

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, July 20, 2016; 5:30 PM

226 West 4th Street

****REVISED JULY 19, 2016****

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing for Ordinance for Case No. REZ16-06: Request of Moline Holdings LLC for the proposed rezoning of approximately 8120 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate Density Dwelling District. [Ward 3]

NOTE: PLAN & ZONING COMMISSION RECOMMENDS DENIAL (REQUIRES EIGHT VOTES FOR PASSAGE, THREE FOURTHS IF ABSTENTION FOR CONFLICT OF INTEREST)

PLAN & ZONING CHAIR HAS REQUESTED THAT THIS ITEM BE REFERRED BACK TO PLAN & ZONING COMMISSION.

VII. Presentations

VIII. Petitions and Communications from Council Members and the Mayor

- A. Community Engagement Update
Rita Rawson, Chair

IX. Action items for Discussion

COMMUNITY DEVELOPMENT

Bill Boom, Chairman; Kyle Gripp, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. First Consideration: Ordinance for Case No. REZ16-06: Request of Moline Holdings LLC for the proposed rezoning of approximately 8120 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate

Density Dwelling District. [Ward 3]

NOTE: PLAN & ZONING RECOMMENDS DENIAL (REQUIRES EIGHT VOTES FOR PASSAGE, THREE FOURTHS VOTE IF ABSTENTION FOR CONFLICT OF INTEREST)

PLAN & ZONING CHAIR HAS REQUESTED THAT THIS ITEM BE REFERRED BACK TO PLAN & ZONING COMMISSION.

2. Resolution approving Case No FDP16-06: Request of Equity Ventures Commercial Development LC for a PDD Final Development Plan on 1.7 acres, more or less, of property located at 3805 East 53rd Street to facilitate redevelopment of an old restaurant site to a specialty retailer. [Ward 6]
3. Resolution approving Case No. F16-05 being the final plat of Showcase Third Addition, which is located on the east side of Brady Street approximately 500 feet south of Veteran's Memorial Parkway. [Ward 8]
4. Resolution approving an Urban Revitalization Tax Exemption project for 121 W 8th Street. [Ward 3]
5. Resolution supporting a Workforce Housing Tax Credit application to the State of Iowa for a multi-family project located at 121 W 8th St. [Ward 3]
6. Motion to set a public hearing for **August 3rd at 5:30 p.m. at the Eastern Avenue Library** for the purpose of amending the North Urban Renewal Plan. [Ward 7]
7. Motion to set a public hearing for **August 3rd at 5:30 p.m. at the Eastern Avenue Library** for the purpose of considering the approval of an economic development agreement with Honkamp Krueger companies. [Ward 7]
8. Motion to set a Public Hearing for **August 3rd at 5:30 p.m. at the Eastern Avenue Library** for the Resolution for Concurrent Approval of the 935 East River Drive Property Lease Agreement [Ward 3]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Mike Matson, Chairman; Maria Dickmann, Vice Chairman

III. PUBLIC SAFETY

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

Shenanigan's, Bix Weekend, July 29-30, 7:00 PM to Midnight; Closure Location: 3rd Street, parking lane and one travel lane between Ripley and Harrison Streets, Ward 3

Palmer College, Homecoming, August 10-13, 6:00 AM to Midnight; Closure Location: No parking on Palmer Drive between Main and Perry Street and the to east lanes of Brady Street on Saturday, August 10 to Sunday, August 13th, Ward 3

Chuck's Tap, Quad City Breast Cancer Awareness Ride, August 21, 10AM - 10 PM,

Closure Location: 6th Street from Division to Madison Street, Ward 3

Village of East Davenport Assn, Farm Days in the Village, August 26-27, 10AM - 5 PM,
Closure Location: 11th Street from Mound to Jersey Ridge Rd; Christy from 11th to the
alley, Ward 5

2. Motion approving noise variance request(s) for various events on the listed dates at the listed times.

Marshall Fuessel, Fingerplooza, 3307 Railroad Avenue, August 13th; 4:00 - 11 PM;
Over 50 dBa, Ward 1

Spartan's Pub, 2025 Hickory Grove Road, End of Summer Bash, August 27th; 5:00
PM - Midnight, Over 50 dBa, Ward 4

Delta Sigma Chi Fraternity, 1208 Main St, Palmer Homecoming, August 11-13, 6:00
PM to Midnight, Over 50 dBa, Ward 3

3. Motion approving beer and liquor license applications.

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

Ward 3

Chuck's Tap (White T. Corporation) - 1731 W 6th St. - Outdoor Area, August 21, 2016
- License Type: C Liquor

Davenport Jaycees (Jaycees of the Quad Cities) - 400 W Beiderbecke Dr. (LeClaire
Park) - Outdoor Area, September 17, 2016 'Brew Ha Ha' - License Type: B Beer

Shenanigan's (Here We Go Again, Inc.) - 303 W 3rd St. - Outdoor Area, July 29-30,
2016 'Bix' - License Type: C Liquor

Sippis Restaurant (Sippis Inc.) - 406 W 2nd St. - Outdoor Area, August 13, 2016 'Car
Show' - License Type: C Liquor

Front Street Brewery (Front Street Brewery Inc.) 208 East River Dr- Outdoor Area,
July 29, 30, 2016 "Bix" - License Type: C Liquor

Ward 5

Theisen's of Davenport (Theisen's Inc.) - 3808 Brady St. - License Type: C Beer / B
Native Wine

Ward 6

Holiday Inn & Suites / J-Bar (HOA Hotels LLC) - 4215 Elmore Ave. - Outdoor Area -
License Type: B Liquor

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Ray Ambrose, Chairman; Rick Dunn, Vice Chairman

V. PUBLIC WORKS

1. Resolution approving the contract between the City and Missman, Inc. for the design of the Rockingham Road Resurfacing Project, not to exceed \$275,000. CIP #35018. [Ward 1]
2. Resolution granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along Howell Street from 2nd Street to 5th Street and along 5th Street from Howell Street to Division Street. Agreement Reference No. 2016-F11. [Ward 3]
3. Resolution granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along Sturdevant Street from south of 3rd Street to the alley north of Sturdevant Street, a distance of approximately 308 feet. Agreement Reference No. 2016-F12. [Ward 3]
4. Motion accepting the Environmental Assessment for the Davenport Municipal Airport in the amount of \$89,280. Funding is from the Federal Administration AIP grant at 90%, \$80,352 and CIP #10271 at 10%, \$8,928. [Ward 8]
5. Motion approving change order #8 to the Birchwood Area Parallel Sewer Project with Valley Construction in the amount of \$53,253 budgeted in CIP #01905. [Wards 1 & 4]
6. Motion to award a contract to seven contractors for the FY17 Sewer Lateral Repair Program in the amount of \$1,000,000. [All Wards]
7. Motion to award the contract for the construction of the Eastern Avenue Portland Cement Concrete Trail to Valley Construction Company of Rock Island, IL in the amount of \$147,507.50. [Ward 8]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

Jason Gordon, Chairman; Kerri Tompkins, Vice Chairman

VII. FINANCE

1. Resolution fixing a date for the hearing on proposed health care facility revenue bonds, not to exceed \$2,800,000, Series 2016 for the Lutheran Home for the Aged Association - East project. [Ward 7]
2. Motion awarding the purchase of 4,500 tons of supplemental ice control road salt for the 2016-2017 winter season, for a multiple jurisdiction bid with Davenport as the agent, in the amount of \$61.70 per ton to Compass Minerals America Inc. of Overland Park, KS. [All Wards]

VIII. Motion recommending discussion or consent for Finance items

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

1. Mills Chevrolet - 2016 Chevy Tahoe for Police evidence vehicle - Amount: \$37,991
2. Mills Chevrolet - 4-door sedan for Police - Amount: 27,670
3. Socrata - Community dashboard - Amount: \$22,000
4. Ilowa Investment, Inc. - Sealcoat & stripe Florian Keen Parking Lot - Amount: \$17,755
5. Swensen Construction, Inc. - Repair & install Marquette boat docks - Amount: \$17,715
6. Scott County Fence - North Marquette Dog Park fence - Amount: \$16,500
7. Johnson Contracting Co. - Repair HVAC in RC atrium - Amount: \$16,300

XI. Other Ordinances, Resolutions and Motions

XII. Public with Business

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 3

Action / Date
CD7/20/2016

Subject:

Public Hearing for Ordinance for Case No. REZ16-06: Request of Moline Holdings LLC for the proposed rezoning of approximately 8120 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate Density Dwelling District.
[Ward 3]

NOTE: PLAN & ZONING COMMISSION RECOMMENDS DENIAL (REQUIRES EIGHT VOTES FOR PASSAGE, THREE FOURTHS IF ABSTENTION FOR CONFLICT OF INTEREST)

PLAN & ZONING CHAIR HAS REQUESTED THAT THIS ITEM BE REFERRED BACK TO PLAN & ZONING COMMISSION.

Recommendation:

The City Plan and Zoning Commission forwards Case No. REZ16-06 to the City Council with a recommendation for denial.

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

Relationship to Goals:

Neighborhood Improvement

Background:

This request was made primarily to facilitate the securing of a mortgage if the buyer of the property was a homeowner. The Commission considered the following before rendering its negative recommendation:

Consistency with the Comprehensive Plan.

Differences exist between the current Plan recommendation and the proposed designation found in Davenport+2035.

The current Industrial designation is outdated because it did not anticipate the transition to mixed use and housing that has occurred over the past ten years.

The proposed designation of Residential General with an Urban Corridor overlay has been reviewed and vetted by the Steering Committee and will be presented for a recommendation to the Plan and Zoning Commission at its July 19, 2016 meeting. While not yet formally adopted, The Commission believes this is the more relevant Plan guidance at this time.

Keep in mind that an RG designation does not restrict use to just residential. Coupled with the UC overlay, in close vicinity to River Drive, a major arterial and US Highway, higher intensity uses are appropriate.

In the Commission's opinion, the proposed land use designations support keeping the property zoned as is.

Land Use Compatibility.

Property to the east is zoned R-4 and has been used and is currently being marketed as a bed and breakfast inn. Property to the north is zoned C-1 and contains a 12-unit apartment building. Property to the west is zoned R-6M and is primarily single family residential but could be converted to multi-family. Property to the south is zoned M-1 and is currently a parking lot. M-1 allows for a variety of intense commercial uses (provided parking is provided for). A multi-story mixed use building is possible on the site.

Compatibility of this property being used strictly for single family given surrounding uses and zoning is questionable.

Proof by the Petitioner the Rezoning is Necessary.

The petitioner has clearly and honestly stated that the reason behind the rezoning request is to facilitate possible future sale to a residential buyer who intends to finance a mortgage with the owner/petitioner (IH Mississippi Valley Credit Union, (IHMVCU)). IHMVCU has indicated by letter (attached) that it would not be able to sell the mortgage on the secondary market with the C-1 classification.

Residential is a permitted use in C-1 already.

This does not prohibit IHMVCU to do any of the following:

- Sell to a residential buyer who utilizes another lender, or pays cash.
- Sell to a commercial buyer
- Rent the property to either a residential or commercial user.

The financial reasons for pursuing this rezoning are not coupled with land use reasons.

Impact of Rezoning on the Adjoining Property Owner(s).

The property to the south is zoned M-1. It is currently a parking lot previously used for parking by the former Continental (Wonder Bread) bakery. This property owner has protested the proposed rezoning with concerns the downzoning may impact the development potential of his property.

It is impossible to predict what exactly the impact of downzoning would be. Given the current system of 'performance zoning', the degree of buffer yard between the two uses would be greater if the property was used for residential and not commercial. Further, if an entertainment/eating/drinking place was to be established, there may be additional restrictions that would come into play. Development limitations upon the adjoining property to the south are not assured, but are certainly possible.

The protest rate on this petition is 10.9%

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	P&Z Commission letter
▣ Backup Material	P&Z Report including attachments
▣ Backup Material	P&Z Vote

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	7/14/2016 - 12:44 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:49 PM

ORDINANCE NO.

Ordinance for Case No. REZ16-06: Request of Moline Holdings LLC for the proposed rezoning of approximately 8120 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate Density Dwelling District. [3rd Ward]

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned.

The property is legally described as follows:

Lot 3 of Block 8 in A.G. Churchill's Addition to the City of Davenport, Scott County Iowa

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____

Jackie Holecek, CMC

Deputy City Clerk

Published in the *Quad City Times* on _____

July 14, 2016

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801

Honorable Mayor and City Council:

At its regular meeting of July 5, 2016, the City Plan and Zoning Commission considered Case No. REZ16-06 being Request of Moline Holdings, LLC for the rezoning of 0.19 acre, more or less of real property located at 718 Bridge Avenue from "C-1" Neighborhood Shopping District to "R-4" Moderate Density Dwelling District to facilitate residential marketing of the property.

Findings of Fact:

- The proposed Urban Corridor designation supports higher intensity development at this location.
- Downzoning reduces the potential for compatible development patterns in the vicinity.
- Economic return should not be the driving reason behind land use decisions.
- Residential development is allowed in C-1.
- The property to the north is zoned C-1; while not creating a spot zone, zoning this property to R-4 creates an inconsistent zoning pattern.
- Zoning this property may restrict the use of both properties to the north and south.
- The apartment building to the north, M-1 zoning and uncertain development possibilities to the south, and proximity to River Drive, reduces the desirability of the property to be successfully sold as a single family.

The Plan and Zoning Commission forwards Case No. REZ16-06 to the City Council with a recommendation for denial.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission





PLAN AND ZONING COMMISSION

Meeting Date: July 5, 2016
Request: Rezoning of approximately 8100 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate Density Dwelling District
Case No.: REZ16-06
Applicant: Moline Holdings, LLC
Contact: Matthew G. Flynn, AICP
Senior Planning Manager
mflynn@ci.davenport.ia.us
563-326-7743

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. REZ16-06 to the City Council with a recommendation for denial.

Introduction:

This property is contemplated to be rezoned to facilitate marketing as a single family dwelling.

Background:



Subject Property



Zoning Map



Davenport 2025 Comprehensive Plan Proposed Land Use (Industrial)



Davenport+2035 Comprehensive Plan Future Land Use (Residential General with Urban Corridor Overlay

Background:

Comprehensive Plan: This property is located within the Urban Service Boundary and is currently classified as (I) Industrial by *Davenport 2025*. Industrial is defined as follows:

Industrial District (I) designates industrial uses including research, assembly/fabrication, warehousing, storage, and associated commercial/office uses.

The proposed Comprehensive Plan, *Davenport +2035*, designates the property as (RG) Residential General with a (UC) Urban Corridor overlay.

Residential General is defined as follows:

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

Urban Corridor is defined as follows:

Urban Corridor (UC) - Generally established corridors along major streets marked by mixed use development with commercial uses generally clustered at major intersections and/or transit stops. Urban corridors are mostly fully built-out and redevelopment occurs slowly. Commercial uses in UC generally serve adjacent neighborhoods with goods and services. The character and intensity of Urban Corridors can vary due to street and surrounding neighborhood characteristics. Therefore, specific corridor and neighborhood plans, and supporting zoning provisions, should be created developed to help guide future development decisions.

Technical Review:

All urban services are available to the property with no deficiencies noted.

Public Input:

A public meeting was held on June 7, 2016. Three neighbors attended and expressed no concerns other than desiring the property not be used for multi-family development.

The property owner to the south has protested the rezoning for reasons stated on the attachment. In summary, he is concerned that the rezoning may impose additional restrictions on the use of his land limiting redevelopment potential. He also states the proposal is inconsistent with the current Comprehensive Plan designation of Industry (I).

This property owner was asked if any possible conditions to the rezoning might cause his protest to be rescinded and he responded no.

The protest rate is 10.9%

Discussion: What at first glance may seem to be a simple request, this petition has generated significant discussion at the staff level. Four main points are discussed further.

Consistency with the Comprehensive Plan.

Differences exist between the current Plan recommendation and the proposed designation in found in Davenport+2035.

The current Industrial designation is outdated because it did not anticipate the transition to mixed use and housing that have occurred over the past ten years.

The proposed designation of Residential General with an Urban Corridor overlay has been reviewed and vetted by the Steering Committee and will be presented for a recommendation to the Plan and Zoning Commission at its July 19, 2016 meeting. While not yet formally adopted, Staff believes this is the more relevant Plan guidance at this time.

Keep in mind that an RG designation does not restrict use to just residential. Coupled with the UC overlay, in close vicinity to River Drive, a major arterial and US Highway, higher intensity uses are appropriate.

In staff's opinion, the proposed land use designations support keeping the property zoned as is.

Land Use Compatibility

Property to the east is zoned R-4 and has been used and is currently being marketed as a bed and breakfast inn. Property to the north is zoned C-1 and contains a 12-unit apartment building. Property to the west is zoned R-6M and is primarily single family residential but could be converted to multi-family. Property to the south is zoned M-1 and is currently a parking lot. M-1 allows for a variety of intense commercial uses (provided parking is provided for). A multi-story mixed use building is possible on the site.

Compatibility of this property being used strictly for single family given surrounding uses and zoning is questionable.

Proof by the Petitioner the Rezoning is Necessary.

The petitioner has clearly and honestly stated that the reason behind the rezoning request is to facilitate possible future sale to a residential buyer who intends to finance a mortgage with the owner/petitioner (IH Mississippi Valley Credit Union, (IHMVCU)). IHMVCU has indicated by letter (attached) that it would not be able to sell the mortgage on the secondary market with the C-1 classification.

Remember that residential is a permitted use in C-1 already.

This does not prohibit IHMVCU to do any of the following:

- Sell to a residential buyer who utilizes another lender, or pays cash.
- Sell to a commercial buyer
- Rent the property to either a residential or commercial user.

The financial reasons for pursuing this rezoning are not coupled with land use reasons.

Impact of Rezoning on the Adjoining Property Owner(s).

The property to the south is zoned M-1. It is currently a parking lot previously used for parking by the former Continental (Wonder Bread) bakery. This property owner has protested the proposed rezoning with concerns the downzoning may impact the development potential of his property.

It is impossible to predict what exactly the impact of downzoning would be. Given the current system of 'performance zoning', the degree of buffer yard between the two uses would be greater if the property was used for residential and not commercial. Further, if an entertainment/eating/drinking place was to be established, there may be additional restrictions that would come into play. Development limitations upon the adjoining property to the south are not assured, but are certainly possible.

Finally, it should be noted that full development of the adjoining property could be multi-story in nature and the current river views afforded by the subject property are not guaranteed in the long run.

Related, the property to the north is also zoned C-1 and is currently used as a 12-unit apartment building. Converting all or part of the building to commercial uses is possible, but should not impact any required buffer yards between the two properties. If the property was completely redeveloped, then the buffer yard requirements come into play.

Summary

In summary, the decision to be made is whether or not the anticipated, but not guaranteed, economic benefit of rezoning this property exceeds the land use rationale of maintaining the current C-1 zoning.

Staff Recommendation:

In weighing all factors, Staff cannot support the request.

Findings of Fact:

- The proposed Urban Corridor designation supports higher intensity development at this location.
- Downzoning reduces the potential for compatible development patterns in the vicinity.
- Economic return should not be the driving reason behind land use decisions.
- Residential development is allowed in C-1.
- The property to the north is zoned C-1; while not creating a spot zone, zoning this property to R-4 creates an inconsistent zoning pattern.
- Zoning this property may restrict the use of both properties to the north and south.
- The apartment building to the north, M-1 zoning and uncertain development possibilities to the south, and proximity to River Drive, reduces the desirability of the property to be successfully sold as a single family.

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. REZ16-06 to the City Council with a recommendation for denial.

REZONING REQUEST NO. _____
OFFICE OF PLANNING AND LAND USE
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT
CITY OF DAVENPORT

City Hall * Second floor
Phone: (563) 326-7765
Fax: (563) 328-6714
planning@ci.davenport.ia.us

Legal Description: Lot 3 of Block 8 in A. and G. Churchill's Addition to the City of Davenport, Scott County, Iowa.

ADDRESS OF PROPERTY: 718 Bridge Ave EXISTING ZONING: Commercial
REQUESTED ZONING: Residential
TOTAL AREA: 8160 SF

PETITIONER: Name: Moline Holdings, LLC
Address: c/o Laurie Burkholder, 2121 47th St., Moline, IL 61265
Phone: (309) 793-6200 FAX: _____
Mobile Phone: _____ Email: lburkholder@ihmvu.org
Interest in land: X title holder _____ other **
** if petitioner is other than title holder, documentation will be required to show control of property – accepted offer to purchase, offer, option, etc.

TITLE HOLDER: Name: Moline Holdings, LLC
Address: 2121 47th St., Moline, IL 61265
Phone: (309) 793-6200 FAX: _____
Mobile Phone: _____ Email: lburkholder@ihmvu.org

CONTACT PERSON: Name: Douglas R. Lindstrom, Jr., Lane & Waterman LLP
Address: 220 N. Main St., Suite 600, Davenport, IA 52801
Phone: (563) 324-3246 FAX: (563) 324-1616
Mobile Phone: _____ Email: dlindstrom@l-wlaw.com

EXPLANATION OF REZONING (for Public Hearing Notice) to market the property as residential

Does the property contain a drainageway or floodplain area: ____ Yes X No

Signature of Petitioner: [Signature] MISSISSIPPI VALLEY CU Date: 5-18-16
Rezoning Fee Schedule:

Land Area	Fee
Less than 1 acre (< 1 acre)	\$400
One acre to less than ten acres ($\geq$ acre < 10 acres)	\$750 plus \$25/acre *
Ten acres or more ($\geq$ 10 acres)	\$1,000 plus \$25/acre*

* plus \$10.00 per sign; 1 or more signs required depending upon the size of the subject property

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801-1308

Honorable Mayor and City Council:

The undersigned, hereby petitions your honorable body to amend the Zoning Ordinance of 1981 of the City of Davenport, Iowa by changing the zoning classification

From: Commercial C-1

To: Residential R-4

for the following legally described real property:

Lot 3 of Block 8 in A. and G. Churchill's Addition to the City of Davenport, Scott County, Iowa.

Respectfully submitted,

Jon Schaler - Liquidation Specialist for IH MISSISSIPPI VALLEY CU
Jon Schaler - Liquidation Specialist for IH MISSISSIPPI VALLEY CU
Date: 5-18-16



Matthew G. Flynn, AICP
Senior Planning Manager
City Hall
226 W. 4th Street
Davenport, IA 52801

RE: Rezoning Request – 718 Bridge Avenue, Davenport, Iowa

Mr. Flynn,

I am the Vice President of Credit Risk Management for I.H. Mississippi Valley Credit Union (“IHMVCU”). I am listed on the Rezoning Request for the above-referenced property as the contact person for the Petitioner, Moline Holdings, LLC, which is wholly owned by IHMVCU.

IHMVCU held a mortgage on the property when it was owned by Anvil Enterprises, LLC. One of the two members of the company passed away and the surviving owner decided to convey the property to IHMVCU or its nominee in full satisfaction of the mortgage. IHMVCU accepted a conveyance of the property to Moline Holdings in full satisfaction of the mortgage.

The property is improved with a residence but it is zoned commercial. We have filed this Rezoning Request to change the classification of the property from commercial to residential to improve the marketability of the property. Our attorney informed you that a buyer of this property would not qualify for a residential secondary market mortgage due to the commercial classification. This is significant because most residential mortgages are immediately sold by the lender to investors on the secondary market, including Fannie Mae and Freddie Mac. You asked for additional information on this point and that is the purpose of this letter.

On June 29, 2016, at my direction, a mortgage underwriter for IHMVCU named Jennifer Brown contacted Fannie Mae to inquire about the eligibility of this property for a





residential secondary market mortgage. Jennifer spoke with Anita in the Property Eligibility Department and was informed that if a lender tried to sell Fannie Mae a mortgage on a residential home that is zoned commercial then it would result in either: (A) a rejection of the loan; or (B) an automatic buy back by the lender from Fannie Mae when the file was audited. In other words, Fannie Mae (and Freddie Mac because its guidelines are similar) will not purchase a mortgage on a residential property that is zoned commercial like the property at issue here. Fannie Mae and Freddie Mac purchase most of the residential mortgages sold on the secondary market and therefore the marketability of this property is severely limited by its commercial classification.

I hope this satisfies your inquiry. Please do not hesitate to contact our attorney or me if you have questions.

Sincerely,

A handwritten signature in black ink, which appears to read "Laurie Burkholder".

Laurie Burkholder



815
RG

812
RG

802
TYE C POGAR

1206
RG

1028
JOSEPH M SENG

740
DONALD J RODGERS

1024
DERIK M RHUM

1020

1042
RIEDEL DARRELL

732
LAWRENCE GILLHOUSE

730
GESSER GREGORY R

722

Subject Property 718
MOLINE HOLDINGS LLC

1110
CONTINENTAL LOFTS LLC

720
CHARLES TAZZALINE

1025
I

1034
I

1111
KSTT REAL ESTATE INVESTMENTS LC

1205
RIVER LANDING COOPERATIVE LLC

1215
PR

BRIDGE AVE

ONEIDA AVE

E RIVER DR

200' Adjacent Property Owner Notice Boundary

PR

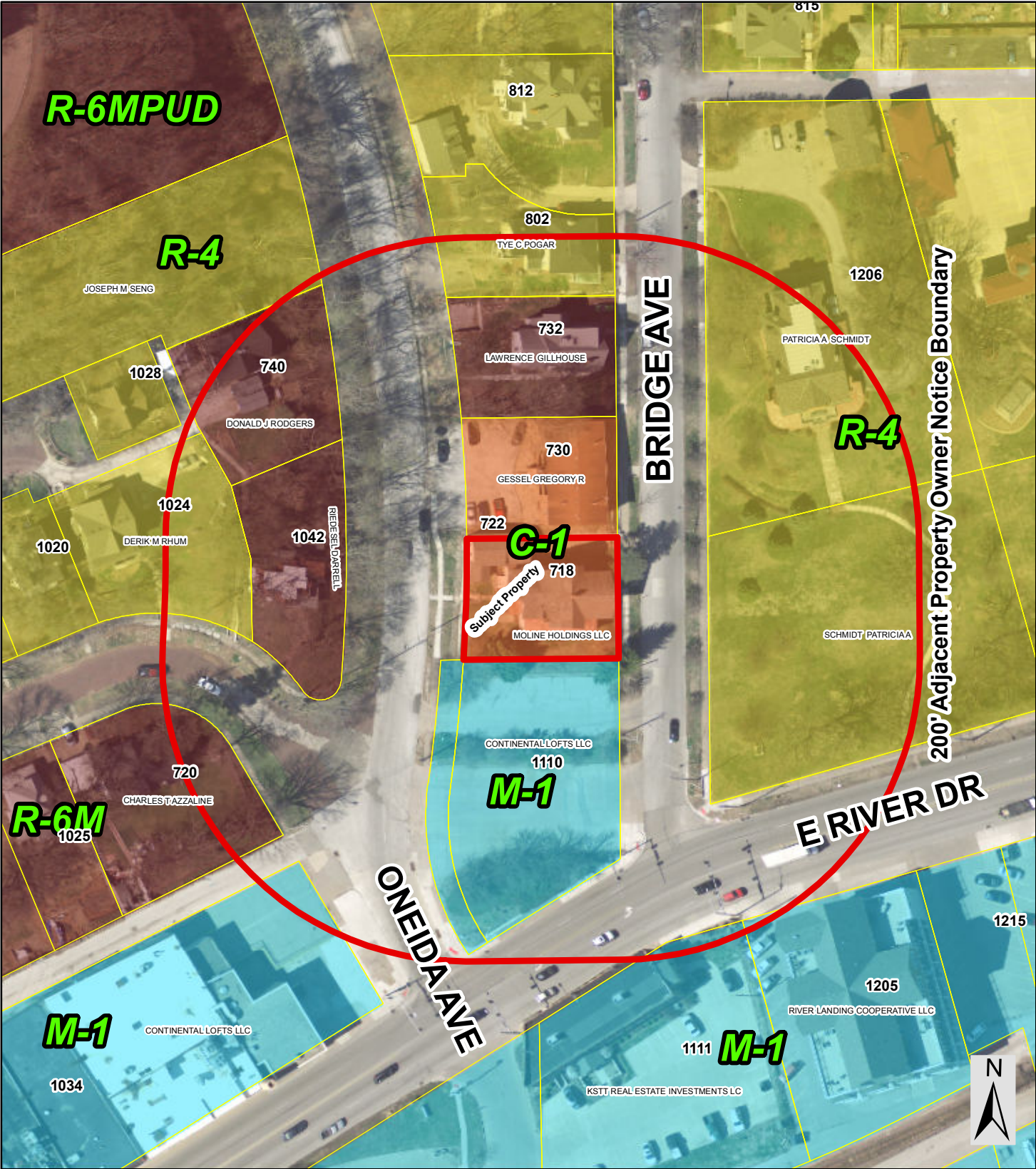
PR

PR

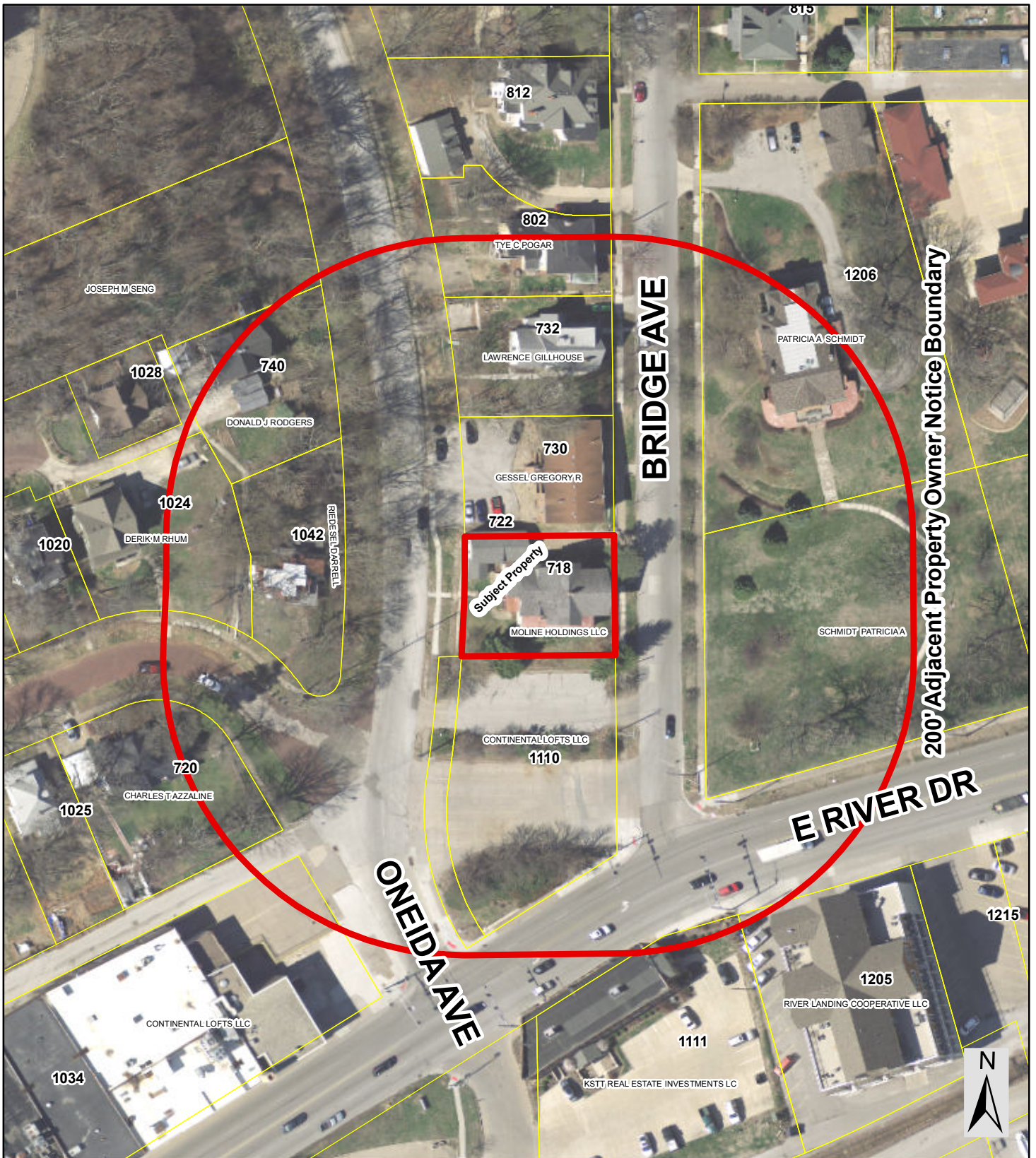
Site / Area Map



Zoning Map



Plan & Zoning Commission: Adjacent Property Owner Notice Area Request for a Map Amendment (Rezoning)



REZ16-06 PROTEST CALCULATION

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
F0043-01	96.4727235	0.0%		0.0%	1021 E 10TH ST	JOSEPH M SENG	4804 NORTHWEST BD	DAVENPORT IA 52806
F0043-05A	24247.1959	12.2%		0.0%	1206 E RIVER DR	PATRICIA A SCHMIDT	276 PALMYRA RD	DIXON IL 61021
F0043-05B	17301.311	8.7%		0.0%	1206 E RIVER DR	PATRICIA A SCHMIDT	276 PALMYRA RD	DIXON IL 61201
F0043-11	8591.33909	4.3%		0.0%	732 BRIDGE AV	LAWRENCE GILLHOUSE	732 BRIDGE AV	DAVENPORT IA 52803
F0043-12	8113.41934	4.1%		0.0%	730 BRIDGE AV	GREGORY R GESSEL	19494 258TH AVE	BETTENDORF IA 52722
F0043-14A	17728.3595	8.9%	YES	8.9%	1110 E RIVER DR	CONTINENTAL LOFTS LLC	2660 E 53RD ST	DAVENPORT IA 52807
F0043-14B	2963.0899	1.5%	YES	1.5%	1110 E RIVER DR	CONTINENTAL LOFTS LLC	2660 E 53RD ST	DAVENPORT IA 52807
F0043-15	3567.29483	1.8%		0.0%	720 ONEIDA AV	CHARLES T AZZALINE	720 ONEIDA AV	DAVENPORT IA 52803
F0043-17	5738.21252	2.9%		0.0%	1024 CHARLOTTE ST	DERIK M RHUM	1024 CHARLOTTE ST	DAVENPORT IA 52803
F0043-19	9377.87617	4.7%		0.0%	1042 CHARLOTTE ST	DARRELL RIEDESEL	1042 CHARLOTTE ST	DAVENPORT IA 52803
F0043-20	8282.51376	4.2%		0.0%	740 ONEIDA AV	DONALD J RODGERS	740 ONEIDA AV	DAVENPORT IA 52803
F0054-03	594.418935	0.3%		0.0%	1111 E RIVER DR	KSTT REAL ESTATE INVESTMENTS LC	1111 E RIVER DR	DAVENPORT IA 52803
F0054-08A	984.831336	0.5%	YES	0.5%	1034 E RIVER DR	CONTINENTAL LOFTS LLC	2660 E 53RD ST	DAVENPORT IA 52803
F0055-01	140.220568	0.1%		0.0%	1205 E RIVER DR	RIVER LANDING COOPERATIVE LLC	C/O DICK MCNAMARA	BETTENDORF IA 52722
F0043-10	4547.59497	2.3%		0.0%	802 BRIDGE AV	TYE C POGAR	802 BRIDGE AV	DAVENPORT IA 52803
F0043-10	4547.59497	2.3%		0.0%	802 BRIDGE AV	TYE C POGAR	802 BRIDGE AV	DAVENPORT IA 52803

PARCELS 116,821.7 58.9%
ROW 81,491.4 41.1%
TOTAL
NOTICE AREA 198,313.2 100%

10.9% PROTEST RATE

Protests: 3

Alderman: Boom

Properties: 16

NOTICE
PUBLIC HEARING
TUESDAY - JUNE 14, 2016 - 5:00 P.M.
DAVENPORT CITY PLAN AND ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET - DAVENPORT, IOWA



There is on file in the office of Community Planning, on behalf of the City Plan and Zoning Commission, the following petitions:

Case No. REZ16-06: Request of IH Mississippi Valley Credit Union for the proposed rezoning of 718 Bridge Avenue from C-1 Neighborhood Commercial District to R-4 Medium Density Residential District.

You are being contacted because you own property within 200 feet of the subject property.

Public hearings on the above matters are scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, June 14 2016 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both.

Further, you may formally protest this proposed action by filling out the form below.

Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

If you have any questions, please contact me.

Matthew G. Flynn, AICP
Senior Planning Manager
Department of Community Planning & Economic Development
email: planning@ci.davenport.ia.us
phone: 563-326-7743

(detach here)

The undersigned opposes does not oppose (circle one) the request of IH Mississippi Valley Credit Union for the proposed rezoning of 718 Bridge Avenue from C-1 Neighborhood Commercial District to R-4 Medium Density Residential District.

Comments: See attached

Mail to: Plan and Zoning Commission
226 West 4th St.; City Hall
Davenport, Iowa 52801

Continental Lofts, LLC.

NAME % Dan Dolan
ADDRESS 2660 E 53rd St
DATE Davenport IA 52807
(please print legibly)

1034 + 1110 E. River Drive and
ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS
vacant lots neighboring property

6/13/2016

Re: Case No. REZ16-06 – Rezoning of 718 Bridge Avenue from C-1 Neighborhood Commercial District to R-4 Medium Density.

The Owner(s) of properties with the following parcel identifiers F0053-37A; F0053-48A; F0053-42; F0054-08A; F0043-14B; and F0043-14A object to and oppose the above referenced rezoning request. A change in the zoning will have an irreversible effect on the above identified parcels and particularly the property located at 1034 and 1110 E. River Drive. Specifically, such a change will materially change the setback/landscaping requirements for parcels F0043-14A and F0043-14B and will materially impact uses affiliated with all of the identified parcels. Such a change impacts and limits development of the objectors' properties, development which is consistent with the City's comprehensive plan land use and the ability to achieve the maximum density development of the property which is also part of the City's comprehensive plan.

Objectors request that this opposition and objection be considered continuing, ongoing and considered on file for the public hearing prior to City Council meeting.

Name:	Roll Call	DENIED	APPROVED						
		REZ16-06 Moline Holdings LLC 718 Bridge Ave	FDP16-06 Equity Ventures Comm Develop LC 3805 E 53rd St						
Connell	P	Y	Y						
Hepner	P	Y	Y						
Inghram	P								
Kelling	EX								
Lammers	P	Y	Y						
Maness	P	Y	Y						
Martinez	P	Y	Y						
Medd	P	Y	Y						
Quinn	P	Y	Y						
Reinartz	P	Y	Y						
Tallman	P	Y	ABST						
		9-YES 0-NO 0-ABSTAIN	8-YES 0-NO 1-ABSTAIN						

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 3

Action / Date
CD7/20/2016

Subject:

First Consideration: Ordinance for Case No. REZ16-06: Request of Moline Holdings LLC for the proposed rezoning of approximately 8120 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate Density Dwelling District. [Ward 3]

NOTE: PLAN & ZONING RECOMMENDS DENIAL (REQUIRES EIGHT VOTES FOR PASSAGE, THREE FOURTHS VOTE IF ABSTENTION FOR CONFLICT OF INTEREST)

PLAN & ZONING CHAIR HAS REQUESTED THAT THIS ITEM BE REFERRED BACK TO PLAN & ZONING COMMISSION.

Recommendation:

The City Plan and Zoning Commission forwards Case No. REZ16-06 to the City Council with a recommendation for denial.

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

Relationship to Goals:

Neighborhood Improvement

Background:

This request was made primarily to facilitate the securing of a mortgage if the buyer of the property was a homeowner. The Commission considered the following before rendering its negative recommendation:

Consistency with the Comprehensive Plan.

Differences exist between the current Plan recommendation and the proposed designation found in Davenport+2035.

The current Industrial designation is outdated because it did not anticipate the transition to mixed use and housing that has occurred over the past ten years.

The proposed designation of Residential General with an Urban Corridor overlay has been reviewed and vetted by the Steering Committee and will be presented for a recommendation to the Plan and Zoning Commission at its July 19, 2016 meeting. While not yet formally adopted, the Commission believes this is the more relevant Plan guidance at this time.

Keep in mind that an RG designation does not restrict use to just residential. Coupled with the UC overlay, in close vicinity to River Drive, a major arterial and US Highway, higher intensity uses are appropriate.

In the Commission's opinion, the proposed land use designations support keeping the property

zoned as is.

Land Use Compatibility.

Property to the east is zoned R-4 and has been used and is currently being marketed as a bed and breakfast inn. Property to the north is zoned C-1 and contains a 12-unit apartment building. Property to the west is zoned R-6M and is primarily single family residential but could be converted to multi-family. Property to the south is zoned M-1 and is currently a parking lot. M-1 allows for a variety of intense commercial uses (provided parking is provided for). A multi-story mixed use building is possible on the site.

Compatibility of this property being used strictly for single family given surrounding uses and zoning is questionable.

Proof by the Petitioner the Rezoning is Necessary.

The petitioner has clearly and honestly stated that the reason behind the rezoning request is to facilitate possible future sale to a residential buyer who intends to finance a mortgage with the owner/petitioner (IH Mississippi Valley Credit Union, (IHMVCU)). IHMVCU has indicated by letter (attached) that it would not be able to sell the mortgage on the secondary market with the C-1 classification.

Residential is a permitted use in C-1 already.

This does not prohibit IHMVCU to do any of the following:

- Sell to a residential buyer who utilizes another lender, or pays cash.
- Sell to a commercial buyer
- Rent the property to either a residential or commercial user.

The financial reasons for pursuing this rezoning are not coupled with land use reasons.

Impact of Rezoning on the Adjoining Property Owner(s).

The property to the south is zoned M-1. It is currently a parking lot previously used for parking by the former Continental (Wonder Bread) bakery. This property owner has protested the proposed rezoning with concerns the downzoning may impact the development potential of his property.

It is impossible to predict what exactly the impact of downzoning would be. Given the current system of 'performance zoning', the degree of buffer yard between the two uses would be greater if the property was used for residential and not commercial. Further, if an entertainment/eating/drinking place was to be established, there may be additional restrictions that would come into play. Development limitations upon the adjoining property to the south are not assured, but are certainly possible.

The Protest Rate is 10.9%

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
------	-------------

- ▣ Ordinance
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material

Ordinance
P&Z Commission letter
P&Z Report plus attachments
P&Z Vote
REZ16-06 Protest Calculation Rate

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	7/14/2016 - 12:43 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:49 PM

ORDINANCE NO.

Ordinance for Case No. REZ16-06: Request of Moline Holdings LLC for the proposed rezoning of approximately 8120 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate Density Dwelling District. [3rd Ward]

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned.

The property is legally described as follows:

Lot 3 of Block 8 in A.G. Churchill's Addition to the City of Davenport, Scott County Iowa

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____

Jackie Holecek, CMC

Deputy City Clerk

Published in the *Quad City Times* on _____

July 14, 2016

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801

Honorable Mayor and City Council:

At its regular meeting of July 5, 2016, the City Plan and Zoning Commission considered Case No. REZ16-06 being Request of Moline Holdings, LLC for the rezoning of 0.19 acre, more or less of real property located at 718 Bridge Avenue from "C-1" Neighborhood Shopping District to "R-4" Moderate Density Dwelling District to facilitate residential marketing of the property.

Findings of Fact:

- The proposed Urban Corridor designation supports higher intensity development at this location.
- Downzoning reduces the potential for compatible development patterns in the vicinity.
- Economic return should not be the driving reason behind land use decisions.
- Residential development is allowed in C-1.
- The property to the north is zoned C-1; while not creating a spot zone, zoning this property to R-4 creates an inconsistent zoning pattern.
- Zoning this property may restrict the use of both properties to the north and south.
- The apartment building to the north, M-1 zoning and uncertain development possibilities to the south, and proximity to River Drive, reduces the desirability of the property to be successfully sold as a single family.

The Plan and Zoning Commission forwards Case No. REZ16-06 to the City Council with a recommendation for denial.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission





PLAN AND ZONING COMMISSION

Meeting Date: July 5, 2016
Request: Rezoning of approximately 8100 square feet of property located at 718 Bridge Avenue from C-1 Neighborhood Shopping District to R-4 Moderate Density Dwelling District
Case No.: REZ16-06
Applicant: Moline Holdings, LLC
Contact: Matthew G. Flynn, AICP
Senior Planning Manager
mflynn@ci.davenport.ia.us
563-326-7743

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. REZ16-06 to the City Council with a recommendation for denial.

Introduction:

This property is contemplated to be rezoned to facilitate marketing as a single family dwelling.

Background:



Subject Property



Zoning Map



Davenport 2025 Comprehensive Plan Proposed Land Use (Industrial)



Davenport+2035 Comprehensive Plan Future Land Use (Residential General with Urban Corridor Overlay

Background:

Comprehensive Plan: This property is located within the Urban Service Boundary and is currently classified as (I) Industrial by *Davenport 2025*. Industrial is defined as follows:

Industrial District (I) designates industrial uses including research, assembly/fabrication, warehousing, storage, and associated commercial/office uses.

The proposed Comprehensive Plan, *Davenport +2035*, designates the property as (RG) Residential General with a (UC) Urban Corridor overlay.

Residential General is defined as follows:

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

Urban Corridor is defined as follows:

Urban Corridor (UC) - Generally established corridors along major streets marked by mixed use development with commercial uses generally clustered at major intersections and/or transit stops. Urban corridors are mostly fully built-out and redevelopment occurs slowly. Commercial uses in UC generally serve adjacent neighborhoods with goods and services. The character and intensity of Urban Corridors can vary due to street and surrounding neighborhood characteristics. Therefore, specific corridor and neighborhood plans, and supporting zoning provisions, should be created developed to help guide future development decisions.

Technical Review:

All urban services are available to the property with no deficiencies noted.

Public Input:

A public meeting was held on June 7, 2016. Three neighbors attended and expressed no concerns other than desiring the property not be used for multi-family development.

The property owner to the south has protested the rezoning for reasons stated on the attachment. In summary, he is concerned that the rezoning may impose additional restrictions on the use of his land limiting redevelopment potential. He also states the proposal is inconsistent with the current Comprehensive Plan designation of Industry (I).

This property owner was asked if any possible conditions to the rezoning might cause his protest to be rescinded and he responded no.

The protest rate is 10.9%

Discussion: What at first glance may seem to be a simple request, this petition has generated significant discussion at the staff level. Four main points are discussed further.

Consistency with the Comprehensive Plan.

Differences exist between the current Plan recommendation and the proposed designation in found in Davenport+2035.

The current Industrial designation is outdated because it did not anticipate the transition to mixed use and housing that have occurred over the past ten years.

The proposed designation of Residential General with an Urban Corridor overlay has been reviewed and vetted by the Steering Committee and will be presented for a recommendation to the Plan and Zoning Commission at its July 19, 2016 meeting. While not yet formally adopted, Staff believes this is the more relevant Plan guidance at this time.

Keep in mind that an RG designation does not restrict use to just residential. Coupled with the UC overlay, in close vicinity to River Drive, a major arterial and US Highway, higher intensity uses are appropriate.

In staff's opinion, the proposed land use designations support keeping the property zoned as is.

Land Use Compatibility

Property to the east is zoned R-4 and has been used and is currently being marketed as a bed and breakfast inn. Property to the north is zoned C-1 and contains a 12-unit apartment building. Property to the west is zoned R-6M and is primarily single family residential but could be converted to multi-family. Property to the south is zoned M-1 and is currently a parking lot. M-1 allows for a variety of intense commercial uses (provided parking is provided for). A multi-story mixed use building is possible on the site.

Compatibility of this property being used strictly for single family given surrounding uses and zoning is questionable.

Proof by the Petitioner the Rezoning is Necessary.

The petitioner has clearly and honestly stated that the reason behind the rezoning request is to facilitate possible future sale to a residential buyer who intends to finance a mortgage with the owner/petitioner (IH Mississippi Valley Credit Union, (IHMVCU)). IHMVCU has indicated by letter (attached) that it would not be able to sell the mortgage on the secondary market with the C-1 classification.

Remember that residential is a permitted use in C-1 already.

This does not prohibit IHMVCU to do any of the following:

- Sell to a residential buyer who utilizes another lender, or pays cash.
- Sell to a commercial buyer
- Rent the property to either a residential or commercial user.

The financial reasons for pursuing this rezoning are not coupled with land use reasons.

Impact of Rezoning on the Adjoining Property Owner(s).

The property to the south is zoned M-1. It is currently a parking lot previously used for parking by the former Continental (Wonder Bread) bakery. This property owner has protested the proposed rezoning with concerns the downzoning may impact the development potential of his property.

It is impossible to predict what exactly the impact of downzoning would be. Given the current system of 'performance zoning', the degree of buffer yard between the two uses would be greater if the property was used for residential and not commercial. Further, if an entertainment/eating/drinking place was to be established, there may be additional restrictions that would come into play. Development limitations upon the adjoining property to the south are not assured, but are certainly possible.

Finally, it should be noted that full development of the adjoining property could be multi-story in nature and the current river views afforded by the subject property are not guaranteed in the long run.

Related, the property to the north is also zoned C-1 and is currently used as a 12-unit apartment building. Converting all or part of the building to commercial uses is possible, but should not impact any required buffer yards between the two properties. If the property was completely redeveloped, then the buffer yard requirements come into play.

Summary

In summary, the decision to be made is whether or not the anticipated, but not guaranteed, economic benefit of rezoning this property exceeds the land use rationale of maintaining the current C-1 zoning.

Staff Recommendation:

In weighing all factors, Staff cannot support the request.

Findings of Fact:

- The proposed Urban Corridor designation supports higher intensity development at this location.
- Downzoning reduces the potential for compatible development patterns in the vicinity.
- Economic return should not be the driving reason behind land use decisions.
- Residential development is allowed in C-1.
- The property to the north is zoned C-1; while not creating a spot zone, zoning this property to R-4 creates an inconsistent zoning pattern.
- Zoning this property may restrict the use of both properties to the north and south.
- The apartment building to the north, M-1 zoning and uncertain development possibilities to the south, and proximity to River Drive, reduces the desirability of the property to be successfully sold as a single family.

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. REZ16-06 to the City Council with a recommendation for denial.

REZONING REQUEST NO. _____
OFFICE OF PLANNING AND LAND USE
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT
CITY OF DAVENPORT

City Hall * Second floor
Phone: (563) 326-7765
Fax: (563) 328-6714
planning@ci.davenport.ia.us

Legal Description: Lot 3 of Block 8 in A. and G. Churchill's Addition to the City of Davenport, Scott County, Iowa.

ADDRESS OF PROPERTY: 718 Bridge Ave EXISTING ZONING: Commercial
REQUESTED ZONING: Residential
TOTAL AREA: 8160 SF

PETITIONER: Name: Moline Holdings, LLC
Address: c/o Laurie Burkholder, 2121 47th St., Moline, IL 61265
Phone: (309) 793-6200 FAX: _____
Mobile Phone: _____ Email: lburkholder@ihmvu.org
Interest in land: X title holder _____ other **
** if petitioner is other than title holder, documentation will be required to show control of property – accepted offer to purchase, offer, option, etc.

TITLE HOLDER: Name: Moline Holdings, LLC
Address: 2121 47th St., Moline, IL 61265
Phone: (309) 793-6200 FAX: _____
Mobile Phone: _____ Email: lburkholder@ihmvu.org

CONTACT PERSON: Name: Douglas R. Lindstrom, Jr., Lane & Waterman LLP
Address: 220 N. Main St., Suite 600, Davenport, IA 52801
Phone: (563) 324-3246 FAX: (563) 324-1616
Mobile Phone: _____ Email: dlindstrom@l-wlaw.com

EXPLANATION OF REZONING (for Public Hearing Notice) to market the property as residential

Does the property contain a drainageway or floodplain area: ____ Yes ____ X No

Signature of Petitioner: [Signature] **MISSISSIPPI VALLEY CU** Date: 5-18-16
Rezoning Fee Schedule:

Land Area	Fee
Less than 1 acre (< 1 acre)	\$400
One acre to less than ten acres ($\geq$ acre < 10 acres)	\$750 plus \$25/acre *
Ten acres or more ($\geq$ 10 acres)	\$1,000 plus \$25/acre*

* plus \$10.00 per sign; 1 or more signs required depending upon the size of the subject property

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801-1308

Honorable Mayor and City Council:

The undersigned, hereby petitions your honorable body to amend the Zoning Ordinance of 1981 of the City of Davenport, Iowa by changing the zoning classification

From: Commercial C-1

To: Residential R-4

for the following legally described real property:

Lot 3 of Block 8 in A. and G. Churchill's Addition to the City of Davenport, Scott County, Iowa.

Respectfully submitted,

Jon Schaler - Liquidation Specialist for IH MISSISSIPPI VALLEY CU
Jon Schaler - Liquidation Specialist for IH MISSISSIPPI VALLEY CU
Date: 5-18-16



Matthew G. Flynn, AICP
Senior Planning Manager
City Hall
226 W. 4th Street
Davenport, IA 52801

RE: Rezoning Request – 718 Bridge Avenue, Davenport, Iowa

Mr. Flynn,

I am the Vice President of Credit Risk Management for I.H. Mississippi Valley Credit Union (“IHMVCU”). I am listed on the Rezoning Request for the above-referenced property as the contact person for the Petitioner, Moline Holdings, LLC, which is wholly owned by IHMVCU.

IHMVCU held a mortgage on the property when it was owned by Anvil Enterprises, LLC. One of the two members of the company passed away and the surviving owner decided to convey the property to IHMVCU or its nominee in full satisfaction of the mortgage. IHMVCU accepted a conveyance of the property to Moline Holdings in full satisfaction of the mortgage.

The property is improved with a residence but it is zoned commercial. We have filed this Rezoning Request to change the classification of the property from commercial to residential to improve the marketability of the property. Our attorney informed you that a buyer of this property would not qualify for a residential secondary market mortgage due to the commercial classification. This is significant because most residential mortgages are immediately sold by the lender to investors on the secondary market, including Fannie Mae and Freddie Mac. You asked for additional information on this point and that is the purpose of this letter.

On June 29, 2016, at my direction, a mortgage underwriter for IHMVCU named Jennifer Brown contacted Fannie Mae to inquire about the eligibility of this property for a





residential secondary market mortgage. Jennifer spoke with Anita in the Property Eligibility Department and was informed that if a lender tried to sell Fannie Mae a mortgage on a residential home that is zoned commercial then it would result in either: (A) a rejection of the loan; or (B) an automatic buy back by the lender from Fannie Mae when the file was audited. In other words, Fannie Mae (and Freddie Mac because its guidelines are similar) will not purchase a mortgage on a residential property that is zoned commercial like the property at issue here. Fannie Mae and Freddie Mac purchase most of the residential mortgages sold on the secondary market and therefore the marketability of this property is severely limited by its commercial classification.

I hope this satisfies your inquiry. Please do not hesitate to contact our attorney or me if you have questions.

Sincerely,

A handwritten signature in black ink, which appears to read "Laurie Burkholder".

Laurie Burkholder



RG

815

812

RG

802

TYE C POGAR

1206

PATRICIA A SCHMIDT

RG

1028

740

JOSEPH M SENG

DONALD J RODGERS

1024

1020

DERIK M RHUM

1042

RIEDESEL DARRELL

732

LAWRENCE GILLHOUSE

730

GESSEL GREGORY R

722

Subject Property 718

MOLINE HOLDINGS LLC

720

CHARLES T AZZALINE

1025

1034

CONTINENTAL LOFTS LLC

1110

CONTINENTAL LOFTS LLC

BRIDGE AVE

ONEIDA AVE

E RIVER DR

1215

1205

RIVER LANDING COOPERATIVE LLC

1111

KSTT REAL ESTATE INVESTMENTS LC

PR

PR

I

PR

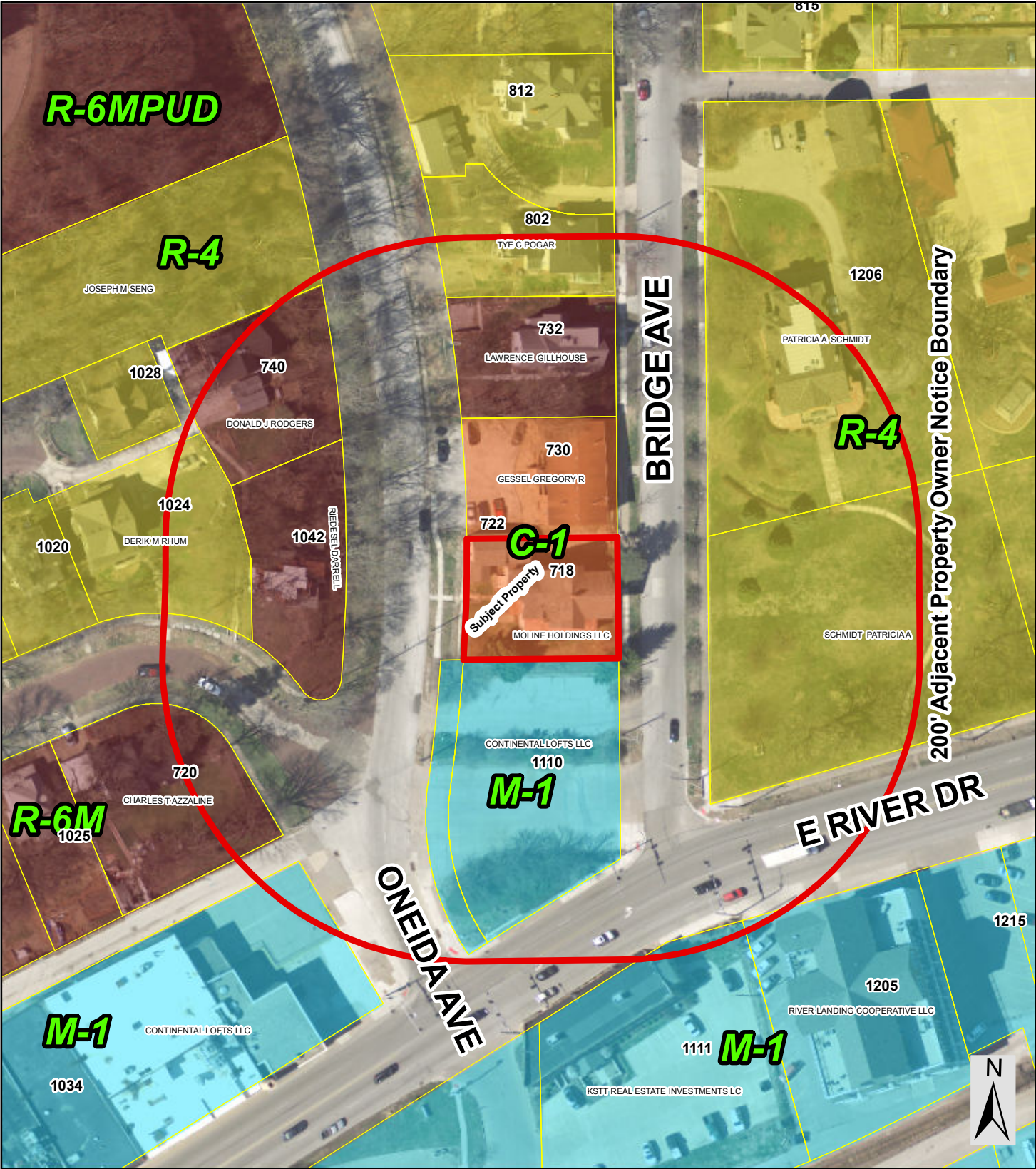
200' Adjacent Property Owner Notice Boundary

N

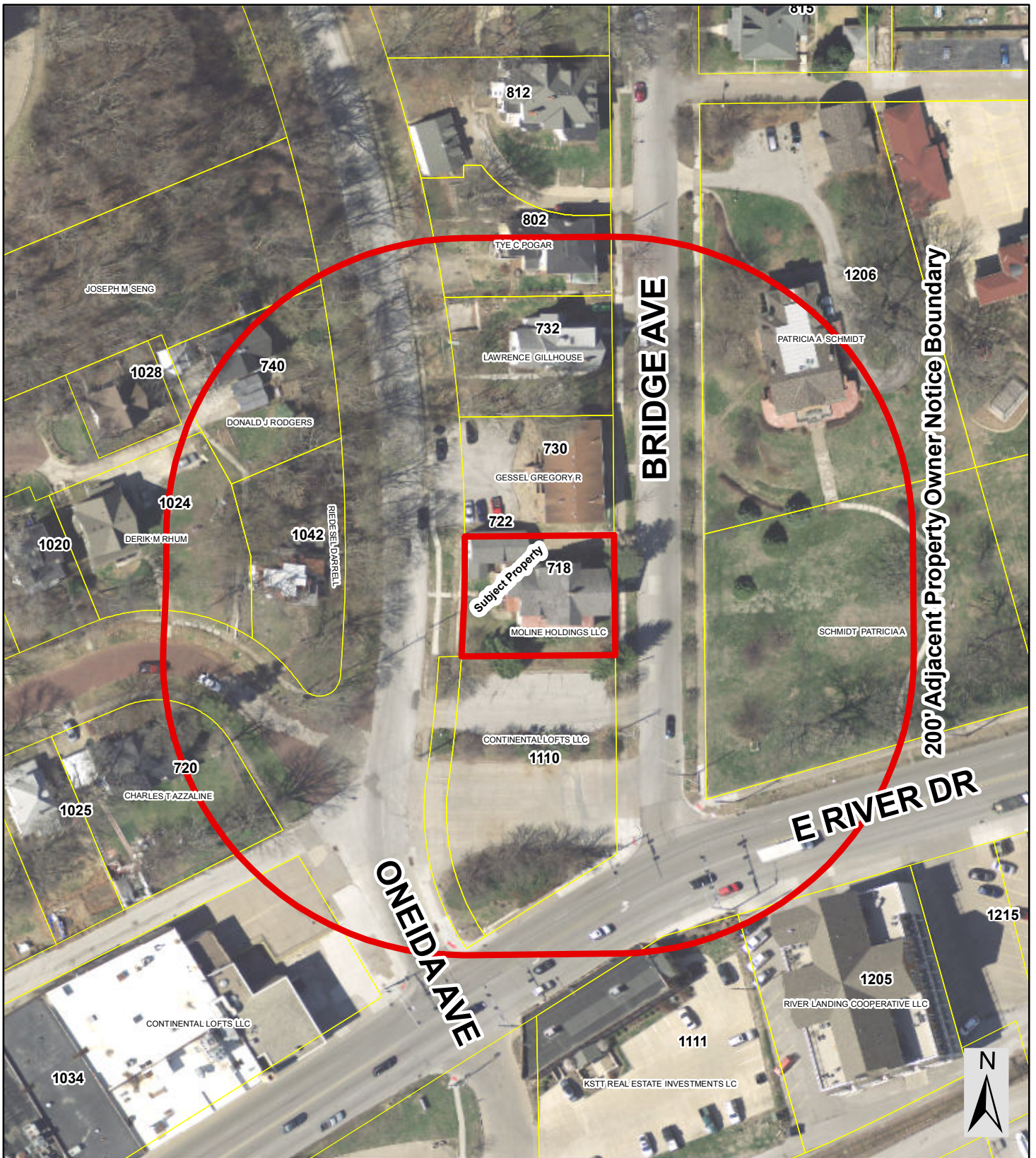
Site / Area Map



Zoning Map



Plan & Zoning Commission: Adjacent Property Owner Notice Area Request for a Map Amendment (Rezoning)



REZ16-06 PROTEST CALCULATION

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
F0043-01	96.4727235	0.0%		0.0%	1021 E 10TH ST	JOSEPH M SENG	4804 NORTHWEST BD	DAVENPORT IA 52806
F0043-05A	24247.1959	12.2%		0.0%	1206 E RIVER DR	PATRICIA A SCHMIDT	276 PALMYRA RD	DIXON IL 61021
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F0043-17	5738.21252	2.9%		0.0%	1024 CHARLOTTE ST	DERIK M RHUM	1024 CHARLOTTE ST	DAVENPORT IA 52803
F0043-19	9377.87617	4.7%		0.0%	1042 CHARLOTTE ST	DARRELL RIEDESEL	1042 CHARLOTTE ST	DAVENPORT IA 52803
F0043-20	8282.51376	4.2%		0.0%	740 ONEIDA AV	DONALD J RODGERS	740 ONEIDA AV	DAVENPORT IA 52803
F0054-03	594.418935	0.3%		0.0%	1111 E RIVER DR	KSTT REAL ESTATE INVESTMENTS LC	1111 E RIVER DR	DAVENPORT IA 52803
F0054-08A	984.831336	0.5%	YES	0.5%	1034 E RIVER DR	CONTINENTAL LOFTS LLC	2660 E 53RD ST	DAVENPORT IA 52803
F0055-01	140.220568	0.1%		0.0%	1205 E RIVER DR	RIVER LANDING COOPERATIVE LLC	C/O DICK MCNAMARA	BETTENDORF IA 52722
F0043-10	4547.59497	2.3%		0.0%	802 BRIDGE AV	TYE C POGAR	802 BRIDGE AV	DAVENPORT IA 52803
F0043-10	4547.59497	2.3%		0.0%	802 BRIDGE AV	TYE C POGAR	802 BRIDGE AV	DAVENPORT IA 52803

PARCELS 116,821.7 58.9%
ROW 81,491.4 41.1%
TOTAL
NOTICE AREA 198,313.2 100%

10.9% PROTEST RATE

Protests: 3

Alderman: Boom

Properties: 16

NOTICE
PUBLIC HEARING
TUESDAY - JUNE 14, 2016 - 5:00 P.M.
DAVENPORT CITY PLAN AND ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET - DAVENPORT, IOWA



There is on file in the office of Community Planning, on behalf of the City Plan and Zoning Commission, the following petitions:

Case No. REZ16-06: Request of IH Mississippi Valley Credit Union for the proposed rezoning of 718 Bridge Avenue from C-1 Neighborhood Commercial District to R-4 Medium Density Residential District.

You are being contacted because you own property within 200 feet of the subject property.

Public hearings on the above matters are scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, June 14 2016 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both.

Further, you may formally protest this proposed action by filling out the form below.

Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

If you have any questions, please contact me.

Matthew G. Flynn, AICP
Senior Planning Manager
Department of Community Planning & Economic Development
email: planning@ci.davenport.ia.us
phone: 563-326-7743

(detach here)

The undersigned opposes does not oppose (circle one) the request of IH Mississippi Valley Credit Union for the proposed rezoning of 718 Bridge Avenue from C-1 Neighborhood Commercial District to R-4 Medium Density Residential District.

Comments: See attached

Mail to: Plan and Zoning Commission
226 West 4th St.; City Hall
Davenport, Iowa 52801

Continental Lofts, LLC.

NAME % Dan Dolan
ADDRESS 2660 E 53rd St
DATE Davenport IA 52807
(please print legibly)

1034 + 1110 E. River Drive and
ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS
vacant lots neighboring property

6/13/2016

Re: Case No. REZ16-06 – Rezoning of 718 Bridge Avenue from C-1 Neighborhood Commercial District to R-4 Medium Density.

The Owner(s) of properties with the following parcel identifiers F0053-37A; F0053-48A; F0053-42; F0054-08A; F0043-14B; and F0043-14A object to and oppose the above referenced rezoning request. A change in the zoning will have an irreversible effect on the above identified parcels and particularly the property located at 1034 and 1110 E. River Drive. Specifically, such a change will materially change the setback/landscaping requirements for parcels F0043-14A and F0043-14B and will materially impact uses affiliated with all of the identified parcels. Such a change impacts and limits development of the objectors' properties, development which is consistent with the City's comprehensive plan land use and the ability to achieve the maximum density development of the property which is also part of the City's comprehensive plan.

Objectors request that this opposition and objection be considered continuing, ongoing and considered on file for the public hearing prior to City Council meeting.

Name:	Roll Call	DENIED	APPROVED						
		REZ16-06 Moline Holdings LLC 718 Bridge Ave	FDP16-06 Equity Ventures Comm Develop LC 3805 E 53rd St						
Connell	P	Y	Y						
Hepner	P	Y	Y						
Inghram	P								
Kelling	EX								
Lammers	P	Y	Y						
Maness	P	Y	Y						
Martinez	P	Y	Y						
Medd	P	Y	Y						
Quinn	P	Y	Y						
Reinartz	P	Y	Y						
Tallman	P	Y	ABST						
		9-YES 0-NO 0-ABSTAIN	8-YES 0-NO 1-ABSTAIN						

REZ16-06 PROTEST CALCULATION

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
F0043-01	96.4727235	0.0%		0.0%	1021 E 10TH ST	JOSEPH M SENG	4804 NORTHWEST BD	DAVENPORT IA 52806
F0043-05A	24247.1959	12.2%	NO	0.0%	1206 E RIVER DR	PATRICIA A SCHMIDT	276 PALMYRA RD	DIXON IL 61021
F0043-05B	17301.311	8.7%	NO	0.0%	1206 E RIVER DR	PATRICIA A SCHMIDT	276 PALMYRA RD	DIXON IL 61201
F0043-11	8591.33909	4.3%		0.0%	732 BRIDGE AV	LAWRENCE GILLHOUSE	732 BRIDGE AV	DAVENPORT IA 52803
F0043-12	8113.41934	4.1%		0.0%	730 BRIDGE AV	GREGORY R GESSEL	19494 258TH AVE	BETTENDORF IA 52722
F0043-14A	17728.3595	8.9%	YES	8.9%	1110 E RIVER DR	CONTINENTAL LOFTS LLC	2660 E 53RD ST	DAVENPORT IA 52807
F0043-14B	2963.0899	1.5%	YES	1.5%	1110 E RIVER DR	CONTINENTAL LOFTS LLC	2660 E 53RD ST	DAVENPORT IA 52807
F0043-15	3567.29483	1.8%		0.0%	720 ONEIDA AV	CHARLES T AZZALINE	720 ONEIDA AV	DAVENPORT IA 52803
F0043-17	5738.21252	2.9%		0.0%	1024 CHARLOTTE ST	DERIK M RHUM	1024 CHARLOTTE ST	DAVENPORT IA 52803
F0043-19	9377.87617	4.7%		0.0%	1042 CHARLOTTE ST	DARRELL RIEDESEL	1042 CHARLOTTE ST	DAVENPORT IA 52803
F0043-20	8282.51376	4.2%		0.0%	740 ONEIDA AV	DONALD J RODGERS	740 ONEIDA AV	DAVENPORT IA 52803
F0054-03	594.418935	0.3%		0.0%	1111 E RIVER DR	KSTT REAL ESTATE INVESTMENTS LC	1111 E RIVER DR	DAVENPORT IA 52803
F0054-08A	984.831336	0.5%	YES	0.5%	1034 E RIVER DR	CONTINENTAL LOFTS LLC	2660 E 53RD ST	DAVENPORT IA 52803
F0055-01	140.220568	0.1%		0.0%	1205 E RIVER DR	RIVER LANDING COOPERATIVE LLC	C/O DICK MCNAMARA	BETTENDORF IA 52722
F0043-10	4547.59497	2.3%		0.0%	802 BRIDGE AV	TYE C POGAR	802 BRIDGE AV	DAVENPORT IA 52803
F0043-10	4547.59497	2.3%		0.0%	802 BRIDGE AV	TYE C POGAR	802 BRIDGE AV	DAVENPORT IA 52803
PARCELS	116,821.7	58.9%						
ROW	81,491.4	41.1%						Alderman: Boom
TOTAL								
NOTICE AREA	198,313.2	100%		10.9%	PROTEST RATE	Protests: 3		Properties: 16

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Matt Flynn, 563-326-7743
Wards: 6

Action / Date
CD7/20/2016

Subject:

Resolution approving Case No FDP16-06: Request of Equity Ventures Commercial Development LC for a PDD Final Development Plan on 1.7 acres, more or less, of property located at 3805 East 53rd Street to facilitate redevelopment of an old restaurant site to a specialty retailer. [Ward 6]

Recommendation:

The City Plan and Zoning Commission concurs with the findings and recommendation of staff and recommends that the final development plan be approved as stated in the letter from the Chairperson dated July 6th, 2016.

Findings:

- The Final Development Plan complies with development code standards.

Recommendation:

The City Plan and Zoning Commission accepts the listed findings and forwards Case No. FDP16-06 to the City Council for approval subject to no special conditions.

The Commission vote for approval was 8-yes, 0-no and 1-abstention.

Relationship to Goals:

Neighborhood Development

Background:

This plan enables a specialty grocery store to occupy the site.

Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution FDP16-06
▣ Backup Material	FDP16-06 Background Material

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	7/14/2016 - 12:38 PM
Community Development Committee	Berger, Bruce	Approved	7/14/2016 - 12:38 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:50 PM

Resolution No.____

Resolution offered by

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. Case No FDP16-06: Request of Equity Ventures Commercial Development LC for a PDD Final Development Plan on 1.7 acres, more or less, of property located at 3805 East 53rd Street to facilitate redevelopment of an old restaurant site to a specialty retailer. [6th Ward]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final development plan for Equity Ventures Commercial Development LC (FDP16-06) is hereby approved and accepted pursuant to all the listed findings and conditions in the City Plan and Zoning Commission letter dated July 6th, 2016 and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

July 6, 2016

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801

Honorable Mayor and City Council:

At its regular meeting of July 6, 2016, the City Plan and Zoning Commission considered Case No FDP16-06: Request of Equity Ventures Commercial Development LC for a PDD Final Development Plan on 1.7 acres, more or less, of property located at 3805 East 53rd Street to facilitate redevelopment of an old restaurant site to a specialty retailer.

The City Plan and Zoning Commission adopted the following staff findings as the findings of the Commission:

- The Final Development Plan complies with development code standards.

By a roll call vote of 8-yes and 0-no and 1-abstention, the City Plan and Zoning Commission forwards Case No. FDP16-06 to the City Council with a recommendation of approval of the request.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		DENIED	APPROVED						
Name:	Roll Call	REZ16-06 Moline Holdings LLC 718 Bridge Ave	FDP16-06 Equity Ventures Comm Develop LC 3805 E 53rd St						
Connell	P	Y	Y						
Hepner	P	Y	Y						
Inghram	P								
Kelling	EX								
Lammers	P	Y	Y						
Maness	P	Y	Y						
Martinez	P	Y	Y						
Medd	P	Y	Y						
Quinn	P	Y	Y						
Reinartz	P	Y	Y						
Tallman	P	Y	ABST						
		9-YES 0-NO 0-ABSTAIN	8-YES 0-NO 1-ABSTAIN						



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

Meeting Date: July 5, 2016
Request: Final Development Plan specialty grocery store
Address: 3805 E 53rd Street
Case No.: FDP16-06
Applicant: EVC Grocery – Equity Ventures Commercial Development LC

Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No FDP16-06 to the City Council with a recommendation for approval.

Introduction:

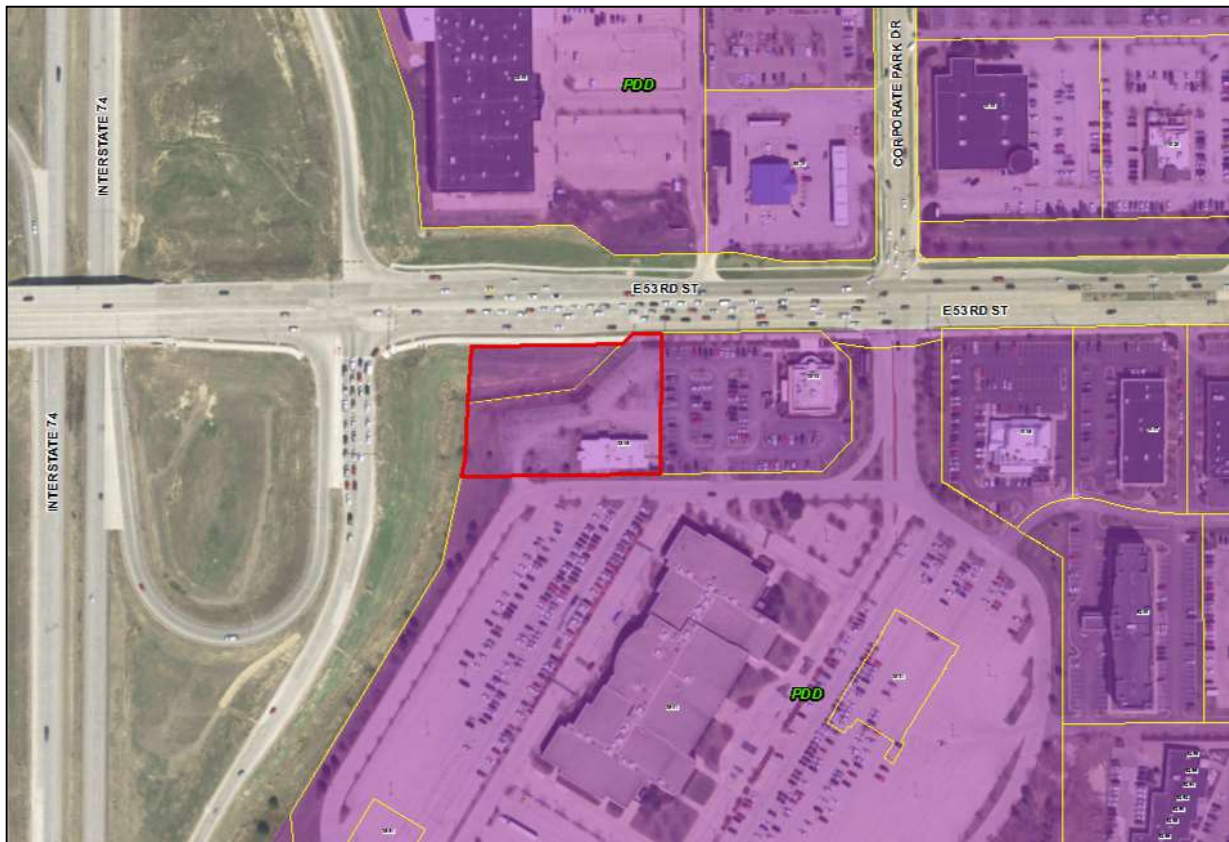
Request FDP16-06 of EVC Grocery – Equity Ventures Commercial Development, LC for a Final Development Plan to construct a commercial retail building southeast of Interstate 74 and east 53rd Street for a specialty grocery store.

AREA CHARACTERISTICS:

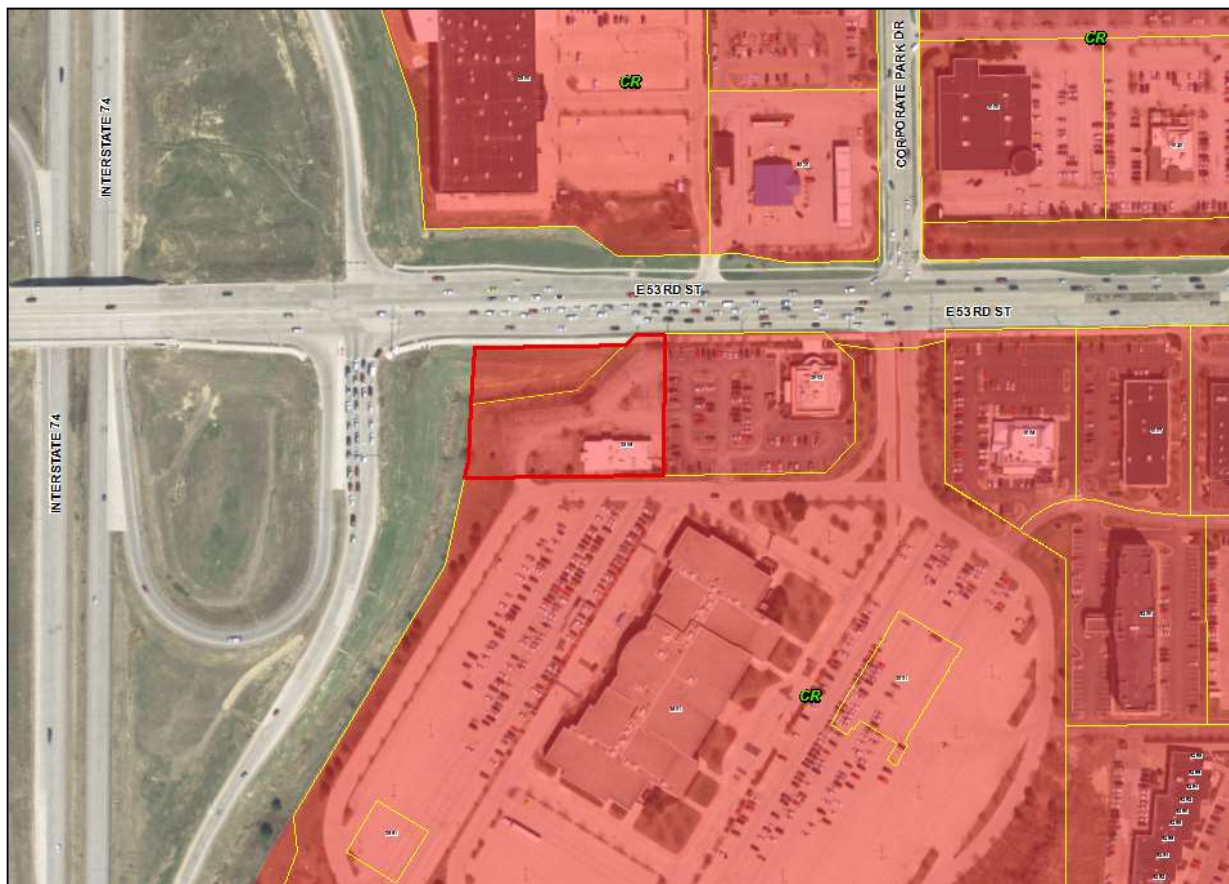
Area Aerial Map



Zoning Map (PDD – Planned Development District)



Davenport 2025 Proposed Land Use Map (CR – Commercial Retail)



Background:**Comprehensive Plan:**

Within Existing Service Area: Yes

Within Urban Service Area 2025: Yes

Proposed Land Use Designation: *Commercial Retail (CR) provides for a mixture of commercial uses, primarily retail. Retail can best be described as serving a large metropolitan or regional area. Typical retail in the CR include "big box" sites, supercenters and shopping malls.*

Relevant Goals to be considered in this Case:

Strengthen the existing built environment – *Reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.*

The proposed use complies with the Davenport 2025 proposed land use section.

Zoning:

The property is currently zoned "PDD" Planned Development District to allow for retail, office, commercial, and high-density dwelling uses.

Technical Review:

Streets. The property utilizes the existing street and access drive patterns. Access to the site is from East 53th Street via an internal access drive.

Storm Water. Storm water collection, detention pond, and other stormwater impact are being evaluated by Public Works.

Sanitary Sewer. Sanitary sewer service is on site.

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

Emergency Services. The property is located less than one mile from Fire Station No. 8 at 2802 East 53rd Street.

Parks/Open Space. The proposed development does not impact any existing or planned parks.

Public Input:

No public hearing is required for a Final Development Plan.

Discussion:

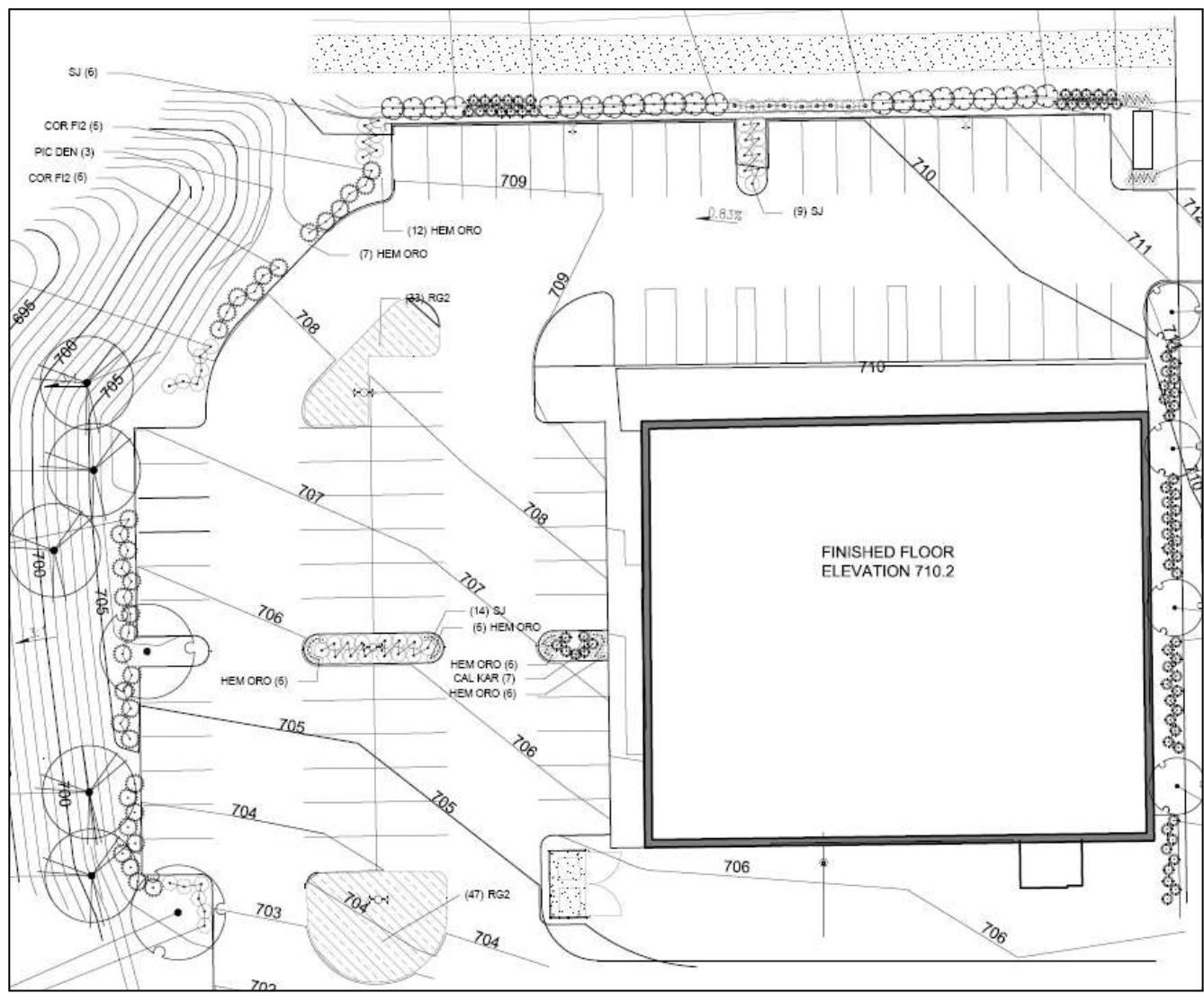
The proposal is to construct a commercial retail building for a specialty grocery store.

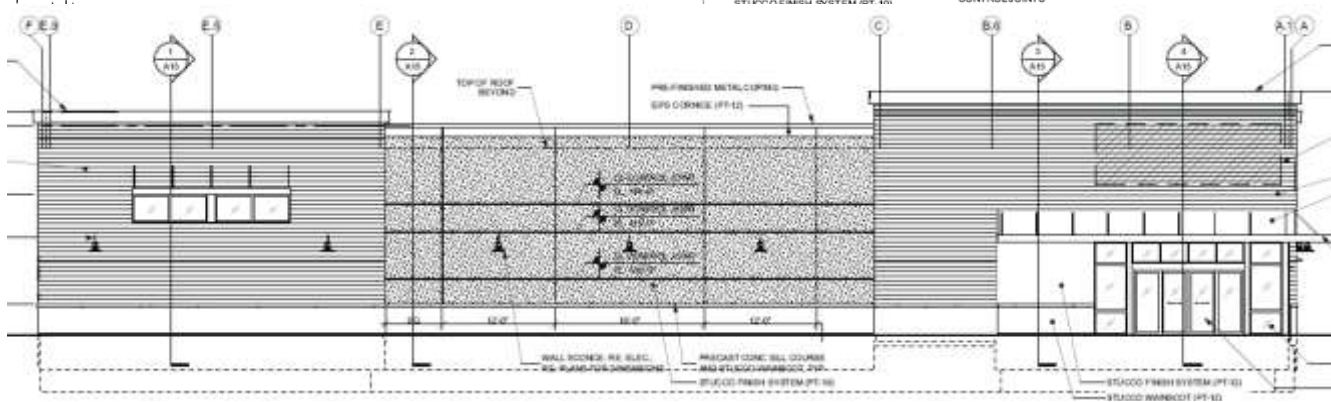
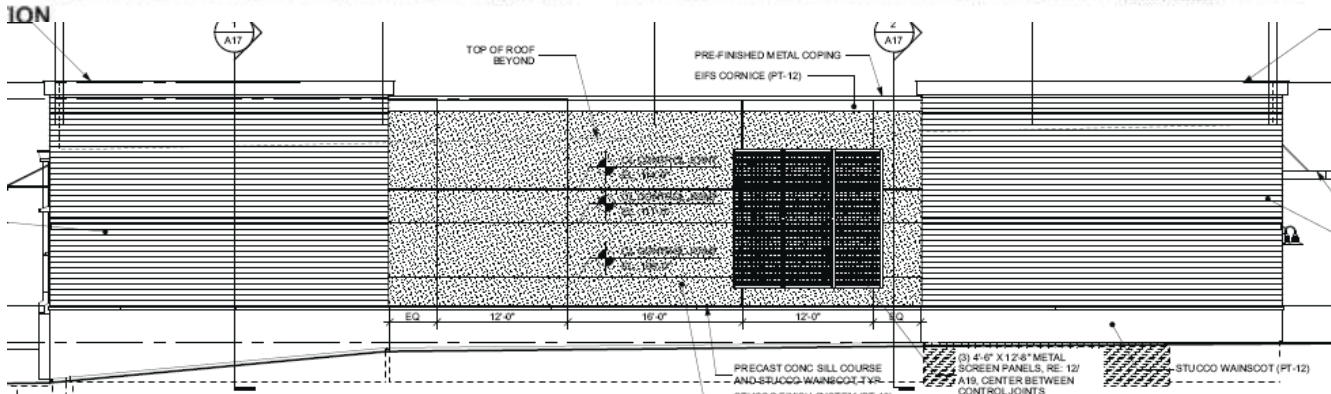
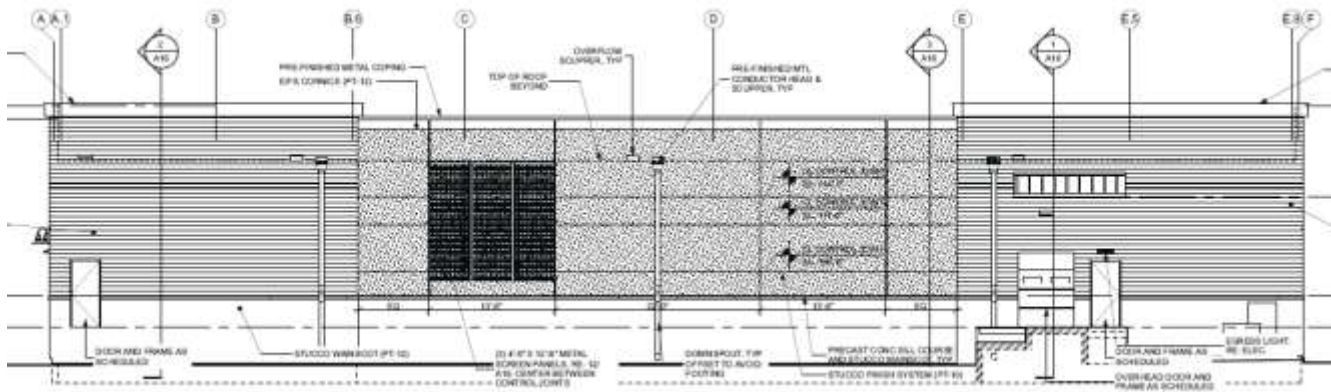
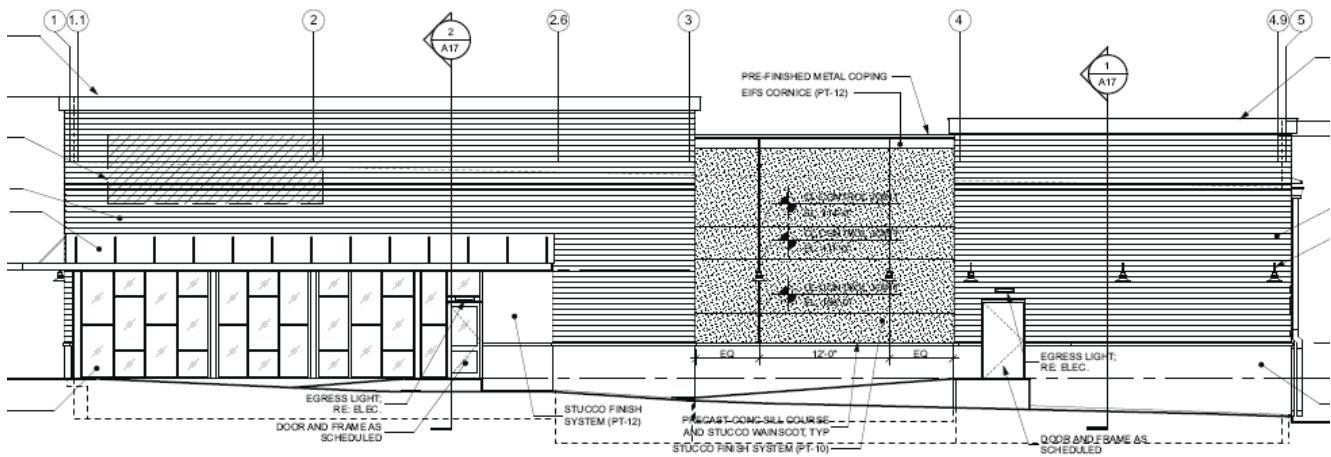
Staff Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No FDP16-06 to the City Council with a recommendation for approval.

Prepared by:

Scott Koops, AICP, Planner II
Community Planning





City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 8

Action / Date
CD7/20/2016

Subject:

Resolution approving Case No. F16-05 being the final plat of Showcase Third Addition, which is located on the east side of Brady Street approximately 500 feet south of Veteran's Memorial Parkway. [Ward 8]

Recommendation:

The City Plan and Zoning Commission finds that:

1. The plat would be consistent with the comprehensive plan; and
2. The plat facilitates continued build-out of area thus increasing the City tax base.

The City Plan and Zoning Commission accepted the listed finding and forwards Case F16-05 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. That the utility companies sign the plat when their easement needs have been met; and
3. That note number 4 be amended to include the location of the detention as the outlot of Showcase Second Addition.

Please refer to the Commission's April 20, 2016 letter. The Commission vote for approval was 9-yes and 0-no.

Relationship to Goals:

Added emphasis on economic development.

Background:

The petitioner is requesting the re-subdivision of 19.84 acres into four (4) lots.

The property is currently configured as four (4) lots. Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	F16-05 Resolution
▣ Backup Material	F16-05 Final Plat
▣ Backup Material	F16-05 Plan and Zoning Commission Letter
▣ Backup Material	F16-05 Plan and Zoning Commission Vote Results
▣ Backup Material	F16-05 Plan and Zoning Commission Staff Report

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	7/14/2016 - 12:39 PM
Community Development Committee	Berger, Bruce	Approved	7/14/2016 - 12:40 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:50 PM

Resolution No. _____

Resolution offered by Alderman Boom

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. F16-05 being the final plat of Showcase Third Addition. [8th Ward]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final plat of Showcase Third Addition, be the same and is hereby approved and accepted subject to all the conditions as stated in the Commission's letter dated April 20, 2016.

Note that conditions 1 through 3 have either been added to the plat and not repeated here (please refer to the Commission's April 20, 2016 letter for more details); and the Mayor and Deputy City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution upon said plat as required by law.

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

Approved:

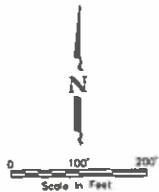
Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

FINAL PLAT
OF
SHOWCASE THIRD ADDITION

BEING A RE-SUBDIVISION OF LOTS 1, 2, 3 AND
PART OF LOT 5 OF SHOWCASE SECOND ADDITION
(ACCORDING TO THE PLAT THEREOF AND FILED AS DOCUMENT NUMBER 2009-04562)
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN,
CITY OF DAVENPORT, COUNTY OF SCOTT, AND STATE OF IOWA.



OWNER LOT 1

TRI-CITY ELECTRIC COMPANY
8225 NORTH BRADY STREET
DAVENPORT, IOWA 52806
(563) 322-7181

OWNER LOT 2-3

D & D PROPERTY HOLDING LLC
8225 NORTH BRADY ST
DAVENPORT, IA 52806

OWNER LOT 4

CRESCENT REALTY CORP
7750 DUNLOTH DR
EAST DUBUQUE, IL 61025

OWNER/DEVELOPER

TRI-CITY ELECTRIC COMPANY
8225 NORTH BRADY STREET
DAVENPORT, IOWA 52806
(563) 322-7181

ATTORNEY

LANE & WATERMAN LLP
TED QLT II
220 NORTH MAIN STREET, STE. 600
DAVENPORT, IOWA 52801
(563) 333-8841

SURVEYOR

JAMES W. ABBITT JR.
MCCLURE ENGINEERING ASSOC.
INC. 4700 KENNEDY DRIVE
EAST MOING, IL 61244
(309) 792-9350

ZONING & LOT INFORMATION

ZONING: NO CHANGE OF ZONING
TOTAL NUMBER OF LOTS: 4
TOTAL AREA: 19.60 ACRES
FRONT SETBACK: 25' REAR SETBACK:
C-1 25' M-1 0' SIDE SETBACK: 0'

NOTES:

1. THIS SUBDIVISION CONTAINS 19.60 ACRES MORE OR LESS.
2. THE OWNERS OF LOTS WITH DRAINAGE EASEMENTS SHALL MAINTAIN A STORMWATER PASSAGEWAY WITHIN THE AREA PLATTED AS A "DRAINAGE EASEMENT" THIS AREA SHALL BE MAINTAINED AS A LAWN FREE OF STRUCTURES, FENCES, BUSHES, TREES AND OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF STORMWATER.
3. PROPOSED WATER MAIN, STORM & SANITARY SEWER IS TO BE PRIVATE SEWER AND WILL BE OWNED AND MAINTAINED BY A BUSINESSOWNER'S ASSOCIATION.
4. STORMWATER DETENTION IS PROVIDED WITHIN THE OUTLOT AS SHOWN ON THE PLAT OF SHOWCASE SECOND ADDITION (DOCUMENT NUMBER 2009-04562) AND OWNED AND MAINTAINED BY A BUSINESSOWNER'S ASSOCIATION.
5. BLANKET UNDERGROUND AND OVERHEAD EASEMENTS GRANTED FOR ELECTRIC TRANSFORMERS, PRIMARY ELECTRIC CABLE, SERVICE WIRES, GAS MAINS, GAS SERVICES, AND TELEPHONE & CABLE SERVICES.
6. THE DEVELOPMENT OF THIS SUBDIVISION MUST COMPLY WITH THE REQUIREMENTS OF CHAPTER 17.41 OF THE DAVENPORT MUNICIPAL CODE ENTITLED "HCD" HIGHWAY CORRIDOR OVERLAY DISTRICT REGULATIONS.
7. THE SITE PLANS FOR THE DEVELOPMENT OF THIS SUBDIVISION MUST COMPLY WITH THE REQUIREMENTS OF CHAPTER 17.56 OF THE DAVENPORT MUNICIPAL CODE ENTITLED "SITE PLANS".
8. SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES WHEN SO ORDERED BY THE CITY.
9. THIS PLAT IS SUBJECT TO THE CONDITIONS OF THE RESOLUTION APPROVING THE FIRST ADDITION BEING CITY RESOLUTION 2008-289.
10. EXISTING EASEMENT TO BE VACATED WITH THE RECORDING OF THIS PLAT.

LEGEND

•	SET CAPPED IRON ROD WITH GREEN PLASTIC CAP #18465
⊙	FOUND 5/8" IRON ROD
○	FOUND CAPPED IRON ROD
□	FOUND CAPPED IRON ROD #13974
△	FOUND CAPPED IRON ROD #18465
⊠	FOUND 1/2" SQUARE ROD
x	FOUND UNSWELED "x"
---	BOUNDARY LINE
---	SECTION LINE
---	DEED OR PLATTED MEASURED
---	RIGHT OF WAY LINE
---	PROPERTY LINE
---	EXISTING PROPERTY LINE
---	BUILDING SETBACK LINE
---	UTILITY EASEMENT
---	DRAINAGE EASEMENT
---	EXISTING EASEMENT

PLANNING AND ZONING COMMISSION

BY: _____

DATE: _____

DAVENPORT CITY COUNCIL

BY: _____

DATE: _____

ATTEST: _____

IOWA-AMERICAN WATER COMPANY

DATE: 5-19-16

MID-AMERICAN ENERGY COMPANY

DATE: 5/19/16
Approved subject to encumbrances and record by Mid-American Energy Co.

MEDIACOM

DATE: 5/19/16

CENTURYLINK COMMUNICATIONS COMPANY

DATE: 5-19-16



TRI-CITY ELECTRIC COMPANY
6225 N Brady St, DAVENPORT, IOWA, 52806

REVISIONS		
NO.	ITEM	DATE

PLOTTING SCALE: 1" = 100'
DRAWN BY: J.P.
CHECKED BY:
DATE: J-P-2016



FINAL PLAT
SHOWCASE THIRD ADDITION
DAVENPORT, IOWA
FILE NAME: F:\ADAMS\0317\04CV\VP-380-ADD-3-8-16.dwg
JOB NUMBER: 104-01-13-16-033

SHEET NO.
1
OF 1

April 20, 2016

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

At its regular meeting of April 19, 2016, the City Plan and Zoning Commission considered Case No. F16-05 being the final plat for a four lot commercial subdivision (Showcase Third Addition).

Findings:

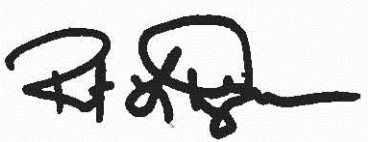
The City Plan and Zoning Commission finds that:

1. The plat would be consistent with the comprehensive plan; and
2. The plat facilitates continued build-out of area thus increasing the City tax base.

The City Plan and Zoning Commission accepted the listed finding and forwards Case F16-05 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. That the utility companies sign the plat when their easement needs have been met; and
3. That note number 4 be amended to include the location of the detention as the outlot of Showcase Second Addition.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED						
Name:	Roll Call	REZ16-04 Arnold & Melody Ash	F16-05 Showcase 3rd						
Connell	P	Y	Y						
Hepner	P	Y	Y						
Inghram	P								
Kelling	P	Y	Y						
Lammers	P	Y	Y						
Maness	P	Y	Y						
Martinez	P	Y	Y						
Medd	EX								
Quinn	P	Y	Y						
Reinartz	P	Y	Y						
Tallman	P	Y	Y						
		9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN						



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

PLAN AND ZONING COMMISSION

Meeting Date: April 19, 2016
Request: Final Plat for a four (4) lot subdivision
Location: 6225 Brady Street
Case No.: F16-05
Applicant: Tri-City Electric Company

Recommendation:

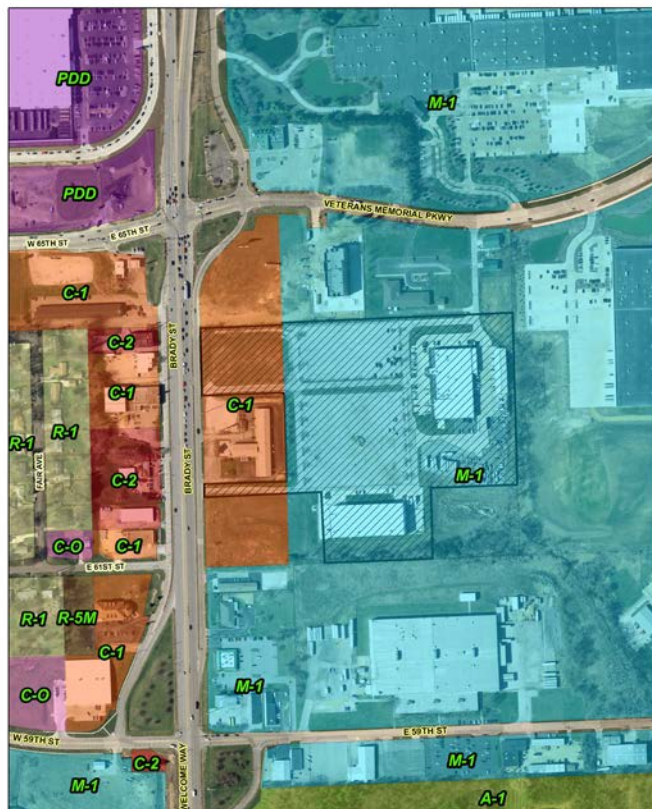
Staff recommends that the Plan and Zoning Commission forward case F16-05 to the City Council with a recommendation for approval subject to the listed conditions below.

Introduction:

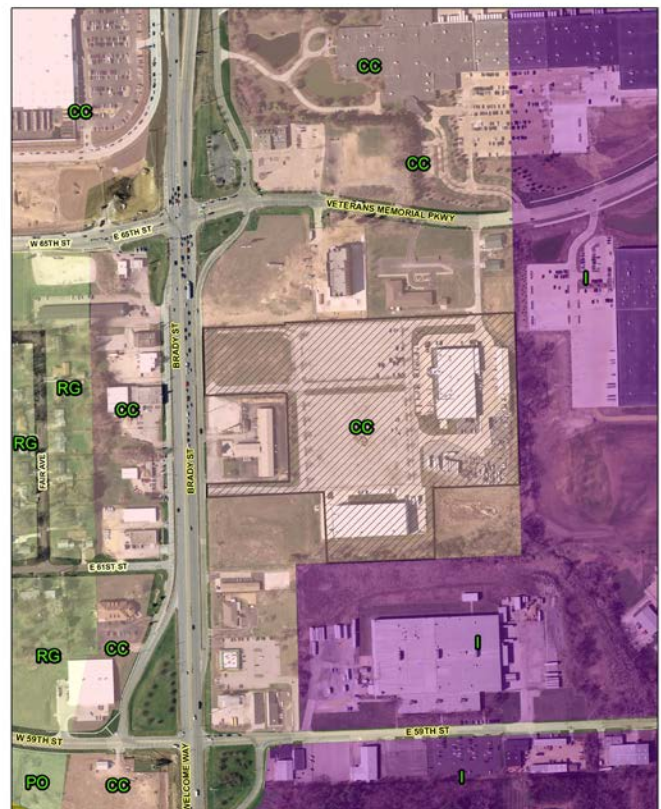
The petitioner is requesting the re-subdivision of 19.84 acres into four (4) lots.

AREA CHARACTERISTICS:

Zoning Map



Land Use Map



Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Proposed Land Use Designation: Commercial Corridor (CC)

Commercial Corridor (CC) identifies areas which are

- a) generally commercial in nature,
- b) oriented toward a major corridor,
- c) more intense than CN – Commercial Neighborhood, and
- d) less intense than CR – Commercial Retail.

This category can be considered a transition between a “residential corridor” and a “commercial district.” Higher density commercial uses are allowed with limited residential uses.

Relevant *Davenport 2025* Goals to be considered in this Case: *Goal No. 1 – Strengthen the existing built environment:*

- a. Identify and name neighborhoods and districts.*
- b. Reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.*
- c. Target brownfields for infill through a citywide redevelopment/reclamation plan and economic incentive programs.*
- d. Increase the number of mixed-use neighborhoods and districts.*
- e. Encourage use of civic design principals and standards, greenspace, and public art within neighborhoods, districts, and corridors.*

Zoning:

The subject property is zoned “C-1” Neighborhood Shopping District and “M-1” Light Industrial District.

Technical Review:

Streets. Access to the development is via internal access roads, which connect to Brady Street.

Storm Water. There is existing stormwater infrastructure which was designed for full build-out of the commercial area. Additional retention may be required to meet the infiltration requirements for the first 1.25 inch rain event on site.

Sanitary Sewer. Sanitary sewer service is located on the east side of Brady Street.

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

Emergency Services. The property is located approximately 2.5 miles from Fire Station No. 3, which is located at 3506 N Harrison St.

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

Public Input:

There is no public input with plat.

Discussion:

The petitioner is requesting the re-subdivision of 19.84 acres into four (4) lots. The property is currently configured as four (4) lots.

Staff Recommendation:

Findings:

The plat would be consistent with the comprehensive plan.

The plat facilitates continued build-out of area thus increasing the City tax base.

Staff recommends that the Plan and Zoning Commission forward case F16-05 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. That the utility companies sign the plat when their easement needs have been met; and
3. That note number 4 be amended to include the location of the detention as the outlot of Showcase Second Addition.

Prepared by:

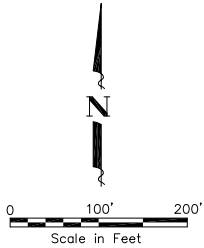
A handwritten signature in blue ink, appearing to read 'Ryan Rusnak', with a stylized flourish at the end.

Ryan Rusnak, AICP
Planner III

Attachment:

Proposed Subdivision Plat

FINAL PLAT
OF
SHOWCASE THIRD ADDITION
BEING A REPLAT OF LOTS 1,2,3 AND 5 OF SHOWCASE SECOND ADDITION
(DOCUMENT NUMBER 2009-04562)
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN,
CITY OF DAVENPORT, COUNTY OF SCOTT, AND STATE OF IOWA.



OWNER LOT 1

TRI-CITY ELECTRIC COMPANY
6225 NORTH BRADY STREET
DAVENPORT, IOWA 52806
(563) 322-7181

OWNER LOT 2-3

D & D PROPERTY HOLDING LLC
6225 BRADY ST
DAVENPORT, IA 52806

OWNER LOT 4

CRESCENT REALTY CORP
7750 DUNLEITH DR
EAST DUBUQUE, IL 61025

OWNER/DEVELOPER

TRI-CITY ELECTRIC COMPANY
6225 NORTH BRADY STREET
DAVENPORT, IOWA 52806
(563) 322-7181

ATTORNEY

LANE & WATERMAN LLP
TED OLT III
220 NORTH MAIN STREET, STE. 600
DAVENPORT, IOWA 52801
(563) 333-6641

SURVEYOR

JAMES W. ABBITT JR.
MCCLURE ENGINEERING ASSOC.
INC. 4700 KENNEDY DRIVE
EAST MOLINE, IL 61244
(309) 792-9350

ZONING & LOT INFORMATION

ZONING: NO CHANGE OF ZONING
TOTAL NUMBER OF LOTS: 4
TOTAL AREA: 19.84 ACRES
FRONT SETBACK: 25' REAR SETBACK:
C-1 25', M-1 0' SIDE SETBACK: 0'

NOTES:

- THIS SUBDIVISION CONTAINS 19.840 ACRES MORE OR LESS.
- THE OWNERS OF LOTS WITH DRAINAGE EASEMENTS SHALL MAINTAIN A STORMWATER PASSAGEWAY WITHIN THE AREA PLATTED AS A "DRAINAGE EASEMENT". THIS AREA SHALL BE MAINTAINED AS A LAWN FREE OF STRUCTURES, FENCES, BUSHES, TREES AND OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF STORMWATER.
- PROPOSED WATER MAIN, STORM & SANITARY SEWER IS TO BE PRIVATE SEWER AND WILL BE OWNED AND MAINTAINED BY A BUSINESSOWNER'S ASSOCIATION.
- STORMWATER DETENTION IS REQUIRED AS PART OF THIS SUBDIVISION AND WILL BE OWNED AND MAINTAINED BY A BUSINESSOWNER'S ASSOCIATION.
- BLANKET UNDERGROUND AND OVERHEAD EASEMENTS GRANTED FOR ELECTRIC TRANSFORMERS, PRIMARY ELECTRIC CABLE, SERVICE WIRING, GAS MAINS, GAS SERVICES, AND TELEPHONE & CABLE SERVICES.
- THE DEVELOPMENT OF THIS SUBDIVISION MUST COMPLY WITH THE REQUIREMENTS OF CHAPTER 17.41 OF THE DAVENPORT MUNICIPAL CODE ENTITLED "HCOD" HIGHWAY CORRIDOR OVERLAY DISTRICT REGULATIONS.
- THE SITE PLANS FOR THE DEVELOPMENT OF THIS SUBDIVISION MUST COMPLY WITH THE REQUIREMENTS OF CHAPTER 17.56 OF THE DAVENPORT MUNICIPAL CODE ENTITLED "SITE PLANS".
- SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES WHEN SO ORDERED BY THE CITY.
- THIS PLAT IS SUBJECT TO THE CONDITIONS OF THE RESOLUTION APPROVING THE FIRST ADDITION BEING CITY RESOLUTION 2008-269.
- EXISTING EASEMENT TO BE VACATED WITH THE RECORDING OF THIS PLAT

LEGEND

•	SET CAPPED IRON ROD WITH GREEN PLASTIC CAP#18465
○	FOUND 5/8" IRON ROD
○	FOUND CAPPED IRON ROD
□	FOUND CAPPED IRON ROD#13974
△	FOUND CAPPED IRON ROD#18465
⊠	FOUND 1/2" SQUARE ROD
x	FOUND CHISELED "X"
---	BOUNDARY LINE
---	SECTION LINE
(100') 100'	DEED OR PLATTED MEASURED
---	RIGHT OF WAY LINE
---	PROPERTY LINE
---	EXISTING PROPERTY LINE
---	BUILDING SETBACK LINE
---	UTILITY EASEMENT
---	DRAINAGE EASEMENT
---	EXISTING EASEMENT

PLANNING AND ZONING COMMISSION

BY: _____

DATE: _____

DAVENPORT CITY COUNCIL

BY: _____

DATE: _____

ATTEST: _____

IOWA-AMERICAN WATER COMPANY

BY: _____

DATE: _____

MID-AMERICAN ENERGY COMPANY

BY: _____

DATE: _____
Approved subject to encumbrances of record by Mid-American Energy Co.

MEDIACOM

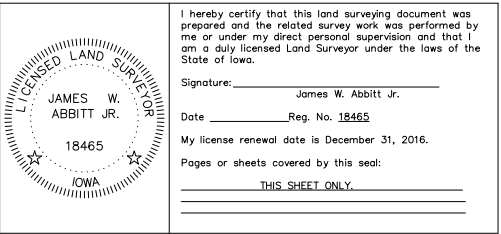
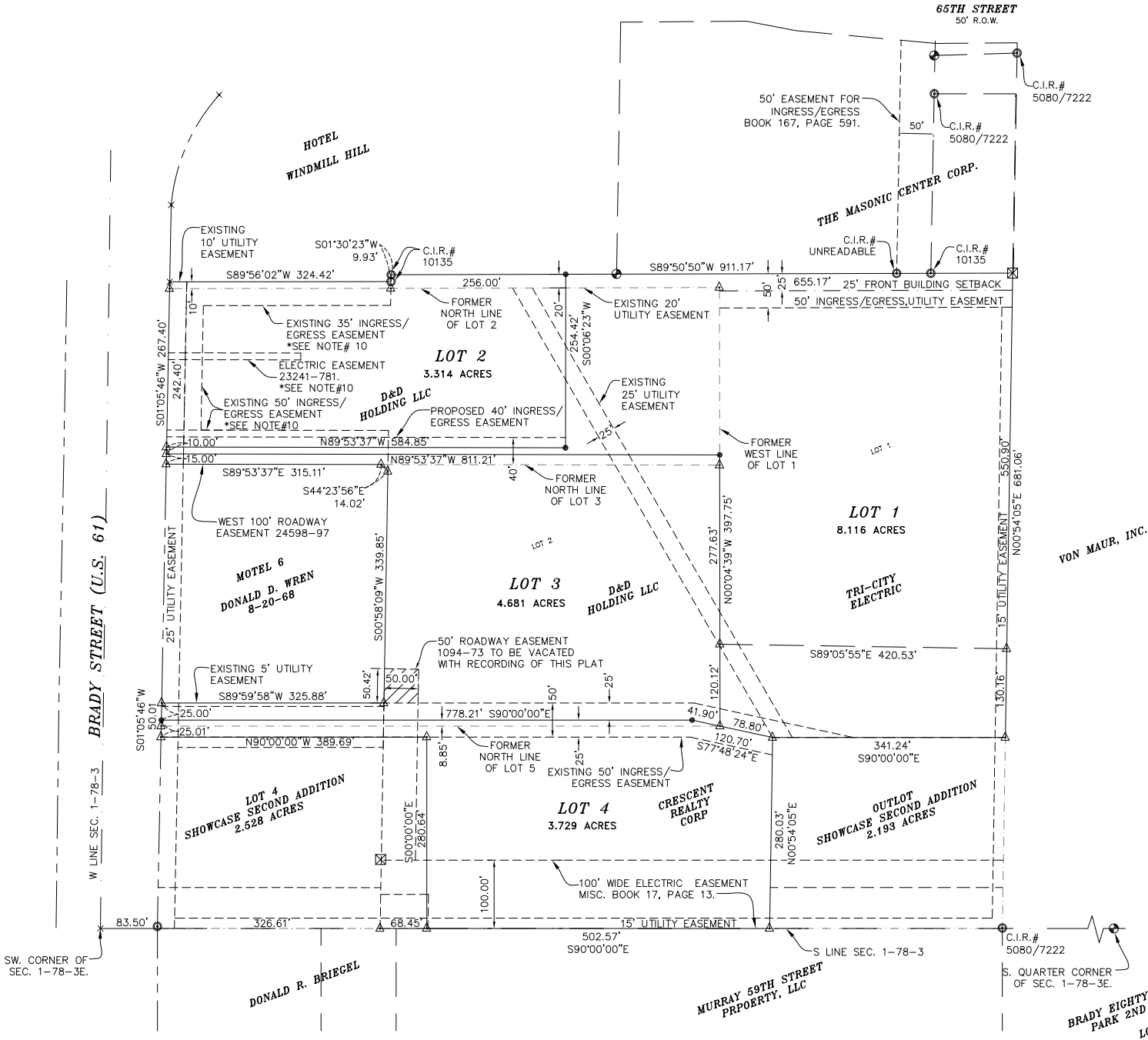
BY: _____

DATE: _____

CENTURYLINK COMMUNICATIONS COMPANY

BY: _____

DATE: _____



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.

Signature: _____ James W. Abbitt Jr.

Date: _____ Reg. No. 18465

My license renewal date is December 31, 2016.

Pages or sheets covered by this seal:

THIS SHEET ONLY.

TRI-CITY ELECTRIC COMPANY
6225 N Brady St, DAVENPORT, IOWA, 52806

REVISIONS		
NO.	ITEM	DATE

PLOTTING SCALE: 1" = 100'
DRAWN BY: JLR
CHECKED BY: _____
DATE: 3-9-2016



FINAL PLAT	
SHOWCASE THIRD ADDITION	DAVENPORT, IOWA
FILE NAME: T:\ADA116.033\DWG\FP-3RD-ADD-3-9-16.dwg	JOB NUMBER: IADA-01-13-16-033

SHEET NO.
1
OF 1

City of Davenport

Agenda Group: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 3

Action / Date
CD7/21/2013

Subject:

Resolution approving an Urban Revitalization Tax Exemption project for 121 W 8th Street. [Ward 3]

Recommendation:

Approve the resolution.

Relationship to Goals:

Neighborhood improvements and added emphasis on economic development.

Background:

The objective of the Urban Revitalization Tax Exemption (URTE) program is to encourage private investment by providing an exemption on the increase in property taxes resulting from improvements. The City presently has three Urban Revitalization areas: Central City, North, and Davenport 2013.

Typically all URTE applications are approved in February. However from time to time applicants will request individual approval of their application. The State of Iowa's Workforce Housing Tax Credit application requires both a resolution of support from the Council as well as documentation of matching financial support. The City will be utilizing the URTE program as the source of matching funds for these applications. As a result, the URTE applicants below must be approved before the resolution of support from Council can be approved.

The following applicant is applying for URTE benefits for their property at:

- Matt Middendorp: 121 W 8th St, 100% exemption for 10 years

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution - URTE - 121 W 8th St

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	7/14/2016 - 12:35 PM
Community Development Committee	Berger, Bruce	Approved	7/14/2016 - 12:35 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:49 PM

Resolution No. _____

Resolution offered by .

RESOLVED by the City Council of the City of Davenport.

RESOLUTION for approval of Urban Revitalization Tax Exemption Project.

WHEREAS, in the City of Davenport, an urban revitalization plan under the provisions of Urban Renewal has been in effect since 1980; and

WHEREAS, this plan provides incentives in the form of property tax exemption for both new construction and rehabilitation in order to encourage private investment and to help reverse the trend toward disinvestment; and

WHEREAS, the listed project meet the requirements of the urban revitalization plan; and

WHEREAS the City shall use the URTE program as a matching local contribution for the State of Iowa's Workforce Housing Tax Credit program.

NOW, THEREFORE, with the approval of the resolution, the property located at 121 W. 8th Street will be approved for the Urban Revitalization Tax Exemption program for 2017.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 3

Action / Date
COW7/20/2016

Subject:

Resolution supporting a Workforce Housing Tax Credit application to the State of Iowa for a multi-family project located at 121 W 8th St. [Ward 3]

Recommendation:

Approve the resolution.

Relationship to Goals:

Revitalized neighborhoods and corridors

Background:

Matt Middendorp is looking to rehabilitate the old St Lukes Hospital located at 121 W 8th St. This building is currently a dilapidated 24 unit building located in the Hilltop Campus Village near Palmer College. Mr. Middendorp will invest approximately \$3.5M to rehabilitate the property into 20-22 units for local Palmer and St. Ambrose students. Mr. Middendorp is planning on rehabilitating 10-12 one-bedroom apartments and 10-11 two bedroom apartments. In addition to interior and exterior cosmetic improvements, they will also replace all plumbing, electrical and mechanical components and bring the building up to current required code. Estimated rents will range from \$700 for a one bedroom apartment to \$950 for a two bedroom apartment.

This project is seeking Workforce Housing Tax Credits (WHTC) through the State of Iowa. In order to apply for this funding source, the developer must receive a Resolution of Support from the sponsoring City, as well as document a local funding match of at least \$1,000 per unit. This project has been approved for tax exemption through the URTE program that exceeds the public contribution requirement.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	7/14/2016 - 12:36 PM
Community Development Committee	Berger, Bruce	Approved	7/14/2016 - 12:36 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:50 PM

Resolution No. _____

Resolution offered by Alderman _____.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION supporting a Workforce Housing Tax Credit application to the State for the 121 W 8th Street Project

WHEREAS, 121 W 8th Street project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for the 24 unit project located at 121 W 8th Street; and

WHEREAS, successful completion of the 121 W 8th Street project requires funding from a number of sources, including an award of WHTCs in the form of an investment tax credit and State sales and use tax refund; and

WHEREAS, the application requirements for the WHTC program include a requirement for the submission of a Resolution in support of the housing project by the community where the project will be located; and

WHEREAS, a further application requirement for the WHTC program is documentation of local matching funds pledged for the project in an amount not less than \$1,000 per dwelling unit; and

WHEREAS, the 121 W 8th Street project is located within the City's Urban Revitalization Tax Exemption (URTE) area, has been approved for benefits through this program in 2016, and is eligible for the 10 year, 100% exemption schedule; and

WHEREAS, the URTE benefit awarded will meet the minimum City contribution of \$1,000 per dwelling unit required by the WHTC program;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the 121 W 8th Street project is fully supported in applying for the Iowa Workforce Housing Tax Credit Program.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, City Clerk

City of Davenport

Agenda Group: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 7

Action / Date
CD7/20/2016

Subject:

Motion to set a public hearing for **August 3rd at 5:30 p.m. at the Eastern Avenue Library** for the purpose of amending the North Urban Renewal Plan. [Ward 7]

Recommendation:

Approve the motion.

Relationship to Goals:

Added emphasis on economic development.

Background:

The City of Davenport is seeking to amend the North Urban Renewal Area Plan. The amendment will include the following project: Honkamp Krueger companies for an approximate \$375,000 TIF rebate.

Public hearing to be held at the August 3, 2016 Committee of the Whole Meeting at the Eastern Avenue Library.

ATTACHMENTS:

Type	Description
▣ Exhibit	URA Plan Amendment

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	7/14/2016 - 12:33 PM
Community Development Committee	Berger, Bruce	Approved	7/14/2016 - 12:33 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:49 PM

City of Davenport, Iowa

**Urban Renewal Plan Amendment
North Urban Renewal Area**

July 11, 2016

The Urban Renewal Plan (the “Plan”) for the North Urban Renewal Area (the “Area”) is being amended for the purposes of adding a project thereto;

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

a. Name: Honkamp Krueger Companies

Cost: \$375,000

Rationale: The City shall issue a 60% rebate of property taxes paid over and above the base year valuation of the current properties (see Exhibit A).

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

Outstanding General Obligation Debt of the City: \$185,750,000

Remaining Constitutional Debt Capacity of the City: \$122,719,369

Proposed Debt to be incurred in the Urban Renewal Area: \$375,000

Exhibit A

Lot 5 of Schuette’s First Addition to the City of Davenport, Scott County, Iowa. Subject to easements, restrictions and covenants of record. Parcel P1410-10. More commonly known at 3513 Vine Court.

Lot 6 of Schuette’s First Addition to the City of Davenport, Scott County, Iowa. Parcel 1410-11.

Lot 8 of Schuette’s First Addition to the City of Davenport, Scott County, Iowa. Parcel P1415-11. More commonly known as 908 West 35th Street.

City of Davenport

Agenda Group: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 7

Action / Date
CD7/20/2016

Subject:

Motion to set a public hearing for **August 3rd at 5:30 p.m. at the Eastern Avenue Library** for the purpose of considering the approval of an economic development agreement with Honkamp Krueger companies. [Ward 7]

Recommendation:

Approve the motion.

Relationship to Goals:

Added emphasis on economic development.

Background:

Honkamp Krueger & Co., PC, HK Payroll Services, Inc. and Honkamp Krueger Financial Services, Inc. provide accounting, consulting, human resources, financial services, software development and retirement services to clients in all 50 states and thousands of U.S. cities. They have 12 offices across five states including Iowa, Illinois, Wisconsin, Minnesota and Nebraska.

Honkamp Krueger is considering a 10,000 square foot addition to their facilities at 908 West 35th Street, 3513 Vine Court and an adjacent parking lot. The property will be owned by Law Building, LLP. If Davenport is selected, this project will include the creation of 23 net new jobs and the retention of 54 positions. The average annual salary of new positions will be approximately \$62,000. All positions are supported with a benefit package.

To support the business expansion, the proposed City assistance is a reimbursement of a maximum of 60% of the property taxes paid that are available to the City based upon the increase in assessed valuation. As required by Iowa Code, a public hearing is required prior to the approval of an economic development agreement where the City will incur debt. In this case, the debt is the City's obligation for a rebate of property taxes of approximately \$375,000 over a 15 year period. The rebate would come through the use of tax increment financing applied to the assessed value of the improved property. The details of this financial assistance will be established and certified in an economic development agreement between the company and the City.

Public hearing to be held at the August 3, 2016 at 5:30 P.M. Committee of the Whole meeting which will be held at the Eastern Avenue Library.

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	7/14/2016 - 12:34 PM
Community Development Committee	Berger, Bruce	Approved	7/14/2016 - 12:34 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:49 PM

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Steve Ahrens , 563-888-2235
Wards: 3

Action / Date
CD7/20/2016

Subject:

Motion to set a Public Hearing for **August 3rd at 5:30 p.m. at the Eastern Avenue Library** for the Resolution for Concurrent Approval of the 935 East River Drive Property Lease Agreement [Ward 3]

Recommendation:

Set the Public Hearing

Relationship to Goals:

Added emphasis to economic development.

Background:

Troy and Gerald Welvaert are interested in leasing the former property once housing Wakeen's Family Boating Center located at 935 East River Drive from the City. The Welvaert Family plan to operate a marina with dry stack and a restaurant on the site with the improvements and investment estimated at \$500,000.

To procure adequate financing for the project, the Tenant has requested an initial three (3) year term, with the option to renew for 6 additional periods of five (5) years. For leases with a term beyond three years in length, the City Council must approve concurrently and hold a public hearing.

The Levee Improvement Commission will approve the lease agreement at its special meeting on July 26, 2016. The public hearing will be held on August 3 and consideration of the resolution will be held during the same cycle.

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	7/14/2016 - 12:32 PM
Community Development Committee	Berger, Bruce	Approved	7/14/2016 - 12:32 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:48 PM

City of Davenport

Agenda Group: Public Safety
Department: City Clerk
Contact Info: Jackie Holecek
Wards: 3

Action / Date
6/15/2016

Subject:

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

Shenanigan's, Bix Weekend, July 29-30, 7:00 PM to Midnight; Closure Location: 3rd Street, parking lane and one travel lane between Ripley and Harrison Streets, Ward 3

Palmer College, Homecoming, August 10-13, 6:00 AM to Midnight; Closure Location: No parking on Palmer Drive between Main and Perry Street and the to east lanes of Brady Street on Saturday, August 10 to Sunday, August 13th, Ward 3

Chuck's Tap, Quad City Breast Cancer Awareness Ride, August 21, 10AM - 10 PM, Closure Location: 6th Street from Division to Madison Street, Ward 3

Village of East Davenport Assn, Farm Days in the Village, August 26-27, 10AM - 5 PM, Closure Location: 11th Street from Mound to Jersey Ridge Rd; Christy from 11th to the alley, Ward 5

Recommendation:

Consider the requests.

Relationship to Goals:

Background:

ATTACHMENTS:

Type	Description
□ Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	6/21/2016 - 10:37 AM

RESOLUTION NO. 2016-

Resolution offered by Alderman Matson

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

RESOLVED by the City Council of the City of Davenport.

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

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

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

Entity: Shenangian's

Event: Bix Weekend

Dates: July 29-30

Time: 7:00 PM - Midnight

Closure Location: 3rd Street, parking lane and one travel lane between Ripley and Harrison Sts

Ward: 3

Entity: Palmer College

Event: Homecoming

Dates: August 10-13

Time: 6AM to Midnight

Closure Location: No parking on Palmer Drive between Main and Perry Street and the two east lanes of Brady Street on Saturday, August 10 thru Sunday, August 13th.

Ward: 3

Entity: Chuck's Tap

Event: Quad City Breast Cancer Awareness Ride

Dates: August 21, 2016

Time: 10 AM – 10 PM

Closure Location: 6th Street from Division to Madison St

Ward: 3

Entity: Village of East Davenport Assn

Event: Farm Days in the Village

Dates: August 26-27

Time: 10:00 AM to 5:00 PM

Closure Location: 11th Street from Mound to Jersey Ridge Rd; Christy from 11th to the alley

Ward: 5

Approved this 27th day of July, 2016.

Approved:

Attest:



Frank Klipsch, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

City of Davenport

Agenda Group: Public Works
Department: Engineering
Contact Info: Lesley Eastlick; (563) 326-7729
Wards: 1

Action / Date
PW7/20/2016

Subject:

Resolution approving the contract between the City and Missman, Inc. for the design of the Rockingham Road Resurfacing Project, not to exceed \$275,000. CIP #35018. [Ward 1]

Recommendation:

Approve the resolution.

Relationship to Goals:

Infrastructure improvements

Background:

The contract approves Missman to design necessary improvements for storm sewer, pavement and sidewalks on Rockingham Road between Schmidt Road and Birchwood Avenue.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution Page 2
▣ Backup Material	Professional Services Agreement - Missman

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	7/14/2016 - 9:26 AM
Public Works Committee	Lechvar, Gina	Approved	7/14/2016 - 9:26 AM
City Clerk	Admin, Default	Approved	7/14/2016 - 9:49 AM

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolved by the City Council of the City of Davenport.

Resolution approving Design Contract for the Rockingham Road Resurfacing and Sewer Improvement Project from Schmidt Road to Birchwood Avenue, CIP #35018 to Missman, Inc.

Whereas, the work is to be performed at agreed upon prices;

Now, therefore, be it resolved, by the City Council of the City of Davenport, Iowa: that the Contract is hereby approved, and the Public Works Deputy Director is hereby authorized to execute said document.

Passed and approved this 27th day of July, 2016.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk



AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT FOR PROFESSIONAL SERVICES ("Agreement") is effective this _____ day of _____, 2016 between Missman, Inc., an Iowa corporation, hereinafter for convenience referred to as **MISSMAN** and CITY OF DAVENPORT, IOWA hereinafter for convenience referred to as the **CLIENT**.

The "Services" provided under this Agreement are described in detail below, and are generally comprised of Design Services relating to the **Rockingham Road Improvements: S. Birchwood Avenue to Schmidt Road** (the "Project"). The Services are subject to the General Terms and Conditions attached hereto and incorporated into this Agreement.

The Scope of Services to be provided under this Agreement is as follows:

The Project will consist of the following project limits along Rockingham Road in the City of Davenport:

Start: West edge of S. Birchwood Avenue

End: Approximately 150 feet east of Schmidt Road (near 2118 Rockingham Road)

PHASE I: Preliminary and Final Design / Construction Bid Documents:

1. Develop construction plans, specifications, and final Bid documents in accordance with the scope items listed herein. The Project is assumed to receive local funding from the City of Davenport;
2. Complete a topographic and right-of-way verification survey within the project limits; includes a general utility investigation. City to provide additional sewer investigation information;
3. Complete design in close conformance with City of Davenport and Iowa DOT design standards and specifications;
4. Obtain pavement cores to determine existing pavement structure;
5. Prepare construction plans for the proposed work within the project limits, scope to include:
 - a. Resurfacing/Improvement from S. Birchwood Avenue to S. Elmwood Avenue;
 - b. Reconstruction/Improvement from S. Elmwood Avenue to S. Lincoln Avenue;
 - c. Resurfacing/Improvement from S. Lincoln Avenue to ~150 feet east of Schmidt Road;
 - d. Plans to include cover sheet, typical sections and details, roadway plan and profile sheets, erosion control plan and details, survey control, traffic control and staging, geometric staking and jointing details, storm sewer plan and profile sheets, pavement marking and signage, sidewalk plan and ADA details, and roadway cross-sections;
6. Attend one (1) meeting with the Client to discuss preliminary design, and current project estimate;
7. Coordinate with Railroad Owner (Canadian Pacific). Assume existing tracks to be abandoned and will be removed with the Project.
8. Attend up to three (3) Public Involvement Meetings;
9. Attend one (1) meeting to incorporate final comments and revisions into final Bid Documents;
10. Prepare Notice of Intent permit application in order to obtain the NPDES permit for storm water;
11. Prepare Storm Water Pollution Prevention Plan and binder for qualified personnel to maintain the inspection records during the construction of the project;
12. Complete plans, specifications, Bid documents, and an Engineer's Estimate of construction costs;
13. Assume Client will conduct Letting process and assume all costs and coordination efforts for project Bid advertisement. Missman will answer questions, and if necessary, provide contract addenda regarding the advertisement for bids and Contractor questions prior to the bid date;
14. Attend Bid opening, review submitted bids and City-provided Bid Tab, and provide a recommendation letter for award of contract to the lowest responsive bidder.

PHASE II: Construction Administration:

1. Respond to RFI (Request for Information) transmittals from the Contractor during Construction.
 4500 Black Hawk Commons Drive, P.O. Box 6040 • Rock Island, Illinois 61201-6040
 Phone: 309.788.7644 • Fax: 309.283.1642 • www.missman.com



The Services are limited to the Scope of Services set forth above. For avoidance of doubt, the Services do not include the following:

1. Negotiations or delays resulting from the owner's failure to secure right-of-entry for Missman to complete the work.
2. Preparation of zoning, permitting, vacation, exhibit, easement, or right-of-way plats or descriptions.
 - a. It is assumed that the project will be completed within existing right-of-way or easements. Should the survey and design determine that additional right-of-way or easements are required to facilitate the Project, those services will be completed as additional services at the included contract rates.
3. Title research or expert testimony.
4. Engineering service and/or coordination regarding Archaeological, Environmental or Historic issues, other than mentioned above.
5. Soils investigations, geotechnical or environmental reports or studies.
6. Major changes in the scope of the project, including preparation of more than one bid package (phase).
7. Meetings and public hearings beyond those specified above.
8. Construction Administration, Observation, and Staking services.
9. Sanitary/storm Lift Station design.
10. Re-design due to Client or Iowa DOT design standard revisions.
11. Railroad crossing design and coordination/design approvals with the Railroad.
12. Traffic signal design.

Items of work beyond the Services are considered Additional Services and will be charged at the standard hourly rates set forth in Attachment Exhibit A – Hourly Rates for Additional Services.

No additional services will be completed without approval from the City.

The Deliverables will consist of:

All reports and studies will be made available to the CLIENT, and other designated recipients, in paper copy and electronic copy (AutoCAD, JPEG or PDF) as directed. A total of two (2) paper copies of each submittal are assumed.

Submittals:

1. Preliminary Plans (50% complete)
2. Check Plans (90% complete), including any special provisions, and an Engineer's Estimate.
3. Final Construction Plans and Bid Documents

The Schedule for the Services is as follows:

Work will proceed as agreed upon herein, when the CLIENT and MISSMAN have executed this Agreement and notice to proceed is given by the CLIENT.

It is anticipated that the final Bid Documents will be available for Advertisement in December 2016 with construction to occur in spring 2017. A final Engineer's Estimate of Construction Costs will be provided to the City prior to the last regularly scheduled October 2016 City Council meeting.

Schedule is subject to City-provided sewer investigation information and railroad approvals.



The Fee for the above described services will be:

The 2016 Budget Construction Estimate for the Project is \$2,400,000.00

PHASE I: Design / Construction Bid Documents = \$ 275,000.00

Phase I work for the Project will be invoiced as a Lump Sum with monthly invoicing that reflects the percent of the project complete.

¹ Total Phase I Fee (Lump Sum) = \$ 275,000.00

¹see item 21 "Compensation Methods" in the General Conditions

PHASE II: Construction Administration = \$ 5,000.00 (estimated)

Phase II will be invoiced at Missman Standard Hourly Rates; since these work efforts are subject to the actual Project needs, the amount invoiced may be higher or lower than the value noted in the Phase.

This Agreement, the attached General Terms and Conditions, Attachment Exhibit A (Hourly Rates for Additional Services), all other Exhibits, if any, represent the entire and integrated Agreement between the CLIENT and MISSMAN and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both CLIENT and MISSMAN.

If you wish us to proceed on this project, please sign both copies and return one to us as soon as possible. This proposal is valid until August 15, 2016.

Thank you for considering Missman for your professional services.

Respectfully,

MISSMAN, INC.

Accepted this _____ day of _____, 2016

By Morgan A. Mays
Morgan A. Mays, P.E.
Municipal Projects Manager

By _____

By Patrick D. Eikenberry
Patrick D. Eikenberry, P.E.
President/CEO

Title _____
City of Davenport



GENERAL TERMS AND CONDITIONS

1. **DEFINITIONS:** The term Client shall be herein interpreted as the person(s), partnership, corporation or other entity, public or private, to which this Agreement is made. The term "Missman" represents Missman, Inc., an Iowa corporation, providing the professional services.
2. **SCOPE OF SERVICES:** Services are limited to those specifically listed; they do not include others not set forth or not listed which are expressly excluded from the scope of Missman's services unless separately provided in writing, as agreed upon by both Missman and Client. Missman assumes no responsibility to perform or provide any services not specifically listed.
3. **CHANGED CONDITIONS:** This Agreement is based on conditions actually known by or disclosed to Missman. If other conditions not originally known or disclosed become known or disclosed, Missman may require a renegotiation of appropriate portions of this Agreement (illustratively, scope of service or compensation).
4. **HAZARDOUS ENVIRONMENTAL CONDITIONS:** Unless expressly stated in writing, Missman does not provide assessments of the existence or presence of any hazardous or other environmental conditions or environmental contaminants or materials ("Hazardous Environmental Conditions"). Client shall inform Missman of any and all known Hazardous Environmental Conditions before services are provided involving or affecting them. If unknown Hazardous Environmental Conditions are encountered, Missman will notify the Client and, as appropriate, government officials of such conditions. Missman may, without liability or reduction or delay of compensation due, proceed to suspend services on the affected portion of the project until Client takes appropriate action to abate, remediate, or remove the Hazardous Environmental Condition. Missman shall not be considered an "arranger", "operator", "generator", "transporter", "owner", or "responsible party" of or with respect to contaminants, materials or substances. Missman shall assume no liability whatsoever for correction of any Hazardous Environmental Conditions; and shall be entitled to payment or reimbursement of expenses, costs or damages occasioned by undisclosed Hazardous Environmental Conditions.
5. **BURIED UTILITIES:** Client shall be responsible for designating the location of all utility lines and subterranean structures within the property lines of the Project. Client agrees to waive any claim against Missman and to defend, indemnify and hold Missman harmless for any claim or liability for injury or loss arising from Missman or other persons encountering utilities or other manmade objects that were not brought to Missman's attention or which were not properly located on the plans furnished to Missman. Client further agrees to compensate Missman for any and all time, costs and expenses incurred by Missman in defense of any such claim, in accordance with Missman's then effective standard hourly fee schedule and expense reimbursement policy.
6. **OPINIONS OF PROBABLE COST:** In providing opinions of probable cost, the Client understands that Missman has no control over contractor's costs or the price of contractor's labor, equipment or materials, or over the Contractor's method of pricing, all of which can be extremely volatile, and that the opinions of probable cost provided herein are to be made on the basis of Missman's qualifications and past experience. Missman makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs.
7. **ACCEPTANCE PERIOD:** CADD files shall have an acceptance period of 90 days. During this time, the Client can examine the electronic files and verify their correctness. Missman will remedy any errors discovered in the files during this period. Once the acceptance period ends, the Client has accepted the files and takes responsibility for their ongoing maintenance.
8. **CONSTRUCTION SERVICES:** Should the Client provide construction observation or review with either the Client's representatives or a third party, Missman's services under this Agreement will be considered to be completed upon either (1) completion and submittal of the Final Design; or (2) the services outlined in the Scope of Work. It is understood and agreed that if Missman's services under this Agreement do not include project observation or review of the Contractor's performance or other construction services and that such services will be provided by the Client, then the Client assumes all responsibility for interpretation of the Contract Documents and for construction observation or review. The Client specifically waives any and all claims of whatever kind or nature against Missman that may in any way be connected thereto.
9. **AUTHORITY AND RESPONSIBILITY:** Missman (1) does not in any manner guarantee the actual bids the Client will receive or the work of any contractor or subcontractor, (2) has no authority to stop work by any contractor or subcontractor, (3) has no supervision or control as to the work or persons doing the work, (4) does not have charge of the work, (5) is not responsible for safety in, on or about the job site and (6) does not have any control of the safety or adequacy of any equipment, building component, scaffolding, supports, forms or other work aids. Missman neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to finish and perform its work in accordance with the Contract Documents.
10. **FAST TRACK/DESIGN-BUILD AND CONSTRUCTION:** "Fast track" refers to Missman's design services which overlap the construction work and/or are out of sequence with the traditional project performance or delivery method. In consideration of the benefits to the Client of employing the "fast track" process and in recognition of the inherent risks of fast tracking to Missman which Client accepts, the Client waives any and all claims against Missman for design changes and modification of portions of the services already constructed due to the Client's decision to employ the fast track process. The Client further agrees to compensate Missman for all Additional Services required to modify, correct or adjust the Construction Documents and coordinate them in order to meet the Client's Project requirements because of the Client's knowing decision to construct the Project in a fast track manner.
11. **RIGHT OF ENTRY:** Client shall provide for Missman's right to enter property owned by Client and/or others in order for Missman to fulfill the scope of service for this Project. Client understands that use of exploration equipment such as soil testing may unavoidably cause damage, the costs associated therewith and correction of which is the responsibility of the Client and shall not be the responsibility of Missman.
12. **STANDARD OF PRACTICE:** Services performed by Missman under this Agreement will be conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. No other representation, expressed or implied, and no warranty or guarantee is included or intended in this Agreement or in any report, opinion, document or otherwise.



13. **INFORMATION PROVIDED BY OTHERS:** The Client shall furnish and grant permission to use, at the Client's expense, all information, requirements, reports, data, surveys and instructions as defined in the Scope of Services of this Agreement. Missman may use such information, requirements, reports, data, surveys and instructions in performing its services and is entitled to rely upon the accuracy and completeness thereof without independent verifications or investigation. If the Client desires verification by Missman, the Client and Missman shall enter into a separate written agreement for providing such services.
14. **OWNERSHIP OF DRAWINGS AND ELECTRONIC INFORMATION:** Drawings, tracings, plats, specifications, CADD files, electronic information and other products produced by Missman may be used in connection with the Client's presently proposed project, but shall otherwise be Missman's property and their use for any other project is not authorized. The Client agrees, to the fullest extent permitted by law, to hold harmless and indemnify Missman from and against all claims, liabilities, losses, damages, and costs, including, but not limited to, attorney's fees arising out of or in any way connected with modification, translation, misinterpretation, misuse or reuse by the Client or others of the machine readable information and data or other electronic data which may be provided by Missman under this Agreement. Contract Documents include both the sealed drawings and the electronic files. If there is a conflict between the two, the sealed drawings will control and govern.
15. **UNAUTHORIZED CHANGES:** In the event the Client, the Client's contractors, subcontractors, agents or anyone for whom the Client is responsible, either directly or indirectly, makes or permits to be made any changes to any reports, plans, specifications or other construction documents prepared by Missman without obtaining Missman's prior written consent, the Client shall assume full responsibility for the results or consequences of such changes. Therefore, the Client waives any claim against Missman and releases Missman from any and all liability whatsoever or indirectly from such unapproved changes whether or not known by Missman.
16. **LIMITATION OF LIABILITY:** Notwithstanding any provision of this Agreement to the contrary:
 - 16.1 THE SERVICES AND THE WORK PRODUCT OF MISSMAN ARE SOLD "AS IS." IN ALL CIRCUMSTANCES, THE MAXIMUM LIABILITY OF MISSMAN, ITS DIRECTORS, OFFICERS, EMPLOYEES, AND AFFILIATES TO CLIENT FOR DAMAGES FOR ANY AND ALL CAUSES WHATSOEVER, AND CLIENT'S MAXIMUM REMEDY, REGARDLESS OF THE FORM OF ACTION, WHETHER IN CONTRACT, TORT OR OTHERWISE, SHALL BE LIMITED TO THE AGGREGATE FEES RECEIVED BY MISSMAN UNDER THIS AGREEMENT. ANY DAMAGE ON ACCOUNT OF PROFESSIONAL ERRORS, OMISSIONS OR NEGLIGENCE WILL BE LIMITED TO \$10,000.00 OR THE FEE, WHICHEVER IS LESS. IN NO EVENT SHALL MISSMAN BE LIABLE FOR ANY LOST DATA OR CONTENT, LOST PROFITS, BUSINESS INTERRUPTION OR FOR ANY INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL, EXEMPLARY OR PUNITIVE DAMAGES ARISING OUT OF OR RELATING TO THE MATERIALS OR THE SERVICES PROVIDED BY MISSMAN, EVEN IF MISSMAN HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, AND NOTWITHSTANDING THE FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY.
 - 16.2 Client acknowledges and agrees that Missman shall have no liability with respect to any loss, damage, claim or expense incurred by or asserted against Client (including, without limitation, any payment missed or made incorrectly, whether by date, amount, payee, address or otherwise) arising out of, based upon or resulting from any erroneous data provided by Client or any third party or otherwise contained in Client's databases, or Client's failure to provide accurate information or complete documentation regarding any owned, leased or subleased property. No representation or recommendation is or will be made by Missman or its Subcontractors agents or employees as to the legal sufficiency, legal effect, tax or accounting consequences of any transaction or documentation. Client is urged to seek the advice of counsel, accountants and advisors as to the legal, tax and accounting consequences thereof.
 - 16.3 Client agrees that Missman shall bear no liability to the extent arising out of Client's failure to comply with its obligations under this Agreement. Further, Missman shall have no duty to indemnify, hold harmless or defend Client to the extent a Claim arises because Missman, its employees or agents either acted or failed to act because of their adherence to Client's policies, procedures, rules, regulations, agreements, directions and/or instructions. All Client policies, procedures, rules, regulations, agreements, directions and instructions with which Missman must comply shall be consistent with this Agreement and provided to Missman in advance in writing. Missman shall bear no liability for construction methods, techniques or the acts or failures to act of contractors. The provisions of this Section 16 shall survive the expiration of the Term or termination of this Agreement..
17. **AGREEMENT BY CLIENT NOT TO PURSUE COST OF CERTAIN CHANGE ORDERS:** Client recognizes and expects that certain Change Orders may be required to be issued as the result in whole or part of imprecision, incompleteness, errors, omissions, ambiguities, or inconsistencies in the drawings, specifications and other design documentation furnished by Missman or in the other professional services performed or furnished by Missman under this Agreement ("Covered Change Orders"). Accordingly, Client agrees to budget a minimum of five percent (5%) of the total client's construction contractor's bid amount(s) for contingencies. Further, the Client agrees not to sue or to make any claims directly or indirectly against Missman on the basis of professional negligence breach of contract, or otherwise with respect to the costs of approved Covered Change Orders, unless the costs of such approved Covered Change Orders exceed fifteen percent (15%) of Construction Cost, and then only for an amount in excess of such percentage. Any responsibility of Missman for the costs of Covered Change Orders in excess of such percentage will be determined on the basis of applicable contractual obligations and professional liability standards. For purposes of this paragraph, the cost of Covered Change Orders will not include any costs that Client would have incurred if the Covered Change Order work had been included originally without any imprecision, incompleteness, error, omission, ambiguity or inconsistency in the Contract Documents and without any other error or omission of Missman related thereto. Nothing in this provision creates a presumption that, or changes the professional liability standard for determining if, Missman is liable for the cost of Covered Change Orders in excess of the percentage of Construction Cost stated above or for any other Change Order. Wherever used in this paragraph, the term Missman includes Missman's officers, directors, members, partners, agents, employees and subconsultants. Client further agrees not to sue or to make any claim directly or indirectly against Missman with respect to any Covered Change Order not in excess of such percentage stated above, and Client agrees to hold Missman harmless from and against any suit or claim made by the Contractor relating to any such Covered Change Order.
18. **PURPORTED DEFECTS OR ERRORS IN SERVICE:** The Client shall immediately report to Missman any defects or suspected defects in Missman's services of which the Client becomes or should have become aware and allow Missman to take measures to minimize the consequences of such a defect or error. Failure by the Client to notify Missman shall relieve Missman of the costs of remedying the defects claimed above the sum such remedy would have cost had prompt notification been given when such defects were or should have been first discovered.
19. **INDEMNIFICATION:** The Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless Missman, its officers, directors, employees, agents and subconsultants from and against said damages, liabilities or costs, including reasonable attorneys' fees and defense costs, arising out of or in any way connected with Missman's providing emergency services under this Agreement, excepting only those damages, liabilities or costs arising directly from the willful negligence or gross misconduct of Missman. [Comment: Client will likely ask for indemnity from Missman. See alternate clause to address likelihood that Client will request reciprocal indemnity.] [ALTERNATIVE CLAUSE: Missman agrees to (a) indemnify and hold Owner harmless from and against all claims, liabilities, damages, judgments, suits, losses, penalties, settlements, costs of enforcement, and other expenses (collectively,

4500 Black Hawk Commons Drive, P.O. Box 6040 • Rock Island, Illinois 61201-6040

Phone: 309.788.7644 • Fax: 309.283.1642 • www.missman.com



“Claims”) asserted against or incurred by Owner for bodily injury, personal injury and/or property damages to the extent such Claims are due to Missman’s negligence, gross negligence or willful misconduct or Missman’s failure or refusal to comply with or abide by any applicable law, and (b) defend promptly and diligently, at Missman’s sole expense, with attorneys reasonably acceptable to Owner, any Claim, action or proceeding brought against Owner or Owner and Missman jointly or severally, arising out of or connected with the matters for which Missman provides indemnification under clause (a) above.]

20. **TIME OF COMPLETION:** Missman will use its best efforts to complete the work by the date indicated in the schedule, but Missman shall incur no liability due to any delay for any reason and the Client’s obligation to pay fees and expenses shall not be affected by any delay. In addition, if any delay increases the cost or time required by Missman to perform its services in an orderly, professional and efficient manner, Missman shall be entitled to a reasonable and equitable adjustment in schedule and/or compensation.
21. **COMPENSATION METHODS:** The “Lump Sum” method includes compensation for Missman’s services and services of other’s product and service provides outside Missman’s employ, if any. Appropriate amounts will be incorporated in the Lump Sum to account for labor, overhead and profit and may or may not include Reimbursable Expenses. The “Standard Hourly Rate” method is an amount equal to the cumulative hours charged per each classification of employee, times a current Standard Hourly Rate, which shall be revised periodically, for each applicable billing classification for all services performed on a Specific Project, plus Reimbursable Expenses and outside Missman charges, if any. The “Payroll Cost Times Multiplier” method is an amount equal to the cumulative hours charged per each classification of employee, times a specified multiplier of the employee’s payroll cost. The “Payroll Cost” is defined as the salary and wage of an employee, plus the cost of customary and statutory benefits including, but not necessarily limited to, social security contributions, unemployment, health, sick leave, vacation, workers’ compensation, incentive and holiday pay applicable thereto. “Reimbursable Expenses” means the actual expenses incurred directly or indirectly in connection with the work including, but not limited to, the following: transportation and subsistence, telephone and media expenses, reproduction or printing, computer time and services of others outside Missman’s employ.
22. **TERMINATION:** This Agreement may be terminated by either party on written notice to the other party. If terminated by either party, with or without cause, the Client agrees to pay for all services and reimburse all expenses performed or incurred due to the termination.
23. **PAYMENT:** Missman may bill for its Services and expenses monthly, based on costs of Services and expenses incurred or the proportion of the actual work completed at the time of billing. Payment of bills is due within fifteen (15) calendar days from the date billed. If not paid within 30 calendar days from the billing date, the Client agrees to additionally pay interest at the rate of one percent (1%) per month on the unpaid balance, or the maximum rate of interest permitted by law, whichever is less. Further, if not paid within 30 calendar days from the billing date, Missman reserves the right to suspend work on the project and bill for any cost of services and expenses incurred up to that date.
24. **COLLECTION COSTS:** If the Client fails to make payments when due and Missman incurs any costs in order to collect overdue sums from the Client, the Client agrees that all such collection costs incurred shall immediately become due and payable to Missman. Collection costs shall include, without limitation, legal fees, collection agency fees and expenses, court costs, collection bonds and reasonable Missman staff costs at standard billing rates for Missman’s collection costs shall survive the term of this Agreement or any earlier termination by either party.
25. **SET-OFFS, BACK-CHARGES, DISCOUNTS:** Payment of invoices shall not be subject to any discount or set-offs by the Client, unless agreed to in writing by Missman. As further noted in Paragraph 23, payment to Missman for services rendered and expenses incurred shall be due and payable regardless of any subsequent suspension or termination of this Agreement by either party.
26. **DISPUTED INVOICE:** If the Client objects to any portion of an invoice, the Client shall so notify Missman writing within fifteen (15) calendar days of the invoice. The Client shall identify in writing the specific cause of the disagreement and the amount in dispute, and shall pay that portion of the invoice not in dispute in accordance with the other payment terms of this Agreement. Any dispute over invoiced amounts due that cannot be resolved within ten (10) calendar days after presentation of invoice by direct negotiation between the parties shall be resolved within thirty (30) days in accordance with Dispute Resolution provision of this Agreement. Interest as stated above shall be paid by the Client on all disputed invoice amounts that are subsequently resolved in favor of Missman and shall be calculated on the unpaid balance from the due date of the invoice.
27. **SUSPENSION AND/OR TERMINATION OF SERVICES:** If the Client fails to make payments when due, as further noted in Paragraph 24, or otherwise is in breach of this Agreement, Missman may suspend performance of services upon five (5) calendar day’s written notice to the Client. Missman shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension caused by a breach of the Agreement by the Client. Upon payment in full by the Client, Missman shall resume services under this Agreement, and the time schedule and compensation shall be equitably adjusted to compensate for the period of suspension plus any other reasonable time and expense necessary for Missman to resume performance. If the Client fails to make payment to Missman in accordance with the payment terms herein, this shall constitute a material breach of this Agreement and shall be cause for termination of this Agreement by Missman.
28. **DISPUTE RESOLUTION:** Any claims or disputes made during design, construction or post-construction between the Client and Missman shall be submitted to non-binding mediation. The Client and Missman agree, to the best of their ability, to include a similar mediation agreement with all Contractors, subcontractors, subconsultants, suppliers and fabricators, thereby providing for mediation as the primary method for dispute resolution between all parties. If the parties are unable to resolve a dispute through negotiation or mediation, then either party is entitled to any and all legal and equitable remedies it has, including, without limitation, the right to trial.
29. **GOVERNING LAW:** The laws of the State of Illinois without giving effect to its conflicts of law principals, govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance and enforcement. Litigation or legal proceedings which arise out of or relate to this Agreement are to be conducted before a judge and not a jury.
30. **VENUE:** The parties consent to the exclusive jurisdiction of, and venue in, any federal or state court of competent jurisdiction located in Rock Island County, Illinois, for the purposes of adjudicating any matter arising out of or relating to this Agreement.



31. **BINDING EFFECT:** This is the entire agreement. It may not be amended except in writing executed by both the Client and Missman. It shall be binding on both the Client and Missman and their legal representatives, executors, administrators, successors and assigns.
32. **BOUNDARY CONFLICT:** Boundary determinations occasionally disclose unseen or unknown conflicts between the record documents and the location of physical improvements. Upon discovery of any latent or patent ambiguity, uncertainty, or dispute disclosed by the records or by placement of the boundaries on the ground, work on the boundary survey will be suspended and you will be immediately notified. Missman will present alternatives for possible resolution and any additional work required to achieve resolution will be negotiated. If you should choose to forego resolution, all work completed to date will be invoiced for payment and the project file will be archived by Missman for future resolution. If you choose resolution, Missman will act as your mediator, consultant and expert until satisfactory resolution is achieved. Upon resolution, this initial agreement will be reinstated and completed in accordance with its initial terms subject to potential interim rate increases.
33. **FORCE MAJEURE:** Except as hereinafter provided, no delay or failure in performance by Client or Missman shall constitute a default under this Agreement if and to the extent the delay or failure is caused by Force Majeure. Unless the Force Majeure substantially frustrates performance of the Services, Force Majeure shall not operate to excuse, but only to delay, performance of the Services. If Services are delayed by reason of Force Majeure, Missman promptly shall notify Client. Once the Force Majeure event ceases, Missman shall resume performance of the Services as soon as possible. "Force Majeure" means any event beyond the control of the Party claiming inability to perform its obligations and which such Party is unable to prevent by the exercise of reasonable diligence, including, without limitation, the combined action of workers, strikes, embargoes, fire, acts of terrorism, explosions and other catastrophes, casualties, a moratorium on construction, delays in transportation, governmental delays in granting permits or approvals, changes in laws, expropriation or condemnation of property, governmental actions, unavailability or shortages of materials, national emergency, war, acts of terrorism, civil disturbance, floods, unusually severe weather conditions or other acts of God or public enemy. Inability to pay or financial hardship, however, shall not constitute Force Majeure regardless of the cause thereof and whether the reason is outside a Party's control.



ATTACHMENT
EXHIBIT A – HOURLY RATES FOR ADDITIONAL SERVICES

ADDITIONAL SERVICES: Additional Services will be charged at the standard hourly rates shown below. Work on items considered Additional Services would not be undertaken until the Client provides written authorization.

Classification	Rate
Principal	\$185.00
Senior Project Manager	\$151.00
Project Manager	\$134.00
Project Engineer	\$118.00
Senior Design Engineer	\$90.00
Design Engineer	\$82.00
Land Survey Manager	\$142.00
Land Surveyor	\$122.00
Survey Party Chief	\$80.00
Survey Technician	\$51.00
Senior Engineering Technician	\$103.00
Engineering Technician	\$73.00
CAD Operator	\$57.00
Construction Services Manager	\$120.00
Construction Services Senior Technician	\$98.00
Construction Services Technician	\$77.00
Project Coordinator II	\$82.00
Project Coordinator I	\$62.00
Environmental Scientist	\$72.00
Clerical & Administration	\$52.00
Engineering Intern	\$31.00
Survey – Robotic	\$95.00
Survey – RTK	\$110.00

January 1, 2016
Missman, Inc.

The above standard hourly rates include overhead, profit, insurance, and normal costs for readiness to serve. Reasonable travel costs are also included. Lodging and per diem in excess of 50 miles from the office servicing the project will result in additional charges.

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Tom Leabhart (563) 326-7729
Wards: 3

Action / Date
PW7/20/2016

Subject:

Resolution granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along Howell Street from 2nd Street to 5th Street and along 5th Street from Howell Street to Division Street. Agreement Reference No. 2016-F11. [Ward 3]

Recommendation:

Pass the Resolution.

Relationship to Goals:

Davenport - *The Choice Community for Living.*

Background:

Geneseo Communications has requested permission to install buried communication fiber optic line within City right-of-way as shown on the attached map. The total length of fiber is approximately 2,170 feet.

The City's Legal, Engineering and IT Departments have reviewed and approved the proposed route and terms of the agreement. The Agreement Reference number is 2016-F11.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Attach to Geneseo-Howell&5th-2016-F11
▣ Exhibit	2016 - F11 (Howell St)

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	7/14/2016 - 9:27 AM
Public Works Committee	Lechvar, Gina	Approved	7/14/2016 - 9:27 AM
City Clerk	Admin, Default	Approved	7/14/2016 - 9:49 AM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City Right-of-Way along Howell Street from 2nd Street to 5th Street and along 5th Street from Howell Street to Division Street. Agreement Reference No. 2016-F11.

WHEREAS, Geneseo Communications Services, Inc. (The Owner) has submitted a request (Agreement Reference #2016-F11) to construct buried communications cable in City Right-of-Way along along Howell Street from 2nd Street to 5th Street and along 5th Street from Howell Street to Division Street, the total length of fiber is approximately 2,170 feet as shown on the attached map; and

WHEREAS, the Engineering Division as well as IT and Legal Departments of the City of Davenport, Iowa (the "City") have reviewed said plans and recommend permission be granted for the installation, as described, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: that permission is hereby granted to The Owner to install buried communications cable in accordance with the attached plans subject to the following conditions which shall be accepted in writing by The Owner

1. That The Owner shall hold the City harmless, defend and indemnify it from any and all liability for claims of any nature arising from the granting of this authorization of the activities or work performed by The Owner as a consequence thereof, or as the result of the damage, interruption or any other matters relating to the cable and connection therewith or as a result thereof, except as otherwise limited by the provisions of paragraph 9, and that The Owner hold harmless, defend and indemnify the City from any such claims. Further, that The Owner shall name the City and its employees as additional insureds on its liability insurance coverage in limits to be set from time to time by the City Council and initially set at \$1 million each year.
2. That The Owner shall pay all costs for the construction and maintenance of their cable.
3. That The Owner shall coordinate all traffic control required for this project with the Traffic Engineering Division of the Public Works Department and shall be responsible for all costs related to traffic control.
4. That, at the direction of the City Council, The Owner shall remove and replace, relocate, or otherwise adjust said cable in order to provide for the maintenance, construction, or reconstruction of any City owned utility or public improvements within the City of Davenport, Iowa, or, for any other reasonable public cause determined at the discretion of the City Council of Davenport.
5. That all excavations for laying pipes, cable or lines shall be made in such a manner as will not interfere with any gas, sewer, water or other pipes or infrastructure theretofore laid and

so as to avoid, so far as possible, obstructing any street or alley or the drainage thereof, and said streets, avenues and alleys shall be promptly repaired and restored to a condition as good as the same were in prior to the laying of said pipes and any pavement or other surfacing removed shall be repaired and restored with the same kind of material as was used in the construction of the pavement or other surfacing so removed. Settling in any street, avenue or alley caused by such excavations shall be promptly repaired by The Owner and all repairs and replacements shall be to the satisfaction of the City officials; but before opening or making any excavation with in any street or alley rights of way, The Owner shall secure from said City a written permit to do so, except in case of emergency, which permit said City shall issue to The Owner upon reasonable terms and conditions. The Owner shall be responsible for payment of the Standard Excavation Permit Fees established by City Council prior to receiving said permit. The permit fee includes a \$1.00 per foot Disruption Fee where applicable.

6. That the contractor performing the work shall comply with all City Ordinances covering the work, including permits and bonding.
7. That The Owner shall contract with a "One Call" utility notification service for receiving notice on the location of the cable for the time the cable shall be in place and in service.
8. That The Owner shall be responsible for obtaining necessary legal consent and permission from railroad companies, the Iowa Department of Transportation, private and public agencies and other persons or organizations that have a legal interest, and this Resolution is subject to such permission, consent and clearance being obtained from such entities.
9. Unless caused by gross negligence or willful, intentional or malicious conduct by city employees, The Owner releases the City and its employees for and from any and all liability for any damage or interruption, or of any other nature directly or indirectly related to the existence of the cable and related facilities, which at any time occur in the future.
10. The Owner will provide the City of Davenport as built drawings in an electronic format suitable to the City of the entire route.

Passed and approved this 27th day of July, 2016

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: That the City Engineer is authorized to issue a permit for construction of said cable when the applicable terms and conditions have been met.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

ACCEPTANCE OF PROVISIONS OF RESOLUTION NO. 2016-_____, AGREEMENT REFERENCE
NUMBER 2016-F11

The undersigned hereby accepts all the terms and conditions of said Resolution and agrees that the same shall be binding upon undersigned and its successors and assigns.

Geneseo Communications Services, Inc.

By: _____

Name: _____

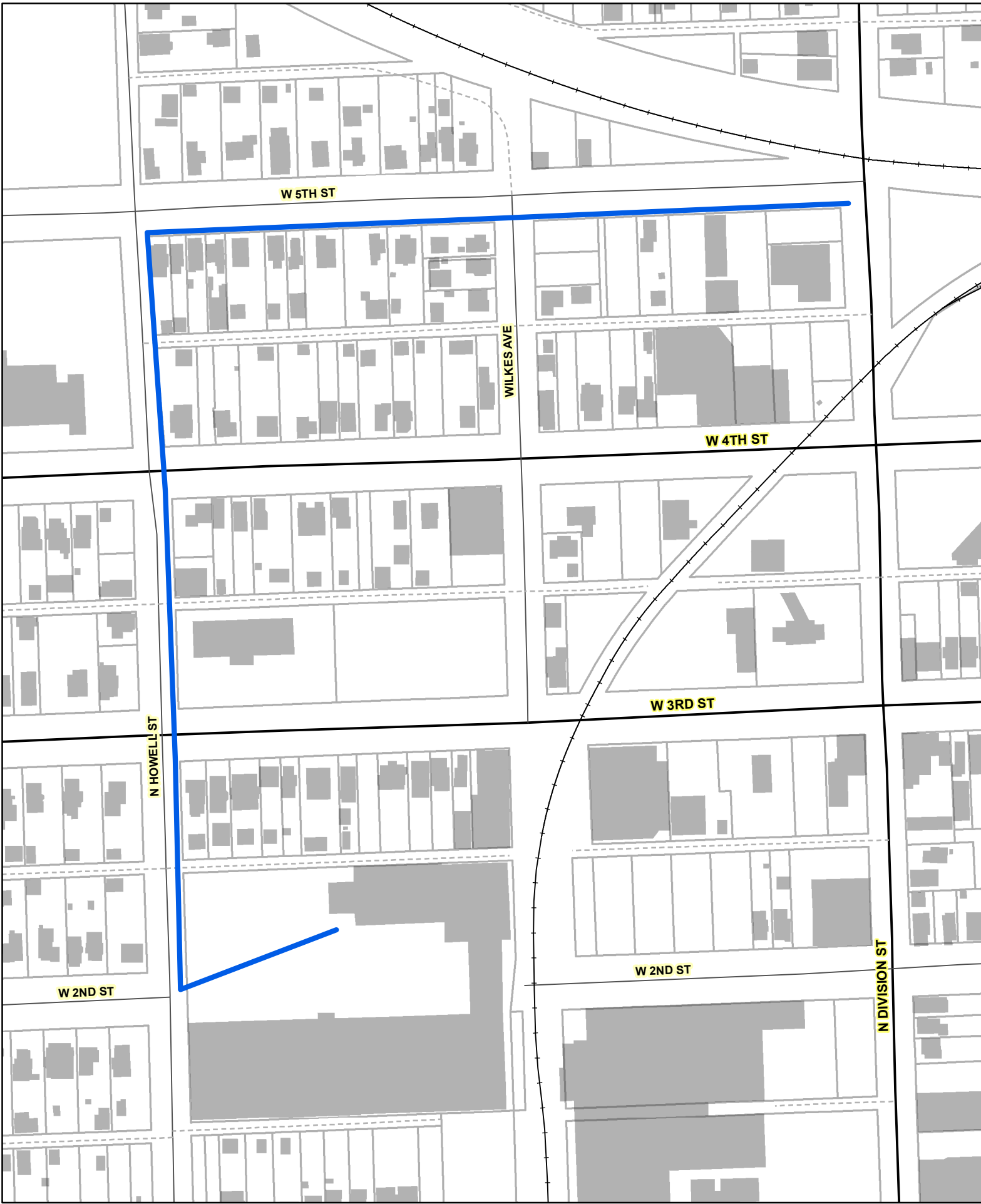
Title: _____

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, known to me to be the _____ of Geneseo Communications Services, Inc. and the person whose name is subscribed to the fore-going instrument and acknowledged that he/she is duly authorized to execute such agreements and to commit Geneseo Communications Services, Inc. to the obligations and duties contained therein and executed the fore-going instrument as his/her voluntary act and deed and as the voluntary act and deed of Geneseo Communications Services, Inc..

In witness whereof, I have hereunto set my hand and official seal.

Notary Public



City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Tom Leabhart (563) 326-7729
Wards: 3

Action / Date
PW7/20/2016

Subject:

Resolution granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along Sturdevant Street from south of 3rd Street to the alley north of Sturdevant Street, a distance of approximately 308 feet. Agreement Reference No. 2016-F12. [Ward 3]

Recommendation:

Pass the Resolution.

Relationship to Goals:

Davenport - *The Choice Community for Living*.

Background:

Geneseo Communications has requested permission to install buried communication fiber optic line within City right-of-way as shown on the attached map. The total length of fiber is approximately 308 feet.

The City's Legal, Engineering and IT Departments have reviewed and approved the proposed route and terms of the agreement. The Agreement Reference number is 2016-F12.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Attach to Geneseo-Sturdevant-2016-F-12
▣ Exhibit	Map Geneseo 2016-F12

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	7/14/2016 - 9:27 AM
Public Works Committee	Lechvar, Gina	Approved	7/14/2016 - 9:27 AM
City Clerk	Admin, Default	Approved	7/14/2016 - 9:49 AM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City Right-of-Way along Sturdevant Street from south of 3rd Street to the alley north, a distance of approximately 308 feet. Agreement Reference No. 2016-F12.

WHEREAS, Geneseo Communications Services, Inc. (The Owner) has submitted a request (Agreement Reference #2016-F12) to construct buried communications cable in City Right-of-Way along Sturdevant Street from south of 3rd Street to the alley north of Sturdevant Street, the total length of fiber is approximately 308 feet as shown on the attached map; and

WHEREAS, the Engineering Division as well as IT and Legal Departments of the City of Davenport, Iowa (the "City") have reviewed said plans and recommend permission be granted for the installation, as described, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: that permission is hereby granted to The Owner to install buried communications cable in accordance with the attached plans subject to the following conditions which shall be accepted in writing by The Owner

1. That The Owner shall hold the City harmless, defend and indemnify it from any and all liability for claims of any nature arising from the granting of this authorization of the activities or work performed by The Owner as a consequence thereof, or as the result of the damage, interruption or any other matters relating to the cable and connection therewith or as a result thereof, except as otherwise limited by the provisions of paragraph 9, and that The Owner hold harmless, defend and indemnify the City from any such claims. Further, that The Owner shall name the City and its employees as additional insureds on its liability insurance coverage in limits to be set from time to time by the City Council and initially set at \$1 million each year.
2. That The Owner shall pay all costs for the construction and maintenance of their cable.
3. That The Owner shall coordinate all traffic control required for this project with the Traffic Engineering Division of the Public Works Department and shall be responsible for all costs related to traffic control.
4. That, at the direction of the City Council, The Owner shall remove and replace, relocate, or otherwise adjust said cable in order to provide for the maintenance, construction, or reconstruction of any City owned utility or public improvements within the City of Davenport, Iowa, or, for any other reasonable public cause determined at the discretion of the City Council of Davenport.
5. That all excavations for laying pipes, cable or lines shall be made in such a manner as will not interfere with any gas, sewer, water or other pipes or infrastructure theretofore laid and so as to avoid, so far as possible, obstructing any street or alley or the drainage thereof,

and said streets, avenues and alleys shall be promptly repaired and restored to a condition as good as the same were in prior to the laying of said pipes and any pavement or other surfacing removed shall be repaired and restored with the same kind of material as was used in the construction of the pavement or other surfacing so removed. Settling in any street, avenue or alley caused by such excavations shall be promptly repaired by The Owner and all repairs and replacements shall be to the satisfaction of the City officials; but before opening or making any excavation with in any street or alley rights of way, The Owner shall secure from said City a written permit to do so, except in case of emergency, which permit said City shall issue to The Owner upon reasonable terms and conditions. The Owner shall be responsible for payment of the Standard Excavation Permit Fees established by City Council prior to receiving said permit. The permit fee includes a \$1.00 per foot Disruption Fee where applicable.

6. That the contractor performing the work shall comply with all City Ordinances covering the work, including permits and bonding.
7. That The Owner shall contract with a "One Call" utility notification service for receiving notice on the location of the cable for the time the cable shall be in place and in service.
8. That The Owner shall be responsible for obtaining necessary legal consent and permission from railroad companies, the Iowa Department of Transportation, private and public agencies and other persons or organizations that have a legal interest, and this Resolution is subject to such permission, consent and clearance being obtained from such entities.
9. Unless caused by gross negligence or willful, intentional or malicious conduct by city employees, The Owner releases the City and its employees for and from any and all liability for any damage or interruption, or of any other nature directly or indirectly related to the existence of the cable and related facilities, which at any time occur in the future.
10. The Owner will provide the City of Davenport as built drawings in an electronic format suitable to the City of the entire route.

Passed and approved this 27th day of July, 2016

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: That the City Engineer is authorized to issue a permit for construction of said cable when the applicable terms and conditions have been met.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

ACCEPTANCE OF PROVISIONS OF RESOLUTION NO. 2016-_____, AGREEMENT REFERENCE
NUMBER 2016-F12

The undersigned hereby accepts all the terms and conditions of said Resolution and agrees that the same shall be binding upon undersigned and its successors and assigns.

Geneseo Communications Services, Inc.

By: _____

Name: _____

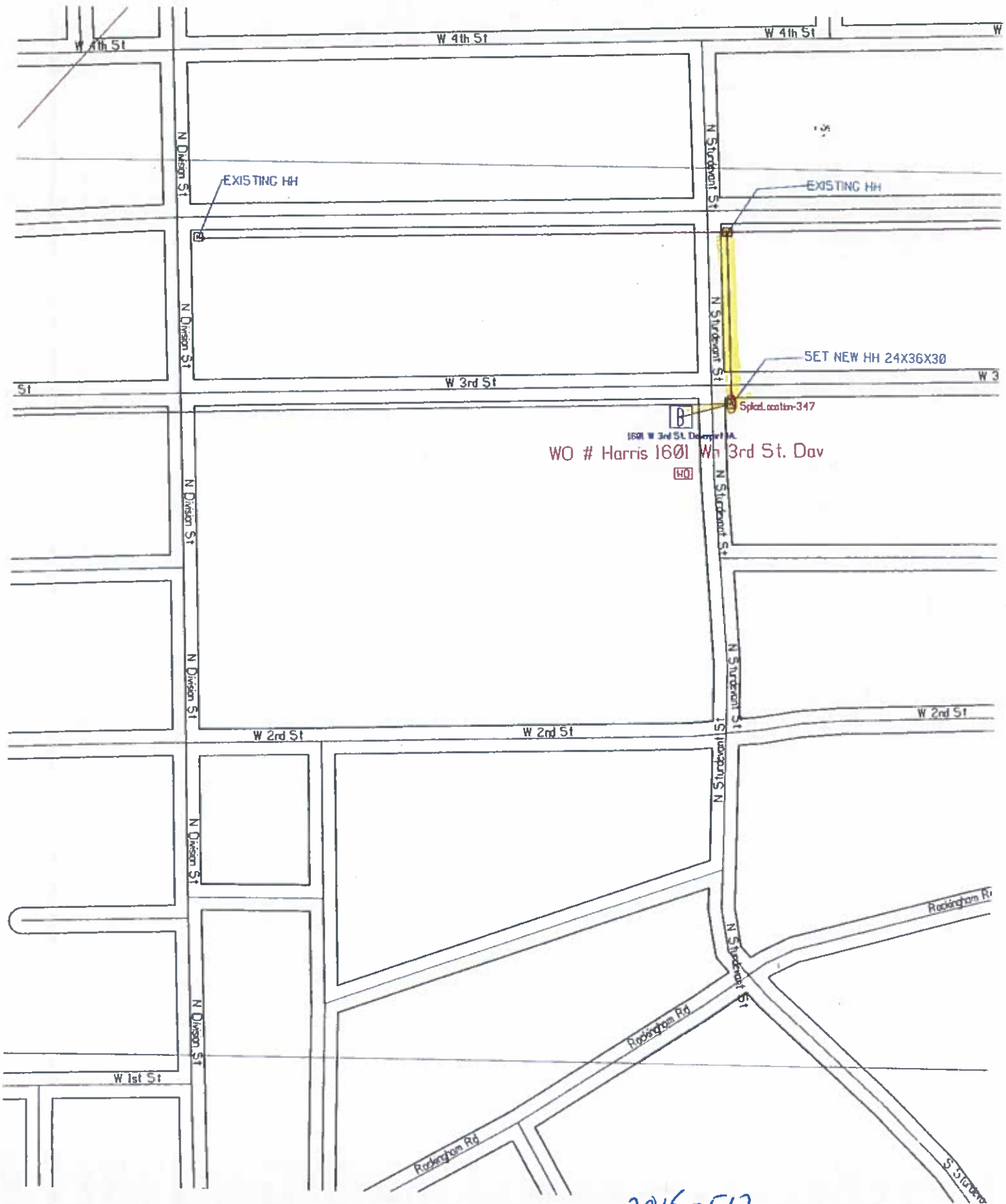
Title: _____

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, known to me to be the _____ of Geneseo Communications Services, Inc. and the person whose name is subscribed to the fore-going instrument and acknowledged that he/she is duly authorized to execute such agreements and to commit Geneseo Communications Services, Inc. to the obligations and duties contained therein and executed the fore-going instrument as his/her voluntary act and deed and as the voluntary act and deed of Geneseo Communications Services, Inc..

In witness whereof, I have hereunto set my hand and official seal.

Notary Public



2016-F12

City of Davenport

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

Action / Date
PW7/20/2016

Subject:

Motion accepting the Environmental Assessment for the Davenport Municipal Airport in the amount of \$89,280. Funding is from the Federal Administration AIP grant at 90%, \$80,352 and CIP #10271 at 10%, \$8,928. [Ward 8]

Recommendation:

Approve the Motion

Relationship to Goals:

Welcome Investment

Background:

The FAA mandated environmental assessment is the first part of a multi-phased project extending Runway 15/33 from 5,511 feet to 7,201 feet. The extension and rehabilitation of the runway allows for larger aircraft and promotes economic development.

The assessment was completed by McClure Engineering Company and meets FAA requirements. Funding is through the Federal Aviation Administration AIP grant at 90%, \$80,352.00, and CIP# 10271 at 10%, \$8,928.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	7/14/2016 - 9:26 AM
Public Works Committee	Lechvar, Gina	Approved	7/14/2016 - 9:26 AM
City Clerk	Admin, Default	Approved	7/14/2016 - 9:49 AM

City of Davenport

Agenda Group: Public Works
Department: Engineering
Contact Info: Eric Gravert (563) 327-5125
Wards: 1 & 4

Action / Date
PW7/20/2016

Subject:

Motion approving change order #8 to the Birchwood Area Parallel Sewer Project with Valley Construction in the amount of \$53,253 budgeted in CIP #01905. [Wards 1 & 4]

Recommendation:

Pass the motion.

Relationship to Goals:

Upgraded City Infrastructure

Background:

To increase sewer capacity to the Birchwood area a 15" parallel relief sewer is being constructed on Clark Street from Locust Street to West Central Park Avenue.

This change order approves additional materials, labor and equipment cost needed due to substandard conditions discovered during construction.

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$ 987,777.00
Previous Change Orders	\$132,061.89
<u>This Change Order</u>	<u>\$53,253.50</u>
Amended Contract Amount:	\$1,173,092.39

ATTACHMENTS:

Type	Description
▣ Backup Material	Change Order #8 Revised

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	7/14/2016 - 9:25 AM
Public Works Committee	Lechvar, Gina	Approved	7/14/2016 - 9:25 AM
City Clerk	Admin, Default	Approved	7/14/2016 - 9:48 AM



City of Davenport
Public Works Department

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

CERTIFICATIONS

CITY ENGINEER _____
(Work is Required)

CIP MANAGEMENT ANALYST _____
(Funds are Available)

CHIEF OF CONSTRUCTION _____
(Work is Constructible)

PUBLIC WORKS DIRECTOR _____
(Approval)

Mr. Don Kopf
Valley Construction
8610 78th Ave W
Rock Island, IL 61201

RE: Birchwood Area Parallel Sewer Project – Change Order #8 Revised
CIP #01905

Dear Mr. Kopf:

Description to Contractor

Valley Construction is providing construction services associated with the construction of a parallel sewer along N Clark Street from approximately W Locust Street to W Central Park Avenue.

CHANGE ORDER DESCRIPTION:

1. The change of work involves the material, labor and equipment costs associated with actual quantities on site to replace additional roadway including removal of PCC concrete installation of 7" PCC pavement. Work to be completed at the agreed price shown attached.
Cost: \$53,253.50 (NTE) Not To Exceed AMOUNT (Increase)
Working Days Adjustment: 0

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$ 987,777.00
Previous Change Orders	\$ 132,061.89
<u>This Change Order</u>	<u>\$ 53,253.50</u>
Amended Contract Amount:	\$1,173,092.39

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

Date: _____

Recommend/Approved: _____
Contractor

Date: _____

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

Date: _____

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

Date: _____

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

Date: _____

Required: Green Sheet Motion to Approve

Council Meeting Date: _____

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

Date: _____ N.A.

Required: Green Sheet Resolution to Approve

Council Meeting Date: _____ N.A.

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Brad Guy; (563) 326-7923
Wards: All

Action / Date
PW7/20/2016

Subject:

Motion to award a contract to seven contractors for the FY17 Sewer Lateral Repair Program in the amount of \$1,000,000. [All Wards]

Recommendation:

Approve the Motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

An Invitation to Bid was issued on June 16, 2016 and was sent to 244 contractors. On February 6, 2016, the Purchasing Division received and opened seven (7) bids.

The award of the contract will be as follows up to the amount shown:

Hagerty Earthworks LLC	\$100,000
Hometown Plumbing & Heating Co Inc	\$200,000
Legacy Corporation of IL	\$100,000
Needham Excavating	\$100,000
Petersen Plumbing & Heating	\$300,000
River Bend Plumbing	\$100,000
Tappendorf Plumbing	\$100,000

The proposed improvements consist of removing concrete or asphalt pavements, including roadways, driveways or sidewalks, excavation, repair and/or removal and replacement of sanitary sewer laterals of various materials and repairing or replacing of sanitary wyes of various materials as necessary, backfilling excavations with compacted crushed rock or soil, replacing pavements, seeding disturbed areas, and other work related in multiple locations throughout the City of Davenport.

Funding for these contracts come from CIP #30022, with an available balance of \$1,000,000. The funds are available from bonds abated by sewer fees.

ATTACHMENTS:

Type	Description
□ Cover Memo	Bid Tab - Sewer Lateral Repair Program FY17

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	7/14/2016 - 10:10 AM
Public Works Committee	Lechvar, Gina	Approved	7/14/2016 - 10:11 AM
City Clerk	Admin, Default	Approved	7/14/2016 - 10:17 AM

CITY OF DAVENPORT, IOWA
INVITATION TO BID RESPONDENTS

DESCRIPTION: SEWER LATERAL REPAIR PROGRAM
BID NUMBER: 16-102
OPENING DATE: JUNE 29, 2016
RECOMMENDATION: AWARD THE CONTRACT TO ALL RESPONDING CONTRACTORS

<u>VENDOR NAME</u>	<u>CONTRACT AWARD AMOUNT</u>
Hagerty Earthworks of Muscatine	\$100,000
Hometown Plumbing and Heating of Davenport	\$200,000
Legacy Corporation of IL of East Moline IL	\$100,000
Needham Excavating Inc of Walcott IA	\$100,000
Petersen Plumbing and Heating of Davenport	\$300,000
River Bend Plumbing of Bettendorf IA	\$100,000
Tappendorf Plumbing of Davenport	\$100,000

Prepared By Kristi Keller
Purchasing

Approved By Nicole Wleasch
Department Director

Approved By Beardi Coy
Budget/CIP

Approved By BW
Finance Director

City of Davenport

Agenda Group: Public Works
Department: Public Works - Engineering
Contact Info: Nick Schmuecker; (563) 326-7923
Wards: 8

Action / Date
PW7/20/2016

Subject:

Motion to award the contract for the construction of the Eastern Avenue Portland Cement Concrete Trail to Valley Construction Company of Rock Island, IL in the amount of \$147,507.50. [Ward 8]

Recommendation:

Award the contract.

Relationship to Goals:

Financially responsible City government.

Background:

A Request for Bid was issued on June 13, 2016 and was sent to 262 contractors. On July 7, 2016 the Purchasing Division received and opened seven responsive and responsible bids. The lowest bid was received from Valley Construction Company and they are recommended for the award.

A Public Hearing was held on May 18, 2016 and was passed at a subsequent meeting.

The project consists of a Portland Cement Concrete pedestrian and bike trail from Veterans Memorial Parkway to East 61st Court.

Funding for the project is from CIP # 28002 with an available amount of \$164,987. The source of funds is from the sale of Bonds.

ATTACHMENTS:

Type	Description
▣ Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Admin, Default	Approved	7/14/2016 - 12:46 PM
Public Works Committee	Lechvar, Gina	Approved	7/14/2016 - 2:55 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 3:05 PM

CITY OF DAVENPORT, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: EASTERN AVENUE PCC TRAIL
BID NUMBER: 16-106
OPENING DATE: JULY 7, 2016
RECOMMENDATION: AWARD THE CONTRACT TO VALLEY CONSTRUCTION
COMPANY OF ROCK ISLAND, IL

<u>VENDOR NAME</u>	<u>LOCATION</u>	<u>AMOUNT</u>
VALLEY CONSTRUCTION CO	ROCK ISLAND, IL	\$147,504.50
HAWKEYE PAVING COPORATION	BETTENDORF, IA	\$171,770.00
NJ MILLER, INC.	BETTENDORF, IA	\$172,759.00
MCCARTHY IMPROVEMENT CO	DAVENPORT, IA	\$181,224.00
EMERY CONSTRUCTION GROUP INC	MOLINE, IL	\$182,335.00
LANGMAN CONSTRUCTION INC	ROCK ISLAND, IL	\$185,335.00
LITTLE H CONSTRUCTION	DAVENPORT, IA	\$202,830.00

Prepared By Cindy Whitaker
Purchasing

Approved By Nicole Gleason
Department Director

Approved By Branti Coy
Budget/CIP

Approved By BW
Finance Director

City of Davenport

Agenda Group: Finance
Department: Finance
Contact Info: Brandon Wright 326-7750
Wards: 7th Ward

Action / Date
FIN7/20/2016

Subject:

Resolution fixing a date for the hearing on proposed health care facility revenue bonds, not to exceed \$2,800,000, Series 2016 for the Lutheran Home for the Aged Association - East project. [Ward 7]

Recommendation:

Approve the resolution

Relationship to Goals:

Welcoming investment

Background:

This resolution sets a public hearing date for the conduit revenue bonds to be issued on behalf of the Lutheran Home for the Aged Association - East project at 1130 W. 53rd Street in Davenport. The public hearing date is August 17, 2016 at 5:30 pm in the Council Chambers of City Hall. The City has no financial commitment or obligations related to the issuance of these bonds.

The Lutheran Home for the Aged Association - East is proposing to construct and equip units established as private rooms for the care of persons with chronic confusion or a dementing illness with a building consisting of a twenty-six (26) room addition north of the existing Dementia wing with two thirteen unit wings. Each wing will provide single rooms, a common lounge, dining room, and bathing spa. A new hallway will also be constructed leading from the new building to the existing building at 1130 W. 53rd Street in Davenport with a drive-through canopy (portacochere). The total square footage is expected to be 13,000 square feet.

The Lutheran Home for the Aged Association - East is an Iowa not-for-profit corporation and proposes to issue health care facility revenue bonds, which are exempt from Federal income tax, by utilizing the City of Davenport as its conduit through which the bonds may be legally issued. Approval of the resolution in no way obligates the City to payments in the event of default or would be considered a default by the City of Davenport. The agreement essentially permits the not-for-profit organization to access and obtain Federal tax exempt bonds by utilizing the City's authority to bond for their project.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution
□ Backup Material	Resolution Cover Letter

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	7/14/2016 - 9:51 AM
Finance Committee	Watson-Arnould, Kathe	Approved	7/14/2016 - 9:59 AM
City Clerk	Admin, Default	Approved	7/14/2016 - 10:00 AM

RESOLUTION NO. _____

A RESOLUTION FIXING A DATE FOR HEARING ON PROPOSED
HEALTH CARE FACILITY REVENUE BONDS, NOT TO EXCEED \$2,800,000.00
SERIES 2016
(LUTHERAN HOME PROJECT)

* * * * *

WHEREAS, the City Council of Davenport, Iowa, a political subdivision of the State of Iowa, (the “City”) is authorized by Chapter 419 of the Code of Iowa, 2016, as amended (hereinafter sometimes referred to as the “Act”), to issue revenue bonds and loan the proceeds to one or more contracting parties to be used to pay the cost of land, buildings, equipment and improvements suitable for the use of financing the cost of the construction or acquisition of improvements suitable for the use as a Health Care Facility, i.e., to construct a health care facility as defined by Chapter 231C of the Code of Iowa and 135C, 2016 for an organization described in Section 501(c)(3) of the Internal Revenue Code which is exempt from Federal income tax under Section 501(a) of the Internal Revenue Code located at 1130 West 53rd Street, Davenport, Iowa; and

WHEREAS, The Lutheran Home for the Aged Association-East, Inc.(the “Corporation”), an Iowa Non-Profit Corporation, and exempt from taxation under Section 501(c)(3) of the Internal Revenue Code has requested the City to issue the Series 2016 Bonds (as defined herein) for the purpose of financing of the cost of the construction or acquisition of improvements of a health care facility located at 1130 West 53rd Street, Davenport, Iowa, (hereinafter sometimes referred to as the “Project”); and

WHEREAS, the Series 2016 Bonds, if issued, shall be limited obligations of the City, shall never constitute an indebtedness of the City and shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers, and the

principal of, interest and premium, if any, on the Series 2016 Bonds shall be payable solely out of the revenues derived from the loan agreement, mortgage, security agreement or other revenues of the Project; and

WHEREAS, the aggregate cost of the Project has been estimated not to exceed \$2,800,000.00 and it is proposed to pay the cost of the Project, to that amount, through the issuance of the Health Care Facility Revenue Bonds, Series 2016, (Lutheran Home Project) (the “Series 2016 Bonds”) but it is first necessary to conduct a public hearing on the proposal to issue the Series 2016 Bonds, as required and provided by Section 419.9 of the Act;

NOW, THEREFORE, be it Resolved by the City Council of Davenport, Iowa, as follows:

Section 1. That this City Council will meet at its Council Chambers in City Hall in Davenport, Iowa, on the 17th day of August, 2016, at 5:30 o’clock P.M. at which time and place a public hearing shall be held on the proposal to issue the Series 2016 Bonds in an amount currently estimated not to exceed \$2,800,000.00 as referred to in the preamble hereof, and at which hearing all local residents who appear shall be given an opportunity to express their views for or against the proposal to issue the Series 2016 Bonds.

Section 2. The Deputy City Clerk or her designee is hereby directed to give notice of intention to issue the Series 2016 Bonds by publication at least once not less than fifteen (15) days prior to the date fixed for the hearing in Quad City Times, a legal newspaper published and having a general circulation within said City, in substantially the following form:

NOTICE OF INTENTION TO ISSUE
HEALTH CARE FACILITY REVENUE BONDS
NOT TO EXCEED \$2,800,000.00

The City Council of Davenport, Iowa, will meet on the 17th day of August, 2016, as a Committee-of-the-Whole at the Council Chambers in Davenport, Iowa, at 5:30 o’clock P.M. for

the purpose of conducting a public hearing on the proposal to issue Health Care Facility Revenue Bonds, Series 2016, (Lutheran Home Project) of said City in principal amount not exceeding \$2,800,000.00 for the purpose of loaning the proceeds thereof to The Lutheran Home for the Aged Association - East, Inc. to finance the cost of the construction or acquisition of improvements and fixtures for use as a health care facility as defined in Chapter 231C of the Code of Iowa, 2016, for an organization described in Section 501(c)(3) of the Internal Revenue Code which is exempt from Federal income tax under Section 501(a) of the Internal Revenue Code and to construct and equip units established as private rooms for the care of persons with chronic confusion or a dementing illness, with a building consisting of a twenty-six (26) room addition north of the existing Dementia wing with two thirteen unit wings. Each wing will provide single rooms, a common lounge, dining room, and bathing spa. A new hallway leading from the new building to the existing building with a drive-through canopy (porta-cochere) with a total square footage of 13,000 square feet, (hereinafter referred to collectively as the "Project") of The Lutheran Home for the Aged Association-East, Inc., (the "Corporation"), an Iowa not-for profit Corporation, located at 1130 W. 53rd Street, in the City of Davenport, Iowa. These estimates include, in each instance, expenses of issue related to the bonds. These bonds, when issued, will be limited obligations and will not constitute general obligations of said City nor will they be payable in any manner by taxation, but said bonds will be payable solely and only out of the revenues to be derived by said City from a Loan Agreement, Mortgage and Security Agreement between said City and said Corporation. All of the proceeds from such bond shall be expended for the Project. At the time and place fixed for said public hearing, all local residents who appear will be given an opportunity to express their views for or against the proposal to issue said bonds.

By Order of the City Council of Davenport, Iowa.

Section 3. That the City hereby recognizes that actions taken and to be taken by the Corporation in connection with the Project have been and will be taken in reliance upon the willingness of the City to issue the Series 2016 Bonds; however, this resolution does not constitute final approval to issue the Series 2016 Bonds.

Section 4. That all resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this resolution shall be effective forthwith upon its passage and approval.

Passed and approved July 27, 2016.

CITY OF DAVENPORT, IOWA

By: _____
Frank Klipsch, Mayor

Attest:

Jackie Holecek, Deputy City Clerk

[illegible]

I, Jackie Holecek, being first duly sworn, do hereby depose and certify that I am the duly appointed, qualified and acting Deputy City Clerk of Davenport, Iowa; that as such I have in my possession or have access to the official records of said City and of its officials and that I have compared the transcript hereto attached with said official records; and that the same constitutes a true, correct and complete copy of such official records showing the action taken by the Davenport City Council on July 27, 2016, to Fix a Date for a Public Hearing on the Proposal to Issue Not to Exceed \$2,800,000.00 Health Care Facility Revenue Bonds, Series 2016, (Lutheran Home Project) of said City.

WITNESS my official signature and the seal of said City of Davenport, Iowa, this _____
day of July, 2016.

CITY OF DAVENPORT, IOWA

Jackie Holecek, Deputy City Clerk

(

Davenport, Iowa
July 27, 2016

The City Council of Davenport, Iowa, met in regular session at ____ o'clock P.M. at their regular meeting place in said City. The meeting was called to order and there were present Frank Klipsch, Mayor, and the following named members of the City Council:

Absent: _____

Alderman _____ introduced and caused to be read Resolution No. _____ entitled, "A Resolution Fixing the Date of Public Hearing For Health Care Facility Revenue Bonds Not To Exceed \$2,800,000.00 Series 2016 ("Lutheran Home Project"), and moved its adoption; seconded by _____. After due consideration of said Resolution by the City Council, the Mayor put the question on the Motion and upon the roll being called the following named Alderman voted:

Aye: _____

Nay: _____

Whereupon, the Mayor declared said Resolution duly adopted and signed his approval thereto.

Upon Motion and vote, the meeting adjourned.

Davenport, Iowa

Frank Klipsch, Mayor

Attest:

Jackie Holecek, Deputy City Clerk

City of Davenport

Agenda Group: Finance
Department: Public Works
Contact Info: Nicole Gleason 327-5150
Wards: All

Action / Date
FIN7/20/2016

Subject:

Motion awarding the purchase of 4,500 tons of supplemental ice control road salt for the 2016-2017 winter season, for a multiple jurisdiction bid with Davenport as the agent, in the amount of \$61.70 per ton to Compass Minerals America Inc. of Overland Park, KS. [All Wards]

Recommendation:

Approve the Motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

The City of Davenport coordinated this multiple jurisdiction purchase of supplemental road salt with the City of Moline, IL.

An Invitation to Bid was issued and sent to 35 vendors on June 22, 2016. On July 6, 2016 the Purchasing Division opened three bids for supplemental road salt orders. A bid tab is attached.

The vendor has been guaranteed that an order will be placed no later than January 31, 2017. The City of Davenport's share is an additional 3,000 tons at \$61.70 per ton delivered via semi for an additional cost of \$185,100.

Funding for this purchase is from the FY17 Operating Budget account 54702031 520201 SALT. Source of funding is the Road Use Tax Fund.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Bid Tab - Supplemental Road Salt 2016-2017

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	7/14/2016 - 9:54 AM
Finance Committee	Watson-Arnould, Kathe	Approved	7/14/2016 - 9:54 AM
City Clerk	Admin, Default	Approved	7/14/2016 - 10:00 AM

CITY OF DAVENPORT, IOWA
TABULATION OF BIDS

DESCRIPTION: SUPPLEMENTAL ROAD SALT 2016-2017 SEASON

BID NUMBER: 16-109

OPENING DATE: JULY 6, 2016

RECOMMENDATION: AWARD THE SUPPLEMENTAL BID TO COMPASS
MINERALS AMERICA INC. OF OVERLAND PARK, KANSAS

<u>VENDOR NAME</u>	<u>SUPPLEMENTAL SALT PER TON</u>
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Compass Minerals America Inc of Overland Park, KS	\$61.70/TON
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Morton Salt Inc. of Chicago, IL	\$67.05/TON
Cargill Inc. of North Olmsted, OH	\$79.81/TON

Approved By Kristi Keller
Purchasing

Approved By Nicole Cleason
Department Director

Approved By Mallory Merritt
Budget/CIP

Approved By BW
Finance Director

City of Davenport

Agenda Group: Finance
Department: Finance/Purchasing
Contact Info: Kristi Keller 888-2077
Wards: All

Action / Date
FIN7/20/2016

Subject:

1. Mills Chevrolet - 2016 Chevy Tahoe for Police evidence vehicle - Amount: \$37,991
2. Mills Chevrolet - 4-door sedan for Police - Amount: 27,670
3. Socrata - Community dashboard - Amount: \$22,000
4. Iowa Investment, Inc. - Sealcoat & stripe Florian Keen Parking Lot - Amount: \$17,755
5. Swensen Construction, Inc. - Repair & install Marquette boat docks - Amount: \$17,715
6. Scott County Fence - North Marquette Dog Park fence - Amount: \$16,500
7. Johnson Contracting Co. - Repair HVAC in RC atrium - Amount: \$16,300

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	7/14/2016 - 12:04 PM
Finance Committee	Watson-Arnould, Kathe	Approved	7/14/2016 - 12:04 PM
City Clerk	Admin, Default	Approved	7/14/2016 - 12:50 PM