for stormwater management plans.
- 13.34.065 Maintenance.
- 13.34.070 Easements.
- 13.34.080 Inspections.
- 13.34.090 Enforcement.
- 13.34.100 Waivers.

II. Storm Sewers and Stormwater Routing

- 13.34.110 Applicability.
- 13.34.120 Runoff calculation.
- 13.34.130 Storm sewers.
- 13.34.140 Excess stormwater passage-way.
- 13.34.150 Open channels.

III. Stormwater Detention Facilities

- 13.34.210 Applicability.
- 13.34.220 Release rate.
- 13.34.230 Detention requirements.
- 13.34.240 Construction.
- 13.34.250 Procedure.

IV. Stormwater Quality Management

- 13.34.300 Applicability.**
- 13.34.310 General Performance Criteria for Stormwater Quality Management**
- 13.34.320 Soil Quality Restoration.**
- 13.34.330 Construction.**
- 13.34.340 Procedure.**

V. Reserved

1. GENERAL

13.34.010 Purpose.

The purpose of this chapter is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public. This ordinance seeks to meet that purpose through the following objectives:

- A. Minimize increases in stormwater runoff from any development in order to reduce flooding, siltation, and streambank erosion and maintain the integrity of stream channels;
- B. Minimize increases in nonpoint source pollution caused by stormwater runoff from development which would otherwise degrade local water quality;
- C. Minimize the total volume of surface water runoff which flows from any specific site during and following development to not exceed the defined predevelopment site conditions to the maximum extent practicable;
- D. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and facilities and to ensure that these management practices and facilities are properly maintained and pose no threat to public safety.

13.34.015 Scope.

This chapter sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; provides for the approval of plans and inspection of grading construction; and provides for the enforcement of this chapter. (Ord. 2002-63 § 1).

13.34.020 Incorporation by Reference

Except as hereinafter amended, the Davenport Stormwater Manual, including all appendixes thereto, is adopted by reference and made a part of this chapter. Failure to comply with or meet the criteria outlined in the manual may be considered a violation of this ordinance and subject to

enforcement actions as indicated in Section 13.34.370. The Davenport Stormwater Manual may be updated by staff from time to time to reflect the most recent industry standards for water quality requirements. Prior to amending or updating the manual, proposed changes will be generally publicized and made available for review and comment.

13.34.030 Definitions.

When used in this chapter, unless the context clearly indicates otherwise, the following words and phrases shall have the meanings respectively ascribed to them in this section.

- A. "BMP" means best management practice for stormwater infiltration or rate reduction.
- B. "Control structure" means a structure designed to control the flow of stormwater runoff that passes through it during a specific length of time.
- C. "Davenport Stormwater Manual" means the supplemental specifications and checklist documents for detention/retention and stormwater quality practices to be used within City limits.
- D. "Detention facility" means an area designed to store excess stormwater.
- E. "Development" means land disturbing activities; structural development, including construction or installation of a building or structure, the creation of impervious surfaces; and land subdivision.
- F. "Dry bottom stormwater storage area" means a facility designed to be normally dry and contain water only when excess stormwater runoff occurs.
- G. "Erosion" means the loss of natural soils by the action of wind and/or water.
- H. "Excess stormwater" means that portion of stormwater which exceeds the transportation capacity of storm sewers or natural drainage channels serving a specific watershed.
- I. "Excess stormwater passageway" means a channel formed in the topography of the earth's surface to carry stormwater runoff through a specific area.
- J. "Maximum Extent Practicable" means a standard for implementation of stormwater management programs to reduce pollutants in stormwater. It is the maximum extent possible taking into account equitable consideration of competing factors, including, but not limited to the seriousness of the problem, public health risk, environmental benefits, pollutant removal effectiveness, regulatory compliance, ability to implement, cost and technical feasibility.
- K. "Native Vegetation" means plant species that are native to Eastern Iowa and made up the majority of ground cover in this area before settlement. A list of these plants can be found in the Davenport Stormwater Manual.
- L. "Natural drainage" means channels formed by the existing surface topography prior to changes made by unnatural causes.
- M. "Natural Waterway" means any creek, stream, pond, lake, wetland or other watercourse which occurs naturally on the existing landscape and is connected to other similar watercourses and functions as a stream, lake or wetland either partially or fully throughout the year.
- N. "Natural Resources Compliance Officer" means a person employed by the City who is authorized to enforce all the provisions of this chapter and to make reports thereon.
- O. "Natural Resources Manager" means a person employed by the City who is authorized to enforce all the provisions of this chapter and holds a position within the City to manage provisions outlined in the stormwater management ordinance, National Pollutant Discharge and Elimination System (NPDES) and/or the Municipal Separate Storm Sewer System (MS4) permits.
- P. "Redevelopment" means land-disturbing activity which results in the creation, addition or replacement of impervious surface area on an already developed site. Redevelopment includes,

but is not limited to the following activities that meet the minimum standards set forth in this definition:

1. The expansion of a building footprint which creates additional impervious area not accounted for in previously approved stormwater designs;
2. Addition or replacement of a structure;
3. Land disturbing activities related to improvements, modifications, additions or reconstruction of structural or impervious surfaces that redevelops 5,000 SF or more of new impervious area regardless of previous condition.
4. Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility or emergency redevelopment activity required to protect public health and safety. Parking lot patching, asphalt resurfacing or other repairs where a gravel base is maintained would not be considered redevelopment. Interior remodels are not considered redevelopment in the context of this ordinance.

Q. "Safe storm drainage capacity" means the flow of stormwater runoff that can be transported by a channel or conduit without causing a rise of the water surface over the conduit or

R. "Stormwater runoff" means the flow of water resulting from precipitation which is not absorbed by the soil or plant material.

S. "Stormwater runoff release rate" means the rate at which stormwater runoff is released from dominant to subservient land.

T. "Topsoil" means the fertile, dark colored portion of the A-horizon containing a minimum of 5% organic matter, less than 30% clay content, granular structure, loose, friable texture, pH of 6-8, and devoid of debris and rocks.

U. "Tributary watershed" means all of the area that contributes stormwater runoff to a given point.

V. "Water Quality Volume" (WQv) is the volume needed to capture the runoff from 90% of the average annual rainfall events, which in Davenport is equal to 1.25 inches in twenty four hours.

W. "Wet bottom stormwater storage area" means a facility designed to be maintained as a pond or free water surface, and which has the capacity to contain excess stormwater runoff.

X. "X-year storm" means the average recurrence intervals within which a rainfall of given intensity and duration will be equaled or exceeded only once. A one hundred-year storm would have an intensity of rainfall which would, on the average, be equaled or exceeded only once in one hundred years. This does not imply that it will occur once in one hundred years, or having occurred, will not happen again for one hundred years.

(Ord. 2002-63 § 2: Ord. 92-353 § 1 (part)).

13.34.040 Design criteria.

The design of stormwater runoff systems, structures, and facilities shall be based on the following minimum standards which do not preclude the use of criteria which would result in reduced discharge rates or increased runoff quality.

13.34.050 Compatibility with Other Permit and Ordinance Requirements.

A. It is intended that this ordinance be construed to be consistent with previously adopted City Code CHAPTER 13.38, CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL, and CHAPTER 13.36, ILLICIT DISCHARGE TO STORM SEWER SYSTEM".

B. The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall take precedence.

13.34.060 Requirements for Stormwater Management Plans

A. No application for development will be approved unless it includes a stormwater management plan detailing how runoff and associated water quality impacts resulting from the development will be controlled or managed. This plan must be prepared by an individual approved by the City of Davenport, typically the applicants engineer, and must indicate whether stormwater will be managed on-site or off-site and the location and type of practices.

B. The stormwater management plan(s) shall be referred for comment to all other interested agencies, and any comments must be addressed in a final stormwater management plan. This final plan must be signed by a professional engineer licensed in the state of Iowa, who will verify that the design of all stormwater management practices meet the submittal requirements outlined in the Davenport Stormwater Manual. No building, or COSESCO permits shall be issued until a satisfactory final stormwater management plan, or a waiver, shall have undergone a review and been approved by the City Engineer or their designee after determining that the plan or waiver is consistent with the requirements of this ordinance.

C. A stormwater management plan shall be required with all permit applications seeking approval under Chapter 13.34 of the Davenport Municipal Code and will include sufficient information (e.g. maps, hydrologic calculations, etc.) to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater runoff generated at the project site. The intent of this planning process is to determine the type of stormwater management measures necessary for the proposed project, and ensure adequate planning for management of stormwater runoff from future development. The information required in the plan can be found in the Davenport Stormwater Manual. For development or redevelopment occurring on a previously developed site, an applicant shall include within the stormwater plan measures for controlling existing stormwater runoff discharges from the site in accordance with the standards of this ordinance to the maximum extent practicable.

D. In addition to the requirements above, a landscaping plan must be submitted as part of the stormwater management concept plan to describe the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. This plan must be approved prior to issuance of a permit for construction of the project

E. After review of and modifications to the stormwater management plan and the Maintenance & Repair Agreement, as deemed necessary by the City of Davenport, the final stormwater management plan must be submitted for approval. The final stormwater management plan shall include all of the information required in the Final Stormwater Management Plan outline found in the Davenport Stormwater Design Manual. Two copies of the approved Maintenance & Repair Agreement shall be signed by the owner and notarized and submitted to the City for signature prior to recording at the Records Office of Scott County. One notarized copy shall be kept by the owner and one shall be returned to the City of Davenport prior to project closure or issuance of any temporary or final occupancy permit.

F. The City of Davenport may, at its discretion, require the submittal of a performance security or bond prior to issuance of a building or COSESCO permit in order to insure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The performance security shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The installation performance security shall be released in full only upon submission of “as built plans” and written certification by a registered professional engineer licensed in the state of Iowa that the stormwater practice has been installed in accordance with the approved plan and other applicable provisions of this ordinance. The City of Davenport will make a final inspection of the stormwater practice to ensure that it is in compliance with the approved plan and the provision of this ordinance.

13.34.065 Maintenance.

A. All plans submitted for stormwater detention or water quality systems shall describe an adequate procedure of normal maintenance for the system in accordance with the requirements of the Davenport Stormwater Manual. Any failure of the stormwater system due to inadequate normal or capital maintenance shall be the responsibility of the owner of the property on which the system is located. It shall also be the property owner's responsibility to remedy any negligence in maintenance that resulted in the failure of the system. The submittal of plans for such a system or the purchase of property on which such system is located shall be deemed as acceptance of responsibility for normal and capital maintenance of the system. As part of the maintenance plan for the facility, at a minimum, BMPs shall be inspected or reviewed after completion certification within sixty (60) days and at least annually thereafter. A written record of inspection results and any maintenance work shall be maintained and available for review by the City. An updated “as-built” survey plan must be submitted to the City every five (5) years to ensure that the facility continues to meet design requirements. A request for a waiver of the five (5) year “as-built” submittal may be granted provided the requirements of the waiver procedure are met per the Davenport Stormwater Manual. In the event that maintenance is not provided, the Public Works Director, or their representative, shall notify the party responsible for maintenance to perform the work and set a reasonable time for its completion. If said party refuses or is unable to comply with said order, said party may be in violation of Section 13.34.090 and subject to penalties including but not limited to the Public Works Director, or their representative, causing the maintenance to be completed at the expense of said party.

B. Owners of all existing detention basins constructed before January 1, 2014 will have until December 31, 2016 to complete any necessary maintenance on such basins and submit the required “as-built” survey. Failure to comply with this section will result in enforcement actions as outlined in Section 13.34.090 (For reference only)

13.34.070 Easements.

A. Drainage easements shall be provided for all areas of the stormwater detention or quality systems including the outlet structures and emergency spillway.

B. Drainage easements shall be platted or otherwise recorded and provided for all conduits, bypass channels where the one hundred-year runoff exceeds one cubic foot per second and all excess storm water passage ways.

C. Whenever any stream or water course is located in an area that is being subdivided or otherwise improved, the owner/developer shall dedicate a public right-of-way or drainage easement conforming substantially with the lines of such stream or water course and shall include such additional area adjoining both edges of such stream or water course that has been affected by damaging flood waters and/or inundated by the one hundred-year flood waters, as determined by the City Engineer. This easement area shall also contain a minimum fifty foot vegetated buffer

area on both sides of the stream as measured landward horizontally on a line perpendicular to a vertical line marking the top of the existing banks of the stream or drainage way for single family residential areas. For multi-family, Commercial and Industrial areas this easement area shall also contain a minimum fifty foot vegetated buffer area on both sides of the stream as measured per the single family residential buffer. This buffer shall be planted with vegetation native to the midwest region of the United States and maintained as a native grass and forb (flower) no-mow area; kept free of trees and other obstructions. Mowing should occur three to four times per year for the first three years. In subsequent years mowing may occur once per year, in the spring or fall for maintenance and shall comply with 13.34.070.E. Mowing should be done as high as possible with a standard mower; four to six inches in height. The intent of the fifty foot buffer is to comply with 13.34.070.B, allow streams to naturally meander, to maximize plant root depth, and to protect private property by limiting structure installation and uses that will impede its intended use or capacity.

D. Unless deeded to the City of Davenport, maintenance of the stream, streambanks and easement areas described in section 13.34.070 shall be the responsibility of the landowners upon which the stream is located. This maintenance responsibility shall be clearly defined in a recorded document. The owner/developer shall also provide reasonable public easements for access. Drainage easements do not imply that the City is responsible for routine mowing or tree clearing maintenance. Procedures for transfer request of the property described in 13.34.070.C to the City for maintenance or ownership are described in the Davenport Stormwater Manual.

E. It shall be noted on the final plat, "Owners of lots on which a drainage easement has been established as a stormwater passageway shall maintain said easement as a lawn, planted in grass and free of structures, swimming pools, fences, fill, bushes, trees, shrubs, or other landscaping that would impede the flow of water" and "Owners of lots on which a stream buffer is required shall maintain said buffer as a native planting area, not allowing vegetation to be cut to a height of less than six inches without authorization of the City of Davenport Natural Resources Division." In the event that the area established as a drainage easement is reshaped or otherwise restricted for use as a drainage easement, the City will cause the restrictions to be removed at the expense of the parties causing the restriction. Stream buffer signage is available via the City of Davenport Natural Resource Division upon request.

F. Upon the approval of the director of public works or his designee and directly affected property owners, drainage or stormwater easements on private property may be modified with a City approved design that allows the easement land to be planted with specifically approved native vegetation excluding weeds and invasive species. The planting plan may be enhanced with an infiltration based stormwater management practice and/or other appropriate structure. Maintenance will be in the form of a written agreement between the City and the property owner(s). Upon the approval of the director of public works or his designee, public lands may be planted with native vegetation or maintained in a manner that prohibits or reduces mowing so that the existing or planted vegetation can serve to enhance water quality. (Ord. 2009-446 § 2: Ord. 92-353 § 1 (part)).

G. No structures shall be constructed in the stormwater detention or quality systems easement areas nor any filling, fencing or other obstacles which will impede its intended use or capacity and easements must comply with Section 13.34.140 Excess stormwater passageway.

H. The developer shall provide reasonable public easements reserving the land for use as a stormwater facility providing the City with the right to inspect the facility and for ingress and egress.

13.34.080 Construction Inspections

A. The applicant must notify the City of Davenport Public Works Department twenty-four (24) hours in advance of the commencement of construction of stormwater systems. Regular inspections of the stormwater management system construction shall be conducted by City staff from the Engineering Division of Public Works and the Natural Resources Division of Public Works. If any construction is found to not comply with the plans, the contractor, and/or property owner shall be notified of the nature of the discrepancy and the actions required correcting the construction. No added work shall proceed until any corrective actions are completed and pass re-inspection.

B. All applicants are required to submit “as built” plans for any stormwater management practices constructed prior to a final inspection of the site. The plans must show all final construction and must be certified by a professional engineer licensed in the state of Iowa. A final inspection by the City of Davenport is required before the release of any performance securities or issuance of certificate of occupancy for the building(s) on the property for which the stormwater system was constructed.

13.34.090 Enforcement

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this Section.

A. Violation of any provision of this chapter may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys’ fees and costs from a person who is determined by a court of competent jurisdiction to have violated this chapter.

B. Violation of any provision of this chapter may also be enforced as a municipal infraction within Chapter 1.30, pursuant to the City’s municipal infraction ordinance. The schedule of fines shall be as follows:

1. Schedule of violations

	Type I:	First offense	\$100
		Second offense	\$250
		Third offense	\$500
		Fourth and subsequent	\$750

2. Definition of offenses

Type 1

- a. Failure to submit a stormwater management plan.
- b. Failure to install stormwater management practices as required.
- c. Failure to maintain stormwater management practices as described in the approved management plan.
- d. Failure to inspect or provide proof of inspection of stormwater management practices.
- e. Failure to provide as-built data on stormwater management practices as required.
- f. Failure to maintain or submit records on stormwater management practices.
- g. Failure to comply with a written directive issued by the City Engineer, Public Works Director, Natural Resources Manager, or the enforcement officer designated by the City.

C. In addition to the civil and municipal infractions outlined in Section 13.34.090B the City of Davenport may also take any one or more of the following actions:

- a. Stop Work Order: The City of Davenport may issue a stop work order which shall be served on the contractor, owner, or other responsible person. The stop work order shall remain in effect until the contractor, owner or other responsible person has taken the necessary actions to cure the violation or violations described in a written notice of violation. The stop work order

may be withdrawn or modified to enable the contractor, owner or other responsible person to take the necessary remedial measures to cure such violation or violations.

b. **Withhold Certificate of Occupancy:** The City of Davenport may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the contractor, owner or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

13.34.100 Waivers

A. Every development or redevelopment meeting the requirements of Section 13.34.210 and 13.34.300 shall provide for stormwater management as required by this ordinance unless a waiver is granted. Requests to waive implementation of BMPs in whole or in part shall be submitted in writing to the Natural Resources Division of Public Works and include a non-feasibility study or combination of studies or reports presented as supporting documents along with the submitted engineering plans and specifications to be reviewed and approved by the City.

B. Partial Waivers:

1. A partial waiver of BMPs required by this ordinance may be granted provided that at least one of the following conditions is established by the applicant based on authoritative written evidence satisfactory to the City of Davenport Natural Resources Division.

a. Alternative on-site management of stormwater quality or quantity has been established in a stormwater management plan that has been approved by the City and fully implemented.

b. Provisions are made to manage stormwater quality or quantity by an off-site facility. The off-site facility is required to be in place, to be designed and adequately sized to provide a level of stormwater quality control that is equal to or greater than that which would be afforded by on-site practices and there is, in the City's sole judgment, a responsible entity legally obligated to monitor the performance of and maintain the efficiency of stormwater BMPs in accordance with a written and recorded maintenance agreement.

2. In instances where one of the above conditions is established, the applicant must further establish by professional study and reports, written evidence satisfactory to the City that the partial waiver will not result in any of the following impacts to downstream waterways:

- a. Deterioration of existing culverts, bridges, dams, and other structures; or
- b. Degradation of biological functions or habitat; or
- c. Accelerated streambank or streambed erosion or siltation; or
- d. Increased threat of flood damage to public health, life, or property.

C. General Waivers

1. Where compliance with minimum requirements for stormwater quality or quantity management is not practical in the opinion of the Public Works Director or their designee, a general waiver may be granted. The applicant will then satisfy the minimum requirements by meeting one of the mitigation measures selected by the City of Davenport. Mitigation measures may include, but are not limited to, the following:

a. The creation of one or more stormwater BMPs on previously developed properties, public or private, in the same watershed as the proposed project, that currently lack stormwater BMPs, having a capacity to achieve City stormwater requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater quality requirements as a consequence of the waiver.

b. Construction of an off-site stormwater quality management facility sufficient to achieve City stormwater quality requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater quality requirements as a consequence of the waiver. The agreement shall be entered

into by the applicant and the City prior to the recording of plats or, if no record plat is required, prior to approval of a final development plan, or if no plat or final development plan is required, prior to the issuance of any building permit.

c. Monetary contributions (Fee-in-Lieu) for Detention for Redevelopment- to fund stormwater related work on lands strategically located in the watersheds consistent with the purposes of this ordinance. The fee-in-lieu of waiver may only be used for detention as outlined in Section 13.34.220 and 13.34.230 for **redevelopment** sites when detention, in whole or in part, is not practical in the opinion of the Public Works Director or their designee based on the procedure outlined in Section 13.34.100 Waivers.

d. Monetary contributions (Fee-in-Lieu) for Water Quality - to fund stormwater quality management activities on lands strategically located in the watersheds consistent with the purposes of this ordinance. The monetary contributions required shall be in accordance with a fee schedule (unless the developer and the City agree on a greater alternate contribution) established by the City based on the estimated cost savings to the developer resulting from the waiver and the estimated future costs to the City to achieve City stormwater requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater requirements as a consequence of the waiver. All of the monetary contributions shall be credited to an appropriate capital improvements program project or program and shall be made by the developer prior to the issuance of any building permit for the development. The fee-in-lieu procedure has been established and is as follows:

- i. City and the property owner shall agree on the best stormwater management practice available for the proposed project site assuming no limitations to the site layout, soil conditions, topography, or any other conditions which are currently limiting installation of a practice. The City will make the final determination on what constitutes a limitation. Once the management practice has been agreed upon the property owner will provide a cost estimate to construct the practice assuming no limitations. The City shall also create a cost estimate based on past projects and cost estimates. These estimates shall be discussed and averaged based on input from the owner and City representatives. If no agreement can be reached between the City and the Owner the Owner must proceed with meeting the full requirements of Section 13.34.300 unless a partial waiver is granted by the City.
- ii. At such a time as the estimate is agreed upon by both parties the City shall assess an additional twenty percent (20%) administration fee to cover costs associated with actual installation of practices in the watershed at a future time. In addition, three years of maintenance costs for the agreed upon fee-in-lieu practice shall also be included in the final fee amount. The maintenance costs shall be determined by using the current contract prices for maintenance of stormwater practices by the City's hired contractor. In the event that maintenance is done by the City in-house, the current labor and equipment rate to provide said maintenance shall be the cost used.
- iii. These amounts shall be totaled and the final amount shall be considered the fee-in-lieu for the proposed project. All fees shall be paid to the City of Davenport and funds received shall be placed in an account in the City Clean Water Fund for future stormwater projects in the affected watershed as delineated by the Natural Resources Division.

e. Monetary contributions (Fee-in-Lieu) for the Commercial Downtown (CD) Zoning District and congruently adjacent Light Industrial (I-1), Heavy Industrial (I-2) and Industrial Mixed-Use (I-MU) to the CD District shall be made available in lieu of stormwater detention and water quality practice installation. This fee-in-lieu-of dollars will be utilized to fund

stormwater related work on lands strategically located in the watersheds consistent with the purposes of this ordinance. These districts shall be as defined per the Official Zoning Map. This fee-in-lieu of waiver may only be used within the defined zoning districts listed above and shall be assessed as a flat rate fee per square feet of redevelopment within a project area. The fee shall be as defined in the Davenport Stormwater Manual, Site Evaluation section. All fees shall be paid to the City of Davenport and funds received shall be placed in an account in the City Clean Water Fund for future streambank projects as delineated by the Natural Resources Division.

II. STORM SEWERS AND STORMWATER ROUTING

13.34.110 Applicability.

The provisions of Sections 13.34.120 through 13.34.160 shall apply to the following areas under development:

- A. All residential development of two acres or more and all commercial and industrial developments in excess of one acre;
- B. Any development where the percentage of the impervious area of the lot is fifty percent or greater;
- C. Any development which, in the opinion of the City Engineer, lacks an adequate internal or external passage of stormwaters as to not exceed the capacity of the receiving storm sewer system.

(Ord. 92-353 § I (part)).

13.34.120 Runoff calculation.

A. Design flows shall normally be calculated using the procedures outlined in the Soil Conservation Services, Technical Release No. 55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said Technical Release No. 55. For drainage basins of twenty acres or less, the Rational Method may be used.

B. In all cases, all areas are to be considered fully developed, in accordance with the City's current sanitary sewer master plan map which is available from the City Engineer.

(Ord. 92-353 § 1 (part)).

13.34.130 Storm sewers.

A. Storm sewers and intakes shall be designed for a ten year frequency storm in such a manner that the flooded street width shall not exceed:

<u>Street Width</u>	<u>Allowable Flooded Width Each Side</u>	<u>Required non Flood Lanes</u>
27 feet	8 feet	1-10' Lane
31 feet	10 feet	1-10' Lane
35 feet	9 feet	2- 8' Lanes
41 feet	10 feet	2-10' Lanes
45 feet	11 feet	2-11' Lanes
49 feet & wider	12 feet	2-12' Lanes

B. An acceptable method of determining the flooded width of the street shall be the use of width-discharge curves provided by the City.

C. An acceptable method of determining catch basin capacity for various conditions shall be the use of capacity charts provided by the City.

(Ord. 92-353 § 1 (part)).

D. Prior to acceptance of storm sewer installed by private contractor, the City of Davenport Sewer Division must televise the lines to ensure that they meet acceptable City standards. Fees for this service shall be set from time to time by City council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

13.34.140 Excess stormwater passageway.

A. An excess stormwater passageway easement shall be provided for all developments. Such passage shall have the capacity to convey through the proposed development the excess stormwater from the tributary watershed. The capacity of such excess stormwater passage shall be constructed in such a manner as to transport the peak rate of runoff from a one hundred-year return frequency storm, assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.

B. No buildings or structures shall be constructed within such passage; however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to transport excess stormwater otherwise restricted, the City engineer shall notify the agency, party or parties causing said restriction to remove the same and set a reasonable time for its removal. If said persons refuse to or are unable to comply with said order, the City engineer shall cause said restrictions to be removed at the expense of said persons.

C. Where specifically approved by the City Engineer, the excess stormwater passageway may consist of a conduit. In such cases, the inlet capacity shall be twice the capacity necessary to convey the one hundred-year stormwater flow.

D. Where a proposed development contains existing natural drainage, appropriate land planning shall be undertaken to preserve said natural drainage as part of the excess stormwater passage.

E. Individual lot grading in a subdivision or other larger common plan of development must comply with the City approved final grading plan and the lowest entry elevation of the approved plat or construction plans. Final grading shall maintain the original intent and function of final grading plan, drainage areas, stormwater overland flow design and storm sewer system design. Final grading shall also maintain positive drainage away from structures; must not direct water directly toward any down-grade structure foundations; and must comply with Chapter 12.28 Driveway and Approaches, SUDAS Section 7030, International Residential Code (IRC) for frost protection of footing, and the City of Davenport SUDAS Supplemental Specifications;

F. Water entry levels for structures adjacent to the excess stormwater passageway shall be established one foot above the one hundred-year flood elevation. (Ord. 92-353 § 1 (part)).

13.34.150 Open channels.

A. The size and shape of open channels shall be designed to meet the requirements of runoff, depth, side slopes, gradient, and velocity limitations in accordance with the site conditions.

Runoff shall be based on one hundred year storm frequency. Manning's Formula as cited in most civil engineering handbooks, shall be used in hydraulic design of open channels. Channel banks shall be protected by use of low vegetation, rip-rap, or paving as design velocity dictates subject to the approval of the City engineer. (Ord. 92-353 § 1 (part)).

III. STORMWATER DETENTION FACILITIES

13.34.210 Applicability.

The provisions of Sections 13.34.220 through 13.34.250 inclusive shall apply to the following areas under development:

- A. All residential development of two acres or more and all commercial and industrial developments or redevelopment which cumulatively creates 5,000 square feet or more of impervious area located within the Davenport City limits.
 - 1. There is no statute of limitations that would exempt multiple impervious area additions over 5,000 square feet, unless granted a waiver per Section 13.34.100.
- B. Any development which, in the opinion of the City Engineer, lacks an adequate external or internal system for the passage of stormwaters as to not exceed the capacity of the receiving storm sewer system.
- C. For circumstances where an existing structure is demolished and the area is graded and seeded there shall be a three (3) year timeframe from the demolition date where any new development may be considered as *redevelopment*. Projects within this three (3) year timeframe may follow the release rate as outlined in Section 13.34.220.C.
- D. The following activities are exempt from this ordinance:
 - 1. Development or redevelopment projects that do not create more than 5,000 square feet of impervious area provided they are not part of a larger common development plan that does create more than 5,000 square feet of impervious area, or that do not meet the requirement of Section 13.34.300.B.
 - 2. The subdivision of a property with the intent of removing excess land from a homestead.
 - 3. The re-platting of one or more properties with the intent of constructing one single family residence.
- E. When a site development or redevelopment plan is submitted that qualifies as a development or redevelopment as defined in Section 13.34.030 E or N of this ordinance, appropriate on-site management practices will be required and shall be guided by the latest editions of The Iowa Stormwater Management Manual, The Iowa Rain Garden Manual, the Davenport Stormwater Manual, or approved equal. Final authorization of all development and redevelopment projects will be determined after review and approval by the City of Davenport.
- F. Any development or redevelopment within the floodplain must comply with Chapter 15.44 Flood Damage Prevention. Stormwater detention is not permitted within the floodway or within Special Flood Hazard (100 year flood plain) areas as delineated as areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for Scott County, Iowa No. 19163CV000A DATED February 18, 2011," with accompanying Flood

Insurance Rate Maps and any revision thereto are adopted by reference as part of Chapter 15.44.

(Ord. 92-353 § 1 (part)).

13.34.220 Release rate.

A. The release rate of stormwater from any detention basin required under this chapter for new development shall not exceed the stormwater runoff rate from the drainage area from a pre-developed two-year frequency storm using a runoff coefficient "c" of 0.15, when using the rational method for areas under twenty acres or a curve number of sixty when using the S.C.S. TR-55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said TR_55 for areas over twenty acres.

B. The City may require a lesser release rate when the downstream outlet is insufficient to safely convey the release rate as determined in subsection A above.

C. The release rate of stormwater from any detention basin required under this chapter for redevelopment shall not exceed the stormwater runoff rate from the drainage area from a pre-developed two-year frequency storm using a runoff coefficient "c" of 0.35, when using the rational method for areas under twenty acres or a curve number of sixty when using the S.C.S. TR-55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said TR_55 for areas over twenty acres.

D. Restrictor (orifice) plates to control release rates placed within a pipe section or at the outlet of a pipe will not be accepted. Only orifice plates integrated into a staged release design structure that cannot be removed will be accepted.

E. The single-stage outlet (i.e. one culvert pipe) is not recommended because of its inability to detain post-developed runoff from storms less than the 5-year interval (i.e. channel protection volume storm event). In many cases, runoff from storm events less than the 5-year recurrence interval has created erosion and sedimentation problems downstream of a detention basin.

F. A more desirable outlet has two or more stages. An orifice structure serves to detain runoff for channel protection purposes and release runoff for low-flow events less than the 2-year storm. Greater storm events are usually discharged by a separate series of outlets. The minimum orifice size shall be 4 inches in diameter and possess protections to minimize plugging.

(Ord. 92-353 § 1 (part)).

13.34.230 Detention requirements.

A. Utilize the Unified Sizing Criteria (USC) or the Water Quality Volume (WQv) up to Extreme Flood Protection (Qf) for the required volume of stormwater detention. The WQv shall provide 100% retention, infiltration, or abstraction of the 1.25 inch in 24 hour rainfall event per Section 13.34.310.

B. City standards that are to be used in conjunction with the USC are:

1. Rainfall greater than the WQv up to the Qf, or 100 year event, shall be released at the two-year, undeveloped, state (as opposed to the USC stated five year)

2. The Recharge Volume (Rev) need not be included in detention calculations.
 3. The Modified Rational method may only be used for small catchments < 20 acres
- C. For sites greater than twenty acres, the method of sizing of the detention storage volume must be approved by the City engineer. The TR-55 method is an approved method.
- D. For redevelopment sites utilize the USC detention requirements from the WQ_v up to Q_f unless a partial waiver or general waiver has been granted per Section 13.34.100 Waivers.
- E. Detention storage may be provided as a dry bottom or wet bottom storage area.
1. Dry bottom stormwater storage areas may be designed to serve a secondary purpose for recreation, open space, parking, or other types of uses that will not be adversely affected by intermittent flooding.
 - a. A method of carrying the low flow through these areas shall be provided in addition to a system of drains to prevent soggy areas.
 - b. Outlet control structures shall be designed as simply as possible and shall require little or no attention for proper operation. Utilize the Unified Sizing Criteria for staged outlet design. Each stormwater storage area shall be provided with a method of emergency overflow in the event that a storm in excess of the one hundred-year frequency storm occurs. This emergency overflow facility shall be designed to function without attention and shall become part of the excess stormwater passageway described in Section 13.34.140. Hydraulic calculations shall be submitted to substantiate all design features.
 - c. Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health, safety and welfare. Stormwater runoff velocities shall be kept at a minimum and turbulent conditions at an outlet control structure will not be permitted without complete protection for the public safety. The use of fences shall be kept to a minimum and used only as a last resort when no other method of protection is feasible.
 - d. Paved surfaces that are to serve as stormwater storage areas and rooftop storage shall be designed with permanent-type control outlets. Emergency overflow areas shall be provided.
 2. Wet bottom stormwater storage areas shall be designed with all of the items required for dry bottom stormwater storage areas, except that the provisions of subsection D,1,a. of this section shall not be required. Utilize the Iowa Storm Water Management Manual and the following additional conditions:
 - a. Water surface areas shall not exceed one-fifteenth of the tributary drainage area.
 - b. a 10:1 sloped safety bench centered on the Normal Water Level shall be constructed
 - c. a skimming device to remove floatable material shall be included within or in series with the outlet structure.
 - d. Facilities shall be provided to lower the pond elevation, when discharging from basins and impoundments, to utilize outlet structures that withdraw water from the surface, unless infeasible, to minimize re-suspension of any sediment materials.
 - e. Minimum normal water depth shall be four feet. If fish are to be maintained, some portion of the pond area should be a minimum of nine feet deep.
 - f. Control structures for stormwater release shall be designed to operate with only a minor increase in the water surface level when the design storage capacity has been exceeded. Hydraulic calculations shall be submitted to substantiate all design features.
 - g. Only that portion of the detention area above the normal water level shall be used in calculating the storage capacity.

h. Restrictor (orifice) plates to control release rates placed within a pipe section or at the outlet of a pipe will not be accepted. Only orifice plates integrated into a staged release design structure that cannot be removed will be accepted.
(Ord. 92-353 § 1 (part)).

13.34.240 Construction.

A. Detention facilities for stormwater runoff control shall be constructed as part of the first phase of construction of a project unless alternate construction phasing is agreed upon in writing by the Natural Resources Manager or City Engineer.

B. The construction of the stormwater management systems shall be accomplished as part of the cost of land development. If the amount of storage capacity can be increased to provide benefit to the City, negotiations for public participation in the cost of development shall be initiated.

C. All flood control items such as earthen embankments, conduits, outlet structures, flood control structures, spillways, excess stormwater passageway channels, etc., shall be built as permanent facilities and all materials and their manner of construction shall be assembled to accomplish as much permanency as is possible.

D. Water quality practices may be constructed within detention areas to allow owners to conserve space. However, below grade volume for infiltration in a detention basin shall not be counted as required detention storage area unless detailed plans and calculations are submitted, reviewed and approved in writing by the Natural Resources Manager or City Engineer.
(Ord. 92-353 § 1 (part)).

13.34.250 Procedure.

A. Plans, specifications and all calculations for stormwater runoff control(s) shall be submitted in accordance with the Davenport Stormwater Manual for review and approval, prior to the approval of a final plat (in the case of a subdivision or planned unit development), approval of a final development plan, or issuance of a building permit (in the case of commercial or industrial construction).

B. Comply with 13.34.080 Construction Inspections

C. No certificate of occupancy for any building in the development will be issued until the stormwater facilities are constructed, inspected and approved.
(Ord. 92-353 § 1 (part)).

IV. STORMWATER QUALITY MANAGEMENT

13.34.300 Applicability.

The provisions of Sections 13.34.300 through 13.34.320 inclusive shall apply to the following areas under development:

A. Any development or redevelopment which cumulatively creates 5,000 square feet or more of impervious surface area, regardless of previous condition, unless granted a waiver under section 13.34.320 of this ordinance.

B. Development and redevelopment projects located within 50 feet of a natural waterway, modified natural waterway, or constructed channel or which include a new storm drain outfall to

such waterway, regardless of project size or impervious surface. This requirement is intended to protect environmentally sensitive areas.

C. The following activities are exempt from this ordinance:

1. Additions or modifications to existing single family structures that do not meet the requirement of Section 13.34.300.B

2. Interior remodels and routine maintenance or repair, including roof or exterior surface replacement and resurfacing.

3. Development or redevelopment projects that do not create more than 5,000 square feet of impervious area provided they are not part of a larger common development plan that does create more than 5,000 square feet of impervious area, or that do not meet the requirement of Section 13.34.300.B

D. When a site development or redevelopment plan is submitted that qualifies as a development or redevelopment as defined in Section 13.34.030 E or P of this ordinance, appropriate on-site management practices will be required and shall be guided by the latest editions of The Iowa Stormwater Management Manual, The Iowa Rain garden Manual, the Davenport Stormwater Manual, or approved equal. Final authorization of all development and redevelopment projects will be determined after review and approval by the City of Davenport.

E. Any development or redevelopment within the floodplain must comply with Chapter 15.44 Flood Damage Prevention. Stormwater quality treatment is not permitted within the floodway. Stormwater quality treatment may be considered within Special Flood Hazard (100 or 500 year flood plain) areas provided that the treatment practice provides a net ecological benefit and is able to be maintained per 13.34.060 Requirements for Stormwater Management Plans.

13.34.310 General Performance Criteria for Stormwater Quality Management

Unless judged by the City of Davenport to be exempt or granted a waiver, the following performance criteria shall be addressed for stormwater management at all sites:

A. All site designs shall establish stormwater management practices to control the peak flow rates of stormwater discharge associated with specified design storms and reduce the generation of stormwater runoff.

B. The City of Davenport reserves the right to require superseding and additional treatment criteria or objectives for specific pollutant(s) as necessary to meet overall stormwater quality management program objectives or directives under a watershed improvement or Total Maximum Daily Load (TMDL) program, as may be directed by the State of Iowa, or United States Environmental Protection Agency.

C. For new development and redevelopment, structural best management practices shall be designed to provide 80% bacteria reduction, based on current research accepted by the Natural Resources Division of Public Works, and 100% retention, infiltration, or abstraction of the 1.25 inch in 24 hour rainfall event. A best management practice complies with this standard if it is:

1. Sized to capture the prescribed water quality volume (WQv).

2. Designed according to the specific performance criteria outlined in the Iowa Stormwater Management Manual, Iowa Rain Garden Manual, or approved equal,

3. Constructed properly, and

4. Maintained regularly.

D. Stormwater discharges from land uses or activities with higher potential pollutant loadings may require the use of specific structural treatment and pollution prevention practices.

E. Prior to design, applicants are encouraged to consult with the Natural Resources Division of Public Works to determine if they are subject to additional stormwater design requirements.

F. The calculations for determining peak flows as found in the Iowa Stormwater Management Manual shall be used for sizing all stormwater quality management practices.

13.34.320 Soil Quality Restoration

Healthy soil provides important stormwater management functions including efficient water infiltration and storage, adsorption of excess nutrients, filtration of sediments, biological decomposition of pollutants, and moderation of peak stream flows and temperatures. In addition, healthy soils support vigorous plant growth which intercepts rainfall, reducing runoff by increasing evaporation and transpiration. Urbanization and development severely diminish a soil's capacity to absorb, filter and store rainwater. Common development practices including clearing and removal of topsoil during grading, compaction of remaining soil, and planting into unimproved soil or poor quality imported topsoil, produce unhealthy plants and lawns that require excessive fertilizers and pesticides which can lead to polluted stormwater runoff. All areas subject to clearing and grading that have not been covered by impervious surfaces, incorporated into a stormwater management practice, or engineered as structural fill or slopes shall, at project completion, use one or more of the following practices to improve soil structure and water quality.

A. Soil retention. Native topsoil shall be retained in an undisturbed state to the maximum extent practicable. In any areas requiring grading, remove and stockpile the topsoil on-site in a designated controlled area where it will not be compacted, and not adjacent to stormwater management areas. Before stockpiled topsoil can be reapplied to other portions of the site it must be tested, and amended if needed, to meet the organic matter or depth requirements specified in the Davenport Stormwater Manual. When topsoil is replaced it shall be un-compacted to a depth of four inches. Subsoils below the topsoil layer should be scarified with some incorporation of the upper material to avoid stratified layers

B. Soil quality restoration. Amend existing site topsoil or subsoil to a minimum rate of 5% organic matter content and a pH from 6.0 to 8.0 or matching the pH of the original undisturbed soil using methods specified in the Iowa Storm Water Management Manual. Soil that already meets the depth and organic matter quality standards, and is not compacted, does not need to be amended. The waiver for amending soil can be found in the Davenport Stormwater Manual. Upon completion of the project the soil restoration layer shall have a minimum depth of eight inches, per the method utilized in the Iowa Stormwater Management Manual except where tree roots limit the depth of incorporation of amendments needed to meet the criteria. Subsoils below the topsoil layer should be scarified at least four inches with some incorporation of the upper material to avoid stratified layers.

C. Maintenance. Soil quality and depth should be established toward the end of construction, and once established shall be protected from compaction and erosion. The Davenport Stormwater Manual and Iowa Storm Water Management Manual contain additional recommendations for maintenance of soil quality restoration areas.

D. Inspection. Areas where soil retention or soil quality restoration are implemented must meet the inspection requirements of Section 13.34.080 and the Davenport Stormwater Manual and be inspected prior to seeding or turf placement.

E. The City Engineer or their designee will approve the source of off-site topsoil. Surface soils from ditch bottoms, drained ponds, and eroded areas, or soils that are supporting growth of noxious weeds or other undesirable vegetation, will not be accepted. The Engineer will determine if testing is necessary. The Contractor will be responsible for payment of the testing if the off-site topsoil does not meet the above requirements, regardless of testing outcome.

13.34.330 Construction.

A. The construction of water quality BMPs shall not commence until upstream areas which discharge runoff to the proposed system(s) have been stabilized with suitable ground cover or suitable protection has been installed to prevent sediment laden water from entering the system.

C. The construction of the stormwater management systems shall be accomplished as part of the cost of land development. If the amount of treatment capacity can be increased to provide benefit to the City, negotiations for public participation in the cost of development may be initiated.

D. Water quality practices may be constructed within detention areas to allow owners to conserve space. However, below grade volume for infiltration in a detention basin shall not be counted as required detention storage area unless detailed plans and calculations are submitted, reviewed and approved in writing by the Natural Resources Manager or City Engineer.

1. In-basin water quality treatment may require additional maintenance measures, which must be clearly outlined in the Maintenance & Repair Agreement.
(Ord. 92-353 § 1 (part)).

13.34.340 Procedure.

A. Plans, specifications and all calculations for stormwater quality management features shall be submitted in accordance with the Davenport Stormwater Manual for review and approval, prior to the approval of a final plat (in the case of a subdivision or planned unit development), approval of a final development plan, or issuance of a building permit (in the case of commercial or industrial construction).

B. Comply with 13.34.080 Construction Inspections

C.. No certificate of final occupancy for any building in the development will be issued until the stormwater facilities are constructed, inspected and approved.
(Ord. 92-353 § 1 (part)).

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. The requirements of this ordinance do not supersede conditions on plats previously approved by council.

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 _____,

Attest:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

Published in the *Quad-City Times* on _____

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Scott Koops 563-328-6701
Wards:

Action / Date
10/2/2019

Subject:
Resolution for Case F19-13 being the request of IIW, PC for a final plat of Sheldon Industrial Park on 1.33 acres, being a replat of Lots 5, 6, & 7 of Brady Eighty Industrial Park 1st Addition at 419 E 59th St containing 2 lots zoned light industrial (I-1). [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
Vote Result 7-0-0

Recommendation: Staff recommends the City Plan and Zoning Commission accept the listed findings and forward F19-13 to the City Council with a recommendation for approval as proposed.

DISCUSSION

Planning Staff has reviewed this plat and confirmed that the plat conforms to the requirements of the subdivision code.

STAFF RECOMMENDATION

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat has achieved consistency with subdivision requirements.

ATTACHMENTS:

Type	Description
▣ Exhibit	Resolution
▣ Exhibit	Vote Results
▣ Exhibit	Staff Report
▣ Exhibit	Plat

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berger, Bruce	Approved	9/26/2019 - 8:33 AM

RESOLUTION NO. _____

Resolution offered by Alderman Rawson, Chairperson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving F19-13 of F19-13 of IIW, P.C. for final plat Sheldon Industrial Park on 1.33 acres, being a replat of Lots 5, 6, & 7 of Brady Eighty Industrial Park 1st Addition at 419 E. 59th St. containing 2 lots zoned light industrial (I-1). [Ward 8]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final plat of Sheldon Industrial Park to the City of Davenport, Iowa, be the same and is hereby approved and accepted without conditions,

and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record the attached assessment waiver.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City Plan & Zoning Commission Voting Record**Meeting Date: 8-20-19****Meeting Location: Council Chambers-City Hall**

No.	Name:	Public Hearing Roll Call	Regular Meeting Roll Call	8-6-19 Minutes	M	S	F19-13	M	S	F19-14	M	S
1	Schneider		Present	Yes			Yes			Yes		
2	Lammers		Present	Yes			Yes		X	Yes		X
3	Medd		Present	Yes			Yes	X		Yes	X	
4	Johnson		Present	Yes			Yes			Yes		
5	Tallman		Present	Yes	X		Yes			Yes		
6	Inghram		Present									
7	Connell		Excused									
8	Hepner		Present	Yes			Yes			Yes		
9	Brandsgard		Excused									
10	Reinartz		Present	Yes		X	Yes			Yes		
11	Maness		Excused									
	Result		8 Present	7-0			7-0			7-0		



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

PLAN AND ZONING COMMISSION

DESCRIPTION

Request F19-13 of IIW, P.C. for final plat Sheldon Industrial Park on 1.33 acres, being a replat of Lots 5, 6, & 7 of Brady Eighty Industrial Park 1st Addition at 419 E. 59th St. containing 2 lots zoned light industrial (I-1). [Ward 8]

Recommendation: Staff recommends the City Plan and Zoning Commission accept the listed findings and forward F19-13 to the City Council with a recommendation for approval.

Aerial Photo:



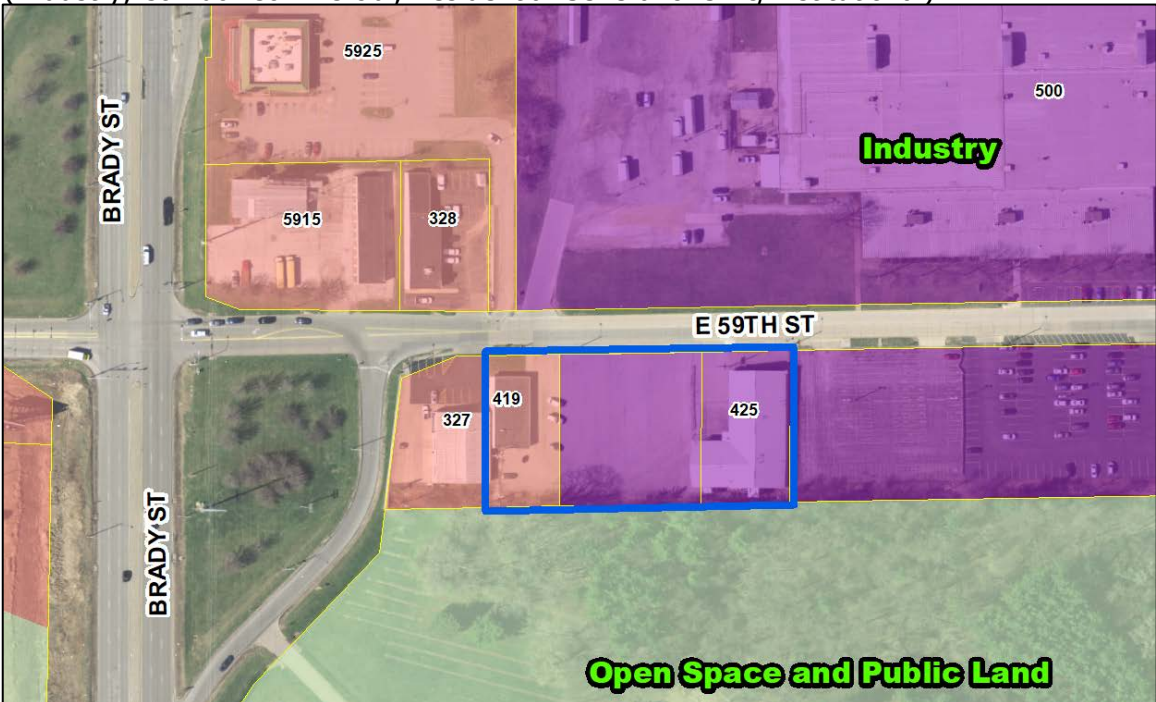
Zoning

("I-1" Light Industrial, "C-2" Corridor Commercial, "R-MF" Multiple Family)



Land Use 2035

(Industry, Corridor Commercial, Residential General & Civic/Institutional)

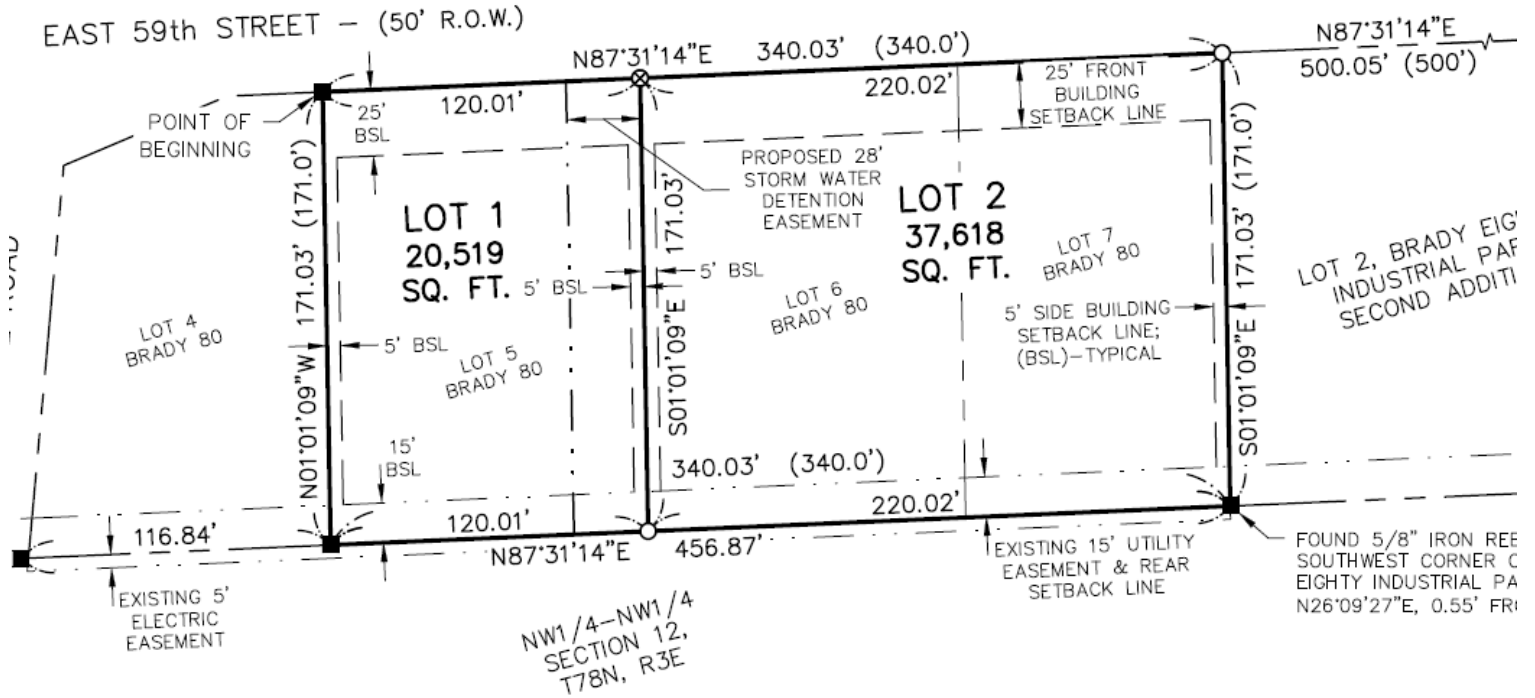


Plat

FINAL PLAT

**LOT 1 & LOT 2 OF SHELDON INDUSTRIAL PARK
IN THE CITY OF DAVENPORT, IOWA
COMPRISED OF LOTS 5, 6 & 7 OF BRADY EIGHTY INDUSTRIAL PARK
FIRST ADDITION IN THE NW1/4 OF SECTION 12, T78N, R3E
OF THE 5th P.M. SCOTT COUNTY, IOWA**

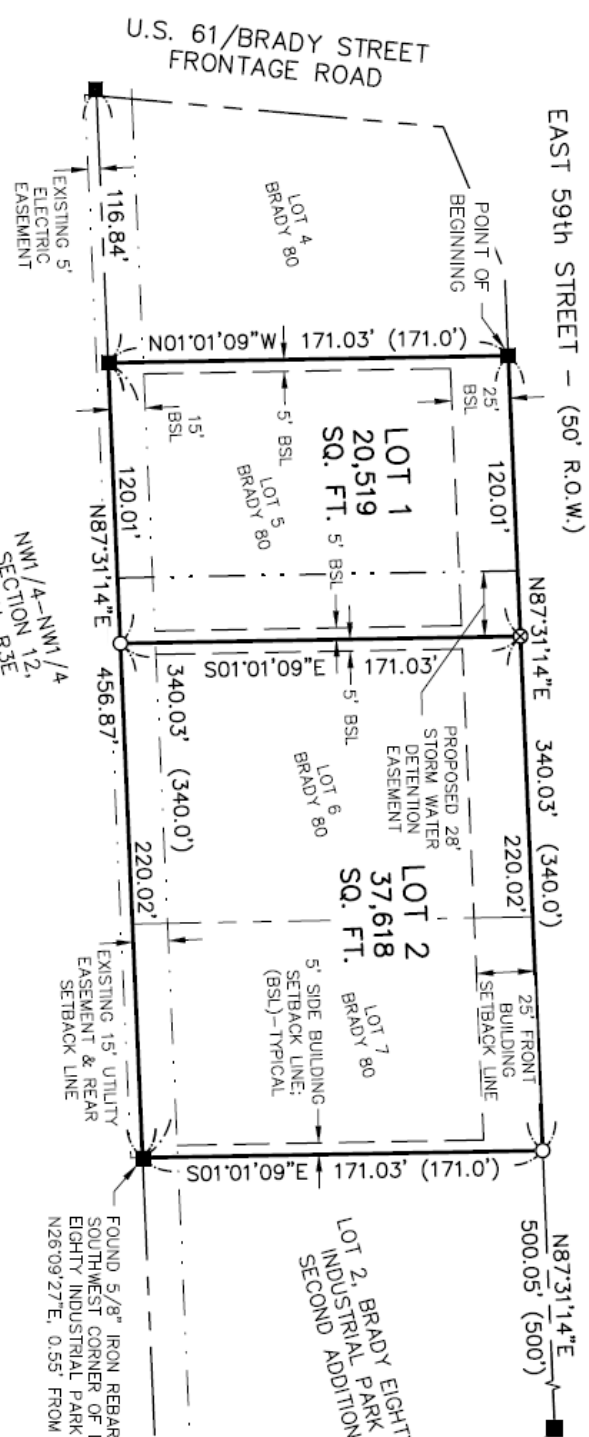
IF SURVEY:
27, 2019
EA SURVEYED:
QUARE FEET
ACRES



DATE OF SURVEY:
JUNE 27, 2019
TOTAL AREA SURVEYED:
58,137 SQUARE FEET
1.33 ACRES

FINAL PLAT
LOT 1 & LOT 2 OF SHELDON INDUSTRIAL PARK
IN THE CITY OF DAVENPORT, IOWA
COMPRISED OF LOTS 5, 6 & 7 OF BRADY EIGHTY INDUSTRIAL PARK
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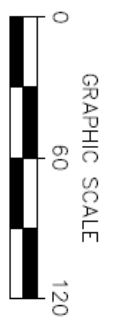
NOTE
THIS SURVEY IS SUBJECT TO
EASEMENTS, RESERVATIONS,
RESTRICTIONS AND
RIGHTS-OF-WAY OF RECORD
AND NOT OF RECORD.



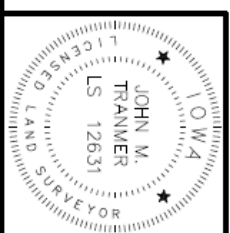
LEGEND

- PROPERTY BOUNDARY
- LOT/R.O.W. LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- RIGHT-OF-WAY
- BRADY EIGHTY INDUSTRIAL PARK FIRST ADDITION
- RECORDED AS
- FOUND 1/2" IRON REBAR WITH RED MARKED PLASTIC CAP OR AS NOTED
- SET 5/8" IRON REBAR WITH RED PLASTIC CAP NO. 12631
- SET MAG NAIL

MIDAMER-GAS BY: _____ DATE: _____
MIDAMER-ELEC BY: _____ DATE: _____
CENTURYLINK BY: _____ DATE: _____
GENESEO COMMUNICATIONS BY: _____ DATE: _____
IOWA AMERICAN WATER COMPANY BY: _____ DATE: _____
WINDSTREAM COMMUNICATIONS BY: _____ DATE: _____
CITY OF DAVENPORT BY: _____
ATTEST: _____
DATE: _____
PLANNING AND ZONING BY: _____
DATE: _____



DRAWING MAY HAVE BEEN REDUCED



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED 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.
FOR IOWA, P.C.
JOHN M. TRANMER
LICENSE NO. 12631
DATE: _____
PRELIMINARY
THIS SHEET ONLY

iiw IOWA PROFESSIONAL ENGINEERS
ARCHITECTURE
CIVIL ENGINEERING
CONSTRUCTION SERVICES
ENVIRONMENTAL ENGINEERING
LAND SURVEYING
MECHANICAL ENGINEERING
STRUCTURAL ENGINEERING
TRANSPORTATION ENGINEERING

DRAWN	CHK	PLAT NO.	Final Plat
CHECKED	JMT	PROJ. NO.	19101
DATE	7-17-19	SHEET	1 of 3

7-17-19 (19101) SURVEY 19101 PLAT

BACKGROUND

Comprehensive Plan:

Within Urban Service Area (USB35): Yes

Future Land Use Designation: Industry/Commercial Corridor

Technical Review:

Streets. No new streets are proposed with this request.

Storm Water. The plat will need to conform to any requirements of the City of Davenport Natural Resources Division.

Sanitary Sewer. Sanitary sewer service is located along the street. No new service will be required.

Other Utilities. Normal utility services are available nearby in this developed area.

Parks/Open Space. No park shall be required with this infill development.

DISCUSSION

Planning Staff has reviewed this plat and confirmed that the plat conforms to the requirements of the subdivision code.

STAFF RECOMMENDATION

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat has achieved consistency with subdivision requirements.

Recommendation:

Staff recommends the City Plan and Zoning Commission forward F19-13 to the City Council with a recommendation for approval as proposed.

Prepared by:



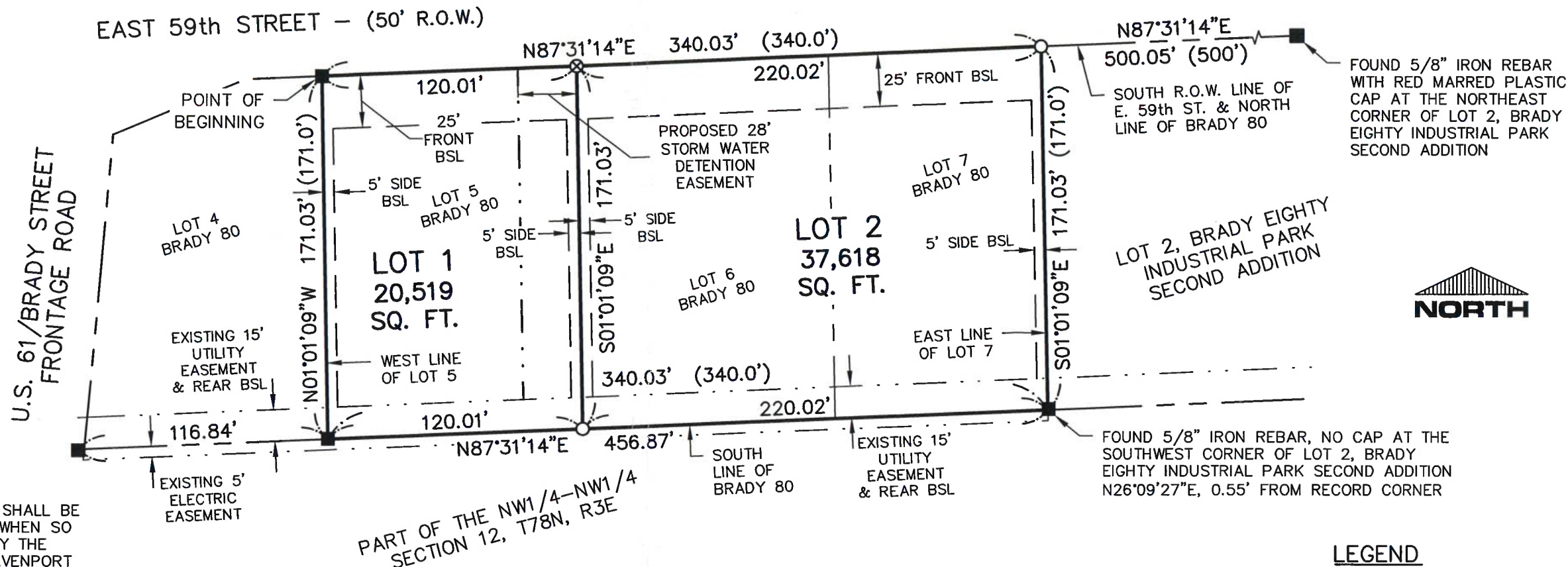
Scott Koops, AICP – Planner II
Community Planning

FOR RECORDER USE

DATE OF SURVEY:
JUNE 27, 2019
TOTAL AREA SURVEYED:
58,137 SQUARE FEET
1.33 ACRES

FINAL PLAT
LOT 1 & LOT 2 OF SHELDON INDUSTRIAL PARK
IN THE CITY OF DAVENPORT, IOWA
COMPRISED OF LOTS 5, 6 & 7 OF BRADY EIGHTY INDUSTRIAL PARK
FIRST ADDITION IN THE NW1/4 OF SECTION 12, T78N, R3E
OF THE 5th P.M. SCOTT COUNTY, IOWA

NOTE
THIS SURVEY IS SUBJECT TO
EASEMENTS, RESERVATIONS,
RESTRICTIONS AND
RIGHTS-OF-WAY OF RECORD
AND NOT OF RECORD.



CITY NOTE:
SIDEWALKS SHALL BE
INSTALLED WHEN SO
ORDERED BY THE
CITY OF DAVENPORT

CITY OF DAVENPORT

BY: _____

ATTEST: _____

DATE: _____

PLANNING AND ZONING

BY: _____

DATE: _____

MIDAMER-GAS

BY: Mark Tranmer

DATE: 9/10/19

MIDAMER-ELEC

BY: Mark Tranmer

DATE: 9/10/19

CENTRAL SCOTT TELEPHONE

BY: Rail Bulletin

DATE: 9-11-2019

GENESEO COMMUNICATIONS

BY: Roger Hume

DATE: 09/10/19

CENTURYLINK

BY: Joe

DATE: 9-10-19

IOWA AMERICAN WATER COMPANY

BY: Jeff Allen

DATE: 9-10-19

MEDIACOM COMMUNICATIONS CORP

BY: Mark Barock

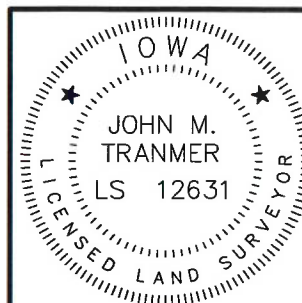
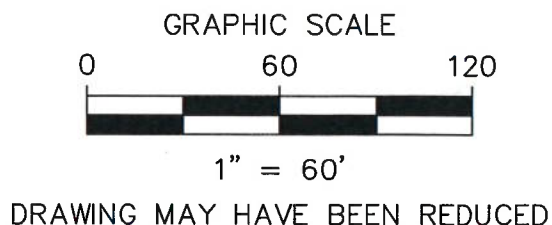
DATE: 9/10/19

WINDSTREAM COMMUNICATIONS

BY: N/A

DATE: 9/10/19

LEGEND
PROPERTY BOUNDARY
LOT/R.O.W. LINE
EASEMENT LINE
BUILDING SETBACK LINE
RIGHT-OF-WAY
BRADY EIGHTY INDUSTRIAL
PARK FIRST ADDITION
RECORDED AS
FOUND 1/2" IRON REBAR WITH RED
MARRED PLASTIC CAP OR AS NOTED
SET 5/8" IRON REBAR WITH
RED PLASTIC CAP NO. 12631
SET MAG NAIL



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.

FOR IIW, P.C.

JOHN M. TRANMER

LICENSE NO. 12631

PAGES OR SHEETS COVERED BY THIS SEAL

MY LICENSE RENEWAL DATE IS 12/31/2020

SHEETS 1, 2 & 3

IIW, P.C.



www.iiwengr.com • 800.556.4491

DRAWN DMK

CHECKED JMT

DATE 8-22-19

PLAT NO. Final Plat

PROJ. NO. 19101

SHEET 1 of 3

P:\19\101\DRAWINGS\SURVEY\19101 PLAT

ARCHITECTURE
CIVIL ENGINEERING
CONSTRUCTION SERVICES
ENVIRONMENTAL ENGINEERING
LAND SURVEYING
MUNICIPAL ENGINEERING
STRUCTURAL ENGINEERING
TRANSPORTATION ENGINEERING

FINAL PLAT
LOT 1 & LOT 2 OF SHELDON INDUSTRIAL PARK
IN THE CITY OF DAVENPORT, IOWA
COMPRISED OF LOTS 5, 6 & 7 OF BRADY EIGHTY INDUSTRIAL PARK
FIRST ADDITION IN THE NW1/4 OF SECTION 12, T78N, R3E
OF THE 5th P.M. SCOTT COUNTY, IOWA

SURVEYOR'S NOTES

THIS SUBDIVISION PLAT WAS PREPARED AT THE REQUEST OF SHELDON HOLDINGS, L.L.C., 1018 EAST IOWA STREET, ELDRIDGE, IOWA 52748;
CONTACT: KEITH SHELDON

IT SHOULD BE NOTED THAT IN THE PERFORMANCE OF THIS SURVEY, THE COURSES AND DISTANCES OF THIS SURVEY MAY VARY FROM RECORDED CALLS, BASED ON THE EXISTENCE OF FOUND MONUMENTATION, OCCUPATION, OR OTHER CONTROLLING CALLS OR CONDITIONS THAT HAVE OCCURRED IN THE RE-SURVEY OF THIS PROPERTY.

THIS SURVEY IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD AND NOT OF RECORD.

NO INVESTIGATION CONCERNING ENVIRONMENTAL AND SUBSURFACE CONDITIONS, OR FOR THE EXISTENCE OF UNDERGROUND. CONTAINERS, STRUCTURES OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.

NO INVESTIGATION WAS MADE AS A PART OF THIS SURVEY TO DETERMINE OR SHOW DATA CONCERNING THE EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITIES OR MUNICIPAL FACILITIES EXCEPT AS NOTED. CONTACT IOWA ONE-CALL AT 1-800-292-8989, FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES.

THIS SUBDIVISION IS NOT SUBJECT TO A SPECIAL FLOOD HAZARD AREA AS DEFINED BY FEMA PER COMMUNITY FIRM PANEL NUMBER 190242 0355 F, WITH AN EFFECTIVE DATE OF FEBRUARY 18, 2011.

DISTANCES LISTED ARE IN FEET AND DECIMAL PARTS OF A FOOT.

ALL MONUMENTS HAVE BEEN FOUND OR SET AS SHOWN ON THIS PLAT.

GENERAL NOTES

CURRENT ZONING OF THE PROPERTY IS I-1 – LIGHT INDUSTRIAL ZONING DISTRICT.

SIDEWALKS SHALL BE CONSTRUCTED ALONG STREET FRONTAGES WHEN SO ORDERED BY THE CITY.

STORMWATER DETENTION IS REQUIRED ON THIS SUBDIVISION AND AN EASEMENT FOR STORM WATER DETENTION IS AS SHOWN ON THE PLAT.

DEVELOPMENT WITHIN THIS PLAT SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 17.41 OF THE DAVENPORT MUNICIPAL CODE ENTITLES "HCOD" HIGHWAY CORRIDOR OVERLAY DISTRICT.

BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE, AND CABLE T.V. TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.

ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST STANDARD SPECIFICATIONS OF THE CITY OF DAVENPORT, IOWA.

ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE FUTURE CODE REQUIREMENTS SHALL GOVERN.

ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.

UTILITIES SHALL BE PLACED IN AN EASEMENT AS NOTED ON PLAT.

DATE OF SURVEY:
JUNE 27, 2019
TOTAL AREA SURVEYED:
58,137 SQUARE FEET
1.33 ACRES

	DRAWN	DMK	PLAT NO.	Final Plat
	CHECKED	JMT	PROJ. NO.	18101
	DATE	8-22-19	SHEET	2 of 3
	P: \19\101\DRAWINGS\SURVEY\19101 PLAT			

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Ryan Rusnak 563-888-2022
Wards:

Action / Date
10/2/2019

Subject:
Resolution for Case F19-16 being the request of Cook Real Estate Development for a final plat of A Lot of Storage Subdivision on 5.53 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 2 lots. [Adjacent to Ward 1]

Recommendation:
Adopt the Resolution.

Background:
This property is contiguous with the City limits. The City has the authority to review subdivisions within 2 miles of its boundary.

This subdivision will have to be approved by both Scott County and the City. The County has the final say; and in practice has not taken final action until the City completes its process.

It is staff's opinion that the plat would not have adverse effects to the City of Davenport.

Plan and Zoning Commission Recommendation:

Finding:

1. The plat achieves consistency with subdivision requirements.

The Plan and Zoning Commission accepted the listed finding and forwards case F19-16 to the City Council with a recommendation for approval.

The Commission vote was 9 yes, 0 no and 0 abstention.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Final Plat
▣ Backup Material	Scott County Information
▣ Backup Material	Aerial Photograph

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	9/26/2019 - 9:24 AM
Community Development Committee	Berger, Bruce	Approved	9/26/2019 - 9:24 AM
City Clerk	Admin, Default	Approved	9/26/2019 - 2:09 PM

Resolution No. _____

Resolution offered by Rita Rawson, Chairperson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case F19-16 being the request of Cook Real Estate Development for a final plat of A Lot of Storage Subdivision on 5.53 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 2 lots. [Adjacent to Ward 1]

WHEREAS, this property is adjacent to the City limits and the City has the authority to review subdivisions within 2 miles of its boundary.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Final Plat of A Lot of Storage is forwarded to the Scott County Board of Supervisors with a recommendation for approval.

and the Mayor and Deputy City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution.

Attest:

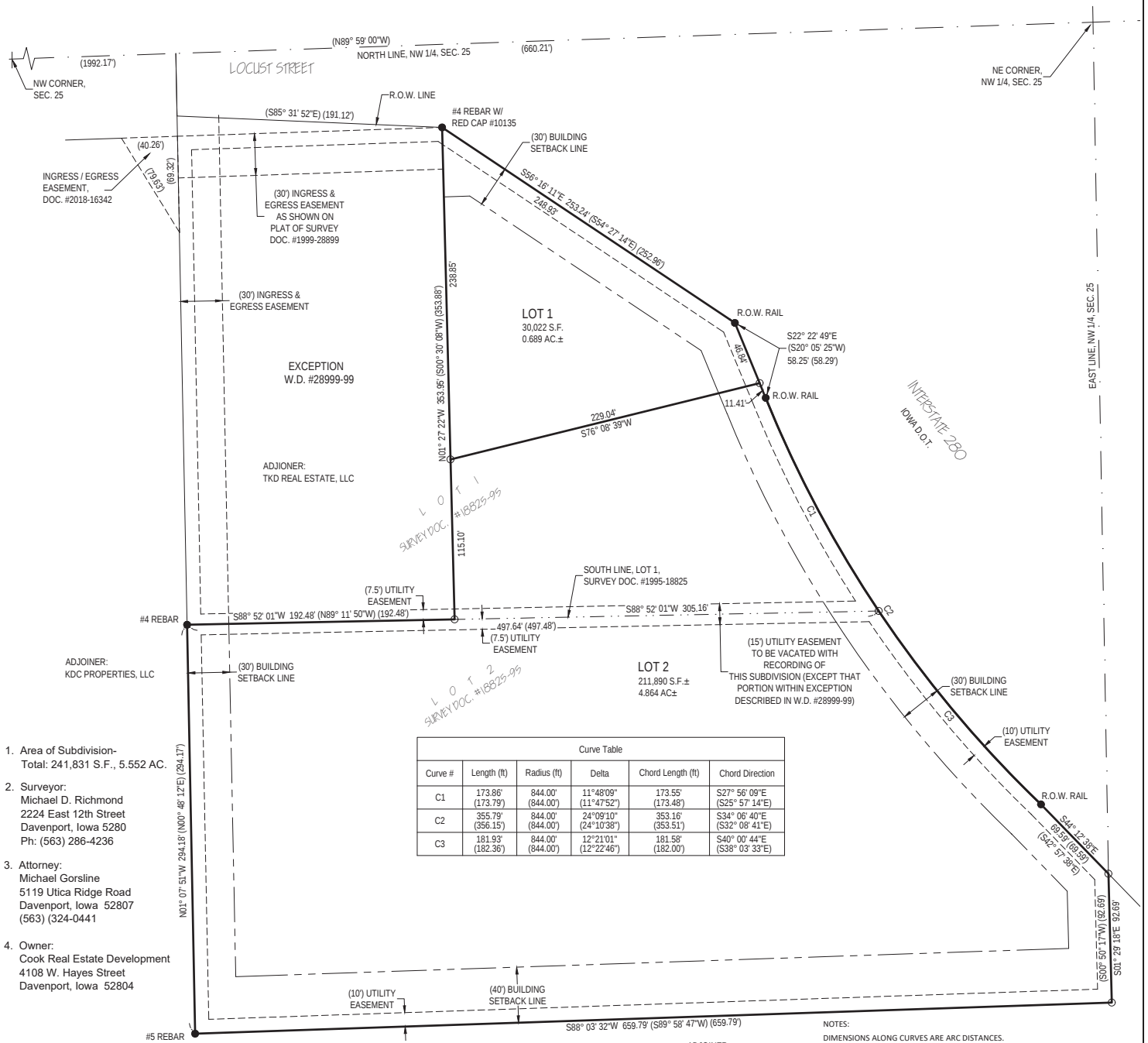
Approved:

Brian Krup, Deputy City Clerk

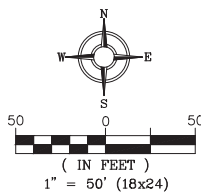
Frank Klipsch, Mayor

FINAL PLAT OF:
**A LOT OF STORAGE
SUBDIVISION**

BEING PART OF THE EAST HALF OF THE NORTHWEST
QUARTER OF SECTION 25, TOWNSHIP 78 NORTH,
RANGE 2 EAST OF THE FIFTH PRINCIPAL MERIDIAN,
SCOTT COUNTY, IOWA.



LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED = ●
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 = ○
BOUNDARY LINE = ———
FENCE LINE = — x — x —
EASEMENT LINE = - - - - -
SETBACK LINE = - . . . - .
SECTION LINE = —+—+—+—



THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOD 12A, NAD 83
(2011) EPOCH 2010.08.

MID AMERICAN ENERGY

BY: _____ DATE _____

CENTURYLINK

BY: _____ DATE _____

SCOTT COUNTY PLANNING AND DEVELOPMENT

BY: _____ DATE _____
MEETS SUBDIVISION AND ZONING REQUIREMENTS

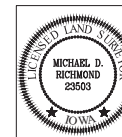
NOTES:
DIMENSIONS ALONG CURVES ARE ARC DISTANCES.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC
RIGHT-OF-WAY.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND
SEAL.

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.



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.

MICHAEL D. RICHMOND
Iowa License Number: 23503
My license renewal date is December 31, 2010
Pages or sheets covered by this seal: 1

PLANNING & DEVELOPMENT

500 West Fourth Street

Davenport, Iowa 52801-1106

Office: (563) 326-8643

Fax: (563) 326-8257

Email: planning@scottcountyiowa.com



Timothy Huey
Director

NOTICE OF PLANNING AND ZONING COMMISSION PUBLIC HEARING FOR A SKETCH PLAN/FINAL PLAT OF A MINOR SUBDIVISION

In accordance with the Subdivision Ordinance for unincorporated Scott County, the Planning and Zoning Commission will hold a public hearing for a sketch plan/final plat of a minor subdivision on **Tuesday, August 20, 2019 at 7:00 P.M.** This notice is being sent to property owners of record within 500 feet of the property in question and to appropriate County officials. The meeting will be held in the **1st Floor Board Room, Scott County Administrative Center, 600 W. 4th Street, Davenport, Iowa 52801.**

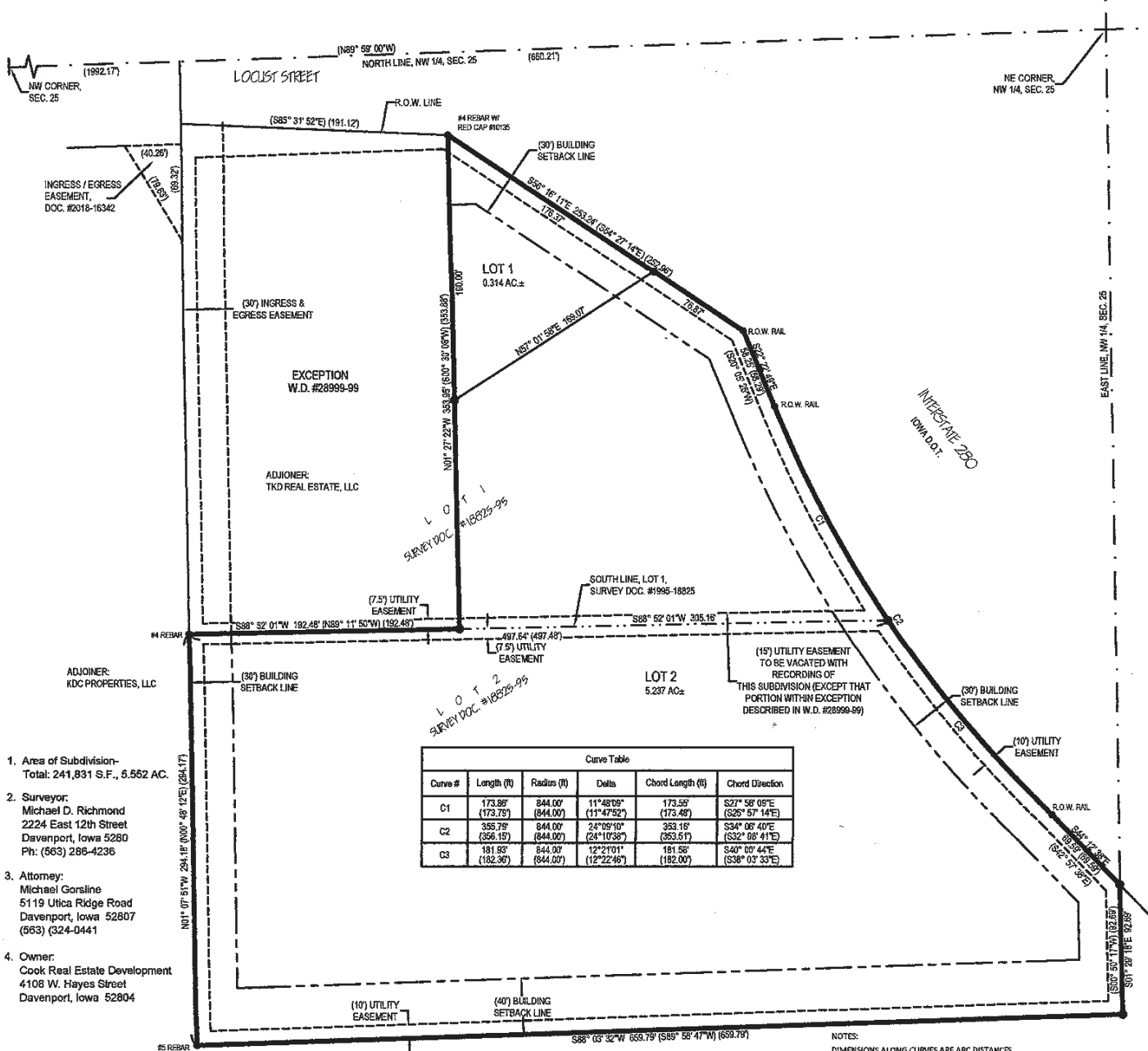
An application has been submitted by **Jeff Cook DBA Cook Real Estate Development** for a sketch plan/final plat of a Minor Subdivision known as A Lot of Storage. The plan proposes to subdivide an existing 5.5 acre parcel, more or less, into two (2) new lots. Lot 1 will be 0.3 acres and Lot 2 will be 5.3 acres, more or less. The property is zoned Commercial Light Industrial (C-2) and is located directly south of 160th Street (Locust Street) and directly west of Interstate I-280. The property is legally described as part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Blue Grass Township (Parcel ID#: 822503004). A copy of the proposed subdivision is included on the reverse side of this notice.

If you have questions or comments regarding this meeting or the proposed plat please call, write or email the Planning and Development Department, 600 West Fourth Street, Davenport, Iowa 52801, (563)-326-8643, planning@scottcountyiowa.com or attend the meeting.

Timothy Huey
Director

FINAL PLAT OF:
**A LOT OF STORAGE
SUBDIVISION**

BEING PART OF THE EAST HALF OF THE NORTHWEST QUARTER
OF SECTION 25, TOWNSHIP 78 NORTH, RANGE 2 EAST OF THE
FIFTH PRINCIPAL MERIDIAN, SCOTT COUNTY, IOWA.



1. Area of Subdivision-
Total: 241,831 S.F., 5.562 AC.

2. Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 286-4236

3. Attorney:
Michael Gorsline
5119 Utica Ridge Road
Davenport, Iowa 52807
(563) (324-0441)

4. Owner:
Cook Real Estate Development
4108 W. Hayes Street
Davenport, Iowa 52804

NOTES:
DIMENSIONS ALONG CURVES ARE ARC DISTANCES.
MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC
RIGHT-OF-WAY.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND
SEAL.

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.

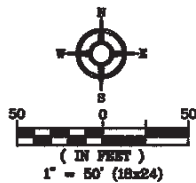
I hereby certify that this land surveying document was prepared and
the related survey work was performed by me or under my direct
personal supervision and that I am a duly licensed Land Surveyor
under the laws of the State of Iowa.



MICHAEL D. RICHMOND
Iowa License Number: 20605
My license renewal date is December 31, 2019
Pages or sheets covered by this seal: 1

LEGEND:

DEED DIMENSION = (0.00)
FIELD DIMENSION = 0.00
MONUMENTS FOUND:
AS NOTED =
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 =
BOUNDARY LINE =
FENCE LINE =
EASEMENT LINE =
SETBACK LINE =
SECTION LINE =



THIS MEASURED BEARING IS GIVEN
HEREON AND BASED ON THE US STATE
PLANE COORDINATE SYSTEM, NAD 83
SCOTT ZONE (0 495) GRID 12A, NAD 83
GDA 11 190000 2014 00.

MID AMERICAN ENERGY

BY: _____ DATE _____

CENTURYLINK

BY: _____ DATE _____

SCOTT COUNTY PLANNING AND DEVELOPMENT

BY: _____ DATE _____
MEETS SUBDIVISION AND ZONING REQUIREMENTS

**TOWNSEND
ENGINEERING**

DATE: 7/16/2019
563-286-4236
2224 East 12th Street, Davenport, IA 52803

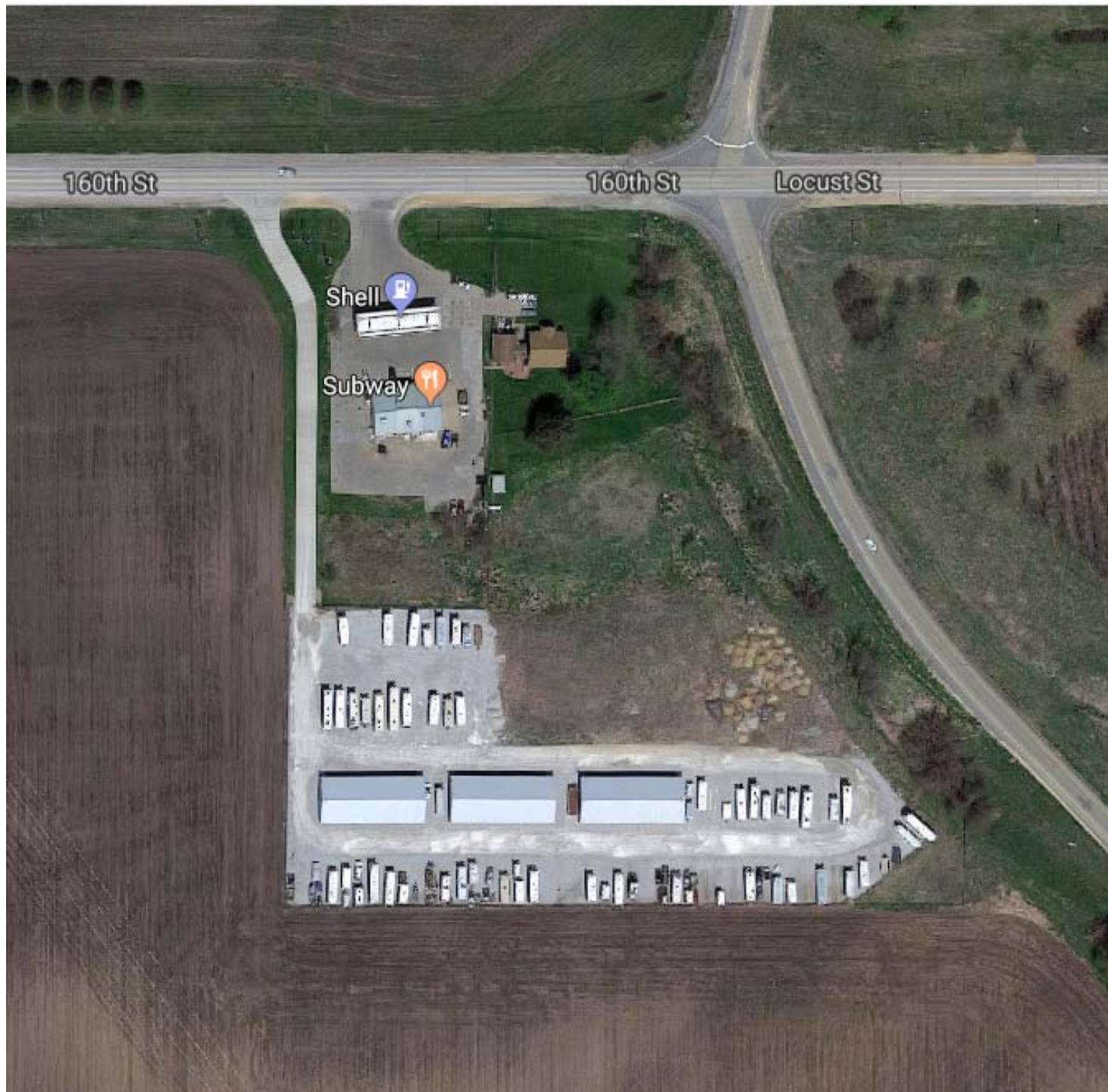
DESIGNED BY: [Signature]
CHECKED BY: [Signature]
DRAWN BY: [Signature]
SCALE: AS SHOWN

NO.	REVISION	DATE

PROJECT
FINAL PLAT
A LOT OF STORAGE SUBDIVISION
DAVENPORT, IOWA

PREPARED FOR:
JEFF COOK
4108 HAYES STREET
DAVENPORT, IOWA 52804

SHEET NO.
1
OF
1



City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Steve Ahrens 563-888-2235
Wards:

Action / Date
10/9/2019

Subject:
Resolution to re-authorize the lease agreements with the Lindsay Park Boat Club. [Wards 5 & 6]

Recommendation:
Adopt the Resolution.

Background:
The Lindsay Park Boat Club is receiving disaster assistance through the Small Business Administration regarding the spring flooding. There is no City of Davenport involvement, except that the SBA has requested recorded copies of the lease agreements.

Because of the fact that these agreements originated in 1961 and there is no recorded copy, Corporation Counsel Warner offered the idea of reauthorizing the existing lease agreements and recording those documents. This is acceptable to the SBA and allows the loan to be expeditiously processed.

The Riverfront Improvement Commission approved the re-authorization of the lease agreements at its regular meeting on September 24, 2019. For leases with a term beyond three years in length, the City Council must concurrently approve.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	1961 Boat Club Lease Agreement
▣ Backup Material	1961 Marina Lease Agreement
▣ Backup Material	2016 Lease Addendum

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/19/2019 - 11:30 AM

Resolution No. _____

Resolution offered by Alderwoman Rawson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION for Concurrent Approval of the Lindsay Park Boat Club Re-Authorized Lease Agreements

WHEREAS, the Lindsay Park Boat Club is receiving disaster assistance through the Small Business Administration regarding the spring flooding; and

WHEREAS, the SBA has requested recorded copies of the lease agreements with the City; and

WHEREAS, as these agreements originated in 1961 and there is no recorded copy, Legal staff recommends reauthorizing the existing lease agreements and recording those documents; and

WHEREAS, this is acceptable to the SBA and allows the loan to be expeditiously processed; and

WHEREAS, the Riverfront Improvement Commission approved the re-authorization of the lease agreements at its regular meeting on September 24, 2019; and

WHEREAS, for leases with a term beyond three years in length, the City Council must concurrently approve.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that concurrent approval of the re-authorized lease agreements for the Lindsay Park Boat Club is hereby given.

Passed and approved this 9th day of October 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, City Clerk

LPBC Lease Agreement

THIS DUPLICATE LEASE AND AGREEMENT, made this 20th day of DECEMBER, 1961, but effective as of the 1st day of JANUARY, 1962, by and between the CITY OF DAVENPORT, IOWA, a Municipal Corporation, through its Levee Improvement Commission, Party of the First Part (hereinafter called Lessor), and LINDSAY PARK BOAT CLUB, INC., an Iowa Corporation, not for pecuniary profit, Party of the Second Part (hereinafter called Lessee),

WITNESSETH:

That the said Lessor, for and in consideration of the rents agreed to be paid by Lessee and the covenants and agreements hereby entered into by said Lessee, has demised and leased, and, by these presents, does demise and lease unto the said Lessee, its successors and assigns, the following described premises situated in the City of Davenport, Scott County, Iowa, to-wit:

"Commencing at the Northwest Corner of the Southwest 1/4 of Fractional Section 30, Township 78 North, Range 4 East of the 5th P.M.; Thence East 1376 Feet to the Southwest Corner of 11th and Mound Streets; Thence South 00 Degrees 22 Minutes East 465.5 Feet; Thence South 19 Degrees 45 Minutes East 232.01 Feet to the point of beginning of the tract herein described; Thence continuing South 19 Degrees 45 Minutes East 127.72 Feet to the riverward face of the sea wall; Thence South 75 Degrees 03 Minutes West along the riverward face of the seawall 255.56 Feet; Thence North 14 Degrees 57 Minutes West 126.6 feet; Thence North 74 Degrees 54 Minutes East 245.0 Feet to the point of beginning. Containing 0.73 acres more or less excepting therefrom all of the above described tract which lies south of the northerly line of the U.S. Government intercepting sewer and seawall."

for the full term of ten (10) years from the 1st day of JANUARY, 1962, up to and including the 31st day of DECEMBER, 1971, at the annual rental of Three Hundred Fifty (\$350.00) Dollars, payable in advance on the first day of JANUARY of each year during the period of this lease, commencing JANUARY 1st, 1962.

It is agreed that Lessee shall have the use of Mound Street extended South to the Northerly line of said leased premises for ingress and egress to and from said leased premises, provided, however, that Lessee shall in no event blockade or in any way impair or impede, even temporarily, the use of said right or way or thoroughfare by the general public or other tenants of Lessor.

All monthly rents shall be payable to the Secretary of the Levee Improvement Commission at his office in the City Hall, Davenport, Iowa, and without notice or demand for the same by Lessor as said rents come due..

And said Lessee, on consideration for this lease and the covenants herein contained, does hereby covenant and agree to pay the said rents aforesaid in manner and form as hereinabove set forth, hereby covenanting that said rents whether due or to become due, shall be a perpetual lien on any and all personal property of Lessee now or hereafter situated, taken or used upon said leased premises and also on any improvements permitted or installed by Lessee on said leased premises whether said personal property improvements are exempt from execution or not; and Lessee further agrees that if any of the rents herein specified shall become due and remain unpaid for the period of ten (10) days or, in the event Lessee shall fail to comply with any other of the terms and provisions of this lease, then and in that event it shall be optional with Lessor to declare this lease void and upon giving three (3) days notice thereof to re-enter upon said premises and to remove all persons therefrom under the summary remedy of the law as provided for forcible entry and detention of real property.

And Lessee further covenants that, in the event immediate possession be not given by Lessee to Lessor on forfeiture of this lease or at the expiration of the term thereof, Lessee will pay to Lessor the sum of Ten (\$10.00) Dollars for each and every day said premises shall be thus with-held from Lessor; and Lessee further agrees to surrender said premises at the expiration of this lease or sooner termination thereof in as good condition as it now is, ordinary wear and tear, reasonable use and damages by the elements excepted.

It is understood and agreed that Lessee herein is a corporation not for pecuniary profit organized for social, recreational and educational purposes, for the purpose of providing year round facilities and accommodations for the owners of private water-craft for parking and storage of such water-craft, and to provide said owners with a Club House and other facilities for recreational,

educational and social purposes; and it is agreed that the above described premises are leased to Lessee herein for the above purposes only, that said leased premises shall be used only for legitimate purposes, and that the same shall not be used at any time for any purpose which may be deemed a public or private nuisance nor for any purpose (even though the same be not a public or private nuisance) which, in the judgment and opinion of the Levee Improvement Commission would be offensive or injurious to the public or to any other tenant of Lessor.

improvements
It is further understood and agreed that in the event Lessee shall erect buildings and other ~~improvements~~ as well as equipment for the handling and storage of private water-craft for its members, then and in that event, all buildings, structures and other installations which may be so installed or erected upon said leased premises shall be built strictly in conformity with any building code of the City of Davenport which may now be in force or which may be hereafter enacted in respect to such equipment, structures and buildings, and all general plans for such additions, improvements and structures must first be approved by the Levee Improvement Commission so as to secure general uniformity in the exterior appearance thereof.

It is further provided that no buildings or other structures shall be erected nor any additions to existing buildings constructed nor any substantial alterations made in existing buildings during the term of this lease until the written consent of the Levee Improvement Commission has first been obtained.

copy
It is further agreed by Lessee that it ~~will~~ pay, in addition to the rentals hereinabove specified, any and all taxes, assessments and levies of any nature and kind whatsoever which may be taxed, levied or assessed upon or against said premises or upon any buildings, structures, equipment and improvements thereon or which may be levied or assessed upon or against the leasehold estate hereby

created; and, it is further agreed that in the event Lessee shall fail to pay any such taxes, levy or assessment before the same becomes delinquent, then Lessor may pay the same and the amount so paid by Lessor shall be considered an additional rent due from Lessee at the next rent pay day thereafter.

provision
It is further agreed that the City of Davenport owns and maintains an intercepting sewer over and across the land herein leased, and that this lease is and shall be subject to the rights of the City of Davenport to maintain and repair said intercepting sewer.

accept
It is further understood and agreed that Lessee takes and accepts the leased premises as they are and in their condition at the effective date of this lease; and Lessor shall not be in any way liable on account of any giving away or sinking of any ground covered by this lease, or of any ground adjacent thereto, or of any conditions which may be caused by or result from the seeping of water through or under said leased premises or through or under any ground adjacent thereto, nor shall Lessor be liable on account of any conditions which may result from the flooding of said leased premises or any part thereof, nor for any injury to, failure of or disintegration of any part of the seawall in front of said leased premises, nor for any injury to, failure of or disintegration of said leased premises or any part thereof, nor for any injury which may result from any defective conditions, known or unknown, existing in, upon or under said leased premises.

LC property
It is further understood and agreed that in case Lessor shall, without any fault on its part, be made a party to any litigation commenced by or against Lessee, then and in that event Lessee shall pay all costs and attorney's fees incurred by or against Lessor or in connection with such litigation; and Lessee shall also pay all costs and attorney's fees which may be incurred by Lessor in enforcing covenants, terms and conditions of this lease, and all such costs and attorney's fees as well as the rent provided for in this lease, and all payments of money to be made by Lessee as hereinabove specified, shall be and are hereby declared to be a first lien upon all property of Lessee of every nature, kind and

description, taken or used upon said leased premises as well as upon any and all personal property, equipment, buildings and improvements placed upon said leased premises by Lessee at any time during the term of this lease, and also upon the leasehold estate hereby created, and upon the rents of any and all buildings and improvements situated on said premises at any time during the term of this lease.

interest 6%
It is further agreed that any installment of rent accruing under the provisions of this lease or any other money or moneys which may become due and payable hereunder to Lessor, which are not paid when due shall bear interest at the rate of six (6%) per cent per annum from the date when the same become due by the terms hereof until the same is paid to Lessor.

Cumulative
It is agreed that all the rights, powers, options, elections, agreements and remedies of Lessor contained in this lease shall be construed to be cumulative and no one of them as exclusive of any rights or priorities allowed by law.

void
It is agreed that the right given in this lease to the said Lessor to collect the rent or any other moneys or payments that may be due under the terms of this lease by any proceedings, or the right herein given the Lessor to enforce any of the terms and provisions of this lease in any other way shall not in any way affect the right of said Lessor to declare this lease void and the term hereby created ended, as herein provided when default is made in the payment of said rent or other moneys or any default is made by the Lessee in the performance of any of the terms and conditions of this lease.

notification
It is further agreed that in any case where, in the opinion of the Lessor or under the terms of this lease, it shall be deemed necessary for the interest of the Lessor to serve notice or demand on the Lessee, it shall be a sufficient service of such notice or demand to leave a copy thereof at the place of business

of the Lessee in Davenport, Iowa, or to post a copy of the same anywhere on said leased premises.

specifically
It is agreed that no waiver of a breach of any of the covenants of this lease shall be construed to be a waiver of any succeeding breach of the same covenant. It is agreed that each of the expressions, phrases, terms, conditions, provisions, stipulations, admissions, promises, agreements, requirements and obligations of this lease shall extend and bind and inure to the benefit, not only of the parties hereto but of each of the successors and assigns of the respective parties hereto; and whenever in this lease a reference to either of the parties hereto is made, such reference shall be deemed to include, whenever applicable, also a reference to the successors and assigns of such party, the same as if in each case expressed.

intended by
It is agreed that this lease shall not be assigned by the Lessee, nor any part of the leased premises sublet, until the written consent of the Levee Improvement Commission has first been obtained; provided, however, that such consent shall not be refused to any subletting or assigning to a responsible person for a legitimate business purpose which in the opinion of the Levee Improvement Commission shall not be offensive or detrimental to any other tenant of Lessor or to the public.

not liable to dis-
It is agreed that the Lessor shall not be responsible in any way for any damage by fire caused by any sparks or coals from cranes or locomotives, or caused in any other manner, regardless of whether or not any person was negligent; and the Lessor shall not be responsible in any way for any damage caused by or through the operation of any crane or locomotive which it may own or through the breakdown or failure of any such crane or locomotive to operate, regardless of whether or not any one was negligent; it being one of the considerations of this lease that the Lessee assumes all risks of damage from any cause whatsoever.

no signs
It is agreed that no signs shall be erected on the leased premises or placed on, or on top of, or against any buildings or other structures which may be constructed on the leased premises until the consent in writing of the Levee Improvement Commission has first been obtained.

right to enter
The Lessor reserves the right to enter upon the leased premises at any time to inspect the same.

option
Lessee shall have the right or option to have this lease renewed or extended for a period of ten (10) years from and after the 1st day of JANUARY, 1972, up to and including the 31st day of DECEMBER, 1981, on the same terms and conditions as herein contained but at an annual rental to be determined and agreed upon by Lessor and Lessee on or before the 1st day of JANUARY, 1972.

In order to exercise said right or option to have this lease so extended or renewed, Lessee shall cause to be delivered to the Chairman or Secretary of the Levee Improvement Commission a written notice evidencing and signifying Lessee's desire for such extension and renewal which notice shall be so delivered on or before the 1st day of NOVEMBER, 1971. Such notice may be given by registered mail, return receipt requested, or may be served on or before said date in the same manner as an original notice for the commencement of an action in the District Court of Iowa.

rental rate
In the event Lessor and Lessee shall not be able to agree in writing on or before JANUARY 15th, 1972, as to the amount of the monthly rental to be paid by Lessee for said premises during said renewed or extended ten (10) year period, then Lessor shall, on or before JANUARY 10, 1972, select one (1) appraiser and immediately notify Lessee in writing of the name of the person so chosen and, within ten (10) days after receipt of said notice by Lessee,

Lessee shall select one (1) appraiser and notify Lessor in writing of the name of the person so chosen and, within ten (10) days after receipt of said notice by Lessee, Lessee shall select one (1) appraiser and notify Lessor in writing of the name of the person so chosen, and thereupon the two appraisers so chosen by Lessor and Lessee respectively shall, within ten (10) days after the selection of an appraiser by Lessee, choose a third appraiser. In the event of a failure by said two appraisers to choose said third appraiser within said ten (10) day period, then said third appraiser shall be appointed by the Judge of the District Court of the Judicial District in which Scott County, Iowa, is situated, said Judge to be the senior Judge in length of service of the Judges whose legal residences are in Davenport, Iowa, or if there shall be no such Judge senior in length of service, then by that one of such Judges having equal seniority of service who shall be senior in age. All of said appraisers shall be disinterested free-holders owning land in fee in the City of Davenport, Iowa. Said appraisers so chosen shall proceed forthwith to consider, determine and fix the monthly rental for the premises hereinabove leased for the extended or renewed period of ten (10) years, and said appraisers shall notify Lessor and Lessee in writing of their findings and determination within ten (10) days after the appointment or selection of the third appraiser as hereinabove set forth, which finding shall be sworn to and verified by said appraisers as being true and correct and in accordance with their best judgment, and the verified findings of said appraisers, or a majority of them, shall be final and binding upon the parties hereto, and the monthly rental so fixed by said appraisers, or by the majority of them, shall be the monthly rental for said extended or renewed ten (10) year period, provided, however, that any improvements made by Lessee on the leased premises shall not be taken into consideration by the said appraisers in fixing and determining said monthly rentals

remains

It is further understood and agreed that all buildings, structures and improvements which may be installed or erected by Lessee on the premises herein leased shall remain the property of Lessee who shall remove the same from said leased premises upon the expiration or termination of this lease or of any removal or extension thereof, but Lessee shall leave said premises in good order and in the same condition as of the effective date of this lease, ordinary wear and tear, reasonable use and damages by the elements excepted, provided, however, that in the event said buildings, structures and improvements are not so removed by Lessee within a period of ninety (90) days from the expiration of this lease or of any renewal or extension thereof, then and in that event said buildings, structures and improvements shall, upon the lapse of said ninety (90) days period, become and remain a part of said leased premises and the property of Lessor.

*LC 10111
H. S. Miller Co. 1*

It is further understood and agreed that ~~Lessor hereby reserves the right or option, in its own judgment, to cancel, annul and revoke this lease at any time during the period thereof, or of any renewal or extension thereof, by giving Lessee herein written notice of such cancellation, annulment or revocation by registered mail, return receipt requested, at least six (6) months before the date fixed for such cancellation, annulment or revocation. In the event of such cancellation, annulment or revocation by Lessor, there shall be a pro-rata refund by Lessor of any rentals paid in advance by Lessee for the unexpired period for which said rentals have been paid in advance.~~

*VOICED
7/28/99*

It is further agreed that, in the event of the cancellation, annulment or revocation of this lease by Lessor before the expiration date thereof or of any renewal for extension thereof in the manner hereinabove provided, Lessee shall not desire to remove any or all of the buildings, structures and improvements installed by Lessee on said leased premises during the period of this lease, then and in that event, Lessor shall reimburse Lessee, at the fair market value thereof, for any such improvements, buildings or structures which Lessee does

not desire or cannot remove, said value to be fixed and determined by three (3) disinterested appraisers who shall be chosen in the same manner as hereinabove provided for the selection of appraisers to fix and determine rentals for any renewed or extended period. Said appraisers shall fix and determine the fair market value of said buildings, structures and improvements so remaining on said premises as of the date of such appraisal, and the value so fixed and determined by said appraisers shall be binding upon the parties hereto, but it is specifically understood and agreed that Lessee shall be entitled to said reimbursement only in the case of the cancellation, annulment or revocation of this lease, or any renewal or extension thereof by Lessor before the expiration of the full term thereof.

possessed by LC
And Lessor hereby agrees and covenants that on the payment of the rents as herein specified and the fulfillment of the terms, covenants and conditions herein made to maintain Lessee in the lawful use and possession of said premises until the end of said term or any renewal or extension thereof.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CITY OF DAVENPORT, IOWA

By *Leon A. Petrucci*
Its Mayor and Chairman of its Levee Improvement Commission.

ATTEST:

Allyn Kline
City Clerk

By *[Signature]*
Secretary of its Levee Improvement Commission.

Lessor.

LINDSAY PARK BOAT CLUB, INC.

By *[Signature]*
Its President.

By *[Signature]*
Its Secretary.

Lessee.

LPBC Marina AGREEMENT

This agreement made and entered into this 20th day of _____
DECEMBER, 1961, by and between Davenport Levee Improvement
Commission, a duly constituted commission of the City of Davenport, a
municipal corporation of the State of Iowa, hereinafter called First Party,
and Lindsay Park Boat Club, Inc., an Iowa corporation organized not for
pecuniary profit, hereinafter called Second Party.

WITNESSETH:

WHEREAS, through the mutual provisions and cooperation of the
Government of the United States of America and the government of the City of
Davenport, Iowa, a breakwater and attendant facilities designated as "Lindsay
Park Marina", and hereinafter referred to as "Marina", have been constructed
on the Mississippi River connected with the sea wall at the foot of Mound Street
inside City of Davenport, and,

WHEREAS, in accordance with prior agreements between the City
of Davenport and the United States Government, such construction was provided
and completed by the United States Government in consideration of which, the
City of Davenport, by its City Council, by resolution, authorized certain
written assurances to the federal government under the terms of which the City
of Davenport, guaranteed the further improvement of said location by providing
access thereto, public parking area, and public mooring in said breakwater for
boats, and,

WHEREAS, by ordinance of the City Council of Davenport, Iowa, the
area of the river and land adjacent thereto, where said Marina has been con-
structed, has been placed under the jurisdiction of the Davenport Levee
Improvement Commission, to be by said commission improved, controlled and
managed on behalf of the City of Davenport, Iowa, and,

WHEREAS, in furtherance of said purposes the Davenport Levee Improvement Commission is desirous of securing the services of Second Party to perform and carry out under the authority and control of said commission, the acts necessary to comply with the aforesaid assurances made by the City of Davenport, and,

WHEREAS, Second Party is an organization formed not for pecuniary profit and is comprised of a membership and employees skilled in the management and operation of harboring, storing and servicing boats and attendant facilities.

NOW THEREFORE BE IT AGREED AS FOLLOWS:

I.

Subject to the following terms and conditions, the parties hereto agree that Second Party shall be employed by First Party for the purpose of managing the operation of the Lindsay Park Marina and the area and facilities which are attendant thereto. The term of this agreement shall be for a period of ten years from this date, with an option on the part of Second Party to renew this agreement for an additional ten-year term. However, First Party, only, shall have the right to cancel this agreement and discharge Second Party from such employment at any time and on such notice as First Party shall direct and without any liability on the part of First Party to any person or persons whomsoever, except for such liability for outstanding debts incurred as specifically authorized and approved by First Party under the following provisions of this agreement.

II.

It is understood and agreed that the consideration to Second Party for performing such services shall be the sum of One Dollar (\$1.00) in hand paid on execution of this agreement, receipt of which is hereby acknowledged, and the advantages accruing to Second Party from the improvements to be provided to the area and to the Marina, and the further granting of a new lease to Second

party for the location and continued operation of Second Party's private boat club adjacent to said Marina.

X (For purposes of interpretation and construction, the operation of a private boat club and club house by Second Party shall not be affected by this agreement, but rather shall be controlled by the separate lease agreement pertaining to said grounds.)

III.

ma-piller
(and then) Second Party agrees that it will manage and conduct the operation of such marina for the use and benefit of the general public on equal terms not only in accordance with the letter but also the spirit of the agreements entered into between the City of Davenport and the government of the United States.

IV.

authentic
will It is understood and agreed that the absolute, complete authority pertaining to the improvement, operation and control of said Marina shall at all times be vested in Davenport Levee Improvement Commission, and that the functions and duties of Second Party hereunder shall only be those expressly authorized by First Party. ★★

conditions Accordingly, the following conditions are expressly understood and agreed between the parties hereto:

memorandum + (1) This agreement is made exclusively with Second Party, and no rights, powers, duties, benefits or liabilities arising hereunder may be transferred, assigned or encumbered by Second Party without the express written approval of First Party. ★

not let
with LC + fund (2) Second Party shall incur no financial obligations or indebtedness on behalf of First Party hereunder, nor shall any funds be obligated or expended until such expenditures have first been submitted to and approved by First Party. ★

LC fund 1 Second Party may from time to time provide funds, other than funds received under the terms of this agreement, and expend the same for construction of capital improvements on the Marina or its environs, provided, however, that

the plans for such proposed improvement, the cost and terms of financing thereof, if any, are first submitted to and approved by First Party.

(3) All improvements so made shall become the property of Davenport Levee Improvement Commission on behalf of the City of Davenport.

(4) It is understood and agreed that in the event of termination of this agreement, for any reason whatever, The City of Davenport will assume any and all outstanding indebtedness of Second Party incurred in the construction of capital improvements, on or in the operation of Lindsay Park Marina, provided that such indebtedness was incurred with the approval of First Party as required under the preceding paragraph (2).

(5) Schedules of rates for rentals of space, concessions or any charges to be exacted from the members of the public for use of any of the facilities shall be uniform and shall first be presented to and approved by First Party.

(6) Second Party will maintain a separate system of books of account showing all transactions performed hereunder and shall cause a complete audit to be made of said books of account at least annually and on or before January 1st of each calendar year hereafter, to be prepared by certified public accountants, and shall submit a certified copy of said report to First Party. In addition thereto, all funds received or disbursed by Second Party hereunder shall be maintained in a separate bank account or accounts, each and all of which shall be identified as "Lindsay Park Marina" and said accounts shall be held in the name of both Davenport Levee Improvement Commission and Second Party, and on which either party may draw.

(7) Second Party shall see to the procurement and maintaining of liability insurance in sufficient amounts to indemnify First Party and the City

of Davenport from any and all claims for damages arising out of the use, occupancy or operation of the Marina or attendant facilities, which may from time to time be operated under the terms of this agreement, and the premiums therefor shall be paid from the said Lindsay Park Marina account.

checked
bonding
(8) Such officers, members, agents or employees of Second Party, who may from time to time be designated to have authority to draw checks on said Lindsay Park Marina account shall be bonded and obtain a surety bond therefor, in form and amount to be approved by secretary of First Party, with whom said bonds shall be filed, and the premiums for said bonds shall be paid from the Lindsay Park Marina account.

bonding
It is the stated purpose and intent of the parties hereto that, unless absolutely necessary, no funds for the construction, maintenance and operation of Lindsay Park Marina shall be sought or obtained from either the City of Davenport or the Davenport Levee Improvement Commission from bond issues, the levy of taxes, or money on hand. Similarly, nothing herein stated shall be construed to obligate or require Second Party to furnish funds for such capital improvements except such funds as may be received by Second Party under the terms and provisions hereof.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day first above written.

CITY OF DAVENPORT, IOWA

By *W. C. G. L. P. Russell*
Its Mayor and Chairman of its
Levee Improvement Commission.

ATTEST:

Allyn Hines
City Clerk

By *W. A. P. Hester*
Secretary of its Levee Improvement
Commission.

Lessor

LINDSAY PARK BOAT CLUB, INC.

By *David J. Mahan*
Its President.

By *James C. Mahan*
Its Secretary
Lessee.

ADDENDUM TO LEASE

THIS ADDENDUM made and entered into this 9th day of March 2016, by and between the City of Davenport, a Municipal Corporation, through its Levee Improvement Commission, (hereinafter called the Lessor), and the Lindsay Park Boat Club, Inc., an Iowa Corporation not for pecuniary profit, (hereinafter called the Lessee).

WITNESSETH THAT THE LESSOR, for and in consideration of the covenants and agreements herein contained, does hereby amend the Lease dated December 20, 1961, and Addendums to Lease dated April 2, 1981, April 27, 1994, July 28, 1999, September 20, 2000, and May 25, 2005, by the following statements:

1. In lieu of the amount for additional rent provided for in the Lease Addendum dated September 20, 2000, additional rent in the amount of \$1,000.00 will be paid annually.

ALL OTHER TERMS of the referenced Lease not in conflict with this Addendum shall remain in force and effect as if fully set forth herewith.

IN WITNESS WHEREOF, the Lessor has authorized this Addendum to the Lease and Agreement to be executed in its name and on its behalf by its Mayor, who also executed this Addendum as Chair of the Levee Improvement Commission, and Lessee has caused this entire instrument to be executed in its name by its authorized officials.

LINDSAY PARK BOAT CLUB



CITY OF DAVENPORT
LEVEE IMPROVEMENT COMMISSION



Frank Klipsch, Mayor and Chair

ATTEST: _____

ATTEST: _____
Jackie Holecek, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
10/9/2019

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

St. Paul Lutheran Church; Trunk or Treat; 2136 Brady St; Sunday, October 20, 2019 4:00 p.m. - 7:30 p.m.; **Closure:** High St from Main St to Brady St. [Ward 5]

St. Paul the Apostle Catholic School; Trunk or Treat; 1007 E Rusholme St; Wednesday, October 23, 2019 4:00 p.m. - 8:00 p.m.; **Closure:** E Rusholme between Carey Ave and Arlington Ave. [Ward 5]

Charles Stelk; Lagomarcino's Cocoa Beano 5K/10K; Saturday, October 26, 2019; **Closures:** 6:30 a.m. - 9:00 a.m. 11th St from Mound St to Jersey Ridge Rd; 6:30 a.m. - 11:00 a.m. 11th St from Jersey Ridge Rd to Hillcrest Ave; 8:00 a.m. - 10:00 a.m. River St from 11th St to McClellan Blvd; McClellan Blvd from River St to Hillcrest Ave; Hillcrest Ave from McClellan Blvd to Kenwood Ave; Kenwood Ave from Hillcrest Ave to Middle Rd; Middle Rd from Kenwood Ave to Eastmere Dr; Eastmere Dr from Middle Rd to City limits; Wood Ln from McClellan Blvd to City limits. [Wards 5 & 6]

Project Renewal; Halloween Party; Wednesday, October 30, 2019 2:00 p.m. - 5:30 p.m.: **Closures:** W 6th St between Myrtle St and Warren St, Vine St between W 5th St and W 7th St. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Per the City's Special Events Policy, City Council will approve street/lane/public grounds closures based on the recommendation of the Special Events Committee.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution
□ Backup Material	St. Paul Lutheran Trunk or Treat Map
□ Backup Material	St. Paul the Apostle Trunk or Treat
□ Backup Material	Cocoa Beano Map
□ Backup Material	Cocoa Beano Village Street Closure Petition
□ Backup Material	Project Renewal Event Map
□ Backup Material	Project Renewal Flyer to Neighbors

REVIEWERS:

Department	Reviewer	Action	Date
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City Clerk

Admin, Default

Approved

9/4/2019 - 11:14 AM

Resolution No. _____

Resolution offered by Alderman Gripp

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

RESOLVED by the City Council of the City of Davenport.

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

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

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

*St. Paul Lutheran Church; Trunk or Treat; 2136 Brady St; Sunday, October 20, 2019 4:00 p.m. - 7:30 p.m.; **Closure:** High St from Main St to Brady St. [Ward 5]*

*St. Paul the Apostle Catholic School; Trunk or Treat; 1007 E Rusholme St; Wednesday, October 23, 2019 4:00 p.m. - 8:00 p.m.; **Closure:** E Rusholme between Carey Ave and Arlington Ave. [Ward 5]*

*Charles Stelk; Lagomarcino's Cocoa Beano 5K/10K; Saturday, October 26, 2019; **Closures:** 6:30 a.m. - 9:00 a.m. 11th St from Mound St to Jersey Ridge Rd; 6:30 a.m. - 11:00 a.m. 11th St from Jersey Ridge Rd to Hillcrest Ave; 8:00 a.m. - 10:00 a.m. River St from 11th St to McClellan Blvd; McClellan Blvd from River St to Hillcrest Ave; Hillcrest Ave from McClellan Blvd to Kenwood Ave; Kenwood Ave from Hillcrest Ave to Middle Rd; Middle Rd from Kenwood Ave to Eastmere Dr; Eastmere Dr from Middle Rd to City limits; Wood Ln from McClellan Blvd to City limits. [Wards 5 & 6]*

*Project Renewal; Halloween Block Party; Wednesday, October 30, 2019 2:00 p.m. - 5:30 p.m.; **Closures:** W 6th St between Myrtle St and Warren St, Vine St between W 5th St and W 7th St. [Ward 3]*

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk





SATURDAY OCTOBER 26, 2019



WEEK WORK
FARM DAYS
COCOA BEANS
CHAMPIONS IN
THE COUNTRY

CITY OF DAVENPORT STREET CLOSING PETITION FOR SPECIAL EVENTS

On the 26th day of OCTOBER, 2019, there is proposed a street closing, requested by VILLAGE OF E. DAVENPORT BUSINESS ASSOCIATION, which will require the closing of 11TH STREET between MOUND STREET and JERSEY RIDGE ROAD, during the hours of 7:00 AM - 1:00 PM.

** Please sign your name and print address below and indicate whether you are in favor of the closing, opposed to the closing, or are not concerned (CHECK ONE, PLEASE).

NAME AND ADDRESS	FAVOR	OPPOSED	NOT CONCERNED
① 11TH STREET PRECINCT 1107 - MOUND STREET	_____	_____	_____
② GRUNDY'S VILLAGE SALOON 2120 E 11TH ST DAVENPORT, IA	_____	_____	_____
③ MCCLELLAN STOCKADE 2124 E 11TH ST DAVENPORT, IA	_____	_____	_____
④ LAGO MARCINIS 2132 E 11TH ST. DAVENPORT, IA	_____	_____	_____
⑤ TAP ON IT	_____	_____	_____
⑥ BAYSIDE ABUILD 1105 CHARLIE DAVENPORT, IA	_____	_____	_____
⑦ RUDY'S TACOS 2214 - E 11TH ST DAVENPORT, IA	_____	_____	_____
⑧ MINT GREEN 2208 E 11TH ST DAVENPORT, IA	_____	_____	_____
⑨ CAKES BY KAY 2218 E 11TH ST DAVENPORT	_____	_____	_____
⑩ BLEVARTS 2218 E 11TH ST DAVENPORT	_____	_____	_____
⑪ BOUIS 2228 E 11TH ST DAVENPORT	_____	_____	_____
⑫ BEEN 1104 JERSEY RIDGE ROAD DAVENPORT	_____	_____	_____
⑬ EDWARD JONES 2107 E 11TH ST DAVENPORT	_____	_____	_____

* If additional space is needed, please attach sheets with additional signatures.

* If you are unable to make contact with a resident/business, please indicate the date(s)/time(s) you tried.

COCOA
BEACH

CITY OF DAVENPORT

STREET CLOSING PETITION FOR SPECIAL EVENTS

On the 26th day of OCTOBER, 20 19, there is proposed a street closing, requested by VEDBA, which will require the closing of EAST 11TH STREET between MOUND ST. and JERSEY RIDGE ROAD, during the hours of _____.

** Please sign your name and print address below and indicate whether you are in favor of the closing, opposed to the closing, or are not concerned (CHECK ONE, PLEASE).

NAME AND ADDRESS	FAVOR	OPPOSED	NOT CONCERNED
① Joe Bob 1107 Mound St. The Beach	X		
② [Signature]	X		
③ [Signature]	X		
④ Tom [Signature] 2132 E. 11 th St. DAVENPORT	X		
⑤ Keez [Signature]	X		
⑥ [Signature] Nowlett	X		
⑦ [Signature]	X		
⑧ [Signature]	X		
⑨ [Signature] Cadey Kay	X		
⑩ [Signature]	X		
⑪ [Signature]	X		
⑫ [Signature]	X		
⑬ [Signature]	X		

* If additional space is needed, please attach sheets with additional signatures.

* If you are unable to make contact with a resident/business, please indicate the date(s)/time(s) you tried.

**Project Renewal
Street Closing Plan
Halloween Neighborhood Block Party
Wednesday, October 30, 2019**

Street Closing: For safety of participants we would like to have 6th St. closed between Warren and Myrtle Streets, Vine Street between 5th and 7th Streets. (Ash Street is already closed).

Thank you for your help!

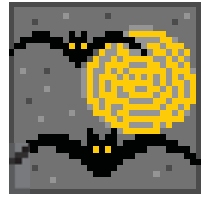


 = Party

 = Treat House

 = Rain location, 601 Marquette Street.

Fall Fun Night



Wednesday, October 30, 2019
3:00 – 5:00 p.m.

Where: Central Community Circle Neighborhood
West 6th, Vine & Ash Street Intersection
Come in costume if you “witch.”



GAMES



FOOD

candy walk

face painting



MUSIC

Questions: call Ann at **PROJECT RENEWAL**, 324-0800

If you oppose this event please contact Brian Krup, City of Davenport, at 563-326-6163.

**RAIN LOCATION: One-Eighty Community Center
601 Marquette Street, Davenport, IA**

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Eric Gravert 563-327-5125
Wards:

Action / Date
10/2/2019

Subject:
Resolution accepting the E 36th St Reconstruction project completed by CDMI Concrete Contractors, Inc of Port Byron, IL. The project was completed with a final contract amount of \$310,445.65, CIP #35036. [Ward 7]

Recommendation:
Adopt the Resolution.

Background:
This project removed the existing composite asphalt and concrete pavement of E 36th St from 115 feet west of Davenport Ave to 120 feet south of Kimberly Rd and was replaced with new subdrains, drainable base, and concrete pavement. Driveway approaches were removed and replaced as necessary.

The project was completed in accordance with the City of Davenport requirements with a final amount of \$310,445.65 budgeted in CIP #35036.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution Letter

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/25/2019 - 9:45 AM
Public Works Committee	Lechvar, Gina	Approved	9/25/2019 - 9:45 AM
City Clerk	Admin, Default	Approved	9/25/2019 - 10:43 AM

Resolution No. _____

Resolution offered by Alderman Dunn

Resolution of acceptance for the construction of the E 36th St Reconstruction Project completed by CDMI Concrete Contractors, Inc of Port Byron, IL.

Whereas, the City of Davenport entered into a contract with CDMI Concrete Contractors, Inc of Port Byron, IL for construction work; 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 the E 36th St Reconstruction Project is hereby accepted.

Passed and approved this 9th day of October, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Eric Gravert 563-327-5125
Wards:

Action / Date
10/2/2019

Subject:
Resolution accepting the W 6th & Oak St Sidewalk Program completed by Hawkeye Paving Corporation of Bettendorf, IA. The project was completed with a final contract amount of \$294,679.80, BG250. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
This project installed new sidewalks and ADA compliant cross walks in support of affordable housing efforts in the City and a new senior housing project at 2104 W 6th Street.

The project was completed in accordance with the City of Davenport requirements with a final amount of \$294,679.80 from account 54551044 520258, BG250 a Housing Rehab Block Grant.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution Letter

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/25/2019 - 9:46 AM
Public Works Committee	Lechvar, Gina	Approved	9/25/2019 - 10:23 AM
City Clerk	Admin, Default	Approved	9/25/2019 - 10:43 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

Resolution of acceptance for the construction of the W 6th St & Oak St Sidewalk Program Project completed by Hawkeye Paving Corporation of Bettendorf, IA.

Whereas, the City of Davenport entered into a contract with Hawkeye Paving Corporation of Bettendorf, IA for construction work; 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 the W 6th St & Oak St Sidewalk Program Project is hereby accepted.

Passed and approved this 9th day of October, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
10/2/2019

Subject:
Resolution awarding a contract for the River Drive Median Removal project to Langman Construction Inc of Rock Island, IL in the amount of \$237,914.50, CIP #35044. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on August 30, 2019 and sent to contractors. On September 17, 2019, the Purchasing Division opened and read four (4) bids. Langman Construction Inc was the lowest responsive and responsible bid. See bid tab attached.

This project is to remove the medians on River Dr and replace with pavement. This will aid in flood protection.

Funding for this project is from CIP #35044, River Drive Median Removal project.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/26/2019 - 1:50 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 1:55 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 2:00 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the River Dr Median Removal project to Langman Construction Inc of Rock Island, IL in the amount of \$237,914.50, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the River Dr Median Removal project; and

WHEREAS, Langman Construction Inc of Rock Island, IL was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the River Dr Median Removal project to Langman Construction Inc of Rock Island, IL; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: RIVER DR MEDIAN REMOVAL

BID NUMBER: 20-37

OPENING DATE: SEPTEMBER 17, 2019

GL ACCOUNT NUMBER: 70057675 530350 35035 HIGH VOLUME ST REPAIRS

RECOMMENDATION: AWARD THE CONTRACT TO LANGMAN
CONSTRUCTION INC OF ROCK ISLAND IL

<u>VENDOR NAME</u>	<u>PRICE</u>
Langman Construction Inc. of Rock Island IL	\$237,914.50
Treiber Construction Company Inc. of Davenport	\$302,969.50
Legacy Corporation of IL of East Moline IL	\$327,990.00
Hawkeye Paving Corporation of Bettendorf IA	\$316,962.00

Approved By Kristi Keller 9-23-19
Purchasing Date

Approved By Nicole Gleason 9-19-19
PW Director Date

Approved By Braedi Coz 9-25-19
Budget/CIP Date

Approved By Bm 9-25-2019
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
10/2/2019

Subject:
Resolution approving the plans, specifications, and forms of contract for the installation of traffic signals at the intersection of Hickory Grove Road at the northernmost Cobham driveway. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
This project involves the installation of traffic signals at the intersection of Hickory Grove Road the northernmost driveway of Cobham Mission Systems. Plans and specifications were prepared by City of Davenport staff. Construction is expected to begin this fall.

Funding for this project will be from Cobham Mission Systems, and the budget is \$140,000. This project is expected to be completed by December 2019.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW_RES_Cobham signals form of contract_pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/25/2019 - 4:51 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 10:01 AM
City Clerk	Admin, Default	Approved	9/26/2019 - 2:02 PM

RESOLUTION NO. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications and form of contract for the installation of traffic signals at the intersection of Hickory Grove Road at the northernmost Cobham driveway.

WHEREAS, the City of Davenport believes it is necessary to improve this intersection by installing new traffic signal equipment at Hickory Grove Road and the northernmost driveway at Cobham Mission Systems; and

WHEREAS, plans and specifications have been prepared by City of Davenport staff and the project costs paid for by Cobham Mission Systems,

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that said plans, specifications and form of contract are hereby approved for said project.

Passed and approved on this 9th day of October, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
10/2/2019

Subject:

Resolution accepting the agreement with Cobham Mission Systems where they pay the full cost, up to \$140,000, to install traffic signals at the intersection of Hickory Grove Road and their northernmost driveway, and authorizing the City to begin work on the project. [Ward 2]

Recommendation:

Adopt the Resolution.

Background:

Cobham Mission Systems will expand parking across the street from their northernmost driveway in the coming months. There will be enough traffic volume to meet the warrants in the Manual on Uniform Traffic Control Devices. City of Davenport staff will design the signals, bid the project, and inspect the work, and the owner will pay the construction costs up to \$140,000. After the project is completed, the city will take ownership of the signals and maintain them.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_Cobham Signal Agreement_pg 2
▣ Backup Material	Cobham Signal Signed Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/26/2019 - 11:15 AM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 11:15 AM
City Clerk	Admin, Default	Approved	9/26/2019 - 2:02 PM

RESOLUTION NO. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION accepting the agreement with Cobham Mission Systems, that they pay the full cost, up to \$140,000, to install traffic signals at the intersection of Hickory Grove Road and their northernmost driveway, and authorizing the City to begin work on the project; and

WHEREAS the City of Davenport believes it is necessary to install traffic signals at the intersection of Hickory Grove Road and Cobham's northernmost driveway; and

WHEREAS this project will be paid entirely, up to \$140,000, by Cobham Mission Systems and no City funds are expected to be expended on the project except for engineering;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the City Council herewith orders the Engineering Division to prepare plans and specifications for the project and provide inspection at the project.

BE IT FURTHER RESOLVED that the City Council proposes to provide engineering services and pay none of the project costs up to \$140,000. This improvement will be called Hickory Grove Road at Cobham Signal Installation.

Passed and approved on this 9th day of October, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

AGREEMENT

FOR THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF A TRAFFIC SIGNAL FOR THE DRIVEWAY INTERSECTION OF 2734 HICKORY GROVE RD WITH THE NORTHEAST DRIVEWAY ACCESS

By and Between the CITY OF DAVENPORT, IOWA, an Iowa Municipality, (City) and COBHAM MISSIONS SYSTEMS DAVENPORT, ("Owner") as follows:

1. City shall design and let for bid a traffic signal at the intersection of the driveway north east access to the Cobham Mission Systems North Parking Lot and Northeast Parking Lot across Hickory Grove Rd as delineated and marked as Group Exhibit "A" hereinafter attached and incorporated herein by reference. This driveway will provide controlled ingress / egress from the Cobham parking lot and provide pedestrian crossing signals providing safe crossing across Hickory Grove Rd.
2. It is estimated that the full cost of traffic signalization at such intersection shall be One Hundred Forty Thousand Dollars (\$140,000). Based on that estimate, Owner shall pay the City, upon completion of the installation, One Hundred Forty Thousand Dollars (\$140,000). If however the bid accepted by the City sets the cost of full signalization at less than One Hundred Forty Thousand (\$140,000), then the cost to the Owner shall be reduced proportionality. However, in no event shall Owner be responsible for more than One Hundred Forty Thousand Dollars (\$140,000). If the bids received is in excess of One Hundred Forty Thousand Dollars (\$140,000), then the City must obtain Owner's written consent, which consent shall not be unreasonably withheld, prior to its acceptance.
3. The intersection is anticipated to be developed with a driveway and parking spaces across Hickory Grove Rd with the initial phase of construction (~100 parking spaces) occurring during September / October 2019 with the balance (up to 400 total spaces) completed as Cobham business needs dictate.
4. Construction of the traffic signal shall be by or under the direction of the City. Prior to letting the bid, the design of the signals shall be provided to the Owner for review and suggested changes, if any.
5. Upon completion of the signal, all maintenance and operating costs shall be borne by the City.

Dated this 6th day of September, 2019

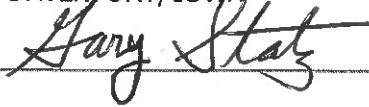
COBHAM MISSION SYSTEMS DAVENPORT

By: 

Name: Kevin McKeown, Vice President/General Manager

Dated this 9th day of September, 2019

CITY OF DAVENPORT, IOWA

By: 

Name: Gary ~~Stolz~~, City Traffic Engineer

Stolz

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
10/2/2019

Subject:

Resolution approving the contract for the architecture/engineering services for the Elm St Bridge to WHKS & Co, of East Dubuque, IL in an amount not-to-exceed \$160,000, CIP #21006. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

A Request for Proposals was issued on August 12, 2019 and sent to 236 firms. On September 10, 2019, the Purchasing Division opened and read nine (9) proposals. See attached tabulation.

A committee of City staff evaluated all proposals submitted. The criteria used was: 1) Qualified Staff - Structural Engineer, experienced estimator, etc. - 15%, 2) Ability and willingness to meet time requirements (workload conflicts with other projects - 15%, 3) Consultant fee - Total consultant fee including work performed by sub-consultants and travel - 20%, 4) Past performance - Experience with similar projects. Were they completed on schedule and within budget? - 20%, 5) Approach to the project - project scope - 15%, 6) Responsiveness - Completion of RFP - 15%.

Interviews were held with the two top scoring companies. WHKS & Co. was chosen for the following reasons:

- Suggestions for better cost/innovation in construction techniques
- Proven ability to meet abbreviated design schedule
- Best pricing of the top two proposals
- Highly prepared and well executed presentation
- Exceptional experience in similar projects - giving the city more confidence in meeting the needs of this particular project

Funding for this project is from CIP 70106675 530350 21006 Elm St Bridge Replacement.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW_RES_A-E Elm St Bridge
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/25/2019 - 4:50 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 9:54 AM
City Clerk	Admin, Default	Approved	9/26/2019 - 2:03 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Architecture/Engineering of Elm St Bridge project to WHKS & Co. of East Dubuque IL, in a not-to-exceed amount of \$160,000, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Architecture/Engineering of Elm St Bridge project; and

WHEREAS, WHKS & Co. of East Dubuque IL scored the best after evaluations and interviews;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Architecture/Engineering of Elm St Bridge project to WHKS & Co. of East Dubuque IL; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: ARCHITECTURE/ENGINEERING FOR ELM ST BRIDGE

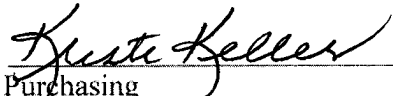
BID NUMBER: 20-28

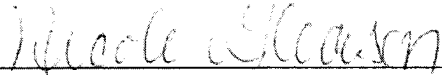
OPENING DATE: SEPTEMBER 10, 2019

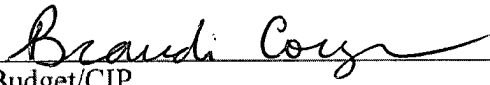
GL ACCOUNT NUMBER: 70106675 530350 21006

RECOMMENDATION: AWARD THE CONTRACT TO WHKS & CO OF
EAST DUBUQUE IL

<u>VENDOR NAME</u>	<u>LOCATION</u>
WHKS & Co.	East Dubuque, IL
Axiom Consultants	Iowa City, IA
HDR Inc.	Cedar Rapids IA
IIW, P.C.	Davenport, IA
IMEG Corp.	Rock Island, IL
JEO Consulting Group Inc.	Ankeny, IA
Quigg Engineering Inc.	Springfield, IL
Shive-Hattery, Inc.	Moline, IL
Veenstra & Kimm Inc.	Rock Island, IL

Approved By  9-25-19
Purchasing Date

Approved By  9-25-19
PW Director Date

Approved By  9-25-19
Budget/CIP Date

Approved By  9-25-2019
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
10/2/2019

Subject:
Resolution awarding the contract for constructing a new paint booth at Public Works to Schebler Company of Bettendorf, IA in the amount of \$330,000, CIP #10441. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
On August 18, 2019 an Invitation to Bid was issued and sent to contractors. The Purchasing Division opened and read two bids on September 18, 2019. Schebler Company of Bettendorf IA was the lowest responsible responsive bidder. See attached bid tab.

The existing paint booth is outdated and is currently not functioning. This project will replace the system.

Funding for this project is from CIP #10441 Paint Booth Replacement. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW_RES_Paint Booth at Public Works
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/26/2019 - 1:49 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 1:49 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 2:04 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Paint Booth at Public Works to Schebler Company of Bettendorf IA, in the amount of \$330,000, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the replacement of the Paint Booth at Public Works project; and

WHEREAS, Schebler Company of Bettendorf was the lowest responsive and responsible bid; and

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Paint Booth at Public Works project to Schebler Company of Bettendorf; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: PAINT BOOTH AT PUBLIC WORKS

BID NUMBER: 20-36

OPENING DATE: SEPTEMBER 18, 2019

GL ACCOUNT NUMBER: CIP 10441

RECOMMENDATION: AWARD THE CONTRACT TO SCHEBLER COMPANY
BETTENDORF IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Schebler Company of Bettendorf IA	\$330,000
Swanson Construction Co. of Bettendorf IA	\$330,035

Approved By Kristi Keller 9-26-19
Purchasing Date

Approved By Nicole Gleason 9-26-19
PW Director Date

Approved By Brandi Coyn 9-26-19
Budget/CIP Date

Approved By BW 9-26-2019
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Scharlet Clement 563-326-7793
Wards:

Action / Date
10/2/2019

Subject:
Resolution assessing the cost of weed cutting at various lots and tracts of real estate. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City allows 60 days from the invoice date for a bill to be paid. After 60 days, it is levied to the Scott County Treasurer as a special assessment against the property.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Weed Cutting Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/26/2019 - 2:45 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 2:45 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 3:55 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of weed cutting at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of weed cutting on said lots or tracts.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 4%. All assessments bear interest at the current rate of 4%.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Weed Cutting Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
120139036	MEYER, RICHARD A	H0024-46	80026123	108.75
000073963	HOLDINGS 10 LLC, VINMAK RE	B0004-26	80026125	108.75
000073652	DE LA PENA, SUSANA SAINZ	H0053-37	80026127	108.75
000019818	MAY, THIRI	H0054-01	80026129	108.75
810000821	DANIEL S BOMFIM	C0062-23	80026131	108.75
300248612	HINKLE, DAVID R	A0036-16	80026176	108.75
300250335	VAN ARNAM, JEFF	J0013-05A	80026178	108.75
000047918	AURELIO, ELIAH	G0020-20	80026180	108.75
810002905	NGUYEN INC	C0059-11	80026182	108.75
000059117	KATHLEEN WEBER	M1512B37	80026184	108.75
000049643	HINES, ROBERT E SR	H0055-50	80026186	108.75
800003562	JACKSON, JCHEMA	G0028-13	80026188	108.75
300264227	LIDDELL II, KRAIG	K0012-02A	80026190	108.78
000021692	PATTERSON, JOSHUA R	B0034-31	80026207	203.75
300177560	FLETCHER, BARBARA	B0047-27	80026209	128.75
300261317	RICHARDSON, PAULA E	C0027-09	80026213	108.75
000026214	DAVIS, GLEN O	F0044-04	80026231	108.75
000061435	JASON ARBOLEDA	P1313D37	80026267	125.00
300012864	IMMING, SCOTT	H0024-01	80026297	226.75
300007444	SPOO, JOSEPH M	H0037-13	80026299	108.75
300007444	SPOO, JOSEPH M	H0037-14	80026301	108.75
300256542	PARROW, DAVID	H0041-04	80026303	167.50
120202197	MORELAND, KENNETH C	H0064-02	80026305	108.75
300246452	GEEST, MATTHEW T	S2905C20	80026324	167.50
300123539	OEHRLEIN, PAUL G	B0010-22	80026517	167.50
300177560	FLETCHER, BARBARA	B0047-27	80026519	128.75
400003029	UNITED NEIGHBORS	F0018-04	80026521	285.00
300199764	NICHOLSON, TANISHIA	F0029-30	80026523	258.75
810004146	VZ PROPERTIES LLC	F0031-20	80026525	108.75
810001434	GREENE BRENDA N	F0031-29	80026529	183.75
000047918	AURELIO, ELIAH	G0020-20	80026533	167.50
000084213	END OF THE ROAD LLC	G0027-21	80026535	226.25
000018462	THE BEAUTY OF NEW BEGINNINGS L	G0037-19	80026537	167.50
300131084	PETERSON, JOSEPH	H0025-29	80026539	350.00

000053216	TRAN, DUNG	J0047A11	80026543	550.00
000050706	GARCIA, ALFREDO	L0004-29A	80026545	167.50
300214189	ENTERPRISE ACCEPTANCE CO LLC	L0005-21	80026547	167.50
300251017	CUMMINGS, PAUL M	M1515A09	80026549	226.25
300004654	PIERCE, JAMES F	O2109A06	80026553	226.25
000077358	NATHAN HART	P1404A29	80026557	108.75
300002172	POWERS, JULIE S	A0036-27	80026567	242.50
000073963	HOLDINGS 10 LLC, VINMAK RE	B0004-26	80026569	108.75
000151725	STEVERSON, MARVELL	G0043-28	80026601	242.50
400003029	UNITED NEIGHBORS	G0043-29	80026603	242.50
400003029	UNITED NEIGHBORS	G0043-30	80026605	242.50
400003029	UNITED NEIGHBORS	G0043-32	80026607	242.50
400003029	UNITED NEIGHBORS	G0043-34	80026609	242.50
300144457	JOHNS, VICKIE L	I0039-04	80026621	195.50
120225814	SMITH, MICHAEL J	J0037-27	80026629	242.50
300198827	BERNER, ELIZABETH M	J0061-27	80026633	242.50
000068850	D6 DEVELOPMENT	N1810-06	80026646	925.00
300206122	WOOLEVER, ANTHONY	O2111C20	80026650	275.50
300237930	ROBERSON, BARBARA	R0416-35	80026655	242.50
300246452	GEEST, MATTHEW T	S2905C20	80026657	108.75
000002995	HAMMES-SWANWICK LLC	S2919-08B	80026659	242.50
300261066	NUCI, AGUSTIN	T2040-35	80026661	195.50
000002441	BROWN, MARK	F0003-42	80027166	285.00
000002441	BROWN, MARK	F0003-42	80027168	285.00
300264631	QC RENTAL PROPS	F0013-28	80027170	285.00
000079756	FISHER, MICHAEL	F0044-30	80027177	285.00
000056721	CAHILL, JAMES T	G0036-18	80027187	285.00
300111234	BALLARD, LUCINDA	G0045-07	80027191	343.75
120207186	PARKS, SCOTT	G0045-16	80027193	350.00
300213863	MCCRACKEN, GREGORY S	G0046-25	80027195	343.75
000066780	RESIDENTIAL EQUITY PARTNERS LL	G0046-26	80027197	285.00
000078968	SAMUEL, MICHAEL	G0046-27	80027199	167.50
000043229	COBERLY, ELIJAH J	G0046-28	80027201	343.75
000011527	THE SALVATION ARMY	G0054-17A	80027206	343.75
120111516	ORR, TYRONE	G0055-06A	80027208	108.75
120111516	ORR, TYRONE	G0055-06B	80027210	108.75
300012864	IMMING, SCOTT	H0024-01	80027213	167.50
120188485	CYCLONE DEVELOPMENT	H0052-68	80027216	226.25
000066780	RESIDENTIAL EQUITY PARTNERS LL	H0056-65	80027219	343.75
000078980	LOWE, DANIEL	H0064-37	80027222	167.50
300246588	BONJOUR, MARC	I0054-18	80027227	650.00

300250335	VAN ARNAM, JEFF	J0013-05A	80027229	208.75
300096263	LUCIER, DANIEL L	J0024-39	80027233	285.00
300009522	SIMMONS, JAN D	K0001-24	80027238	167.50
000009477	DARSHAN'S IOWA PROPERTIES FOUR	K0012-42	80027241	108.75
000057832	BLAKOAI LLC	K0031-01	80027247	226.25
120174455	CHAPIN, ALAN	L0002-40	80027250	167.50
000078725	ATLAS REAL ESTATE	P1305B06	80027256	400.00
000082346	UICCU	P1308-07A	80027258	167.50
300059186	SIMATOVICH, GENE	U0953-15	80027262	650.00
000077966	ALEX NELSON	W0923D34	80027274	343.75
300027546	BIXBY, RUSSELL M	W1019C07A	80027276	285.00

Number of Accounts to Levy	86	Total Balance Outstanding:	\$19,085.78
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City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Scharlet Clement 563-326-7793
Wards:

Action / Date
10/2/2019

Subject:
Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate.
[All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City allows 60 days from the invoice date for a bill to be paid. After 60 days, it is levied to the Scott County Treasurer as a special assessment against the property.

ATTACHMENTS:

Type	Description
▯ Cover Memo	BRUSH & DEBRIS

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/26/2019 - 2:41 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 2:41 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 3:55 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of brush and debris removal at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of brush and debris removal on said lots or tracts.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 4%. All assessments bear interest at the current rate of 4%.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Brush and Debris Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
300196899	ROE, KRISTI L	B0005-38	80018895	169.00
300020095	RECK, WM	C0063-23	80018904	161.50
810003498	S & H RENAL PROPERTIES	F0019-40	80018916	161.50
000010869	JUDIE, CRYSTAL	F0019-51	80018918	153.25
300253124	BIERMAN, MARK	F0020-35	80018920	153.25
000055927	RHODEN, BRYAN EUGENE	G0013-03	80018926	169.75
000076518	SANDRA SCRIBNER	G0013-04	80018928	202.50
000065977	HOME OPPORTUNITY LLC	H0056-27	80018934	203.00
300009522	SIMMONS, JAN D	K0001-24	80018942	219.00
000073965	BASSETT, DIANE	K0007-32	80018944	161.50
300198472	CASTEL, ALELANDRA	K0007-37	80018946	153.25
300130250	BLACK, LORETTA	M1509A02	80018952	154.50
300262000	LIVIN OUR DREAMS LLC	O1651B01	80018960	58.25
300002172	POWERS, JULIE S	A0036-27	80019005	169.75
000075022	DIANA TANK	C0021-37	80019021	58.00
300183914	RIECK, LARRY	F0004-18	80019028	169.50
400000734	WEDIG, KENNETH B	F0020-14	80019033	153.25
000078247	JOSE GONZALES	F0022-35	80019037	153.25
000054535	FARRAJ, RAMADAN	G0035-36	80019047	154.50
120236261	MILLER, WALTER J	G0047-10A	80019050	188.00
000076176	LW CAPITAL MANAGEMENT LLC	G0049-20	80019052	161.50
400000905	SIEFERS, JAMES P	I0004A23A	80019061	161.50
300168298	LE, HOA	K0006-40	80019066	58.25
000061940	HART, ALISON E	B0011-33	80019100	205.75
300020095	RECK, WM	C0063-23	80019110	161.50
000016837	DIAZ, GERARDO	F0018-35	80019118	178.00
300205473	MILLER, CHRIS B	F0021-06	80019120	245.00
300253124	BIERMAN, MARK	F0021-11	80019122	158.25
300247980	HANSON, RONALD	F0021-30	80019124	153.25
300238653	AGUSTIN, HERNANDEZ	F0022-12	80019126	169.75
810001866	JESUS PEREZ	F0027-27	80019129	161.50
000058683	DAVIS, AUDREY OLIVIA	F0034-03	80019134	161.50
000073400	SUSAN PEROUTKA	I0004A15	80019140	169.75
000068752	LLTJ	K0018-46	80019147	178.00
000074397	LLC, OHP 184	K0032-49	80019151	66.50

000070956	ANTHONY DIPPEL	R0507-13	80019157	153.00
810002594	MAYLONE WILLIAM	C0046-08	80019181	58.25
810004044	US BANK NATIONAL ASSOCIATION	F0019-49	80019192	74.75
300252876	RIEDESEL, DARRELL	F0043-19	80019195	177.25
300118262	BROWN, W L	G0027-38	80019205	161.50
000015549	HIBBS, MICHAEL A	G0035-11	80019207	153.25
000056721	CAHILL, JAMES T	G0036-18	80019209	270.00
120236261	MILLER, WALTER J	G0047-10A	80019213	186.25
300139187	LOPEZ, J AUGUSTINE	H0054-02	80019220	194.50
000051990	CND PROPERTY MGT LLC	L0012-01	80019226	171.00
000008168	FISHER, MICHAEL	31845-11B	80025187	153.25
000060084	ZACK LUCAS	E0013-06	80025205	161.50
000067806	SCOTT HOWIE	G0019-31	80025233	161.50
300262792	ANDERSON, MONTE	H0056-16	80025250	166.50
000077846	NEIGHBORHOOD CAPITAL MANAGEM	H0062-30	80025253	161.50
000057833	AP PROPERTIES LLC	F0003-03	80025380	161.50
120226578	LIVING QUARTERS FOR DOLLARS LL	G0019-30	80025386	153.25
000057833	AP PROPERTIES LLC	F0003-03	80025427	153.25
000067806	SCOTT HOWIE	G0019-31	80025569	161.50
120236308	BELLA VISTA ESTATES LC	W0923A31	80025571	169.75
300255488	BAKER, KARLY	C0047-01	80025589	600.25
000078283	RINKER REAL ESTATE CO LLC	E0017-46	80025599	171.50
300183914	RIECK, LARRY	F0004-18	80025607	169.75
000082831	OVERTON-HAIGH, BRITTANY	F0046-12	80025614	169.75
800003562	JACKSON, JCHEMA	G0028-13	80025623	232.50
300264689	CARROL, LAQUEUL A	G0033-08	80025625	173.25
000008351	J K RESTORE LLC	I0058-21	80025636	178.00
810003145	NGUYEN ROBERT	K0002-26	80025638	153.25
000078393	ROEE GIL	K0005-24	80025640	161.50
810002539	MARTINEZ CARLOS & SANDI	K0019-18	80025642	186.25
810002905	NGUYEN INC	K0019-20B	80025644	169.75
000057833	AP PROPERTIES LLC	F0003-03	80025666	171.00
300253124	BIERMAN, MARK	F0003-34	80025668	153.25
810002901	NGUYEN INC % R NGUYEN	F0048-10	80025675	169.75
120226676	WILLIAMS, DON	G0046-06	80025680	153.25
000026297	YAUDAS, BETTY L	H0055-27	80025683	153.25
000069905	PO PROPERTIES LLC	P1312-01	80025689	161.50
000062231	CARLY HYLAND	C0002-43	80025724	161.50
000079619	2MK INVESTMENT GROUP	F0014-14	80025728	153.25
000006361	OLSON, MARIA G	F0024-30	80025734	153.25
000067806	SCOTT HOWIE	G0019-31	80025740	169.75

000000763	SOTO, ADRIANA	H0052-20A	80025744	162.75
000008351	J K RESTORE LLC	I0058-21	80025746	289.50
000069923	BUY QC, HOMES LLC	K0032-06	80025752	242.00
000071183	PEIRSON FRANCHOT	C0064-35	80025760	169.75
000057833	AP PROPERTIES LLC	F0003-03	80025765	161.50
000068040	ADAM ANDERSON	F0009-44	80025768	269.75
300204868	FORD, RANDOLPH S	F0015-28	80025770	226.75
000064246	MOTTO HOLDINGS	F0024-09	80025776	169.75
000075490	CHRIS HAMLIN	F0039-33	80025781	161.50
000078095	JACOB GIBSON	F0046-18	80025783	169.75
000151833	ALMANZA, KRISTINA	F0053-09	80025787	721.50
400001608	GARCIA, RUBEN	K0008-21	80025802	217.25
000049091	117-123 E 35TH STREET COOP	P1413-07	80025808	169.75
000067580	BOYD, CHRISTOPHER	F0009-33	80025833	209.00
000150519	VOUNG, MANH V	F0009-38	80025835	225.25
300242330	PORTER, ANITA	F0020-27	80025839	395.75
300217613	BLANKS, CRAWFORD	F0022-29	80025841	169.75
400001613	LUDTKE, WILLIAM	J0007-02	80025863	242.00
000083160	CAHILL, CHARLES	J0040-18	80025865	153.25
300213558	ALDRICH, TAMMY	J0062-44	80025868	359.75
810002901	NGUYEN INC % R NGUYEN	K0008-20	80025871	174.75
000069989	LAMNB INVESTMENTS LLC	P1314B19D	80025879	209.00
000006958	B C DEVELOPMENT OF DURANT LLC	O2113A43	80025881	153.25
000050029	MARIE SANDERS	H0064-11	80025889	153.25
000079402	KIKEL, JON	K0016-08	80025896	153.25
300213558	ALDRICH, TAMMY	J0062-44	80025908	1,078.14
810002594	MAYLONE WILLIAM	C0046-08	80025922	153.25
810002905	NGUYEN INC	K0010-03	80025924	169.75
000061123	DENNIS FUESSEL	F0011-16	80025938	675.00
300252876	RIEDESEL, DARRELL	F0043-19	80025943	161.50
120091704	TEEL, MARY M	G0033-10	80025947	153.25
000079455	ELIZABETH ORONA	I0043-14	80025956	281.25
800003884	KNIGHTS OF PYTHIES	L0001-28	80025964	169.75
000057833	AP PROPERTIES LLC	F0003-03	80025975	153.25
000076709	MCBRIDE AND CONNORS LLC	C0036-16	80025983	153.00
000078977	ADVISORS, NEWPOINT	O2112A05	80025987	173.49
000151057	HICKMAN, ALBERTA	F0037-07	80025998	161.50
120211282	RPS PROPERTIES LLC	H0056-55	80026002	155.75
300002804	HILLIER, DOROTHY V	A0008C07	80026005	153.25
300031900	CARTER, ALBERT	F0027-14	80026007	281.25
300086546	DURAN, MARIA	F0017-08A	80026009	256.50

300138276	BRIBRIESCO, SHARI	F0008-39	80026012	161.50
120129307	MILLER, MELVIN A	E0032-20	80026018	357.05
810001181	FIRST FINANCIAL GROUP	F0039-08	80026021	272.50
300015055	RODRIGRUEZ, TOMAS P	B0012-15	80026027	209.00
300264755	STEMLER, PAIGE K	B0028-41	80026029	161.50
300247448	LILLY, DEANA	B0047-25	80026031	153.25
000058902	JEFF MARLIER	B0055-30	80026033	153.25
300188922	LEASURE, AMY	C0035-44	80026037	209.00
000071256	MCCLINTOCK, RICHARD	F0014-09A	80026048	161.50
300119799	MCNEAL, CLARENCE T	F0027-02	80026050	225.50
300258415	NANTZ, STEPHEN	F0034-01	80026052	153.25
000032024	BROWN PROPERTY DEVELOP LLC	G0022-05	80026057	209.00
300197128	DAVIS, FREDDIE	G0029-18	80026060	225.50
000048261	AKRIGHT, TONYA	K0006-33	80026069	233.75
300243103	FIFFER, JACK	K0015-32	80026071	378.50
000051250	REID MCMAHON	K0015-38	80026073	161.50
000076517	SALLY EMBREY	L0001-08	80026075	161.50
000083493	HUTCHESON, LAURIE	M1506B05	80026078	233.75
000055641	AMANDA GOLDEN	W0315-33	80026089	222.25
300210201	CRESS, DANIEL E	L0004-49	80026137	164.00
300121395	WAMER, ROBERT G	G0052-15	80026139	232.50
000012667	HALLMAN, HAZIE M	F0031-38	80026141	376.25
810002901	NGUYEN INC % R NGUYEN	F0048-10	80026151	161.50
000013827	S & J REALTY	K0015-29	80026155	178.00
810002905	NGUYEN INC	K0010-03	80026157	161.50
000071256	MCCLINTOCK, RICHARD	F0014-09A	80026159	206.99
300247980	HANSON, RONALD	G0030-03	80026192	318.75
000077358	NATHAN HART	P1404A29	80026194	214.50
810002594	MAYLONE WILLIAM	C0046-08	80026215	153.25
000057833	AP PROPERTIES LLC	F0003-03	80026222	153.25
000062013	WESTMARLAN LLC SERIES C	F0022-28	80026225	281.25
300177479	TYSON, MIKE	F0049-03	80026235	544.75
300250795	WEST, NICLAUS B	G0034-26	80026240	186.25
000083836	WILLIAMS, GARY	H0052-22	80026244	402.25
000073652	DE LA PENA, SUSANA SAINZ	H0053-37	80026247	177.75
000026297	YAUDAS, BETTY L	H0055-27	80026249	153.25
000063060	TONY AN TONY LLC	K0005-02	80026253	176.00
000151032	ALDRICH, ALICE MARIE	K0007-33	80026257	185.75
300230010	WISELY, STEVEN	K0008-37	80026259	263.00
000076517	SALLY EMBREY	L0001-08	80026262	368.00
300253124	BIERMAN, MARK	F0021-11	80026276	330.50

000048884	NEIGHBORHOOD HOUSING SERVICE	F0021-46	80026279	153.25
300258492	MAD VENTURES	F0033-21	80026282	176.00
300183302	RANDALL, KIM	G0034-09	80026292	194.50
120219468	CARR, WILLIAM L	J0010-35	80026309	161.50
400003226	ALOIAN, ANDREW J	K0032-04	80026318	155.75
300261083	SCOTT, TIFFANY J	O2109D14	80026321	216.00
000080391	MUTZL, NATHAN	A0046-56	80026391	188.50
000050349	JAMES ALLEN	B0006-33	80026394	189.00
000061123	DENNIS FUESSEL	F0011-16	80026410	153.25
300253124	BIERMAN, MARK	F0021-11	80026412	180.50
300130820	PATE, RHONDA	F0022-09	80026414	162.75
300212210	HOUSEHOLDER, BRANDY	F0031-21	80026417	156.25
000083868	HERNANDEZ-ZAVALA, LAURA	F0032-43	80026420	178.00
000051222	LIVING QUARTERS FOR DOLLARS	F0034-04	80026422	178.00
000060744	BROWN, TERESA ANN	G0008-03	80026426	629.50
000083872	515 W 16TH ST PROPERTIES	G0012-06	80026429	155.75
000077105	MATTHEW WEST	G0029-05	80026431	373.24
000077105	MATTHEW WEST	G0029-05	80026433	739.75
300180853	JOHNSON, BARBARA	J0036-02	80026442	153.25
300168298	LE, HOA	K0006-40	80026446	178.00
120163008	BENSON, GERALD A	B0049-24	80026455	161.50
000078283	RINKER REAL ESTATE CO LLC	E0017-46	80026457	264.75
000057833	AP PROPERTIES LLC	F0003-03	80026459	264.75
000079619	2MK INVESTMENT GROUP	F0014-14	80026461	153.25
800003562	JACKSON, JCHEMA	G0028-13	80026467	296.25
300183302	RANDALL, KIM	G0034-09	80026469	281.25
810002901	NGUYEN INC % R NGUYEN	H0054-24	80026471	179.25
000065977	HOME OPPORTUNITY LLC	H0056-27	80026473	212.50
300213558	ALDRICH, TAMMY	J0062-44	80026477	3,256.87
810002905	NGUYEN INC	K0010-03	80026479	178.00
000064164	SUNTRUST MORTGAGE INC	K0032-07	80026481	157.50
000061435	JASON ARBOLEDA	P1313D37	80026487	161.50
000057833	AP PROPERTIES LLC	F0003-03	80026577	169.75
000062748	SANTILLIAN, FRANSESCO	F0048-26	80026587	153.25
300236766	WILSON, LADRINA N	G0015-28	80026594	153.25
300264689	CARROL, LAQEUL A	G0033-08	80026599	264.75
300080940	MEDRANO, GENARO	H0042-22	80026612	273.00
300239239	MILLER, BENNIE	H0054-39	80026616	195.00
300013566	BROWN, LEGOURRI S	J0022-42	80026625	177.00
300146763	FARLEY, JOHN R	J0042-15	80026631	153.25
300262880	MORGAN, LAQUIESHA	K0003-17	80026636	153.25

000067522	CHRISTOPHER BANHESE	K0016-30	80026639	153.25
120174455	CHAPIN, ALAN	L0002-40	80026641	153.25
000011640	GNZ HOUSING COOPERATIVE	A0003A17	80027156	161.50
300255522	SUDDARTH, TIM A	C0049-46	80027161	153.25
000080449	GURU NANAK FOOD MART INC	F0002-02B	80027164	376.00
000043677	SKALLA, DANIEL	F0022-38	80027173	161.50
000078947	USA ENTERTAINMENT VENTURES LL	F0025-07	80027175	720.81
000071231	WOLD, ANDREW	F0050-07	80027180	153.25
300257120	DARLAND, DOUGLAS	G0002-10	80027183	153.25
000081153	MANAGEMENT, BOTH	G0026-17	80027185	153.25
000072919	MORTGAGE LLC, NATIONSTAR	I0006C15	80027224	197.50
000084270	HB INVESTMENTS GROUP	J0019-13	80027231	233.50
000051422	A K PROPERTIES	K0017-05	80027243	153.25
810002905	NGUYEN INC	K0019-20B	80027245	177.75
810003125	KLJB PROPERTIES LLC	M1511C34	80027254	150.00

Number of Accounts to Levy	214	Total Balance Outstanding:	\$47,401.09
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City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Scharlet Clement 563-326-7793
Wards:

Action / Date
10/2/2019

Subject:
Resolution assessing the cost of sidewalk repair at various lots and tracts of real estate. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City allows 60 days from the invoice date for a bill to be paid. After 60 days, it is levied to the Scott County Treasurer as a special assessment against the property.

ATTACHMENTS:

Type	Description
▯ Cover Memo	Sidewalk Repair

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/26/2019 - 2:42 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 2:42 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 3:56 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of replacing sidewalk at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of replacing sidewalk on said lots or tracts.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 4%. All assessments bear interest at the current rate of 4%.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Sidewalk Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
300171710	HIPPLER, MIKE	M1504C06	01318871	1,711.60
000082801	DAY, BRADLEY	P1114A31	01318872	2,372.56
300238696	MESSMER, LEAH	E0020-31	01319191	656.60
000053476	TIM MANDELL	D0062-01	01319195	785.40
810002798	MONTEREY INVESTORS LLC	D0051-46	01319197	920.04
300101760	ALCALA, LINDA	D0051-44	01319199	1,144.44
Number of Accounts to Levy		6	Total Balance Outstanding:	\$7,590.64

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Scharlet Clement 563-326-7793
Wards:

Action / Date
10/2/2019

Subject:
Resolution assessing the cost of snow removal at various lots and tracts of real estate. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City allows 60 days from the invoice date for a bill to be paid. After 60 days, it is levied to the Scott County Treasurer as a special assessment against the property.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	SNOW REMOVAL

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/26/2019 - 2:43 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 2:43 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 3:56 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of snow removal from sidewalks at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of snow removal from sidewalk at various lots and tracts of real estate.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 4%. All assessments bear interest at the current rate of 4%.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Snow Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
000081700	DESTANY WOLLETT	F0030-05	80025222	88.40
000050047	MEDD INVESTMENTS LLC	G0008-09B	80025225	117.20
300157870	MCCOY, MARK	H0002-17	80025236	71.12
300123022	BINGHAM, JAMES	H0045-07	80025243	80.24
000078532	NICHOLAS BRAGG	H0045-08A	80025245	138.80
300198445	SVENNEVIG, KRISTIAN	I0040-33	80025255	136.40
300208433	CONKLIN, MICHELLE	J0006-04	80025257	75.44
300243064	SAUSER, TODD	J0006-05	80025259	74.00
400001613	LUDTKE, WILLIAM	J0007-02	80025261	107.60
000151041	LEMEN, PAUL J	J0021-42	80025263	69.20
300013081	BRAUER, MERLE L	J0052-02	80025268	74.00
000077861	CHERIE SIMPSON	J0062-19	80025270	170.96
000082392	FARGO, WELLS	K0016-05	80025275	134.00
810001681	HOME SAVIORS ONE LLC	R0509-23	80025287	143.60
000054173	NORTH SHORE ESTATES LC	W1003C02	80025294	82.20
000054173	NORTH SHORE ESTATES LC	W1003C03	80025296	82.20
000054173	NORTH SHORE ESTATES LC	W1003C04	80025298	82.20
000054173	NORTH SHORE ESTATES LC	W1003C07	80025300	82.20
000054173	NORTH SHORE ESTATES LC	W1003C08	80025302	82.20
300021410	YOKE, JOYCE E	W1017A36	80025304	80.72
000076994	MARC HAYNES	W1017B14	80025306	135.92
810000256	BONJOUR ESTATES LC	W1019B25B	80025308	122.00
810000256	BONJOUR ESTATES LC	W1019B26B	80025310	122.00
000050707	BELLE ESTATES	W1019B28A	80025312	83.60
400004440	BRONTE ESTATES LC	W1019B29A	80025314	83.60
000054173	NORTH SHORE ESTATES LC	W1019B30	80025316	82.16
000054173	NORTH SHORE ESTATES LC	W1019B31	80025318	82.16
000054173	NORTH SHORE ESTATES LC	W1019B32	80025320	82.20
400004440	BRONTE ESTATES LC	W1019C41A	80025322	83.60
400003560	PEER, RICKEY	W1019C42A	80025324	83.60
400004440	BRONTE ESTATES LC	W1019C43A	80025326	83.60
400004440	BRONTE ESTATES LC	W1019C44A	80025328	83.60
400003560	PEER, RICKEY	W1019C47A	80025332	83.60
000074030	ESTATES LLC, COTTAGE	W1019C50B	80025334	99.40
300027621	SALTZ, DONNA	W1019D39	80025338	78.80

000023224	GRIESMAN, JAMES C	X0253C11	80025350	78.80
000068921	CASPERS, CHRISTOPHER	Y0649-01B	80025352	167.12
000066454	STEPHEN MEDINA	B0024-35	80025415	78.80
300234644	TERRY, JAMES III	B0024-37	80025419	131.60
300256505	REED, BRANDON	B0025-37	80025473	102.80
000080000	RICKY GLOSSIP	C0002-42	80025477	70.16
000062231	CARLY HYLAND	C0002-43	80025479	70.16
000049672	TURN KEY PROPERTIES	C0004-14	80025481	75.94
000082820	RUPP, PAT	C0005-12	80025483	76.88
000067736	LISA MICHAELS	C0005-35	80025493	74.00
300263288	MACUMBER, TIM	C0005-36	80025495	74.00
000069094	ROBERT MCELWEE	C0013-01	80025497	149.36
300261736	SWEATT, KATHRYN M	C0050-18	80025505	81.20
000057652	JOSHUA BLUNT	C0056A12	80025509	133.52
300157870	MCCOY, MARK	H0002-17	80025517	71.12
000060351	MENDEZ, LUCIA	H0054-08	80025521	73.04
300150565	LAWTON, JAMES	H0063-23	80025529	113.84
000000404	AMERICAN BLUE RIBBON HOLDINGS	N0833-02K	80025535	506.00
000072131	CAPITAL LLC, JKB	N0833-03	80025537	338.00
000014230	QC RENTAL PROPS LLC	N0853-01F	80025543	260.60
400000564	MONTGOMERY LANDS L C	Y0719-02C	80025559	315.92
000080000	RICKY GLOSSIP	C0002-42	80025583	70.16
000062231	CARLY HYLAND	C0002-43	80025585	70.16
000071236	OLSON, TODD	H0002-20	80025629	74.00
000071236	OLSON, TODD	H0002-20	80025852	74.00
000066325	W & Y LLC	N0855-01D	80025877	198.80

Number of Accounts to Levy	61	Total Balance Outstanding:	\$6,892.50
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City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Scharlet Clement 563-326-7793
Wards:

Action / Date
10/2/2019

Subject:
Resolution assessing the cost of streetscaping projects at various lots and tracts of real estate in Downtown Davenport. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The City allows 60 days from the invoice date for a bill to be paid. After 60 days, it is levied to the Scott County Treasurer as a special assessment against the property.

ATTACHMENTS:

Type	Description
▯ Cover Memo	Streetscaping

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/26/2019 - 2:44 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 2:44 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 3:56 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of improvements projects at various lots and tracts of real estate in Downtown Davenport

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of Streetscaping improvement projects on said lots or tracts.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 4%. All assessments bear interest at the current rate of 4%.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Downtown Streetscaping Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
300204555	FINANCIAL DISTRICT PROP	L0008-08	01316231	3,729.11
120245746	PARKWILD PROPERTIES	I0008-08-1	01316233	3,817.47
Number of Accounts to Levy		2	Total Balance Outstanding:	\$7,546.58

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Scharlet Clement 563-326-7793
Wards:

Action / Date
10/2/2019

Subject:
Resolution assessing the cost of building board up at various lots and tracts of real estate. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City allows 60 days from the invoice date for a bill to be paid. After 60 days, it is levied to the Scott County Treasurer as a special assessment against the property.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Boading up Buildings

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/26/2019 - 2:48 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 2:48 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 3:58 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of boarding up building at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of boarding up building on said lots or tracts.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 4%. All assessments bear interest at the current rate of 4%.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Board Up Building Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
000024585	RALEY, DAN O	G0021-32	80025433	107.44
300040746	DISNEY, WILLIAM H	P1408B44	80025653	162.50
300203114	RASCHER, MICHAEL	G0043-21	80026093	164.88
300177512	HERRERA, FRANCISCO	G0030-10	80026163	93.65
300013440	SQUIRE, LYLE L	J0022-01	80026440	84.90
400001613	LUDTKE, WILLIAM	J0007-02	80026489	194.74
300213558	ALDRICH, TAMMY	J0062-44	80026491	257.32
300203114	RASCHER, MICHAEL	G0043-21	80027189	190.59
Number of Accounts to Levy		8	Total Balance Outstanding:	\$1,256.02

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Clay Merritt 563-888-3055
Wards:

Action / Date
10/2/2019

Subject:
Resolution authorizing the submission of an application to the Economic Development Administration (EDA) for grant assistance with the design and construction of the Silver Creek Parallel Sewer. [Wards 2 & 8]

Recommendation:
Adopt the Resolution.

Background:

The City of Davenport is submitting an application to the Economic Development Administration for the design and construction of a parallel sanitary sewer along Silver Creek. The total project is estimated at \$10,093,950. The City is requesting \$7,939,160 from EDA (80% of eligible cost that include preliminary/construction engineering services, construction and 5% contingency) and the City will provide 20% of the eligible cost plus the acquisition of all necessary easements and right-of-way required for the project; the total City share is estimated at \$2,154,790.

At this time, the Eastern Iowa Industrial Center (EIIC) utilizes the Goose Creek sanitary sewer line for all existing companies. Originally anticipated to fill up with large distribution center and office spaces, the EIIC has also become home to major sanitary sewer users, including Kraft Heinz. While an updated City Ordinance on pre-treatment of sanitary effluent from new industrial user has helped to lower levels of biochemical oxygen demand and total suspended solids leaving industrial plants, it does not decrease the overall amount of liquid flowing through the sanitary sewer pipe. Therefore, due to limited sewer capacity, the City has lost the ability to respond to requests for information from site selectors and/or prospective businesses until additional sewer capacity is brought to the industrial park. This proposed project is for the construction of a new 36" sanitary sewer that provides capacity to the industrial park; while also removing existing flows from the Goose Creek sewer line.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW Pg 2
▣ Backup Material	Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/26/2019 - 3:01 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 3:01 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 4:04 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing the submission of an application to the Economic Development Administration (EDA) for grant assistance with the design and construction of the Silver Creek Parallel Sewer

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 economic development; and

WHEREAS, it is a requirement of the EDA that local matching funds in the amount of \$2,154,790 be committed to the project and that such funds be readily available and unencumbered; and

WHEREAS, the City endorses the application and has estimated the total project cost to be \$10,093,950, and the grant request to be \$7,939,160; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport endorses said Silver Creek Parallel Sewer project and that city staff is authorized to submit an application to the United States Economic Development Administration, authorizes the City Administrator to be the Designated Authorized Representative and acknowledges that the City's matching funds in the amount of \$2,154,790 are readily available and unencumbered.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Proposed Silver Creek Parallel Trunk Sewer



City of Davenport

Agenda Group:
Department: Finance
Contact Info: Mike Atchley 563-327-5149
Wards:

Action / Date
10/2/2019

Subject:
Resolution to set a Public Hearing to convey City-owned parcel G0049-40, 1125 W 7th St, to Brian Morris and Maria Parrow, petitioners and owners of the adjacent property at 1123 W 7th St, parcel G0049-39. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:

The City of Davenport, in looking to divest parcel G0049-40, reached out to the adjoining property owners to determine if there was interest in the parcel. The owners of 1123 W 7th St, Brian Morris and Maria Parrow, expressed a desire to acquire the 25 foot wide parcel and have agreed to pay \$300 as well as execute a "Not to Sever Agreement." The selling of this parcel from the city's inventory will decrease operating cost, as it removes an unnecessary property from the City's mowing and snow removal lists.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Resolution For Public Hearing
▣ Cover Memo	Aerial of Parcel

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/25/2019 - 4:53 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 10:01 AM
City Clerk	Admin, Default	Approved	9/26/2019 - 2:08 PM

Resolution No. _____

Resolution offered by Alderman Matson.

RESOLUTION to hold a Public Hearing to convey a city owned parcel G0049-40, 1125 W. 7th Street, to Brian Morris and Maria Parrow of 1123 W. 7th Street.

RESOLVED by the City Council of the City of Davenport.

WHEREAS, the City of Davenport owns parcel G0049-40 described as follows:

The East 23 feet of the North 84 feet and the East half of the South 76 feet of Lot 12 in Block 12 of GCR Mitchell's Second Addition to the City of Davenport, Iowa, together with an easement for walkway purposes over the East 3 feet of the West 41 feet of the North 84 feet of said Lot 12, granting also an easement for walkway purposes to the property just west of and adjoining the property heretofore described, a tract of land described as follows: the West 4 feet of the South 48 feet of the East half of said Lot 12 and the part of the North 28 feet of the South 76 feet of the East half of said Lot 12, more particularly described as follows: beginning at the Southwest corner of the North 28 feet of the South 76 feet of said Lot 12; thence North along the West line of the East half of said Lot 12, 28 feet; thence East along the North line of the North 28 feet of the South 76 feet of the East half of said Lot 12, 8 feet; thence in a southerly direction to a point 4 feet East to the point of beginning; thence West 4 feet to the point of beginning.

WHEREAS, Community and Economic Development, Public Works, Parks and the Davenport Fire Department have no need for this parcel.

WHEREAS, removing this parcel from the mowing and snow removal contracts will reduce operating costs.

WHEREAS, Brian Morris and Maria Parrow have executed a "Not To Sever Agreement", are willing pay \$300.00 for the parcel and pay for the recording costs.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport to hold a Public Hearing to convey the above city owned parcel of land to the adjacent property owned by Brian Morris and Maria Parrow.

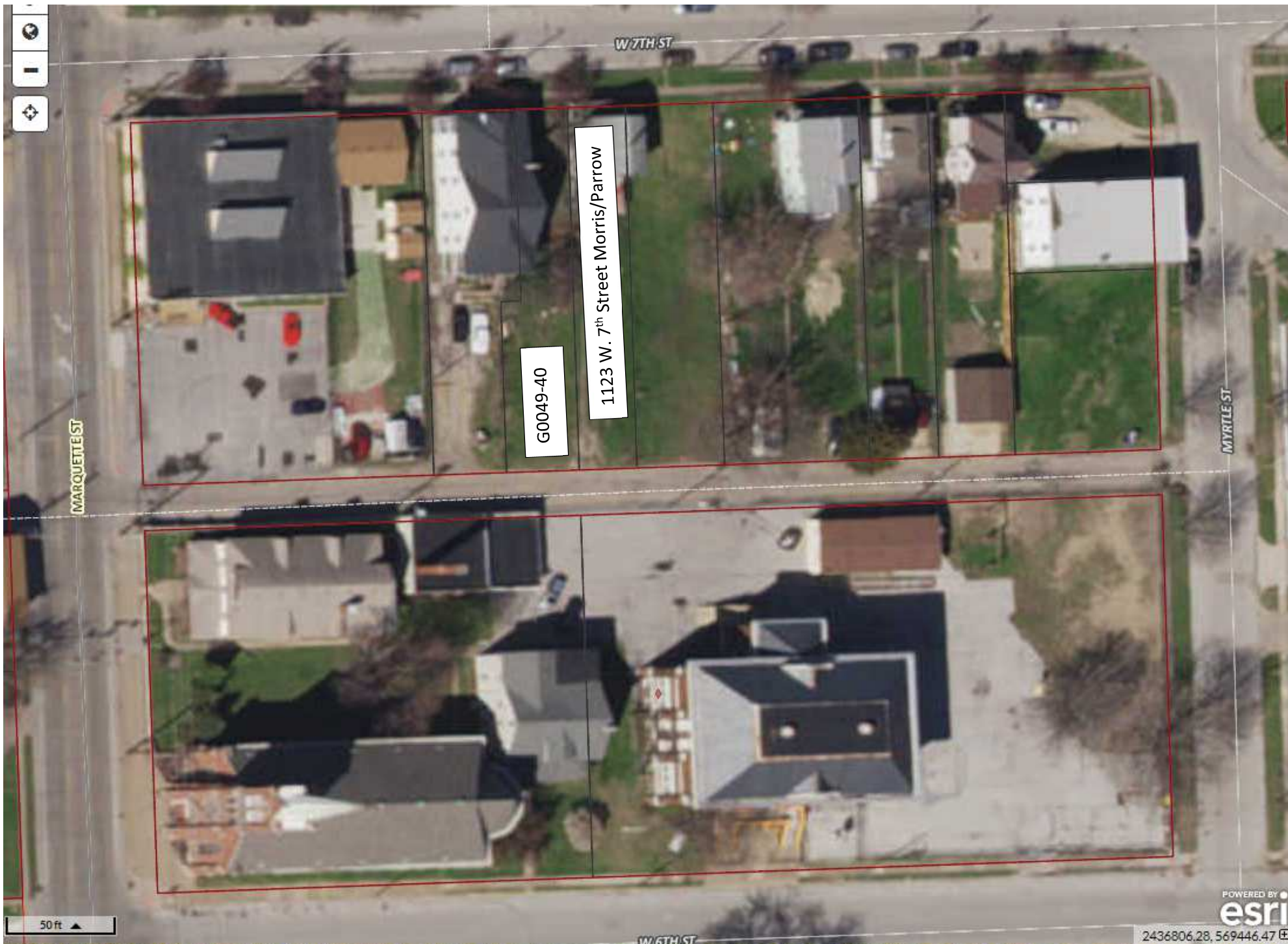
Passed and approved this 9th day of October, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian J. Krup, Deputy City Clerk



MARQUETTE ST

W 7TH ST

MYRTLE ST

W 6TH ST

G0049-40

1123 W. 7th Street Morris/Parrow

50 ft

POWERED BY
esri

2436806.28, 569446.47

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Brandon Wright 326-7750
Wards:

Action / Date
10/2/2019

Subject:
Resolution expressing intent to institute proceedings to enter into Sewer Revenue Loan and Disbursement Agreement and to issue not-to-exceed \$10,500,000 Sewer Revenue Bonds. [All Wards]

Recommendation:
Adopt the Resolution.

Background:

The City proposes to enter into an amended Sewer Revenue Loan and Disbursement Agreement (the "Agreement") with the Iowa Finance Authority and borrow money in a principal amount not-to-exceed \$10,500,000 pursuant to the provisions of Section 384.24A of the Code of Iowa. The proceeds of this borrowing will be utilized to complete the City's 1930's Sanitary Sewer Riverfront Interceptor project, which includes abandoning large sections of the 1930's interceptor while rehabilitating certain sections connected to the 1970's interceptor for continued use.

The Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation but, together with the City's outstanding Taxable Sewer Revenue Bond, Series 2010 (Build America Bond – Direct Payment); Sewer Revenue Improvement and Refunding Bond, Series 2015; Sewer Revenue Bond, Series 2016; and any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Municipal Sanitary Sewer System of the City.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	9/25/2019 - 11:11 AM
Finance Committee	Wright, Brandon	Approved	9/25/2019 - 11:11 AM
City Clerk	Admin, Default	Approved	9/25/2019 - 2:10 PM

RESOLUTION EXPRESSING INTENT TO
APPROVE SEWER REVENUE LOAN AND
DISBURSEMENT AGREEMENT

629872-87

Davenport, Iowa

October 9, 2019

The City Council of the City of Davenport, Iowa, met pursuant to law and the rules of the Council, at 5:30 o'clock p.m., on October 9, 2019, at the Council Chambers in the City Hall. The meeting was called to order and upon the roll being called, the following named Aldermen were present and absent:

Present: _____

Absent: _____.

The Council investigated and found that pursuant to notice duly published, the Council had met as the Committee-of-the-Whole on October 2, 2019, to permit residents or property owners of the City to present oral or written objections to the proposed Sewer Revenue Loan and Disbursement Agreement between the City and the Iowa Finance Authority State Revolving Loan Fund. After receiving and considering all comments and objections, the meeting was adjourned until the regular meeting of the Council at the current time and place.

Alderman _____ introduced and moved the adoption of the resolution hereinafter set out. 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 resolution, as hereinafter set out, was signed by the Mayor as evidence of approval, was attested by the Deputy Clerk and was declared to be effective.

• • • •

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

Mayor

Attest:

Deputy Clerk

RESOLUTION NO. _____

Resolution expressing intent to institute proceedings to enter into Sewer Revenue Loan and Disbursement Agreement and to issue not to exceed \$10,500,000 Sewer Revenue Bonds

WHEREAS, the City of Davenport (the “City”), in the County of Scott, State of Iowa, did heretofore establish a Municipal Sanitary Sewer System (the “Utility”) in and for the City which has continuously supplied sanitary sewer service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are vested in the City Council (the “Council”) and no board of trustees exists for this purpose; and

WHEREAS, pursuant to a resolution of the Council dated May 12, 2010 (the “Series 2010 Bond Resolution”), the City previously issued its \$10,000,000 Taxable Sewer Revenue Bond, Series 2010 (Build America Bond – Direct Payment), dated June 2, 2010 (the “Series 2010 Bond”), to the Iowa Finance Authority (the “Lender”), a portion of the principal of which remains outstanding; and

WHEREAS, pursuant to a resolution of the Council dated November 24, 2015 (the “Series 2015 Bond Resolution”) the City previously issued its \$5,781,106.70 Sewer Revenue Improvement and Refunding Bond, Series 2015, dated December 11, 2015 (the “Series 2015 Bond”) to the Lender, a portion of the principal of which remains outstanding; and

WHEREAS, pursuant to a resolution of the Council dated February 10, 2016 (the “Series 2016 Bond Resolution” and together with the Series 2010 Bond Resolution and the Series 2015 Bond Resolution, the “Outstanding Bond Resolutions”), the City previously issued its \$7,538,000 Sewer Revenue Bond, Series 2016, dated April 29, 2016 (the “Series 2016 Bond” and, together with the Series 2010 Bond and the Series 2015 Bond, the “Outstanding Bonds”) to the Lender, a portion of the principal of which remains outstanding; and

WHEREAS, pursuant to the Outstanding Bond Resolutions, the City reserved the right to issue additional obligations payable from the net revenues of the Utility and ranking on a parity with the Outstanding 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, has heretofore proposed to enter into a Sewer Revenue Loan and Disbursement Agreement (the “Agreement”) with the Iowa Finance Authority State Revolving Loan Fund in a principal amount not to exceed \$10,500,000, for the purpose of paying the cost, to that extent, of constructing improvements and extensions to the Utility, and has published notice of such proposal and has held a hearing thereon;

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. It is the intent of this Council that the City should enter into the Agreement in the future and that Sewer Revenue Bonds should be issued in evidence thereof in a principal amount not to exceed

\$10,500,000, upon such terms as may be recommended by the City's Finance Director and approved by this Council.

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

Passed and approved October 9, 2019.

Mayor

Attest:

Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy Clerk of the City of Davenport, do hereby certify that as such Deputy Clerk I have in my possession or have access to the complete records of the City and of its Council and officers and that I have carefully compared the transcript hereto attached with the records and that the transcript hereto attached is a true, correct and complete copy of all the records in relation to the adoption of a resolution expressing intent to institute proceedings to enter into a Sewer Revenue Loan and Disbursement Agreement and to issue not to exceed \$10,500,000 Sewer Revenue Bonds as referred to therein.

WITNESS MY HAND this _____ day of _____, 2019.

Deputy Clerk

September 24, 2019

Brandon Wright
CFO and Assistant City Administrator
City Hall
226 West 4th Street
Davenport, Iowa 52802-1318

Re: \$10,500,000 SRF Sewer Revenue Loan and Disbursement Agreement
File No. 629872-87

Dear Brandon:

We have prepared a resolution that may be reviewed by the Committee-of-the-Whole on October 2 and adopted by the Council on October 9, related to expressing the Council's intent to enter into a Sewer Revenue Loan and Disbursement Agreement (the "Agreement") with the Iowa Finance Authority State Revolving Loan Fund.

As these proceedings are completed, please return one fully executed copy to our office.

If you have any questions, please contact me.

Very truly yours,

Robert E. Josten

Enclosures

cc: Linda Folland
Brian Krup
Jon Burmeister
Tracy Scebold/Alyson Fleming

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
10/9/2019

Subject:
Motion approving noise variance request(s) for various events on the listed dates and times.

St. Paul Lutheran Church; Trunk or Treat; 2136 Brady St; Sunday, October 20, 2019 4:30 p.m. - 7:00 p.m.; Outdoor music, over 50dBa. [Ward 5]

St. Paul the Apostle Catholic School; Trunk or Treat; 1007 E Rusholme St; Wednesday, October 23, 2019 5:30 p.m. - 7:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Project Renewal; Halloween Party; Wednesday, October 30, 2019 3:00 p.m. - 5:30 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Recommendation:
Pass the Motion.

Background:
The following requests for noise variances have been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/18/2019 - 9:58 AM

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Sherry Eastman 563-326-7795
Wards:

Action / Date
10/2/2019

Subject:
Motion approving beer and liquor license applications.

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

Ward 4

The Pour House (Boss Lady Inc) - 1502 W Locust St into parking lot - Outdoor Area November 9, 2019 "Annual Hawkeye Tailgate Party" - License Type: C Liquor

Ward 6

Chili's Grill & Bar (Brinker Restaurant Corporation) - 4020 E 53rd Suite 2700 - Ownership Update - License Type: C Liquor

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

Ward 1

K & K Food and Gas (K & K Food and Gas Inc) - 2365 Rockingham Rd - License Type: E Liquor / C Beer

Ward 2

Express Lane Gas & Food Mart # 83 (Expresslane Inc) - 3636 Hickory Grove Rd - License Type: C Beer / B Native Wine

Rudy's Taco's (Majec Incorporated) - 3502 W Kimberly Rd, Suite 1 - License Type: C Liquor

Ward 3

Express Lane Gas & Food Mart # 84 (Expresslane Inc) - 321 N Division St - License Type: C Beer / B Native Wine

Hotel Blackhawk (Innkeeper Hospitality Services, LLC) - 200 E 3rd St - Outdoor Area License Type: Beer / Wine

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

Me & Billy's (Me and Billy's) - 200 W 3rd St - Outdoor Area License Type: C Liquor

West Side Grocery (RAM S LLC) - 1802 W 7th St - License Type: E Liquor / B Wine / C Beer

Ward 5

Kwik Shop #578 (Kwik Shop Inc) - 2242 E 12th St - License Type: C Beer

Ward 6

Chipotle Mexican Grill (Chipotle Mexican Grill of Colorado, LLC) - 5270 Elmore Ave, Unit 3 -
Outdoor Area License Type: C Liquor

Noodles & Company (Iwi Ventures, LLC) - 5345 Elmore Ave - Outdoor Area License Type: Beer
/ Wine

Staybridge Hotel (Shree Balaji LLC) - 4729 Progress Dr - License Type: Beer / Wine

Ward 7

Chuck E. Cheese's #957 (CEC Entertainment, Inc) - 903 E Kimberly Rd - License Type: B Beer
/ B Native Wine

Kwik Shop #587 (Kwik Shop Inc) - 1670 W Kimberly Rd - License Type: C Beer

Ward 8

Casey's General Store #2168 (Casey's Marketing Company) - 1691 W 53rd St - License Type: E
Liquor / C Beer / B Wine

Express Lane Gas & Food Mart # 86 (Expresslane Inc) - 7522 Northwest Blvd - License Type: C
Beer / B Native Wine

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	9/26/2019 - 4:37 PM
Finance Committee	Wright, Brandon	Approved	9/26/2019 - 4:38 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 5:38 PM

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
10/2/2019

Subject:
Motion awarding a contract for tree and debris clearing on streams to Cornerstone Clearing of Bettendorf, IA in the amount of \$70,073.50, CIP #33035. [Wards 1, 2, & 8]

Recommendation:
Pass the Motion.

Background:
An Invitation to Bid was issued on September 5, 2019 and sent to contractors. On September 25, 2019, the Purchasing Division opened and read four bids. See attached bid tab.

Stream bank failures cause trees to fall and block stream flow. Snags can also accumulate debris and cause issues. The assessment and contractual tree debris clearing will help remove blockages and prevent some future damage while keeping in place fallen trees useful for habitat and woodland ecosystem.

Cornerstone Clearing of Bettendorf, IA was the lowest responsive and responsible bidder.

Funding for this project is from CIP 71039675 530350 33035 Tree Debris Clearing Streams.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/26/2019 - 1:48 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 1:48 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 2:06 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: TREE & DEBRIS CLEANUP OF STREAMS

BID NUMBER: 20-38

OPENING DATE: SEPTEMBER 25, 2019

GL ACCOUNT NUMBER: 71039675 530350 33035 TREE DEBRIS CLEARING
STREAMS

RECOMMENDATION: AWARD THE CONTRACT TO CORNERSTONE
CLEARING OF BETTENDORF IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Cornerstone Clearing of Bettendorf IA	\$ 70,073.50
Langman Construction Inc. of Rock Island IL	\$149,099.72
McClain Fence Co. of Dubuque IA	\$149,394.30
Miller Trucking & Excavating of Silvis IL	\$196,920.30

Approved By Kristi Keller 9-26-19
Purchasing Date

Approved By Nicole Gleason 9-26-19
PW Director Date

Approved By Brandi Coy 9-26-19
Budget/CIP Date

Approved By BW 9-26-2019
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Ron Hocker 563-327-5169
Wards:

Action / Date
10/2/2019

Subject:
Motion approving change order #1 to Duke's Root Control of Syracuse, NY in the amount of \$50,000. [All Wards]

Recommendation:
Pass the Motion.

Background:

This change order expands the current program to include additional sewer lines that will receive a chemical root control agent in order to kill the root growth present in the main lines and the first several feet of the sewer laterals. Tree root intrusion into sewer systems is a primary cause of blockages and can also lead to structural deterioration and failures of the pipes. Chemical applied root control measures also inhibit re-growth without permanently damaging the existing trees.

Funding for this change order and contract is budgeted in the Sanitary Sewer Maintenance professional services account.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/26/2019 - 5:22 PM
Public Works Committee	Lechvar, Gina	Approved	9/26/2019 - 5:22 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 5:24 PM

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Bruce Berger 563-328-7769
Wards:

Action / Date
10/2/2019

Subject:
Motion approving the contract for the Union Station Interior Flood Repairs to Swanson Construction Co of Bettendorf, IA in the amount of \$73,682. [Ward 3]

Recommendation:
Pass the Motion.

Background:
An Invitation to Bid was issued on September 5, 2019 and sent to contractors. On September 25, 2019, the Purchasing Division opened and read two bids. See bid tab attached.

During the flood of 2019, the Union Station Interior sustained much damage. There was approximately 2 1/2 feet of standing water inside. After the damaged materials were removed and the building was dried out, this bid is for the repairs. This includes drywall, paint, cabinets for the kitchenette, electrical repairs, and any incidentals.

Swanson Construction Co of Bettendorf, IA was the lowest responsive and responsible bid. They have completed many City projects successfully in the past.

Funding for this project is from the 50311013 520231 for flood damage.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	9/26/2019 - 4:36 PM
Finance Committee	Wright, Brandon	Approved	9/26/2019 - 4:36 PM
City Clerk	Admin, Default	Approved	9/26/2019 - 5:29 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: UNION STATION INTERIOR FLOOD REPAIRS

BID NUMBER: 20-39

OPENING DATE: SEPTEMBER 25, 2019

GL ACCOUNT NUMBER: 50311013 520231

RECOMMENDATION: AWARD THE CONTRACT TO SWANSON
CONSTRUCTION CO. OF BETTENDORF IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Swanson Construction Co. of Bettendorf IA	\$73,682
River Valley Homes of Bettendorf IA	\$78,547.88

Approved By Krista Keller 9-26-19
Purchasing Date

Approved By Bruce Burger 9/26/19
CPED Director Date

Approved By Michael Murray 9/26/19
Budget/CIP Date

Approved By [Signature] 9-26-2019
Chief Financial Officer Date