

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, June 17, 2015; 5:30 PM

Council Chambers, City Hall

REVISED June 16, 2015

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing for the Ordinance for Case No. REZ15-09 being the petition of Mike Fennelly for the rezoning of 17.01 acres, more or less, of real property located at 1335 North Utah Avenue from "A-1" Agricultural District to "R-1" Low Density. The purpose of the rezoning is to allow the property to be subdivided to accommodate home sites. [Ward 1]
2. Public Hearing on the proposed conveyance of vacated public right-of-way known as the East-West alley between Main and Brady Streets of Block 43 of LeClaire's 1st Addition to the City of Davenport. City Square, L.L.C., Petitioner. [Ward 3]

B. Public Works

1. Public Hearing regarding the Fuel Facility Modernization at the Davenport Municipal Airport, CIP project 10102. [Ward 8]

C. Finance

1. Public Hearing on the proposed conveyance of vacated public right-of-way known as a cul-de-sac terminus of Sheridan Street North of West 55th Street. KGRD Green Bay, L.L.C., Petitioner. [Ward 8]

VII. Presentations

A. Davenport Community School District (Dr. Tate)
August 15th Graduation Destination

B. Appointment
Affirmative Action Commission
Robert Zelsdorf

VIII. Petitions and Communications from Council Members and the Mayor

IX. Action items for Discussion

COMMUNITY DEVELOPMENT

Bill Boom, Chairman; Jason Gordon, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. First Consideration: Ordinance for Case No. REZ15-09 being the petition of Mike Fennelly for the rezoning of 17.01 acres, more or less, of real property located at 1335 North Utah Avenue from "A-1" Agricultural District to "R-1" Low Density. The purpose of the rezoning is to allow the property to be subdivided to accommodate home sites. [1st Ward]
2. Second Consideration: Ordinance for Case No. ROW15-04: Petition of Y&J Properties, LLC for the proposed vacation of Swits Street between Federal Street and Tremont Avenue. [Ward 3]
3. Resolution approving Urban Revitalization Tax Exemption projects. [Ward 3, 7]
4. Resolution approving a change in wording from commercial residential to multiresidential for the Urban Revitalization Tax Exemption program. [All Wards]
5. Resolution supporting a Workforce Housing Tax Credit application to the State for 1605 Harrison St. [Ward 5]
6. Resolution supporting a Workforce Housing Tax Credit application to the State for 1034 E River Dr, known as the Continental Lofts project. [Ward 3]
7. Resolution supporting a Workforce Housing Tax Credit application to the State for 2104 W 6th St, known as the Naval Station Development. [Ward 3]
8. Resolution supporting a Workforce Housing Tax Credit application to the State for the rehabilitation project located at 301 E 3rd St. [Ward 3]
9. Resolution supporting a Workforce Housing Tax Credit application to the State for the project located at 3901 & 3915 Marquette St. [Ward 7]
10. Resolution Authorizing the conveyance of vacated public right of way known as the East-West Alley between Main and Brady Streets of Block 43 of LeClaire's 1st Addition to the City of Davenport, Iowa. City Square, L.L.C., Petitioner.
11. Motion approving the petition of David Howard for a roof mounted digital sign located at 1902 Brady Street. Case No. DRB15-23. (Approval of the motion overturns the decision of the Design Review Board to deny the petition.) [Ward 5]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Mike Matson, Chairman; Kerri Tompkins, 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).
2. Motion approving noise variance request(s) for various events on the listed dates at the listed times.

Rudy's Tacos, 3944 Elmore Ave, Riding with Rudy Fun Run, Saturday, July 11, 10 AM to 10 PM, Over 50 dBA. [Ward 6]

Harvest Bible Chapel, 3800 E 53rd Street, Community Outreach, Friday, July 17, 2015, 5 PM to 10:30 PM, Over 50 dBA. [Ward 6]

The Office, 116 W 3rd Street, Bix, Saturday, July 25th 10 AM to Sunday, July 26th 2 AM and Sunday, July 26th 10 AM to Monday, July 27th, 2015, 2 AM, Over 50 dBA. [Ward 3]

Mac's Tavern, 316 W 3rd Street, Bix, Friday, July 24th from 5 PM to 1 AM and Saturday, July 25th from 8 AM to Sunday, July 26th at 1 AM, Over 50 dBA. [Ward 3]

Barrel House, 211 E 2nd Street, Bix, Saturday, July 25, 11 AM to Sunday, July 26 1 AM, Over 50 dBA. [Ward 3]

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

Ward 1

BBQ & Craft Brew (Indoor-Outdoor Productions LLC) - 2200 West River Dr (Credit Island) - Outdoor Area June 25, 2015 - License Type: B Beer

Ward 3

Fresh Deli by Nostalgia Farms (Nostalgia Farms Market Inc) - 421 West River Dr - Outdoor Area - License Type: C Liquor

Me & Billy (Collin Maus LLC) - 200 West 3rd St - Outdoor Area June 27, 2015 - License Type: C Liquor

The Starting Line (TJM QC LLC) - 217 Brady St - License Type: C Liquor

Ward 4

Spartans Pub (Spartans Pub LLC) - 2025 Hickory Grove Rd - License Type: C Liquor

Ward 6

Barrel House Three LLC (Barrel House Three LLC) - 5141 Utica Ridge Rd - Outdoor Area - License Type: C Liquor

Hy-Vee Market Cafe' (Hy-Vee Inc) - 4064 East 53rd St - adding Outdoor Area only - License Type: c Liquor

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

Ward 1

St. Alphonsus Church Holy Name Society (St. Alphonsus Church of Davenport Inc) - 2618 Boies Ave - Outdoor Area - License type: B Beer / B Native Wine

Ward 2

Casey's General Store No. 2077 (Casey's Marketing Company) - 3700 West Locust St - License Type: C Beer

Ward 3

H. M. Mart (H. M. Mart Inc) - 1632 Rockingham Rd - License Type: C Beer

Ward 5

Ubriacos (Born Entertainment LLC) - 1029 Mound St - License Type: C Liquor

Ward 6

Kimberly Mart (Pak Foods Inc) - 1714 East Kimberly Rd - License Type: E Liquor / C Beer / B Wine

Osaka Steakhouse (Osaka Steakhouse Inc) - 4901 Utica Ridge Rd - Outdoor Area - License Type: C Liquor / B Wine

Ward 7

Hi Ho Mongolian Grill (Hi Ho Mongolian Grill Inc) - 901 East Kimberly Rd Suite 15 - License Type: C Liquor

Rookies Sports Bar (Rookies Inc) - 2818 Brady St - License Type: C 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 plans, specifications, form of contract and estimated cost for the Fuel Facility Modernization at the Davenport Municipal Airport, CIP Project #10102. [Ward 8]
2. Motion approving a contract for the FY16 Sidewalk Program to Kelly Construction of Davenport, Inc in the amount not-to-exceed \$150,000. [All Wards]
3. Motion awarding the contract for the FY2016 Manhole Boxout Repair Program to Hagerty Earthworks, LLC of Muscatine, IA in the amount not-to-exceed \$120,000. [All Wards]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

Jeff Justin, Chairman; Bill Edmond, Vice Chairman

VII. FINANCE

1. First Consideration: An ordinance amending Chapter 6.04 entitled "Animals" of the Davenport Municipal Code by amending Section 6.04.140(D)(1). [All Wards]
2. Resolution authorizing the conveyance of vacated public right-of-way known as a cul-de-sac terminus of Sheridan Street North of West 55th Street. KGRD Green Bay, LLC, Petitioner.
3. Motion approving a contract with the Humane Society of Scott County for animal control services. [All Wards]
4. Motion authorizing staff to pursue an open access broadband business model and to move into a due diligence phase with SiFi Networks as a first step toward negotiations leading to a potential future long-term contract for a city-wide fiber network. [All Wards]
5. Motion authorizing staff to negotiate a contract for professional services consulting to prepare pump station assessments with Strand Associates, Inc. of Madison, WI in the amount not-to-exceed \$300,000. [All Wards]

VIII. Motion recommending discussion or consent for Finance items

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

1. Kimberly Chrysler Plymouth, Inc. - 3/4 ton pickup - Amount: \$27,797
2. Lester Monkus/QC Honeydo - Sidewalk and curb/gutter repairs @ Annie Wittenmyer - Amount: \$23,823
3. Kelly Construction - ADA ramps @ Annie Wittenmyer - Amount: \$18,482
4. The Advance Metalworking Co. - Lo-Riser Trailer - Amount: \$17,839
5. Little H Construction - Retaining wall-Westlake - Amount: \$16,923
6. Silkroad Technology, Inc. - Performance appraisal software - Amount: \$10,725
7. InfoUSA Marketing - Online database/Library - Amount: \$10,503

XI. Other Ordinances, Resolutions and Motions

1. Motion to suspend the rules to add and vote on the following items:
2. Motion directing the City Administrator to revise RFP #15-149 to include landward improvements.
3. Resolution supporting state grant for River Action's Pedestrian Bridge proposal.

XII. Public with Business

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

Agenda Group: Committee of the Whole
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 1st

Action / Date
COW6/17/2015

Subject:

Public Hearing for the Ordinance for Case No. REZ15-09 being the petition of Mike Fennelly for the rezoning of 17.01 acres, more or less, of real property located at 1335 North Utah Avenue from "A-1" Agricultural District to "R-1" Low Density. The purpose of the rezoning is to allow the property to be subdivided to accommodate home sites. [Ward 1]

Recommendation:

Plan and Zoning Commission Findings:

1. The proposed rezoning would achieve consistency with the subject property's *Davenport 2025 Residential General Proposed Land Use Designation*; and
2. The concept plan with the rezoning application (REZ15-09) suffices as the required preliminary plat considering the proposed development would be a small, large lot subdivision and as long as the conditions associated with this rezoning would be incorporated into the Final Plat.

Plan and Zoning Commission Recommendation:

The Commission accepted the findings and forwards Case No. REZ15-09 to the City Council with a recommendation for approval subject to the following conditions:

1. That a sanitary sewer easement be provided along the drainage way in the south west corner of proposed lot 4. This drainage way is the planned route for sanitary sewer to serve the area;
2. That due to the hilly terrain there will be considerable changes in grade to Utah Avenue when paved. Although the timing and changes are not known at this time as much as possible the paving of Utah should be considered when improvements are made within the subdivision; and
3. That additional right of way 12 feet in width be dedicated to the City of Davenport adjacent to North Utah Avenue.

The Commission vote was 8-yes and 0-no with 0-abstention.

THE PROTEST RATE IS 0.0%.

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner is requesting to rezone the 17.01 acre property in order to subdivide the property into four (4) large lots.

For further information please refer to the background materials.

ATTACHMENTS:

Type	Description
☐ Backup Material	Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Flynn, Matt	Approved	6/9/2015 - 10:48 AM

TO BE PUBLISHED IN THE JUNE 10, 2015 ADDITION OF THE QUAD CITY TIMES, HAVING THE NOTICE BILLED TO PO No. 1518360 AND RECEIVING THE PROOF OF PUBLICATION PRIOR TO THE PUBLIC HEARING

TO WHOM IT MAY CONCERN:

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

Case No. REZ15-09 being the petition of Mike Fennelly for the rezoning of 17.01 acres, more or less, of real property located at 1335 North Utah Avenue from "A-1" Agricultural District to "R-1" Low Density. The purpose of the rezoning is to allow the property to be subdivided to accommodate home sites.

The property has the following legal description:

Part of the Northwest Quarter of Section 30, Township 78 North, Range 03 East of the 5th P.M. being more particularly described as follows:

Commencing in the West Quarter Corner of Section 30; thence east along the south line of the Northwest Quarter of said Section 30 a distance of 33.00 feet to the east line of North Utah Avenue as it currently exists, said point also being the point of beginning; thence north along said east line of North Utah Avenue 1,187.32 feet; thence North 88 degrees, 24 Minutes, 10 Seconds East 627.64 feet; thence South 01 Degrees, 12 Minutes, 47 Seconds East 1,186.73 feet, which is the south line of the Northwest Quarter of said Section 30; thence west along said south line of the Northwest Quarter of Section 30 627.76 feet to the point of beginning.

Said tract contains 17.01 acres, more or less.

At its regular meeting on June 2, 2015 the City Plan and Zoning Commission forwarded the case to the City Council for approval subject to the following conditions:

1. That a sanitary sewer easement be provided along the drainage way in the south west corner of proposed lot 4. This drainage way is the planned route for sanitary sewer to serve the area;
2. That due to the hilly terrain there will be considerable changes in grade to Utah Avenue when paved. Although the timing and changes are not known at this time as much as possible the paving of Utah should be considered when improvements are made within the subdivision; and
3. That additional right of way 12 feet in width be dedicated to the City of Davenport adjacent to North Utah Avenue.

A public hearing on this ordinance will be held before the Committee of the Whole in the Council Chambers, City Hall, Davenport, Iowa on Wednesday, June 17, 2015 at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances.

Department of Community Planning & Economic Development

Phone: (563) 326-7765

Email: planning@ci.davenport.ia.us

City of Davenport

Agenda Group: Community Development
Department: Legal
Contact Info: Brian Heyer - 326- 7735
Wards: 3

Action / Date
CD6/17/2015

Subject:

Public Hearing on the proposed conveyance of vacated public right-of-way known as the East-West alley between Main and Brady Streets of Block 43 of LeClaire's 1st Addition to the City of Davenport. City Square, L.L.C., Petitioner. [Ward 3]

Recommendation:

Hold the public hearing.

Relationship to Goals:

Background:

Back in March 2015 this right-of-way was vacated at City Square's request as part of its City Square project. They are now requesting to acquire the vacated alley.

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	6/11/2015 - 3:24 PM

City of Davenport

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

Action / Date
PW6/17/2015

Subject:
Public Hearing regarding the Fuel Facility Modernization at the Davenport Municipal Airport, CIP project 10102. [Ward 8]

Recommendation:
Hold the Hearing.

Relationship to Goals:
Upgraded City Infrastructure and Public Facilities.

Background:

The underground fuel system at the Davenport Municipal Airport was installed in the early 1950's. The system has deteriorated to a point that the Airport is spending an excessive amount of operating capital preventing fuel from leaking into the soil. Additionally, the insurance costs for an underground system can be eliminated by going to an above ground system. The new system will have self-serve and full-serve delivery cabinets, a self-serve credit card reader, 4 above-ground 10,000 gallon tanks, and a specially designed fuel containment system.

McClure Engineering Company is the current 5-year contract holder for FAA approved airport engineering and construction consultations.

Funds for this project have been budgeted in CIP project 10102. The estimated cost for this modernization project is \$650,000. The source of funding is through the Iowa Department of Transportation, Aviation Division grant for \$225,000 (35%) and the CIP project 10102 for \$425,000 (65%).

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	6/11/2015 - 1:44 PM
Public Works Committee	Lechvar, Gina	Approved	6/11/2015 - 3:23 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 4:43 PM

City of Davenport

Agenda Group: Finance
Department: Legal
Contact Info: Brian Heyer - 3267735
Wards: 8

Action / Date
COW6/17/2015

Subject:

Public Hearing on the proposed conveyance of vacated public right-of-way known as a cul-de-sac terminus of Sheridan Street North of West 55th Street. KGRD Green Bay, L.L.C., Petitioner. [Ward 8]

Recommendation:

Hold the public hearing.

Relationship to Goals:

Background:

This public right-of-way was recently vacated by the city at the request of KGRD Green Bay, L.L.C., so it could be acquired and included in the development of the Laffredo warehouse property adjacent to it. The vacation of the property was recommended subject to the reservation of a perpetual easement over the paved area of the cul-de-sac for public use and city service provision as well as for existing utilities.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	6/11/2015 - 3:26 PM

City of Davenport

Agenda Group: Committee of the Whole
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 1st

Action / Date
COW6/17/2015

Subject:

First Consideration: Ordinance for Case No. REZ15-09 being the petition of Mike Fennelly for the rezoning of 17.01 acres, more or less, of real property located at 1335 North Utah Avenue from "A-1" Agricultural District to "R-1" Low Density. The purpose of the rezoning is to allow the property to be subdivided to accommodate home sites. [1st Ward]

Recommendation:

Plan and Zoning Commission Findings:

1. The proposed rezoning would achieve consistency with the subject property's Davenport 2025 Residential General Proposed Land Use Designation; and
2. The concept plan with the rezoning application (REZ15-09) suffices as the required preliminary plat considering the proposed development would be a small, large lot subdivision and as long as the conditions associated with this rezoning would be incorporated into the Final Plat.

Plan and Zoning Commission Recommendation:

The Commission accepted the findings and forwards Case No. REZ15-09 to the City Council with a recommendation for approval subject to the following conditions:

1. That a sanitary sewer easement be provided along the drainage way in the south west corner of proposed lot 4. This drainage way is the planned route for sanitary sewer to serve the area;
2. That due to the hilly terrain there will be considerable changes in grade to Utah Avenue when paved. Although the timing and changes are not known at this time as much as possible the paving of Utah should be considered when improvements are made within the subdivision; and
3. That additional right of way 12 feet in width be dedicated to the City of Davenport adjacent to North Utah Avenue.

The Commission vote was 8-yes and 0-no with 0-abstention.

THE PROTEST RATE IS 0.0%.

Relationship to Goals:

Neighborhood Improvement.

Background:

The petitioner is requesting to rezone the 17.01 acre property in order to subdivide the property into four (4) large lots. For further information please refer to the background materials.

ATTACHMENTS:

Type	Description
☐ Ordinance	REZ15-09 Ordinance
☐ Backup Material	Plan and Zoning Commission Letter
☐ Backup Material	Plan and Zoning Commission Vote Results

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Flynn, Matt	Approved	6/9/2015 - 10:47 AM

ORDINANCE NO.

ORDINANCE for Case No. REZ15-09 being the petition of Mike Fennelly for the rezoning of 17.01 acres, more or less, of real property located at 1335 North Utah Avenue from "A-1" Agricultural District to "R-1" Low Density. The purpose of the rezoning is to allow the property to be subdivided to accommodate home sites. [1st 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 has the following legal description:

Part of the Northwest Quarter of Section 30, Township 78 North, Range 03 East of the 5th P.M. being more particularly described as follows:

Commencing in the West Quarter Corner of Section 30; thence east along the south line of the Northwest Quarter of said Section 30 a distance of 33.00 feet to the east line of North Utah Avenue as it currently exists, said point also being the point of beginning; thence north along said east line of North Utah Avenue 1,187.32 feet; thence North 88 degrees, 24 Minutes, 10 Seconds East 627.64 feet; thence South 01 Degrees, 12 Minutes, 47 Seconds East 1,186.73 feet, which is the south line of the Northwest Quarter of said Section 30; thence west along said south line of the Northwest Quarter of Section 30 627.76 feet to the point of beginning.

Said tract contains 17.01 acres, more or less.

At its regular meeting on June 2, 2015 the City Plan and Zoning Commission forwarded the case to the City Council for approval subject to the following conditions:

1. That a sanitary sewer easement be provided along the drainage way in the south west corner of proposed lot 4. This drainage way is the planned route for sanitary sewer to serve the area;
2. That due to the hilly terrain there will be considerable changes in grade to Utah Avenue when paved. Although the timing and changes are not known at this time as much as possible the paving of Utah should be considered when improvements are made within the subdivision; and
3. That additional right of way 12 feet in width be dedicated to the City of Davenport adjacent to North Utah Avenue.

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 _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

June 3, 2015

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

At its regular meeting of June 2, 2015, the City Plan and Zoning Commission considered Case No. REZ15-08 being the petition of Mike Fennelly for the rezoning of 17.01 acres, more or less, of real property located at 1335 North Utah Avenue from "A-1" Agricultural District to "R-1" Low Density. The purpose of the rezoning is to allow the property to be subdivided to accommodate home sites.

Plan and Zoning Commission findings:

1. The proposed rezoning would achieve consistency with the subject property's *Davenport 2025* Residential General Proposed Land Use Designation; and
2. The concept plan with the rezoning application (REZ15-09) suffices as the required preliminary plat considering the proposed development would be a small, large lot subdivision and as long as the conditions associated with this rezoning would be incorporated into the Final Plat.

Plan and Zoning Commission recommendation:

The City Plan and Zoning Commission accepted the listed finding and forwards Case F15-04 to the City Council with a recommendation for approval subject to the following conditions:

1. That a sanitary sewer easement be provided along the drainage way in the south west corner of proposed lot 4. This drainage way is the planned route for sanitary sewer to serve the area;
2. That due to the hilly terrain there will be considerable changes in grade to Utah Avenue when paved. Although the timing and changes are not known at this time as much as possible the paving of Utah should be considered when improvements are made within the subdivision; and
3. That additional right of way 12 feet in width be dedicated to the City of Davenport adjacent to North Utah Avenue.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		TABLED	APPROVED	APPROVED					
Name:	Roll Call	REZ15-08 Dolans 53rd St LLC	REZ15-09 Fennelly A-1 to R-1	F15-11 Fennelly's North Utah Addition					
Connell	EX								
D'Autremont	P	Y	Y	Y					
Elgatian	P	Y	Y	Y					
Hepner	P	Y	Y	Y					
Inghram	EX								
Kelling	P	Y	Y	Y					
Lammers	P	Y	Y	Y					
Maness	P	Y	Y	Y					
Martin	P								
Martinez	P	Y	Y	Y					
Tallman	P	N	Y	Y					
		7-YES 1-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN					



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

PLAN AND ZONING COMMISSION

Meeting Date: June 2, 2015
Request: Rezoning from "A-1" Agricultural District to "R-1" Low Density Dwelling District
Location: 1335 North Utah Avenue
Case No.: REZ15-09
Applicant: Mike Fennelly

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listing finding and forward Case No. REZ15-09 to the City Council with a recommendation for approval subject to the conditions listed in this report.

Introduction:

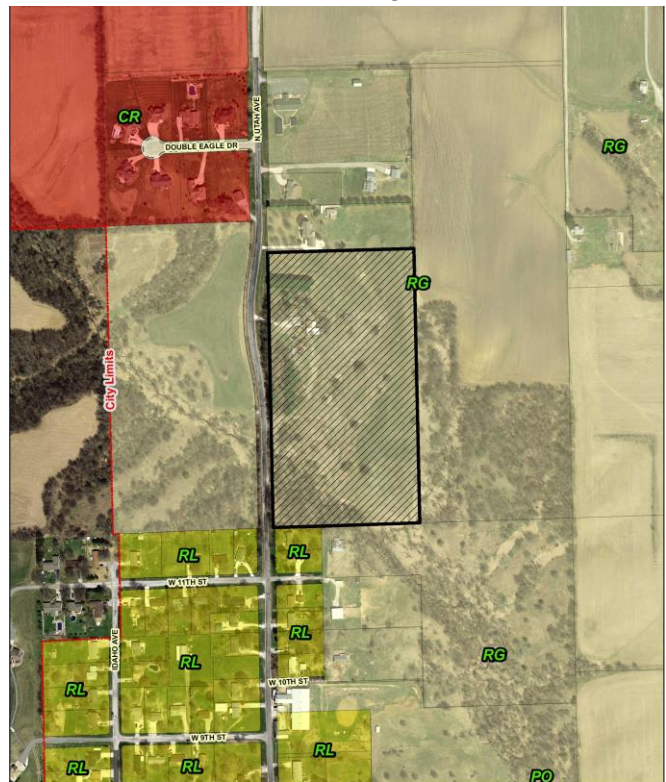
The petitioner is requesting the rezoning of 17.01 acres of property located at 1335 North Utah Avenue from "A-1" Agricultural District to "R-1" Low Density. The purpose of the rezoning is to allow the property to be subdivided to accommodate home sites.

AREA CHARACTERISTICS:

Zoning Map



Land Use Map



Background:**Comprehensive Plan:**

Within Existing Urban Service Area: No

Within Urban Service Area 2025: Yes

Proposed Land Use Designation: Residential General. Designates mixed-use 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.

Relevant Goals to be considered in this Case: Neighborhood Improvements

The proposed use would comply with the Davenport 2025 proposed land use section.

Zoning:

The subject property and properties to north, east and west (across North Utah Avenue) are zoned "A-1" Agricultural District. The property to the south is zoned "R-1" Low Density Dwelling District.

Technical Review:**Streets**

The property is located on the east side of North Utah Avenue, which is a 66 foot right of way. *Davenport 2025* indicates that North Utah Avenue is a proposed major right of way acquisition. Staff questions the need for major right of way acquisition along North Utah Avenue considering the area's growth rate over the past several years. At a minimum, the right-of-way adjacent to the subject should eventually contain 80 feet to match the right of way width of the adjacent right of way to the south.

Storm Water

The subject property drains toward the south. The Natural Resources Division has indicated that since the development is over five acres, detention of the 100 year storm event and infiltration of the 1.25" rain event on site would be required.

Sanitary Sewer.

There is no sanitary sewer within the North Utah Avenue right of way. Public works has indicated that the southern portion of the drainage way in proposed Lot 4 is a planned route for sanitary sewer to serve the area.

Other Utilities.

Iowa American Water has a 12 inch water main within the North Utah Avenue right-of-way.

Emergency Services.

The subject property is located approximately 3.12 miles from the nearest fire station (Fire Station No. 5).

Parks/Open Space.

The proposed plat does not impact any existing parks or public open spaces.

Public Input:

Notices were sent to property owners to property owners within 200 feet of the subject property notifying of them of the May 19, 2015 Plan and Zoning Commission Public Hearing. The petitioner held a neighborhood meeting on May 12, 2015. Approximately 12 people attended the meeting and had general questions about how the property would be developed. There were no objections at the May 19, 2015 Plan and Zoning Commission public hearing.

Discussion:

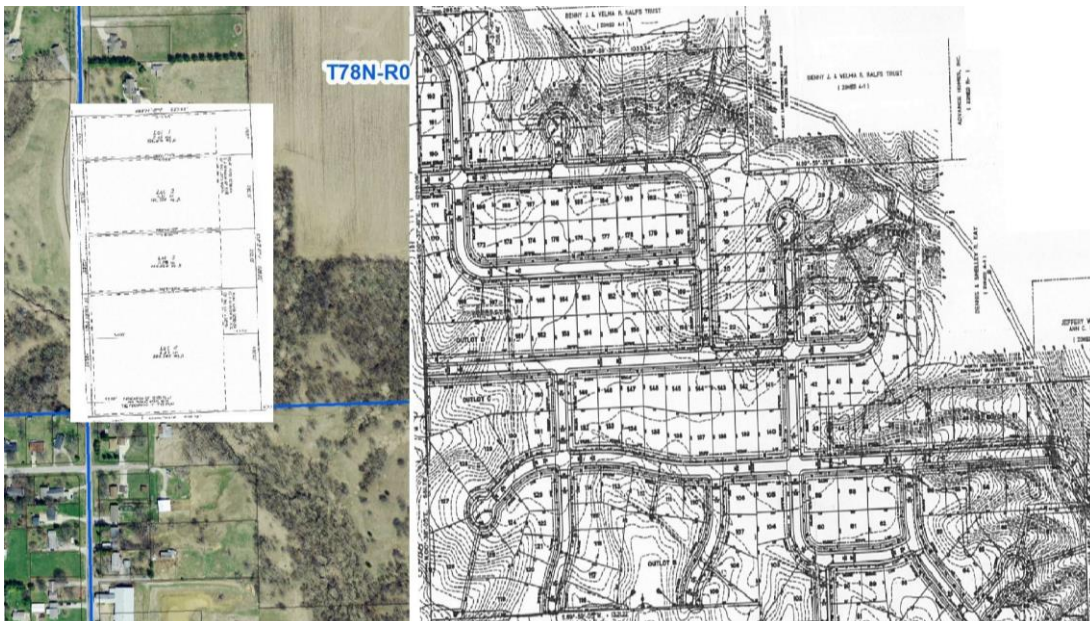
The petitioner is requesting the subdivision of 17.01 acres into four (4) large lots to accommodate home sites. There is a concurrent application to rezone the property from "A-1" Agricultural District to "R-1" Low Density Residential District.

Title 16, entitled "Subdivisions" requires the submission of a preliminary plat for proposed developments over three lots. It is staff's opinion that the concept plan provided with the rezoning application suffices for the preliminary plat considering this is a small, large lot subdivision and that conditions associated with this rezoning could be incorporated into the approval of the Final Plat.

Public works has indicated that the southern portion of the drainage way in proposed Lot 4 is a planned route for sanitary sewer to serve the area.

Notably, *Davenport 2025* indicates that North Utah Avenue is a proposed major right of way acquisition. Staff questions the need for major right of way acquisition along North Utah Avenue considering the area's growth rate over the past several years. At a minimum, the right-of-way adjacent to the subject should eventually contain 80 feet to match the right of way width of the adjacent right of way to the south.

The Preliminary Plat for Hidden Meadow Addition (2005) depicts two 50 foot right of ways stubbed to its west boundary. If extended, the southern stubbed right-of-way would likely curve north and tie into the central stubbed right of way. It is staff's opinion that that the central stubbed right of way should extend westerly to intersect with North Utah Avenue. Due to the North Utah Avenue topography change, this 50 right of way should be extended adjacent to the north property line of Proposed Lot 2.



Staff Recommendation:

Findings:

1. The proposed rezoning would achieve consistency with the subject property's *Davenport 2025* Residential General Proposed Land Use Designation; and
2. The concept plan with the rezoning application (REZ15-09) suffices as the required preliminary plat considering the proposed development would be a small, large lot subdivision and as long as the conditions associated with this rezoning would be incorporated into the Final Plat.

Staff recommends the City Plan and Zoning Commission accept the listed finding and forward Case No. REZ15-09 to the City Council for approval subject to the following conditions:

1. That a sanitary sewer easement be provided along the drainage way in the south west corner of proposed lot 4. This drainage way is the planned route for sanitary sewer to serve the area;
2. That due to the hilly terrain there will be considerable changes in grade to Utah Avenue when paved. Although the timing and changes are not known at this time as much as possible the paving of Utah should be considered when improvements are made within the subdivision;
3. That additional right of way 12 feet in width be dedicated to the City of Davenport adjacent to North Utah Avenue; and
4. That right of way 50 feet in width be dedicated to the City of Davenport along the north boundary of proposed Lot 2 to facilitate a connection with future residential to the east.

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

Attachments:

Public Hearing Notice, Map and Noticed Property Owners
Neighborhood Meeting Notice
Application

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – May 19, 2015 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. REZ15-09: Petition of Mike Fennelly for the rezoning of 17.01 acres, more or less, of real property located at 1335 North Utah Avenue from "A-1" Agricultural District to "R-1" Low Density. The purpose of the rezoning is to allow the property to be subdivided to accommodate home sites.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday May 19, 2015** in the **Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

This public hearing is the first step in the review/approval process. The City Plan and Zoning Commission will consider (vote on a recommendation) the petition at its regular meeting on Tuesday June 2, 2015. The Commission's report and recommendation will then be forwarded to the City Council. The City Council will then hold its own public hearing, as required by state law. You should also receive a notice of the City Council's public hearing. For the ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please call the phone number below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. All protests within the 200 foot notice area or the area being considered must be made in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Community Planning, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received up through the City Council's public hearing.

Office of Community Planning
Department of Community Planning & Economic Development
Phone: (563) 326-7765 Email: Planning@ci.davenport.ia.us

(detach here)

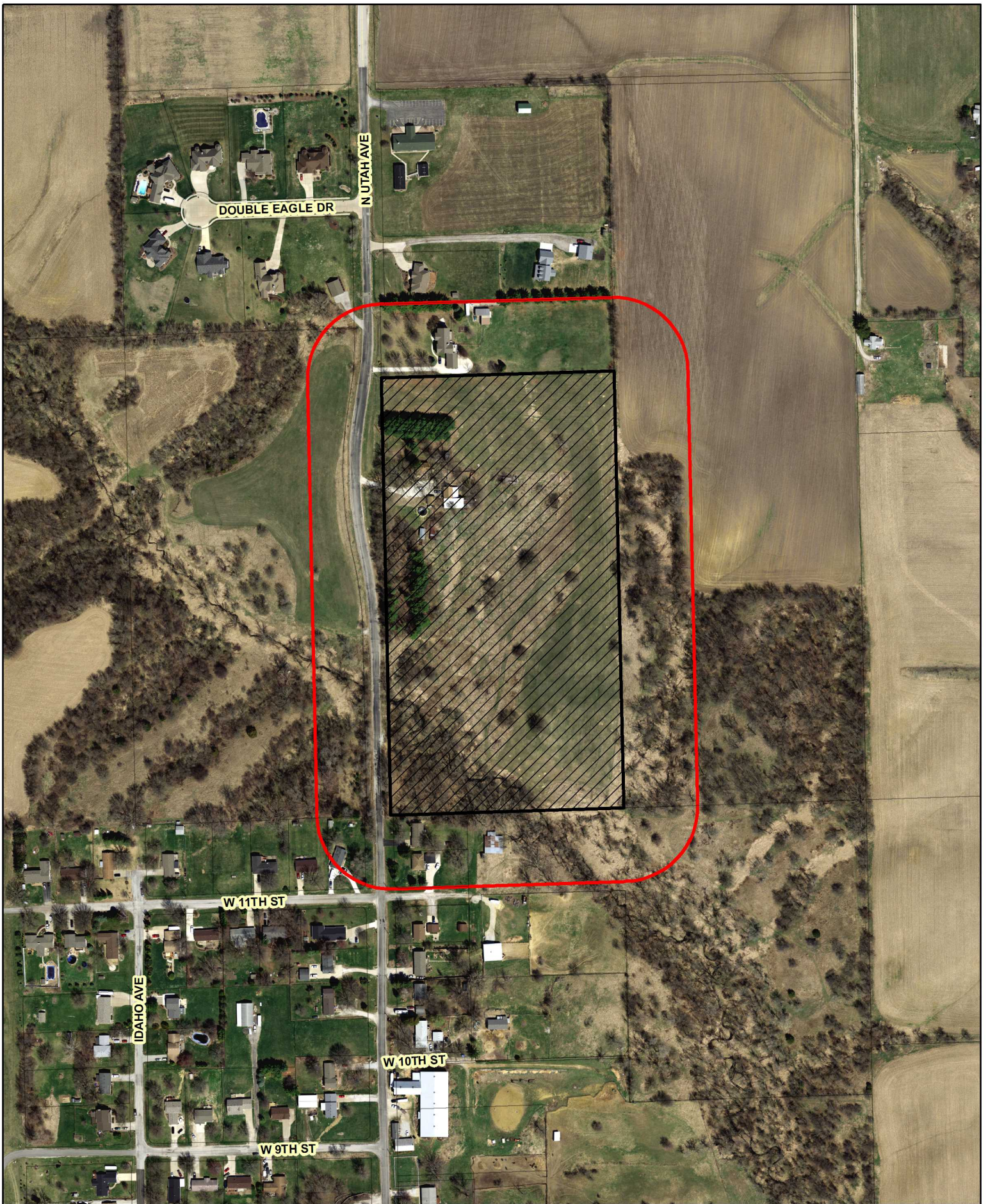
The undersigned – **opposes / does not oppose (circle one)** Petition of Mike Fennelly (REZ15-09)

Comments: _____

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801
Email to: Planning@ci.davenport.ia.us

NAME _____
ADDRESS _____
DATE _____
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



Subject Property



200 Foot Notification Radius



INVITATION FOR NEIGHBORHOOD MEETING

You are cordially invited to attend a neighborhood meeting. We will view plans prepared by McClure Engineering for the rezoning of 17 acres of land located south of Locust Street at 1335 W. Utah Ave. The rezoning is from Ag to R1 to allow for single-family homes. The proposal is for the land to be sub-divided into four lots.

Date: Tuesday, May 12, 2015

Time: 6:00 pm

Location: 1335 N. Utah, Davenport, IA 52804

If you have any questions or concerns or cannot attend this meeting, please contact realtor, Mr. Pat Fennelly at pat@patrickfennelly.com, 563-529-9916 or Mike Fennelly at 563-528-5542.

We look forward to meeting with you.

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

Legal Description:

ADDRESS OF PROPERTY: 1335 N. Utah Ave. EXISTING ZONING: Ag
REQUESTED ZONING: R-1
TOTAL AREA: 17.01 Acres

PETITIONER: Name: Mike Fennelly
Address: 1103 Garfield Ct Davenport Iowa 52804
Phone: 563-528-5542 FAX: _____
Mobile Phone: 563-528-5542 Email: Murfenn@901.com
Interest in land: owner title holder Mike & Ann Fennelly 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: Mike Fennelly
Address: 1103 Garfield Ct Dav Ia 52804
Phone: 563-528-5542 FAX: _____
Mobile Phone: 563-528-5542 Email: murfenn@901.com

CONTACT PERSON: Name: Mike Fennelly
Address: 1103 Garfield Ct Dav Ia 52804
Phone: 563-528-5542 FAX: _____
Mobile Phone: 563-528-5542 Email: Murfenn@901.com

EXPLANATION OF REZONING (for Public Hearing Notice) (4) Residential Lots
(Approx.) 6.5, 3.75, 3.75 + 3 acres.

Does the property contain a drainageway or floodplain area: ☒ Yes ☐ No

Signature of Petitioner: Mike Fennelly Date: 4-27-15

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 \$5.00 per sign; 1 to 3 signs required depending upon the size of the subject property

3 - signs
\$1440.00

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

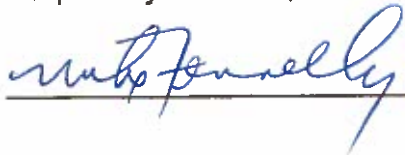
Honorable Mayor and City Council:

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 Ag
to R-1

for the following legally described real property: 17.01 Acres 1335 N. Utah Ave.
Attached legal, (Parcel ID: S3017-09)

Respectfully submitted,



Date: 4-27-15

Scott County Parcel Records


[Search Page](#)

[Print](#)

[Comparables Search](#)

[Feedback](#)

[Help](#)
[\[Assessment Report | Auditor/Treasurer Report | Map \]](#)

Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: S3017-09

Property Location: 1335 N UTAH AV
DAVENPORT, IA

Legal Description:

Sec:30 Twp:78 Rng:03PT W/2 NW 30-78-3COM 1460.20'SNW COR NW-E 660.97'-S 1188.12'-W 660.76' N 1188.12' TO PT OF BEG

AddNum / Sect: 30

Block / Twp: 78

Lot / Rng: 03

Gross Acres: 17.01

CSR Points: 816

Exempt Acres: 4.5

Net Acres: 12.51

Deed Holder:

TRACY PATRICIA LYNN
MULLINIX MICHAEL J
PITTMAN ALAN R
MULLINIX DANIEL P
12499 81ST CT
SEMINOLE FL 33772

Contract Holder:

Mail To:

Class: A Agriculture; AD Ag Dwelling

SubClass:

Transfer Document No.: 2015 -6935

Revenue Stamp: \$0.00

Deed Date: 6/24/2010

Deed Book:

Deed Page:

Contract Date:

Contract Book:

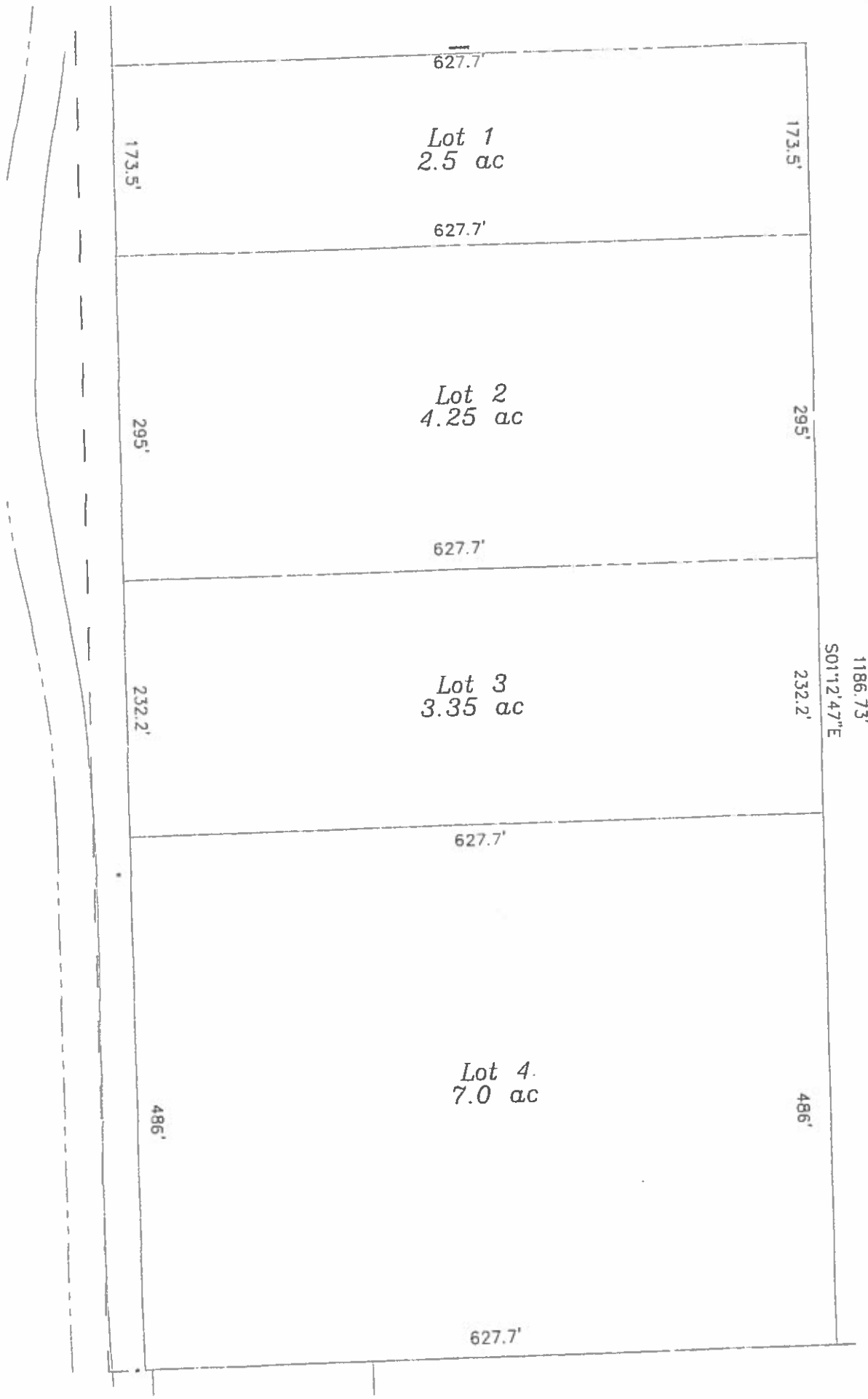
Contract Page:

Taxing District: DAD - DAVENPORT DAVENPORT

School District: DAVENPORT SCHOOL

Misc. District:

	2015 VALUATION		2014 VALUATION		2013 VALUATION	
	Assessed	Taxable Value	Assessed	Taxable Value	Assessed	Taxable Value
Land	\$20,670	-	\$22,605	\$10,105	\$22,605	\$9,811
Buildings	\$1,960	-	\$1,700	\$760	\$1,700	\$738
Dwellings	\$46,350	-	\$0	\$0	\$0	\$0
Exempt	\$4,210	-	\$3,195	-	\$3,195	-
Gross Taxable	\$73,190	-	\$27,500	\$10,865	\$27,500	\$10,549
Military	0	-	0	0	0	0
Net Taxable	\$68,980	-	\$24,305	\$10,865	\$24,305	\$10,549
Gross Taxes		-		-		\$277.92



Lot 1
2.5 ac

Lot 2
4.25 ac

Lot 3
3.35 ac

Lot 4
7.0 ac

627.7'

627.7'

627.7'

627.7'

627.7'

173.5'

295'

232.2'

486'

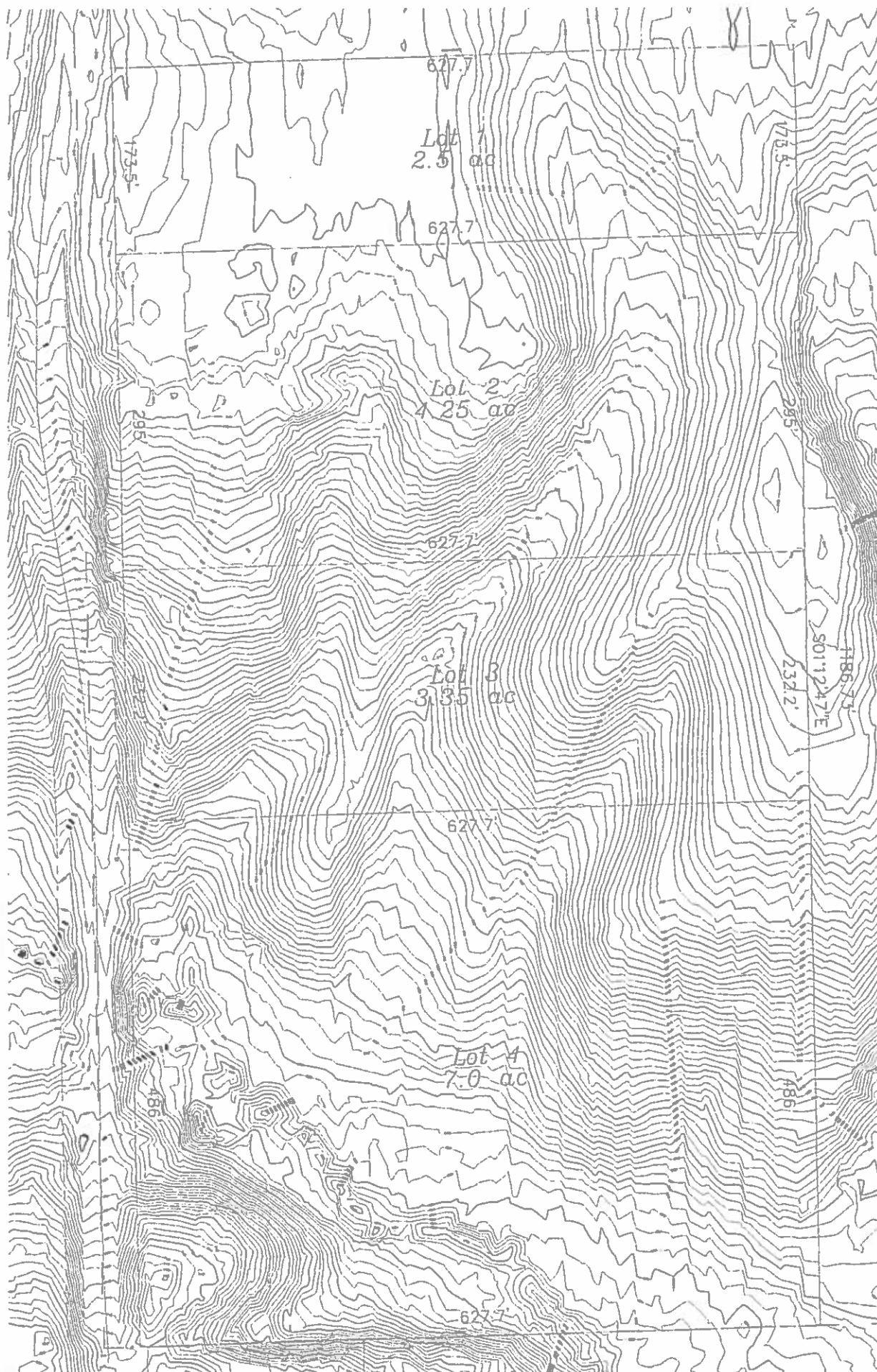
1186.73'
S01°12'47"E

173.5'

295'

232.2'

486'



Lot 1
2.5 ac

Lot 2
4.25 ac

Lot 3
3.35 ac

Lot 4
7.0 ac

627.7

627.7

627.7

627.7

627.7

173.5'

295'

232.2'

486'

173.5'

295'

232.2'

486'

1186.73'
S011247E

City of Davenport

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

Action / Date
CD6/3/2015

Subject:

Second Consideration: Ordinance for Case No. ROW15-04: Petition of Y&J Properties, LLC for the proposed vacation of Swits Street between Federal Street and Tremont Avenue. [Ward 3]

Recommendation:

Findings:

1. The street is no longer needed for public purposes.
2. The vacation will facilitate the redevelopment of a long-underutilized complex of industrial buildings.

The Plan and Zoning Commission accepted the listed findings and forwarded Case No. ROW15-04 to the City Council for approval with the following condition:

1. That a recorded easement shall grant access to all public utility providers (including the City of Davenport) for the maintenance, operation, removal, repair, construction, placement and/or replacement of all utilities within the entire vacated right-of-way; the petitioner shall record the easement and shall provide copies to all utility providers.

Relationship to Goals:

Neighborhood Improvement

Background:

As part of the Harborview redevelopment project, the developer wishes to vacate this street and incorporate the property into open space and reconfigured parking. No neighborhood opposition to the vacation has been expressed. A public utility easement will be maintained to support facilities within the existing right-of-way.

ATTACHMENTS:

Type	Description
Backup Material	P&Z Letter
Backup Material	P&Z Report plus attachments

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	6/11/2015 - 4:08 PM



*Community Planning and Economic Development Department
City Hall - 226 West Fourth Street - Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com*

May 20, 2015

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of May 19, 2015, the City Plan and Zoning Commission considered Case No. ROW15-04: Request of Y&J Properties, LLC to vacate 25,129 square feet of public right-of-way, being Swits Street between Tremont Avenue and Federal Street.

Findings:

1. Street is no longer needed for public purposes.
2. The vacation will facilitate the redevelopment of a long-underutilized complex of industrial buildings.

The Plan and Zoning Commission accepts the findings and forwards Case No. ROW15-04 to the City Council for approval on condition that a public utility easement be maintained within the property proposed for vacation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Inghram', with a long horizontal flourish extending to the right.

Robert Inghram, Chairperson
City Plan and Zoning Commission



PLAN AND ZONING COMMISSION

Meeting Date: May 19, 2015
Request: Right-of-Way Vacation of 25,130 square feet of property
Location: Swits Street between Federal Street and Tremont Avenue
Case No.: ROW15-04
Applicant: Y&J Properties LLC

Contact: Matthew G. Flynn, AICP
Senior Planning Manager
mflynn@ci.davenport.ia.us
563-326-7743

Recommendation:

Staff recommends Case No. ROW15-04 be forwarded to the City Council with a recommendation for approval, conditioned upon maintaining a public utility easement upon the entire right-of-way.

Introduction:

The petitioner is seeking a Right-of-Way Vacation of approximately 25,130 square feet of land platted and improved as Swits Street.



Background:

Y & J Properties LLC is renovating / rehabilitating the Harborview properties for residential / commercial redevelopment. The vacated right-of-way will be used to provide greenspace and site amenities as well as enhancing parking functionality and access to the building. The applicant owns the property on both sides of Swits Street. The applicant proposes to maintain utilities through an easement.



Technical Review:

Staff conducted outside technical review for the proposed vacation. There is a need to maintain the property as a general utility easement.

Public Input:

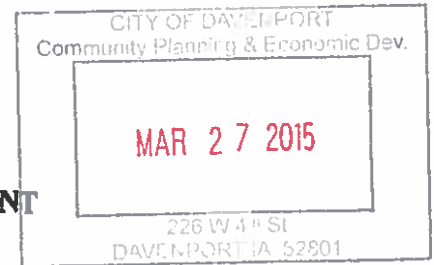
Property owners within 200 feet have been notified. No objections have been received.

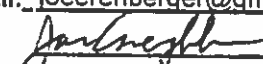
Discussion:

Vacation of this street will allow the redevelopment of adjacent properties into the proposed Harborview Development. This mixed use project will consist of 100 apartment units, retail and office space.

The street is no longer needed and its space will be reconfigured into open space and accommodate a revised parking layout, if needed.

**CITY OF DAVENPORT
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
REQUEST FOR PUBLIC RIGHT-OF-WAY VACATION**



PETITIONER: Name: Y & J Properties, LLC
Address: P.O. Box 4469, Davenport, IA, 52808
Phone: 563-323-4719 FAX: _____
Mobile Phone: _____ Email: joeerenberger@gmail.com
Interest in land:  title holder  other**
** if petitioner is other than title holder (i.e., lessee), documentation will be required to show prior approval for site development plans by owner.

CONTACT PERSON: Name: Y & J Properties, LLC
Address: P.O. Box 4469, Davenport, IA 52808
Phone: 563-323-4719 FAX: _____
Mobile Phone: _____ Email: joeerenberger@gmail.com

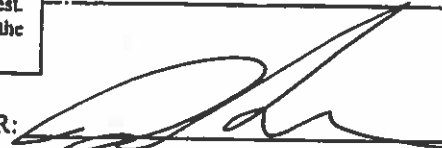
LOCATION (DESCRIPTIVE): Harborview commercial/residential development located north and south of Swits Street, between Federal Street and Tremont Ave.

LEGAL DESCRIPTION: All that portion of Swits Street lying east of the easterly right-of-way line of Federal Street and west of the westerly right-of-way line of Tremont Avenue in Davenport, Scott County, Iowa.

AREA: (in square feet) 25,130 square feet, more or less.

REASON FOR REQUEST: Vacated right-of-way to be used to provide green space and site amenities, and enhance parking functionality and access to building. Utilities will be maintained through easements as necessary.

*(The applicant MUST be as detailed and specific as possible in completing this section. Complete and descriptive information is vital to the timely submission of the petitioner's request. Incomplete applications may delay the application process.)

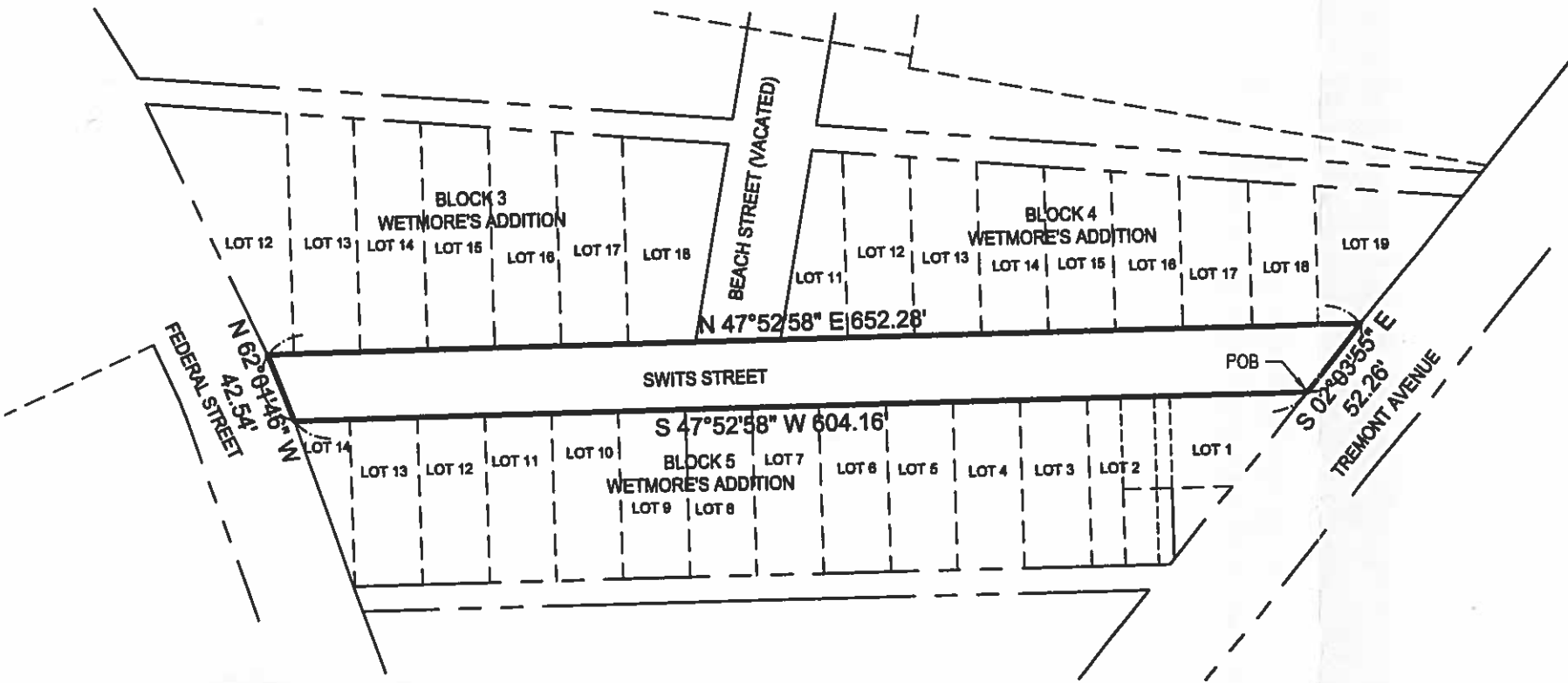
SIGNATURE OF PETITIONER:  DATE: 3-24-15

PROCESSING FEE: \$400.00

DATE PAID: _____

VACATION PLAT

SWITS STREET BETWEEN FEDERAL STREET AND
TREMONT AVENUE, DAVENPORT, IOWA



LAND DESCRIPTION

COMMENCING AS A POINT OF BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 1 IN BLOCK 5 OF WETMORE'S ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SWITS STREET;

THENCE SOUTH 47°52'58" WEST 604.16 FEET ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF SWITS STREET TO THE NORTHWESTERLY CORNER OF LOT 14 IN BLOCK 5 OF WETMORE'S ADDITION AND THE EASTERLY RIGHT-OF-WAY LINE OF FEDERAL STREET;

THENCE NORTH 82°01'48" WEST 42.54' ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE OF FEDERAL STREET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SWITS STREET AND THE SOUTHWESTERLY CORNER OF LOT 12 IN BLOCK 3 OF WETMORE'S ADDITION;

THENCE NORTH 47°52'58" EAST 652.28 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SWITS STREET TO THE SOUTHEASTERLY CORNER OF LOT 19 IN BLOCK 4 OF WETMORE'S ADDITION AND THE WESTERLY RIGHT-OF-WAY LINE OF TREMONT AVENUE;

THENCE SOUTH 02°03'55" EAST 52.26 FEET ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF TREMONT AVENUE TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SWITS STREET AND THE NORTHEASTERLY CORNER OF LOT 1 IN BLOCK 5 OF WETMORE'S ADDITION AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 25,129 SQUARE FEET OR 0.577 ACRES MORE OR LESS.

(FOR THE PURPOSE OF THIS DESCRIPTION THE SOUTHERLY RIGHT-OF-WAY LINE OF SWITS STREET IS ASSUMENT TO BEAR SOUTH 47°52'58" WEST.)

LEGEND	
SURVEY	
PLAN MARK	DESCRIPTION
00	MEASURED BEARING/DISTANCE
POB	POINT OF BEGINNING

PROFESSIONAL LAND SURVEYOR

GARY D. GROSS

16850

IOWA

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

SIGNATURE: *Gary D. Gross*

NAME: GARY D GROSS

DATE: 2-24-2015 LICENSE NUMBER: 16850

MY LICENSE RENEWAL DATE IS: DECEMBER 31, 2016

PAGES, SHEETS OR DIVISIONS COVERED BY THIS SEAL: B1.01

ONLY THESE COPIES OF THIS DOCUMENT SIGNED AND DATED IN CONTRASTING INK COLOR ARE TO BE CONSIDERED CERTIFIED OFFICIAL COPIES PER IOWA ADMINISTRATION CODE 193C-6.1(5)

SURVEYED BY
AND RETURN TO:

SHIVE HATTERY
1701 RIVER DRIVE
SUITE 200
MOLINE, IL 61265

SURVEYED FOR:

Y & J PROPERTIES, L.L.C.
P.O. BOX 4469
DAVENPORT, IOWA 52808

SHIVE HATTERY
ARCHITECTURE + ENGINEERING
Iowa | Illinois | Indiana | Missouri
http://www.shive-hattery.com
ILLINOIS FIRM NUMBER: 184-000214

SWITS STREET VACATION PLAT
Y & J HARBORVIEW BUILDING
DAVENPORT, IOWA

DATE	2/20/15	SCALE	AS SHOWN
DRAWN	JJB	FIELD BOOK	
APPROVED	GDC	REVISION	

PROJECT NO.
314366-0

SHEET NO.
B1.01

Staff Recommendation:

Findings:

1. Street is no longer needed for public purposes.
2. The vacation will facilitate the redevelopment of a long-underutilized complex of industrial buildings.

Recommendation:

Staff recommends Case No. ROW15-04 be forwarded to the City Council with a recommendation for approval, with the following condition:

A general public utility easement be maintained upon the entire right-of-way.



NOTICE
PUBLIC HEARING
TUESDAY – May 5, 2015 - 5:00 P.M.
DAVENPORT CITY PLAN AND ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA

Dear Property Owner:

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

Case No. ROW15-04: Request of Y&J Properties, LLC for the right-of-way vacation of Swits Street, located between Federal Street and Tremont Avenue.

Public hearings on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, May 5, 2015 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

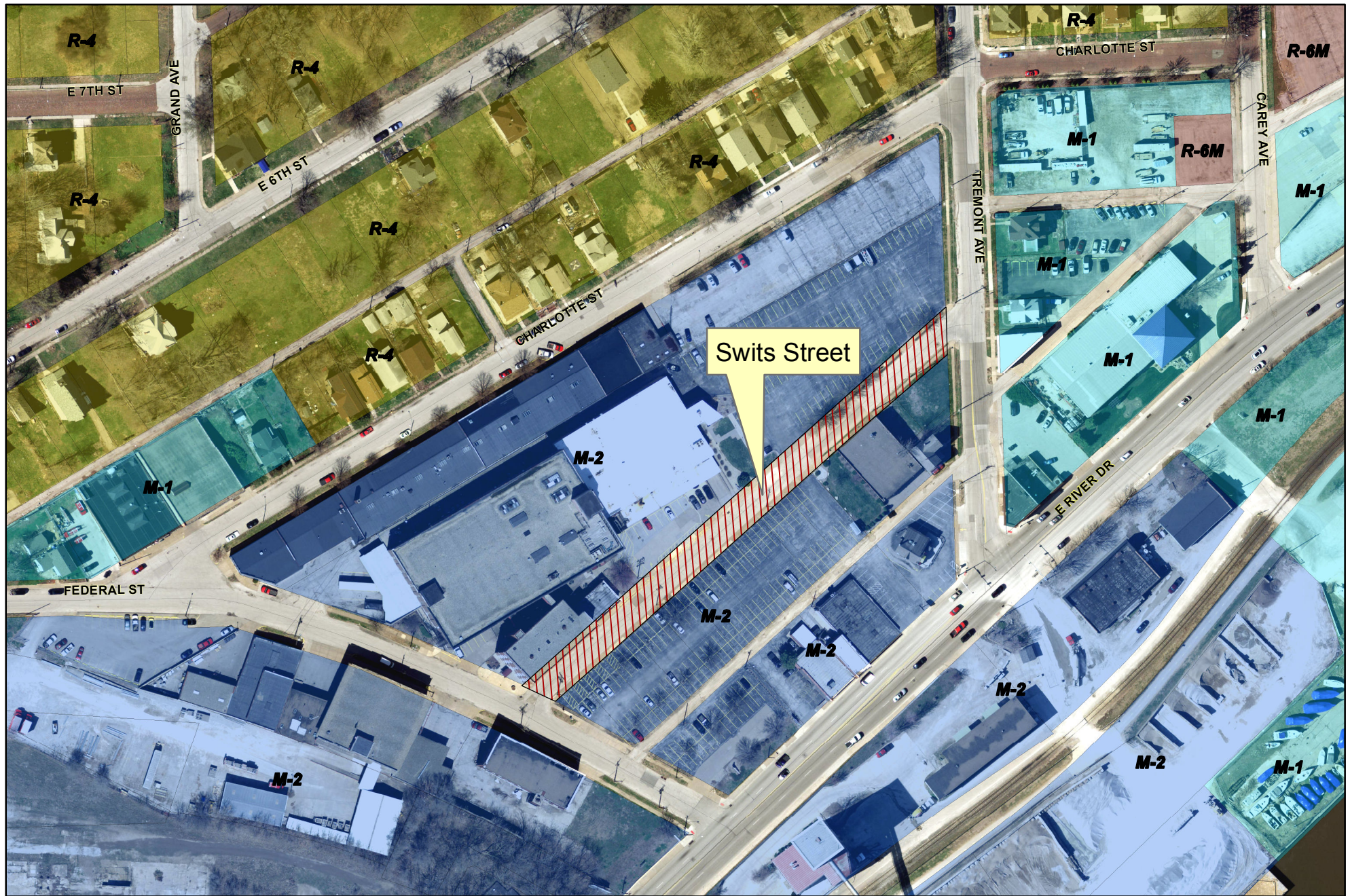
If you have any questions, please feel free to contact us.

Department of Community Planning & Economic Development

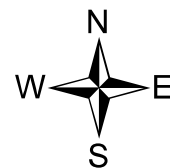
Phone: (563) 326-7765

FAX: (563) 328-6714

E-MAIL: planning@ci.davenport.ia.us



0 75 150 300
Feet



City of Davenport

Agenda Group: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 3, 7

Action / Date
CD6/17/2015

Subject:
Resolution approving Urban Revitalization Tax Exemption projects. [Ward 3, 7]

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 new 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 applicants are applying for URTE benefits for their properties:

- Village Property Management, 3915 Marquette St, 100% exemption for 3 years
- Village Property Management, 3901 Marquette St, 100% exemption for 3 years
- MARNCO LLC, 301 E 3rd St, 100% exemption for 10 years

ATTACHMENTS:

Type	Description
 Resolution Letter	URTE June Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Pribyl, Rita	Approved	6/9/2015 - 4:57 PM
Community Development Committee	Pribyl, Rita	Approved	6/9/2015 - 5:01 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 10:39 AM

Resolution No. _____

Resolution offered by .

RESOLVED by the City Council of the City of Davenport.

RESOLUTION for approval of Urban Revitalization Tax Exemption Projects.

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 projects 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 following properties will be approved for the Urban Revitalization Tax Exemption program for 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Bruce Berger 326--7769
Wards: All

Action / Date
CD6/17/2015

Subject:

Resolution approving a change in wording from commercial residential to multiresidential for the Urban Revitalization Tax Exemption program. [All Wards]

Recommendation:

Approve the resolution

Relationship to Goals:

Neighborhood Improvements/Emphasis on Economic Development

Background:

On January 1, 2015, Senate File 295 changed the assessment classification name of commercial residential to multiresidential. The City is recommending amending the language within the Urban Revitalization Tax Exemption program and application to reflect this change. This will allow the Urban Revitalization Tax Exemption program to comport with State of Iowa Code.

ATTACHMENTS:

Type	Description
 Resolution Letter	URTE Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Pribyl, Rita	Approved	6/9/2015 - 4:53 PM
Community Development Committee	Pribyl, Rita	Approved	6/9/2015 - 4:59 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 10:38 AM

Resolution No. _____

Resolution offered by Alderman _____.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a change in wording from commercial residential to multiresidential for the Urban Revitalization Tax Exemption program.

WHEREAS, Section 404.1 of the Code of Iowa provides the authority for a local governing body to designate an area as an urban revitalization area and the City of Davenport has designated such areas; and

WHEREAS, Senate File 295 changed the classification status of commercial residential to multiresidential as of January 1, 2015; and

WHEREAS, in order to comport with Senate File 295, the City is recommending amending the language within the Urban Revitalization Tax Exemption program and application to reflect this change ;

NOW, THEREFORE, be it resolved by the City Council of the City of Davenport, Iowa:

1. That the City Council hereby approves changing "commercial residential" to "multiresidential" for the Urban Revitalization Tax Exemption program to reflect the change in state code classifications;
2. That the effective date for this amendment shall be June 24, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Bruce Berger, 326-7769
Wards: 5

Action / Date
CD6/17/2015

Subject:
Resolution supporting a Workforce Housing Tax Credit application to the State for 1605 Harrison St. [Ward 5]

Recommendation:
Approve the resolution

Relationship to Goals:
Revitalized neighborhoods and corridors

Background:
This multi-use redevelopment will help to update a long dilapidated building along Harrison Street in the Hilltop area. The total project cost is approximately \$586k and will include the rehabilitation of 8 efficiency units and 4 one bedroom units. The redevelopment will also include rehabilitation of the first floor commercial space that currently is occupied by Winnie's Wishes and Mary Sue's Café. Additionally, the exterior of the property will also be rehabilitated.

On February 2, 2015, IEDA opened up the opportunity for developers to directly apply for a new program called Workforce Housing Tax Credits (WHTCs). This program replaces the former Iowa Enterprise Zone program, which was terminated in June 2014. While the programs have similarities, one of the key differences is that projects must document local funding match of at least \$1,000 per unit and have a resolution of support from City Council. The project has been approved for tax exemption through the URTE program that exceeds the public contribution requirement.

ATTACHMENTS:

Type	Description
 Resolution Letter	Resolution - 1605 Harrison WHTC

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Pribyl, Rita	Approved	6/9/2015 - 4:54 PM
Community Development Committee	Pribyl, Rita	Approved	6/9/2015 - 5:00 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 10:39 AM

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 redevelopment of 1605 Harrison St.

WHEREAS, Village Property Management 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 their redevelopment project, a 12-unit multi-use project located at 1605 Harrison St; and

WHEREAS, successful completion of the redevelopment of 1605 Harrison St requires funding from a number of sources, including an award of WHTCs in the estimated amount of \$100,000; 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 redevelopment project is located within the City's Urban Revitalization Tax Exemption (URTE) area, has applied for benefits through this program in 2015, and is eligible for the 10 year, 100% exemption schedule; and

WHEREAS, while the specific value of this URTE commitment cannot be estimated in advance, similar projects in the past have averaged a tax savings of \$144,500 over 10 years per \$1 million invested in the project; and

WHEREAS, the total project is estimated to cost \$586K;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the redevelopment project of 1605 Harrison St is fully supported in applying for the Iowa Workforce Housing Tax Credit Program.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, MMC, City Clerk

City of Davenport

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

Action / Date
CD6/17/2015

Subject:

Resolution supporting a Workforce Housing Tax Credit application to the State for 1034 E River Dr, known as the Continental Lofts project. [Ward 3]

Recommendation:

Approve the resolution

Relationship to Goals:

Revitalized neighborhoods and corridors

Background:

The Continental Lofts project is the redevelopment of the old Wonderbread facility located at 1034 E River Dr. This \$15M project will include 47 contemporary market-rate apartments that will accentuate the views, high ceilings and high quality historic materials. The former shipping area will be adapted to provide lighted, heated and secured parking. The rehabilitation of this large, blighted riverside property at the east edge of downtown Davenport will help satisfy the demand for quality market rate housing in the urban core.

On February 2, 2015, IEDA opened up the opportunity for developers to directly apply for a new program called Workforce Housing Tax Credits (WHTCs). This program replaces the former Iowa Enterprise Zone program, which was terminated in June 2014. While the programs have similarities, one of the key differences is that projects must document local funding match of at least \$1,000 per unit and have a resolution of support from City Council. The project has been approved for tax exemption through the URTE program that exceeds the public contribution requirement.

ATTACHMENTS:

Type	Description
 Resolution Letter	Con Lofts WHTC Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Pribyl, Rita	Approved	6/9/2015 - 4:55 PM
Community Development Committee	Pribyl, Rita	Approved	6/9/2015 - 5:00 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 10:38 AM

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 Continental Lofts project.

WHEREAS, Continental Lofts LLC 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 Continental Lofts Development, a 47-unit housing project located at 1034 E River Dr; and

WHEREAS, successful completion of the Continental Lofts Development requires funding from a number of sources, including an award of WHTCs in the estimated amount of \$1,000,000; 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 Continental Lofts project is located within the City's Urban Revitalization Tax Exemption (URTE) area, has applied for benefits through this program in 2015, and is eligible for the 10 year, 100% exemption schedule; and

WHEREAS, while the specific value of this URTE commitment cannot be estimated in advance, similar projects in the past have averaged a tax savings of \$144,500 over 10 years per \$1 million invested in the project; and

WHEREAS, the total project is estimated to cost \$15 million;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Continental Lofts Development is fully supported in applying for the Iowa Workforce Housing Tax Credit Program.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, MMC, City Clerk

City of Davenport

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

Action / Date
CD6/17/2015

Subject:

Resolution supporting a Workforce Housing Tax Credit application to the State for 2104 W 6th St, known as the Naval Station Development. [Ward 3]

Recommendation:

Approve the resolution

Relationship to Goals:

Revitalized neighborhoods and corridors

Background:

This project is a \$6M adaptive re-use of the former school and naval station into 18 senior apartments. The project is located at 2104 W 6th St. The project, which will include 4 one bedroom apartments and 14 two bedroom apartments ranging from 700 to 1,000 square feet, will qualify for federal and state historic tax credits. Rents will range from \$500-\$600 per month. The project will be applying for low income housing tax credits in December 2015. If approved, construction is expected to begin in Spring 2016 and be completed in early 2017.

On February 2, 2015, IEDA opened up the opportunity for developers to directly apply for a new program called Workforce Housing Tax Credits (WHTCs). This program replaces the former Iowa Enterprise Zone program, which was terminated in June 2014. While the programs have similarities, one of the key differences is that projects must document local funding match of at least \$1,000 per unit and have a resolution of support from City Council. The project has been approved for tax exemption through the URTE program that exceeds the public contribution requirement.

ATTACHMENTS:

Type	Description
 Resolution Letter	Naval Station WHTC Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Pribyl, Rita	Approved	6/9/2015 - 4:56 PM
Community Development Committee	Pribyl, Rita	Approved	6/9/2015 - 5:01 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 10:39 AM

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 Naval Station, LLC project.

WHEREAS, Naval Station LLC 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 Naval Station Development, a 18-unit housing project located at 2104 W 6th St; and

WHEREAS, successful completion of the Naval Station Development requires funding from a number of sources, including an award of WHTCs in the estimated amount of \$1,000,000; 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 Naval Station project is located within the City's Urban Revitalization Tax Exemption (URTE) area, has applied for benefits through this program in 2015, and is eligible for the 10 year, 100% exemption schedule; and

WHEREAS, while the specific value of this URTE commitment cannot be estimated in advance, similar projects in the past have averaged a tax savings of \$144,500 over 10 years per \$1 million invested in the project; and

WHEREAS, the total project is estimated to cost \$6 million;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Naval Station Development is fully supported in applying for the Iowa Workforce Housing Tax Credit Program.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, MMC, City Clerk

City of Davenport

Agenda Group: Community Development
Department: CPED
Contact Info: Bruce Berger
Wards: 3

Action / Date
CD6/17/2015

Subject:
Resolution supporting a Workforce Housing Tax Credit application to the State for the rehabilitation project located at 301 E 3rd St. [Ward 3]

Recommendation:
Approve the resolution

Relationship to Goals:
Revitalized neighborhoods and corridors

Background:
The rehabilitation project located at 301 E 3rd St is a mixed-use, multi-family residential and commercial rehabilitation of a historic building in Downtown Davenport. The project will contain 3-4 residential rental units of approximately 1,000 sq/ft each. Project costs are estimated to be \$750k. The developer of this project is John Carroll.

On February 2, 2015, IEDA opened up the opportunity for developers to directly apply for a new program called Workforce Housing Tax Credits (WHTCs). This program replaces the former Iowa Enterprise Zone program, which was terminated in June 2014. While the programs have similarities, one of the key differences is that projects must document local funding match of at least \$1,000 per unit and have a resolution of support from City Council. The project has been approved for tax exemption through the URTE program that exceeds the public contribution requirement.

ATTACHMENTS:

Type	Description
 Resolution Letter	301 E 3rd St WHTC Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Pribyl, Rita	Approved	6/9/2015 - 4:55 PM
Community Development Committee	Pribyl, Rita	Approved	6/9/2015 - 4:59 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 10:38 AM

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 rehabilitation of 301 E 3rd St.

WHEREAS, MARNCO, LLC 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 rehabilitation project of 4 residential units located at 301 E 3rd St; and

WHEREAS, successful completion of the rehabilitation project requires funding from a number of sources, including an award of WHTCs in the estimated amount of \$75,000; 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 rehabilitation project is located within the City's Urban Revitalization Tax Exemption (URTE) area, has applied for benefits through this program in 2015, and is eligible for the 10 year, 100% exemption schedule; and

WHEREAS, while the specific value of this URTE commitment cannot be estimated in advance, similar projects in the past have averaged a tax savings of \$144,500 over 10 years per \$1 million invested in the project; and

WHEREAS, the total project is estimated to cost \$750k;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the rehabilitation project located at 301 E 3rd St is fully supported in applying for the Iowa Workforce Housing Tax Credit Program.

Approved:

Attest:

William E. Gluba, 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
CD6/17/2015

Subject:

Resolution supporting a Workforce Housing Tax Credit application to the State for the project located at 3901 & 3915 Marquette St. [Ward 7]

Recommendation:

Approve the resolution

Relationship to Goals:

Revitalized neighborhoods and corridors

Background:

This project is seeking to rehabilitate the properties at 3901 & 3915 Marquette St. 3901 Marquette will be converted from commercial office space into a 8-plex multi-family dwelling. The facades on both buildings will be updated along with installing new HVAC and fire suppression. The total project cost is estimated to be \$917k.

On February 2, 2015, IEDA opened up the opportunity for developers to directly apply for a new program called Workforce Housing Tax Credits (WHTCs). This program replaces the former Iowa Enterprise Zone program, which was terminated in June 2014. While the programs have similarities, one of the key differences is that projects must document local funding match of at least \$1,000 per unit and have a resolution of support from City Council. The project has been approved for tax exemption through the URTE program that exceeds the public contribution requirement.

ATTACHMENTS:

Type	Description
 Resolution Letter	3901 Marquette Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Pribyl, Rita	Approved	6/9/2015 - 4:55 PM
Community Development Committee	Pribyl, Rita	Approved	6/9/2015 - 5:00 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 10:38 AM

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 redevelopment of 3901 & 3915 Marquette St.

WHEREAS, Village Property Management 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 their redevelopment project project located at 3901 & 3915 Marquette St; and

WHEREAS, successful completion of the redevelopment of 3901 & 3915 Marquette St requires funding from a number of sources, including an award of WHTCs in the estimated amount of \$100,000; 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 redevelopment project is located within the City's Urban Revitalization Tax Exemption (URTE) area, has applied for benefits through this program in 2015, and is eligible for either a 3 year, 100% exemption or a 5 year, sliding scale exemption; and

WHEREAS, while the specific value of this URTE commitment cannot be estimated in advance, similar projects in the past have averaged a tax savings of \$144,500 over 10 years per \$1 million invested in the project; and

WHEREAS, the total project is estimated to cost \$917K;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the redevelopment project of 3901 and 3915 Marquette St is fully supported in applying for the Iowa Workforce Housing Tax Credit Program.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, MMC, City Clerk

City of Davenport

Agenda Group:
Department: Legal
Contact Info: Brian 7735
Wards: 3rd

Action / Date
6/24/2015

Subject:
Resolution Authorizing the conveyance of vacated public right of way known as the East-West Alley between Main and Brady Streets of Block 43 of LeClaire's 1st Addition to the City of Davenport, Iowa. City Square, L.L.C., Petitioner.

Recommendation:
Consider approval of the resolution.

Relationship to Goals:

Background:
City Square, L.L.C., previously requested the vacation of this alley in connection with its re-development of the adjacent property. Approval of this resolution will allow the project to move forward.

ATTACHMENTS:

Type	Description
 Cover Memo	Resolution Authorizing Conveyance of City Square Alley

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Admin, Default	Approved	6/11/2015 - 5:02 PM

Resolution No. _____

Resolution offered by Alderman _____

RESOLVED by the City Council of the City of Davenport.

RESOLUTION AUTHORIZING THE CONVEYANCE OF VACATED PUBLIC RIGHT OF WAY KNOWN AS THE EAST-WEST ALLEY BETWEEN MAIN AND BRADY STREET OF BLOCK 43 OF LECLAIRE'S 1ST ADDITION TO THE CITY OF DAVENPORT. CITY SQUARE, LLC, PETITIONER.

WHEREAS, the City of Davenport currently owns the recently vacated public right of way known as the East-West alley lying between and connecting Main and Brady Streets in Block 43 of LeClaire's 1st Addition to the City of Davenport, Iowa, legally described as:

Part of the Northeast Quarter of Section 35 - Township 78 North – Range 3 East of the 5th P.M. being more particularly as follows:

Beginning at a point east right of way line of Main Street, said point being the Northwest corner of Lot 1, Block 43 of LeClaire's 1st Addition to the City of Davenport, Iowa; thence northerly along the East right of way line of said Main Street a distance of 20.00 feet, more or less, to the Southwest corner of Lot 10, Block 43 of said LeClaire's 1st Addition; thence easterly along the South lot lines of Lots 10, 9, 8, 7 and 6 a distance of 320.00 feet, more or less, to the Southeast corner of Lot 6, Block 43 of said LeClaire's 1st Addition, on the West right of way line of Brady Street; thence southerly along the West right of way line of said Brady Street a distance of 20.00 feet, more or less, to the Northeast corner of Lot 5, Block 43 of said LeClaire's 1st Addition; thence westerly along the northern lot lines of Lots 5, 4, 3, 2 and 1 a distance of 320.00 feet, more or less, to the point of beginning, the Northwest corner of said Lot 1, Block 43, LeClaire's 1st Addition.

Said tract contains 6400 square feet, more or less, and

WHEREAS, the City of Davenport wishes to convey the same to City Square, LLC subject to easements and restrictions of record and existing utilities;

WHEREAS, a public hearing on the matter was held on Wednesday, June 17, 2015, as required by law;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the above-described real estate be conveyed to City Square, LLC subject to easements and restrictions of record and existing utilities; and in addition that an easement be recorded granting access to all public utility providers, including the City of Davenport, for the maintenance, operation, removal, repair, construction, reconstruction, placement and/or replacement of all utilities within the vacated right of way, and

BE IT FURTHER RESOLVED that the proposed conveyance shall be executed by the Mayor and Deputy City Clerk on behalf of the City.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn, 326-7743
Wards: 5th

Action / Date
CD6/17/2015

Subject:

Motion approving the petition of David Howard for a roof mounted digital sign located at 1902 Brady Street. Case No. DRB15-23. (Approval of the motion overturns the decision of the Design Review Board to deny the petition.) [Ward 5]

Recommendation:

Staff recommends the Council uphold the decision of the Design Review Board by voting "no".

Relationship to Goals:

Neighborhood Improvement

Background:

Advanced Auto Glass has moved into the commercial building located at 1902 Brady Street. The owner installed a 4 foot by 6 foot digital message board, without a permit, on the roof of the building, directed towards the intersection of Brady and Locust Streets. The intent of Title 17.07 of the Municipal Code is to ensure pedestrian-oriented development in the Hilltop Campus Village Overlay District. At its May 18, 2015 meeting, the Design Review Board voted unanimously to deny the application based on the following:

1. The sign is directed to the busy intersection at passing vehicles.
2. The sign is extremely bright, causing driver distraction, particularly at night.
3. The sign advertises businesses not located at the property, thus operating illegally as a billboard.

In addition, the Community Services Division has informed the owner to turn off the sign pending Design Review Board approval. The sign remains operating. See attachments for additional information.

ATTACHMENTS:

Type	Description
Backup Material	Application
Backup Material	Staff Report
Backup Material	Denial Letter 4-28-15

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Flynn, Matt	Approved	6/9/2015 - 10:47 AM

**Design Review Board
City of Davenport, Iowa**

MAR 24 2015

226 W 4th St
DAVENPORT IA 52501

Property Address: 1902 N. Brady St. Davenport, IA 52803

Petitioner* (If not owner)

David Howard

1225 E. River Dr. Davenport
IA

319-210-8545

howard@lucy81@yahoo.com

☐ Residential Infill Design Overlay District

- Any new dwelling or an addition to a dwelling which is visible from a street and exceeds twenty-five percent of the square footage of the original structure and is located within the R-1, R-2, R-3, R-4, R-5, R-5M and R-6M zoning districts (generally south of Duck Creek).

Submission requirements

- Please contact Community Planning and Economic Development staff at (563) 326-7765 or planning@ci.davenport.ia.us so we can help you determine what exactly is required to be submitted.
- Incomplete applications will not be accepted.

All types of requests:

- The completed application form.
- A work plan that accurately and completely describes the work to be done.
- Color photographs depicting the building elevations and proposed construction.

Minor alterations to existing buildings and new and replacement signs (all of the above and):

- Specifications, including dimensions, material used and color of the material.
- A rendering of the proposed alteration as depicted on the existing building.
- Samples of the materials, including the color, along with scaled, accurately colored elevations for any proposed sign and/or sign package.

Minor additions, site improvements and outdoor storage areas (all of the above and):

- A dimensioned site plan, including the locations of any proposed or existing buildings on the subject parcel and on surrounding parcels.
- A preliminary grading plan showing before and after grades at two-foot contour intervals, where deemed necessary by the development official.
- Outdoor storage areas shall be reflected in the elevation drawings submitted and shall show their relationship to the building elevations as well as the materials and treatment proposed that would accurately reflect the screening of the storage areas.
- A landscape plan.

Major additions and new buildings (all of the above and):

- Reproductions of building or site information found in the historical surveys if applicable
- A verifiable legal description, or a land survey.
- A map showing the existing topography of other properties at two-foot contour intervals, extending one hundred feet from the subject parcel.
- Elevation drawings, in color and drawn to scale, of the front, sides, rear, and roof lines of all proposed buildings or structures, illustrating the appearance and treatment of required screening elements for roof-mounted equipment, where deemed necessary by the development official.
- A materials board containing samples of each type of exterior building materials.

Determination of the request by the Design Review Board

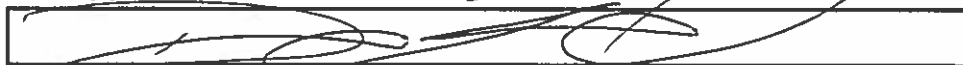
- The applicant's attendance is required at the meeting.
- Only work described in the application may be approved by the Board.
- The Board may continue the Certificate of Design approval until its next meeting, if it feels there is insufficient information to make a proper judgment on the proposed activity. It shall not continue any application more than three regularly scheduled consecutive meetings unless the applicant requests additional continuances. If the continuances are based on the petitioner's failure to provide required information, the board may make a decision on the information available, or it may return the petition to the party submitting it for future resubmission. Notwithstanding the provisions described above and provided the application submitted is complete, the petition shall be considered approved if the board should fail to take action within sixty days of the complete application having been submitted.
- The owner(s) of record may appeal the board's decision to the city council by filing a written appeal with the city clerk's office within thirty calendar days of the official notification of determination.

The applicant hereby acknowledges and agrees to the following requirements:

- (1) No Application for a Certificate of Design Approval will be presented to the Design Review Board for consideration until the applicant has submitted all requested information to the Board Secretary.
- (2) No work subject to Design Review Board approval may commence until the Design Review Board has issued a Certificate of Design Approval approving said work.
- (3) All work shall be in accordance with Design Review Board approval. Changes not in accordance with the approval may require a subsequent Design Review Board approval.
- (4) Once commenced, all work must be completed within a timely manner. If the work is not in accordance with the Design Review Board approval, the applicant may be required to remove the improvements or vacate the premises until compliance with the approval is achieved.
- (5) Design Review Board approval would not vest against other required land development regulations or other regulatory approvals that may apply. The applicant must contact the City's Office of Construction Code Enforcement located in the Public Works Facility at East 46th Street and Tremont Avenue (1200 Tremont) to apply for all necessary permits prior to the commencement of said work.
- (6) If the Design Review Board denies the Application for a Certificate of Design Approval, the applicant may file a written appeal with the City Clerk within 30 calendar days to bring the issue before the City Council.
- (7) In the event work has been completed without the required Certificate of Design Approval, the applicant and persons performing may be subject to a municipal infraction. Every day each said violation shall continue to exist shall constitute a separate violation.

Owner(s) of Record or Authorized Agent

Date



3-24-15

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

Received by:

Commission Secretary or Designee

Date





Date of Downtown Design Review Board Public Meeting:

All Design Review Board Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Hand delivered applications may be submitted to:

*Design Review Board
C/O Community Planning and Economic Development Department
226 W. 4th Street
Davenport, Iowa 52801*

Work Plan

Please describe the work being performed. Please note that only work described in the application may be approved by the Board.

4'x6' Digital Message Center to be installed facing
One way traffic coming up Locust St. Sign is programmable
to change as slow or fast as requested. Brightness is
adjustable in software and has eye for automatic
dimming in evening. Sign meets all other sign ordinances carried
by the city.

**City of Davenport
Design Review Board
2015 Meeting Schedule**

All meetings to be held in the City Hall Council Chambers, at 5:00 pm
(subject to change)

Submittal Deadline	Meeting Date
January 16, 2015	January 26, 2015
February 13, 2015	February 23, 2015
March 13, 2015	March 23, 2015
April 17, 2015	April 27, 2015
May 8, 2015	May 18, 2015
June 12, 2015	June 22, 2015
July 17, 2015	July 27, 2015
August 14, 2015	August 24, 2015
September 18, 2015	September 28, 2015
October 16, 2015	October 26, 2015
November 13, 2015	November 23, 2015
December 13, 2015	December 23, 2015



DESIGN REVIEW BOARD - DOWNTOWN

Meeting Date: April 27, 2015

Request: Certificate of Design Approval for a roof mounted sign.

Location: 1902 Brady Street

Case: DR15-23

Applicant: David Howard

Relevant Guidelines: “HCOD” Hilltop Campus Village Overlay District.

Attachment:
Application

Introduction:

Staff is in receipt of a Certificate of Design Approval to install a four foot by six foot roof mounted sign. The sign was installed without a permit or Design Review Board approval.

Discussion:

When a sign has been installed without a permit or Design Review Board approval, it's staff opinion that the proposal should be considered as if it were not there.

The intent of the “The Hilltop Campus Village Overlay District is created to direct development within the Hilltop Campus Village. The purpose of this chapter is to generally preserve and promote the pedestrian-oriented character of the Hilltop Campus Village by regulating the use, form and design of all property within the Hilltop Campus Village.”

It is staff's opinion that the sign does nothing to preserve or promote pedestrian-oriented character considering that it is mounted on the roof of the building and is oriented toward the Brady Street and Locust Street intersection. In the application for Certificate of Design Approval, the petitioner articulates it is a “4'x6' digital message center to be installed facing one way traffic....” Moreover, the sign is extremely bright during nighttime hours.

A recent site inspection revealed that the sign is being utilized as an illegal billboard. The Davenport City Code defines a Billboard as:

“...an advertising sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where such sign is located or to which it is attached. A billboard is a separate category of sign form and is not a business identification sign.”



Homesinqc.com is listed at the following location: 1987 Spruce Hills Drive Bettendorf, Iowa 52722



Staff called the phone number on the sign and was only able to obtain the voice mail of a cell phone. Staff contends that this business does not have a physical presence at this location.

Staff Recommendation:

Staff recommends denial of DR15-24 because it neither preserves nor promotes the pedestrian-oriented character of the Hilltop Campus Village. Further, it is currently being operated as an illegal billboard. Its location and orientation toward a major transportation corridor fosters this illegal use.

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

563-888-2022

rrusnak@ci.davenport.ia.us

**Design Review Board
City of Davenport, Iowa**

DA) CITY OF DAVENPORT
Community Planning & Economic Dev.

MAR 24 2015

229 W 4th St
DAVENPORT IA 52501

Property Address: 1902 N. Brady St. Davenport, IA 52803

Petitioner* (If not owner)

howard.david81@yahoo.com

- Any new dwelling or an addition to a dwelling which is visible from a street and exceeds twenty-five percent of the square footage of the original structure and is located within the R-1, R-2, R-3, R-4, R-5, R-5M and R-6M zoning districts (generally south of Duck Creek).

Work Plan

Please describe the work being performed. Please note that only work described in the application may be approved by the Board.

4'x6' Digital Message Center to be installed facing
One way traffic coming up Locust St. Sign is programmable
to change as slow or fast as requested. Brightness is
adjustable in software and has eye for automatic
dimming in evening. Sign meets all other sign ordinances carried
by the city.

April 28, 2015

David Howard
1225 East River Drive
Davenport, Iowa 520803

Re: Roof mounted sign at 1902 Brady Street (Hilltop Campus Village Overlay District)

Dear Mr. Howard,

The Design Review Board unanimously denied the request (DR15-23) for the roof mounted sign at 1902 Brady Street at its April 27, 2015 meeting.

Pursuant to Davenport City Code, Section 17.29.110:

17.29.110 Appeal of board's decision on demolition.

A. Application to appeal. The owner may appeal the board's determination regarding a proposed demolition. A written appeal must be submitted to the city clerk's office within thirty calendar days of the board's decision.

B. Appeal fee. A fee in the amount determined in the board's administrative procedures shall be paid by the petitioner to the city clerk at the time of filing a written appeal.

C. Notification of appeal. The city clerk shall notify the board secretary within three business days of the filing of a written appeal. The board secretary shall inform the office of construction code enforcement of the pending appeal and instruct the chief building official to withhold the demolition permit until the city council has ruled on same. The board secretary shall also inform the owner(s) of record of the subject property of the date, time and location of the city council meeting scheduled to hear the appeal. The city council agenda shall serve as notice to the general public of the appeal and shall be posted on the first floor city hall bulletin board used for such purposes no less than one calendar day prior to the scheduled time of the meeting.

D. Review process. The city council, within thirty calendar days of the filing of a written appeal or at a later time at the request of the petitioner, shall either accept or reject the board's determination. In considering the determination, the city council may receive and review all relevant information, testimony and/or evidence submitted for its consideration, including that reviewed by the board and any additional material.

E. Notification of decision. The owner(s) of record shall be notified by regular mail of the city council's decision within fifteen business days. The office of construction code enforcement shall be notified within two business days of the city council's decision. The publishing of the city council meeting minutes shall serve as notice to the general public. The city council's decision shall be the final city action.

Alternatively, a new application for Certificate of Design Approval could be submitted with a rendering depicting the sign in an alternative location. A suggested location at the meeting was the mansard roof.

If you have any questions, please contact me at (563) 888-2022 or rrusnak@ci.davenport.ia.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Rusnak", enclosed within a thin black rectangular border.

Ryan Rusnak, AICP
Planner III

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Jackie Holecek 563-326-6163
Wards: 3

Action / Date
5/6/2015

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

Recommendation:
Consider the request.

Relationship to Goals:
Support small buisness.

Background:

ATTACHMENTS:

Type	Description
 Cover Memo	PS-Street Closing Resolution

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	6/11/2015 - 3:55 PM

RESOLUTION NO. 2015-

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: Me & Billy

Event: Downtown Davenport Block Party

Date: June 27, 2015

Time: 4 PM to 1:30 AM

Closure Location: Main Street from 3rd Street to north boundary of patio/restaurant premise

Ward: 3

Entity: Matthew Mendez

Event: Neighborhood Block Party

Date: July 4, 2015

Time: 10 AM to 10 PM

Closure Location: Wilkes Ave from 69th to 70th

Ward: 8

Entity: Mac's Tavern

Event: Bix

Date: Thursday, July 23 to Sunday, July 26

Time: 4 PM Thursday, July 23 to 7 PM Sunday, July 26

Closure Location: 316 W 3rd for length of building

Ward: 3

Entity: The Office

Event: Bix

Date: Saturday, July 25 to Monday, July 27

Time: 10 AM Saturday, July 25 to 2 AM Monday, July 27

Closure Location: 116 W 3rd for length of building

Ward: 3

Entity: Barrel House

Event: Bix

Date: Thursday, July 23 to Sunday, July 26

Time: 5 PM Thursday, July 23 to Noon Sunday, July 26
Closure Location: 2nd Street between Perry Street and Pershing Street
Ward: 3

Approved this _____ day of June, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

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

Action / Date
PW6/17/2015

Subject:

Resolution approving the plans, specifications, form of contract and estimated cost for the Fuel Facility Modernization at the Davenport Municipal Airport, CIP Project #10102. [Ward 8]

Recommendation:

Approve the Resolution.

Relationship to Goals:

Upgraded City Infrastructure and Public Facilities.

Background:

The underground fuel system at the Davenport Municipal Airport was installed in the early 1950's. The system has deteriorated to a point that the Airport is spending an excessive amount of operating capital preventing fuel from leaking into the soil. Additionally, the insurance costs for an underground system can be eliminated by going to an above ground system. The new system will have self-serve and full-serve delivery cabinets, a self-serve credit card reader, 4 above-ground 10,000 gallon tanks, and a specially designed fuel containment system.

McClure Engineering Company is the current 5-year contract holder for FAA approved airport engineering and construction consultations.

Funds for this project have been budgeted in CIP project 10102. The estimated cost for this modernization project is \$650,000. The source of funding is through the Iowa Department of Transportation, Aviation Division grant for \$225,000 (35%) and the CIP project 10102 for \$425,000(65%).

ATTACHMENTS:

Type	Description
 Resolution Letter	PW_RES_Fuel Facility pg2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Rejected	6/11/2015 - 10:50 AM
Public Works - Engineering	Lechvar, Gina	Approved	6/11/2015 - 10:58 AM
Public Works - Engineering	Lechvar, Gina	Approved	6/11/2015 - 1:44 PM
Public Works Committee	Admin, Default	Approved	6/11/2015 - 3:22 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 3:22 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport

RESOLUTION approving the plans, specifications, form of contract and estimated cost for the Fuel Facility Modernization at the Davenport Municipal Airport, CIP Project #10102.

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa for the Fuel Facility Modernization within the City of Davenport, Iowa; and

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

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Davenport, Iowa, that plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the Fuel Facility Modernization at the Davenport Municipal Airport.

Passed and approved this 24th day of June, 2015

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Nick Schmuecker 327-5162
Wards: All

Action / Date
PW6/17/2015

Subject:

Motion approving a contract for the FY16 Sidewalk Program to Kelly Construction of Davenport, Inc in the amount not-to-exceed \$150,000. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

A request for bids was issued on May 20, 2015 and was sent to 190 contractors. On June 5, 2015 the Purchasing Division recieved and opened two bids. Kelly Construction of Davenport, Inc. was the lowest responsive and responsible bidder and is recommended for the contract.

The funding for the sidewalk program comes from FY2016 CIP #28010 with an available balance of \$150,000.

ATTACHMENTS:

Type	Description
 Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	6/11/2015 - 1:41 PM
Public Works Committee	Lechvar, Gina	Approved	6/11/2015 - 1:42 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 3:21 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: FY2016 SIDEWALK PROGRAM
BID NUMBER: 15-129
OPENING DATE: JUNE 5, 2015
RECOMMENDATION: AWARD THE CONTRACT TO KELLY CONSTRUCTION OF
DAVENPORT, INC.

<u>VENDOR NAME</u>	<u>LOCATION</u>
KELLY CONSTRUCTION OF DAVENPORT, INC.	DAVENPORT, IA
WILLMAN CONSTRUCTION	DAVENPORT, IA

Prepared By Cindy Wintake
Purchasing

Approved By Mark R. [Signature] 10 June 2015
Department Director

Approved By Mallory Memitt
Budget/CIP

Approved By BW
Finance Director

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Ron Hocker 327-5169
Wards: All

Action / Date
PW6/17/2015

Subject:

Motion awarding the contract for the FY2016 Manhole Boxout Repair Program to Hagerty Earthworks, LLC of Muscatine, IA in the amount not-to-exceed \$120,000. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

A request for bids was issued on May 8, 2015 and was sent to 225 contractors. On June 5, 2015 the Purchasing Division recieved and opened three responsive and responsible bids.

Hagerty Earthworks, LLC of Muscatine, IA was the lowest bid and is recommended for the contract. The bid tabulation is attached. The amount of work to be done will be reduced to the most critical areas to stay within budget.

The manhole boxout repair program is to replace sewer manhole boxouts in pavement to improve the road surface and mitigate storm water runoff into sanitary manholes.

Defective boxouts have been identified by the Sewer Division for inclusion in the program. The work will be administered by the Sewer Division with quality assurance inspections being completed by Engineering Division staff.

Funding for this contract is from the FY2016 CIP #30009 with a balance of \$120,000.

ATTACHMENTS:

Type	Description
 Backup Material	Bid Tabulation

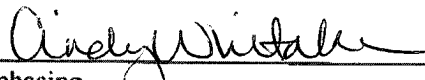
REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	6/11/2015 - 11:05 AM
Public Works Committee	Lechvar, Gina	Approved	6/11/2015 - 11:15 AM
City Clerk	Admin, Default	Approved	6/11/2015 - 3:22 PM

CITY OF DAVENPORT, IOWA
REQUEST FOR BIDS RESPONDENTS

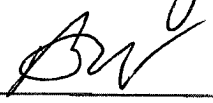
DESCRIPTION: MANHOLE BOXOUT REPAIR
BID NUMBER: 15-116
OPENING DATE MAY 29, 2015
RECOMMENDATION: AWARD THE CONTRACT TO HAGERTY EARTHWORKS, LLC
OF MUSCATINE, IA.

<u>VENDOR NAME</u>	<u>LOCATION</u>	<u>AMOUNT</u>
HAGERTY EARTHWORKS LLC	MUSCATINE, IA	\$247,675
LANGMAN CONSTRUCTION, INC	ROCK ISLAND, IL	\$249,450
HAWKEYE PAVING CORPORATION	BETTENDORF, IA	\$396,650

Prepared By 
Purchasing

Approved By  10 June 2015
Department Director

Approved By 
Budget/CIP

Approved By 
Finance Director

City of Davenport

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

Action / Date
FIN6/17/2015

Subject:

First Consideration: An ordinance amending Chapter 6.04 entitled "Animals" of the Davenport Municipal Code by amending Section 6.04.140(D)(1). [All Wards]

Recommendation:

Amend the ordinance.

Relationship to Goals:

Financially Responsible City Government

Background:

For many years, this ordinance allowed animal shelters to charge for the boarding of dogs and cats and similar animals at a rate of \$6.50 per day. Several years ago, the Humane Society of Scott County (HSSC) requested that this fee be increased to \$10.00 per day in order to better cover costs. Thinking that this change had been enacted, the HSSC proceeded to raise its boarding fee to \$10. It was recently discovered that this ordinance was never amended to reflect this fee increase. This action will correct that.

ATTACHMENTS:

Type	Description
Ordinance	ORDINANCE SHELTER BOARD FEE

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	6/11/2015 - 2:06 PM
Finance Committee	Watson-Arnould, Kathe	Approved	6/11/2015 - 2:06 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 3:22 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 6.04 ENTITLED "ANIMALS" OF THE DAVENPORT MUNICIPAL CODE BY AMENDING SECTION 6.04.140 (D) (1).

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

That Chapter 6.04 entitled "Animals" be amended as follows:

6.04.140 (D) (1) For each dog, cat, ferret or similar animal a fee of ten dollars per day for the animal's care, food, water and shelter.

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 _____

William E. Gluba
Mayor

Attest: _____
Jackie Holecek, MMC
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Agenda Group:
Department: Legal
Contact Info: Brian Heyer - 326-7735
Wards: 8

Action / Date
6/24/2015

Subject:
Resolution authorizing the conveyance of vacated public right-of-way known as a cul-de-sac terminus of Sheridan Street North of West 55th Street. KGRD Green Bay, LLC, Petitioner.

Recommendation:
Consider approval of the resolution.

Relationship to Goals:

Background:
Conveyance of this vacated right-of-way has been sought in conjunction with the Loffredo warehouse development.

ATTACHMENTS:

Type	Description
 Resolution Letter	Resolution Authorizing Conveyance of cul-de-sac terminus of Sheridan Street

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Admin, Default	Approved	6/11/2015 - 5:02 PM

Resolution offered by Alderman _____

RESOLVED by the City Council of the City of Davenport.

Resolution Authorizing the conveyance of vacated public right of way known as a cul-de-sac terminus of Sheridan Street North of West 55th Street. KGRD Green Bay, LLC, PETITIONER.

WHEREAS, the City of Davenport currently owns the recently vacated public right of way known as a cul-de-sac terminus of Sheridan Street, lying North of West 55th Street, legally described as:

Part of the Northwest Quarter of Section 11 - Township 78 North – Range 3 East of the 5th P.M., being more particularly described as follows:

Beginning at a point in the Southeast Corner of Lot 1 of Welcome Way Commercial Park Fifth Addition to the City of Davenport, Iowa, said point also being the west line of Sheridan Street; thence North 00°-02'-22" West along said west line of Sheridan Street 80.30 feet; thence in a Northeasterly direction along the arc of a curve concave Southeasterly with a radius of 50.00 feet, with a chord bearing of North 18°-58'-00" East and a chord distance of 32.57 feet, for a distance of 33.17 feet; thence continuing in a Northeasterly direction along the arc of a curve concave Southerly with a radius of 50.00 feet, with a chord bearing of North 85°-32'-54" East and a chord distance of 73.28 feet, for a distance of 83.04 feet; thence continuing in a Southerly direction along the arc of a curve concave Westerly with a radius of 50.00 feet, with a chord bearing of South 14°-52'-17" West and a chord distance of 88.09 feet, for a distance of 107.77 feet; thence continuing in a Southerly direction along the arc of a curve concave Southeasterly with a radius of 15.00 feet, with a chord bearing of South 38°-17'-22" West and a chord distance of 18.61 feet, for a distance of 20.07 feet; thence South 00°-02'-22" East a distance of 16.46 feet to the Southwest Corner of Lot 3 of said Welcome Way Commercial Park Fifth Addition; thence South 89°-16'- 33" West a distance of 50.00 feet to the point of beginning.

The above described tract of land contains 9,942 sq. ft., more or less and

WHEREAS, the City of Davenport wishes to convey the same to KGRD Green Bay, LLC subject to easements and restrictions of record and existing utilities;

WHEREAS, a public hearing on the matter was held on Wednesday, June 17, 2015, as required by law;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the above-described real estate be conveyed to KGRD Green Bay, LLC subject to easements and restrictions of record and existing utilities; and in addition, subject to a perpetual easement granting access over the vacated right of way of the cul-de-sac for efficient provision of city services such as, but not limited to, snow and waste removal, and that utility easements be retained for current or future utility uses, and

BE IT FURTHER RESOLVED that the proposed conveyance shall be executed by the Mayor and Deputy City Clerk on behalf of the City.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Finance
Department: Police
Contact Info: Capt. Jane Imming 326-6109
Wards: All

Action / Date
FIN6/17/2015

Subject:
Motion approving a contract with the Humane Society of Scott County for animal control services. [All Wards]

Recommendation:
Approve the motion.

Relationship to Goals:
Financially Responsible City Government

Background:
The existing five-year contract with the Humane Society to provide animal control services is set to expire June 30, 2015. The proposed new contract term is three years with two separate one-year renewal terms at the option of the city. The proposed three-year contract is the same as the current contract in all material aspects, except the annual increase will be reduced from 2.00% to 1.75%. The proposed monthly fee effective July 1, 2015 is \$17,635.

ATTACHMENTS:

Type	Description
 Backup Material	Humane Society Contract

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	6/11/2015 - 1:53 PM
Finance Committee	Watson-Arnould, Kathe	Approved	6/11/2015 - 1:56 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 3:21 PM

AGREEMENT

This Agreement, effective this 1st day of July, 2015, between the Humane Society of Scott County, Iowa, a non-profit corporation devoted to the welfare, protection and humane treatment of animals as defined in Chapter 162 Iowa Code, hereafter called "Society," and the City of Davenport, Iowa, a municipal corporation of the State of Iowa, hereafter called "City."

WITNESSETH

In consideration of these mutual covenants the parties to the following:

A. Society's Obligations

(1) Society shall provide an animal shelter for the animal welfare of City which will comply in all respects to Iowa Administrative Code Rules Chapter 21 (Animal Welfare) Department of Agriculture Section 67.2(1) entitled Housing Facilities and Section 67.2(2) entitled Primary Enclosures.

(2) Society shall provide adequate personnel to carry out all the mandates of this Agreement, all ordinances, statutes and Departmental Rules, and also, for certification of registration as an animal welfare shelter by the Iowa Agricultural Department. Society shall provide for the education and training of Animal Control Officers with said training to include customer service and City ordinances. Said Animal Control Officers will respond to calls for assistance from the public 8:00 a.m. to 7:00 p.m. Monday thru Friday, and 8:00 a.m. to 5:00 p.m. on weekends, and respond to emergency calls through the Davenport Police Department on a 24 hour daily basis.

(3) Society shall provide for the prevention of abandonment and straying of animals within City by accepting all animals brought, either singly or in litters, to its shelter by any person living in City.

(4) Society shall capture all stray or abandoned animals within City for holding in its shelter for the period of time required by pertinent ordinances, statutes or Iowa Administrative Rules for return to its owner upon owner's payment of costs as set by Society and compliance with the Licensure and ordinances of City. However, animals which are sick or diseased with an infectious and contagious condition which constitute a health hazard to other animals or animals that are suffering by reason of injury, may be disposed of by euthanasia within a shorter period of time if approved by an Animal Control Officer and/or a licensed veterinarian. Animals that are suffering by reason of injury may be disposed of within a shorter period of time by euthanasia without approval by a licensed veterinarian.

(5) Society shall respond to all animal control calls, which includes domestic and orphaned or injured wildlife animals, as soon as possible, with the exception of complaints relative to dead animals in the public right of way.

The Animal Control Officer will evaluate all wildlife animal incidents to ensure that any threat to public safety is met. Any wildlife animal incident that is not considered a threat to public safety will be handled at the discretion of the Humane Society at no cost to the City.

(6) Society shall provide the forms, means, procedure and personnel at the shelter for adoption of suitable animals and to require all adoptees of animals to comply with City ordinances, State law and Iowa Administrative rules relating to health and animal welfare.

(7) Society shall issue citations by its Animal Control Officer where violations of licensing, rabies, inoculation, cruelty or other violations of ordinances or statute occur and have its Animal Control Officer attend the trial of the cause and assist therein by providing the documentation of the offense to the prosecuting legal officer. Society shall maintain records of such documentation and incidents.

(8) Society shall provide procedures for the humane euthanasia of sick, diseased and unclaimed City animals according to standards required by the Code of Iowa, 162.2(9) relating to euthanasia.

(9) Society shall require the owners of all City animals involved in bite cases to confine said animals as directed by the Scott County, Iowa, County Health Department and in the event of a dead animal involved in a bite case, to take such dead animal to a veterinarian designated by the Scott County Health Department for a head test.

(10) Society shall provide licenses to owners of animals requiring a license by City ordinance upon receipt of the amount specified for the license by law and presentation of current rabies inoculation documents. The Society may retain the license fees, except the fees for special licenses, such as those required for dangerous or vicious dogs, which shall be remitted to the City.

(11) Society shall pick up and transport to the shelter animals that have been injured and the owner is not known.

(12) Society shall provide forms and procedures for requiring the spay and neuter of all adopted animals from the shelter and for monitoring compliance.

(13) Society shall perform all functions and things required of City under Iowa Administrative Rules and any amendment thereto relating to animal welfare and all Iowa statutory law excepting those functions performed by the Scott County Board of health.

(14) Society shall provide the City Council Quarterly Reports on Society's Operations and Finances and allow the City the right to review the Society's annual audit.

(15) Society shall be responsible for creating programs designed to inform and educate the residents of Davenport on City animal ordinances and animal related issues.

B. City's Obligations

(1) City shall make a monthly payment to Society for performance of the covenants herein in the amount of \$17,635 payable on the first day of July 2015, and on the first day of each month thereafter, until this Agreement is terminated or expires by its own terms as provided below. Furthermore, the City will pay a 1.75% cost of living increase of the above amount on an annual basis.

(2) City shall provide the vehicles for transporting City animals. A new vehicle will be provided once every five (5) years upon turn in of the vehicle currently in use. The Humane society shall accept title to these vehicles and be responsible for licensing and insuring them in accordance with State law and assume all liability for them.

(3) City shall provide fuel so that the Society can efficiently carry out its obligations hereunder.

(4) City shall provide Society with a good and sufficient crematorium which meet state environmental standards for incineration of euthanized animals, in the event the burial requirement of Section 167.12 Code of Iowa cannot be complied with or to provide up to \$425 per month for the appropriate disposal services.

C. Mutual Agreements

(1) This Agreement shall have a term of three (3) years from the first day of July, 2015, and shall expire on the 30th day of June, 2018. Either party, at its option, may terminate this Agreement by giving ninety (90) days written notice to the other party.

(2) This Agreement may be renewed for two separate one (1) year terms at the option of the City upon substantially the same terms and conditions set forth herein. The City's Corporation Counsel or designee shall be the reviewing authority for the City.

(3) That Society will be afforded an opportunity to appear before the City Council for the purpose of making a presentation relating to the Society's goals and plans.

(4) This Agreement is the entire Agreement of the parties with respect to the subject matter hereof and supersedes any and all prior negotiations, correspondence, understandings and agreements among the parties.

(5) This Agreement is not intended and should not be construed to confer any rights or privileges upon any parties who are not party to this Agreement.

(6) This Agreement shall be governed by the laws of the State of Iowa.

ATTEST:

THE HUMANE SOCIETY
OF SCOTT COUNTY

By _____
Board President

ATTEST:

CITY OF DAVENPORT, IOWA

Deputy City Clerk

By _____
Mayor

City of Davenport

Agenda Group: Finance
Department: Information Technology
Contact Info: Rob Henry - 326-7791
Wards: All

Action / Date
FIN6/17/2015

Subject:

Motion authorizing staff to pursue an open access broadband business model and to move into a due diligence phase with SiFi Networks as a first step toward negotiations leading to a potential future long-term contract for a city-wide fiber network. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Build out and utilize fiber network.

Background:

In August 2014, the City Council authorized release of a broadband feasibility study to determine the current and future need of high-speed broadband services in the city. Magellan Advisors was selected to complete the study at a cost of \$49,920. On January 31, 2015, the results of this study were presented to the City Council at a regular budget work session. One of the top recommendations was for the city to pursue interest from other entities wishing to partner with the city in completing and delivering a next-generation high-speed fiber optic network capable of connecting all residents and businesses.

An RFI was issued and the city received 11 responses on April 13, 2015, outlining various public private partnership scenarios. After evaluation and interviews with respondents, city staff has determined that the open access business model for the construction of a city-owned fiber optic network, which could allow multiple service providers access would best serve the community.

Funding for this phase of the project has previously been authorized by the City Council.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	6/11/2015 - 2:05 PM
Finance Committee	Watson-Arnould, Kathe	Approved	6/11/2015 - 2:05 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 3:21 PM

City of Davenport

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

Action / Date
FIN6/17/2015

Subject:

Motion authorizing staff to negotiate a contract for professional services consulting to prepare pump station assessments with Strand Associates, Inc. of Madison, WI in the amount not-to-exceed \$300,000. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

A request for proposalss was issued on April 10, 2015 and sent to 88 firms. On May 6, 2015 the Purchasing Division received and opened seven responsive proposals.

The proposals were evaluated on the following criteria: (1) Professional qualifications of firm and key personnel - 25%; (2) Comprehensiveness, responsiveness, professional quality and overall value of the proposal to the requirements of the solicitation - 25%; (3) Past experience of assigned personnel with similar work - 15%; (4) Demonstration of understanding of project - 15%; (5) Proposed work approach -10%; and (6) Fee structure - 10%.

The city's sanitary and storm pump stations are aging and in need of rehabilitation. The purpose of this comprehensive review would be to identify and prioritize any needed replacement or rehabilitation of the pumps, pipes, structures and control systems. An additional goal of this assessment would be to provide recommendations concerning SCADA integration with pump station monitoring systems as well as flow monitors throughout the collection system, and to identify any opportunities to standardize the equipment used across all of the City's pump stations.

Funding for this contract comes from FY15 CIP# 10146 and FY16 CIP# 30007 and 33005 with a combined available balance of \$412,338.

ATTACHMENTS:

Type	Description
☐ Backup Material	BID TAB

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	6/11/2015 - 2:05 PM
Finance Committee	Watson-Arnould, Kathe	Approved	6/11/2015 - 2:05 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 3:22 PM

CITY OF DAVENPORT, IOWA
PROPOSAL TABULATION

DESCRIPTION: PUMP STATION ASSESSMENTS
RFP NUMBER: 15-128
OPENING DATE: MAY 6, 2015
RECOMMENDATION: AWARD THE CONTRACT TO STRAND ASSOCIATES, INC OF
MADISON, WI

<u>VENDOR NAME</u>	<u>LOCATION</u>
STRAND ASSOCIATES, INC	MADISON, WI
MCCLURE ENGINEERING COMPANY	CLIVE, IA
MISSMAN, INC	BETTENDORF, IA
MCCLURE ENGINEERING ASSOCIATES	EAST MOLINE, IA
DONOHUE & ASSOCIATES, INC.	ROCK ISLAND, IL
HDR ENGINEERING	DES MOINES, IA
IIW, P.C.	DAVENPORT, IA

Prepared By Cindy Whitaker
Purchasing

Approved By M. F. Duke
Department Director

Approved By Mallory Merritt
Budget/CIP

Approved By BW
Finance Director

City of Davenport

Agenda Group: Finance
Department: Administration
Contact Info: Craig Malin
Wards: 3

Action / Date
6/17/2015

Subject:

Motion directing the City Administrator to revise RFP #15-149 to include landward improvements.

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Admin, Default	Approved	6/11/2015 - 3:22 PM
Finance Committee	Admin, Default	Approved	6/11/2015 - 3:23 PM
City Clerk	Admin, Default	Approved	6/11/2015 - 3:23 PM

City of Davenport

Agenda Group: Committee of the Whole
Department: Legal
Contact Info: Tom Warner
Wards: 3

Action / Date
6/17/2015

Subject:
Resolution supporting state grant for River Action's Pedestrian Bridge proposal.

Recommendation:

Relationship to Goals:

Background:
River Action is seeking a state grant to help pay for the proposed pedestrian bridge over River Drive.

- 1) The City supports River Action's pursuit of the grant;
- 2) The City will accept the title of the land upon which the Northern terminus falls and the bridge once the bridge is completed in the 2016 construction season;
- 3) The City will facilitate the Southern touchdown of the bridge in River Heritage Park by building a terminus suitable for the bridge landing with ADA accessible paths that will allow the opening of the bridge to take place in Spring, 2017; and
- 4) The City will commit to 20 years of maintenance of the bridge funded by an endowment of \$130,000 in funds from River Action.

ATTACHMENTS:

Type	Description
 Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Admin, Default	Approved	6/16/2015 - 10:22 AM

Resolution No. _____

Resolution offered by Alderman Justin

RESOLVED by the City Council of the City of Davenport.

Resolution supporting River Action's application for a state grant related to the pedestrian bridge over River Drive near River Heritage Park.

WHEREAS, the City of Davenport owes much of its history and success to the railroads that serve it, and the first bridge to span the Mississippi River had its Western terminus at the intersection of Federal and River Drive Streets;

WHEREAS, the City of Davenport has established River Heritage Park on the site of that first bridge crossing to tell the story of that first crossing, the other events that happened on this site, as well as the history of the founding fathers of the City;

WHEREAS, River Action has committed to the fund and build a replica of one span of the first railroad bridge as a bike pedestrian bridge starting in River Heritage Park and ending on the original embankment at Federal Street and River Drive to connect the city to River Heritage Park and its wonderful riverfront trail system;

WHEREAS, River Action is seeking a grant of \$2 million from the Iowa DOT under its Iowa State Recreational Trails Program Funding as a major source of it's funding for this project; and

WHEREAS, a successful grant application requires the commitment of the City of Davenport as a partner in the project, and will:

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

- 1) The City supports River Action's pursuit of the grant;
- 2) The City will accept the title of the land upon which the Northern terminus falls and the bridge once the bridge is completed in the 2016 construction season;
- 3) The City will facilitate the Southern touchdown of the bridge in River Heritage Park by building a terminus suitable for the bridge landing with ADA accessible paths that will allow the opening of the bridge to take place in Spring, 2017; and
- 4) The City will commit to 20 years of maintenance of the bridge funded by an endowment of \$130,000 in funds from River Action.

Attest:

Jackie E. Holecek, CMC
Deputy City Clerk

Approved:

William E. Gluba
Mayor